

**REGULAR COUNCIL MEETING
CITY OF SKY VALLEY, GEORGIA
OCTOBER 21, 2013
MONDAY, 2:00 PM
FELLOWSHIP HALL, 817 SKY VALLEY WAY**

MINUTES

Mayor Martindale called the meeting to order.

Those present: Mayor Martindale, Council President Howard, Councilors Carr, Larsen, Platt, and Whatley, Attorney Dickerson, City Manager Lapeyrouse, City Clerk Cantrell, and Officer Edwards.

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 September 16, 2013 Regular Council Meeting, 2nd Councilor Larsen. Council President Howard mentioned a typo on page three. With this correction, the motion to approve the minutes passed unanimously.

ADOPTION OF AGENDA

Councilor Platt made a motion to adopt the agenda, 2nd Councilor Whatley. Council President Howard requested to add the item approval of quitclaim deed for 483 E. Sugarbush under new business. Councilor Platt amended her motion to adopt the agenda with this addition, 2nd Councilor Whatley, unanimously approved.

MAYOR'S REMARKS

Mayor Martindale reported that the Post Office Park lease was signed by Harrison Merrill.

Mayor Martindale read a Proclamation Declaring September 27, 2013 as Eva Berd Day and a Proclamation Declaring the week of October 21 – October 27, 2013 as Garden Club Appreciation Week.

COUNCIL REMARKS

Councilor Whatley gave an update on the mutual aid agreement with Macon County North Carolina and explained that this agreement is for first responder type emergencies only and no law enforcement.

Councilor Platt said that Mike Brady is working with Sheriff Andrews to create a county-wide neighborhood watch program. She said that our needs are a little different than the rest of the county because we have a high number of vacant homes in the winter; the program will not cost any money to implement.

Councilor Larsen said that he spoke with Public Works Superintendent Rick Cavalli about removing some of the dead hemlock trees and locust trees hanging over the roads. He said that Cavalli told him that the city will be working on removing these trees in November.

Citizen Carolyn Burgess said that when the city trims trees, we need to make sure to preserve the natural beauty and canopy.

POA President Sam LaMonte said that the POA is planning a Save the Hemlocks program for next year. He said that the FireWise program, once implemented, will help residents with taking care of trees. Councilor Carr said she recommends having a Community Watch Program in place so that the signs that are up are not misleading.

DEPARTMENT REPORTS

- Police Chief's Report – given by Officer Edwards
- City Financial Report – given by City Clerk Cantrell
- Tax Commissioner's Report – given by City Clerk Cantrell
- Building Inspector's Report – given by City Manager Lapeyrouse

Citizen Sam LaMonte asked about a house on Ridgepole that almost clear-cut the lot. Councilor Larsen said that what they cut was all brush and nothing large enough to require a permit.

Citizen Hughel Goodgame asked if the city tracks the cost of improvements to homes with the remodel/repair permits. City Manager Lapeyrouse responded that the city collects that information for the county.

City Manager's Report – given by City Manager Lapeyrouse

COMMITTEE REPORTS

Planning & Zoning Commission

Planning & Zoning Commissioner Joel Dawkins said they met on October 15th to hold public hearings for variance requests at 738 Sky High and 222 Red Wolf Trail. Both of the requests were to add a carport or garage and to encroach into the setback requirements to be able to build. The Commission voted unanimously to recommend approval of these requests to the Council.

NEW BUSINESS

- Quitclaim Deed for 483 E. Sugarbush

The quitclaim deed is to clear up where a portion of the carport is on the city's right of way. Councilor Whatley made a motion to approve, 2nd Councilor Larsen, unanimously approved.

- Approval of variance request at 738 Sky High Drive

Councilor Whatley made a motion to approve, 2nd Larsen, unanimously approved.

- Approval of variance request at 222 Red Wolf Trail

Councilor Larsen made a motion to approve, 2nd Councilor Whatley. Councilor Carr asked if encroaching 11 feet into the setback will affect the ambulance or police's access to this road. City Manager Lapeyrouse explained that the setback is an additional 15 feet off the road right of way and this will not interfere with the roadway. The motion passed unanimously.

- Mims Wilkinson letter

Mayor Martindale read a letter from Citizen Mims Wilkinson sent on October 6, 2013. A copy of this letter is hereby incorporated by reference and attached hereto.

City Manager Lapeyrouse said that she met with Les Neely to see if anything could be done regarding the pond and dam. Mr. Neely said the city could approach the State for a permit to dredge the lake. If the lake is dredged, we cannot stop the flow of water, we can only divert it while we would be working on it. Mr. Neely said that the cost to dredge and dispose of the silt will be over a million dollars.

Citizen Steve Brett asked if the waterway was included in the park lease agreement. City Manager Lapeyrouse said the lease did not mention the water and that she believes we would need Harrison Merrill's permission before anything could be done.

POA President Sam LaMonte said that as per Mims Wilkinson's presentation at the POA meeting, not taking care of this waterway has some potential future implications if it turns into a wetlands area instead of a flowing waterway.

Mayor Martindale asked City Manager Lapeyrouse to find out what would need to be done for the permitting process and the cost of the work.

