

**CITY OF ELBERTON**  
**REGULAR MEETING OF THE MAYOR AND COUNCIL**

Monday, May 7, 2018 – 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, May 7, 2018 in Council Chambers of the Municipal Building, 203 Elbert Street with Mayor Guest presiding.

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

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

Council Member Butler motioned to approve the minutes of the March 5 meeting, seconded by Council Member Hunt and the motion passed unanimously (Butler, Colquitt, Hunt, Parham, Prince).

There were no speakers from the floor.

Council Member Parham placed Ordinance 2198 on Second Reading as follows:

**ORDINANCE 2198**

**AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP  
OF THE CITY OF ELBERTON; AND FOR OTHER PURPOSES.**

Council Member Parham motioned to waive the reading, seconded by Council Member Prince and the motion to waive passed unanimously. City Manager Dunn read the Ordinance in its entirety at the April meeting. Council Member Parham motioned to adopt the Ordinance, seconded by Council Member Prince and the motioned passed unanimously with a vote of 5-0 (Butler, Hunt, Colquitt, Parham, and Prince).

Council Member Colquitt introduced the following Resolution for consideration:

**RESOLUTION**

**A RESOLUTION OF THE CITY OF ELBERTON APPROVING  
THE ELBERT COUNTY SERVICE DELIVERY STRATEGY  
2018 UPDATE, AND FOR OTHER PURPOSES.**

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**WHEREAS**, the City of Elberton is required by state law to periodically review the Service Delivery Strategy as part of the comprehensive planning process; and

**WHEREAS**, the Elbert County Board of Commissioners, the City of Bowman, and the City of Elberton held a joint meeting on April 12, 2018, to review, discuss, and comment on the 2018 service delivery strategy update; and

**WHEREAS**, the City of Elberton has executed agreements for implementation of the Elbert County service delivery strategy, and appropriate forms approved by the Georgia Department of Community Affairs have been completed to accurately describe the agreed upon strategy; and

**WHEREAS**, the Elbert County Service Delivery Strategy promotes the delivery of local governmental services in the most efficient, effective, and responsive manner; and

**WHEREAS**, the Elbert County Service Delivery Strategy provides that water or sewer fees charged to customers located outside the geographic boundaries of a service provider are reasonable and are not arbitrarily higher than the fees charged to customers located within the geographic boundaries of the service provider; and

**WHEREAS**, the Elbert County Service Delivery Strategy ensures that the cost of any services the county government provides (including those jointly funded by the county and one or more municipalities) primarily for the benefit of the unincorporated area of the county are borne by the unincorporated area residents, individuals, and property owners who receive such service.

**NOW, THEREFORE**, be it resolved by the City of Elberton in an open meeting duly assembled, and it is hereby resolved by the authority thereof, as follows:

**Section 1:** The 2018 update to the Elbert County Service Delivery Strategy is hereby approved and adopted.

**Section 2:** The City of Elberton hereby authorizes and directs the Mayor or other authorized officials to execute and deliver any documents necessary to carry out the purpose of this Resolution, including but not limited to the Certification form provided by the Georgia Department of Community Affairs.

**Section 3:** All resolutions or parts of resolutions in conflict herewith are hereby repealed.

City Manager Dunn read the Resolution in its entirety. Council Member Colquitt motioned to adopt the Resolution, seconded by Council Member Parham and the motioned passed unanimously with a vote of 5-0 (Butler, Hunt, Colquitt, Parham, and Prince).

Council Member Butler introduced the following Resolution for consideration:

## **RESOLUTION**

**WHEREAS**, the 1989 Georgia General Assembly enacted House Bill 215, the Georgia Planning Act, requiring all local governments to prepare a comprehensive plan in accordance with the Minimum Planning Standards and Procedures promulgated by the Northeast Georgia Regional Commission; and

**WHEREAS**, the Partial Update for Elbert County's Comprehensive Plan for the City of Elberton, Georgia was updated and submitted to the Northeast Georgia Regional Commission for review and comment in accordance with the Minimum Planning Standards and Procedures.

