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

Assistant City Clerk Gloria Andrews Finance Director Leslie Henderson Planning Director Barry Edgar

Mayor Thompson called the meeting to order. Councilman Maynard 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 work session held on January 3, 2010 and the regular meeting on January 4, 2010 was approved as presented. Councilman Dunagan made a motion to approve. Councilman Eberhart seconded and the motion passed unanimously.

At this time, Deputy Chief Dorsey addressed the Council with goals for 2011. Community involvement is very important, downtown foot patrol, mentoring at local schools, quarterly town hall meetings, expand neighborhood watch programs, assign officers to help code enforcement, public service announcements, create business email list serve, quarterly crime reports to place on the website, enhance facebook and other social media networking, scholarship of \$500.00 from local donors, foster Hispanic community, senior citizens watch program, traffic flow, partnering with public works for community service, realign the police departments organizational chart, halted commercial vehicle enforcement to better organize, visit local businesses and better public education. He thanked the Council for their time and stated he was available at anytime for questions or concerns.

Financial Report

Finance Director Leslie Ginn reviewed the Financial Status Report. At January 2011, the seventh month of fiscal year 2011 represents 58.33% of the fiscal year. Ideal revenues for the period should be equal to or greater than 58.33% of the annual budgeted revenues while ideal expenditures should be equal to or less than 58.33% of the annual budgeted expenditures.

General fund revenues collected were 57.61% of the total budgeted revenues while operating expenditures were 52.95% of total budgeted expenditures. Enterprise fund revenues collected were 54.90% of the total budgeted revenues while operating expenditures were 53.20% of total budgeted expenses.

Municipal Court Fund Revenues collected were 52.17% of the total budgeted revenues while operating expenditures were 64.91% of total budgeted expenditures.

Citizen Input

Ken Hewlett – Owner of Premier Pizza Pub stated to the Council he had paid all past due taxes and his state beer license. It was a struggle to begin business but he has taken care of both. At this point, they are not serving and awaiting their State License.

Trip Lanthier – Property owner and landlord within the City limits. Concerns of the new application/connection fees that have just started. We, property owners, have already waived the first months rent so the tenants can pay the deposits and connection fees for utilities. Asking the Council to resend if not lessen the fees. Mayor Thompson stated this was discussed at the work session and it is being taken under advisement.

Stan Collins – Stated concerns over the Commercial Vehicle Enforcement. In light of what Chief Dorsey had said here and a prior meeting with him, I feel like he is moving this program where it needs to be.

Scott Clack – Same concerns as Trip Lanthier and Stan Collins

Troy Hensley – Same concerns as Trip Lanthier

Hank Gallups – Asked to wait until the March meeting.

Mayor Thompson thanked everyone for their attendance and appreciated their interest with their local government.

Discussion/Recognition Items

Water Department Director Roger Wilhelm recognized Thomas Taylor, Russell Miller, Jason Prince and Tabitha Knight on their outstanding job for working together to find a million gallon leak off Kilcrease Road.

Cultural Arts Center Director Don Wildsmith thanked the Council for their continued support. For calendar year 2010, the center hosted 351 events with 21,850 in attendance. The events bring in people from Northeast Ga. to South Ga. Even with the economic downturn, the Center has show a 5% increase each year. Looking at our 5 to 10 year plan that was started in 2007, we are currently at the 6th year mark. Currently working with the Board of Education and all local schools to promote the arts and community involvement. Councilman Dixon asked how many counties we serve in either actors or attendees. Mr. Wildsmith stated 15 to 25% are from outside of Barrow County.

Voting Items

- 1. Retiree's Health Insurance Benefits City Administrator Don Toms presented a resolution to authorize changes to new retiree's health insurance benefits. Any employee retiring after the passing of this resolution shall be eligible for the retiree's only portion to be paid by the City in the amount of fifty (50%) percent of their health insurance through the City's plan. The City shall not pay any portion of the retiree's dependent coverage or supplemental plans. Furthermore, once the retiree becomes eligible for Medicare the retiree shall no longer be eligible for health insurance coverage through the City. Councilman Dixon made a motion to approve. Councilman Maynard seconded and the motion passed unanimously.
- 2. Banking Services Changes City Administrator Don Toms presented a resolution to authorize changes to accounts relating to banking services by gathering information through a request for proposals to provide a recommendation to the Mayor and Council to enter into agreement with a single or multiple local financial institutions to provide services to the City of Winder. Councilman Parrish made a motion to approve. Councilman Eberhart seconded and the motion passed unanimously.

