

MINUTES
REGULAR MEETING OF THE MONTEZUMA
CITY COUNCIL

April 14, 2009

CALL TO ORDER: Mayor Willie J. Larry called the meeting to order at 6:00 P.M.

INVOCATION: The invocation was given by Mayor Larry and a Moment of Silence was observed in honor of Council Member Cordel Jackson who passed away on March 21, 2009.

PRESENT: Mayor Willie J. Larry; Council Members; Charles Glover, Frank Lester, Roy Barker and Charles Ivey; City Clerk, Joyce Hardy; Police Chief, Eric Finch; Downtown Manager, Camille Bielby; W/WW Chief Jim Copland and City Attorney, Jon Coogle.

ABSENT: Council Members James Trask and Cordel Jackson

ACTIONS

MOTION #1 TO ACCEPT MINUTES OF REGULAR COUNCIL MEETING OF MARCH 10, 2009 AND SPECIAL CALLED MEETING OF FEBRUARY 17, 2009 AS RECEIVED BY ALL MEMBERS.

MOTION BY: Mr. Glover
SECOND BY: Mr. Lester
VOTE: Unanimous in Favor Of

MOTION #2 TO ISSUE A "CERTIFICATE OF NON-CONFORMING USE" TO GATEWAY CONSTRUCTION CO/COLE AGENCY TO ALLOW CONSTRUCTION OF AN AFFORDABLE APARTMENT COMPLEX WITH THE FOLLOWING STIPULATIONS: 1) CONSTRUCTION MUST BEGIN PRIOR TO THE END OF APRIL, 2011. 2) PROPERTY MAY NOT BE SOLD TO ANY ENTITY WHOSE OWNERSHIP WOULD REMOVE THE PROPERTY FROM THE TAX DIGEST: A copy of the CONCU is attached to and made a part of these Minutes. Attachment #1

MOTION BY: Mr. Lester
SECOND BY: Mr. Glover
VOTE: Unanimous in Favor Of

MOTION #3 TO ISSUE A LICENSE TO PIYUSH D. PATEL (dba CHOOSE #3) FOR SALE OF PACKAGED BEER AND WINE FROM ESTABLISHMENT LOCATED AT 333 W. DRAYTON STREET:

MOTION BY: Mr. Lester
SECOND BY: Mr. Ivey
VOTE: Unanimous in Favor Of

MOTION #4 TO GRANT APPROVAL TO PROCEED WITH FORMAL APPLICATION FOR CITY'S FIRST ECONOMIC STIMULUS PROEJCT CONSISTING OF SEWER LINE REPAIRS TO INCLUDE VIDEO INSPECTION AD MAPPING (\$600,000) AND PUMP STATION REPAIRS (\$400,000). Jim Copland and Council Member Trask will recommend Engineer for this project.

MOTION BY: Mr. Barker
SECOND BY: Mr. Lester
VOTE: Unanimous in Favor Of

MOTION #5 TO APPROVE ALL ISSUES ON THE CONSENT AGENDA, AS FOLLOWS:

ADOPT RESOLUTION #504 AUTHORIZING SUBMISSION BY MIDDLE FLINT RDC OF THE SOLID WASTE MANAGEMENT PLAN FOR 2008 THROUGH 2018. A copy of Resolution #504 is attached to and made a part of these Minutes. Attachment #2.

ADOPT RESOLUTION #508 AS FINAL AMENDMENT TO THE GENERAL FUND BUDGET FOR FY2008. A copy of Resolution #508 is attached to and made a part of these Minutes. Attachment #3.

ADOPT RESOLUTION #509 IN SUPPORT OF AFFORDABLE HOUSING FOR THE ELDERLY IN MONTEZUMA AND THE PROPOSED CORTEZ SENIOR HOUSING COMPLEX PLANNED FOR WALNUT STREET. A copy of Resolution #509 is attached to and made a part of these Minutes. Attachment #4.

APPROVE PAYMENT TO MIDDLE FLINT HEATING AND AIR IN THE AMOUNT OF \$1,850 FOR EMERGENCY

REPLACEMENT OF COMPRESSOR ON THE AIR CONDITION UNIT THAT SERVES THE POLICE DEPARTMENT.

