

MINUTES

CITY OF BAINBRIDGE, GEORGIA

COUNCIL CHAMBERS OF CITY HALL

TUESDAY, JULY 19, 2005

6:30 P.M.

PRESENT: MAYOR B. K REYNOLDS, PRESIDING

ALDERMEN: ROSLYN PALMER, MAYOR PRO TEM JOE SWEET, MARK
HARRELL, LUTHER CONYERS AND ROLFE HUNT

OTHERS: CITY MANAGER CHRIS HOBBY, ACTING CITY CLERK
BEVERLY ALLEN

GUESTS: JIM YORK, LARRY FUNDERBURK, MIKE CONDER, JEFF &
SHEILA ELLIS, BRENNAN LEATHERS, TOM CONWAY,
SCOTT FORSYTH, CAROLE FLOYD, THELMA HARRELL,
AL KELLEY, TRAVIS DEBARDELABEN AND LARRY
STEINER

ABSENT: ALDERMAN GREG WADDELL

INVOCATION AND PLEDGE TO THE FLAG

Mayor Reynolds called the meeting to order at 6:30 p.m. Mayor Pro Tem Joe Sweet gave the invocation and all those assembled pledged allegiance to the flag of the United States of America.

APPROVAL OF MINUTES FOR REGULAR SESSION—JULY 5, 2005

Upon motion by Alderman Conyers, seconded by Alderman Harrell, and unanimously carried, the Council approved the minutes of the regular session held July 5, 2005.

SCHEDULED VISITOR – SCOTT FORSYTH

Scott Forsyth was before the Mayor and Council offering his annual report on the City's Employee Health Insurance Program. Mr. Forsyth also covered the renewal terms offered by the re-insurer.

FEE STRUCTURE - TENNIS COMPLEX

Al Kelley, Director of Leisure Services, was before the Mayor and Council to submit a proposal for the Tennis Complex fee structure. This rate proposal offers two alternative rate schedules; a single rate for all users and a tiered rate charging an additional fee for non-city residents. City Manager Hobby submitted a proposal from the County to provide annual support in exchange for leveling all fees charged at the Tennis Complex. City Manager Hobby told the Mayor and Council that it was his understanding that the County had included \$50,000.00 in this year's budget to cover this payment. The County will increase its payments over a five year period until an annual payment is equal to the current "Programs" budget. Alderman Palmer suggested that a student rate be added to the rate schedule. Alderman Hunt made the motion for approval of the set rates and to accept the proposal from the County. Alderman Palmer seconded the motion and was carried by the Council in a 5-0 decision.

[ATTACHMENT]

PLANNING COMMISSION RECOMMENDATIONS

Bryan Barnett submitted 3 subdivision plats for final approval by the Mayor and Council. The Planning Commission approved the plats at their July 12th regular session. After some discussion concerning traffic flow, Alderman Hunt made the motion to approve the three subdivision plats. Alderman Sweet seconded the motion and it carried in a 5-0 decision.

CONSIDERATION OF GEORGIA HERITAGE RESOLUTION

City Manager Hobby submitted a resolution to the Mayor and Council supporting the submission of a Historic Preservation Predevelopment Grant application. The Grant funds of \$20,000 will be used to facilitate the formulation of plans to guide the renovation of the Kwilecki Hardware Building. Alderman Conyers made the motion for approval of the application. The motion was seconded by Alderman Harrell and carried in a 5-0 decision.

[ATTACHMENT]

ADOPTION OF ORDINANCE

ORDINANCE # 594

City Manager Hobby brought before the Mayor and Council concerns from Public Safety about the elimination of several often used offences from the code. Municipal Code Corporation eliminated these code sections because they duplicated State of Georgia

Penal Statutes in violation of the state constitution. The concern of Public Safety is that with the absence of a local code cases will now have to be handled in State Court resulting in a revenue loss for the City. The Municipal Code Corporation has suggested that the City adopt a simple on sentence ordinance to read as follows:

It shall be unlawful for any person to commit any offence that is prohibited by the laws of the State of Georgia within the City of Bainbridge.

