

City of Jasper
200 Burnt Mountain Road
Jasper, Georgia 30143
REGULAR COUNCIL MEETING
Monday, August 5, 2019, 6 p.m.

- I. Call meeting to order
- II. Invocation
- III. Pledge of Allegiance
- IV. Adopt agenda
- V. Read minutes of the July 1, 2019 regular meeting
 - A. Lisa Hoyle
- VI. Old Business
 - A. Peaks of Jasper – Gary Hammond - re-zone portion of parcel no.041015 located at 1317 West Church Street from C-2 (General Commercial) to R-3 (High Density Residential)
 - 1. Brandon Douglas
 - B. Subletting city property update
 - 1. Attorney Bill Pickett
 - 2. Brandon Douglas
 - C. Service Delivery Area – map amendment
 - 1. David Hall
 - 2. Brandon Douglas
 - D. Mountain Business Park – zoning
 - 1. Brandon Douglas
 - E. Manitoulin LLC – annexation revisited – tabled until September regular meeting
 - 1. Brandon Douglas
- VII. New Business
 - A. Jasper Merchants Association events
 - 1. Brandon Douglas
 - B. Main Street closure – Prevent Child Abuse Pickens Long Table event
 - 1. Brandon Douglas
 - C. Stormwater – Connell Street/Elizabeth Street
 - 1. Brandon Douglas
 - 2. Terry New
 - D. WPCP Expansion – quote for subsurface investigation - Geo Systems
 - 1. David Hall
 - 2. Brandon Douglas
 - E. Paving project bids
 - 1. Brandon Douglas
 - F. GMA capital lease resolution
 - 1. Brandon Douglas
 - G. Proposed reversal of traffic – Stegall Drive
 - 1. Brandon Douglas
 - H. Proposed closing of section of Stegall Drive between Main St. and Mark Whitfield St.
 - 1. Brandon Douglas
 - I. Piedmont Village street dedication to the city
 - 1. Brandon Douglas
- VII. Executive Session
 - A. Consultation with legal counsel pertaining to pending/threatened litigation
 - 1. Attorney Bill Pickett
 - 2. Attorney David Root
- VIII. Mayor’s Report
 - A. Economic Development Hiring Committee update
 - 1. Councilmembers Sonny Proctor & Kirk Raffield
 - B. Perrow/Roper/Pool Property Development Committee update
 - 1. Councilmember Sonny Proctor
 - C. Cost of Construction Aid Committee update
 - 1. Councilmember Tony Fountain
 - 2. Brandon Douglas/David Hall

- D. SPLOST 2020 Committee update
 - 1. Councilmembers John Foust & Sonny Proctor
 - 2. Brandon Douglas/Lisa Hoyle
- E. Finance Report
 - 1. Lisa Hoyle
- F. Roads/Other Report
 - 1. Lonnie Waters
- G. Police Report
 - 1. Chief Greg Lovell
- H. Fire Report
 - 1. Chief Steve Roper
- IX. Adjourn

MINUTES
REGULAR COUNCIL MEETING
Monday, August 5, 2019

Members Present:

Mayor John Weaver
John Foust
Tony Fountain
Anne Sneve
Dr. Sonny Proctor
Kirk Raffield

Staff:

Lisa Hoyle
Brandon Douglas
Lonnie Waters
Steve Roper
Greg Lovell
David Hall
Randy Banks

Guests in Attendance:

Mari Livsey
Gary Hammond
Carrie Roland
Kris Stancil
Amberle Godfrey
Robert Keller
Frank Leist
Haley Bouchie
Randy Glossan
Mike Degoyer
Terry New
David Shouse
Brad Dilbeck
Gary Copeland
Josh Copeland
Noel Will
David Perez

Members Absent:

None

Legal Counsel:

Bill Pickett

Press:

Larry Cavender

Mayor Weaver called the meeting to order promptly at 6:00 p.m. He requested Lonnie Waters give the invocation. He called on Councilmember Anne Sneve to lead the Pledge of Allegiance.

Mayor Weaver asked that the agenda be reviewed and approved by council. Councilmember Anne Sneve made a motion to approve the agenda as presented. Councilmember Kirk Raffield seconded the motion. Motion carried unanimously.

