

Minutes – March 9, 2010

The Council of the City of Villa Rica met in a regular scheduled meeting on Tuesday, March 9, 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 50 people were in attendance.

Collins called the meeting to order at 7:00 p.m. on March 9, 2010. (The March 2, 2010 council meeting was cancelled due to weather.)

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

Holland made motion for amendment to add Allen Smith under consideration contract to agenda/seconded by Best. 5/0 motion carried.

Mayor asked for an amendment under item 11, as 11A old business, update on Mirror Lake traffic light. Holland made motion to accept/seconded Henrickson. 5/0 motion carried.

Mayor asked for an amendment under item 9, as 9A, Community Block Grand Resolution, to be added to agenda. Best made motion to accept/seconded by Holland. 5/0 motion carried.

Mayor presented minutes from the February 2, 2010 meeting. No discussion. Motion made by Henrickson/seconded by Dean. 5/0 motion carried.

Larry Wood, City Manager presented financial update. Good news combined cash accounts \$8.6 million, up about \$1 million from last month. For the month revenues of \$1.4 million, YTD \$8.3, only \$800,000 from hitting our \$9.1 million budget target for the year. Caution that we may be a bit low but optimistic that we will come in on target. Mayor asked that there be a balanced budget regardless of what it takes, Wood confirmed it would be in the black. Expenditures for the month \$526,815, a positive increase of \$800,000 into the cash account. YTD expenditures \$7.5 million, that's a good ratio with revenue finally exceeding expenditures YTD. Water/Sewer Revenues for the month \$618,724, about \$300,000 from GEPA payments on the water line we have been putting around town. Gives revenues of \$4.5 million revenues YTD, with only \$342,543 for the month and expenditures YTD \$4.1 million. Capital Project expenditures for the month, \$146,776, YTD \$904,095 and SPLOST Capital expenditure for the month at \$54,572, YTD \$1.8 million. Highlights electric franchise taxes in a month early, property taxes a little shy of where we should be, April will also book March. Expenditure large overrun in street due to floods, received \$76,398 on the general funds side, Jeff will give streets additional expenditure amounts in their budget, will come in under budget with off-set of this revenue. All departments are under budget. Mayor wanted to point out many extra man hours due to floods and snow, which we would normally not have, want to thank them for their work in the rain and snow. There are currently 4 vacant positions: Library Manager, Rec part-time, Rec maintenance full time and one PD patrol. Released to Chief the two vacant patrol positions he has been holding off on. PD did fill one vacant patrolman position and in the process of filling other patrolman position, in order to be able to fill the JAG grant patrolman position. Construction on West WWTO back on schedule and even due to flood and snow and heavy rain is only 4 days behind schedule. Remain under budget, total earned project to date is \$21.4 million.

Best asked if we were adhering to our city codes in regard to work time, Lacefield yes...when he gets phone calls doing work at night we are adhering to codes. Wood, there have been times when we have been outside those parameters due to temperature and moisture

conditions; we cut it off between 8pm and 6am. Dean does that apply to industrial or industrial areas, Wood due to 24/7 services, assuming it does not apply to industrial park. Lacefield confirmed this does not apply to industrial. Mecklin has not heard of any complaints, not industrial but city property. Mecklin, need to address what the problem and work with the people.

Holland asked if we skipped item 5, yes...decision made to go back to item 5.

Mayor presented Mr. Les Vogel to council for approval to serve on the Planning and Zoning Commission (Vogel appointed by Henrickson). Dean made motion to accept/seconded by Best. 5/0 motion carried.

Mayor read oath of office to Les Vogel and sworn Mr. Vogel into office.

Old Business

Chief Mansour presented Patrolman Philip Bell as the March employee of the month.

Wood presented and read a resolution in support of the Indian Creek Reservoir for approval. Best made motion to accept/Henrickson seconded. 5/0 motion carried.

Wood presented and read a resolution to re-establish the Finance Committee (mayor appointed Woody Holland, Verland Best and Rusty Dean). Discussion: Wood –attachment which is more detailed and explains it will take two of the three members to approve something before moving forward with project/approval. Jay asked if ok to have 3 members, Holland asked how it works...re: it cost \$10,000 and 2 or 3 sign, will it come before council at next meeting, Jay, should come before council, Holland –don't see it written here. It will basically come to council as a consent agenda item...Holland pointed out that the Mayor can sign if any of the 3 are not available, on page 2 it say at least 2 member must authorize, does the 2 members include the mayor, Mayor is on page 1, but not on page 2. Holland do we want to scratch this part out...Henrickson currently the way it works now is we are contacted individually for approval, how many do you need now...3, with this it would only be 2, not really a majority, I disagree with that part, Holland why don't we try this again next month when we have changed it all up, give ideas to Mr. Wood. Mayor said he should be taken out of this, Holland then all 3 would have to approve, yes. Holland what if I am in China, mayor, it does not get approved. Henrickson, how is this system going to replace the system we now have. Mayor, don't like having to put a lot of responsibility on staff for these emergency purchases, staff can, with this pick up phone and get you to sign off on this, stream lines the process. Henrickson, is that what is in place currently...Mayor, currently we don't have an official policy, Dean with this official policy it would have to be an emergency to be put into place, where before it was not always an emergency. This set up a true black and white policy. Wood, if presented and committee say this is not an emergency, then we would have to wait until council meeting. Prefer it to be a 3-vote for approval, need to have alternate, could call either Henrickson or Marchman. No action, Mayor requested moved to April council meeting with changes.

