

CITY OF CORNELIA
MINUTES OF COMMISSION MEETING
DECEMBER 3, 2019

The Cornelia City Commission met in a Workshop Session on Tuesday, December 3, 2019 at 5:00 PM at the Cornelia Community House, 601 Wyly 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.

City Manager Anderson introduced each item on the agenda and asked if further explanation was needed.

Commissioner Dodd made the motion to close the meeting at approximately 5:30 PM and enter into Executive Session to discuss Personnel; seconded by Commissioner Bagwell. Approved 4 – 0.

Commissioner Dodd made the motion to close the Executive Session and open the meeting at approximately 5:35 PM; seconded by Commissioner Cook. Approved 4 – 0.

Mayor Irby stated a Personnel matter was discussed, but no action required.

The Mayor and Commission took a 25 minute break prior to the Regular Meeting.

Janie N. Henderson, City Clerk

J.C. Irby, Jr., Mayor

CITY OF CORNELIA
MINUTES OF COMMISSION MEETING
DECEMBER 3, 2019

The Cornelia City Commission met in Regular Session on Tuesday, December 3, 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 stated that Executive Session was held during the Workshop Meeting and Personnel was discussed, but no action was taken. Commissioner Dodd made the motion to remove Executive Session for Personnel and approve as amended the December 3, 2019 Agenda; seconded by Commissioner Cook. Approved 4 - 0.

Commissioner Bagwell made the motion to approve the October 24, 2019 Called Commission Meeting Minutes as submitted; seconded by Commissioner Griggs. Approved 4 – 0.

Commissioner Cook made the motion to approve the November 5, 2019 Commission Meeting Minutes as submitted; seconded by Commissioner Griggs. Approved 4 – 0.

Community Development Manager Monthly Report – Jessie Owensby came forward to present her November Report. A copy of this report is made an integral part of these minutes.

City Manager’s Monthly Report – City Manager Anderson presented his November Monthly Report. A copy of this report is made an integral part of these minutes.

Special Presentation – Mayor Irby asked Barry Trotter to come forward and presented him with a plaque. He thanked him for his 14 years of service to the City. Mr. Trotter retired in October.

Employee Longevity Awards - Mayor Irby recognized the following employees for 10 years of service: Daryl Bennett, Water Plant Supervisor; Seth Glaze, Water & Sewer Maintenance Supervisor; and Greg Moss, Public Works Department.

Mayor Irby introduced John Borrow our new Mayor. Mr. Borrow will be sworn into office in January. Mayor Irby said he has enjoyed his term and a half and wished Mr. Borrow and the City continued success.

Public Forum – Carol Lonergan, Arbor Gate Drive, stated that she is speaking on behalf of seniors and veteran friends. She said that the new buildings downtown look ridiculous, they are just going to raise our taxes, and are not what we need.

Old Business – None

2020 CDBG Pre-Application – City Attorney Steve Campbell opened the Public Hearing for the 2020 CDBG Pre-Application. Angela Steedley with the Steedley Firm came forward to present the information on behalf of the City. She stated the City is considering applying to the GA Department of Community Affairs for up to a \$750,000 Community Development Block Grant funds, which must be used to primarily benefit low and moderate-income persons in the areas of housing, public facilities, and economic development. This hearing is to seek citizen input for developing applications and review prior to applying for the CDBG Grant. Since 2009, the City has successfully completed 8 CDBG Projects, 7 of which are located in its Urban Redevelopment Area. Phase VI Wayside Street Sanitary Sewer, Storm Water and Sidewalk Improvements is the one most recently completed. Phase VII, which is in Ward 4 will include Sanitary Sewer, Storm Water and Sidewalk Improvements is scheduled to begin November 18, 2019 (Notice to Proceed) and end June 15, 2020. No persons, households, businesses or structures will be displaced. Fair Housing, Equal Opportunity, and Language Access Plan Information was provided. Chase West, Carter & Sloope Engineering, showed a map with the 4 areas that would benefit from this project. Ms. Betty Gober asked if this project would include any indoor recreation for our children they need more things for them to do inside. Ms. Steedley said not in this project, but maybe in the future. She explained that it takes about a year to get a plan together for an application. Ms. Gober stated she thought it was talked about years ago to put something in the old Veneer Plant. City Manager Anderson explained that the City does not own that property. He said that this is something that we can look at again and he agrees with Ms. Gober. He said maybe we can work with the County to bring some type of recreation to the South end of the County. No further comments were heard. Attorney Campbell closed the Public Hearing.