Mayor Weaver called on City Clerk Lisa Hoyle to read the minutes of the July 1, 2019 regular meeting. Councilmember John Foust asked that Item I under New Business be clarified that the infield was redone and needle machine was purchased this year and the infield work laser leveling was done several years ago. Councilmember Kirk Raffield made a motion to accept the minutes as read with the clarification noted. Councilmember Anne Sneve seconded the motion. Motion carried unanimously.

Item A under Old Business, Mayor Weaver recognized City Manager Brandon Douglas to present a request from Landbridge Acquisitions, LLC (applicant) to request a change in zoning of a portion (3.65 acres) of parcel number 041015 located at 1317 West Church Street from C-2 (General Commercial) to R-3 (High Density Multifamily Residential). The parcel is owned by Bob Wigington as Trustee of Wigington Family. Mr. Douglas stated that on May 9, 2019 an application was heard by the Planning Commission requesting the property be rezoned as R-3. He stated that this is a portion of a an approximately 15-acre tract which has been surveyed out of the parcel. He stated that the Planning Commission voted with a tie and Chairman Walker voted to break the tie for a 2-1 in favor of the rezone. Mr. Douglas asked that the Mayor recognize Gary Hammond representing Landbridge Acquisitions, LLC. Mr. Hammond presented the plans for the property. Discussion with council followed. Mayor Weaver entertained a motion. Councilmember Sonny Proctor made a motion that the parcel be approved for an R-3 zoning. Councilmember John Foust seconded the motion. Motion carried unanimously.

Item B under Old Business, Mayor Weaver recognized Attorney Bill Pickett and Mr. Douglas to update the council on the subletting of city property. Mr. Douglas stated that due to scheduling he had not been able to contact Mr. Pickett regarding the subletting. Mr. Pickett stated that he had spent some time researching and that his gut reaction was that the city should not be subletting the property. He stated that he did not think the city had the authority to lease the property. He stated that cities with 300,000 population had specific statutory authority in order to lease parks. He stated that the taxpayers of the city of Jasper actually own this property and this would alienate the property, take the city out of the loop and lose control of our own destination. He also stated that it would violate the insurance and could waive sovereign immunity. He also stated that the JYSA was not a legal organization. Councilmember Foust

stated that they are a 501(c) 3 organization. Mr. Pickett stated that they still are not registered with the Secretary of State's office. Mayor Weaver stated that it may be time for the use of the facilities to come back under the umbrella of the city staff and council instead of having people that we do not know schedule our fields. More discussion followed. Mayor Weaver entertained a motion to table the issue until Mr. Douglas can come back with a plan on how the city will schedule use of the fields. Councilmember Kirk Raffield made such motion. Councilmember Anne Sneve seconded the motion. Motion carried unanimously.

Item C under Old Business, Mayor Weaver called on Mr. Douglas to present the Service Delivery Area map amendment for the changes approved in the last regular council meeting. Mr. Douglas stated that he had reached out to DCA to find out how to go about the amendment. Mayor Weaver stated that the DCA has specific steps outlining how to change the map. Mayor Weaver stated that this would be kept on Old Business on the next regular meeting. Councilmember Anne Sneve made a motion to table this item until next month's meeting. Councilmember Tony Fountain seconded the motion. Motion carried unanimously.

Item D under Old Business, Mayor Weaver called on Mr. Douglas to present to council an update on the zoning issue at Mountain City Business Park. Mr. Douglas stated that he had been putting together information to determine what type businesses are in the business park. He stated he planned to get with Brad Dilbeck and the other business owners in the park to determine the types of businesses. He stated there are only 21 uses that do not overlap in C-2 and M-1 and that he had about 20 percent of remaining businesses to determine under which zoning use they fell. Mayor Weaver recognized Mr. Dilbeck to explain to council his predicament with the current zoning. Mr. Dilbeck stated that he owned eight properties in the park, four of which are not developed. He stated that he had put a hold on building on those until he knew what he can build. Mayor Weaver stated that these questions should be put before the Planning Commission so that the property owners and citizens could come to a public hearing and speak their opinion then bring the recommendation to the city council for them to make a decision. Discussion with council followed. Mayor Weaver entertained a motion for council to table this issue to give the city manager more time to do research and have more information to provide to council. Councilmember Anne Sneve made such motion. Councilmember Tony Fountain seconded the motion. Motion carried unanimously.

