

The Council of the City of Villa Rica met in a regular scheduled meeting on Tuesday, February 2, 2010 in the Council Chambers at 101 Main Street, Holt-Bishop Justice Center, Municipal Courtroom. Those present were Mayor J Collins; Council members Rusty Dean, Verland Best, Woody Holland, Patrick Henrickson and Shirley Marchman; City Manager Larry Wood, and City Attorney David Mecklin. Approximately 55 people were in attendance.

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

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

Request from City Clerk to move under item 19 (1) move TJ Lyle from contracts to payments over \$5000; (2) ITT Water & Waste Water to Item #20. Motion made by Marchman/seconded by Dean. 5/0 approved.

Also amend agenda to add one contract and one payment over \$5000. Motion made by Holland/seconded by Marchman. 5/0 approved

Approval of January 5, 2010 Minutes: Motion to approve made by Best/seconded by Dean. 5/0 approved

Mayor Collins swore in re-elected Councilmember Woody Holland, Ward 5. Motion to accept Dean/seconded Marchman. 4/0/1 approved – Holland abstained.

Mayor Collins swore in the following to the 2010 Planning & Zoning Commission: Robert Francis, Kurt Kraft and Bakari Turner (Mike Gill was not present to be sworn in). Motion made by Dean to accept the three sworn in/seconded by Marchman. 5/0 Note: Best asked if Mike Gill wanted to continue to serve and got an affirmative. Best suggested that all four (4) be in the motion made. Dean amended his motion/ Marchman amended her second. 5/0 approved

City Manager Larry Wood presented financial update. January combined cash account total \$7.3 million up about \$300,000 from last month. General fund revenues \$1,111,483.000, ytd \$6,907,083.00. General fund expenditures for month \$649, 935.00 with ytd \$6,951,037.00 showing us almost in the black and that is a good place to be right now. Water & Sewer like numbers revenues of \$389,041.00, total ytd \$3,743,999.00, expenditures, \$335,749.00, ytd \$3,706,243.00, again in the black. Capital Project expenditures \$124,475.00, ytd \$769,998.00, and added new item that has not been included before, SPLOST capital expenditures, \$156,517 most of that going most likely to the amphitheatre, ytd \$1,749,741.00 most of this going to water/sewer expenditure.

General Fund revenues just under budget with \$20,071.00 shortfall. General Fund expenditures are \$6.9 million or \$26,561 over budget – should catch up by end of year and get to \$240,000; largest over run of \$32,760 – Streets due to flood which will be recouped. Shari will do all accruals in April and close the books, preliminary number by May first.

There are currently five (5) vacant positions (Library Manager, Rec part-time, Rec maintenance and two PD patrol positons).

WWTP working toward 2 year schedule rather than 3 year, were 40 days behind, now only 20 days behind due to flood, heavy rain fall and cold weather. Any are welcome to join me on Friday to walk the site.

Jay information council and citizens of the passing of Sybil Conner, wife of former City Manager JW Conner in late 70-early 80's. Please remember them in this time.

Old Business

Best opened for discussion perfect attendance recommendations: if employee does not use any sick leave within the past calendar year, employee may sell back to the city up to 40 hours of vacation time at current rate of pay. Although department heard should monitor employees to the use of sick leave. At retirement the city buys back the remaining vacation time at a higher rate than what we would pay now if employee sells back 40 hours of vacation time. Look up to about a figure of \$10,000.00. Holland asked what Sick Leave Pools was, Best explained that this was put on but has since learned there is already a system to donate sick leave from one employee to another. Holland asked if this was coming out and we are only talking about the first item. Best confirmed. Henrickson questioned awarding people for coming in on time...do we need to reward people for coming in on time. Best state when you start people at around \$7.60 per hour and put them in a ditch for 10-12 hours a day I think they deserve a little more. Holland stated that we went from \$500.00 to reward people to \$250.00 and I voted against those both time because I thought those were too high in number. To me we are going back the other way to go from \$250 to \$400 we're going the wrong way, to me a carrot of \$100.00 is gracious plenty, I've always said that and have not changed my mind. After 15 years employee received around 168 hours per year (4 week + 1 day). With no more discussion moved to item #10. Holland made comment that he had no problem with rewarding someone with a small amount but I think that \$3-\$400 is too much.

