

**REGULAR COUNCIL MEETING
CITY OF SKY VALLEY, GEORGIA
JUNE 19, 2012
TUESDAY, 9:30 AM
FELLOWSHIP HALL, 817 SKY VALLEY WAY**

MINUTES

Mayor Martindale called the meeting to order.

Those present: Mayor Martindale, Council President Howard, Councilors Boyle, Platt, and Whatley, Attorney Dickerson, City Manager Smith, Chief Dills, and City Clerk Cantrell.

Pam Martindale gave the invocation. Mayor Martindale led the Pledge of Allegiance.

APPROVAL OF MINUTES

Councilor Whatley made a motion to approve the minutes of the May 15, 2012 Regular Council Meeting, 2nd Council President Howard, unanimously approved.

ADOPTION OF AGENDA

Councilor Boyle made a motion to adopt the agenda, 2nd Councilor Platt. Councilor Howard said that the last item on the agenda, the PEDC request for funding needs to be removed & made a substitute motion to approve the agenda with deletion of this item, 2nd Councilor Whatley, unanimously approved.

MAYOR'S REMARKS

Mayor Martindale said we had a great turnout and fun at the Elvis in the Valley concert Saturday night. The Gem Capital Auto Club from Franklin was also in attendance for the car show.

COUNCIL REMARKS

Council President Howard said the entrance is looking very good. The painting of the letters and golfer are a great improvement. He also said that painting the city's buildings uniformly also look great.

Councilor Platt encouraged residents to attend handgun safety training provided by the Sheriff's department.

Councilor Whatley encouraged everyone to participate in the primary vote on July 31st that included the County Commissioners, Sheriff, and also the one-cent transportation sales tax.

DEPARTMENT REPORTS

(a) Police Chief's Report – given by Chief Dills

Chief Dills reported on the robbery on Saddleback. Jewelry was stolen, and he said they were searching pawn shops in GA, SC, and FL.

(b) City Financial Report – given by City Clerk Cantrell

(c) Tax Commissioner's Report – given by City Clerk Cantrell

- (d) Building Inspector's Report – given by City Manager Smith
- (e) City Manager's Report – given by City Manager Smith

These reports are hereby incorporated by reference and attached hereto as Exhibits A – E.

COMMITTEE REPORTS

Planning & Zoning Commission

- Recommendation of Variance Request for 89 View Lane

Planning and Zoning Chairman Bob MacNair reported on the commission's last meeting. The Commission voted unanimously to recommend approval of the variance request to allow an encroachment of 15-feet into the 15-foot front yard setback for the purpose of building a carport.

- Recommendation to Update For Sale Sign Section of Sign Ordinance

Chairman Bob MacNair said that the Commission recommends the For Sale signs be yellow and red and that the size be increased to 10 inches by 12 inches. The recommendation was unanimous. Councilor Boyle made a motion to amend the agenda to add approval of the Planning and Zoning Commission's recommendation for changing the For Sale sign section of the Sign Ordinance, 2nd Councilor Platt, unanimously approved. Discussion followed about proposed colors for the For Sale signs. Councilor Boyle made a motion to approve increasing the For Sale sign size to 10 inches by 12 inches and for the sign to have a green background with white lettering, 2nd Councilor Platt, the motion passed unanimously.

Planning & Economic Development Committee (PEDC)

Committee Chairman Howard reported on the last PEDC meeting. He said that Ray Becker, David Spears, and Frank Norton reported a cordial meeting with Harrison Merrill. The studies for sewer done by Merrill Trust will be provided to the committee. Al Lee and Allen Jackson have made recommendations to the committee for beautification. He said the committee has not yet voted on these recommendations. The other sub-committee is a marketing committee. He said the Sky Valley Golf Club has a budget of \$10,000 for marketing. The Sky Valley Golf Club asked the PEDC to recommend the City matching \$10,000 for marketing. Howard reported that the Sky Valley Golf Club has also reached its goal of 100 members. Councilor Whatley said he supports the joint marketing effort, but he would like to see the marketing study presented at the July Council meeting.

Councilor Howard asked if the City and the Sky Valley Golf Club can enter into joint contracts. Attorney Dickerson said there will need to be separate contracts because the City would be funding its portion of a shared expense with Ad Valorem taxes.

