

CITY OF WINDER

CITY COUNCIL

MINUTES • JUNE 3, 2013

113 EAST ATHENS STREET, WINDER, GA 30680



Work Session

Winder Community Center

6:00 PM

CALL TO ORDER

Mayor Maynard called the regular work session to order at 6:00pm.

Attendee Name	Title	Status	Arrived
Sonny Morris	Councilman Ward 1	Present	
Bob Dixon	Councilman At Large	Present	
Ridley Parrish	Councilman Ward 3	Present	
Larry Evans	Councilman At Large	Present	
Travis Singley	Councilman Ward 4	Present	
Alfonza Brown	Councilman Ward 2	Present	
David Maynard	Mayor	Present	
Donald Toms	City Administrator	Present	
John Stell	City Attorney	Present	
Gloria Andrews	City Clerk	Present	
Roger Wilhelm	Utilities Director	Present	
Dennis Dorsey	Police Chief	Present	
Leslie Henderson	Finance Director	Present	
Barry Edgar	Planning Director	Present	
Rebecca Bowen	Administrative Specialist	Present	
Meredith Cameron	DDA Coordinator	Present	
John Janick	Events Coordinator	Present	

OPENING PRAYER

Mayor Maynard delivered the invocation.

PLEDGE OF ALLEGIANCE

Mayor Maynard led those present in the Pledge of Allegiance.

CITIZEN'S INPUT

1. Jimmy Ceraso - Speed limit within Chestnut Ridge Subdivision

Mr. Ceraso presented handouts to the council showing pictures of Lacey Lane inside Chestnut Ridge Subdivision. He states that from the cul-de-sac to the stop sign has become a drag strip and that the stop sign is run on a daily basis. He also stated that he would like to see a speed limit on that street of 15 miles per hour or possibly a speed bump. The Mayor stated that it would be a discussion for the public safety committee.

The Mayor asked Police Chief Dennis Dorsey for his input on the issue. Chief Dorsey stated that Lacey Lane is not listed on the state permit for speed enforcement for detection device. He told the Mayor and Council that he recommends starting with a speed limit sign to see if that would make a difference.

DISCUSSION ITEM(S)

1. American Legion Post 509 - John Robinson

Mr. Robinson stated that he wished to get clarification on whether he can serve alcohol to non-members in the establishment. The Mayor read aloud the previous council minutes from the July 3, 2012 meeting

requiring an event permit if they are allowing others outside of the membership and allowable guests to rent or use the facility. Mr. Robinson said that he does not limit the amount of guests that a member can bring in. Councilman Dixon stated that his intent on the motion from the July 2012 meeting was that a member could bring in one or two guests however the council did not state a specific number. Mr. Robinson stated that he wanted the establishment to be open to the public to serve alcohol. Mayor Maynard stated that right now a patron would have to be a member or a guest of a member to legally sale alcohol to that individual. Mr. Stell stated that he would get in touch with License and Permits Department to see what type of license the American Legion Post 509 has and review the code sections to be able to report back to the council.

2. Jazzy's Restaurant - Police Chief Dennis Dorsey

Chief Dorsey presented a brief timeline of Jazzy's Restaurant & Sport Lounge showing where Jasmine Kilgore signed the lease for the property and is listed as the owner/manager on the alcoholic beverage license application. Chief Dorsey went on to point out that on page two of the alcoholic beverage license application that a questions this question is asked; Has a business at this location or anyone connected therewith been cited or charged at any time with an violation of state or federal law or regulation of the City of County. He said that the applicant answered that question by checking no. Ms. Kilgore is also listed as the registered agent and organizer of Jazzy's Restaurant with the Secretary of State's Office. Chief Dorsey stated that Trevor Hutchinson signs as ownership of the facility on the Safety Fire Inspection Report from the Office of Insurance and Safety Fire Commission dated May 17, 2013 after the alcoholic beverages license had already been approved by the council in the May 7, 2013 meeting. Chief Dorsey reminded the council of the violations surrounding the Heart of the City Infusion; a local business that was owned by Mr. Hutchinson. License and Permits Clerk Yvonne Greenway stated that the Barrow Health Department contacted her and stated that Mr. Hutchison had signed as the owner and scheduled a health inspection at the restaurant as well. City Attorney John Stell stated that the Mayor could temporarily revoke the license and send Jazzy's Restaurant a notice of a public hearing.

3. DDA Activities Update - DDA Coordinator Meredith Cameron

DDA Coordinator Meredith Cameron updated the Council and Mayor on the following items. The Farmers Market started on June 1, 2013 and will run through August 24, 2013 between the hours of 8am and 12pm. She stated that there were not a lot of vendors participating yet due to no produce to sell. Meredith said she was pleased with the crowd for Summerfest this past week. They surpassed 2011 and 2012 totals. The next Summer Concert Series will be June 14th. Steven Van Sheridan will be performing.

Movie Nights at Jug Tavern Park will start on June 19th featuring the movie *Zookeeper* which is a family friendly. They will have inflatables for the children and food vendors as well as a pet parade. July 19th will be "*Christmas in July*". They are asking families to bring canned items for the food pantry or an unwrapped toy for the Holiday Connection.

The Georgia/Clemson Tailgate party will be on August 31st at the Jug Tavern Park. They will televise the game as well as have food vendors and inflatables for children.

4. Winder Housing Authority Events - City Administrator Donald Toms

City Administrator Don Toms informed the council of two upcoming events from the Winder Housing Authority that will take place on city property.

- An Event Permit for "Connecting Fathers & Children" sponsored by the Winder Housing Authority on June 15, 2013 from 11:00am until 5:30pm at the Winder Pavilion and Jug Tavern Park.
- An Event Permit for "Fun 4 All Festival" sponsored by the Winder Housing Authority on October 26, 2013 from 11:00am until 5:30pm at the Winder Pavilion and Jug Tavern Park.

