

CITY OF CORNELIA  
MINUTES OF MEETING  
JULY 7, 2020

The Cornelia City Commission met in a Workshop Session on Tuesday, July 7, 2020 at 5 PM at the Cornelia Community House, 601 Wylie Street, Cornelia, GA. Mayor John Borrow called the meeting to order and the following members were present: Commissioners Don Bagwell, Wesley Dodd, Jr. (arrived at 5:30 PM), Tony Cook and Janice Griggs. Also, present: City Attorney Steve Campbell, Community Development Manager Jesse Owensby, City Manager Donald Anderson and City Clerk Janie N. Henderson.

City Manager Donald Anderson requested that the SPLOST Intergovernmental Agreement be added to the agenda under New Business.

City Manager Anderson and City Attorney Campbell provided additional information on Conditional Use Request for a duplex in B-2 Zoning, Speed Bumps request on Foster Street, and Allowing Entertainment Districts in the Downtown for discussion.

Commissioner Bagwell made the motion at approximately 5:40 PM to enter Executive Session to discuss Real Estate; seconded by Commissioner Griggs. They adjourned to the kitchen area and the public stayed in the room. Approved 4 – 0.

Commissioner Dodd made the motion at approximately 5:58 PM to close the Executive Session and open the meeting; seconded by Commissioner Cook. Approved 4 - 0.

The meeting was adjourned at 6 PM.

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Janie N. Henderson, City Clerk/Secretary  
to the City Commission

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John Borrow, Mayor

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Commissioner Cook gave the invocation and Commissioner Bagwell led the Pledge of Allegiance.

City Manager Anderson requested the agenda be amended to add the SPLOST 2021 Intergovernmental Agreement to New Business. Commissioner Cook made the motion to approve the July 7, 2020 Agenda with the addition of the SPLOST 2021 Intergovernmental Agreement to New Business; seconded by Commissioner Dodd. Mayor Borrow stated that the Executive Session to discuss Real Estate was held during the Workshop Meeting and no action was taken. Approved 4 – 0.

Commissioner Bagwell made the motion to approve the June 2, 2020 Minutes as submitted; seconded by Commissioner Griggs. Approved 4 -0.

Community Development Report – Jessie Owensby came forward to present her June report. A copy of her report is made an integral part of these minutes.

City Manager’s Monthly Report – City Manager Anderson presented his June Report. A copy of his report is made an integral part of these minutes.

Public Forum – Scott Hulse, owner of Whistle Top Brew Company stated the past few months he has been having an issue with the signage of his business. The sign that is there is Grandfathered in, but he has no way of changing it. He also has had a conflict with the City over the fencing in front of his building. He said he’s a business owner, but doesn’t live inside the City, so he can’t vote. City Manager Anderson he is correct that monument signs are no longer allowed, but he can take the sign on top of his building down and change the face of it and put it back up. Mayor Borrow said that we don’t ever want to become an obstacle to our businesses. City Manager Anderson stated that Ms. Owensby is working on our Zoning Ordinance, which includes signage and fencing, not design. He said currently if you are serving alcohol you must access and leave the establishment through the main entrance. Mayor Borrow said the Code section needs to be reviewed.

Carol Lonergan stated she was concerned about the lack of flags during the July 4<sup>th</sup> Holiday. She said our VFW has over 400 veteran members and she thinks it's important to show our support. She said we used to have them up, but why not now? City Manager Anderson said he's not sure why we stopped, but we haven't done it the past couple of years. One issue was some of the flags had gotten torn and needed to be replaced, but he will check into it.

Kathryn Ballard, a resident of Foster Street, said there are 5 families with children on Foster Street. She's concerned about their safety with people speeding and not stopping at the Stop Signs. The Parr's had a Grandson almost get hit by a car and she witnesses walkers and bicycles all the time. She asked that they please consider a speed table. City Manager Anderson said there is a Public Hearing scheduled for later in the meeting.

