

MINUTES

FORSYTH CITY COUNCIL MEETING

JANUARY 8, 2013

CALL TO ORDER, PLEDGE OF ALLEGIANCE AND INVOCATION

In accordance with Section 2.301 of the City Charter, City Clerk, Janice Hall called the meeting to order at 6:00 pm and lead the Pledge of Allegiance. Mr. White gave the invocation. Mrs. Hall turned the meeting over to Mayor Howard to preside, as there were no Oaths of Office to be administered.

ROLL CALL

Present for the meeting was Mayor John Howard, Councilmembers Mike Dodd, Jo Anna Banks, James Calloway, Desi Hansford, Eric Wilson, and Melvin Lawrence. Also present was City Attorney, Bobby Melton; City Administrator, Thomas White; and City Clerk, Janice Hall.

APPOINTMENT OF MAYOR PRO-TEM

Mr. Calloway offered a motion to appoint Mr. Wilson as Mayor Pro-Tem. Seconded by Mrs. Banks, the motion carried unanimously (voting in the affirmative were Dodd, Banks, Calloway, Hansford, and Lawrence).

ADOPTION OF PARLIAMENTARY PROCEDURES

Mr. Wilson offered a motion to adopt Roberts Rules of Order, 11th Edition for parliamentary procedures. Seconded by Mrs. Banks, the motion carried unanimously (voting in the affirmative were Dodd, Banks, Calloway, Hansford, Wilson, and Lawrence).

2013 COMMITTEE ASSIGNMENTS

Mayor Howard read out the 2013 committee assignments and passed a copy out to everyone.

APPROVAL OF MINUTES OF THE DECEMBER 18, 2012 COUNCIL MEETING

Mr. Lawrence offered a motion to approve the minutes of the December 18, 2012 council meeting as written. Seconded by Mr. Wilson, the motion carried with five (5) votes for (Banks, Calloway, Hansford, Wilson, and Lawrence) and one (1) abstention (Dodd – he was not present for the December 18th meeting).

2013 APPOINTMENT OF PROFESSIONALS

Mr. White reviewed the list of professionals for appointment for 2013. Mr. Hansford offered a motion to approve the list as presented. Seconded by Mr. Wilson, the motion carried

unanimously (voting in the affirmative were Dodd, Banks, Calloway, Hansford, Wilson, and Lawrence). Mrs. Banks stated that all agreed last year that all department heads are appointed until removed by council.

SET QUALIFYING FEES

Mrs. Banks offered a motion to set the 2013 qualifying fees at 3% of the annual salary for the office, which would be a fee of \$375 for office of Mayor and \$301.35 for office of City Council. Seconded by Mr. Wilson, the motion carried unanimously (voting in the affirmative were Dodd, Banks, Calloway, Hansford, Wilson, and Lawrence).

ADOPTION OF EMERGENCY INTERIM 2013 BUDGET

Mayor Howard stated that the 2013 budget is currently being reviewed but additional time is needed before it can be adopted. Mr. Hansford offered a motion to adopt an ordinance providing for an emergency interim 2013 budget. Mr. Dodd seconded the motion. Mr. Melton stated that the interim budget is only valid for 30 days. Mr. Melton stated that another interim budget could be adopted for an additional 30 days but he strongly discourages additional time beyond the 30 days. The motion carried unanimously (voting in the affirmative were Dodd, Banks, Calloway, Hansford, Wilson, and Lawrence).

MR. CURTIS REEVES

Mr. Reeves came before council to request the outcome of their previous meeting concerning his payment of work performed. Mr. Reeves reminded council that settlement was reached with the homeowner, but not with him. Mr. Hansford reviewed the Administrative Committee meeting where such issue was discussed. The Administrative Committee reviewed all the information that was submitted and no one came forward stating it was the city's responsibility for payment. The committee found no information to confirm that anyone agreed to pay for his actions. Mr. Reeves asked Mayor Howard to overturn the committee's decision and pay his bill. Mayor Howard offered to meet with the committee again and review with the city to figure out what could be done. The recommendation of the committee is to deny payment.

