

The Council of the City of Villa Rica met in a regular scheduled meeting on Tuesday, August 5, 2008 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, Joey Kelley and Woody Holland; City Manager Larry Wood; City Clerk Reedell Saxon and City Attorney David Mecklin. Councilmember Shirley Marchman was absent with notification. Approximately 37 people were in attendance.

Collins called the meeting to order at 7:00 p.m.

The invocation was given by Amidon. All recited the pledge of allegiance.

The minutes from the July 1 and July 10, 2008 meetings were presented. Amidon moved to accept as presented, seconded by Kelley. Motion carried 4/0.

Under Old Business: Wood informed Council that the Environmental Protection Division of the Georgia Department of Natural Resources has approved lessening of Level IV outdoor watering restrictions for the City of Villa Rica. This would allow customers to use irrigation or sprinklers to water both new and established lawns and landscaping during the appropriate odd/even days from midnight to 10:00 a.m. and to activate fountains. Washing of solid structures, such as houses, driveways and sidewalks, is still prohibited. Kelley moved change the watering ban to what the State allows, seconded by Amidon. Motion carried 4/0.

Under New Business: Wood presented the August Employee of the Month, Operator Kenneth Williams, who is a Class One operator with the Water Treatment Plant. Williams was on hand to accept the plaque and check.

Collins presented the nominees for the newly formed Historic Preservation Commission: Wally Hibbard (initial 3 year term), Teresa Lotti (initial 3 year term), Dana McCauley (initial 2 year term), Valerie Wilhelm (initial 2 year term), Patricia Proctor (initial 1 year term), and Dr William Mitchell (lifetime Emeritus). Best moved to approve all nominees, seconded by Holland. Motion carried 4/0. Commissioners who were present were administered the Oath of Office by Collins.

Collins presented a resolution recognizing the Fairfield Kiwanis Club on its twentieth anniversary on August 19, 2008. Saxon read the resolution into the minutes [attached hereto]. Best moved to adopt the resolution, seconded by Amidon. Motion carried 4/0.

Collins initiated discussion on the future of the City Complex/Avanti Building. Collins asked each Councilmember to express thoughts on the matter. Amidon said this would require a long range solution for the needs of the City, perhaps five to ten years for completion. He acknowledged that some of the old buildings would have to come down and that Council needs to “use common sense” and move carefully in order to avoid bankrupting the City. Best said there needs to be a plan and action taken toward the plan; this project has taken long enough. Holland noted City Hall needs to be downtown. He is ready to begin moving forward. Offices need to be moved into the building if it doesn’t require a lot of expense. The multi-million dollar plan presented by the design engineer could be modified to cost less of the taxpayers’ money. The first thing to do, probably, would be to tear down the first [old mill] building and do something with the second building. Kelley said City Government does need to be downtown where it belongs. Council needs to keep in mind that this will be a focal point of downtown so it needs to be done right. While he would like to see something happen soon, this is taxpayers’ money and the City has many other projects going on.

Whatever is done needs to fit into the grand plan. Collins said he want to see something done and would Council be in favor of demolishing the first building and salvaging the floor of the second building? Best and Holland wanted to go ahead with it if funds are available. Kelley said there is a lot more to that than just running a bulldozer onto it. Best suggested that Wood bring back a plan which Council can approve. Wood said three departments are now in the building: Building and Vehicle Maintenance, Utilities Distribution and Streets/Solid Waste. Also an Asbestos study has been completed and requests for proposals have been sent out with bid opening scheduled for next week and costs presented at the next meeting. Holland said Council should wait until September and the results of the Asbestos Abatement bids to make any further decisions.

Wastewater Treatment Plants Manager Chris Estvanko presented the initial reading of ORD-08-09-ADM, an ordinance to regulate and monitor the treatment of fats, oils and grease generated by some local businesses. This ordinance is a requirement of the Metropolitan North Georgia Water Planning District and must be in place by October. Estvanko provided a Power-Point presentation to outline the program. Collins asked Wood which department would monitor this. Wood said this could be contracted out or could go into one of several departments, including wastewater or building inspections. Wood said restaurants will be burdened with the permit application fee and monthly service fee and since this revenue was not budgeted, the City may want to share in the administrative cost for the first year.

