

CITY OF MOUNTAIN PARK

Regular Meeting of Mayor and City Council

October 26, 2009

7:30 PM

Community Building at 100 Lakeshore Drive

CALL TO ORDER-Mayor Jim Still called the meeting to order at 7:34 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

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

Not present: Council Members Julia Neal and Bill Pulling.

DISPOSITION OF ABSENCES-None

FINANCIAL REPORT

Ms. Segars presented the following:

Ending Bank Balances as of 9/30:

General Fund \$148,850.04

Enterprise Fund \$520,096.24

Court \$ 5,365.70

Lake Restoration \$202,003.97

SPLOST \$ 20,191.00

TOTAL \$896,506.95

Performance for the month of September:

Revenues General Fund: \$ 15,365.72

Expenses General Fund: \$ 52,722.55

Deficit Net Income: \$ -37,356.83

Revenues Enterprise Fund: \$ 20,690.79

Expenses Enterprise Fund: \$ 18,563.50

Net Ordinary Income: \$ 2,127.29

It was noted that slightly over \$25,000 reflected in general fund expenses was being held for approximately 45 days since it was flood related and tied to GIRMA reimbursement.

APPROVAL OF MINUTES

Motion by McLaughlin to waive the reading of the Regular Council Meeting minutes of September 28, 2009. 2nd by Schmidt. Approved 5-0-0.

Motion by McLaughlin to adopt the minutes from September 28, 2009. 2nd by Schmidt. Approved 5-0-0.

#### ADOPT MEETING AGENDA

McLaughlin moved to adopt the agenda. 2nd by Penick. Unanimous.

#### COMMITTEE REPORTS:

##### Administrative/Legal/Finance

###### 1. 2010 Budget

Schmidt moved to roll the 2009 budget to 2010 to allowing incoming council members the opportunity for involvement and also to determine how much FEMA/GEMA would provide in assistance for the flood damage. 2nd by McLaughlin. Discussion ensued regarding the need to resolve the 2010 budget as quickly as possible. Approved 4-0-1(Baia).

##### BZP

No report.

##### Lakes/Parks/Recreation

###### 1. Lake Litigation Update

Bowen stated the judge had issued an order leaving the expert witnesses in tact but not allowing the matrix. He further stated the city can put forth evidence against each defendant and that the plaintiff's expert witnesses will be limited in their testimony. Bowen also noted the judge had granted a leave of absence for one of the defendants attorneys however stated another attorney from that firm would have to proceed.

#### MAYOR'S REPORT

Still noted upcoming legislation allowing loans to municipalities and individuals for stormwater management on lakes and dams. He also pointed out that tax revenues would be decreased next year by 10%.

#### COMMITTEE REPORTS:

##### Property

###### 1. Welcome letter

Penick requested the welcome letter be given to new utility residents.

## 2. Community Building

Penick moved to allow two upcoming events to use the green at no cost. 2nd by Schmidt. Baia noted his concern for the oversight of the events, as it pertained to the city's role, if any. He also stated allowing the use of the green for free would set precedent. Douds noted his opposition and inquired about the rental fees for previous months. Lt. Reeves stated the fees had been exchanged for clean up of the building after an event for which the deposit was not refunded.

Chief Reeves noted the previous use of the facility free of charge for a private wedding. Discussion ensued regarding the implications of the motion. Upon the vote, motion failed 3-1(Baia)-1(Douds).

Penick moved to allow free use of the green for a fundraising concert to be held on November 7. 2nd by Schmidt. Motion failed 3-1(Baia)-1(Douds).

Penick moved to allow free use of the green for the chili cook-off and craft show to be held November 14 which was reserved prior to the flooding. 2nd by Schmidt. Motion failed 3-0-2(Baia & Douds).

## Public Safety

### 1. ISO report/initiative

Discussion was heard regarding the three components of the survey and completeness of same. Baia recommended a 30 day extension to allow for the surveys to be completed. Discussion was heard regarding the communications portion of the survey and whose responsibility it was to complete. By consensus, a 30 day extension was given during which time public safety will review and compile the completed survey.

## Roads & Streets

No report. Still announced the city would be working with Roswell to address a few street name duplications.

## Utilities

### 1. Appeals

Schmidt moved to bill at tier one old rates 50% of the usage and bill at tier one new rates 50% of the usage for the irrigation meter for account #100667 due to administrative error. 2nd by McLaughlin. Approved 5-0-0.

### 2. CDBG

Schmidt moved to authorize spending up to \$50,000 for 2009 CDBG Civic Building project with the funds coming from the Enterprise fund and reimbursed to the Enterprise fund upon reimbursement by Fulton County CDBG, 2nd by Penick. Approved 5-0-0.

Schmidt moved to approve spending up to \$995 per month for consulting fees to Jeffrey Johnson to oversee the reconstruction and remodeling of the Civic Building which will be funded by a mix of funds from GIRMA and CDBG/City Hall. 2nd by McLaughlin. Motion failed

3-0-2(Baia & Douds).

Schmidt restated the above motion and moved to approve same with the project anticipated to take four months, to be funded by GIRMA, CDBG and no more than 10% city commitment. 2nd by McLaughlin. Baia requested a 60 day review by way of amendment. 2nd by McLaughlin. Approved 5-0-0.

Schmidt moved hire casual labor on an as needed basis for force labor to be used in the GIRMA/CDBG and FEMA restoration projects to be paid for from the Enterprise fund and reimbursed by the appropriate party. 2nd by McLaughlin. Discussion ensued regarding the budget amount. Motion carried 4-1(Baia)-0.

### 3. FEMA/GEMA

Schmidt made a motion to authorize spending up to \$50,000 for FEMA projects subject to final approvals from FEMA and with the understanding that the city's matching portion could be up to 25% and the funds to come from either the Enterprise fund or the Lake Restoration fund, whichever source is more advantageous to the city. 2nd by Penick. Approved 5-0-0.

Schmidt moved to approve the legal fees incurred in the immediate aftermath of the 9/21/09 flood to be funded from the \$8,500 previously designated to the effort. He noted the fees resulted from the permitting process of various agencies. 2nd by McLaughlin. Approved 4-1(Baia)-0.

### Storm Update

Schmidt stated the fire station restoration was almost complete with move-in expected within two to three weeks.

Schmidt advised the Laurel Street portion of the CDBG waterline project was ready to bid and that the valve location portion of the project was underway and 95% complete.

Schmidt noted meetings with FEMA and GIRMA and stated McLaughlin was contacting NRSC to solicit assistance in storm debris and storm water remediation efforts. He noted insurance was paying \$32,000 for the community building damage and \$64,000 for fire department repairs. Schmidt advised \$46,800 in FEMA funding had been secured for various damage throughout the city, with the net city share of 10%. He also noted outstanding negotiation for assistance to cover the monitoring station and Lakeshore culvert.

### EXECUTIVE SESSION

Penick moved to go into executive session to discuss pending litigation. 2nd by Douds. Approved 5-0-0. 9:00 p.m.

REGULAR SESSION

Schmidt moved to reconvene into regular session. 2nd by McLaughlin. Unanimous. 9:10 p.m.

ADJOURN

There being no further business, Schmidt moved to adjourn. 2nd by McLaughlin. Approved 5-0-0. 9:10 p.m.

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Jim Still, Jr., Mayor