PINNACLE OF GEORGIA – 240 SHARP STREET- OWNER STEVE ROGERS

Mr. White informed council that Mr. Rogers contacted him about a death and serious illness in his family, and requested to be put on the agenda. The property at 240 Sharp Street has been declared a nuisance, therefore is now in the hands of the city. Mr. Hansford suggested Mr.

White, Mr. Carter, and Mr. Melton meet with Mr. Rogers since he was not present for the council meeting. Mr. White stated Mr. Rogers might not have known the meeting time was changed. Council consensus to allow Mr. Rogers to address council if he arrives before the meeting adjourns.

APPROVAL OF ACCOUNTS PAYABLE INVOICES

Mrs. Hall reviewed recurrent invoices for approval totals of \$245,321.24. Mr. Hansford offered a motion to approve the recurrent invoices. Seconded by Mr. Dodd, the motion carried unanimously (voting in the affirmative were Dodd, Banks, Calloway, Hansford, Wilson, and Lawrence).

Mrs. Hall reviewed purchase orders for approval totals of \$29,621.56. Mr. Dodd offered a motion to approve the purchase orders. Seconded by Mr. Calloway, the motion carried unanimously (voting in the affirmative were Dodd, Banks, Calloway, Hansford, Wilson, and Lawrence).

COMMITTEE REPORTS

Mr. Lawrence

Mr. Lawrence stated, as new chair for Public Safety, he would change the public safety meeting date and time. The Tree Board meeting will be on January 15th.

Mr. Wilson

Mr. Wilson, as new chair of Public Works, stated he would soon schedule a committee meeting for Public Works Committee.

Mr. Hansford

Mr. Hansford was appointed to the Administrative Committee.

Mr. Calloway

Mr. Calloway offered a motion to take 10% off hospital bill, above margin of cost, each month starting January 1, 2013. Seconded by Mr. Hansford, Mr. Melton asked if this applied only to the utility portion of bill and Mr. Calloway agreed stating that this would only be for the electric, water, and sewer portion of the bill, and the motion carried unanimously (voting in the affirmative were Dodd, Banks, Calloway, Hansford, Wilson, and Lawrence).

Mr. Calloway offered a motion to reduce the number of prison crews from the three down to two. Seconded by Mr. Hansford, Mr. Melton asked if the current contract calls for any notification and Mr. Calloway stated that it requires seven (7) days notice, and the motion carried

unanimously (voting in the affirmative were Dodd, Banks, Calloway, Hansford, Wilson, and Lawrence).

Mrs. Banks

Mrs. Banks, as new chair of Parks/Recreation/Cemetery, will schedule meeting dates soon.

Mrs. Banks announced the Regional Commission is working on updating the City Map.

Mrs. Banks invited everyone to a meeting on Lee Street Park on Wednesday, January 9th at 1:30PM at Aldermen Hall.

Mr. Dodd

Mr. Dodd, as new chair of Public Affairs, will be scheduling new meeting day and times.

Mr. Dodd offered a motion that Council allow the Public Works Committee to negotiate a contract with Advanced Disposal for the collection and disposal of residential solid waste, and that once a suitable contract with input from all council is written it be brought back to council for a public hearing and approval within a minimum of 30 days. Public notice shall be given prior to the public hearing and vote. Seconded by Mrs. Banks, the motion carried unanimously (voting in the affirmative were Dodd, Banks, Calloway, Hansford, Wilson, and Lawrence).

CITY ADMINISTRATOR REPORT

Mr. White had nothing to report for this meeting.

CITY CLERK REPORT

Mrs. Hall had nothing to report for this meeting.

CITY ATTORNEY REPORT

Mr. Melton requested an executive session before the meeting is adjourned to discuss pending litigation.

MAYOR REPORT

Mayor Howard announced he was looking forward to a new year.

