

CITY OF ELBERTON
REGULAR MEETING OF THE MAYOR AND COUNCIL
Monday, December 6, 2021 – 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, December 6, 2021 at the City Municipal Complex, 203 Elbert Street with Mayor Guest presiding.

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

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

Council Member Colquitt motioned to approve the minutes of the November 1, seconded by Council Member Burton and the motion passed unanimously (Butler, Colquitt, Burton, Parham, Prince).

There were no scheduled speakers from the floor.

Council Member Butler introduced a Resolution authorizing the fourth amendment to the Telecommunications Project Contract with MEAG.

RESOLUTION

A RESOLUTION AUTHORIZING THE EXECUTION, DELIVERY AND PERFORMANCE OF THE FOURTH AMENDMENT TO TELECOMMUNICATIONS PROJECT CONTRACT WITH THE MUNICIPAL ELECTRIC AUTHORITY OF GEORGIA (MEAG); AND FOR OTHER PURPOSES.

WHEREAS: The City of Elberton (the “Participant”) has entered into a Telecommunications Project Contract, dated as of May 1, 1996, with the Municipal Electric Authority of Georgia (“MEAG Power”), as amended by a First Amendment to Telecommunications Contract, dated as of February 1, 1997, and a Second Amendment to Telecommunications Contract, dated as of June 1, 1997, a Third Amendment to Telecommunications Contract, dated January 1, 2008; and

WHEREAS: In order to effect certain changes to the Telecommunications Contract, the Participant has determined to enter into a Fourth Amendment to the Telecommunications Contract with MEAG Power (the “Fourth Amendment”);

NOW, THEREFORE BE IT RESOLVED, that the Mayor is hereby authorized and directed to execute and perform, and the Clerk, is hereby authorized to attest and deliver the Fourth Amendment, in substantially the form thereof that has been attached hereto and filed in the Minute Book of the Participant; and

FUTHER RESOLVED, that the Participant hereby authorizes the City of Elberton and the Clerk, to take any further actions and execute and deliver any other documents necessary to carry out the purpose of this Resolution and the Fourth Amendment, as amended from time to time.

Adopted and made effective this 6th day of December, 2021.

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

Council Member Parham introduced a Resolution approving the Elberton.NET 2022 Expansion Plan.

RESOLUTION

A RESOLUTION OF THE CITY OF ELBERTON APPROVING THE ELBERTON.NET 2022 EXPANSION PLAN INTO PORTIONS OF UNINCORPORATED ELBERT COUNTY, AUTHORIZING THIS CONSTRUCTION OF A FIBER-TO-THE-HOME EXTENSION OF THE EXISTING TELECOMMUNICATIONS SYSTEM, AND FOR OTHER PURPOSES.

WHEREAS, the City of Elberton heretofore has operated a telecommunications system by and through its department known as ElbertonNET as authorized in its Charter under Section 17.1; and

WHEREAS, the Mayor and Council of the City of Elberton desire to extend the telecommunications system for the expected public benefit of providing broadband services including high speed Internet in areas of Elbert County that are unserved or underserved by any existing providers, numbering approximately 750 existing homes and businesses to be eligible for service; and

WHEREAS, the City has applied for State Fiscal Recovery Funds from the State of Georgia that could pay for 75% of construction costs, and the City is working with the Elbert County Board of Commissioners to pay for 25% of construction costs; and

WHEREAS, the City has also determined and does hereby find that it is in its best interest to construct an expansion of the its existing telecommunications systems in order to support the deployment of broadband infrastructure in unserved and underserved areas, to enhance broadband capacity, and to encourage sustainable adoption of broadband service in order to stimulate long-term economic growth and opportunity.

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 ElbertonNET 2022 System Expansion Plan is hereby approved, and construction of the system expansion that includes approximately 73 miles of fiber-to-the-home plant known as Nodes ELBRTN- 14 through 22 is hereby authorized.