- 3. Court Charges City Administrator Don Toms stated that municipal court procedures were being analyzed over the past few months and some costs have been identified that affect the courts budget such as expungements, certified copies and interpreter fees. We recommend approving the user fees and maintain details regarding the number of request the City have each month for expungements, certified copies and interpreters. The fees will be as follows: expengements \$25.00, certified copies \$5.00 for the first page and \$.25 for each additional page, interpreter \$25.00 per court appearance. Councilman Morris made a motion to approve the fees. Councilman Dixon seconded and the motion passed unanimously.
- 4. Surplus Items from Water & Gas Department City Clerk Sabrina Wall presented two lists from the Gas and Water Department of surplus items

	Various sized plug valves, class 150 amd 300 for	
Pallet of Valves #1	Natural Gas	No longer used. Outdated.
. and a various	Various sized plug valves, class 150 amd 300 for	The foreign documents and the first services.
Pallet of Valves #2	Natural Gas	No longer used. Outdated.
	Various sizes and types of steel flanges for Natural	
Pallet of Flanges	Gas	No longer used. Outdated.
Pallet of Valve Box		
Lids	Lids for in ground valve boxes (used)	replaced with locking lids
PowerTec Weight		
Bench	Weight bench with weights	No area available for use
Horizon Fitness	Walking/Running motorized Treadmill Exercise	
Treadmill	Equipment	No area available for use
Welso Cardio Glide	Exercise equipment	No area available for use
Rigid 300 Pipe		Not Working. Cheaper to replace than
Threader	Pipe Threading Machine (motorized)	repair
		Not Working. Cheaper to replace than
Wacker Tamp	Motorized Ground Tamping Machine	repair
BoreTech Video Data Display (Sewer Camera Equipment)		Out of Service / Inoperable
Panasonic Color Monitor (Sewer Camera Equipment)		X
ELMO 4 Head Portable Video Cassette Recorder (Sewer Camera		
Equipment)		X
ARIES Camera & Light Power Supply/Controller (Sewer Camera		
Equipment)		X
Camera (Brand Unknown) (Sewer Camera Equipment)		X
Cable Reel with Cable & Reel Transmission (Sewer Camera Equipment)		X
Camera Tractor (Brand Unknown) (Sewer Camera Equipment)		X
High Service Electrical Pump Motor 40 hp		X
AENL Boring Machine		X

4" Diaphragm Pump w/Briggs & Stratton 5 HP	X
2" Centrifugal Pump w/Briggs & Stratton 5 HP & Homelite Pump	X
2" Centrifugal Pump w/Briggs & Stratton 5 HP & Homelite 160 gal/min Pump	X
Herring Hall Marvin Safe Company (Building Maintenance)	Х
Duratech Haybuster (Belt Guide for tub grinder, Building Maintenance)	Х

If Council approves for these items to be surplused then all items will be given to Roger Wilhelm to place on govdeals.com. Councilman Parrish made a motion to approve. Councilman Eberhart seconded and the motion passed unanimously.

- 5. Downtown Development Authority Area City Clerk Sabrina Wall presented a resolution to expand the Downtown Development Area. The Council has received a letter from the Powers and a verbal from Councilman Dixon from the First Baptist Church for their interest in wanting to be included in the Downtown Development Area. Councilman Morris made a motion to approve. Councilman Maynard seconded and the motion passed unanimously.
- 6. Jug Tavern Park City Clerk Sabrina Wall stated the Events Committee would like to request the Council name the Pavilion Lawn Area the Jug Tavern Park. Councilman Eberhart made a motion to approve. Councilman Parrish seconded and the motion passed unanimously.
- 7. Northeast Georgia Regional Solid Waste Management Plan Update City Clerk Sabrina Wall presented a resolution where the Georgia General Assembly enacted the Georgia Comprehensive Solid Waste Management Act, which requires county and municipal governments to prepare a local solid waste management plan. Councilman Dunagan made a motion to approve. Councilman Maynard seconded and the motion passed unanimously.
- 8. Beer and wine permit by the package for Karim Kamruddin Lakhani, Winder Piggly Wiggly LLC, located at 95 North Broad Street. This is a new alcohol license location. Councilman Morris made a motion to approve. Councilman Dunagan seconded and the motion passed unanimously.
- 9. Beer and wine permit by the package for Mohammed Shah, Sunoco Enterprises LLC operating as Sunoco, located at 183 West Athens Street. This is a change in ownership. Councilman Eberhart made a motion to approve. Councilman Maynard seconded and the motion passed unanimously.

