

Minutes – January 5, 2010

The Council of the City of Villa Rica met in a regular scheduled meeting on Tuesday, January 5, 2010 in the Council Chambers at 101 Main Street, Holt-Bishop Justice Center, Municipal Courtroom. Those present were Mayor J Collins; Council members Perry Amidon, Verland Best, Woody Holland, Joey Kelley and Shirley Marchman; City Manager Larry Wood, and City Attorney David Mecklin. Approximately 51 people were in attendance.

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

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

Approval of December 1, 2009 Minutes: Motion to approve made by Councilman Joey Kelley/seconded by Councilman Perry Amidon; 5/0 vote.

Mayor Jay Collins made a special plaque presentation to both outgoing Council Members Joey Kelley and Perry Amidon.

Mayor Jay Collins presented Councilman Perry Amidon a plaque in recognition of his 15 years of service to the city and citizens of Villa Rica. Mayor Collins also presented Councilman Perry Amidon with a plaque from the Carroll County Chamber of Commerce in recognition of outstanding service as a member of the Board of Directors.

Mayor Collins presented Councilman Joseph Monroe (Joey) Kelley, Jr. a plaque and thanked him for his friendship and service and support over the last 5 and a half years. Councilman Joey Kelley thanked all the men and women that I served with.

Note: At this point Councilmen Perry Amidon and Joey Kelley left the podium.

Mayor Jay Collins proceeded to swear in new council members, Councilman Rusty Dean (Ward 3) and Councilman Patrick Henrickson (Ward 4). There being no oath of office in place to swear in re-elected Councilman Woody Holland, this will be done at a later date.

Mayor Jay Collins asked for nominations for election of the Mayor Pro Tem. Councilman Rusty Dean made a motion to nominated Councilman Woody Holland for the position of Mayor Pro Tem/seconded by Councilman Patrick Henrickson. 4/0/1 vote.

Mayors appointment of the 2010 Standing Committee. Councilman Patrick Henrickson made a motion that this be tabled until the February council meeting because he has personally not had a chance to meet with some of these folks and talk with them personally before he could make his recommendation.

Councilman Woody Holland asked if there would be a meeting of the Planning and Zoning Commission before the next Council meeting (Taurus Freeman stated yes), well we really need to do something it looks like to me. Otherwise we won't have a zoning board, right?

City Attorney David Mecklin confirmed until there are reappointment successors, committee remains in office and their actions would be legal.

The Mayor read the names of the Standing Committees that he will appoint, they are city council members that will be on the committees:

Recreation: Councilwoman Marchman, Councilman Holland and Councilman Patrick Henrickson.

Housing: Councilman Best, Councilman Holland and Councilman Dean.

Library: Councilman Best, Councilman Dean and Councilwoman Marchman.

Public Safety: Councilman Best, Councilwoman Marchman and Councilman Patrick Henrickson.

Finance/Audits: Councilman Holland, Councilman Dean and Councilman Best.

Councilman Henrickson made a motion that they continue to do business as they are, but to put off the appointments until the February Council meeting/seconded by Holland. 5/0 vote.

City Manager Larry Wood presented the Financial update for the City and is proud to report that the combined cash accounts are up about a half a million dollars to \$6.9 million. General fund revenue for the month \$1,216 million, compared to expenditures of \$1,037million, so we were in the black for the month and that is a good thing. Year to date we are still lagging \$5,783 million in revenue versus expenditures of \$6,300million. Water/Sewer we were \$328,000 for the month which is little bit under budget but not much, year to date \$3,354million, with expenditures of \$465,000, versus year to date expenditures of \$3,368million, so we are almost right on target revenue versus expenses. This is a year where water/sewer will spend more that we take in and that's according to our capital carry over projects that we have going this year.

Capital projects were a little behind on spending but we did catch up some in December with \$244,000 that excludes the \$300,700million that we paid for the sewer that Mayor Collins was showing everyone earlier, year to date we have spend \$697,000 and I will let ya'll read my notes below that, but I submit your financial update for the month.

