

**REGULAR MEETING
NOVEMBER 8, 2010**

The Mayor and City Council of the City of Washington, Georgia, held their regular monthly meeting on Monday, November 8, 2010, 6 PM at the Pope Conference Center. 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 Asst. Police Chief Glenn.

Visitors present were: David Jenkins, Travis Armour, Bettye Armour, Glenn Phillips, Billy Hopkins, Jack Thurmond, Chico Leverette, Norris Ware, Debra Elsmore, Edith Elsmore, Earl Elsmore, Henry Harris, Bruce Fitzgerald, Paula Fitzgerald, Annie R. Wilkinson, Markia Booker, Carrington Tutt, Shameco Tutt, Lewis Brown, Barbara Ricciuti, Carol Cartledge, Ray Hardy, John Harvey Edwards, Peggy Anderson, Angie Strother, Karen Carter, John Horton, Milton Roberts, Gene Hopkins, Candy Hopkins, George Brooker, Cindy Bounds, Barbara Bacon, Archecia Ann Cullars, Evans Moore, Divenski Lee, Charles Jackson, Olivia Jackson, David Toburen, Ann Tanner, Patsy Winn, Norma Hopkins, Judy Anderson, Guerry Amis, Rachel Jackson, Zella Bennett, Mary Craven, Hilda Wright, Sonia Hoffman, Rosemary Hopkins, Melanie Wells, Ashley Barnett, Bill Steed, Gloria Wheatley, Gail Boyd, Ted Bush, Michael Horgan, Linda Echols, Kenneth Echols, Mary Burt, Joann Morton, Clara Sutton, Jerry Ard, Beth Ard, Janette Thomas, James Thomas, Pam Gunter, Newton Gunter, Susan Pope, Allen Soto, Allen Soto Sr., Sim Dill, Tracy Wynn, Latasha Johnson, W. C. Branan, Susan Branan, Dean Mansfield, Jeanne Davis-Blair, Sherry Green, Mildred Hudson and Kip Burke of the News Reporter.

City Attorney Fleming opened the meeting with prayer followed by the Pledge of Allegiance.

MINUTES APPROVED

On motion by Eaton, second by Rainey, council approved 6 to 0 the minutes of the regular meeting held October 18, 2010.

AGENDA APPROVED

On motion by Eaton, second by Barnett, council approved 6 to 0 the meeting agenda as presented.

MAIN STREET – DAVID JENKINS

Main Street Director David Jenkins advised council that the GEFA Energy Audit grant program will continue through 2011. Persons wishing to participate in the energy audit should contact Mildred Hudson at the City Hall.

Mr. Jenkins also reminded those present of the EOA Energy Assistance program which will be taking applications on November 12 and 15 at the Third Shiloh building to assist persons 65 and older. Applications for energy assistance for all others will be taken during December.

POLICE DEPARTMENT REPORT

Capt. Glenn presented the monthly report for October 2010. Capt. Glenn further advised those present that the Washington Police Department will again be accepting donations of un-wrapped toys and monetary donations for their annual Toys for Tots through December 21, 2010, at the Police Department.

LEWIS BROWN – GUARDIAN CENTER UPDATE

Lewis Brown advised those present that Mr. Geoff Burkhart, CEO of the Guardian Center Homeland Security, and city officials have been working hard to get everything in order to locate his security firm in Washington.

DDA MONTHLY MEETING

Council member Eaton advised that the November DDA meeting will be held on the 18th at 8:30 AM at Farmers State Bank.

COUNCIL REPORTS

RAINEY: Council member Rainey asked that updates from the Chamber of Commerce be included the regular meetings.

TUTT: Council member asked for some information on incentives offered to businesses wishing to locate in Washington. Main Street Director Jenkins advised that 2011 budget amounts are being worked through at this point.

BARNETT: Council member Barnett made a motion that the city would not appeal the recent judge's ruling on the hotel project and further that no additional city dollars be spent on the hotel effort, second by Pope.

A discussion followed about possible alternatives and interest from a private investor.

Council member Tutt made a motion to table the matter, second by Rainey, council voted 3-3-1 to table the matter. Voting against the motion were Barnett, Eaton and Pope. Mayor Burns cast the tie breaking vote in favor of tabling the motion.

CULLARS: Council member Cullars asked for an update on the swimming pool status. Council member Barnett made a motion to table swimming pool discussion, second by Eaton, council approved motion 4 to 2 with Cullars and Rainey voting against.

Cullars suggested doing away with reconnection fees due during utility cut-off period. Mayor Burns requested that this matter be discussed first with the Electric Committee.

Cullars also requested that the City provide laptops for council members and that all communication be through email (paperless).

Cullars reported some cable issues at Mr. Willis' property at 506 Lexington Avenue.

EATON: Council member Eaton reported a street light out on East Liberty Street.

Eaton also reported that the Arts Festival was a huge success. Other events that are scheduled include Candlelight Shopping on Tuesday, November 23, 2010, 6 – 9 PM and Snow on the Square on November 23, and December 3, 10 and 17, 6 -7 PM.

CITY ADMINISTRATOR UPDATES

WATER PLANT RE-HAB CONTRACT

City Administrator Eskew asked for approval to award the water plant re-hab contract to lower bidder Wharton-Smith, Inc., subject to a loan extension from GEFA.

On motion by Eaton, second by Tutt, council approved award of contract subject to GEFA loan extension 6 to 0.

WATER USE ORDINANCE

City Administrator Eskew asked for council approval on a water use ordinance update as mandated by the State to be effective January 1, 2011.

On motion by Eaton, second by Rainey, council approved ordinance update 6 to 0. Ordinance revision follows:

Sec. 82-20. Water Use Restriction.

