

MINUTES
TOCCOA CITY COMMISSION
February 9, 2009

The City Commission of the City of Toccoa met in Regular Session at City Hall on Monday, February 9, 2009, at five o'clock P. M. with Mayor Ron Seib presiding.

The invocation was given by Pastor Paul Garrison followed by the Pledge Of Allegiance to the Flag.

On roll call the following were present:

Mayor Ron Seib
Vice Mayor Bob Troup
Commissioner David Austin
Commissioner Janice English
Commissioner AJ Pavliscsak
City Manager Billy Morse
City Attorney John Dickerson
Acting City Clerk Fredda Wheeler

Motion by Vice Mayor Troup, seconded by Commissioner Pavliscsak and unanimously carried to approve the Agenda and Consent Agenda as presented, a copy of this Agenda being attached as Exhibit "A."

Under Reports the following comments were heard:

Commissioner English reported that she had attended one session at Mayor's Day. Some of the topics covered were 1) effective working relationships, 2) ethical conduct and 3) administration of public affairs. She reported that she really enjoyed the sessions and learned a lot.

Vice Mayor Troup requested that a work session be scheduled to discuss the recommendations of the Infrastructure Committee. He also asked the police and animal control officers to investigate complaints of dogs being destructive on Willowdell.

Mayor Seib expressed thanks to City Manager Morse and Human Resources Director Brenda Yearwood. The City had received grant checks from the Georgia Municipal Association, Risk Management Services, in the amounts of \$5,000.00 and \$671.00. Traffic Cones for the Street Department and turnout gear for the fire department were purchased with these funds; expressed appreciation of 6th graders at Stephens County Middle School for all the thank you notes he had received; attended the Litter and Blight Committee and is very excited about what he is seeing and hearing from them; acknowledged the favorable editorial about things happening in our downtown area; received a letter of thanks from William Tucker concerning Veterans affairs; attended the Airport Authority Meeting where the financing of the new Terminal was discussed; thanked Randy Smith for inviting him to the monthly meeting at the Street Department; and acknowledged a letter of thanks from Wayne Gardner to the City Fire Department for their response in the Gate Cottage fire.

Mayor Seib next recognized any visitors who wished to speak on any of the Agenda items. There were no persons present who wished to be heard.

I. CONSENT AGENDA

Motion by Vice Mayor Troup, seconded by Commissioner Pavliscak and unanimously carried to approve the following Consent Agenda item as submitted:

- A. Request for Approval of Minutes of January 20, 2009 Planning Session.
- B. Request for Approval of Minutes of January 20, 2009 City Commission Meeting
- C. Request for Approval of Minutes of January 27, 2009 City Commission Called Meeting
- D. Recognition of Georgia's Arbor Day, February 20, 2009

II. OLD BUSINESS --- NONE

III. NEW BUSINESS

- E. Motion by Vice Mayor Troup, seconded by Commissioner Pavliscak and unanimously carried to accept the

recommendation of Toccoa Planning Commission to grant the request for annexation to Evan Warden, 71 Ridge Road, and to waive the second reading.

- F. Motion by Commissioner Pavliscsak, seconded by Commissioner English and unanimously carried to accept the recommendation of Toccoa Planning Commission to grant the request for annexation to Lennard Warden, 91 Ridge Road, and to waive the second reading. Motion by Vice Mayor Troup, seconded by Commissioner Pavliscsak and unanimously carried to zone both newly-annexed parcels as R1A, Single-family residential.
- G. Motion by Commissioner Austin, seconded by Commissioner Troup and unanimously carried to grant the variance request (from the required 15-foot side yard set-back to 12.5-foot side yard set-back) from Clarence Zeches, 122 Ola Street, and to waive the second reading.
- H. Motion by Vice Mayor Troup, seconded by Commissioner Austin and unanimously carried to accept the recommendation of the Alcohol Beverage Control Board to grant the request for a beverage control license at 39 Mize Road.
- I. Bill Graham gave a status update and funding request for the proposed public transportation system. After some discussion, Commissioner Austin suggested and it was the consensus of the Commission that this matter be placed on the agenda for the next joint meeting with the County.
- J. Tim Martin gave an update of the ongoing activities of Stephens County Development Authority. Approval was granted through consensus of Commission for Mayor Seib and City Manager Morse to attend meeting in Washington, D.C. on March 10, 11, 12, 2009.
- K. Motion by Commissioner Pavliscsak, seconded by Vice Mayor Troup and unanimously carried to approve the Local Emergency Operations Plan. Becky Wall encouraged everyone to get informed and be involved.

