

**City of Winder
Council Meeting
Winder Community Center
113 East Athens Street
September 13, 2011
6:00.m.**

The regular meeting of the City of Winder Mayor and Council was held this date with the following present:

Present: Mayor Chip Thompson

Councilmember's: Bob Dixon
Frank Dunagan
Charlie Eberhart
David Maynard
Sonny Morris
JR Parrish

Administrative Staff: City Administrator Donald Toms
City Clerk Sabrina Wall
Asst City Clerk Gloria Andrews

Mayor Thompson called the meeting to order. Councilman Parrish delivered the opening prayer. Following the prayer, Mayor Thompson led those present in the pledge of allegiance to the flag.

Minutes Approved

The minutes for the City of Winder regular meeting held on August 2, 2011 were approved as presented. Councilman Dunagan made a motion to approve. Councilman Eberhart seconded and the motion passed unanimously.

Discussion/Recognition Items

At this time Mayor Thompson recognized Melinda Shealey along with Barrow Youth Action Team.

Citizen Input

None available

Financial Report

Finance Director Leslie Henderson reviewed the Financial Status Report. At August 2011, the second month of fiscal year 2012 represents 17% of the fiscal year. Ideal revenues for the period should be equal to or greater than 17% of the annual budgeted revenues while ideal expenditures should be equal to or less than 17% of the annual budgeted expenditures.

General fund revenues collected were 5% of the total budgeted revenues while operating expenditures were 14% of total budgeted expenditures. Enterprise fund revenues collected were 11% of the total budgeted revenues while operating expenditures were 10% of total budgeted expenses.

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Police Report

Chief Dorsey updated the council on the August stats and Summers End Road Race.

PART I OFFENSES

OFFENSE	REPORTED OFFENSES			TOTAL ARRESTS			ADULT ARRESTS			JUVENILE ARRESTS		
	JAN-AUG 2011	JAN-AUG 2010	% CHG	JAN-AUG 2011	JAN-AUG 2010	% CHG	JAN-AUG 2011	JAN-AUG 2010	% CHG	JAN-AUG 2011	JAN-AUG 2010	% CHG
HOMICIDE	1	0	100	1	0	100	1	0	100	0	0	0
RAPE	5	5	0	0	0	0	0	0	0	0	0	0
ROBBERY	13	10	30	2	0	200	0	0	0	2	0	200
AGG. ASSAULT	25	63	-60	7	13	-46	6	12	-50	1	1	0
BURGLARY	88	117	-25	12	7	71	11	4	175	1	3	-67
LARCENY	317	318	0	25	18	39	14	13	8	11	5	120
MV THEFT	18	23	-22	2	2	0	0	2	-200	2	0	200
ARSON	1	4	-75	0	0	0	0	0	0	0	0	0
TOTAL PART I	468	540	-13	49	40	23	32	31	3	17	9	89

PART II OFFENSES

SIMPLE ASSAULT	168	167	1	35	64	-45	27	53	-49	8	11	-27
VANDALISM	69	81	-15	3	6	-50	3	6	-50	0	0	0
WEAPONS	20	36	-44	5	1	400	5	1	400	0	0	0
PROSTITUTION	1	1	0	0	0	0	0	0	0	0	0	0
SEX OFFENSES	21	35	-40	2	1	100	2	0	200	0	1	-100
NARCOTICS	196	176	11	145	152	-5	134	148	-9	11	4	175
DWI	116	146	-20	119	148	-20	116	148	-22	3	0	300
OTHER PART II	639	879	-27	258	275	-6	196	254	-23	62	21	195
TOTAL PART II	1230	1521	-19	567	647	-12	483	610	-21	84	37	127
GRAND TOTAL	1698	2061	-18	616	687	-10	515	641	-20	101	46	119

****Out of
Jurisdiction
Warrants**

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Fire Report

Mayor Thompson stated, once again I have the honor to present to you one of our finest for a promotion. Matt Whiting has proven himself a tremendous asset to the City of Winder. He began working with the City in July of 1992 as a part time fire fighter. In February of 1993 he became full time and by December of 1999 he was promoted to Captain. Through dedication your hard work has truly shown. It is a privilege for me to present you as Fire Chief for the City of Winder. At this time, Matt was presented with his bugles and badge. Congratulations Matt. I have no doubt you will make the Council, myself, staff and the citizens of Winder extremely proud.

Chief Whiting expressed his thanks for the confidence. August's stats were presented.