2017 CDBG Project Closeout – City Attorney Campbell opened the Public Hearing for the 2017 CDBG Project Closeout. Angela Steedley with the Steedley Firm presented the following information for the City. On November 15, 2017 the City received a \$750,000 Grant to replace sanitary sewer and storm water infrastructure, including sidewalks and residential connections along portions of Old Cleveland Road, Wayside Street, Foster Street, Circle Drive, Hoyt Street, Bea Loop, Bonn Court, Crow Street, Hendricks Street, Joe's Way, Oak Grove Street, Palmetto Lane, Webster Way, and Wood Street. The completed activities and amount that benefits low and moderate-income (LMI) persons: Sanitary Sewer, Storm Water & Sidewalk Infrastructure Improvements; \$750,000 CDBG Funds + \$2.6 Million in local funds = \$3.35 million total cost; Beneficiaries are 475 Residents of which 432 (91%) of whom are LMI. City Manager Anderson stated the City cost was approximately \$1.6 million we received another \$1 million Principal Forgiveness.

A draft final quarterly report that documents the above is available tonight and at City Hall. Upon payment of outstanding obligations the final quarterly report will be updated and resubmitted to GA DCA. Section 3 Policy was provided. No Residents, nor businesses were temporarily or permanently displaced during this project. Fair Housing Laws and the City's Plan to further Housing, and Language Access Plans were provided. No public comments were heard. Attorney Campbell closed the Public Hearing.

Multi Family Development at Crown Point Drive – City Attorney Campbell opened the Public Hearing for the request by Hallmark Communities, LLC for the Crown Point Drive Multi Family Project. Mr. Larry Long with Hallmark Communities came forward to introduce their request. He said they are seeking a variance from Section 821.1 of the City Zoning Ordinance, seeking a Site Plan Approval, Conditional Use and Variance to allow for the property to be developed as a Multi-Family Development Site Plan without the required swimming pool. Their plan is to construct 5 townhomes to begin with and they will be for rent. The property is listed as Tax Map # 088-034 and consist of 13.9 acres, more or less. City Manager Anderson stated that the Municipal Planning Board held a Public Hearing and approved the request on November 14th, 2019. No Public comments were heard. Attorney Campbell closed the Public Hearing.

Commissioner Dodd made the motion to approve the Site Plan and the Conditional Use and Variance to allow for Hallmark Communities, LLC. to be developed as a Multi-Family Development without the required swimming pool; seconded by Commissioner Bagwell. Approved 4 – 0.

Ordinance 12-19-01 – City Attorney Campbell opened the Public Hearing for the requested amendments to Chapter 6 of the Cornelia Zoning Ordinance. City Manager Anderson stated the amendment will allow Apartments and Condominiums in the R-2 Zoning District of the City and it will be a permitted use not a Conditional Use. The Municipal Planning Board held a Public Hearing on November 14, 2019 to hear the matter and did approve the change and recommend approval. No comments were heard from the Public. Attorney Campbell closed the Public Hearing.

Ordinance 12-19-02 – City Attorney Campbell opened the Public Hearing for the requested amendment to Chapter 8 of the Cornelia Zoning Ordinance. City Manager Anderson stated the amendment will remove the requirement for swimming pools in developments with 50 units or more. The Municipal Planning Board held a Public Hearing on November 14, 2019 to hear the matter and did approve the change and recommend approval. No comments were heard from the Public. Attorney Campbell closed the Public Hearing.

Commissioner Dodd made the motion to post Ordinance 12-19-01, Amendment to Chapter 6 of the Zoning Ordinance; seconded by Commissioner Bagwell. Approved 4 – 0.

Commissioner Bagwell made the motion to post Ordinance 12-19-02, Amendment to Chapter 8 of the Zoning Ordinance removing the pool requirement for developments over 50 units; seconded by Commissioner Griggs. Approved 4 – 0.