Councilman Holland asked if the rest of the Carroll County property tax would come in now/soon. City Manger stated yes, they are still coming in, we received over \$1million in property taxes in December and will still continue to receive them thru March. We are still about \$1million away from collection all property taxes that are due and the other big items are our franchise fees that come in, in early March for electricity and cable tv and gas.

Mayor asked for any questions or comments – none asked or given.

Mayor Collins asked that the agenda be amended to include and items listed as 16a. Holland, moved/seconded by Best. 5/0 vote.

Old Business

Eric Lacefield presented the Resolution – City of Villa Rica 2010 Employment Incentive Program (EIP) Application to Mayor and Council. The resolution before you is in regards to the Employment Incentive Program application grant to expand the sewer lines to the Turano Bakery. As part of the application process this resolution is required. The EIP is a grant of up to \$500,000 to go toward those improvements. The resolution commits the city to pay all cost association with the project that are over \$500,000 and also authorizes the Mayor to sign the grant application and enter into any contract associated with the grant. Holland asked if we were sure we would not spend over \$500,000. Lacefield stated it is over \$500,000 so the city would be committing to pay the additional \$236,000. Holland asked how we were going to pay for this. Lacefield stated SPLOST funds, stating we have money in infrastructure now that we use in some of the replacement projects we have going on that are coming out of SPLOST that we have, so it is funded thru there. Mayor Collins asked if Carroll Tomorrow had done an economic impact study. Wood stated they had not, this was Douglas County. City Manger stated this was a Douglas County project, therefore

Carroll County Mayor asked if we had asked them, knowing in the past they have been willing to do that but they would probably do one if asked. Holland asked if there was a Douglas County counterpart to Carroll Tomorrow. City Manager stated there was. Dean asked if they had the software program to run this study. City Manager stated he was not sure they had the program and he knew they did not have a Carlianne that runs the program. Mayor wanted to point out that we not only have this sewer line that runs down to Turano but that opens up all the land where we have sewer now, so it's not like it's this one project that is going to benefit from this. City Manager stated that the other benefit that it gives us, is even though we will be pumping to the North Plant, with this one leg that we put in it is the first leg that we need to build to get us back across town from the East side back to the new West Plant. We are using this as the first leg, we can add some additional phases to it to get the sewer from the East side of town where we cannot build another plant back over to the west so we're going to have to find a way to pay for it one way or another. We don't know that these numbers are hard numbers yet. This is simply a guarantee that we know that if the cost is more than \$500,000 than we will be on the hook for it. Eric explain that Douglas County SPLOST funds are already accounted for expenses we are making to the North Plant so this will have to come out of that. Mayor asked for any further questions Holland: One of the selling points last month was that we hold the purse strings on spending money so we don't get the horse and the cart in the wrong order. This still allows us to have that control, right? Eric – yes Dean asked if we ever got an answer to the question about getting the Chamber of Commerce to do their impact study. City Manager said we could ask them to do that, it would be no problem. Dean state that would go a long way to easing everyone's mind. Holland state that it would be a positive impact because they are already there and they are just adding and additional spot, so more jobs, more everything. Dean agrees but state that would give us a basic number of how great that impact would be. Mayor asked if we wanted to do that before we approved this Resolution. Eric stated the deadline is January 14 and explains this does not ties us down and does not guaranteed that we get the grant, it is just part of the grant application process. All we are doing at this point is applying. City Manager said all you are doing is authorizing the Mayor to sign all these documents Dean made a motion to adopt/seconded by Holland. 5/0 vote.

Eric Lacefield explain to Mayor and Council that the resolution they just adopted does required that a public hearing, that public hearing is set for this Thursday at 12:30 at City Hall. All are invited.

New Business

Mayor Collins presented the Employee of the Year for 2009 to Johnny Vickery. He explained to the council and citizens that most of them saw the trucks behind the building working on a in a hole about 10 feet deep, with about a foot of water, temperature below 32 degrees, one of the guys working out there is our employee of the year. It is easy for us to do our jobs in a climate where you only have to wear a coat and tie, but these guys go above and beyond the call of duty. It is my privilege to recognize the employee of the year for 2009, Johnny Vickery. Mayor told Johnny that on behalf of a grateful city we thank you for your service and present this plaque to you along with a certificate for a day off of your choosing.