Section 2: The ElbertonNET 2022 System Expansion Plan includes completing the construction of the nine Nodes and their associated service areas on parts of the following roads: Middleton Church Road, Middleton Shores, Pearl Mill Road, Heardmont Road, Dry Fork Landing Drive, Thirteen Forks Road, Calhoun Road, Floyd Road, Dempsey Brown Road, Pulliam Mill Road, Sam Tate Road, Maxwell Mill Rd., Clark Road, Winns Mill Road, Bowman Highway, Christian Road, Deep Creek Road, Fork Creek Road, Lloyd Rousey Road, Hall Road, Rehoboth Road Extension, Stanley Maxwell Road, Martin Road, Moon Road, Browns Bridge Road, Seymour Road, King Hall Mill Road, Kellum Road, Cornell Dairy Road, Dunn Road, Turman Road, and Sand Hill Road.

Section 3: The construction cost estimate and budget for this project in the amount of \$1,428,397 is approved and incorporated herein by reference as Attachment "A."

Section 4: The City Manager is authorized and directed to obtain pole attachment permits with Hart Electric Membership Corporation for the purpose of this construction project under the terms and conditions in the Pole Attachment License Agreements in existence with Hart EMC dated December 31, 2008. Payment for permits or make-ready work is hereby authorized under the existing contracts.

Section 5: The City Manager is authorized and directed to issue purchase orders for fiber-to-the-home equipment including optical transmitters, amplifiers, and customer premise micro-nodes in accordance with the engineering design and plan contained in the System Expansion Plan. The City Manager is authorized and directed to issue purchase orders for fiber optic cable and strand to the successful bidder from a competitive bid process for these products.

Section 6: The City Manager is authorized and directed to execute any necessary contracts with the State of Georgia or the Elbert County Board of Commissioners to receive fiscal recovery grant funds from either entity to finance the construction of this project.

Section 7: The Mayor and Council hereby authorizes and directs the City Manager or other authorized officials to commence with construction of the new Nodes and the provision of service to the new service areas with all diligence and expedience, and to take any further actions and execute and deliver any other documents necessary to carry out the purpose of this Resolution.

Section 8: All resolutions or parts of resolutions in conflict herewith are hereby repealed.

RESOLVED this the 6th day of December, 2021.

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

Council Member Butler introduced a Resolution authorizing the study development and solicitation of proposals to construct a speculative building at the Elberton Industrial Park.

A RESOLUTION OF THE GOVERNING AUTHORITY OF THE CITY OF ELBERTON, GEORGIA TO AUTHORIZE THE STUDY, DEVELOPMENT, AND SOLICITATION OF PROPOSALS TO CONSTRUCT A SPECULATIVE BUILDING AT THE ELBERTON INDUSTRIAL PARK FOR THE PURPOSES OF OFFERING IT TO A PROSPECTIVE BUSINESS; AND FOR OTHER PURPOSES.

WHEREAS: The City of Elberton, Georgia, a municipal corporation of the State of Georgia (the “City”), has been duly created and is existing under the laws of the State of Georgia, and pursuant to the Revenue Bond Law, O.C.G.A Section 36-82-60, *et seq.*, is authorized to own, operate and maintain land and facilities so as to relieve abnormal unemployment conditions; and

WHEREAS: The Development Authority of Elbert County, Elberton, and Bowman (the “Authority”) was duly created and is validly existing pursuant to O.C.G.A. Section 36-62-1, *et seq.*, as amended; and

WHEREAS: The City owns, operates, and maintains the Elberton Industrial Park and has made significant investments in utility infrastructure at the Park and along Mineral Springs Road; and

WHEREAS: It has been more than one Decade since a building was available for sale or lease in the Elberton Industrial Park, and having available sites and buildings gives a prospective new business the opportunity to immediately choose Elberton as its preferred location; and