Number of Visitors	89	103	192
Burn Permits Issued	1		1
Fire Prevention Classes	3	1	4
Mentors (12 Firefighters @ RMS)	8	4	12
Gallons of Water used	70	250	320
False Alarms	2	1	3
Automatic Alarms	4	3	7
Assist Calls	3	4	7
Service Calls	0	0	0
Mutual Aid	0	0	0
Brush/Grass Fires	0	0	0
Vehicle	0	0	0
Structure	3	3	6
Gas Leak	2	1	3
Lines Down	2	1	3
Other Fires	2	2	4
Rescue Calls	57	24	81
Number of Runs	75	39	114
Personnel on Duty	5 firefighters on duty for 24 hours	2 firefighters on duty for 24 hours	7 firefighters on duty for 24 hours
Customer Service- Blood Pressure/Smoke Detector, etc.	8	0	8
Average Response Time	Both Stations		3:57

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Gas Department Manager Mike Jewell updated the Council on the following: Annual phone survey completed. Over 10,000 call with only 6 complaints this year; 3 new poultry farms added and a fourth one under construction; Over \$1200 raised for the HEAT Program at Jug Tavern Festival; 2011 Golden Backhoe Award winner for Region 1 in Georgia presented by GUCC; Annual Leak survey in progress; H.E.A.T. Round up sign ups have begun and October 1st will start showing up on bill; Recognition Award to Angela Page for her hard work and dedication to the Heat Energy Assistance Team.

Voting Items

1. Amend Chapter 3 to Provide for the time for closing of Premises, Time of Operation of Businesses and for other purposes. (Second Reading) An ordinance to amend Chapter 3 of the Code of Ordinances of the City of Winder to provide for the time for closing or premises, time of operation of businesses and for other purposes. WHEREAS on May 3, 2011, Section 3-16 of the Code of Ordinances of the City of Winder, Georgia was amended to provide for the time of operation of businesses for the sale of alcoholic beverages, and WHEREAS, the City Council intends that Chapter 3 of the Code of Ordinances be amended to be consistent with Section 3-16 as amended. NOW THEREFORE, it is hereby ordained by the City Council of the City of Winder, Georgia that Section 3-9 is hereby deleted and a new Section 3-9 is inserted in lieu thereof to read as follows: Sec. 3-9. Closing Premises. (a) All premises upon which alcoholic beverages are sold by the bottle or package not for consumption on the premises and not in conjunction with another authorized business shall be closed and empty of people between the hours of 1:55 a.m. and 6:00 a.m. except on Sunday's when said premises shall be closed between the hours of 1:55 a.m. Sunday morning and 6:00 a.m. the following Monday morning. (b) All premises upon which alcoholic beverages are sold for consumption on the premises shall be closed and empty of people between the hours of 1:55 a.m. and 6:00 a.m., except on Sunday's, when said premises shall be closed between the hours of 1:55 a.m. Sunday morning and 6:00 a.m. the following Monday morning. (c) Notwithstanding subsection (b), restaurants, as defined in Section 3-1 of this Chapter, where upon alcoholic beverages are sold for consumption on the premises shall be allowed to be open on Sunday's from 12:30 p.m. until 1:55 a.m. the following Monday morning. The Code of Ordinances of the City of Winder, Georgia is hereby further amended by deleting Sections 3-38, 3-39, 3-106, 3-107, 3-156 and 3-157 are hereby deleted. This Ordinance shall become effective immediately upon its adoption, the public health, safety and welfare requiring same. Councilman Parrish made a motion to approve the second reading. Councilman Maynard seconded and the motion passed unanimously.
2. Approval of donated hours for a city employee at the Police Department that will be on leave. Councilman Maynard made a motion to approve. Councilman Dunagan seconded and the motion passed unanimously.
3. Remaining 2011 Calendar year for Council Meetings – Recommendations for the November Council meeting be moved to November 14 & 15 due to the election being held on November 8 and the Winder Community Center is a polling place.