Mayor Collins presented the Employee of the Month for January 2010. City Manager asked Jeff Reese to come forward to present this award. Jeff asked Duane Collin to come forward. Duane has the ability to do just about anything you ask him to do, from building shelves, carpentry work, took test to become Level One Certified Soil and Erosion guy, took

the test and passed-now a blue card owner. Duane read plans and instructed crew on the grading for the new amphitheatre saving the city several thousands of dollars. Duane was presented a plaque and a check for \$50.00.

Best stated that each year the City Council designated a specific amount of money to the employees of the city because they did not miss any days of work. Believe the first year there was maybe 3 people, then 5, this past year was 18. A significant amount of people and a tribute to what the employees feel about the city. Basically there is not money there to give these employees any kind of benefit. Next year it is my intention not to do that same thing. I would like to see these 18 people get something from the city, I think the city manager and mayor could come up with some type of detail. Next year or this coming year the process should be something similar, that a person working for our city has accumulated all the vacation and max time then the city would buy back up to a number of specific hours, 20 or 25 at the rate that they accumulated that. What that would mean is when they retire we would buy back all their vacation time anyway, so we are just giving these folks a chance to come to work every day and if they accumulate their time which takes 240 hours, anything over 240 they lose. Something to think about and maybe next time vote on this one way or the other. Mayor gave credit where it is due that idea of paying those who had not taken any sick time was Councilman Kelley's idea and I supported that idea. Best thinks council needs to make a statement to the employees right now that we are not going to continue that process this year. Henrickson asked how many sick days they get per year – Best ask...this is vacation time isn't it? Aren't we talking about vacation time not sick? Holland said it was sick time. City Manager stated there was 2 weeks per year sick leave. Henrickson asked how much we saved when an employee has perfect attendance. Mayor states they come to work every day. Henrickson said if they don't take a sick day or sick pay we are actually saving money, correct. It was stated that it did not matter, they got paid here or not. Best stated we are talking about two different animals, sick pay versus vacation time. If somebody leaves that works for the city we buy back their vacation time, they lose their sick time, is that correct? But their accumulation of sick time is 90 days we changed that last year, because of the long term disability. What I am talking about is vacation time not sick time. Mayor explained that the perfect attendance is based on sick time. Exactly what I am trying to do is do away with sick time and make it vacation time that we can buy back to give them that incentive. Holland asked if Best was going to bring back a proposal next month. Best agreed to bring a proposal next month. Henrickson commented if you buy back the vacation time or if you give them a reward for not taking sick days you're still spending money, correct? Someone stated Right. Henrickson stated he the situation now was we did not have the money, so you still have the problem. Best stated that if someone retired today the city would buy back that time anyway from vacation and we will buy it back today at what they are making today. If we buy it back after they make 240 hours it will make a whole lot less than what it would be when they retire, which would save the city money.

City Manager asked the Julie Hall, Chairman of the Library Board to come forward and to give her credit for the handout that I am passing around to each of you and thank her for the work she has done and for the presentation...Larry also stated it had some of the numbers that Holland was asking about. Julie explained that we were in line to get a grant, did not get approved this year but expected that, but we are still in line to get a grant to expand the library. As we started to explore that option and talked with the architect we found that originally the library was designed to expand but one about 1-2,000 sf., what we need now

is an addition 5,000sf. Would have to go out the back of the library to expand the additional needs sq. footage, we do not own the land behind the library needed. Larry Wood had been in contact with Housing Authority to buy some land and originally they were in agreement, but their plans have changed and their time table to sell us land is in limbo and we don't know when they might be able to do that, we would also have to do some site improvements. So board looked at some options new versus old and when we looked at the numbers based on what grants were available, we found out that we have in theory \$650,000.00 in SPLOST funds and if we do an expansion of the library in current location, most likely no cost to city. New library would be at cost to city of \$765,000.00 amount over the grant fund of \$1,878,000.00 (this does not include cost of land, but could sell old library to recoup a portion of the funds), which brings total cost of project to \$2,643,000.00, with a total of 10,000 sf. Expansion of the library would cause library to be closed for 4-6 months...would like to amend application to build a new library and not expand old library. Can change grant application and remain in our current position. Board likes the idea of being next to city hall downtown. Holland feels that this being first time seeing number feels they don't have the information needed to make a decision tonight. Put on February agenda for further discussion and a decision. Henrickson has concerns regarding parking and amount of space of building and room for expansion in downtown.

