

TOWN OF TALLULAH FALLS
STATE OF GEORGIA
SPECIAL CALLED MEETING
May 30TH, 2018
MINUTES

The special called meeting for May 30th, 2018 of the City Council of Tallulah Falls, Georgia was called to order at 7:24 p.m. by Mayor Teri Dobbs.

PRESENT WERE: Mayor Teri Dobbs
Councilperson Deb Goatcher
Councilperson Larry Hamilton
Councilperson Mary Beth Hughes
Councilperson Carol Nelms
Fire Chief Mike Early
Police Chief Bill Goatcher
Town Clerk Jessica Robinson

OTHERS PRESENT: See attached sign-in list

Mayor Dobbs welcomed everyone to the meeting and asked Reverend James Turpen to open the meeting with prayer.

Rev. Turpen announced that on June 10th his church would be hosting a dinner on the grounds to celebrate Chief Bill Goatcher. The lunch will follow the 11a.m. service.

Mayor Dobbs opened the meeting to discuss the Georgia Power building that the Town has as an asset. She stated that Pepper Kelly, from the marketing team, at the request of the Council helped to arrange the special called meeting and discussion with Janney Sanders to share more information about the benefits of creating a Downtown Development Authority (DDA). She stated that the marketing team was given a directive from the Council to market the building for lease purposes so that it could stay in the community and the Council would continue to have control over the type of business that would occupy the building. During this process, it has come to the attention of the marketing team that there are limitations for interested tenants to get financing. Mr. Kelly serves on the DDA of Clayton and has recommended that the Council consider creating a DDA.

Mayor Dobbs introduced Janney Sanders, an attorney from Toccoa who is very reputable in this specialized area of work and he has been very instrumental in the Clarkesville Downtown Development Authority.

Mr. Sanders presented the benefits of creating a DDA. Mr. Sanders stated that he currently represents all three of the Mountain Circuit County Development Authorities (Stephens, Rabun

and Habersham), as well at the City of Clayton and Clarkesville DDA. Development authorities were put in place by the Legislature as a tool to help bridge the gap in government financing. Primarily, because of the restrictions for cities and counties with respect to leasing and selling property, particularly real estate. Counties have development authorities and cities have downtown development authorities. The short reason for having a development authority is to provide flexibility to deal with property that a city or count may own or control. Provide for methods of financing that may not be possible through the government itself, as well as provide financing for businesses in the community, not just the city. Mr. Sanders works very closely with other attorneys who are very familiar and specialize in financing opportunities. OCGA 36-42-8 lists the general powers of downtown development authorities. As with other types of authorities in Georgia, downtown development authorities may accept grants and apply for loans. They can also own, acquire and improve property, and they are empowered to enter into contracts and intergovernmental agreements. DDAs also have the authority to issue revenue bonds.

Downtown development authorities cannot transact any business or exercise any powers until activated by adopting and filing an ordinance or resolution. The resolution must declare the need for the authority, specify the boundaries of the downtown development area that constitutes the central business district and appoint the initial members to serve. Mr. Sanders stated that he could represent the Town to complete a resolution if they decided they wanted to pursue the initiative.

Councilperson Hughes asked if the members of the DDA would continue to implement the vision of the Council. Mr. Sanders answered by stating that the appointments to the authority are made by the Council and the DDA is a joint partnership. Councilperson Hughes asked if the Town would be required to deed over the property to the DDA. Mr. Sanders stated that the Town would deed the property over once the Town had decided that they were ready to accept the plan presented to them by the DDA. The Town would not be required to deed the property until all documents have been put into place and the tenant has be decided. The Town could deed the property over at any time. However, most choose to wait until the plan is in order. Chief Goatcher asked how and when the Town would start receiving revenue. Mr. Sanders said that is dependent upon the agreement that the Town has in place with the tenant.

