

CITY OF CORNELIA
MINUTES OF MEETING
NOVEMBER 3, 2020

The Cornelia City Commission met in a Workshop Session on Tuesday, November 3, 2020 at 5 PM at the Cornelia Municipal Building Conference Room, 181 Larkin Street, Cornelia, GA. Mayor John Borrow called the meeting to order and the following members were present: Commissioners Don Bagwell, Tony Cook, Wesley Dodd, Jr., and Janice Griggs. Also, present: City Attorney Steve Campbell, Manager Donald Anderson, Human Resource Director Diane Feorino, and City Clerk Janie N. Henderson.

Mary Beth Horton, President of the Habersham Chamber of Commerce, provided her Hotel/Motel Tax Quarterly Report. She advised their new website should be up and running on November 19, 2020. Also, they did not receive the \$10,000 Grant for the new Welcome Signs. She said we have 3 options; Chamber pays 100%, City pays 100%, or Chamber & City split the cost 50/50% which would be \$10,000 each. City Manager Anderson said we have the funds in our Hotel/Motel Tax Fund to cover this expense. Mayor Borrow made a couple suggestions and recommend the "City of Cornelia" be a different font. Commissioner Bagwell also made some suggestions. Ms. Horton said she will get another draft back to them before proceeding with construction. Everyone was agreed that the 50/50 is the best option and the agenda will be amended for action at tonight's meeting.

Rezoning items were discussed briefly. Attorney Campbell advised when you look at these request you remember under the Zoning Law you need a compelling reason why you are going to change the law, is it consistent with the property around it, and that we are consistent going forward. He said these changes can affect the values of surrounding property.

Memorandum of Understanding with Linda Brooks – City Manager Anderson explained Ms. Brooks is willing to donate the land for the new Market Corner's Lift Station with a couple of stipulations.

Ordinance 11-20-02 – Amendment to Chapter 8 allows Animal Control to prosecute cases in Cornelia City Court.

Georgia Power Agreement – City Manager Anderson said this is for Georgia Power to relocate the power poles for the Appletree Alley Streetscape Project.

The Mayor and Commissioner continued to the Court Room for the Regular Meeting.

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

John Borrow, Mayor

CITY OF CORNELIA
MINUTES OF MEETING
NOVEMBER 3, 2020

The Cornelia City Commission met in Regular Session on Tuesday, November 3, 2020 at 6 PM at the Cornelia Municipal Building Court Room, 181 Larkin Street, Cornelia, GA. Mayor John Borrow called the meeting to order and the following members were present: Commissioners Don Bagwell, Tony Cook, Wesley Dodd, Jr., and Janice Griggs. Also, present: City Attorney Steve Campbell, City Manager Donald Anderson, Human Resource Director Diane Feorino, and City Clerk Janie N. Henderson.

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

City Manager Anderson requested the agenda be amended to add under New Business, Item 15, Welcome Sign Partnership with the Chamber of Commerce. Commissioner Dodd made the motion to amend the Agenda as requested; seconded by Commissioner Cook. Approved 4 – 0.

Commissioner Bagwell made the motion to approve the October 6, 2020 Meeting Minutes as submitted; seconded by Commissioner Griggs. Approved 4 – 0.

Commissioner Griggs made the motion to approve the October 19, 2020 Meeting Minutes as submitted; seconded by Commissioner Cook. Approved 4 – 0.

Community Development Monthly Report – Ms. Owensby was not present. A copy of her report is made an integral part of these minutes.

City Manager's Monthly Report – City Manager Anderson presented his October Report. He noted that the deck on the walking trail received extensive damage from a fallen tree. We meet with a structural engineer and there is extensive damage. A copy of his report is made an integral part of these minutes.

Public Forum – Commissioner Bagwell said he had been contacted by 2 families on his street requesting Speed Limit Signs. He said speeding is an issue on Etta Street and a lot of it is the Postal Service. He said he has personally gone to the Post Office and requested they slow down, and it has not helped. City Manager Anderson stated he had talked to them also.

Request of J.G. Higdon Enterprise Rezone Request – Attorney Campbell opened the Public Hearing for the request from J.G. Higdon to seek a rezoning from Agriculture to R1A of 1.71 acres located at the corner of Foster and S. Wayside Street. They want to build more Single-Family Homes. No one was present to speak in favor of the request or against. The Municipal Planning Board approved the request on October 22, 2020. Commissioner Bagwell stated Philip has done a great job on the other homes has already built on Wayside Street.

He said Wayside can be a lovely street and make us proud, and he is in favor of the request. Attorney Campbell closed the Public Hearing.

Commissioner Dodd made the motion to approve the Rezoning request from J.G. Higdon for the property located at the corner of Foster and S. Wayside Street from Agriculture to R1A; seconded by Commissioner Bagwell. Approved 4 – 0.

Request of Joey Duncan to Rezone Property – Attorney Campbell opened the Public Hearing for the request from Joey Duncan, applicant for the property owned by Hoyt & Helen Bryson Estate, located at 322 Old Cleveland Road, across the street from Cornelia Elementary School. The request is from R1A to R2 Zoning. Jason Smith, of JM Smith Engineering, came forward to present the request to rezone the 2.22 acres of land. He said the property is currently undeveloped and the developer wants to build 12 Craftsman Multifamily Townhouse Apartments on the site. The Municipal Planning Board approved the application on October 22, 2020. No further comments were heard. Attorney Campbell closed the Public Hearing.

