

The Council of the City of Villa Rica met in a regular scheduled meeting on Tuesday, May 4, 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 108 people were in attendance.

Collins called the meeting to order at 6:00 p.m. The invocation was given by Councilman Henrickson. All recited the pledge of allegiance.

Holland made motion to approve minutes from the April 6, 2010 Council meeting/Best seconded. 5/0 motion carried.

Holland stated correction for minutes from the April 13, 2010 called meeting to be correct from “regular meeting” to “special called meeting”. Holland then made motion to approve/Best seconded. 5.0 motion carried.

Henrickson made a motion to move items #14 & #15 up to be recognized under item #9/Holland seconded. 5/0 motion carried.

Wood presented the Financial Update: Started out the new year in good shape, combined cash accounts are about \$8.4 million; GF revenues \$373,879; total expenditures \$641,622; Water/Sewer Revenues, \$322,696; Water/Sewer Expenditures, \$224,053; Capital Project Expenditures \$98,938; SPLOST Capital Expenditures \$89,955. GF Revenues over budget \$21,465 with LOST receipts up 30% from last year.

LOST receipts up 30% over last year; o water/sewer tap fees in April; we have 6 positions open; WWTP spent so far \$23.7 million, should be in operation by the end of 2010.

### **Old Business**

Peddlers Ordinance presented by Taurus Freeman, was brought before council at April meeting, presents with changes requested: prohibit any type of selling in the right-of-way; section 6-101 exception excluded word “prepared by” as well as included “Home Grown.” Section 6-102 added wording location and parking to granting or denying application. Council does not want to eliminate growers, Councilman Dean stated that he and Councilman Best along with Kim with Main Street, Valerie Wilhelm and Bill Taylor are looking into and researching the possibility of having a farmers market at “The Mill” location.

Henrickson asked about the peanut selling, under new code they cannot sell peanuts because this involves the health department. Mecklin questions standards for granting/denial should be limited to 1 week in a 4 week period. Example: Corn comes in at one time and can run into 2 weeks and council should look at this. Holland, do we want to do anything with this until we put together the farmers market. Mecklin, still have question of people selling in parking lots, Mayor states regardless, we have to enforce, Holland, this also covers kids selling donuts, Freeman stated you still have to be 18 years of age. Best does not want anyone set up on street corner for 6 months out of year, but there should be some way for folks to sell produce and farmers market should take care of this. Holland asked if this would be a free service, Dean confirmed yes. Mayor, exempts animals, Freeman yes. Best made motion to approve/Dean seconded. 5/0 motion carried.

Councilman Holland stated he watched last month’s meeting at trade show in Germany, it appeared there was a lot of confusion on this item as being discussed and things that happened from the Mayors position and council back and forth and was less than professional and we all need to clean up our act a little and not interrupt people when they are talking. When they have floor they should be able to finish statement weather we agree or not. And the more we know about what each other is thinking before we start the better we can understand it and work together. This is probably

aimed at me as well as anybody, I have done cut people off in the past and will try not to do this in the future and I would like to ask us all not to do that. I think Councilman Dean has something he would like to say so I will relinquish the floor to him at the point.

Dean stated that based on our charter and how we vote, we voted 2-1-1, to be a proper vote it has to be a majority and this was not a majority. We need to re-vote to have a regular vote and I make a motion to revote, Holland asked Mecklin if he agreed with this, Mecklin stated Dean was correct. The vote taken at last council technically was not a majority vote, you cannot abstain while sitting on council just because you don't want to vote, so the 2-1-1 was not a majority vote. Mayor stated, we have a motion to for council to reaffirm the vote taken at the last council meeting by Councilman Dean/Councilman Holland seconded. 5/0 motion carried.

### **New Business**

Jeff Reese presented employee of the month plaque to Danny Fischer for the month of May 2010.

Freeman presented CU-01-10-God's Perfect Church of Lithia Springs, GA, conditional use for property located at 100 Maple Street for purpose of a church. Planning/Zoning at April 27 meeting approved this change. Applicant, Pastor Joseph Feathers, 512 Miller Agan Rd, Temple, GA. Henrickson asked number of parking spaces, Pastor Feathers said 12 spaces and other business agreed to let us use their space for over flow. Dean made motion to approve/Marchman seconded. 5/0 motion carried.

Freeman presented CU-02-10, The Church of Mirror Lake, modification to a conditional use permit for property at 501 Permian Way, Douglas County. Planning/Zoning at April 27 meeting approved this change. Any discussion, Councilman Dean asked to reverse order to have public comments. Dean stated that being no opposition he would request that the public hearing portion be closed, and made a motion to approve/Best seconded. 5/0 motion carried. (Holland asked Mecklin how does this co-insides with the 5year conditional use, Freeman stated this does not change the original 5 year conditional use, just the use of a temporary structure. This is 5 years from original occupancy.

Larry Wood read the resolution of Honor and Respect to Pastor L. M. Spear, Jr. Mayor will present this to Pastor Spears on the date of his anniversary on June 6, 2010 for 10 years at Pleasant Hill United Methodist Church. Marchman made motion to approve/Holland seconded. 5/0 motion carried.

Henrickson presented a resolution in support of an Amtrak stop, working with Cliff Dickerson to create a destination and connect us with other states, need full support by mayor and council to send to Amtrak and support this stop. City will be responsible for all cost related to this stop, and must build a 1000 ft platform. Could be located in railroad park, we are not spending money at this point only signing in support to move forward. Holland asked, how much would this cost, Henrickson stated approximately \$15-\$20,000. Mayor state for this project we would reach out to county commissioners for help. Best questioned the parking problems and right now how many people would there be on an average stop. Henrickson, not sure would be building process. Best stated currently have 81 parking spaces on railroad site, Henrickson added we also have 150 by amphitheatre. Best said he did not disagree but the train is on schedule where will they park. Henrickson stated people getting off train would not need parking the challenge would be people taking the train from here. Dean stated this is only to support, does not commit the city to anything therefore makes a motion in support/Best seconded. 5/0 motion carried.