Mr. Sanders stated that most communities that have created a DDA have found it as a useful tool for a variety of reasons. It is a tool that they can use or just have available if it needed in the future to be used. Mayor Dobbs stated that she has spoke to Tim Lee and he is in support of the Town creating the DDA. Chief Goatcher asked what the cost to the Town would be to develop the DDA. Mr. Sanders stated that he would have a fee to draft some documents and the authority members would serve without compensation. Mr. Sanders said it would really depend on what the Town decides to have the DDA doing for determining the size of the budget needed. He stated that most DDAs do not have a very large budget. Mr. Sanders agreed to a fee of \$260.00 and hour. Mayor Dobbs said in her conversation with Mr. Sanders they estimate his cost to be less than \$1000.00. It will not be a reoccurring expense. Councilperson Goatcher asked if there is training involved. Mr. Sanders answered by stating that there is training that each of the members of the authority will need to attend. Mayor Dobbs stated that the reason that she wanted to have this meeting on this date is because there are people interested in the building and the

Town does not want to lose those prospects. Councilperson Hughes asked if the Town would pay for the training. Mr. Sanders stated that typically the Town would pay for the training for the members. Chief Goatcher asked if there would be any additional expense. Mr. Sanders said not initially, there may be some additional legal fees once you decide on a project, but those fees would be built into the budget of the project and the way that it is going to be paid back to cover those cast.

Councilperson Goatcher asked if the property is deeded over to the DDA and they are collecting rent, what would happen to the rent being collected besides going back into the running a maintenance of the building? Mr. Sanders answered by saying that if there is a time when there is positive cash flow then the Town and the DDA could have an agreement that the money could come back to the Town. Mayor Dobbs emphasized that the authority would report back to the Council on all activities. Mr. Sanders said it is recommended and most DDAs have a member of the governing authority serving on the authority.

Mayor Dobbs asked the Council how they would like to move forward. Mr. Sanders stated that he would need the names of the members and he would create a resolution and the by-laws of the authority. Rev. Tupen asked if authority would help someone to get financing to purchase the building if they needed assistance. Mayor Dobbs answered by stating yes. This is one tool that could assist them with financing.

Councilperson Hamilton expressed concern about finding seven people who would want to serve on the committee. Mayor Dobbs and the other council members stated they did not think this would be a problem. Councilperson Hughes stated she had three people who have come to her with interest in serving on the authority. Councilperson Hughes asked if she could serve on the DDA as a business owner and not a council member. Mr. Sanders answered by stating that would not be acceptable. You could not separate the two. As a council member and a business owner she would serve as the appointed council member. David Hart, town resident, asked if the DDA members would be covered under the Town's liability coverage. Mayor Dobbs said that this was a great point that would be followed up on.

Councilperson Hamilton stated that he knew of people who would be interested in purchasing the building and putting their own money into the building right now. Councilperson Goatcher said that without a DDA due to the restrictions on the Town it would have to go out to bid before the Town could accept an offer. Mr. Sanders said that the authority could assist with that example due to the flexibility allowed under the regulations for a DDA. He also stated that it was his understanding that the Town would like to keep some control over the building. Mayor Dobbs stated that Georgia Power deeded the building over to the Town for town use and to work with the State Park.

Mayor Dobbs asked the Council if they wanted to wait until the next meeting to take action on this item. Councilperson Goatcher and Councilperson Hughes stated that they both felt comfortable with moving forward with the taking action now.

A Motion was made by Councilperson Goatcher for the Town to activate the Downtown Development Authority. The Motion was seconded by Councilperson Hughes. The Motion

passed unanimously.

A Motion was made by Councilperson Goatcher to hire Janney Sanders at \$260.00 per hour to establish the resolution and prepare the bylaws. The motion was seconded by Councilperson Hughes. The Motion passed unanimously.

Mayor Dobbs stated that a DDA consists of a board of seven members who are appointed by the municipal governing authority to serve staggered terms- two for two years, two for four years, and three for six years. The Council will provide a list of volunteers to serve on the authority at the June 21st Council meeting. David Hart, Councilperson Hughes, Keith Nelms, and Kristi Early volunteered to serve on the authority. Mayor Dobbs suggested that someone from Tallulah Falls School be represented on the authority. Councilperson Hughes suggested that the Council reach out to Ann Irvin to serve on the authority.

Mayor Dobbs reminded the Council of the June 21st budget workshop at 5p.m. and the Public Hearing and Council meeting to follow at 6p.m. At this meeting the members of the authority will be decided by the Council.

A Motion was made by Councilperson Goatcher to adjourn the meeting. The motion was seconded by Councilperson Hughes. The Motion passed unanimously.

The meeting adjourned at 8:52 p.m.

APPROVED:

MAYOR

COUNCIL MEMBER

CLERK

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER