

**CITY OF ELBERTON**  
**REGULAR MEETING OF THE MAYOR AND COUNCIL**  
Thursday, July 13, 2023 – 5:30 p.m.

Pursuant to due call and notice thereof the meeting of the Mayor and Council convened at 5:30 p. m. on Thursday, July 13, 2023 in the Council Chamber of the Municipal Building, 203 Elbert Street with Mayor Graves presiding.

Present were: Council Members Butler, Burton, Colquitt, Prince and Parham; City Manager Dunn, City Clerk Churney and City Attorney Jenkins.

Mayor Graves called the meeting to order and led the assembly in the Pledge of Allegiance. City Attorney Jenkins led the assembly in prayer.

Council Member Parham motioned to approve the minutes of the June 5 and June 8 meetings, seconded by Council Member Burton, and the motion passed unanimously (Butler, Burton, Colquitt, Prince, Parham).

Ms. Lashea Turman spoke to Council regarding her recent experience with the Elberton Police Department during a routine road block at the intersection of Locklin/Almond Streets. She stated that she and her husband felt they had been treated unfairly. She also stated that she wanted to stop the Police Department profiling, harassing and bullying other citizens.

Council Member Butler introduced a Resolution authorizing an intergovernmental agreement for a one percent special district mass transportation sales and use tax as follows:

**RESOLUTION**

**A RESOLUTION OF THE CITY OF ELBERTON, GEORGIA APPROVING AND AUTHORIZING EXECUTION, BY THE MAYOR OF THE CITY OF ELBERTON, OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN ELBERT COUNTY, THE CITY OF ELBERTON, AND THE CITY OF BOWMAN CONCERNING A ONE PERCENT SPECIAL DISTRICT MASS TRANSPORTATION SALES AND USE TAX ENACTED PUSUANT TO O.C.G.A. 48-8-260 ET SEQ; REPEALING PRIOR RESOLUTIONS IN CONFLICT; AND FOR OTHER PURPOSES.**

**WHEREAS:** O.C.G.A. 48-8-260 *et seq.* (THE “Act”), authorizes the levy of a Special District Mass Transportation Sales and Use Tax (the “TSPLOST”) of up to one percent (1%) for the purpose of financing capital outlay projects for transportation purposes for the use and benefit of the county and qualified municipalities within the county; and

**WHEREAS:** Elbert County, Georgia, the City of Elberton, Georgia, and the City of Bowman, Georgia have negotiated a division of the Special District Mass Transportation Sales and Use Tax proceeds as authorized by the Act, and desire to utilize the proceeds of a TSPLOST for the one or more of the purposes authorized under the Act.

**NOW, THEREFORE BE IT RESOLVED AND IT IS HEREBY RESOLVED** by the City Council of the City of Elberton, Georgia as follows:

SECTION 1. The attached intergovernmental agreement addressing the disbursement of TSPLOST proceeds among Elbert County, Georgia, the City of Elberton, Georgia, and the City of Bowman, Georgia, and other related matters is hereby approved.

SECTION 2. The Mayor of the City of Elberton is authorized to execute an intergovernmental agreement on behalf of the City of Elberton and the City Clerk is authorized to affix the seal of the City thereto.

SECTION 3. All resolutions, or parts of resolutions, in conflict herewith are repeals.

This 13<sup>th</sup> day of July, 2023.

City Manager Dunn read the Resolution in its entirety. Council Member Butler motioned to adopt the Resolution, seconded by Council Member Prince and the motion passed unanimously (Burton, Butler, Parham, Colquitt, Prince).

Council Member Prince introduced a Resolution to appoint directors to the DDA board as follows:

## RESOLUTION

**WHEREAS**, there currently exists several vacancies on the Elberton Downtown Development Authority (DDA) board of directors due to the expired terms; and

**WHEREAS**, O.C.G.A. Section 36-42-6 allows the governing body of the municipal corporation to appoint directors of the DDA by resolution; and

**WHEREAS**, the Mayor and five Council Members of the City of Elberton constitute the governing body pursuant to that state law O.C.G.A. Section 36-42-3; and

**WHEREAS**, the Mayor respectfully submits to the Council the names of Mr. John Jenkins and Mr. Gerardo De Leon to be considered for reappointment as directors of the DDA; and

**WHEREAS**, the appointees meet the qualifications of being a director of the Elberton DDA in that certain state law O.C.G.A. Section 36-42-7, being that the nominees qualify as (a) persons who have an economic interest in the redevelopment and revitalization of the downtown development area.

