

Approved by the City Council August 3, 2021

City of Young Harris

Regular Monthly Meeting

July 13, 2021

The Young Harris City Council met Tuesday, July 13, 2021, at 7:00 PM for the Regular Monthly City Council Meeting. Those present for the meeting were the Mayor Pro Tem: Matt Miller; City Attorney: Marvin Harkins; City Council Members: Steve Clark, Donald Keys, and John Kelley; City Clerk: Nicolette Wade; Water Superintendent: Gary Willer; Chad Stack of the Towns County Herald; Michael Courey and Anna Denton of the Towns County Civic Association; Patrick Malone of WJRB Radio; and Alvin Gibson and Jerry Smith. Mayor Gibby and Council Person Terry Ingram were absent from the meeting.

Call to Order: The meeting was called to order at 7:01 P.M. by Mayor Pro Tem Matt Miller.

Approval of Agenda: Mayor Miller stated there was a request to move the Temporary Signs for Classic Car Show up after approval of the June 1 minutes. Also John Kelley asked to add an update of Miller Park. John Kelley made a motion to approve the Agenda with the added changes, seconded by Donald Keys, and approved unanimously. A copy of the revised Agenda is attached and incorporated herein by reference.

Approval of Minutes of Regular Monthly meeting – June 1, 2021 – 7:00 PM: John Kelley made a motion to approve the Minutes of the June 1 Regular Monthly Meeting as presented, seconded by Donald Keys and approved unanimously. A copy of the June 1, 2021 Minutes is attached and incorporated herein by reference.

Temporary Signs for Classic Car Show at Old EMC: Alvin Gibson and Jerry Smith have planned a classic car show for July 30 and 31 to raise money for charity to specifically help out local people. The banners will be taken down on Sunday, July 31. Attorney Harkins said they would need to fill out a sign permit. The size is limited to 60 feet, they can display them for 14 days, and there is one permit per lot. Cost is \$25 per banner or \$125. Mr. Gibson will send the application to Nicolette Wade to get approval from the Planning Commission Chairman.

John Kelley made a proposal that the City allow one of the Classic Car banners to be posted on the Kaiser-Dean property that belongs to the City of Young Harris, seconded by Steve Clark, and approved unanimously.

Financial Reports: Finance Director Lisa Hoyle has been on sick leave a few days and has not been in the office to be able to present a complete Financial Report but she did send a partial report. Nicolette Wade reported receipt of \$62,101.95 in SPLOST funds for the months of April and May. A copy of the partial report is attached and incorporated herein by reference and was not approved by the Council since it is not complete.

Sycamore Tree between Deb Edwards and First Baptist Church: Deb Edwards submitted a letter to the Council regarding a dying Sycamore tree that she believes is shared property of Deb, First Baptist Church, and the City right of way. She suggested that costs of cutting down the tree be shared by Deb, the City, and the Church. The Council asked Gary Willer to measure the distance of the tree from the centerline to determine if it is in the right of way. Steve Clark made a motion to table this issue, seconded by John Kelley and approved unanimously. A copy of the letter is attached and incorporated herein by reference.

Second Reading Ordinance to Designate Mayor’s Park and Cupid Falls for Park Use: Attorney Harkins has explained the Park Ordinance at the past two meetings. This Ordinance gives the City the authority to post rules so the police can enforce them. John Kelley made a motion to approve the Park Designation Ordinance, seconded by Donald Keys and approved unanimously. A copy of the Public Parks Ordinance is attached and incorporated herein by reference.

Resolution Regarding ARPA: Attorney Harkins presented the Council with a Resolution to accept \$310,139.00 in ARPA funds. Steve Clark was of the opinion that there should be a separate bank account for the ARPA funds which were deposited into the General Account and Mayor Miller was in agreement that it would be easier to track. When Lisa returns to work Nicolette will ask her if a separate account should be set up. Steve Clark made a motion to approve the Resolution, seconded by Donald Keys and approved unanimously. A copy of the Resolution is attached and incorporated herein by reference.

Engineering Companies: Per Steve Clark the selection committee that met on June 29 chose Hayes-James Engineering in the procurement process. This means you don’t have to bid out every project. Attorney Harkins said he will send a letter to Hayes-James saying we accepted their offer and we can negotiate contracts with them. John Kelley said he was concerned that they did not have as much experience as the previous engineers. Attorney Harkins stated that our agreement will include that we can reject any and all proposals. We could still choose to bid out and there will always be a termination process. John Kelley made a motion to approve the selection committee’s preferred candidate which was Hayes-James, seconded by Donald Keys, and approved unanimously.

