

MINUTES

CITY OF LOGAVNILLE Regular Council Meeting Thursday, October 11, 2012 7:30pm Council Chambers

The City of Loganville Mayor and Council met for their regularly scheduled Council Meeting on Thursday, October 11, 2012 at 7:30pm. Mayor Ray Nunley and Council Members Skip Baliles, Dan Curry, Mike Jones, Mark Kiddoo and Michelle Lynch were all present. Council Member Rey Martinez was present via phone due to military service.

Mayor Nunley called the meeting to order at 7:30pm.

WQC Director Chris Yancey gave the invocation and the pledge to the flag was led.

Council Member Mark Kiddoo made a motion to adopt the agenda as presented. Council Member Dan Curry seconded the motion. Motion carried 5-0.

Council Member Skip Baliles made a motion to approve last month's minutes as presented. Council Member Dan Curry seconded the motion. Motion carried 5-0.

Council Member Mark Kiddoo made a motion to approve last month's financial report as presented. Council Member Michelle Lynch seconded the motion. Motion carried 5-0.

Mayor Ray Nunley read and presented the Poppy Day Proclamation to members of the American Legion Auxiliary.

Mayor Ray Nunley read a Resolution in support of Eastside Medical's certificate of need application to construct a 24/7 Emergency Facility in Loganville. The resolution was presented to representatives from Eastside Medical.

Planning Director Tim Prater presented an amendment to the sign ordinance. He explained that under Section 2-11-74 a(2a) it is proposed to allow up to 2 banners per 250 feet of road frontage, up to 24 square feet, no more than 6ft in height, 20ft in distance from another sign for 30 days. Council Member Michelle Lynch made a motion to approve the amendment as presented. Council Member Mark Kiddoo seconded. There was discussion regarding this amendment. Motion carried 4-1 with Council Member Mike Jones voting in opposition.

Council Member Mark Kiddoo announced that the audit for FYE 6-30-2012 will be presented the Council in the Finance Committee Meeting on October 17, 2012 at 10:30am. He explained that the Auditor would be present at that time to review the Audit with the Committee.

Council Member Mark Kiddoo asked City Manager Bill Jones to address Council Member Mike Jones question from Monday nights work session regarding the year to date and month to date amounts for property taxes on the financial report. City Manager Bill Jones explained that in

August the City received \$12,690 in adjustments to the property tax digest from the Counties. He explained that the difference in the year to date amount and the month to date amount is due to these adjustments. He explained that the number will change as adjustments are received from the counties. He stated that he understood that a first glance this might look strange but wanted to explain it so that everyone would know what they are looking at on the report. Council Member Mike Jones asked about having the percentage on the reports. City Manager Bill Jones explained that is something that can be looked at in the future.

Council Member Dan Curry spoke about the water/sewer and reuse water expansion to the proposed Bay Creek Church School project. He explained that he would like to propose allowing WQC Director Chris Yancey and City Manager Bill Jones to continue working on the Intergovernmental Agreement with Walton County BOE for this project. WQC Director Chris Yancey expressed his opinion of this project being an asset to the City of Loganville. Council Member Dan Curry explained that he is not proposing to approve any agreement just to continue work on the IGA. He explained that this would allow Supt. Hobbs to go back to the Board of Education and let them know that the City is still actively working on this project. Council Member Dan Curry made a motion to approve this project in principal and continue work on the Intergovernmental Agreement with Walton County BOE. Council Member Mike Jones seconded the motion. Motion carried 6-0.

Council Member Dan Curry also reported that the Pecan Street Outfall project has been completed. He also reported that the clearing of trees for the Tommy Lee Fuller sidewalk project would be completed this week and the hauling of dirt would be done the following week.

Council Member Michelle Lynch presented the alternate (revised) Town Green Concept. She explained that the pavilion has been relocated to the lower corner with an amphitheater style layout that would be perfect for small concerts. Council Member Michelle Lynch made a motion to approve the rendering / concept and allow this project to proceed. Council Member Mark Kiddoo seconded the motion. Motion carried 6-0.

Council Member Michelle Lynch discussed the parking at Huntington Ridge during Halloween due to increased traffic as a result of trick or treating in this area. Council Member Michelle Lynch made a motion to restrict the parking along the main streets on the 30th and 31st for safety purposes. Council Member Dan Curry seconded the motion. Motion carried 6-0.

Council Member Michelle Lynch reminded everyone of the Autumn Heritage Festival on October 20th from 10am to 5pm. She also invited everyone for the Veteran's Day Ceremony on November 11th at 11:00am out front of City Hall.

