

CITY OF CORNELIA

MINUTES OF COMMISSION MEETING

JUNE 6, 2017

The Cornelia City Commission met in a Workshop Session on Tuesday, June 6, 2017 at 5:30 PM in the Conference Room at City Hall, Cornelia, GA. Mayor Irby and the following members were present: Commissioners Don Bagwell, Tony Cook, Wesley Dodd, Jr., and Janice Griggs. Also present: City Attorney Steve Campbell, City Manager Donald Anderson, Jr., Public Utilities Director Keith Ethridge, Humane Resource Manager Diane Feorino, and Secretary to the City Commission Janie N. Henderson.

City Manager Anderson explained that our primary clarifier at the Wastewater Treatment Plant experienced a mechanical failure over the weekend of June 3rd. The bracing for the drive broke and the entire unit is out of level and there is no back-up unit. Public Utilities Director Ethridge explained how the clarifier works and that it is critical to the overall process at the plant. City Engineer Marty Boyd has given us his opinion on the best solution with an approximate cost of \$200,000 for the project and this information was provided. Mr. Anderson requested this be placed on the agenda tonight because it is an emergency.

Keith advised that a progress meeting was conducted today with the contractor on the new Water Treatment Plant Project. The project is moving along with the clearing of the land and the installation of the silk fence is almost complete and the grading should start next week if weather permits. City Manager Anderson stated Georgia Power is in the process of installing the power poles now.

City Manager Anderson explained that we need to add Ordinance 06-17-01 to the agenda. He explained that the legislation was passed in 2009 and became law for us to impose an 8% Hotel/Motel Tax, but it doesn't appear that an Ordinance was actually adopted. When Janie went to enter the Annual Report this year DCA Website showed that they didn't have a copy of our adopting ordinance, so it will not allow her to go any further.

City Manager Anderson requested that the contract for Paving Irvin Street to Level Grove Road and Level Grove Road to Wayside Street be added to the agenda. He said we want to be able to start the paving as soon as the Sidewalk Project is finished.

Other items on the agenda were reviewed and further explanation was given if needed.

The Town of Tallulah Falls has submitted a Water Surface Withdrawal Application for Tallulah Falls Lake to EPD and they are requesting our support. No option was heard.

Commissioner Dodd made the motion to go into Executive Session at approximately 6:20 PM to discuss Real Estate; seconded by Commissioner Cook. Approved 4 – 0.

Commissioner Bagwell made the motion to close the Executive Session and open the meeting at approximately 6:45 PM; seconded by Commissioner Dodd. Approved 4 – 0.

The Mayor and Commission adjourned to the Municipal Room at approximately 6:55 PM.

Janie N. Henderson, Secretary to the

James C. Irby, Jr., Mayor

City Commission

City of Cornelia

MINUTES OF COMMISSION MEETING

JUNE 6, 2017

The Cornelia City Commission met in Regular Session on Tuesday, June 6, 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., Human Resource Manager Diane Feorino, and Secretary to the City Commission Janie N. Henderson.

Commissioner Bagwell gave the invocation. Mayor Irby read a statement in recognition of the 73rd Anniversary of D-Day and in Honor of that he led the Pled of Allegiance.

Approval of the Agenda – City Manager Anderson requested the agenda be amended to include the WWTP Primary Clarifier Replacement, Repaving of Irvin Street and Level Grove Road, and Ordinance 06-17-02, Hotel/Motel Tax and remove Executive Session for Real Estate. Commissioner Dodd made the motion to approve the agenda as recommended by City Manager Anderson; seconded by Commissioner Cook. Approved 4 - 0. City Manager Anderson stated that the Executive Session was held during the Workshop Meeting and no action was taken.

Commissioner Bagwell made the motion to approve the April 29th, 2017 Planning Commission Retreat Meeting Minutes as submitted; seconded by Commissioner Griggs. Approved 4 – 0.

Commissioner Cook made the motion to approve the May 2, 2017 Commission Meeting Minutes as submitted; seconded by Commissioner Dodd. Approved 4 – 0.

Community Development Report - Community Development Manager Jessie Owensby was not present, but her report was submitted. A copy of her report is made an integral part of these minutes.