CDBG \$500,000 grant added to the agenda at the request of Taurus Freeman/Larry Wood: Grant received the week of March 1st from DCA informing us we received \$500,000 grant to extend our sewer line from Conner Road to Turano Bakery. As part of this Turano is committing they will expand their plant and will add 50-100 jobs at this location and we will connect both their old and new plant once completed. Must officially have council accept the grant application, all you are doing is authorizing the mayor to sign documents stating we accept this and David Macklin has reviewed documents. Must file documents within 30 days

to accept the grant. Dean made motions to accept the grant/Holland seconded. 5/0 motion carried. Mayor asked David to review all documents and David stated to make sure we are clear on the record that your motion included the proviso that it would be approved and signed off by the city attorney prior to final execution. Mayor, please let the minute reflect that the Mayor will not sign any documentation in regards to this grant without the approval and consent of our counselor, David Macklin.

Freeman presented RV-01-09 Ingles documents which was brought before council in September 2009, located on east side of Highway, previously zoned from GI to GC zoned for purpose of shopping center. Developer submitted a letter request for a waiver of development. What happens if the reverts back, we have to go through the whole process to rezone? Yes, it would revert back to GI, mayor at what cost, Freeman \$2000+.

Speaking on Ingles, Mr. Ted Sandler, Attorney with Hartman, Simons, Spielman & Wood, 6400 Powers Ferry Road, Atlanta, GA 30339. I represent Ingles Markets Incorporated and request a waiver to prevent lapse of rezoning of this property. We have 4 pieces of property in Georgia that we are sitting on due to the downturn in the economy. For this location met with Mr. Wood and GDOT regarding the by-pass, originally 95,000 sf facing by-pass, when GDOT decided not to go with by-pass we looked at facing store on Hwy 101, project may be back, and what happens with by-pass may reflect on this project. We ask for a 1 year moratorium and hope the store goes forward in 2011.

Dean makes motion to approve extension of zoning for 1 year (365 days)/Henrickson seconded. 5/0 motion carries.

Freeman presented to council RV02-09 this is similar to the one just presented and is located at the intersection of SR 101 and SR61, property was rezoned from GI to GC for the purpose of a retail shopping center.

Mr. Dennis Bartel, Dennis Bartel Real Estate Inc., 2324 Briarleigh Way, Atlanta, GA 30338. Property has been presented to various business, but due to downturn in economy developers holding off at this point. Partners have gone to their local bank and have renewed their loan to take this well into 2011 and they have over 50% equity in this property. We request for a 1 year moratorium on the rezoning.

Holland made motion that since we extended (1 year, 365 days) other property that we approve this extension/Dean seconded (commented more so on this property than the other we need to keep in mind is the decision based on the GDOT bypass decision, this property more so than the other we would like for the developer, when time comes, to have some financial input into that intersection. Best and Holland stated that was already a part of this agreement in original approval.) 5/0 motion carried.

Asked if anyone could give status of by-pass, Holland stated that he, City Manager and Mayor met with our representative from Washington, DC without much warm fuzzy feeling once leaving the meeting, but we are working on getting funding for this project on both local and federal levels. Wood stated that there is a project on the state transportation improvement plan for this project, funded at \$1.7 million, not enough, based on estimates to acquire the right-a-way but at least it is on the current project list for the state. Holland stated this was for 2012 money.

Mirror Lake traffic signal added at request of the Mayor for and update on status. Mayor requested update from Jeff Reese regarding. Wood requested that Jeff Reese come up to

give update and explained that there was a pre-bid meeting the previous week which was a requirement in order to submit a bid for the project. Mayor, this was approved in October, today is March 9...what is taking so long? Jeff explained the processing procedure and that he is moving it as fast as he can. Asked if Wood asked him to hold off due to city budget, Reese replied, no he has not asked me to hold off. Mayor concerned at how slow this process is, Reese stated it could move faster but that would mean not bringing over \$5000 bids to council. Holland stated we could not expect any DOT, county or state, to move fast, we are not top priority on their list. Wood explain that at pre-bid stated we wanted DOT spec poles, and told it would take 12 weeks to 3 months for delivery and installation. Mayor felt 5 months was a long time, you're telling me it could not have been done sooner, Reese said he was moving it along as fast as he could with all the projects he is working on. Dean asked about the fact of money, should we revisit this because of the condition of the budget, Mayor – no-make it clear from start we would not cut capital improvement funds.

