



**Regular Meeting of the Mayor and City Council
City of Ball Ground, Georgia
Ball Ground City Hall ~ 7:00 P.M.**

**MINUTES
January 8, 2015**

Item 1: Meeting Called to Order by Mayor Rick Roberts

City Clerk Karen Jordan administered the Oath of Office to Council Members Frank Homiller, Lee Prettyman and Andrenia Stoner. Each will serve a four year term.

Council Members Present: John Byrd, Frank Homiller, Mickey O'Malley, Lee Prettyman and Andrenia Stoner

Staff Present: Michael Chapman, Donna England, Eric Wilmarth, Bryon Reeves, Karen L. Jordan and City Attorney Darrell Caudill

Item 2: Pledge of Allegiance

Item 3: Appearances

- **James Bence, Mauldin & Jenkins, LLC - Presentation of Financial Audit for Period Ended June 30, 2014**

James Bence, Mauldin & Jenkins, LLC gave a presentation of the Financial Audit for Period Ended June 30, 2014. The report reflects an unqualified or clean opinion of the City's financial statements. The financial statements are considered to present fairly the financial position and results of operations as of, and for the year ended June 30, 2014.

Mr. Bence presentation included a report of the submittal of the 2013 CAFR to the Government Finance Officers Association for determination if the report would merit the GFOA's Certificate of Achievement for Excellence in Financial Reporting. Mr. Bence stated he was happy to inform everyone that the GFOA did indeed review the CAFR and award the City with the sought after Certificate.

Mr. Bence thanked Finance Director Donna England, City Administrator Eric Wilmarth and their staff for their corporation and hard work.

Mayor Roberts and Council recognized Donna for her hard work and contribution to an outstanding audit report.

- **Nathan Brandon, Director of Cherokee County Senior Services**
Mr. Brandon addressed Mayor Roberts and Council Members concerning the upcoming Gala the Volunteer Aging Council would be hosting on February 28. Proceeds from this fund raiser would benefit the Cherokee County Volunteer Aging Council.

Mayor Roberts presented Mr. Brandon with the following Resolution supporting the efforts of the Cherokee County Volunteer Aging Council.

Council Member Prettyman put forth a motion, Seconded by Council Member O'Malley to approve Resolution 2014-R01.
Motion Unanimously Approved.

**City of Ball Ground
Resolution 2014-R01**

WHEREAS, Cherokee County is fortunate to have the Cherokee County Senior Services committed to serving as a community focal point for the delivery and coordination of comprehensive social, nutritional, assistance and informational services to improve the quality of life for older adults and their families; and

WHEREAS, the Senior Services provides educational, social, leisure and recreational activities for senior citizens of this county that are looking to have some fun, make new friends, and find socialization and stimulation; and

WHEREAS, the Senior Services provides programs including, but not limited to Information and Assistance, Caregiver education, information and emotional support, Case Management to assess and arrange for needed services, Congregate Program which provides daily activities and nutritious meals, Homemaker Services which provides in-home assistance to older adults, Home Delivered Meals also known as Meals on Wheels, Transportation, Respite Care to individuals who are caring for a family member suffering from Alzheimer's; and

WHEREAS, The Cherokee County Senior Services supported by a group of dedicated individuals and professionals known as the Cherokee County Volunteer Aging Council; and

WHEREAS, The mission of the Cherokee County Volunteering Aging Council (VAC) is to encourage volunteerism, to help plan and develop fund raising activities, and to be ambassadors to the community by bringing awareness of programs and events that benefit Senior Services, their clients and the Cherokee County community. The funds raised benefit all Cherokee County Senior Services' programs, and help meet seniors' needs that are not currently covered by programs already in place; and

WHEREAS, The Mayor and Council of the City of Ball Ground, Georgia hereby support the efforts of the Cherokee Senior Services and the Cherokee Volunteer Aging Council on their biggest fund raising event of the year, their Annual Gala to be held on February 28, 2015.

