

**REGULAR MEETING
AUGUST 9, 2010**

The Mayor and City Council of the City of Washington, Georgia, held their regularly scheduled monthly meeting on Monday, August 9, 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 City Police Chief Davis.

Visitors present were the same as listed in the Public Hearing held on August 9, 2010.

The meeting was opened in prayer by Council member Pope 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 July 19, 2010.

AGENDA APPROVED

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

ECONOMIC DEVELOPMENT – CHARLES JACKSON

Charles Jackson, Chairman of the URA, asked for council approval and backing of Revenue Bonds for the construction of a 65 room hotel to be located at the Pope Conference Center. Chairman Jackson further advised that the URA had also voted to utilize the team of Somata Group as developer, Stafford Hospitality as facility operator, Ed Wall and Stern Agee as financing agent and John Pannell, Doug Selby and City Attorney Fleming as legal counsels.

The URA letter of request dated August 9, 2010, letter dated May 21, 2010, Economic Development Project Guidelines, Construction Cost analysis and Profit/Loss Details were distributed to council and are hereby made a part of the official minutes. Copies are in the Office of the City Clerk.

After discussion, Cullars made a motion to accept the proposal from the URA, second by Tutt, council voted 3 – 3 – 1. Council members Eaton, Barnett and Pope voted against the motion. Mayor Burns voted for the motion, breaking the tie vote.

After the vote was taken Council member Eaton advised Mayor and Council that she would do everything she could to support the project.

POLICE DEPARTMENT REPORT

Chief Davis advised that the department is anticipating the hiring of new officers. Davis also advised that Officer Phillip Perkins has completed training to be the department's investigator. There was discussion on whether city fines are at levels allowed by the state. The City Administrator, City Attorney, Municipal Judge and Police Chief will meet to discuss this matter.

DDA MEETING

Council member Eaton advised that the next DDA meeting will be held on August 19, 2010, 8:30 AM at the Farmers State Bank.

COUNCIL REPORTS

RAINEY: Council member Rainey asked the status of the statue, pool and community center. She was advised that DCA is looking at funding sources for the Dabney statue, and that CHA has completed about 50% of the pool design and the Community Center design is about 90-95% complete.

BARNETT: Council member Barnett advised that residents of Sims Street requested that the city look into increasing the size of the water line along that street from a 2 inch line to a 6 inch line to increase water pressure.

Council member Barnett advised that he would like to rescind his vote on the contractor for the Rusher Street project. Barnett was advised by the city attorney that any form of reversal could cause problems, but that council could re-bid the whole contract. City Attorney Fleming further advised that the contract has been signed by all parties.

CULLARS: Council member Cullars asked about the Green Grease project and was advised that collections were made on this date.

Cullars made motion to move all employees to a weekly payroll, second by Tutt, council approved motion 4 to 2. Council members Eaton and Pope voted against the motion. It was noted that monthly payrolls will not be changed.

Cullars also advised that he would like to rescind his vote on the contractor for the Rusher Street project.

TUTT: Council member Tutt noted that the Whitehall Street area is looking better with litter and grass clean up.

Tutt also advised of problems with wild dogs and foxes in his neighborhood.

POPE: Council member Pope complimented staff on quick response to a caller with water problems.

Pope questioned the source of funds for the proposed pool and was advised that funds will be used from the MEAG Trust account.

CITY ATTORNEY REPORT

City Attorney Fleming requested that council approve a resolution authorizing the URA to issue Revenue Bonds in the amount of \$8,115,000 for the acquisition, construction and equipping of a convention center hotel at the Pope Conference Center.

On motion by Cullars, second by Tutt, council approved resolution 3-3-1 and further made all supporting documentation an official part of these minutes and further that a copy of the resolution and all supporting documentation are on file in the Office of the City Clerk. Council members Barnett, Eaton and Pope voted against the motion. Mayor Burns voted for the motion breaking the tie vote.

Resolutions follows:

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF WASHINGTON (THE "CITY") TO REQUEST THAT THE CITY OF WASHINGTON URBAN REDEVELOPMENT AUTHORITY (THE "AUTHORITY") ISSUE ITS REVENUE BONDS (POPE CENTER PROJECT) IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$8,115,000 FOR THE PURPOSE OF FINANCING THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF A CONVENTION CENTER HOTEL AT THE POPE CENTER; AND FOR OTHER PURPOSES.

WHEREAS, the Mayor and Council (the "Mayor and Council") of the City of Washington (the "City"), a municipal corporation of the State of Georgia, has determined that it is in the best interest of the City for the City to provide for the acquisition, construction and equipping of a convention center hotel at the Pope Center, including

refinancing the costs of the convention center and providing for the acquisition of all or a portion of the land on which such hotel will be located (the "Project"); and

WHEREAS, Article IX, Section III, Paragraph I(a) and (b) of the Constitution of the State of Georgia authorizes any county, municipality or other political subdivision of the State to contract for any period not exceeding 50 years with each other or with any other public agency, public corporation, or public authority for joint services, for the provision of services, for the joint or separate use of facilities or equipment; provided that such contracts deal with activities, services or facilities which the contracting parties are authorized by law to undertake or provide and in connection with such contracts are authorized to convey any existing facilities or equipment to any public authority; and

WHEREAS, the City of Washington Urban Redevelopment Authority, a public body corporate and politic and a public corporation of the State of Georgia (the "Authority"), was duly created pursuant to an act of the General Assembly of the State of Georgia, particularly the Urban Redevelopment Law (OCGA 31-61-1 et seq.) (the "Act") and a resolution of the Mayor and Council adopted on September 28, 2009; and

