

MINUTES

CITY OF LOGANVILLE Council Meeting Thursday, February 9, 2012 7:30pm Council Chambers

The City of Loganville City Council met for their regularly scheduled Council Meeting on Thursday, February 9, 2012 at 7:30pm in the Council Chambers. Mayor Ray Nunley and Council Members Skip Baliles, Dan Curry, Mike Jones, Mark Kiddoo, Michelle Lynch and Rey Martinez were all present.

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 Rey Martinez made a motion to approve the agenda as presented. Council Member Dan Curry seconded the motion. Motion carried 6-0.

Council Member Rey Martinez made a motion to approve last month's minutes with the noted correction at the bottom of page 2 by Council Member Mike Jones. Council Member Dan Curry seconded the motion. Motion carried 6-0.

Council Member Mark Kiddoo made a motion to approve last month's financial report as presented. Council Member Dan Curry seconded the motion. Motion carried 6-0.

Deatra Denion and Sarah Lynn Stafford were present on behalf of the GA Department Community Affairs to present the City of Loganville with their designation as a Water First Community. They explained the program and presented the designation to the City. Ms. Denion also presented the Memorandum of Understanding for the Mayor's signature. Ms. Stafford congratulated the City on this accomplishment and explained that the City of Loganville is the 24th City in the State of Georgia to receive this designation.

Council Member Mark Kiddoo explained that on Monday night the Council heard from Case #V11-006 and the applicant has since requested to withdraw the case. Council Member Mark Kiddoo made a motion to accept the applicant's withdrawal. Council Member Dan Curry seconded the motion. Motion carried 6-0.

Planning Director Tim Prater presented the Occupational License Application for Title Bak for a Title Pledge / Pawn Shop to be located at 4310 Lawrenceville Highway. He explained that the application was in order. Council Member Mark Kiddoo made a motion to approve the Occupational License for Title Bak as requested. Council Member Rey Martinez seconded the motion. Motion carried 6-0.

Council Member Skip Baliles stated that the on Monday night the Mayor and Council had discussed at length term limits for the City Council and Mayor. He explained that he had sent out an email on Tuesday and wanted to read it for the record.

After listening to all the comments concerning the Term Limit proposal Monday evening, there is obviously a better way to meet the needs of the Loganville citizens. I must admit I was looking at this issue through some relatively "older" eyes and certainly see the objections to possibly being unable to serve the community for life after two terms. Yes, I am listening to another view point made by Michelle, Rey and even Mark. I thank each of you for your comments and presenting another point of view.

With that thought in mind, I will change the motion at Thursday's council meeting to read: "Candidate may serve 2 four years terms and then must sit out one election before being allowed to reenter an election for the same office." This will give Loganville the benefit of the talent of a candidate, if desired, while putting more decisions back into the hands of the voter.

Council Member Skip Baliles made a motion to adopt a resolution for term limits revised under these principals and if approved he asked that City Attorney Karen Woodward to write the new resolution. Council Member Baliles stated that there is no legal obligation to put this as a referendum; however it may be required by the General Assembly. Council Member Dan Curry seconded the motion. He also stated that several months ago during the forum the question was asked that if elected would they support term limits. He explained that at that time he would and he is here tonight to uphold his word and what he promised the citizens.

Council Member Rey Martinez stated that he is against the resolution for term limits. He stated that when he campaigned last year what was on the mind of the voter's was taxes, water, utilities and public safety, not term limits. He stated that the voter's should decide term limits for their representatives not a few member of this council. He questioned who they are to decide who should and for how long serve the community. He expressed that he thought that the registered voters should be the ones to decide. He explained that Jim Burgess was Mayor of Social Circle for 16 years and just retired. He asked everyone to think about where Social Circle would be if they had term limits. Council Member Martinez explained that under term limits an official's second term would be a lame duck term because we will know that time is up. He explained that to him personally if the Mayor is doing a great job, like a Jim Burgess, then keep them in there. If he's doing a bad job, then cast your vote by going to the polls and voting him out. He concluded that he disagrees with term limits because it takes away the power to the people of Loganville.

Council Member Mike Jones stated that he was in favor of term limits for a number of reasons. He explained that the governor has term limits and stated that the second time he has to worry about getting elected he can get his program started. He explained that it would open it up to new ideas. He further explained that he had been here a number of times and sometimes people limited his terms and sometimes he limited his self but if we could do term limits tonight he would do it on a national and a state level too. He stated that they don't have that authority. He further stated that he is in favor of term limits because it gives new ideas and fresh ideas. He

explained that it's easy to get in a rut and burn you out pretty quick. He concluded that he is in favor of it and he will be voting for it.

