

CITY OF CORNELIA  
MINUTES OF MEETING  
September 7, 2021

The Cornelia City Commission met in a Workshop Session on Tuesday, September 7, 2021, at 5 PM in the Cornelia Municipal Building Conference Room, 181 Larkin Street, Cornelia, GA. Mayor, John Borrow, called the meeting to order and the following Commissioners were present: Don Bagwell, Tony Cook and Janice Griggs. Also, present: City Attorney, Steve Campbell, City Manager, Donald Anderson, Human Resource Director, Diane Feorino, Jessie Owensby, Community Development Manager, Jeremy Dundore, IT Director and City Clerk, Debbie Turner.

The mayor announced the funeral arrangements for Ward 1 Commissioner, Wesley Dodd Jr.

City Manager Anderson asked that the agenda be amended to add the Resolution to apply for EDA Build Back Better Funds. He explained that Carter & Sloope has identified a potential funding source that will help the cost of the Wastewater Plant expansion. This is a federal funded program managed by EDA. To have our application in by the deadline of October 15<sup>th</sup> it will require a resolution be adopted.

City Manager Anderson introduced the items on the agenda Ordinance #06-21-02 & # 08-21-02 were discussed at length. He said both were posted and we have not received any comments, but there has been a lot of attention about it on social media. City Manager Anderson said that we might want to consider putting a time limit from 10AM until 10PM. On the amplified noise ordinance. Ms. Trimiari ask if there would be signs posted? City Manager Anderson said yes there would be signs posted around the City limits.

Consent Agenda- City Manager Anderson explained that we need to do budget decrease, we have \$500,000 in the General Fund that was going to be used for the Level Grove project. The project came in under budget so we will not have to use those loan funds. We will need to decrease the revenue by \$500,000 and the expenditure by \$500,000, he said that the monthly financial will look balanced.

Engineer's Award Recommendation on Infrastructure Project Bids – Carter & Sloope have reviewed the 2 bids received and recommend we go with Higgins Construction (low bidder) in the amount of \$1,176,663. City Manager Anderson explained that this project will include Sewer, drainage and storm drainage on Main St, Pine, Hoyt and Fox Hollow.

Covid Leave Policy – City Manager Anderson said when the Families First Coronavirus Act was implemented it gave employees up to 80 hours of sick time, but it expired as of December 2020. The City has continued the policy but with the vaccine now available he would like to end it December 31, 2021.

Historic Preservation Committee is working on design guidelines for the Historic District. They are recommending we implement a Moratorium on façade remodels, City Manager Anderson said he is recommending that we set it for 120 days which will expire December 26, 2021.

City Manger Anderson stated that we have two openings on the Historic Preservation Committee. We have received two applications; the applicants are Don Higgins and Gay Davis.

City Manger Anderson updated the Mayor and Commissioners on how we can fill the position of Ward 1 Commissioner, Wes Dodd Jr. It was not possible to get it on the ballot for November election so it will have to go to March 2022. City Manger Anderson said that the 3 remaining Commissioners could elect someone to fill the vacancy until that time. It was discussed that we post the application in the newspaper as well as the City website. They will look at the applicants and interview at the next meeting before the workshop.

The Mayor and Commission adjourned the workshop at 6 PM.

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Debbie Turner, City Clerk

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John Borrow, Mayor

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Mayor Borrow led the pledge of allegiance and gave the invocation.

City Manager Anderson asked that the agenda be amended to add a resolution to apply for EDA build back better funding. Commissioner Cook made the motion to approve the agenda and include the changes requested; seconded by Commissioner Griggs. Approved 3 – 0.

Commissioner Bagwell made the motion to approve the August 10, 2021, Minutes as submitted; seconded by Commissioner Cook. Approved 3 – 0.

Community Development Monthly Report – Ms. Owensby came forward to present her monthly report. She went over some of the highlights of the past month's accomplishments. She thanked the Mayor and City Manager for attending the 2020 Georgia Downtown Association Annual Conference where we received two awards. The city received the 2020 Best Placemaking Award as well as the 2020 Community Transformation/Downtown Award. The mayor thanked Ms. Owensby for her hard work. He also thanked City Manager Anderson, City staff as well the elected officials. Ms. Owensby met with Small Business Development Center about hosting in person classes and would like to start hosting classes here every other month. A copy of her report is made an integral part of these minutes.

City Manager's Monthly Report – City Manager Anderson presented his August 2021 Monthly Report. He said that the 1-year warranty inspection on the Municipal Building has been completed and after the final repairs are made it will be our responsibility. City Manager Anderson said the Downtown Landscaping project has begun and that the Level Grove Project has had some delays due to old water lines that were discovered, they have now been cut and capped. The road should re-open within the next couple of weeks. A copy of his report is made an integral part of these minutes.

