

City of Blue Ridge

480 West First Street • Blue Ridge, Georgia • (706) 632-2091

City of Blue Ridge
Special Called Council Meeting Minutes
City Hall
480 West First Street
March 24, 2016 at 11:00 AM

Present: Mayor Donna Whitener
Council Members Angie Arp, Harold Herndon,
Bruce Pack and Rhonda Thomas
City Clerk Kelsey Ledford
Angela Steedley and Matt Smith

Absent: Council Member Rodney Kendall

1) Call Meeting to Order:

Council Member Rhonda Thomas made a motion to call the meeting to order. The motion was seconded by Council Member Bruce Pack. The Council voted 4-0. Motion carried.

2) Prayer and Pledge of Allegiance:

Council Member Bruce Pack offered a word of prayer followed by the Pledge of Allegiance.

3) Council Meeting Rules of Procedures:

Mayor Whitener stated that a copy of the Rules of Procedures were available at the Council desk.

4) Approval of Minutes:

a) Council Member Angie Arp made a motion to approve the March 8, 2016 Council Meeting Minutes. The motion was seconded by Council Member Bruce Pack. The Council voted 4-0. Motion carried.

5) Request for Exception to the General Conflict of Interest Prohibition for FY2016 CDBG

Application:

The Mayor and Council disclosed the Conflicts of Interest at the March 8, 2016 Council Meeting. A copy of the Conflict of Interest Disclosure (attached) was available at the Council desk. Council Member Rhonda Thomas made a motion to request a general exception to the conflict of interest rule for the FY2016 CDBG project. The motion was seconded by Council Member Angie Arp. The Council voted 4-0. Motion carried.

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6) Resolution / Authorization to Apply for CDBG and Provide Local Commitments (Cash and In-Kind):

Angela Steedley and Matt Smith spoke. Ms. Steedley explained that the resolution is for approving the Mayor to sign all related grant documents and also committing the City to cash and in-kind commitments. The Mayor, Council, Ms. Steedley and Mr. Smith discussed the Financial Leverage Summary for the project. Mr. Smith also discussed the scope of the project and a few changes since the FY2015 CDBG application. The allotted time limit expired. The Council did not make a motion to extend the time. The discussion continued. Mayor Whitener and Ms. Steedley explained a ditch easement that must be obtained by the City as well as any out of pocket expenses for the City. Council Member Rhonda Thomas made a motion to adopt the resolution (attached) for authorization to apply for the CDBG and provide local commitments cash of \$105,308.00 and in-kind of \$9,760.00. The motion was seconded by Council Member Angie Arp. The Council voted 4-0. Motion carried.

7) Authorization of Architect for Appalachian Regional Commission (ARC) Welcome Center Preliminary and Final Design and Construction Management:

Mayor Whitener and Ms. Steedley discussed the scope being reworked and decreasing the cost of the total project. Mayor Whitener discussed putting up to \$150,000.00 of local funds into the project. The Mayor and Council discussed funding for the project and the scope of the project with Ms. Steedley and Mr. Smith. The allotted time limit expired. The Council did not make a motion to extend the time. After additional discussion, Council Member Rhonda Thomas made a motion to authorize R Design Works for the ARC Welcome Center preliminary due April 15, 2016 and final design and construction management subject to cost approval and contract approval by the City Attorney and Council. The motion was seconded by Council Member Angie Arp. The Council voted 4-0. Motion carried.

8) Authorization of Engineer for Appalachian Regional Commission Welcome Center Preliminary and Final Design and Construction Management:

Mayor Whitener, Council and Mr. Smith discussed the project scope including a retaining wall. Council Member Rhonda Thomas made a motion to authorize as an engineer, Carter and Sloope for the ARC Welcome Center preliminary and final design and construction management. The motion was seconded by Council Member Angie Arp. The Council voted 4-0. Motion carried.

9) Designate/Authorize two (2) City Officials to Provide Direction for Scope, Design and Budget in Coordination with Approved Architect and Engineer for Appalachian Regional Commission Welcome Center. Coordination begins immediately and **all preliminary design and site work decisions must be finalized no later than April 5, 2016** to allow for application preparation and submission:

Council Member Rhonda Thomas nominated Mayor Whitener and Council Member Angie Arp. Mayor Whitener, the Council, Ms. Steedley and Rick Larosa discussed decisions that need to be made as well as scheduling. Council Member Rhonda Thomas made a motion to designate

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Mayor Whitener and Council Member Angie Arp to act as city officials to provide direction for the scope, design and budget with the approved architect R Design Works and Carter and Sloope. The motion was seconded by Council Member Angie Arp. The Council voted 4-0. Motion carried.

