

**MINUTES**  
**REGULAR COUNCIL MEETING**  
**Monday, June 4, 2018**

Members Present:

Mayor John Weaver  
John Foust  
Tony Fountain  
Anne Sneve  
Dr. Sonny Proctor  
Kirk Raffield

Staff:

Lisa Hoyle  
Steve Roper  
Greg Lovell  
Sonny Underwood  
Lonnie Waters  
Jim Looney  
David Hall

Guests in Attendance:

Mari Livsey  
Lonnie Adams  
Pat Dunbar  
Kim Dunbar  
Haley Bouchie  
Tony Parker  
Barry Pinyan  
Paul King  
Alan Dover  
Billy Newton  
Kevin Godfrey  
Terry Phillips  
Freddie Phillips  
Rose Wigington  
Greg Gaddis  
Allen Wigington

Members Absent:

None

Legal Counsel:

Bill Pickett

Press:

Angela Reinhardt

Before beginning the regular business of Council, at the request of newly elected council member Kirk Raffield, Mayor Weaver turned the meeting over to Pickens County Magistrate Judge Allen Wigington. Judge Wigington administered the oath of office to Mr. Raffield.

Mayor Weaver called the meeting to order at 6:00 p.m. He requested Lonnie Waters give the invocation. Councilmember Kirk Raffield led in the recital of the Pledge of Allegiance.

Mayor Weaver asked that the agenda be reviewed and approved by council. Councilmember Anne Sneve made a motion to approve the agenda. Councilmember Sonny Proctor seconded the motion. Motion carried unanimously.

City Clerk Lisa Hoyle read the minutes of the May 7<sup>th</sup>, 2018 regular meeting. Attorney Bill Pickett asked that a change be made to add under Item C under New Business paragraph that in his opinion the City could not charge a \$50 failure to appear fee "without a due process hearing". Councilmember Anne Sneve made a motion to adopt the minutes with the addition. Councilmember Sonny Proctor seconded the motion. Motion carried unanimously with Councilmembers Tony Fountain and Kirk Raffield abstaining as they were absent from the May 7<sup>th</sup> meeting.

Item A under Old Business, Mayor Weaver recognized Councilmember Sonny Proctor to give an update on the Perrow/Roper/Pool property. Councilmember Proctor stated that there weren't enough funds budgeted and that he had reached out to Representative Jasperse for possible grant funding.

Item B under Old Business, Mayor Weaver recognized Councilmembers John Foust and Anne Sneve for an update on plans for Doris Wigington Park. Councilmember Foust stated that they had been in contact with the Conservation Trust for funding of gates and signs for the park entrances. Mayor Weaver entertained a motion to approve the gates as funded by the Conservation Trust. Councilmember Anne Sneve made such motion. Councilmember John Foust seconded the motion. Discussion followed. Motion carried unanimously.

Item C under Old Business, Mayor Weaver recognized Sonny Underwood, Planning and Zoning Director, to present an alcohol license application to Council for approval. He informed Council that Emdadul Choudbury, manager of the Exxon convenience store located at 1757 Highway 53 West had completed the application process and the required advertising had been met, and the fingerprint results had been returned with nothing prohibiting him from obtaining an alcohol license. The owner is now requesting that the application for a license to sell alcohol (Beer/Wine) by the package be approved. Councilmember Tony Fountain made a motion to approve the license. Councilmember Anne Sneve seconded the motion. Motion carried unanimously.

Item D under Old Business, Mayor Weaver called on Attorney Bill Pickett to address the failure to appear fee that was tabled at last month's regular meeting. Mr. Pickett stated that in his opinion, as he stated at last month's

meeting, the City could not charge the fee without a due process hearing whereby the judge would decide upon any penalties. No action necessary.

Item E under Old Business, Mayor Weaver called on Mr. Pickett to present to council the first reading of the amendment to the City's alcohol ordinance to include breweries. Mr. Pickett went over the ordinance changes with Council. Mayor Weaver entertained a motion that this be approved as the first reading of the brewery addition to the alcohol ordinance. Councilmember Tony Fountain made such motion. Councilmember Anne Sneve seconded the motion. Motion carried unanimously.