Council Member Skip Baliles reported that the Bay Creek sidewalk project was started this past Monday. He explained that as soon as the stormwater department was done with their work on Tommy Lee Fuller this project would begin. He also explained that we currently have 2 additional projects out for bid and 2 that the engineers are working on.

City Manager Bill Jones explained that he is recommending that the City enter into an Intergovernmental agreement with Gwinnett County regarding the Energy Excise Tax. He

explained that should this agreement be signed by the County and all its municipalities then if and when the City has any manufacturing in Gwinnett County we would received 2% of the tax back to be used in the general fund as we see fit. Council Member Mike Jones made a motion to allow the Mayor to sign the Intergovernmental Agreement with Gwinnett County as presented. Council Member Skip Baliles seconded the motion. Motion carried 6-0.

City Attorney Karen Woodward presented an amendment to the Ethics Ordinance. Mrs. Woodward reviewed the proposed changes to the ordinance. Council Member Michelle Lynch made a motion to approve the ordinance and the changes as presented. Council Member Mark Kiddoo seconded the motion. Council Member Mike Jones asked several questions regarding the changes. Council Member Mike Jones asked Council Member Michelle Lynch if she would amend her motion to add documents to the list of items that could be used / gathered in the event of a hearing. Council Member Michelle Lynch agreed to amend her previous motion. Council Member Mike Jones questioned the amended section that would prevent filing of claims against elected officials between the time of qualifying and the holding of an election. He stated that he was opposed to this addition as he felt like it gives preferential treatment to those seeking office. Council Member Mark Kiddoo stated that he felt like the section was proposed in an effort to guard against people filing complaints during an election just to get it in the paper or to hurt a candidate during an election.

After much discussion, Council Member Michelle Lynch made a motion to amend her original motion to all for the addition of “documents” to the ordinance. Council Member Mark Kiddoo seconded the motion. Motion carried 6-0.

Council Member Mike Jones made a motion to remove Section E from the ordinance that preventing the filing of complaints from qualifying to the election. Council Member Skip Baliles seconded the motion. Motion carried 4-2 with Council Members Mark Kiddoo and Michelle Lynch voting in opposition.

Council Member Michelle Lynch made a motion to adopt the Ethics Ordinance as amended. Council Member Skip Baliles seconded the motion. Motion carried 6-0.

City Attorney Karen Woodward announced that the City has received pre-clearance from the Department of Justice regarding the special election for the sale of distilled spirits by the package.

City Attorney Karen Woodward also stated that Council Member Mike Jones had asked her prior to the meeting about conducting meetings by teleconference. She explained that according to OCGA 32-2-279 it provides protection for elected officials / employees during military leave. She explained that this is protected under state law. Council Member Mike Jones asked if she could prepare a resolution to allow for this the holding of meetings via teleconference. Council Member Michelle Lynch asked why this would be necessary if it is already state law. Mrs. Woodward stated that it is not necessary but could cause problems should it not be approved as the City would then be in violation of state law. Council Member Michelle Lynch stated that she did not feel like it was necessary under those circumstances.

COMMUNITY FEEDBACK

Janice Tribble came forward and thanked the City and the Community for their support of the Special Olympics. She announced that Walton County Special Olympics would be held this year on March 23, 2013.

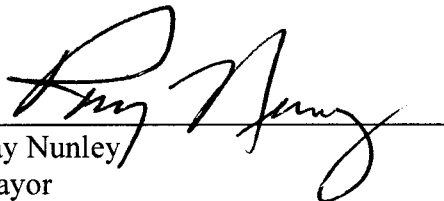
Drew Tyrer came forward and thanked the Mayor and Council for their support of Eastside Medical with their application for a 24/7 Emergency Medical Facility in Loganville.

Chuck Bagley announced that on November 9, 2012 at 10:30 he would be holding his last Town Hall Meeting as Walton County Commissioner. He stated that the topic would be the elimination of the "birthday" ad valorem tax.

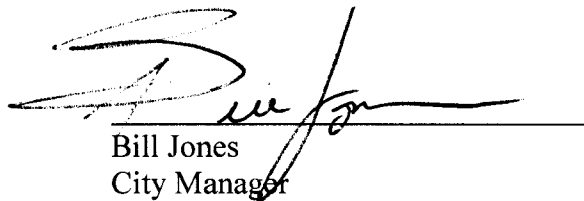
Barbara Forrester thanked the Mayor and Council for the sidewalks on Bay Creek Road.

With no further discussion, Council Member Michelle Lynch made a motion to adjourn. Council Member Skip Baliles seconded the motion. Motion carried 6-0.

Meeting adjourned at 8:45pm.



Ray Nunley
Mayor



Bill Jones
City Manager