AWARD BID FOR AIRPORT CRACK SEAL PROJECT TO LOW BIDDER, WALL ASPHALT AND SERVICE, AT A TOTAL COST OF \$40,250 AS RECOMMENDED BY JACK MAYFIELD, AIRPORT ENGINEER. Funds for this project are Federal 95% (\$38,237.50), State – 2.5% (1006.25), Local – 2.5% (\$1,006.25)

ADOPT BUDGETS FOR REVOLVING LOAN FUNDS FOR FY 2009. A copy of both Budgets is attached to and made a part of these Minutes. Attachment #5.

ADOPT RESOLUTION #510 AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR AIRPORT FUNDING UNDER THE AIR GEORGIA PROGRAM. A copy of Resolution #510 is attached to and made a part of these Minutes. Attachment #6.

AWARD CONTRACT FOR ENGINEERING SERVICES ON THE UPCOMING CDBG WATER PLANTS IMPROVEMENTS PROJECT TO HOFSTADLER AND ASSOCIATES, INC OF MACON GEORGIA.

ADOPT RESOLUTION #511 PROCLAIMING MAY 11TH THROUGH MAY 15TH, 2009 AS “NATIONAL NURSING HOME WEEK” IN MONTEZUMA. A copy of Resolution #511 is attached to and made a part of these Minutes. Attachment #7.

ADOPT RESOLUTION #512 RESCINDING RESOLUTION #507 THAT INCORRECTLY STATED MATCHING FUNDS FOR THE UPCOMING CDBG WATER FUND PROJECT WOULD COME FROM THE GENERAL FUND. A copy of Resolution #512 is attached to and made a part of these Minutes. Attachment #8.

ADOPT RESOLUTION #513 COMMITTING UP TO \$30,000 IN MATCHING AND LEVERAGE FUNDS FOR UPCOMING CDBG WATER PLANT PROJECT. A copy of Resolution #513 is attached to and made a part of these Minutes. Attachment #9.

AMEND FIRE DEPARTMENT SOP AS REQUESTED BY CHIEF TRUSSELL. A copy of amendment is attached to and made a part of these Minutes. Attachment #10.

AUTHORIZE CHIEF TRUSSELL TO SUBMIT AN APPLICATION FOR FIRE EQUIPMENT UNDER THE FIRE ACT GRANT PROGRAM. If grant is approved, City's 5% share will be budgeted in the FY2010 Budget.

MOTION BY: Mr. Lester
SECOND BY: Mr. Barker
VOTE: Unanimous in Favor Of

COMMITTEE REPORTS

MAYOR'S REPORT

No Report.

FIRE & EMERGENCY SERVICES COMMITTEE – MAYOR LARRY

No Report

POLICE COMMITTEE – COUNCIL MEMBER IVEY

No Report

WATER & SEWER UTILITIES COMMITTEE – COUNCIL MEMBER TRASK

Absent

STREETS, SANITATION CEMETERY & PARKS COMMITTEE – COUNCIL MEMBER GLOVER

No Report.

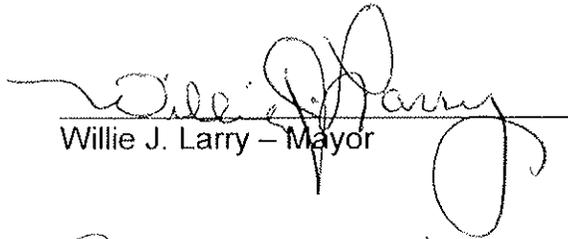
**FINANCE, PERSONNEL & BUDGET COMMITTEE – COUNCIL MEMBER
LESTER**

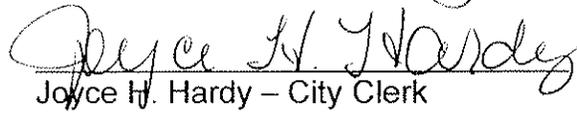
No Report

PUBLIC PROPERTIES COMMITTEE – COUNCIL MEMBER BARKER

No Report

ADJOURN: With no further business, the meeting was adjourned.


