

**CITY OF DAHLONEGA
CITY COUNCIL
MINUTES
MAY 2, 2011**

The Dahlonega City Council met in regular session on May 2, 2011. Members present were Gerald Lord, Michael Clemons, Terry Peters, Sam Norton and Johnny Ariemma. Ralph Prescott was not present. Also present was City Manager Bill Lewis and City Attorney Doug Parks. Mayor Gary McCullough called the meeting to order at 6:03 p.m. Prayer was led by Mayor McCullough and the Pledge to the American Flag was led by Terry Peters.

AGENDA AMENDMENT:

Mayor McCullough asked for a motion to approve an amendment to the agenda to discuss funding for a storm water project in the City and this item will be added under City Manager Comments. A motion was made by Michael Clemons to approve the agenda amendment, seconded by Gerald Lord. Mayor McCullough asked for any discussion, hearing none he asked for all in favor say aye, all opposed, approved by all members present.

AGENDA APPROVAL:

Mayor McCullough asked for a motion to approve the agenda. A motion was made by Gerald Lord to approve the agenda as amended, seconded by Sam Norton. Mayor McCullough asked for any discussion, hearing none he asked for all in favor say aye, all opposed, approved by all members present.

MINUTE APPROVAL:

Mayor McCullough asked for a motion to approve the minutes of April 4, 2011. A motion was made by Michael Clemons to approve the minutes as printed, seconded by Gerald Lord. Mayor McCullough asked for any additions or corrections, hearing none he asked for all in favor say aye, all opposed, approved by all members present.

PUBLIC HEARING:

City Attorney Doug Parks informed Council the public hearing was for current amendments to the Occupational Tax Ordinance. Mr. Parks asked if anyone in the audience wanted to speak for or against this ordinance. With no comments, Mr. Parks asked Council for any questions or concerns they might have. At this time, Councilman Ariemma stated he felt the fee for 0-9 employees was too aggressive. He further stated a small business with no employees would pay the same fee as a larger business with 9 employees. Mr. Parks stated he agreed with the comments from Council and staff. He informed staff had been looking at the fee structure for some time and trying to identify an equitable format that will work, be defensible and fair to all. After further discussion, Mr. Parks concluded the public hearing. At this time, Councilman Peters made a motion to approve the second reading of this ordinance as submitted, with the change that the schedule tax table in Section 4 be revised to reflect the number of employees from 20-99 the tax amount be \$210.00 plus \$4.00 per employee over 20 and 100 or more be revised to \$530.00 plus \$2.00 per employee over 100. Motion seconded by Michael Clemons. Mayor

McCullough asked for any discussion. Councilman Ariemma stated he would like to have more data concerning the number of business that would fall in each tier of the fee schedule. After further discussion, Mr. Parks advised if Council approved the ordinance then a Work Session could be held to discuss fee schedule further before license renewal is due. At this time, Mayor McCullough asked for all in favor of the motion, raise your hand. Motion approved by all members present.

DEPARTMENT REPORTS:

Mayor McCullough stated department reports were submitted and asked for any discussion. Councilman Norton asked if the single family resident code on the building permit report were town homes. City Manager, Bill Lewis informed the plans and paperwork were submitted as single family residential and approved for that use.

Chamber President Amy Booker informed Council the visitation count had increased for January, February and March; however Bear on the Square attendees was down due to bad weather. Ms. Booker further informed the Chamber had been awarded the Camera Ready designation and the Chamber would be working with the TV and film industry to let them know of Dahlonega's assets. She also informed Council of a new annual Dahlonega road race event, the Firecracker 5k and 10K which will help fund the July 4th celebration. There will also be a Movie Under The Stars at Hancock Park starting in May. There will be no charge for the movie however, refreshments will be sold to help fund the Lumpkin Leadership for 9th and 10th graders, which will begin January, 2012.

City Manager Bill Lewis informed Council the financial statement in their packet did not reflect the tap fees that were collected and shown on the Planning Department Report.

Mayor McCullough asked for a motion to approve Amendment #7 to the Soil and Erosion Ordinance 85-4. A motion was made by Michael Clemons to accept the ordinance as amended, seconded by Gerald Lord. Mayor McCullough asked for any comments and stated the amendment was comply to state law. He asked for all in favor say aye, all opposed, motion approved by all members present.

CITY MANAGER COMMENTS:

City Manager Bill Lewis informed Council both Premiere Landcare and B&K Landscaping contracts were at renewal. He stated both companies gave the City excellent service last year and he was recommending extending each contract for another year with the same cost and terms. He also recommended the contract for Hancock Park maintenance be cancelled until staff could get it in better condition. This would be a savings of \$3,000.00. A motion was made by Gerald Lord to approve the contracts, seconded by Johnny Ariemma. Mayor McCullough asked for discussion. At this time, Councilman Clemons asked if Hancock Park will be maintained by City staff. Mr. Lewis informed Hancock Park will be maintained by the City Staff and they had already aerated and seeded the Park. After further discussion, Mayor McCullough asked for all in favor of the motion say aye, all opposed, motion approved by all members present.

