

CITY OF ELBERTON
REGULAR MEETING OF THE MAYOR AND COUNCIL
Monday, August 7, 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 Monday, August 7, 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 July 13 meeting, seconded by Council Member Burton, and the motion passed unanimously (Butler, Burton, Colquitt, Prince, Parham).

Mr. Tyler Taylor, Chief Executive Officer, updated Council on the activities of Elbert Memorial Hospital.

Ms. Stephanie Rucker expressed her concerns with unfair treatment she has experienced with the Elberton Police Department.

Council Member Colquitt introduced a Resolution to authorize an agreement with Caterpillar Financial Services Corporation as follows:

RESOLUTION
to Lease, Purchase, and/or Finance Equipment

WHEREAS, the laws of the State of Georgia (the "State") authorize the City of Elberton (the "Governmental Entity"), a duly organized municipal corporation of the State, to purchase, acquire and lease personal property for the benefit of the Governmental Entity and its inhabitants and to enter into any necessary contracts; and

WHEREAS, the Governmental Entity wants to lease, purchase and/or finance equipment ("Equipment") from **Caterpillar Financial Services Corporation** and/or an authorized Caterpillar dealer ("Caterpillar") by entering into that certain Governmental Equipment Lease-Purchase Agreement (the "Agreement") with Caterpillar; and

WHEREAS, the form of the Agreement has been presented to the governing body of the Governmental Entity at this meeting.

THEREFORE BE IT RESOLVED, that:

(i) the Agreement, including all schedules and exhibits attached to the Agreement, is approved in substantially the form presented at the meeting, with any Approved Changes (as defined below),

(ii) the Governmental Entity enter into the Agreement with Caterpillar, and

(iii) the Agreement is adopted as a binding obligation of the Governmental Entity; and that changes may later be made to the Agreement if the changes are approved by the Governmental Entity's counsel or members of the governing body of the Governmental Entity signing the Agreement (the "Approved Changes") and that the signing of the Agreement and any related documents is conclusive evidence of the approval of the changes; and that the persons listed below, who are the incumbent officers of the Governmental Entity (the "Authorized Persons"):

Lanier Dunn City Manager
Cindy Churney City Clerk

be, and each is, authorized, directed and empowered, on behalf of the Governmental Entity, to (i) sign and deliver to Caterpillar, and its successors and assigns, the Agreement and any related documents, and (ii) take or cause to be taken all actions he/she deems necessary or advisable to acquire the Equipment, including the signing and delivery of the Agreement and related documents; and that the Clerk of the

Governmental Entity is authorized to attest to these resolutions and affix the seal of the Governmental Entity to the Agreement, these resolutions, and any related documents; and that nothing in these resolutions, the Agreement or any other document imposes a pecuniary liability or charge upon the general credit of the Governmental Entity or against its taxing power, except to the extent that the payments payable under the Agreement are special limited obligations of the Governmental Entity as provided in the Agreement; and that a breach of these resolutions, the Agreement or any related document will not impose any pecuniary liability upon the Governmental Entity or any charge upon its general credit or against its taxing power, except to the extent that the payments payable under the Agreement are special limited obligations of the Governmental Entity as provided in the Agreement; and that the authority granted by these resolutions will apply equally and with the same effect to the successors in office of the Authorized Persons; and that the undersigned's certification of the Authorized Persons' signatures shall be binding on the Governmental Entity.

Resolved this the 7th day of August, 2023

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

Council Member Parham placed Ordinance 2220 on first reading to annex 1315 Fairway Drive into the corporate limits of Elberton as follows:

ORDINANCE 2220

AN ORDINANCE ANNEXING THE PROPERTY LOCATED AT 1315 FAIRWAY DRIVE INTO THE CORPORATE LIMITS OF ELBERTON PURSUANT TO THAT CERTAIN ACT (GEORGIA LAW. 1962, P. 119) AUTHORIZING SAME UPON WRITTEN AND SIGNED PETITION OF THE PROPERTY OWNERS; AND FOR OTHER PURPOSES.

City Manager Dunn read the Ordinance in its entirety.

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 issuance of a public assembly permit to close the fountain area to vehicular traffic on Tuesday, October 31 for the Downtown Halloween Event sponsored by Main Street Elberton..