Wood presented the resolution for Library Grant modification. Thanks mayor and councilmen for support of building a new library. New library would be at cost to city of \$765,000 amount over the grant fund of \$1,878,000, which brings total cost of project to \$2,643,000, with a total of 10,000 sf. Holland for the record we are asking for money from the state right, we are not voting to build anything now, all we are saying is give me some money mr. state, this is a multi-year type of program to get the money. Tried for one year and it did not work, so we are just continuing a change in the think to ask for a little more money, we may or may not get this for X years...Wood confirmed, it may take 1, 2 years, we don't know. Second part of resolution states that if state give us the grant that the city will pay the balance of \$765,000. We have \$140,000 in round numbers in the bank now from a 1998 SPLOST referendum for a library, and we hope we will receive \$500,000 from the 2008 SPLOST referendum that was passed where we set aside that amount of money for a new library. Holland, so I exposure over what we already have banked is \$125,000. For \$125,000 risk we get a \$2 million library. Holland made motion to adopt resolution as presented/seconded by Dean. 5/0 approved

Freeman presented final plat for Liberty Pointe which was moved from January meeting to this month. Developer request approval for these documents so they can be filed in the county clerks office. Mayor asked about the decision on traffic, Holland stated what he was advised by Mr. Freeman earlier, was that he has presented in a form of a paragraph – that when a certain number of houses are done then the developer/owner has to put in a traffic light or a roundabout or something and this would be recorded on the deeds and all the drawings and go to the court and be recorded. And if this should pass then it would be in perpetuity and on the camera. Henrickson said we need to clarify what is taking place as far as the last presentation was 700 home, now 248 the remaining portion of that property/development has gone back to the bank. Freeman states that is for phase 1 and 1a, final plat is only for phase 1 only, Holland asked how many in phase one, Freeman states 50 home, remainder in the next 2 years. Regarding roads, before any PO's are issued staff will

receive bonds for the road incase developer does leave or if foreclosed, so we can finish roads, as is stated in our new Unified Development code. Holland reads what was given to him prior to 7pm meeting, a short paragraph, but for me it is the only way I would vote for this to be approved: The developer/owner shall perform a transportation study when 60-percent (420 of 700 single-family structures) of the dwellings are in the Final Plat process; and if the traffic improvements associated with the development are merited, the developer/owner shall install the necessary enhancements (i.e. traffic signal, roundabout, etc.) prior to Final Plat approval, or present the City of Villa Rica with a Letter of Credit or Performance Bond until the necessary improvements have been completed. Information was prepared by Taurus and I would like to include that with any decision we make with the change to 60%. Mayor question cost of transportation study, Freeman state that this goes with the property, so developer once they hit the 60% they have to provide necessary documents and bond to complete project. Best questions the sewer capacity and asked should this be included. Holland stated the title of this page is Zoning History, so it goes back to 1988, I think we are just seeing some things we've done in the past, rather than seeing what is going on today, right? Freeman, correct. Attorney has look over and papers look to be in order. Importance of this is the bonds which will cover all improvements, light, roads, etc. Holland, who's responsibility to get bonds – Freeman stated it was his responsibility. Dean, questions the fact that property being under two different developers/owners does this create a problem with that formula and the fact of bonding? Mecklin stated that at this time only approving phase one and whoever is come in and get approval for 1A will have to get a bond from them also and if we don't accept it there will be no build. Holland stated if you do the math this guys not adding any money for 1 & 1A because he's only got 225 houses with 60% of 700 is going to be 400ish houses so whoever develops the red area on this proposal is the one who is going to have to front this development for the traffic study. Mecklin: we need to be absolutely sure that the city comes in and completely put in the roads to this subdivision, that we've got the money they posted to do that with. Henrickson concerns on this project regarding phase 2 is on map it shows trees, on site the trees are gone, it is dirt, there's been a lot or erosion, what are we doing to make sure it does not wash away while being held by bank, Freeman, phase 2-4 has not been disturbed, on 1 & 1A. Holland stated we have city inspectors to inspect and to correct them, if not being handled correctly, we have to point finger at ourselves. Wood stated there has been corrected action a number of times and penalties have been enforced. Holland made motion to accept final development plans with the addition read that was presented to me/seconded Dean. 5/0 approved

Wood discussed DDA selling trees with plaques at the new amphitheatre, DDA is covered by city annual audit, our city accounts looks at their books at end of year, they will handle this the same way they would the Gold Rush festival, which they are also responsible for and keep in separate account. Barbara will get with them to work on submitting a budget.

