

March Minutes  
March 12, 2007  
Commerce Civic Center  
6:30 P.M.

The regularly scheduled meeting of the Mayor and Council was held on Monday, March 12, 2007 at 6:30 P.M. in the Commerce Civic Center, 110 State Street. The meeting was called to order by Mayor Charles Hardy. City Clerk Shirley Willis called the roll and those in attendance were Mayor Charles Hardy, Mayor Pro Tem Dusty Slater, Councilmen Wayne Gholston, Donald Wilson, Mark Fitzpatrick and Richard Massey, City Manager Clarence Bryant, City Attorney John Stell, one member of the press and approximately 75 – 100 citizens.

Mayor Charles Hardy said that Councilman Bob Sosebee was in Washington at a meeting with some of the representatives.

Councilman Wayne Gholston gave the invocation.

Approval of Minutes

Mayor Pro Tem Dusty Slater made a motion, seconded by Councilman Mark Fitzpatrick to approve the minutes of the regular February 12, 2007 meeting and the March 5, 2007 work session minutes.

The vote was unanimous.

Citizens or Delegations

Mayor Charles Hardy welcomed everyone to the meeting and said there were three scheduled citizens to come before the council.

Mayor Charles Hardy then called on Steve McKown for the first item.

A. Mr. McKown said that the “If I Were Mayor” contest was offered through the GMA for sixth (6<sup>th</sup>) graders to be given the opportunity to write an essay reflecting what they would do if they were mayor. This year there were four winners from the Commerce Schools and three would go on to the state level. Mr. McKown asked the teacher to introduce the students. Charlotte Glassner, history teacher introduced the students and said that it was great to get the children involved so they could see what went on in politics. She also said each student had completed their essay outside the school activities. The first place winner was Faith Jordan who read her essay and was awarded a \$200.00 savings bond. The second place winner was Torrie Peek and she was awarded a \$150.00 savings bond. The third place winner was Kelsey Harbin and she was awarded a \$100.00 savings bond. The fourth place winner was Saso Atakora and he could not be there but was awarded a \$50.00 savings bond.

B. Hasco Craver to recognize Spencer Park Donators

Hasco stated he would like to recognize the companies and individuals who had made substantial donations for the renovation of the Spencer Park. They were as follows:

Eddie Cartee and Staff of Huber - \$10,000 donation  
Richard Milsap – Roper Pump Company - \$5,000 donation  
Wayne Abbs – Wayne-Neal Chevrolet – \$3,600 donation and  
Luther and Elaine Beck for the donation of daylilies at a value of \$1,000 to be placed in the park

Mr. Craver expressed the appreciation from the City of Commerce and the Downtown Development Authority for the donations and assistance in renovating the park.

C. Tricia Massey & Susan Harper to discuss library donations

Tricia Massey spoke on behalf of the Library and said she was heading up the Library Board Expansion. The goal was to raise \$5,000 and she had approached City Manager Clarence Bryant regarding placing a line item on the utility bills for a donation if the citizens wished to donate. All donations placed on the utility bill in that space would go to the Library fund. Mrs. Massey said they had established a fund raising plan and that was one of the ways to get funds and give the citizens credit for the donations. She was asking approval from the council for the line item to be placed upon the utility bill.

Mayor Pro Tem Dusty Slater made a motion, seconded by Councilman Donald Wilson to approve the addition of a line item on the utility bill.

The vote was unanimous.

Mayor Charles Hardy asked if there was anyone else in attendance that wished to speak and if so they could at that time. Hearing none he continued with the agenda items.

5. New Business

A. Planning Commission Hearing Items

- 1) Mr. Ross Kestern, KRC Development, Inc. requested rezoning of his property located on Old Maysville Road from R-2 to R-3.

Mayor Charles Hardy read the letter from the Planning Commission and their recommendation was to approve the rezoning as presented with the condition that he build a 1,600 heated square foot house on the property and that he pave the easement that goes beside the property.

Councilman Donald Wilson made a motion, seconded by Mayor Pro Tem Dusty Slater to accept the recommendation of the Planning Commission to rezone the property with the stated conditions.

The vote was unanimous.

- 2) Mr. Tracy Booth, Booth Enterprises, Inc. (CARQUEST) requested a variance on a building sign from 45.5 sq. ft of surface to 151 sq. ft. of surface.

Mayor Charles Hardy said the recommendation of the Planning Commission was to send the request to the Mayor and Council without a recommendation from them.

Mr. Tracy Booth passed out booklets with pictures of signs and asked the council to take a few minutes to review them. He said it was a family business and in September 2006 CARQUEST requested the building be upgraded to resemble more a CARQUEST business. Mr. Booth said he had gone through he DDA and then to the Planning Commission.

Mr. Booth stated that first page of the booklet showed the logo on the side of their building and the next page reflected the old sign. He said they had remodeled all of the building and parking lot. On the fifth page the mezzanine was shown and the white metal on the building. He said they were asking for the smallest sign that CRAQUEST offered and it was 126 sq. ft. On the last page the CARQUEST logo was shown. Mr. Booth said that CARQUEST would spend \$100,000 on the building and lot.

