

CITY OF CORNELIA
MINUTES OF COMMISSION MEETING
MARCH 5, 2019

The Cornelia City Commission met in a Workshop Session on Tuesday, March 5, 2019 at 5:00 PM in the Conference Room at City Hall, Cornelia, GA. Mayor J.C. Irby, Jr. called the meeting to order and the following members were present: Commissioners Don Bagwell, Tony Cook, Wesley Dodd, Jr., and Janice Griggs. Also present: City Attorney Steve Campbell, City Manager Donald Anderson, Human Resource Manager Diane Feorino, and City Clerk Janie N. Henderson.

City Manager Anderson stated that he has a couple of items to add to the agenda, the Towing Policy and an Executive Session to discuss potential litigation. He explained that our current Towing Policy has a wrecker service calendar priority list which is comprised of 3 wrecker companies and he proposing to change that to 4. We are trying to get a sewer right-of-way from Mr. Ramey and he has stated that he will give us the easement if we will add him back to the wrecker list. Mr. Anderson said this will save us and time and money from having to do the Imminent Domain.

City Manager Anderson introduced Attorney Ken Pollock who is serving as our Bond Counsel. Attorney Pollock said the first official action to be taken is to enter into an Intergovernmental Contract with the Urban Redevelopment Agency for the issue, sell, and purchase of Series 2019 Bonds in the amount not to exceed \$12 million, with an interest rate of approximately 6% and an annual payment of approximately \$750,000, for the purpose of obtaining funds to finance a portion of the costs of acquiring, constructing, and installing an Urban Redevelopment Project consisting of a new municipal complex and described in the Urban Redevelopment Plan and to finance related costs. He said the City agrees to pay the Series 2019 Bond Payments each year for 40 years and to raise taxes if necessary to make those payments. On March 25th, 2019 at 9 AM the Habersham County Superior Court will validate the Bonds and that is when the Public can express their opposition. Attorney Pollock asked if anyone had any questions. City Manager Anderson said the groundbreaking ceremony will be on March 19, 2019 at Noon at City Hall.

The Mayor and Commissioners adjourned to the Municipal Room at approximately 5 :50 PM.

Janie N. Henderson, City Clerk

J.C. Irby, Jr., Mayor

CITY OF CORNELIA
MINUTES OF COMMISSION MEETING
MARCH 5, 2019

The Cornelia City Commission met in Regular Session on Tuesday, March 5, 2019 at 6 PM in the Municipal Building, Cornelia, GA. Mayor J.C. Irby, Jr. called the meeting to order and the following members were present: Commissioners Don Bagwell, Tony Cook, Wesley Dodd, Jr., and Janice Griggs. Also present: City Attorney Steve Campbell, City Manager Donald Anderson, Jr., Downtown Development Manager Jessie Owensby, Human Resource Manager Diane Feorino, and City Clerk Janie N. Henderson.

Commissioner Bagwell gave the invocation. Mayor Irby led the Pledge of Allegiance.

Approval of the Agenda – Commissioner Dodd made the motion to approve the March 5, 2019 Agenda adding under New Business a Change to our Towing Policy and Executive Session to discuss potential Litigation; seconded by Commissioner Bagwell. Approved 4 - 0.

Commissioner Bagwell made the motion to approve the February 5, 2019 Commission Meeting Minutes as submitted; seconded by Commissioner Griggs. Approved 4 – 0.

Community Development Report – Jessie Owensby, Development Manager, came forward and presented her report for February 2019. A copy of her report is made an integral part of these minutes.

City Manager’s Monthly Report – City Manager Anderson presented his February Monthly Report. A copy of this report is made an integral part of these minutes. He announced the Groundbreaking Ceremony for the new Municipal Complex will be March 19, 2019 at Noon at City Hall.

Public Forum – No comments were heard.