Council Member Rey Martinez rebutted that it does not burn him out pretty quick. He explained that he enjoys being here and he enjoys serving. He stated that as long as the people out there have the confidence in him to keep him in office then so be it, he'll stay in office. He further stated that if the people have lost confidence in him then vote him out. He again stated that he was going to let the people out there decide who should represent them and not us. He stated that he is really against term limits. He stated that for example, Michelle Lynch is doing an outstanding job as events coordinator and does a lot for the City. He questioned how it would feel after her second term, whether or not she did a good job, that she would not be representing Loganville after her second term. He explained that that would be a lame duck session. He again expressed that he felt like the people should decide whether she is doing a good job or not.

Council Member Skip Baliles stated that as he told the group earlier there was a lot of discussion on Monday night. He stated that he felt like there are a lot of pros and cons. He stated that in his view the pros certainly outweigh the cons. He stated that he knows that people do great jobs but who else is out there might come in with new ideas and might do a better job, we just don't know. He explained that if we had the power we would do it nationwide as well. He stated that he didn't know how we could say that something that is good for our president and mayor is not good for our city council. He stated that we want to be progressive and we want to show that we can get it done. Mayor Ray Nunley stated that the Mayor is not included. Council Member Skip Baliles corrected himself stating that he meant President and Governor.

Council Member Mike Jones stated that he wanted to remind everyone that the City of Snellville has a two term limit for their Mayor. He explained that the Mayor of Snellville can serve 2 terms (8 years) and then he's out and then he can run for another position. Council Member Rey Martinez stated that he was glad that the City of Snellville was brought up. He explained that looking back now he wishes they could have kept Mr. Jerry in office because Snellville is in a mess and he thanked Council Member Jones for bringing that up.

Council Member Mike Jones stated that he wanted to tell everyone about Thomas Jefferson. He explained that it all goes back to him and the Articles of Confederation. He stated under the Articles of Confederation people that served in office were limited to 7 years for their entire life because he wanted a citizen government and not a professional politician. He further stated that this was not written into the Constitution but was in the Articles of Confederation and he is in favor of term limits.

Mayor Ray Nunley called for a vote on the matter explaining that a motion and a second had been made to invoke term limits of two four-year terms. With no further discussion the vote was 3-3, with Council Members Skip Baliles, Dan Curry and Mike Jones voting in favor and Council Members Mark Kiddoo, Michelle Lynch and Rey Martinez voting in opposition. Mayor Nunley voted in opposition to the motion, motion failed.

Council Member Rey Martinez explained that in 2011 he was the Chairman of the Public Works and thanked the Mayor for confidence in him as well as the hard work of City Manager Bill

Jones, Public Works Director Randall Casper and the employees of the Public Works Department. He highlighted several of the accomplishments of the Public Works Department over the last year such as: Sidewalks on Baker Carter, Tommy Lee Fuller and Highway 20, Fuel Center, Downtown Sidewalk and Street Lighting Project at Broad and Pecan Streets, Purchase of Snow Plow and Salt Box Spreader and Track Loader all paid for with SPLOST funding. He also explained that paving was completed at the Arbors at Tara, repairs to the roof, flooring and bathrooms at the Rock Gym, installation of four-way stop at Fair Street and CS Floyd and completed construction on the Public Works Facility. He further stated that it was an outstanding year for the Public Works Department and was pleased that they were able to accomplish all of that with a reduction in their operating budget from the previous year of \$284,206. He explained that he was very happy with these accomplishments and looks forward to working with the Public Safety Departments this year.

Council Member Michelle Lynch presented the 5K Run Sponsored by Bright Beginning Pre-school at Loganville First Baptist Church on May 12, 2012. She explained that they will be using the same route as previous years. Council Member Michelle Lynch made a motion to approve the 5K Run as requested. Council Member Mike Jones seconded the motion. Motion carried 6-0.

Council Member Michelle Lynch presented the 2012 Calendar of Events for the City of Loganville. Proposed dates and events are as follows:

Eggstravaganza	March 31, 2012
Broad Street County Market	Saturdays April 21 st – July 7 th
Storybook Walk	May 5, 2012
July 4 th Parade (Loganville Parade Committee)	
Autumn Heritage Festival	October 20, 2012
Veteran's Day Ceremony	November 11, 2012
Tree Lighting	November 23, 2012
Christmas Parade	December 1, 2012

Council Member Michelle Lynch made a motion to approve the calendar of events as presented. Council Member Mark Kiddoo seconded the motion. Motion carried 6-0.

