

CITY OF CORNELIA
MINUTES OF COMMISSION MEETING
JULY 2, 2019

The Cornelia City Commission met in a Workshop Session on Tuesday, July 2, 2019 at 5:00 PM at the Cornelia Community House, 601 Wylly Street, 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.

Mary Beth Horton, Chamber of Commerce President, was present to report on the 2nd Quarter Hotel/Motel Tax Report. A copy of the report is made an integral part of these minutes. A sample of the newest rack card was provided and she said 10,000 of these have been distributed to the 11 State of Georgia Visitor's Centers around the state.

City Manager Anderson asked that the agenda be amended to include a Proposal from Georgia Power for the lighting of the Municipal Complex and Water Sale Agreement with the Town of Mt; and remove Item 11.

Proposed Changes to our Alcohol Ordinance – Attorney Campbell said we have looked at making a change to our existing ordinance concerning eligibility for issuance of a Temporary Special Event License. He said after reviewing several ordinances from other cities, including Gainesville, who just completely redid theirs, and receiving request from staff, he recommends we look at our ordinance extensively. He said ours hasn't been looked at as a whole since 2005 when we did a major update, when Liquor by the Drink had recently passed.

John Herrin from the Jack Bradley Agency was present to speak about the Alcohol Ordinance. He said since they are almost complete with the new Common Ground Event Facility they are very interested in the issue of allowing alcohol at Special Events at their facility. He said being an insurance agency their main concern is the liability, so they have been researching the issue. They've found that insurance will not cover them unless they have complete control over the alcohol. Should the facility use a caterer and the caterer hold the license was one of the questions presented by Mr. Herrin. City Manager Anderson stated that the Downtown Development Authority has discussed the idea of an Entertainment District for our Downtown and if that would work. City Attorney Campbell said this type thing is allowed in Gainesville, they actually have some establishments that have tables setup on the sidewalk. Ms. Lindsey Holt, from Bigg Daddy's Restaurant, had some comments about the alcohol ordinance. She said her business in Helen is different from her business here and agreed we need to look at each community individually. Attorney Campbell said they will get ideas and suggestions from the DDA, the business community and look at other similar communities' ordinances and return with a proposal.

Grand Avenue & Berry Street Intersection – It was decided to remove this item from the agenda tonight ,so that we could hold a Public Hearing to hear from the citizens. A date will be determined and the public will be notified.

The Workshop Meeting was closed at 6 PM.

Janie N. Henderson, City Clerk

J.C. Irby, Jr., Mayor

CITY OF CORNELIA
MINUTES OF COMMISSION MEETING
JULY 2, 2019

The Cornelia City Commission met in Regular Session on Tuesday, July 2, 2019 at 6 PM at the Cornelia Community House , 601 Wylly Street, 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 a Proposal from Georgia Power for the lighting at the new Municipal Complex and a Water Sale Agreement with the Town of Mt. Airy and to remove the Grand Avenue-Berry Street Intersection Improvements. Commissioner Dodd made the motion to approve the July 2, 2019 Agenda with the requested changes; seconded by Commissioner Griggs. Approved 4 - 0.

Commissioner Bagwell made the motion to approve the June 4 2019 Commission Meeting Minutes as submitted; seconded by Commissioner Cook. Approved 4 – 0.

Commissioner Cook made the motion to approve the June 17, 2019 Called Commission Meeting Minutes as submitted; seconded by Commissioner Griggs. Approved 4 – 0.

City Manager’s Monthly Report – City Manager Anderson presented his June Monthly Report. A copy of this report is made an integral part of these minutes. He noted the Municipal Complex Project is progressing nicely. We have a camera that is recording the activity of both sites and there is a link at our website where the public can view the progress. The link is www.corneliageorgia.org/camera.

Public Forum – Ms. Betty Gober came forward to say “Thank You” to all those that work in the City and for the honor we did for her 80th Birthday. She said everyone has always been so professional and helpful. She’s lived here since the 70’s and has had several opportunities to serve the community and she thanked Mr. Anderson for all the progress she’s seeing and told him not to leave. Brenda Garcia was present and wanted to know if there is any progress with the house on Elrod Street. City Manager Anderson said it went to court and the owner has 30 days to start working on the improvements and if he doesn’t then he has to go back to court. He said he will keep her posted.

Consent Agenda – Commissioner Bagwell made the motion to approve the Consent Agenda, which includes Resolution 07-19-01, Abandonment of Alley at 836 Wayside Street; Water First Memorandum of Agreement with GEFA; and Resolution Amending the Urban Redevelopment Plan; seconded by Commissioner Dodd. Approved 4-0.

DDA Special Events Application – City Manager Anderson explained that the Downtown Development Authority has submitted a Special Event Application to have a Sip n Stroll in the Downtown in conjunction with their Corn Hole Tournament on October 26, 2019. The event will serve as a fundraiser for their Façade Grant Program. Commissioner Dodd made the motion to approve the DDA Special Events Application for the Sip n Stroll/Corn Hole Tournament to be held on October 26, 2019 in the designated area , which is outlined on the attached map; seconded by Commissioner Bagwell. Approved 4 – 0.

Franchise Fee Agreement with Habersham EMC – City Manager Anderson stated currently we have a Franchise Agreement with Georgia Power, Windstream, and Atlanta Gas Light allowing them to have their utilities in our right-of-ways. We do not have a Franchise Agreement with HEMC and they do have a few customers within our city limits, so they should be treated the same as the other utility companies. Commissioner Dodd made the motion to approve the proposed Franchise Agreement with HEMC and authorized Mayor Irby to sign on behalf of the City; seconded by Commissioner Cook. Approved 4 – 0.

GA Power Company Proposal – City Manager Anderson provided the attached proposal from GA Power for the lighting of the parking lots and new sidewalks of the new Municipal Complex. The project calls for 47 LED Post Top Lights, which will match the existing lights in the Downtown Area. The cost will be \$150,000 up front, plus \$924.02 per month for the electricity and maintenance of the lights. The upfront cost will be paid out of the Bond Proceeds for the project. Commissioner Bagwell made the motion to approve the GA Power Proposal for the Lighting Service of the new Municipal Complex for \$150,000 upfront costs paid by the Bond Revenue and a monthly cost of \$924.02 for Maintenance and Electricity used by the lights; seconded by Commissioner Cook. Approved 4 – 0.

Water Sale Agreement – City Manager Anderson explained that our engineers at Carter & Sloope have reviewed our Rate Tables for our Wholesale Water Users, which currently pay \$2.98 per 1,000 and they are recommending that we charge \$4.38 per 1,000 which is the cost of production. We have notified the City of Baldwin and the Town of Mt. Airy, which are the other Municipalities that have an Agreement with us. The Town of Mt. Airy have approved and signed the Agreement and returned it to us. Commissioner Dodd made the motion to approve the Water Sale Agreement with the Town of Mt. Airy and authorize Mayor Irby to sign the agreement on the City's' behalf; seconded by Commissioner Griggs. Approved 4 -0.

Commissioner Dodd made the motion to close the meeting and to enter into an Executive Session at approximately 6:25 PM to discuss Litigation; seconded by Commissioner Bagwell. Approved 4 – 0.

Commissioner Dodd made the motion to open the meeting and close the Executive Session at approximately 6:45 PM; seconded by Commissioner Griggs. Approved 4 – 0.

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

Commissioner Dodd made the motion to adjourn the meeting at approximately 6:50 PM; seconded by Commissioner Griggs. Approved 4 – 0.

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 July, 20 19 .

Notary Public