Zoning Manager Taurus Freeman presented RA-06-08, a request for rezoning of approximately 40 acres at the corner of Industrial Blvd and State Route 101 from General Industrial (GI) to General Commercial (GC) for the purpose of a commercial retail center. The applicant is committed to improving the intersection. Planning and Zoning Commission recommended approval. Dennis Bartell, representative of McPhail Properties, Inc, Roswell, said the request was for down zoning from GI to GC, a less intense zoning. The property currently belongs to the Carroll County Development Authority and the Villa Rica Industrial Development Authority who have both indorsed the proposed use. Bartell said the company will be working with the City and the State DOT to improve the intersection. Collins asked what was meant by “commitment to improve the intersection”. Freeman said the City has been meeting with the DOT and the adjacent property owner as to what will be required in the intersection since it is directly connected to the proposed bypass. He said it is a condition of the development to make certain improvements and with both parties working together, this will relieve some of the cost to taxpayer. Collins said he wants to see a significant amount of money spent to improve the intersection. Bartell said the DOT plans call for improvements to include traffic lights, turn lanes and other improvements. Freeman said the City could seek an agreement with both parties to insure proper action. Collins opened the floor for public comments. David McClesky, Reid Plantation, asked if Council could dictate what goes into the shopping center. Collins said whatever meets the zoning requirements is allowable. Robert Kennedy, Reid Plantation, asked about traffic studies for that area. Kurt Kraft, Chairman of the Villa Rica Industrial Development Authority, said both Development Authorities are in favor of this rezoning and subsequent real estate sale since the property and the area is no longer conducive to industrial development. Kelley asked how the selling price was determined. Kraft said [former city manager] Danny Mabry had determined this based on historical date from similar sales. He said this property has been for sale for a long time under industrial zoning. Council discussed the sale of “city property”. Mecklin pointed out this is not “city property” as it belongs to the Development Authority which is an independent legal entity under the City. Collins again expressed concern over the intersection and felt Council needed a commitment for improvements to the intersection

prior to approval and also wanted to see more aggressive marketing of the property to assure they were getting the best price for the property. Kelley suggested a bond or other legal commitment would insure improvement to the intersection. Holland moved to table the rezoning until the September meeting for the purpose of discussing the agreements for intersection improvement, seconded by Best. Motion carried 4/0. Bartell said, as a point of clarification, the property was advertised and marketed for a specific price; however, the company's cost ended up being more than that original amount. Community Development Director Eric Lacefield said the owners of the property across the street, which was previously rezoned, have been trying to move forward with improvements to the intersection but have been held up by the DOT who has not yet made a decision on who should make the improvements. Lacefield said the DOT is indicating they should do the work to insure that it will be to DOT specifications.

Freeman said ORD-03-08-CD, an amendment to the UDC sign ordinance which was advertised for this meeting, has been withdrawn by staff to be presented at a later date.

Wood presented an amendment to the current intergovernmental agreement with the Douglasville/Douglas County Water and Sewer Authority [WSA]. Wood said the City has requested that the WSA include billing for the City on sewer and solid waste pick-up on their utility bills to customers served by WSA water and City Sewer/Solid Waste pickup. WSA has added to that a requirement that the City follow, in the Douglas County portion of the City, whatever outdoor watering restrictions the remainder of Douglas County is under. If that does not occur then the City would have to agree not to purchase water from Douglas County for the duration of that drought period. Wood said it is staff's recommendation that the City accept this agreement since it is able to provide adequate water without purchases from the WSA. After some discussion, Holland moved to have the intergovernmental agreement sent back to WSA with a modification which would allow the City, if needed at some future time, to impose the WSA's more restrictive outdoor watering ban and resume purchasing their water. This was seconded by Amidon. Motion carried 4/0.

Freeman presented ABD-01-08, a request by the Villa Rica Church of Christ for the City to abandon that portion of Kilgore Street, from SR61 to Northside Drive which abuts the southern boundary of the main church property and which has not been an active thoroughfare for many years. Freeman said the street is more of a dirt alleyway. Staff suggests either donating or selling the right-of-way to the church which owns property both north and south of the aforementioned portion of the street. Collins opened the floor for public comment. John Vines, a member of the church, said the street has been abandoned for more than 35 years. He said the Church recently purchased the property south of Kilgore Street and would like for the City to cede the right-of-way to the Church which would fill in the ditches and use the area for more parking. Noel Butler, 18 Heather Lane, also spoke in favor. There being no further comments, the floor was closed. Holland asked if the owner of 414 Northside Drive was present. This property also abuts the right-of-way to the south and would have a claim to the centerline. No one was present from that location. After a brief discussion, Best moved to abandon Kilgore Street as presented, seconded by Amidon. Motion carried 4/0. Kelley moved to donate the abandoned right-of-way to the Villa Rica Church of Christ, seconded by Best. Motion carried 4/0.

Wood presented the proposed employee medical insurance bids. The City's insurance advisor/broker [MSI Benefits Group] received responses from five providers and staff recommended remaining with Blue Cross/Blue Shield of Georgia. This would mean a 14% increase in premiums; the City budgeted for 10%. Wood asked if Council would consider covering the additional 4% or if this should be passed to the employees. Collins

recommended shifting the 4% to the employees as that is not catastrophic. Kelley agreed City employees have a good deal with insurance coverage. Holland suggested splitting the 4% to two percent each. Best agreed. After further discussion, Kelley moved to go with the budgeted amount and pass the difference to the employees. Motion died for lack of a second. Holland moved to pay 12% of the increase and pass two percent to the employees, second by Best. Motion carried 3/1 with Kelley opposed.