Council Member Dan Curry presented the bid for the engineering on the CDBG for the Pecan Street Outfall Project. Council Member Dan Curry made a motion to approve the low bid from The Engineering Group for \$14,600. Council Member Skip Baliles seconded the motion. Motion carried 6-0.

Council Member Dan Curry made a motion to renew the City's Drinking Water Lab testing contract with Drinking Water Fees for \$10,640. Council Member Mark Kiddoo seconded the motion. Motion carried 6-0.

Council Member Dan Curry presented a proposal for the installation of a Dry-Fire Hydrant at Meridian Park. The installation of this hydrant would be beneficial to helping fight fires in this area should any occur. He explained that if the City Council approves this project then it will go to the Board of Commissioner's for their approval. Council Member Dan Curry made a motion

to approve the installation of the dry-fire hydrant at a cost of \$6,546.34. Council Member Rey Martinez seconded the motion. Motion carried 6-0.

Council Member Mike Jones stated that there are several projects that the Public Works Committee has been looking at so far this year. He explained that there was a request for the City to look at the entrance to the Villas off of Sharon Church Road due to a visibility issue. Council Member Mike Jones stated that he has looked at the right of way and it is a 40 foot right of way with 20 feet on either side of Sharon Church Road. He explained that based on this the City cannot do anything at this location and the residents will have to do it themselves. Council Member Jones also stated that they are looking into ways to slow down the traffic on Sharon Church Road at Highway 20. He also explained that some of the sidewalks on Main Street are in need of repair and they are working on getting the cost together to see what it would cost to repair them. Council Member Jones also mentioned that they are looking into a possible rear entrance to the Post Office from Pecan Street. Council Member Jones also mentioned that the sign at the Library is in need of repair and he had suggested an LED sign to replace the current sign. After investigation, it was determined that the cost of an LED sign was too expensive and would be looking to simply repair the current sign. Finally, Council Member Mike Jones stated that they are looking at the costs associated with performing our own vehicle maintenance and will report back to the council once all the figures are in.

City Manager Bill Jones gave an update on the SDS negotiations with Gwinnett County. He explained that the Mayor and Council had a Called Council Meeting on Tuesday night to authorize the Mayor to sign the final SDS Agreement. Mr. Jones explained that the County and all the Cities met at 8:30pm at the Historic Court House in Lawrenceville and the agreement was signed. The settlement did include \$820,000 that Gwinnett County would set aside in a special account to be used as a roll back for Loganville residents for EMS services. Mr. Jones stated that at the current rates it is estimated that it will take 55 years for the money to be depleted. Mr. Jones also explained that included in the settlement was also a onetime payment of \$163,000 for planning services and the police department. Additionally, there will be six annual payments of \$27,910. Mr. Jones explained that this agreement has taken over two years to reach and this is something that we will face again in the near future with the creation of the City of Peachtree Corners. Council Member Michelle Lynch thanked City Manager Bill Jones and Mayor Nunley, as a Gwinnett resident, for their time and effort in helping to resolve this matter.

City Manager Bill Jones announced that CodeRED training will be conducted next week. He explained that we have already placed a link on our website where residents can register to participate in the program. Mr. Jones anticipated that the system should be up and fully functional by the beginning of March.

City Manager Bill Jones announced that the closing on the bond refinancing would be next Tuesday. He explained that this will effectively shorten the number of years the City will repay the bonds by choosing to not reduce the amount of the current payments.

City Attorney Karen Woodward presented two proposed Charter Amendments to the Council. She explained that these amendments can be taken care of through home rule and does not have to go before the State Legislature. She explained that if passed tonight we would have to place

advertisement in the paper prior to a second hearing at the next council meeting. The first amendment presented would amend Section 2.12(a) of the City of Loganville's Charter to reference the Georgia Constitution. Mrs. Woodward explained that this is added as a place marker to reference what is already in the State Constitution. Council Member Dan Curry made a motion to approve the amendment as presented. Council Member Mark Kiddoo seconded the motion. Motion carried 6-0.

