

January Minutes
Mayor and Council Work Session
Commerce City Hall Conference Room
January 3, 2006
6:00 P.M.

The regularly scheduled work session of the Mayor and Council was held on Tuesday, January 3, 2006 at 6:00 P.M. in the City Hall Conference Room, 27 Sycamore Street. Mayor Charles Hardy called the work session to order and City Clerk Shirley Willis called the roll. Those in attendance were Mayor Charles Hardy, Mayor Pro Tem Archie Chaney, Councilmen Riley Harris, Donald Wilson, Mark Fitzpatrick, Bob Sosebee and Richard Massey, City Manager Clarence Bryant, one (1) member of the press and approximately seven (7) citizens.

Mayor Charles Hardy said there was a meeting with the Water Authority on Thursday at 9:00 A.M. at the Water Authority location in Jefferson.

Mayor Charles Hardy also said that he and Mr. Bryant had a meeting Thursday afternoon with the IDA, Scott Martin, Mr. Clerici of Planning and Development and Mr. Patillo. The meeting was just to get an update on where everything was with the property that was purchased.

Mayor Charles Hardy told the council that the available dates for the retreat were Smithgall Woods for March 17 – March 19. Brasstown Valley had available dates of February 17 – 19 or February 24 – 26. He asked for a choice. The consensus of the council was to go back to Smithgall Woods in March.

Mayor Charles Hardy said that Mayor's Day was January 21 – January 23. If spouses were going the council should get with Shirley this week so reservations could be made.

Mayor Charles Hardy then turned the work session over to City Manager, Clarence Bryant to discuss the agenda.

Mr. Bryant said there would be a split council meeting where the old council would approve the minutes, activity reports and financial review.

Judge Joe Booth would then swear in the newly elected officials and the new council meeting would convene.

A. The new appointments would be the City Attorney for a one year period and the Municipal Court Judge for a period of two years.

B. Planning Commission Hearing Items

1) Donald Wilson's rezoning request, located at the corner of Hospital and Ridgeway Road from R-2 to C-1.

Bob Sosebee of Community Realty Century 21 represented Mr. Donald Wilson at the planning commission meeting due to the death of Mr. Wilson's sister.

The Planning Commission had recommended approval of the rezoning with the stipulation that a convenience store or gas station and some types of retail businesses, excluding medical supplies, be allowed on the property.

Councilman Bob Sosebee said he understood the motion by the Planning Commission did not exclude any retail sales.

- C. Corporate Application to sell Beer and Wine by the package – Razn, LLC at 4868 Maysville Road, across from the old Williams Travel Center.

All checks had been completed and there were no negative findings. The legal notice was to be advertised in the current week's newspaper.

- D. Electrical System Bid

City Manager Clarence Bryant said that Over and Under was the only bid submitted. They were the present contractor doing the work in the City. The bid amount was \$296,246.90. The bid was for the labor only and this project was twice the size of the other ones and twice the cost. The poles had already been received and were at the shop. The area from Ridgeway Street to the substation back to the railroad tracks that included Carson, Orchard Drive and Orchard Circle was estimated to cost \$186,000. From the railroad down Hwy 98 to the substation down Roosevelt, Wilson and Andrew Jackson (Presidential Area) and that would complete everything from the Ridgeway Church Road.

The remaining area from Ridgeway Road down through the Johntown area and back to Hill Street was estimated at a cost of \$70,000. A budget amendment would be requested to complete the projects.

Mr. Bryant said that a CD would mature in April and those funds could be used to help with the cost if necessary. That would do Phase I and Phase II.

Councilman Bob Sosebee's opinion was to do both while the work was being done. Councilman Donald Wilson asked if the cost was estimated would it be \$600,000 or \$700,000. Mr. Bryant said no; probably between \$440,000 - \$450,000. The largest area was done at one time. Georgia Power had brought in a temporary transformer at the substation on Ridgeway and the City now had two (2) circuit lines out of the substation and also had the station at the old Walmart building.

Councilman Donald Wilson asked why the contractors would not want to bid on the project. Mr. Bryant said because of the hurricane jobs. The City of Commerce job was a small job.