NOW, THEREFORE BE IT RESOLVED, The Mayor and Council of the City of Ball Ground hereby encourage all residents and citizens of Ball Ground and Cherokee County to support this worthy cause.

As proclaimed this 8th day of January, 2015

/S/ Mayor A. R. Roberts, III
Mayor A. R. Roberts, III
City of Ball Ground, Georgia

Attest: /S/ Karen L. Jordan
Karen L. Jordan, City Clerk
City of Ball Ground, Georgia

Item 4: Public Comments
None

Item 5: Announcements/Informational Items/Project Updates – City Manager

Item 6: Approval of Minutes of the December 18, 2014 Meeting

Council Member Homiller put forth a motion, Seconded by Council Member O'Malley to approve the minutes of the December 18, 2014 Meeting of Council as submitted in writing by the City Clerk.
Motion Unanimously approved

Item 7: Old Business

- a) **2nd Reading of Application for New Alcohol License (Consumption on Premise)**
Business: Pueblo Grill 2, LLC
Location: 10150 Ball Ground Hwy
Applicant: Jose L. Suarez-Orozco

Council Member Byrd put forth a motion, Seconded by Council Member Prettyman to approve the second reading of the Application for New Alcohol License as submitted by Jose L. Suarez-Orozco for Pueblo Grill 2, LLC.
Motion Unanimously Approved.

Item 8: New Business

- a) **Consider Appointment of Mayor Pro Tem**
Council Member Prettyman put forth a motion, Seconded by Council Byrd to approve the appointment of Frank Homiller as Mayor Pro Tem for the 2015 year.
Motion Unanimously Approved
- b) **Consider Appointment of 2015 Department Heads, Committees and Board Members**
Council Member O'Malley put forth a motion, Seconded by Council Member Byrd to confirm the following appointment made by Mayor Roberts.
Motion Unanimously Approved.

City Clerk	Karen L. Jordan
Chief of Police	Bryon Reeves
Public Works	Eric Wilmarth
City Attorney	Roach, Caudill & Gunn
City Auditor	Mauldin & Jenkins
Engineer	G. Ben Turnipseed Engineers
Architect	Mark Robillard
Elections Super	Karen Jordan
Clerk of Court	Karen Jordan
Assistant Clerk of Court	Kim Forman
Municipal Court Judge	Gary Markwell

Committee's

Executive Committee

Mayor Roberts, Mayor Pro-tem Frank Homiller, Eric Wilmarth

Public Safety:

John Byrd, Mickey O'Malley, Chief Bryon Reeves and City Manager Eric Wilmarth

Parks & Recreation

Mickey O'Malley, Lee Prettyman, City Manager Eric Wilmarth City Clerk Karen Jordan

Natural & Historic Resources:

Andrenia Stoner, Frank Homiller, City Clerk Karen Jordan, Michael Chapman

Public Works:

Lee Prettyman, John Byrd, City Manager Eric Wilmarth

HR & Finance:

Mayor Roberts, Donna England, City Manager Eric Wilmarth

Zoning Board of Appeals:

Ashley Holcomb, David Kubala, Daniel Sisson, Sandy Klaesius

Tree Board:

City Clerk Karen Jordan will serve as Chair, Mayor Roberts, Jennie Byers and Beth Hall will serve as Board Members

- c) **Reaffirm Check Signers for any/all banking/checking accounts**
Council Member Stoner put forth a motion, Seconded by Council Member Byrd to approve the Mayor, City Manager and City Clerk as check signers for any/all banking/checking accounts for the City.
Motion Unanimously Approved.
- d) **Consider Establishing and Fixing Qualifying Fees for Municipal Elections per O.C.G.A. §21-2-131(1)(a)**
Council Member Byrd put forth a motion, Seconded by Council member Stoner to establish the Qualifying Fee of \$108.00 for the Office of Mayor and \$35.00 for the office of City Council.
Motion Unanimously Approved.
- e) **Consider Arbor Day Proclamation**
Mayor Roberts put forth the following Proclamation declaring February 20, 2015 as Arbor Day in the City of Ball Ground. Mayor Roberts stated a date for the annual tree planting ceremony would be announced at a later date.

