

CITY OF SUGAR HILL
CALLED COUNCIL MEETING
JUNE 21, 1999 7:00PM COMMUNITY CENTER

The City of Sugar Hill Council held a called meeting on Monday June 21, 1999 at 7:00 PM in the Community Center.

Notice of the meeting was posted on the doors of City Hall and the Community Center. Notice was placed on the board at Alton Tucker Blvd and Peachtree Industrial Blvd. Notice was also sent to the local news media.

Those present included Mayor Roberta Crabb, Council Members Reuben Davis, Chris Abbey, Michael Mosley, and Gary Pirkle. Also present were City Attorney Lee Thompson, City Manager Frank Ginn, Gil Haines of Arcadis, Geraghty and Miller, City Clerk Shirley Gibbs. Others present included Recreation Board Members Machel Scott, Meg Avery and Leigh Bailey, representatives of Cooper, Barnett and Page, employees and members of the news media. Absent was Mayor Pro-Tem Steve Bailey.

CALL TO ORDER, PLEDGE TO FLAG AND INVOCATION:

Mayor Crabb called the meeting to order at 7:00 PM and led the Pledge to the Flag. Council Member Mosley gave the Invocation.

OLD BUSINESS:

A: AWARD CONTRACT FOR LANDFILL CLOSURE:

City Manager Frank Ginn stated there were two things going on, the consent order that the EPD had put the city under, which had been changed to an administrative order. They had given the city until September 30th to close the landfill. If at that time it was not closed, the EPD would go the Attorney General and the city would have to go to court. He turned the meeting over to Gil Haines of Arcadis to give the details of the bid opening held on June 15, 1999 for the closure of the landfill.

Mr. Haines gave the following information regarding the three bids received for the land fill closure: The three bids were from Cooper, Barnett and Page, Morgan Corporation, and Reynolds, Inc. Cooper, Barnett and Page had submitted a bid of \$548,208, which was the low bid, however, several items were missing from the bid. They had not included proof of insurance, which they had faxed over after the bid, list of similar closures, they had submitted several landfill liner projects and they had stated they would need more time. They had submitted their bid based on 120 days instead of the 90 days specified in the bid packet. Morgan Corporation had bid \$609,907.50, which was approximately \$60,000 more than Cooper, Barnett and Page but they had all the required data plus they stated they could complete the project in the required 90 days. The third bid from Reynolds, Inc. was \$666,777. This was \$50,000 to \$60,000 more than Morgan Corporation. They did have two similar projects but they did not furnish proof of insurance and they were the high bid. Based on all the information, it was the recommendation of Arcadis to award the contract to Morgan Corporation with a bid of \$609,907.50. Discussion was held on meeting EPD approval, amount of fines if the project did not meet the September 30th deadline and awarding the bid based on meeting all the requirements instead of being the lowest bid.

Council Member Pirkle made the motion to award the contract to Morgan Corporation based on the recommendation of Arcadis. Council Member Mosley made the second. Motion passed 4-0 by those present to vote.

B: RECREATION BOARD CHARGES:

Council Member Pirkle stated this item was tabled from the regular Council Meeting. City Manager Frank Ginn had asked for the opportunity to offer a solution to this problem. Mr. Ginn stated in the short time he had worked for the city, he had met with four of the five Recreation Board members and had gotten their perception on the function of the Recreation Board. He planned on meeting with the fifth member later in the week. He had also met with Rusty Carter, who has a long relationship with the softball leagues, and with Gary Bagley who maintains the ball fields. Mr. Ginn went on to say, that as City Manager, one of his concerns was the exposure that the city receives and right now the city park receives a lot of exposure. The park has the BMX Track, tennis courts, skateboard, softball leagues and volleyball. Some of his concerns dealt with the finances and the liability to the city. City Manager Ginn suggested putting the finances of the park in city hall, abandon the current Recreation Board and appoint an advisory board. Council Member Pirkle stated that he agreed with Mr. Ginn on some of the points especially

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concerning the finances of the park. In his opinion, if the city paid to maintain the park any money generated should come back to the city and then be budgeted at that point. He felt they should deal with the individual Recreation Board charges and then look at any potential restructuring. City Attorney Lee Thompson told the Council the steps that should be taken in order to have these charges brought before the council and the public. According to the code, if a person is to be removed from the board, it has to be for just cause after written charges are given following a Public Hearing. If this was what they wanted to do, they would have to set up a meeting for a Public Hearing, notify the person of the charges and he felt it would be better if a Hearing Officer were hired for this Hearing. Council Member Pirkle felt the way to handle this would be to deal with the individual charges that they have rather than just dissolve the board and cast any guilt on all the board members. Recreation Board Member Machel Scott felt that the finances should be handled through the city, that no one Recreation Board Member needs to be physically responsible for the money generated by the Recreation Board. She did feel that there should be some type of Recreation Board and would go along with City Manager Ginn's proposal. Recreation Board Member Meg Avery also thought that the finances should be handled through the city finance department. It had been suggested at one of the Recreation Board Meetings that Kelley Canady, Finance Director for the city, should be the treasurer for the Recreation Board. Dissolving the Recreation Board was not what she wanted but with all the changes maybe this was the best decision. She also felt that there should be some type of Recreation Board to make decisions and be aware of things that were going on at the park. Recreation Board Member Leigh Bailey gave her thoughts on this situation. She felt that turning the finances over to the city would create problems, softball raises a lot of revenue but it also has reasonably large bills, such as umpire fees, lights, Rusty Carter's fee and these need to be paid in a timely manner. In her opinion there would be a real problem with turning the finances over to the city manager or the finance director because then the Recreation Board loses all control over how the bills get paid and what's important. Council Member Pirkle stated he was going to be in favor of putting the finances in the control of city hall and asked how she felt about dissolving the board as it is now and creating an advisory board or would she prefer that they go ahead and handle these matters by having individual hearings. Mrs. Bailey felt that it did not matter one way or the other what she preferred because she did not feel that an amicable decision would be made. More discussion was held on what kind of board Gwinnett County had, placing the finances in city hall. Based on the opinions of the Recreation Board members, the recommendations of the City Manager and City Attorney, Council Member Pirkle made the motion to dissolve the Recreation Board, study how it would be reconstituted and all funds managed or maintained by the Recreation Board would be turned over to the city's general fund. The city would take over the obligations of the Recreation Board in paying the commitments they have made. Council Member Mosley made the second. Motion passed 4-0 by those present to vote.

Council Member Pirkle stated he would like to direct the City Manager to look into the constitution of what the Recreation Board should be, taking into advisement City Attorney Thompson's recommendation that the board members should not serve at the pleasure of the council. A board member should be able to be removed for any reason at the discretion of the council based upon a vote by the council. They would like for him to report at the next council meeting, if possible, recommendation for a structure of an advisory board similar in function to what the old board did but without the financial control. City Manager Ginn said he had a lot of projects and could not guarantee to have it by the next council meeting but he would like to study the Gwinnett County advisory board and find out how it works. He would also like to talk with Bobbie Queen to see if she thought they could work off the county pattern and get the citizens involved. The Mayor requested that Council Member Pirkle put this in the form of a motion. He made the following motion: To have City Manager Ginn study the constitution of the Recreation Board and report back to the council as soon as possible considering his other many duties at this time. Council Member Davis made the second. Motion passed 3-1. Council Member Mosley opposed the motion.

ADJOURNMENT:

There was no other business to discuss. Council Member Mosley made the motion to adjourn the meeting. Council Member Pirkle made the second. Motion passed 4-0 by those present to vote. Meeting adjourned at 7:45 PM.

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