New Business

Freeman presented a request reversion (RV-01-09) to the council for West Hills Church at 159 Liberty Road, VR, GA, applicant requests a variance for the purpose of eliminating the side setback from 15-feet to) feet to place a modular classroom to meet fire codes, which require a 20 ft setback from existing buildings and requesting a temporary use permit for placement of the modular classroom. Hopes to have new church constructed with in 2 years at another location. Holland asked if we are looking at a 2 year variance. Mayor supports variance. Henrickson says request that this will be removed when they build their building are there any opposition from the adjoining properties. Freeman replied there were no oppositions from adjoining properties owners. Dean within our zoning is there parking lot size that goes with building; Freeman-parking lot size is determined by the number of pews in the church. Marchman asked that this would be in compliance with everything they are supposed to do, Freeman stated yes. Holland counted 56 parking spaces; Freeman confirmed they were in complete compliance with the number of spaces. Tyler Brown, Pastor of church came up and stated that this would be a Sunday school class for children and would not affect the parking status and that there were actually 76 parking spaces. Holland asked if the new building would be built in another location, Brown stated they might look at the property right next to the current location. Mayor ask open floor for public meeting, asked for anyone to come up in support or non-support of this variance. No one came from, closed public comment portion of meeting. Dean made motion they council approval a 2 year variance on property/Marchman seconded. 5/0 motion carried.

Lacefield present Resolution to modify promissory note and loan agreement for GEFA loan to council. Initial drawdown for water line project was \$425,000 and most of that has been drawn down, we do have some addition funds and are about to put more water lines down. Document before you is to modify loan document to extend the completion date to have more time to put more lines in the ground. Holland asked there are two places to be signed, mayor and city manager? Mayor said mayor pro tem and city manager. Holland made motion that the mayor and the clerk or mayor pro tem to sign this resolution/Best seconded. 5/0 motion carried. (Best asked does this complete a 10/12 inch line around the city, Lacefield yes, unless we hit rock, if we hit rock I will have to come back to council for decision/discussion.

Holland approached by grandfather/father to use property behind Glanton-Hindman School for a running track and they have gotten the county board of commissioner to agree to pay for the paving and the board of education agreed to do a bunch of other things to get the who thing fixed, looks like a win/win to have something built on our property. Holland asked Mr.

Lawrence Shaddix and answer any questions as well as Mr. Mike Crawford one of the running coaches. Lawrence Shaddix, 1006 Harlan Lane Road, Villa Rica: Not asking the city to give us this piece of land, just asking permission to use as a track. Dean asked if this would be available to the public for walking, etc., Shaddix stated it is still city property and not just for the school kids. Henrickson on this plate where will track go and will trees be cleared. There is a baseball field there not that has not been used in years. Henrickson, so tract would be placed in that area? Shaddix, would not disturb woods or cemetery. Henrickson, size of property, city owns 7 acres...Shaddix only a small portion of this property. Marchman, when I look/talked to city managers and community cemetery people, the part that we have now was done in 1996 or so and half of that is already sold, in few years what are you going to do, my understanding the whole this was for the cemetery, and I don't know who put the fence up. Shaddix, Mr. Wood was this started in the mid 60's, Wood, no, once we looked back at the records the first lot was sold 2002. Marchman a lot of these lots have been sold since, Shaddix there is plenty of property on the south side of the cemetery. Dean back where the field is not level could the county grade this and put it back there? I believe there would be plenty of space, but would need to get county to grade. Henrickson any kind of boundary lines or survey for the property used by cemetery, you have a piece of government property wanted to be used by two groups, maybe something should be done for future. Maybe we address the one issue first then finding piece suitable for track. And define boundary issues. Mayor as for fence the school board had fence put us several years ago because those playing ball kept coming into the cemetery. Cemetery was not constructed/laid out property in the beginning and asked the cemetery committee to look at it. Henrickson what are future plans for cemetery, plan to use more of the land? Marchman that was the general idea, Mayor but before we do this we need to maintain and layout and have a higher standard for the cemetery. Mayor asked Cemetery Committee to pass some type of ordinance to have oversight as to what happens at that cemetery. Mayor we agree and support your request, but we need to also get the cemetery in order, pave this, have a turn around, determine maximum number of lots. Best asked who owned billboard, Wood, Allan Gaston, Best are we responsible for road going to board, Wood yes. No final action taken, moved to April Council meeting.