Public Forum – No comments were heard.

Old Business –

Ordinance # 06-21-02 Amendment to the Noise Ordinance, City Manager stated that this ordinance would prohibit amplified music, regardless of the decibel levels to be able to be heard from 100 feet. This will only apply to residential property. City Manager Anderson said he has updated the ordinance with the hours of 10 PM until 10 AM. Commissioner Bagwell made the motion to adopt the Amendment to the Noise Ordinance, seconded by Commissioner Griggs. Approved 3 – 0

Ordinance # 08-21-01 Amendment to the Zoning, City Manager stated this ordinance has been posted and to date we have received no comments for are against. Commissioner Bagwell made the motion to adopt Amendment to the Zoning Ordinance, seconded by Commissioner Griggs. Approved 3 – 0

Ordinance # 08-21-02, Amendment to Noise Ordinance – City Manager Anderson stated that this amendment will prohibit private Motor Vehicles from emitting noise of 95 decibels or greater. The Ordinance has been posted and to date we have received no comments for or against. Commissioner Bagwell made the motion to adopt Ordinance 08-21-02, Amendment to Noise Ordinance; seconded by Commissioner Cook. Approved 3 – 0.

Public Hearing – None

Consent Agenda – Budget Decrease, City Manager Anderson stated that the General Fund Budget has \$500,000. in Loan proceeds that was going to the Level Grove Project and since that came in under budget, he would like to move the funds. This will decrease line item 38-9200 and expenditure line item 160-54-2000 by \$500,000. Commissioner Cook made the motion to approve the budget decrease; seconded by Commissioner Bagwell. Approved 3 – 0

Engineer’s Award Recommendation on Infrastructure Project bids. City Manager Anderson said we received 2 bids on this project, it will improve drainage and sewer in different areas of the city. Commissioner Griggs made the motion to award Higgins Construction the bid; seconded by Commissioner Cook. Approved 3 – 0

Covid Leave Policy – City Manager Anderson explained that when the Families First Coronavirus Response Act was enacted it required employers with less than 500 employees to be paid up to 80 hours of sick time. The law expired as of December 21, 2020, but the city chose to continue to pay up to 80 hours for Covid related sickness until 2021. With the vaccine now available this will expire in December 2021; however, employees can still use there accrued sick time. Commissioner Bagwell made the motion to update the Covid leave policy; seconded by Commissioner Griggs. Approved 3 – 0

Moratorium on Façade Remodel Permits in the Historic District – City Manager Anderson said that the Historic Preservation Committee is working on creating design guidelines. At the August 26<sup>th</sup> meeting they recommend that we adopt a moratorium on façade remodels until they can create the guidelines. He said that he would like to set 120-day moratorium and it can be extended if need be. Commissioner Bagwell made the motion to approve the

moratorium for 120 days; seconded by Commissioner Cook. Approved 3-0  
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Appointment to the Historic Preservation Committee – City Manager Anderson stated that we have 2 openings for this committee, and we have received two applications, the first from Don Higgins and second Gay Davis. Commissioner Cook made the motion to approve Don Higgins and Gay Davis to the Historic Preservation Committee; seconded by Commissioner Bagwell. Approved 3- 0

Resolution to Apply for EDA Build Back Better Funds – City Manager Anderson said that Carter & Sloope has found potential funding to help with the cost of the Wastewater Plant Expansion.

He said it is a federal funding program called Build Back Better Challenge managed by EDA. The application is due by October 15<sup>th</sup> so we will need to adopt a resolution for the Engineers to prepare the application. Commissioner Griggs made the motion to adopt a resolution for the application to be prepared; seconded by Commissioner Cook. Approved 3-0.

Commissioner Bagwell made the motion to close the meeting and to enter Executive Session at approximately 6:30 PM to continue the potential litigation discussion; seconded by Commissioner Cook. Approved 3 – 0.

Commissioner Bagwell made the motion to close the Executive Session and open the meeting at approximately 6:45 PM; seconded by Commissioner Cook. **No Action taken** Approved 3 – 0.

Commissioner Bagwell made the motion to Adjourn the meeting, seconded by Commissioner Griggs. Approved 3 – 0

The meeting adjourned at approximately 6:45 PM.

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Debbie Turner, City Clerk

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John Borrow, 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 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.

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John Borrow, Mayor, City of Cornelia

Sworn to and subscribed before me this

Notary Public

