

CITY OF HIAWASSEE  
CITY COUNCIL MEETING  
HELD ON MARCH 3, 2009

**SUMMARY OF ACTIONS**

THE FOLLOWING IS A SUMMARY OF ITEMS PRESENTED AND ACTION TAKEN AT THE MARCH 3, 2009 MEETING OF THE HIAWASSEE CITY COUNCIL. THE OFFICIAL MINUTES OF THE MEETING WILL BE PREPARED IN ACCORDANCE WITH STATE LAW BY THE CLERK.

THIS SUMMARY IS INTENDED AS A SERVICE TO THE PUBLIC TO ADVISE INTERESTED PARTIES OF THE UNOFFICIAL ACTIONS OF THE CITY COUNCIL PENDING TRANSCRIPTION OF THE OFFICIAL MINUTES. IN THE EVENT OF CONFLICT, THE OFFICIAL MINUTES AS APPROVED BY THE CITY COUNCIL IS THE LEGAL RECORD OF THE ACTIONS OF THE CITY COUNCIL.

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**AVAILABLE TO THE PUBLIC  
WITHIN FORTY EIGHT HOURS OF COUNCIL MEETING**

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**TO: MAYOR, CITY COUNCIL, CLERK, PRESS &  
INTERESTED PARTIES**

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**FROM: RICK STANCIL, MANAGER**

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**DATE: 03-04-09**

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ELECTED OFFICIALS IN ATTENDANCE: BARBARA MATHIS, MAYOR; JUNIOR CHASTAIN, COUNCILMAN, JOAN CROTHERS, COUNCILMAN; HOWARD CUNNINGHAM, COUNCILMAN AND JANET ALLEN, COUNCILMAN. COUNCILMAN ANNE JOHNSON WAS ABSENT DUE TO ILLNESS. A QUORUM WAS PRESENT.

STAFF IN ATTENDANCE: RICK STANCIL, CITY MANAGER.

**MAYOR'S REPORT**

- 1) THE OTM COMMITTEE HAS PROVIDED A LIST OF CONCERTS ON THE SQUARE. THE CONCERTS WILL BEGIN MAY 23<sup>RD</sup>. AND RUN WEEKLY, EVERY SATURDAY, THROUGH SEPTEMBER 5<sup>TH</sup>. FROM 6 TO 8 O'CLOCK P.M.

- 2) IT IS TIME FOR THE HATCH SERVICE CONTRACT TO BE RENEWED. THIS IS FOR THE INSPECTION AND CALABRATION OF THE METERS AT THE HIAWASSEE WATER TREATMENT PLANT. THE COST IS \$5,200.00. CALABRATION IS A STATE REQUIREMENT. AFTER A BRIEF DISCUSSION, ON MOTION MADE AND SECONDED, THE COUNCIL UNANIMOUSLY APPROVED THE EXPENDITURE AND RENEWAL OF THE CONTRACT.
  
- 3) THE MAYOR REPORTED ON THE NEED TO REPLACE THE CITY COMPUTER SERVER. THE COST WILL BE \$2,750.00. AFTER A BRIEF DISCUSSION, ON MOTION MADE AND SECONDED, THE COUNCIL UNANIMOUSLY APPROVED THE EXPENDITURE.

CLERK AGENDA ITEMS.

- 1) THE MINUTES OF THE FEBRUARY 3, 2009 COUNCIL MEETING WERE APPROVED.
  
- 2) THE MAYOR ANNOUNCED THAT THE JANUARY FINANCIAL STATEMENTS WERE IN THE COUNCIL FOLDERS. THE DECEMBER FINANCIAL STATEMENTS WERE APPROVED WITHOUT QUESTION.
  
- 3) DON BAKER WITH ENGINEERING MANAGEMENT, INCORPORATED REPORTED ON A CHANGE IN PROJECT SCOPE OF THE APPLACHIAN REGIONAL COMMISSION GRANT RECEIVED BY THE CITY. THIS IS THE PROJECT TO REPLACE THE TOWNS COUNTY COMPREHENSIVE SEWER LINE AND TO UPGRADE ONE LIFT STATION.

THE CHANGE WILL IMPROVE THE CITY SEWER SYSTEM WITHOUT ANY EXPECTED ADDITIONAL COST. THE REVISED PROJECT WILL BE FUNDED WITHIN THE CURRENT BUDGET.

