

REGULAR MEETING OF THE ELBERTON CITY COUNCIL
Monday, May 7, 2007 - 5:30 p.m.

Pursuant to due call and notice thereof the Regular Meeting of the Mayor and Council convened at 5:30 p. m. on Monday, May 7, 2007 in Council Chambers of the Municipal Building, 203 Elbert Street with Mayor Guest presiding.

Present were: Council Members Butler, Colquitt, Hunt and Paul City Attorney Phelps, City Manager Dunn and City Clerk Churney. Absent was: Council Member Seymour.

Mayor Guest called the meeting to order and welcomed Blake Cook to the meeting. He stated that Blake was attending the Council meeting as part of his Boy Scout certification. Mayor Pro tempore Hunt led the assembly in the Pledge of Allegiance and City Attorney Phelps led the assembly in prayer.

Council Member Butler motioned to approve the minutes of April 2, 2007 and April 27, 2007 meetings as submitted, seconded by Mayor Pro tempore Hunt and the motion passed unanimously.

Reports. Controller Kim Greenway presented the Financial Report through March 31, 2007 with the following net assets:

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| General Fund | \$ 2.98 million |
| Utility Fund | \$ 20.9 million |
| Elberton Technology Services Fund | \$ 1.9 million net loss |
| Solid Waste Fund | \$ 269,297 |
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| Unrestricted Investments-General Fund and Utility Fund | \$ 1.98 million |
| | |
| Restricted Investments (SPLOST & Utility Funds) | \$ 827K |

Speakers from the floor. Mr. Steve Howe, Chairman of the Elbert County Chamber of Commerce spoke to Council to update them on the activities of the Chamber. Mr. Howe thanked the City for their longstanding commitment to the Chamber through the allocation of Hotel/Motel tax money for tourism purposes. Mayor Guest thanked the Chamber for their efforts.

Council Member Paul introduced the following Resolution for second reading:

RESOLUTION

WHEREAS: A certain Parcel of land consisting of 2.46 acres, more or less, Elbert County Tax Map E20-097 (Attachment "A"), is no longer of any value to the City of Elberton; and

WHEREAS: This parcel contains 2.46 acres, more or less, and is bounded along Heard Drive for a distance of 361 feet; in a northerly direction for a distance of 229 feet; in a easterly direction for a distance of 60+/- feet; in a northerly direction for a distance of 73 feet; in a southerly direction for a distance of 187+/- feet; in a northerly direction for a distance of 317+/- feet; proceeding in a northwesterly direction for a distance of 82+/- feet; in a westerly direction for a distance of 212 feet; in a southerly direction for a distance of 789 feet to the point of beginning; and

NOW THEREFORE BE IT RESOLVED by the Elberton City Council that the above property, described further as Elbert County Tax Map E20-097, be disposed of in accordance with prescribed city policies be declared as surplus property.

UNANIMOUSLY ADOPTED at the Regular Meeting of the Mayor and Council on April 2, 2007 and May 7, 2007.

Council Member Paul motioned to waive the reading, seconded by Council Member Butler and the vote passed unanimously. The Resolution was read in its entirety at the April meeting. Council Member Butler motioned to adopt the Resolution as submitted, seconded by Council Member Paul and the motion passed unanimously (Council Member Seymour was absent from voting).

Council Member Paul introduced the following Resolution for first reading:

RESOLUTION

- WHEREAS:** The City of Elberton owns a Peak Shaving Plant facility (the "Facility") as part of its natural gas system; and
- WHEREAS:** The Facility is no longer of any use or value to the natural gas system, and the City will incur a significant level of cost to maintain the Facility and bring it into compliance with Federal regulations; and
- WHEREAS:** A certain parcel of land consisting of 5.39 acres, more or less, Elbert County Tax Map 042I-004 (Attachment "A"), contains the Facility and is no longer of any value to the City of Elberton; and
- WHEREAS:** This parcel contains 5.39 acres, more or less, and is bounded along the Calhoun Falls Highway for a distance of 513 +/- feet; in a southerly direction for a distance of 446 +/- feet; in a southwesterly direction for a distance of 390 +/- feet; in a northerly direction for a distance of 581 feet to the point of beginning.

NOW THEREFORE BE IT RESOLVED by the Elberton City Council that the Facility and the real property, described further as Elbert County Tax Map 042I-004, and its building, equipment, and appurtenances attached thereon, and all inventory of the Facility, be declared as surplus property and disposed of in accordance with prescribed city policies.

UNANIMOUSLY ADOPTED at the Regular Meeting of the Mayor and Council on May 7, 2007 and

The Resolution was read in its entirety.

