

MINUTES

FORSYTH CITY COUNCIL MEETING

MAY 7, 2013

CALL TO ORDER, PLEDGE OF ALLEGIANCE, AND INVOCATION

Mayor Howard called the meeting to order at 6:00 pm and led the Pledge of Allegiance. Mr. Melton gave invocation.

ROLL CALL

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

APPROVAL OF MINUTES OF THE APRIL 16, 2013 COUNCIL MEETING

Mr. Wilson offered a motion to approve the minutes of the April 16, 2013 as written. Seconded by Mr. Lawrence, the motion carried unanimously (voting in the affirmative was Dodd, Banks, Wilson, and Lawrence).

APPROVAL OF TEMPORARY ALCOHOL LICENSE FOR CONSUMPTION ONLY FOR BHT CONCERT MAY 18, 2013

Mrs. Banks offered a motion to approve the request from Better Hometown for a temporary alcohol license for the May 18, 2013 concert. Seconded by Mr. Lawrence, the motion carried unanimously (voting in the affirmative was Dodd, Banks, Wilson, and Lawrence).

APPROVAL OF TRACTOR BID AND FINANCING – TABLED AT APRIL 16, 2013 COUNCIL MEETING

Mrs. Banks offered a motion to approve the bid and financing for the tractor purchase. Mr. Wilson seconded the motion. Mrs. Banks stated that this matter was reviewed and discussed at last night's work session and asked if it is a good financial decision to use the \$20,000 received in the sale of the garbage truck to purchase a new mower when cash flow is so low. Mrs. Banks stated that the purchase of the mower should wait until cash flow has improved, that city will not need a mower in July due to hot weather, and due to the financial bind city is currently experiencing we need to make do with what we have. Mr. Lawrence asked if we can go without the mower purchase and Mayor Howard stated that the \$21,000 received for selling the garbage truck is not budgeted money. Mayor Howard stated that if the \$21,000 is used to pay bills we will still need more money next month and will still need to purchase a mower.

Mayor Howard stated that grass already needs to be cut and a mower is needed to take care of pertinent needs. Mayor Howard stated that the public works was reallocated for city beautification and equipment is needed for them to perform their duties. Mr. Wilson asked for alternatives to not buying the mower and Mr. White reviewed the equipment that the public works department currently has and what that equipment is used for. Mr. Wilson asked how long it takes to cut all right-of-ways and Mr. White stated that he was not sure of the timeframe. Mr. Wilson stated that financing options had been presented and council discussed the financing options. The motion failed with one (1) vote for (Wilson), two (2) votes against (Dodd and Banks), and one (1) abstention (Lawrence).

APPROVAL OF 2014 SERVICES CONTRACT WITH ELECTRIC CITIES OF GEORGIA (ECG)

Mr. White reviewed the services the city currently subscribe to and the changes for the 2014 subscription. Mrs. Banks offered a motion to approve the 2014 service subscription. Seconded by Mr. Dodd, the motion carried unanimously (voting in the affirmative were Dodd, Banks, Wilson, and Lawrence).

APPROVAL OF 2013 HOTEL TAX AGREEMENT WITH CHAMBER OF COMMERCE

Mr. Dodd offered a motion to approve the 2013 Hotel Tax Agreement with the Chamber of Commerce. Seconded by Mr. Wilson, the motion carried unanimously (voting in the affirmative were Dodd, Banks, Wilson, and Lawrence).

EXTENSION OF EMERGENCY ORDINANCE SUSPENDING CITY CODE SECTION 2-10 WITH REGARD TO CITY COMMITTEES

Mr. Dodd offered a motion that the committee assignments made by the Mayor in January be suspended and replaced until the two vacant council positions are filled. The replacement shall be that the four remaining council members constitute the membership and perform the duties of each of the six standing committees, with the Chairmanship of each being as originally assigned by the Mayor and the two vacant chairmanships being held collectively by the four remaining council members. Mr. Wilson seconded the motion. Mayor Howard asked how this would work and Mr. Dodd stated that until the empty seats filled all six constitute each standing committees, with the chair as appointed in January 2013 except the two vacant committee chairs and council would vote a chair for each of those committees. Mr. Dodd stated

the business of the city needs to be carried on by each committee. Mayor Howard stated that this is the purpose of the work sessions. There was a lengthy discussion regarding the purpose of the committees, the need to use this time to see how City could work without the committee structure, and the failure of the committees to bring all matters to full council. Mr. Wilson stated that the emergency ordinance must be renewed every 30 days until the November election. The motion failed with one (1) vote for (Dodd) and three (3) votes against (Banks, Wilson, and Lawrence). Mrs. Banks offered a motion to suspend the committee ordinance for 30 days. Mr. Wilson seconded the motion. There was discussion as to how this will work, there will be no committees for 30 days, and all will serve as committee as a whole. Mr. Melton confirmed that the ordinance can be suspended every 30 days until after the election when a full council of six is established. The motion carried with three (3) votes for (Banks, Wilson, and Lawrence), one (1) vote against (Dodd), and Mayor Howard voted in the affirmative for the fourth vote.