Council Member O'Malley put forth a motion, Seconded by Council Member Byrd to approve the Proclamation to declare Friday, February 20, 2015 as Arbor Day in The City of Ball Ground.
Motion Unanimously Approved.

Proclamation #2015-P01

Whereas, In 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

Whereas, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

Whereas, Arbor Day is now observed through the nation and the world, and

Whereas, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

Whereas, trees are a renewable resources giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

Whereas, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

Whereas, trees, wherever they are planted, are a source of joy and spiritual renewal, and

Now Therefore, I A. R. Roberts, III, Mayor of The City of Ball Ground, do hereby proclaim February 20, 2015 as **Arbor Day** in The City of Ball Ground, and I urge all citizens to support efforts to protect our trees and woodlands and

Further, I urge all citizens to plant trees to gladden hearts and promote the wellbeing of present and future generations.

Dated this 8th Day of January, 2015,

/S/ Mayor A. R. Roberts, III
Mayor A. R. Roberts, III

Attest /S/ Karen L. Jordan
Karen L. Jordan, City Clerk

- f) **Consider Approval of an Employee Benefit Plan**
Mayor Roberts put forth a Resolution for Council consideration to establish a Flexible Spending Benefits Plan for city employees.

City Manager Wilmarth stated this would be a 125 Cafeteria Plan. The employees would choose the amount to be deducted (pre-taxed) from their salary. Those enrolling in the plan would then be given a debit card to fund eligible medical expenses outlined in the plan. The annual cost to the City would be approximately \$1,200.00 for the first year and \$900.00 for subsequent years for the management of the plan.

Council Member Homiller put forth a motion, Seconded by Council Member Stoner to approve the following Resolution Adopting a Flexible Benefits Plan for the Employees of the City of Ball Ground.
Motion Unanimously Approved.

**DIRECTORS' RESOLUTION ADOPTING
FLEXIBLE BENEFITS PLAN OF
CITY OF BALL GROUND**

By action of the Board of Directors of City of Ball Ground taken January 8, 2015, the following resolutions are duly adopted:

NOW: THEREFORE, BE IT RESOLVED that the Board of Directors of this organization does hereby adopt a Plan to be known as the City of Ball Ground Flexible Benefits Plan, substantially in the form presented to this Board, which is effective as of February 1, 2015, a copy of which Plan is attached hereto and made a part of the minutes; and

RESOLVED, that _____ is/are hereby appointed to constitute the Plan Administrator of such Plan and to have such powers and duties as are set forth in the Plan; and

RESOLVED, the full power and authority are hereby conferred upon the President or Vice President of this organization to execute amendments to such Plan within the general intent and purpose thereof in order that the Plan shall continue to qualify under the provisions of Section 125 of the Internal Revenue Code of 1986, as amended.

IN WITNESS THEREOF, I have signed this Resolution this 8th day of January, 2015.

/s/ Karen L. Jordan, City Clerk

The captions contained herein are inserted only as a matter of convenience and for reference and in no way define, limit, enlarge, or describe the scope or intent of the Plan, nor in any way shall affect the Plan or the construction or any provision thereof.

IN WITNESS WHEREOF, this Plan document is hereby executed this 8th day of January, 2015.

By: /s/ Mayor A. R. Roberts, III

Witness: /s/ Karen L. Jordan

g) Declaration of Surplus Property

City Manager Wilmarth asked Mayor and Council Members to consider the following item for surplus: 2003 Ford F-150 Vin#1FTRF18233NA53932. The vehicle would be advertised for sale on GoveDeals for three weeks. The vehicle would be sold to the person placing the highest bid.

