

Called Council Meeting
Tuesday, December 29, 1998
7:30 P.M. Community Center

A Called Council Meeting was held on Tuesday, December 29, 1998 at 7:30 P.M. in the Community Center. Notice of the meeting was placed on the doors of city hall and the community center. Notice was placed on the board at Alton Tucker Blvd. and Peachtree Industrial Blvd. The meeting was advertised in the local newspapers.

Those present included: Mayor Roberta Crabb, Mayor Pro-Tem Steve Bailey, Council Members Reuben Davis and Gary Pirkle, City Attorney Lee Thompson, City Clerk Shirley Gibbs, employees, registered guests and members of the media.

CALL TO ORDER AND INVOCATION:

Mayor Crabb called the meeting to order at 7:30 P.M. She led the Pledge to the Flag with Mayor Pro-Tem Bailey giving the Invocation.

APPROVAL OF AGENDA:

Mayor Pro-Tem Bailey made the motion to amend the agenda to include Item D under New Business, The Issuance of Gas System Revenue Bonds, Series 1999 and to include Citizens and Guests Comments between Old Business and New Business. Council Member Pirkle made the second. Motion passed 3-0.

OLD BUSINESS:

A: ROBERTSON SANITATION RATE INCREASE:

Mr. Pat O'Conner stated that he was here as a follow up on the request for a rate increase to begin on January 1, 1999. He had passed out some information to the council members concerning the contract and the Consumer Price Index. He explained how the five-percent increase would affect the cost of a bag and the cost of a box of bags. One bag will go from 1.13 per bag to 1.18.65 per bag. Currently a box of bags cost \$22.60 plus tax, this increase will raise the cost of a box to \$23.73. He had also brought a copy of the brochure that was available at city hall. He would like to re-format this brochure for a mailing in February or March if the city clerk would provide him with some mailing labels. Council Members made some suggestions on things they would like to see in the brochure and comments they had received from some of the residents regarding the service. After more discussion, Mayor Pro-Tem Bailey made the motion to grant the five-percent increase to Robertson Sanitation. Council Member Pirkle made the second. Motion passed 3-0.

**B: RESOLUTION-LA98-001 1999 LEGISLATIVE ANNEXATION
REQUEST FOR JACK O'ROUKE & GLORIA DICRISTINA:**

This item had been tabled at the December 14th meeting and was up for consideration again. One of the problems with this item before was a lack of an address. Council Member Pirkle wanted to make sure that the street address was on the agenda so people would know where the property was located and could comment on them during public hearings. Mayor Pro-Tem Bailey also stated that people could not respond in public hearings if they did not know where the property was located. He would like for staff to provide extra copies of these items before the meetings in order for the public to be better informed. Also provide an address or some type of landmark for people to identify the property. After more discussion, Mayor Pro-Tem Bailey made the motion to adopt Resolution-LA 98-001 for Legislative Annexation. Council Member Pirkle made the second. Motion passed 3-0.

**C: RESOLUTION-LA-98-002 1999 LEGISLATIVE ANNEXATION
REQUEST FOR DEBORAH J. WYNNE:**

Mayor Pro-Tem Bailey made the motion to adopt Resolution-LA-98-002 for Deborah Wynne for Legislative Annexation. Council Member Pirkle made the second. Motion passed 3-0.

D: SALE OF CITY PROPERTY:

___ Unofficial Minutes Prepared by Shirley Gibbs
___/___/___ Date Approved

Called Council Meeting
Tuesday, December 29, 1998
7:30 P.M. Community Center

THIS ITEM WAS TABLED

E: RAISE PERMIT FEES:

THIS ITEM WAS TABLED

CITIZEN'S AND GUEST'S COMMENTS:

Mr. David Leff gave his opinion on the appointment of an Interim/Acting City Manager. It was his suggestion that Mayor Crabb serve as interim or even permanent city manager. He felt that she possesses some if not all the qualifications to be city manager. At present she is closer to the problems, there would be no added expense and anything the city could do to save money was very important. The two positions had a lot of cross responsibility and duties and in his opinion the mayor should be the one selected to serve as interim city manager.

Mr. Mike Gazda stated that Mayor Crabb had provided a leadership role for the city. In his opinion, it appears that they are doing all this behind closed doors. He felt if there was an obvious choice for this position, the council should discuss it in public so the citizens could have some input. He would like to see a better legal opinion on whether or not the mayor could serve as interim city manager. He thanked her for all her help with his problems, when the previous city manager did nothing, she was there trying to help him solve the problem.

Mr. George Aubrey directed his comments to the budget process. He knew it was a boring job but he felt the city should do like everyone else and keep the debt load to a minimum. Zoning issues was an area of concern, if done properly the city could move forward but if the debt load was too heavy they might not be able to carry it. They should give careful consideration to all these items before borrowing more money.

