



120 North Essa Street, Lake Park, Georgia 31636

A G E N D A  
LAKE PARK CITY COUNCIL  
JUNE 2, 2015  
7:30 PM

Public Hearing: Ordinance # 29, amendment # 9

Minutes & Financial

Citizens Concerns

Adoption of Ordinance # 29, amendment # 9

Resolution # 2015-06-02 (Altitude Communications)

Department Reports

Proposed Penalties for false fire alarm calls

Emergency lights on personal vehicles for fire department volunteers

Drainage issues, 526 Jackson Circ.

Setting expenses for 4<sup>th</sup> of July celebration

Review General Fund repayment to Enterprise Fund

Covering Mayor & Council under City's Worker's Compensation policy

Locks at City Hall

Citizens Concerns

Administrative, Executive reports



120 North Essa Street, Lake Park, Georgia 31636  
City Hall 229-559-7470  
Fax 229-559-7499

Public Hearing Minutes  
Tuesday June 2, 2015  
7:30 PM

Mayor Schindler called Meeting to order at 7:30 PM. Mayor lead the Pledge of Allegiance, followed by an invocation.

Those present were as follows; Mayor Schindler, Mayor Pro Tem Ronald Carter, Council Members Paul Mulkey and Bert Rutland, City Clerk, Maintenance Supervisor Patterson, Fire Chief Brown, Police Chief Breletic, and citizens.

Mayor called to order the Public Hearing regarding Ordinance # 29, amendment # 9, revised schedule of fines and penalties to be imposed by the Municipals Court of the City of Lake Park for violations of state and local law, and for other purposes, at 7:32 PM.

Mayor began by opening the floor for the public hearing on Ordinance # 29, amendment # 9, revised schedule of fines and penalties to be imposed by the Municipals Court of the City of Lake Park for violations of state and local law, and for other purposes.

He asked if anyone wished to speak in opposition to the Ordinance # 29, amendment # 9, revised schedule of fines and penalties and there was none. He asked if anyone wished to speak in favor to the Ordinance # 29, amendment # 9, revised schedule of fines and penalties, there was none.

Mayor closed the Public Hearing at 7:35.

Read & approved \_\_\_\_\_

Date \_\_\_\_\_

7-16-2015



120 North Essa Street, Lake Park, Georgia 31636  
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## Regular Meeting Minutes Tuesday June 2, 2015 7:30 PM

Mayor Schindler called Meeting to order at 7:30 PM. Mayor lead the Pledge of Allegiance, followed by an invocation.

Those present were as follows; Mayor Schindler, Mayor Pro Tem Ronald Carter, Council Members Paul Mulkey and Bert Rutland, City Clerk, Maintenance Supervisor Patterson, Fire Chief Brown, Police Chief Breletic, and citizens.

Immediately following the Public Hearing, Mayor opened up the Regular Council Meeting for city business. Mayor asked Council to review the minutes from May 5, 2015 Regular Meeting. Member Carter made a motion to accept the minutes as submitted, Member Mulkey second, all in favor, motion passed.

Mayor asked Council to review the financials from May 2015. Member Carter made a motion to accept the financials as presented, Member Rutland second, all in favor motion passed.

Citizens' Concerns – none at this time

Mayor called for Adoption of Ordinance #29, amendment #9, revised schedule of fines and penalties to be imposed by the Municipals Court of the City of Lake Park for violations of state and local law, and for other purposes. Member Rutland made a motion to adopt revision, Member Carter second, all in favor motion passed.

Mayor called for Resolution # 2015-06-02 (Altitude Communications). Resolution # 2015-06-02 of the City of Lake Park Georgia authorizes the city staff to notify Altitude Communications that it is operating a cable system in the city in violation of state and

federal law. Member Rutland made a motion to pass Resolution # 2015-06-02, Member Carter second, all in favor motion passed.