Willie J. Larry – Mayor


Joyce H. Hardy – City Clerk

Resolution #504

RESOLUTION AUTHORIZING SUBMISSION
DRAFT GREATER MACON COUNTY SOLID WASTE MANAGEMENT PLAN
2008-2018

WHEREAS; the Cities of Montezuma, Ideal, Marshallville, and Oglethorpe, and Macon County have prepared a draft solid waste management plan in accordance with O.C.G.A. § 12-8-20 as implemented by Minimum Planning Standards and Procedures for Solid Waste Management promulgated by the Georgia Department of Community Affairs, and

WHEREAS; said document expresses the desire of local jurisdictions to improve the quality of solid waste management in the community, and

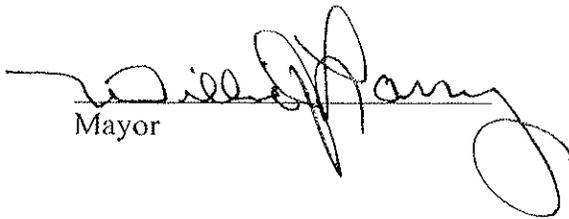
WHEREAS; the minimum public participation requirements of the Minimum Planning Standards and Procedures for Solid Waste Management have been satisfied.

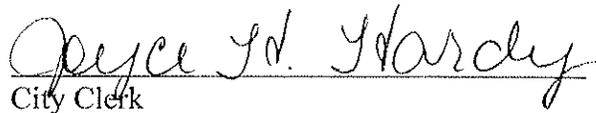
NOW, BE IT THEREFORE RESOLVED; that in accordance with specific, applicable provisions of said Minimum Planning Standards and Procedures for Solid Waste Management, the Montezuma City Council does hereby authorize submission of the draft Greater Macon County Solid Waste Management Plan 2008-2018 to the Middle Flint Regional Development Center to initiate mandated regional and state reviews.

Adopted and executed in session this 14th day of April, 2009

CITY OF MONTEZUMA

ATTEST:


Mayor


City Clerk

RESOLUTION NUMBER 508**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF MONTEZUMA GEORGIA TO
AMEND THE GENERAL FUND BUDGET FOR FISCAL YEAR 2008**

WHEREAS, the local budget for the City of Montezuma, Georgia was adopted on the 25th day of September, 2007,

WHEREAS, it is necessary to amend said budget now,

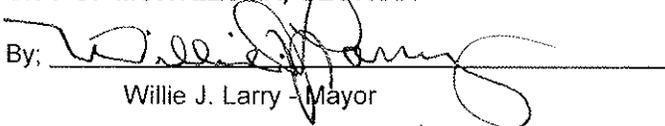
THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Montezuma, Georgia that the following amendments to the General Fund Budget be made.

		FROM	TO
REVENUES			
33.1100	Fire Dept Grant	\$ 29,189	\$ -
36.1000	Interest Earnings	\$ 50,000	\$ 8,000
	Sale of Capital Assets	\$ -	\$ 13,519
EXPENDITURES			
	EXPENDITURES		
1100	MAYOR & COUNCIL	\$ 132,000	\$ 133,000
1500	ADMINISTRATIVE	\$ 327,761	\$ 333,000
3200	POLICE DEPARTMENT	\$ 830,000	\$ 832,000
3960	FLODD CONTROL	\$ 6,768	\$ 3,268
4200	STREET DEPARTMENT	\$ 324,000	\$ 300,000
5144	MOSQUITO CONTROL	\$ 13,000	\$ 3,000
6200	PARKS DEPARTMENT	\$ 48,267	\$ 50,767
UNRESERVED FUND BALANCE			
	GEN FUND-UNRESERVED FUND BALANCE	\$ 102,557	\$ 132,557

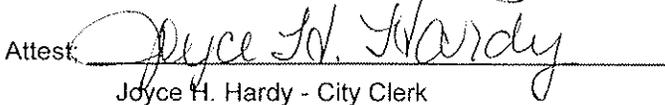
RESOLVED this 14th day of April, 2009

CITY OF MONTEZUMA, GEORGIA

By:


