

The Mayor and Council of the City of Villa Rica met on Tuesday, July 7, 2011 at 6:00 p.m. in the Holt-Bishop Justice Center, Municipal Courtroom, 101 Main Street to conduct the business of the city. In attendance were Councilman Rusty Dean, Councilwoman Shirley Marchman, Councilman Woody Holland, Councilman Verland Best, Councilman Patrick Henrickson, Mayor Jay Collins, City Manager, Larry Wood, City Attorney David Mecklin, and City Clerk Barbara Daniell. There were other city staff and citizens in attendance totaling 36.

Mayor Collins called the meeting to order and the Mayor gave the invocation. Councilman Best asked that before we have the Pledge of Allegiance we listen to a CD. This was of Red Skelton explaining the meaning of the words in the Pledge of Allegiance. Following this the Mayor, Council and audience recited the Pledge of Allegiance

The Mayor presented all three sets of minutes to council for approval. Marchman made a motion to approve the minutes for city council meetings for June 7, 2011, June 21, 2011 and May 3, 2011/Best seconded – 5/0- motion carried

Financial update - present by City Manager, Larry Wood. For Current month: Cash Accounts, \$10.0 million; General Fund Revenues, \$379,758; General Fund Expenditures, \$645,437; Water/Sewer Revenues, \$498,083; Water/Sewer Expenditures, \$345,540; Capital Project Expenditures, \$92,132; SPLOST Capital Expenditures, \$6,448.. Year to Date: General Fund Revenues, \$1,106,058; General Fund Expenditures, \$1,834,159; Water/Sewer Revenues, \$1,221,945; Water/Sewer Expenditures, \$925,736; Capital Project Expenditures, \$23115,797; SPLOST Capital Expenditures, \$25,540.

Currently have two positions open: One Patrol Officer and one PD receptionist.

Consent Agenda presented by City –there were not consent agenda items

### **Old Business:**

City Redistricting, 2<sup>nd</sup> Reading – City Attorney David Mecklin presented the second reading of the ordinance for the City Redistricting. Mecklin opened the floor to anyone who wanted to make a comment John Hannabach, 3106 Golfers Way, came forward stated he did generally supports the proposed new Wards, but wanted to ask that the city start the process to have census blocks which show zero, know there are many that live there, be re-counted to correct this inaccuracy.

Mecklin answered that we (city) have already started looking at all areas where the count is incorrect and have started the process of getting this corrected. Mayor stated he did not like the way the redistricting was drawn up but feels it would be beneficial for the city to look at working on the charter.

Council Vote on Redistricting – City Attorney David Mecklin present ordinance to council for approval and vote. Holland made motion to approved the redistricting as presented/Best seconded – 5/0 – motion carried.

City Hall Phones – Wood presented to Mayor and Council final option for answering of phones at city hall. 70% of call is for water/garbage. When customers call they will hear “Thank you for the City of Villa Rica, for water/garbage press ‘1’, for all other calls please hold for city operator”.

ORD- 11-04-CCO Sunday Alcohol Referendum – Wood presented the ordinance for the alcohol referendum to council allowing this to go on the November ballot. Holland made motion to authorize the Mayor to sign this Ordinance/Best seconded – 4/1 (Marchman) – motion carried

### **New Business:**

Beautification Awards – Freeman presented the Commercial award to with BP Convenience Store located at 650 W. Bankhead Highway; the residential award was presented to Albert & Belinda Black at 275 Augusta Woods Drive.

Millage Rate – Reid presented the 5 year tax digest history, as well as the current rate at the 2007 rate of 6.775 mils. Staff recommends leaving the millage rate at current of 6.775 mils. Holland asked if we were going to look at the problem of our being out of wack because of our budget year. Wood stated that we have looked at this

and we would either have a 6 month budget or an 18 month budget to get in line with the two counties. Woods recommendation is to add 6 month, giving us an 18 month budget for next budget year. Best made motion to approve leaving the millage rate at present rate of 6.775 mils/Dean seconded – 5/0 – motion carried

GMA Retirement Plan: Revised Amendment – Wood: Council requested us to change full time from 30 hrs up 40 for a full time employee, exception to this is police staff who does not always work 40 consecutive hours (could be 38 one week and 48 the next week). This would only affect new hire staff as of July 5, 2011.

