

CITY OF CORNELIA
MINUTES OF MEETING
JULY 6, 2021

The Cornelia City Commission met in a Workshop Session on Tuesday, July 1, 2021, at 5 PM at the Cornelia Municipal Building Conference Room, 181 Larkin Street, Cornelia, GA. Mayor, John Borrow called the meeting to order and the following members were present: Commissioners Don Bagwell, Tony Cook and Janice Griggs. Commissioner, Wes Dodd was absent. Also, present: City Attorney, Steve Campbell, City Manager, Donald Anderson, Human Resource, Director Diane Feorino, Finance Director, Melanie Chandler, Community Development Manager, Jessie Owensby and City Clerk, Debbie Turner.

City Manager Anderson introduced the items on the agenda. He said that Ordinance # 06-21-03 Chapter 40 Pre-Treatment Ordinance was posted on June 1, 2021, and that we have not received any comments for or against it.

Ordinance 06-21-01 & 06-21-02 were discussed in detail. The proposed ordinances address the issues of large gatherings in residential areas that we are having. Commissioner Bagwell said that parties go until sometimes 4 am in the morning and the noise and parking are the biggest problems. There was a lot of discussion on how to resolve the complaints it was suggested that maybe getting a permit might be a solution.

City Manager Anderson said we need to update our Hazzard Mitigation Plan. He explained that that the County has applied for a Grant through FEMA and that we would participate in the plan. There would be a local match in the funding. He said that our Fire Chief and Utilities Director normally serve on the board.

Elevator Maintenance Agreement – City Manager Anderson said that when the elevator was installed, Jericho did not realize that Schindler was the only company that could service it. He said we are now locked into this agreement and because we did not budget for the contract, we would need to do amend the budget by, \$4,752.00. He also added the elevator has been down twice since installed.

Appointment to Urban Redevelopment Agency – City Manager Anderson explained that since the passing of Tim Lee we have been one member short, and that Tammy Caudell has agreed to fill the position.

Appointments to the Historic Perseveration Commission – City Manager Anderson stated that this is a 5-member board with a 3-year staggered terms. 2 members will serve for 2 years, and 3 members will serve for 3 years. Chan Caudell had submitted his application but has since withdrawn it. City Attorney explained that it would be a conflict of interest for him because he is the Superior Court Judge and if an appeal is made it would go before him. Mr. Anderson said we have 4 applicants Audrey Davenport, Perry Retting, Emily Herrin and Shawn Knight. The

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Mayor asked how often do they meet and if they must own property in the city? They will meet once a month and they do need to own property in the City.

Boys & Girls Club – City Manager Anderson said he has looked at the budget and thinks we can donate \$5,000.00 out of the City Managers special Project line of \$30,000.00. Commissioner Bagwell said that he felt it was a very worthy cause and would like to see the Commission approve it Annually.

Resolution to Apply for GEFA Septic to Sewer Funds – City Manager Anderson explained that GEFA has a Septic to Sewer Funds Grant and that we will be applying for the funds. He said we have 51 customers in the Lakeview Heights and Ridgeway Circle subdivisions that are on septic systems. The Grant would be for \$3,000,000 and the cost to the city would be \$1,379.00. Mr. Anderson noted that he we had to pay for all of it our cost would be around 11 to 13 million which would not be feasible.

The Mayor and Commission adjourned the workshop at 6 PM.

Debbie Turner, City Clerk

John Borrow, Mayor

CITY OF CORNELIA
MINUTES OF MEETING
JULY 6, 2021

The Cornelia City Commission met in Regular Session on Tuesday, July 6, 2021, at 6 PM at the Cornelia Municipal Building Court Room, 181 Larkin Street, Cornelia, GA. Mayor, John Borrow called the meeting to order and the following members were present: Commissioners Don Bagwell, Tony Cook, and Janice Griggs. Wesley Dodd, Jr., was not present. Also, present: City Attorney, Steve Campbell, City Manager, Donald Anderson, Human Resource Director, Diane Feorino, IT Director, Jeremy Dundore, Finance Director, Melanie Chandler, Community Development Manager, Jessie Owensby and City Clerk, Debbie Turner.

Commissioner Bagwell gave the invocation and Commissioner Griggs led the Pledge of Allegiance.

Commissioner Cook made the motion to approve the agenda; seconded by Commissioner Griggs. Approved 3 – 0.

Commissioner Bagwell made the motion to approve the May 4, 2021, Minutes as submitted; seconded by Commissioner Cook. Approved 3 – 0.

Community Development Monthly Report – Ms. Owensby came forward to give her report. She said that the Appletree Ally project is almost complete except for some fixtures, trees, benches, and bike racks. She stated that the new electric car charging stations had been installed. Ms. Owensby will be traveling to Washington next week for her Appalachian Leadership Graduation which is fully paid for by the Appalachian Regional Commission. A copy of her report is made an integral part of these minutes.