Old Business – None

Conditional Use Request for a Duplex in the B-2 Zoning District – City Attorney Campbell opened the Public Hearing for the Conditional Use to Construct a Duplex on property located at 252 South Wayside Street. The unit had been converted to a triplex and was damaged earlier this year by fire and requires substantial repairs. He explained we have been unable to find a record of when the property was converted to 3 units and since this is not allowed in B-2 Zoning, we will not issue permits for the repairs. The owner has decided to convert the structure into a duplex, which is allowed as a Conditional Use in this zoning district. Kevin and Chi Wong, the owner, came forward to request the Conditional Use for 252 South Wayside Street. Kevin said the property is located across from Garden Gate Duplexes and down from Fieldale and there is a need for more housing in that area. City Attorney Campbell said the Planning Board held a public hearing on this matter on June 18, 2020 and voted unanimously to recommend approval of the request. No further comments were heard for or against the request. City Attorney Campbell closed the Public Hearing. Commissioner Dodd approved the Conditional Use Request to construct a duplex on the property located at 252 South Wayside Street and Zoned B-2; seconded by Commissioner Bagwell. Approved 4 – 0.

Request for Speed Bumps on Foster Street and Edwards Street – City Attorney Campbell opened the public hearing for the request to place speed bumps on Foster and Edwards Street. Attached as a part of these minutes is a petition signed by 21 residents requesting that the city install these speed bumps. Leon Parr, lives on the corner of Foster and Edwards Street, and he said for the past 2 years there has been an upswing in traffic. He said when new people move into Linda Way and Wood Street, they don't even stop at the Stop Sign a speed bump between Edwards and Wood Street might slow them down, something needs to be done. Kathryn Ballard, a resident of Foster Street, stated she picks up litter on her street

about once a month and last time she observed someone driving really fast. So, she said she stopped them and explained to them how important it is to drive slower because there are kids in the neighborhood. She said the man explained to her that he was in a hurry to drop his wife off at work and that kids need to play in the yard. She said the traffic drives fast and most of the time they do not stop for the stop signs. City Manager Anderson explained that the speed limit on these streets is 25 miles per hour. We placed our traffic counters at the intersection of Foster Street and Edwards Street from March 12 to March 19, 2020. During this time a total of 461 cars travelled on the street and of these 38.4% travelled less than 20 mph; 37.3% 20 to 24.9 mph; 19.5% 25 to 29.9 mph; 4.4% 30 to 34.9 mph, .2% 35 to 39.9 mph, and .2% 40 to 44.9 mph. No vehicles travelled over 45 miles per hour. The cost to install a speed bump is \$1,500 and to install a speed hump is \$5,000. Commissioner Bagwell said the problem with the pre-manufactured bumps is the noise is very annoying we need to find a way that will work for everyone. He stated he wondered if one of the flashing digital signs, that tells you how fast you are going would help. Mayor Borrow said his kids play in their driveway all the time and if he hears someone coming and it sounds like they are fast he runs up to the edge of his driveway and gives them his dirty eye. He asked if they are going fast all the time or does it sound like it? Ms. Janet Parr said she and her daughter met a car the other day and they had to run off the road to keep from getting hit. Mayor Borrow said he knows emergency vehicles hate speed bumps and asked if they were open to other options? He said there are pros and cons, but let's look at all our options. Ms. Ballard said she hasn't researched flashing signs, but what incentive would they have to slow down. Ms. Parr said they would stop for the signs if they were to get a ticket, maybe that would help. Commissioner Bagwell said rumble strips coming up to the stop signs might help. He asked when is it worse evenings or mornings? Ms. Parr said its mostly young people early in the morning, in evenings and late at night. Ms. Parr said anything can help. City Attorney Campbell closed the Public Hearing. City Manager Anderson stated we can start with the rumble strips first and see if that helps. Mayor Borrow stated we are committed to addressing the issue and come up with some other ideas. The neighborhood will need to let City Hall know if what we do works.

Ordinance 07-20-01, Amendment to Chapter 6 of the Municipal Code to Allow Entertainment Districts – City Attorney Campbell opened the Public Hearing for the Amendment to Chapter 6 of the Code, which would create an exemption to Section 6 -141, which prohibits the consumption of alcohol outside of the premises of a restaurant. He stated this ordinance is very similar to what the City of Gainesville does. Lindsey Holt, owner of Bigg Daddy's and a member of the DDA, stated she is in favor of this ordinance. She hopes it will bring more restaurants and shops to the Downtown, making it a family friendly atmosphere. She said it will create more green space and a safe environment. The business owners will have restrictions and they will do the monitoring of how many drinks a person has been served.

