

The Council of the City of Villa Rica met in a regular scheduled meeting on Tuesday, July 7 2009 in the Council Chambers at 101 Main Street, Holt-Bishop Justice Center, Municipal Courtroom. Those present were Councilmembers Perry Amidon, Verland Best (Mayor Pro Tem), Woody Holland, Joey Kelley and Shirley Marchman; City Manager Larry Wood, City Clerk Reedell Saxon and City Attorney David Mecklin. Mayor J Collins was absent with notification. Approximately 34 people were in attendance.

Best called the meeting to order at 7:00 p.m. He asked all to keep (Zoning Technician) Rita Peele in their thoughts and prayers due to the loss of her daughter.

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

The minutes from the June 2, 2009 meeting were presented. Marchman moved to approve the minutes, seconded by Amidon. Motion carried 5/0.

Best asked for an amendment to the agenda to add item 5a, presentation of the July Beautification Awards.

Under Old Business: Wood presented a resolution to amend the years for vesting with the Georgia Municipal Association's pension program from seven to ten years. The modified pension plan would grandfather all employees as of July 1, 2009 at seven years. All those employed after that date will require ten years employment before being vested. Holland moved to approve the resolution as presented, seconded by Kelley. Motion carried 5/0.

Under New Business: Community Development Manager Taurus Freeman introduced Villa Rica Beautiful vice-chairman, Larry Cohrs, to present the first Beautification Awards. The two July awards were presented to QuickTrip on Highway 61 as the commercial beautification award winner and Wally and Lou Hibbard, Spyglass Drive, for the residential award. The Hibbards were present to accept their plaque. Holland asked that future awards be accompanied by pictures of the locations for projection during the presentations.

Wood asked Police Chief Michael Mansour to present the Employee of the Month Award. Chief Mansour praised Officer Chris Bertera for his professionalism and good police work. Bertera was present to receive the plaque and check.

Wood introduced Jim Elliott, the newly hired Library Manager. Following that, Wood presented Holland's nominee for the Library Advisory Board, Brenda Gray. Holland moved to approve, seconded by Kelley. Motion carried 5/0. Wood administered the Oath of Office to Mrs. Gray.

Wood presented the Downtown Development Authority's recommendation for a vacancy on their board, Barbara Morton. Holland move to approve, seconded by Kelley. Motion carried 5/0. Wood administered the Oath of Office to Ms Morton.

Freeman presented ABL-04-09, an application by Ashesh Patel, new owner of the Open Pantry, for an alcohol beverage license for retail package sales of beer and wine at 901 S. Carroll Road, Suite J. Freeman said the applicant has met all the requirements except for the proximity of a church and staff recommends approval. Holland called Council's attention to the memo from City Attorney Mecklin and asked him to verify. Mecklin said that State law and City Code Sec 3-47(d) prohibits the City from denying a license due to the proximity of a church at a location where a former business held such a license prior to the establishment of the church. Following discussion on the matter, Kelley moved to grant the license, seconded by Holland. Motion carried 4/1 with Marchman opposed.

Freeman presented ABL-05-09, an application by Liaquat Ali for an alcohol beverage license for retail package sales of beer and wine at Villa Rica Foodmart, 820 Dallas Highway. Freeman said the applicant has met all the requirements and staff recommends approval. Holland motioned to approve, seconded by Kelley. Motion carried 4/1 with Marchman opposed.

Freeman presented CU-01-09, a request for Conditional Use at 200 Old Liberty Road for the purpose of establishing a church. Freeman said staff and the Planning and Zoning Commission [P&Z] recommend approval. Shelley Crayon, speaking on behalf of Pastor Lula Crayon was present to answer Council questions. Best opened the floor for public comment. Brad Towler, owner of Busbin Carpets and the property where the proposed church would be located, spoke in favor of the request. There being no further comments, the floor was closed. After a brief discussion, Holland moved to grant the conditional use, seconded by Marchman. Motion carried 5/0.

Freeman presented RA-03-09, a request for rezoning by Tanner Medical center, Inc. for the purpose of a Medical Office Park. The rezoning would consist of +/-11.39 acres to be rezoned from R-20 (Single-Family Residential) to OI (Office-Institutional). Freeman said the P&Z and Staff recommend approval. Larry Steed, representing Tanner Medical Center, was present to answer Council questions. Holland asked if the entrance would be from State Route 61. Steed said no, it would be off the existing Tanner-Villa Rica Medical Center parking lot. Best opened the floor for public comment. There being none, the floor was closed. Amidon moved to accept the rezoning, seconded by Holland. Motion carried 5/0.