Mr. Bryant said on South Broad to the Civic Center was what lacked completion. He said the power would have to be cut off on a Sunday and have three crews in to complete the job that day. The businesses could not be down during the week.

E. Natural Gas Prices for January

Mr. Bryant reported that the sale price of gas for January was down to \$17.17/mcf and with the \$.75 discount that would mean a \$3.07 reduction. An example was that if a customer used 15MCF it could mean \$63.75 less on their utility bill for gas. That also included the 2% sales tax reduction allowed by the Governor for residential customers. Mr. Bryant said staff was trying to get that in the computer. When sales tax was charged on electricity also it was not an easy task to separate the sales tax factor.

F. Edwards Creek Sewer Projects

City Manager, Clarence Bryant advised that he had the documents ready to sign. There was already a first change order. The first bid on the project was given in April, 2004. The cost of materials had increased since that time by \$221,000 (change order amount). Mr. Bryant explained that the City would not do the force main or bore under I-85. Everything that was done would be the gravity flow. He covered the route to be taken from behind the Pottery down to Dr. Bouchard's property and that was all bid together.

Mr. Bryant said the City could ask the contractor to redo the bid; however that would cost between \$300,000 and \$400,000. An option would be not to do the change order and rebid the project but the opinion of the engineers and staff was that the cost would be greater to rebid than to honor the change order.

Mayor Charles Hardy said that was what the City had the engineers for. They knew the costs. Mr. Bryant said the cost for dynamite was volatile because a price would not be quoted unless a purchase was being made. He said the staff recommendation was to approve the change order and not rebid.

Councilman Bob Sosebee asked if the force main started at Hwy 98 and went toward Atlanta and that was confirmed that it was.

Mr. Bryant said that the County and City and the Water Authority were closer on the project. He had already requested the one-half share of the cost from the County on the gravity flow installation.

Councilman Mark Fitzpatrick asked if Griffin Brothers would do the project at the formal bid price plus the increase in the supplies cost. That was correct and the total cost would be \$1,195,000.

Councilman Donald Wilson said he kept asking about getting caught up in the bid process. Mr. Bryant said this cost was lower than the original bids. He again said that the City of Commerce could rebid it all but it would cost more. He said Griffin Brothers could and would do the project with just the change order added to the original bid.

Mr. Bryant said a pump station would gravity flow back to the WPCP; however, one or two easements still remained to be gotten.

Mayor Charles Hardy said that basically the paperwork would be ready for approval Monday night.

City Manager Clarence Bryant said that the Crooked Creek project was under construction.

Mayor Charles Hardy talked about the Habitat for Humanity house that was being constructed on Brookwood. He said the City of Commerce waived the tap fees and he said this was the first Habitat house in Commerce. He asked if the City of Commerce staff could volunteer their off duty time to assist in whatever capacity they could it would encourage Habitat to consider building more homes in Commerce. The volunteer assistance would include the mayor and council. Mayor Hardy said he would check with Habitat to see who was heading up the project.

Councilman Donald Wilson asked to receive a boundary map of the City so when citizens called him about an area he would know where they were talking about and if it was in the city boundaries.

Councilman Donald Wilson said there was a personnel problem in one of the departments where he asked if any employee had two time cards and someone other than the employee was checking in and out on the time card. Mr. Bryant asked him what department he was talking about and Councilman Wilson said he would tell him later. Mr. Bryant said that would be a firing offense and he would consider that stealing.

Councilman Bob Sosebee said Tricia Massey was handling the interviews for the Community Assessment Program and scheduling appointments. He asked Archie Chaney, Riley Harris and Wayne Gholston if they knew of any other minority people to add to the list and if they would stay a few minutes after the work session to give them to him.

Councilman Donald Wilson said he appreciated the prayers, cards, foods and flowers in the passing of his sister.

There was no further business and Mayor Charles Hardy asked for a motion to adjourn.

Councilman Mark Fitzpatrick made a motion, seconded by Councilman Richard Massey to adjourn the work session.

The vote was unanimous.

Charles L. Hardy, Jr., Mayor

Shirley Willis, City Clerk