AFTER A REVIEW OF THE DOWN STREAM FLOW ANALYSIS AND DICUSSIONS WITH CITY PERSONNEL, A CHANGE WAS MADE TO ROUTE SEWER FLOW AROUND PROPLEM MANHOLES. THIS CHANGE WILL ALLOW THE MAJORITY OF THE SEWAGE FLOW FROM SOUTHERN TOWNS COUNTY TO FLOW DIRECTLY TO THE SEWER PLANT REDUCING DEMANDS ON THE SEWER LINES AROUND LAKE CHATUGE.

THIS IMPROVEMENT SHOULD REDUCE OVERFLOWS DURING PERIODS OF HIGH RAIN OR FLOODING. MR. BAKER PRESENTED A MAP OF THE PROPOSED REROUTING TO THE COUNCIL FOR THEIR REVIEW.

- 4) RESOLUTIONS FOR DEDICATION AND ACCEPTENCE OF THE SCHOOL LIFT STATION, A POURING LICENSE APPLICATION AND THE 2009 UPDATED CAPITAL PROJECT PLAN WERE MOVED ON THE AGENDA TO BE CONDSIDERED AFTER THE MANAGER'S REPORT.
  
- 5) CITY MANAGER'S AND COMMITTEE REPORTS.

THE PLANNING COMMITTEE MET ON MONDAY, MARCH 2, 2009 AT CITY HALL AT 2:00 PM. THE FINANCE COMMITTEE DID NOT MEET.

THE PLANNING COMMITTEE DID NOT RECEIVE ANY NEW PROJECT APPLICATIONS. HOWEVER, UPDATES ON PENDING AND GRANDFATHERED PROJECTS WERE MADE.

#### **PLANNING COMMITTEE OLD BUSINESS**

- 1) HWY. 64 PARTNERSHIP DEVELOPMENT. ADDITIONAL SITE WORK HAS BEEN DONE. THE DEVELOPMENT HAS CONNECTED TO THE CITY WATER LINE. EARL SULIVAN WAS PRESENT TO ANSWER QUESTIONS REGARDING THE PROJECT AND FUTURE EXPANSION.

- 2) BIG SKY VILLAGE PROJECT.

NO NEW REPORT. HOWEVER, THE OWNER/DEVELOPER WILL BE INVITED TO GIVE AN UPDATE TO THE CITY COUNCIL IN THE NEAR FUTURE PRIOR TO THE PROJECT'S GRAND OPENING.

- 3) 2009 TEN YEAR CAPITAL IMPROVEMENT PLAN UPDATE.

THE CITY HAS SUBMITTED EIGHT (8) PROJECTS TO THE GEORGIA ENVIRONMENTAL FACILITES AUTHORITY, STATE REVOLVING FUND PROGRAM. THE COMMITTEE APPROVED STAFF USING THIS LIST AS THE CITY'S UPDATED "OFFICIAL" PROJECT LIST FOR FUTURE CAPITAL CONSTRUCTION AND GRANT APPLICATIONS.

THE COMMITTEE RECOMMENDED THAT THE CITY COUNCIL ADOPT THIS LIST AS THE CITY'S UPDATED TEN YEAR CAPITAL IMPROVEMENT PLAN.

4) WHOLESALE WATER LITIGATION.

NO NEW REPORT. THE CITY IS WAITING ON ITS EXPERTS TO CONCLUDE THEIR WORK IN ORDER TO FILE THE LAWSUIT. MR. TOM DANIEL HAS ADVISED MR. STANCIL THAT HE WILL ACCEPT SERVICE OF THE SUIT ON BEHALF OF THE AUTHORITY.

5) SEWER ALLOCATION AND DEMAND.

A MORATORIUM ON COUNTY COMMERCIAL CONNECTIONS IS IN PLACE EFFECTIVE JANUARY 1, 2009. THE MAYOR AND THE CITY MANAGER HAVE MET WITH REPRESENTATIVES OF LOWES WHO HAVE REQUESTED SEWER SERVICE. LOWES REPRESENTATIVES HAVE REQUESTED A REPOSENSE FROM THE CITY AS TO SEWER STATUS BY JUNE 1.

ANY RESPONSE FROM THE CITY WILL BE DEPENDENT ON ACTION BY THE COMMISSIONER OR THE TOWNS COUNTY WATER AND SEWER AUTHORITY. THE CITY HAS ADVISED ALL OFFICIAL THAT IT WILL NOT CONTINUE TO FUND THE COUNTY'S SEWER INFRASTRUCTURE AT THE CITY'S EXPENSE.

