

MINUTES

City of Carrollton Mayor and Council Meeting

January 3, 2011

6:00 p.m.

Public Safety Complex, Court/Council Chambers, 115 West Center Street,
Carrollton, Georgia

I. CALL TO ORDER

The Mayor and City Council met in regular session on Monday, January 3, 2011 at 6:00 p.m. in the Public Safety Annex Building, 115 West Center Street, Carrollton, Georgia. Mayor Garner called the meeting to order at 6:00 p.m. Members present: Mayor Wayne Garner, Councilmember Peter Balega, Councilmember Gerald Byrd, Councilmember Mandy Maierhofer and Councilmember Mike Patterson.

II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Garner.

III. INVOCATION

Councilmember Byrd offered the invocation.

IV. MINUTES (November 1, 2010)

Motion by Councilmember Maierhofer, seconded by Councilmember Patterson to approve the Minutes of the November 1, 2010 meeting of the Mayor and Council. Motion passed (5-0).

V. ITEMS OF DISCUSSION

1. **Rezoning Request: Rezone from R-20 Single Family Residential to R-10 Single Family Residential**
Property Location: 430 College Street – 0.657 acres
Petitioner: Steve Farish on behalf of Andrew Gissinger
(Supporting documents attached separately)

A public hearing was held to receive citizen input from petitioner Steve Farish's (on behalf of Andrew Gissinger) request to rezone property located at 430 College Street from R-20 Single Family Residential to R-10 Single Family Residential. Assistant City Manager Grizzard advised that the Planning Commission voted to recommend approval of said request with the following condition: The development of an additional single-family residence maintains compatible architectural style of surrounding neighborhood.

At this time, Mayor Garner opened the public hearing to receive citizen input on the matter. Those speaking opposed: None. Those speaking in favor: None.

With no further public comment, Mayor Garner closed the Public Hearing and inquired to the wishes of the Council. Councilmember Balega inquired about the future uses of the property and whether the intentions were to build a single family structure to rent or to be sold. Petitioner Farish responded that at this point in time a plan for the property had not been developed. **Motion by Councilmember Byrd, seconded by Councilmember Patterson to accept the Planning Commission's recommendation to approve rezoning the property located at 430 College Street from R-20 Single Family Residential to R-10 Single Family Residential with the condition that the development of an additional single-family residence maintain compatible architectural style of surrounding neighborhood. Motion passed (4-1). Mayor Garner, Councilmember Byrd, Maierhofer, and Patterson voting in favor and Councilmember Balega voting opposed.**

2. WGTC Building Progress (Dr, Skip Sullivan)

Dr. Skip Sullivan, President of West Georgia Technical College (WGTC), shared an informative power point presentation of the progress on the renovation and updating of the “old People’s Bank” building. Dr. Sullivan reported that the main floor of the building is expected to be completed by February 2011 and that the remainder of the building should be completed by May 2011. Dr. Sullivan advised that a majority of the work is being done by employees and noted that WGTC is also doing a lot of its business locally. In addition, Dr. Sullivan expressed his appreciation to the City of Carrollton and the Mayor and Council for the great partnership between the entities and invited everyone to stop by and see the progress which has been made to the building.

3. Appointments: Carroll City-County Hospital Authority

City Manager Coleman reported that the Carroll County Board of Commissioners had requested the Mayor and Council’s consideration for the following appointments to the Carroll City-County Hospital Authority:

Position No. 1 (Trent North IS eligible for re-nomination)

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| 1. Trent North | 2. Terry Harper | 3. Hershel Parmer |
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Position No. 2 (Norman Banks IS eligible for re-nomination)

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|-----------------|------------------|-----------------------|
| 1. Norman Banks | 2. Harry Preston | 3. Thomas S. Upchurch |
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Position No. 3 (Howard Cobble IS eligible for re-nomination)

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| 1. Howard Cobble | 2. Allen Murrah | 3. Cade Parian |
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Position No. 4 (Mary Covington IS eligible for re-nomination)

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| 1. Mary Covington | 2. Jack Whitman | 3. Ed Harmon, Jr. |
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Position No. 5 (Larry Boggs IS eligible for re-nomination)

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| 1. Larry Boggs | 2. Howard B. (Rocky) Lipham | 3. Tim Warren |
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Position No. 6 (Daniel Jackson is NOT eligible for re-nomination)

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| 1. Dr. Richard Bland | 2. Robert Kenimer | 3. Ben Moon |
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Position No. 7 Formerly held by Mike Steed

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| 1. Bobby McMillan | 2. Robert G. Harris | 3. Fred O’Neal |
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Motion by Councilmember Balega, seconded by Councilmember Maierhofer to nominate the above individuals for consideration to the Carroll City-County Hospital Authority. Motion passed (5-0).

4. Resolution 01-2011: Personnel Policy Amendment

CM Coleman presented for consideration Resolution 01-2011 amending the City of Carrollton Personnel Policy. CM Coleman reported that Human Resource Director Libby Duke and several Department Directors had requested changes be made in the City’s personnel policy regarding disciplinary hearings. Specifically, requesting that a change be made to the disciplinary action procedures (as outlined in the employee policy manual) so that the City does not always have to appoint an outside hearing officer to conduct a disciplinary action appeal hearing. The suggestion was made that the City Manager serves as the hearing officer or appoints a hearing officer at his discretion.

CM Coleman stated that he was in agreement with the proposed change and requested City Attorney Conerly to research the matter to insure the City continues to comply with applicable state/federal laws as well as any due process requirements imposed on the City.

