

**CITY OF GRIFFIN BOARD OF COMMISSIONERS
REGULAR SCHEDULED MEETING
ONE GRIFFIN CENTER, W. ELMER GEORGE MUNICIPAL HALL
TUESDAY, MAY 12, 2015**

1

Chairperson Doug Hollberg presided, calling the meeting to order at 6:00 p.m. and Commissioners Rodney McCord (arriving late), Dick Morrow, Cynthia Reid-Ward, Cora Lee Flowers, Ryan McLemore and Joanne Todd attended. Also present were City Manager Kenny L. Smith, City Attorney Andrew J. Whalen, III, and Teresa Watson to record minutes.

Pledge of AllegianceBoy Scouts, Troop 4, Griffin First United Methodist Church

Invocation..... Chairman Doug Hollberg

Approval of Agenda

Motion/second by Commissioners Morrow/Todd to approve carried unanimously at 6-0.

PRESENTATIONS / DELEGATIONS

1. Recognize Amanda Carmichael, with the Finance Department, as the April 2015 "Strongest Link" award recipient. *Markus Schwab, Chief Financial Officer will address.*

Mr. Schwab and Mr. Chuck Olmstead, Accounting Director, noted that Ms. Carmichael, in her ten years with the City, has been a part of the City's changing banks for the third time. She has been very instrumental, and her department is deeply indebted for her expertise and dedication. Mr. Olmstead said he was honored that someone outside the finance department nominated Amanda, with the nomination coming from Laura Stewart in Customer Service. Ms. Carmichael excels beyond measure, is his backup, and is vital to the department. She was presented with a gift certificate and plaque, and will be presented with the Strongest Link in the Chain for the City.

Commissioner McCord arrived at 6:09 p.m.

2. Recognition of Officers of the Griffin Police Department (GPD) for the awards received at the Annual District Attorney's Banquet held on May 5, 2015. *District Attorney Scott Ballard and Police Chief Steven Heaton will address.*

Warren Sellers, Chief Assistant District Attorney, and Police Chief Steve Heaton (DA Scott Ballard could not attend due to a previous commitment) recognized the following:

Rookie of the Year – Officer Emily Blackmon; Heart of a Hero – Sgt. Joe Hudson; Team Work of the Year – Sgt. Richard Phillips, Officers Pete Spahn and Chardonnay Hurst; Law Enforcement Agency of the Year – Griffin Police Department; and Law Enforcement Officer of the Year - Lt. Mike Richardson. Congratulations and thanks were offered by the District Attorney, the Commission, the City Manager and Police Chief, with accompanying photographs.

3. Consider Proclamation for May 10 through May 16, 2015 as City of Griffin Police Week to coincide with National Police Week, and the day of May 15, 2015 as Peace Officers Memorial Day. *Police Chief Steve Heaton will address.*

Motion/second by Commissioners Todd/Morrow to approve the proclamation, which was read by Chairman Hollberg, carried 7-0. Chief Heaton noted that just a year ago this department lost Officer Kevin Jordan and ceremonies in Washington, DC will be held over the next few days with Officer Jordan's family in attendance, accompanied by two GPD officers.

4. Consider Proclamation declaring the week of May 17-23, 2015 National Public Works week and Public Works Week in the City of Griffin. *Public Works & Utilities Director Brant Keller to address.*

Motion/second to approve the proclamation, which was read by Commissioner Reid-Ward, was made by Commissioners Morrow/McCord and carried 7-0.

5. Review Financials for March 2015. *Chief Financial Officer Markus Schwab will address.*

Markus Schwab presented the Cash Balance Reports, LOST and SPLOST report, annual report and status as of April 15, Interim Statements by Fund, Revenue Status Report, 2015 General Fund Status Report, and an article on the overall financial outlook. There were no issues.

CITIZEN COMMENTS

No general speakers from the audience came forward.

6. Ralph Jones requests to address the Commission on behalf of the Griffin Kiwanis Club regarding the Kiwanis Fairgrounds.