OLD BUSINESS

- Sky Valley Lodge Report

Attorney Dickerson said that he is assuming the owner of the old lodge has been notified the building is in a dilapidated state citing the reason why along with public safety issues because of bats and rats. The City would need to give notice to abate the nuisance, such as a 30-day notice. If it is not abated, it will need to be taken to the municipal court. The municipal court process would probably also give notice to abate and a time period in which it must be abated. At that point, if the nuisance is not abated during that time, the court would most likely allow the City to abate the nuisance. The City would have to account for any salvageable materials and would place a lien on the property. Council President Howard said he would like to see the City proceed in an amiable way.

Councilor Whatley made a motion to place this item on the agenda for the next meeting and for Attorney Dickerson to provide a step-by-step procedure for moving forward with how to abate the nuisance. He recommended the PEDC committee discuss the issue with Merrill's representatives to let them know this issue needs to be resolved. Councilor Boyle seconded the motion. Councilor Whatley said there is a possibility of asbestos and lead paint in the building, and because of this, the demolition will be very expensive. Councilor Platt expressed concern over recouping the expense if the City has to undertake demolition. The motion passed unanimously. Attorney Dickerson recommended the City adopt the state statute on nuisance abatement.

NEW BUSINESS

- Ratify approval of billboard lease

Councilor Boyle made a motion to approve the billboard lease, 2nd Councilor Platt. The billboard is in Clayton, GA and advertizes the City and the Sky Valley Club. Councilor Whatley asked if this contract should be re-drafted as two separate agreements. Attorney Dickerson said that the City can continue with this agreement as written since the City's name is on the contract and is being reimbursed by the Club, however we will need separate contracts for future expenses.

- Approval of GEMA Statewide Mutual Aid Agreement

City Manager Smith presented the agreement. Attorney Dickerson said this is a statewide agreement, and recommended its approval. Councilor Platt made a motion to approve, 2nd Councilor Whatley, unanimously approved.

- Review and Approval of Tree Ordinance

Council President Howard made a motion to adopt, 2nd Councilor Boyle. City Manager Smith presented changes to the ordinance. Section 1 (d) the words licensed and will be cut from the paragraph. Councilor Whatley recommended that Section 1. Definitions (1) Tree – the words be added (25-inches or less in diameter). Councilor Howard amended his motion to approve including these changes, 2nd Councilor Whatley, unanimously approved.

- Review and Approval of Fee Schedule Ordinance

City Manager Smith presented changes to the Fee Schedule. Councilor Howard made a motion to approve, 2nd Councilor Platt. Councilor Whatley made a motion to change the minimum penalty for starting work without a permit to \$50, 2nd Councilor Platt, unanimously approved. The motion to approve the Fee Schedule passed unanimously.

- Discussion of Development Authority

Attorney Dickerson said the City Council has the authority to create a Development Authority without needing approval by state legislation. He explained that the Building Authority was submitted to Representative Allison but Allison never presented it to legislation. Discussion followed about whether or not the City still needs to create this authority. No action was taken.

PUBLIC FORUM AND GENERAL COMMENTS

Planning and Zoning Commissioner Ray Brooker expressed concern that the approved colors for the For Sale signs will not be visible.

Councilor Whatley asked City Manager Smith if the paving contractor is providing the compaction results to the City. City Manager Smith said that the contractor will provide results of core sample testing to the City.

City Manager Smith said we have tickets available at City Hall for the Sid Weber Memorial Cancer Fund BBQ Dinner.

Councilor Howard asked about removal of the old fire hydrants. City Manager Smith said that our water department is removing the old hydrants. Mayor Martindale asked her to get a schedule from Operator Godwin and report back at the next meeting.

Citizen Bob MacNair asked about trimming trees on the Right of Way.


Councilor Whatley asked about the hole in the road on West Sugarbush created when repairing a water leak. City Manager Smith said the roads department was patching and repairing now.

EXECUTIVE SESSION

None.

Councilor Boyle made a motion to adjourn, 2nd Councilor Howard, unanimously approved.

Respectfully submitted:



James Martindale, Mayor

Attested:



Mandi Cantrell, City Clerk