VOTING ITEM(S)

1. Consultant Services: To Authorize the Mayor to enter into an agreement with Auxin360, Inc. to proceed with Implementation of Steps 1 and 2 of the Internal Culture Development Process. 1) Pre-planning for presenting recommendation to the City Council 2) City Council discussion and planning retreat
John Brantley, President of Auxin360, Inc. made a presentation to the council. He gave a brief description of his background stating that he had 30 years of experience. He also discussed the implementation steps.
2. Elect a Budget Officer: City Staff is recommending that the Council appoint City Administrator Don Toms to serve as Budget Officer for the 2013/2014 budget year.
3. Adopt a Legal Level of Budget Control: The departmental level of activity in each fund.
4. Property Tax Roll Back: The property tax rate is hereby set at 5.7824 mills for the budget period, but is rolled back to zero due to the proceeds of the local option sales tax.
5. Adopt 2013/2014 Budget by Resolution: R-07-13 in the amount of \$29,745,800.00, which includes increasing the street light assessment to \$50 per year.
6. Code of Ordinance, Chapter 5 Building and Building Regulations, Second Reading: To amend section 5-22 regarding fire district boundaries, to provide for fire alarm systems in dwelling units.
The Mayor stated that is was an alternative to adding fire protection sprinkler systems.
7. Lanier Technical College Rental Agreement Renewal: Beginning July 1, 2013 and ending June 30, 2014.
Mr. Toms stated that no action is needed due to the original contract ending in 2014.
8. Right-of-Way Easement: Granting an easement to Jackson EMC to run a buried cable on the Punkin Junction Road property, Loganville Highway. The minimum right-of-way width granted on either side of said line shall be 15feet for overhead lines; and 10 feet for underground cables.
Easement is 15 feet adjacent to Georgia Power easement for transmission line.
9. GEFA Loan, Sensus Project: A request to amend the GEFA loan amount for our Sensus project which was originally approved on August 7, 2012, in the amount of \$600,000. The new request is for a total of \$2,000,000, which reflects an increase of \$1,400,000.
Utilities Director Roger Wilhelm stated that to the council that this loan would leave the project about 60 percent complete. He also stated that he hoped to complete this phase of the project in-house in 2 years or less.
10. A request to purchase water through the established Wholesale Water Rates from Barrow County in the amount of \$2.80 per 1,000 gallons, as needed, with no minimum obligation.
11. An annexation / rezone request submitted by applicant and owner, Bush Chapel Church and Cemetery for +/- 2.0 acres located at 181 Horton Street also known as parcel # XX067A-016 (Two tracts split by Horton Street). The request is for annexing/rezoning from the current Barrow County R-1 (Residential) Zone to the City of Winder R-1 (Single Family Low Density Residential) Zone.
12. An annexation / rezone request submitted by applicant and owner, Barrow County Board of Education for +/- 8.44 acres located at 256 Hal Jackson Road also known as parcel # XX062-009. The request is for annexing / rezoning from the current Barrow County AG (Agricultural) Zone to the City of Winder B-1 (Neighborhood Commercial) Zone.
13. An Alcoholic Beverage License for beer and wine by the package for Niranjana Kumar Nathalal Patel for Shree Dwarkesh LLC located at 53 Monroe Highway. This was a former Shell Gas Station. This is new ownership and management.

14. City of Winder Jug Tavern BBQ & Music Festival Event Permit: The festival will be begin on Wednesday, September 11 with the Carnival and continue through Sunday, September 15, 2013. See list of activities scheduled for the Festival. Road closures are requested, see maps attached.
15. Alcohol Resolution for the consumption of Alcoholic Beverages in public and from open containers at the June 14, 2013 Winder Downtown Development Authority Summer Concert Series from 6:30 p.m. until 9:30 p.m. in the City of Winder Gazebo Area and Adjacent Candler Street.

ZONING BOARD OF APPEALS

1. A conditional use request submitted by applicant, Genesis Restaurant Group, LLC and owner, K & J Properties, LLC for a drive-thru lane and window for a fast food restaurant to be located on Tracts 3A and 3B on Exchange Boulevard previously known as parcel #'s XX072-014B and XX074-042C. The property is currently zoned B-2 (General Commercial) Zone.

APPROVAL OF AGENDA

1. Approval of June 4, 2013 amended agenda
Removal of item #7, Lanier Technical College Rental Agreement Renewal.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ridley Parrish, Councilman Ward 3
SECONDER:	Alfonza Brown, Councilman Ward 2
AYES:	Morris, Dixon, Parrish, Evans, Singley, Brown

EXECUTIVE SESSION

At 7:34pm, Mayor Maynard asked for a motion to enter into an executive session of the Winder City Council to discuss the following as provided in Georgia Code section 50-14-2(1). Councilman Morris made the motion to enter into the executive session. The motion was seconded by Councilman Evans and passed by unanimous vote. The Mayor adjourned for a short break.

At 7:41pm, Mayor Maynard reconvened the executive session and asked Wayne Crowe to join the meeting.

Executive Session:

1. To consult and meet with legal counsel to:
 - Discuss pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the agency or any officer or employee or in which the agency or any officer or employee may be directly involved; pursuant to the attorney-client privilege and as provided by Georgia Code section 50-14-2(1).

All elected officials; City Administrator Donald Toms, City Attorney John Stell, Wayne Crowe and Administrative Specialist Rebecca Bowen were present. There were two items up for discussion both relating to potential litigation. At the conclusion of the first item Mr. Crowe left the meeting.

Mayor Maynard adjourned the work session at 7:58pm.

Mayor

Date

Interim City Clerk