Bill Taylor opened discussion regarding the naming of the downtown amphitheatre, representing DDA, and request of City Manager. Before I get into the naming I would like to recognize the people who secured the funding from the Carroll County SPLOST for this amphitheatre, they located the source of the funds, made presentation, and that is Ms. Daniell, Valarie Wilhelm and Patricia Proctor, as well as the Mayor and City Manager went in support of this project. I want to thank them for securing the funds and I also want to thank Jeff Reese for his concept and Danny Fisher for the work he has done day after day in bad weather. We would like for it to reflect the economic history of Villa Rica. Dean asked how we had approached our industrial partners, mayor at this time I don't think we have not, would we want to consider doing this, earmark money for additional downtown revitalization. Henrickson, does it come down to a money issue or a marketing issue, what do we want Villa Rica to be known for, honor someone or money...Holland it is not just one issue about a lot of people having good ideas about where we were and where we are going and to give to a bank or bread company because they give a lot of money, it not as fair to the whole group that put that hard effort in it. It was determined that the naming of this facility should be done by committee at the suggestion and by mayoral appointment from DDA, Tourism Board, DDA-Historic Preservation Committee, as well as 2-4 local citizens at large (committee to consist of 5-7 total). Holland stated that the city approached the Coca-cola people and that was a bust.

Henrickson maybe we should not attach money to it, a greater value in something else that money. Dean made motion that they Mayor appoint 4 member committee with each of the stake holders also having a member on it and let them pick a member (mayor injected to have total of 7 members which included a member for the DDA, DDA Historic Preservation Committee, Tourism Board)/Best seconded. 5/0 motion carried.

Larry Wood presented a memorandum to the council stated staggered terms for the Villa Rica Development Authority. Current members with suggested staggered terms: Kurt Kraft (six), Render Crook (four), Dana Wynn (four), Kinney Taylor(two), Pope Cleghorn (six), Randy Boyd (two). When designated/appointed in December not term limit was set and would like to assign staggered terms for each member. Mayor stated out of all member only one lived in city limits of Villa Rica, feels they don't have vested interest in city, not that they are not good member, they are great and have brought a vast and diverse knowledge to this board. Wood there is one vacant position which needs to be appointed. Holland, how is board appointed? Wood, mayor nominates to council, and council approves. Henrickson, most of these people have a vested interest in the because of business. Holland pointed out that they do pay property tax on property owned in the city and they own business in the city. To be appointed you must be a tax payer in the city or county the authority is in. Dean all owns a business in town. Yes or they work in a business, all are either tax payers in Douglas or Carroll County. Holland made motion to approve the staggered terms presented: Kurt Kraft and Pope Cleghorn to six years, Render Crook and Dana Wynn to four years and Kinney Taylor and Randy Boyd to two years/Best seconded. 5/0 motion carried.

Wood presented the 2010-2011 budget to council, publicly thank Shari Smith for her work. Presented in spread sheet for showing original department request and then cut budget, \$9.4 million requested and did not match revenue forecast of \$8.5 million, to balance took out all salary increases, almost \$200,000, off set 20% increase in medical insurance, asked for \$300,000 in our reserve. 10% reduction made from original budget submitted to us from the general fund, we submit this to you tonight and there will be a work session on March 16, 2010 from 9am-1pm at the Holt-Bishop Justice Center. Mayor asked if that was a 10% reduction over the current budget. Wood confirmed this was a 7% reduction from the current budget and a 10% reduction from all the request that were submitted. I had asked for a 15% reduction and Larry brought us a 7% reduction not 15. I applaud you for doing that but I really think there are more cuts to be made, you pick up the paper and you see governments across the Southeast are cutting and doing with less and I am going to propose a few changes with our budget at the meeting on the 16th. These changes are just a reality, homes are doing with less and we have a substantial amount of debt that has to be paid back starting with the bond payments on the sewer plant and we have had to pass increases on to our water/sewer customers not to say they have not been hit with other increases in other areas. I am going to challenge this board I sit here with that have the best interest of this city to help come up with some more cuts.

Consideration of Contracts

Lacefield presented contract for Dean Grading with about 3000 LF of sewer line we would like to replace behind elementary school on S. Dogwood cross country behind City Hall where we had some problems over the years and we would like to upgrade that part of our sewer system. Before you the pricing we received from four (4) companies for this work, low proposal which includes sewer line, cores, manholes and bypass pumping, other equipment for \$64,800. We do have money available in capital improvements for this project. We ask for your consideration to go ahead with this project. This is a project if you allow us to move

forward we will ask later in agenda to purchase the pipe. Holland ask this is just the labor, Lacefield confirmed. Henrickson asked how much additional money are we talking about for the pipe and other cost. Lacefield, the pipe cost would be \$39,000 everything else is included in this contract. Henrickson, so we are looking at around \$100,000, Lacefield confirmed. Dean asked what the earlier problems were. Lacefield, they are just old, roots penetrate and cause them to collapse. Dean asked age of line, Lacefield one of original line and greater than 50 years and keep in mind there was an abandoned plant behind city hall and we have been in the sewer business for over 70 years. Holland, do you have money to pay for this, Lacefield confirmed. Holland made motion to approve Dean Grading at \$64,800/Dean seconded. 5/0 motion carried.