NEW BUSINESS:

A: PUBLIC HEARING: 1999 BUDGET:

City Attorney Thompson explained that in order to have a public hearing on the budget, it has to be advertised at least a week before the public hearing takes place. A draft of the budget has to be available for public inspection during normal business hours. Once they have the public hearing, it will then have to be advertised that the budget is going to be approved. Advertising for the public hearing had not been done which means that will have to take place in January. They can then have a called meeting to approve the budget or wait until the February meeting to approve the budget. In the meantime, the city can work under the existing budget. Mayor Pro-Tem Bailey made the motion to advertise January 11th, the regular council meeting, to be for public hearing for the 1999 M & O budget. Council Member Pirkle made the second. Motion passed 3-0.

B: OCCUPATION TAX ORDINANCE AMENDMENT:

City Attorney Thompson explained that there were actually two ordinances he had been working on with Mrs. Landers. One concerned an administrative fee change that is charged to insurance companies that operate inside the city limits, this is due to a population change in the last census. It was also discovered that there was a fee that should be charged to financial institutes. An ordinance had been drawn up for the financial institutes in 1996 but apparently was never adopted. The only change in the current occupation tax ordinance would either increase or decrease the amount of money collected from insurance companies. It would decrease the amount listed in the current ordinance but would allow the city to collect from companies that had more than one location in the city. State law allows cities to collect from financial institutes but an ordinance must be enacted before they can collect. Discussion was held on these two issues. Council Member Pirkle made the motion to amend the occupation tax ordinance section 18-31 and 18-32 dealing with insurance companies. Mayor Pro-Tem Bailey made the second. Motion passed 3-0.

Called Council Meeting
Tuesday, December 29, 1998
7:30 P.M. Community Center

Council Member Pirkle made the motion to adopt the depository finance ordinance. Mayor Pro-Tem Bailey made the second. Motion passed 3-0.

C: RESOLUTION: FREEPORT EXEMPTION:

City Attorney Thompson explained this resolution would authorize a referendum to be placed on the ballot when the city holds a special election in March to replace Council Member Tim Pugh. The referendum would allow a Freeport tax exemption on personal property in the city. Currently Gwinnett County has a 100 percent Freeport tax exemption. Discussion was held on this item. Council Member Pirkle made a motion to table this item until the January 11, 1999 meeting in order to obtain more information on the impact it would have on the city regarding loss or gain of revenue. Mayor Pro-Tem Bailey made the second. Motion passed 3-0.

D: ISSUANCE OF GAS SYSTEM REVENUE REFUND BONDS:SERIES 1999:

Mr. Bill Fussell of Knox Wall gave a history of the current GEFA loan that the city has with the state. They have been looking at refunding this loan for a while. The gas system is the best option because the golf course can not carry any more debt. One of the reasons for not doing this sooner was the gas loss that happened in February or March of 1996. Once the backup meter was installed, the gas loss disappeared. In his opinion there never was a gas loss, just overcharging from Transco. Now that this matter was under control, he could go to the investors and refinance the loan at a lower rate. There would be no new money involved but the city would save money with the lower rate. Right now the GEFA loan was financed at 6.5 percent but he was reasonably sure he could get it refinanced for 5 percent or better. Mr. Fussell had more information on the rates and the savings for the city. A lengthy discussion with Mr. Fussell and the Council Members was held on this item. Mayor Pro-Tem Bailey made a motion to adopt the resolution as presented. More discussion was held on this item. Mayor Pro-Tem Bailey modified his motion to change Section 2, Paragraph F from three (3) percent to three point five (3.5) percent threshold savings and to change Section 3, first sentence from three (3) percent to three point five (3.5) percent. Council Member Pirkle made the second to the motion. Motion passed 3-0.

EXECUTIVE SESSION:

Council Member Pirkle made a motion to enter into Executive Session to discuss Personnel Issues, second made by Mayor Pro-Tem Bailey. Motion passed 3-0. Time 9:00P.M.

On a motion made by Mayor Pro-Tem Bailey to return to regular session, second made by Council Member Pirkle and a vote of 3-0, meeting reconvened at 10:50 P.M.

ACTION TAKEN OUT OF EXECUTIVE SESSION:

Council Member Pirkle made a motion to nominate Finance Director Kelley Canady as Acting City Manager. Council Member Davis made the second. Motion passed 3-0.

ADJOURNMENT:

Mayor Pro-Tem Bailey made the motion to adjourn the meeting, second by Council Member Pirkle. Motion passed 3-0. Meeting adjourned at 10:55 P.M.