**NOW THEREFORE, BE IT RESOLVED**, by the City of Elberton that the Partial Plan Update for the Elbert County Comprehensive Plan, as approved by the Northeast Georgia Regional Commission is hereby adopted, and furthermore, that this Resolution shall be forwarded to the Northeast Georgia Regional Commission upon its adoption.

City Manager Dunn read the Resolution in its entirety. Council Member Butler motioned to adopt the Resolution, seconded by Council Member Prince and the motioned passed unanimously with a vote of 5-0 (Butler, Hunt, Colquitt, Parham, and Prince).

Council Member Colquitt introduced the following Resolution for consideration:

**RESOLUTION**

**A RESOLUTION OF THE CITY OF ELBERTON AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT WITH THE ELBERTON DOWNTOWN DEVELOPMENT AUTHORITY FOR THE PURPOSE OF FINANCING RENOVATIONS TO DOWNTOWN PROPERTIES, FOR THE PURPOSE OF BUYING PROPERTY FROM THE AUTHORITY, AND FOR OTHER PURPOSES.**

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**WHEREAS**, the City of Elberton heretofore has activated and created by a Resolution dated June 2, 1997, a Downtown Development Authority pursuant to O.C.G.A. Title 36, Chapter 42; and

**WHEREAS**, the Elberton Downtown Development Authority has had much success in saving and restoring historic structures in the downtown, and placing them back into economic use for the overall benefit of Elberton; and

**WHEREAS**, the Elberton Downtown Development Authority has previously purchased 17 N. Public Square to help begin to remediate a decaying and potentially dilapidated structure; and

**WHEREAS**, the Mayor and Council has determined and does hereby find that it is in its best interest to extend credit and financing to the Elberton Downtown Development Authority for redevelopment projects.

**NOW, THEREFORE**, be it resolved by the Mayor and Council of the City of Elberton in an open meeting duly assembled, and it is hereby resolved by the authority thereof, as follows:

**Section 1:** The Mayor and City Manager are authorized and directed to execute an intergovernmental agreement contract with the Elberton Downtown Development Authority for the purpose of providing financing for North Public Square renovation project.

**Section 2:** The intergovernmental agreement shall be for financing in the amount of \$40,000.00, bearing interest at 1.00%, with interest paid monthly. The principal shall be due on June 30, 2020. The agreement shall allow for five (5) automatic renewals of periods of three years each.

**Section 3:** The intergovernmental agreement shall require the Downtown Development Authority to maintain a separate bank account for the purpose of depositing rental income from this or other properties, making loan payments on any real estate indebtedness, and paying real estate expenses such as maintenance and insurance. No membership revenue, event expenses, or items unrelated to real estate should be co-mingled with the separate real estate bank account.

**Section 4:** The Mayor and Council hereby resolves to purchase from the Elberton Downtown Development Authority the following parcel of land on 17 North Public Square for the selling price of \$ 24,380.85 :

Description

A parcel of land consisting of 0.01 acre, more or less; identified as Elbert County tax map number E11-079A, owned by the Elberton Downtown Development Authority, located at 17 North Public Square, and being bounded by North Public Square, the James Street Parking Lot, property of Tri-Lakes Investments, Inc., and property of Robert Holley and

Ronald Gunvaldsen, dimensions of the land being approximately 8' (north) x 73' (east) x 8' (south) x 73' (west).

**Section 5:** All resolutions or parts of resolutions in conflict herewith are hereby repealed.

City Manager Dunn read the Resolution in its entirety. Council Member Colquitt motioned to adopt the Resolution, seconded by Council Member Parham and the motioned passed unanimously with a vote of 5-0 (Butler, Hunt, Colquitt, Parham, and Prince).

