

The Council of the City of Villa Rica met in a regular scheduled meeting on Tuesday, April 5, 2011 in the Council Chambers at 101 Main Street, Holt-Bishop Justice Center, and Municipal Courtroom. Those present were Mayor J Collins, Council members Rusty Dean, Verland Best, Woody Holland, Shirley Marchman and Patrick Henrickson, City Manager Larry Wood, and City Attorney David Mecklin. Approximately 51 people were in attendance.

Mayor called the meeting to order at 6:01pm and Councilmember Marchman said the prayer and all recited the Pledge of Alliance.

Approval of minutes for Called Council Work Session on February 15, 2011- Marchman made motion to approve/Dean seconded – 5/0 – motion carried

Approval of minutes for Council Meeting on March 1, 2011 – Dean made motion to approve/Marchman seconded – 5/0 – motion carried

Financial update - present by City Manager, Larry Wood. For Current month: Cash Accounts, \$10.6 million; General Fund Revenues, \$548,704; General Fund Expenditures, \$639,075 Water/Sewer Revenues, \$282,304; Water/Sewer Expenditures, \$347,255; Capital Project Expenditures, \$49,697; SPLOST Capital Expenditures, \$51,118. Year-to-Date: General Fund Revenues, \$8,102,683; General Fund Expenditures, \$6,689,771; Water/Sewer Revenues, \$4,527,629, Water/Sewer Expenditures, \$4,183,328, Capital Project Expenditures, \$766,243; SPLOST Capital Expenditures, \$1,253,111.

Currently have four (4) vacant positions: Water Treatment Plant Operator, Library Manager, Recreation Maintenance; and Probation Officer.

West WWTP is progressing 7 months ahead of the contract schedule. We should see substantial completion by May 1, 2011. They remain under budget; total earned project to date, \$29.4 million with remaining payments due to TRD Construction (excluding retainage) is approximately \$130,000.

Old Business

2011-2012 Budget, Second Reading – Smith presented the budget with requested changes by the Mayor and City Council. We present you with a proposed revision of the General Fund revenue from \$8,204,608 to \$7,787,186, which show a 10% reduction from the 2010-11 approved Budget.

Mayor stated he had ask City Manager to reduce budget by \$500,000.00, did not indicate where to make reductions, so here is the budget 2011-2012. He also felt that a \$7.7 budget was not prudent for the operation of city at this time.

Holland asked City Manager how close he was this year. Wood stated the current was at \$8.1 million, and will probably bring in another \$100,000 in accruals, and should finish year at \$8.2 in revenues for this year. Holland so you budget \$8.2, right on target. Mayor asked if he had un-officially held some item back and Wood stated he did sit down with Smith and decided on items they would not do which totaled around \$300,000. Dean stated so the revenues ended up being what you thought it would be. Wood no, the budget was \$8.7 million but early on we saw we would not bring in that much so we pulled back and asked our managers to also pull back to help meet the targeted budget.

Mayor stated you make changes in front side or back side. And this is not to say this board would not be willing make cuts throughout the year and applaud them for that. Everyone on these council members is more than willing to encourage Larry to make cuts. In no does this indicate you would not make those cuts, but this is just my opinion.

Mayor stated that he had asked Wood to put back in \$150,000 for sidewalk and transportation improvements as well as items for the water plant: \$240,000 for electrical, \$25,000 for doors and \$120,000 for roof. These funds are a combination of water and general fund.

Henrickson asked about the TEGrant and that we are going to spend an additional \$30,000 and wondered how if we have any idea if we will get this. Wood explained it is a 50/50 chance; we must do all this basically in secret, according to state rules and regulations. But if we don't get it we will not spend the \$30,000.

Holland asked Wood about the list he brought to the council at the last meeting which included the cuts and the items that the Mayor wanted put back in. Wood went over the "take out" list which was present to council at the March meeting. Holland confirmed that the council could go back and add some of these cut items could be added back into the budget.

Best stated that in the past it was the thought, we have money left so let's get it spent, but this year they are showing that they are watching their budget and taking this attitude toward the budget.