Patricia Proctor presented resolution from their 7 member committee for the naming of the amphitheatre (Valerie Wilhelm, Patricia Proctor, Pete Croft, Amy Brown, Carolyn Camp, Pastor Spear and Jim Pack). Presented the name of "The Mill" and stage will be "The Thomas A. Dorsey

Stage” and the word amphitheatre is not a part of the name. This is to honor the historical mills that were located on the site and could not be saved. Holland made motion to accept/Best seconded. 5/0 motion carried.

City Account Smith presented the 4<sup>th</sup> quarter budget revisions to mayor and council for the first reading. Document will be brought back to council in June for second reading.

Freeman presented road dedication on Baker Industrial Court, located off Liberty Road to mayor and council. Freeman stated potential industrial buildings possibly coming soon. Best made motion to accept/Holland seconded. 5/0 motion carried.

Freeman presented resolution to mayor and council. Best made motion to approve/Holland seconded. 5/0 motion carried.

The first Individual VR Historic Preservation Award was present to Mr. Paul Free for his dedication to helping to preserve our history by telling of the story of the past, photos, etc. Award was present to Paul’s daughter Dawn Hembree and granddaughter Julie Hall by Mr. Wally Hibbard, chairman of the commission.

The first Commercial VR Historic Preservation Award was presented to Ms. Wendy Hayman with O’Charly’s restaurant for their recognition of our history by photographs and memorabilia located in the restaurant.

The June 2010 Individual Beautification Award was present to Ms. Carrie Jo Woodall by Ms. Lou Hibbard a member of the VR Beautiful Committee.

The June 2010 Commercial Beautification Award was presented to Ms. Deborah Matthews with Tanner Medical Center by Ms. Lou Hibbard a member of the VR Beautiful Committee.

Possible Community Service relocation, Mayor asked senior Councilman Best to comment with follow-up by Councilman Henrickson.

Best: Community service great service, but big question has always been where to locate, but our concern is that they do take up parking in downtown and I thought for a while we could move them but to try to move them to locations like Powell Park or V-Plex, there are events which take up the parking. I just don’t see us moving and spending the money. We can utilize the new parking lot in month, they can be required to park there and walk over to the trailer and in the future look for a place and move them at no cost

Henrickson, currently they are parking in the lot behind my restaurant and it is an eye sore, they are in a trailer which was placed there, say 5 years ago and they usually have about 12 or less cars. We now force PD to park on the street, move community service to another location and let PD use this space for parking. This space could also be used for overflow event parking and employee parking for downtown merchants.

Best stated he did not have a problem with cleaning up that area, but, don’t want to spend money. Coming downtown and seeing that only about 10-15 cars are usually parked along the railroad park in those spaces, ask employees to park there (Henrickson stated his employees do park there). Also there is a 125,000 sq ft facility where PD a can park their cars if they will sign a waiver but I don’t see having them park their cars where community service is located, some of them possibly being sent to community service by one of the officers parking there.

Henrickson, let PD have this location and move community service to another location.

Best , don’t want to move them leave them where they are and with that I will end this conversation.

Dean suggested that we give the new lot a chance for uses before we make major decision. There are 150 spaces in that location. Give it 60 days or so and then revisit. No formation action taken.

Larry Wood complimented our track team for all the awards that they won at the track meet and they will be moving on to the next level of competition. The other big thing is "The Mill" project and wants to once again thank Danny for all his hard work and invited everyone to come out on Saturday for the grand opening.

**Contracts:**

There were not contracts to be presented to Council.

**Payments over \$5000.00:**

There were not payments over \$5000.00 to present to Council.

**Public Comment:**

Debra Cleckler, 779 Elliott Road with City and I work with park and recreation and we are kicking off our dance competition and will be calling it "Dancing with the VRIP" (Villa Rica Important People). I would like to leave some nomination or commitment forms, and ask your help in getting nominations. Verland Best asked the date, Debra told him December 4 and we were going to have at night, but learned the Christmas tree lighting was that night. If you could help us get some people to participate, Verland Best said he would do it!

Mr. Jim Pack, 111 Berkley Drive, likes Henrickson suggestion about the train station and if the state had its act together the \$80million that the government put in for passenger service, could have been a big help here. I use Amtrak and it would be nice to have it here, I would not have to go all the way into Atlanta, lots of coming from Birmingham. Another thing, a couple of months ago I mentioned about the road at the post office, and I know you say it is private property, but when Walgreens wanted to put up their sign, council said no and that is private property, so why can you not dictate to this private property, you have the dentist office, and other businesses, if me and Mr. Mecklin could talk I bet we could work this thing out.

Mayor asks Jeff Reese when light would be up at Mirror Lake...Jeff stated it should be in by mid to late June.

Mayor asked Mecklin

Ray Seacrest, 34 Lilly Oak Court, Villa Rica. Would like to ask you to consider peddlers license, last time there was a question about parking there is plenty there, also about health department and I will be happy to go thru that process, I know in other counties require fees and I would be willing to pay a fee, please reconsider.

**Executive Session:** Purpose pending legal matter and 2 items regarding real estate. Best made motion/Holland seconded. 5/0 motion carried.

Council adjourned and moved into executive session at 7:10pm

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J Allen Collins – Mayor

ATTEST:

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Larry Wood – Acting City Clerk