

Regular Meeting of Mayor and Council
December 20, 2010
Community Building at 100 Lakeshore Drive

CALL TO ORDER

Mayor Still called the meeting to order at 7:01 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Mayor Jim Still, Council Members Don Carlson, Bob Douds, Scott Hegg, John McLaughlin, and Marvin Penick, City Attorney, Brandon Bowen, and City Clerk, Karen Segars.

DISPOSTION OF ABSENCES-None

FINANCIAL REPORT

Ending Bank Balances as of 11/30 are:

General Fund \$147,657.32

Enterprise Fund \$537,310.15

Court \$ 5,381.38

Lake Restoration Fund \$203,644.00

SPLOST \$ 7,613.59

EECBG \$ 11,567.77

TOTAL \$913,174.21

Performance for the month of November:

Revenues General Fund: \$ 12,488.93

Expenses General Fund: \$ 34,448.03

Net Deficit Income: \$ (21,959.10)

Revenues Enterprise Fund \$ 19,000.56

Expenses Enterprise Fund \$ 18,758.16

Net Income \$ 242.40

APPROVAL OF MEETING MINUTES

McLaughlin moved to waive the reading and adopt the minutes of the Regular Council meeting for November 22, 2010. 2nd by Carlson. Approved 5-0-0.

ADOPT MEETING AGENDA

Carlson requested to add the purchase of 24 new water meters for a cost of \$3,360 to the agenda. McLaughlin moved to approve the agenda as amended. 2nd by Carlson. Approved 5-0-0.

CONSENT AGENDA

1. Utilities-Appeals

Account #100563-reduce to tier one rate

Account #100193-pay six month average

Account #100660-waive late fee

Account #100807-waive late fee

Account #100247-temporary late fee exemption for undue hardship

Carlson moved to adopt the consent agenda. 2nd by Penick. Approved 5-0-0.

MAYOR'S REPORT

Still stated there was no North Fulton representation on the MARTA Board of Directors and requested Council approve a resolution to add two members, Andy Mackey and Adam Orkin. McLaughlin moved to approve same. 2nd by Carlson. Approved 5-0-0.

COMMITTEE REPORTS

Administrative/Legal/Finance

No report.

BZP

1. Comprehensive Plan

McLaughlin stated the updated plan was due by October 2011 and noted the survey being sent out to residents in the January water bill, with the first public meeting to be held on February 12, 2011 at 9:00 a.m. in the Community Building. McLaughlin moved to adopt the survey for inclusion in the water bill. 2nd by Carlson. Approved 5-0-0.

Lakes/Parks/Recreation

1. 2011 Fireworks Contract

Hegg noted the contract was not yet final.

Hegg stated the recreation trail grant application was complete and had been submitted.

Property

No report.

Public Safety

No report.

Roads & Streets

No report.

Utilities

1. Water Rate Increase

Carlson moved to increase the water rates by \$.25 per 1,000 gallons due to an increase in the wholesale rates. 2nd by Penick. Approved 5-0-0.

2. New Meter Purchase

Carlson moved to approve the purchase of 24 new meters at a cost of \$140 each or \$3,360 total. 2nd by Penick. Approved 5-0-0.

EECBG

Julian Powell stated 46 home energy audits had been performed, with five upgrades complete and five more in the process, with three refund checks having been issued. He noted, thus far, \$60,000 had been spent thus far, with probably \$15,000 more by year end, and \$34,000 reimbursed so far. Powell stated the solar panels were to be installed in January.

AUDIENCE

A recess was taken from 7:48 until 8:02 p.m.

EXECUTIVE SESSION

McLaughlin moved to go into executive session to discuss lakes litigation. 2nd by Carlson. Approved 5-0-0. 8:03 p.m.

REGULAR SESSION

McLaughlin moved to reconvene regular session. 2nd by Hegg. Approved 5-0-0. 9:50 p.m.

Motion by McLaughlin to allow the mayor and city attorney, Brandon Bowen, to do what is needed to negotiate a settlement with Day II Incorporated and Peachtree Residential Properties that provides for a mutual release by all parties of all claims and with no payment of any kind by the three signature parties. 2nd by Carlson. Discussion ensued regarding the meaning of the motion in layman's terms. McLaughlin amended his motion to authorize the city attorney, Brandon Bowen to reach a walk away agreement with the previously stated defendants, whereby no payments will be made by the parties, and to authorize the mayor to sign the agreement as long as it meets the criteria as stated in the original and amended motion. 2nd by Carlson. Approved 3-2(Penick and Hegg)-0.

McLaughlin moved to authorize moving the lakes litigation files from Schulten, Ward & Turner to Scoggins & Goodman. 2nd by Penick. Approved 4-1(Douds)-0.

ADJOURN

There being no further business, McLaughlin moved to adjourn. 2nd by Penick. Approved 5-0-0. 10:02 p.m.

Jim Still, Jr., Mayor

Karen Segars, City Clerk