WHEREAS: The Mayor and Council do hereby find that it is in the public interest of the citizens of Elberton to study the feasibility, cost, and marketability of a speculative building at the Elberton Industrial Park to attract private business and industry to relieve abnormal employment conditions of Elbert County now and in the future.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of Elberton, Georgia hereby resolves to request, authorize, and direct the Board of Directors of the Development Authority of Elbert County, Elberton, and Bowman to study and develop a plan to construct a speculative building, including its location, design, a target market, and a plan for funding the project as follows:

Section 1. Research Market Demand. The City requests the Authority to research the market demand for buildings needed for industrial development in a community with geographic and demographic characteristics like Elbert County.

Section 2. Select the Appropriate Site and Design. The City shall work with the Authority to determine the appropriate size and location of a new building in the Elberton Industrial Park to meet market demand. The Authority shall incorporate those designs into architectural drawings and building specifications, and submit those plans to the City prior to solicitation for construction proposals.

Section 3. Communication. The City requests the Authority to communicate the market research and design plan to other stakeholders in the community including the Elbert County Board of Commissioners to secure support for the community project.

Section 4. Financing. The City requests the Authority to explore the most advantageous financing options for a speculative building and to work with the City Manager to develop a financing plan.

Section 5. Approval for Construction. Once the design plan, solicitation for construction proposals, and a financing plan are submitted to the Mayor and Council, the Mayor and Council shall consider the adoption of the plans and moving forward with bidding, construction, and financing of the project based on the merits of the plans submitted by the Authority.

Section 6. Marketing and Sale. Upon development and construction of a speculative building, the City desires to continue to work with the Authority to market the building for sale or for long-term lease to a business or industry choosing Elberton for its location for investment.

RESOLVED at the Regular Meeting of the Mayor and Council on December 6, 2021.

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

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

1. Approved the expenditures that exceed the city manager's purchasing authority.
2. Approved the alcoholic beverage licenses for calendar year 2022.
3. Authorized the closing of various streets on Friday, January 7, 2021 for the Twilight Stroll sponsored by the Chamber of Commerce.
4. Accepted the Mayor's appointment to the Elberton Housing Authority.
5. Accepted the 2021 Municipal General Election results.
6. Accepted the minutes, decisions and recommendations of the November 29, 2021 Elberton Planning Commission Meeting.
7. Authorized the City Manager or Mayor to execute contracts with the Cities of Oxford, Mansfield, LaFayette, and Monticello for Excess Supplemental Power or Excess Reserve Capacity for the calendar year 2022, and request the City Attorney to provide an opinion to MEAG Power as to the same.
8. Authorized the City Manager to execute a written consent to the actions of Georgia Public Web, Inc., to execute an Asset Purchase Agreement, and to consent to the assignment and assumption of contracts between GPW and the City of Elberton.

City Manager Dunn presented the following reports:

- Financial Report ending October 31, 2021
- Monthly report on the activities of various departments as follows:

CITY CLERK:

The Municipal General Election was held November 2, 2021 to elect a Mayor and Council Member from Ward 1. Daniel Graves was elected Mayor with 414 votes to Don Bray's 101 votes; Incumbent Carey Butler was reelected as Council Member Ward 1 with 101 votes to Donikia Gray's 41 votes and Billy Jones' 24 votes. A total of 523 votes were cast during the election (338 advance/early voting and 185 Election Day voting).

The annual illegal immigration reporting requirements for 2021 was submitted to the Georgia Department of Audits & Accounts. This is an extensive reporting required by the State of Georgia every year.

The department submitted the Annual Comprehensive Financial Report for the fiscal year ending June 30, 2021 to the Tax and Expenditure Center at the Carl Vinson Institute of Government as required by Georgia Law.

The department submitted the Special Purpose Local Option Sales Tax (SPLOST) projects report for the year ending June 30, 2021. O.C.G.A. 48-8-122 requires this report to be published in the newspaper no later than December 31 of each year.