- 10) Designate/Authorize City Official to coordinate Local Support Letters (Businesses, Business Association, and Blue Ridge Scenic Railway). Signed letters must be emailed to Ms. Angela Steedley no later than Friday, April 8, 2016. (Ms. Steedley will provide draft samples to Designee):

Mayor Whitener and Ms. Steedley discussed letters of support for the need of restrooms as part of the ARC grant. Mayor Whitener mentioned scheduling meetings for obtaining confidential information and support letters. Council Member Rhonda Thomas made a motion to designate Kelsey Ledford, Mayor Whitener and Haley Campbell to coordinate local support letters. The motion was seconded by Council Member Bruce Pack. The Council voted 4-0. Motion carried.

- 11) Sidewalk Ordinance Amendment:

Zoning Administrator Roy Parsons submitted a letter to the Mayor and Council (attached) which was read by Mayor Whitener. Mayor Whitener explained the proposed amendment. Council Member Rhonda Thomas suggested permits for placing "News Paper Stands". The allotted time limit expired. The Council did not make a motion to allow additional time. The discussion continued. After some discussion, Council Member Rhonda Thomas stated that there should be repercussions for those who do not follow the ordinance. There was also discussion about businesses having liability insurance to cover materials that they place on the sidewalks. Council Member Rhonda Thomas made a motion to table the matter until April 12, 2016. The motion was seconded by Council Member Angie Arp. The Council voted 4-0. Motion carried.

- 12) Water and Sewer Increase:

Mayor Whitener explained the need for an increase and explained that Utility Billing Supervisor Rebecca Harkins and Finance Director Alicia Stewart had prepared a rate increase (attached). Mrs. Harkins discussed the proposed rates. A motion was made by Council Member Rhonda Thomas to approve the rate increases. The motion was seconded by Council Member Bruce Pack. The Council voted 4-0. Motion carried.

- 13) Park Renovation Discussion:

Mayor Whitener explained that once park grading is completed she will begin getting trees and plants planted. Mayor Whitener is to send photos and a list of trees to the Council to review following the meeting.

- 14) LMIG Discussion:

Council Member Angie Arp, Mayor Whitener and City Clerk Kelsey Ledford discussed FY2014, 2015 and 2016 LMIG funds.

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15) Building Board of Appeals and Zoning Appeals Board Appointment for Terms Expiring:

City Clerk Kelsey Ledford explained that John Soave and Charlie Sisson's terms are expiring soon and that Donnie Gillam recently resigned from his position. She explained that both Mr. Soave and Mr. Sisson have agreed to serve another term. Council Member Angie Arp made a motion to reappoint John Soave to the Zoning Board of Appeals and Charlie Sisson to the Zoning Appeals Board. The Motion was seconded by Council Member Rhonda Thomas. The Council voted 4-0. Motion carried.

16) Waste Away Express:

The Mayor and Council discussed adding Waste Away Express to the list of permitted sanitation providers authorized to operate within the City Limits. The allotted time limit expired. Council Member Angie Arp made a motion to allow additional time. The motion was seconded by Council Member Bruce Pack. The Council voted 4-0. Motion carried. Mayor Whitener expressed that she would like to speak to the owner of the company prior to the approval. Council Member Rhonda Thomas made a motion to table the topic. The motion was seconded by Council member Angie Arp. The Council voted 4-0. Motion carried.

17) Skid Steer:

Mayor Whitener explained that the money from the Community Facility Grant is going to take additional time to obtain but that she has received approval from Rural Development to proceed with the purchase in order to complete the City park renovation. She discussed applying for a GMA Lease Purchase agreement for the purchase. Council Member Rhonda Thomas made a motion to proceed with the purchase with the knowledge of receiving some reimbursement. The motion was seconded by Council Member Angie Arp. The Council voted 4-0. Motion carried.