**CITY OF GRIFFIN BOARD OF COMMISSIONERS
REGULAR SCHEDULED MEETING
ONE GRIFFIN CENTER, W. ELMER GEORGE MUNICIPAL HALL
TUESDAY, MAY 12, 2015**

2

Mr. Jones began by saying this was not just about the fair, but rather was about saving the Kiwanis property for future generations. It cannot, in the future, serve the many charities that it has in the past if the Kiwanis Club has to purchase the fairgrounds property. Ten years ago they entered into a 30-year lease, and this has worked for them. There are many newspaper articles that have heralded the club's good works over the years. In 1949, Kiwanis began the Fair and it has been held there ever since. Mr. Jones anticipates the property will appraise about \$400,000 and the cost of the appraisal around \$18,100. Kiwanis feels the lease agreement of 2005 is ambiguous, and he understands that taxpayers do not want to spend tax money, but he wondered what it will take for the City to be able to participate in this purchase and appraisal. He proposed partnering with the City and have Kiwanis pay \$100,000 toward the purchase and the City pay about \$60,000 each year for the next five years to cover the balance. In this fashion they could save the property and partnership for future generations.

Commissioner Morrow advised that, just so there is no misunderstanding, the state's gratuities clause prohibits the City from giving away taxpayer money. City Attorney Whalen stated he recognizes the value of Kiwanis contributions, but to donate public money to private concerns (either individual, civic club or business), is strictly prohibited by the state constitution. There can be no money donated for the benefit of a private person or organization, and a non-profit is still not a governmental entity. Chairman Hollberg stated the City is obviously not going to resolve this matter tonight, and he suggested placing it on the May 26 or June 23 workshop meeting to discuss further.

Mr. Jones noted this request was not for Kiwanis but rather for citizens of the City.

Commissioner Morrow and Mr. Whalen advised that this is part of the property pledged to the Federal Aviation Administration, almost like a mortgage. Any such obligation must transfer to the new airport. This tract has not yet been declared non-essential. That designation has been approved verbally but no paperwork has been completed by the FAA.

Commissioner Reid-Ward asked if the park and walking track areas were pledged as well. Mr. Whalen replied they were and the County is moving ahead to appraise/purchase those parcels.

PUBLIC HEARINGS

7. Receive comments regarding a request for a Special Use Permit to allow an Adult Day Care Center to operate at 127 W. Solomon Street, submitted by Cambridge House Enrichment Center. *Planning & Development Director, Toussaint Kirk, to address.*

The applicant's request for this 1500 sf facility could potentially be denied as incompatible with the future land uses intended for this area. Because this property is zoned CBD, which permits licensed day care centers, nurseries, adult daycare and private schools as special uses with approval from the Board of Commissioners, Planning Staff recommends conditional approval:

-A maximum number of occupants shall be regulated according to state formula building codes and fire and life safety compliance requirements, and

-Register with the City Occupational Tax permitting office.

Commissioner Todd said she failed to understand how it would be an attractive situation to place senior adults in this downtown environment with severely limited amenities.

Mr. Whalen noted this is a permitted use in the CBD zoning designation. If the applicant has met stated criteria, and according to their application they plan to use the rear parking lot without taking up public parking spaces along Solomon Street, they are entitled to the use provided they get the Special Use permit. A taking occurs when you deny a viable economic use of the property when the applicant has satisfied all the appropriate criteria.

Mr. Kirk said they are working to discourage these type uses from the downtown business district.

David Castile, 705 Woodland Drive, Griffin, Georgia

Mr. Castile remembers a vibrant downtown with unlimited access. As a personal citizen, apart from his seat on the Planning and Zoning Board, he favors a decent and respectable use of any empty building in downtown. He felt a daytime adult day care with a discrete sign and entry from the rear should not infringe on the nighttime entertainment in the area. From a personal standpoint, he could understand where this service could be beneficial. His late departed mother required

**CITY OF GRIFFIN BOARD OF COMMISSIONERS
REGULAR SCHEDULED MEETING
ONE GRIFFIN CENTER, W. ELMER GEORGE MUNICIPAL HALL
TUESDAY, MAY 12, 2015**

3

24/7 care the last few years. This would have been a good option if they had not had the resources to take care of her.

Chairman Hollberg said our community at times has settled for some things or activities they should not have in the downtown district. This applicant for the adult daycare is from Newnan but he did not feel downtown Newnan would have welcomed this use. We have to decide what we want the downtown image of Griffin to be.

