

CITY OF HAPEVILLE
MEETING OF MAYOR AND COUNCIL
August 18, 2009
MINUTES

6:00 PM Work Session

I. Call to Order – Mayor Alan Hallman

Mayor Hallman called the meeting to order at 6:20p.m.

II. Roll call

Alderman at Large Ann Ray
Councilman at Large Richard Murray
Councilman Ward 1 Susan Bailey
Councilman Ward 2 Lew Valero

III. Welcome, Mayor Alan Hallman

Mayor Hallman reported that Congressman Lewis' Office was not interested in holding a Town Hall meeting to discuss healthcare issues and encouraged citizens to contact the Congressman's Office directly.

IV. Presentations and Recognitions

A) Presentation Argus Benefits
Roxanne Wells and Isabella Hunt with Argus Benefit presented the benefit package for the upcoming year.

MOTION: Councilman Murray made a motion Councilman Valero seconded a motion to approve the Senior Advantage Plan provided by Kaiser, Long Term Disability, Flexible Spending Account, and to give each employee whose spouse could be covered under another insurance plan and was removed for the City's plan a \$100 incentive in the employees Flexible Spending Account. Motion carried 3-1. Councilman Bailey opposed.

B) Presentation on City's ISO Rating – Chief Morris
Chief Morris reported that the City's last ISO rating inspection had occurred in 1983 with the ISO Rating of 4. Chief Morris stated that the City needed 1.5 points to gain the ISO Rating of 3 and upon correction of some areas that he would seek for the City to be re-evaluated.

V. Public Comments on Agenda Items

None.

VI. Administrative

A) Georgia Power Franchise Fee Agreement
Summary and Background
This amended franchise agreement with Georgia Power is the result of discussions between Georgia Power and the Georgia Municipal Association regarding differences that have arisen over the years

between municipalities and Georgia Power in the administration of franchise agreements. The amendment includes the following:

- Georgia Power will pay for relocation of its distribution facilities within the City's right-of-ways for "non beautification" projects (i.e., not streetscape/sidewalk projects)
- The City will pay for relocation of distribution facilities (1) located on private property at the time relocation is requested or demanded; (2) relocated in connection with sidewalk improvements (unless such sidewalk improvements are related to road widenings, creation of new turn lanes, or addition of acceleration/deceleration lanes); (3) relocated in connection with projects undertaken for aesthetic purposes (streetscape projects); and (4) converted from overhead to underground installations.
- For relocation of facilities due to streetscape projects, the City will pay Georgia Power in advance the estimated cost of the relocation. Georgia Power, however, will estimate the amount of incremental base revenue it will realize as a result of the project and if such estimate indicates it will realize incremental base revenue, it will either (whichever is greater) (1) reduce the City's advance payment by 10%, or (2) where the City has developed a bona fide marketing plan within 12 months after construction of such project begins, refund the amount of its incremental base revenue during such 12-month period to the City or credit such amount against any future payment due from the City.

Moreover, under the City's current franchise agreement with Georgia Power, which was accepted in February 1976 and expires in 2011, Georgia Power is required to pay the City 4% of the gross sales of electric power sold within the City limits. Under the amended agreement, this amount will not change and will be extended until February 2, 2031.

The Mayor and Council directed City Attorney Paul Koster to look into what other cities were doing and report back to the Council at the mid-month meeting in September.

VII. Old Business

Councilman Bailey reported that Ed Macey had reviewed the Tree Ordinance and that the Ordinance needed a major re-write. City Attorney Paul Koster was asked to contact Mr. Macey in order to help facilitate the re-write.

VIII. New Business

- A) Waive 1st Reading and Adoption, Ordinance 2009-13, Residency Requirements

Summary and Background

This Ordinance amends sections 2-6-8(a), 81-1-4(a), 87-2-2, and 87-3-1 of the Hapeville Code of Ordinances to clarify the residency requirements for service on the Board of Ethics, Board of Zoning Appeals, Design Review Committee, and Planning Commission. In regard to the Board of Ethics, this Ordinance provides that each member shall be a resident of the city at the time of appointment and for at least

one year immediately preceding the date of taking office and shall remain a resident of the city while serving as a member of the board of ethics. In regard to the Board of Zoning Appeals, Design Review Committee, and Planning Commission, this Ordinance provides that each member shall be a resident of the city at the time of appointment and for at least six months immediately preceding the date of taking office and shall remain a resident of the city while serving as a member of the board/committee/commission.

MOTION: Councilman Bailey made a motion Alderman Ray seconded a motion to waive 1st reading of Ordinance 2009-13, Residency Requirements. Motion carried 4-0.

MOTION: Councilman Valero made a motion Councilman Murray seconded a motion to adopt Ordinance 2009-13, Residency Requirements. Motion carried 4-0.

- B) 1st Reading Ordinance 2009-14, Amendment to Alcohol Beverage Ordinance
Summary and Background
This Ordinance amends Chapter 5 of the Hapeville Code of Ordinances to reflect a number of recommended regulatory changes to streamline the alcohol beverage regulatory process and to clarify applicable standards.

- C) Discussion of amendment to Retiree Health and Life Plan

City Attorney, Paul Koster, stated that after meeting with the Employee/Retiree Committee and hearing suggested amendments of the Health and Life Insurance Plan for Retirees he recommended that an amendment be made. The amendment would state that if benefits were to be terminated the Retiree would be given notice.

IX. Public Comments

Michael Murphy

X. Adjournment

MOTION: Councilman Bailey made a motion Councilman Murray seconded a motion to adjourn the meeting at 8:40p.m. Motion carried 4-0.

XI. Executive Session

MOTION: Councilman Bailey made a motion Councilman Murray seconded a motion to enter into Executive Session for the purposes of litigation and personnel matters at 8:50p.m. Motion carried 4-0.

No action taken.

MOTION: Councilman Valero made a motion Councilman Murray seconded a motion to enter into Open Session and adjourn the meeting at 9:05p.m. Motion carried 4-0.

Respectfully submitted,

Alan Hallman, Mayor

Jennifer Elkins, Deputy City Clerk