

April Minutes
Commerce Civic Center
April 9, 2007
6:30 P.M.

The regularly scheduled meeting of the Mayor and Council was held on Monday, April 9, 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, Council members Wayne Gholston, Donald Wilson, Mark Fitzpatrick, Bob Sosebee and Richard Massey, City Manager Clarence Bryant, City Attorney John Stell, one (1) member of the press and approximately eight (8) citizens.

The invocation was given by Councilman Donald Wilson.

Approval of Minutes

Mayor Pro Tem Dusty Slater made a motion, seconded by Councilman Wayne Gholston to approve the minutes of the regular March 12, 2007 meeting and the April 2, 2007 work session.

The vote was unanimous to approve.

Citizens or Delegations – None Scheduled

Mayor Charles Hardy welcomed everyone to the meeting and asked if there was anyone to come before the council.

There were none and he moved on with the agenda items.

NEW BUSINESS:

- A. Planning Commission hearing Items:
 - 1) Mr. Jerry Arnston, 233 Magnolia Place requested a variance on the size of his accessory building.

Mayor Charles Hardy read the recommendation letter of the Planning Commission was to approve the variance with the condition that the accessory building exterior walls and roof match the principle structure and that the garage door faced the east.

Councilman Bob Sosebee made a motion, seconded by Councilman Donald Wilson to concur with the Planning Commission and approve the variance with the conditions specified.

The vote was unanimous.

- 2) Mr. Vladimir Rubin requested rezoning for annexation of his lot located on Map 35, Parcel 013J, Blue Heron Drive in Montgomery Shores.

Mayor Charles Hardy read the recommendation letter from the Planning Commission to approve the annexation into the city boundaries from R-4 in the County to R1-E in the City.

Councilman Richard Massey made a motion, seconded by Councilman Bob Sosebee to concur with the Planning Commission and rezone the property for annexation from R-4 to R1-E.

The vote was unanimous.

Mayor Pro Tem Dusty Slater made a motion, seconded by Councilman Mark Fitzpatrick to approve the annexation of Map 35, Parcel 013J into the City with an R-1E zoning.

The vote was unanimous.

B. Temporary and permanent skateboarding location

Mayor Charles Hardy said if anyone had seen activity this week-end and that afternoon behind Sander's Furniture on Little Street it was the temporary location for the skateboarders. He said there were between fifteen (15) and twenty (20) on the location that afternoon. The board had been moved and they were working on other objects for the location.

Mayor Charles Hardy read the ordinance which is as follows and is made a part of these minutes.

AN ORDINANCE TO AMEND THE REGULATION OF THE USE OF
ROLLERSKATES, ROLLERBLADES, SKATEBOARDS AND BICYCLES WITHIN
THE CENTRAL BUSINESS DISTRICT TO PROVIDE FOR DESIGNATED AREAS
FOR SUCH USE AND FOR OTHER PURPOSES.

The Council of the City of Commerce hereby ordains that the Code of the City of Commerce, Georgia is hereby amended by adding a new subsection to Section 62-14, which subsection shall read as follows:

- d) Notwithstanding the foregoing provisions, the Mayor and City Council may designate an area or areas within the City Central Business District wherein it may be permitted for persons to rollerskate, rollerblade, ride a skateboard or ride a bicycle.

Be it so ordained this 9th day of April, 2007.

CITY OF COMMERCE

By: S/Charles L. Hardy, Jr.
Mayor

Attest: S/Shirley Willis
City Clerk

Councilman Bob Sosebee made a motion, seconded by Mayor Pro Tem Dusty Slater to approve the Ordinance as read.

The vote was unanimous.

The location was the old jail parking lot rear half. The entire parking lot could be used on week-ends and only one-half of it on week-days.

Councilman Donald Wilson made a motion, seconded by Councilman Richard Massey to approve the section of the parking lot to be used and the times it could be used.

The vote was unanimous.

There had not been a permanent location decided upon at the current time.

C. MGAG Election Resolution – Mark Fitzpatrick Alternate Voting Delegate

A resolution had been prepared to designate Mark Fitzpatrick as the alternate voting delegate on the MGAG Election Committee. The Resolution is as follows and is incorporated in these minutes:

A RESOLUTION

BE IT RESOLVED by the Mayor and City Council of the City of Commerce that Clarence H. Bryant is hereby appointed to serve as this city's voting delegate on the Municipal Gas Authority of Georgia's Election Committee, with authority to cast all votes to which this City is entitled Mark Fitzpatrick is appointed as alternate delegate.

This 9th day of April, 2007.

CITY OF COMMERCE

S/Charles L. Hardy, Jr.
Mayor

S/Bob Sosebee
Councilman

S/Donald Wilson
Councilman

ATTEST:

S/Shirley Willis
City Clerk

{SEAL}

Mayor pro Tem Dusty Slater made a motion, seconded by Councilman Wayne Gholston to approve the Resolution as presented.

The vote was unanimous.

The Resolution for the MEAG alternate voting delegate was also approved at the same time.

A RESOLUTION

BE IT RESOLVED by the Mayor and City Council of the City of Commerce that Richard Massey is hereby appointed to serve as this City's alternate voting delegate on the Municipal Electric Authority of Georgia's Election Committee, with authority to cast all votes to which this City is entitled.

This 9th day of April, 2007.