18) Executive Session—Personnel and Land Sale/Acquisition:

Council Member Rhonda Thomas made a motion to close the meeting for an executive session for the purpose of discussing personnel and land sale/acquisition. The motion was seconded by Council Member Angie Arp. The Council voted 4-0. Motion carried.

Bill Ryan spoke from the audience. He inquired about how someone is to be placed on a special called meeting agenda if the agenda is only posted a day in advance. The Council discussed his question. The Council allowed Mr. Ryan to speak in regards to water/sewer capacity for new developments.

Council Member Rhonda Thomas made a motion to open the meeting from an executive session. The motion was seconded by Council Member Bruce Pack. The Council voted 3-0, Council Member Angie Arp was not present after the executive session. Motion carried. Council

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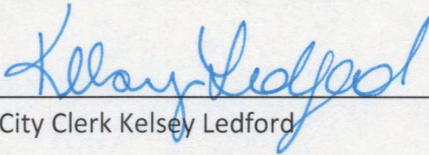
Member Rhonda Thomas made a motion to hire Kimberly Keenan part-time, at \$9.00/hour, under the direction of Rebecca Harkins. The motion was seconded by Council Member Bruce Pack. The Council voted 3-0. Motion carried. Council Member Rhonda Thomas made a motion to hire Phillip Forsyth full-time for the Park Department at the entry rate for the park department.

19) Adjournment:

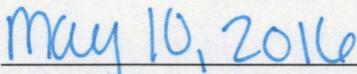
Council Member Rhonda Thomas made a motion to adjourn. The motion was seconded by Council Member Harold Herndon. The Council voted 3-0. Meeting adjourned.



Mayor Donna Whitener



City Clerk Kelsey Ledford



Approved



City of Blue Ridge

480 West First Street

• Blue Ridge, Georgia 30513

• (706) 632 - 2091

March 15, 2016

PUBLIC NOTICE

Pursuant to 24 CFR Part 85, Section 85.36(b) (3) "Code of Conduct" and 24 CFR Part 570.489(h), "Conflict of Interest"

Notice is hereby given pursuant to 24 CFR Part 85, Section 85.36(b) (3) and 24 CFR Part 570.489(h) of the City of Blue Ridge's intention to request an exception to the general conflict of interest prohibition which requires public disclosure for a conflict defined by 570.489(h) (1-3), including but not limited to, wherein a person participating in the grant process may have an interest in said grant for familial and/or business ties.

As part of its FY 2016 CDBG application, the City of Blue Ridge proposes infrastructure upgrades to water, fire protection and sanitary sewer infrastructure in the Orchard Boulevard Neighborhood ("Target Area") comprised of Orchard Boulevard, Orchard Place, State Street, Wilson Street, Ridge Street and Card Lane. The exception is requested for the following persons, who have familial and/or business ties in the target area. Potential conflicts are as follows:

- 1) Mayor Whitener is related by marriage to Janice Nicholson, who owns two parcels and three residential units along Orchard Boulevard. Specifically, Whitener is third cousin to Janice Nicholson's husband, the maternal nephew of Mayor Whitener's father. One unit is occupied by Jodie Nicholson, son of Janice and third cousin to Mayor Whitener. The other units are occupied by unrelated persons.
- 2) Mayor Whitener is third cousin to Brian Nicholson, who owns and resides on one parcel along Orchard Boulevard. Whitener's father is uncle to Brian Nicholson's father.
- 3) A potential conflict also exists for Mayor Whitener and Brian Huffman, who is employed by Whitener's private business.
- 4) Council Member Rhonda Thomas is the great-niece of Glenda Herndon, who resides in the target area.
- 5) Council Member Angie Arp's father and his wife (Pamela Lloyd) own two duplexes (a total of four apartments) on Wilson Street. These units are occupied by persons unrelated to Arp.

- 6) Lester Goode, who resides within the target area, may be related to Council Member Bruce Pack. According to Goode, his mother is related to the Packs.
- 7) Council Member Harold Herndon owns a piece of property located on State Street.

