

**MINUTES OF THE CITY OF SKY VALLEY REGULAR COUNCIL MEETING HELD ON NOVEMBER 21, 2023
A TUESDAY AT 10:00 AM, AT 3608 HWY 246 (NEW CITY HALL) & VIA TELECONFERENCE (ZOOM)
SKY VALLEY, GEORGIA**

MEMBERS PRESENT: Mayor Steil, Councilors Oliver, Allred, Turner, and Curtis

MEMBERS ABSENT: Councilor Darrah

STAFF PRESENT: City Manager Streetman, City Attorney Kidd, City Clerk Fleming, Public Works Superintendent Shope, Code Enforcer Pyburn, Lieutenant Baumes, Lieutenant Edwards, and Communication Specialist Van Camp

1. Call to Order

Mayor Steil called the meeting to order at 10:00 a.m.

2. Invocation/Pledge of Allegiance

Councilor Allred led the Invocation and Pledge of Allegiance.

3. Approval of Minutes

October 3, 2023 – Emergency Called Council Meeting

October 10, 2023 – City Council Work Session

October 10, 2023 - City Council Public Hearing

October 17, 2023 - Regular Council Meeting

October 30, 2023 - Special Called Council Meeting

Councilor Oliver made a motion to approve the minutes as written, seconded by Councilor Turner, unanimously approved.

4. Adoption of Agenda

Mayor Steil requested that the order of the agenda be changed. Moving the Executive Session to Item # 13. Councilor Oliver made a motion to approve the amended agenda, seconded by Councilor Turner, unanimously approved.

5. Mayoral/Council Remarks

Mayor Steil commented on the success of two recent events: Sky to Summitt Race and 2023 Fall Fest. Both brought in large crowds. She expressed thanks to all that helped with the fund raiser for the Sky Valley/Scaly Mountain Fire Department and also to those that are doing a wonderful job changing the fall hay bales into holiday hay bales.

No comments from the Council.

6. City Manager Report

City Manager Streetman stated that the construction of the third pickleball court has begun. Requesting bid proposals for removal of lids and filling of in-ground trash receptacles. Applying for 2024 grants. The General Fund expenditures are at 95% and revenue is at 112%. Cody English has obtained his Class 2 Water License.

7. Departmental Reports

Police Department did not present a report.

Public Works Superintendent Shope stated that his department has been blowing leaves from the City roads, leaf vacuuming, and doing some road patching. They have begun putting up Christmas lights and displays.

Building Inspector/Code Enforcer Pyburn stated that he had addressed two nuisance complaints concerning trash. There are six new homes under construction and as of November 15, residents can put their bird feeders back up.

8. Committee Reports

Gordon Brand, Marketing Committee Chairman, stated that Doug Hollandsworth with GolfLife has been busy with the promotion of Sky Valley and he has acquired a new media person. The Sky Valley websites are continually being updated. Moody Barrick has graciously shared some wonderful Fall Fest photos. He thanked Councilor Turner for all of his work putting together this year's Fall Fest and as a side note the event was able to raise \$460 for Paws for Life.

Mayor Steil thanked the Garden Club, Mark Wannamaker, and the Special Projects Committee for their help in keeping Sky Valley beautiful.

NEW BUSINESS

9. Consider variance request of Dejan Djolic to vary the front yard setback from 15 feet to 0 feet at 1196 Saddleback Circle

Dan McAfee, Chairman of the P&Z Commission, stated that a public hearing was held on November 9th to discuss this variance request. The Djolics would like to build a small carport in front of their house which would encroach into the setback bringing it to the edge of their property line. In reviewing the plans, the Committee does not feel it would affect the site lines, or snow removal of Saddleback Circle. The Committee recommends the approval of this request.

Councilor Turner made a motion to approve the variance request, seconded by Councilor Oliver, unanimously approved.

10. Consider variance request of David Ramey to vary the front yard setback from 15 feet to 9 feet at 2068 Ridgepole Drive

Dan McAfee, Chairman of the P & Z Commission, stated this request was part of the November 9th public hearing also. He showed the City Council the site plan that Mr. Ramey had produced. Mr. Ramey marked off the setbacks using two property pins but with the curvature of the road it threw it off and was not realized until the deck was constructed, and a new survey presented.

Councilor Curtis stated that he appreciated all the documentation and a well-presented site plan. He commented that "stuff happens" and feels that the Council should approve the request.

Councilor Curtis made a motion to approve the variance request, seconded by Councilor Oliver, unanimously approved.

11. Consider approval of the FY2024 Marketing Committee Budget

A 2024 proposed budget was presented consisting of \$19,619. Gordon Brand, Marketing Committee Chairman, asked if anyone had any questions. None were made.

