

REGULAR COUNCIL MEETING
January 5, 2009

The regularly scheduled meeting of the Hartwell City Council was held Monday, January 5, 2009 at 7:00 p.m. in the council chambers of city hall with all members present. The meeting was called to order by Mayor Matt Beasley, who welcomed everyone in attendance.

Following the invocation delivered by Mayor Beasley, everyone stood for the Pledge of Allegiance to the United States Flag.

Hearing no additions or corrections to the minutes of the December 1, 2008 Public Hearing and December 1, 2008 Regular Meeting, a motion was made by Councilman David Little to approve the minutes as submitted. Motion was seconded by Councilwoman Sarah Mayfield and carried unanimously.

Councilman Mike Gordon reported that the Economic Development Committee had reviewed an application from Legg Family Investments, LLC for a loan from the City's Economic Development Revolving Loan Fund (RLF.) He stated that the applicants proposed to open a financial service as well as a small arts center at 173 East Howell Street and it was the Committee's recommendation that this loan be approved. Councilman Gordon also reported that Georgia Mountains Economic Development Corporation President Lorra Lee had reviewed the application and concurred with the Committee in recommending approval of the loan. A motion was made by Councilman Gordon, seconded by Councilman Hicks, and carried unanimously to accept the application from Legg Family Investments, LLC. Upon being asked by Mayor Beasley if the Economic Development Committee had posted a notice and contacted the media regarding their meeting, Councilman Gordon replied, "no." Mayor Beasley stated that he had asked to be notified when this meeting was to be held. He further stated that all agencies of the City are required under the Sunshine Law to post meeting notices at City Hall and notify the media. Councilman Gordon stated that the City Attorney was looking into this requirement in regard to privacy issues of RLF applicants.

City Manager David Aldrich briefly reviewed a recent study conducted by Johnson Controls regarding efficiency of existing gas and water meters and City-owned facility improvements. A motion was made by Councilman Hicks to approve a Resolution to accept a proposal from Johnson Controls for a facility improvement and meter upgrade project for total project cost of \$1,946,720.00 plus interest cost over term, with projected benefit savings of \$3,317,569.00 over a 16-year period. Motion was seconded by Councilwoman Mayfield and carried unanimously. Mayor Beasley read the project summary included in the Resolution, as follows:

The program will include upgrades in the following areas:

- City-wide water and gas meter replacement/retrofits and an upgrade to a wireless automatic meter reading system (including hardware, IT billing integration, software, and training).
- High efficiency building lighting retrofits in six (6) City buildings.
- Upgrade of roof at Waste Water Treatment Facility that is leaking.
- 3-Year services agreement for meter testing services and performance/billing review and data mining services. Option to extend/renew throughout suggested savings guarantee term.

Mayor Beasley questioned if this Resolution was an approval of the contract agreement with Johnson Controls. The City Manager replied that it did approve the contract, but the contract was contingent upon financial approval. The Mayor expressed concern over whether or not other financing had been explored other than the lease-to-own proposal, stating that this project may qualify under GEFA for a lower interest rate. The City Manager stated that while the water meter upgrade could possibly qualify under GEFA, gas meter upgrades would not. After further discussion, a motion was made by Councilwoman Mayfield to authorize the Mayor and City Clerk to sign all documents pertaining to the contract with Johnson Controls. Motion was seconded by Councilman Gordon and carried unanimously.

Following discussion, a motion was made by Councilwoman Mayfield and seconded by Councilman Evans to purchase a new brush chipper (with 300 demo hours) from Vermeer Mid Atlantic, Inc. at a cost of \$25,008.00. The City Manager stated that a check had been received from the insurance company in the amount of \$15,000 for the City's wrecked chipper. He further stated that Vermeer would accept the wrecked chipper as a trade-in, with the chipper actually costing the City approximately \$10,000, using the \$15,000 received from the insurance company. Motion carried unanimously to purchase the chipper.

Mayor and Council heard the first reading of an amendment to the recently adopted Flood Control Ordinance, correcting certain dates listed in the Ordinance as explained by the City Manager.

Due to the resignation of City Court Solicitor Christopher NeSmith, a motion was made by Councilman Hicks to appoint Attorney Rob Leverett as the Court Solicitor on a temporary basis at the same rate of pay as the previous Solicitor. Motion was seconded by Councilwoman Mayfield and carried unanimously.