**Council Member Byrd put forth a motion, Seconded by Council Member Prettyman to advertise the sale of the 2003 Ford F-150 on GoveDeals with the vehicle being sold to the person with the highest bid.
Motion Unanimously Approved.**

Item 9: City Manager Comments

Financial Report – City Manager Wilmarth presented an unaudited report of account balances, statement of revenue and expenditures for the month ended December 31, 2014. The report showed cash on deposit totaled \$809,748.40.

Public Safety – Chief Reeves presented a written report of the department’s activity for the month ended December 31, 2014 and 2014 Annual Calls for Service Activity Report.

City Manager Eric Wilmarth presented Mayor Roberts and Council Members with a proposed Borrow Pit Agreement between Baldwin Paving Company and the City of Ball Ground for consideration.

The agreement states the Baldwin Paving Company desire to enter into this Agreement under which Contractor will enter upon the lands of the City of Ball Ground for the purpose of removing earth and borrow materials (hereafter “Material”) to be used on the following Georgia Department of Transportation

project (hereinafter referred to as the "Project"): BRST0-1022-00(010), Cherokee County.

Article 1: Title Excavation Work (1.01) Excavation and Property states Owner does hereby grant and convey unto Contractor right and privilege to enter upon certain real property owned by Owner in Cherokee County, Georgia, said property being more particularly described on Exhibit "A" (___ acre) attached hereto and incorporated herein by reference (hereinafter the "Property"), for the purpose of removing Materials for the Project. Contractor shall perform all of the work required, implied or reasonably inferable from this Agreement, and work shall mean whatever is done by or required of the Contractor to perform and complete its duties under this Agreement. The work to be performed by the Contractor is generally described in the grading/site plan which is attached hereto as Exhibit "B" and made a part hereof. The final established grade as well as temporary and permanent stabilization of the property will be defined on the grading/site plan being more particularly described on Exhibit "B".

City Manager Wilmarth stated this would be a good deal for the City should they decide to develop the property in the future. Also, it would eliminate an increase in truck traffic through town. Should Mayor and Council decide not to enter into the contract the alternate site is located in Nelson. The dump trucks would then travel through downtown creating an even bigger problem for pedestrians and businesses.

Mayor Roberts and Council Members discussed several concerns with the proposed contract. Following discussion Mayor Roberts and Council Members asked for the following stipulations to be incorporated into the contract:

Construction site be accessed through 420 Gilmer Ferry Road (City owned property)

Work activity is not to interfere with ball games or other city organized events.

Following discussion Council Member Byrd put forth a motion, Seconded by Council Member O'Malley to empower the Executive Committee to continue negotiations with Baldwin Paving and to enter into the agreement at such time both parties agree on the contract.

Motion Unanimously Approved.

Item 10: Mayor Roberts & City Council Comments

Mayor Roberts announced Saturday, January 31, 2015 as the date of the annual Mayor and Council Planning Session. The location of the one day event would be announced at a later date.

Mayor Roberts updated Council on the plans of the Ball Ground Garden Club for the development of a Botanical Garden on the grounds of City Hall. A walking path will be constructed along the creek with a variety of trees, annuals, wild flowers and other various/native plants planted along the path and area.

Mayor Roberts stated Garden Club Members are currently selling commemorative bricks for \$25.00. Proceeds from the sale will help to fund the project.

Council Member John Byrd presented a revised sketch of the Historic Sign for Mayor and Council review. Council Member Byrd stated he would complete the project in different stages.

Council Member Mickey O'Malley reported on a basketball tournament that was held at City Gym during the holiday. He stated the tournament brought people to Ball Ground from all over Cherokee County.

Item 11: Executive Session (If Needed)

Item 12: Adjourn

There being no further business for Mayor and Council consideration a motion was duly made and seconded to adjourn.

The minutes of this January 8, 2015 City Council Meeting approved this 12th day of March, 2015.

Mayor A. R. Roberts, III

Mayor Pro Tem Frank Homiller

Council Member John Byrd

Council Member Mickey O'Malley

Council Member Lee Prettyman

Council Member Andrenia Stoner

Attest: _____
Karen L. Jordan, City Clerk