



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

**Minutes
June 11, 2015**

Item 1: Meeting Called to Order by Mayor Rick Roberts.

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

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

Item 2: Pledge of Allegiance

Item 3: Appearances: City Resident Tim Cavender was recognized by Mayor Roberts and City Council for his induction into the International Santa Claus Hall of Fame. The Santa Claus Hall of Fame is an ongoing project that celebrates, studies, and preserves the historical documentation of the many men and women who have greatly contributed to the Legend of Santa Claus. A video of Tim and the other inductees was shown.

Mayor Roberts presented Tim with a Key to the City and thanked him for his work coordinating the arrival of Santa each year in the City, and his annual March of the Toys for Toys for Tots Parade. Mayor Roberts stated the parade has grown each year and attracts people from all over the metro area.

Item 4: Announcements/Informational Items/Project

The DDA and Main Street Committee will sponsor the following upcoming events:
June 13 - Movie in the Park
June 27 – Annual Fireworks Display following the Ball Ground Methodist Church Faith and Freedom Festival which will be held in City Park.

Item 5: Approval of Minutes – May 21, 2015

Motion by Council Member Stoner, Seconded by Council Member Prettyman to approve the minutes of the May 21, 2015 Meeting as submitted in writing by the City Clerk.

Motion Unanimously Approved

Item 6: Old Business

a) Consider 2nd Reading of FY 2015-2016 Budget

Mayor Roberts presented the FY 2015/2016 Budget for Council consideration. Mayor Roberts stated that a public hearing was held in accordance with O.C.G.A. 36-81-5 with City Administrator Eric Wilmarth, Finance Director Donna England and City Clerk Karen Jordan in attendance. No public comments received.

Budget totals are as followed:

General Fund	\$ 679,960.00
SPLOST	\$ 354,520.00
Water/Sewer	\$ 752,000.00
Solid Waste	\$ 105,000.00
Total	\$1,891,480.00

Council Member Prettyman put forth a motion, Seconded by Council Member Byrd to approve the second reading of the 2015/2016 Budget as presented in writing to the Mayor and City Council.
Motion Unanimously Approved.

Item 7: New Business

a) Consider Resolution of Support for COPS Grant

City Manager Wilmarth put forth for Mayor and Council consideration the submittal of an application for the FY 2015 CHP grant program. The award of the grant is subject to the availability of the appropriated funds and any modifications or additional requirements that may be imposed by law. The grant should we receive it, would fund 75% of a newly hired police officer position with the City funding the remaining 25% for a three year period. The grant would also require the City maintain the position for one full year after grant ended

Council Member Prettyman put forth a motion, Seconded by Council Member Byrd to proceed with the submittal of the application.
Motion Unanimously Approved.

b) Consider 1st Reading of Change to City Alcohol Ordinance and Finance and Taxation Ordinance

City Manager Wilmarth put forth for Mayor and Council consideration an amendment to the City Alcohol Ordinance which would impose a 3% excise tax on all poured distilled spirits Section 7-3-14 as related to Distance of Business from schools, churches, etc.

Amendments to any of the provisions of this Code shall be made by amending such provisions by specific reference to the section number of this Code in the following language:

That section 7-3-14-Distance of business from schools, churches, etc. of the Code of the City of Ball Ground, Georgia, is hereby amended to read as follows: . . . No license shall be issued under this chapter where the place of business of the applicant is located within a radius distance of three hundred (300) feet of any church or within three (300) feet of any school ground, public library, alcohol treatment facility, or college campus.

State Law Reference: O.C.G.A. §3-3-21. Note: State law measures distance by the most direct route of travel on the ground.

That the Code of the City of Ball Ground, Georgia, is hereby amended by adding a section to be numbered Chapter 5 - Finance and Taxation; Article D- Malt Beverages, Alcohol and Wine Excise Taxes; Section 2-5-44, which section reads as follows:

That section Chapter 5 – Finance and Taxation; Article D as related to Malt Beverages, Alcohol and Wine Excise Taxes of the Code of the City of Ball Ground, Georgia, is hereby amended to read as follows: (a) In addition, an excise tax of three percent is hereby levied and imposed on the sale of distilled spirits by the drink on charges to the public for the beverages.

(b) The excise tax imposed in subsection (a) of this section shall not apply to the sale of fermented beverages made in whole or in part from malt or any similar fermented beverage.

(c) Each person responsible for the payment of the excise tax levied under this section shall remit payments and file reports as provided, however, that persons collecting the tax authorized by this section shall be allowed a percentage of the tax due and accounted for and shall be reimbursed in the form of a deduction in submitting, reporting and paying the amount due if the amount is not delinquent at the time of payment. The rate of the deduction shall be three percent of the amount due, only if the amount due was not delinquent at the time of payment. Failure to submit timely reports will result in the imposition of a ten-percent penalty. After 30 days, interest will accrue at the rate of five percent per month, or fraction thereof, from the due date of the taxes.

Council Member Byrd put forth a motion, Seconded by Council Member O'Malley to approve the proposed changes as stated above.
Motion Unanimously Approved.

- c) **Consider 1st Reading of Application for Alcoholic Beverage License for Burger Doc LLC**
Applicant: Burger Bus LLC
Location: 288 Gilmer Ferry Road
Applicant: Dylan Young Brown

Council Member Byrd put forth a motion, Seconded by Council member O'Malley to approve the first reading of the request for an Alcoholic Beverage License by Dylan Brown for on premise consumption at 288 Gilmer Ferry Road.
Motion Unanimously Approved.

