

CITY OF ELBERTON
REGULAR MEETING OF THE MAYOR AND COUNCIL
Monday, September 11, 2023 – 5:30 p.m.

Pursuant to due call and notice thereof the meeting of the Mayor and Council convened at 5:30 p. m. on Monday, September 11, 2023 in the Council Chamber of the Municipal Building, 203 Elbert Street with Mayor Graves presiding.

Present were: Council Members Butler, Burton, Colquitt, Prince and Parham; City Manager Dunn, City Clerk Churney and City Attorney Jenkins.

Mayor Graves called the meeting to order and led the assembly in the Pledge of Allegiance. City Attorney Jenkins led the assembly in prayer.

Council Member Butler motioned to approve the minutes of the August 7 meeting, seconded by Council Member Burton, and the motion passed unanimously (Butler, Burton, Colquitt, Prince, Parham).

There were no speakers from the floor.

Council Member Prince introduced a Resolution to appoint a director to the Downtown Development Authority (DDA) as follows:

RESOLUTION

WHEREAS, there currently exists a vacancy on the Elberton Downtown Development Authority (DDA) board of directors due to the expired term; and

WHEREAS, O.C.G.A. Section 36-42-6 allows the governing body of the municipal corporation to appoint directors of the DDA by resolution; and

WHEREAS, the Mayor and five Council Members of the City of Elberton constitute the governing body pursuant to that state law O.C.G.A. Section 36-42-3; and

WHEREAS, the Mayor respectfully submits to the Council the name of Mrs. Pam Allen to be considered for appointment as a director of the DDA; and

WHEREAS, the appointee meet the qualifications of being a director of the Elberton DDA in that certain state law O.C.G.A. Section 36-42-7, being that the nominee qualify as (a) person who has an economic interest in the redevelopment and revitalization of the downtown development area.

NOW, THEREFORE, the Mayor and Council of the City of Elberton hereby appoint Mrs. Pam Allen as a director of the Elberton DDA, term to end June 30, 2027.

RESOLVED this 11th day of September, 2023.

City Manager Dunn read the Resolution in its entirety. Council Member Prince motioned to adopt the Resolution, seconded by Council Member Burton and the motion passed unanimously (Burton, Butler, Parham, Colquitt, Prince).

Council Member Colquitt introduced a Resolution to update the List of Roadways for the use of Speed Detection Radar System as follows:

RESOLUTION

WHEREAS: The City of Elberton Police Department patrols all of the incorporated streets and highways of the City of Elberton and desires to reduce the number of traffic accidents and injuries and improve traffic safety; and

WHEREAS: The City of Elberton will accomplish this task with the use of Georgia Department of Public Safety approved speed detection devices; and

WHEREAS: The Georgia Department of Transportation completed the update for the City of Elberton Speed Zone for all on system routes as specified in Attachment "A;"

WHEREAS: The Georgia Department of Transportation conducted an Engineering and Traffic Investigation Report of Georgia Highway 77 north of the City of Elberton and determined to lower the speed limit on Ga. Hwy. 77 from 55 mph to 45 mph.

NOW, THEREFORE BE IT RESOLVED AND IT IS HEREBY RESOLVED that the Mayor and Council adopt the List of Roadways as updated by the Georgia Department of Transportation to include the reduction of the speed limit from 55 mph to 45 mph on Georgia Highway 77 on the north end of the city limits of Elberton..

BE IT FURTHER RESOLVED that the Mayor and Council direct the City Manager to implement the updated List of Roadways upon approval by the Georgia Department of Public Safety.

Resolved this the 11th day of September, 2023

City Manager Dunn read the Resolution in its entirety. Council Member Colquitt motioned to adopt the Resolution, seconded by Council Member Butler and the motion passed unanimously (Burton, Butler, Parham, Colquitt, Prince).

Council Member Parham placed Ordinance 2220 on second reading to annex 1315 Fairway Drive into the corporate limits of Elberton as follows:

ORDINANCE 2220

AN ORDINANCE ANNEXING THE PROPERTY LOCATED AT 1315 FAIRWAY DRIVE INTO THE CORPORATE LIMITS OF ELBERTON PURSUANT TO THAT CERTAIN ACT (GEORGIA LAW. 1962, P. 119) AUTHORIZING SAME UPON WRITTEN AND SIGNED PETITION OF THE PROPERTY OWNERS; AND FOR OTHER PURPOSES.

