

CITY OF CORNELIA
MINUTES OF COMMISSION MEETING
JANUARY 10, 2017

The Cornelia City Commission met in a Workshop Session on Tuesday, January 10, 2017 at 5:30 PM in the Conference Room at City Hall. Mayor Irby called the meeting to order with the following members present: Commissioners Don Bagwell, Tony Cook, Wesley Dodd, Jr., and Janice Griggs. Also present: City Attorney Steve Campbell, City Manager Donald Anderson, Jr., Human Resource Manager Diane Feorino, and Secretary to the City Commission Janie N. Henderson.

City Manager Anderson went over the items on the agenda and further information was given if needed. He advised that he needed to add an item to the agenda and explained that it is the Trailwave Fiber Optic Proposal for Lee Street SCADA System.

City Manager Anderson said he was contacted by Wade Rhodes at 4:30 this afternoon concerning the Market Corners Drive Improvement and he dropped off some additional information. Mr. Anderson said the property owners that want the road improvements made have agreed to pay for \$100,000 toward the cost. The issue was discussed briefly, but one item that has to be addressed first is the City needs to own the road. Attorney Campbell said he will contact the current owner, John Lovell, to see if he is willing to donate the road to the City before consideration is given to make the any road improvements. The issue will not be added to the agenda at this time.

Commissioner Dodd made the motion to close the meeting and to enter into Executive Session at approximately 6:10 PM to discuss Real Estate; seconded by Commissioner Cook. Approved 4 – 0. City Manager Anderson stated that Brian Horton, Chairman of the Downtown Development Authority Board was asked to stay for a portion of the Executive Session.

Commissioner Dodd made the motion to close the Executive Session and open the meeting at approximately 6:50 PM; seconded by Commissioner Cook. Approved 4 – 0.

The meeting was adjourned at approximately 6:55 PM and the Mayor and Commissioners proceeded to the Municipal Court Room for the Regular Meeting.

Janie N. Henderson, Secretary to the
City Commission

James C. Irby, Jr., Mayor

CITY OF CORNELIA
MINUTES OF COMMISSION MEETING
JANUARY 10, 2017

The Cornelia City Commission met in Regular Session on Tuesday, January 10, 2017 at 7:00 PM in the Municipal Court Room. Mayor Irby called the meeting to order with the following members present: Commissioners Don Bagwell, Tony Cook, Wesley Dodd, Jr., and Janice Griggs. Also present: City Attorney Steve Campbell, City Manager Donald Anderson, Jr., Human Resource Manager Diane Feorino, Police Chief Chad Smith, Public Works Director Autry Gosnell, and Secretary to the City Commission Janie N. Henderson.

Commissioner Bagwell gave the invocation and Mayor Irby led the Pledge of Allegiance.

Approval of the Agenda – City Manager Anderson stated we need to remove the Executive Session because it was held during the workshop meeting and add to New Business, Trailwave Fiber Optic Proposal for the Lee Street SCADA System. He stated that Real Estate Matters were discussed at the Workshop, but no action was taken. Commissioner Bagwell made the motion to approve the agenda with the noted changes; seconded by Commissioner Cook. Approved 4 – 0.

Commissioner Bagwell made the motion to approve the December 6, 2016 Regular Commission Meeting Minutes as submitted; seconded by Commissioner Dodd. Approved 4 – 0.

Community Development Report – Community Development Manager Jessie Owensby was not present due to illness. The December Report outlining the 20 different events held during December and upcoming events was presented. A copy of her report is made an integral part of these minutes.

City Manager Annual Report – The report highlighted all the accomplishments made during 2016. Mayor Irby and the Commissioners stated it is a great report. They also thanked Mr. Anderson and all the City Staff for all their hard work.

Public Forum - No comments were heard.

Ordinance 12-16-01, Amendment to Chapter 7 of the Zoning - This amendment would change Table 7.1 in order to allow for Brew Pubs and Tasting Rooms to be located within the Central Business District (CDB); allow Breweries and Distilleries to be located in the B-1, B-2, CBD, LI and HI Zoning Districts, and to allow multi-family dwellings, as a permitted use in O-P and CDB Districts and as a Conditional Use in the B-1 District. Commissioner Cook made the motion to adopt Ordinance 12-16-01, Amending Article 7 of the Zoning Ordinance and amending Table 7.1; seconded by Commissioner Dodd. Approved 4 – 0.

Ordinance 12-16-02, Text Amendment to Article 9 of the Zoning Ordinance – The amendment would allow a business to use off-site public parking within 1,000 feet of their property in order to reduce the number of required on-site parking spaces. It also allows for a reduction in the number of parking spaces if alternate transportation is available or if they use pervious materials instead of concrete or asphalt, which also helps with the storm water issues. Commissioner Dodd made the motion to adopt Ordinance 12-16-02, Amending Article 9 of the Zoning Ordinance pertaining to Off-Street Parking and Loading Requirements including the 2,500 feet recommendation; seconded by Commissioner Griggs. Approved 4 – 0.

Ordinance 12-16-03, Text Amendment change to Alcohol Ordinance – Commissioner Bagwell made the motion to adopt Ordinance 12-16-03, Amending the Alcoholic Beverage Ordinance to allow the licensing of Brew Pubs, Microbreweries, Farm Winery Tasting Room, Wine Tastings and Hotel/Motel for Limited Purposes; seconded by Commissioner Cook. Approved 4 – 0.