> 10. Premier Pizza Pub Revocation of beer license for Kenneth Ray Hewlett, Premier Pizza Pub located at 243 North Broad Street Suite A (Formerly Murphy's Brass Rail). Mr. Hewlett only renewed his beer license with the City of Winder for 2011 but his State of Georgia Alcohol license has not been renewed as of 2/4/2011. Restaurants or retail stores are not allowed to sell or serve alcohol without both their City and State license. He was contacted on January 6, 2011 to remind him of this but he continued to sell alcohol. The State of Georgia issued an extension on January 13, 2011 for businesses that were in good standing. The extension expired on January 31, 2011 and Mr. Hewlett continued to sell alcohol violating State and City regulations. The Police Department issued a cease sales order on February 2, 2011 and also a notification was hand delivered to Mr. Hewlett of possible revocation of his beer license at the February 8, 2011 City Council meeting. Mr. Hewlett had spoken at the beginning of the meeting. Councilman Maynard made a motion to leave the cease sales until Mr. Hewlett can show proof of receiving the State license. Councilman Parrish seconded and the motion passed unanimously.

At 6:45 pm, the regular Council meeting ended and the Zoning Board of Appeals began. Planning Board Member Jim Neu was present.

1. Variances to consider a decrease in the required minimum lot size and lot width of Tract 2 that was subdivided from Tract 1 at 270 West Midland Avenue. This is a variance application from applicant David Howard and owner D.H.H. Enterprises, Inc. and they would like to split the existing property located at 270 West Midland Avenue to create two lots, currently there is one dwelling on the existing lot. The property is currently zoned R-1A (Single-Unit, Medium Density Residential Zone). The overall size of the property is +/- 0.70 acres (+/- 30,573.20 sq.ft.). The property is proposed to be split to form two new tracts of land. Tract 1 as shown on the attached survey for D.H.H. Enterprises, Inc., is proposed to be +/- 0.4329 acres (+/-18,858.84 sq.ft.). Tract 1 as shown on the attached survey meets all the lot size, lot width and setback requirements of the R-1A zone. The existing home on Tract 1 is proposed to be renovated. Tract 2 as shown on the attached survey for D.H.H. Enterprises, Inc., is proposed to be +/- 0.268 acres (+/-11,714.36 sq.ft.). Tract 2 as shown on the attached survey does not meet the lot size or the lot width requirements of the R-1A zone. requirements of the R-1A zone can be achieved. Therefore, two Variances are being requested for Tract 2 as follows: a reduction in the required minimum lot size from 15,000 sq.ft. to +/- 11,714.36 sq.ft. on Tract 2; and a reduction in the minimum lot width requirements from 100 feet to +/- 60.05 feet on Tract 2. The requested lot size would be +/- 3,285.64 sq.ft. less than the required lot

> size, and the lot width would be +/- 39.95 feet less than the required lot width. All sediment and erosion control ordinances must be followed for any proposed construction activities. If the requested Variances are approved, the proposed new house site on Tract 2 will have to be staked out in the field and approved by the City of Winder Building Inspector prior to any construction activities. All construction on the site will have to be done in accordance with current City of Winder building regulations. The proposed new house on Tract 2 must have a two-car garage, and the new home must be a minimum of 1,600 square feet. The driveway location and slope of the driveway will have to be done in accordance with vehicular safety standards. Midland Avenue is a heavily traveled road and driver visibility from the new driveway pulling out onto Midland Avenue will have to be considered. Sewer, water and gas are available. The Planning Board initially heard these variance requests on January 18th and the requests were unanimously approved. (5-0 vote) Councilman Maynard made a motion to grant the two variances as requested by the owner. Councilman Dunagan seconded and the motion passed unanimously.

Adjournment at 6:50 pm	
Mayor	
City Clerk	 SEAL