#### Department Reports

Police Chief Breletic came before Council to give his department report.  
(see attached)

Fire Chief Brown came before Council to give his department report.  
(see attached)

Maintenance Supervisor Patterson came before Council to give his department report which included trees located on Cotton/Gordon and on Broadway that is on city right-of-way and are dead. Huge limbs are falling and have to be cut up and done away with. The trees are too large and dangerous for us to cut down, so he contacted Pro Tree for a quote. The quote given was \$1800 for the one on Cotton/Gordon and/or \$2000 for both.

After finances were discussed, Member Carter made a motion to allow Pro Tree to remove the dangerous trees, Member Rutland second, all in favor motion passed. Patterson further reported that the city backhoe was in severe need of mechanical work or replaced. The equipment only partially functions and no one is able or willing to repair it further. No action taken at this time. Patterson also made mention of the generosity of Mr. Paulk for having the additional electricity that was installed at Tom's Pond.

Agenda item of proposed penalties for false fire alarm calls and emergency lights on personal vehicles for fire department volunteers were covered during Fire Chief Brown's department report.

Mayor addressed the agenda item of drainage problems at 526 Jackson Circle. As per Attorney Plumb's direction, the City of Lake Park cannot be held liable for the drainage issue that was caused by a neighboring property owner. Attorney further suggested that the city contact the complainant and have them correspond with neighboring property owner.

Mayor called for Council to discuss setting the expenses for the July 4<sup>th</sup> celebration. After some deliberation, Mayor asked Council to increase the government meeting budget \$3000 to cover the cost of the July 4<sup>th</sup> shirts, inflatables, and incidentals. Member Rutland made a motion to increase the government meeting expense budget line \$3000 and revenue will come from account line contributions and donations to cover the July 4<sup>th</sup> Celebration, Member Mulkey second, all in favor motion passed.

Chief Breletic asked to approach Council regarding the July 4<sup>th</sup> Celebration. Chief asked for Council to consider approving the sale of beer by the cup for a one time venue for the July 4<sup>th</sup> Celebration. There would be a designation area for the sale and consumption referred to as the Beer Garden. The business/distributor would be responsible for obtaining an ATF specialty license and would be required to only operate during the specified times and on the specified date. There would be a minimum of a \$200 fee paid to the city from the vendor and an additional fee of 50¢ per cup sold. After much

discussion, Member Rutland made a motion to approve the Beer Garden with all stipulations mentioned, and Member Mulkey second. When question called, Members Rutland and Mulkey for Member Carter opposed, motion passed.


Review of the general fund reimbursement to the enterprise fund was tabled.

Mayor called for discussion of workers compensation to include the Mayor and Council. After discussion, Mayor advised clerk to request a quote to include the perimeters of coverage for the Mayor, Council, and contracted employees to be included in the August agenda.

Mayor reviewed the quote submitted for changing out the lock to the clerk's portion of City Hall. After discussing the proposal, Mayor and Council decided to change to a turn lock only.

Citizens' Concerns -- none at this time

Being no further business, Member Rutland made a motion to adjourn, Member Mulkey second, all in favor meeting adjourned at 8:50 PM.

Read & approved  Date 7-16-2015

**CITY OF LAKE PARK, GEORGIA**

**RESOLUTION NO. 2015-06-02**

**A RESOLUTION OF THE CITY OF LAKE PARK GEORGIA  
AUTHORIZING CITY STAFF TO NOTIFY ALTITUDE  
COMMUNICATAIONS THAT IT IS OPERATING A CABLE SYSTEM IN  
THE CITY IN VIOLATION OF STATE AND FEDERAL LAW**

**RECITALS:**

1. On October 28, 2011 Altitude applied for a State Franchise to provide cable service in the City of Lake Park.
2. Pursuant to 47 U.S.C. 542 (b) the City has authority to impose a franchise fee rate of Five Percent (5%) of gross revenues derived from the operation of the cable system to provide cable services in the City.
3. On September 1, 2009 the City approved Resolution # 09-01-09 establishing a franchise fee of 5% of gross revenues earned by any cable provider within the geographical boundaries of the City holding a state franchise pursuant to the Consumer Choice for Television Act (See Exhibit A attached here to and made part of this Resolution).
4. Altitude collected a Franchise Fee in 2013 for Cable Service and did not remit Franchise Fee Payments to the City. The City has customer bill statements showing where Altitude collected a Franchise Fee (See Exhibit B attached here to and made part of this Resolution).
5. On April 10, 2015 the City requested Local Government Services, LLC ("LGS") to conduct a franchise fee payment compliance review. LGS requested Altitude to provide the financial information by May 10, 2015 (See Exhibit C attached here to and made part of this Resolution).
6. As of the date of this Resolution the City has not received franchise fee payments from Altitude or the financial information as requested.

