

REGULAR COUNCIL MEETING  
October 5, 2009

The regularly scheduled meeting of the Hartwell City Council was held on Monday, October 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 given by Mayor Beasley, everyone present stood for the Pledge of Allegiance to the United States Flag.

Hearing no corrections or additions to the minutes of the previous meeting, a motion was made by Councilman Little to adopt the minutes as recorded. Motion was seconded by Councilwoman Mayfield and carried unanimously.

Mayor Beasley announced that the Annual Buddy Walk for Down Syndrome awareness would be held on October 10, 2009.

City Manager David Aldrich asked for authorization to advertize for bids for the sewer lift station improvement project pending approval of funding from the Georgia Environmental Facilities Authority (GEFA). A motion was made by Councilman Hicks to authorize the advertisement for the lift station project pending approval from GEFA. Motion was seconded by Councilman Gordon and carried unanimously.

City Engineer Charlie Armentrout explained the change order regarding the Rome neighborhood revitalization project. He stated that the final application for payment reflected \$59,258.54 owed the project contractor. Councilman Gordon stated that he felt it would benefit Council to take another look at the project to address additional concerns. Councilman Hicks stated that he was not happy with the project and was against closing out the project. He referred to the recent ponding of water on Savannah Street after a heavy rainfall. Councilwoman Mayfield concurred with Councilman Hicks, stating that it was a disappointment when looking at the project. Mr. Armentrout stated that Savannah Street had been tested for drainage by flooding the street, but he would be willing to again test the street for flooding, using fire hoses. Following discussion, a motion was made by Councilman Little to approve final amount owed to the contractor pending final resolution of the punch list. Motion was seconded by Councilman Gordon. As further discussion ensued, Councilman Little recommended that a committee consisting of Councilmembers Tray Hicks, Mike Gordon, and Sarah Mayfield meet with the City Manager and City Engineer regarding unresolved issues. Mayor Beasley suggested that Council as a whole be involved in looking into these issues, and not a committee. After considerable discussion and upon call for the vote, motion failed 4 to 2, with Councilmembers Hicks, Senkbeil, Evans, and Mayfield opposing, with Councilmen Little and Gordon approving. The City Manager stated that he would inform Council and the media of a date and time for revisiting the area again to look at any unresolved issues.

Upon request received from the Chamber of Commerce, a motion was made by Councilman Gordon to approve a permit for the annual Christmas Parade of Lights on Friday, December 4, 2009 at 6:30 p.m. from Bell's Shopping Center to the High School. Motion was seconded by Councilwoman Mayfield and carried unanimously.

Upon request received from Armando Amaro, a motion was made by Councilman Little to approve a permit for a Hispanic parade to walk behind trucks/trailers on Sunday, December 13, 2009 at 10:00 – 11:15 a.m. from the Hart County Library to the Sacred Heart Catholic Church. Motion was seconded by Councilman Gordon and carried unanimously.

A motion was made by Councilman Hicks, seconded by Councilwoman Mayfield, and carried unanimously to adopt Election Resolution No. 10-05-09.

The City Manager reported that he had received a request regarding the City accepting the street into the Jameson Inn located off Hwy. 29 North. In researching the ownership of the street, it was found that a mutual covenant existed between surrounding property owners regarding the egress and ingress of the street. The City Manager asked direction from Council whether or not to pursue this matter further and possibly have the City Attorney conduct a title search. He stated that someone may have to quit-claim the property up to the 40-foot right-of-way to comply with the City's minimum requirements. As Councilwoman Mayfield asked the City Manager if he had communicated to Mr. Patel, owner of the Jameson Inn, what needed to be done, Mr. Aldrich replied that he had spoken to him previously, but would communicate with him again. No action was taken.

A motion was made by Councilman Hicks to accept the Zoning Commission's recommendation to approve a request from Town & Country Realty, Inc. and Bonnie K. Fields to rezone tract #1 at Hwy. 172 & Garrison Drive from R-1B to M-1, Light Industrial District. Motion was seconded by Councilman Gordon and carried unanimously. As the Mayor asked if this was consistent with the land use plan, the City Manager replied, "overall, yes."

Mayor and Council heard the first reading of Annexation Ordinance No. 2009-07, annexing approximately 3.33 acres of property into the corporate limits of the city, located on Powell Road and owned by Mr. Billy Ethridge. Property would be zoned R-1, Single-Family Residential District.

City Attorney Rob Leverett explained that the Georgia Security & Immigration Compliance Act required all Georgia cities to participate in the federal Systematic Alien Verification for Entitlements (SAVE) program. The program requires verification of immigration status of anyone who applies for a permit or license, or anyone who receives any kind of benefits from the City, including health and disability insurance. Attorney Leverett further explained that signed affidavits would be required from all applicants, stating whether or not they are U. S. citizens. The Act requires that the City only SAVE verify each applicant who states that they are aliens lawfully present in the United States. As stated in the proposed Memorandum of Understanding (MOU) between the U. S. Department of Homeland Security, U. S. Citizenship and Immigration Services, and the City, the initial verification fee per person is \$0.26 and a minimum monthly fee of \$25.00 would be billed to the City, whose verification volume totals do not exceed \$25.00, and if no verification is completed during the month, no charge is assessed. As pointed out by Councilman Evans and upon discussion, Council could recoup this fee by passing on to the applicant. A motion was made by Councilman Hicks to enter into the MOU between the City, United States Department of Homeland Security, and U. S. Citizenship and Immigration Services, and also sign up for the SAVE program. Motion was seconded by Councilwoman Mayfield and carried unanimously.

Mayor Beasley expressed concern over the fact that law enforcement needed to be federally trained or licensed to deal with illegal aliens. The City Manager was asked to look into the issue and bring back before Council next month.

A motion was made by Councilman Hicks to accept the proposed designated school zones as presented by the City Manager to be forwarded to the Department of Transportation for approval. Motion was seconded by Councilwoman Mayfield. Councilman Little questioned why First and Second Streets were not included on the documents to be forwarded to the DOT. The City Manager stated that he could go ahead and include those streets also. Motion was amended by Councilman Hicks to include the addition of First and Second Streets, from College Avenue to Campbell Drive. The amended motion was seconded by Councilwoman Mayfield and carried 5 to 1, with Councilman Evans opposing.

Upon recommendation of the City Manager and following discussion, a motion was made by Councilman Hicks to establish the speed limit from 25 miles per hour to 35 miles per hour between Benson Street and Fairview Avenue beginning at the intersection of Fifth Street. Motion was seconded by Councilman Evans. Councilman Hicks reported that he had spoken to all but two homeowners in the area, and everyone expressed their desire to have the speed limit changed. Councilman Little stated that he saw no need to increase the speed limit in this area. As the vote was called, motion carried 5 to 1, with Councilman Little opposing.

The City Manager stated that it was important for the City to get out tax notices in order for citizens to have the opportunity to pay their bills before the end of the year. He explained that the City had not received tax digest information from the County due to the County's revaluation process being incomplete. It was the City Manager's recommendation that the City keep the millage rate the same, and go through the Taxpayer Bill of Rights and hold budget public hearings. Councilman Little stated that he would like for Council to meet in budget work sessions for group discussions. Councilwoman Mayfield replied that the work sessions should be considered a called meeting rather than a work session. Councilman Little commended City departments for staying within their budgets during the present economic downturn. The City Manager stated that he would be meeting with County officials and Board of Assessors the following week to discuss the tax digest issue.

There being no further business, the meeting adjourned at approximately 9:48 p.m.

Respectfully submitted,

Jean Turner  
City Clerk

