



Minutes
City Council Meeting
March 25th, 2024
6:30pm

Baldwin Courtroom, 155 Willingham Avenue, Baldwin, GA 30511

Mayor Stephanie Almagno, Council Member Erik Keith, Council Member Joseph Satterfield, Council Member Kerri Davis, Council Member Maarten Venter (via phone) and Council Member Alice Venter were all in attendance.

Call Meeting to Order

Mayor Almagno called the meeting to order at 6:30 pm

Invocation and Pledge

Consent Agenda

- a. Approval of Minutes: Executive Session 2/12/24 and Council Meeting 3/11/24.

Action: A motion was made by Alice Venter to approve the consent agenda as presented with a second by Joseph Satterfield. Motion Carried 5-0.

Public Comments

Nick Shirley (490 Highland Pointe Dr) addressed the Council about two issues. First, Highland Pointe residents are unsure who the roadway belongs to and therefore what direction to go to get potholes fixed. Second, he stated that vehicles are going way too fast through Highland Pointe Drive, Trojan Lane, and Dawn Place. Shirley requested that the speeding and safety issue be addressed with speed tables. CAO Emily Woodmaster confirmed that the roads do belong to Baldwin, and that the City has previously sent out letters asking residents to express interest in installing speed tables and recommended that being the place to start. Public Works Director Scott Barnhart added that his priority for the spring council retreat is addressing the roads in Highland Pointe, including the potholes and uneven levels.

Lec Overacker (175 Moss Mill Road) returned to ask Council if there were any updates regarding the water concern he brought to the last council meeting. Woodmaster stated there were no updates. Council agreed that while legal counsel will need to be involved in the process, they were willing to determine if it is possible for Banks County to purchase the water line as previously discussed. Overacker stated that he would follow up with Barnhart via phone.

Public Hearings

Reports

Public Works – Scott Barnhart

Barnhart gave Council a report on the state of the Public Works Department. Project updates included the sewer installation on the DOT right-of-way, fire hydrant maintenance and painting, and the new Public Works building. Barnhart

estimated the new Public Works building to be complete towards the end of the summer, and they plan to hold an open house for City employees and residents once all equipment has been moved and settled in. Regarding equipment and training – the Highland Pointe lift station had a communication error with the pumps and SCADA, prompting a generator to power on. SCADA is working to determine what caused the error. A backhoe is down and waiting for repairs. Several Public Works employees have completed tractor training as well as a confined space class.

Old Business

New Business

1. Consideration/Approval of 1st Reading of Otter Zoning Variance Ordinance #2024-03140Z

Woodmaster presented an application for a variance to allow for a 1,200 square foot upstairs office to be converted into a one-bedroom apartment at 134 Professional Drive, which is currently zoned Highway Business. While department heads did not have much concern over granting the request, staff recommends denying the request, as current zoning regulations do not contemplate residential dwellings inside commercial buildings, however, Council can approve the request with conditions, deny it, or grant a special use permit.

Applicant Danny Otter addressed Council regarding his request, stating that it is a current trend to have residential spaces attached to offices (especially since COVID), and that benefits would include security and an increase in value when the property owner sells the building in the future.

Council member Alice Venter stated when variances and special use permits come before Council, she likes to see the weight of cost vs. benefit, and that while she sees the economic and security benefit, she hadn't quite determined if there would be any cost to the community. Council member Maarten Venter said that he saw no issue granting the request as long as it did not provide undue stress to Baldwin Fire or Police.

Action: A motion was made by Maarten Venter to approve the 1st Reading of the Otter Zoning Variance Ordinance #2024-03140Z as presented with a second by Joseph Satterfield. Motion Carried 5-0.

2. Consideration/Approval of Habersham County Animal Control Contract

Woodmaster shared with Council that City staff have been in discussions with Habersham County regarding providing animal control services and the cost of the service. Woodmaster provided a history of animal control in Baldwin, going back to FY2016 (see attached).

Woodmaster recapped the process of establishing an agreement for FY2024, stating that the proposed IGA is retroactive as the County has been providing service since July 1st, even though an agreement had not been reached. The first agreement proposed by Habersham was for \$28,000, but that number was reached using the wrong population for Baldwin. After correcting the population,

it reduced the cost to \$18,455.58. While all of the cities agreed that it was fair to base the cost off of population, Habersham County also chose to use the gross digest instead of the net digest in calculating the cost of the service, resulting in multiple meetings and discussions of the true cost and tracking the taxpayer's dollar.

