



February 8, 2011 **CITY OF MORROW, GEORGIA** Regular Meeting 7:30 pm

CALL TO ORDER: Mayor Millirons
PLEDGE OF ALLEGIANCE: All
INVOCATION: Mayor Millirons

1. **ROLL CALL**

2. **APPROVAL OF MEETING AGENDA:**

(Agenda Item 11-02-221)

To add or remove items from the Agenda:

3. **CONSENT AGENDA:**

(Agenda Item 11-02-222)

1. Approval of the January 18, 2011 Special Called Meeting Minutes

(Agenda Item 11-02-223)

2. Approval of the January 25, 2011 Regular Meeting Minutes

(Agenda Item 11-02-224)

3. Approval of the January 25, 2011 Work Session Minutes

(Agenda Item 11-02-225)

4. Approval for Chief Baker or his designated representative to dispose of surplus property, Unit #31, a 2002 Ford Crown Victoria, VIN# 2FAFP71W52X104401, in keeping with applicable laws.

4. **REPORTS AND PRESENTATIONS:**

5. **FIRST PRESENTATION:** None at this time

6. **OLD BUSINESS:**

1. Appoint Jack Bell to replace Clyde Jeffries on the Planning and Zoning Board.
(Mayor Millirons to administer Oath)

7. **NEW BUSINESS:**

(Agenda Item 11-02-226)

1. Approval for the Mayor to enter into a short term note evidencing a line of credit to run from Feb. 1, 2011 through Dec. 31, 2011 in the principal amount of 1,200,000, for the interim funding of capital improvements while awaiting grant reimbursement. Interest on the note is variable, but not less than 3.5%.
(Presented by City Manager Jeff Eady)

(Agenda Item 11-02-227)

2. Approval of a Resolution to partner with the Georgia Department of Revenue in an effort to ensure proper payment of Sales Tax.
(Presented by City Manager Jeff Eady)

(Agenda Item 11-02-228)

3. Approval of an Addendum to Agreement to provide Tourism Promotion Services between the City of Morrow and the Morrow Business and Tourism Association, Inc. *(Presented by City Manager Jeff Eady)*

8. **COMMENTS:**

Citizens-
City Manager-
Mayor and Council –

9. **ADJOURNMENT:**

To: Mayor Millions & City Council Members

From: City of Morrow Police Department
Jeff Baker, Chief of Police

Date: February 3, 2011

Subject: **Surplus Equipment Disposal Request**

The City of Morrow Police Department requests permission to declare the following equipment as surplus property and authorize Chief Baker or his designated representative to dispose of the property in keeping with applicable laws.

- Unit# 31, 2002 Ford Crown Victoria, VIN# 2FAFP71W52X104401

Respectfully,

Jeffery C. Baker
Chief of Police

STATE OF GEORGIA
CITY OF MORROW

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF MORROW TO AUTHORIZE THE CITY TO ACQUIRE A
TEMPORARY LOAN PURSUANT TO ARTICLE IX, SECTION 5, PARAGRAPH 5 OF THE
GEORGIA CONSTITUTION OF 1983.**

WHEREAS, the City of Morrow, Georgia has been approved for several grants for capital improvements funded by the State of Georgia; and

WHEREAS, the State of Georgia's grant system provides for payment of grant funds only after work for which the grant was awarded has been completed; and

WHEREAS, the City is in need of interim financing to cover the cost of capital improvements while it awaits reimbursement from the state; and

WHEREAS, temporary loans made by the City in calendar year 2010 and prior years have been paid; and

WHEREAS, the City currently has no outstanding short-term debt under Art. IX, Sec. 5, Para. 5 of the Georgia Constitution; and

WHEREAS, the amount of temporary loan is anticipated to be in the form of a line of credit of one million, two hundred thousand dollars (\$1,200,000), which sum is less than 75 percent of the total gross income from taxes collected in the last preceding year; and

WHEREAS, the aggregate of all temporary loans for the calendar year 2011 will not exceed total anticipated revenue for 2011;

NOW THEREFORE, BE IT RESOLVED, that the City of Morrow enter into a line of credit with Regions Bank in the principal amount of one million, two hundred thousand dollars (\$1,200,000), such line of credit to expire on December 30, 2011. The Mayor of the City is authorized to execute all documents required by Regions Bank to establish and maintain such line of credit.

BE IT FURTHER RESOLVED, that funds from the line of credit shall be restricted to interim financing of capital improvements while awaiting reimbursements from various grant sources, and that grant funds shall be utilized to reimburse draws on the line of credit as such reimbursements are received.

SO RESOLVED, this 8TH day of February, 2011.

