

CITY OF MOUNTAIN PARK

Regular Meeting of Mayor and City Council

April 20, 2009

7:30 PM

Community Building at 100 Lakeshore Drive

CALL TO ORDER-Mayor Jim Still called the meeting to order at 7:35 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Mayor Jim Still, Council Members John McLaughlin, Frank Baia, Bill Pulling, Bill Schmidt, Bob Douds and Marvin Penick, Acting City Attorney, Bob Walker, and City Clerk, Karen Segars.

Not present: Council Member Julia Neal.

DISPOSITION OF ABSENCES

Schmidt moved to excuse the absence of Baia from the March 2, 2009 Special Called and Regular Council meeting of March 16, 2009, both related to work commitment. 2nd by Penick. Approved 5-0-1(Baia).

Schmidt moved to excuse the absence of Douds from the Regular Council meeting of March 16, 2009 due to illness. 2nd by McLaughlin. Approved 5-0-1(Douds).

FINANCIAL REPORT

Segars presented the following:

Ending Bank Balances as of 3/31:

General Fund \$167,132.31

Enterprise Fund \$597,426.58

Court \$ 5,358.98

Lake Restoration \$101,870.90

SPLOST \$ 37,297.04

TOTAL \$909,085.81

Performance for the month of March:

Revenues General Fund: \$ 18,563.31

Expenses General Fund: \$ 90,452.02

Deficit Net Income: \$ -71,888.71

Revenues Enterprise Fund: \$ 19,204.77

Expenses Enterprise Fund: \$ 18,164.53

Net Other Income: \$ 1,040.24

APPROVAL OF MINUTES

Motion by Bill Schmidt to waive the reading of the Special Called March 2, 2009 minutes. 2nd by John McLaughlin. Approved 5-0-1(Baia).

Motion by Bill Schmidt to adopt the minutes from March 2, 2009. 2nd by John McLaughlin. Discussion ensued whether which account the money was to be assigned to was made part of the motion. With regard to the inquiry of Baia, it was noted this designation was not part of the motion to approve. Approved 5-1(Baia)-0.

Motion by Bill Schmidt to waive the reading of the Work Session of March 11, 2009. 2nd by John McLaughlin. Approved 6-0-0.

Motion by Bill Schmidt to adopt the minutes from March 11, 2009. 2nd by John McLaughlin. Approved 4-0-2(Baia and Pulling). Pulling noted work session minutes did not need approval since no actions were recorded.

Schmidt moved to waive the reading of the Regular Council meeting minutes from March 16, 2009. 2nd by McLaughlin. Approved 5-0-1(Baia).

Schmidt moved to adopt the minutes from March 16, 2009, 2nd by McLaughlin. Approved 5-0-1(Baia).

ADOPT MEETING AGENDA

Schmidt moved to approve the agenda as presented. 2nd by McLaughlin. Unanimous approval.

MAYOR'S REPORT

Still advised he had asked for an inspection of the bridge as a possible candidate for federal stimulus funding and had been advised that Fulton County inspects the bridge every two years and find it in good repair. Schmidt added that the contractor that had installed the water line also reported the same.

Still stated he and the city clerk had met with the Cherokee County Commission Chairman, Buzz Ahrens and the County Manager, Jerry Cooper just to establish a relationship.

Still announced the rescheduled BBQ for the upcoming Earth Day, April 25.

Still stated the clerk had attended a small city coalition summit on Saturday past at Payne City, Georgia. The goal of said committee is to identify common issues that are unique to small

cities and to garner support throughout the state to address areas of concern.

1. Bruce Peoples Volunteer

Still explained Mr. Peoples had worked in private industry for the past 20 years but was looking to make a career transition into government and had volunteered his time to the city so he could gain some experience. Schmidt moved to accept Mr. Peoples offer. 2nd by McLaughlin. Approved 5-0-1(Pulling).

2. DNR Assistance

Still stated he had met with Sgt. Barr with DNR and they had expressed their willingness to help with enforcement of the fishing and boating regulations on the lakes. He presented an affidavit, which would allow DNR to enforce local regulations and would only allow those with current user passes to fish in the city. Schmidt noted this would allow citations of same to be heard before the municipal judge. Still stated in the absence of an approved affidavit all cases would go to state court. Discussion ensued between Pulling and Still regarding timeframe and origin of contact with DNR. Pulling also noted the quick turn around time expected for approval of this affidavit. He also pointed out that according to the city charter DNR would have to be sworn in by our code enforcement officer. Pulling also stated while he supported the concept of receiving DNR assistance he objected to the process by which it had come about. Schmidt moved to authorize the mayor to execute the affidavit for DNR. 2nd by Pulling. Approved 5-1(Baia)-0. McLaughlin stated his committee's support for this assistance. Hope Mays stated she hoped this would not have a negative impact on the litigation.

