

**REGULAR MEETING
FEBRUARY 8, 2010**

The Mayor and City Council of the City of Washington, Georgia, held their regular monthly meeting on Monday, February 8, 2010, 6 PM in the Council Chambers of City Hall. Mayor W. E. Burns presided.

Present were: Mayor Burns, Council members Barnett, Cullars, Eaton, Pope, Rainey and Tutt. Also present were City Administrator Eskew, City Clerk Danner, City Attorney Fleming and City Police Chief Davis.

Visitors present included: Henry Harris, Martha Coulter, Marshall Waters, III, Robert Geiger, Edward Franklin, Louis Riccutti, Robert Aiken, Kurt Wolfe, Ronnie Cofer, Mike Scarborough, Dottie Norman, Rosalie Haynes, Mattie McManus, Mildred Hudson, Barbara Bacon, Gail Boyd, Charles Leverette, Terri Thigpen, Gene Thigpen, Ida Jackson, Felicia Browner, Sarah Davis, Sintasha Binns, Bobby Gartrell, Linda Anderson, Troy Anderson, Robert Armour, Cathy Armour, Ann Tanner, Patsy Winn, Mary Burt, Andrew Jackson, Rose Hall, Hattie Callaway, Louise Mahoney, Tonika Mahoney, Bernice Binns, Mary Ann Harris, Jasmine Callaway, Bessie Porter, Raymond Porter, Jessica Booker, Joylita Booker, Ronnie Huffman, Billy Hopkins, Tom Wells, Albert Rucker, Mildred Hackney, Jan Hampton, Rachel Arnold, Stan Arnold, Hattie Ramsey, Adrienne Kendrick, Janette Thomas, James Thomas, Gladys Day, Eddie Finnell, Rosemary Hopkins, Shameco Tutt, Tammatha Owens, Loretta Fanning, Brenda Wingfield, Uriah Barnes, Cadetris Davis, Marie Tolbert, Penny Ware, Dot Jordan, althea Harden, Karen Abrams, Chris Perlotte, Rachel Jackson, Fulani Doughty, Blake Thompson, Alan Soto, Ashley Barnett, Don French, Clara Sutton and Kip Burke of the News Reporter.

Rev. Albert Rucker opened the meeting in prayer followed by the Pledge of Allegiance.

MINUTES APPROVED

On motion by Eaton, second by Cullars, council approved 6 to 0 the minutes of the regular meeting held January 11, 2010, a Public Hearing held January 12, 2010, and the Council Retreat held January 29, 2010.

AGENDA APPROVED

On motion by Eaton, second by Cullars, council approved 6 to 0 the meeting agenda as presented and adding an item requiring no action from Council member Pope.

TOURISM – ASHLEY BARNETT

Tourism Director Ashley Barnett reminded council of events associated with Revolutionary Days during the weekend of February 12-14, 2010.

Mrs. Barnett advised that Georgia Public Broadcasting will air a segment on Washington at 9 PM on February 12, 2010.

Mrs. Barnett further reminded council of Black History month celebrations on February 20, 2010, with a Unity Walk beginning at 3 PM.

CHAMBER UPDATE – ALAN SOTO

Chamber President Alan Soto advised council that a ribbon cutting for Tangles Salon had been held during the past week and that chamber membership cards could be expected in the mail mid-March.

Soto also advised that there are tickets available for the upcoming STAR student breakfast on February 16, 2010 at the Fitzpatrick.

MAIN STREET UPDATE – DAVID JENKINS

Main Street Director Jenkins presented to council for approval an intergovernmental agreement between the City of Washington and the Washington URA for remediation of Anderson's Service Station property.

INTERGOVERNMENTAL AGREEMENT – CITY OF WASHINGTON/WASHINGTON URA

On motion by Eaton, second by Cullars, council approved 6 to 0 the following intergovernmental agreement between the City of Washington, Georgia and the Washington Urban Redevelopment Authority.

INTERGOVERNMENTAL AGREEMENT BETWEEN CITY OF WASHINGTON, GEORGIA AND CITY OF WASHINGTON URBAN REDEVELOPMENT AUTHORITY RELATED TO REMEDIATION OF ANDERSON'S SERVICE STATION.

