

**REGULAR COUNCIL MEETING
CITY OF SKY VALLEY, GEORGIA
JULY 19, 2011
TUESDAY, 9:00 AM
FELLOWSHIP HALL, 817 SKY VALLEY WAY**

MINUTES

Mayor Martindale called the meeting to order.

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

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

APPROVAL OF MINUTES

June 21 – Regular Council Meeting

Council President Moore made a motion to approve the minutes, 2nd Councilor Platt. Councilor Howard asked to change the word “authority” to “responsibility” on page four. With this correction, the motion to approve the minutes passed unanimously.

ADOPTION OF AGENDA

Councilor Kleiber made a motion to adopt the agenda, 2nd Councilor Platt, unanimously approved.

MAYOR’S REMARKS

Mayor Martindale said the 4th of July Celebrations went very well and the vendors were very pleased. He led a round of applause to thank everyone involved in making these events successful.

Mayor Martindale read a letter thanking Officer Edwards for turning on someone’s water over the holiday weekend.

Mayor Martindale said that Cathy Turner gave the City a Thank You letter to the City for contributing the fireworks for the 4th of July and helping sell tickets for the dinner. He led a round of applause for Ms. Turner thanking her for her work.

COUNCIL REMARKS

Councilor Kleiber gave an update of the Week for Weber and said that she has copies of the activities planned if anyone needs a copy.

Councilor Platt thanked the police department for assisting a dog who swallowed a bee. She also thanked them for their wonderful job with traffic after the fireworks.

DEPARTMENT REPORTS

Police Chief’s Report – given by Chief Dills

City Financial Report – given by City Clerk Cantrell

Tax Commissioner’s Report – given by City Clerk Cantrell

OLD BUSINESS

- Approval of Sign Ordinance

Councilor Howard said that there was no resolution at the last meeting. He said he has spoken with several people regarding their opinions of the proposed sign ordinance. The Planning and Zoning Commission did a considerable amount of work on this ordinance. Councilor Howard made a motion to change Section 13 by adding subcategory (b) For Sale or For Rent Real Estate Signs to state that a total of one real estate sign be permitted per residence. The sign can be either inside or outside. Signs inside the house will be limited to 24 X 36 inches and signs outside the house will be limited to 6 X 8 inches. The outdoor signs must be dark green with white lettering and the only signs allowed are those purchased from the City. The motion includes updating definitions reflecting this change. The motion was seconded by Councilor Platt.

Citizen Tom Raye commented that the people will not be able to read a sign that small. Councilor Kleiber suggested the possibility of no signs. Ed West, a real estate agent, asked why change and why the agents that work the most in the City were not consulted in the early stages of drafting this ordinance.

Linda Durrence, a real estate agent, presented information on houses, condos, and lots for sale in Sky Valley. She said she wants the best for Sky Valley and that she will fully cooperate with whatever the Council decides. She said she does not think it will be good for Sky Valley to have real estate signs everywhere. Ms. Durrence said she has been selling real estate in Sky Valley for 31 years, and said that the real estate signs are to get people to the real estate office. She said that she does not know the answer.

Citizen Steve Brett said he lives on a street with six houses and three of them are for sale. He said he does not have a problem with Councilor Howard's motion. He said that he thinks the solution suggested is a good solution because the current ordinance is not fair for people whose homes cannot be seen from the road.

Councilor Howard said that his motion only allows one sign per house.

Citizen Allen Jackson said he agrees with everything Ms. Durrence has said. Sky Valley is a resort-city hybrid. He said he thinks the ordinance is good as is. The ordinances are to protect Sky Valley. He recommended allowing a sign at the street only if a sign in the window cannot be seen from the street.

Councilor Platt said that she has no experience in real estate, and that she appreciates the opinions of the real estate professionals. She said that the proposed ordinance allows the owner and real estate agent control of where the sign is.

City Manager Smith explained the current ordinance and the difference between it and the new proposal.

Councilor Boyle made a motion to postpone this item and have a workshop with the attorney present, 2nd Council President Moore, unanimously approved.

NEW BUSINESS

- Adoption of Solid Waste Plan Update

Council President Moore made a motion to approve, 2nd Councilor Howard, unanimously approved.

- Reschedule Regular Council Meetings

Councilor Kleiber made a motion to change the meeting time to 2:00 PM, 2nd Howard. Citizen Steve Brett said the Council should take into consideration the meetings of other groups in the City. Kleiber amended her motion to hold the regular meeting the 3rd Tuesday of the month at 9:00 AM. After discussion, Councilor Kleiber made a motion to leave the meeting date and time as is, 2nd Platt, unanimously approved.

- City's responsibility to protect taxpayers' property against the negligence of other property owners – Stephen & Ana Bischoff

Ana Bischoff thanked the City for helping them resolve the issue with their neighboring property owner. She said that the City should have some authority to enforce property owners to maintain their property. Attorney Dickerson said that the only way a municipality can become involved in a private dispute between property owners is by filing a court action to abate a nuisance. Ms. Bischoff said that in Florida, a City takes action against someone who does not mow their grass or if they leave something in their yard. Attorney Dickerson said that the City can enforce grass cutting because it is something measurable. He said that the matter of whether a tree is about to fall or not is subjective.