Introduction of New Fire Chief – City Manager Anderson introduced Chad Dyer as our new Fire Chief. He explained that Chad has worked for the fire department for 22 years and has served many years as the Assistant Chief under Chief Smith, so he is qualified and very deserving. Mayor Irby submitted Chief Dyer with the Fire Chief Helmet and congratulated him on his appointment. Chief Dyer read a brief statement of thanks for the support and stated that he is very honored to serve in this position.

Public Forum – Judy Vinson and Gaye McCrillis, residents of Ward 1, presented a folder of photos showing some concerns that they have with town and that they feel need to be addressed. Ms. McCrillis stated that our property is our most important asset and these kinds of issues affect our property values.

Commissioner Dodd made the motion to approve the Consent agenda, which included: (1) City Manager's Monthly Report. ; seconded by Commissioner Cook. Approved 4 – 0.

Commissioner Dodd made the motion to schedule a Public Hearing for the Abandonment of Market and Branch Streets for the July 11th Meeting ; seconded by Commissioner Bagwell. Approved 4 – 0.

Proposal for Comprehensive Plan Update - Commissioner Cook made the motion to accept the Ecological Planning Group Agreement to include the Comprehensive Plan and our Zoning Ordinance updates for \$45,000; seconded by Commissioner Cook. Approved 4 – 0.

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GEFA Loan Modification Agreement – City Manager Anderson explained that when we first bid the new Water Plant and Reservoir Project and saw that the project was going to cost more than originally thought we made a request to GEFA to increase our loan. The GEFA Board met in March and approved increasing Loan# 2013L05WS by \$3 million, which brings the total amount of the loan to \$15,678,616 payable over 20 years at 1.39% interest. He stated that if we don't need the whole \$3 million then of course we don't pay back what we don't use. Commissioner Dodd made the motion to approve the GEFA Loan Modification increasing Loan# 2013L05WS to \$15,678,616; seconded by Commissioner Griggs. Approved 4 – 0.

Ordinance 06-17-01, Requiring Backflow Prevention Devices – Commissioner Bagwell made the motion to adopt Ordinance 06-17-01, Requiring Backflow Prevention Devices on all Water Services; seconded by Commissioner Cook. Approved 4 – 0.

Wastewater Treatment Plant Clarifier Repairs – City Manager Anderson stated this is an emergency repair and the clarifier went down over the weekend and unfortunately, we only have the one unit. He explained that he asked Engineer Marty Boyd to prepare a cost estimate for the repairs. We need to get the parts ordered because it will take 3 – 4 months to manufacture and ship. During that time the RFP can be prepared and advertised and the contract awarded for the labor. Commissioner Dodd made the motion to adjust the budget with an increase of up to \$200,000 for the parts and labor to repair the Clarifier at the WWTP; seconded by Commissioner Cook. Approved 4 – 0.

Irvin Street & Level Grove Road Resurfacing Project – City Manager Anderson stated that in order to reduce the cost of the sidewalk project on Level Grove Road we removed the resurfacing cost from the project when it was re-bid. We will do the resurfacing project out of SPLOST Funds designated for paving projects. He explained this is for Irvin Street between Wells and Level Grove Road and Level Grove Road to Wayside Street. Three proposals were received and the low bidder is Onsite Paving from McDonough, GA in the amount of \$74,426.10. Commissioner Dodd made the motion to approve the proposal of Onsite Paving in the amount of \$74,426.10 to resurface the portion of Irvin Street between Wells Street and Level Grove Road and Level Grove Road to Wayside Street; seconded by Commissioner Griggs. Approved 4 -0.

Ordinance 06-17-02, Hotel/Motel Tax – City Manager Anderson explained that in 2009 we adopted a Resolution authorizing an 8% Excise Tax for Hotel/Motels. The law was passed and signed by the governor with an effective date of June 4, 2010, but there is no record of the ordinance being adopted. DCA will not allow us to file our annual Hotel/Motel Tax which is due June 30th without a copy of the ordinance. Commissioner Dodd made the motion to post Ordinance 06-17-02, Authorizing an 8% Excise Tax pursuant to O.C.G.A. 48-13-51(b) and Resolution 12-09-10; seconded by Commissioner Bagwell. Approved 4-0. A Called Meeting will be held on Tuesday, June 20th, 2017 at 12 Noon to adopt the Ordinance.

Commissioner Griggs the motion to adjourn the meeting at approximately 7:30 PM; seconded by Commissioner Dodd. Approved 4 – 0.

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