Council Member Parham motioned to waive the reading, seconded by Council Member Prince and the motion to waive passed unanimously (Burton, Butler, Parham, Colquitt, Prince). City Manager Dunn read the Ordinance in its entirety at the August meeting. Council Member Parham motioned to adopt the Ordinance, seconded by Council Member Prince and the motion passed unanimously (Burton, Butler, Parham, Colquitt, Prince).

Council Member Parham motioned to adopt the Consent Agenda, seconded by Council Member Butler and the motion passed unanimously (Butler, Burton, Colquitt, Prince, Parham).

1. Approved the expenditures that exceed the city manager's purchasing authority.
2. Accepted the millage rate.
3. Accepted the Mayor's appointment of Mrs. Pam Allen to the Elberton Planning Commission.
4. Authorized the issuance of a public assembly permit to close portion of the city streets to vehicular traffic on Thursday, September 21, for the Homecoming Parade and Pep Rally sponsored by ECCHS
5. Authorized the issuance of a public assembly permit to close the square to vehicular traffic on Saturday, November 4, for the Fall Festival sponsored by Main Street Elberton.
6. Authorized the issuance of a public assembly permit to close a portion of the square to vehicular traffic on Tuesday, November 21, for Candlelight Shop Night, sponsored by Main Street Elberton

City Manager Dunn presented the following reports:

1. Financial Report ending July 31, 2023.
2. Discussed the Public Square Conceptual Master Plan and authorizing changes to the lawn

area as proposed during the Fall season 2023. By unanimous consensus, Council instructed the City Manager to proceed with acquiring an engineering survey of the proposed modifications to the public square.

3. Discussed adopting a Resolution to authorize the construction of a Speculative Industrial Building at the Elberton Industrial Park. Council Member Parham introduced the Resolution as follows:

A RESOLUTION OF THE GOVERNING AUTHORITY OF THE CITY OF ELBERTON, GEORGIA TO AUTHORIZE THE DEVELOPMENT AND CONSTRUCTION A SPECULATIVE BUILDING AT THE ELBERTON INDUSTRIAL PARK FOR THE PURPOSES OF OFFERING IT TO A PROSPECTIVE BUSINESS; AND FOR OTHER PURPOSES.

WHEREAS: The City of Elberton, Georgia, a municipal corporation of the State of Georgia (the "City"), has been duly created and is existing under the laws of the State of Georgia, and pursuant to the Revenue Bond Law, O.C.G.A Section 36-82-60, *et seq.*, is authorized to own, operate and maintain land and facilities so as to relieve abnormal unemployment conditions; and

WHEREAS: The City owns, operates, and maintains the Elberton Industrial Park and has made significant investments in utility infrastructure at the Park and along Mineral Springs Road; and

WHEREAS: It has been more than one Decade since a building was available for sale or lease in the Elberton Industrial Park, and having available sites and buildings gives a prospective new business the opportunity to immediately choose Elberton as its preferred location; and

WHEREAS: The Mayor and Council adopted a Resolution on December 6, 2021, to authorize the study and to develop a plan to construct a speculative building, including its location, design, and a target market; and

WHEREAS: The Mayor and Council authorized a contract with Agracel, Inc., on December 5, 2022 to act as construction manager and adviser on the development of a speculative industrial building; and

WHEREAS: During 2023 the City Manager and partners with Agracel have obtained several studies for the site at 1221 Progress Boulevard including a boundary survey, a topographical survey, a geotechnical survey including several drill and bore sites, a wetlands assessment and delineation, and a Phase 1 environmental assessment, and such studies have found that the site of 29.43 acres more or less is suitable for an industrial building between 50,000 and 304,000 square feet; and

