City of Adairsville
Regular Council Meeting
Adairsville Rail Depot/Council Chambers
107 Public Square
Thursday, November 13, 2014 7:00 p.m.

MINUTES

PRESENT: **Mayor Kenneth "KC' Carson**
Councilmember Jerry "Alan" Towe
Councilmember Erwin T. Holcomb
Councilmember Lee Castro
Councilmember Alton "Buddy" Bagley

ALSO: Pam Madison, City Manager; Nicole Scoggins, City Clerk; Arnold Gillman, Interim Police Chief

1. Mayor Carson called the meeting to order and welcomed everyone in attendance.
   A. Councilmember Bagley gave the invocation
2. Mayor Carson led the group in the Pledge of Allegiance to the United States Flag.
3. Councilmember Castro made motion to approve the October 9, 2014 Council Meeting. Councilmember Bagley seconded motion.

Post 1, Towe – Yes	Post 2, Holcomb – Second, Yes
Post 3, Castro – Yes	Post 4, Bagley – Motion, Yes
Motion passes 5-0	

Agenda Item # 1: Councilmember Holcomb made **MOTION TO APPROVE** Robert W. Brinkley for appointment to the Adairsville Planning Commission as nominated by Councilmember Lee Castro.

Mr. Brinkley submitted his application and meets the qualifications of the position. Councilmember Lee Castro nominates him to the Adairsville Planning Commission for a two year term. This position is currently vacant.

Staff recommends approval of this item.

Councilmember Bagley seconded motion.

Post 1, Towe – Yes
Post 2, Holcomb – Motion, Yes
Post 3, Castro – Yes
Post 4, Bagley – Second, Yes
Motion passes 5-0

Agenda Item # 2: Councilmember Bagley made **MOTION TO AUTHORIZE** the City Manager to allow for a one-time roll over of accrued annual leave for certain City employees.

The City of Adairsville has a 240 hour maximum annual leave accrual currently in place for all City employees. Over the past year or so staff in several areas of the City have been unable to take enough annual leave, due to project responsibilities or staffing levels, in order to avoid losing accrued leave at the end of this year. There are currently several employees potentially impacted. This item would approve a one-time roll over of leave and allow time to review the current policy and develop any proposed changes, if necessary, for the Council to consider when personnel policies are updated. An update is expected to be brought forward in early 2015.

Staff recommends approval of this item.

Councilmember Holcomb seconded motion.

Post 1, Towe – Yes
Post 2, Holcomb – Second, Yes
Post 3, Castro – Yes
Post 4, Bagley – Motion, Yes
Motion passes 5-0

Agenda Item # 3: Councilmember Bagley made **MOTION TO ADOPT** Resolution # 14-0024 for Election held on November 4, 2014.

Resolution approving Sunday Sales of Distilled Spirits by the Drink; Sunday Package Sales of Malt Beverages and Wine.

Note: Resolution will be distributed Tuesday November 11, 2014. Election has been certified by the Bartow County Election Board on November 7, 2014.

Staff recommends approval of this item.

Councilmember Holcomb seconded motion.

Post 1, Towe – Yes
Post 2, Holcomb – Second, Yes
Post 3, Castro – Yes
Post 4, Bagley – Motion, Yes
Motion passes 5-0

Agenda Item # 4: Councilmember Holcomb made **MOTION TO DIRECT** the City Attorney to re-write Chapter 6 of the City's Code of Ordinances relating to Alcoholic Beverages.

The two ballot issues relating to Sunday Sales and Pouring passed on November 4th. Previously the Council also authorized the modification of the Ordinance to include a special events permit at certain locations throughout the City. While collecting all of the changes to the Ordinance that have occurred since the 2004 codification, the information was generating some confusion. Staff is recommending a re-write in order to remove outdated provisions, conflicting provisions and add the new items requested by the Council.

The Ordinance with reflect a reference that fees will be established by resolution in order for any fee schedule changes to be easily modified.

Staff recommends approval of this item.

Councilmember Bagley seconded motion.

Post 1, Towe – Yes
Post 2, Holcomb – Motion, Yes
Post 3, Castro – Yes
Post 4, Bagley – Second, Yes
Motion passes 5-0

Agenda Item # 5: Councilmember Castro made **MOTION TO APPROVE** a Special Variance as outlined in Section 34.42 of the Adairsville Code or Ordinances for the 77 acre parcel located in the southernmost area of the City held by the Vanderbilt Land Company, LLC.

