

The Council of the City of Villa Rica met in a regular scheduled meeting on Tuesday, December 1, 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, Woody Holland, Joey Kelley and Shirley Marchman; City Manager Larry Wood, City Clerk Reedell Saxon and City Attorney David Mecklin. Approximately 39 people were in attendance.

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

The invocation was given by Mayor J Collins. All recited the pledge of allegiance.

Mayor J Collins recognized the loss of Miss Myron Thompson who fostered 100's of children over the years. He ask that you remember the family of Ms. Myron Thompson in your prayers this week.

The minutes from the November 3, 2009 meeting were presented. Amidon moved to approve the minutes, seconded by Marchman. Motion carried 5/0.

Under Old Business

Mayor's Veto on 2nd Quarter Budget Revision. No over ride, therefore veto stands. Wood presented alternative Budget Revision. Wood stated revision of budget was advertised. Mecklin confirmed Council could take action tonight. Reductions: 9 positions-either not filling vacant positions, no new hires, combination of two positions at City Hall; Close Museum one additional day (Monday). Kelly made motion to accept with the removal of closing Museum on Mondays/seconded by Holland. Motion carried 4/1. Best voted against.

Freeman presented ORD-09-12-CCO to amend Article III of Chapter 6, Peddling, Soliciting and Canvassing, to provide safety requirement prior to the issuance of a permit to peddle, solicit or canvass in the City. Presented original in October, being brought back to Council after staff has met with several council member and changes were made to original ordinance. Best made motion to accept/seconded by Kelly. Motion carried 4/1. Holland voted against.

Wood presented ORD-09-13-CCO; Cemetery Ordinance amendments (required funeral homes to registers with the city before digging, \$25.00 fee). Lots will sell at \$500.00 per lot. Mayor thanks Lott and Pope for surveying and inventorying each lot at Hill Crest Cemetery. Amidon made motion to approve/seconded by Kelly. Motion carried 5/0

Holland presented and discussed speed humps for Summergate. Ordinance regarding speed humps was presented at November council meeting. Holland read and did not like said Ordinance, therefore he had a conversation with Taurus and basically said he preferred to keep the decision on speed humps going into neighborhoods to be a political decision made by this body, everyone of us represents a certain group of citizens in the city and the way it has worked in the past if there was a particular need for it the citizens come to us and we bring it before this board and we make a decision whether we think it makes sense or not. Holland prefers to keep it as it was and he appreciates Taurus's hard work to do it, but Holland's recommendation is don't have an ordinance that specifically calls for quite so much work to be done before we get a speed hump. I think that you have also found that the price of the speed humps is a good bit cheaper than we had originally thought (Taurus states- that is correct), because you put one in and how much did that end up

costing – Taurus stated it cost \$1,100 and it is of the type you can go over it 20ish miles per hour, Taurus states 10-15 miles per hour, and not tear your car up. Go over it 30 miles per hour you might tear your car up. It is the sort of thing if you the speed limit you are not going to hurt yourself so that is my recommendation. We took care of the one in Ward 4 last month when we did the one in Mr. Kelly's area, the one that is left is the Summergate one and I would like to see us put at least one out there in the next month, so I would like to make a motion that we do so and let the staff and Police Department figure out where the most likely be, I would like to make that in the form of a motion/seconded by Best. Motion carried 5/0.

Under New Business.

Captain Shaddix presented the Employee of the Month plaque to Wendy Baskin.

Mayor presented appointment and reappointment of board members to both the Villa Rica Development Authority: Kurt Kraft, Render Crook, Dana Wynn, Kinney Taylor, Randy Boyd and Pope Cleghorn. In addition the Mayor appointed Rick Pope to replace Paul Free, on the Cemetery Committee. Kelly made motion to accept/seconded by Holland. Motion carried 5/0.