- d) **Consider Re-appointment of Mrs. Beth Hall to Cherokee County Library Board**
Mayor Roberts asked Council to consider the reappointment of Beth Hall as the Ball Ground representative to the Cherokee County Library Board of Trustees. Mrs. Hall will serve a three year term.

Council Member Stoner put forth a motion, Seconded by Council Member O'Malley to appoint Mrs. Beth Hall as the Ball Ground representative to the Cherokee County Library Board of Trustees for a three year term.
Motion Unanimously Approved.

Item 8: City Manager Comments

Financial Report – City Manager Wilmarth presented an unaudited report of account balances, statement of revenue and expenditures for the month ended May 31, 2015. The report showed cash on deposit totaled \$936,128.59.

City Manager Wilmarth stated that representatives from Mauldin and Jenkins Certified Public Accountants, LLC will begin pre-audit work on Friday for the upcoming annual financial audit.

Project Updates

City Manager Wilmarth stated he and Mayor Roberts had reviewed plans of the proposed Cherokee County Fire Station #2. Construction of the new facility is scheduled to begin in early 2016 and will be built south of City Hall.

The Valley Street Streetscape Project will require an additional survey because of it being located in our Historic District.

Northridge Sidewalk Project is 30% complete.

Parks and Recreation

City Manager Wilmarth reported new electrical wiring is currently being installed in the Community Center.

Ball Ground has again been chosen to host the Dizzy Dean Baseball World Series Tournament. This will be very beneficial to our downtown businesses.

Mayor Roberts commended Eric for all his hard work during the past month. He worked tirelessly to make sure city business stayed on track during the filming of the movie Mena.

Public Safety

Chief Reeves presented a written report of the department's activity for the month ended May 31, 2015.

Item 9: Mayor Roberts & City Council Comments

Mayor Roberts announced the City would once again participate in the "Mayor's Recycling Challenge" sponsored by the Cherokee Chamber of Commerce. He encouraged everyone to support this event and to help us beat out our competition. Mayor Roberts also stated anyone that is not serviced by North Metro Waste may deposit their items in the recycling bins located in the parking area of City Hall.

Mayor Roberts stated the filming of the Tom Cruise movie Mena is winding down and stated he had received many positive comments from people who visited our City during this event.

The ground breaking of the new Botanical Garden located on the grounds of City Hall was held this morning by the Ball Ground Garden Club stated Mayor Roberts. The garden will attract people to our City and be an asset to teaching our school kids about gardening.

Mayor Roberts encouraged everyone to purchase a commemorative brick which will become part of the walking path along the garden. Proceeds from the sale of the bricks will help fund the garden.

Council Member O'Malley announced that two Dizzy Dean World Series Tournaments will be held during the 4th of July weekend. He encouraged everyone to come out and see baseball at its finest.

Council Member O'Malley also stated he has been working with the Cherokee County YMCA to bring summer camps in 2016 to the City for our local youth to attend.

Mayor Roberts thanked Council Member O'Malley for all the work he is doing to enhance our recreation facilities and programs for our youths.

Council Member Prettyman commended Eric, David and Joey for all their hard work the past few weeks.

Council Member Byrd also extended his appreciation to the City Staff for their hard work.

Council Member Byrd stated he is looking forward to the upcoming events being sponsored by the DDA/Main St. Board that will be held in City park. These events are good for downtown businesses and for our City.

Item 10: Public Comments

Mayor Roberts stated he recently attended a public hearing held by Rea Ventures Group LLC. The company is proposing to build an 80 unit apartment complex on the

Howell Bridge Road East extension. He stated he received very little information at the meeting and asked City Manager Wilmarth if he would provide any additional information that he may have received.

City Manager Wilmarth provided the following information:

- Rea Ventures has submitted application asking for a tax credit to build the apartment complex to the Georgia Department of Community Affairs (DCA)
- Rea Ventures has proposed location under contract to purchase
- The development would extend south to the Georgia Power Property
- Proposed location is zoned to accommodate multifamily development
- Applicant does not require approval from the city since property is already zoned to accommodate multifamily development
- DCA is required to provide the Chief Elected Official a copy of the application once reviewed
- If Rea Ventures is not approved to receive tax credit they can still build the apartment complex
- If Rea Ventures is/is not awarded the tax credit and decided to build they will be required to purchase any required building permits, etc. as would anyone building a development/structure in Ball Ground
- If denied tax credit Rea Ventures can reapply in for tax credits in 5 years

City Manager Wilmarth stated the property is not zoned for just multifamily, but for single family structures and commercial development. Architectural standards and designs must be reviewed by city staff.

Mayor Roberts stated that an application submitted several years ago required a letter of support by Mayor and Council. That is no longer required stated Mayor Roberts.

Mayor Roberts told those in attendance that this is not a public hearing, but would allow anyone to speak to council if they signed up.

Betty Clayton spoke in opposition of the development.

Earlene Lockhart spoke in opposition of the development.

Virginia Stephens spoke in opposition of the development.

Ella Covington spoke in opposition of the development.

Michael Fredvihsen spoke in opposition of the development.

Jason Rich spoke in opposition of the development.

Don Henry spoke in opposition of the development.

Leonard Clayton spoke in opposition of the development.

Mayor Roberts thanked each one for their comments and encouraged each one to sign up for the city manager's email updates. Updates related to city projects, events, etc. are sent out by City Manager Wilmarth almost weekly. This would be a good way to receive information about matters of concern.

**Item 11: Executive Session:
No executive session held**

Item 12: Adjourn

There being no further business for Mayor and Council consideration a motion was duly made and seconded to adjourn at 9:00PM.

The minutes of the June 11, 2015 City Council Meeting will be considered for approval at the July 23, 2015 City Council Meeting.