

The Mayor and Council of the City of Villa Rica met on Tuesday, October 4, 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 Henrikson, 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 67.

Mayor Collins called the meeting to order and the Councilman Holland gave the invocation. Following this the Mayor, Council and audience recited the Pledge of Allegiance

The Mayor presented all minutes from the September 6, 2011 council meeting for approval. Holland made motion to approve minutes/Best seconded 5/0 – motion carried (Holland requested the heading be changed to read Minutes rather than Minute.

Financial update - present by City Manager, Larry Wood. For Current month: Cash Accounts, \$9.6 million; General Fund Revenues, \$256,825; General Fund Expenditures, \$607,736; Water/Sewer Revenues, unknown; Water/Sewer Expenditures, \$304,219; Capital Project Expenditures, \$238,789; SPLOST Capital Expenditures, \$123,289. Year to Date: General Fund Revenues, \$2,046,707; General Fund Expenditures, \$3,720,512; Water/Sewer Revenues, \$2,321,442; Water/Sewer Expenditures, \$1,977,046; Capital Project Expenditures, \$493,734; SPLOST Capital Expenditures, \$1,267,590.

Currently have two positions open at Police Department: Police Department Training Officer and Patrol Officer
Consent Agenda—PD Vehicle purchase, \$14,870.00 – This being a budgeted item no vote was needed. This was to inform Mayor and Council that this money was now being spent.

Old Business:

ORD-03-11-UDC - An ordinance for the purpose of amending *Article 5, Supplementary Conditions*, by including Section 5.31. *Transfer Stations, Solid Waste*, to the Unified Development Codes, of the City of Villa Rica Code of Ordinances; to provide an effective date; and for other purposes presented by Freeman: stated that this was postponed from September council meeting and was taken back to planning/zoning commission with recommended changes made by City Attorney, David Mecklin. Mayor asked Freeman or stated that this has not previously been in the UDC; Freeman stated no it has not. Holland asked Mecklin if he has looked this over, Mecklin stated he had and it was fine. Dean made motion to approve/Holland seconded – 5/0 – Motion carried.

ORD-04-11-UDC – An ordinance for the purpose of amending Article 9, signs, by include Section 9/17. Special Event Signs, to the Unified Development Codes, for the City of Villa Rica Code of Ordinance; top provide an effective date and for other purposes was presented by Freeman and stated that recommendations from last council meeting was been included as requested. After discussion regarding right of way signage Holland made motion to add under Standards #7 – signage is prohibited in right-of-way/Best seconded – 5/0 – Motion carried. Mecklin stated that this would need to have an open meeting for public comments, Mayor opened floor for comments, there being no public comments, closed and went back to council; Holland made motion to approve ORD-04 with approved change/Best seconded – 5/0 – Motion carried.

ABL-03-11-Uptown dba Evan’s BBQ of Villa Rica, GA, request an Alcohol Beverage License, for the sell of Limited Pouring License - Restaurant, for the property located at 342 Highway 78, Parcel No. V07-001-0016, in Land Lot 161, 6th District; Carroll County. Ward 5 was presented by Freeman which was reviewed and Freeman is recommending approval. Dean made motion to approve/Best seconded – 4/1-Marchman – Motion carried

New Business:

Presentation of 2011 Audit Financials – Frederick Thomas

Consideration for cancellation of GWW00-5053-00(002) – East-By-Pass of North Loop Project - Henrikson (Item moved from #14 at request of Councilperson Marchman) NOTE: Mayor Collins and Councilman Holland excused themselves because each owns or family owns property along the East Loop which would have to be purchased by

GDOT. Holland asked Mecklin what would happen, since there are 4 councilpersons left to vote, if it were a tie what would happen. According to Mecklin a tied vote results in a failed vote and item would not pass.

After much discussion Dean made motion to postpone any vote until City can get a clear definition regarding North Loop Project from GDOT or FDOT/Marchman seconded – 3/1-Henrickson – Motion carried.

Henrickson made motion that the city not spend any more money on this project until we get a definite answer/motion failed.

In absence of Mayor and Mayor Pro Tem, Councilman Dean made motion to elect Councilman Best to oversee meeting during this item/seconded by Henrickson – 3/0 – Motion passed

(NOTE) Councilperson Marchman left the meeting at this time for appointment

(NOTE) At this point the computer had another error as it did last month and nothing else recorded. I have talked with our computer company and explained this MUST be fixed before next council meeting!

Approve the following to be re-appointed to Main Street/DDA Board: Pat Large, Bill Taylor, Jorge Costas – Jerry Doyal, DDA Chairman – Dean made motion to approve/Holland made motion to approve – 4/0 – Motion carried

Swear in Clint Chance to Library Board – Mayor sworn in Clint Chance to Library Board

Approval to surplus items – Mansour presented list of items to be surplus. Dean made motion to approve/Henrickson seconded – 4/0 – Motion carried

ABL-04-11 – Retail Package Sales, Jesus W. Rios, 901 S. Carroll Road – Freeman – Dean made motion to approve/Best seconded 4/0 – Motion carried

CU-04-11 – Alicia M. Felton of Villa Rica, GA request a Conditional Use for property located at 2003 Reflective Waters for the purpose of a personal care home-located in Ward 1 – Freeman requested that this item be postpones per advice of city attorney David Mecklin.

Consideration of Contracts:

RMA Construction – Wood – Holland made motion to approve with the removal of Item C/Dean seconded – 4/0 – Motion carried

Gordy Construction Change Order for Turano Project, \$13, 475-Wood – Dean made motion to approve/Best seconded – 4/0 – Motion carried

City Update:

Public Comment:

The following spoke up against the East portion of the by-pass project: Mike Williamson, Dove Court; Michael Smith 9636 Coastal Drive; Gerald Lee, 312 S. Carroll Rd; Marsha Sargeant, 3023 Catamaran Cove; Mark Williams, 65 Town Creek; Ms. Sauls, 504 Susan Drive; John Wayne Sauls, 554 Susan Drive; John Hannabach, 3106 Golfers Way; Suzanne Zoda, 3002 Catamaran Cove; Barbara Jean Brown, 511 Punkintown Road; Janna Columbus, 9809 Cannon Gate; Margaret Jean Rossman2120 Osprey Cove.

The following spoke for the East portion of the by-pass project: Joey Kelley, Shoreline Parkway.

Executive Session – Mayor Collins requested an Executive Session for the purpose of personnel issues. Holland made motion to approve/Henrickson seconded – 4/0 – Motion carried (7:50pm)

Adjourn – came out of executive session at 8:15 p.m. Holland made motion to adjourn/Best seconded 5/0 – motion carried

J Allen Collins – Mayor

ATTEST:

Barbara Daniell - City Clerk

