

MINUTES  
TOCCOA CITY COMMISSION  
September 14, 2009

The City Commission of the City of Toccoa met in Regular Session at City Hall on Monday, September 14, 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 Jan Crawford

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

Under Reports the following comments were heard:

City Manager Morse announced that The City of Toccoa would be implementing a natural gas promotion during the month of October. The purpose of the promotion is to attract new natural gas customers as well as encourage existing customers to install new natural gas appliances.

Mayor Seib reported that he and Connie Tabor would be representing The City of Toccoa at the Georgia Cities Foundation in Atlanta. They will also be sharing information about the things that are happening in Toccoa with the Georgia Municipal Cities Foundation.

Mayor Seib next recognized any visitors who wished to speak.

Several member of The Toccoa Improvement Association and the community were present and given the opportunity to speak after the Old Business section of the meeting.

## I. CONSENT AGENDA

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

- A. Request for Approval of Minutes of August 24, 2009 City Commission Meeting.
- B. Request for Approval of Minutes of September 3, 2009 City Commission Work Session.

## II. OLD BUSINESS

- C. Discussion of Toccoa Falls Estates Wastewater Allocation Agreement. After an extensive discussion the group came to a consensus on how to address the concerns of “abandonment”. As a result, Mr. Dennis Gehringer was to report the results of the group census to his full board for their approval. Once this approval is obtained by Mr.Gehringer, he is to get back with City Attorney Dickerson so that the agreed upon wording can be included in the agreement.

## III. NEW BUSINESS

- D. Public Hearing: Setback Variance Request from David and Tamara Herman, 118 Greer Lane.  
Motion by Commissioner Austin, seconded by Commissioner Pavliscsak and unanimously carried to grant the variance request (from the required 15-foot side yard to 8-foot and a rear yard setback variance from 25-foot to 8-foot) from David and Tamara Herman.

- E. Consideration of Water Plant Surge Tank Bids and Project Funding Arrangements with Habersham County. Motion by Commissioner Pavliscsak, seconded by Vice Mayor Troup and unanimously carried to accept the bid of \$204,332 from Lanier Construction and also accept the funding arrangements with Habersham County.
- F. Consideration of Construction Management Services from CH2M Hill for the Water Plant Surge Tank Project Funding Arrangements with Habersham County. Motion by Commissioner Austin, seconded by Commissioner English and unanimously carried to accept the proposal as submitted.
- G. Bid Opening: Eastanollee Creek Wastewater Treatment Plant Chemical Feed System Improvements. City Attorney Dickerson opened three bids. Motion by Vice Mayor Troup, seconded by Commissioner English and unanimously carried to remand the matter to staff for their consideration and then provide a recommendation to the Toccoa City Commission.
- H. Construction Management Services from CH2M Hill for the Eastanollee Creek Wastewater Treatment Plant Chemical Feed System Improvements.

Action was delayed pending the final resolution of item G.

- I. Consideration to Declare Surplus Certain City Equipment and Vehicles for Sale on GovDeals.  
Motion by Vice Mayor Troup, seconded by Commissioner Pavliscsak and unanimously carried to declare the items submitted as surplus and sold on-line at GovDeals.com.
- J. Monthly Financial Report: City Manager Morse gave an overview of the financial condition of The City of Toccoa. Commissioner Austin suggested that a contingency plan be implemented due to the possibility of establishing a line of credit for future needs.
- K. Recognition of Visitors Wishing to Speak:

Several Citizens voiced their concerns in regards to the continuation of meetings for consideration of Single Member Districts for voting to elect City Commissioners.

- L. Executive Session: Personnel Matter  
Motion by Commissioner Pavliscsak, seconded by Vice Mayor Troup to enter into Executive Session to discuss a Personnel Matter. Affidavit attached as Exhibit "B" signed by all elected officials.

Motion by Commissioner Pavliscsak, seconded by Commissioner Austin and unanimously carried to adjourn the Executive Session.

Motion by Vice Mayor Troup, seconded by Commissioner Pavliscsak and unanimously carried to reconvene the Regular City Commission Meeting.

#### IV. ADJOURN

Motion by Commissioner Pavliscsak, seconded by Vice Mayor Troup and unanimously carried to adjourn the meeting.

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Mayor

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Jan Crawford, Acting, City Clerk