Wood presented four items for Consideration of Bids:

1. Two 2009 Crown Victorias for Police Fleet and two 2009 Ford Rangers for the Wastewater Treatment Plant fleet and the Watershed Manager. Ten requests for bids were sent out, three bids received. Staff recommended low bidder, Don Rich Ford, at \$65,435.44. Council discussed the need for these vehicles so early in the budget year in light of possible cutbacks in State funding. Best noted that Council had agreed, when going to fleet police vehicles several years ago, to purchase three police vehicles each year to replace high mileage units. Council asked for comments from Chief Michael Mansour and Vehicle and Building Maintenance Manager Charles Davis. Mansour said the City's agreement with the liability insurance carrier requires that patrol vehicles over 100,000 miles be replaced. The Chief noted that three of his units were approaching that limit. Davis said that orders placed by mid-October would be received, and paid for, in January 2009. He also told Council that the two vans being requested in the next item are program vehicles and are year-old, low-mileage vans for use for transporting youth to competitions, some of which are out of state. The vans these would replace would be kept for other uses. After further discussion, Holland moved to table the first two items until September, seconded by Best. Motion carried 4/0.
2. [see item 1]
3. Soccer Uniforms, 413 adult and youth sizes. Three bids were received; staff recommends the low bidder, Soccer Wholesale, at \$10,375. Approximately 80% of this cost is recovered through registration fees. Kelley moved to approve the low bidder, seconded by Best. Motion carried 4/0.
4. Football Uniforms, 400 pants and 480 youth and adult jerseys. Three bids were received; staff recommends the low bidder, Cedarstream Company, at \$13,992. Approximately 50% is recovered through registration fees. Kelley moved to approve the low bidder, seconded by Best. Motion carried 4/0.

Wood presented three items for Payments over \$5000:

1. J K Duran Company, \$26,100, for three SCADA systems to be installed at Augusta Woods, South Woods and Old Town Village. Holland moved to approve, seconded by Best. Motion carried 4/0.
2. Adams-Massey Co. LLC, \$15,615, for two wells drilled in search of additional water resources. Holland moved to approve, seconded by Amidon. Motion carried 4/0.
3. Rindt-McDuff, not to exceed \$49,300, for the Mirror Lake 10- and 12-inch water line extension design. Best moved to approve, seconded by Amidon. Motion carried 4/0.

### City Update

- > Wood presented a departmental summary of revenue and spending and noted the City is still in good shape financially. Merchant Capital is working on obtaining a financial rating of the City through Moodys for the upcoming bond issues.
- > The State's final approval for the new wastewater treatment facility is in the 30-day public comment phase. The permit is expected by the end of August so that bidding on construction can begin.
- > The North Loop project is still progressing, although slowly.

> The South Carroll/East Wilson parking lot project is also progressing. Jeff Robison and the City are working on a lease proposal for a portion of his property adjoining the City property. This will be on the September agenda.

> The traffic signal proposed for SR61 at Whitworth is ongoing. With Council's approval, Wood will continue to work with DOT and the developer on this signal. Council so instructed him.

> The City has received a request to determine if Pine Drive, off US78, is a private drive or a public street. The City has maintained this for some time, but residents on that street believe it is a private drive. Mecklin said the Council needs to take a position on this matter which involves a disagreement between property owners on opposite sides of the drive. Collins asked for this to be on the September agenda.

Collins opened the floor for public comment.

Jim Pack, 130 Berkley Drive, said there should have been a plan in place before the Avanti building was purchased.

With no further comments, the floor was closed.

Mecklin spoke on the potential impact the loss of the homeowners relief grant would have on, not only the City, but the citizens as well. Collins asked if Mecklin could draft a resolution for Council to approve supporting some type of action. Mecklin said GMA [Georgia Municipal Association] has recommended that individuals could write letters to State Representatives and Senators expressing this.

Kelley moved to adjourn into Executive Session for the purpose of discussing pending legal matters and potential land acquisition, seconded by Best. Motion carried 4/0. Adjourned to Executive Session at 9:15 p.m.

Holland moved to return to regular session, seconded by Best. Returned to regular session at 9:48 p.m.

Collins announced no action was taken in Executive Session

With no further business, Amidon moved to adjourn, seconded by Kelley. Motion carried 4/0. Council adjourned at 9:50 p.m.

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J Allen Collins – Mayor

ATTEST:

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Reedell Saxon – City Clerk