TO CONSIDER LOWES REQUEST, THE FOLLOWING STEPTS MUST TAKE PLACE. THE FIRST STEP WOULD BE TO PERFORM A LINE AND FLOW ANALYSIS. THE NEXT STEP WOULD BE SUBMISSION OF THE PROJECT TO STATE AND FEDERAL FUNDING AGENCIES.

THE CITY'S POSITION IS THAT THE CITY WILL NOT FUND THE LINE ANALYSIS OR THE MATCHING PORTION OF ANY GRANTS OR LOANS WITHOUT LONG TERM FUNDING BEING GUARANTEED TO THE CITY FOR INFRASTRUCTION DEVELOPMENT IN THE COUNTY. IMPORTANTLY, SINCE THE TOWNS COUNTY WATER AND SEWER AUTHORITY REFUSED TO PROVIDE SEWER SERVICE, THERE CAN BE NO CONNECTION OF COUNTY COMMERCIAL LINES TO SEWER SERVICE UNTIL THIS ISSUE IS ADDRESSED.

**6) SEWER PLANT EXPANSION STATUS.**

PHASE II WOULD BE FOR CAPACITY EXPANSION TO BENEFIT THE COUNTY. THIS EXPANSION IS ON HOLD PENDING ASSISTANCE FROM COUNTY OR AUTHORITY ON FUNDING.

**7) SCHOOL WASTEWATER LIFT STATION AND LINES**

THE CITY HAS RECEIVED A DEED FOR DEDICATION OF THE LIFT STATION AND ASSOCIATED SCHOOL LINES FROM THE BOARD OF EDUCATION. PURSUANT TO THE CITY'S AGREEMENT WITH THE SCHOOL BOARD, THE DEED TO THE COUNCIL FOR DEDICATION AND ACCEPTENCE.

**8) CLIFF HALL AND LONGVIEW DRIVE.**

SOME IMPROVEMENTS HAVE BEEN MADE BY THE DEVELOPER IN THE CITY RIGHT OF WAYS TO PROTECT THE CITY SEWER LINE. CITY STAFF WILL EVALUATE THE EFFECT OVER THE NEXT SEVERAL MONTHS.

**PLANNING COMMITTEE NEW BUSINESS**

1) THE CITY RECEIVED DRAWING FROM BILL ALLEN ON A WATERLINE EXTENTION ACROSS THE STREET FROM THE CITY HALL COMPLEX. THIS PROJECT PREDATES THE CITY PLANNING ORDINANCE AND IS GRANDFATHERED IN. THE IMPROVEMENT IS A SHORT LATERAL TO THE CITY'S SIX INCH WATER LINE ON HWY 76. A FIRE HYDRANT PAID FOR BY THE DEVELOPER WILL GIVE THE CITY IMPROVED FIRE PROTECTION.

2) ARENCIBIA PROJECT.

THIS IS PROJECT THAT HAS BEEN DISCUSSED PREVIOUSLY WITH THE COMMITTEE. A FORMAL APPLICATION WILL BE PRESENTED LATER. DR. ARENCIBIA WAS ALLOCATED SEWER CAPACITY PRIOR TO THE COUNTY MORITORIUM. THIS DEVELOPMENT WILL BE LOCATED NEXT TO THE MEXICAN RESTAURANT AND BELOW FUN WORLD.

EARL SULLIVAN HAS DESIGNED A GRAVITY FLOW SYSTEM THAT WOULD BE LOCATED, IN PART, IN THE STATE RIGHT OF WAY. THE COMMITTEE RECOMMENDED THAT THE CITY PROCEED WITH AN APPLICATION IN THE CITY'S NAME TO THE DEPARTMENT OF TRANSPORTATION. ADDITIONALLY, THE CITY SHOULD EVALUATE PAYING FOR AN UPGRADE TO THE GRAVITY LINE (INCREASE SIZE) TO ALLOW POTENTIAL FUTURE EXPANSION.

**ADDITIONAL MANAGER ITEMS.**

THE CITY MANAGER REPORTED THAT HE HAS REVIEWED AN APPLICATION BY JENNY MONTGOMERY FOR A BEER AND WINE POURING LICENSE FOR THE RESTAURANT KNOWN AS "BIG AL'S PIZZA". THE APPLICATION IS COMPLETE AND A BACKGROUND CHECK HAS BEEN REVIEW WITH JIMMY WRIGHT, CHIEF OF POLICE. BASED ON THE REVIEW, THERE ARE NO DISQUALIFICATIONS IN THE APPLICATION PROCESS.