Commissioner Bagwell made the motion to approve the Rezoning request from Joey Duncan for the 2.22 acres of land located at 322 Old Cleveland Road from R1A to R2 Zoning, project fit to scale and construction similar to what Engineer Smith provided with the application; seconded by Commissioner Dodd. Approved 4 – 0.

Request of Bounmy Tiamtisack to Rezone Property including a Conditional Use to construct a duplex – Attorney Campbell opened the Public Hearing request from Bounmy Tiamtisack, to seek rezoning from B2 to R1B , 0.65 acres located at 186 Level Grove Road and the request that a Conditional Use be granted to allow for the construction of a duplex. Engineer Jason Smith came forward to present the application for Mr. Tiamtisack, property is located between the Asian Food Market and the Food Bank. He said the property has an apartment complex directly behind it and there is a large bank covered with kudzu. The owner feels this would be a better use of the property and it would hide the kudzu. Commissioner Bagwell said he does not think a residential development is appropriate for this area in that this is one of the main corridors into town. Mr. Smith stated he is trying to dress up the area as well and wants to make improvements to the Asian Market also. No further comments were heard. Attorney Campbell closed the Public Hearing.

Commissioner Dodd made the motion to deny the request to Rezone the request of Bounmy Tiamtisack for property located at 186 Level Grove Road; seconded by Commissioner Bagwell. Approved 4 -0.

Ordinance 11-20-01, Amendment to Noise Regulations – Commissioner Bagwell made a motion to table Ordinance 11-20-01, giving the City Attorney and City Manager time to look at closer; seconded by Commissioner Dodd. Approved 4 – 0.

Automatic Aid Agreement with Demorest – City Manager Anderson explained that the agreement is a multi-beneficial agreement and only pertains to structure fires. If there is a fire in the City of Cornelia Demorest will provide a Fire Engine as well as personnel. If there is a fire in The City of Demorest we will respond with our Ladder Truck as well as personnel. This agreement will help lower our ISO Rating because of limited personnel. Commissioner Dodd made the motion to approve the Automatic Aid Agreement with the City of Demorest and authorize Mayor Borrow to sign; seconded by Commissioner Griggs. Approved 4 – 0.

GA Power Agreement for Appletree Alley – City Manager Anderson said this will clean up the alley, but we will still have to have one large concrete pole on each end. Our cost for this part of the project will be \$128,691.90. Commissioner Bagwell made the motion to approve the GA Power Agreement and authorize Mayor Borrow to sign on behalf of the City for \$128,691.90; seconded by Commissioner Cook. Approved 4 – 0.

Ordinance 11-20-02, Amendment to Chapter 8 – City Manager Anderson explained that this Ordinance will allow Habersham Animal Control to prosecute animal related cases in Cornelia City Court. Currently they must bring our cases before the Habersham County Magistrate Judge. Commissioner Dodd made the motion to approve to post Ordinance 11-20-02, Amendment to Chapter 8; seconded by Commissioner Griggs. Approved 4 – 0.

Memorandum of Understanding with Linda Brooks – City Manager Anderson explained that in order to construct the new Market Corner's Lift Station, it will need to be placed on property owned by Linda Brooks. Mrs. Brooks is willing to donate the land to the City with a couple of stipulations. She wants the deed to be a gift deed and wants assurances that her adjacent properties will have access to the City sewer. Attorney Campbell has prepared the Memorandum of Understanding which address her concerns. Commissioner Dodd made the motion to approve the Memorandum of Understanding with Ms. Linda Brooks and authorize Mayor Borrow to sign; seconded by Commissioner Bagwell. Approved 4 – 0.

Welcome Sign Partnership with Chamber – City Manager Anderson said this is to construct a Welcome Sign at the HWY 365 North and South Bound Exit. The cost is approximately \$20,000 and we will split the cost with the Habersham Chamber of Commerce. He said we have the funds in our Hotel/Motel Tax Account.

Commissioner Cook made the motion to enter a partnership with the Habersham County Chamber of Commerce to construct 2 Welcome Signs at a cost of \$10,000 and to be pay out of the Hotel/Motel Tax Account; seconded by Commissioner Dodd. Approved 4 – 0.

Mayor Borrow adjourned the meeting for a brief recess at approximately 6:55 PM. Commissioner Dodd left the meeting.

Commissioner Bagwell made the motion to adjourn the meeting and enter Executive Session at approximately 7:20 PM to discuss Litigation; seconded by Commissioner Griggs. Approved 3 – 0.

Commissioner Bagwell made the motion to close the Executive Session and open the meeting at approximately 7:35 PM; seconded by Commissioner Cook. Approved 3 – 0.

Mayor Borrow said Litigation was discussed and no action was taken.

Commissioner Cook made the motion to adjourn the meeting at approximately 7:35 PM; seconded by Commissioner Bagwell. Approved 3 – 0.

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

John Borrow, Mayor

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 an Executive Session to discuss certain matters in a closed session.

(X) 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).

() 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.

John Borrow, Mayor, City of Cornelia

Sworn to and subscribed before me this 3rd day
of November 2020.

Notary Public