Mayor Charles Hardy said he saw a copy that day and in order to get a sign variance they were asking for 3' letters. If the letters were 17" it would pass the ordinance.

Councilman Donald Wilson made a motion, seconded by Councilman Mark Fitzpatrick to grant the sign variance for the building as requested.

Mayor Pro Tem Dusty Slater said the actual square footage in Appendix B stated if the letters were independent (and those were) the measure would be 84 sq. ft. and not the 126'.

Councilman Mark Fitzpatrick said based upon the size and the business being off the main road he had no problem with the size.

Councilman Richard Massey said that if they did not abide by the sign ordinance there was no use to have one.

The vote was four for (Mark Fitzpatrick, Wayne Gholston, Dusty Slater and Donald Wilson) and one opposed (Richard Massey).

- 3) Zoning Map Amendment – The Planning Commission was recommending a Map Amendment for an Office Commercial/Residential District on North Broad and along Homer Road.

The Planning Commission recommended approval to the Zoning Map to add more area to the Office Commercial Residential District. The addition extended down North Broad Street and also down Homer Road.

Mayor Pro Tem Dusty Slater made a motion, seconded by Councilman Wayne Gholston to approve the extension of the Office Commercial Residential District as presented.

The vote was unanimous.

B. Water Sales Agreement with Banks County.

Mayor Charles Hardy said the agreement was basically the same as Maysville and Jackson County. The minimum charge would be \$3,000 per month without any usage and then the charge would be based in increments based upon usage. Mayor Charles Hardy read the rates and they were as follows:

Between 1,000,001 and 5,000,000 gallons per month: \$2.90 per thousand gallons  
Between 5,000,001 and 10,000,000 gallons per month: \$2.80 per thousand gallons  
Greater than 10,000,000 gallons per month: \$2.70 per thousand gallons.

Councilman Richard Massey made a motion, seconded by Mayor Pro Tem Dusty Slater to approve the water sales agreement.

The vote was unanimous.

A second motion was made by Councilman Mark Fitzpatrick, seconded by Councilman Wayne Gholston to approve the sales agreement for a five year period.

The vote was unanimous.

C. DDA Appointment – Mrs. Claudine Smith for a four year term.

Mayor Charles Hardy said Councilman Bob Sosebee had the appointment; however in his absence Mayor Hardy made the appointment for Claudine Smith to serve a four-year term on the DDA Board.

Councilman Mark Fitzpatrick made a motion, seconded by Mayor Pro Tem Dusty Slater to approve the appointment.

The vote was unanimous.

D. Community Wide Safety Check Program

Mayor Charles Hardy said the item had been discussed at the work session and there was a company that would provide a safety check community wide on a daily basis. The program would be paid for by grant funds and the only cost to the City of Commerce would be \$500 or less per month. The program would have callers to check on the elderly or homebound and children also several times per day (if necessary) just to make sure they were okay or even to remind them to take medications.

Councilman Mark Fitzpatrick made a motion, seconded by Councilman Wayne Gholston to approve the Community Wide Safety Check Program.

Councilman Donald Wilson said the program could go up to 999 participants.

The vote was unanimous.

E. 2007 DOT LARP Street Approval

Mayor Charles Hardy said the City of Commerce was approved for sections of Barber, Harmony and Williford Streets and all of Georgia Avenue. Mayor Charles Hardy said the City of Commerce would look at other streets for resurfacing with the SPLOST funds.

F. Request for Easter Parade

The DDA Board has requested permission to hold the 18<sup>th</sup> Annual Easter Parade on Saturday, April 7, 2007 at 10:45 A.M. The route would be same as in previous years. The parade would begin at the parking lot of Community Bank & Trust and continue South on Elm Street through the downtown to the First Baptist Church where the egg hunt would be held.

Councilman Donald Wilson made a motion, seconded by Councilman Richard Massey to approve the request for the Easter Parade.

The vote was unanimous.

G. Natural Gas Water Heater Marketing Program

City Manager Clarence Bryant discussed the program the Municipal Gas Authority was looking into. The goal was to offer competitive rates and savings to the customers and potential customers to participate in the installation of either tank or tankless gas water heaters. Options for the customers would be to switch from a traditional gas tank to a tankless water heater with a rebate available of \$300.00. If the conversion was made from an electric or propane water heater to a tankless water heater the rebate amount would be \$500.00. If the installation was in a new home the rebate available would be

\$500.00 and if the conversion from an electric or propane water heater or replacement of an old gas water heater the rebate would be \$200.00

A comparison chart was presented to reflect the operating costs and also a payback from the rebate program. There would be a unit cap based upon the sales.

City Manager Clarence Bryant said brochures would be sent out in the utility bills to let the citizens have information on the program.

Councilman Mark Fitzpatrick made a motion, seconded by Councilman Donald Wilson to approve the program.

The vote was unanimous.

#### H. Activity Reports.

Mayor Charles Hardy called upon Police Chief John Gaissert to give the report from the Police Department.