Item E under Old Business, Mayor Weaver entertained a motion to table Manitoulin LLC – annexation revisited until the next regular meeting. Councilmember Kirk Raffield made such motion. Councilmember Anne Sneve seconded the motion. Motion carried unanimously.

Item A under New Business, Mayor Weaver recognized Mr. Douglas and Haley Bouchie with the Jasper Merchant's Association to request street closings for three different events. Mr. Douglas stated that on Thursday, October 31st the Merchants wished to close Main street from 4:00 pm. until 6:00 pm, on Saturday, December 7th request to close Main Street from 4:00 pm to 8:00 pm and on Tuesday, December 31st request to close Main Street from 7:00 pm until Saturday, January 1, 1:00 am. Mayor Weaver entertained a motion. Councilmember Kirk Raffield made a motion to approve the street closure requests for Halloween, Christmas parade and for New Year's Eve. Councilmember Anne Sneve seconded the motion. Motion carried unanimously.

Item B under New Business, Mayor Weaver called on Mr. Douglas to present Main Street closure for Prevent Child Abuse Pickens Long Table Event. Mr. Douglas stated that June Ash with Prevent Child Abuse Pickens had requested that North Main Street in front of 61 Main restaurant be closed for the Long Table event from noon until 11:00 pm on Saturday, September 21st. Mayor Weaver entertained a motion. Councilmember Kirk Raffield made a motion to approve the street closure as requested. Councilmember John Foust seconded the motion. Motion carried unanimously.

Item C under New Business, Mayor Weaver recognized Mr. Douglas and Terry New, resident of Connell Street to present stormwater issues on Connell Street and Elizabeth Street. Mr. Douglas stated that the flash flood that occurred Friday, July 19th created storm water runoff that negatively impacted several residences. He also gave an update on the Elizabeth Street sink hole. He stated that repairing the street would cost less than \$20,000 and SPLOST money could be used to pay for the repair. Mayor Weaver recognized Mr. New to discuss the flooding issues on Connell Street. Mr. New stated that several homes on Connell Street were affected by flooding. He asked if the city had a stormwater easement on Connell Street so that the drains could be repaired. Lonnie Waters stated that he had researched and had not found an easement. Mr. New shared with council paperwork showing an easement. Discussion followed. Mayor Weaver stated that he would let Bill Pickett and Mr. Douglas research as to where the city actually has an easement for the stormwater drainage system before the city attempts repair work. Councilmember Sonny Proctor stated that he had been contacted by citizens in some other locations that had flooded as well. More discussion followed. Mayor Weaver stated that council would keep this as an item on the next meeting in order to see what the city can do to help its citizens. Mr. Douglas requested council authorize up to

\$20,000 in SPLOST monies to repair the Elizabeth Street sinkhole. Councilmember Kirk Raffield made such motion. Councilmember Anne Sneve seconded the motion. Motion carried unanimously.

Item D under New Business, Mayor Weaver recognized Mr. Douglas and Water and Sewer Superintendent David Hall to present to council a proposal from GeoSystems Engineering for subsurface investigation for the water pollution control plant expansion. Mr. Hall stated that Turnipseed Engineers had sent a proposal from GeoSystems to test the ground at the wastewater plant. He stated he is asking for council's approval for them to ensure the ground is stable enough for the additions. He stated the cost would be from \$7,200 to \$9,800. Mayor Weaver entertained a motion to approve \$7,200 to 9,800 requested by Mr. Hall to hire GeoSystems to perform a subsurface investigation at the wastewater plant. Councilmember Anne Sneve made such motion. Councilmember Kirk Raffield seconded the motion. Motion carried unanimously.

