

DAHLONEGA CITY COUNCIL

REGULAR MEETING

NOVEMBER 2, 2009

CALL TO ORDER:

The Dahlonega City Council met in regular session at City Hall on November 2, 2009. Council members present were Johnny Ariemma, Michael Clemons, Gerald Lord, Sam Norton, Terry Peters and Ralph Prescott. Mayor Gary McCullough called the meeting to order at 6:00 p.m. The meeting was opened with prayer by Gary McCullough and the Pledge of Allegiance to the American Flag was led by Gerald Lord. Mayor McCullough recognized and welcomed members of the NGCSU Governmental Class.

PUBLIC HEARING:

A Public Hearing was conducted by City Attorney Doug Parks concerning a request by James Parks for Subdivision Approval for Lots 5-10 located on Moore's Drive. Mr. Parks asked for public comment and hearing no comments either for or against the project, Mr. Parks asked for comments from staff. Planning Director Chris Head advised that streets, water, and sewer systems have been installed and inspected. Letters of credit have been received for the sewer and road systems effective for fifteen months from the approval date. A letter of credit is not required for the water system as it has been online for several months. Mrs. Head advised that staff recommends approval of the request. Mr. Parks asked for comments from council. A motion was made by Ralph Prescott to approve this request. The motion was seconded by Gerald Lord and approved by all members present.

MINUTE APPROVAL:

A motion was made by Johnny Ariemma to approve the minutes of the regular council meeting held October 5, 2009. This motion was seconded by Gerald Lord and approved by all members present.

CITIZENS:

Jamie Dunlap requested an appeal of the decision of the Dahlonega Historical Preservation Commission concerning the design of handrails for the new porch addition for Pueblo's Restaurant. Mr. Dunlap spoke representing Laura and Sergio Moreira, the owners of Pueblos. Mr. Dunlap advised that the decision to deny the request was made without basis and it was a two for and three against decision of the commission. No explanation was given for denial of the request. Mayor McCullough advised that the handrails were constructed without approval of the Historical Commission. The applicants did not construct the handrails according to the plans previously approved by the commission. Terry Peters asked if there was a clear reason for denial of the application. Planning Director Chris Head advised that there was only general discussion on the design of the handrails. Sam Norton asked what was previously approved by the commission. Mrs. Head advised that a wrought iron picket fence design was approved and the handrails that were actually constructed were horizontal wooden rails. A motion was made by Gerald Lord to uphold the decision of the Dahlonega Historical Preservation Commission and to

deny the appeal. This motion was seconded by Ralph Prescott and approved by all members present. Mr. Dunlap was advised that he could resubmit another application to the commission.

DEPARTMENT REPORTS:

Mayor McCullough advised that reports have been submitted to the council concerning activities for the month of October, 2009 for the Dahlonge Planning and Code Enforcement Departments. Reports have also been submitted from the Chamber of Commerce and the Dahlonge Historical Preservation Commission. Amy Booker, Director of the Chamber of Commerce, advised that a Cost Allocation Plan will be submitted to the council at their next meeting. She also advised that estimates for repairs for the chamber building have been received and should be completed soon.

SECOND READING ORDINANCE 2009-9-SPECIAL EVENTS:

A motion was made by Johnny Ariemma to approve the second reading of Ordinance 2009-9-Special Events. This motion was seconded by Sam Norton and approved by all members present.

CITY MANAGER'S COMMENTS:

JJG Engineer Ben Williams gave a project report on the Yahoola Creek Water Treatment Plant Contract A. He advised that there are now 94 calendar days remaining. Since October 5, 2009 a fire protection system and flocculators have been installed. The small diameter piping under the slab of the exterior tank has been completed and large diameter butterfly plug valves have been installed. The majority of the HVAC system has been completed and the front building elevation windows and doors have been installed. Interior doors have been installed and large diameter process piping in the main membrane header trench was installed. The outside storage tank area slabs and walls have been completed and chemical resistant coating on the inside and outside chemical tank areas has been applied. A plant standby electric generator was installed and all outside bulk chemical tank installations have been completed. Michael Clemons asked about the maintenance requirements of the outside storage tank. He was advised that the life of the tank is twenty years plus without any maintenance requirements. Mr. Williams advised that the Contractor submitted an updated project schedule that indicated a final completion date of March 5, 2010. JJG requested the contractor to submit a recovery plan with the purpose of completing the project by the original contract final completion date of February 4, 2010. The contractor provided another revised Overall Project Schedule dated October 30, 2009 showing a completion date of March 9, 2010. The council was informed that a meeting will be held on November 5, 2009 with the contractor's project manager and company president to review different scenarios of meeting the original contract final completion date. Gerald Lord asked the reason that the contractor is projecting a late completion date. Mr. Williams advised that they indicted a delay in equipment being tested. The contractor did not disclose this information thirty days ago. Mr. Williams advised that pay request number 15 would not be released for payment until certain concerns about the overall project schedule are answered. The contractor was also reminded of liquidated damages if the project is not completed by February 4, 2010. The council was also advised of items to be accomplished by the contractor within the next thirty days. Mr. Williams advised that he would give a report to the council

