

CITY OF MOUNTAIN PARK

Regular Meeting of Mayor and City Council

December 29, 2009

7:30 PM

Fire Department Bay 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, Bob Douds, Julia Neal, Bill Schmidt, Bill Pulling, and Marvin Penick, City Attorney, Brandon Bowen, and City Clerk, Karen Segars.

DISPOSITION OF ABSENCES

Schmidt moved to approve the absence of Still from the November 23 meeting. 2nd by McLaughlin. Approved 6-0-1(Neal).

FINANCIAL REPORT

Ms. Segars presented the following:

Ending Bank Balances as of 11/30:

General Fund \$ 95,489.79

Enterprise Fund \$529,914.43

Court \$ 5,367.95

Lake Restoration \$202,330.44

SPLOST \$ 20,191.00

TOTAL \$853,293.61

Performance for the month of November:

Revenues General Fund: \$ 53,237.92

Expenses General Fund: \$ 25,937.38

Deficit Net Income: \$ 27,300.54

Revenues Enterprise Fund: \$ 24,570.57

Expenses Enterprise Fund: \$ 19,329.74

Net Ordinary Income: \$ 5,240.83

Other Income: \$491,089.00

Deficit Net Income: \$496,329.83

APPROVAL OF MINUTES

Motion by McLaughlin to waive the reading of the Regular Council Meeting of November 23, 2009. 2nd by Schmidt. Approved 7-0-0.

Motion by McLaughlin to adopt the minutes from November 23, 2009. 2nd by Schmidt.

Neal requested the minutes be amended to accurately reflect her statement regarding council's failure to adopt a 2010 citing that the reason given was a false reason, in that, infrastructure improvements should be included in a capital improvement budget. Schmidt moved to amend the minutes. 2nd by McLaughlin. Also, Pulling wanted clarification in the wording of outsourcing inspections to make clear he was not in favor. Schmidt moved to amend. 2nd by McLaughlin. Approved 7-0-0.

ADOPT MEETING AGENDA

Motion by Schmidt to adopt agenda. 2nd by McLaughlin. Approved 7-0-0.

MAYOR'S REPORT

1. North Fulton Municipal Association Resolution Opposing Using Fulton County General Fund Money for Special Service District Operations and Services

Still requested city support for the NFMA opposition to Fulton County using general fund money for special service district operations. McLaughlin moved to approve the resolution. 2nd by Baia. Pulling expressed concern in requesting the money already spent being returned as it could place an extreme hardship on a budget. It was noted this was symbolic and non-binding. Approved 5-1(Pulling)- 1(Schmidt).

COMMITTEE REPORTS

BZP

2. Ordinance #304-09 regarding parking of school buses, 2nd reader

McLaughlin stated he would like a future enactment, such as June 1. Pulling moved to approve the ordinance as written. 2nd by Schmidt. Bowen recommended a slight wording change. Pulling moved to amend as stated. 2nd by Schmidt. McLaughlin moved to amend to be effective June 1, 2010. It was determined the first amendment would be voted on first. Approved 5-1(Baia)- 1(McLaughlin).

1. Ordinance #304-10 regarding driveway interface with city Streets, 1st reader

Pulling stated this was an original recommendation of Rock Heindel and Jeffrey Johnson but had never been adopted. It was noted that it provided specifications for culverts and addressed discharge from driveways. Pulling moved to approve. 2nd by McLaughlin. Further discussion ensued regarding the oversight of driveway projects. Approved 7-0-0.

Lakes/Parks/Recreation

McLaughlin stated during 2009, 149 pleadings had been filed with the court in the lake litigation, with 53 by the plaintiff and 87 by the defendants. He further noted 12 court orders had been issued. He compared the total pleadings of 2009 to that of 234 in 2008. Trish Hill asked what the city had been billed in 2009. McLaughlin stated roughly \$387,000.

Property

Penick advised no meeting had been held. He stated the maintenance man had resigned his position effective 1/5/10 and would have a status report in January.

Public Safety

No report.

Roads & Streets

No report.

Utilities

1. Appeals

Schmidt moved to roll sewer to average and bill water usage at tier 2 water rates due to pipe break for accounts #100664 and 1000084. Due to hardship, payment arrangements can be made at city hall to spread payments over time. 2nd by Penick. It was noted the payment arrangements had be reasonable. Approved 7-0-0.

3. FEMA/NRCS

Schmidt moved to allocate \$1,500 for a diagnostic review of the monitoring station to assess the flood damage. 2nd by McLaughlin. Schmidt noted the vendor was a sole source and further, that FEMA would reimburse the cost of the testing if damage was found. Approved 7-0-0.

2. Laurel Contract Award

Schmidt moved to award the bid to Ardito in the amount of \$21,498. 2nd by McLaughlin. It was noted only grading would be done to achieve proper run-off. Approved 7-0-0.

Schmidt stated the community building renovation was at the sheetrock stage and that \$44,000 had been receiving in GIRMA funds. He noted GEMA money was starting to come in. Schmidt advised further meetings would be held with FEMA and NRCS to secure additional funding.

Neal inquired about the \$421,000 other income in the enterprise financial statement, however determined the question needed to be addressed with the accountant.

Administrative/Legal/Finance

1. Discussion of Council Term Limits

Neal stated one seat remained open since only three out of four seats had been filled and that

the charter required the city to operate at seven council members. She recommended recognizing the individual with the highest number of votes in the 2005 and allowing that person to remain until such time as a special election is held to fill the seat. She noted that person would have the option of taking the seat or deferring to the individual with the next highest number of votes and so on. Bowen stated this would be acceptable only if all three of the remaining individuals agreed to this process. Neal stated this individual would be Pulling. Baia objected to the process therefore the seat would remain open until filled. Discussion then turned to the operation of council with only six members on council.

It was noted this reduction in number of members might affect the ability of obtaining a quorum and a majority vote in some cases. All outgoing council members were thanked for their service.

AUDIENCE

Hope Mays thanked everyone who had served on council.

ADJOURN

Neal moved to adjourn. 2nd by Baia. Unanimous. 8:51 p.m.

Jim Still, Jr., Mayor

Karen Segars, City Clerk