City Manager Smith said there are other roads in the City that the City does not maintain and there has always been a question about what roads the City does and does not own. She said that are other roads that the City was maintaining because it was unclear as to who owned the road since we have maintained it for so long. Attorney Dickerson said that when the City uses a road it becomes a road for public purpose. Any utilization by the public is public use; if the City uses it for any purpose, it becomes dedicated for public purpose. City Manager Smith said that for the City to maintain the road which has not been maintained in the past, the road should be deeded to the City.

- Inquiry regarding a potential acquirer of the Resort on behalf of the City – Jon Shebel

Jon Shebel said that if he had known the situation of the golf course when he bought his property, he would not have bought a house in Sky Valley. Three years ago, Harrison Merrill was here and told us he was leaving. Since then, the City has done nothing to create incentives to bring an investor into Sky Valley. The attitude toward Harrison Merrill was not good; the attitude toward Mike Young was not good. Attitude is the most important thing to attract someone. The Council needs to turn its attention to this matter and make it their number one priority. No one is going to buy property in Sky Valley because there is nothing here except the beautiful valley. He said that he mentioned doing something in Sky Valley to his partner, and his partner started laughing because the attitude is wrong and there are no incentives. He suggested the Council personally take on the issue, which he says has not been done. Get some professional help from someone in economic development. The Council needs to create a package of incentives. The effort from the Mayor, staff, and POA for events has been great and the events are successful. He said that the City is not going anywhere. The City needs a sewer system, and nobody will buy the property until there is a sewer. The City could alternatively put together incentives for an investor to install the sewer system themselves. He gave an example of a county in Florida, the only county in the state that has lost residents, and it is because of the bad attitude of the County Commission. He said Sky Valley would make a great alternate headquarters for

large firms like the Southern Company and FedEx, who are required by Federal law to have an alternate headquarters. The Mayor and Council need to be personally involved and speak to the investors who have money. He said he brought someone here in April who came up for a plan to get people involved in the ownership, but they were not pleased with the attitudes in the Valley. He said that at the rate things are going there will not be a need for a City in ten years. The City should ask the GA Hotel and Motel Association in Atlanta for help. He said he is pleading with the Council to get personally involved, bring in professionals, find money to pay them, and put together some incentives. He said the City would be surprised at the response it would get if it put forth the effort. The City needs to create and broadcast what we have, a fantastic golf course, a club house that can be finished, and probably the fanciest cart barn in the world. If the City makes these building city hall and community buildings, the property values will drop. He said Harrison Merrill would sell 50 acres in the valley floor, and the bank will sell the golf course, clubhouse, and cart barn. He said that the Council should not delegate this to a committee, and they should work on this themselves.

Councilor Boyle said the Council and people in Sky Valley do have the best for Sky Valley in mind, and that the Council is personally involved. He said the Council is responsible to the taxpayers and voters for the safe handling of their money.

Mayor Martindale said that the City does have the option to connect to the sewer in the County, however, at the time, with the current cost to get the sewer up to Sky Valley and the number of people who could connect to it, the expense cannot be justified. The last estimates were around 1.5 million dollars. The City has said it would support getting the sewer up to Sky Valley.

Mr. Shebel said that the property will sell if the Council markets it and puts it as the highest priority. The whole community gets together and supports the events, and he asked why the whole community cannot get together and support marketing the valley.

Council President Moore said that it would be hard to know what incentives to offer not knowing what type of developer could come. Mr. Shebel said that he is not familiar with Georgia law. He encouraged the Council to work with the Hotel and Motel Association for help with incentives. Mayor Martindale said that the City had been looking into abating property taxes, but the City is not currently allowed to abate any property taxes.

PUBLIC FORUM AND GENERAL COMMENTS

Ed West said that the building permit fees discourage people from building. Mayor Martindale said that the current fee structure was established to cover the expense of having building inspection. Councilor Platt said that is worth the peace of mind to have a good, certified building inspector.

City Manager Smith said that this is the first time in history that the permit fees have paid for the inspection department. Discussion followed about the reason the permit fees are what they are. Councilor Platt said that she has been bombarded with people asking for taxes to be cut. She said that the only way to lower taxes and fees is to cut services.

Citizen Richard Wilcox asked Councilor Boyle if he heard him correctly that he represented the voters not the taxpayers. Councilor Boyle said that his primary responsibility is to the voters; The City exists because of the voters. He said the Council does its best to represent everyone in Sky Valley.

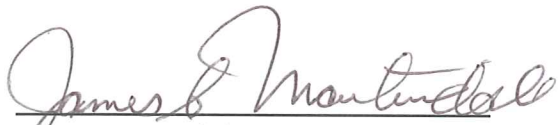
Councilor Kleiber said that even though she is in office because of the voters, she does take what everyone says into consideration when deciding how to vote. Councilor Howard added that everyone on Council represents the voters and non-voters.

Citizen Ray Brooker thanked the City for installing stop sign on Ridgepole. He asked about installing mirrors or striping the centerline of Labelle Circle. City Manager Smith said that the road is not wide enough to stripe the center.

Citizen Ken Smith thanked the City for organizing the events.

Council President Moore made a motion to adjourn, 2nd Councilor Howard, unanimously approved.

Respectfully submitted:



James Martindale, Mayor

Attested:



Mandi Cantrell, City Clerk