

The Council of the City of Villa Rica met in a regular scheduled meeting on Tuesday, November 7, 2006 in the Council Chambers at 101 Main Street, Holt-Bishop Justice Center, Municipal Courtroom. Those present were Mayor J Collins; Councilmembers Perry Amidon, Verland Best, Danny Carter, Woody Holland and Joey Kelley; City Manager Danny Mabry; City Clerk Reedell Saxon and City Attorney David Mecklin. Approximately 25 people were in attendance.

Collins called the meeting to order at 7:00 p.m. The invocation was given by Carter. All recited the pledge of allegiance.

Collins announced that agenda items 6 and 7 on the downtown overlay districts would not be heard this date so that citizens who were only in attendance for that would be aware. Also, Collins asked Council to amend the agenda to include items 24a and 24b, respectively an item for entering into a contract for a By-pass traffic study and a proclamation honoring the Red Hat Society. Holland so moved, seconded by Best. Motion carried 5/0.

The minutes from the October 3, 2006 were approved as presented.

Under Old Business: Community Development Director Eric Lacefield reported on the progress of the City Complex. Lacefield said the area Engineering Schools would not be able to help with the design. Southern Tech students could, however, be available to “brainstorm” with the City Complex Committee. Currently the City is meeting informally with architects to develop a scope and cost of the project. Once that is accomplished, the City will let bids.

Staff had requested the tabling of ORD-01-06 and ORD-02-06. Kelley expressed concerns about what these ordinances would accomplish as currently written and suggested Staff consider other ways. He said the enforcement of existing codes would be helpful. Holland asked Planning and Zoning Manager Taurus Freeman if postponement until December would be adequate. Freeman said there is a scheduled public meeting on this for Thursday, November 16, 2006, however, these ordinances probably should be postponed indefinitely. Holland moved to postpone the issue of an overlay district downtown indefinitely, seconded by Carter. Motion carried 5/0.

Freeman presented ZM-01-06 for the adoption of an official zoning map. Holland noted that there is at least one error on the presented map. Council discussed the possibility of other error in the map. Carter moved to postpone until December, seconded by Kelley. Collins opened the floor for public comment. There being none, the floor was closed. Collins called for a vote on the motion. Carried 5/0.

Carter presented a resolution which calls for sewer tap fees on property within the city limits on city sewer be collected at City Hall before the issuance of a building permit. Carter moved for the adoption of the resolution. Kelley said the City Manager and City Attorney are working on negotiations with WSA to resolve existing problems and are making progress those negotiations. After Council discussion Collins asked is there was a second to the motion. Holland seconded. The vote was 2/2 with Best and Kelley opposed and Amidon abstaining. Collins broke the tie with a vote to oppose. Motion failed.

Collins appointed a Mayor's Committee to oversee Cultural Arts/Grass Roots grants. Jana Columbus was appointed as Chair of the committee. Other appointees are Linda McCurry and Shirley Marchman along with *ex officio* members Verland Best and Danny Mabry. Other members may be added later. Best asked that Columbus be invited to address the Council in December to outline the grant already approved, as well as what the committee may need from the City and what they expect to accomplish. Collins asked for this to be placed on the December agenda.

Mabry updated Council on the progress of the City's response to citizens' complaints on the cable TV franchisees and outlined the steps that will be taken to track complaints and monitor future problems.

Under New Business: Mabry introduced the November Employee of the Month, Chris Todd, Water Treatment Plant Operator. Todd was present to accept his plaque and \$50.00 check.

Mayor and Council approved the following appointees to the indicated Boards and Authorities:

- *Villa Rica Development Authority:* for three year terms ending 12/31/2009, Render Crook, Boyd Frasier, Kurt Kraft, Kinney Taylor, Dana Wynn, Pope Cleghorn, and Randy Boyd. Motion to approve by Best, seconded by Holland. Carried 5/0.
- *Downtown Development Authority:* for four year terms ending in 2010, Valerie Wilhelm and Patrick Hendrickson; for the remaining half year of a vacated term plus a consecutive four year term expiring 2/3/2011, Michael Edde. Motion to approve by Best, seconded by Holland. Carried 5/0.
- *Recreation Advisory Commission:* for three year terms ending 8/5/2009, Gary Jenkins and Willie Marchman. Motion to approve by Best, seconded by Amidon. Carried 5/0.
- *Villa Rica Board of Tourism:* for three year terms ending 10/7/2009, Charles Turner, Rusty Dean and Paul Free. Motion to approve by Best, seconded by Kelley. Carried 5/0.

Collins said there would be some new appointments for the Library Board presented at the December meeting. Carter moved to accept the resolution for the above reappointments, seconded by Best. Motion carried 5/0.

Collins presented a Resolution recognizing the historic nature of the Fullerville Community of Villa Rica. The resolution calls for the placement of historic markers on Rockmart Road on each end of the Fullerville area. After the reading, Carter moved to adopt the resolution, seconded by Amidon. Motion carried 5/0.

Mabry asked Council to table an inducement resolution for Project Bread Basket until the December 5, 2006 meeting or a possible called meeting before that date. Best so moved, seconded by Kelley. Motion carried 5/0.

Mabry presented a resolution which has been requested by the Georgia Municipal Association (GMA). The resolution opposes a petition submitted by the Association County Commissioners of Georgia (ACCG) to the Georgia Public Service Commission as Docket Number 21112. The petition would allow Georgia Power Company to charge customers within an incorporated city 2% to 4% more than charged to customers in unincorporated areas to compensate for municipal franchise fees. Holland moved to adopt the resolution, seconded by Carter. Motion carried 5/0.