Wood and Patsy Allen, with Allen Smith Consultants, presented Turano Bakery sewer line extension request and information for a \$500,000 grant to expand sewer lines to construct a new \$20 million dollar building which will employ an additional 50 employees. To qualify the company normally needs to provide a letter of commitment and a letter of credit. Mr. Turano has agreed to provide the letter of commitment if the city would provide the letter of credit. DCA would work with City Attorney for correct language. State has approved the pre-application and is now asking city to submit full application within the next 60 days. Once the grant is awarded the State will ask the City to provide a letter of credit. As long as City does not cash check, City is not responsible for money. Turano has 2 years to complete construction and City does not need to begin construction of sewer line until Turano begins construction of facility. City will be responsible for design, engineering, and construction of sewer line. Holland stated he had no intention on voting for something like this that would put the burden on the City of Villa Rica and its citizens without an equal amount of burden placed on the man who is going to bring us the jobs. Holland asked for confirmation that the letter would be null and void if the rest of the process didn't proceed to get approved, Patsy confirmed this was correct. Holland made motion to provide the State of Georgia a letter of credit or a letter of promise to reimburse for the grant money herein discussed, City will maintain control of project funds and completion of project/seconded by Kelly. Motion carried 5/0

Freeman presented the 2010 Alcohol License Renewals of 42 current license holders. Holland made motion to approved/seconded by Kelly. Motion carried 4/1 Marchman voted against.

Freeman presented ABL-07-09, Honest Commercial, dba Discount Smokes & Beer, licensee Ravi Kumar Dupaguntla, requests Alcoholic Beverage Retail Package Malt Beverages & Wine license at 733 W. Bankhead Highway. Staff reviewed and recommends approval (only changing licensee name). Holland made motion to approve/seconded by Kelly. Motion carried 4/1 Marchman voted against.

Freeman presented ABL-08-09, Restaurant Tipico Dominicano, licensee Christyna Columbie, requests and Alcoholic Beverage Pouring License for property at 214 W. Montgomery Street. Staff reviewed and recommends approval.

Best made motion to approve/seconded by Kelly. Motion carried 4/1 Marchman voted against.

Freeman presented RA-08-09, Parikshit Patel of Douglasville, GA requests a rezoning for +/- 0.54a, at 709 and 712 North Avenue from RD (Rural Development) to OI (Office/Institutional) for the purpose of a Drug Store/Pharmacy. Planning Commission heard this request and recommends approval with condition that the broker shall provide a fence against dissimilar zoning classifications as well as with the buffer. Buffer 15 ft. landscape (thicker foliage) or 30 ft. landscape (lesser foliage). Property owner Patsy Carr talked with the Mayor and explained there is a difference of 4 ft. along property line. This has been acknowledged by Staff. City Attorney David Mecklin explained that City can only rezone property that of the applicant own. Patsy Carr, 707 North Avenue, spoke against this project, in relationship to the difference in the 4 ft. and that her husband was on oxygen and the dust from construction causes him to be unable to breath and could cause health complications. Also referred to the traffic and confirmed the buffer would surround her property along construction site. Kelly made motion to approve on property that is not in question/seconded by Marchman. Motion carried 5/0

Mayor presented Proclamation in Remembrance of the 1957 Explosion and the 52nd anniversary of this explosion is quickly approaching (December 5th). City Clerk prepared Proclamation and read said Proclamation recognizing explosion and the family involved in said explosion. Best made motion to accept/seconded by Amidon. Motion carried 5/0.

Mayor presented a Resolution of Appreciation to Ms. Elaine Bailey, for her work in writing and publishing the book entitled "Explosion in Villa Rica". City Clerk read Resolution. Holland made motion to accept/seconded by Marchman. Motion carried 5/0.

Freeman presented Resolution supporting "Bring One For The Chipper", locations from January 4-15 at the V-Plex as well as Gold Dust Park. Best made motions to approve/seconded Kelly. Motion carried 5/0.

Best made motion to continue to give employees one free day, their choice, off as a holiday gift from council/seconded by Holland. Motion Carried 5/0.