Mr. Brandon Bowen, owner of the above referenced parcel, requested clarification to Section 34.42 relating to Explosives, firearms or similar devices. The Code section reads as follows:

"It shall be unlawful for any person to use or fire any explosives, firearms, or similar devices which create impulsive sound so as to cause a noise disturbance across a real property boundary or on a public space or right-of-way, without first obtaining a special variance."

Attached is a letter received from Mr. Bowen outlining the intended use of the property.

After consultation with the City Attorney, both the City Attorney and City Administration agrees that requesting the special variance is appropriate from an administrative position, even though the activity, as outlined by Mr. Bowen, would not appear to violate the above referenced Ordinance section.

Staff recommends approval of this item.

Councilmember Holcomb seconded motion.

Post 1, Towe – Yes
Post 2, Holcomb – Second, Yes
Post 3, Castro – Motion, Yes
Post 4, Bagley – Yes
Motion passes 5-0

Agenda Item # 6: Councilmember Bagley made **MOTION TO AUTHORIZE** the Mayor to enter into a three party agreement with Georgia Department of Transportation, CSX Transportation, Inc. and the City of Adairsville for modifications to the existing roadway and grade crossing and installation of new upgraded warning devices at the King Street crossing.

In early 2014, CSX presented to the Council a proposal for closing the Park Street crossing which the Council tabled, and a proposal to include the improvements at King Street. Once the Council tabled the Park Street discussion, there was no formal action taken related to the King Street Crossing.

I met with the representative for the Georgia Department of Transportation regarding this project on November 4th. GDOT and CSX would like to complete this project as soon as feasible.

The upgraded warning devices will be paid for by CSX. The roadway and grade modifications, as well as the extension of the existing pipe will be reimbursed by GDOT through this three party agreement. The City will manage the GDOT reimbursed portion of the project and staff is in the process of collecting the required bids in anticipation of moving forward. The only item(s) that will not be reimbursed under the contract are utility relocations or modifications, if necessary, and any costs associated with working in the CSX right-of-way, ie. Flag man expenses etc.

Staff recommends approval of this item.

FISCAL IMPACT:

If there is a fiscal impact associated with the work being done in terms of utilities, it will be identified in the year end budget amendment. Otherwise, there is no anticipated cost associated with the project.

Councilmember Holcomb seconded motion.

Post 1, Towe – Yes
Post 2, Holcomb – Second, Yes
Post 3, Castro – Yes
Post 4, Bagley – Motion, Yes
Motion passes 5-0

Agenda Item # 7: Councilmember Holcomb made **MOTION TO NOTE FOR THE RECORD** emergency sewer repair work in the amount of approximately $57,000.00.

On October 22nd, as part of a routine review of the sewer collection system, City staff observed problems in the outfall line on Park Street. This issue affected properties from Park Street to College Street. Due to the emergency nature of the repair, the City contacted Kirkpatrick and Sons, who has done work for the City previously, to provide an estimate to resolve the problem. The firm was able to mobilize quickly and resolved the problem within 6 days. A vendor was identified to provide pumps in order to keep the sewage pumping while the repair work was being completed. The cost of the pump rentals were not included in the Kirkpatrick quote. Kirkpatrick invoiced the City for work performed in the amount of $53,380.70 and the pumps are anticipated to be approximately $3,000.00.

Staff made personal contact with affected residents, when possible, to advise them of the situation.

Staff recommends approval of this item.

FISCAL IMPACT:

Funding for this item will be identified and will be included in the year end budget amendment, as this was not anticipated in the 2014 adopted budget.

Councilmember Bagley seconded motion.

Post 1, Towe – Yes
Post 2, Holcomb – Motion, Yes
Post 3, Castro – Yes
Post 4, Bagley – Second, Yes
Motion passes 5-0

Agenda Item # 8: Councilmember Bagley made **MOTION TO APPROVE** the purchase of a 2013 30" Roller from CAT Rental in an amount not to exceed $14,000.00.

Streets staff researched the cost of a new roller versus a used machine. The equipment available from CAT rental has 113 hours of use and has been well maintained. This provides a savings of approximately $13,000.00 below the cost of a new one.

Staff received quotes from two rental companies and the recommended equipment has fewer hours and is a newer model than others that were available.

Staff recommends approval of this item.

FISCAL IMPACT:

Funding for this item is included in the 2014 Adopted Budget in the 2014 SPLOST Fund.

