

CITY OF CORNELIA

MINUTES OF COMMISSION MEETING

MAY 2, 2017

The Cornelia City Commission held their Workshop Meeting on Tuesday, May 2, 2017 at 5:30 PM they met at the Wastewater Treatment Plant located at 514 Nicolon Drive, Cornelia, GA. Mayor Irby and the following members were present: Commissioners Don Bagwell, Tony Cook, Wesley Dodd, Jr., and Janice Griggs. Also present: City Manager Donald Anderson, Jr., Public Utilities Director Keith Ethridge, WWTP Superintendent Andy Pilgrim, Utility Billing Clerk Sonya Tanner, and Secretary to the City Commission Janie N. Henderson. Don Fraser and Rob Moore with the press were also present. The Mayor and Commission were interested in touring the plant to review the operations and because of the WWTP Improvements that were discussed in the Planning Retreat held on April 29, 2017.

The tour lasted until approximately 6:35 at which time the Mayor, Commissioners , City Manager Anderson and Secretary Henderson returned to City Hall for a quick snack before going next door to the Courtroom for the 7 PM Meeting.

Janie N. Henderson, Secretary to the
City Commission

James C. Irby, Jr., Mayor

City of Cornelia

MINUTES OF COMMISSION
MEETING

MAY 2, 2017

The Cornelia City Commission met in Regular Session on Tuesday, May 2, 2017 at 7 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., Community Development Manager Jessie Owensby, Human Resource Manager Diane Feorino, and Secretary to the City Commission Janie N. Henderson.

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

Approval of the Agenda – City Manager Anderson requested the agenda be amended to include the Berry Street Culvert Replacement and Habersham County Library Board Appointment. Commissioner Bagwell made the motion to approve the agenda and add the 2 items recommended by City Manager Anderson; seconded by Commissioner Dodd. Approved 4 - 0.

Commissioner Bagwell made the motion to approve the April 4th, 2017 Regular Commission Meeting Minutes as submitted; seconded by Commissioner Cook. Approved 4 – 0.

Community Development Report - Community Development Manager Jessie Owensby presented her report outlining things accomplished for April and highlighting upcoming events. She stated the Apple Blossom Festival on April 22 was our biggest event to date with an estimated 3,500 people attending. Also, the Building and Grounds Crew has finished the new restrooms at the Splash Pad, which is a huge improvement. A copy of her report is made an integral part of these minutes.

Public Forum – No comments were heard

Ordinance 04-17-01, Method for Special Assessments for Improvements – City Manager Anderson stated it was duly posted and no comments were received from the Public. City Attorney Campbell explained the purpose of the ordinance is to create a method for doing Special Assessments for improvements to streets, sewer lines, and water lines. Commissioner Dodd made the motion to adopt Ordinance 04-17-01, Method for Special Assessments for Improvements; seconded by Commissioner Griggs. Approved 4 – 0.

Commissioner Dodd made the motion to approve the Consent agenda, which includes: (1) City Manager's Monthly Report., (2) A Proclamation declaring the week of May 7-13, 2017 as Municipal Clerks Week. and (3) Appointing Heath Barrett to the Downtown Development Authority Board to fill the unexpired term of Neal Reems, which will expire December 2017. ; seconded by Commissioner Cook. Approved 4 – 0.

GMA Master Right of Way Agreement with Mobilitie, LLC - City Manager Anderson explained that Mobilitie is a wireless infrastructure Company who has requested a permit to install utility poles within our rights of way. Mobilitie has approached many cities throughout Georgia over the past year and repeatedly been denied their application. So on behalf of all of the cities within their Telecommunications Program GMA has negotiated the attached agreement. The highlights of the agreement include: they must locate their equipment on an existing utility pole when possible, if this is not an option the city must approve the appearance of any new poles, and Mobilitie must pay the city an annual license fee per site. Commissioner Bagwell made the motion to approve the Right of Way Agreement with Mobilitie, LLC; seconded by Commissioner Griggs. Approved 4 – 0.

Berry Street Culvert Replacement - City Manager Anderson said that Carter & Sloope received 3 bids for the emergency Berry Street Box Culvert Replacement Project. The bids we received were for 3 different methods and after evaluating those they recommend the proposal from Higgins Construction Company. Their proposal is for \$198,124.00 for a poured in place culvert. Commissioner Dodd made the motion to approve the proposal to replace the Berry Street Culvert from Higgins Construction for \$198,124.00; seconded by Commissioner Cook. City Manager Anderson advised they project about 4 weeks to complete the project depending on the weather. Approved 4 – 0.

Habersham County Library Board – The library board requested the appointment of D. Higgins for a 3-year term. He currently is serving an unexpired term of someone else and it ends in June and his new term will begin. Commissioner Cook made the motion to appoint D. Higgins to the Library Board for a 3-year term beginning July 2017; seconded by Commissioner Griggs. Approved 4 – 0.

Commissioner Dodd made the motion to close the meeting and enter into Executive Session to discuss Real Estate Matters at approximately 7:25 PM; seconded by Commissioner Cook. Approved 4 – 0.

Commissioner Dodd made the motion to close the Executive Session at approximately 7:35 PM; seconded by Commissioner Cook. Approved 4 – 0.

Mayor Irby stated that Real Estate Matters were discussed but no official action was taken.

Commissioner Dodd made the motion to adjourn the meeting at approximately 7:36 PM; seconded by Commissioner Griggs. Approved 4 – 0.

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

James C. Irby,

STATE OF GEORGIA COUNTY HABERSHAM
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