City Manager Dunn presented the following reports:

1. Financial Report ending June 30, 2023.
2. Update on the capital projects.
3. The departmental report was submitted as follows:

CITY CLERK:

A display ad will be in the August 2nd edition of the Elberton Star announcing the qualifying dates, times and fees as required by the State Elections Office for the November 7th municipal general election. Qualifying will begin on Monday, August 21 at 8:30 a.m. and end on Wednesday, August 23 at 4:30 p.m. The qualifying fee for Council Members Ward 2 and Ward 3 is \$419.59.

The department submitted the city's Annual Budget for the fiscal year 2024 to the Tax and Expenditure Center at the Carl Vinson Institute of Government as required by TED House Bill 122.

The City of Elberton will host dignitaries from Takamatsu, Japan on October 7-8. Mayor Hideto Onishi is planning to stay overnight at the Samuel Elbert Hotel while stopping by Elberton on his way to Florida.

A group of representatives from Mure-cho, Japan will be visiting Elberton on November 3-5 to take part in the 40th Anniversary of the Sister City Program.

HUMAN RESOURCES:

The annual GMEBS retirement pension fund census reporting has been submitted on-line for 2022

earnings. This report is mandatory and due annually to the Georgia Municipal Association.

FIRE DEPARTMENT:

The Fire Department responded to 53 Alarm Calls for the month of July, 2023. These calls consisted of 32 Medical Emergencies, 1 Grass Fire, 1 Trash Fire, 4 Vehicle Accidents, 3 Aircraft Standbys, 8 False Alarms, 1 Call to assist the Police Department, and 3 Gas Leaks. The department conducted 2 Pre Plans and issued 1 burn permit. The Department conducted 422 hours of in-house training.

BUILDING INSPECTIONS:

The Building Inspection Department issued 16 permits from June 27,2023 to July 26, 2023. Permits issued: 8 Electrical Permits, 5 Plumbing Permits, 3 Reroof Permits, 2 Building Permits, 2 Land Disturbance Permits and 2 Sign Permits. During this same period there were 11 Electrical Inspections, 5 Plumbing Inspections, 3 Sign Inspections, 3 Demo Inspections, 1 Building Inspection, 7 Roof Inspections and 1 Porch/Deck Inspection.

POLICE DEPARTMENT:

Statistics for the month of June, 2023 were released as follows:

- 985 Calls for Service
- 313 Vehicle Traffic Stops
- 93 Incident Reports were filed
- 249 City Court cases made
- 15 Traffic accidents were investigated
- 68 People were arrested for various charges
- 11 Person was arrested for Driving under the Influence
- 269 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 **June 2022** are as follows:

	<u>June</u>	<u>May</u>
Kidnapping:	0	1
Rape Offenses:	2	0
Robbery:	0	0
Assault:	6	24
Arson:	0	0
Burglary:	0	1
Larceny/Theft:	6	6
Motor Vehicle Theft:	0	2
Counterfeiting/Forgery	0	1
Fraud Offenses:	5	1
Stolen Property Offenses:	0	0
Destruction/ Damage/ Vandalism:	6	8
Drug Offenses:	7	20
Weapons Violations:	0	3
Animal Cruelty:	0	0
Sex Offenses:	2	0
Prostitution Offenses:	2	0

WATER & SEWER:

The crews repaired water leaks on Elbert Street, Wildwood Drive, Limo Road and Pulliam Street. The crews installed a water tap and meter at 1379 Washington Hwy. The crews moved the water meter and service line from in the sidewalk to behind the sidewalk at 5 South Thomas Street. The crews cut and removed asphalt on Victory Road to make way for a 2-inch water main to serve 7 customers along Victory Road.

ELECTRIC:

During the month of July the Electric Department completed the Star Granite overhead to underground conversion for an addition to the building. The department completed an overhead to underground conversion at Wilson Electric for an expansion. The department installed 3 new transformers and ran a 3 phase service to a new building at Baston Granite. The department added 2 transformers and built a new service on Old Middleton Road for a new shed built by Bobby Moon. The department set 2 new poles and a transformer on Pine Needle Lane for a new house and 1 pole and transformer on the Calhoun Falls Hwy for a new house as well. The department finished out the month by working on the LED street light conversion.

GAS:

The Natural Gas Department began installation of two poultry (pullet) houses on Nickville Rd and one residential service on Nickville Rd for a pool heater.