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4. Solid Waste RFP - The City of Winder is currently under contract with Republic Services to provide solid waste collections until February 28, 2012. The contract was entered into agreement as of January 31, 2007 and went into effect on March 5, 2007. With the new contract the City of Winder is looking for their provider to expand their recycling services and provide the City with a larger (90 or 96 gallon) recycling can on wheels and with a lid. We have several citizens that want to participate in the recycling effort but the current containers just don't meet their needs either due to the small size or the inconvenience of having a container that does not have wheels or a lid. We are also looking to replace all our current garbage cans to ensure that everyone has a container that is in great shape. The City is also going to make a push to go green, and support American Energy Resources. We are going to ask that whoever gets the new contract, service our community with vehicles that run on natural gas. The City of Winder is very happy with the service provided by Republic Services, Inc. and their commitment to our community and look forward to receiving their proposal. Councilman Maynard made a motion to place an RFP with conditions and an alternate without conditions. The following conditions requested are; 1. 50% of the fleet servicing the City of Winder shall run on natural gas within 12 months of being awarded the contract. When the City of Winder is able to provide the natural gas at a competitive rate, a minimum of 75% of the natural gas needed to maintain operations in Winder's service area should be purchased from the City of Winder; 2. The provider shall provide all new solid waste containers no smaller than 90 gallons for trash and no small than 40 gallons for recyclable materials. Both containers shall have wheels and a lid. Councilman Morris seconded and the motion passed unanimously.
5. Beer, wine and liquor permit by the package for applicant, Joe David Wells, Atlanta PCS, Inc. doing business as The Bottle Shop, located at 130 West May Street. This is a change in ownership of the business. The registered agent and incorporator for Atlanta PCS, Inc. is Jun S. Hong, and Mi Ja Hong is the chief executive officer, chief financial officer, and secretary. Councilman Morris made a motion to approve. Councilman Eberhart seconded and the motion passed unanimously.
6. Beer, wine, and liquor permit by the drink for applicant, Fernando Fuentes, Los Vaqueros Mexican Restaurant, Inc. doing business as Los Vaqueros Mexican Restaurant, located at 17 Monroe Highway, Suite W (formerly Beef O'Brady's). Fernando Fuentes is the registered agent for Los Vaqueros Mexican Restaurant, Inc. Fernando Fuentes, Abelino Fuentes, Rosendo Fuentes and Guadalupe Fuentes are the incorporators. This is a new business.
7. Beer and wine permit by the package for applicant, Minh H. Pham, Vincent Food and Beverage Retail Services Inc. located at 232 North Broad Street. This is a change in ownership of the business. Councilman Maynard made a motion to approve. Councilman Parrish seconded and the motion passed unanimously.
8. Event permit for Come Alive Ministries for the National Life Chain to be held on October 2, 2011 from 2:00 p.m. – 3:00 p.m. along the sidewalk on May Street. Councilman Eberhart made a motion to approve. Councilman Maynard seconded and the motion passed unanimously.

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9. Surplus Equipment

City #	YEAR	MAKE	MODEL	VIN #	DEPARTMENT	REASON FOR SURPLUS
	1996	Chevy	Impala	2G1WF55K349389527	Police	Bad Transmission
	2003	Ford	Explorer	1FMZU62K33UC13630	Police	Seized, Does Not Run
	1994	Chevy	Impala SS	1G1BN52P6RR176621	Police	Seized, High Mileage 163,298
			Scissor Man Lift # 2033E	200026607	Public Works	Poor condition, Control panel doesn't work
36	2000	Ford	FL80 Chipper Truck	1FV6JJBA3YHB26098	Public Works	Not in Service, Good Condition
		Bandit Chipper	280	1V4407	Public Works	Not in Service, Good Condition
222	1994		Rear Load Heavy Equipment Trailer		Public Works	Not in Service, Fair Condition
		Green Machine w/cab	Model 424HS Vacuum Sweeper w/impeller	701019	Public Works	Not in Service, Good Condition
	1990	GMC	1500	1GTDC14Z4RZ520606	Build Main (PW)	Poor Condition, No longer need vehicle
24	1997	Ford	F150	1FTDF1726VNC53850	Gas	Poor Condition, High Mileage, 159117
238	2007	Chevy	C5500	1GBE5E1957F425078	Fleet Main	Not in Service, Good Condition
31	1999	Ford	F450	1FDXF46X	Gas	Not in Service, Fair Condition
149	2001	Miller	200LE Welder	JK548328	Gas	Poor Condition
240	2007	Chevy	C5500	1GBE5E1927F425135	Gas	Not in Service, Good Condition
148	1999	Leroi	Air Compressor Diesel	D185DJ-E	Gas	Not in Service, Fair Condition

Councilman Maynard made a motion to approve. Councilman Parrish seconded and the motion passed unanimously.

10. Lee Street Culvert - The low bidder, Ohmshiv Construction, references have been contacted and are good along with his bid bond and insurance. After Council approval is given to move forward, we will award the project and get the construction contract agreement underway. When we get into discussions with the contractor we can discuss the grouting / filling in around the pipes and determine the costs for that additional work. Councilman Maynard made a motion to accept the lowest bidder, Ohmshiv Construction, subject to Barry's final approval. Councilman Parrish seconded and the motion passed unanimously.

