

The Council of the City of Villa Rica met in a regular scheduled meeting on Tuesday, March 3, 2009 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 Shirley Marchman; City Manager Larry Wood; City Clerk Reedell Saxon and City Attorney David Mecklin. Councilmember Woody Holland was absent with notification. Approximately 35 people were in attendance.

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

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

Kelley requested that agenda item 8, Administering of Oath of Planning Commission Office to Polly Oliver be moved to item 5b, seconded by Marchman. Motion carried 4/0.

The minutes from the February 3, 2009 meeting was presented. Marchman moved to approve the minutes, seconded by Kelley. Motion carried 4/0.

Wood presented the financial update for FY2008-09. Combined cash accounts increased to \$8.556 million. General Fund revenues were \$8.033 million. Expenditures were \$7.829 million. Water/Sewer revenues were down for the month but year-to-date is \$4.659 million with expenditures at \$4.408 million. Capital project expenditures are at \$1.654 million. Construction is beginning on the West Plant. There are four vacant positions at this time. The City Council and the Public Facilities Authority approved the issuance of \$24.9 million dollars in tax exempt revenue bonds at an interest rate of 5.1% which completes the funding for the West Plant.

Collins administered the Planning Commission Oath of Office to Polly Oliver who was previously approved by Council to fill the position for 2009. Kelley thanked Oliver for her public service to Villa Rica.

Under Old Business: Parks and Recreation Director Jeff Reese presented a cost estimate and time line for the City Complex at the old Avanti Building. The project was divided into seven phases with an estimated total of \$4.453 million. Phase 1, \$428,000 initially from reserves but repaid with 2008 SPLOST funds, would be the abatement and demolition of five older buildings on the property. Phase 2 would be the installation of the amphitheater park and associated landscaping with the \$400,000 in green space money provided by Carroll County. Phase 3, an estimated \$95,000 from the Capital Budget, would be the relocation of the three departments currently located in the south end of the large metal building. The Street/Solid Waste, Utilities Distribution and Maintenance Departments would be moved to the north end so that the south side of the building could be used eventually as a convention center. Phase 4, \$2.4 million from a State Bricks & Mortar Program loan, would be the actual construction of City Hall offices, a new Council Chamber, and other improvements on the plan approved by Council in January. Phase 5, approximately \$180,000 in 2008 SPLOST road funds, would be road improvements around the complex. Phase 6, \$600,000 also in 2008 SPLOST road funds, would be parking lot construction including curb & gutters, gravel and asphalt. And Phase 7, \$350,000 in grants and bonds, would be the convention center. Reese recommended that Council approve the first two phases for now so that the City could go ahead with the use of County green space funds for the park. Wood thanked Reese for the extra hours he and his staff have contributed to the design and numbers-gathering for the project. Collins endorsed the plan. Kelley asked about the receipt of 2008 SPLOST money. Wood said he anticipates this to begin coming to the City in May or June. He projected nearly \$1 million in the first year. Carroll County will deposit funds monthly into

an account the City will establish. Wood said the City will send out a Request for Proposals to area banks to find the best interest rate. Wood also noted that the General Obligation Bond will be paid off in July, 2010. This will end an annual debt service of approximately \$360,000. After some discussion, Best moved to proceed with Phases 1 and 2, seconded by Amidon. Motion carried 4/0.

Under New Business: Wood asked Deputy City Manager, Utilities, Eric Lacefield to present the March 2009 Employee of the Month, Johnny Vickery, an employee with the Utilities Distribution Department. Vickery was present to accept the plaque and check.