Chief Mansour presented the first reading of ORD-09-10-CCO, an ordinance to amend the current Pawnbroker Ordinance by requiring electronic recording of pawned or second-hand items. Descriptions of the items, a picture of the individual who pawned or sold them, and a picture of each item would be instantly available to Law Enforcement Agencies anywhere. This would replace going through thousands of paper tickets, which are periodically collected, in order to locate stolen property. This system is used by a number of cities including Carrollton and Rome, Georgia. Chief Mansour introduced Detectives Pete Sailors and Randy Gore from the Rome Police Department and Officer Glen Lyle of the Carrollton Police Department. Sailors and Gore expounded on the benefits of the program, which they have been using for two years. Lyle said Carrollton has already cleared several burglary or shoplifting cases since putting the program in place in April. Council asked if there was a downside. The officers said no, other than to the criminals. This ordinance will be presented for the second reading and possible adoption in August.

City Accountant Shari Smith gave a brief presentation of the proposed 2009 Millage Rate. At the request of Mayor Collins, Staff has proposed no change from the 2008 rate of .006775. Due to \$10.9 million in devaluations of properties on both Douglas and Carroll Counties, if the City uses last year's rate this will cause a \$71,000 decrease in tax levy revenue. To maintain current tax revenue the millage rate would need to be raised to .006915. However, property owners will already be paying increased taxes this year due to the State's decision to not fund the Homeowner Tax Relief Grant in 2009. Smith told Council that delays from both Counties in providing current information caused the required legal organ advertisement to be posted late. The state requires the advertisement to be placed at least 14 days in advance of millage rate adoption. Therefore, Staff recommends a called meeting to adopt the millage rate no sooner than July 10. Council discussed this and instructed Staff to provide for a called meeting on Tuesday, July 14 at 6:00 p.m. in Council Chambers.

Deputy City Manager – Utilities Eric Lacefield presented a request for approval of a Change Order on the State Route 61 Water Line Extension. There were two unforeseen incidents which caused extra expenses: 1) due to unsuitable soil conditions, a creek crossing required boring under the creek at \$53,800; and 2) repaving of a parking lot due to a rerouting at \$19,782. After a brief discussion, Holland moved to approve the change order at the total amount of \$73,582.00, seconded by Kelley. Motion carried 5/0.

Wood, Lacefield and Deputy City Manager – Services Jeff Reese presented six items under Consideration of Bids:

1. Phone and Data Communications provider – 3 sealed bids received. A committee of staff reviewed the bids and recommended remaining with the current provider DoveTel Communications, LLC, dba SyncGlobal at \$122,591.52 per year for the next three years for phone/data service and maintenance. SyncGlobal would be the dial tone provider and manage the system from their Bremen switch. Modemco, Inc was the low bidder for the total three years; however, the City would still have to pay AT&T for service at several locations and most of the City's phone service would be down in the event of a power outage. Holland stated that none of the staff who comprised the committee were experts in the electronics field and suggested the City hire an independent advisor to review the bids along with the City's needs and bring this back in August. The other Councilmembers agreed.
2. Employee Medical Insurance Benefits – Northwestern Benefits Corporation (NBC), the City's Insurance Broker, solicited for bids from at least seven insurance companies and recommend staying with Blue Cross/Blue Shield of Georgia with an 8.8% increase in the current rate. Wood recommended increasing individual deductibles from \$500 per year to \$1,000 per year and for families increase from \$1,500 to \$3,000. This would cause a 0% increase. Wood said NBC recommended changing dental insurance from Delta to Guardian for a \$5,000 savings. They also recommended switching life, accidental death and dismemberment coverage from American Fidelity to UNUM (formerly Providence), cutting the City's cost in half to \$16,000. Employees could sign up for additional life insurance without consideration of pre-existing conditions. Wood asked consideration of using the savings on these plans to provide Short-Term Disability and Tanner Employee Assistance (counseling) Program. Ken McCown from Tanner EAP gave a brief description of the program. Wood said no action is being asked this date as this will be brought back for decision in August.
3. Streaming Current Monitors – Two quotes obtained, AquaSummit was the low bidder at \$9,425.00 for replacement of the current monitor at the water plant. The existing one is no longer working and this is an EPD mandated monitor. Holland moved to approve the low bidder, seconded by Marchman. Motion carried 5/0.
4. In Town Gravity Sewer Improvements – four sealed bids received. The lowest qualified bidder was T J Lyle Company, Inc. at \$114,848.52. After a brief discussion, Kelley moved to approve T J Lyle, seconded by Holland. Motion carried 5/0.
5. Cheerleader Uniforms – Three quotes obtained. TeamLeader was the low bidder at \$15,946.20 for 130 Youth Cheerleader Uniforms. Most of this is recovered from participants in registration and uniform fees. Holland moved to approve for \$15,946.20, seconded by Kelley. Motion carried 5/0.
6. Police Cruisers – Five bids received. The low bidder was Akin Ford, Winder, Georgia, and is also the state contract holder. Their bid of \$20,870 per 2010 Crown Victoria pursuit unit is \$600 lower than the next lowest bidder. Reese gave a report on his contact with other vehicle makers and why staff concluded to remain with Ford. After

some questions and discussion, Holland moved to approve the purchase of three 2010 Crown Victoria police vehicles from Akin Ford at a total of \$62610, seconded by Marchman. Motion carried 5/0.