The City Manager reported that the amount of asphalt needed for pavement for the CDBG Rome Neighborhood project was underestimated. He also stated that areas on Savannah Street, as well as other areas, had low places or high points in the pavement that caused water to pond. As stated in correspondence from City Engineer Charlie Armentrout, the estimated cost of removal and replacement of asphalt is \$73,000, with approximately \$50,000 remaining funds available. The City Manager stated that City forces could be used for some of the demolition, with the contractor completing the asphalt work, at a cost of approximately \$15,000 - \$20,000. A motion was made by Councilman Little to authorize the City Manager to accept the extra cost required to complete the project as far as paving and leveling is concerned. Motion was seconded by Councilwoman Mayfield. As discussion began, Councilman Hicks expressed concern that a citizens committee had not been formed to discuss these type issues as directed by Council. Councilwoman Mayfield stated that a group of citizens had taken a real interest in the whole neighborhood and would probably serve on a committee if Council wished to form a committee. The City Manager stated that he was not opposed to a committee, but 85 – 90% of the project had been completed, which can't be undone. As the Mayor called for a vote, motion was carried unanimously.

A motion was made by Councilman Hicks and seconded by Councilman Little to approve a request from the Hart County NAACP for a Martin Luther King, Jr. (MLK) parade to be held January 17th. Following further discussion, Councilman Hicks amended his motion to approve the request contingent upon proper Department of Transportation approvals. The second to the motion by Councilman Little was also amended, with unanimous approval by Council. It was noted that all such requests are to be made at least 45 days in advance of Council approval. Although notification

has been given to all organizations who request annual parades, when personnel changes occur in these organizations, the 45-day requirement is not always passed along to new personnel.

Upon recommendation of the Chief of Police and Public Works Director, a motion was made by Councilman Gordon to approve a request for transfer of traffic on Second Street by changing the street to double lanes, from Cleveland Avenue to the end of Hartwell Elementary parking lot. Motion was seconded by Councilman Hicks and carried unanimously. City personnel will be responsible for placement of signs and striping of the street.

A motion was made by Councilman Evans, seconded by Councilwoman Mayfield, and carried unanimously to approve a budget amendment in the amount of \$40,662.12 under Police Department line item #100-300-03200-52392. This was due to a prisoner medical expense payment (attempted suicide.)

A motion was made by Councilman Little, seconded by Councilman Gordon and carried unanimously to accept a budget amendment in the amount of \$4,735,000.00 under Sewer Department line item #505-430-04410-58110. This was due to payment of bond principal in full.

A motion was made by Councilman Little, seconded by Councilwoman Mayfield and carried unanimously to approve a budget amendment in the amount of \$42,592.92 under Sewer Department line item #505-430-04410-58210. This was due to bond interest payment in full.

A motion was made by Councilwoman Mayfield, seconded by Councilman Senkbeil, and carried unanimously to set the qualifying fee at 3% of the annual gross salary of each municipal office to be filled in the upcoming November general election. The qualifying fee for potential candidates seeking the office of Councilmember will be \$72.00, and \$144.00 for potential candidates seeking the office of Mayor.

In discussing the City's contribution of \$15,000 for the operation of a mega ramp facility on Lake Hartwell, the City Manager stated that he had interpreted the \$15,000 would be taken from the \$30,000 allocated to the Chamber of Commerce for tourism promotions. Councilmen Little and Gordon stated that the \$15,000 was designed as a separate line item, not to be taken from the Chamber's \$30,000. It was further stated that the \$15,000 would remain in unrestrictive reserves until further progress with the mega ramp. Mayor Beasley expressed his concern that the County had not submitted a revised Memorandum of Understanding (MOU) regarding the mega ramp as discussed during a called meeting between the City and County. It was decided at this meeting that the County Administrator would create a new MOU to reflect the number of issues and concerns the Mayor had presented, but this MOU has not yet been received. The Mayor added that he had not agreed to sign the initial MOU due to his many concerns, which was then signed by Mayor Pro Tem Sarah Mayfield.

Councilman Gordon reported that a decision was made at last month's meeting to appoint Mr. Gary Hughes as a Commissioner of the Housing Authority, but Council had not received a copy of correspondence to the Mayor from the Housing Authority stating that Commissioner Will Carter was willing to serve another term, as his current term expired on January 17, 2009. Mr. Gordon urged Councilmembers to reconsider their vote based upon the information they did not receive before making the decision to appoint Mr. Hughes. Mayor Beasley explained that he had not seen the letter from the Housing Authority until right before this meeting. Following further discussion,

a motion was made by Councilman Gordon to reconsider the vote made at the December meeting and reappoint Mr. Carter to serve a 5-year term. Motion was seconded by Councilwoman Mayfield and carried 4 to 0. Voting in favor of the motion were Councilmembers Gordon, Mayfield, Senkbeil, and Hicks. Abstaining were Councilmembers Little and Evans. As a courtesy, Mr. Hughes will be contacted to see if he is ok with the decision. It was also noted that Mr. Hughes had not officially begun his term as Housing Authority Commissioner.

There being no further business, the meeting was adjourned at approximately 8:40 p.m.

Respectfully submitted,

Jean Turner
City Clerk