

**TOWN OF TALLULAH FALLS
STATE OF GEORGIA
REGULAR COUNCIL MEETING
255 MAIN STREET, TALLULAH FALLS, GA 30573
WITH VIDEO CONFERENCE STREAMING AVAILABLE FOR THE PUBLIC
MAY 7, 2020, 6:00 PM**

MINUTES

The Council meeting for May 7, 2020 of the Town Council of Tallulah Falls, Georgia was called to order at 6:10 PM by Mayor Mike Early. Social distancing protocols were observed as required by an Executive Order issued by Governor Kemp in response to the COVID-19 pandemic. A simultaneous live-stream view of the meeting was available through YouTube and the link <https://www.youtube.com/channel/UCRFIUIRrJfmxYTNT-ye4QA/featured> had been previously circulated to the media and citizens through e-mail notification. The public was also able to participate in the meeting via Webex with Meeting #794 499 414 or in person at City Hall with overflow space available in the fire bay with audio of the meeting.

PRESENT WERE: Mayor Mike Early
Councilperson Joey Fountain
Councilperson Deb Goatcher
Mayor Pro tem Larry Hamilton
Councilperson Craig Weatherly
Town Clerk Linda Lapeyrouse
Police Chief Tonya Elrod

PRESENT VIA VIDEO CONFERENCE: Town Attorney Warren Tillery
Public at large – see attached list

Mayor Early welcomed everyone to the meeting and requested a moment of silence.

REGULAR MEETING:

A motion was made by Councilperson Goatcher to approve the agenda. The motion was seconded by Councilperson Weatherly and unanimously approved.

The Consent Agenda included minutes of the Council Meeting April 9, 2020 and department reports from Water, Police, Fire, and Finance. Copies are attached hereto and made a part hereof.

A motion was made by Councilperson Hamilton to approve the items on the consent agenda. The motion was seconded by Councilperson Weatherly and unanimously approved.

REPORTS:

Attorney Report – None.

OLD BUSINESS:

The second draft of the previously introduced Ordinance to Establish Rules and Regulations Governing Certain Uses of Public Properties Owned and/or Maintained by the Town of Tallulah Falls, to Provide

for “In Kind” Reimbursements to the Town for, among other things, the Use of Utilities and Wear and Tear on such Properties was presented to Council. **A motion to approve the Ordinance was made by Councilperson Weatherly. The motion was seconded by Councilperson Goatcher.** There was discussion among the Council and Town Attorney. The public was also invited to speak on the topic. Following discussion, the motion passed with Councilpersons Weatherly and Goatcher voting in favor of approval, Councilpersons Hamilton and Fountain voting against approval and Mayor Early breaking the tie.

NEW BUSINESS:

Mayor Early presented the Council with an application from the Gary and Donna Verdino based on the previously discussed and adopted Public Property Use Ordinance. Their intent would be to camp behind City Hall from June 5, 2020 to August 21, 2020 in exchange for an in kind donation of services at a minimum of 24 hours per week for the benefit of the Town of Tallulah Falls in an manner deemed reasonable by the Mayor and Council. **A motion was made by Councilperson Weatherly to approve the application as presented. The motion was seconded by Councilperson Goatcher.**

Citizen and Planning Commission Chairman Van Knighton asked to speak and explained that he was having technical difficulties and was not able to speak prior to the approval of the Public Property Use Ordinance. Mayor Early allowed the comments. Mr. Knighton raise zoning questions for the attorney. Attorney Tillery responded and explained that the ordinance was not a zoning ordinance and explained that the ordinance only applied only to public property. He further explained that applications can be denied based on the background check or a lack of need but should not be cherry-picked with no reasoning. When Council reviews an application, they need to have a reason for denial stated in the minutes. After further discussion, Attorney Tillery recommended that Council reaffirm the original motion or make a motion to reconsider the previous motion.

Councilperson Weatherly made a motion to reaffirm the previous motion to approve the application of the Verdinos as presented. The motion to reaffirm was seconded by Councilperson Goatcher. The motion passed with Councilpersons Weatherly and Goatcher voting in favor of approval, Councilpersons Hamilton and Fountain voting against approval and Mayor Early breaking the tie.