**NOW, THEREFORE**, the Mayor and Council of the City of Elberton hereby reappoint Mr. John Jenkins and Mr. Gerardo De Leon as directors of the Elberton DDA, term to end June 30, 2027.

RESOLVED this 13<sup>th</sup> day of July, 2023.

City Manager Dunn read the Resolution in its entirety. Council Member Prince motioned to adopt the Resolution, seconded by Council Member Parham and the motion passed unanimously (Burton, Butler, Parham, Colquitt, Prince).

Council Member Butler motioned to adopt the Consent Agenda, seconded by Council Member Burton and the motion passed unanimously (Butler, Burton, Colquitt, Prince, Parham).

1. Approved the expenditures that exceed the city manager's purchasing authority.
2. Authorized the closure of a portion of the square to vehicular traffic on Tuesday, July 25 for the Christmas in July Candlelight Shopping Downtown hosted by Main Street Elberton..

City Manager Dunn presented the following reports:

1. Financial Report ending May 31, 2023.
2. The departmental report was submitted as follows:

### **CITY CLERK:**

The city clerk and office manager attended the election training held in Savannah hosted by GMA. The training covered basic information and changes in the election law since the last municipal election.

### **HUMAN RESOURCES:**

The department submitted the 2023 Government Management Indicators (GOMI) Survey as required by the Department of Community Affairs.

### **FIRE DEPARTMENT:**

The Fire Department responded to 58 Alarm Calls for the month of June, 2023. These calls consisted of 34 Medical Emergencies, 4 Vehicle Accidents, 4 Aircraft Standbys, 2 Hazmat Calls, 1 Power Line Down, 4 False Alarms, 2 Calls to assist the Police Department, 1 Public Service, 2 Brush Fires, and 1 Gas Leak. The department conducted 1 Fire Inspection and issued 1 burn permit. The Fire Department conducted 445 hours of in-house training.

### **BUILDING INSPECTIONS:**

The Building Inspection Department issued 13 permits from May 25, 2023 to June 27, 2023: 6 Electrical

Permits, 1 Plumbing Permit, 1 Reroof Permit, 2 Building Permits, 1 Land Disturbance Permit and 2 Sign Permits. During this same period there were 8 Electrical Inspections, 4 Plumbing Inspections, 1 Sign Inspections, 1 Demo Inspection, 2 Building Inspections, 3 Roofing Inspections, and 1 Driveway Inspection.

**POLICE DEPARTMENT:**

- 948 Calls for Service
- 271 Vehicle Traffic Stops
- 111 Incident Reports were filed
- 285 City Court cases made
- 22 Traffic accidents were investigated
- 93 People were arrested for various charges
- 19 Person was arrested for Driving under the Influence
- 102 Department Training Hours

The Group A crimes of the (NIBRS) National Incident Based Reporting System are sent to the FBI on a monthly basis. The Group A crimes for **May 2022** are as follows:

	<u>May</u>	<u>April</u>
Kidnapping:	1	0
Rape Offenses:	0	1
Robbery:	0	0
Assault:	24	14
Arson:	0	0
Burglary:	1	1
Larceny/Theft:	6	12
Motor Vehicle Theft:	2	1
Counterfeiting/Forgery	1	0
Fraud Offenses:	1	1
Stolen Property Offenses:	0	0
Destruction/ Damage/ Vandalism:	8	6
Drug Offenses:	20	15
Weapons Violations:	3	0
Animal Cruelty:	0	0
Sex Offenses:	0	0
Prostitution Offenses:	0	0

**WATER & SEWER:**

The crews repaired water leaks on Forest Avenue, South Rainbow Drive and Filter Plant Drive. The crews completed installing the 4-inch water main that will serve the fire line for the Bailey Building. The crews isolated and removed a 100 ft section of 6-inch water main on Country Club Lane for the county to replace a collapsed culvert pipe.

**ELECTRIC:**

The Electric Department changed out six 3-phase poles on Campbell Street. The department replaced two poles at Star Granite Interiors and Wilson Electric due to both expanding their businesses. The department replaced two broken poles due to motor vehicle accidents this month. The department had to cut a large oak tree that was uprooting on Country Club Lane and hauled off several dead pines that the right-of-way crew brought down.