CONSENT AGENDA

8. Consider approval of Minutes of the April 28, 2015 Board of Commissioners Regular Scheduled Meeting and Workshop.

Motion/second by Commissioners Morrow/Todd to approve carried 7-0.

REGULAR AGENDA

9. Consider a request for a Special Use Permit to allow an Adult Day Care Center to operate at 127 W. Solomon Street, submitted by Cambridge House Enrichment Center. *Planning & Development Director, Toussaint Kirk to address.*

Motion/second by Commissioners Todd/Morrow to deny. Commissioner McLemore was concerned about the viability as well. He was not sure people dropping off the elderly here would add to the vibrancy of downtown. Parking and entering through the rear entrance could also become problematic if clients do not favor utilizing it. Commissioner Todd again stated she was concerned about activities for the elderly in a downtown setting. She wondered if they would provide nothing for activity except for watching television or look out of windows. Downtown is not the proper place for such a business in her estimation. Commissioner McCord was in favor because the applicant has met our criteria and the law allows it as a special use. They should be able to conduct their business if that business is allowed. He felt he had to put personal feelings aside; he could not oppose the request in good faith. Commissioner Morrow said the City needs to get daycare uses out of the CBD zoning designation. ***Motion to deny the petition carried 4-3 with Commissioners Todd, Hollberg, McLemore and Morrow in favor and Commissioner McCord, Flowers and Reid-Ward opposing.***

10. Consider lifting from the table and dismissal of a request for a variance from Section 708, Medium Density Residential (MDR), of the City of Griffin Unified Development Code to subdivide a lot creating two non-conforming lots, for property located at 728 E. Tinsley Street/228 Morris Street, submitted by Russell Johnson and postponed from the April 28, 2015 Commissioners' meeting. *Director of Planning and Development, Toussaint Kirk, will address.*

Motion/second by Commissioners Morrow/Todd to lift from the table the request for variance from Russell Johnson carried 7-0.

Mr. Kirk said the original plat we showed did not record this second lot, but further research revealed a plat was recorded 7-12-89 splitting the parcel into two lots. Mr. Kirk can dismiss the request. The Board concurred.

11. Consider on first reading an Ordinance amending the Code of Griffin, Chapter 90, Traffic and Vehicles, Article III, Speed Zones to update the speed zone schedule. *Chief Steven Heaton to address.*

Motion/second by Commissioners Morrow/McLemore to approve on first reading carried 7-0.

12. Consider contract with PKF Consulting USA to conduct a feasibility study for a downtown hotel & convention center development. *Kenwin M. Hayes, Sr. Executive Director for Downtown Development Authority will address.*

Mr. Hayes noted that the PKF Consulting team came highly recommended and were chosen as the consultant by the evaluation team. According to the Memorandum of Understanding approved last month, we will co-share with the Industrial Development Authority and Spalding County.

**CITY OF GRIFFIN BOARD OF COMMISSIONERS
REGULAR SCHEDULED MEETING
ONE GRIFFIN CENTER, W. ELMER GEORGE MUNICIPAL HALL
TUESDAY, MAY 12, 2015**

4

Motion/second by Commissioners Morrow/McCord to approve and fund from Commissioners' Contingency Fund. Mr. Smith noted that no budget amendment was attached but he recommended the motion include that the City's commitment which was not budgeted be paid from the Commissioner's Contingency budget. ***Motion and second was amended to include that funding should come from Commissioner's Contingency line item and motion carried 7-0.***

13. Consider contract with Preservation South, LLC to conduct an existing conditions report for Historic City Hall. *Kenwin M. Hayes, Sr. Executive Director for Downtown Development Authority will address.*

Mr. Hayes reported this is a study in preparation for and in anticipation of a SPLOST. The quote was from a local architect. This consultant specializes in historical properties and he would like to have them look at the property more in depth. He hoped to drastically reduce the cost originally estimated to renovate the building with the more detailed findings.

Motion/second by Commissioner Morrow/Flowers to approve carried 7-0

14. Consider approval of a tiered Distribution Generation Tariff for customers in all areas served by the City of Griffin Electric Department. *Electric Director Bill Bosch will address.*

A brief discussion of the tariff was held. A number of other cities will be adopting this tiered tariff, as well. The City by law is required to take the first 177 KW.