- (a) Restriction on Outdoor Water of Landscape. Outdoor watering for purposes of planting, growing, managing, or maintaining ground cover, trees, shrubs, or other plants may occur only between the hours of 4 PM and 10 AM; provided, however, that this limitation does not create any limitation upon the following outdoor water uses:
1. Commercial raising, harvesting, or storing of crops; feeding, breeding, or managing livestock or poultry; the commercial production or storing of feed for use in the production of livestock, including, but not limited to, cattle, calves, swine, hogs, goats, sheep, and rabbits, or for use in the production of poultry, including, but not limited to, chickens, hens, ratites, and turkeys; producing plants, trees, fowl, or animals; or the commercial production of aquacultural, horticultural, dairy, livestock, poultry, eggs, and apiarian products or as otherwise defined in OCGA 1-3-3;
 2. Capture and reuse of cooling system condensate or storm water in compliance with applicable municipal ordinance and state guidelines.
 3. Reuse of gray water in compliance with OCGA 31-3-5.2 and applicable local board of health regulations;
 4. Use of reclaimed waste water by a designated user from a system permitted by the Environmental Protection Division of the GA Department of Natural Resources to provide reclaimed waste water;
 5. Water personal food gardens;
 6. Watering new and replanted plant, seed, or turf in landscapes, golf courses, or sports turf fields during installation and for a period of 30 days immediately following the date of installation;
 7. Drip irrigation or irrigation using soaker hoses;
 8. Hand watering with a hose with automatic cutoff or handheld container;
 9. Use of water withdrawn from private water wells or surface water by an owner or operator of property if such well or surface water is on said property;
 10. Watering horticultural crops held for sale, resale, or installation;
 11. Watering athletic fields, golf courses, or public turf grass recreational areas;
 12. Installation, maintenance, or calibration of irrigation systems; or
 13. Hydroseeding.
- (b) Enforcement.
- (1) No person shall use or allow the use of water in violation of the restrictions on outdoor water use contained in ordinance.
 - (2) The police department shall be the enforcement authority for this ordinance. The county/city manager may also authorize other departments as may be deemed necessary to support enforcement.
 - (3) Criminal and alternative penalties. Any violation of the section may also be enforced by a citation or accusation returnable to the magistrate court/municipal court or by any other legal means as set forth in this Code.
- (c) Repealer. All ordinances or parts of ordinances in conflict with this ordinance are repealed.
- (d) Severability. The sections, paragraphs, sentences, clauses and phrases of this ordinance are severable. Should any section, paragraph, sentence, clause or phrase of this ordinance be rendered invalid by any court of law, the remaining sections, paragraphs, sentences, clauses or phrases shall not be affected but shall continue in effect until amended or repealed by action of the governing authority.
- (e) Effective Date. This ordinance shall go into effect on January 1, 2011.

Sec. 82-21. Water Use Restrictions During Drought Emergency.

(a) Purpose and intent.

- (1) The purpose of the section is to establish the policy for enforcement of outdoor water use in compliance with the laws and regulations imposed by the State of Georgia on outdoor water used during emergency conditions.
- (2) The City of Washington hereby establishes that the provisions found in this section shall be in effect when competent authority declares a drought emergency after the GA Environmental Protection Division (“EPD”) declaration of drought response level four.

(b) Definitions. Environmental Protection Division (“EPD”) means an organizational unit of the State of Georgia Department of Natural Resources (“DNR”), which has responsibility for administration of the State of Georgia’s Rules for Outdoor Water Use (Ga.Comp.R.&Regs.Chapter 391-3-30) promulgated by the State of Georgia Board of Natural Resources.

(c) Prohibition. During those periods when a competent authority declares a drought emergency and the EPD declares a drought response level four, **NO OUTDOOR WATER USE IS ALLOWED**, other than for activities exempted in subsection (d).

(d) Exemptions.

- (1) When a drought emergency has been declared following an EPD declaration of drought response level four, the following outdoor water uses are exempt from this rule.
 - a. Capture and reuse of cooling system condensate or storm water.
 - b. Reuse of bath or dish water.
 - c. Irrigation of personal food gardens.
- (2) When a drought emergency has been declared following an EPD declaration of drought response level four, the following commercial outdoor water uses are exempt from this rule:
 - a. Professionally certified or licensed landscapers and sports turf landscapers; during installation of and 30 days following installation only. Professional landscapers must be certified or licensed for this exemption to apply.
 - b. Irrigation contractors; during installation and as needed for proper maintenance and adjustments only.
 - c. Fruit and vegetable growers.
 - d. Retail garden centers
 - e. Power washing.
 - f. Construction sites.
 - g. Producers of food and fiber.
 - h. Car washes.
 - i. Other activities essential to daily business
 - j. Watering-in of pesticides and herbicides on turf.

(e) Enforcements.

- (1) No owner or tenant shall use or allow the use of water in violation of the restrictions contained in this section.
- (2) Every police officer, firefighter, and every water and sewer employee shall be authorized and empowered to enforce the provisions of this section. Such officers are hereby authorized to enter onto property for the purpose of inspection for compliance. If personal contract is made with the owner or tenant, the officer shall require immediate compliance.
 - a. A first violation will result in a request for owner or tenant to comply.
 - b. Upon a second violation, a written warning citation shall be issued and posted at the property where the violation occurred.

- c. Upon a third or subsequent violation, a citation shall be issued requiring an appearance in municipal court and shall be punishable by a fine of up to \$1,000.00.

Sections. 82-21 – 82-45. – Reserved.

ADJOURNMENT: On motion by Pope, second by Eaton, council approved adjournment at 6:50 PM.

_____MAYOR

_____CLERK