Lacefield presented to council contract to Rindt-McDuff for Spring Lake Water Withdrawal which come from your retreat work shop. Previously had a permit to withdraw water and treated that water and put it into our system. It has been probably more than 40 years since we have used that lake as a reservoir but it mention to look into getting a permit for that again. In order to do that it is a long process to get the permit to provide drinking water and we have a work order from Rindt-McDuff for \$45,000 which would provide us with the information we would need to submit to EPD to start that process. I would caution that the total compensation for that would be 45,000 but there are steps to that along the way where we could stop. The first four (4) items are part of the yield analysis that would help us determine what we could pull from that reservoir and that would run us between \$25 and \$30,000 and at that point we could decide if we wanted to continue. Mayor, we have a situation with Rindt-McDuff with a design issue with our sewer plant and I would caution the council that we put a stop to purchase or contracts with them until we can get that settled. Dean, do we know how much the withdrawal permit was before, Lacefield to his understanding it was 200,000 gallons a day. Dean on long term basis the lake did produce that much water, what is your feel for the process of the permit process. Lacefield, first part is the yield analysis where someone goes out and we have to show what that will yield, once you get thru that step there are a number of documents that we have to submit to EPD before we can get a permit. Henrickson what is our current drinking water situation like, do we really need this at this time? Holland, lakes are full. Our plants produce up to 1.5 million gallons a day, we also have a contract with CCWA to purchase up to 2.4 million gallons a day, we currently are producing as much as we can at the plant, average only purchasing 200,000 gallons a day from CCWA, there is excess water to purchase at this time. Mayor only thing about being dependent on others for water, is being dependent on others for water. Holland what do we get out of the well, like 150,000 gallons, Lacefield we get about 40 to 60,000 gallons. Mayor asked has it ever gone dry, Dean stated he did not know anyone old enough to remember it ever going dry. Holland did it go down during the last 5 years, Dean stated it stayed up. Lacefield this is something we can visit later. Dean do we remember in the last drought the number of days we got down to claiming we had water in the reservoirs, Holland 90 days or so. Wood, Dean you are talking about the Lake Fashion reservoir, we were warned by Eric and Ray that we were about to kill all the fish we pulled it down so low, down probably 30 days or more. Mayor, whatever we spend being able to pull water out of that would be money well spent. Holland stated others out there that can do this job other than Rindt-McDuff, Dean agreed and would like to inquire of some other companies and see if we can get basic. Holland, can you come back next month with some other bids, Lacefield confirmed. Mayor suggest Hughes-Ray, Lacefield they are working on our utility inventory mapping this is probably not in their scope of work, but we will call and find some folks closer to home to help us out with this. Not action taken, will bring back in April.

Lacefield presented to council contract for North Plant influent screening and effluent filtration. This is critical one with Rindt-McDuff, they are helping us with our consent order with EPD. Work order is for \$14,500 to do design, we have strict timelines and would strongly recommend we move forward with this contract if at all possible. Mayor do we have 30 days until next meeting to play with this, Lacefield, no this is real tight. Henrickson, we approved something related to this last council meeting? We have not but this is part of that entire consent order project which Rindt-McDuff has helped us through and keeping us on track with that, and afraid if we don't continue with them we could fall behind with what we promised on our consent order. Holland, how long have we been under consent order, Lacefield just recently. Mayor we have been under a consent for quite some time, Wood stated 2 years, Lacefield/Wood explained this is a new consent order which includes the old consent orders. Mayor we just want to be sure we are doing this thing right, can we not ask for more time, Lacefield-no, if we miss any deadlines there is an automatic penalty. Henrickson made motion to approve agreement with Rindt-McDuff for North Plant/Best, a reluctant second. Holland ask we would not spend more than \$14,500, Lacefield confirmed. 5/0 motion carried.

Wood asked Carolyn Camp, Tourism Board Chairperson to come forward with the Tourism Board presentation of new contract between the City of Villa Rica and the Villa Rica Tourism Board. Carolyn presented on behalf of the Tourism Board and asking for a new 60/40 to help with advertisement of the Gold Mine, over the past year we have paid out \$8000 plus to advertise the Gold Mine just in itself and we want to increase that with most of the advertising with Comcast cable. Present contract and comparison of money brought in after the running of the TV ads, with an increased almost \$2000 for one month. Mr. Carter with Comcast is here to answer any questions your might have regarding cable ads. Henrickson out of the 60/40 are you intending to use the who 60% for the Gold Mines, not we will use this for other areas, but we would like to increase those ads, when we did these last year we did some with just the gold mines and some with both the gold mine and downtown, festivals and events. We are here to build up tourism traffic and look forward to advertising the new amphitheatre. This will increase budget funds which gives us all extra money, Mayor...trickle down. Henrickson this money that is taken from the hotel/motel tax really is designed to promote the tourism in the city, so we will take 60% for it to be used for what it is intended to be used for and the remain 40% goes to the city to use as they see fit, Carolyn confirmed correct. Henrickson make motion that we approve this and change it to 60/40. Best, what is it now, Wood/Camp it has been 40/60 in the past. Wood explained that by state code the city is required to pay 40% to a 501c6 organization that is specifically set up to promote tourism. Camp confirmed that the board is in compliance with that requirement. Mayor, where does other 40% go, Wood it goes into the general fund. Mecklin in theory the city should be at least spending some money on promotion also. Wood in past we have used it for things like funding the railroad park project in downtown, we try to use it for downtown improvements. Best how much time and effort has been spent to promote the tournaments that at the recreation department. Camp confirmed we have worked with Jeff Reese with publicity and items in the past that he has requested. We have published letters, envelopes, discount coupons, post cards and other things that are going on in the city as well. Best if you want to do something with tourism that is the major thing that brings people into this community with all the tournaments and should be a real push to bring more people into the city. Camp our purpose is to purpose is to promote everything in the city and we are trying to reach people who live in a one or two day area from the city. Best are you going to give up the tournament partner, Camp no sir, not at all, we are not giving up anything. If the recreation department wants us to help to get things in here we don't have a problem with that. Henrickson within a