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David Oppenheimer, a resident of the city, said he thinks you are selecting winners and losers, some benefit more than others. He's in favor of everyone profiting.

Audrey Davenport, a resident of the city, wanted to know if there were boundaries that were submitted with the original request. City Manager Anderson stated first the ordinance is adopted then a map will be included. She asked, if you have an area in the Downtown will this improve their business, how is this family friendly, and are we going into this blindly?

Scott Hulsey, Whistle Stop Brew Company, feels it will improve tourism. The past few months have been tough, but most of his clientele, 60% of his customers are from out of town. They ask all the time can they take the drink with them. He is in favor of the ordinance.

Allen Dasher, a Cornelia resident, said he has been here about a year and he loves it. Fellowship is great in public, but intoxication is illegal. He said real estate is location, location, location, and he loves the idea and loves the community.

Emily Herrin, she and her husband are owners of Common Ground and she is a DDA Member, said they believe in what this City could be. She said she personally doesn't drink and when she first came to Cornelia there was nothing but Gusben's. She left her teaching degree with a Master of Education to make this investment in the community. She thinks this is a good idea for Cornelia.

Heath Barrett, Chair of the DDA and local business owner, said they've had a lot of discussions about what might be best for the community. He said the average age of residents is 31 with kids or no kids, and we have a lot of support and business owners have made an investment in the community for future generations. He said they have researched several communities that have entertainment districts (naming Savannah, Chatsworth, Woodstock, and Gainesville) and crime has gone down after they started their special districts. In fact, Savannah just extended the size of their area to stimulate the economy. He said they have gotten a lot of information before coming with this recommendation. Attorney Campbell closed the Public Hearing. Commissioner Dodd made the motion to post Ordinance 07-20-01, Amendment to Chapter 6 of the Code to allow designated Downtown Entertainment Districts; seconded by Commissioner Cook. Approved 4 – 0.

Downtown Development Authority Property located on Irvin Street – City Attorney Campbell opened the Public Hearing. He said the request is from the DDA for the City to give them the parking lot located on Irvin Street, between Fender's Diner and Arnold's Drug Store.

They would like to change the use of this property from a parking lot to greenspace. This property was identified in their 2020 Work Plan as a possible location to create some greenspace in the Downtown. DDA Chair Barrett stated they want to turn this property into greenspace, and it was identified in their DDA 2020 Work Plan. He said they have been discussing monthly since last year and looking for space in the central business area to designate as greenspace. He said they've gotten a proposal from the new owner of Fender's and are very excited about his ideas. We may lose a few parking spots, but we've already acquired additional property for public property. Commissioner Bagwell stated he thinks the greenspace is a great idea. City Attorney Campbell asked if they were looking at just the area between Fender's and Arnold's or the area behind Fender's also. Heath said the whole piece. They want to incorporate this with the Appletree Alley Project, which might be a public/private partnership and make the downtown thrive. Lindsey Holt stated they are super excited about money being invested and creating a greenspace, which will be open to the Public and all can use it. Attorney Campbell closed the Public Hearing.

Commissioner Bagwell made the motion to transfer the property to the DDA for developing its purpose and with the condition that prior to any transfer of property or change of use bring back to the Commission for approval. City Attorney Campbell explained that the Law prohibits transfer of property to a third party, it's called "End Run", but the DDA can receive property with the City's consent and it meets the purpose of the Law. Commissioner Bagwell made the motion to transfer the noted property to the DDA and enter into an Intergovernmental Agreement with them to have input as to how the property is disposed of whether by transfer or lease; seconded by Commissioner Griggs. Approved 4 – 0.

Consent Agenda – Commissioner Cook made the motion to approve the following items on the Consent Agenda: 1) Agreement with the GMRC for EDA Grant Administration for \$25,000. The Federal EDA Grant in the amount of \$4,521,840 to help with the cost of the Iron Ore Access Road and Sewer Project. We are only obligated to pay this fee if our request for funding is approved. 2) Amendment to GEFA Loan #DW12008. 3) Amendment to GEFA Loan #DW15024. 4) Amendment to GEFA Loan #201305WS. 5) Amendment to GEFA Loan #WS12L18WR. and, 6) Amendment to GEFA Loan #CW2017024; seconded by Commissioner Dodd. Approved 4 – 0.