WHEREAS: During 2023 the City Manager and partners with Agracel have used the services of a civil engineering firm, an architectural firm, and other technical advisers to develop construction documents and plans for a speculative industrial building of 50,000 square feet, expandable up to 304,000 square feet, and those plans were used for a competitive bid process with qualified general contractors to construct the planned building of 50,000 square feet at 1221 Progress Boulevard on land presently owned by the City of Elberton in the Elberton Industrial Park; and

WHEREAS: A bid opening occurred on September 1, 2023, where 9 general contracting firms placed a bid for the Speculative Building Construction Project as designed; and

WHEREAS: The Mayor and Council do hereby find that it is in the public interest of the citizens of Elberton to develop, construct, and market a speculative building at the Elberton Industrial Park to attract private business and industry to relieve abnormal unemployment conditions of Elbert County now and in the future.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of Elberton, Georgia hereby resolves to develop and construct a speculative industrial building as follows:

Section 1. The Site and Design. The construction of a 50,000 square foot industrial building shell with three concrete walls and one metal expansion wall, 32-foot ceiling clearance, a prepared aggregate base for a future concrete floor, a parking lot, a truck court, and all the other appurtenances necessary, is hereby authorized on 29.43 acres in the Elberton Industrial Park at the address 1221 Progress Boulevard, such parcel of land being platted and recorded on Page 259 of Plat Book 32 with the Elbert County Clerk of Superior Court.

Section 2. General Contractor and Contract Price. The City Manager is authorized to accept the bid of M. B. Kahn Construction Co., Inc. in the amount of \$4,893,300.00 as submitted on September 1, 2023, and the City Manager and City Clerk are authorized and directed to execute all documents as necessary to effect the selection of M. B. Kahn Construction Co., Inc. as the General Contractor.

Section 3. Financing. The City Manager is authorized to select the most advantageous financing options for the speculative building including the use of cash and cash equivalents on hand, considering the opportunity costs of those investments and the costs of debt financing available to the city.

Section 4. Approval for Construction. The Mayor and Council hereby authorizes and directs the City Manager or other authorized officials to commence with development and construction of the speculative building with all diligence and expedience, and to take any further actions and execute and deliver any other documents necessary to carry out the purpose of this Resolution.

Section 5. Marketing and Sale. Upon the development and construction of the speculative building, the City desires to continue to work with the Development Authority of Elbert County, Elberton, and Bowman and our partners at Agracel, Inc. to market the building for sale or for long-term lease to a business or industry choosing Elberton for its location for investment.

Section 6: All resolutions or parts of resolutions in conflict herewith are hereby repealed.

RESOLVED at the Regular Meeting of the Mayor and Council on September 11, 2023.

City Manager Dunn read the Resolution in its entirety. Council Member Parham motioned to adopt the Resolution, seconded by Council Member Butler and the motion passed unanimously (Burton, Butler, Parham, Colquitt, Prince).

City Manager Dunn submitted the monthly departmental report as follows:

CITY CLERK:

Qualifying for the November 7, Municipal General Election is complete. Qualifying for Council Member Ward 2 – Terry Burton (Incumbent); Council Member Ward 3 – Troy Colquitt (Incumbent) and Kendra Jones.

Advance voting will be from October 10 – November 3 from 8 a.m. - 5 p.m. and Saturday, October 21 & 28 at City Hall, 203 Elbert Street.

FIRE DEPARTMENT:

The Fire Department responded to 54 Alarm Calls for the month of August, 2023. These calls consisted of 34 Medical Emergencies, 1 Outside Trash Fire, 2 Vehicle Accidents, 8 Aircraft Standbys, 4 False Alarms, 1 Vehicle Fire, 2 Power Lines Down, 1 Service Call, and 1 Call for Arcing or Shorted Equipment. The department conducted 0 Fire Inspections, 0 Pre Plan, and issued 1 burn permit. The Fire Department also conducted 490 hours of in-house training and 0 hours out of station training for the month as well.

BUILDING INSPECTIONS:

The building inspection department issued 15 permits from July 26, 2023 to Aug 30, 2023. Permits issued: 3 Electrical Permits, 1 Plumbing Permit, 3 Reroof Permits, 1 Building Permit, 0 Land Disturbance Permits, 5 Sign Permits and 2 Demo Permits. During this same period there were 10 Electrical Inspections, 3 Plumbing Inspections, 0 Sign Inspections, 3 Demo Inspection, 2 Building Inspection, 5 Roofing Inspections, 0 Driveway Inspection and 2 Porch/Deck Inspections.