- L. Finance Director Emory Stephens presented the monthly finance report for the period ending January 31, 2009. He noted the following: Property tax receipts are down about 10%, sale tax receipts are about 10% under budget, Beer and wine tax receipts are showing an increase over last year, water revenues are reported as being the most stable at 58%, and natural gas sales are showing an increase over the last 2 years.
- M. Motion by Vice Mayor Troup, seconded by Commissioner English and unanimously carried to request that Randy Murray be present at the next meeting to answer questions about the Safety Check Program. Commissioner Pavliscsak requested that the Chief of Police be prepared to give any information that he may have regarding calls received through the system.
- N. Mayor Seib explained that a surge of water pressure exists due to the provision of water sales to Habersham County, and that discussions between the City and County have led to a recommendation on how to resolve this issue. One potential solution (named Option 3) is the City's preference, while a different, less-expensive solution (named Option 4) was the County's preference. Since the estimated cost of Option 3 was 12.2% higher than the estimated cost of Option 4 (and since it was agreed that either solution would solve the issue), the City agrees to pay 12.2% of the actual bid price for the purchase and installation of Option 3. The City and County have further agreed to split the cost of the design engineering, purchase, and installation of Option 3 on a 25%/75% basis (after the City's reduction, as discussed above), with the County paying the larger portion. For purposes of discussion, the cost of engineering was estimated to be \$25,000 and the cost of the Option 3 was estimated to be \$138,000. According to the terms recommended, and using the figures estimated as an example, the City agrees to pay (12.2% of \$138,000) \$16,836, plus 25% of the design, purchase and installation costs $((\$138,000 + \$25,000) - 16,836) \times .25$ \$36,541 for a total of \$53,377. The County agrees to pay $(.75 \times ((\$138,000 - 16,836) + \$25,000))$ \$109,623. Motion by Vice Mayor Troup, seconded

by Commissioner Pavaliscak and unanimously carried to accept the recommendation as suggested by the Mayor.

- O. Mayor Seib asked each Commissioner to report on their recent Mayor's Day Conference.
- Vice Mayor Troup reported that what he was really excited about was the Dream Georgia Program that offers incentives and assistance for first time homebuyers. He also was informed that grant funds are available to assist homeowners with modifications for wheel chair accessibility.
 - Commissioner Pavliscak reported that he attended a mandatory class on parliamentary procedure. Talked to GMA about insurance and worker's compensation claims. The meeting with Representative Hardin and Congressman Butterworth were really special to him. He also received 2 certificates for completion of education hours.
 - Commissioner Austin said the attendees were very impressed with the things that were happening in Toccoa. He was also very proud of the awards that were given to Main Street. He also expressed that the lobby effects of GMA are very critical. The Homestead Exemption money seems to be back in the state budget.
 - Mayor Seib stated that he was also proud of the awards and recognition that Connie and Main Street received. Commissioner Pavliscak was recognized for his hours of continuing education. It was very beneficial to get an opportunity to talk with legislators about the widening of Hwy 17 and the Homestead Exemption issue. The meeting with Labor Commissioner Michael Thurmond was very impressive and was the District Caucus.
- P. Visitors Wishing to Speak on General Items. Ken Cox expressed concern about Senior Citizens having to pay extremely high prices for cab service to Wal-Mart or to the

doctor's office. Commissioner Pavliscsak asked Attorney Dickerson if he would check the regulations concerning cabs.

Q. Motion by Vice Mayor Troup, seconded by Commissioner English and unanimously carried to adjourn for Executive Session to Discuss a Personnel Performance Matter.

Affidavit attached as Exhibit "B" signed by all elected officials.

Motion by Commissioner Austin, seconded by Commissioner English and unanimously approved to adjourn the Executive Session.

Motion by Commissioner Austin, seconded by Commissioner English and unanimously approved to reconvene the regular meeting.

Motion by Commissioner Austin, seconded by Vice Mayor Troup and unanimously carried to authorize the City Manager to formulate a job description for the position of City Clerk. The position is to be advertised through state and local sources with all applications to be submitted by the end of business on April 1,2009.

Motion by Commissioner Austin, seconded by Commissioner English to suspend the work session due to the lateness of the hour. Motion by Commissioner Pavliscsak, seconded by Commissioner English and unanimously approved to amend the afore-mentioned motion to include the rescheduling of the work session with the City Marshall to February 18, 2009 at 4:00 p.m., with such work session to be followed by an Executive Session to discuss a Personnel Matter. The original motion was unanimously approved.

IV. ADJOURN

There being no further business, Motion by Commissioner Austin, seconded by Commissioner English and unanimously carried to adjourn the regular meeting.

Mayor

Fredda Wheeler, Acting City Clerk