THIS INTERGOVERNMENTAL AGREEMENT (the "Agreement") made and entered into this 8th day of February, 2010, by and between the City of Washington, Georgia, a municipal corporation existing under the laws of the State of Georgia ("City") and the City of Washington Urban Redevelopment Authority ("Authority"). City and Authority are hereinafter collectively referred to as the "Parties."

WHEREAS, the Authority was duly created pursuant to the Georgia Urban Redevelopment Law OCGA 36-61-17 ("the Act"); and

WHEREAS, under the Act, the Authority has, among others, the power to arrange and contract for public improvements in connection with implementing the Southwest Washington Urban Redevelopment Plan ("the Plan"); and

WHEREAS, in connection with the Plan, the City has secured Phase I and Phase II petroleum environmental assessments to determine if certain property within the Plan area would require remediation of petroleum products and related substances; and

WHEREAS, the Phase I and Phase II petroleum environmental assessments indicated a parcel of real property located within the Plan area that once contained a gasoline service station ("Anderson's Service Station") that would involve petroleum products and related substances remediation, including removal of old gasoline, oil, and related liquids tanks, in order to encourage reuse and redevelopment of said real property; and

WHEREAS, the City and Authority desire to make the recommended improvements to the Anderson's Service Station property in connection with the Plan; and

WHEREAS, the City has received estimates that improvements to Anderson Station and removal of the oil tanks will cost approximately \$40,000.00 to complete; and

WHEREAS, the Parties desire to have the Authority ensure these improvements are made to Anderson's Service Station;

WHEREAS, the undersigned parties are authorized under the Constitution and laws of the State of Georgia to enter into this Agreement for the purposes set forth herein.

NOW, THEREFORE, for and in consideration of the promises and covenants hereinafter contained, the parties hereby agree as follows:

ARTICLE 1 – PROVISION OF FINANCIAL SUPPORT

The City will provide financial support to Authority for the purpose of remediating the Anderson's Service Station site, including but not limited to, removal of oil tanks existing on the property.

ARTICLE 2 – RESPONSIBILITY OF AUTHORITY

The Authority will ensure the Anderson's Service Station site is remediated and may enter into any and all contracts necessary to see the needed work is performed.

ARTICLE 3 – ENTIRE AGREEMENT

This Agreement shall constitute the entire agreement between the Parties and no modification shall be binding upon the Parties unless evidenced by a subsequent written agreement signed by the City and Authority.

ARTICLE 4 – SEVERABILITY OF TERMS

In the event of any part or provision of this Agreement is held invalid; the remainder of this Agreement shall not be affected thereby and shall continue in full force and effect.

ARTICLE 5 – GOVERNING LAW

This Agreement shall be governed in all respects as to the validity, construction, capacity, and performance or otherwise by the laws of the State of Georgia.

IN WITNESS WHEREOF, the parties hereof set their hands and seals.

This 8th day of February, 2010.

EXECUTIVE SESSION – JENKINS

Main Street Director David Jenkins requested approval of an executive session to follow the regular meeting to discuss the acquisition of two real estate matters. On motion by Pope, second by Rainey, council approved request 6 to 0.

POLICE DEPARTMENT REPORT

Police Chief Mike Davis presented the monthly report. Council member Cullars again pointed out that the number of checkpoints in the black community exceeded those conducted in the white community.

POPE CENTER HOTEL PROPOSAL – DON FRENCH

Mr. Don French of the Somata Group LLC brought to council a proposal for the construction of a 60 room national brand hotel to be built adjacent to the Pope Conference Center. Mr. French stated that estimated occupancy rates would be near the 60% range and the estimated payoff would be five to seven years. If GO Bonds are issued the City must own the hotel for five years. The City would need to make some site improvements on the property for water run-off issues. During construction there would be some local job skills needed.

Council concurred in referring this issue to the Washington URA for further study. The URA's next scheduled meeting is February 18, 2010.

CHARTER CHANGES – REV. ALBERT RUCKER

Rev. Albert Rucker addressed those present concerning proposed changes to the city charter. Rev. Rucker reminded those present of a Federal Lawsuit brought against the city in 1992 for violation of voter rights. Rev. Rucker advised that changes made by council in 2003 to the city charter were illegal and that after taking office in January 2004, Mayor Burns could have sued the City, instead he requested that the 2003 charter changes be ratified by the 2004 Georgia Legislature.