Motions made:

Holland made motion to approve budget \$15, 624, 508(general and utility fund total) as presented; Dean asked to have 3 items put back in the budget (City Hall roof-\$45,000, Drug Dog-\$45,000, DDA Funding-\$25,000), Holland withdrew his original motion/ Marchman seconded Deans motion – 4/1- Henrickson- motion carried;

Henrickson made a motion to add \$25,000 for Carroll Tomorrow (funding for one year)/Holland seconded – 4/1 –Best – motion carried;

Holland made motion to approved amended budget with additions totaling \$140,000/Best seconded – 5/0 – motion carried;

Mayor noted that the budget that was just passed is not a balanced budget, Wood confirmed and stated by law we cannot pass an unbudgeted budget;

Dean made motion to adjust-revenues reserves by \$140,000 to have a balanced budget/Holland seconded – 5/0 – motion carried (correction requested at May meeting by Dean)

Appointment to Carroll County Chamber - Mayor asked that he be appointed to this position until they could confirm an individual who would be the best choice for Villa Rica. Best made motion to approve/Holland seconded. 5/0 – motion carried.

Consideration of Speed Hump to be located on North Avenue – Dean stated he had requested this be moved to April meeting so he could talk to the church regarding location. He has therefore, Dean made motion to have the street department look at location and determine what and where to place speed hump and install/Marchman seconded – 4/1-Best – motion carried

New Business

4th Quarter Budget Revision – Smith presented revisions showing present increases in operating income of the Mill and capital project carry-over of the Mirror Lake traffic light, downtown park and golf carts for Gold Museum. Also adding budgets for some special revenue funds that are legally required. This is the first reading of the budget and therefore cannot be voted on tonight. We will bring this back to the May meeting for second reading.

Villa Rica Beautiful Beautification Award – Residential winner – Woody and Deborah Holland, Old Tanyard Road; Commercial – United Community Bank, Hwy. 78

Proclamation – Emergency Preparedness Day, April 23, 2011 – Marchman made motion to approve/Dean seconded – 5/0 – motion carried; City Clerk read Proclamation and presented to Organization. Jan Unberger, Judy Gannamon, & Sue Brockman were present to talk about this event which will be held at the VFW Fair Grounds.

Proclamation – Honoring the 75th Anniversary of the Villa Rica Garden Club – Dean made motion to approve/Holland seconded – 5/0 – motion carried; City Clerk read Proclamation and presented to Organization.

Resolution to increase sewer rates by 10% - Wood stated that he had been asked not to increase rate, but we committed to the financial community when we sold our bonds two (2) years ago that we would increase our rate 5% the first year, 10% the second year and 15 % the next year. We are not imposing an increase on water or solid waste only sewer which will generate approximately \$300,000 next year. Holland asked what our debt service was. Wood state that our debt service will be \$1.7 million over the next 15 years. Holland stated that this was so we would have revenue coming in to help pay for the new plant. Best asked what the amount was monthly for this increase, approximately \$.44 per 1000 gallons or around \$2.00 per month depending on what they use for residents in the city and approximately \$.66 per 1000 gallons for residents outside the city. Dean state he agreed with Best that it is better that we increase the sewer rates which is based on consumption rather than increase some ones taxes.

Dean made motion to approve a 10% increase/Holland seconded – 5/0 – motion carried

ABL-01-11 – Alcoholic Beverage License – Cheri Armand Clothing & Exchange Co. LLC – Freeman present this item to council and stated that Planning Commission did recommend approval. Tatiana Valentine explains that this is not for a pouring license but to sell by the bottle as a gift and look to expand into gifts and chocolates. Holland made motion to approve/Dean seconded – 3/2 – Marchman/Henrickson – motion carried

VH-01-11 – Vehicle for Hire Permit – Freeman presented this item which is a vehicle for Hire Permit for a non-profit, senior citizen transit transportation company requested by Mr. Michael Relyea who was present for questions. Holland asked if we approve are we under any liability, our ordinance requires that he would have to have proper insurance. Henrickson, will permit be visible in the vehicle. Mecklin stated we have not in the past had many request like this so we might need to relook at our ordinance. Best are we calling this a taxi, Mecklin state vehicle for hire and don't necessarily have to have but good idea to have it designated – Holland made motion to approve/Dean seconded – 5/0 – motion carried