WHEREAS, the Act provides certain powers that may be exercised by the City or the Authority (in accordance with the terms of the Act), including the power to undertake and carry out "urban redevelopment projects" and the power to issue bonds for the purposes of financing the undertaking of any "urban redevelopment project"; and

WHEREAS, OCGA 36-61-2(22) defines "urban redevelopment project" to include redevelopment, rehabilitation and conservation in an urban redevelopment area including, among other things, (i) acquisition of real property where necessary to provide land for needed public facilities, (ii) making land available for development or redevelopment by private enterprises or public agencies (including sale, initial leasing or retention by a municipality or county) and (iii) installation and construction of improvements necessary for carrying out the purposes of the Act; and

WHEREAS, OCGA 36-61-4 provides that the City, in consideration of the exercise of the powers thereunder, "shall afford maximum opportunity, consistent with the sounds needs of [the City] as a whole, to the rehabilitation or redevelopment of the urban redevelopment area by private enterprise"; and

WHEREAS, under and pursuant to the Act and Article IX, Section III, Paragraph I(a) of the Constitution of the State of Georgia, the City and the Authority are authorized to enter into an intergovernmental contract with each other in connection with the Project; and

WHEREAS, in order to provide for the financing of the Project, the Mayor and Council have determined it is in the best interest of the City to request the Authority to issue its revenue bonds in the maximum aggregate principal amount of \$8,115,000 as authorized by the Act, in accordance with the plans and specifications therefore are on file with the City and which, by this reference thereto, are incorporated herein; and

WHEREAS, the payment of said bonds shall be secured by an intergovernmental contract by and between the City and the Authority, pursuant to which the Authority will agree to acquire, construct and install the Project and the City will agree to pay to the Authority amounts sufficient to pay the principal of and interest on said bonds and the reasonable charges and fees of the paying agent and bond registrar for said bonds, and other expenses more fully and clearly referenced by the terms and provisions contained in said intergovernmental contract; and

WHEREAS, it is proper that the Mayor and Council request the Authority to issue its revenue bonds and authorize the Mayor, City Clerk and other officials of the City to execute such documents and to take such other actions pertaining to the Project as are necessary in furtherance of the City's expressed desire to proceed with the financing of the Project, including the execution of said intergovernmental contract.

WHEREAS, it is expected that the City will apply the funds it receives from the Authority from sale of certain real property connected with the Project to redeem certain outstanding obligations of the City previously incurred in connection with the acquisition and construction of the Pope Center Project, thereby permitting the City to convey the real property on which the Project will be located to the Authority in fee simple; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Washington, Georgia, as follows:

1. The Mayor and Council hereby requests that the Authority issue its revenue bonds to be designated City of Washington Urban Redevelopment Authority Bonds (Pope Center Project), Series 2010, in the aggregate principal amount of up to \$8,115,000, (the "Bonds") to pay anticipated costs of the Project and the costs of issuance of the Bonds, in accordance with the provisions of a

bond resolution to be prepared for adoption by the Authority (the “Bond Resolution”), the form of which is to be approved by the City Attorney.

2. The Mayor is hereby authorized to negotiate the terms of and to execute and deliver on behalf of the City an intergovernmental contract (the “Intergovernmental Contract”) between the Authority and the City, pursuant to which the City will agree to pay amounts sufficient to pay the principal of and interest on the Bonds, together with any fees or charges in connection therewith, and pursuant to which the Authority may pledge for the payment of the Bonds all contractual payments to be derived from the Intergovernmental Contract, together with such other funds or proceeds as may be established by the Bond Resolution and the Intergovernmental Contract.
3. The City Attorney is authorized and directed to associate Hunton & Williams LLP, as Bond Counsel and Gray & Pannell LLP, as Disclosure Counsel, in connection with the issuance of the Bonds, and the Mayor is authorized to hire Sterne Agee & Leach, Inc., as underwriter for the Bonds. The Mayor, City Clerk, City Attorney, and any such other proper officers of the City are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions and intents of this resolution, the Bond Resolution, and the Intergovernmental Contract, and such officers are further authorized to take any and all further actions and execute and deliver any and all other documents and certificates as may be necessary and desirable in connection with the issuance of the Bonds, the execution and delivery of the Intergovernmental Revenue Code, and all applicable securities laws and regulations relating to the sale and distribution of the Bonds.
4. The City Clerk is authorized and directed to furnish a certified copy of this resolution to the Authority with the request that it proceed with such actions as are necessary to issue the Bonds at the earliest possible time.

INTRODUCED at a regular meeting of the Mayor and Council of the City of Washington, Georgia, held the 9th day of August, 2010, and adopted at said meeting by the affirmative vote of a majority of the members of said Mayor and Council.

RUSHER STREET PROJECT

Mr. Stephen Carter, an attorney representing Sim Dill, came before council to express concern that following the executive session on July 19, 2010, the mayor did not recognize any motions made by council.

City Attorney Fleming had advised Mr. Carter of proper procedure to call a meeting of the Mayor and City Council as outlined in the City of Washington, Georgia, Code of Ordinances and Charter.

ADJOURNMENT: On motion by Eaton, second by Pope, council approved 6 to 0 adjournment at 7:07 PM.

_____MAYOR

_____CLERK