Motion/second by Commissioners Morrow/Todd to approve the tiered distribution tariff which was discussed at a previous workshop carried 7-0.

15. Appoint one voting delegate and one alternate to represent the City of Griffin at the Annual MEAG meeting and board election, July 14, 2015. *Electric Director Bill Bosch will address.*

Commissioner Reid-Ward nominated Commissioner Todd. Motion/second to close nominations by Commissioners Morrow/McCord carried 7-0 and Commissioner Todd was elected by acclamation. Commissioner Morrow nominated Bill Bosch as the alternate. Motion/second by Commissioners Morrow /Todd to close nominations carried 7-0 and Mr. Bosch was elected as alternate by acclamation.

Chairman Hollberg, Commissioner Todd and Commissioner McCord plan to attend. Mr. Bosch introduced his new Operations Manager, Sabrina Milner, who has worked for the City for 16 years and with Mr. Bosch for 6 years. This starts a new chapter for both Ms. Milner and Mr. Bosch; she will work very heavily with key accounts. She was welcomed and stated she was very grateful for the opportunity. She was very excited for the challenges and expectations for the Electric Department.

16. Consider approval of a budget amendment and resolution for the Stormwater Utility Department of the Public Works and Utilities department in the amount of \$25,000.00 used for the cost of additional materials for the stormwater drainage system. *Director of Public Works and Utilities Department Brant D. Keller will address.*

Motion/second to approve by Commissioners Todd/Morrow carried 7-0.

17. Consider approval of a budget amendment resolution reallocating funds for the settlement of Rights of Way for the Still Branch Regional Reservoir of the Water and Wastewater Department of the Public Works and Utilities Department in the amount of \$20,400.00. *Director of Public Works and Utilities Department Brant D. Keller will address.*

Motion/second to approve by Commissioners McCord/Reid-Ward to approve carried 7-0.

18. Consider approval of an Easement Limited Agreement for GDOT project STP00-0000-00(410), Spalding for the intersection on SR 362 @ CR 507/Rover Zetella Road/Moreland Road in Spalding County for the Water and Wastewater Department of the Public Works and Utilities Department. *Director of Public Works and Utilities Brant D. Keller will address.*

**CITY OF GRIFFIN BOARD OF COMMISSIONERS
REGULAR SCHEDULED MEETING
ONE GRIFFIN CENTER, W. ELMER GEORGE MUNICIPAL HALL
TUESDAY, MAY 12, 2015**

5

Motion/second by Commissioners Morrow/Todd to approve carried 7-0.

19. Consider the options for City Pool for 2015. *Director of Public Works and Utilities Director Brant D. Keller will address.*

As of today there are 3.5 lifeguards and a manager approved for the pool opening, with 4 applicants purportedly going for certification. If that happens we may be able to open if certification is done by the end of May, so there may be a delay anyway. We need 8 lifeguards. There are a couple of other options. One option is to look at a season pool pass for two months at \$50 per month with a daily fee per person, as well. If tagged 3 times for disciplinary issues, that person would be asked not to come back in the 2015 season and would have no free use of the pool anymore. The pool would be open 61 days this year. The cost of operation in 2015 for budgeting is \$82,400. Hard cost (labor/supplies) \$25,000 in contractual services, chemicals, etc. Another option is the offer of the Gator Swim Team which offers \$6000 for the season and some use in August. He was looking for feedback regarding the pool opening.

Commissioner Todd asked and was told the City was good to go with the pool and supplies. The swim team paying \$6000 would not be much of an offset for use of the pool during normal operations. The swim team pays \$600 per month for use of the pool during normal operations for typical seasons. Chairman Hollberg felt the monthly pass was a viable option but the price came in higher than he was thinking. Perhaps \$25 would be more in keeping with a higher cost for out of jurisdiction users. Commissioner Flowers understands the thought process but is not sure she would agree. That cost would put the use of the pool out of the reach of many families. The public pool gives kids something to do in the summer, much as she did as a youth using the pool. That is how she learned to swim. This is the only venue for neighborhood kids in the summer, and she hoped the City could see its way to keep open this last venue for keeping many kids out of trouble while allowing them to have fun. Commissioner McCord suggested they leave the situation the same as in the past at \$1 per child per day which is even hard to understand how that minute amount could help. Lifeguarding at the pool was one of his first jobs. Spalding County pays for the first 60 children each day, and that can remain in place. The City can deal with misbehaviors but he felt they should subsidize the pool and treat it as a cost of doing business. Commissioner Morrow said he was done with believing it could be a business proposition as that has not materialized over the years. We should, however, keep a minimum charge to teach that things have value. If an item is free, it is perceived as having no value.