Mabry presented a resolution to set the terms for repayment to the Urban Development Assistance Grant (UDAG) the \$781,000 borrowed to purchase the Avanti building. The resolution calls for a repayment of \$4941 per month for 20 years based on a rate of 4.5%, the average rate the City would pay if borrowing from a financial institution. Carter moved to adopt, seconded by Best. Council discussed the reason for interest and the uses of the UDAG account. Collins called for a vote. Motion carried 4/1 with Holland opposed due to the interest.

Freeman presented ABL-02-06, an application by Gabe's Downtown, LLC for an Alcoholic Beverage Pouring License for a restaurant at 104 W. Montgomery Street. The applicant, Samuel Toups and his wife Tammy, addressed Council. They intend to establish a Louisiana bistro at the location and plan to open next week. Holland motioned to approve as presented, seconded by Kelley. Motion carried 5/0.

Freeman presented VA-03-06, a request for variance on sign height from the current maximum 8 feet to a height of 23' 5" at 65 Commerce Drive. Applicant Ben Holiday with Clayton Signs addressed Council on behalf of Chick-fil-A. He presented photographs of the proposed sign and the current line-of-sight blockage by foliage if the sign is less than the request height. After some discussion by Council, Collins opened the floor for public comments. There being none, the floor was closed. Best moved to approve the variance, seconded by Carter. Motion carried 5/0.

Lacefield presented a request by the Carroll County Board of Education (CCBOE) for the donation of a small strip of City-owned land adjoining the southwest corner of the Glanton-Hindsman Elementary School facility at Brooks Street. The CCBOE would use this land to reroute bus traffic and to construct a new Kitchen/Cafeteria. Dave Goldberg, CCBOE Facilities Development Officer addressed Council with specific information on the proposed use of the property. In exchange for the donation, the BOE would enclose the City Cemetery on Brooks Street and landscape the area. Mecklin said an easement would be the preferable method of transfer. A quit claim deed would be possible but not be as desirable. After further discussion, Best moved to accept the request, seconded by Amidon, Motion carried 5/0.

Lacefield presented another request by the CCBOE to connect to the City's sewer system at the Bay Springs Middle School. The Georgia Environmental Protection Agency (EPD) has notified the BOE that the current septic system will be at capacity when enrollment reaches 1000 students. The Middle School is nearing that. The BOE is also requesting a waiving of sewer tap fees for the connection. Goldberg addressed Council with details on the EPD notice and the School Board's dilemma. After Council discussion, Best moved to allow the request, seconded by Amidon. Motion carried 5/0.

Parks and Recreation Director Jeff Reese presented a resolution and request for the approval of matching funds for a Trail Grant to be used at the Stockmar Goldmine Park. Reese said the trails project would require approximately \$111,000 for completion. Anticipating an 80/20 grant of \$85,840 in Georgia Recreation Trails grant funds, the City would be responsible for approximately \$25,432. Approximately \$18,432 would be in-kind inmate labor, leaving \$7,000 of actual monetary funds being requested. Carter moved to adopt the resolution, seconded by Amidon. Motion carried 5/0.

Mabry updated the Council on the success of the recent Surplus Items Auction. The City collected a total of \$29,739.56 with portions going into the Federal Seizure Account, the general fund, State sales taxes and the auctioneer's fee. Mabry presented a request by Reese that the revenue marked for general fund be allocated to the Pine Mountain project

instead. After discussion, Council declined to take action to change the allocation of the general funds.

Mabry presented three items for Consideration of Bids:

1. Don Rich Ford, \$12,265.50 – the low bid on a 2007 Ford Ranger, Super Cab XL for the Utilities Distribution Department, Carter moved to accept the low bid, seconded by Best. Motion carried 5/0.
2. Architectural Contractors, Inc, \$65,380 – the low bid on the construction of a 4,800 square-foot building for the Pine Mountain Museum. Carter moved to accept, seconded by Kelley. Motion carried 5/0.
3. Ferguson Enterprises, Inc, \$5,599.61 and Dean Grading, Inc, \$7,695.00 – the low bids for materials and installation respectively for water distribution improvements at Thomas Dorsey Drive and Parker Street. Carter moved to approve the low bidders, seconded by Holland. Motion carried 5/0.

Mabry presented a request to enter into an agreement with an engineering firm, not to exceed \$20,000, to perform a DOT-required traffic analysis for the By-pass Project. After a brief discussion, Carter moved to authorize the City Manager to spend up to \$20,000 on the traffic study, seconded by Best. Motion carried 5/0.

Collins presented a resolution to name November 8, 2006 as Red Hat Appreciation Day. Best moved to accept the resolution, seconded by Kelley. Motion carried 5/0.

Mabry presented one item for Payments over \$5,000: Home Depot, \$6,073.32 – for materials to repair the frame on a donated circa 1882 stamp mill to be displayed at the Pine Mountain Gold Museum. Council asked about this not being a budgeted item. Reese said the mill was donated so this was not anticipated on the budget. However, funds are available. Carter moved to approve the payment, seconded by Holland. Motion carried 5/0.

Collins opened the floor for public comment. There being none, the floor was closed.

Best requested that the City convey some type of appreciation to the retiring members of the Villa Rica Industrial Authority for their many years of service and accomplishments as members of the Authority. Council agreed to work on an appropriate conveyance.

With no further business, Carter moved to adjourn, seconded by Best. Motion carried 5/0. Council adjourned at 8:30 p.m.

J Allen Collins - Mayor

ATTEST:

Danny Mabry – City Manager