New Mirror Lake Stop Signs – Wood state at a Mirror Lake meeting residents were complaining about people running stop signs. Mayor stated he had asked Judge Scott Camp to check into the legal aspects of this item. Henrickson stated this was his ward and wants to table until the May meeting so they can get more information regarding this issue. Mayor wants to hear what Judge had to say before a motion and vote is made on tabling item. Chief stated Judge Camp confirmed that the signs must meet State and Federal regulations and they currently do not so the city police cannot enforce laws regarding those who run stop signs and cannot give tickets. Holland said these signs do not meet code, Chief stated that the community thought those signs were more attractive and wanted those signs. Henrickson requested that this item be tabled until the May meeting/Holland seconded – 5/0 – motion carried. Best suggested getting total number of stop signs in community. Mayor stated this needs to be in unified development code for all future subdivisions.

Regional Transportation Request – State legislation was passed which allows Regional Commissions (we are located and a part of two, Three Rivers on the Carroll County side and ARC on the Douglas County side) and communities to have opportunity to vote in a 1% transportation sales tax in 2012. If passed this money will go back to communities for road improvements/work, but you must have an approved plan and we are limited to primary roads only.

Carroll County TIA Project List – Best suggested that it would be prudent of us with the upcoming bypass project that on Item# 2 we revise that to go from Hwy. 101 all the way to Hwy 78 and make that a 3-lane with turn lanes. If we don't when the bypass project is complete you will have a huge bottleneck at Hwy. 101. – Holland made motion to approve/Best seconded – 5/0 motion carried

Douglas County TIA Project List – Douglas County did not ask for input, but I put this together anyway, they called back and said they were pushing a regional project at I-20 at I-285 regional project. We will not get anything on the ARC list.

EIP Grant: Discussion of conflict of interest related to City's FY 2011 ARC-EIP Grant - Wood presented documents regarding the fact that Councilman Rusty Dean owns the following property adjacent to the Projects Target Area located at 402 North Avenue. City Clerk read letter and passed to Councilman Dean for signature. The being no need for a motion, Councilman Dean signed documents to be forwarded to Allen-Smith Consulting.

Commitment letter for approval ARC-EIP Grant – Holland made motion to authorize Mayor to sign this letter/Best seconded – 4/1 – Dean abstained – motion carried

Resolution in Support of the ARC-EIP Grant – Holland made motion to approve this resolution/Best seconded – 4/1 – Dean abstained – motion carried

Payment Over \$5000.00

Dean Grading – \$23,490.00 – Reid explained this was an emergency repair and had to be put into place immediately due to sewage bubbling up on Anderson Road. Richard felt that since we reacted so quickly and got the problem fixed that he felt we most likely would not be fined. Holland made motion to approve payment/Best seconded – 5/0 – motion carried

Consideration of Contracts:

Garrett, Stephens, Thomas & Fazio, P.C. – not to exceed \$26,500.00 - Dean made motion to approve/Best seconded – 5/0 – motion carried

R-Walls Inc. - Erosion Wall Construction Contract - \$32,360.00 – Wood presented stating this is for the wall at the Gold Museum. Much erosion which is also encroaching onto the street and the Mirror Lake Golf Course located across the street from the Gold Museum. Henrickson made motion to approve/Holland seconded – 4/1 –Best- motion carried

Georgia and West, Inc. - CDBG Engineering Contract - \$39,500.00 – Wood explained that this is the engineering contract for the CDBG grant and that we will not know anything until September but if we pre-select an Engineering Contractor we get an extra point. Holland asked/stated that there will be not money spent unless we get this grant, Wood confirmed – Holland made motion to approve/Dean seconded – 5/0 – motion carried

Insurance Broker Recommendation, BB&T – Wood presented the list of 5 companies which submitted proposals for our new Insurance Broker which the committee which consisted of Councilman Dean and Holland, Shari Smith, Mary Chaffin and myself. After these meeting we recommend BB&T. This is the only company that stepped up to the plate regarding the wellness program and plans to support this program financially with \$9,000. Mayor stated he would rather work with a local vendor who you can sit face to face with and put the money back into our economy. He has not been satisfied with the big

companies in the past. Holland commented that this committee was formed with city employees and council and that they made their decision based on interviews with these companies and he believes we should go with their selection. Dean stated that upfront the committee stated they wanted a wellness program and this was the only company that stepped up with a program. As far as premiums, etc. regardless of the company you select it will be basically the same fee and will not make that much of a difference. Best stated that when we went with the current company we stated if we did not like their service, after 6 months we would go back to MSI, which we did not do, but he feels that either MSI or BB&T could do a good job for us and that we should go with what the committee feels is the best fit. Holland made motion to approve BB&T as new insurance Broker/Best seconded – 4/1-Henrickson – motion carried

City Update -

Item #1 - West Plant is 7 months ahead of contract schedule, 5 month behind contractor schedule due to bad weather. Staff should be taking over plant on May 1. We need to have a Public Facility Authority meeting regarding two change orders.