Taurus Freeman presented development plan for Liberty Pointe (off Conners Road). Presented blue print and schedule for this subdivision, current has 2 entries/exits with one more to be added in the future, green space, many things within unified development code and asking for approval of this plan tonight. Total of 700 homes being built over a period of time. Concerns on size of lots, not enough green space, excess traffic onto Conners Road. Holland pointed out that years ago council approved a set of rules by which we go by to build houses called the Unified Development Code, and when we did that we set aside certain rules and when the person comes in and says I am going to meet all your rules, then if you don't like we have wrong rules and that's a possibility. At that it was better to have houses stuck close together and have open green spaces as opposed to having big lots with additional space between houses. Henrickson noted this builder has already put in a lot of the infrastructure as well as building spec homes. Holland stated for Historic Record isn't this the one that was zoned for apartments. We were pretty much thrilled to get something like 3000 apartments off the table and have only 700 homes, so in perspective this has been going on a long time and if you don't like the rules we need to change the Unified Development Code and we can put that on the agenda anytime you want to and we can discuss. Dean asked if builder had plans for immediate start and money for construction, Freeman-yes. Dean commented on the lack of green space issues, may want to look at in future. Holland asked about sidewalk, Freeman stated there would be sidewalks on both sides of street, 5ft. wide. This development received a thumbs up from the State. Mayor asked about traffic signal and Freeman said that the council could make that a condition of this plan if they feel it would be needed in the future. Mayor confirmed that a condition could be place in plan for a stop light in future. Holland stated we would be remiss in not doing that. City Attorney asked Freeman who evaluated the plat, planning commission or just Freeman. Freeman stated he is the one that evaluates to assure all codes are met. Councilman Holland asked that this be put on the agenda for February with a revised wording saying that when X number of house are occupied or permitted, that a light has to be put in by the developer along with a bond or letter of credit. Dean commented that we need to be aware that if we made each development to be required to install traffic light we could have lights every 150-200 ft. on a road. Move this to February agenda with corrections.

Mayor presented proposal by DDA asking that they be allowed to sell plaques for the trees to be placed in the new amphitheatre and earmark that money to go towards the landscaping and maintenance of downtown. Holland made motion a motion to authorize City Manager to come up with a plan for this proposal/seconded by Dean. 5/0 vote

Consideration of Contracts:

City Manager presented the Georgia Power agreement for turning on 17 lights in Charleston Place which had been turned off. This is a standard contract and will cost the city \$2,439 per year. Holland made motion that council approve this contract/seconded by Dean. 5/0 vote.

Payments over \$5000.00

Eric Lacefield presented the Jerry Turner, Dog River Grading, for repair of curb, gutter, basin and installation of junction box and 18' concrete pipe at S. Dogwood and Highway 78. Low bid was \$6,867. funds are available in Storm Water capital funds. Best ask if we could some money back from FEMA. Lacefield stated it is a project that FEMA has credited us for. Holland made motion to approve payment in the amount of \$6,867 for the work described/seconded by Dean. 5/0 vote.

Eric Lacefield presented the Utility Service Corporation for tank maintenance, \$24,109.98, which is an annual renewal for tanks on Sunset and Mirror Lake. This is a budgeted item and funds are available. Holland asked if we could do all tanks at one time. Lacefield stated there were two separate contracts, one due now and another due in April or May for a couple other tanks, they don't do all our tanks, asking them for cost to include Carrollton Road tank and tank at water plant. Henrickson made motion that we approved/seconded by Marchman. 5/0 vote.

Eric Lacefield presented the Kesco, Inc., Club Bay Lift Station, \$6,663 for new pump to replace damaged pump. Station is designed for two pumps, one as a backup, currently only one pump is in service. This station pumps to Bay Springs community and to Bivins Road station and are the pumps that were designed for this station. Lacefield explained in future would like to build new pump station which would take the place of the Bivins Road station as well as Club Bay pump, so with eyes on doing that large project we ask to just at this time to repair this station rather than upgrade the whole station. Holland stated for the record the council ask to spend more money and the city saying no. Holland made motion to approve/seconded by Dean. 5/0 vote.