Best presented the 2010 Holiday Calendar and asked council to approve one (1) additional, holiday, (Veteran's Day) bringing number of holidays to 12. Kelly made motion to approve/seconded by Best. Motion carried 5/0.

Wood presented contracts for consideration on purchase of Cemetery Management Software/Annual Internet maintenance agreement. Holland made motion to set lot price at \$500.00 and to purchase Legacy Mark software/seconded by Best. Motion carried 5/0. Holland amended his motion to include the \$25.00 grave opening/closing fee/Best. Motion carried 5/0.

Consideration of Bids presented:

Lacefield presented bid consideration for South Candler Street, emergency replacement of 40 ft. of 48-inch pipe, money is in budget. TJ Lyle & Company low bid. Holland made motion to accept bid based on report from engineer to go under contract with TJ Lyle & Company /seconded by Kelly. Motion carried 5/0.

Lacefield presented bid consideration for collapsed sewer line of 8" ductile iron pipe for sewer replacement on Industrial Blvd. and Westview/Dogwood. First requisition before you is for Consolidated Pipe & Supply Company, to purchase all the pipe and materials for the project (2000 ft. of pipe), lowest price \$17,020 those funds are budgeted and available. Motion moved by Amidon/seconded by Marchman. Motion carried 5/0.

Lacefield presented bid from Dean Grading to install (labor only) 8” gravity sewer lines on the west side of Industrial Blvd. on city sewer easement in amount of \$14,900, funds are budgeted and available. Holland made motion that we enter into a contract with Dean Grading/seconded by Kelly. Motion carried 5/0.

Lacefield presented big from TJ Lyle and Company to replace the sewer at S. Dogwood running under 78 toward the school and beyond that property (800 ft replacement), bid amount, \$26,220, funds are budgeted and available. Holland made motion to enter into contract with TJ Lyle and Company/seconded by Marchman. Motion carried 5/0.

Reese presented bid for Irrigation (will utilize 2 wells on site rather than use city water) at the Amphitheatre site with Hydro Irrigation in the amount of \$7990. Kelly made motion/seconded by Holland. Motion carried 5/0.

Payments over \$5000

Lacefield presented bids for purchase of Ryder Truck Sales, for replacement of flood totaled 18-wheel tractor for sludge hauling in the amount, not to exceed \$30,000. Holland made motion to purchase new truck/seconded by Best. Motion carried 5/0.

Lacefield presented bids for purchase for Filter Actuator Valves damaged by flood, from TAW, in the amount of \$8,647 (already purchase and site back on line-emergency repair). Amidon made motion to approve purchase/seconded by Best. Motion carried 5/0.

Wood presented bid for curb work, in the amount of \$13,063 by Classic Curb at Amphitheater (broken down into 3 work orders-work has already been completed). Kelly made motion to pay Classic Curb \$13,063/seconded by Holland. Motion carried 5/0.

City Update – Larry Wood will provide to council on December 2, 2009.

Public Comments:

Hal Penson, 1032 Overlook Drive, discussed the fact that the train was parked on Conners Road causing back ups and having to make u turns to backtrack. Mr. Penson suggested possibly placing notification signs at Conners and Mirror Lake Blvd. that the tracks are blocked.

Issac Robinson, 294 Berkley, problem with left turn out of O’Charley’s, suggested that there be a no left turn onto S. Carroll at that intersection. Also commented on the 2 ft. addition to the fence in previous discussion. Kelly stated he made the comment and he stands by his comment.

Charlie Lott, 212 West Wilson Street, wanted to thank council for appointing Rick Pope to the Cemetery Committee. Also stated that Rick wrote down every word on every tombstone and that he, Charlie, has been taking photos.

Nothing for executive session.

With no further business, Best moved to adjourn; seconded by Marchman. Motion carried 5/0. Council adjourned (time not recorded in minutes).

J Allen Collins – Mayor

ATTEST:

Larry Wood – Acting City Clerk