Mayor Howard informed everyone that it was necessary to adopt the emergency ordinance for an interim 2013 budget due to unforeseen cost increases for services and that the cost of doing business has increased, so extra time was needed to review the 2013 budget before it can be adopted. Mayor Howard stated that there are questions within the budget that still need to be answered.

ADDITIONAL BUSINESS

PINNACLE OF GEORGIA – 240 SHARP STREET- OWNER STEVE ROGERS

Mr. Rogers came before council to ask for additional time to complete the work at 240 Sharp Street. Due to a medical issue and the death of his father, the work has not yet been completed, but he believes by the end of February a substantial amount of the work will be finished. Mrs. Banks offered a motion to give Mr. Rogers until the end of March to complete the work and have the property on the market. Mr. Lawrence seconded the motion. Mr. Melton informed council that this motion would overturn the motion deeming this property as a nuisance. Mr. Rogers will meet with Mr. Carter and Mr. White to discuss the property and work. Mr. Carter and Mr. White will report back to council. Mr. Calloway cautioned Mr. Rogers to make sure that the work was completed within this timeframe as he has previously been given extensions that he has not fulfilled. The motion to give Mr. Rogers until the end of March to complete the work at 240 Sharp Street and place the property on the market carried unanimously (voting in the affirmative were Dodd, Banks, Calloway, Hansford, Wilson, and Lawrence).

Mrs. Banks stated that council adopted a new procurement policy with training to be completed by the end of the year and asked for an update on the implementation of the policy. Mr. Hansford stated that the policy was effective January 1 and everyone needs to be trained. Mr. White stated that he met with the department heads to review the policy but we currently do not have a purchasing agent so the policy cannot be fully implemented. Mr. White is working with ECG to make the necessary changes to the purchasing system.

Mrs. Banks reviewed a DOT project that will be let in March 2013 for resurfacing of Highway 83 from Culloden to Highway 41. Mrs. Banks stated that we must coordinate with DOT to make sure necessary improvements are made to the intersection with Union Hill Drive. Mr. White stated that he would get a copy of the plans to see what additional work the city will need to do for the project.

EXECUTIVE SESSION

Mr. Hansford offered a motion to adjourn into executive session to discuss pending litigation. Seconded by Mr. Lawrence, the motion carried unanimously (voting in the affirmative were Dodd, Banks, Calloway, Hansford, Wilson, and Lawrence) and council adjourned into executive session at 7:10 pm.

OPEN SESSION

Mayor Howard called the meeting back to open session at 7:30 pm. Mr. Melton stated council has approved settlement of pending case based on recommendation of the city's insurance carrier without any statement of liability. Mr. Hansford offered a motion to approve the settlement as discussed in executive session. Seconded by Mr. Lawrence, the motion carried unanimously (voting in the affirmative were Dodd, Banks, Calloway, Hansford, Wilson, and Lawrence).

SUGAR SHACK—DEXTER WEBB

Mr. Webb, owner of Sugar Shack, came before council to state his concern that his business was being harassed. Police raided the club last Friday, January 4th and everyone was given a ticket. Mayor Howard explained the raid was conducted by the Drug Task Force and Monroe County Sheriff's Department and that he would have to talk to the County to address this issue. Mr. Webb stated some individuals who received tickets called the county, but was referred to the City. Mrs. Hall explained although the Drug Task Force and Sheriff's Department had written the citations, that the citations would have to be answered in City Municipal Court as they were written inside the city limits. Mr. Webb expressed he did not understand why everyone in the club at the time of the raid received a ticket. Mayor Howard stated that it is for the courts to decide if the Drug Task Force had probable cause to issue the citations. Mr. Webb stated that police sit in front of his business, but never go to the other side of town and that they would like to shut the entire street down. Mr. Melton advised that this situation is a court issue. Mr. Webb asked what the people should do with their tickets. Mayor Howard advised they should go to court.

ADJOURN

There being no further business to discuss, the meeting was adjourned at 7:45 pm.

Submitted by:

Janice L. Hall, City Clerk