

MINUTES
TOCCOA CITY COMMISSION
January 26, 2010

The City Commission of the City of Toccoa met in Regular Session at City Hall on Tuesday, January 26, 2010, at five o'clock P.M. with Mayor Bob Troup presiding.

The invocation was given by Pastor Paul Garrison followed by the Pledge Of Allegiance to the Flag.

On roll call the following were present:

Mayor Bob Troup
Vice Mayor Janice English
Commissioner David Austin
Commissioner Ron Seib
Commissioner AJ Pavliscsak
City Manager Ross Hubbard
City Attorney John Dickerson
City Clerk Fredda Wheeler

By consensus the Commission approved the Agenda as presented, a copy of this Agenda being attached as Exhibit "A."

Under Reports the following comments were heard:

Commissioner Austin reported that he was able to give a positive report while in Atlanta at the Mayors' Day activities regarding the revitalization of the downtown area. He announced also that he was elected Vice Chairman of the GMA Defined Contribution/Deferred Compensation Board.

Commissioner Seib agreed with Commissioner Austin's comments that the Mayors' Day forum was an excellent tool to gather and share information with other City Managers, Commissioners and Clerks. He also asked for permission to add some specific comments under Item F.

Commissioner Pavliscsak reported that he felt the Commission was in sync in regards to the information that needed to be gathered and the education that needed to be obtained in order to do the best possible job for the City of

Toccoa. Several of the Commissioners had signed up for the same classes at the recent GMA Mayors' Day held in Atlanta, Georgia. He also asked for a status report on the FEMA projects in regards to repairs and urged the City Manager to move forward with tackling these projects.

City Manager Ross reported that we had sold \$182,010 of the LP gas stored at Locust Street. He also announced that we had received 55 applications for the City Manager's position and 9 applications for the position of Finance Director.

Mayor Troup congratulated Connie Tabor on being selected to be a member on the Georgia Downtown Association Board of Directors.

I. CONSENT AGENDA

By consensus the Commission approved the following Consent Agenda item as submitted:

A. Request for Approval of Minutes of January 11, 2010 City Commission Meeting

II. OLD BUSINESS

III. NEW BUSINESS

B. Request by Toccoa Stephens County Airport Authority for Annual Payments for FY2007 through FY2009.

Motion by Commissioner Pavliscsak, seconded by Commissioner Austin and unanimously carried to remand this matter back to staff for further evaluation and report back at the next City Commission Meeting.

C. Opening of Bids for Toccoa Creek and North Fork Broad River Water Main Replacement Project.

City Attorney Dickerson opened one (1) bid from Dodd Construction for \$76,000.00. Motion by Commissioner Austin, seconded by Commission Pavliscsak and unanimously carried to accept the bid of \$76,000 by Dodd Construction.

D. Approval of Proposal from Southern Cross to Perform a Natural Gas Leak Survey.

Motion by Commissioner Seib, seconded by Commissioner Pavliscsak and unanimously carried to accept the recommendation from Utilities Director Don Dye, and approve the proposal from Southern Cross Corporation of \$37.45 per hour to perform a natural gas leak survey. The motion also gave authorization to transfer the funds for this project from the Emergency Contingency fund and to also amend the budget for this expenditure. The City Commission also agreed to schedule a work session with the Public Services Commission representative for 3:30 p.m. on Monday, February 8.

E. Set Dates for Joint Meeting with Downtown Development Authority and Work Session for Budget Visioning.

By Consensus, the Commission approved the following meeting dates and times: Monday, February 22, 2010 at 3:00 P.M.-Joint Meeting with DDA; Tuesday, February 9, 2010 at 9:30 A.M.-Budget Visioning.

F. Ratification of Transfer from City's Emergency Contingency Fund to the Gas Fund.

Motion by Commissioner Seib, seconded by Commissioner Austin and unanimously carried to ratify the City's Manager's decision to borrow funds from the Emergency Reserve for cash flow purposes to cover the MGAG January 21, 2010 billing.

Motion by Commissioner Seib, seconded by Commissioner English to put a position in place to:

1. Help the Department Heads;
2. Help the City Manager run the City of Toccoa more efficiently, and;
3. Help the City Commission manage the City.

After a lengthy exchange of information, the mayor exercised his "Privilege Of The Chair." Motion by Mayor Troup, seconded by Commissioner Austin and unanimously carried to table the above-mentioned motion until a recommendation is given by the City Attorney and staff.

G. Approval of Letter of Credit

Motion by Commissioner Pavliscsak, seconded by Commissioner Seib and unanimously carried to approve Resolution 01-2010, A Resolution establishing a Line of Credit with First Citizens Bank and Trust Company, Inc. of Toccoa, Georgia for Calendar Year 2010 with the following revision under item #1: the City of Toccoa, acting by and through its Mayor and City Clerk, with a vote of the Commission, may borrow up to \$1,000,000.00, provided all sums, principle and interest, shall be paid on or before December 31, 2010.

H. Recognition of Visitors Wishing to Speak on General Items.

Kevin & Lori Love – New owners of The Rebel
Mr. & Mrs. Love wanted to inform the public that they were open for business and welcomed everyone's business.

I. Executive Session to Discuss Pending Litigation

Motion by Commissioner Austin, seconded by Vice Mayor English and unanimously carried to adjourn the Regular Meeting in order for the Commission to go into Executive Session to discuss the following: Pending Litigation. An Affidavit was signed by Mayor Troup and all Commissioners stating that the above matter discussed was not subject to the Open Meetings Act. See Exhibit "B" attached.

Motion by Commissioner Pavliscsak, seconded by Commissioner Seib and unanimously carried to adjourn the Executive Session.

Motion by Commissioner Austin, seconded by Commissioner Seib and unanimously carried to reconvene the Regular Meeting.

Motion by Commissioner Pavliscsak, seconded by Commissioner Seib and unanimously carried to remand the Pending Litigation matter back to staff for further study.

Motion by Commissioner Pavliscsak, seconded by Commissioner Austin and unanimously carried to adjourn the Regular Meeting.

IV. ADJOURN

There being no further business, Mayor Troup adjourned the meeting.

Mayor

Fredda Wheeler, City Clerk