

CITY OF CORNELIA
MINUTES OF COMMISSION MEETING
MAY 7, 2019

The Cornelia City Commission met in a Workshop Session on Tuesday, May 7, 2019 at 5:00 PM at the Cornelia Community House, 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.

Commissioner Dodd made the motion to close the meeting and to enter into Executive Session at approximately 5:20 PM to discuss Litigation and Real Estate; seconded by Commissioner Bagwell. Approved 4 – 0.

Commissioner Dodd made the motion to close the Executive Session and open the meeting at approximately 5:35 PM; seconded by Commissioner Griggs. Approved 4 – 0.

Mayor Irby stated that no action was taken.

City Manager Anderson stated the following items from the Executive Session Discussion will need to be added to the agenda for action: Abandonment of Alley on City Property located on Wayside Street and Accept water line located on Miller Drive. The other items on the agenda were reviewed and additional information was provided if needed.

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
MAY 7, 2019

The Cornelia City Commission met in Regular Session on Tuesday, May 7, 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., 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 – City Manager Anderson requested the agenda be amended to add Under New Business Abandon the Ally on City Property on Wayside Street and Accept the Water Line on Miller Drive; and remove Executive Session it was held during the Workshop Meeting. Commissioner Dodd made the motion to approve the May 7, 2019 Agenda with the requested changes; seconded by Commissioner Bagwell. Approved 4 - 0.

Life Saving Award Presentations – Fire Chief Billy Jenkins came forward to present the award to Dakota Tyler and Terry Tyler. He said on December 23, 2018 the Fire Department along with Police Officer Lindsey Velez responded to a vehicle fire on Chase Road. Upon arrival Officer Velez observed 2 men trying to pull the gentleman in the vehicle out and she assisted to get him to safety. Fire Chief Jenkins said it's rare that individuals will get involved to help out in this day and time. Cornelia Police Lt. Wayne Green and Sergeant Arnold presented the awards to the men, who received a standing ovation from those present.

Mayor Irby thanked them for their service to our community.

Commissioner Bagwell made the motion to approve the April 2, 2019 Commission Meeting Minutes as submitted; seconded by Commissioner Griggs. Approved 4 – 0.

Community Development Report – Jessie Owensby, Development Manager, was in another meeting and could not make this meeting. A copy of her report is made an integral part of these minutes.

City Manager's Monthly Report – City Manager Anderson presented his April Monthly Report. A copy of this report is made an integral part of these minutes.

Public Forum – Carol Lonergan, a resident of Arbor Gate, said she came to the meeting last week and after an hour and half of one person dominating the meeting she got up and left. But she wanted to know if the man that was supposed to be running the meeting was paid by the City. City Manager Anderson said he was from the Georgia Mountains Regional Development Commission and he was assisting the City, but we did not pay him.

Old Business – Ordinance 04-19-01, Amendment to Chapter 24 of the Municipal Code – City Manager Anderson explained that this ordinance would allow for residents to obtain a permit from the Fire Department to burn brush and leaves on the first weekend of each month. The person must also notify all of the surrounding neighbors of his or her intentions prior to burning. The Ordinance was posted on April 2, 2019 and we have received no comments for or against the changes. Commissioner Dodd made the motion to adopt Ordinance 04-19-01, Amendment to Chapter 24 concerning outdoor burning; seconded by Commissioner Cook. Approved 4 – 0.

Consent Agenda – Commissioner Bagwell made the motion to approve the Consent Agenda, which includes a Mt Airy Fire Protection for 2019 for 453 buildings within their city limits at \$88.43 each or \$40,058.79 annually.; Employee Handbook Changes which make sure we are in compliance with any changes to the laws.; and

Resolution adopting the Habersham County Hazzard Mitigation Plan. The Plan has to be updated and adopted by the County and its municipalities every 5 years.; seconded by Commissioner Griggs. Approved 4 – 0

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Ordinance 05-19-01, Amendment to Chapter 18 of the Municipal Code – City Manager Anderson said we have begun experiencing some issues with people panhandling/begging on public sidewalks and city streets. This ordinance will make begging, panhandling, and political solicitation illegal. City Attorney Campbell said he will draw up a change to make charitable organizations exempt and will have the suggested changes 10 days prior to the meeting. Commissioner Bagwell made the motion to post Ordinance 05-19-02, Amendment to Chapter 18, concerning panhandling/begging; seconded by Commissioner Cook. Approved 4 – 0.

Ordinance 05-19-02, Amendment to Chapter 38 of Municipal Code – City Manager Anderson stated we have received several complaints over the past few months about sanitation companies emptying their commercial dumpsters between the hours of 3:30 and 5 AM where the business abuts a residential neighborhood. The complaint is the noise that is generated when they bang the dumpster into the truck to make sure all the trash empties out. This ordinance will restrict the times that these dumpsters can be emptied. They will not be able to be emptied between the hours of 10 PM and 6 AM. Commissioner Bagwell made the motion to post Ordinance 05-19-02, Amendment to Chapter 30 of the Municipal Code, concerning certain hours that commercial dumpsters can be emptied; seconded by Commissioner Griggs. Approved 4 - 0.

Generator for Chenocetah Water Tank – City Manager Anderson explained a couple of years ago due to a storm we lost power the Chenocetah Water Tank causing us to shut down Ethicon and Fieldale for the day. This is a serious loss of revenue for these businesses. He said we received 2 quotes and the low bidder is S-D Solutions from Alto in the amount of \$23,987.61. He recommended that their proposal be accepted. Commissioner Dodd made the motion to approve the purchase of the generator for the Chenocetah Water Tank from S-D Solutions for \$23,987.61; seconded by Commissioner Cook. Approved 4 - 0.

Abandon 20 foot Alley on Wayside Street – attorney Campbell said the Alley runs through the middle of the property that is located at 836 Wayside Street and was donated to the City recently. The Alley has never been opened or used for any reason that we are aware of. Commissioner Dodd made the motion to abandoned the Alley on the property owned by the City at 836 Wayside Street and for Attorney Campbell to begin the process; seconded by Commissioner Bagwell. Approved 4 – 0.

Water Line on Miller Drive- City Manager Anderson stated that Max Miller has requested that the City take over the six inch line on Miller Drive. Commissioner Dodd made the motion to accept the six inch water line that is located on Miller Drive; seconded by Commissioner Griggs. Approved 4 -0.

Commissioner Dodd made the motion to adjourn the meeting at approximately 6:20 PM; seconded by Commissioner Bagwell. Approved 4 – 0.

Janie N. Henderson, Secretary to the City
Commission/City Clerk

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).
- (X) 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
 7th day of May , 20 19 .

Notary Public