Wood and Lacefield presented two items for Consideration of Contracts:

1. Center for Water Resources, University of West Georgia – continuation of water quality monitoring at six stations 12 to 16 times at a monthly cost of \$2,268.83 which included the added monitoring of *e coli* which is expected to become required by EPD soon. This also includes secure web access to quarterly reports of all the county testing sites and the annual reports for submitting to EPD. Another local monitor quoted a much higher price for the service. Holland moved to authorize the City Manager to enter into the contract, seconded by Kelley. Motion carried 5/0.
2. Rindt-McDuff Proposal for Profession Services – provision of a temporary wastewater treatment plant manager (Carl Jones) to oversee the daily operations, assist with EPD compliance and make operational and process changes to the plant based on EPD recommendations. The contract would be for three months at an amount not to exceed \$65,000 and would also include assistance with finding a permanent plant manager. Holland moved to authorize the City Manager to into the contract as presented, seconded by Kelley. Motion carried 5/0.

Reese presented one item for Payments over \$5,000:

1. Payment to Vermeer Southeast Sales & Services of \$15,552.11 for major repair to the chipper. Since the City's only wood chipper broke, the Solid Waste Department has been renting a chipper, at \$2,800 per month for the daily use. \$20,000 had been put in the Solid Waste budget for a "reach arm" truck, but the chipper is more important right now. A new unit would cost between \$28,000 and \$39,000. Council discussed the repair of this 5+ year old equipment as opposed to spending a little more for a new one. Holland asked that Reese look into competitive bids if possible. Council instructed Reese to ask Vermeer if there is any type of credit it may give on a trade-in of the old unit and to check into locating an additional \$8,000 to purchase a new chipper. Council asked that this be included on the agenda of the July 14 called meeting in order to limit monthly rental as soon as possible.

Wood requested that he be permitted to email the City Update to Council in lieu of a verbal presentation at this time. The request was granted. Wood reported that the City is currently in a "non-drought" condition and residents are allowed to water at any time during their odd or even days. Wood also reported on current finances in that the City has \$6.5 Million in cash reserves and that LOST (Local Option Sales Tax) revenues are down 10-20% of what he had anticipated. The first SPLOST (Special Purpose Local Option Sales Tax) payment was \$80,000 rather than the \$100,000 anticipated.

Best opened the floor for public comment:

Jerry Segal, 281 Huntington Drive, Temple, speaking as a media professional, gave a speech on the FCC Chairman and the Fairness Doctrine.

Shelley Crayon thanked the City for the "fantastic" Fourth of July fire works display.

John Hannabach, 3106 Golfer's Way, expressed appreciation for the former Acting Library Manager, Michelle Capers, and the entire Library Staff for their assistance, support and for the use of the library for job search strategy workshops he conducted.

Bernice Brooks, 706 Reed Road, complimented the City on the Pine Mountain Museum where she took the After School Program students on a field trip. Secondly, she thanked Chief Mansour for his efforts and support in the plans to begin a Boys and Girls Club in Villa Rica and asked the Council to be an integral part of the process. She also

thanked the City for assistance with the Dorsey Celebration, including financial support and attendance.

Chief Mansour thanked Reese and his staff for the great fireworks. He also reported on the upcoming citizens' academy which begins August 6, 2009.

Councilmember Marchman, on behalf of the Dorsey Festival Board, thanked the City for assistance with the Festival.

Reese thanked his staff and the Police Department for their assistance at and following the Fireworks Extravaganza. Reese said Joey Boatwright of the Georgia State Patrol estimated there were between 18,000 and 22,000 who were parked within sight of the fireworks (within a two mile radius of the event.)

There being no further comments, the floor was closed.

Marchman moved to adjourn to Executive Session for the purpose of discussing pending legal matters, acquisition of real estate and personnel matters, seconded by Kelley. Motion carried 5/0. Adjourned into Executive Session at 9:02 p.m.

Marchman motioned to reconvene at 8:45 p.m., seconded by Best. Motion carried 5/0.

Mecklin outlined potential action that could be taken with regard to EPD consent orders. In order to resolve potential claim. Holland moved to authorize the expenditure of up to \$20,000 to be used to undertake such remedial work as may be necessary to bring the City into compliance with removing solids from the Little Tallapoosa River as the Consent Order requires, second Kelley. Motion carried 5/0.

With no further business, Amidon moved to adjourn; seconded by Holland. Motion carried 5/0. Council adjourned at 8:52 p.m.

Verland Best – Mayor Pro Tem

ATTEST:

Reedell Saxon – City Clerk