

**CITY OF CHATSWORTH
COUNCIL MEETING
JANUARY 3, 2011**

The Chatsworth City Council met in regular session on Monday, January 3, 2011 at 6:00 p.m. in the council chambers of City Hall with Mayor Tyson Haynes presiding.

PRESENT: Mayor Tyson Haynes, Aldermen Gary Brock, Celeste Martin, Wayne Graves and Fred Welch. City Attorney Steve Williams and City Clerk Wilma Nolan.

Mayor Haynes called the meeting to order and presented the agenda for review and adoption. Mayor Haynes called for a motion to adopt the agenda as presented.

Gary, "I move we adopt the agenda as presented." Celeste seconded and the motion passed by a vote of 4 to 0.

MINUTES: Mayor Haynes presented the December minutes for review and adoption.

Wayne, "I make a motion we adopt the minutes as presented." Gary seconded and the motion passed by a unanimous vote.

OLD BUSINESS

NONE

NEW BUSINESS

REQUEST THE APPROVAL OF A LICENSE FOR KEN WILBURN, AMERICAN LEGION POST 167, 400 NORTH FIFTH AVENUE FOR POURING LIQUOR PRIVATE CLUB - Chief Martin advised that the applicant meets all the requirements to obtain a license.

Mayor Haynes called for a motion. Fred, "I make a motion we grant the license." Wayne seconded and the motion passed by a vote of 4 to 0.

PRESENTATION OF THE RENEWAL OF MALT BEVERAGE AND WINE LICENSE FOR 2011 - Current license holders for renewal are as follows:

2011 - MALT BEVERAGE RENEWALS

American Legion Post 167
Bi-Lo #430
Mohammed Javed (Gallons 2 Go)
Shelia Deboard (Arios)
American Huts Inc
ElPueblito #2
Food Lion 1083
Scott Virgil Gallahar
Frank Joseph Homrigh Jr. (CVS)
Ingles #86
Mapco Express #3517
Mapco Express #3609
Mapco Express #3610
Mapco Express #3516
Mapco Express #3501
Mapco Express #3514
Robert L Whitehead (Los Amigos)
Richard E Searels (Central Pit Stop)
Sherria Moser (Landmark)
Lindsay S Cunningham (Kangaroo Express 3660)
Lindsay S Cunningham (Kangaroo Express 3526)
Lindsay S Cunningham (Kangaroo Express 3499)
Vernon Haven (Do-Dahs)
Rizwan Mohammed (The Smoke Shop)
Pamela Cannon (Walgreens)
Khushion LLC (A-1 Food Mart)

2011 - Wine Renewals

Bi-Lo LLC 430
Mohammed Javed (Gallons 2 Go)
Food Lion 1083
Virgil Scott Gallahar
Ingles #86
Mapco Express 3516
Mapco Express 3609

Gary, "I make a motion we approve the renewal of these licenses." Fred seconded and the motion passed by a vote of 4 to 0.

PRESENTATION OF THE REQUEST FOR APPOINTMENT OF THE FOLLOWING FOR 2011 -

CITY ATTORNEY	CURRENTLY	STEVE WILLIAMS
AUDITORS		CROWE & CARNES P.C.
DEPARTMENT SUPERVISORS		
CITY MARSHAL		MITCHELL SMITH
CHIEF OF POLICE		TERRY MARTIN
FIRE CHIEF		MIKE BAXTER
STREET SUPERINTENDENT		EVERETT JONES
WATER SUPERINTENDENT		TOM MARTIN
ZONING DIRECTOR		DOLLEY FLOOD
CITY CLERK		WILMA NOLAN

Mayor Haynes called for a motion to approve the reappointment of the current positions and department supervisors.

Wayne, "I make a motion we approve these appointments for 2011." Gary seconded and the motion passed by a vote of 4 to 0.

PRESENTATION OF THE RENEWAL PROPOSAL OF CMA'S CABLE AND TELECOMMUNICATIONS MANAGEMENT SERVICE PROGRAM -

Wayne, "I make a motion we remain with the program." Fred seconded and the motion passed by a vote of 4 to 0.