All other staff would still fall under the old retirement plan. Holland asked if there was a contract, ordinance or something other than the letter they had in packet. Mecklin stated there was a large contract which he has read and review. The council would be authorizing the Mayor to sign this contract. Holland made motion to approve/Best seconded – 5/0 – motion carried

Transfer Station – Holland stated he asked this to be on the agenda because we got into a pickle over this type of business about a year ago. Just wanted it brought up for discussion not action needed at this time. We need to work on something to keep this type of business or problem come up again. Dean agreed this needed to be addressed. Mecklin agreed that changing our rules as to location for a transfer station is an excellent idea. But we need to control not wipe it out completely because there is always going to be a need for this type of business.

Items for Surplus from Old Plant – Wood presented the items for surplus as well as some miscellaneous metal items that we could sell. Mayor asked about plaque on old building Wood assured that the plaque would be protected that plaque. Holland asked where they would be sold, Wood state it would be on GOVDEALS.com. Holland made motion to surplus listed items/Dean seconded – 5/0 – motion carried

Insurance – Wood present to council the two selected insurance companies that were selected out of the 4 companies presented to committee by BB&T. United Health Care and Keiser was presented. City Manager is recommending United Health Care so that city staff can continue with their current doctors which they would not be able to do with Keiser. The employees were split 50/50 between companies. City Manager did ask that the city absorb the increase and not put this back on the city employees since they have not have any type of pay increase in the past 4 years. The increase is around 10% and we budgeted for an 8% increase. Mayor suggested that maybe looking at an increase for spouses to help offset the cost to the city. Council felt they did not want to look at this for current year and they could look at it in the next budget year. BB&T is also working on Dental and Life Insurance which could bring down the increase. Holland made motion to approve United Healthcare insurance for the city employees/Best seconded – 5/0 – motion carried.

ORD-11-06-CCO, Sec. 4-17 – Trespass Ordinance – Mayor stated this was brought about because of a call regarding a subdivision where residents who had not paid dues and were jumping the fence to get to the swimming pool. Mayor got with the chief to put something together. Chief explained they basically pulled the state ordinance for this and added an item #4 which brings this to city court rather than state court. Henrickson made motion to approve/Best seconded – 5/0 – motion carried

CU-03-11 New Seasons Pentecostal Church – Freeman presented this conditional use for property 885 Bankhead Hwy, Suite D for the purpose of a church. Planning commission heard this on June 28, 2011 and made recommendation to approve. Applicant came forward, Jason Spray, 336 Meadow Springs Drive, stated they just want to worship the Lord and that this property had previously been a church. Dean made motion to approve/Marchman seconded – 5/0 – motion carried

ORD-11-05-CCO-Nuisance – Freeman presented this ordinances to re-establish these codes in our code of ordinances, give duties for our code of enforcement officer, place ordinance on height of grass & weeds and place fees for clean up on annual tax rather than a lien on the property. Holland made motion to approve/Dean seconded – 4/1 (Best) – motion carried

Road Dedications – Freeman presented two roadways for dedication into the city's road network: Devonian Drive and Permian Way, along with a plat showing location and a punch list of items that need to be completed on these roads. Freeman stated these were small items and could be fixed. Mayor Collins stated he had a problem here and wanted to know why the curbs were dug up. Freeman explained that those were located on the part of the road that is owned by Mr. Mathews. The portions in discussion are owned by Carl Owens. Freeman further explained that when Mr. Mathews came before council to had roads dedicated he did just certain section not the

entire road. Dean asked if we were going to require that this punch list be completed before we voted on this, Holland – yes sir. Freeman explained this came before them because of a retirement community that needs to connect to the sewer line in the road. Dean made motion hold off voting on this item until punch list is completed-bring back to August meeting/Holland seconded – 4/1 (Henrickson) – motion carried

*Villa Rica Library Advisory Board re-appointments* – Mayor Collins presented Clara Thomas and Bonnie Amidon for re-appointment to the VR Library Advisory Board. Mayor asked council if they had recommendation for the additional board member needed and if so to let him know, Best and Holland are going to check. Dean made motion to approve/Best seconded – 5/0 – motion carried.

*Payments Over \$5000.00:* United Rentals – New Sullair 185 CFM air compressor - \$12,900 – Reid present this as a request from June meeting to bring back the cost for a new compressor. Best made motion to approved purchase/Holland seconded – 5/0 - motion carried

*Consideration of Contracts:* University of West Georgia - Water Quality Monitoring - Contract Change Order - \$2,540.00 – Wood explain this change order comes before council because some of the new testing requirement by EPD. Best made motion to approve increase/Dean seconded – 5/0 – motion carried

*City Update:* The West Plant is looking into the situation where someone dumped some type of chemical into our system which killed the good bacteria. At this time we do not know who did this but continue to try to locate the person or company who is responsible. We ask the public to be on watch and if they see one of the Honey type trucks that pump septic tanks at one of our man holes please call the city immediately. Holland asked if this was a criminal activity and Wood stated yes and once we find who may have dumped this, the fine the city has to pay which could be \$2000 would be added to their fine.