City Manager's Monthly Report – City Manager Anderson presented his June 2021 Monthly Report. Mr. Anderson said that Wilcorp has begun work on Phase 2 of the Level Grove Sidewalk project and that this project is 100% funded by SPLOST funds. He said City crews are working on the new retaining wall at Chenocetah Tower but, have ran out of block and the material cannot even be ordered at this point. It may take up to 15 weeks to get the remainder that is needed. A copy of his report is made an integral part of these minutes.

Public Forum – Melvin King came before the Commission to address a 12 to 13 inch drop off on Chenocetah Drive. Mr. Anderson told him that the project we are doing at the Chenocetah water tank would address that problem. Mr. King was also concerned about the rough surface under the underpass as well as the railroad crossing. He asks who maintained the road and railroad? Mr. Anderson advised him that we maintain the road and that the railroad maintains the crossing. Mayor Borrow said that we have Representatives working to try and resolve the issue, but it is an issue that we have been dealing with for years.

Jennifer Hicks from Lee St. says if her son misses his bus that there are always 18 wheelers around Circle of Hope and that she fears for her son to walk to school. She asks the Commission about finding a safe route to school. Mayor Borrow ask for her to give him her contact information after the meeting and he would look into the situation.

Old Business:

Ordinance 06-21-03, Amendment to Chapter 40 of the Municipal Code - City Manager Anderson stated the Ordinance has been posted and to date we have received no comments for or against. Ordinance Amendments; TSS to match our Industrial Pre-Treatment Permits. Commissioner Bagwell made the motion to approve seconded by Commissioner Griggs. Approved 3 – 0.

Public Hearing – Ordinance # 06-21-01, Chapter 32 and Chapter 30 of the Zoning Ordinance:
Large Gatherings in Residential Areas:

Phillip Ballard came before the commission in opposition, Mr. Ballard lives on Foster Street. He said that we currently have laws on the books for traffic and noise and that if they were enforced it could resolve the problem. Mr. Ballard said that it almost looks like we are targeting a neighborhood. Mr. Ballard said there are parties just about every weekend but usually by 10 pm they tone it down.

Mayor Borrow said that no elected official or anyone that works for the city wants a heavy-handed government. Mayor Borrow said no one is trying to tell people what they can do on their property. He said that we get complaints and as elected officials we are trying to find a resolution when it negatively affects the neighborhood.

Audrey Davenport spoke saying that we might need to address the issue in a different format that 3 minutes might not be enough time and that we just need to listen to what people have to say.

Jason Lewallen lives on Cash Street he said that the laws just need to be enforced.

Bill Griffin from Foster Street said he would like to see the decimal level lowered. He said there have been parties down from his house where he could hear the music from inside his house. Commissioner Bagwell spoke saying that when you have live bands in a residential neighborhood it is a problem and feels that they should have a venue for that kind of party. He said that the parties in his area do not end until around midnight and must be closed down, but no one wants to restrict people from having a good time but also to be considerate of other people.

Donna Shirley said she has property on Henderson Street, she does not live there but still owns the home. She said her biggest problem is the decibel level. Ms. Shirley said she has had to pick up trash left from the parties in the neighborhood.

Ms. Fontaine said that parties and the Concerts the City host is just part of living in a community and thinks we should be more neighborly.

Stacy Garcia said this is her neighborhood and that she did feel as if they were being targeted. Roy Alvarez lives on Wildwood Street, he said he sleeps during the day, and he does not complain when his neighbor cuts the grass even though it is loud. He said that after the 2nd warning maybe they should just be enforced more. Mr. Alvarez said that we should be more respectable of others.

Brenda Edwards said she owns property on Wood Street, she said people park in her driveway without permission. Ms. Edwards says she carries a gun when on the property because the house has been broken into twice and there have been fights as well. She said she thinks the decibel level should be lowered.

Audrey Davenport stated that she felt that it is a race issue, and she would like to know what the next process is saying she did not think we could resolve it at one meeting.

Mayor Borrow asked Commissioner Cook and Griggs their thoughts. Commissioner Cook said that we should cancel the Large Gatherings Ordinance and table the Noise Ordinance. Commissioner Cook said he did not want to be rushed on a decision. Commissioner Cook made the motion to cancel the Large Gatherings, seconded by Commissioner Griggs. Approved 3 – 0. Commissioner Bagwell made the motion to table the decibel level, seconded by Commissioner Griggs. Approved 3 - 0

Commissioner Cook made the motion to approve the Consent Agenda which included: Letter of Support for the County Hazzard Mitigation Plan and Elevator Maintenance Agreement with Schindler Elevator. seconded by Commissioner Griggs. Approved 3 – 0.

Commissioner Bagwell made the motion to approve Tammy Caudell to the Urban Redevelopment Agency, seconded by Commissioner Griggs. Approved 3 – 0.

Commissioner Cook Made the motion to approve Shawn Knight, Emily Herrin, Perry Retting and Audrey Davenport to the Historic Preservation Commission. City Manager Anderson said this board will serve a two-year term. seconded by Commissioner Cook. Approved 3 – 0.

The meeting adjourned at approximately 7:20 PM.

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.

John Borrow, Mayor, City of Cornelia

Sworn to and subscribed before me this

Notary Public