Mayor Early asked Chief Elrod if she had done the background check yet. She had not. **Councilperson Weatherly made a motion to make the approval contingent on a satisfactory background check. The motion was seconded by Councilperson Goatcher. The motion passed with Councilpersons Weatherly and Goatcher voting in favor of approval, Councilpersons Hamilton and Fountain abstaining and Mayor Early breaking the tie.**

Mayor Early introduced Cam Reed from Blue Line Solutions who was in attendance via Webex to answer any questions about their School Zone Automated Enforcement Program. **A motion was made by Councilperson Weatherly to move forward with the proposal. The motion died due to lack of a second.**

Mayor Early explained the situation with the upcoming 2020 Habersham SPLOST and proposed intergovernmental agreement. The County has voted to draw up the intergovernmental agreement based on a population only split. Cornelia and Clarkesville are not in agreement. Tallulah Falls stands to lose a substantial amount of money based on the population split compared to the last SPLOST and other models that had been considered. Mayor Early’s recommendation was to try to bring the County back to

the negotiating table. A different model had been discussed in earlier meetings with the County that most cities had agreed on. Attorney Tillery recommended an executive session to discuss. There will be a work session to discuss a project list and an executive session can be held at that meeting. Mayor Early will continue to work with Cornelia and Clarkesville to negotiate with the County. The County has requested project lists based on the population model by May 26th.

Mayor Early presented a request from the Fire Department to move the \$4,000 currently budgeted for Fire Department Salaries to Travel Reimbursement in the current budget. This will allow the firemen to be reimbursed for mileage instead of being paid a stipend each year. Mileage reimbursement requests will be made to the Town Clerk. **A motion was made by Councilperson Goatcher to approve the budget amendment request as presented. The motion was seconded by Councilperson Fountain and unanimously approved.**

The moratorium on Short-Term Vacation Rentals expired May 4th. The Planning Commission is still working on their recommendations for Council. **A motion was made by Councilperson Weatherly to extend the Moratorium for an additional 90 days. The motion was seconded by Councilperson Goatcher. Planning Commission Chairman Knighton announced that they had a draft ready for public review. A public hearing will be scheduled. The motion to extend the Moratorium for 90 days was unanimously approved.**

Mayor Early presented a request for a moratorium on new sign permits for 90 days stating there may be some conflicts in our ordinances. Mayor Early has talked to Adam Hazell at the Georgia Mountain Regional Commission and they are willing to review our current sign regulations at no charge. He suggested allowing new businesses to obtain a temporary sign during the moratorium period. Citizen and former Councilmember Mary Beth Hughes has offered to head up a sign committee to review and make recommendations. Councilperson Hamilton disagreed with the moratorium and said he has plans for his property that will develop before 90 days and a review of the ordinances can be done without a moratorium. Attorney Tillery stated that the Town has two ordinances that are close to the same but not identical. Councilperson Goatcher suggested that the Committee could work with new businesses in the development and/or changes to the current ordinance. Constitutional issues also need to be reviewed. Following further objections by Councilperson Hamilton, no motion was made to approve the moratorium.

Mayor Early asked for a motion to put the Sign Committee back together. **Councilperson Goatcher made a motion to appoint a sign committee. The motion die for lack of a second.**

MAYOR'S COMMENTS: None.

PUBLIC COMMENTS:

Keith Nelms said that it would be nice to revisit the sign ordinance at some point in time.

Councilperson Fountain explained that he did not make any comments about the Blueline proposal because he did not see Tonya in the room. He requested that the item be added to the next agenda. Mayor Early agreed.

Councilperson Goatcher stated that we need to make sure there are no Constitutional issues with the sign ordinance. Mayor Early will send the ordinances to GMRC for review.

EXECUTIVE SESSION:


A motion was made by Councilperson Fountain to go into Executive Session for the purpose of discussing pending/potential litigation with legal counsel. The motion was seconded by Councilperson Goatcher and unanimously approved at 7:30 PM. Livestreaming was discontinued at that time.

The meeting was re-opened at 7:47 PM and live-streaming resumed.

A motion was made by Councilperson Fountain to authorize the Town's attorney to request that the Court dismiss the Town of Tallulah Falls and excuse us from further participation in the Frye Park Land Trust litigation. The motion was seconded by Councilperson Goatcher and unanimously approved.

There being no other business before the Council, a motion was made by Councilperson Fountain to adjourn the meeting. The motion was seconded by Councilperson Weatherly and unanimously approved.

The meeting adjourned at 7:49 PM.


Linda Lapeyrouse, Town Clerk