

**CITY OF TEMPLE MINUTES
REGULAR MEETING OF THE TEMPLE CITY COUNCIL
MONDAY, MAY 5, 2008 – 6:30 PM
TEMPLE CITY HALL**

CALL TO ORDER:

Mayor Ford called the Regular Meeting of the Temple City Council to order at 6:30 pm with the following members present constituting a quorum: Councilmember Richard Bracknell, Councilmember Larry Estvanko, Councilmember Larry Mann, Councilmember Hiley Miller, and Councilmember William Simmons.

INVOCATION:

Sam Russell, Public Works Director gave the invocation.

CITIZENS COMMENTS: None

CONSENT AGENDA:

Mr. Simmons made a motion to approve the consent agenda second by Mr. Bracknell unanimous by Council.

PLANNING AND ZONING:

1. **ADH Development request to rezone 1 acre more or less located at 441 Carrollton Street from O-I to GC: ACTION TAKEN:** David Harrison came before the Mayor and Council to explain why he was asking for the rezoning. Ford opened the floor for public comment. Mr. John Morris, 203 Rome Street, said he thought when the property was first rezoned there was a stipulation that if sold; the property would revert back to the old zoning. There being no further comments, Ford returned the floor back to the Council. After discussion; Mr. Simmons made a motion to approve the request second by Mr. Mann unanimous by Council.
2. **Jeff and Pat Alexander's request to rezone 0.742 acre more or less located on Double D Road from LC to GC: ACTION TAKEN:** Pat Alexander came before the Mayor and Council and explained why she was asking for the rezoning. Ford opened the floor up for public comment. There being none, the floor was closed. After discussion; Mr. Simmons made a motion to approve the request second by Mr. Mann unanimous by Council.
3. **Chris Gover's request for a special land use permit for 40 Villa Rosa Road Suite 17 for the purpose of using the existing building for a church: REQUEST WITHDRAWN**

OLD BUSINESS:

1. **Second Reading of the City Administrator Ordinance:** After the second reading of the City Administrator Ordinance by Mr. Thomas; Mr. Bracknell made a motion to adopt the ordinance second by Mr. Simmons unanimous by Council.
2. **Second Reading of the Committee System Ordinance:** After the second reading of the Committee System Ordinance by Mr. Thomas; Mr. Bracknell made a motion to adopt the

ordinance second by Mr. Mann unanimous by Council. Mayor Ford nominated the following committee members:

a. <u>Financial</u>	Larry Mann & Richard Bracknell	Mann- Chairman
b. <u>Personnel</u>	Larry Estvanko & Hiley Miller	Estvanko-Chairman
c. <u>Public Safety</u>	William Simmons & Larry Mann	Simmons-Chairman
d. <u>Public Works</u>	Hiley Miller & Larry Mann	Miller-Chairman
e. <u>Recreation</u>	Richard Bracknell & Larry Estvanko	Bracknell-Chairman

Mayor Ford said he would like to see the committees meet the week before the regular council meetings; that way the data will be fresh and the committee chair can give committee reports at the council meetings. After discussion, the council decided to set the date and time for the committee meetings at the retreat.

NEW BUSINESS:

1. **Gold Award:** Mayor Ford explained that David Henson; Wastewater Superintendent was presented this award by the Georgia Association of Water Professionals in recognition of complete and consistent NPEDS permit compliance during the calendar year of 2007. This was the second year in a row that Temple has received this award.
2. **Rules of Decorum:** Ford asked for clarification on the three minute rule due to some confusion at the last council meeting. Does this rule apply to three minutes per each agenda item or three minutes total per person? Mr. Bracknell made a motion to post pone discussion on this item until the retreat second by Mr. Simmons unanimous by Council.
3. **Water Restrictions:** Sam Russell updated everyone on the current water restriction guidelines.
4. **Compliance of Codes:** Larry Estvanko stated due to some issues that had been brought to his attention about some of the new construction; he would like to know if we at the present time are compliant of all of our building codes, grading and everything to do with new construction. Mr. Bickford informed him that we are in compliance except for Temple Crossing.
5. **Readopt Animal Control Agreement with Carroll County:** Mr. Thomas advised that some issues have come up about the enforcement of the agreement between Temple and Carroll County. He said that a couple of years ago each municipality adopted the Carroll County Animal Control Ordinance and executed an agreement with the county for the county to enforce the ordinance and the cases would be heard in magistrate court or state court. Eventually the originals of the agreement has been misplaced down in the commissioner's office; so the city attorneys, Judge Johnson, Judge Sullivan, and the county agreed that every municipality should readopt the agreement. After the reading of the agreement by Mr. Thomas; Mr. Bracknell made a motion to reapprove the Animal Control Agreement with Carroll County second by Mr. Mann unanimous by Council.
6. **Mileage Rate:** After a brief discussion; Mr. Mann made a motion to approve the 2008 IRS Standard Mileage Rate of 50.5 cents per mile second by Mr. Simmons unanimous by Council.

7. **Ethics Ordinance:** Mr. Thomas explained that it has come to his attention that questions have been raised regarding the process of enacting the City of Temple Ethics Ordinance. He explained after extensive research we can only find documentation that the ordinance was read only one time; therefore , I am recommending that the Ethics Ordinance be read at two consecutive meetings and be readopted. Mr. Estvanko questioned Mr. Thomas where we stand on his ethics complaint. He advised if the ordinance was not properly adopted then the complaint would be void. Mr. Estvanko also questioned why nothing had been done on his ethics complaint within the thirty day time frame. After discussion on the proper time to make changes to the ordinance and what would happen to the pending complaints; Mr. Simmons made a motion to have the first reading of the Ethic Ordinance second by Mr. Mann. The motion carries on a vote of 4-1 with Mr. Estvanko abstaining. The first reading of the Ethics Ordinance was done by Mr. Thomas with the second reading schedule for the next council meeting.

MAYOR AND COUNCIL CLOSING COMMENTS:

1. The Temple City Council Retreat date was set May 15, 2008 from 4:00 pm to 8:00 pm at the Temple Senior Center.
2. Mr. Bracknell made a motion to approve the rental of the Senior Center for a graduation reception on May 23, 2008 second by Mr. Estvanko unanimous by Council.
3. Mr. Bracknell made a motion to approve the preexisting agreement for the rental of the activity at the Temple Gymnasium for May 17, 2008 second by Mr. Mann unanimous by Council.

EXECUTIVE SESSION:

Mr. Simmons made a motion to adjourn at 7:20 pm in order to go into executive session in order to discuss Personnel and Legal issues second by Mr. Bracknell unanimous by Council.

RETURN TO REGULAR SESSION:

Mr. Bracknell made a motion to return to regular session at 9:04 pm second by Mr. Simmons unanimous by Council.

Mr. Mann made a motion to hire a part time clerk at City Hall while Tina Duncan is out on maternity leave with an hourly rate not to exceed \$11.85 and they will not receive any benefits.

Maternity leave for an employee will be established at the special called meeting on Tuesday, May 13, 2008.

ADJOURNMENT:

A motion for adjournment was made by Mrs. Miller at 9:10 pm second by Mr. Bracknell unanimous by Council.

Rick Ford, Mayor

Kim Pope, City Clerk