100 mile radius there are 6 million people, we are located ½ mile to I-20, get them to stop, go to gold mine, play ball, whatever, I have seen a direct effect in my restaurant just from the advertising ya'll did on the cable advertisements. Mayor, what we need is that ya'll are going to be fair in the way ya'll divide this money up. Camp, that is correct. Henrickson made motion to approve contract with changing to 60/40/ Holland seconded. Before vote Dean abstained as a member of the board of tourism. . Wood asked city attorney regarding the request for 5 year contract, Mecklin said just need to include a provision that will allow the city to cancel at the end of every year based on budget. 3/1, Best voted against. Motion carried.

Wood presented contract with award of \$500,000 block grant, part of original contract with Allen-Smith Consulting was if we were awarded the grant that they would be administrator of the grant for us and that is consistent with what the city has done in the past on other CDBG grants. David and his staff have hammered through this grant and this is last draft received from Stacey. In order to move this forward where she can continue to put together this application that we have to send back in 30 days I ask that you would approve, the \$30,000 that includes all the accounting and administration, all the things Shari and I don't have the time to do that somebody needs to do or we could wind up losing this grant because we didn't follow all the instructions that quite frankly don't think I know what they are. Holland, is that number \$30,000 what people normally get paid for this. This is a standard percentage and the state limits what they can charge and this is what the state will allow us to pay her. Mecklin stated he did some checking and this does fall in line with the standard rate. Wood the last contract that you approved was for the building which would also be a CDBG grant, we funded \$5000 up front with \$25,000 there so a total of \$30,000. Marchman made motion to approve/Best seconded. Henrickson asked for clarification of \$30,000 to pay this person for the grant, Wood to administer the \$500,000 grant that we were awarded last week. Henrickson so for her to administer a \$500,000 grant we have to pay this person \$30,000? Wood, yes. Mayor we are not writing a grant, Holland this is to administer the grant. Wood this is doing all the paperwork, all the reporting back. Lacefield in being the ones that wrote the grand and applied it is typical that they would administer the grant. They have already done the work, we got the grant and now they administer. Henrickson, I understand now this is customary. Dean if you remember on the one last month she said I want \$5000 to write the grand and if you get I want the other \$25,000. Henrickson with that clarity I vote yes. 5/0 motion carried.

Payments over \$5000.00

Wood asked Jeff Reese to come forward to present items over \$5000. Mayor asked if the next items were in this budget year or new budget. Reese replied new budget. Mayor asked that we wait until that budget is approved before we move forward on these items. Holland asked if they were all in the next year's budget, Reese yes sire all items including the uniforms. Wood the problem here is with the scheduling and contracting with these people, if we don't we may lose them. We may not be able to get the band or the fireworks people. Mayor I understand the soccer uniform thing. Mayor we just need to approve this budget. Wood the soccer uniforms are in this year's budget, Mayor soccer uniforms are this year, right, Reese is out of next year's budget for spring as well as fall uniforms, if there is money left over we can take them out of this years. Reese asked if it needed to be on agenda, since it was approved already. Wood, but that is a this year expenditure. Reese that is right. This is a tough budget year and we may not have fireworks this year, we have not made that determination yet. Henrickson made motion to table there until we have a budget meeting and

look at these items with the budget, Holland which ones, Henrickson fireworks, the band. Mayor the uniforms have already been taken care of, Reese yes.

Reese the only other one is for J. W. Contracting and Sales which is the one for the Conner's Road repaving. Holland is that this year's or next year's? That is this years. Holland so we should hear that one tonight. Probably hear the Dickerson Pipe because we just paid \$65,000 to put have the pipe put in the ground. Holland do we need a motion to table the other three? Henrickson made motion to table the three items, fireworks, band and the uniforms. Best the uniforms have already been taken care of. Mayor asked for a second, Dean seconded. 5/0 motion carried.