Annual Watershed Report: Attorney Harkins said the report for 2020 from Turnipseed is here dated June, 2021 and signed by Mayor Gibby.

Change Council Meeting Dates: September 7 after Labor Day and November 2 Election Day: John Kelley made a motion to change the date of the September meeting to September 14 and the November meeting to November 9, seconded by Donald Keys and approved unanimously.

Timberline Water: John Kelley explained the history of the Timberline pump. He said there were wells drilled in the late 60s when the property on Timberline was developed by John's parents. He met with Dean about the booster pump which is at the site of the original well. There is only one booster pump. That well was terminated back in the early 90s. As regulations became more specific the water was checked and it would have required significant chemicals in order to meet standards so the City decided to abandon the well. Water was rerouted from another source. There is a second well almost to Rocky Knob which has also been abandoned. Towns County water supplies the Rocky Knob subdivision. They have a 600,000 gallon reservoir and all it supplies is Rocky Knob Subdivision. It is above everything on Timberline. John made some calculations and the City receives about 19 to 20 grand per year from Timberline customers. Over the last 3 years there has been \$23,000 spent on booster pump locations which is about 7 to 8 thousand per year. Upkeep on the Timberline pump is about half of the received amount. There will be problems unless there is a large reservoir put there with water coming down but it will be pretty expensive. The water from Towns County on Timberline is well water. John said we should ask Towns County Water if they would be interested in taking over Timberline. Attorney Harkins said the Service Delivery Strategy discussions are in progress now so this would be the perfect time to make the change. John said we would have to get with Chad Hooper and see if it is even feasible.

Steve Clark said that there are 85 customers total above booster pumps. If you look at the bills all expenses are not related to Timberline so this does not go away if we give the Timberline customers away. Andrea has been talking to Hayes James about our water connection fees that are too low. Steve would like Marvin present the adjustments to the Fee Schedule next month including an assessment that we put on customers above a booster pump. A copy of the list of customers above a booster pump and expenses of some of the pumps from Accounts Payable is attached and incorporated herein by reference

Hayes-James is suggesting another booster pump but John does not think that will solve the problem.

Attorney Harkins said one thing the Council needs to think about is once Towns County comes across that hill and comes down it needs to be part of the Service Delivery with everyone

having defined areas because you do not want Towns County encroaching on areas that are reserved for the City. There are some areas where they have a choice either or for some customers. There was a problem with this between Hiawassee and Towns County so they had to make an agreement. John said the different suppliers need to work together.

Attorney Harkins will work on changes to the Fee Schedule to present at the next meeting and there will have to be a Public Hearing after that. John asked the Council if they would be all right with him organizing a meeting with Chad Hooper, Steve Clark and Gary Willer to see if Towns County would be interested in taking on Timberline.

Kaiser-Dean Property: John Kelley said that Colwell Construction gave us some dirt to stockpile at no cost for the Kaiser-Dean property. They took off the vegetation first so the dirt would compact better.

Attorney Harkins said he has emailed the appraiser but did not receive a reply but the appraisal is supposed to be done by Wednesday.

Update on Miller's Park: John said some pure clay dirt from Colwell has been stockpiled at the junction of Shirley Miller's property and the City property at Miller Park. Once things dry up the City will help get Mrs. Miller's property leveled out. Gary and Dean will have the ability to access the stockpile and help fill in and landscape as well. The 30 to 40 feet of hedgerow on highway 66 is gone. John has done a lot of work there and it really looks good.

Water/Maintenance Report: Gary Willer reported that nitrate samples were sent out to the EPD. They have been working water leaks and cleaning up the parks.

John Kelley told Gary that a sign should be posted at the new pavilion at Cupid Falls that says "no vehicles allowed". Put some pipe and chain so people will not try to drive around the pavilion.

Attorney's Report: Andrea asked Marvin to look at Franchise Fees and he will give a presentation about those in August.

Also, he will turn the report from the zoning consultant into a draft ordinance and present to the Council in the fall.

John Kelley made a motion adjourn temporarily to go into Closed Session to consider a real estate issue, seconded by Donald Keys, and approved unanimously.

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While in Closed Session the Council authorized the Mayor to sign an affidavit stating that the only issue discussed was real estate. A copy of the affidavit is attached and incorporated herein by reference.

John Kelley made a motion to return to Open Session with no further discussion and to adjourn Open Session as well, seconded by Donald Keys, and approved unanimously.

Date: _____

Andrea Gibby, Mayor

Attest: _____
Nicolette Wade, City Clerk