In accordance with 24 CFR Part 570.489(h), each of the following factors were considered in seeking the request for exception:

- i) Not applicable. The exception will not provide a significant cost benefit or an essential degree of expertise to the program or project which would otherwise not be available.
- ii) Not applicable. While all activities will be publicly bid, an opportunity for open and competitive bidding is not applicable to the requested exception.
- iii) The majority of persons affected are members of a group or class of low or moderate income persons intended to be the beneficiaries of the assisted activity, and the exception will permit such person to receive generally the same interests or benefits as are being made available or provided to the group or class.
- iv) Not applicable. The affected persons have not withdrawn from his or her functions or responsibilities, or the decision making process with respect to the specific assisted activity in question.
- v) The interest or benefit was present before the affected persons were elected to office.
- vi) Undue hardship will result either to the State, the city, or the persons affected when weighed against the public interest served by avoiding prohibited conflicts. Undue hardship will result to the persons affected when weighed against the public interest served by avoiding prohibited conflicts.
- vii) The potential conflicts, outlined herein above, do not provide any private financial interest, directly or indirectly, to Mayor Whitener or to Councilmembers Thomas, Arp, and Pack. The Target Area was selected due to the presence of low or moderate income persons within the Target Area, and not due to any potential conflict. The exception will allow all persons within the Target Area to receive generally the same interests or benefits as are being made available or provided to the group or class.

RESOLUTION
STATE OF GEORGIA
COUNTY OF FANNIN
CITY OF BLUE RIDGE
FY 2016 CDBG APPLICATION AUTHORIZATION

WHEREAS, the Georgia Small Cities Community Development Block Grant (CDBG) Program is available to meet community needs that primarily benefit low and moderate income persons; and

WHEREAS, a significant need exists for water system improvements to improve and protect the health, sanitation and quality of life for residents of the Orchard Boulevard Neighborhood; and

WHEREAS, the City of Blue Ridge is eligible for CDBG financing and will submit an \$500,000 application on or before April 1, 2016, to the Georgia Department of Community Affairs for the above-stated purpose; and,

WHEREAS, the City will provide operation and maintenance of all publicly-owned infrastructure and utility easements; and

WHEREAS, the City will provide in-kind services along with the cash match, leverage and any cost overruns required to successfully complete the project; and,

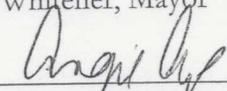
NOW, BE IT RESOLVED, the City of Blue Ridge authorizes, empowers and directs the Mayor and City Clerk to perform all such acts for the purpose of filing said application and executing all required documents, including related contracts and awards.

BE IT FURTHER RESOLVED, that all actions of the Mayor, which are in conformity with the purposes and intents of this Resolution and in furtherance thereof, shall be and the same hereby are, in all respects ratified, approved, and confirmed.

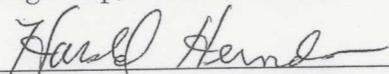
Adopted this 24 day of March, 2016.



Donna Whitener, Mayor

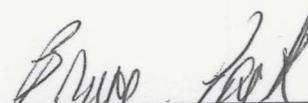


Angie Arp, Council Member

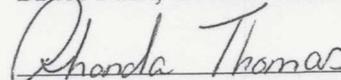


Harold Herndon, Council Member

Rodney Kendall

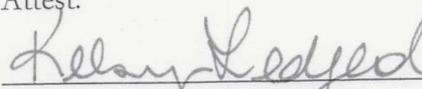


Bruce Pack, Council Member



Rhonda Thomas, Council Member

Attest:



Kelsey Ledford, City Clerk

An amendment to Section 96.038 would allow licensed business owners to use up to (30 - 36 inches) (to be determined) of a public sidewalk. The area shall be referred to as the area of use. The area of use shall be measured from the property line parallel with the facade of a business and shall be located within the property lines running perpendicular to the area of use of the licensed business. A clear pedestrian zone width of sixty (60) inches must be maintained and shall be located between the area of use and the back of the street curbing. If no curbing exist, the pedestrian zone shall be defined by the Street Superintendent.

The area of use may be used for the display of sidewalk signage (size to be determined), benches (void of advertisement), flower pots and other types of decorative features. The display of goods or merchandise for sale is prohibited within the area of use. The area of use is restricted to the use for the business licensed at the area of use.

Section 96.038 **PRIVATE USE** reads as follows. It shall be unlawful for any person, firm or corporation to use any street, sidewalk or other public place for the display of goods or merchandise for sale or to write or make any sign or advertisement on any such pavement.