Willie J. Larry - Mayor

Attest:


Joyce H. Hardy - City Clerk

Resolution #504

RESOLUTION AUTHORIZING SUBMISSION
DRAFT GREATER MACON COUNTY SOLID WASTE MANAGEMENT PLAN
2008-2018

WHEREAS; the Cities of Montezuma, Ideal, Marshallville, and Oglethorpe, and Macon County have prepared a draft solid waste management plan in accordance with O.C.G.A. § 12-8-20 as implemented by Minimum Planning Standards and Procedures for Solid Waste Management promulgated by the Georgia Department of Community Affairs, and

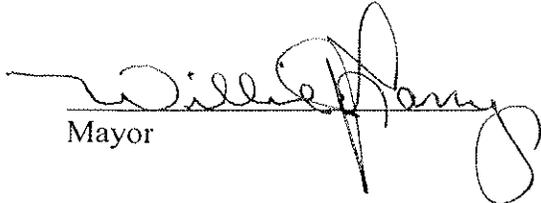
WHEREAS; said document expresses the desire of local jurisdictions to improve the quality of solid waste management in the community, and

WHEREAS; the minimum public participation requirements of the Minimum Planning Standards and Procedures for Solid Waste Management have been satisfied.

NOW, BE IT THEREFORE RESOLVED; that in accordance with specific, applicable provisions of said Minimum Planning Standards and Procedures for Solid Waste Management, the Montezuma City Council does hereby authorize submission of the draft Greater Macon County Solid Waste Management Plan 2008-2018 to the Middle Flint Regional Development Center to initiate mandated regional and state reviews.

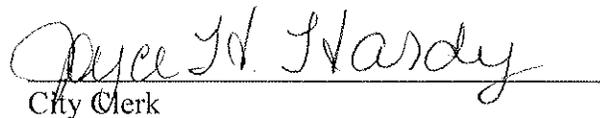
Adopted and executed in session this 14th day of April, 2009

CITY OF MONTEZUMA



Mayor

ATTEST:



City Clerk

FLOOD REVOLVING LOAN FUND - 202
BUDGET WORKSHEET
FY 09

GL#		FY09	
		ADOPTED	NOTES
	OPERATING REVENUES		
36.1111	INTEREST EARNED ON INVESTMENTS	\$ 100	
	TOTAL OPERATING REVENUES	\$ 100	

OPERATING EXPENSES		
52.1100	ACCOUNTING & AUDITING EXPENSE	\$ 2,000
57.3006	SEWER OFFSET FOR ALLEN'S	\$ 149,600
57.4000	BAD DEBTS/LOAN REDUCTION	\$ 70,384
	TOTAL OPERATING EXPENSES	\$ 221,984

NET OPERATING INCOME	\$ (221,884)
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NET INCOME BEFORE CAPITAL BUDGET	\$ (221,884)
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CASH ON HAND AT FYE 08	\$33,020
LESS OPERATING EXPENSES W/O DEBT REDUCTION	-\$151,500
PLUS CASH EXPECTED IN FY09	\$119,342
CASH ON HAND AT FYE 09	\$862

CITY WAS GIVEN PERMISSION TO LIQUIDATE THIS FUND THROUGH BUYOUTS WITH DEBTORS & USING FUNDS RECEIVED TO OFFSET THE CITY'S SEWER RATE TO ALLEN'S. THIS IS FOR ONE YEAR ONLY OR UNTIL ALL FUNDS ARE EXHAUSTED.

REVOLVING LOAN FUND - 201
BUDGET WORKSHEET
FY 09

GL#		FY09	
		ADOPTED	NOTES
	REVENUES		
36.1111	INTEREST EARNED ON INVESTMENTS	\$ 250	
36.1118	INTEREST EARNED ON LOANS	\$ 11,059	
	TOTAL OPERATING REVENUES	\$ 11,309	
	OPERATING EXPENSES		
550.7563			
52.1100	ACCOUNTING & AUDITING EXPENSE	\$ 2,000	
	TOTAL OPERATING EXPENSES	\$ 2,000	
	NET OPERATING INCOME	\$ 9,309	
	NET INCOME BEFORE CAPITAL BUDGET	\$ 9,309	

All income remains in fund to lend out to new and/or expanding businesses.