CITY OF COMMERCE

S/Charles L. Hardy, Jr.
Mayor

S/Bob Sosebee

S/Donald Wilson

ATTEST:

S/Shirley Willis

[SEAL]

Mayor Pro Tem Dusty Slater made a motion, seconded by Councilman Wayne Gholston to approve the Resolution as presented.

The vote was unanimous.

D. Activity Reports

City Manager Clarence Bryant passed out the building and inspection reports due to the delay in getting them.

Mayor Charles Hardy called upon Chief John Gaissert to cover the Police Department Report.

Chief Gaissert went over the report and stated that there had been well over 200 drug arrests per year in the past few years.

The Police Department activity reported was 2,341 calls from 911, 98 walk-in service calls at the department, 216 SRO calls, 22 accident reports, 84 incident reports, 43 animal control reports and 1 animal control citation. The citations were 161 speeding, 13 suspended license/no license, 8 no insurance, 15 DUI, 5 drunk/disorderly, 2 shoplifting, 7 obstruction, 11 alcohol related, 66 seatbelt/child restraint and 132 other. There were 4 assault battery, 16 theft, 5 criminal trespass, 18 misdemeanor and 6 felony drug cases. The total miles driven were 29,467.

The Narcotics arrests for March were 6 felonies and 18 misdemeanors.

The Building & Housing Inspections were 93 new, 72 COP and 74 Utility inspections. The follow-ups were 55, letters were 35, 114 walk-ins, the calls were 457, 9 vehicles with 8 follow-ups for total activity of 917 for the month.

There were 13 building permits, 5 electrical permits, 6 plumbing permits and 10 mechanical permits issued.

The Fire Department activity was 1 combustible/flammable spills and leaks, 1 controlled burning, 6 emergency medical service incidents, 3 false alarms, 1 mobile property vehicle fire, 8 natural vegetation fire, 2 smoke, odor problems, 7 special type of incident and 2 unauthorized burning for a total of 32 calls.

The Natural Gas Activity was 4 meters removed, 5 service calls, 17 leak calls, 340 locates and 9 inspections. The CFH gas load change was a loss of 300 residential heating.

The Water and Sewer Distribution activity was 11 new residential water and 6 residential sewer services and 1 non-residential water service added. The services replaced were 3 residential and 1 non-residential water services. There were 11 residential water taps and 6 residential sewer taps made. There was 1 fire flow tap made, 2 hydrants repaired, 79 work orders received and 70 completed. There were 446 locates received.

The Electric Department activity was 2 existing residential services, 1 new residential service, 200 residential AMPS added, 5 security lights and 2,000 security light wattage added. The cut ons were 59 and the cut offs were 60.

Mayor Charles Hardy asked if there were any questions on any of the reports. Hearing none he called upon Steve McKown to give the financial review.

E. Financial Report

Steve stated that he had given a new sheet with the financial review that reflected the status of the revenues, expenditures and cash net income. He said the pink area was the net cash made on each fund.

Steve explained that the SPLOST fund showed no net profit because those funds were in and out. He then went over the schedule and said reserve funds were pulled in for use by the end of the year. He said that the City was in good shape.

Report from the City Manager

City Manager Clarence Bryant gave a follow up on dates for activities and those were as follows:

April 12, 2007 the Business after Hours was scheduled at the Hardman House.

May 8, 2007 from 11:30 A.M. until 1:30 P.M. the Rooker Barbeque was scheduled in Atlanta with 250-500 major developers.

The utility updates were on the Homer Road the water main was 95% complete. It was all done except the bore to tie the line in and that should be completed on Tuesday. The water main did not get pressurized but should be completed during the next week.

Mr. Bryant said the Homer Road conversion was done and it went very smoothly. From the Video Store to Park and Troy Streets to Homer Road the conversion would be finished and the remaining poles would be removed. The substation was being switched on Tuesday.

According to Mr. Bryant the West End Loop of the gas main was pumping and was rated to run up to 500 psi.

Spencer Park would be completed by Tuesday. On Saturday Toyota and other volunteers were planting the shrubbery in the park and it looked very good.

The last item of Mr. Bryant was that his grandbaby was due the upcoming week end and if he was not around the office he would be at the hospital.

Report from the City Attorney

Attorney John Stell had nothing to report.

Steve McKown had one other item to report and that was that a letter and check had been received from GMA in the amount \$4,170.50 representing a Safety Grant awarded to the City of Commerce for the purchase of a thermal imaging unit for the Fire Department.

Mayor Charles Hardy said Hasco Craver of DDA had worked together with the City of Jefferson to have a farmers market two week ends per month. An organizational meeting was scheduled on April 19, 2007 at 7:00 P.M. at the Jefferson Civic Center.

New Items Proposed by the Mayor and Council

Mayor Pro Tem Dusty Slater had nothing to report.

Councilman Richard Massey had nothing to report.

Councilman Bob Sosebee had nothing to report. He just wanted to thank the Public Works Department for their work on Spencer Park and said they did a great job and it could not have been done without the volunteers and the City of Commerce workers.

Councilman Wayne Gholston reported a street light out between his house and the house where the water main was repaired on Hill Street.

Councilman Donald Wilson reported a water meter problem at the home of Terry Ivey on McArthur Street. Mr. Bryant said he had checked it and the meter was on. He would have the Water/Sewer Department check it out.

Councilman Mark Fitzpatrick had nothing to report.

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

The vote was unanimous.

Charles L. Hardy, Jr., Mayor

Shirley Willis, City Clerk