each month or as needed until the project is completed. Council members were invited to tour the new water treatment plant tomorrow at 10:00 a.m.

City Manager Bill Lewis gave an update on staffing and testing requirements for the new water treatment plant. He advised that per EPD's request staff has worked with JJG to develop a plan to transition to the new water treatment plant and to keep the existing water treatment plant on standby. A draft of the plan was sent to EPD. The new water treatment plant 30 day operating test will be a full operation with water treated by the plant being circulated back through the new plant. During this test period no water from the new water treatment plant will be introduced into the distribution system. Staff will continue to operate the existing plant while meeting the EPD requirements for staffing and water quality. During the 30 day testing period the new water treatment plant will be staffed primarily with Pall Filter Manufacturer Personnel. After the new water treatment plant passes its 30 day operating test and receives an operating permit and is ready to be brought on line, we will take the old water treatment plant out of service and place it on standby mode for a period of six months. During this time the old plant will be able to be placed into service within three hours of recognizing a problem with the new plant. Mr. Lewis advised that he is comfortable with the personnel costs in the 2010 Budget to support the transition to the new plant.

The council was advised that rain has delayed the Stamp Mill Project. The project is moving along thanks to the employees of Consolidated Mines and to BB & T Bank for their support.

Mr. Lewis advised that he has met with the L.C. School Superintendent and with school staff concerning the Safe Routes to School Program. The paperwork for grant funding is being completed by school staff. Sam Norton advised that the RDC is also assisting with this program but there will be no funding available until Spring 2010.

MAYOR'S COMMENTS:

Mayor Gary McCullough congratulated Steve Gooch for his appointment to the 9th District GADOT Board. Mayor McCullough recommended that Joyce Westmoreland be reappointed to the Dahlenega Planning and Zoning Commission. A motion was made by Gerald Lord to approve this recommendation. The motion was seconded by Terry Peters and approved by all members present.

COUNCIL'S COMMENTS:

Michael Clemons recommended that the council review the Alcohol Ordinance concerning requirements for Open Area and Patio Sales. He was advised that Pueblo's Restaurant has not been inspected for compliance with alcohol sales in their new patio area. Mr. Clemons also requested that the council look at installation of a security system for the City Hall Parking Lot and upgrades for the recording system.

Ralph Prescott asked that the council look at term limits at their next work session.

Council members asked about the deadline for appointment of a Municipal Court Judge. City Attorney Doug Parks advised that he drafted a RFQ to be submitted to the council. The current Municipal Judge Jeff Wolff has resigned effective December 31, 2009.

ANNOUNCEMENTS:

Mayor McCullough announced that Rebecca Shirley has resigned effective November 30, 2009. Ms. Shirley has been appointed as Valdosta Georgia's DDA Mainstreet Director.

Mayor McCullough announced that he will be conducting a tour tomorrow of City Hall for visiting governmental officials from a city in Poland. They will also be touring Consolidated Gold Mines.

Council members agreed to change the November Work Session to Tuesday, November 18 at 4:00 p.m.

CITY ATTORNEY'S COMMENTS:

City Attorney Doug Parks recommended that the attached Indigent Defense Services Agreement be approved. A motion was made by Michael Clemons to approve this recommendation. The motion was seconded by Sam Norton and approved by all members present.

ADJOURNMENT:

A motion was made by Terry Peters to adjourn the meeting at 7:10 p.m. The motion was seconded by Sam Norton and approved by all members present.

APPROVED BY ME THIS _____ DAY OF _____, 2009.

MAYOR

ATTEST:

CITY CLERK