Resolution #510

RESOLUTION AUTHORIZING THE FILING OF APPLICATIONS WITH AIRGEORGIA AUTHORITY FOR PROGRAM MONIES TO OBTAIN FUNDING FOR THE IMPROVING OF THE DR. C P SAVAGE SR. AIRPORT

WHEREAS, City of Montezuma is improving the Dr. C P Savage Sr. Airport to meet the current Level two Airport requirements which will serve Macon County and the region; and

WHEREAS, the immediate need is for runway extension, lighting, fencing and other improvements, and land acquisition; and

WHEREAS, the City of Montezuma possesses full Legal Authority to make application to AirGeorgia for grant monies; and

WHEREAS, the Airport Authority has found it needful and necessary to file applications for Program monies;

NOW THEREFORE BE IT RESOLVED, and it is hereby resolved that the City of Montezuma approves and authorizes the filing of said applications including all understandings and assurances necessarily contained therein; and

BE IT FURTHER RESOLVED that the City of Montezuma directs the Mayor to execute and file said applications on behalf of the City to furnish additional information as required by the grant sources, and to do all those acts which are needful and necessary to expedite approval of said applications.

This 14th Day of April, 2009

CITY OF MONTEZUMA

By: Willie James Larry
Willie James Larry, Mayor

Attest: Joyce H. Hardy
Joyce H. Hardy, City Clerk

Resolution #511

**A PROCLAMATION OF THE CITY OF MONTEZUMA
Designating May 11th – 15th, 2009 as
“National Nursing Home Week”
in the City of Montezuma**

WHEREAS, our community’s citizens now residing in nursing homes have contributed immeasurably to Montezuma’s heritage of the years; and

WHEREAS, our community’s nursing homes residents are themselves living history; and

WHEREAS, Montezuma Health and Rehabilitation, a 100-bed skilled nursing facility located in Montezuma, with its philosophy of caring for the total person, merges expert medical care with a sensitive, personal touch to this community’s seniors; and

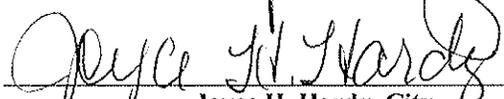
WHEREAS, Montezuma Health and Rehabilitation, along with member facilities of the American Health Care Association, are sponsoring many activities in observance of National Nursing Home Week guided by this year’s theme “Love is Ageless” which begins on Mother’s Day, May 11th.

THEREFORE, I, Willie James Larry, as mayor of the City of Montezuma, urge all members of this community to join in this year’s National Nursing Home Week observances by visiting Montezuma’s nursing home residents and by recognizing the high quality of care that our nursing facilities are providing.

This 14th Day of April, 2009.

CITY OF MONTEZUMA, GEORGIA

By: 
Willie J. Larry, Mayor

Attest: 
Joyce H. Hardy, City

Resolution #512

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF
MONTEZUMA, GEORGIA RESCINDING RESOLUTION #507 IN ITS
ENTIRETY

WHEREAS, Resolution #507 was passed incorrectly stating that General Fund monies would be allocated as matching funds for a Water Plant CDBG Project, and

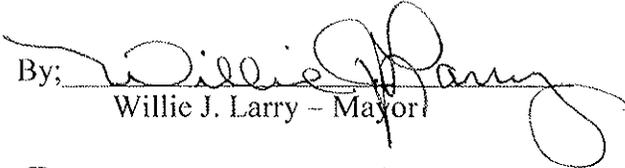
WHEREAS, a new Resolution will be adopted to both increase the allocation amount from \$10,000 to \$30,000 and the change the fund from which the allocation will be made to the Water Fund,

NOW, THEREFORE, be it resolved that Resolution #507 is hereby rescinded as if never adopted.

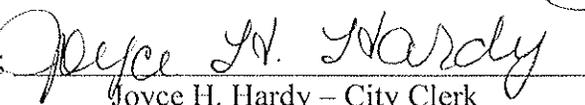
This 14th day of April, 2009.