Rev. Rucker went on to say that when Mayor Burns took office in 2004, the top five positions within the city were held by white people and that the Mayor should have fired at least two of them.

UTILITY BILLS – LINDA ANDERSON

Mrs. Anderson expressed her concerns with very high utility bills and requested that the city look into some sort of budget plan.

POPE CENTER OPERATION PROPOSAL

Ms. Ida Jackson, owner and operator of She Chic Boutique LLC, distributed to council a proposal for the management and operation of the Pope Conference Center for review and perhaps further discussion.

DDA MEETING – EATON

Council member Eaton reported that the next DDA meeting will be held February 18, 2010, 8:30 AM at Farmers State Bank.

Council member Eaton was asked about monies available for low to moderate start-up businesses. Currently there is some \$25,213 in the Washington Revolving Loan Fund

One; the DDA will discuss lowering the reserve threshold to \$5,000 making more money available.

CITY ATTORNEY UPDATES

City Attorney Fleming advised that he is at a point where guidance from council is needed to proceed with charter updates/changes. Fleming highlighted again points that he discussed at the recent council retreat: appointment of major city officials when vacancies occur; hiring/firing/appeals process; veto power/mayoral vote. Fleming assured those present that all proposed changes will be checked against current ordinances and personnel policies so that no conflicts will occur.

Council member Eaton made a motion to continue with current charter as passed by the Legislature in 2004, second by Barnett. Council voted 3-3-1; with council members Cullars, Rainey and Tutt voting against the motion and Mayor Burns voting against the motion breaking the tie vote.

Council member Cullars made a motion to proceed with proposed changes as previously outlined by City Attorney Fleming, second by Rainey. Council voted 3-3-1; with council members Barnett, Eaton and Pope voting against the motion and Mayor Burns voting for the motion breaking the tie vote.

City Attorney will prepare changes for council review.

COUNCIL REPORTS

EATON: Council member Eaton stated that the 2003 charter changes were done as a clean-up of conflicts between the charter and ordinances and not as a personal attack on any person.

BARNETT: Council member Barnett thanked Ms. Jackson for her Pope Center proposal. Barnett also challenged council to work together for the good of all citizens.

CULLARS: Council member Cullars also encouraged council to get past the stalemate and work together on proposed charter changes.

Cullars asked for council approval for use of the square on February 20, 2010, for the Black History Month Unity Walk. On motion by Eaton, second by Barnett, council approved request 6 to 0.

RAINEY: Council member Rainey also thanked Ms. Jackson for her Pope Center proposal.

In regards to charter changes, council member Rainey stated that she only desired to have a level playing field for everybody.

TUTT: Council member Tutt thanked the citizens for attending and further expressed his concern over high utility bills.

Tutt also reminded everyone of upcoming Work Ready Assessment testing on February 23 at 5:30 PM and on February 27 at 9 AM in the computer lab at the high school.

CITY ADMINISTRATOR UPDATES

City Administrator Eskew advised that the city has some handout guides explaining ways to conserve electric and water usage available to any customer; and, that the Mary Willis Library also has educational materials available.

Eskew also advised that any customer can have business office personnel run their billing against the rates of other utilities in our area.

MAYOR'S TOPICS

Mayor Burns thanked everyone for attending and advised that the March regular meeting will be held at the Pope Conference Center to better accommodate the high attendance.

EXECUTIVE SESSION:

Council entered into executive session at 7:45 PM to receive information on two pending real estate matters as previously approved by council.

On motion by Eaton, second by Barnett, council approved 6 to 0 to re-enter open session at 8:03 PM.

City Attorney Fleming stated that during executive session two real estate acquisition matters were discussed with no final action taken.

On motion by Eaton, second by Barnett, council approved 6 to 0 to have Mayor Burns sign an executive session affidavit.

ADJOURNMENT: On motion by Eaton, second by Cullars, council approved 6 to 0 adjournment at 8:04 PM.

_____MAYOR

_____CLERK