Councilor Oliver made a motion to approve the FY2024 Marketing Budget, seconded by Councilor Curtis, unanimously approved.

12. Consider approval of water study to identify a future well site for drinking water not to exceed \$29,000

City Manager Streetman stated that a water study needs to be conducted for a new well as the City keeps growing and some days we are pumping up to 280,000 gallons of water a day with the maximum only for 300,000 gallons. Meetings have been had concerning this study, with the attendees being Rick Barron, Mechanical Pumping Electrical Services, Jerry Hood, EMI, Martin Greene, SV representative with the RC Water Authority, Councilor Darrah, Mayor Steil, and City

Manager Streetman. The recommendation is for a new well and the two proposals for a well study were received from Ground-Water Services, Inc., and Resolute Environmental and Water Resources Consulting. Ground-Water Services proposal was for up to ten sites and Resolute Environmental and Water Resources was for up to five sites. Negotiations are underway with both companies. The 2024 Budget includes \$40,000 for a well study and City Manager Streetman is asking for approval of the study not to exceed \$29,000. Mayor Steil commented that at least two years will be required for permitting before a new well can be started. Councilor Allred asked for clarification on the request, which Mayor Steil explained that the vote would give City Manager Streetman the authority to move forward with a study at a cost not to exceed \$29,000.

Councilor Allred made a motion to approve the water study not to exceed \$29,000, seconded by Councilor Oliver, unanimously approved.

13. Executive Session

Councilor Oliver made a motion to go into executive session for the purpose of discussing the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a city official or employee, seconded by Councilor Curtis, unanimously approved.

Councilor Curtis made a motion to reopen regular session, seconded by Councilor Allred, unanimously approved.

Mayor Steil stated no formal action was taken.

14. Consider approval to reinstate the Chief of Police

Mayor Steil stated that the City Council is truly committed to having a professional and well equipped Police Department, which becomes evident with the 2024 Budget. One third of the Budget is for this department which is an increase of \$90,000 over the 2023 Budget. The City Manager as the authorization to address and resolve any staffing issues that arises by our City Charter.

Councilor Oliver made a motion to approve the reinstatement of Police Chief Estes with a Council approved contract, seconded by Councilor Allred, unanimously approved.

15. Consider Resolution to place the Police Department and Chief of Police under the authority of the Mayor and Council

Mayor Steil stated that many municipalities have the supervision of the Police Department under the Mayor and Council due to their unique duties and responsibilities.

Councilor Turner made a motion to approve the Resolution for the immediate removal of the Police Department and position of Chief of Police from under the authority of the City Manager and to re-classify the appointed position of Chief of Police to where he or she now works at the pleasure of the Mayor and Council, seconded by Councilor Allred, unanimously approved.

An online question was asked concerning if this is in accordance with the 1997 Charter. Mayor Steil answered yes, with the Resolution.

OTHER BUSINESS

16. Public Forum and General Comments

Michael Palmer, President/State Trustee of the North Georgia Mountains Lodge #112, Fraternal Order of Police, stated that he was in support of the actions of reinstating Chief Estes with the guidance of Mayor and Council. Mr. Palmer spoke on behalf of Chief Estes and asked the Council to consider back pay, damages, and the expense of legal counsel to be awarded to Chief Estes.

City Attorney Kidd stated that he had met with Estes attorney along with Mayor Steil and Councilor Oliver to come to an agreement. He anticipates that Chief Estes will be back to work on Monday.

Steve Mason, 38 Pleasant Mtn. Dr., stated that one of the reasons that he bought in Sky Valley was for the qualified police force and city maintenance. He asked if the reinstatement included back pay and benefits? City Attorney Kidd stated that the terms of the contract will be made public but he could state that Chief Estes is happy with the terms of the contract.

Barbara Kobacker, 407 Pleasant Mtn. Dr., applauded the Police Department on the handling of a situation concerning her worried daughter. Officer Maloney was very considerate.

Vickie Heher, 32 Saddleback, thanked the Council for reinstating Chief Estes. She feels safer with a Police Department in place.

Bob MacNair, 101 Saddleback Circle, stated he set on the committee interviewing candidates for the position of a police chief. Chief Estes is qualified for the position with his expertise, and he is glad the Council decided to reinstate him.

17. **Adjournment**

There being no further business to come before Mayor and Council, Councilor Allred made a motion to adjourn the meeting, seconded by Councilor Curtis, unanimously approved.

The meeting adjourned at 11:05 a.m.

Respectfully submitted:



Hollie Steil, Mayor

Attest:



Karen Fleming, City Clerk