If you wish, we may include umbrellas as a permitted use and the canopy of the umbrella could extend into the pedestrian way (two feet)? provided a clear height of seven (7) feet is maintained. This is just a suggestion. Please let me know how we can improve upon the proposal. Do we need to establish a location where real estate booklets and newspapers sales boxes may be placed?

WATER/SEWER RATE INCREASE

I have been working with Alicia on our water/sewer budget. GEFA has said they will not do another grant for us until we show that we can generate some additional revenue, our projected debt ratio is too low.

According to the sewer budget we are still short in sewer revenue so we decided to start with a sewer rate increase so that sewer will actually carry itself for the remainder of 2016 instead of relying on water funds to make up the shortage.

Alicia and I are proposing a \$1.00/1000 gallon rate increase on sewer to be effective June 30, 2016. This will impact 6 months of billing for 2016 and generate an additional \$37,000 in revenue for the year. Overall impact per year moving forward will be \$74,000 per year. This more than covers the shortage in sewer revenues since we are anticipating new expenses from the projects we are currently working on. However this is not enough to satisfy GEFA.

The second rate increase we propose is a \$1.00/1000 gallon rate increase on water to be effective January 1, 2017 and will impact all water rate structures. This will generate \$157,000 in revenue per year.

The 2 rate increases, projected revenues from some large projects that are underway, and the promise to pay off the 2015 GEFA meter replacement project loan brings our projected debt service ratio to 1.19 which is enough to satisfy GEFA as they want the number to be around 1.2.

At this point this is the only thing holding up the 2016 GEFA meter replacement approval and time is critical if we want to continue replacing the failing meters in our system. We will run out of meters by mid-April.

We also need to add a meter reinstall fee of \$300 to the fees we charge, this is because our old meters are not lead free. If we pull it for any reason we are not allowed to put it back in the ground, everything we put in must be lead free so we have to purchase new equipment at a current cost of \$267.10. This only allows \$32.90 for labor. If you have any questions about this please feel free to call me or email me.

**CERTIFICATE OF APPOINTMENT OF THE ZONING APPEALS BOARD OF THE CITY
OF BLUE RIDGE, GEORGIA**

WHEREAS, the term of John Soave as a member (will expire; has terminated by resignation; or ended due to his/her death) on May 10, 2016.

NOW THEREFORE, by virtue of my office as Mayor, the City of Blue Ridge Council appoints John Soave to serve as a member for a four-year term, ending May 10, 2020.

IN WITNESS WHEREOF, I have hereunto signed by name as Mayor of the City of Blue Ridge, Georgia, and caused the official seal of the City of Blue Ridge, Georgia, to be affixed hereto this 24 day of March, 2016.



Mayor

ATTEST:

Kelley Ledger

City Clerk

CERTIFICATE OF CITY CLERK

I hereby certify that the above and foregoing is a true and correct copy of the Certificate of Appointment of member of the Zoning Appeals Board of the City of Blue Ridge, Georgia, filed in the office of the City Clerk on the 24 day of March, 2016.

Approved by Council on 24 day of March, 2016.

(SEAL)

Kelley Ledger

City Clerk



**CERTIFICATE OF APPOINTMENT OF THE BUILDING BOARD OF APPEALS OF THE
CITY OF BLUE RIDGE, GEORGIA**

WHEREAS, the term of Charlie Sisson as a member (will expire; has terminated by resignation; or ended due to his/her death) on April 8, 2016.

NOW THEREFORE, by virtue of my office as Mayor, the City of Blue Ridge Council appoints Charlie Sisson to serve as a member for a four-year term, ending April 8, 2020.

IN WITNESS WHEREOF, I have hereunto signed by name as Mayor of the City of Blue Ridge, Georgia, and caused the official seal of the City of Blue Ridge, Georgia, to be affixed hereto this 24 day of March, 2016.



Mayor

ATTEST:

Kelley Hedger

City Clerk

CERTIFICATE OF CITY CLERK

I hereby certify that the above and foregoing is a true and correct copy of the Certificate of Appointment of member of the BUILDING BOARD OF APPEALS of the City of Blue Ridge, Georgia, filed in the office of the City Clerk on the 24 day of March, 2016.

Approved by Council on 24 day of March, 2016.

(SEAL) Kelley Hedger

City Clerk