

City of Cornelia
Minutes of Commission Meeting
April 2, 2019

The Cornelia City Commission met in a Workshop Session on Tuesday, April 2, 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: Administrative Assistant Debbie Turner, City Attorney Steve Campbell, City Manager Donald Anderson, and Human Resource Manager Diane Feorino. City Clerk Janie Henderson was absent.

Mary Beth Horton, President of the Habersham County Chamber of Commerce, was present to give the 1st Quarter Hotel/Motel Tax Report. Ms. Horton also provided a copy of the 2019 Audit of the Chamber Hotel/Motel Tax Account. Ms. Horton presented the new logo for the Chamber. A copy of this report is an attachment to the Minutes.

Bucky Kimsey was present to discuss bond purchase for the New Municipal Complex. Mr. Kimsey explained that the bond yield for the \$11,325 million is 3.67 percent and that is all inclusive cost. Mr. Kimsey said that it would be a 35 year term at 4 ¼ percent which he said is a very good rate. He explained that we would purchase bond insurance and that it would be cost efficient and it would give the City a double AA rating. The Mayor will sign the contract.

John Borrow announced to the Mayor and Commission that he has decided to run for Mayor this year and would like to speak with each Commissioner in the coming months to talk about the vision for the future of Cornelia. He explained that he and his family have talked about this and believe this is the right time to run since the current Mayor has decided to not seek reelection.

City Manager Anderson said that the Agenda has been revised to add Item #4 for a special presentation by the Fire Chief and also adding Executive Session for Litigation as well as Item #11 will be taken off.

Commissioner Dodd made a motion; seconded by Don Bagwell to enter into Executive Session at 5:50 PM to discuss Litigation. Approved 4 – 0. Mayor Irby stated that no action was taken.

The Mayor and Commissioners adjourned to the Municipal Room at approximately 5:55 PM.

Janie N. Henderson, City Clerk
Minutes prepared by Debbie Turner,
Administrative Assistant

J.C. Irby, Jr. Mayor

City of Cornelia
Minutes of Commission Meeting
April 2, 2019

The Cornelia City Commission met in Regular Session on Tuesday, April 2, 2019 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: Administrative Assistant Debbie Turner, City Attorney Steve Campbell, City Manager Donald Anderson, Jr. Downtown Development Manager Jessie Owensby and Human Resource Manager Diane Feorino. City Clerk Janie Henderson was absent.

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

Approval of the Agenda – City Manager requested that Item #11 be removed from the Agenda, and add a special presentation by the Fire Chief and Executive Session for Litigation. Commissioner Dodd made the motion to approve the April 2, 2019 Agenda with the recommended modifications; seconded by Commissioner Bagwell. Approved 4 – 0

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

Commissioner Cook made the motion to approve the March 7, 2019 Called Commission Meeting Minutes as submitted; seconded by Commissioner Dodd. Approved 4 – 0

City Manager requested that we come back to the Special Presentation by the Fire Chief due to a miscommunication in what time the meeting started.

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

City Manager gave his report for the month of March 2019. A copy of his report is made an integral part of these minutes.

Public Forum – Melvin King came forward to ask again about his property at 697 Highland Ave. regarding a fiber optic cable line that was installed. He said they did a good job covering it up with dirt and grass but with the recent rain it had washed away. Mr. King said he thought if there were some water breakers put in it might help with stopping some of the rain. Mr. King also wanted to know why Higgins Construction has not fixed his grass back like it was before the project was started. Mr. Anderson said he would get the issues addressed.

New Business:

Proposal for Zoning Ordinance Review and Amendment- City Manager Anderson explained to the Mayor and Commissioners that they have met with Brandon Bowen with the law firm Jenkins, Bowen and Walker. Mr. Anderson said we have used this law firm in the past to rewrite our Sign Ordinance. He said the proposal is not to exceed \$10,000 and recommended that it be approved. Commissioner Bagwell made the motion to approve; seconded by Commissioner Cook. Approved 4 – 0