City Attorney Karen Woodward presented a second proposed Amendment to the Charter that would amend Section 3.10 that refers to the line of supervision for department heads. The section is proposed to be amended to read that "each director shall, subject to the direction and supervision of the mayor and council, or the City Manager if one has been appointed, be responsible for the administration and direction of the affairs and operations of his or her department or agency." Mrs. Woodward explained that Section 3.10 conflicts with Section 3.14 in that it states that the City Manager shall direct and supervise the administration of departments and Section 3.10 as currently written states the supervision is by the mayor and council. Mrs. Woodward stated that in an effort to avoid any confusion in the two areas of the charter that does not read the same. Council Member Mike Jones stated that he is opposed to this change. He stated that changing the Charter is like changing the Constitution. He stated that the duty of the City Council is to set policy and the City Manager is to carry out that policy. He stated that changing that Charter would delegate that authority to the City Manager and he could end up running a particular department. He stated that he did not want to see the City Manager to run the operations of the Fire or Police Department or hire and fire department heads without the involvement of the City Council. He stated that the system we currently have in place is working and is not broke, even though he knows this is to clear up a technicality he does not think that it is needed. Council Member Skip Baliles asked City Attorney Karen Woodward if this was to clarify language or are they (City Council) giving up or changing the chain of command. City Attorney Karen Woodward stated that both the Charter and the Code specify that the City Council sets policy and the City Manager carries out that policy. She explained that the purpose of this is to clear up inconsistencies in the Charter. Council Member Skip Baliles asked if this would change anything that the City has put on Bill Jones' plate already as City Manager. City Attorney Karen Woodward stated that it does not. Council Member Dan Curry questioned that this would take away any gray area in the interpretation of the Charter. City Attorney Karen Woodward confirmed that was correct. Mayor Ray Nunley stated that this amendment is more for clarity and clears up any cloudy area. Council Member Dan Curry asked if this proposal is the model for our form of government and most of our neighboring City's use this type of language. City Attorney Karen Woodward stated that it is. Council Member Dan Curry asked that both of these documents would include the same wording. City Attorney Karen Woodward stated that the proposed amendment has the "or" language consistent with the City of Grayson. She explained that the model charter wording is more closely related to the City of Snellville's Charter. Council Member Dan Curry made a motion for the sake of clarity to approve the Charter Amendment as presented. Council Member Michelle Lynch seconded the motion. Council Member Mike Jones stated that he is always hesitant to concentrate power in one or two people. He stated that the Council is a group of 6 or 7. He further stated that City Manager Bill Jones does a good job but that is not the point. He stated that he does not like the direction that we are going in. He explained that City Manager Bill Jones is also the City Clerk and we use to have a separate City Clerk. He asked if the next thing we are going to have is a public safety

director. He stated that he is hesitant to repose everything to one or two people and he does like that direction. With no further discussion, motion carried 5-1, with Council Member Mike Jones voting in opposition.

COMMUNITY FEEDBACK

Barbara Forrester asked how residents could sign up for CodeRED if they do not have a computer. Council Member Michelle Lynch stated that they could use computers at the Library. City Manager Bill Jones stated that they could call City Hall and we would take their information to add them to the notification system.

Stan Mauldin came forward representing Ride for America. He thanked the City for their support of Ride for America and for approving this event to be held in Loganville once again. He stated that through this event they have been able to do a lot for wounded veterans, offer them assistance at Christmas and in many other areas due to the success of Ride for America. Mayor Ray Nunley stated that the City fully supports Ride for America. Council Member Michelle Lynch asked that this be addressed at next month's council meeting.

Jerry Golden came forward and stated that he appreciated Council Member Michelle Lynch for all that she has done for the July 4th Parade. He stated that without the City of Loganville the July 4th Parade would not be possible. He stated that this was going to be an exciting year as it will be the 125th year of Loganville's incorporation. He stated that they still needed volunteers to help with the parade. He thanked the City Council, Mayor and City Manager for their support and stated that they would be very proud of the parade being planned for this year.

With no further community feedback, Mayor Ray Nunley gave his Annual State of the City Address:

Ladies and gentlemen, Council members, City staff, guests and fellow citizens, good evening. It is my honor and my privilege to once again be with you tonight to discuss the state of our City. It is my hope that in the next few minutes, I will be able to share with you my vision for Loganville—to help you review with me all we have accomplished, examine some of what we have to look forward to in 2012.

Let me begin by recognizing the members of the council. As you know, six council members who serve the constituency at large represent Loganville. I would like to take just a few moments to recognize each of the council members.

Mr. Baliles is new to the city council having been elected last November. He will serve as the Chairman of the Human Resources Committee.

Mr. Dan Curry is now in his second term on the city council Dan will again be the chairman of our public utilities committee. This year Dan will also serve as Vice Mayor.

Mrs. Lynch just completed her first year on the city council. She served as the chairperson of the Parks and Events committee and will continue in that role again this

year.

