

**REGULAR COUNCIL MEETING
CITY OF SKY VALLEY, GEORGIA
AUGUST 19, 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, Chief Dills, and Tax Commissioner Mullins.

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

APPROVAL OF MINUTES

Council President Howard made a motion to approve the minutes of the July 15, 2013 Regular Council Meeting, 2nd Councilor Carr, unanimously approved.

ADOPTION OF AGENDA

There being no corrections or additions, the agenda stands approved.

MAYOR'S REMARKS

Mayor Martindale apologized for missing the last council meeting due to being gone on a trip to Africa. He welcomed all the new faces at the meeting.

COUNCIL REMARKS

Councilor Platt said that she is working with Christine Lamonte on the Beautification Committee. They held a meeting and received an estimate for work on the front entrance. The bid will be presented in writing to the City. Councilor Platt said she was pleased to say that the Beautification Committee has representation from all the groups in Sky Valley including the POA, Chapel of Sky Valley, the City, and the Sky Valley Club. She stated there is concern about the park located across from the postal facility that is owned by Harrison Merrill. They have found there is broken playground equipment which is dangerous. Councilor Platt said communication was needed with Merrill to address these issues to avoid kids being injured. Mayor Martindale stated that Attorney Dickerson has been working on a Memorandum of Agreement which states the City will take over, maintain and hold Merrill harmless for the areas of the overlook and the playground. The Memorandum of Agreement will be address under Old Business.

DEPARTMENT REPORTS

Police Chief's Report - given by Chief Dills

City Financial Report – City Clerk Cantrell has been out sick but will make the report available by e-mail once complete

Tax Commissioner's Report - given by Tax Commissioner Mullins

Councilor Whatley asked why the 2009 and 2010 tax records are still being carried on the books. Tax Commissioner Mullins stated that those amounts being reported are taxes on personal property that was owned by Harrison Merrill. The property has since then been sold and cannot be repossessed. Mayor Martindale asked Attorney Dickerson to see if those taxes could be written off.

Building Inspector's Report - given by City Manager Lapeyrouse

City Manager's Report - given by City Manager Lapeyrouse

OLD BUSINESS

- Memorandum of Agreement -- Park and Overlook

Councilor Howard made a motion to approve the Memorandum of Agreement, 2nd Councilor Larsen. Councilor Whatley asked if the City's liability insurance will cover contractual obligations such as this. Attorney Dickerson stated that it does. Mayor Martindale called for the vote. The vote was unanimously approved.

NEW BUSINESS

- Election Resolution

Councilor Platt made a motion to approve the Election Resolution, 2nd Councilor Howard. Councilor Whatley asked if the cost of the extra managers was in the budget. City Manager Lapeyrouse said the cost was budgeted. Councilor Carr asked if this resolution has been cleared by Tammy Whitmire. City Manager Lapeyrouse stated that Tammy Whitmire does not have authority over our election. Mrs. Whitmire is the registrar for the county and assists the City with verification of signatures on absentee ballot applications. Mandi Cantrell is the City's Election Superintendent. She reports directly to the Secretary of State's Office. Mayor Martindale called for the vote. The vote was unanimously approved.

- Haney tree cutting request

Dottie Haney submitted a letter and pictures requesting approval of a tree cutting permit to remove two trees that are located on Barbara McKinley's 's property that are now encroaching on her property. She would like them removed due to health reasons and due to the trees and roots being so close to her home. Mrs. Haney stated that she would pay to have two new trees planted in Mrs. McKinley's yard. Councilor Platt made a motion to approve the tree cutting request, 2nd Councilor Larsen, unanimously approved.

- Advertising

City Manager Lapeyrouse said that there are still funds remaining in the advertising budget and with the Labor Day events approaching she wanted to see if the City Council wanted to use any of these funds to advertise for the upcoming event for Labor Day or any fall events. Councilor Platt asked what funds were left available. City Manager Lapeyrouse said there was between

five and six thousand dollars remaining. Councilor Howard asked if these funds could be used for the information kiosk at the overlook once it is approved by Merrill. They could be used for that purpose. Councilor Platt asked about the cost of the kiosk. Councilor Howard stated that plans would be needed before knowing the actual cost involved. Mayor Martindale said he had a discussion with Merrill and that he had no problem with the City installing the kiosk. He said Attorney Dickerson stated that the City needs a formal written agreement with Merrill to install the kiosk. Councilor Howard made a motion to reserve the advertising funds for use on the information kiosk, 2nd Councilor Whatley, unanimously approved.

- City Charter/Rules of Procedure Ordinance

Attorney Dickerson said that the City has a Rules and Procedure Ordinance that is in conflict with the City Charter. The City Charter takes precedence, but he can make the necessary changes to the Ordinance to coincide with the Charter and bring it to the next meeting. The City Charter defines the legislative authority as a city council composed of a mayor and five councilmembers. This gives the Mayor the right to vote on all matters. The Rules of Procedure Ordinance states that the Mayor shall not vote. City Manager Lapeyrouse pointed out that the Charter currently states that the Council President would lose all voting privileges while serving in the absence of the Mayor. Attorney Dickerson will check to see if that provision can be removed by Home Rule.