Item E under New Business, Mayor Weaver recognized Mr. Douglas to present the bids received for the city's paving project. Mr. Douglas stated that the bids were opened on July 9th. He stated the city received the following bids:

Johnson Paving LLC	\$1,297,827.64
Colwell Construction Co., Inc.	\$1,256,196.21
Northwest Georgia Paving, Inc.	\$1,217,062.50
C.W. Matthews Contracting Co., Inc.	\$1,396,075.69

He stated the apparent low bid was from Northwest Georgia Paving, Inc. at \$1,217,062.50. Mayor Weaver asked Lonnie Waters to call out the street names that were to be paved. Mr. Waters read the list of streets. Mayor Weaver entertained a motion to approve the low bid of Northwest Georgia Paving Inc. in the amount of \$1,217,062.50. Councilmember Kirk Raffield made such motion. Councilmember Anne Sneve seconded the motion. Motion carried unanimously.

Item F under New Business, Mayor Weaver called on Mr. Douglas to present to council a Capital Lease Resolution. He stated that this resolution must be approved in order to secure the tax-exempt financing through GMA for vehicles and equipment that council had previously approved. City Clerk Lisa Hoyle read the resolution, which will be made a part of these minutes and attached hereto. Mayor Weaver entertained a motion to approve the resolution as read. Councilmember Anne Sneve made such motion. Councilmember Tony Fountain seconded the motion. Motion carried unanimously.

Item G under New Business, Mayor Weaver recognized School Superintendent Carlton Wilson to discuss the proposed reversal of traffic on Stegall Drive. Mr. Wilson stated that he had come to discuss he reversal of Stegall Drive but it had come to his attention that there were still some issues and questions so at this time he is requesting council table until next month's meeting so that these issues and questions can be addressed. He stated that the reason for the request was when the elementary school has a major event, the traffic is shut down all the way to Main Street. He stated that it would benefit the school system from a safety standpoint as they could line traffic up all the way down to the Chamber if necessary. He stated that he felt this would be more a benefit to the city so as to get the traffic off Main Street. Mayor Weaver stated that when Highway 53 becomes one-way coming into the city, the reversal of Stegall would provide a way for traffic to flow the opposite direction if need be. Discussion followed. Mayor Weaver entertained a motion to keep this item under Old Business. Councilmember Kirk Raffield made a motion to table this item. Councilmember Anne Sneve seconded the motion. Motion carried unanimously.

Item H under New Business, Mayor Weaver recognized Mr. Douglas to present the proposed closing of Stegall Drive between Main Street and Mark Whitfield Street. Mr. Douglas stated that if the traffic was going to be reversed on Stegall Drive, there could be a potential problem of traffic dumping out onto Main Street. Mayor Weaver then recognized Johnny Green and Randy Glosson (the owners of Angry Mama's Auction) who stated that they would be in support of the closing of Stegall between Main and Mark Whitfield Streets. Discussion followed. Mayor Weaver recognized Carrie Roland who stated she also would like to close that portion and make it a green space. Mayor Weaver stated to table this item along with Item G.

Item I under new business, Mayor Weaver called on Mr. Douglas to present the proposed dedication of Piedmont Village streets to the city. Mr. Douglas stated that the developer had provided the city with a survey of the roads and rights of way and he is asking that the city accept the roads. Mayor Weaver entertained a motion. Councilmember Kirk Raffield made a motion to dedicate the roads of Piedmont Village development to the city. Councilmember Anne Sneve seconded the motion. Motion carried unanimously

Mayor Weaver stated that council needed to go into executive session in order to consult with legal counsel regarding pending/threatened litigation. Councilmember Anne Sneve made a motion to go into executive session.

Regular Council Meeting
August 5, 2019

Councilmember Tony Fountain seconded the motion. Motion carried unanimously. Mayor Weaver closed the meeting.

Councilmember Kirk Raffield made a motion to come out of executive session. Councilmember Anne Sneve seconded the motion. Motion carried unanimously. Mayor Weaver opened the meeting.

Mayor Weaver asked for committee updates. Councilmember Proctor gave an update on the Economic Developer Hiring Committee and the Perrow/Roper/Pool Property Development Committee. City Manager Brandon Douglas gave an update on the Cost of Construction Aid Committee. Mr. Douglas gave an update on the SPLOST 2020 Committee.

Finance Director Lisa Hoyle gave the financial report for the month of July 2019.