Jeff Reese presented request for John Deere Landscapes, amphitheatre project, not to exceed \$24,000. Plants materials as shown on approved landscape blueprint. Henrickson ask when the plants would be put in place. Reese said the last part of February early March. Dean made motion to approve/seconded by Holland. 5/0 vote.

Jeff Reese present request for Sand-Stone, Inc. for brick for buildings and stage, included color coordinated mortar at a cost of \$14,400. Henrickson asked if all this money was coming out of the budget from SPLOST account, Reese said yes. Marchman made motion to approve/seconded by Holland. 5/0 vote.

Jeff Reese presented requisition on Twin Lakes Metals and Home Improvements, to provide and install a 24 gage expanded metal roof on restroom and concession as per blueprint for amphitheatre at a cost of \$15,530. Holland asked if the Villa Rica Beautiful committee should be involved, Reese is a member and gets input from this committee. Holland made motion to approve/seconded by Henrickson. 5/0 vote.

City Manager Larry Wood presented for approval the Douglas County Board of Commissioners, General Election Expenses in the amount of \$12,416.02 which covers general election expenses for Nov.3, 2009 and run-off election expenses for Dec. 1, 2009. Dean asked if we would also get a bill from the Carroll County Board of Elections, Wood confirmed we would. Carroll compared to Douglas is much less probably around \$3-\$3500. When contracting with Douglas County we did not have the option of sending Carroll County poll members over to the Mirror Lake prescient, but the regulations have changed and we now have that option. Wood recommends that at next election council instruct him to go back to Carroll County and negotiation our contract to include the Mirror Lake prescient. City Attorney state we should look into the reason the cost is much higher for Douglas County versus Carroll County. Mayor requested we talk with Douglas County before we approve payment and stated he would make contact and talk with Douglas County himself. Dean asked if we could put on a municipal election as a city, by ourselves. City attorney explained there would be mandatory training for employees to do that and once you add in all the hidden cost added by the state using the County is probably more economical. Best stated this is the time to consider when the Mayor's office needs to be considered over there as well, because of Mayoral election in 2011. The correct order would be to wait until Census is complete and new lines are drawn for wards. Looking at 2012 or 2013. No motion needed on this item at this time.

City Manager presented city update by complimenting Councilman Holland for his astute observation of SPLOST article which contained and incorrect date for projected cost for 2008-09, should have been for 2009-10. Holland asked city attorney if we needed to rerun due to date error, Macklin stated if it was wrong you would have to re-run. Wood stated to re-run would be a cost of \$605. Can we just run a correction on the projected cost date. Mecklin will look at the law and see if we are required to re-run. Wood recognized and thanked two employees that retired in December, Sophie Hall who worked for the city for almost 17 years and Bill Gant with 5 years, for their service to the city. Wood confirmed January 16 as a date for Council work session from 9am-1pm. Presented draft agenda and asked for any input for agenda. Updated information on the light at Mirror Lake and Shoreline, at request of Henrickson, after contract review by city attorney determined it is a pretty straight forward, cost is \$4900. DOT will have a plan back to us within 3 weeks.

Public Comment:

Mike Gill, 465 Daniell Road, Villa Rica. (1) Wanted to welcome new Councilman and request that they get a copy of the zoning codes and get a good look at this and become familiar with the codes. (2) Understand the water rates are being raise, possibly city can extend the water line to all the roads in the city that currently don't have water. (3) Douglasville Police has motorcycle cops on I-20 and would like to see VRPD to once again begin patrolling I-20.

Michael Mansour, 101 Main Street, Villa Rica. Commented that the VRPD will be getting back on I-20 and that they have sent several officers to classes for dope detection.

Executive Session: No business

Motion made to adjourn at 8:45 p.m. 5/0 vote.

J Allen Collins – Mayor

ATTEST:

Larry Wood – Acting City Clerk