According to the City Attorney, the simplest thing to do would be to change Section B.2. (a)(1), so that the City Manager becomes the default hearing officer. However, the section should allow the City Manager (at his discretion) to appoint another person to serve as the hearing officer, should the City Manager choose to do so. This might be a good idea in cases where the City Manager is the one who

made the disciplinary decision to begin with (e.g., demoting or terminating a department head). In this regard, City Attorney Conerly suggests a revised Section B.2.(a)(1), as follows: *“The City Manager shall serve as a Hearing Officer – or, at his/her discretion, the City Manager may appoint any non-employee of the City to serve as a Hearing Officer – to conduct the evidentiary hearing and render an impartial decision based on testimony and/or evidence presented.”*

There being no questions from members of the Council, Mayor Garner inquired to the wishes of the Council. **Motion by Councilmember Maierhofer, seconded by Councilmember Byrd to approve Resolution 01-2011 amending the City of Carrollton Personnel Policy authorizing the City Manager to serve as a Hearing Officer – or, at his/her discretion, the City Manager may appoint any non-employee of the City to serve as a Hearing Officer – to conduct the evidentiary hearing and render an impartial decision based on testimony and/or evidence presented. Motion passed (5-0).**

5. Roop Street Bridge (Street adjacent to Captain D's)

CM Coleman reported that Roop Street (the street adjacent to Captain D's which goes to the Publix Shopping Center) running off of South Park Street has a very narrow and dangerous bridge. The street narrows from a two lane road down to a single lane as it passes over the bridge. Not only is this problem a safety issue, it creates traffic problems (traffic backs up) and is a matter of inconvenience for our citizens. Also, as important, the bridge is rated for a maximum of fifteen (15) tons and tractor trailer trucks are using this bridge to make deliveries to the shopping center. Most fully loaded trucks exceed this weight limit – thus severely overloading the bridge to the point of possible collapse. Over time, the City Manager reported that he had received many complaints regarding this bridge and many requests to widen it.

In addition, CM Coleman advised that he had asked Mr. Doug Crawford of Crawford & Associates to look at the problem and recommend a solution and Mr. Crawford advised the following solutions:

Mr. Crawford states that there are two possible solutions:

- Build a culvert to replace the bridge at an estimated cost of \$175,000. This scenario is dependent upon EPD permission and the cost of an EPD permit. The load rating is AASHTO HS20-44 (sufficient for loaded trucks).
- Replace the bridge with a two lane prefab bridge at an approximate cost of \$200,000. No EPD permit is required. The load rating is AASHTO HS20-44 (sufficient for loaded trucks).

CM Coleman advised that during the holidays, he had the opportunity to cross the bridge several times and each time, traffic was backed up and drivers were failing to yield the right-of-way.

CM Coleman also noted that he had requested the Police Department to check their records and no serious traffic accidents nor injuries have occurred at the location. CM Coleman requested the Mayor and Council's permission and direction to proceed with the replacement of the bridge and informed the Mayor and Council that the money to pay for the project may be provided from 2003 SPLOST funds. **Motion by Councilmember Byrd, seconded by Councilmember Maierhofer to allow the City Manager to proceed with the replacement of the Roop Street Bridge. Motion passed (5-0).**

6. Resolution 02-2011 TEA Grant for Greenbelt Resolution

ACM Grizzard presented for consideration Resolution 02-2011 authorizing the City of Carrollton to contract with the US Department of Transportation for funding under the Transportation Equity Act for the 21st Century ("TEA-21"). The City will utilize this funding for the Carrollton Greenbelt project. **Motion by Councilmember Patterson, seconded by Councilmember Byrd to approve Resolution 02-2011 authorizing the City to contract with the US Department of Transportation for funding under the Equity Act for the 21st Center ("TEA-21" grant) for the Greenbelt. Motion passed (5-0).**

7. Water Rates

ACM Grizzard advised the Mayor and Council that the City of Carrollton has not had a rate increase on its per unit water rates since July 2007. ACM Grizzard reported that the City had shifted the cost of the base rate from garbage to water in 2008 with effectively no change to the customer's monthly bill. In July

2009, the City also added \$1.83 to the base rate as mandated by our GEFA loan agreement. ACM Grizzard advised that the City's cost of production continues to increase due to inflation on electrical rates, chemicals, and insurance. ACM Grizzard shared neighboring systems utility rates and pointed out that the City would still remain significantly lower in water rates.

ACM Grizzard informed the Mayor and Council that city staff proposes to raise water and sewer rates by 10% effective January 1, 2011 which will be indicated on the February water bill. This would constitute an increase of \$1.28 cents per month on senior citizens who use 3 units or less, \$1.56 per month for non-senior citizens who use 3 units or less, and \$5.56 per month on an average bill of 10 units.

ACM Grizzard also noted that there are projects that the City needs to fund in order to maintain its system and accommodate growth. As an example, the sanitary sewer line along Dixie Street is in need of repair and as the Hospital continues to expand, the connection fees collected from the projects will not cover the cost of these repairs. CM Coleman reminded the Mayor and Council that GEFA requires two years of water increases as part of their agreement. **Motion by Councilmember Patterson, seconded by Councilmember Maierhofer to increase the City of Carrollton water rates by 10% effective January 1, 2011. Motion passed (5-0).**

VI. CITIZEN COMMENTS

Mr. Tim Clark advised that he noticed that Mr. Gerald Pilgrim's name had been removed from the list of nominees for appointment to the City-County Hospital Authority. CM Coleman advised that Mr. Pilgrim had requested that his name be withdrawn from consideration as an appointee on the Authority.

VII. MAYOR AND COUNCIL ANNOUNCEMENTS

Mayor Garner and Councilmember Patterson thanked Dr. Skip Sullivan for his presentation on the WGTC building.

Councilmember Byrd thanked City employees who work behind the scenes getting jobs done.

VIII. CITY MANAGER ANNOUNCEMENTS

None

IX. ADJOURN

There being no further business to address, the meeting adjourned at 6:55 p.m.