Wood and City Accountant Shari Smith presented the first reading of the Fiscal Year 2009-2010 budget. Collins addressed the budget cuts he had requested including the elimination of some positions which had been added during the time of extreme growth in the City. He asked Council to recommend other places to cut the budget. Wood thanked department managers who had worked to provide a budget which was as close to FY2008-09 as possible. Wood projected a General Fund revenue for FY2009-10 at approximately \$9.2 million which is 2% over last year due in part to projected increases in general taxes and participant sports. Enterprise Fund revenue is expected to be lower than last fiscal year. Wood projected a large increase in SPLOST revenue due to the 2008 Special Purpose Local Option Sales Tax. General Fund expenditures are proposed at a 2% increase over this fiscal year. Enterprise Fund expenditures are down by 85.6%, mainly due to delaying some capital projects. SPLOST expenditures would increase 36.9%. The Capital Projects budget would carry over \$16.7 million, mainly for the Wastewater Treatment Plant and the Hwy 61 water line installation. Additionally, staff is proposing \$928,935 in other capital projects for this coming budget year. A final cost would be for a three percent performance based increase for employees earning over \$25,000 and five percent for employees earning less than \$25,000. This would be a total cost to the City of \$150,000. Since no increase in medical insurance has been budgeted, employees would have to cover the cost of any increase in premiums in September. Collins called for comments from Council. Wood passed on the comment from absent Councilmember Holland that the budget be held to a zero increase from the current fiscal year budget. Kelley said it would be difficult to justify raises when some neighboring agencies are not getting an increase and others are taking pay cuts. Collins asked Council to visit the City Manager soon with any suggested changes.

Interim Community Development Manager Taurus Freeman presented VA-01-09, a request for variance by Venture Capital Group, LLC, of Douglasville, to reduce the buffer requirement for impervious cover for their property located on Bay Springs West Road. Staff recommended approval due to hardship created by the City's buffer requirements as adopted in 2007 per the Metropolitan North Georgia Water Planning District which set the buffer from 50 feet undisturbed on each bank to 50 feet plus an additional 25 feet for impervious cover. The applicant is requesting to encroach into the buffer in order to have the correct number of parking spaces required for the size of the proposed retail area. Collins asked if run off from the impervious service would flow directly into the creek. Freeman said no, it would only encroach approximately 10 feet (of the 75-foot buffer). Brian Leggett, 5457 Burton Place, Douglasville, spoke on behalf of Venture Capital Group. He said they have worked out issues with FEMA regarding the flood basin only to discover that the buffer requirements of the City had been changed. He asked for Council consideration. Collins opened the floor for public comment. There being none, the floor was closed. Leggett said they were planning to sod and landscape the area. The project landscaper, not identified by name, said there would be trees, mulch and other landscaping on 6400 square feet of landscape and common area. The project would also employ erosion control at the creek with the use of materials such as rip-rap. Best moved to accept the variance,

seconded by Amidon. Collins asked for an amendment to the motion to specify “intense vegetative buffer” between the two areas in order to have it on record. Best asked if what was asked for met the City’s requirements. Freeman said yes and staff would assure they are met, however the applicant had stated he would go “above and beyond” those requirements, of which staff was supportive. Best said the buffer requirements were already covered by code. Motion remained as stated and carried 4/0.

Best opened a discussion on possible changes to the City’s Sign Ordinance. He asked that a special retail corridor be established for Liberty Road similar to what was put in place for Highways 78 and 61. Additionally, Best asked that there be consideration for a change in the requirements on existing signs when they were replaced with the same-sized sign, regardless of material. Currently, he said, someone could paint an old sign, even if it were falling apart, but could not replace it with new material without falling under the new sign ordinance. Mecklin suggested the sign ordinance should be reviewed to correct any part which needs better logic applied. Collins pointed out his own case in which replacing the sign to his business by the current ordinance would put it architecturally at odds to the design of the building. Wood said staff would look at the ordinance and bring back suggestions next month. Collins noted that the sign ordinance was intended to provide uniformity in the city but might need some adjustments. Mecklin agreed the ordinance should be “a living document” which grows up with the times. Wood clarified Council was not referring to off premises signs.

Lacefield presented a two-part Change Order request on the lift station for the State Route 61 Water Line Installation project. A property owner who is donating land for the lift station pump has requested the City move the designed location so as not to be in the center of his property. There are redesign and site modification costs associated with this move. Secondly, a variable frequency drive needs to be added to the pump to allow regulation of water drawn from Carroll County Water Authority’s system. This is at their request. The Change Order will increase the cost of the project by \$21,358.82. Following some discussion, Kelley moved to approve the Change Order at \$21,358.82 to T J Lyle & Company, seconded by Amidon. Motion carried 4/0.

