

**REGULAR COUNCIL MEETING
CITY OF SKY VALLEY, GEORGIA
MAY 17, 2011
TUESDAY, 9:00 AM
FELLOWSHIP HALL, 817 SKY VALLEY WAY**

MINUTES

Mayor Martindale called the meeting to order.

Those present: Mayor Martindale, Council President Moore, Councilors Howard, Kleiber, and Platt, Attorney Dickerson, City Manager Smith, Chief Dills, City Clerk Cantrell, and Tax Commissioner Mullins.

Pam Martindale gave the invocation. Mayor Martindale led the Pledge of Allegiance.

APPROVAL OF MINUTES

Council President Moore made a motion to approve the April 19 – Regular Council Meeting minutes, 2nd Councilor Howard, unanimously approved.

ADOPTION OF AGENDA

Council President Moore made a motion to adopt the agenda with the addition of the POA funding request for the annual 4th of July celebration events, 2nd Kleiber, unanimously approved.

MAYOR'S REMARKS

Mayor Martindale gave information on the upcoming May 28th Red, White, and BBQ Festival and encouraged everyone to attend.

COUNCIL REMARKS

None

DEPARTMENT REPORTS

Police Chief's Report – given by Chief Dills

Chief Dills encouraged people to watch for suspicious activities because there was some copper stolen from a home.

City Financial Report – given by City Clerk Cantrell

Tax Commissioner's Report – given by Tax Commissioner Mullins

Building Inspector's Report – given by City Manager Smith

City Manager's Report – given by City Manager Smith

OLD BUSINESS

- Approval of recoating Sky High water tank

City Manager Smith presented three proposals received for recoating the tank: Brown Painting Company, Pittsburg Tank and Tower Maintenance Co., and Smith's Car Care. She reviewed the repairs needed as recommended by the engineer. Mike Smith, Smith's Car Care, gave additional information on his proposal. Councilor Kleiber made a motion to approve Smith's Car Care's proposal, 2nd Council President Moore, unanimously approved.

COMMITTEE REPORTS

Planning and Zoning Commission – Chairman, David Carr

Chairman Carr gave a report of the Commission's work on the sign ordinance and color palette. He said another item they were charged with is outdoor lighting. The Commission recommends having a joint workshop with the Council to discuss outdoor lighting. City Clerk Cantrell read the proposed Color Palette Ordinance. Commissioner Carr gave information on the City of Helen's color palette. He said the Commission discussed whether to recommend colors to paint or colors that could not be used, and showed their proposed "exhibit A" for colors not allowed.

Chairman Carr gave the recommended changes to the current sign ordinance.

NEW BUSINESS

- POA funding request for annual 4th of July Celebration

Councilor Platt made a motion to give \$1,700, 2nd Kleiber, unanimously approved.

- Authorization to proceed with recommended changes to Sign Ordinance

Councilor Platt made a motion to proceed with the recommended changes, 2nd Kleiber. Councilor Kleiber thanked the Commission for the work they put into this. She recommended adding that outdoor signs be permitted only if the windows are not visible from the street. Council President Moore said that although he cannot vote on this, as a real estate agent, he is in favor of allowing a uniform sign on the road, and that he does not believe it will be fair to not allow everyone to put a sign in the yard. Councilor Platt expressed concern with having several for sale signs in yards. Citizen Paul Wheeler read a letter from Allen Jackson, former Planning and Zoning Vice-Chairman expressing concern that adding for sale signs will "clutter" the streets. Discussion followed about requiring the signs be purchased by the City or allowing the real estate agents put their own sign out. Councilor Kleiber said she can support a uniform sign, but not having different colored signs by each real estate company. The motion passed unanimously.

- Authorization to proceed with Color Palette

Councilor Kleiber made a motion to proceed with the recommendation by the Commission, 2nd Councilor Howard. Councilor Platt asked if this stigmatizes a property by calling it non-conforming. Discussion followed about energy efficiency and only allowing specific roof colors. Councilor Platt said she wondered if someone could talk to the person who painted the outlandish condo. The motion was 2:2 with Kleiber and Howard voting yea, and Moore and Platt voting nay.

- Approval of Restatement of Deferred Compensation Plan

City Manager Smith presented changes to the current 457(b) deferred compensation plan. Councilor Platt made a motion to adopt the changes, 2nd Councilor Kleiber. Attorney Dickerson said the only issue is to decide if the Council wants to include post-severance. It will be included as it does not affect the City. This is a voluntary plan paid into solely by employees. The motion passed unanimously.

- Permanent Easement 196 Moon Ridge

Council President Moore made a motion to approve the easement, 2nd Councilor Platt. Councilor Kleiber said that she believes they should pay any fines applicable for not getting a permit, but she does think it looks nice. Motion passed unanimously.

EXECUTIVE SESSION

PUBLIC FORUM AND GENERAL COMMENTS

Citizen Ray Brooker asked about the house of Tom Ewing, who has been working on the house for around 13 years. City Manager Smith said that most of the work remaining does not require a permit. Councilor Kleiber said that she had people ask her about this, and she spoke with the building inspector regarding this. City Manager Smith said that the building inspector has talked to the homeowner about the situation recently.

Citizen Steve Bischoff asked when the lodge will be torn down because it is an eyesore. Attorney Dickerson said that if the lodge becomes a health hazard, the City has a means to request the hazard be taken care of. Attorney Dickerson said the City can possibly abate the nuisance if we can establish a public safety case for the lodge.

Citizen Steve Bischoff asked the City to get involved with an issue regarding trees leaning toward his house on adjoining property. Attorney Dickerson said it is a civil matter between him and his neighboring property owner. He said he believes there must be some legal action the city can take against Merrill. Discussion followed about the City trying to obtain the un-deeded roads. City Manager Smith recommended Attorney Dickerson send a letter to Merrill if the City wants to try to take over these roads. Attorney Dickerson said they the roads are being used for public purpose for people to get to their houses, and the City has the authority to try to use the roads for public purpose, but there would be no City owned right of way area, it is only the actual road. Council President Moore asked if it would be appropriate to send a letter to Mr. Bischoff. Attorney Dickerson said that the City can declare the roads as City maintained streets declared for public purposes and send to the County to be on the public road registry.

Mayor Martindale requested having the building inspector look into the lodge and Mr. Ewing's house and giving a report at the next meeting.

There being no further discussion, Council President Moore made a motion to adjourn, 2nd Councilor Howard, unanimously approved.

Respectfully submitted:


James Martindale, Mayor

Attested:


Mandi Cantrell, City Clerk