MAYOR'S REPORT - Reads as follows:

MAYOR'S ACTIVITIES REPORT

DECEMBER - 2010

1. Attended Northwest Georgia Health Partnership Board Meeting, Dalton 12-07-10.
2. Council member Graves and I attended Chamber meeting on 12-15-10.
3. Attended Arbor Day Tree dedication at Veterans Park on 12-16-10.
4. Toured water infrastructure with Engineer Turnipseed and General Manager Martin on 12-17-10.
5. Wrote utility conflict letters on Off-System Safety Enhancement Grant on 12-20-10.
6. Met with Police Department shift supervisors on 12-08-10 and Chief Martin on 12-17-10. Discussed shift assignments and installation of equipment.
7. Spoke with Phil Ferguson about Off-System Safety Enhancement Grant. They are waiting on utility certification from City. Looking at March or April, 2011 for contracts. 12-22-10.
8. Inspected street conditions with Public Works Director Jones on 12-26-10.
9. Received and responded to five (5) citizens calls during the month.

Respectfully submitted,

Tyson Haynes
Mayor

COMMITTEE REPORTS

FINANCE: Request approval of additional line item adjustments for 2010 - They are as follows:

<u>ACCOUNT NUMBER</u>	<u>DEBIT</u>	<u>CREDIT</u>	<u>ADJUSTED BUDGET AMOU</u>
100-1-1500-4000-52-2370		2150.00	10350.00
100-1-1500-4000-53-3172	1300.00		16300.00
100-1-1500-4000-53-3176	850.00		49150.00
100-3-3200-6000-53-3120		460.00	7540.00
100-3-3200-6000-53-3173	460.00		8460.00
100-3-3200-6000-57-7215		1100.00	16900.00
100-3-3200-6000-57-7209	1100.00		2600.00
100-3-3200-6000-54-4100	36200.00		238950.00
100-3-3200-6000-57-7310		25000.00	100000.00

<u>ACCOUNT NUMBER</u>	<u>DEBIT</u>	<u>CREDIT</u>	<u>ADJUSTED BUDGET AMOUNT</u>
100-4-4200-8000-51-1240	1700.00		46809.44
100-4-4200-8000-52-2391	13700.00		25700.00
100-5-4500-9500-51-1270	270.00		2770.00
100-5-4500-9500-52-2210	150.00		1850.00
100-5-4500-9500-53-3172		420.00	580.00

Wayne, "I make a motion we approve these adjustments." Fred seconded and the motion passed by a vote of 4 to 0.

INFRASTRUCTURE: Mr. Jones advised they had disposed of 18 loads of residential garbage- 9 loads of commercial garbage with the sanitation department. The street department had disposed of 15 loads of rubbish and 28 loads of leaves. They also had been servicing equipment and salting streets in the city and for the state and county.

INTERGOVERNMENTAL & TECHNOLOGY: Presentation of the second reading of the street solicitation ordinance for adoption. The Ordinance reads as follows:

**CHAPTER 13
STREET AND SIDEWALKS**

ARTICLE I. IN GENERAL

SEC. 3-7 STREET SOLICITATIONS

General: permit required.

No person shall sell any goods or services in, along, upon or over the public streets, roads, alleys or thoroughfares of the city unless specifically allowed elsewhere in this code and no person shall solicit for the contribution of money for charitable purposes in, along, upon or over the public streets, roads, alleys or thoroughfares of the city unless such person shall have a permit from the city for such purposes. The foregoing sentence shall not be applicable to duly licensed vendors of goods sold from rolling vendors.

Permit requirements and process.

(a) The chief of the Chatsworth Police Department or his delegate may issue a permit in an (sic) person petitioning to solicit for the contribution of money for charitable purposes in, along, upon, or over the public streets, roads, alleys or thoroughfares of the city in the following circumstances:

- (1) The person or persons petitioning must be joined in their petition by a sponsoring organization which is a qualified charitable organization recognized as such by the Internal Revenue Service under section 501(c)(3) of the Internal Revenue Code of 1986, as amended, and where the solicitation is purely for raising funds for a stated charitable purpose or cause;
- (2) The sponsoring organization holds a current and valid policy of insurance providing compensation for any bodily injury to any member or participant or member of the general public suffering bodily liability arising out of the activity of solicitation in an amount not less than \$2,000,000.00 single limit or its equivalent. The city shall be an additional named insured on such policy during all solicitation periods and the sponsoring organization shall provide the city with a certificate from the insurer to that effect;
- (3) Any person or persons involved in such charitable solicitation must be over the age of 18 years and execute and deliver a waiver and release of any liability in favor of the city prior to solicitation;
- (4) No location shall be permitted which shall be in violation of, or cause a violation of, city law. No location shall be permitted other than the location approved by the chief of the Chatsworth Police Department or his delegate;
- (5) No permit shall allow the permitted activity at any time other than on a Saturday between the hours of 9:00 a.m. and 2:00 p.m.;
- (6) As a condition for obtaining the permit, the applicant and sponsoring organization shall publicize in the legal organ of Murray County, Georgia, not less than one week prior to the date of the sale or solicitation that it shall be engaged in such solicitation giving the date, the hours of such activity, and the location.
- (7) Any sponsoring organization or person seeking a permit for charitable solicitation under section shall file for such permit on forms to be specified and provided by the chief of the Chatsworth Police Department and shall pay a \$25.00 application-processing fee.