Wood and Reese presented five items under Consideration of Bids:

1. Soccer Uniforms – three quotes obtained. Reese recommended the low bidder Soccer Wholesale at \$25 for each uniform set which included two jerseys and a pair each of shorts and socks. The total for 450 uniform sets is \$11,250. Kelley moved to approve the low bid from Soccer Wholesale for \$11,250, seconded by Best. Motion carried 4/0.
2. Baseball/Softball Uniforms – three quotes obtained. Reese recommended Cedarstream Company, low bidder at \$21,281.25 total. Kelley moved to approve Cedarstream at \$21,281.25, seconded by Best. Motion carried 4/0.
3. 2009 3<sup>rd</sup> of July Fireworks – three quotes obtained, all for the same cost. However, Reese recommended the provider of the previous events, Zambelli Fireworks International, who proposes a larger presentation for the \$12,000 quote. Best moved to approve, seconded by Amidon. Motion carried 4/0.
4. Entertainment for 2009 3<sup>rd</sup> of July Fireworks – not a biddable item. Reese said Programs Manager Courtney Powell put in extra effort to obtain a big name group for the 4<sup>th</sup> annual fireworks event. American Artists Corporation will be providing *The Atlanta Rhythm Section* for the event at a cost of \$10,000. Kelley moved to approve payment of \$10,000 to American Artists Corporation, seconded by Amidon. Motion carried 4/0.
5. Chain link fencing for the Jackie Lane Well, Sunset Tank (off Thomas Dorsey Blvd) and an inner fence for the Conner Road pump station. This is an unfunded mandate from

EPD for security reasons. Staff recommended the low bidder, First Class Fence at \$9,185. Best moved to approve, seconded by Marchman. Motion carried 4/0.

Wood said the one item under Consideration of Contracts, Gaston Outdoor Advertising, is still pending and asked for this item to be tabled. Best so moved, seconded by Kelley. Motion carried 4/0.

Wood presented a City update: (1) Clearing has begun at the site of the West Water Reclamation Facility. (2) Hwy 61 Waterline project is progressing satisfactorily. (3) A public information open house is scheduled for April 2, 2009 from 4pm to 7pm on the North Loop project. This will be held at the Senior Center Cafeteria. (4) The City is beginning plans for a celebration next July for the “burning of the last bond” on the General Obligation bonds final repayment. Wood said the GO bonds were issued to pay for the current City Hall building, Gold Dust park and the Library.

Collins opened the floor for public comment:

Christina Dunbar, 1405 Daniel Road, biology teacher at Villa Rica High School, expressed concern with the cost of beaver eradication. She suggested other methods which she said would be beneficial to wetlands and still serve the purpose.

Garrett McDonald, 227 N Villa Road, said he used to get some flooding twice a year until the beavers came. Now it floods every time there is rain. Trees have died due to the beaver ponds. Now there is a tremendous mosquito problem. McDonald said he has lived in this location for twenty years and has never seen it this bad.

Robert McDonald, VanWert Road, noted there has been damage to the railroad tracks by the beaver swamps.

Jim Fleming, 201 N Villa Road, complained about mosquitoes from the swamps and the flooding of former garden spots.

Annelesa Finch, 247 Berkley Drive, said she was pleased with the plans for the new City Complex. She asked that consideration be given to naming the amphitheater after Thomas Dorsey.

Patrick Hendrickson, 220 Eagles Flight, thanked Council for their actions on progressing with the new City Complex and the amphitheater which will draw people to downtown.

There being no further comments, the floor was closed.

Best moved to adjourn to Executive Session for the purpose of discussing property acquisition and personnel matters, seconded by Kelley. Carried 4/0. Adjourned into Executive Session at 9:20 p.m.

Amidon moved to return to Open Session, seconded by Marchman. Motion carried 4/0. Council reconvened at 10:01 p.m.

Collins announced no action was taken in Executive Session.

With no further business, Best moved to adjourn; seconded by Kelley. Motion carried 4/0. Council adjourned at 10:03 p.m.

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J Allen Collins – Mayor

ATTEST:

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Reedell Saxon – City Clerk