POLICE DEPARTMENT:

The Elberton Police Department released their monthly activity for the month of July 2023. The department recorded:

- 1,063 Calls for Service
- 400 Vehicle Traffic Stops
- 102 Incident Reports were filed
- 315 City Court cases made
- 17 Traffic accidents were investigated
- 66 People were arrested for various charges
- 11 Person was arrested for Driving under the Influence
- 96 Department Training Hours

The Group A crimes of the (NIBRS) National Incident Based Reporting System are sent to the FBI on a monthly basis. The Group A crimes for **July 2023** are as follows:

	<u>July</u>	<u>June</u>
Kidnapping:	0	0
Rape Offenses:	2	2
Robbery:	0	0
Assault:	18	6
Arson:	0	0
Burglary:	3	0
Larceny/Theft:	4	6
Motor Vehicle Theft:	0	2
Counterfeiting/Forgery	1	0
Fraud Offenses:	6	5
Stolen Property Offenses:	0	0
Destruction/ Damage/ Vandalism:	5	6
Drug Offenses:	8	7
Weapons Violations:	1	0
Animal Cruelty:	0	0
Sex Offenses:	1	2
Prostitution Offenses:	0	2

WATER & SEWER:

The crews began installing a 2-inch water main and 7 new water taps and meters along Victory Road. The crews installed a 1 inch and ¾ inch water tap and meter at 204 Martin Luther King Jr Boulevard for the contractor on the new urgent care facility.

The crews replaced 60 feet of 18-inch sewer main along Fortson’s Creek after heavy rains caused the creek to erode and wash out a section of sewer main. The crews replaced a culvert pipe on the Mineral Springs Road sewer right-of-way after heavy rains washed out old culvert pipe. The crews continued to cut sewer right of ways.

ELECTRIC:

The Electric Department installed power to the new Verizon tower located behind 924 Elbert Street and to a shed at 1113 Monumental Drive. The department installed power to two new single phase meters, one on Allen Logan Road and the other on Washington Hwy. The

department began the Limo Road expansion project in coordination with Georgia Power in this area.

ELBERT THEATRE:

There were 40 events at the Elbert Theatre & Elberton Arts Center from July 26 to Aug. 28 including COE's *Ruby Gillman: Teenage Kraken*, *Barbie & Sound of Freedom* movies; Encore Productions' *Artifice* rehearsals & performances; ETF's paint classes; a family reunion; a fashion show, and a baby shower.

Approximately 1,371 patrons visited the Elbert Theatre & Elberton Arts Center between July 26 and Aug. 28.

ELBERT HOTEL:

The latest occupancy statistics are as follows:

	<u>FY20</u>	<u>FY21</u>	<u>FY22</u>	<u>FY 23</u>	<u>FY24</u>
July	47.2%	31.4%	39.4%	23.8%	40.4%
August	50.2%	33.9%	40.0%	37.2%	47.0%
September	50.1%	31.5%	40.1%	48.0%	
October	39.5%	34.0%	46.7%	53.9%	
November	41.0%	31.5%	49.0%	53.6%	
December	30.3%	20.8%	36.3%	38.0%	
January	21.9%	28.9%	23.5%	40.6%	
February	33.1%	32.7%	39.2%	40.5%	
March	19.2%	32.7%	41.0%	51.9%	
April	4.7%	38.5%	46.8%	60.0%	
May	10.5%	43.7%	49.9%	59.7%	
June	19.8%	38.5%	41.5%	39.8%	
AVERAGE	30.6%	33.2%	41.1%	45.6%	43.7%

The HVAC replacement project is about 90% complete at the end of August. Two floors have been renovated and re-opened, and the final floor will be completed by September 15.

City Attorney Jenkins gave a report on Dilapidated Housing.

Matters to be considered by Council.

- Council Member Colquitt stated that he would like to see the dilapidated building at 127 N. McIntosh Street removed.

There being no further business to come before Council, upon proper motion and second the meeting was adjourned.