SO ORDAINED THIS 3RD DAY OF JANUARY, 2011.

/s/ Tyson Haynes
Mayor

Attest:

/s/ Wilma Nolan
City Clerk

Presentation of the second reading of an ordinance for outdoor watering of landscape for adoption
The ordinance reads as follows:

Revision Ordinance on Outdoor Landscape Watering Restrictions (SB 370)

AN ORDINANCE OF THE CITY OF CHATSWORTH TO SET STANDARDS FOR OUTDOOR WATERING OF LANDSCAPE

WHEREAS, City of Chatsworth (hereinafter "City") recognizes an imminent need to create a culture of water conservation and to plan for water supply enhancement during future extreme drought conditions and other water emergencies;

WHEREAS, reasonable restrictions on the outdoor watering of landscape are necessary to address this in furtherance of addressing this need;

WHEREAS, The General Assembly of the State of Georgia has required all counties in Georgia to adopt an ordinance to be in effect no later than January 1, 2011 to allow outdoor watering of landscape between the hours of 4:00 p.m. and 10:00 a.m. (with certain exceptions); and

WHEREAS, pursuant to O.C.G.A. §12-5-7, the Mayor and Council have prepared an ordinance to address outdoor watering of landscape.

NOW, THEREFORE, IT IS ORDAINED that the following is adopted as an Ordinance to read as follows:

Purpose. The City recognizes an imminent need to create a culture of water conservation and to plan for water supply enhancement during future extreme drought conditions and other water emergencies. The City also recognizes that reasonable restriction on outdoor watering of landscape are necessary in furtherance of addressing this need. The City also recognizes that the Board of Water, Light and Sinking Fund Commissioners of the City of Dalton, Georgia d/b/a/ Dalton Utilities ("Dalton Utilities") and the Chatsworth Water Works Commission ("Chatsworth Water Works"); Dalton Utilities and Chatsworth Water Works are sometimes referred to individually as a "Water Utility" and collectively as the "Water Utilities" are the providers of water to the City and its residents through their respective water withdrawal permits with the Georgia Environmental Division of the Department of Natural Resources, and each of the water Utilities has implemented a Water Conservation Plan for purposes of water conservation and planning for water supply enhancement during extreme drought conditions and other water emergencies. This ordinance has been adopted to comply with the state law requirement that all cities in Georgia adopt an ordinance to be in effect no later than January 1, 2011 to allow outdoor watering of landscape only between the hours of 4:00 p.m. and 10:00 a.m. with certain exceptions as provided herein.

Sec. 1. Restriction on Outdoor Water of Landscape. Outdoor watering for purposes of planting, growing, managing, or maintaining ground cover, trees, shrubs, or other plants in the incorporated area may occur only between the hours of 4:00 p.m. and 10:00 a.m.; provided that this limitation shall not create any limitation upon the following outdoor water uses.

- (A) Commercial agricultural operations, as defined in O.C.G.A. § 1-3-3 to the extent such operations are otherwise permitted in this Code;
- (B) Capture and reuse of cooling system condensate or storm water in compliance with applicable ordinances and state guidelines;
- (C) Reuse of gray water in compliance with O.C.G.A. § 31-3-5.2 and applicable local board of health regulations;
- (D) Use of reclaimed waste water by a designated user from a system permitted by the Environmental Protection Division of the Georgia Department of Natural Resources to provide reclaimed waste water;
- (E) Watering personal food gardens;
- (F) 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;
- (G) Drip irrigation or irrigation using soaker hoses;

(L) Installation, maintenance, or calibration of irrigation systems; or

(M) Hydroseeding.

Sec. 2. Enforcement.

(a) No person shall use or allow the use of water in violation of the restrictions on outdoor water use contained in ordinance.

(b) The Chief Executive officer and his designee of each of the Water Utilities shall be the enforcement authority for this ordinance as to all persons who are customers of his respective Water Utility.

(c) Each of the Water Utilities shall enforce this ordinance through its respective Water Conservation Plan, as the same may be modified in conformity with applicable law and regulations from time to time.

(d) Any person, aggrieved by a decision or order of the enforcement authority, after exhausting his administrative remedies, shall have the right to appeal do novo to the Municipal Court.