Councilman Kiddoo is the longest standing member of the council. He began serving in 2003. Mark will continue to serve as chairman of the finance committee and well as Planning and Development.

Councilman Martinez is in his first term on the council having just completed his first year. Mr. Martinez has agreed to take over responsibility for the Public Safety committee.

Councilman Jones, who has previously served on the council some years ago, is beginning a new term on the council. Mike will serve as chairman of the Public Works Committee as well as the committee in charge of Highways and Streets.

Let me just say on a personal note, how grateful I am for these fine people and their service to our city. The citizens of Loganville have elected an intelligent and enthusiastic group of representatives. I look forward to working with each of them during the coming year.

I would also like to recognize our very capable City Manager, Bill Jones. Mr. Jones and his staff are responsible for the day-to-day administrative aspect of running the city. I just want to thank them for their continued dedication and efforts in that regard.

The slow economy has forced everyone including the city, to do more with less. Yet because of our rigorous financial oversight and careful planning, our city is financially strong. That strength has enabled us to complete several badly needed improvements and upgrades vital to the city's livability and safety.

During 2011, we completed numerous street repaving projects such as Cown Drive, Huntington Drive, Covington Street, and Clifford Street. Loganville also became a more walk-able city during 2011. Existing sidewalks scattered throughout the city are all now connected. New sidewalks were installed and extended on highways 78 and 20 as well as Tommy Lee Fuller Road. These sidewalks not only provide a safe way to walk between residential and commercial areas but also are being utilized by residents, especially seniors, as place to walk for exercise.

Some of you may have noticed while strolling down our sidewalks the recently completed the streetscape beautification project at Pecan and Broad Street. This project is a small step in implementing recommendations from the LCI study. The purpose of this particular project was to begin to define a city center or gathering place to serve as a future focal point for Loganville. This street renovation is just a first step in a process that will be ongoing.

We also have several water related accomplishments.

We are now able to provide water service to all residents inside the city including the portion of Loganville within Gwinnett County.

We have completed the Fox Chase Waterline Project.

Through a Community Development Block Grant, we were able to completely replace the aging and leaking waterlines in the Fox Chase Subdivision area.

I am very proud of our new 750,000-gallon water tank. Unlike before, we now have a full day's supply of water on hand at any given time. I can't stress enough how important this is. Not only does this tank ensure we will have sufficient water in the event of a fire and help us avoid possible service interruptions, it also improves the city's insurance ISO rating which saves us a substantial amount of money on insurance premiums.

The City Loganville has recently achieved recognition by the Department of Community Affairs as a "Water First Community". In order to become a "Water First Community", we had to demonstrate and document our proactive commitment to preservation of our water resources and water utility management best practices.

The designation of Water First Community has many benefits not the least of which is more state funding through grants and other programs.

We have completed the construction of a new fuel center and Public Works Building on Lee Byrd Road. This facility improvement enables the city to have a more efficient reporting mechanism by upgrading our outdated Fuel Master system. In addition, with this new facility, space has been created to work on City vehicles, reducing costs for outsourced repairs.

With public safety being one of our highest priorities, we are now in the process of collecting data for The Code Red emergency system. This system notifies residents in the event of a critical community situation such as severe weather warnings, missing children alerts, boil water notices and more. This is something I hope we rarely if ever have to use but it is important to have in place just in case.

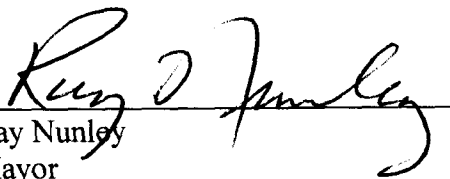
The city of Loganville went through an extensive audit last year. The purpose of this audit was to evaluate efficiency, effectiveness, accountability and integrity in all city operations and functions. I am very proud to report Loganville received the highest possible marks on this audit. Not only are all departments operating in the black, but also, absolutely no material discrepancies or critical issues were found.

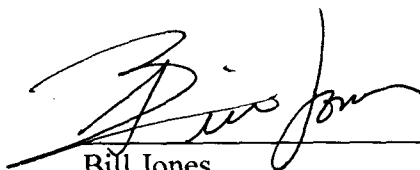
As your Mayor, I want to thank you for your continued support and participation. It is an honor to serve you, and I acknowledge the trust and responsibility you've placed in me. It is my hope that we'll all continue to work together with the goal of keeping Loganville the great place it is and making it an even better place for future generations

Thank you

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

Meeting adjourned at 8:40pm.


Ray Nunley
Mayor


Bill Jones
City Manager