RICK STANCIL ALSO REPORTED THAT HE HAS REVIEWED AND APPROVED A TOILET REBATE FOR MS. TURNER. ADDITIONAL INFORMATION HAS BEEN PROVIDED SHOWING THAT THE PLUMBER THAT PROVIDED THE VERIFICATION WAS LICENSED IN GEORGIA. THEREFORE, THERE WOULD BE NO NEED AT THIS TIME TO APPROVE ANY VARIANCE OR CHANGE TO THE REBATE PROGRAM TO AUTHORITY INSPECTION AND VERIFICATION BY PLUMBERS LICENSED IN NORTH CAROLINA. THEREFORE, REBATES ARE PROVIDED UNDER THE PROGRAM FOR INSTALLATIONS BY GEORGIA LICENSE PLUMBERS ONLY.

**CITY COUNCIL AGENDA ITEMS.**

THE FOLLOWING ITEMS WERE CONSIDERED BY THE COUNCIL UNDER THE ITS FINAL AGENDA.

- 1) RESOLUTION APPROVING ADOPTION OF CITY SQUARE GAZEBO BY THE TOWNS COUNTY TOURISM ASSOCIATION, INC. OR ITS DESIGNEE. UPON MOTION MADE AND SECONDED, THE COUNCIL APPROVED THE RESOLUTION UNANIMOUSLY.

- 2) RESOLUTION APPROVING 2009 UPDATE TO TEN YEAR CAPITAL PROJECTS PLAN. UPON MOTION MADE AND SECONDED, THE COUNCIL APPROVED THE RESOLUTION UNANIMOUSLY.
  
- 3) RESOLUTION FOR DEDICATION AND ACCEPTENCE OF DEED OF UTILITY EASEMENT AND LIFT STATION FROM THE TOWNS COUNTY BOARD OF EDUCATION. UPON MOTION MADE AND SECONDED, THE COUNCIL APPROVED THE RESOLUTION UNANIMOUSLY.
  
- 4) RESOLUTION ADOPTING AND RATIFYING THE TOWNS COUNTY TEN-YEAR SOLID WASTE MANAGEMENT 2005 PLAN (JOINTLY SUBMITTED BY TOWNS COUNTY, THE CITY OF HIAWASSEE AND THE CITY OF YOUNG HARRIS). UPON MOTION MADE AND SECONDED, THE COUNCIL APPROVED THE RESOLUTION UNANIMOUSLY.
  
- 5) RESOLUTION TO AMEND THE CITY OF HIAWASSEE TOILET REBATE PROGRAM ORDINANCE TO AUTHORIZE VERIFICATION AND/OR INSTALLATION BY A LICENSED PLUMBER OF NORTH CAROLINA. BASED ON THE REPORT OF THE CITY MANAGER AND THE ISSUANCE OF REBATE, THIS AGENDA ITEM WAS WITHDRAWN FROM CONSIDERATION.
  
- 6) RESOLUTION APPROVING POURING LICENSE FOR JENNY MONTGOMERY FOR "BIG AL'S PIZZA". UPON MOTION MADE AND SECONDED, THE COUNCIL APPROVED THE RESOLUTION UNANIMOUSLY.
  
- 7) MOTION TO GO INTO EXECUTIVE SESSION FOR ANNUAL EVALUATION OF EMPLOYEE, CITY MANAGER, RICHARD H. STANCIL, PURUSANT TO EMPLOYMENT AGREEMENT. UPON MOTION MADE AND SECONDED, THE COUNCIL APPROVED THE RESOLUTION UNANIMOUSLY.

EXECUTIVE SESSION.

AFTER THE ANNUAL REVIEW OF HIS EMPLOYMENT CONTRACT WITH THE CITY MANGER, THE COUNCIL MET IN PRIVATE. THEREAFTER, THE COUNCIL VOTED UNANIMOUSLY TO GO INTO PUBLIC SESSION.

PUBLIC SESSION.

UPON MOTION MADE AND SECONDED, THE COUNCIL UNANIMOUSLY VOTED TO EXTEND THE CITY MANAGER'S CONTRACT TO RUN THROUGH JANUARY 1, 2012.

THE MAYOR ADVISED THE COUNCIL ON THE NEED TO HIRE A PART-TIME EMPLOYEE AT CITY HALL TO FILL IN DURING AN UPCOMING MEDICAL LEAVE.

**THERE BEING NOW FURTHER BUSINESS, UPON MOTION AND SECONDED, THE COUNCIL MEETING WAS ADJOURNED.**