- Nuisance Abatement Procedure

Mayor Martindale said he had talked with Mr. Merrill last week and he said his problem with tearing down the clubhouse was the price he received from Tom Adams. The price was more than double the earlier price he had been given by Mr. Adams. Mayor Martindale said he told Mr. Merrill as a private citizen he would try to secure some people for comparison demolition prices from around the area. Mayor Martindale said he has a meeting scheduled at 5pm this afternoon with a demolition contractor who is currently tearing down the depot area in Dillard. Mayor Martindale has also spoken with another man from Macon, North Carolina that is interested in the job as well. Mayor Martindale said he hopes to have more information in the next few weeks. Attorney Dickerson reported on the Nuisance Abatement Procedure. He stated that if you elect to abate a nuisance, there is a procedure that you go through that needs to be done. You would need to contact the City to begin the process. The City would notify the owner of the premises giving them a deadline to abate the nuisance. If necessary, the City would then file an action in the Municipal Court to abate the nuisance. The City could then abate the nuisance and place a lien on the property. In order for the City to get its money back that was expended to abate the nuisance, the property would have to sell or the lien would have to be foreclosed. It is not a simple process, but it can be done.

- Street Lighting

Mr. Edd Dean reported on the street lighting on behalf of his wife Rebecca Dean. He stated that the Beautification Committee has been working with the Georgia DOT to bring low amber lighting to Sky Valley. He said the lighting would not affect the integrity of the wildlife. Mrs. Dean has received numerous emails from residents requesting lights at different locations. The majority of the comments on lighting have been very positive. The main lighting is to be at the

entrance of Sky Valley, along Sky Valley Way, the Clubhouse, postal facility, and the remainder near dangerous curves and intersections in the city. The committee wanted to thank Linda Lapeyrouse and the city for working with them. Mr. Dean said the committee has received a commitment from the Georgia DOT for a grant. Georgia DOT said once the City is on board and approves the committee to go forward that they will approve a grant. The Committee can then begin working with Georgia DOT and Georgia Power to decide placement of the lights. Mayor Martindale asked if there was a dollar figure. Mr. Dean said there was no figure but was told to put the request together and the only cost they think the city would incur would be the power bill. Councilor Whatley suggested that the City have a workshop and get more details. Discussion entailed about the lights being dark sky approved. Councilor Whatley asked what the City can approve when the city has no information to look at and stated that the citizens should have an opportunity to see the plan. Mr. Dean said all the committee wants is the City to come on board to see if they can get the grant. Once the grant is approved the committee will work with Georgia DOT and Georgia Power to see where they will allow the lights to be placed and will come back to city council for approval. Councilor Larsen made a motion to apply for the grant, 2nd Councilor Platt. Councilor Howard agreed that a workshop was needed so the committee could get together with the city to work on the application jointly. After much discussion Councilor Larsen amended his motion to move forward with the grant application which is to be approved by City Council prior to submission, 2nd Councilor Platt. Mayor Martindale called for the vote. The vote passed unanimously.

- Rebel Circle Entrance

Mayor Martindale said that after reading the minutes from the July 15, 2013 Council meeting he went to Rebel Circle to see the condition of the roads and found them to be in good condition. City Manager Lapeyrouse received a quote for stone work from Anthony Thompson. Demolition and removal of old stone work would cost \$640.00. New stacked stone work to match existing columns would cost \$11, 900. The price to repair old work that can be repaired would be \$950. Councilor Whatley asked if there was money in the budget. City Manager Lapeyrouse said there was not but there are funds in capital reserves that could be used if the budget was amended. Councilor Carr made a motion to repair the old work, 2nd Councilor Platt, unanimously approved.

POA REPORT – President Sam LaMonte

Sam LaMonte asked Councilor Howard if his committee would be deciding on the kiosk. Councilor Howard said that once they get Merrill's approval in writing, his committee will have a meeting and decide on a recommendation to present to the City Council for approval. Mr. LaMonte wants to make sure that the POA is involved with input for the kiosk. He mentioned that tickets for the Labor Day Barbeque are on sale at the Proshop, Timeshare office, Remax, and City Hall. Mr. LaMonte asked Councilor Larsen about the Georgia Mountain Regional Commission coming in to talk about a five year plan and give some ideas on how to improve the community. Councilor Larsen said the meeting was being set up for early September. Mr. LaMonte said the POA meeting will be on Wednesday, August 21, 2013 at 3 p.m. and encouraged everyone to come hear their guest speaker Joel Wise.

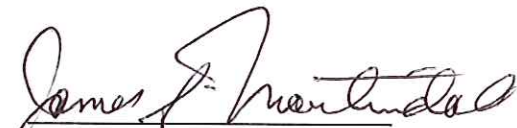
PUBLIC FORUM AND GENERAL COMMENTS

Citizen George Shearon asked why Merrill himself doesn't get bids for demolition. Mayor Martindale said he could wait for Merrill to do it or he could help him do it. Mayor Martindale said he was simply trying to get it done. Mr. Shearon also asked why in the city budget is there no money for repairs for the entryways. Mayor Martindale said that about five years ago we were hit with a recession and have tried to cut back and not increase taxes. The city is trying to keep the budget very tight. There is still a surplus and we balance the budget every year. Mayor Martindale mentioned that there would be a pre budget meeting following the council meeting. The city has the money to make the repairs, but it may require a budget amendment.

ADJOURNMENT


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

Respectfully submitted:



James Martindale, Mayor

Attested:



Mandi Cantrell, City Clerk