Commissioner Dodd made the motion to approve the Consent Agenda, which includes: (1) Main Street Memorandum of Understanding for 2017 with the DCA to continue funding our Main Street Program. (2) Accepting the Habersham Chamber of Commerce Budget for 2017 for \$59,960, but not including the written data after the money breakdown. (3) Amendments to the Employee Handbook, which includes: Changes that effect employees who are on Military Leave concerning their pay increases.; Based on new Feral Guidelines we are increasing our annual sick leave from 48 hours to 72 hours. and Adressing Travel Expense Policy concerning computer games.; seconded by Commissioner Bagwell. Approved 4 – 0.

Watershed Protection Plan Agreement – City Manager Anderson explained the City is required to provide EPD with an Annual Watershed Protection Plan Report. In order to compile the report we are required to sample and test the streams each year. We have used Nutter & Associates for this service since 2011 and it is time to renew their contract for 2017 – 2021. The total cost of the contract is \$101,755, which will be paid over the 4-year period at \$20,351 annually. This fee will be paid out of our Storm Water Utility Revenues in the future. Commissioner Cook made the motion to approve the 4-year contract with Nutter & Associates for \$101,755; seconded by Commissioner Bagwell. Approved 4 – 0.

Ordinance 01-17-01, Amendment to Chapter 42, Vehicles for Hire, City Manager Anderson explained that in 2015 the General Assembly passed HB 225 which places the administration and regulation of taxi services under the State of Georgia. Other cities in Georgia have repealed this ordinance and now allow the State to oversee and we are recommending the same. Commissioner Dodd made the motion to post Ordinance 01-17-01, Deleting Chapter 42,

Vehicles for Hire; seconded by Commissioner Griggs. Commissioner Dodd stated this doesn't prevent us from changing in the future if we so desire. Approved 4 – 0.

CDBG Application and Administration – City Manager Anderson stated he wants to apply for a \$750,000 CDBG Grant to help with the cost of replacing the sewer and improving the storm drainage in the area of Wayside Street, Hoyt Street, and Old Cleveland Road. The cost of this project will be \$2.3 million, so if we receive the grant it cuts our cost by 1/3. He is recommending we use the Steedley Firm to prepare the application and administer the grant once awarded. In 2007 Ms. Steedley helped us obtain a \$1.8 million Grant for a Sewer Improvement Project. The cost to prepare the application will be \$12,500 and the cost to administer the grant will be \$85,000 with a portion of the fees being paid for with the grant proceeds. The application deadline is April 1st. Commissioner Dodd made the motion to approve the contract with The Steedley Firm, Inc. and authorize the mayor to sign the agreement; seconded by Commissioner Bagwell. Approved 4 – 0.

Trailwave Fiber Optic Proposal – city Manager Anderson explained that last year we began implementing a 5 year plan to have fiber optics ran to all of our sewer lift stations. Our current SCADA System is a radio frequency system, which is not very reliable as the signal can easily be disrupted. The one that we want to connect this year is the Lee Street Lift Station because it experiences very high levels during rain events. We need to be notified as soon as possible when there is a problem with the lift station in order to prevent spills. Commissioner Dodd made the motion to approve the quote from Trailwave to provide fiber optic to the Lee Street Lift Station and connect back to the Water Plant for \$19,500 and authorize Mayor Irby to sign the agreement; seconded by Commissioner Bagwell. Approved 4 – 0.

Mayor Irby stated that Executive Session was held at the Workshop Meeting and Real Estate Matters were discussed and no action was required at this time.

Commissioner Cook made the motion to adjourn the meeting at approximately 7:25 PM; seconded by Commissioner Dodd. Approved 4 – 0.

Janie N. Henderson, City Clerk/Secretary
to the City Commission

James C. Irby, Jr., Mayor

CITY OF CORNELIA, GEORGIA

AFFIDAVIT OF PRESIDING OFFICIAL(S) FOR A CLOSED PUBLIC MEETING

While in Regular Session, the motion was made to enter into an Executive Session to discuss certain matters in a closed session.

- () To discuss with council pending and/or potential litigation, settlement claims, administrative proceedings or other judicial actions, which is exempt from the Open Meetings Act pursuant to O.C.G.A. Section 50-14-2(1).
- (x) A meeting to discuss the purchase, disposal of, or lease of property; authorize the ordering of an appraisal related to the acquisition or disposal of real estate; enter into a contract to purchase, dispose of, or lease property subject to approval in a subsequent public vote; or enter into an option to purchase, dispose of, or lease real estate subject to approval in subsequent public vote, which is excluded from the Open Meetings Act pursuant to Section 50-14-3(b)(1)(C).
- () A meeting discussing the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer or employee, which is excluded pursuant to O.C.G.A. Section 50-14-3(b)(2).
- () Discussion in Executive Session of Records that are otherwise protected from disclosure under the Open Records Act as pursuant to O.C.G.A. Section 50-14-3- (b)(4).

X The subject matter of the Executive Session of the Regular Session was devoted to matters within the exceptions provided by law.

_____ Because of events occurring during the closed session, I am unable to affirm the subject matter of the Executive Session of the Regular Session was devoted to only matters within the exceptions provided by law.

James C. Irby, Jr. Mayor, City of Cornelia

Sworn to and subscribed before me this _

__ day of _____, 20__.

Notary Public