Item D under New Business, Mayor Weaver recognized Water and Sewer Superintendent David Hall to present to council the need for a water line replacement from Appalachian Court to Twin Mountain Lake. He stated that quotes on the pipe are as follows:

Consolidated Pipe and Supply Co., Inc.	\$47,117.00
Hayes Pipe Supply, Inc.	\$49,425.77
Core and Main	\$45,983.50
Southern Pipe and Supply	\$51,099.75
Frontline Waterworks	\$52,029.64

Mr. Hall stated that the issue with Core and Main that was discussed at last month's meeting had been resolved and he recommended that the City accept the low bid of \$45,983.50. Mayor Weaver asked what budgeted projects were being substituted in order to complete this unbudgeted project. Finance Director Lisa Hoyle stated that council had discussed using the funds budgeted for replacing the Old Waleska Road water line and the Hwy 108 to Refuge Road water line budgeted for a total of \$60,000. Mr. Hall stated that the remaining funds would be necessary for possibly two bores. Mayor Weaver entertained a motion. Councilmember John Foust made a motion that council approve to use the \$60,000 budgeted for the Waleska Road and Hwy 108 to Refuge Road projects to be spent on the low bid of \$45,983.50 and that the remaining amounts from the \$60,000 budgeted go toward the bores. Councilmember Anne Sneve seconded the motion. Motion carried unanimously.

Items A and B under New Business, Mayor Weaver recognized Mr. Clay Pilgrim of Rushton and Company to present the 2017 Annual Financial Audit. Mr. Pilgrim reported that the City had received an unmodified opinion on the financial statements. Mr. Pilgrim also stated that the audit found no material weaknesses and no instances of noncompliance. Mr. Pilgrim also presented the results of the agreed-upon procedures performed at the Pickens Chamber regarding the Hotel/Motel funds that the City paid to the Chamber during 2017. He stated that the Chamber spent the funds as required by state law. Mayor Weaver entertained a motion to accept the 2017 audit report and approve it for submission to the State of Georgia Department of Audits. Councilmember John Foust made such motion and Councilmember Anne Sneve seconded the motion. Motion carried by unanimous vote.

Item C under New Business, Mayor Weaver recognized Mr. Underwood to present an application for selling alcohol (Beer/ Wine) by the drink from Chun Min Huang, owner of the Aply Asian Restaurant located at 744 Noah Drive, Unit 101. Mr. Underwood stated that the background check had been received and there is nothing that would prevent him from obtaining an alcohol license. He is requesting approval to continue the application process. Councilmember Anne Sneve made a motion to approve the continuance of the license application. Councilmember Tony Fountain seconded the motion. Motion carried by unanimous vote.

Item D under New Business, Mayor Weaver recognized City Manager Jim Looney to present to council an amendment to the city's zoning ordinance to allow for breweries. He recommended that council approve breweries in C-2 (general commercial) and M-1 (manufacturing). Mayor Weaver stated that he did not recommend changing the central business district to allow for breweries due to parking issues. Councilmember Anne Sneve made a motion to approve amending the city's zoning ordinance to allow for breweries to be located in C-2 and M-1 zoning. Councilmember Sonny Proctor seconded the motion. This is considered the first reading of the ordinance amendment. Motion carried unanimously.

Item E under New Business, Mayor Weaver recognized Mr. Looney to present to council an additional amendment to the city's alcohol ordinance to set a license fee for breweries. Mayor Weaver asked what other counties charge. Mr. Pickett stated that the two closest counties charged \$1,000 and \$2,000. Mayor Weaver recognized Tony Parker and Kim Dunbar who plan to open the brewery. Discussion followed. Mr. Looney stated that his recommendation was to set the fee at \$1,500. Councilmember John Foust made a motion to set the license fee at \$1,500. Councilmember Tony Fountain seconded the motion. Motion carried unanimously.