Citizen Hughel Goodgame asked if some of this area is on the right of way. City Manager Lapeyrouse said that some of it might be.

- Approval of contract for delinquent tax collection services with Appalachian Mountain Services
City Clerk Cantrell presented the contract and explained that this is the company we have used in the past, it is the same collection company Rabun County uses, and that no fees are charged to the city. All collection fees are charged to the delinquent taxpayer. Council President Howard made a motion to approve, 2nd Councilor Whatley, unanimously approved

- Approval of Rules of Procedure Ordinance
City Manager Lapeyrouse presented the updates to the Rules of Procedure Ordinance to make it consistent with the Charter that allows the Mayor the ability to vote and to Section 12 changing the notice time for special meeting to 24 hours consistent with Georgia's Open Meetings Act. Councilor Whatley made a motion to approve the changes, 2nd Council President Howard. Councilor Whatley asked if the 24 hour notice for special meetings is less likely to attract litigation than the 48 hour notice that is currently in the ordinance. Attorney Dickerson said that he believed it was because it matches the State's requirements.

- Garbage collection schedule
Councilor Carr made a motion to have garbage collection once a week November through June to be collected on Tuesday. The motion died due to lack of a second. City Manager Lapeyrouse asked if the council wanted to go ahead and set the date for once a week pick up during winter months or if they wanted to wait until the amount of garbage collected lessens. Councilor Larsen made a motion to change to once a week garbage collection after New Years through Memorial Day, 2nd Councilor Platt, unanimously approved.

- Discussion of sign at entrance & possible lease agreement
Councilor Whatley said he requested this be on the agenda to amend the current lease with the Club for the sign on Hwy 106 to include the sign at the entrance. Mayor Martindale said his only concern is

that if the city leases the sign at the entrance to the Club that we cannot control what is on the sign. There was no motion.

- **Approval of Tree Ordinance**

City Manager Lapeyrouse explained that at the last meeting, there was an incident where someone trimmed trees without a permit and was issued a fine for not obtaining a permit, and he came to the council requesting the fine be waived. The Council waived the fine and requested that the Tree Ordinance be on the next agenda. Discussion followed and the Council does not want to change the Ordinance at this time. Council President Howard made a motion to postpone, 2nd Councilor Whatley, unanimously approved.

- **Discussion of open house signs**

Councilor Larsen made a motion to approve the Sign Ordinance to allow Open House signs to be out for 48 hours and allowing directional signs, 2nd Councilor Platt. Discussion followed about how long the signs should be out. Councilor Larsen amended his motion to allow the Open House and direction signs to be out seven days in advance of the Open House, 2nd Councilor Platt, unanimously approved.

Councilor Carr asked made a motion to allow two for sale signs – one in the yard and one in the window, 2nd Councilor Larsen. Councilor Whatley said we need to look at the sign ordinance in its entirety. Mayor Martindale expressed concern with the possible increase of signs because so many homes are for sale. The motion passed unanimously.

POA REPORT

POA President Sam LaMonte said that this is his last report as he is stepping down as President. He said that after working with the city, he has a greater appreciation of what the city does. He said the POA membership has increased this year by over 100 members. Laura Gurley will be taking over as President November 1.

PUBLIC FORUM AND GENERAL COMMENTS

Carolyn Burgess said she drove down Sheepcliff and it is in really rough shape. She said that someone on Sheepcliff told her that the City said there was no money this year to repair the road. Citizen Ray Becker said he was told the same thing. City Manager Lapeyrouse said that no one has spoken to her regarding Sheepcliff and that we can repair it.

Al Lee thanked water clerk Alyssa Mullins for calling him regarding an increase in his water bill because it helped him locate a water leak.

Citizen Jim Kobacker thanked Christine Lamonte and the city for working together on the entrance stating that this is the best the entrance has ever looked.

EXECUTIVE SESSION

Councilor Whatley made a motion to move into executive session to discuss personnel and real estate, 2nd Councilor Larsen, unanimously approved.

Meetings when discussing or deliberating upon the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer. O.C.G.A. § 50-14-

3(6). (Except when receiving evidence or hearing argument on charges filed to determine disciplinary action or dismissal of a public officer or employee.)

Meetings when any agency is discussing real estate. O.C.G.A. § 50-14-3(4).

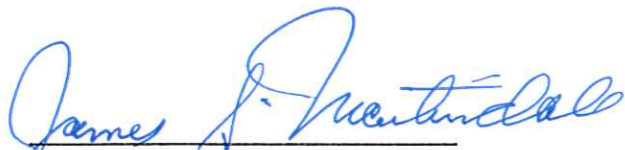
Councilor Whatley made a motion to reconvene regular session, 2nd Councilor Platt, unanimously approved.

Councilor Whatley made a motion to place Byron Godwin on paid leave through January, 2nd Councilor Platt, unanimously approved.

Councilor Platt made a motion to declare Southwoods, Part 8, Lot 30 as surplus property and to accept sealed bids for this piece of property, 2nd Councilor Larsen, unanimously approved.

Councilor Whatley made a motion to adjourn, 2nd Councilor Larsen, unanimously approved.

Respectfully submitted:


James Martindale, Mayor

Attested:


Mandi Cantrell, City Clerk