Council Member Parham introduced the following Resolution for consideration:

### **RESOLUTION**

#### **A RESOLUTION TO QUITCLAIM A PORTION OF LAND KNOWN AS AN UNOPENED STREET AT THE END OF SOUTH MCINTOSH STREET, AND FOR OTHER PURPOSES.**

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BE IT RESOLVED AND IT IS HEREBY RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF ELBERTON:

**WHEREAS:** The City of Elberton has received a request from property owner MM&M Properties, LLC, to quitclaim a portion of land known as South McIntosh Street Extension located adjacent to Elbert County Tax Map E13-069 and E042D-001, such street never having been accepted by the City; and

**WHEREAS:** The City of Elberton expressly reserves any and all existing public utility easements on the portion of land and expressly reserves the right to the existing paved and open portion off of South McIntosh Street Extension; and

**WHEREAS:** The Mayor and Council have determined that said property serves no public interest.

**NOW, THEREFORE BE IT RESOLVED AND IT IS HEREBY RESOLVED,** that to the extent the City of Elberton has any interest in and to said right-of-way known as the unopened portion off of South McIntosh Street Extension, the City of Elberton does hereby waive, abandon and relinquish such interest, if any, less and except any and all existing public utility easements and the existing paved and open section.

The Mayor, City Clerk, and/or City Manager shall be authorized to sign any legal document necessary to effectuate the provisions of this Resolution, under such terms and to such grantees as the City Attorney may determine to be appropriate

City Manager Dunn read the Resolution in its entirety. Council Member Parham motioned to adopt the Resolution, seconded by Council Member Butler and the motioned passed unanimously with a vote of 5-0 (Butler, Hunt, Colquitt, Parham, and Prince).

Council Member Butler motioned to approve the consent agenda as submitted, seconded by Council Member Prince and the motion passed unanimously (Butler, Hunt, Parham, Prince, and Colquitt).

1. Approved the expenditures that exceed the city manager's purchasing authority.
2. Authorized the Mayor and City Clerk to execute an amendment to the Power Sales Contract with

- MEAG Power removing the requirement to engage consulting engineers annually.
3. Accepted the Budget Calendar for FY2019.
  4. Authorized the Mayor and City Clerk to execute an Intergovernmental Contract with Elbert County for the continuation of sharing in the cost of Geographical Information Systems (GIS) database and software licenses for the next software license term.
  5. Authorized the Mayor and City Clerk to execute an Intergovernmental Contract with Elbert County for the housing of inmates in the County Jail and for dispatch services for the police and fire departments.

City Manager Dunn presented the following reports:

- Financial Report ending March, 2018.
- Monthly report on the activities of various departments

Matters to be presented by the City Attorney:

- City Attorney Jenkins reported that he was still working on the abandoned cemetery behind Magnolia Estates known as the Jones family cemetery.
- Dilapidated housing report.

Matters to be presented by Council:

- Council Member Butler inquired into the status of the establishment of the volunteer committee that was interested in maintaining the cemetery. City Manager Dunn stated that no action has been taken to-date.
- Council Member Butler thanked the City of Hartwell for the use of sewer equipment for city use.
- Council Member Colquitt requested additional information on the building purchase as well as future annexation requests with regard to the roads meeting state standards.

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

**CITY OF ELBERTON**  
**PUBLIC HEARING & CALLED MEETING OF THE ELBERTON MAYOR AND COUNCIL**  
Tuesday, May 29, 2018 - 5:30 p.m.

Pursuant to due call and notice thereof the Public Hearing and Called Meeting of the Mayor and Council of the City of Elberton convened at 5:30 p.m. on Tuesday, May 29, 2018, in the Municipal Building, 203 Elbert Street with Mayor Guest presiding.

Present were: Council Members Butler, Colquitt, Hunt, Prince, and Parham; and City Manager Dunn. Also present were: Kevin Eavenson and Lynn Saxon.

Mayor Guest called the Public Hearing to order. A notice of the meeting was issued in accordance with law for the purpose of discussing the FY2019 proposed budget and any other matters that may properly come before Council. Mayor Guest called the meeting to order and gave the invocation.

Mayor Guest asked if there were any comments on the proposed budget. There were no oral or written comments. Council Member Butler motioned to adjourn the public hearing, seconded by Council Member Parham and the motion passed unanimously (Hunt, Butler, Prince, Colquitt, Parham).

Mayor Guest called the Called Meeting to order to discuss the FY 2019 Budget. City Manager Dunn presented the FY 2019 Budget as provided. After the presentation, the Council discussed the budget. Then City Manager Dunn gave an update on ongoing projects and legislative issues.

There being no further business, the meeting adjourned with a motion duly made and seconded.