Sec. Repealer.

All ordinances or parts of ordinances in conflict with this ordinance are repealed.

Sec. 4. 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 of the City of Chatsworth.

SO ORDAINED AND EFFECTIVE, the 3rd day of January, 2011.

/s/ Tyson Haynes
Mayor

ATTEST:

/s/ Wilma Nolan
City Clerk

Celeste, "I make a motion we adopt the second reading of these two ordinances." Wayne seconded and the motion passed by a vote of 4 to 0.

PUBLIC SAFETY: Fred presented the December and year end report for the fire department for review.

Chief Baxter advised things had been fairly quite with one house fire on Long Avenue.

Chief Martin also presented their December and year end reports. Reporting only one burglary for December.

Marshal Smith reported he had been dealing with signs, chickens and patrolling.

Mayor Haynes advised that the maple trees on Market Street were going to be removed due to their condition and would be replaced with substitute trees more suitable for the location.

Mayor Haynes advised there was concern with the economy which everyone was feeling. The City will have to be monitoring service delivery this year and searching for revenues to become available. We will be monitoring all activity very closely this year.

Mayor Haynes adjourned the meeting at 6:25 p.m.

ATTEST:

Wilma Nolan
CITY CLERK

MAYOR TYSON HAYNES

Alderman Wayne Graves

DECEMBER PAID BILLS

OWNBY ENTERPRISES	382.25	PAT DENSMORE SELF	562.
LIBERTY NATIONAL LIFE	1842.87	OLD DOMINION BRUSH	274.
KEEP CHATSWORTH MURRAY	2083.34	CHATS/MURRAY HEALTH DEPT	416.
CHATS/MURRAY LIBRARY	2500.00	PURE UV WATER COOLERS	30.
CHILD SUPPORT ENFORCEMENT	189.58	JLT SALES INC	6.
NATIONWIDE RETIREMENT SO	653.16	PEACE OFFICERS'S A & B	260.
ADVANCED OFFICE SYSTEMS	251.83	WELLS FARGO	380.
SHARE CORPROATION	212.46	CHAPTER 13 STANDING TRUSTEE	249.
GAS SOUTH	1093.67	ROBBY G WATKINS	288.
CHATSWORTH FORD	10812.00	GSCCCA	2764.
PEACE OFFICERS A & B FUND	543.56	M C COMMISSIONER -- DATE	385.
CHILD SUPPORT ENFORCEMENT	189.58	MURRAY COUNTY RESCUE SQD	1000.
MURRAY COUNTY JAIL FUND	1014.34	VICTIMS COMP PROBATION	686.
COURTWARE SOLUTIONS	765.78	NATIONWIDE RETIREMENT SO	653.
AMERICAN RED CROSS	2000.00	LEE SMITH INC	71000.
WELLS FARGO	380.00	5% VICTIMS SURCHARGE	562.
CHAPTER 13 STANDING TRUSTEE	249.00	CHATSWORTH PAWN AND	99.
BRADLEY BUILDERS SUPPLY	252.05	CHATSWORTH FARM & GARDEN	157.
CHATSWORTH AUTO PARTS	624.10	CHATSWORTH TIMES	20.
ALSCO-518	455.51	FORT VIEW CLEANERS	224.
CLOBE CHEMICAL CO INC	171.11	GT DISTRIBUTORS INC	499.
G & S OFFICE SUPPLY INC	919.29	WINDSTREAM	1206.
GEORGIA POWER COMPANY	13247.35	GMEBS	12889.
VULCAN MATERIALS COMPANY	247.00	DALTON TRUCK INC	256.
ADVANCE AUTO PARTS	50.71	PRECISION LOOPERS INC	198.
AUTO PARTS COMPANY	218.28	KLEEN-A-MATIC	454.
CONSOLIDATED FLEET SVC	1053.50	DALTON JANITORIAL INC	52.
CHATS WATER WORKS COMM	7773.36	C W MATTHEWS CONTRACTING	55110.
COMMUNICATIONS & ELECTRONICS	267.00	TRI-TECH INC	280.
SANTEK ENVIRONMENTAL GA	1924.59	JOEY TORRES	60.