CITY OF MONTEZUMA, GEORGIA

By:


Willie J. Larry - Mayor

Attest:


Joyce H. Hardy - City Clerk

Resolution #513

**CITY OF MONTEZUMA RESOLUTION AUTHORIZING THE
OBLIGATION OF \$ 30,000 IN CASH MATCH and LEVERAGE FUNDS FROM
CITY OF MONTEZUMA WATER FUNDS FOR THE PURPOSE OF MATCH
FOR A FY 2009 COMMUNITY DEVELOPMENT BLOCK GRANT FROM THE
GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS**

WHEREAS the City Council of the City of Montezuma possesses full legal authority to obligate monies in the City's Funds for specific purposes; and

WHEREAS, the City Council has found it needful and necessary to submit an application to the Georgia Department of Community Affairs for a Fiscal Year 2009 Community Development Block Grant in an amount not to exceed \$500,000.00; and

WHEREAS, the required local cash match for a Community Development Block Grant is five percent (5%) for amounts above \$300,000 and below \$500,000; and

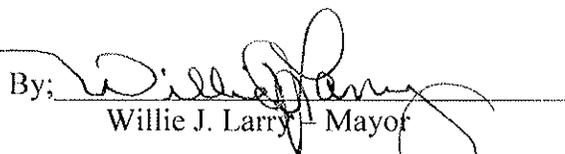
WHEREAS, the City Council will allocate \$10,000 from City Water Fund as cash match and \$20,000.00 from the Water Fund to be used as cash leverage funds; and

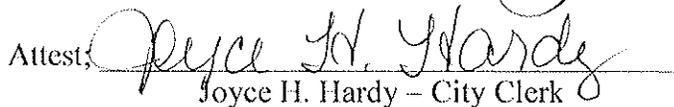
NOW THEREFORE BE IT RESOLVED and it is hereby resolved that, contingent upon the receipt of the requested grant funds from the Georgia Department of Community Affairs, the City Council obligates a total sum of \$30,000 from the City of Montezuma Water Fund for the purpose of cash match, and cash leverage, this action being necessary to carry out the aforementioned Community Development Block Grant; and

BE IT FURTHER RESOLVED that the City Council directs the Mayor or Mayor Pro- Tem to execute and submit such documentation of this action as may be required by the Georgia Department of Community Affairs.

This 14th day of April, 2009.

CITY OF MONTEZUMA, GEORGIA

By: 
Willie J. Larry - Mayor

Attest: 
Joyce H. Hardy - City Clerk

VEHICLE AND EQUIPMENT OPERATION

*Attachment
#10*

- 5.1 Only personnel properly trained, authorized, and licensed shall be allowed to operate equipment. This includes, but is not limited to, all vehicles. Drivers/operators will be subject to an annual motor vehicle records check.
- 5.2 Responding to any incident while under the influence of drugs and/or alcohol will be grounds for immediate dismissal. Any firefighter who is suspected of being impaired shall be reported to the incident commander and/or any law enforcement representative who may be present. They shall be responsible for determining if the firefighter is impaired.
- 5.3 Effective 10/17/00 no **NEW** red light permits will be issued.
- 5.4 All personnel shall wear their seat belt when responding to an alarm regardless of the ownership of the vehicle. There are no exceptions.
- 5.5 "Tailboard riding" will not be allowed under any circumstances.
- 5.6 When responding in a city owned vehicle permitted as an emergency vehicle, all personnel must obey the Official Code of Georgia Annotated (OCGA) Section 40-6-6, and shall not exceed the posted speed limit by more than ten miles per hour and must stop at all intersections and make sure the intersection is clear before proceeding.
- 5.7 Any unauthorized use of an emergency beacon or siren, whether on a personal or department vehicle shall result in immediate dismissal.
- 5.8 When responding in a personal vehicle all personnel are required to obey all traffic laws as found in OCGA Section 40-6-6 and shall not exceed the posted speed limit by more than ten miles per hour and must stop at all intersections and make sure the intersection is clear before proceeding.
- 5.9 Operating equipment or vehicles, whether department or personal, in a reckless or unsafe manner will result in immediate dismissal and an investigation by the local law enforcement agency which is authorized to make a case against the offender. Likewise, the local law enforcement agency is authorized to stop any vehicle operating outside the applicable traffic laws.
- 5.10 Upon arrival at an incident scene, all personal vehicles are to park well clear of the incident so as not to interfere with operations.