COMMITTEE REPORTS:

Administrative/Legal/Finance

No report.

BZP

Pulling stated the following had been discussed at the previous committee meeting: 35 ft height requirement, green building, driveway entrances, and gravel discharge into streets. Pulling stated the latter would require an apron on new construction but that the first reading of the proposed ordinance would come to council for review once finalized and recommended by committee.

1. Response to Jay Barnet Request

Pulling stated committee had recommended no offer be made to this individual. McLaughlin moved to accept BZP's recommendation of no offer with regard to 223 Lakeshore Drive. 2nd by Penick. Approved 5-0-1(Pulling).

Lakes/Parks/Recreation

1. Beaver Management

McLaughlin stated committee had formed a work group to address the concerns of all and to garner information on how to effectively handle the problems caused by the beavers. McLaughlin moved to appoint Penick, as a member of Council, to the work group. 2nd by Schmidt. Blake Silver asked what the objective of the group would be. It was noted that various schools of thought should be involved in the process. Motion approved 5-0-1(Penick).

2. Discussion of Fishing & Boating Passes for Volunteer Fire Department

McLaughlin moved to charge the volunteers at the resident rate for fishing user passes and boating permits. 2nd by Douds. Approved 6-0-0.

3. Ditch Update

McLaughlin stated 80% of the work had been done and moved to authorize an additional \$3,000 from SPLOST to complete the work. 2nd by Douds.

Upon an inquiry by Keith Ridgway, McLaughlin stated the total cost of \$7,000 for the work. Silver noted some of the right-of-way was actually located on private property. Approved 5-0(Baia)-0.

4. Discussion of Trees in Spillway

McLaughlin stated four trees has fallen in the Cherful Dam spillway as a result of the recent storm of April 13 and the estimated cost of clean up would be \$800-950. McLaughlin moved to authorize expenditure of up to \$950 of the SPLOST money. 2nd by Douds. Approved 5-0-1(Baia).

Hope Mays asked for help in getting signs up for Earth Day. Blake Silver noted two mating osprey on Lake Garrett.

5. Lake Litigation Update

McLaughlin noted the court had found an omission and a typographical error on the settlement document with Woomer but that corrections had been made the resubmitted with the final approval from the Justice Department and Judge Pannell by mid May. He further noted the judge would have to rule on all outstanding motions prior to commencement of trial.

Property

1. Pool Contract

Penick stated the pool tags were on sale and 5% off prior to May 15. He further noted work days scheduled for every Saturday prior to opening. Penick advised he had three bids and recommended Sweetwater Pool Management for a contract amount of \$18,020. 2nd by McLaughlin. Unanimous.

2. Maintenance Expenses

Penick moved to authorize reimbursement to the maintenance worker for the use of his cell phone in the amount of \$10 per month from line item #1111107. 2nd by Schmidt. Approved 6-0-0. Penick moved to authorize reimbursement to the maintenance worker for the use of this trailer in the amount of \$100 from line item #1122209. 2nd by McLaughlin. Approved

5-1(Schmidt)-0.

Penick moved to authorize expenditure of up to \$1,000 for pool chairs & lounges, as well as two baby changing stations from line item #1141202. 2nd by Schmidt. Pulling noted the timing of this. Penick advised he had seen these chairs and lounges, with an upcoming sale of same from Brookfield on May 2. He also noted the CDC was requiring the baby changing stations, which would cost about \$130 each. Motion carried 5-1(Baia)-0.

Public Safety

1. Roswell Contract for Police/Fire/911 Dispatch

Baia moved to approve the agreement. 2nd by Penick. Pulling asked if the section regarding the unwillingness of Roswell to enforce city ordinances was still in the document. Baia responded affirmatively, as this was the same agreement as years prior with the exception of the fee basis and yearly computation of same. Approved 5-1-(Pulling)-0.

Lt. Reeves gave the first quarter duty report noting response times inside the city at 3 minutes 30 seconds and outside the city at five minutes and 33 seconds. She also noted total service hours of 4,162.

Roads & Streets

No report.

Utilities

Schmidt inquired how the calling post was currently being funded. It was decided city hall needed to look into that.

Schmidt moved to set up the procedure to process fees associated with city user fees and permits online. 2nd by McLaughlin. Approved 6-0-0.

Schmidt noted the 2006-2008 CDBG award was wrapping up but that no final word had been given yet on the 2009-2011 award.

There was brief discussion on AT&T and the availability of UVerse.

AUDIENCE

ADJOURN

There being no further business, Schmidt moved to adjourn. 2nd by Penick. Unanimously approved.

9:17 p.m.

Jim Still, Jr., Mayor

Karen Segars, City Clerk