WORLD ELECTONICS	27.98	CHEROKEE TRUCK EQUIP	327.
COMMAND UNIFORMS	221.14	EAGLE PARTS & MACHINERY	36.
GOVERNMENTAL SYSTEMS INC	765.60	LEE SMITH NIC	405.
S & J INDUSTRIAL SUPPLY	243.10	A & H SAFETY SUPPLY	287.
MCCAMY PHILLIPS TUGGLE	204.00	FIRST IMPRESSIONS PRINTING	315.
AUTOZONE/AZ COMMERCIAL	42.43	JASON CASTOE	60.
C J WALLS	60.00	FRETTA PULLIAM	41.
CHEROKEE TRUCK EQUIPMENT	279.70	ROBBY G WATKINS	360.
RAMESHWAR SHREE LLC	73.03	MAPCO EXPRESS	560.
GT DISTRIBUTORS INC	899.70	CHILD SUPPORT ENFORCEMENT	189.
KELLER OUTDOOR INC	114.00	NATIONWIDE RETIREMENT SO	622.
GRANT SERVICE COMPANY	141.57	WELLS FARGO	380.
CHAPTER 13 STANDING TRUSTEE	249.00	POSTMASTER MELVIN WELCH	70.
CHATS WATER WORKS COMM	232.75	ROBBY G WATKINS	360.
WATCH GUARD	9364.00	GA ASSOC CHIEFS POLICE	100.
CHILD SUPPORT ENFORCEMENT	189.58	MURRAY COUNTY TAX COMM	42.
NATIONWIDE RETIREMENT SO	622.00	WELLS FARGO	380.
CHAPTER 13 STANDING TRUSTEE	249.00	OWNBY ENTERPRISES	40.
GMEBS LIFE HEALTH FUND	20717.10	CITNAS FIRST AID	89.
COMMISSIONER OF MC	2227.66	PITNEY BOWES	147.
GEORGIA TECHNOLOGY AUTHORITY	516.91	VERIZON WIRELESS	627.
ROBBY G WATKINS	360.00	PEACE OFFICERS A & B	260.
ADVANCED OFFICE SYSTEMS	2198.00	NORTH GEORGIA EMC - SEDC	192.
BANKCARD CENTER	101.98	CSX TRANSPORTATION	100.
SIRCHIE FINGER PRINT LAB	77.89	AFLAC	1132.
CENTRAL GARAGE	128.00	BRADLEY BUILDERS SUPPLY	804.
CHATSWORTH FARM & GARDEN	50.96	CHATSWORTH AUTO PARTS	706.
ALSCO-518	341.36	PAT DENSMORE SELF	562.
MUNICIPAL EMERGENCY SVS	315.00	ETON AUTO PARTS	279.
GT DISTRIBUTORS INC	102.85	G & S OFFICE SUPPLY INC	188.
LIBERTY NATIONAL LIFE	1979.96	TRACTOR SUPPLY COMPANY	104.
COVINGTON DIESEL INC	224.03	WHOLESALE SUPPLY GROUP	7.
KLEEN-A-MATIC	423.88	CHILD SUPPORT ENFORCEMENT	189.
NATIONWIDE RETIREMENT SO	622.00	COMMAND UNIFORMS	128.
WILMA NOLAN	27.92	KEY RISK INSURANCE CO	51997.
PRE-PAID LEGAL SERVICES	67.75	GOVERNMENTAL SYSTEMS INC	5899.
C & M FLEET REPAIR SVC	403.37	LEE SMITH INC	112.
S & J INDUSTRIAL SUPPLY	102.12	WELLS FARGO	380.
AUTOZONE/AZ COMMERCIAL	270.19	TYSON HAYNES	157.
CHAPTER 13 STANDING TRUSTEE	249.00	LARRYS TREES TO DIRT INC	500.
ROBBY G WATKINS	360.00		

CITY OF CHATSWORTH

PRESENT: Mayor Tyson Haynes, Aldermen Gary Brock, Fred Welch and Wayne Graves. City Clerk Wilma Nolan. Present by teleconference Alderwoman Celeste Martin.

The fees were presented as follows:

The qualifying fees for the 2011 City of Chatsworth Election to be held in November are as follows

MAYOR - \$252.00

ALDERMAN -- \$144.00

The Following positions will be open for qualifying.

MAYOR
ALDERMAN POST 3
ALDERMAN POST 4

Following presentation of the fees, Mayor Haynes called for a motion to set the fees.

Celeste, "I make a motion we adopt the fees as specified." Wayne seconded and the motion passed by a vote of 4 to 0.

Mayor Haynes adjourned the meeting at 9:03 a.m.

ATTEST:

Wilma Nolan
CITY CLERK

MAYOR TYSON HAYNES

ALDERMAN WAYNE GRAVES

ALDERWOMAN CELESTE MARTIN

ALDERMAN GARY BROCK

ALDERMAN FRED WELCH