Gas In-Home Sales and Service for FY2023

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD
New Customers Installed	0	0	0	0	2	0	0	0	0	0	0	0	2
Existing Customers Serviced	1	0	0	1	3	4	4	1	2	0	1	1	18
Total	1	0	0	1	5	4	4	1	2	0	1	0	20

Appliances installed, repaired, replaced, or serviced for FY2023

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD
Water Heaters	1	0	0	1	1	2	0	0	2	0	0	1	8
All Other Appliance	0	0	0	0	4	3	4	1	0	0	1	0	13
Total	1	0	0	1	5	5	4	1	2	0	1	0	21

PUBLIC WORKS:

Along with monthly routine maintenance, the Construction Crew continued work on the new apartments at 9 N. McIntosh Street which will be completed by mid-August. The Street Department re-poured and completed the alleyway behind the Bailey Building and Elberton Star office where the concrete had been removed by the water department for a new sprinkler line and water service line to the Bailey Building.

MAIN STREET ELBERTON:

A First Friday Concert was held on July 7 at 7:00 pm on the downtown square. Entertainment was provided by Big Teach Band.

The 25th Annual Cruise-In Classic Car Show was held on Saturday, July 15. Craft vendors and food vendors were added to this year’s event, along with a kid’s corner. Due to threat of rain in the afternoon which did culminate in 2 separate rain showers, the car show participant’s numbers were down from last year. About 100 cars registered. The amount of foot traffic that this year’s event brought to our downtown was the most that we can recall from years past. All food vendors sold out. We have received an outpour of positive feedback from the community for this year’s event which was followed by fireworks.

Main Street held its 3rd Annual Christmas in July on Tuesday, July 25th. This year’s event grew from last year with the addition of food vendors and craft vendors. This event was well attended with steady foot traffic throughout the entire evening.

ELBERT THEATRE:

There were 32 events at the Elbert Theatre & Elberton Arts Center from June 28 - July 25 including ETF’s paint classes, Kids Camp, Teen Camp & performances of *Shrek Jr* & *Annie Kids*; Encore Productions’ *Artifice* rehearsals; J Eder’s Presley & Twitty concert; *Ruby Gillman: Teenage Kraken* movie.

Approximately 1,153 patrons have visited the Elbert Theatre & Elberton Arts Center between June 28-July 25.

ELBERT HOTEL:

The latest occupancy statistics are as follows:

	<u>FY20</u>	<u>FY21</u>	<u>FY22</u>	<u>FY 23</u>	<u>FY24</u>
July	47.2%	31.4%	39.4%	23.8%	40.4%
August	50.2%	33.9%	40.0%	37.2%	
September	50.1%	31.5%	40.1%	48.0%	
October	39.5%	34.0%	46.7%	53.9%	
November	41.0%	31.5%	49.0%	53.6%	
December	30.3%	20.8%	36.3%	38.0%	
January	21.9%	28.9%	23.5%	40.6%	
February	33.1%	32.7%	39.2%	40.5%	
March	19.2%	32.7%	41.0%	51.9%	
April	4.7%	38.5%	46.8%	60.0%	
May	10.5%	43.7%	49.9%	59.7%	
June	19.8%	38.5%	41.5%	39.8%	
AVERAGE	30.6%	33.2%	41.1%	45.6%	40.4%

The HVAC replacement project continues. During July, one-third of the property was closed for this project. The occupancy rate was very high considering 33% of rooms were unavailable. The fourth floor HVAC was completed in July and is re-opened. All rooms were repainted and refreshed. The third floor is presently closed and should re-open during the week of August 14. Then, the second floor will be closed for replacement.

City Attorney Jenkins gave a report on Dilapidated Housing.

Matters to be considered by Council.

- Council Member Butler expresses concern over CSX blocking crossings for long periods of time. Recently, Seaboard Street was blocked to over 75 residents for over an hour. City Attorney Jenkins stated he would send a letter to CSX expressing the City’s concern with safety during the blockings.
- Council Member Burton expressed concerns that Ms. Rucker should receive an explanation on the treatment she stated that she had experienced from the Elberton Police Department.
- Council Member Colquitt stated that the Charter does not permit Council to get involved in matters such as this.

Mayor Graves suggested that if Council had questions on research they had obtained that they should schedule a meeting with the City Manager in order to have an in depth discussion to verify or to obtain additional information.

Mayor Graves addressed the comments regarding the Elberton Police Department had provided Council with a thorough report on Ms. Rucker’s allegations. He stated that he and Council expected fair and equal treatment of all citizens as well as non-discrimination and believes the Elberton Police Department understands those expectations. He added that Council is responsible for setting policy and was not a court of law. He stated that they are in no position to make judgements or rulings. He suggested that Ms. Rucker use the proper venue for her complaint.

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