Traffic signal at I-20, going slower than anticipated, was schedules to be completed in May, but was informed it would be July 11; looks like it will be later. Douglas gave us state contact who City Manager will be contacting.

Compliment Recreation Department on the best fireworks display that we ever had.

**Public Comment:**

*Joey Kelly, 2490 Shoreline Parkway, VR* – I have some concerns regarding the last item and would like to know whose idea was it to place this on the agenda. These roads are clearly not up to standard and have not been topped off. Why would we want to dedicate a road that's not finished when there are subdivisions out there that have roads that have not been topped off? I would just like to know who is pushing this.

*Mike Williamson, 3411 Doves Court* – question regarding beautification awards, but yet we have to mortgage to water our lawns. I am one of those who purchased an irrigation meter and I paid \$1250.00 for my meter and I want to sell it back to city. Because of way region have set up the water pricing. I understand this is regulated by the regional but my question is does a municipality legally have to follow the regulations set by the region. My water bill for the just my irrigation meter for the month of June was \$292 for 40,000 gallons of water. I have heard of a house that paid nothing for his second meter and others that went to apply for a meter and was told if they lived in Mirror Lake the price is doubled. I will bring the three people told this to city hall if city manager wants me to. The purpose of this meter was to not pay for sewage. These has to be a way to water yards, plants and not have new car sticker shock. Holland asked David to address not following regulations...Mecklin stated we must follow the regulations otherwise the state could come in and take over our water system. We follow the rules or pay the consequences. Wood explained the city was told to charge twice the cost for water going thru a separate meter. Wood did explain that cost of meter is not determined on where you live but by the size of the meter.

Council Henrickson stated he wanted to comment on Mr. Kelly's comments on the road dedication – I personally had nothing to do with this, when I saw in my packet that was first time I saw this. This was all done by staff and I had nothing to do with it, I just wanted to clear that up.

Carmen Zamudio, 203 Millpond Parkway, with the Weather Stone HOA (garbled and could not get name). I have a couple of items and one that you have already addressed regarding the pool area. My questions is what type of signage should we place at the pool, Mayor suggested she get with the Chief regarding signs. The other items are a couple of empty lots and we will enforce getting that cleaned up but the problem is there is no sidewalk in the pool area. The city came in and put two stop signs but it is at the top of a hill and we have lots of kids in the area and you cannot see the kids as you come up the hill. Because there are not sidewalks the kids have no choice but to ride bikes in the street. Mayor told her to get with Taurus and we would see about getting her some sidewalks. Holland explained that we do have a list of sidewalks scheduled for this year, but for her to get with her council representative to get it placed on the list for next year. She also stated they were to have trails and have contracts with developer but they have nothing. Council told her to get with Taurus or the City Manager.

Joey Kelly stood up and asked the Mayor to find out who initiated the agenda item (road dedication item).

John Hannabach, 3106 Golfers Way. What is current status of the bypass? Mayor explained that the status has not changed as of this date. City Manager stated that we are slowly creeping along the permitting process. Mayor stated he felt the sound study is going to come back and have some type of impact a neighborhood and council should hear that study. John asked could the council eliminate a portion, does the city have any input. Mayor stated he could not answer and that the council is aware of those on east side of town that wants that to happen and that decision will be completely up to council. John stated the issue is can council eliminate portions or is it all or nothing. Mayor stated he was having lunch with our represent and that is one of his talking points with him.

**Executive Session** – City Manager requested executive session for personnel item/City Attorney requested executive session for legal matters – Holland made motion to move to executive session for personnel and legal matters/Dean seconded – 5/0 – motion carried and Mayor, Council, City Manager and City Attorney moved into executive session at 8:05pm; Mayor, Council, City Manager and City Attorney came out of executive session at 8:12pm – Dean made motion to reconvene/ Holland seconded – 5/0 – motion carried

**Adjourn** : Marchman made motion to adjourn at 8:15pm/Best seconded – 5/0 – motion carried

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J Allen Collins – Mayor

ATTEST:

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Barbara Daniell - City Clerk