Chief Gaissert said the calls continued to be robust and even in the short month several drug arrests were made.

Chief Gaissert then introduced four officers and they were: Jeff Rogers who had previously worked for BJC Hospital and he was now going to the officer training. Steve Condor was out of the Academy and now patrolling. Max Briggs had worked both as a police officer and also had fireman background. Beverly Wood had previously worked with Banks County Sheriff's Department.

Chief Gaissert then asked for any questions.

Councilman Donald Wilson told Mr. Bryant there was one issue and they would talk about it.

The Police Department Activity had dispatched 2,333 calls from 911, had 62 walk-in service calls at PD and 164 SRO calls. There were 22 accident reports, 109 incident reports, 42 animal control reports. The citations and arrests were 150 speeding, 13 suspended license/no license, 12 no insurance, 17 DUI, 2 drunk/disorderly, 2 shoplifting, 3 obstruction, 7 alcohol related, 96 seatbelt/child restraint and 151 other for a total of 453. There was 3 assault/battery, 10 theft, 4 burglary, 1 criminal trespass, 9 misdemeanor and 5 felony drug cases. The total miles driven were 24, 995.

The Narcotics Arrests were 5 felonies and 9 misdemeanors with seizures of \$490.00, 189.00 and a 1998 Chevrolet Lumina.

The Department of Building Inspection had issued 3 building, 11 electrical, 3 plumbing and 3 mechanical permits with permit fees of \$1,779.90. The fiscal year building valuation was \$27,248,335.00 and the calendar year valuation was \$643,000.00.

The Building & Housing Inspections for the month were 64 new, 73 COP, 81 Utility, 75 Follow-up, 38 Letters, 141 walk-ins, 501 calls, 8 vehicles and 11 vehicle follow-ups for a total of 993.

The Fire Department had 1 departmental event, 1 combustible/flammable spill, 2 dispatched and cancelled, 8 EMS incidents, 1 false alarm, 1 mobile property (vehicle) fire, 1 natural vegetation fire, 1 smoke, odor, 2 structure fires and 1 system or detector malfunction.

The Water and Sewer Distribution activity was 7 new residential water and 1 non-residential water; 5 new residential sewer and 1 non-residential sewer. The replaced services were 7 residential and 2 non-residential water. The water turn-ons were 81, the sewer turn-ons were 63. The water turn-offs were 67 and the sewer turn-offs were 56, there was 1 hydrant repaired. The work orders received were 47 and 65 were completed. There were 392 locates received.

The Natural Gas Activity was 3 meters set, 4 changed out, 2 removed, 6 service calls, 8 leak calls, 1 damaged service, 289 locates and 9 inspections. The load changes were 360 residential heating and 120 water heating.

The Electric Department activity was 3 existing residential services, 4 new residential services, 800 size of load – amps, 2 security lights added, 800 wattage security lights added, 265' secondary underground added. 66 cut ons and 60 cut offs.

Mayor Charles Hardy asked for any comments on the other activities. He mentioned that the Fire Department answered 18 calls. There were no other comments or questions.

## I. Financial Review

Mayor Charles Hardy called upon Steve McKown to give the financial report.

Mr. McKown said that February was a good month. The payment for the Edwards Creek project was paid by the City of Commerce. Jackson County would reimburse the city their portion of the expense. He said there was \$271,000 plus in cash and the city was in good shape.

## 6. Report from the City Manager

City Manager Clarence Bryant said the bids on the storm drainage project on Andrew Jackson Street were opened and the bids were \$108,762 and \$86,031.57. The Engineer had reviewed the bids and recommended that the City go with the low bid of \$86,031.57 from Griffin Brothers.

Mr. Bryant explained what would be done by putting in a force main and the route the project would be done on.

Mr. Bryant talked about the Hospital Road was not yet completed.

Councilman Donald Wilson made a motion, seconded by Councilman Mark Fitzpatrick to award the contract to Griffin Brothers.

Mayor Pro Tem Dusty Slater asked if Griffin Brothers would be able to do the job in a timely manner. He said he did not want to have a delay because they had not finished along the Hospital Road.

City Manager Clarence Bryant said yes Griffin Brothers would be able to complete the project on schedule.

The vote was unanimous.

7. Report from the City Attorney

Attorney John Stell had nothing to report.

8. New Items Proposed by the Mayor and City Council

Mayor Charles Hardy had nothing to report.

Mayor Pro Tem Dusty Slater had nothing to report.

Councilman Richard Massey had nothing to report.

Councilman Wayne Gholston had nothing to report.

Councilman Donald Wilson said he was excited about the skateboard project. Also, on Madison Street at South Elm the bolts were out of the street sign and it was turned around.

Councilman Mark Fitzpatrick had nothing to report.

Mayor Pro Tem Dusty Slater made a motion, seconded by Councilman Richard Massey to adjourn the meeting.

The vote was unanimous.

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Charles L. Hardy, Jr. Mayor

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Shirley Willis, City Clerk