

CITY OF MOUNTAIN PARK

Regular Meeting of Mayor and City Council

March 16, 2009

7:30 PM

Community Building at 100 Lakeshore Drive

CALL TO ORDER-Mayor Jim Still called the meeting to order at 7:33 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Mayor Jim Still, Council Members John McLaughlin, Julia Neal, Bill Pulling, Bill Schmidt, and Marvin Penick, City Attorney, Brandon Bowen, and City Clerk, Karen Segars.

Not Present: Council Members Frank Baia and Bob Douds.

DISPOSITION OF ABSENCES

Pulling moved to excuse the January & February absences of Neal. 2nd by McLaughlin. Approved 4-0-0(Neal).

McLaughlin moved to excuse the February absence of Schmidt. 2nd by Pulling. Approved 4-0-0(Schmidt).

FINANCIAL REPORT

Segars presented the following:

Ending Bank Balances as of 2/28:

General Fund \$182,890.29

Enterprise Fund \$586,608.53

Court \$ 5,358.00

Lake Restoration \$101,620.00

SPLOST \$ 37,289.00

TOTAL \$913,765.82

Performance for the month of November:

Revenues General Fund: \$ 19,777.64

Expenses General Fund: \$121,115.72

Deficit Net Income: \$-101,338.08

Revenues Enterprise Fund: \$ 29,788.31

Expenses Enterprise Fund: \$ 19,589.84
Net Other Income: \$ 10,198.47
Deficit Net Income: \$ -2,531.32

APPROVAL OF MINUTES

Motion by Schmidt to waive the reading of the Work Session February 18, 2009 minutes. 2nd by Penick. Approved 4-0-0(Neal).

Motion by Schmidt to adopt the minutes from February 18, 2009. 2nd by Penick. Approved 4-0-0(Neal).

Motion by Schmidt to waive the reading of the Special Called Council Meeting minutes of February 23, 2009. 2nd by McLaughlin. Approved 4-0-0(Neal).

Motion by Schmidt to adopt the minutes from February 23, 2009. 2nd by McLaughlin. Approved 4-0-0(Neal).

Motion by Schmidt to waive the reading of the Regular Council Meeting minutes of February 23, 2009. 2nd by McLaughlin. Approved 4-0-0(Neal).

Motion by Pulling to strike the third name from the minutes as one of the individuals named as becoming certified in soil & erosion control and to approve the minutes as amended. 2nd by Schmidt. Approved 4-0-0(Neal).

ADOPT MEETING AGENDA

Schmidt moved to amend the agenda by striking the executive session. 2nd by McLaughlin. Unanimous approval.

Schmidt moved to approve the amended agenda. 2nd by McLaughlin. Unanimously approved.

MAYOR'S REPORT

1. Update on Status of Anti-Tethering Ordinance

It was agreed the Public Safety committee would review this.

Still announced he had made the bike ride to the Capitol with the other mayors. He also stated he had attended the elected official's luncheon hosted by Cobb EMC along with McLaughlin. Still announced the upcoming bike ride through North Fulton, more to be forthcoming. He invited all to attend the Civic Club Bluegrass & BBQ fundraiser scheduled on March 28.

COMMITTEE REPORTS:

Administrative/Legal/Finance

1. Update on Ethics Code Revisions/Progress

Neal explained that committee wished to follow the 2009 revised ordinance as published from

GMA with the exception that the complaints would be heard by the Municipal Court and moved to authorize Council to refer the ordinance to the city attorney for review and if appropriate refer to the Judge for review. 2nd by Schmidt. Neal stated any further revisions would go to work session and could then be submitted to GMA for review and public comment. Approved 5-0-0.

Neal moved to extend the moratorium another 30 days. 2nd by Schmidt. Approved 5-0-0.

Neal stated the question had come up as to whether the city could charge sales tax on vendors to goods sold within the city, however, this would require a public referendum. It was noted the city could revisit its occupational tax code.

Still noted that Jeffrey Johnson and John Braswell had made the ride from Roswell to the Capitol for the mayors run.

BZP

Pulling noted the upcoming committee meeting on Wednesday.