Item #2- The CDBG grant was filed last week and we had a public information hearing on March 8 which was well attended by the public with good input. I want to thank Jennifer Thorn who gathered over 100 surveys which will be a part of this application.

Item#3 – North Loop project is moving forward. At this time we do not have the noise impact study but will ask them to move this up on the list and will share with Mirror Lake residents. Mayor, did preliminary study show no impact, Wood yes. Best is that S. 61 Loop or N. 61 Loop, Wood north leg from Dallas Hwy. to Shoreline Parkway.

Mayor stated he had gotten an email regarding the Census and wanted to state we need to move forward with this redistricting. Mecklin stated he had already contacted Rep. Bearden to get us on the list for a meeting so we can start taking steps for redistricting. Mayor asked if this could be done before the election. Mecklin stated yes, this was the plan to have this complete before the qualifying.

Public Comment:

Val Runyan-2137 S. Van Wert Road – 2137 S. Van Wert Road, Garden club wanted to invite you to the garden party at A Place to Share, from 1pm-3pm, May 11. Also gave information on the Tea Party at the Powell House. This is a fund raiser where we will auction off bonnets and bowlers that you create which will support the Rapha Clinic. Even if you cannot make it you can still donate a bonnet or bowler to be auctioned.

Peggy Hicks, 1011 Buckeye Lane – office manager for My Financial Services, respect the council's decision based on recommendation; I am disappointed in that decision. I think we could have provided the city with tremendous customer service, valid interest in how city spends money and operated. Being disclosed that a bidding war was going, we were not notified. We would have been will to provide that as well. We hope you will consider us in the future.

John Hannaback, 3106 Golfers Way – will there be any opportunity for the community to have input in councils decision regarding the redistricting. Mayor stated he was not sure how that worked, but suggested a third party make those decision. Mecklin stated the State looks at numbers and figures out the size the ward should be based on number of voter and they will create wards and provide us maps where we, have in past, had an opportunity to look at these before they are put in place, there is some

ability for input. Mr. Hannaback, my point is will we have input, Holland stated he should work with his councilman.

Mr. Robinson, 294 Berkley Dr - at Highway 78 and S. Carroll Road would like to see turn signal at that location. My wife got a warning ticket there because she turned and went before letting traffic on other site go. Last two month we got stopped again at the same location for same thing and supposedly veered off over the yellow line. Feels really high activity in the city with police activity with traffic. One other thing I want to know if I heard correctly that we are spending \$45,000 for new roof for city hall, not building, jut a roof, I question that. Holland explained it would be a whole new roof. I am also curious, where is budget money kept. Mayor and council stated it comes in constantly. Mr. Robinson asked if it was not where getting interest. Wood state yes it is located in different banks and that we have to be insured and we require securities of 110%. If you want to keep our money you have to assign stocks and bonds to a holding company and cannot use unless you get permission from us to use it.

Rates on water are up about 35%. Is that and extra 10% in addition to 35% or is that of the original plan. Wood stated this is a part of the original plan.

Mike Williamson, 341 Doves Ct. – wanted to confirm that the council just basically voted to balance the budget by just increasing our revenues. Confirmed.

Bruce Betterton, 9881 Reflections Dr. – survey being done on Stockmar Road, have anything to do with our North Bypass? Wood, yes that is part of the program. Mr. Betterton how does that effect Stockmar Road? Wood, Dallas Highway will be widened to Stockmar. Holland stated there was a drawing at city hall he could go and look at.

Executive Session – Motion made by Holland to move into executive session do discuss pending litigation and personnel items/Dean seconded – 5/0 – motion carried

Adjourn – Open meeting adjourned at 8:30pm and moved into executive session

J Allen Collins – Mayor

ATTEST:

Barbara Daniell - City Clerk