City Manager Bill Lewis stated he would like to officially confirm the date Council had set for the annual Retreat. Mr. Lewis informed the retreat will be Thursday, May 26th and Friday, May 27th. It will start early a.m. on the 26th and go through 12:00 on the 27th. He further informed Council he will be sending out an agenda with a list of proposed goals and projects. Mr. Lewis requested Council to send him items they wanted to discuss and he would add them to the agenda.

City Manager Bill Lewis informed Council the Norit Lease Agreement is pertaining to the powder activated carbon system equipment. He stated testing at the water plant had been completed and proved to be compatible with the plant filters. The contract with Norit states the City must notify them thirty (30) days prior to June 20th to be able to exercise our rights in having one half (1/2) of our lease payments applied to the purchase price of the equipment. This amount is approximately \$7,700.00. The City is currently waiting on final approval from EPD to permit the City to use this equipment on a permanent basis with our system. Mr. Lewis informed Council he was requesting Council approval to notify Norit at the appropriate time in order to receive the terms of the lease/purchase agreement. A motion was made by Gerald Lord to approve the request, seconded by Johnny Ariemma. Mayor McCullough asked for any discussion. At this time, Councilman Ariemma questioned when the weather gets warmer, do we have the capability to add more carbon or will larger equipment need to be purchased. Mr. Lewis informed Council the system has the ability to increase capacity. Councilman Peters asked if the City does not get a response from EPD before a decision to purchase would be made, will Norit agree to the terms under the agreement with the condition of EPD approval. Mr. Lewis stated he would speak with Norit and see if they would agree to these terms. After further discussion, Mayor McCullough asked for all in favor of the motion to say aye, all opposed, approved by all members present.

City Manager Bill Lewis informed Council of the emergency storm water project where a failure was discovered under the sidewalk on East Main Street. He requested approval from Council to spend up to \$175,000.00 to re-route storm water from Caruso's, across Main Street, down to Meaders then turning right to Choice and tie into the existing storm water. He informed Council the pipe size will also be upgraded during construction. Mr. Lewis further informed that staff has received two cost estimates for this project and when actual bids are submitted, the cost could possibly be lower. Mr. Lewis stated this was an emergency and once the bids were submitted and a contractor chosen, he was requesting Council approval to start on the project at that time. He also reminded Council of another storm water project at Corkscrew Restaurant. He informed Council City staff will be handling construction on that project and the City did not have the personnel or equipment resources to handle both projects. A motion was made by Terry Peters to approve the request, seconded by Sam Norton. Mayor McCullough asked for any discussion. At this time Councilman Norton asked if the City has anticipated adding more inlets, gutter and catch basins. City Engineer Ricky Stewart stated he felt the inlets and basins were sufficient however pipe size needed to be increased. Mr. Norton stated he agreed but he would like for staff to be open to the idea of installing more inlets during the construction phase. After further discussion, Mayor McCullough asked all in favor say aye, all opposed, approved by all members present.

MAYORS COMMENTS:

Mayor McCullough informed Council he was requesting approval to re-appoint Jimmy Anderson to the Historic Preservation Commission whose term will expire on June 1, 2011. He stated Mr. Anderson was a well known historian in Dahlonaga and has been a valued member. A motion was made by Michael Clemons to accept re-appointment, seconded by Gerald Lord. Mayor McCullough asked for any comments, hearing none he asked for all in favor say aye, all opposed, approved by all members present.

CITY ATTORNEY:

City Attorney Doug Parks informed Council he was requesting acceptance of the deed from the Lumpkin County Water Authority for the water lines from Achasta to the golf course. Mr. Parks

stated he and City Engineer Ricky Stewart had reviewed the legal descriptions and Mr. Stewart had made some suggestions. Mr. Parks further stated, after other staff members review and changes were made, he was requesting authority to accept delivery of the deed. A motion was made by Gerald Lord to accept the deed from the Water Authority with the corrections by the City Attorney and City Engineer, seconded by Sam Norton. Mayor McCullough asked for any discussion, hearing none, he asked for all in favor say aye, all opposed, approved by all members present.

COUNCIL COMMENTS:

Councilman Clemons asked Planning Director Chris Head when someone gets a banner for their ten (10) days, if staff was following up to see if they were taken down. Ms. Head informed Council that staff was following up and there had been a couple last week that had stayed up a few days longer but, they have been removed. Councilman Clemons also questioned legality of the sign for Papa’s Pizza that is in the field area belonging to Glen Melvin. Ms. Head stated this sign met the requirements for informational signage. She explained the reason they did not put it on their own property was because only two (2) informational signs was allowed and with Yahoola Creek Grill and Papa’s signage the limit was met. Ms. Head also informed if someone wanted to put a sign off site, as long as the informational size, number and location are met per lot, text is not regulated.

ADJOURNMENT:

Mayor McCullough entertained a motion to adjourn the meeting at 6:40 p.m. A motion was made by Michael Clemons, seconded by Gerald Lord and approved by all members present.

APPROVED BY ME THIS _____ DAY OF _____, 2011.

Mayor

Attest:

City Clerk