Wood presented to council update on cemetery software, council approved purchase of software package, competitor came back, which was almost double the approved company, this company is they already have an online module that you could connect to database, other company does not. Cemetery committee recommends that we go with this company. This comes out of cemetery fund, Holland asked if there was money for this, Wood confirmed. Henrickson asked if there was just the \$160 per year fee for web service, there an annual maintenance fee of approximately \$750. Holland asked how we were coming on selling lots, Barbara reported 74 sold, 32 remain. Dean asked if this would include every cemetery in city, Wood confirmed that eventually it would. Holland stated we have started for now with Hill

Crest Cemetery. Holland made motion that we go with Pontem for \$4800/seconded Dean. 5/0 approved

New Business

Jeff Reese presented Ms. Hazel Roberts to the audience and council and mayor as the 2009 Park & Recreation volunteer of the year. Jeff spoke of her dedication and the importance of his volunteers. Jeff noted in 2009 key volunteers numbered just over 800 volunteers. Jeff also presented Ms. Hazel Roberts with a Proclamation of Appreciation. Barbara read Proclamation. Dean made motion to accept proclamation as read/seconded by Holland. 5/0 approved

Jeff Reese presented the employee of the month award to Ricky Dewberry, Street Department.

Lacefield presented to council ORD-10-01-CCO- Water Increase. Staff recommended an amendment to section 21-31 A & B of Article 2 of the water and sewer ordinance to increase water and sewer rates to all customers. Recommend increase of 10% (increase of \$3.48 per house hold), this as was presented to Moody's and bond issuers when obtaining financing for the West Wastewater Reclamation Facility to provide the revenues to assist with the debt service. Dean stated your are recommending, but in reality we have already made the decision. Lacefield, in bond report we said we would raise rates 10% this year, 15% in 2011, and 5% in 2012. This will generates about \$300,000 in additional revenue in 2011. Holland this what we had to do and what we all voted on except for the new ones on the council to fund this sewer expansion, and we will be doing this again next year. Holland made motion to approve as presented/seconded Best. 5/0 approved

After approval Best ask if we purchase 2 million a day of gallons of water how much are we loosing and the way we figure on that water loss? We produce and buy 2 million gallons and we only have revenue to 1.7 million gallons, which means we lost 250,000 gallons of water somewhere... Lacefield: base on last our loss rate is between 10-12%, about the industry average, we replaced all meters because we thought loss was due to inaccurate meter readings, all those had been replaced as of 2009 As for leak detection we haven't started any at this time. Our typical demand for water per day is about 1.5 million gallons. Holland: and we sell water for \$1.81 per, what is that, \$3.58 per thousand gallons, if we lose 100,000 per day that's \$3500.00 dollars per day, what are we doing to get that \$3500 down to say \$5.00 per day, you put people in the budget one year and we never hire them and we're dancing around the same subject again. Mayor asked if it's an unrealistic to think we can lower that percentage. Lacefield: No they typical good is around 8%, average is 10-12%, once at 15% you're on the far end, so most people hope to have a system where they are only losing about 10%. You're going to have leaks, we are going to lose water. Wood told council 6 years ago we were up to around 30% then, chart prepared, will bring back to council next month. Mecklin corrected amount, should be \$350 per day. Dean due to age of some of our water lines, to be only losing in the 10-12% range is not bad. Best estimate we were losing around \$10,000 per month. Agrees we are doing good, but we need to do better, it if means replacing some of the water lines in downtown for businesses that don't have good water pressure at all.

Mansour present to council ORD-10-02-CCO – adding Article 4, Section 4-9 to 4-16 to City Code of Ordinances: Disorderly Conduct, include several things other things that will help us with incidents that happen in the school system, this will keep the action from going on their record, we can write citation, and not have to take them to the county jail. Holland asked about fine schedule, Mansour said this was already in the city ordinance at \$250. As a city ordinances charge it will not go on their records. Obstruction of City Employees: Example will

benefit city departments, where we are officially doing our duty. Curfew: for youth under 18 years or under, will not be out looking for kids on the street, but will help with those who are out there creating incidences on street, incidences at schools. If going from church, schools, ballgames, etc. this will not pertain to that situation. (more details in complete ordinance). Holland asked if council could act on this tonight or was a second reading required, Mecklin said there did not have to be a second reading. Holland made motion that ordinance as presented/seconded by Dean. 5/0 approved – Best asked about open containers, Chief explained open beer, in open cup, etc. Must use good judgement.

Consideration of Contracts:

Wood asked Lacefield to come forward and present T.J. Lyle contact and stated we would omit the Rindt-McDuff due to discussion at earlier meeting. Holland said we should postpone.