NOW, THEREFORE, the City of Lake Park, Georgia hereby resolves as follows:

1. The recitals set forth above are hereby incorporated in their entirety.
2. As of the date of this Resolution the City has not received any franchise fee payments from Altitude nor has Altitude provided the financial information.

3. Altitude is in violation of 47 U.S.C. § 542 (b) and O.C.G.A Sec 36- 76- 6 for failure to pay the City a franchise fee of 5% of gross revenues derived from the operation of the cable system to provide cable service.
4. The City Manager is hereby authorized to provide Altitude with written notice of this resolution and the City Manager is further authorized to take any required action, including legal action in consultation with the City attorney and other advisors to require Altitude to comply with applicable Federal and State Law related to the payment of Franchise Fees due to the City.
5. City hereby reserves any and all rights it may have under applicable law to seek monetary damages, penalties and/or any other equitable remedy against Altitude for its use of the City's rights of way.

This Resolution shall take effect and continue and remain in effect from and after the date of its passage, approval, and adoption.

A motion to approve the foregoing Resolution No. 2015-062 was made by City Council Member Rutland and duly seconded by City Council Member Carter.

The following City Council Members voted in the affirmative:

Carter, Nulkey, Rutland

The following City Council Members voted in the negative:

NONE

Passed and adopted by the City of City of Lake Park, Georgia this 2nd day of June, 2015.

ATTEST:

CITY OF LAKE PARK, GEORGIA

By: Sabatha Fowler

By: [Signature]

Its: Mayor



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Call Meeting  
Monday June 25, 2015  
4:00 PM

Agenda

Police





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## Call Meeting Minutes Thursday June 25, 2015 4:00 PM

Mayor Schindler called the Call Meeting to order at 4:04 PM.

Those present were as follows; Mayor Schindler, Mayor Pro Tem Ronald Carter, Council Members Paul Mulkey and Bert Rutland, City Clerk, Police Chief Breletic, and Maintenance Supervisor Patterson.

Mayor called on Chief Breletic to come before Council with the additional information they had requested regarding hiring a Deputy Court Clerk to assist with GCIC filings, court proceedings, and probation files. Breletic stated that with the magnitude of caseloads that were in question, that hiring a deputy clerk would be the best course of action. He advised that there was a candidate in mind that had previous court and legal background and was available to work flexible hours. He further advised that salary amount of \$9.00 an hour and work hours be up to 15 hours per week. Other than salary, there would be a charge of \$2.47 per person to log in to the GCIC program and access records.

Mayor asked Council to discuss the proposed request from Chief Breletic. After much discussion, Member Rutland made a motion to hire Connie Martinez and to designate her as the Assistant Deputy Clerk of Court, paid at a rate of \$9.00<sup>\*</sup> an hour, and to work up to 15 hours per week to help with the entry of data and warrants through the court program and GCIC. His motion further stated that Tabatha is to be trained on the GCIC program as well as the traffic court manager program. Member Mulkey second the motion, all in favor, motion passed. *see correction 7/14/2015*

Chief Breletic further asked Council for permission to cancel the 3 cell phones for the police department whose contract ended recently. He further asked to purchase 4 air cards to be used in the patrol vehicles and to be serviced through Verizon. Member Rutland made a motion to have Mayor cancel the PD cell phone service with AT&T and allow Chief Breletic to purchase 4 air cards serviced through Verizon at \$38 each. Member Mulkey second the motion, all in favor motion passed.

Being no further business, Member Mulkey made a motion to adjourn, Member Carter second, all in favor motion passed.

Read & approved  Date 7-16-2015