Mayor Jim Millirons

Attest:

Evyonne Browning, City Clerk
(Seal)

A RESOLUTION TO PARTNER WITH THE GEORGIA DEPARTMENT OF REVENUE IN AN EFFORT TO ENSURE PROPER PAYMENT OF SALES TAX

WHEREAS, pursuant to O.C.G.A. § 48-13-20.1 cities and counties may collect and submit certain information to enable the Georgia Department of Revenue to ensure that businesses are properly compliant with state and local sales tax laws;

WHEREAS, cities and counties that levy an occupation tax on regulatory fee under O.C.G.A. § 48-13-1 *et seq.*, may pass a resolution to participate in this voluntary program;

WHEREAS, the City of Morrow levies an occupation tax and/or regulatory fee under 48-13-1 *et seq.*; and

WHEREAS, the Mayor and the Council of the City of Morrow desires to have the City of Morrow participate in this voluntary program.

NOW, THEREFORE BE IT RESOLVED by the City Council that the City of Morrow may participate in the Georgia Department of Revenue's program to verify that businesses paying occupation taxes and regulatory fees are also paying their state and local sales tax.

BE IT FURTHER RESOLVED that, upon adoption of this Resolution, any person who performs any business, occupation or profession subject to an occupation tax or regulatory fee under O.C.G.A. 48-13-1 *et seq.* is required to provide the City the following information when paying such occupation tax or regulatory fee:

- (a) The legal name of the business;
- (b) Any associated trade names for the business;
- (c) The mailing address for the business;
- (d) The actual physical address of each location of the business, if it is different than the mailing address;
- (e) The North American Industry Classification System Code (NAICS) applicable to such business; and
- (f) The sales and use tax identification number assigned to the business by the Georgia Department of Revenue, if the business is required by law to have such a number.

BE IT FURTHER RESOLVED that the City will provide written notice to all persons subject to the City's occupation taxes and regulatory fees and that:

- (a) This information will be provided to the Georgia Department of Revenue; and
- (b) If the person refuses or fails to provide the required information, the City will notify the Georgia Department of Revenue of this fact.

BE IT FURTHER RESOLVED that, within thirty (30) days after receiving the payment of occupation taxes or regulatory fees under O.C.G.A. § 48-13-20, the City will electronically submit the information received from each business to the Georgia Department of Revenue.

BE IT FURTHER RESOLVED that a copy of this executed Resolution will be immediately transmitted to the Commissioner of the Georgia Department of Revenue.

SO RESOLVED this 8th day of February, 2011.

Jim Millirons, Mayor

ATTEST:

Evyonne Browning, City Clerk
(Seal)

**ADDENBUM TO AGREEMENT TO PROVIDE TOURISM PROMOTION SERVICES
BETWEEN CITY OF MORROW AND
THE MORROW BUSINESS AND TOURISM ASSOCIATION, INC.**

WHEREAS, the City of Morrow (“City”) and the Morrow Business and Tourism Association, Inc. (“MBTA”) entered into an agreement, the most recent version of which is dated August 25, 2009, for the provision of tourism services by MBTA to the City pursuant to authority of Georgia law; and

WHEREAS, on December 29, 2009, the City Council enacted Ordinance No. 2009-15, increasing the Transient Lodging Tax imposed by the City from six percent (6%) to eight percent (8%) in accordance with Georgia law and subject to passage by the General Assembly of enabling authority; and

WHEREAS, the General Assembly adopted local legislation authorizing the Transient Lodging Tax to be increased within the City of Morrow from six percent (6%) to eight percent (8%) through passage of Ga. L. 2010, p.4143; and

WHEREAS, such tax increase was effective July 1, 2010; and

WHEREAS, increased revenues require an addendum to the existing agreement providing for distribution of such revenues; and

WHEREAS, the increased two percent (2%) proceeds received from the Transient Lodging Tax have been escrowed, pending completion of an addendum for the existing agreement;

For and in consideration of the mutual terms and conditions herein, the Parties agree that the Agreement to provide Tourism Promotion Services between the City of Morrow and the Morrow Business and Tourism Association, Inc., dated August 25, 2009, is hereby amended:

- (1) By changing the portion of proceeds from the Transient Lodging Tax allocated to MBTA from 33.3% of proceeds to 43.75% of proceeds, such amount representing 3.5% of the total of 8% of tax revenues collected under the Transient Lodging Tax, and shall be devoted by MBTA to promoting tourism, conventions and trade shows;
- (2) By changing all references in the Agreement from 33.3% of proceeds to 43.75% of proceeds;

MBTA shall provide an updated Budget for FY 2011 showing allocation of all proceeds anticipated to be received throughout the year, including the increased proceeds provided for under this Addendum. Once the Budget has been approved by the MBTA and the City, escrowed proceeds shall be released to MBTA to be utilized in accordance with that budget.

All other provisions of the Agreement to Provide Tourism Promotion Services between the City of Morrow and the Morrow Business and Tourism Association, Inc. dated August 25, 2009 are continued without change.

This Addendum is entered into this 8th day of February, 2011.

City of Morrow

Morrow Business and Tourism Association, Inc.

By: _____
Jim Millirons, Mayor

By: _____
Mike Twomey, Executive Director

Attest:

Evyonne Browning, City Clerk
(Seal)