GDOT Speed Zone Ordinance – City Manager Anderson explained this is approving the list of streets which our Police Department can run radar. The list has been verified by the Police Chief and there are no changes. Commissioner Dodd made the motion to approve the GDOT Speed Zone Ordinance as submitted; seconded by Commissioner Bagwell. Approved 4 – 0.

Replace Alpine Lift Station – City Manager Anderson stated the Alpine Lift Station malfunctioned several weeks ago causing us to spill between 600 to 1,000 gallons of sewage into the creek. This is the first spill that we have encountered with this station since 2015 the station needs to be replaced. It is on our Capital Project List for 2021, but it was originally constructed in 1968, so it has far surpassed its life expectancy. The station is currently not functional, so we are having to use a rented pump to get the sewer into the force main. We received 3 quotes to replace the lift station ranging from \$45,552.53 to \$56,175.00. He recommended going with the high bid from Goforth Williamson for \$56,175.00 because the station will be built out of stainless steel, will not rust, and their quote includes the electrical work necessary to get the station online. The actual cost of the Goforth Bid is known, and the other 2 quotes would require us to hire an electrician to complete the project and that cost is unknown. The project is not in the 2020 Budget, so it will need to be paid out of the Renewal & Extension Fund. Commissioner Dodd made the motion to award the project to Goforth Williamson for \$56,175.00 to replace the Alpine Lift Station and to approve payment out of the R&E Fund; seconded by Commissioner Cook. Approved 4 – 0.

SPLOST 2021 Intergovernmental Agreement – City Manager Anderson recommended approval of the agreement in which Cornelia will receive an estimated \$5,297,174. Attorney Campbell reviewed the proposed agreement and determined that everything is in order. Commissioner Bagwell made the motion to approve the Intergovernmental Agreement for SPLOST 2021, in which the City could receive \$5,297,174; seconded by Commissioner Griggs. Approved 4 – 0.

Mayor Borrow asked if the August 4<sup>th</sup> meeting could be moved to the following Tuesday, August 11<sup>th</sup>, 2020. The Commissioners were in approval of changing the date.

City Manager Anderson asked if we could do the public dedication for the New Municipal Building on Saturday, at 2 PM. The date was acceptable to the Mayor and Commissioners and the Public will be notified.

Commissioner Bagwell made the motion to adjourn the meeting at approximately 7:30 PM; seconded by Commission Dodd. Approved 4 – 0.

STATE OF GEORGIA, COUNTY HABERSHAM  
CITY OF CORNELIA, GEORGIA

AFFIDAVIT OF PRESIDING OFFICIAL(S) FOR A CLOSED PUBLIC MEETING

While in Regular Session, the motion was made to enter into an Executive Session to discuss certain matters in a closed session.

( ) To discuss with council pending and/or potential litigation, settlement claims, administrative proceedings or other judicial actions, which is exempt from the Open Meetings Act pursuant to O.C.G.A. Section 50-14-2(1).

( X ) A meeting to discuss the purchase, disposal of, or lease of property; authorize the ordering of an appraisal related to the acquisition or disposal of real estate; enter into a contract to purchase, dispose of, or lease property subject to approval in a subsequent public vote; or enter into an option to purchase, dispose of, or lease real estate subject to approval in subsequent public vote, which is excluded from the Open Meetings Act pursuant to Section 50-14-3(b)(1)(C).

( ) A meeting discussing the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer or employee, which is excluded pursuant to O.C.G.A. Section 50-14-3(b)(2).

( ) Discussion in Executive Session of Records that are otherwise protected from disclosure under the Open Records Act as pursuant to O.C.G.A. Section 50-14-3- (b)(4).

      X       The subject matter of the Executive Session of the Regular Session was devoted to matters within the exceptions provided by law.

       Because of events occurring during the closed session, I am unable to affirm the subject matter of the Executive Session of the Regular Session was devoted to only matters within the exceptions provided by law.

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John Borow, Mayor, City of Cornelia

Sworn to and subscribed before me this  
7<sup>TH</sup> day of July, 20 20.

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Notary Public