11. LCI Project Resolution- **Whereas**, the City of Winder desires to strengthen its town center by encouraging diverse housing, employment, shopping, and recreation choices and undertake transportation improvements linking such destinations;
Whereas, the City desires a broadening of retail and service offerings as well as a new definition of the geography of the town center via unifying streetscape elements;
Whereas, City elected officials desire to introduce housing in a mixed-use environment;
Whereas, the City seeks to foster pedestrian use of the town center and connectivity of travel modes, thereby integrating walking, transit, bicycle, and vehicle travel as well as evaluate creation of public parking facilities to complement those already established;
Whereas, the City is committed to preserving and enhancing access to historical features and landmarks within the town center and reinforcing the identity of Winder;

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Whereas, the City intends to utilize LCI planning funds to showcase the integration of land use policy and transportation with urban design tools;

Whereas, the City wishes to use the Atlanta Regional Commission’s *Community Choices Tool Box* of model ordinances and visualization techniques in exploring alternate developments, mixed-use projects, and urban design approaches available to LCI award recipients; and

Whereas, the City intends to adopt the “Best Land Use”, “Best Transportation”, “Best Environment”, and “Best Housing” practices of ARC’s *Regional Development Plan* for future development of the town center.

Now, therefore, be it Resolved that the City of Winder supports the application for planning funds through ARC’s Livable Centers Initiative (LCI) program and will commit to the 20 percent matching fund requirement necessary to receive funding.

Councilman Maynard made a motion to accept the resolution and have a consensus on the top three projects. Councilman Dixon seconded. The consensus of the Council is out of the five on the list the first three projects are the top. The motion passed unanimously.

Jackson Street Improvements

The proposed project connects Stephens Street to Fort Yargo State Park via Jackson Street. Improvements include: a) Streetscape improvements along Jackson Street from May Street to Stephens Street, realign Jackson Street at Midland Avenue, b) Multi-use trail and roadway improvements on South Jackson Street from Lee Street to May Street, c) Multi-use trail from intersection of South Jackson Street and Lee Street to existing trail network inside Fort Yargo State Park (project partially outside study area), and d) Traffic Signal at South Jackson Street and May Street to improve pedestrian safety for crossing May Street.

ID	Description	Type of Improvement	Engineer Year	Engineer Costs	Length of Project (ft)	Cost per Linear Foot	Const Year	Construct Costs	Total Project Costs	Responsible Party	Funding Source	Local Source & Match Amount	
T-2	Jackson Street improvements from Stephens Street to Fort Yargo State Park	Pedestrian / Bicycle	2011	\$240,600	4,100	n/a	2013	\$2,005,000	\$2,545,600	City	TE, LCI	SPLOST, City	\$941,600
T-2a	<i>Pedestrian Improvements from May St. to Stephens St., realign Jackson at Midland Ave.</i>	<i>Pedestrian</i>	<i>2011</i>	<i>\$153,600</i>	<i>1,600</i>	<i>\$800</i>	<i>2013</i>	<i>\$1,280,000</i>	<i>\$1,533,600</i>	<i>City</i>	<i>TE, LCI</i>	<i>SPLOST, City</i>	<i>\$509,600</i>
T-2b	<i>Multi-use trail and street improvements on South Jackson Street from Lee Street to May Street.</i>	<i>Pedestrian / Bicycle</i>	<i>2011</i>	<i>\$51,000</i>	<i>1,700</i>	<i>\$250</i>	<i>2013</i>	<i>\$425,000</i>	<i>\$626,000</i>	<i>City</i>	<i>TE, LCI</i>	<i>SPLOST, City</i>	<i>\$286,000</i>

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T-2c*	Multi-use trail from Lee Street south to existing trails inside Fort Yargo State Park	Pedestrian / Bicycle	2011	\$24,000	800	\$250	2013	\$200,000	\$254,000	City	TE, LCI	SPLOST, City	\$94,000
T-2d	Traffic signal at May Street to improve pedestrian safety for crossing	Pedestrian / Vehicular	2011	\$12,000	n/a	n/a	2013	\$100,000	\$132,000	City	TE, LCI	SPLOST, City	\$52,000

At this time Mayor Thompson read a few statistics and responses regarding the Jug Tavern Festival. Councilman Dixon stated there were lots of City employees that spent many hours. I appreciate it and commend the staff.

Mayor Thompson invited everyone to stay for the reception for Chief Whiting.

Adjournment at 6:45 pm

 Mayor

SEAL

 City Clerk