Alderman Palmer made the motion for approval of the ordinance. The motion was seconded by Alderman Conyers and carried in a 5-0 decision.

[ATTACHMENT]

CONSIDERATION OF MEDIACOM RATE FILING

City Manager Hobby advised the Mayor and Council that Mediacom filed its 2005 rate filings seeking adjustments charged to the Company's customers. GMA reviewed the filing on the City's behalf. GMA raises objections to the Digital Gateway tier of service. GMA asserts that the requirement that this service be purchased prior to customers being allowed to purchase pay-per-view services is in violation of Section 623(b) of the Federal Communications Act. The FCC has before them a complaint filed by Enfield, Connecticut in a similar policy of Cox Communications. GMA recommends that the City and Mediacom agree to abide by the FCC ruling in that case. Mediacom would be allowed to charge for Digital Gateway service, but would have to keep detailed records of all subscribers to the service in order to aid in reimbursement to those customers should the FCC rule in Enfield's favor. Alderman Harrell made the motion to adopt the rate

order but to hold Mediacom to the FCC ruling. The motion was seconded by Alderman Palmer and carried in a 5-0 decision.

INTERGOVERNMENTAL AGREEMENT

INMATE HOUSING

City Manger Hobby presented the proposal from Decatur County to provide the housing of City inmates at the Decatur County Detention Center. The agreement proposes a charge of \$33.08 per night per inmate. The agreement also proposes that the rate be increased annually at a rate equal to the Consumer Price Index. Alderman Harrell made the motion approving the proposal. Alderman Sweet seconded and the motion was carried in a 5-0 decision.

MUNICIPAL ELECTION QUALIFYING DATES

City Manager Hobby put before the Council the following dates for approval for qualifying for the election in November. The offices to be decided in this election are Mayor, At Large Council Seat 1; District A, Council Seat 2, and District B, Council Seat 3. The qualifying dates set by the State are September 12th-16th, 2005 between the hours of 9:00 a.m. and 4:30 p.m. at the offices of the Decatur County Board of Elections. Alderman Palmer made the motion approving the dates already set by the State. Alderman Harrell seconded the motion. The motion was carried in a 5-0 decision.

The Mayor and Council considered the following bids and bills:

Bids:

1. BATES ENGINEERING
BAINBRIDGE, GA
PUMPS FOR SEWAGE TREATMENT PLANT \$349,122.06
2. TRI-STATE OFFICE PRODUCTS
BAINBRIDGE, GA
FURNITURE FOR SHOP OFFICE. \$ 1,394.00
3. BAINBRIDGE LAWN IRRIGATION & TRENCHING
COLQUITT, GA
IRRIGATION SYSTEM – TENNIS COMPLEX \$ 9,100.00

Bills:

1. BLANKENSHIP CONTRACTING, INC.
DOTHAN, AL
SEWER MAIN TIMBERLANE DRIVE \$ 12,740.00
2. SOUTHWEST GA RDC
CAMILLA, GA
DUES ASSESSMENT \$ 2,660.18
3. BAINBRIDGE MACHINE CO.
BAINBRIDGE, GA
RAILROAD PROJECT \$ 1,487.16

Addendum:

1. BOB ROBERSON & ASSOCIATES
GRANT ADMINISTRATION \$ 1,000.80

Upon motion by Alderman Conyers, seconded by Alderman Hunt, and carried in a 5-0 decision, the Council accepted all the bids and agreed to pay the bills.

STREET CLOSURES

The Bishop Bottom Neighborhood is sponsoring a Going Back to School Celebration on July 30, 2005 from 12:00 p.m. to 6:30 p.m. and are requesting that a portion of Ford Street, Magnolia Street, Orange Street, St. Luke Street, Andrew Street, and Bishop Street be closed. This is an annual event for the Neighborhood. Alderman Hunt made the motion to close the streets. Alderman Sweet seconded the motion. The motion carried in a 5-0 decision.

ADJOURNMENT

With there being no further business, Mayor Reynolds adjourned the meeting.

BY: _____
B. K. REYNOLDS, MAYOR

ATTEST: _____
BEVERLY ALLEN, ACTING CITY CLERK