Item F under New Business, Mayor Weaver recognized Robert Walker, Chairman of the Planning Commission, Sonny Underwood and Mr. Looney. Mr. Walker stated that that a meeting had been held on May 15, 2018 to hear a request from Alan Dover (Applicant) to request an annexation of Parcel 029A 064 004 of 111.8 acres as R-1 (Single Family Residential). Mr. Walker stated that the Commission had voted to recommend the annexation as R-1. Mayor Weaver

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then recognized the owner of the property Mr. Paul King of The Ridge at Sharptop, LLC to present the plans for the property. Following his presentation, Mayor Weaver recognized residents of Sharptop Ridge Road. Several residents spoke in opposition due to traffic and safety concerns. More discussion followed. Councilmember Tony Fountain made a motion that this item be tabled to give the owner more time to use an engineer to find another access to the property. Councilmember John Foust seconded the motion. Motion carried unanimously.

Item G under New Business, Mayor Weaver recognized Lonnie Waters and Mr. Looney to present to Council the results of the June 6, 2018 bid opening for Paving Project No. 2018-001. Mr. Waters stated that the bid tabulation is as follows:

Bartow Paving Company	\$ 667,269.95
Colditz Trucking, Inc.	\$ 594,468.60
Colwell Construction, Inc.	\$ 788,452.65
Johnson Paving, LLC	\$ 595,556.80
Northwest Georgia Paving, Inc.	\$ 520,591.05

Mr. Waters stated that the low bid was \$520,591.05 from Northwest Georgia Paving, Inc. Mr. Waters stated that the City has used this company on previous paving projects and that the contractor was satisfactory. Mayor Weaver asked Mr. Waters to explain how the contractors bid on the milling. Mr. Waters stated that they let the contractors bid on what they thought the amount of milling should be in order to have a desirable street. Mayor Weaver stated that he thought they should have given all contractors a set amount of milling required so the City could compare apples to apples. Councilmember Anne Sneve made a motion to approve the low bid from Northwest Georgia Paving, Inc. for the paving project. Councilmember Kirk Raffield seconded the motion. Motion carried unanimously.

Item H under New Business, Mayor Weaver recognized Attorney Bill Pickett to present the Blight Ordinance to Council. Mr. Pickett stated that the ordinance was not ready.

Item I under New Business, Mayor Weaver called upon City Clerk Lisa Hoyle to present for council's review a reduced rate application. Ms. Hoyle stated that the applicant qualified for the reduced water/sewer rates. Councilmember Tony Fountain made a motion to approve the application. Councilmember Kirk Raffield seconded the motion. Motion carried unanimously.

Item J under New Business, Mayor Weaver asked Ms. Hoyle to read a Resolution to adopt the Pickens County Joint Comprehensive Plan (2018-2022) including the Cities of Jasper, Nelson and Talking Rock. Councilmember John Foust made a motion to adopt the Resolution. Councilmember Anne Sneve seconded the motion. Motion carried unanimously.

Finance Director Lisa Hoyle gave the financial report for the month of May 2018.

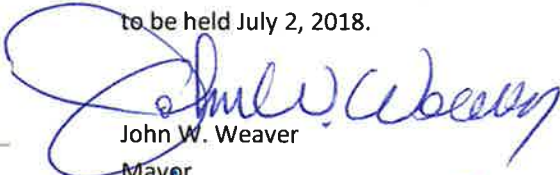
Lonnie Waters updated Council on roads.

Chief Greg Lovell gave a report of police activities for the month of May 2018

Chief Steve Roper gave a report of fire activities for the month of May 2018.

Councilmember John Foust gave an update on JYSA.

Being no other business to come before Council, Mayor Weaver asked for a motion to adjourn. Councilmember Anne Sneve made a motion to adjourn the meeting. Council is scheduled to convene next at the regular council meeting to be held July 2, 2018.

  
John W. Weaver  
Mayor

  
Lisa J. Hoyle  
City Clerk/Finance Director