The department submitted alcoholic beverage license renewals for 2022 to council this month.

FIRE DEPARTMENT:

The Fire Department responded to 74 Alarm Calls for the month of November, 2021. These calls consisted of 9 Vehicle Accidents, 49 Medical Emergencies, 5 False Alarms, 3 Aircraft Standby, 1 Cooking Fire, 1 Structure Fire, 1 Hazardous Spill, 1 Power line Down, 1 Service Call, 2 Outside Fire, and 1 Gas Leak. The department conducted 5 fire inspections, 3 Pre Plans, and issued 4 burn permits. The Fire Department conducted 448 hours of in-house training but no hours of out of station training for the month.

BUILDING INSPECTOR:

The building inspection department issued 15 permits for the month of November, 2021. Permits issued:

6 Electrical permits, 3 Building permits, 3 Mechanical permits, 2 plumbing permits and 1 Sign permit. During this same period there were 4 building inspections, 9 electrical inspections, 4 plumbing inspections, 3 mechanical inspections, 1 sign inspection along with 16 site visits.

POLICE DEPARTMENT:

The Elberton Police Department released their monthly activity for the month of September 2021. The department recorded:

- 1,060: Calls for Service
- 382: Vehicle Traffic Stops
- 108: Incident Reports were filed
- 343: City Court cases made
- 16: Traffic accidents were investigated
- 62: People were arrested for various charges
- 11: Person was arrested for Driving under the Influence
- 244: 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 September 2021 are as follows:

	<u>October 2021</u>	<u>September 2021</u>
Kidnapping:	0	1
Rape Offenses:	0	1
Robbery:	1	0
Assault:	17	12
Arson	1	0
Burglary:	0	2
Larceny/Theft:	13	14
Motor vehicle theft:	1	1
Counterfeiting/Forgery:	0	1
Fraud Offenses:	1	1
Stolen Property Offenses:	0	0
Destruction/Damage/Vandalism:	8	10
Drug Offenses:	7	13
Weapons Violations:	2	0
Animal Cruelty:	2	0
Sex Offenses:	0	0
Prostitution Offenses:	0	0

WATER & SEWER:

The crews repaired water leaks on North Thomas Street, Fairway Drive and Burke Street. The crews replaced an angle valve at 1021 Campbell Street Extension. The crews raised valve boxes on the newly paved streets. The crews installed a ¾ inch water tap and meter at 1018 West Tate Street. The crews cleaned the sewer main at Country Manor lift station. The crews pressure washed and painted the Country Manor, Beaverdam and Motel lift stations. The crews repaired the sewer main on Country Manor Lane. The crews replaced the sewer lateral for 209 College Avenue which was located on Laurel Drive. The crews raised manhole covers on newly paved streets.

Construction continues at the Water Filter Plant on the new clearwell and high service pump station. The floor of the new clearwell has been completed. The crews have been installing the rebar for the walls of the clearwell and will begin pouring the concrete for the walls when the forms are in place.

ELECTRIC:

The Electric Department finished the Havenwood Apartment’s project and installed 50 new electric meters at this location. The department changed out three 3-phase poles on Petersburg Road, one on Calhoun Falls Hwy and pulled twelve poles. The department took down the old overhead line to the airport and a line on Petersburg Road to an abandoned shed. The department finished out the month by decorating the square and hanging Christmas lights down Elbert Street and College Ave.

PUBLIC WORKS:

The department performed routine maintenance and operations during the month, but leaf pickup was extensive for the fall season. The Street Department assisted Main Street Elberton with the setup for Candlelight Shop Night on the square and installed the Christmas tree.

The 2021 Paving Project using TSPLOST has been completed by Stratton & Sons Pavers.

NATURAL GAS:

The Natural Gas Department installed two High Density 2 inch mains; 2,000 ft on Craft Rd plus a service and 3,500 ft on Press Mann Rd for a new house being built. The department installed a residential service on Washington Hwy.