Councilmember Towe seconded motion.

Post 1, Towe – Yes
Post 2, Holcomb – Yes
Post 3, Castro – Second, Yes
Post 4, Bagley – Motion, Yes
Motion passes 5-0

Agenda Item # 9: Councilmember Castro made **MOTION TO AUTHORIZE** the City Manager to order two vehicles for the police department in order to receive in the first quarter of 2015.

As discussed at the Council Retreat, the police department needs to have two vehicles purchased as part of the 2015 budget. Funds for these items are included in the 2014 SPLOST. The Department has been able to identify a 2014 Charger in Tennessee for approximately $23,000.00 in the same color as our current fleet. This is preferred as the 2015 body styles have changed and the 2014 model is more economical. The second vehicle is a K-9 SUV and the department is currently receiving pricing from dealerships that work with state rate contracts. Once purchased, both vehicles will need to be outfitted, which will delay delivery for Department use until early 2015.

The current dated Crown Victoria's are no longer an option due to the inability to obtain parts for repairs.

Staff recommends approval of this item.

FISCAL IMPACT:

Funding for this item will be included in the 2015 Proposed Budget in the 2014 SPLOST Fund.

Councilmember Holcomb seconded motion.

Post 1, Towe – Yes
Post 2, Holcomb – Second, Yes
Post 3, Castro – Motion, Yes
Post 4, Bagley – Yes
Motion passes 5-0

Agenda Item # 10: Councilmember Castro made **MOTION TO AUTHORIZE** the City Manager to enter into an agreement with an engineering firm to assist with permit applications and approvals for the wastewater treatment plant.

Based upon information received recently, the City needs to move quickly to identify and permit and alternate location for land application. Due to the complexity of the permitting process, an engineer is needed to assist with this process.

Staff recommends approval of this item.

FISCAL IMPACT:

Funding for this item will be identified in the year end budget amendment as these specific services were not contemplated in the 2014 Adopted Budget.

Councilmember Bagley seconded motion.

Post 1, Towe – Yes
Post 2, Holcomb – Motion, Yes
Post 3, Castro – Yes
Post 4, Bagley – Second, Yes
Motion passes 5-0

Agenda Item # 11: Councilmember Holcomb made **MOTION TO ACCEPT** donation of $200.00 from Advance Adairsville for the Beautification Committee Fund.

Monetary and in-kind donations are accepted by the City Council.

Staff recommends approval of this item.

FISCAL IMPACT:

This contribution will be deposited into the Beautification Committee fund line within the Community Development Budget.

Councilmember Bagley seconded motion.

Post 1, Towe – Yes
Post 2, Holcomb – Motion, Yes
Post 3, Castro – Yes
Post 4, Bagley – Second, Yes
Motion passes 5-0

Agenda Item # 12: Councilmember Bagley made **MOTION TO CONFIRM** the City Manager's nomination of Arnold Gilman as Chief of Police for the City of Adairsville.

Arnold Gillman has served the City as part of the police force since 2011. During his tenure, he has served in leadership positions both in the Investigations Division and in Patrol.

During his service as Interim Chief, Arnold rose to the occasion and his actions demonstrated his passion for the City, his commitment to the profession and his dedication to the

Department. As Interim Chief, he attended Chief's school and passed all required testing. He possesses all of the credentials required and meets the qualifications for the position.

It is my privilege to nominate Arnold for this position. He will serve the City with honor and integrity.

The City Manager recommends approval of this item. Upon approval Chief Gillman will be sworn in by the Mayor

FISCAL IMPACT:

The Chief's position is funded in the 2014 Adopted Budget.

Councilmember Towe seconded motion.

Post 1, Towe – Second,Yes
Post 2, Holcomb – Yes
Post 3, Castro – Yes
Post 4, Bagley – Motion, Yes
Motion passes 5-0

Citizens wishing to speak

- **Ken Miller**
  - Handout for the Council for review

Adjournment: 8:02 p.m.

Councilmember Bagley made motion to adjourn; Councilmember Towe seconded motion.

Post 1, Towe – Second, Yes
Post 2, Holcomb – Yes
Post 3, Castro – Yes
Post 4, Bagley – Motion, Yes
Motion passes 5-0

MINUTES ADOPTED:

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Kenneth J. Carson, Mayor

DATE OF: **12-11-2014**

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Nicole Scoggins, City Clerk

Minutes recorded and typed by Nicole Scoggins, City Clerk