- 5.11** Before responding to an alarm, it is the responsibility of all personnel to be certain of the location and situation and to respond only with appropriate equipment.
- 5.12** When responding to an alarm, it is the responsibility of all personnel to respond in an appropriate manner. All emergency beacons, headlights, and siren shall be activated in accordance with OCGA Section 40-6-6.
- 5.13** No driver shall pass any apparatus on the way to an incident, unless that apparatus has become disabled. The only exception shall be the Fire Chief's vehicle.
- 5.14** No vehicle shall be backed up without a spotter directing the driver.
- 5.15** When returning from an alarm, the operator shall turn off all beacons and sirens and he must obey all traffic laws.
- 5.16** After an incident, **ALL** firefighters must return to the station to put equipment back in service and prepare it for the next call. The only exception shall be for personnel who must return to their employment. Personnel who must return to work are responsible for notifying the Chief or the incident commander that they are leaving.
- 5.17** Upon returning to the station, the Chief or the incident commander will be responsible for logging the incident, equipment placed in service, and personnel responding.
- 5.18** Under no circumstances shall any non-member of the department be allowed to ride on any apparatus, with the exception of, any public safety officer or government agent or emergency transport to a medical facility shall be allowed if this is the purpose of the vehicle
- 5.19** In the event of an accident involving a department vehicle, immediate backup shall be called for and appropriate action at the scene taken. This action shall include having law enforcement personnel dispatched, caring for any injured persons, and securing the accident scene. After these steps have been taken, the accident report form in Appendix C shall be completed.
- 5.20** No member of this fire department will respond, as a member of this department, and no equipment will be sent to an incident outside of Montezuma's response area unless the department and/or you are called for by a mutual aid department. The Fire Chief will be notified, before responding to calls for help outside of Macon County.

VEHICLE AND EQUIPMENT OPERATION

- 5.1** Only personnel properly trained, authorized, and licensed shall be allowed to operate equipment. This includes, but is not limited to, all vehicles. Drivers/operators will be subject to an annual motor vehicle records check.
- 5.2** Responding to any incident while under the influence of drugs and/or alcohol will be grounds for immediate dismissal. Any firefighter who is suspected of being impaired shall be reported to the incident commander and/or any law enforcement representative who may be present. They shall be responsible for determining if the firefighter is impaired.
- 5.3** Effective 10/17/00 no **NEW** red light permits will be issued.
- 5.4** All personnel shall wear their seat belt when responding to an alarm regardless of the ownership of the vehicle. There are no exceptions.
- 5.5** "Tailboard riding" will not be allowed under any circumstances.
- 5.6** When responding in a personal vehicle permitted as an emergency vehicle, all personnel must obey the Official Code of Georgia Annotated (OCGA) Section 40-6-6.
- 5.7** Any unauthorized use of an emergency beacon or siren, whether on a personal or department vehicle shall result in immediate dismissal.
- 5.8** When responding in a personal vehicle not permitted as an emergency vehicle, all personnel are required to obey all traffic laws as found in OCGA Section 40-6-6.
- 5.9** Operating equipment or vehicles, whether department or personal, in a reckless or unsafe manner will result in immediate dismissal and an investigation by the local law enforcement agency which is authorized to make a case against the offender. Likewise, the local law enforcement agency is authorized to stop any vehicle operating outside the applicable traffic laws.
- 5.10** Upon arrival at an incident scene, all personal vehicles are to park well clear of the incident so as not to interfere with operations.

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- 5.18** Under no circumstances shall any non-member of the department be allowed to ride on any apparatus, with the exception that emergency transport to a medical facility shall be allowed if this is the purpose of the vehicle.
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