An outside company Surview-Lisco completed our annual Business District Leak Survey, which is part of our annual compliance reports for the Georgia Public Service Commission.

The Gas Department’s new In-Home Sales and Service began offering service to new and existing gas customers in May of 2021. Several requests for service were completed in November. Following are the statistics for FY 2022 year-to-date:

Gas In-Home Sales and Service for FY2022

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD
New Customers Installed	1	3	0	4	4								11
Existing Customers Serviced	2	1	1	0	7								11
Total	3	3	1	4	11								22

Appliances installed, repaired, replaced, or serviced for FY2022

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD
Water Heaters	1	2	1	2	5								11
All Other Appliances	5	3			5								13
Total	6	5	1	2	10								24

ELBERT THEATRE:

There were 60 events at the Elbert Theatre & Elberton Arts Center from Sept 25-Nov 21 including ETF’s *The Odd Couple: Female Version* rehearsals & performances and paint classes; COE’s *The Addams Family 2, No Time to Die & Dune* movies and the MEAG board meeting; Encore Productions’ *The Christmas Express* rehearsals & performances; J Tasi’s Gallery and A Irby’s For Real Concert.

Approximately 1,701 patrons visited the Elbert Theatre & Elberton Arts Center between Sept. 25 and Nov. 21.

MAIN STREET ELBERTON:

On Friday October 29th Main Street hosted Halloween Downtown, where the community could trick-or-treat with our downtown merchants and other businesses that participated with candy tables from 4pm-6pm. We had a children’s costume parade at 5:45pm around the center of the square and gave out prizes for the most creative children’s costume, best family costume and best pet costume. This event was well attended.

Main Street hosted the 23rd Annual Granite City Fall Festival on Saturday, November 6th. We were really excited about the turnout not only from vendors but also from the community, despite the wind and cold temperatures. Many vendors were selling out of merchandise within hours of the festival starting. Vendors are excited to be a part of the upcoming spring festival. Many downtown merchants had record breaking sales for their businesses.

Main Street held our annual tree lighting and Candle Light Shop night on the evening of Tuesday, November 23 from 5pm-8pm. This event is always well attended and this year was no different. For every \$10 that was spent you were entered to win \$500 cash or \$100 in Downtown Dollars. The drawing was held at 8 p.m. and you had to be present to win. The downtown merchants stayed open late for the event and also had record breaking sales for this year’s event.

ELBERT HOTEL:

The latest occupancy statistics are as follows:

	<u>FY18</u>	<u>FY19</u>	<u>FY20</u>	<u>FY21</u>	<u>FY22</u>
July	29.5%	38.8%	47.2%	31.4%	39.4%
August	33.8%	33.3%	50.2%	33.9%	40.0%
September	45.6%	36.3%	50.1%	31.5%	40.1%
October	42.8%	48.9%	39.5%	34.0%	46.7%
November	34.2%	29.9%	41.0%	31.5%	49.1%
December	32.5%	40.9%	30.3%	20.8%	
January	27.2%	35.5%	21.9%	28.9%	
February	29.0%	26.6%	33.1%	32.7%	
March	37.9%	35.0%	19.2%	32.7%	
April	32.3%	40.5%	4.7%	38.5%	
May	43.1%	52.7%	10.5%	43.7%	
June	36.4%	50.4%	19.8%	38.5%	
AVERAGE	35.4%	39.1%	30.6%	33.2%	43.1%

Occupancy for the late summer and fall continued to be good, even surpassing pre-pandemic levels. In fact, November occupancy was the highest recorded for a November. Many weekends in the month were completely full. Historically occupancy slows dramatically in the winter.

Matters to be presented by the City Attorney:

- Dilapidated housing report.

Matters to be presented by Council:

- Council Member Colquitt inquired if the historical emblem that was on the exterior of the Bailey building would be maintained during the rehabilitation. City Manager Dunn stated they planned to preserve it.

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