Woodmaster recommended having a vote made at the first April council meeting, as the County has requested a decision be made by April 30th. Council has the option to propose modifications to see if Habersham will accept or to terminate the service. If Baldwin does not sign an agreement, Baldwin residents will still have access to the facilities and services in Clarkesville, but Animal Control will not respond to a service call in Baldwin, and the County has requested payment of \$1,400 per month for services already rendered.

Baldwin residents in Banks County are able to use Habersham County animal control (as they have under every agreement), however, Woodmaster encouraged Council to reach out to Banks County to create an IGA to legally allow Habersham County to enter their jurisdiction. Citations currently issued in Banks County cannot be tried in Habersham, and by entering into an agreement with Banks and Habersham, a special tax district can be created for Banks County residents to pay their share for animal control services.

Council member A. Venter requested removing the auto-renewal clause in the proposed agreement. Mayor Almagno requested that language in Article III of the IGA be changed from "reflecting the net value" to "reflecting the gross value." Almagno also requested proposing to the County that Baldwin pay \$1,400 per month for the entire year instead of the \$18,455, as that is what Baldwin will pay if the service is terminated.

Council was in agreement to maintain animal control services, but to table the IGA until the proposed modifications had been discussed with Habersham County.

Action: A motion was made by Alice Venter to table the Habersham County Animal Control Intergovernmental Agreement until additional information is received with a second by Kerri Davis. Motion Carried 5-0.

3. Discussion of Purchasing Policy

Woodmaster stated that following the approved emergency Wastewater Treatment purchase at the February 26th council meeting, City staff had requested clarification on the enforcement of the purchasing policy as it is written and if Council would like to maintain or modify the policy.

Council member Satterfield provided a handout (attached) to Council, stating he was interested in changing the policy, creating a tiered structure of what is considered an emergency purchase and the procedure for pursuing quotes for purchases.

Council member M. Venter said that the current purchasing policy is transparent and has served the City well by reducing bureaucracy. Venter also pointed out that regarding the emergency purchase in question, 75% of the County relies on Baldwin's water being treated and distributed to standards.

Council member A. Venter stated that removing the emergency purchase clause would hinder the operations of Baldwin departments and services, and that she was not interested in telling department heads how to do their jobs, but rather, trusting their expertise.

Council member Erik Keith stated he felt that he and the other two new council members were not seasoned enough to make a decision of this magnitude.

While no vote was taken, Council members Keith, Davis, M. Venter, and A. Venter were in agreement that the policy the proposed modifications would create longer wait times and that the policy should remain as is. Council member Satterfield reiterated that he would still like to see the policy modified.


Executive Session

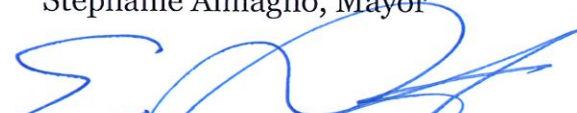
Announcements

- a. City Offices will be closed March 29th in observance of Good Friday.
- b. Homestead exemption affidavits for city property taxes are due April 1st. Please stop by City Hall with your driver's license or other government-issued ID to complete the affidavit.
- c. Join us for the 25th Baldwin Clean Up Day on Saturday, April 20th from 9:00 am – 12:00 pm at the Baldwin Farmers' Market! Celebrate Earth Day by cleaning up Baldwin roads and planting a tree. Free T-shirt and lunch provided for pre-registered participants. Register with your T-shirt sizes at baldwinevents@cityofbaldwin.org by April 5th! Clean Up Week is the week M-F leading up – call city hall to pick up. Taking tires and paint cans (separate), scrap metal, furniture, appliances, etc.
- d. The April 9th Work Session will take place in the Baldwin PD Training Facility directly behind the Baldwin Police Department.

Adjournment

Action: A motion was made by Erik Keith to adjourn the meeting with a second by Maarten Venter. Motion Carried 5-0 at 8:06 pm.


Stephanie Almagno, Mayor


Erin Gathercoal, City Clerk



4/15/2024
Date Approved by Council