Old Business – None

Consent Agenda – Commissioner Bagwell made the motion to approve the Consent Agenda, which includes a Resolution Authorizing Application for a USDA-Rural Business Development Grant to help with the cost of the Appletree Alley Streetscape Project. The estimated cost for this project is \$643,020 and the amount of this grant would be \$99,990. The project once completed will clean up the overhead utilities, resurface the parking lot, and build a sidewalk along the back of the existing buildings. , and a Resolution Authorizing the 2019 CDBG Grant Application. We have identified a need for sewer and storm water improvements in Ward 2, specifically in the Banks and Hoyt Street area. The cost for the project is estimated to be \$1.2 million and the CDBG Grant is for \$750,000.; seconded by Commissioner Dodd. Approved 4 – 0

New Fence at Basketball Courts at City Park – City Manager Anderson stated we have set funds aside in the Hotel/Motel Tax Capital Improvement Budget to replace the fence around the Basketball Court at City Park. We received 2 proposals for this project with the low bidder being Franklin Fence Company in the amount of \$17,400. We have used them in the past and have always found their work to be satisfactory. Once this is completed the courts will be resurfaced. Commissioner Dodd made the motion to approve Franklin Fence Company to install a new fence at the Basketball Courts in City Park for \$17,400; seconded by Commissioner Griggs. Approved 4 – 0.

Special Inspections for the Municipal Complex Project – City Manager Anderson said we solicited proposals for special inspections for the Municipal Complex Project. The inspections to be performed include: earthwork observation and testing, reinforcing steel inspections, concrete testing, masonry grout testing, spray applied fireproofing testing, MSE Wall testing, pavement testing, and erosion control inspections and sampling. We received 5 proposals for this work and Carter and Sloope has evaluated the proposals and recommend that we use Geo-Hydro Engineers in the amount of \$84,165. Commissioner Cook made the motion to approve the contract with Geo-Hydro Engineers in the amount of \$84,165 to perform the list of inspections as stated on the Municipal Complex Project; seconded by Commissioner Griggs. Approved 4 – 0.

Elrod Street Sidewalk Project – City Manager Anderson said we received 2 bids for the project, which will run from Sugar Creek Subdivision to Farlinger Street. The low bid was from Wilcorp, Inc. in the amount of \$217,032. Foothills Land Design is the engineers on this project and they have evaluated the bids and recommend that Wilcorp, Inc. be approved. SPLOST Funds as well as Storm Water Utility Funds will be used to pay for this project. Commissioner Bagwell made the motion to award the bid for the Elrod Street Sidewalk Project to Wilcorp, Inc. for \$217,032 to be paid for with SPLOST and Storm Water Utility Funds; seconded by Commissioner Dodd. Approved 4 – 0.

Ordinance Amending the City’s Retirement Plan – City Manager Anderson stated the amendment adopts changes that have been made to Federal Laws as well as some changes adopted by the GMEBS Board of Trustees. A summary of the changes is attached to the ordinance. Commissioner Dodd made the motion to post the Ordinance 03-19-01, Amending the City’s Retirement Plan; seconded by Commissioner Griggs. Approved 4 – 0.

Water Meter Replacement Phase 2 – City Manager Anderson stated we began the project replacing all of our water meters in 2017 and because of issues with the contractor we terminated the contract early. So we re-bid the project in order to finish the installation of the new meters. This project is funded through a GEFA Loan and we have over \$500,000 left in the original loan amount. We only received one bid from Utility Solutions of America, Inc. in the amount of \$128,457. Carter & Sloope has checked the references and recommend that we award the contract to Utility Solutions of America. Commissioner Bagwell made the motion to award the contract to Utility Solutions of America, Inc. for \$128,457 for the Water Meter Replacement Phase 2; seconded by Commissioner Cook. Approved 4 – 0.

2019 CDBG Project Engineering – City Manager Anderson explained this is the agreement with Carter & Sloope for the engineering services for our 2019 CDBG Project and the total amount of the contract is \$267,700. Initially we will pay them \$3,000 for the Preliminary Engineering Report and \$13,000 for assistance with the Grant Application. We will only be obligated for the remaining funds if we are successful with our grant application and move forward with the project. Commissioner Dodd made the motion to approve the Agreement with Carter & Sloope for the engineering services for our 2019 CDBG Project in the amount of \$267,700; seconded by Commissioner Griggs. Approved 4 – 0.