Lonnie Waters gave a report on roads and streets.

Chief Greg Lovell gave a report of police activities for the month of July 2019.

Chief Steve Roper gave a report of fire activities for the month of July 2019.

Being no other business to come before Council, Mayor Weaver adjourned the meeting. Council is scheduled to convene next at the public meeting to be held August 7, 2019 and the regular meeting to be held September 9, 2019.



John W. Weaver
Mayor



Lisa J. Hoyle
City Clerk/Finance Director

STATE OF GEORGIA
COUNTY OF PICKENS

AFFIDAVIT RE: CLOSURE OF OPEN MEETINGS

Personally appeared before the undersigned officer, duly authorized under the laws of the State of Georgia to administer oaths, John W. Weaver, who in his/her capacity of Mayor or the person presiding over the meeting of the Council of the City of Jasper, Georgia, and after being first duly sworn, certifies under oath and states to the best of his or her knowledge and belief the following:

At its meeting held on August 5, 2019, the Council voted to go into closed session and exclude the public from all or a portion of its meeting. The legal exceptions applicable to the exempt matters addressed during such closed meeting are as follows:

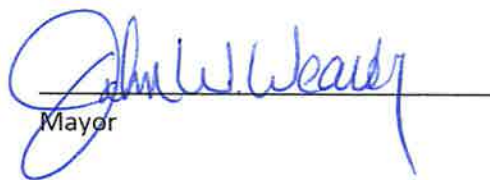
(check or initial as appropriate)

- Discussing or deliberating upon the appointment, employment, compensation, hiring, disciplinary action, dismissal, periodic evaluation, or rating of a government officer or employee.
- Privileged consultation with legal counsel pertaining to pending or threatened litigation, claims, administrative proceedings or settlements. [OCGA 50-14-2]
- Discussing the future acquisition of real estate. [OCGA 50-14-3(4)]
- Staff meetings for investigative purposes under duties or responsibilities imposed by law. [OCGA 50-14-3(1)]
- Tax matters made confidential by state law. [OCGA 50-14-2]
- Inspection of facilities under jurisdiction of the City. [OCGA 50-14-1(a)(2)]
- Meeting with a governing body, officer, agent or employee of another agency at a location outside the geographical jurisdiction of the City or such other agency and at which no final action is taken. [OCGA 50-14-1(a)(2)]
- Other. (Explanation required.)

I certify that the subject matter of the closed meeting or the closed portion of this meeting was devoted to the matters of official business or policy within the exceptions provided by law as set forth above.



City Clerk



Mayor

(seal)

Sworn to and subscribed before me this 13 day of August, 2019.



Notary Public
Pickens County, State of Georgia

My Commission Expires: Feb 10, 2022



Original is in back of minute book

COPY

**RESOLUTION
2019-08-05**

COPY

**RESOLUTION FOR DECLARATION OF OFFICIAL INTENT TO REIMBURSE COSTS OF VARIOUS
ASSETS WITH TAX-EXEMPT FINANCING**

WHEREAS, the City of Jasper (the "Issuer") plans to make asset improvements, acquire various assets, and/or equipment - 1 new Police Vehicle with Equipment, 1 new Fire Vehicle with Equipment, 2 new Sanitation Vehicles with Equipment and 1 new Water Service Truck ; and

WHEREAS, the Mayor and Council (the "Governing Body") desires its official intent to reimburse costs of the assets/asset improvements/equipment through the use of a lease-purchase or other financing mechanism.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body hereby declares pursuant to Treasury Regulations Section 1.150-2 its official intent to reimburse the costs of the assets/asset improvements/equipment through the use of a lease-purchase or other obligations for the purpose of paying or reimbursing costs of the said up to approximately \$280,000.00.

BE IT FURTHER RESOLVED, that a copy of this Resolution be placed in the official records of actions of the Governing Body.

ADOPTED, this 5th day of August, 2019.

John W. Weaver, Mayor

John Foust, Mayor Pro Tem

Tony Fountain, Council Member

Anne Sneve, Council Member

Kirk Raffield, Council Member

Dr. Sonny Proctor, Council Member

ATTEST:

Lisa J. Hoyle, City Clerk