Matters to be considered by Council. City Manager Dunn presented Council with a recommendation for authorization for the ElbertonNET Expansion Plan #1 as follows:

Scope:

- Complete construction of Node 8 to Thornton Drive, Ward Drive, and White's Chapel Road and other adjoining areas to be served by the Node.
- Construct Node 24 along the Bowman Highway to include Pleasant Hill Road, Huntcliff Way, Tanglewood Drive, Indian Springs Road, and other adjoining areas able to be served by the Node.
- Construct Node 15 along the Bowman Highway to include Cromer Road, Deep Creek Road, Dickerson Road, and other adjoining areas able to be served by the Node.
- Service to 315 potential customers.

Estimated Cost:

- \$127,313 for material
- \$11,680 for in-house labor
- \$22,400 for contractor labor and \$19,200 for contractor equipment
- \$19,407 for contingency
- Total estimated cost = \$200,000

Financing:

- City of Elberton cash only; no outside loans or lines of credit.

Timeline:

- Planning and construction to begin as soon as possible.
- Bids for material to be gathered in May for June approval.
- Estimated construction time is 16 weeks.

Expenditures for immediate approval:

- Vendor: Emerald Bay Communications
Surplus material - Coaxial cable 71,000 feet Cost \$8,875.00
- Vendor: Emerald Bay Communications
Surplus material - Taps with subscriber modules, quantity 500 Cost \$25,000.00

Authorization for City Manager to execute:

- Necessary pole attachment and railroad crossing agreements

- Contract for service with Emerald Bay Communications for contractor service for fiber optic and cable construction at the rate of \$65.00 per hour for a two-person crew and no less than one bucket truck

Council Member Paul motioned to authorize Expansion Plan #1 as presented by City Manager Dunn, seconded by Council Member Butler and the motion passed unanimously. During discussion, Council Member Colquitt asked if the expansion would slow down the existing bandwidth speed. City Manager Dunn stated that the existing bandwidth could accommodate the additional 300 customers.

City Manager Dunn presented Council with an addition to the Consent Agenda (H8). Mayor Guest asked if there were any items on the Consent Agenda to be pulled for further discussion. Council Member Butler requested item H2 and Council Member Paul requested item H5 to be pulled for further discussion. Mayor Guest asked for a motion to accept the amended Consent Agenda Council Member Paul motioned to adopt the consent agenda as submitted, seconded by Council Member Butler and the motion passed unanimously.

1. Approved expenditures that exceed the City Managers purchasing authority, as follows:

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| ELECTRIC | | (BUDGETED) |
| Labor/Equipment for Electric Conversion Project #1; 4 kV to 12.5 kV (S. Oliver from Mineral Springs to Church with adjoining side streets.) | | |
| • Pike Electric, Inc. | | \$98,924.00 |
| • Dillard Smith Construction | | \$242,740.00 |
| • Over and Under Contractors | Recommended | \$64,613.00 |
| • Marable-Pirkle, Inc. | | \$92,193.00 |
| (Recommendation based on low bidder and reference check) | | |

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| ELECTRIC | | (BUDGETED) |
| Material for Conversion Project #1 | | |
| 24 Dual voltage transformers (15, 25, and 50 KVA) | | |
| • Southeastern Transformer | Recommended | \$13,630.00 |
| (Sole Source for rebuilt dual voltage) | | |

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| ELECTRIC | | (BUDGETED) |
| Material for Conversion Project #1 | | |
| 36,540 feet 1/0 ACSR primary aluminum wire; 7,000 feet misc service wire | | |
| • Power Supply | Recommended | \$13,575.74 |
| (MEAG Bid#07-006) | | |

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| ELECTRIC | | (BUDGETED) |
| Material for Conversion Project #1 | | |
| 34 Utility Poles, various heights | | |
| • Ace Pole Company | Recommended | \$5,524.76 |
| (MEAG Bid#07-007 CCA) | | |

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| ELECTRIC | | (BUDGETED) |
| Utility Poles | | |
| • Ace Pole | Recommended | \$5,597.38 |
| (MEAG Bid#07-007 CCA) | | |

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| WATER/SEWER | | (BUDGETED) |
| Tanker Load of Caustic Soda for N. Treatment Plan | | |
| • Univar | Recommended | \$3,082.50 |
| • Industrial Chemical | | \$3,514.50 |
| (Recommendation based on low bidder) | | |

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| WATER/SEWER | | (Series 2001 Bonds) |
| OFS 48-count Fiber Optic cable, 11,000 feet, for connectivity to Filter Plant for SCADA | | |
| • Wesco | Recommended | \$5,060.00 |
| • Utilicor | | \$5,720.00 |
| • TVC | | \$5,830.00 |
| (Recommendation based on low bidder) | | |

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| WATER/SEWER | | (Series 2001 Bonds) |
| Fiber Optic cable, 48-count, 12-count, and 6-count, for connectivity to Filter Plant for SCADA | | |
| • Emerald Bay Communications | Recommended | \$7,057.80 |
| (Sole Source. This is new material but from a surplus stock sale.) | | |