Proposal for Lighting on City Park Walking Trail – City Manager Anderson said this proposal is for GA Power to add 18 Decorative Lights. He said that this trail is very dark at night and by installing the lights we could install the cable at the same time for Security Cameras in the future. Mr. Anderson said that there are two proposals; the first is we can pay a cost of \$54,000, up front and a monthly fee of \$342.00 or we can pay nothing up front and pay \$1,049.40 a month. Mr. Anderson recommended that we pay the upfront cost of \$54,000, out of the Hotel/Motel Capital Improvement. Commissioner Dodd made the motion to approve; seconded by Commissioner Griggs. Approved 4 – 0

Ordinance 04-19-01 Amendment to Chapter 24 of the Municipal Code- City Manager Anderson said that this ordinance was adopted in 2016 and it prohibited the burning of brush and leaves. He said that since then we have had a lot of complaints about it and that he has spoken with the Fire Chief about it. The recommendation would be to allow residents to burn brush and leaves on the first weekend of every month providing the weather conditions would allow it. Residents would have to call the fire department to obtain a burn permit and would be responsible for notifying their neighbors. Mr. Anderson recommended we post the Ordinance for Public opinion. Commissioner Cook made the motion to approve posting Ordinance 04-19-01, amending Chapter 24; seconded by Commissioner Griggs. Approved – 4 – 0

Memorandum of Understanding with Tallulah Falls- City Manager Anderson said that Tallulah Falls has been meeting with GA Power for about a year regarding withdrawing water from Tallulah Lake. He said they have now approached us about partnering with them on this endeavor, but that the only way it would make financial sense would be if we could get 6 million gallons a day. Our Engineers have projected with growth that would be what we would need over the next 50 years. Mr. Anderson requested that we enter into a MOU so that we can be at the table for future discussions. Commissioner Dodd made the motion to approve the MOU with Tallulah Falls; seconded by Commissioner Cook. Approved – 4 – 0

Proposals for Waste Water Plant Filter – City Manager Anderson said we had budgeted for this project and that we received two bids for two different technologies. Our Engineers have evaluated the bids and have recommended that we go with Aqua Aerobics in the amount of \$543,930. The amount is significantly higher than the 1st proposal by Kruger in the amount of \$166,930. Mr. Anderson explained the reason for needing to go with the higher bid was that after he had spoken with Marty (Carter & Slope) he explained it had to do with our Phosphorous limit. Mr. Anderson said our limit is .5, but after being put on notice by EPD that our limit will drop as low as .18 in the next five years. The big difference is size of the microns or the filter pores. Mr. Anderson said that going with the lower proposal will not fix the problem long term and suggest that we go with Aqua Aerobics in the amount of \$543,930. Commissioner Dodd made the motion to approve the proposal from Aqua Aerobics in the amount of \$543,930; seconded by Commissioner Bagwell. Approved 4 – 0

Proposals for Walk behind Demolition Saw – City Manager Anderson explained the need for the saw; he said that the staff has requested this for several years. Mr. Anderson said the older roads have very thick concrete and it takes hours to cut through the layers of pavement and this became very apparent when we had to cut a portion of Main St. to repair a drain. Mr. Anderson said we have the money in the

budget and have received 3 bids. He recommended that we go with the bid from Pro Contractor Supply in Oakwood for \$12,818.18. Commissioner Cook made the motion to approve the purchase of the Demo Saw from Pro Contractor Supply for \$12,818.18; seconded by Commissioner Bagwell. Approved 4 – 0

Commissioner Bagwell made the motion to close the meeting and enter into Executive Session at approximately 6:35 to discuss Litigation; seconded by Commissioner Cook. Approved 4 – 0

Commissioner Dodd made the motion to close the Executive Session and open the meeting at approximately 6:55 PM; seconded by Commissioner Griggs. Approved 4 - 0

Mayor Irby stated litigation was discussed but no action was taken.

Commissioner Bagwell made the motion to adjourn the meeting at approximately 7 PM; seconded by Commissioner Cook. Approved 4 – 0.

Janie N. Henderson, City Clerk
Minutes Prepared by Debbie Turner,
Administrative Assistant

James C. Irby, Jr., Mayor

STATE OF GEORGIA COUNTY HABERSHAM
CITY OF CORNELIA, GEORGIA

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
 2nd day of April , 20 19 .

Notary Public