2019 CDBG Application – City Manager Anderson explained this contract is with the Steedley Firm to prepare our 2019 CDBG Grant Application for \$750,000 and to administer the grant if we are successful. The fee for the preparation of the application is \$16,000 and if we receive the grant the fee for the administration will be \$85,000. We have used the Steedley Firm for several grants in the past and the success rate has been 100%. Commissioner Dodd made the motion to approve the Steedley Firm Contract for the 2019 CDBG Grant Application and administration of the grant for \$101,000; seconded by Commissioner Bagwell. Approved 4 – 0.

Intergovernmental Contract for Bonds – City Manager Anderson explained we need to enter into an Intergovernmental Contract with the Urban Redevelopment Agency for the issue, sell, and purchase of Series 2019 Bonds in the amount of \$ million, for the purpose of obtaining funds to finance a portion of the costs of acquiring, constructing, and installing an Urban Redevelopment Project consisting of a new municipal complex and described in the Urban Redevelopment Plan and to finance the related costs. The city agrees to pay the Series 2019 Bond Payments each year for 40-years with an annual payment of approximately \$750,000, with an interest rate of around 6%, and to raise taxes if necessary to make those payments. He advised that there will be a hearing in Habersham Superior Court on March 25th, 2019 at 9 AM to validate the Bonds. Commissioner Dodd made the motion to approve the Intergovernmental Contract with the Urban Redevelopment Agency to purchase bonds for the Municipal Complex Project; seconded by Commissioner Cook. Approved 4 – 0.

Towing Policy – City Manager Anderson said our current Towing Policy allows for the maximum of 3 wrecker companies to be on the Wrecker Service Calendar Priority List and we are recommending that this be changed to 4. Commissioner Bagwell made the motion to change the Towing Policy to allow up to 4 wrecker companies that have met all the set standards of this policy be placed on the Wrecker Service Calendar Priority List; seconded by Commissioner Dodd. Approved 4 – 0.

Commissioner Dodd made the motion at approximately 6:20 PM to close the meeting and enter into Executive Session to discuss a potential Litigation; seconded by Commissioner Bagwell. City Manager Anderson stated there will be a brief recess to allow the Mayor to sign some documents. Approved 4 – 0. Noting the meeting was closed and they entered Executive Session at approximately 6:35 PM.

Commissioner Dodd made the motion at approximately 7 PM to open the meeting and close the Executive Session; seconded by Commissioner Bagwell. Approved 4 – 0.

Mayor Irby stated that a potential Litigation Matter was discussed, but no action was taken.

Commissioner Griggs made the motion to adjourn the meeting at approximately 7:05 PM: seconded by Commissioner Bagwell. Approved 4 – 0.

AFFIDAVIT OF PRESIDING OFFICIAL(S) FOR A CLOSED PUBLIC MEETING

While in Regular Session, the motion was made to enter into an Executive Session to discuss certain matters in a closed session.

- (X) To discuss with council pending and/or potential litigation, settlement claims, administrative proceedings or other judicial actions, which is exempt from the Open Meetings Act pursuant to O.C.G.A. Section 50-14-2(1).
- () A meeting to discuss the purchase, disposal of, or lease of property; authorize the ordering of an appraisal related to the acquisition or disposal of real estate; enter into a contract to purchase, dispose of, or lease property subject to approval in a subsequent public vote; or enter into an option to purchase, dispose of, or lease real estate subject to approval in subsequent public vote, which is excluded from the Open Meetings Act pursuant to Section 50-14-3(b)(1)(C).
- () A meeting discussing the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer or employee, which is excluded pursuant to O.C.G.A. Section 50-14-3(b)(2).
- () Discussion in Executive Session of Records that are otherwise protected from disclosure under the Open Records Act as pursuant to O.C.G.A. Section 50-14-3- (b)(4).

 X The subject matter of the Executive Session of the Regular Session was devoted to matters within the exceptions provided by law.

 Because of events occurring during the closed session, I am unable to affirm the subject matter of the Executive Session of the Regular Session was devoted to only matters within the exceptions provided by law.

James C. Irby, Jr., Mayor, City of Cornelia

Sworn to and subscribed before me this
 5th day of March , 20 19 .

Notary Public