Jay Barnet stated he had met with the mayor and two other council members whereby he requested remuneration of the \$6,000 in fees he had to pay as a result of the city requiring him to submit an unnecessary plan required to be signed by a Level II engineer. He proposed taking no further action against the city if the city would grant him a sewer tap, an even swap as he explained it. He also requested he be charged the same fee structure for inspections that was in place last November when the permit was granted. Schmidt pointed out the sewer tap cost the city \$3,000. The matter was taken under advisement, with further review by BZP committee and recommendation to Council.

Lakes/Parks/Recreation

1. Lake Litigation Update

Bowen stated the Woomer settlement was awaiting final signatures and the outstanding motions would determine when trial would begin. Stuart Colman noted he was told April. Bowen stated the judge controls the calendar and that all outstanding motions had to be ruled upon prior to commencement of trial.

McLaughlin thanked the Civic Club for holding the fundraising event. He announced the Easter egg hunt for Saturday, April 11 at 10AM. He also stated a special Lakes, Parks, and Recreation meeting would be held Wednesday at 6pm for the purpose of discussing beaver management.

Property

1. Pool

Penick stated his committee had met Saturday prior and reviewed the pool contracts and noted the rates would be the same. Penick moved to authorize expenditure of up to \$250 for pool tags. 2nd by Schmidt. Unanimously approved. Penick moved to authorize expenditure of up to \$2,200 for replacement of the pool drain. 2nd by Schmidt. He noted this was mandatory under the Virginia Baker Act; however, since enough drains were not available the city would be given some latitude by Fulton County. Neal inquired if the money was in the budget.

Penick advised that only \$1,000 was in the line item for pool repair but it was decided money was available for capital improvement. Pulling stated he thought only \$2,000 had been recommended by committee. Penick stated he needed \$150 for Fulton County permit. It was also noted three bids were received and the amount included replacement of the skimmers. Approved 5-0-0.

Lt. Reeves asked if the Community building renovation was still on track to begin June 1. Penick stated she could book the building through the end of June.

Public Safety

1. Roswell Public Safety Services/New Contract Review

Penick moved to approve the contract as present. 2nd by McLaughlin.

Neal asked which CPI would be used and whether the Roswell personnel would be covered under the city's GIRMA plan, as stipulated in the contract. Motion failed 0-5-0. Lt. Reeves noted the contract included 911 dispatch as well.

2. MPVFR Report/Expenditure

Lt. Reeves presented the quarterly duty report.

Penick moved to approve an expenditure of \$3,850 for three sets of turnout gear and one pair of replacement boots from uniform & gear line item. 2nd by McLaughlin. Unanimously approved.

Roads & Streets

McLaughlin stated the ditch work would be completed soon and that Cardinal Cove had been paved.

Utilities

1. Appeals

Schmidt moved to adjust sewer to average due to pipe leak on accounts 100581 and 100702. 2nd by Penick. Unanimously approved.

Schmidt moved to roll back to average due to a faulty meter for accounts 100641, 100194, and 100107. 2nd by Penick. Approved 5-0-0.

Schmidt moved to waive the late fee for accounts 100003 and 100687 due to errors. 2nd by Penick. Unanimous approval.

Schmidt moved to reduce sewer to average and charge water overage at tier one rate due to broken pipe. 2nd by Penick. Approved 4-0-1(Neal).

2. 2006-2008 CDBG

Schmidt stated Laurel Street would be rolled over to 2009-2011 but that mapping was still included in the most recent change order.

3. 2009-2011 CDBG

Schmidt stated the amount of money for the city has not been determined.

Schmidt announced Earth Day, April 25 and the following participants: Cobb EMC, the Water Authority, and Waste Management. He moved to authorize utilities to sign up vendors and sell booths at \$25 for residents and \$50 non-residents for the Earth Day activities. 2nd by Neal. Unanimously approved.

Neal thanked Schmidt for his work on CDBG.

Hope Mays requested Earth Day be announced in utility bill insert. The Easter egg hunt was added to insert.

Penick requested Council be provided a copy of utility insert prior to mailing.

Still thanked the Fire Department for assistance in setting up the zones for the calling post, noting a successful test run.

ADJOURN

There being no further business, Schmidt moved to adjourn. 2nd by Neal. Unanimous. 9:09 p.m.

Jim Still, Jr., Mayor

Karen Segars, City Clerk