Consent Agenda – Commissioner Dodd made the motion to approve the following Consent Agenda items: (1) Certifying the November 5, 2019 Election Results for Mayor John Borrow 265 votes and 3 write-in votes; Ward 1 Wes Dodd 104 votes and Mark Reed 82 votes; Ward 4 Tony Cook 41 votes; and the Brunch Bill passed 207 votes in favor and 85 opposed., (2) The Downtown Development Authority Bylaws Section 5 states the members of the Board must not do anything that jeopardizes the good public standing of the DDA is subject to removal which includes social media and internet programming. The 2nd amendment, under Section 10 states that members of the Board must be residents of Habersham County and at least 4 must be owners or operators of Downtown businesses. This language is straight from the state law that governs DDA's. (3) Commission Meeting Dates for 2020 were set., and (4) Increase the IT Department Line Item #225-54.2010, New Equipment by \$15,000 from Wastewater Department Line Item #222-54.2000 Capital Expense. Mr. Anderson noted we have encountered some unforeseen expenses this year in the IT Department, most notably the need to install security cameras at several locations including the Community House and our Water Tanks.; Commissioner by Commissioner Cook. Approved 4 – 0.

GEFA Loan #CW2017024 – City Manager Anderson stated the modification is to increase the Principal Forgiveness from \$500,000 to \$1 million for the loan for the Wayside Street Sewer, Drainage, and Sidewalk Project. Commissioner Dodd made the motion to approve the change to GEFA Loan #CW2017024 increasing the Principal Forgiveness from \$500,000 to \$1 million; seconded by Commissioner Cook. Approved 4 – 0.

New Garbage Truck – City Manager Anderson explained that our oldest garbage truck, which is 8 years old, is no longer working properly and the bed cannot be repaired. He said to get a new bed installed would cost around \$50,000. The low bid is from Carolina Environmental Systems in the amount of \$98,673 which is to have a new truck built. It would take 235 to 255 days to build the truck. Carolina International Trucks in Greenville, SC has a truck on the yard now for \$99,797. He recommended spending the extra \$1,124 in order to get the truck now and enter a 5-year Lease-Purchase Agreement with GMA with interest rate of 3.44%. The first payment will be made in 2020 and we have an existing GMA Lease that will be paid off in March 2020. Commissioner Dodd made the motion to approve the purchase of the 2020 Hino Truck from Carolina International Trucks for \$99,797 and to adopt the Resolution to enter into a 5-year lease with Georgia Municipal Association for the purchase; seconded by Commissioner Griggs. Approved 4 – 0.

Evidence Room and Weapons Room Storage - City Manager Anderson explained that we are responsible for the storage in the evidence room and in the weapons room in the new Police Station. Cooper & Company is using Patterson Pope for the evidence room storage for their portion. We have verified that this is a State Contract price, so there are no requirements to get bids. The proposal for the necessary equipment is \$83,576.91 and will be paid out of the Bond Funds for the Municipal Complex.

Ordinance 12-19-03, Brunch Bill Ordinance – City Manager Anderson advised that on the November 5th Election we held a referendum to allow the voters to decide if restaurants should be allowed to serve alcohol beginning at 11 AM on Sundays. The referendum passed overwhelmingly, so we need to amend Chapter 6 of our Code. Commissioner Bagwell made the motion to post Ordinance 12-19-03, Amendment to Chapter 6 to allow alcohol beverages to be served beginning at 11 AM on Sundays; seconded by Commissioner Dodd. Approved 4 – 0.

Bids for New Jaws of Life – City Manager Anderson stated that the Fire Department received Assistance to Firefighters Grant from GEMA in the amount of \$35,952.38 to purchase a new set of Jaws of Life. Our matching portion for the grant is \$1,797.62 bringing the total to \$37,750. We received 2 bids for the equipment with the low bidder being Georgia Fire & Rescue Supply in the amount of \$36,442.28. Commissioner Cook asked if the old one would be sold. City Manager Anderson said maybe because you have to use a generator with it. Commissioner Dodd made the motion to accept the bid of Georgia Fire & Rescue Supply for the purchase of the new Jaws of Life for \$36,442.28; seconded by Commissioner Cook. Approved 4 – 0.

Commissioner Bagwell made the motion to adjourn the meeting at approximately 7:05 PM; seconded by Commissioner Dodd. Approved 4 – 0.

Janie N. Henderson, secretary to the City
Commission

James C. Irby, Jr., 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 into an Executive Session to discuss certain matters in a closed session.

- () 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).

- (x) 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
 3RD day of December , 20 19 .

Notary Public