The J W Contracting and Sales bid is for the section of Conner's Road from the intersection of Mirror Lake Blvd approximately where the Family Dollar Store is, the road is in horrible condition and is dangerous. There is no base under that road and we did a base study, the road was poured in different sections with intersections of stores and other things involved and there is also a sewer or water line down the middle with a manhole cover, there appears to be some settling in that area. This bid is to put an overlay on that, there will still be some settling and this is not the final solution, to do correctly would be to rip that asphalt out and put a new base down and new asphalt and would be considerable more money than you have before you. Holland, so this is a band aid, yes this is a band aid. Henrickson what's going on with LARP? Wood what we had approved was approximately 3/10 of a mile on Stockmar Road and when I received notification that that's what they wanted to pave and looked at the road this was one of the best we have in the city and I knew we had this one, I requested to substitute Conner's Road after we made the repairs under as our LARP project for this year. They still have not paved Sprune Street that goes from South Carroll to Thomas Dorsey that was to be done last year. Holland did you get approval, yes from the state. Reese would like to point out that we are trying to save money by hauling the asphalt with the city paying for the asphalt. Holland, this is not a budget item, but you got the money from somewhere. Wood we have some money in roads this year we can use for that. Holland made motion that council approve the \$6,150 to J W Contracting and Sales/Henrickson seconded. 5/0 motion carried.

Dean asked on the base who dropped the ball? Reese, no one did as far as I know of again if you look at the way that road is cut up there is an intersection to a grocery store, to small shopping center and Walgreen's also, so you go down the road you are swapping over into different sections. Holland so basically a two lane road became a 5 or 6 lane road? Reese yes, with all the turn lanes, etc. Dean but shouldn't have someone been checking to make sure we had base? Henrickson, the problem here is it on the main road or the decal lane? Reese the main problem is in the road where we did not have the base. Henrickson what time of time frame can we expect to see with this being done Reese I would anticipate within the next couple of weeks. Wood let me clarify Jeff's work will b done shortly but the LARK they come whenever they make up their mind to come, been told they will be here before August but they aren't here from last year yet. Don't wait on money. No motion made.

Lacefield, as promised I return with bids for 3000 LF of pipeline, received 4 proposals back for that the lowest bid was from Dickerson Pipeline at a unit price of \$13.00 per linier foot to a total of \$39,000, as mentioned before we do have the funds for this and we ask for your approval. Dean made motion to approve/Best seconded. Holland are all these pipes the same quality, Lacefield, yes. 5/0 motion carried.

Wood asked to mail city update due to lateness of meeting.

Public Comment:

Prissi Sullivan, 207 North Avenue, also on the recreation advisory board and I do want to make one comment about the fireworks display, it has taken several years to build the reputation of having the best fireworks display in the area, if we skip a year that will have to be started over, people do come into this are they do go to restaurants to purchase food. Would like to encourage you we do get in line for the fireworks display.

Holly Irvin, 395 White Flower Circle in Dogwood Trace and I am speaking on behalf of Dogwood Trace home owners association. It has been 2 ½ years ago we came to you with problems in our neighborhood. At that time I stood before you because the tax paying citizens of Dogwood Trace were in dire shape. We were in the dark, Jay Davis, our developer up and left and quit paying for the lights and at that time agreed to take over paying our street lights for us and we have been very grateful for that for 2 ½ years. Even though the streets have never been turned over to you because we never reached the 80% completion of our neighborhood. Then in May of 2008 the city helped mediate with our HOA officer and Jay Davis an agreement that he would include we would have use of the club house and pool for our neighborhood, we had to pay Jay rent for that and Jay would complete a new club house and pool that he started. Once the new one was finished he was going to deed us the existing club house and pool to the City of Villa Rica or sell it and give those proceeds of the sale to the City of Villa Rica and you guys would take that money and repave our neighborhood. In that agreement Jay also agreed to transfer the title of all green spaces to the HOA. The HOA lived up to every term of that agreement and Jay has not. Since that time our club house and pool which was sold to Jay significant other has gone into foreclosure and in 2009 the HOA had to file a temporary restraining order against the bank so that we could even use and have access to our club house and pool and this legal battle continues to today. We also paid all the past green spaces taxes for 2007 2008 and 2009 and due to the safety concerns of mice, snakes and the way the land is shaped the HOA has paid over \$10,000 over the past two years to keep those green spaces maintained. In 2009 our lawyer drew up a quick claim deed to get position of the green space but Jay has used delay tactics not to sign. It is unjust for our residents to bear the cost of maintain the property that we don't own, if we don't maintain it we have the potential of injury for our residents and children that live in our neighborhood. And going forward we are contemplating not even paying the green space taxes and let Jay and the city and the county figure out how it is going to get resolved, because we don't own the property, but we have continued to pay it and maintain it. Recently we noted that the drainage area have been marked with florescent paint, we patched the pot holes over the last year but this is just a temporary solution. There are more than 20 man hole covers in our neighborhood, many of the sticking up far if a car drove over it, it would rip out the under carriage of the car and we have had some of your tax payers out their paying their hard earned money repaired because of the streets. The city is paying for the lights, which is great, police officers patrol our neighborhood which is also greatly appreciated. So it would see these are city streets even though they have never been turned over officially. We have several house in foreclosure that are still builder owned and been turned over to the bank and have always been vacant and feel like our community is not going to reach the 80% for some time. But we really need our streets paved now. The funding for this paving was, to my understanding in the budget for last year or the year before and then it got cut. Currently the city requires bonds so other neighbor don't have to go through what we have been going through for 2 ½ years. We are being penalized because that was not the case when our neighborhood was started. Earlier Mayor Collins said he was frustrated because it has taken 5 month to move forward with a street light. Imagine 2 years and 8 months of frustration from a developer that we cannot find, who won't hold up his part of the bargain and we are having