Mr. Smith reiterated that we actually need 8 lifeguards to run with schedules and we have only 3.5 now. If the others in the system applying for the lifeguard position don't pass certification, then we cannot open the pool. The swim team uses the facility and they need an answer as to whether or not they can use.

David Horne, 404 Maddox Road, Griffin, Georgia, Griffin Gators president.

They have talked to Dr. Keller, Mr. Smith and Mr. Chris Walker. They hope to get something worked out, but they cannot pay the \$25,000 the City requested. They will pay \$600 for the month of May and following, along with \$10 per head if more than 60. They can afford this, and the team has postponed a week already. They can afford only that. This is the only option around for them. They cannot use Gordon College and other sites are booked up, too. If the pool closes and the team cannot use the facility, many of the commissioners will hear from constituents who have children and grandchildren on the team. He understands the rule but needs to be able to plan.

Dr. Keller said even if you limited the days of operation, you still have to run the pumps 24/7. Recruiting efforts have been very heavy this year in every available venue, but there just is not the interest as in years past. More discussion followed.

Commissioner Morrow said he felt they could proceed as normal and if they cannot open on May 30 to the public, they may have to come back with swim team use only. There would more than likely be extreme pushback from the public if the pool was used privately but not to the public.

Chairman Hollberg said if they could do a pass for \$25 or even \$20, if the user comes often enough it would average less than \$1 per day. If you live outside the City, then you might have to pay a

**CITY OF GRIFFIN BOARD OF COMMISSIONERS
REGULAR SCHEDULED MEETING
ONE GRIFFIN CENTER, W. ELMER GEORGE MUNICIPAL HALL
TUESDAY, MAY 12, 2015**

6

higher fee. But this issue is more about not having the required number of lifeguards rather than an issue of money.

Mr. Smith suggested, and the general consensus of the Board, was to proceed as normal and hope there will be enough lifeguards. If there are not the required number of lifeguards by May 30, they can resume this discussion with the Board. The City could look at adjusting days/hours of operation depending on the number of lifeguards who are definite.

20. Consider approval of the Section 5311 Public Transportation Service Agreement for operation of the Three Rivers Regional Transit System for the term July 1, 2015 through June 30, 2016 in the amount of \$6,650. *City Manager Kenny Smith will address.*

Motion/second by Commissioners Morrow/Todd to approve agreement carried 7-0.

21. Consider cancellation of the July 14, 2015 City Commission Regular Scheduled Meeting. *City Manager Kenny Smith will address.*

Motion/second by Commissioners Morrow/Ward to approve cancellation carried 7-0.

CITY MANAGER'S REPORT

-Reminded of the meeting scheduled by Spalding County: May 18, 2015 at 4 pm on SPLOST. He was assuming the City's projects will remain basically the same, which may change depending on what the County projects. We have no details yet on the projected amount.

-The FY 2015-2016 Budget will be out the first part of next week with a scheduled Workshop two weeks from today. The Board will have information to digest for a week. As usual, he will do a summary. A CD with all details and a PowerPoint presentation will be provided to Commissioners and everyone is available for any questions. Public Hearings and posting will be done, as well.

-Mr. Smith introduced Deborah Stemberger, a new hire in the City Manager's Office.

CITY COMMISSIONER COMMENTS

Commissioner Morrow encouraged attendance at the upcoming Memorial Day festivities. The KIA committee will participate on May 24 at 11 a.m. with about 30 veterans. He urged everyone to come out and remember the men and women who died in service to our community.

Commissioner Todd concurred and encouraged Griffinites to attend the Memorial Day event.

Chairman Hollberg thanked everyone in attendance.

ADJOURN

Motion/second by Commissioners McCord/Morrow to adjourn at 7:37 pm carried 7-0.

Respectfully Submitted,

Kenny L. Smith, City Manager/Secretary

Accepted:

Douglas S. Hollberg, Chairperson