**PUBLIC WORKS:**

Along with monthly routine maintenance, the Construction Crew continued work on the new apartments at 9 N. McIntosh Street. The Street Department assisted the water department with the new fire line going to the rear of the Bailey Building in the alleyway, and then re-poured the alleyway with concrete.

**MAIN STREET ELBERTON:**

The second First Friday Concert this year was held on Friday, June 2 on the downtown square. Entertainment was provided by the Second Time Around Band. This event was well attended with lots of

great feedback from the community. July's First Friday is July 7 from 7:00 to 10:00 p.m. Entertainment will be the band Big Teach. We have food trucks and craft vendors that will be on sight.

June has been spent preparing for the 25<sup>th</sup> Annual Cruise-In Classic Car Show to be held on Saturday, July 15. We have added craft vendors and food vendors to this year's event, along with a kids' corner. We are excited for these additions and the crowd that we will host this year. Fireworks will follow the event downtown.

New event cards were published for the year that will be added to event bags and also distributed to the local welcome center, to local hotels, and to the welcome center on I-85.

**ELBERT THEATRE:**

There were 38 events at the Elbert Theatre & Arts Center from May 26-June 27 including ECCHS' graduation staging; *Guardians of the Galaxy: Vol. 3* & *Rally Road Racers* movies; Encore Productions' *Murder on the Orient Express* rehearsals & performances and *Artifice* auditions & rehearsals; ETF's *Cemetery Club* Open Reading, paint class & Kids Camp.

Approximately 1,363 patrons visited the Elbert Theatre & Elberton Arts Center between May 26 and June 27.

**ELBERT HOTEL:**

The latest occupancy statistics are as follows:

	<u>FY18</u>	<u>FY19</u>	<u>FY20</u>	<u>FY21</u>	<u>FY22</u>	<u>FY 23</u>
July	29.5%	38.8%	47.2%	31.4%	39.4%	23.8%
August	33.8%	33.3%	50.2%	33.9%	40.0%	37.2%
September	45.6%	36.3%	50.1%	31.5%	40.1%	48.0%
October	42.8%	48.9%	39.5%	34.0%	46.7%	53.9%
November	34.2%	29.9%	41.0%	31.5%	49.0%	53.6%
December	32.5%	40.9%	30.3%	20.8%	36.3%	38.0%
January	27.2%	35.5%	21.9%	28.9%	23.5%	40.6%
February	29.0%	26.6%	33.1%	32.7%	39.2%	40.5%
March	37.9%	35.0%	19.2%	32.7%	41.0%	51.9%
April	32.3%	40.5%	4.7%	38.5%	46.8%	60.0%
May	43.1%	52.7%	10.5%	43.7%	49.9%	59.7%
June	36.4%	50.4%	19.8%	38.5%	41.5%	39.8%
AVERAGE	35.4%	39.1%	30.6%	33.2%	41.1%	45.6%

The Hotel finished its sixth full fiscal year of operation with record-setting occupancy and revenue. The average for the entire year was 45.6% as compared to FY22's 41.1%. This is an 11% increase in occupancy. This growth is in spite of having the property closed for most of July, 2022 due to an HVAC failure, and for having one-third of the property offline for most of June, 2023 due to HVAC replacement. Hotel room revenue increased 17.7% during FY23 over FY22.

HVAC replacement will continue through the month of August and impact the first two months of FY24. The first of the new units is scheduled to be activated the week of July 17.

City Attorney Jenkins gave a report on Dilapidated Housing.

Matters to be considered by Council.

- Council Member Burton addressed concerns to encourage saving dilapidated housing rather than demolishing them. City Attorney Jenkins stated that that was the goal of the ordinance.
- Council Member Burton expressed concerns with regard to Ms. Turman's remarks on her treatment from the Elberton Police Department during a routine road block.

Mayor Graves asked to move into executive for the purpose of meeting with legal counsel pertaining to pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the authority or any officer or employee or in which the authority or any officer of employee may be directly involved as permitted by O.C.G.A. 50-14-3,

seconded by Council Member Colquitt and the motion passed unanimously (Butler, Burton, Colquitt, Parham, Prince).

Council Member Colquitt motioned to adjourn the executive session and reconvene the regular meeting, seconded by Council Member Parham and the motion passed unanimously (Butler, Burton, Colquitt, Parham, Prince).

Mayor Graves stated that no action was taken by the Mayor and Council.

There being no further business to come before Council, upon proper motion and second the meeting was adjourned.