to live in a neighborhood and drive with streets in the shape they are in. We the Home Owners of Dogwood Trace are asking for you help, we're not sure what you can do, we don't know if ya'll can help get our streets paved, if ya'll can put pressure on Jay to get those green spaces turned over to us, but we just need your help. Thank you.

Roy Miller, 235 White Flower Circle. I am the president of the HOA and I took control of the office in January of this year and coming into office you with things running in your community well. We want to ask if you could help us with moving things forward. In talking with the residents we live in a community of good people, who go to work every day and expect good things to happen for them. We don't always agree how the community should move forward but we do agree that one individual has cause all the problems in our community and his name is Jay Davis and he has not paid any real consequences for any of his past actions. For the last two years we have done everything that has been asked of us in terms of any type of agreement and it is hard to keep asking our members to keep putting out money for things we rightfully should not have to do, so what we are requesting is a meeting with Mr. Mecklin and with you and whoever is on the board who represents our community to figure out what we can do to put continued pressure on Jay to get these green spaces deeded over to and to potentially re-coop some of the monies we have had to put out in the past. So I would like for this meeting to happen by the end of this week or sometime early next week. So our goal is not to have to address this council next month with the same concerns. The plan right now is to quick claim and quit paying the taxes but we need you guys to help in determining if those taxes go into delinquency how long does it take before we can buy them back off the court house steps. Mecklin asked who the attorney is that has been representing you, Mr. Miller replied Tom Palmer, one of the other things right now is taking a vote to determine if we want to continue the law suit to get back our old club house or if we want to pool our monies to complete the new pool, but the problem with this is, either direction we go, if we go with the new pool we cannot do anything to the property because Jay owns it, so he has caused us to spend money on a battle we should not have to fight and has prevented us moving forward. We need resolution to this guy so we can use money to build a community rather than try to fix it. Thanks for your time. Mayor asked that the meeting be set up. Mecklin said he would. Mecklin said we did have a lot of dealing with Dogwood Trace about two years ago and I had thought it did make progress at that time and had not heard about any of these new problems, but I think that is something that we can help out with. Mr. Miller we did choose to pursue the law suit so that kind of took the speed of you guy helping us helping us to bring it to a conclusion. Jay possibly in bankrupt, David had not heard this but could find out quickly, according to Mr. Miller they talked to Jay's lawyer and he is close to it. The part of the paving of the streets you guys would re-coop that from Jay, and he has asked us for a waiver and he would sign over the green spaces to us if we gave him a waiver of release but we don't want to do any of that without the assurance that our street get paved that he would be on the hook for it and not us. Mecklin asked to get contact information before they leave.

David Sullivan, 207 North Avenue and I want to bring and issue before ya'll, I guess who's time has come since we have been discussing budget issues. And want to thank you for laying this foundation for me. Within our budget there is roughly \$48,000 cost that this city pays for insurance and retirement for you the city council. And I am just opposed to that on so many levels. This is a personal opinion I don't consider the council to be city employees, certainly not full time employees and I don't think you should be getting a benefit is better than the full time employees. I think you should take a serious look at doing away with this. I was always taught that as and elected official it's a right and privilege and a duty to be done with the purest motives and when you start putting benefits onto that duty it dilutes it and I think it is

something you folks should look at especially in today's time when we don't have the money to pay for these things. Thank you.

Jim Pike, 111 Berkley Drive. Right as you go to the post office, and you talking about repairing road, you have two bad holes there and we gone have rain for the next few days, Mayor states it is not our road, Mr. Pike asked who's road is it, Mayor state it belong to Bruce Camp, 770-459-1663. Somebody needs to get on somebody who owns that road and do something. Henrickson said he needs to do a fill in, Mr. Pike said the concrete is falling apart, will have to go around the back way to get into the post office. Mecklin said he has tried to give that to the city, our response has been fix it first. One other thing, Mr. Lacefield, I listen to him and the council is always hesitating when he says what you need, but as long as you are in the water and sewer business you are gone always have to spend some money, just remember that.

Executive Session: Wood has two or three land item updates. Holland moved that council go into executive session/Best seconded. 5/0 motion carried.

J Allen Collins – Mayor

ATTEST:

Larry Wood – Acting City Clerk