Lacefield presented to council the T.J. Lyle contract for \$6,400 for emergency sewer repair on south side of Highway 78 that ties into the new line. Holland asked if it had been finished, Lacefield stated they have not completely finished, ran into utility conflicts but completed the damage portion. Holland asked if EPA was made at us over this one, Lacefield, Holland are you going to open Dogwood soon, Lacefield we will open Dogwood tomorrow (note: 2/3/10). Holland made motion to approve/seconded by Marchman. 5/0 approved

Wood presented to council a contract to Sandra Morris (\$5000) for professional services to apply for a 1010 Community Block Grant, we hope in the amount of \$500,000 to purchase and finish the block building located downtown on Highway 78. Sandra said that thru this grant, via the Georgia Department of Community Affairs, we could purchase, property, finish out, and have agreements throughout the community to have GED classes, employment programs, etc. Maybe work with some local businesses for internships. Handles all public hearings, all research. Mayor asked about a Boys Club in Villa Rica facility in that building, Sandra is chairman of the Carroll County Boys Club and there is in the future plan to open a Boys Club in Villa Rica, because of timeline no way to utilize that particular building at this time. Dean asked in we got grant would her contract include coordinating construction, renovation, etc. Sandra stated yes. Dean made motion to move forward with Ms. Morris on this project and to open the door for other projects/seconded by Marchman. 4/1 – Holland opposed

Wooded explained dollars for above project stating we have \$123,000 on deposit in our UDAG fund which is used for economic development and I think it is appropriate to take this \$5000 from this fund.

Lacefield presented to council contract with Fuselier Grading, Cowan lake transfer pump station, for \$111,248.60 to upgrade pump system that is located under the water, having to pull pump off the floor of the lake to repair. To draw more water out of Cowan Lake into our reseivour that we use to produce out water in Villa Rica. This was a budgeted it and fund are available. Holland asked if this was the drawing they saw a year ago, Lacefield yes. Mayor feels this is a lot of money to place a pump in lake, Best asked cost for last year that we paid to fix the pump, unavailable at meeting, current have a temp pump, want to move pump on shore. Holland asked how many gallons a day we can pull out of this, Lacefield 500,000. Holland commented that every day we can get ½ million gallons of water out of this and run through our plant, Lacefield explained we pump to Lake Fashion, plant rated for 1/5million per day, have permit to pull 1million gallons from Lake Fashion, 500,000 from Lake Cowen. Holland stated this is like not from Little Tallapoosa basic, it is extra water over and above the 1 million that we are presently pumping and we are using this pump every day, it is 1/3 of our water we are making ourselves. Dean asked if the water we make the cheapest we sell,

confirmed yes. Holland: is it true that Carroll County is only pennies above what we charge. Wood Carroll County charges \$1.94 our plant was \$1.93. Dean stated we needed to be in the water business, as long as we make it, we always have some, don't want to be dependent on other suppliers. Holland states what they are hearing economically in our best interest to this whether we think it is work \$111,000 or not, Lacefield, yes. Holland made motion to approve as presented/seconded by Dean. 5/0 approved

Payments over \$5000.00

NOTE: everything from this point on was on faulty tape and not recorded. Minimum information available.

Lacefield presented contract for J.K. Duren Company - \$16,400 for remote terminal unite, antenna, cable and mounting pole installed for Ashley Place lift station. Henrickson made motion to approve/seconded by Dean. 5/0 approved

Lacefield presented contract for ITT Water & Wastewater USA Flygt Products - \$6,518 for Flygt submersible pump to replace pump at West Plant RAS station. Holland made motion to approve/seconded by Dean. 5/0 approved

Georgia Department of Labor - \$10,014 unemployment payments. Holland made motion to approve/seconded by Marchman. 5/0 approved

Public Comment:

Prissi Sullivan, 207 North Avenue, spoke on the subject of the Villa Rica High School dress code and Principle Brown and ask that the council, city and mayor support this effort.

Linda Dickens, 2433 Napa Valley, expressed concerns and asked what the city could do to help her and others in her subdivision with inferior built home and home that did not meet the city codes.

Jim Pack, 111 Berkley Drive, requesting lines on South Carroll Road

Isaac Robinson, 294 Berkley Drive

Executive Session: Council moved into executive session to discuss property and personnel matters.

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

J Allen Collins – Mayor

ATTEST:

Larry Wood – Acting City Clerk