FIRE DEPARTMENT

(BUDGETED)

Replace tile wall and floor in shower area after shower repair

- Dickerson Tile Company \$4,850.00
- David Kellum Recommended \$2,660.38

2. Removed for discussion.
3. Accepted the Monthly Investment Report ending March 31, 2007.
4. Accepted the Trial Balance and Budget Report for the ending of March 31, 2007.
5. Removed for discussion.
6. Authorized the issuance of an alcoholic beverage license to Mr. Chris L. Phillips at 604 Elbert Street. Mr. Phillips will be leasing the building effective July 1, 2007.
7. Authorize the Mayor and/or City Manager to execute the necessary documents to participate in the Piedmont Northern Multi-Agency Narcotics Squad for FY2008.
8. Accepted the Budget Amendment for FY07.

Consent Agenda Items H2 and H5 were removed for discussion. Council Member Butler inquired about the Council training with regard to a HUD Conference/Community Reinvestment Act Forum. Mayor Pro tempore Hunt stated that the training was being held by the Georgia Department of Community Affairs (DCA) on community housing. Council requested that he update Council on the training next month. Mayor Pro tempore Hunt concurred. Council Member Paul motioned to accept H2, seconded by Mayor Pro tempore Hunt and the motion passed unanimously.

2. Approved dues, travel and training for all city departments, as follows:

Council

Bobby G. Hunt
 HUD Conference/Community
 Reinvestment Act Forum in Lithonia, GA
 May 18-19

Registration: None Lodging: \$225.00

NOTE: Council Member Hunt did not accept payment for any cost relating to this item as announced at the June 4, 2007 meeting.

City Manager

Lanier Dunn
 MGAG 2007 Annual Membership Meeting
 Callaway Gardens at Pine Mountain, GA
 May 10-11

Registration: \$155.00 Lodging: \$180.00

City Clerk

Cindy Churney
 Municipal Elections Training
 Carl Vinson Institute in Athens
 June 4-5 and July 18-19
 No Cost

Police

Joel Carter
 Firearms Instructor Course
 Forsyth, GA
 May 7th - 18th
 Registration: None Lodging: \$360.00

Joseph Evans
 Weight Training & Fitness Course
 Forsyth, GA
 May 15-17
 No Cost

Jeff Hunt, Daniel White, Joe McGuffin & Jimmy Jordan
 Interpersonal Relations/Crisis
 Intervention in Athens, GA
 June 1
 No Cost

Sam Hill, Joel Carter, Darin Rucker & Stephanie Hughes
 Judgmental Simulation/Deadly Force
 Forsyth, GA
 June 25- 27
 Registration: None Lodging: \$432.00

Utilities

David Hudson
 MGAG 2007 Annual Membership Meeting
 Callaway Gardens at Pine Mountain, GA
 May 9-11
 Registration: \$155.00 Lodging: \$350.00

Gas

Charles Truitt
 MGAG 2007 Annual Membership Meeting
 Callaway Gardens at Pine Mountain, GA
 May 9-11
 Registration: \$155.00 Lodging: \$350.00

Water Department
Wayne Smith
Georgia Rural Water Association

Jekyll Island, GA
May 19-22
Registration: \$275.00 Lodging: \$609.00

Council Member Paul inquired about the FY08 Budget Calendar. Council Member Paul recommended moving the Called Meetings to Tuesday and Wednesday rather than the proposed Wednesday and Thursday. Council Member Paul motioned to amend the FY08 Budget Calendar as recommended, seconded by Council Member Butler and the motion passed unanimously.

5. Accepted the Budget Calendar for FY08 as follows:

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|------------------------------|--|
| May 22, 2007 | Submission of Budget to Mayor and Council (Notice of hearing published in local newspaper May 23, 2007 edition) |
| June 4, 2007 | First Public Hearing at 5:30 p.m. |
| June 5, 2007 (was June 6) | Called Meeting for budget work session at 5:30 p.m. |
| June 6, 2007 (was June 7) | Called Meeting for budget work session at 5:30 p.m. |
| June 18, 2007 | Second Public Hearing and adoption of FY2008 Budget at 5:30 p.m. (Notice of hearing published in local newspaper June 6, 2007 edition) |

City Manager Dunn presented the following reports to Council:

- City Manager Dunn stated that the Budget would be distributed on May 22, 2007.
- City Manager Dunn stated that staff would begin dismantling the equipment located on the Heard Drive property. A survey of the property will also be completed.
- City Manager Dunn stated that he, Fire Chief Fortson and City Clerk Churney met with Mrs. Lee Carman of the Northeast Georgia RDC to finalize changes to the Zoning Ordinance. A final copy will be forthcoming.
- City Manager Dunn stated that he would be attending the MGAG annual meeting along with Charles Truitt and David Hudson at the end of the week.
- Monthly reports and activities of the various departments.

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

Mayor

ATTEST:

City Clerk