APPROVAL OF QUIT CLAIM DEED FOR BANK OF AMERICA FOR PROPERTY ADJACENT TO CHAMBERS STREET

Mr. Melton reviewed that in 1965 the Citizens Banks (now Bank of America) deeded a portion of Chambers Street to the City for the widening of the street with the reservation that if it were not used the property would revert back to the bank. Bank of America is closing the local branch and the building is for sale. The use of the strip of property was questioned during the survey of the property and there is no evidence that the street was widened and the dimensions of the street are the same as they were in 1965. Mr. Melton stated that the Bank of America has requested a Quit Claim Deed of the property back to the bank. Mr. Wilson offered a motion to approve the Quit Claim Deed. Seconded by Mrs. Banks, the motion carried unanimously (voting in the affirmative were Dodd, Banks, Wilson, and Lawrence).

ACCEPTANCE OF EASEMENT FROM WAFFLE HOUSE AND AUTHORIZATION FOR QUIT CLAIM DEED TO WAFFLE HOUSE TO RELEASE ABANDONED SEWER LINE

Mr. Melton stated that Waffle House has agreed to provide an easement for the adjoining property service line in exchange for Quit Claim Deed of the old abandoned sewer line easement. Mrs. Banks offered a motion to accept and authorize the Quit Claim Deed for the easement no longer needed on the Waffle House property. Seconded by Mr. Lawrence, the motion carried unanimously (voting in the affirmative were Dodd, Banks, Wilson, and Lawrence).

APPROVAL TO ADVERTISE VARIANCE REQUEST FOR 120 INDIAN SPRINGS DRIVE TO ALLOW FOR FENCE HEIGHT GREATER THAN 42”

Mr. Dodd offered a motion to advertise the variance request for 120 Indian Springs Drive. Seconded by Mr. Wilson, the motion carried unanimously (voting in the affirmative were Dodd, Banks, Wilson, and Lawrence).

APPROVAL OF GMA BALLOT FOR DISTRICT 6 OFFICERS FOR 2013-2014

Mr. Wilson offered a motion to approve the GMA ballot for the District 6 Officers for 2013-2014. Seconded by Mrs. Banks, the motion carried unanimously (voting in the affirmative were Dodd, Banks, Wilson, and Lawrence).

APPOINTMENT OF VOTING DELEGATE AND ALTERNATE FOR MEAG

Mrs. Banks offered a motion to appoint Mayor Howard as the voting delegate and Mr. Dodd as the alternate. Seconded by Mr. Lawrence, the motion carried with three (3) votes for (Banks, Wilson, and Lawrence), one (1) abstention, and Mayor Howard voting in the affirmative for the fourth affirmative vote.

APPROVAL TO ADVERTISE MALT BEVERAGE POURING LICENSE FOR 523 WEST MAIN ST – UNION LOUNGE – APPLICANT LOVETT REDDING

Mrs. Banks offered a motion to advertise the malt beverage pouring license for 523 West Main Street. Seconded by Mr. Lawrence, the motion carried unanimously (voting in the affirmative were Dodd, Banks, Wilson, and Lawrence).

APPROVE MISSING ADULT AND MISSING CHILD POLICE DEPARTMENTAL POLICY

Mr. Wilson offered a motion to approve the addition of the Missing Adult and Missing Child policies to the departmental policies. Seconded by Mr. Dodd, the motion carried unanimously (voting in the affirmative were Dodd, Banks, Wilson, and Lawrence).

APPROVE AMENDMENTS TO CURRENT POLICE DEPARTMENTAL POLICY FOR CITIZEN COMPLAINTS AND INTERNAL AFFAIRS INVESTIGATIONS

Chief Corley stated that this amendment is to bring the current policy into compliance with the amendments to the Open Records Law. Mr. Lawrence offered a motion to approve the amendment to the police departmental policies. Seconded by Mr. Dodd, the motion carried unanimously (voting in the affirmative were Dodd, Banks, Wilson, and Lawrence).

APPROVE EMERGENCY MEDICAL PROTOCOLS FOR PREHOSPITAL TREATMENT TO FIRE DEPARTMENT POLICIES

Mr. Dodd offered a motion to approve the addition of the Medical Protocols for Prehospital Treatment to the fire departmental policies. Seconded by Mrs. Banks, the motion carried unanimously (voting in the affirmative were Dodd, Banks, Wilson, and Lawrence).

APPROVAL OF ACCOUNTS PAYABLE INVOICES

Mr. Wilson called out all invoice totals for each department. Mr. Wilson reviewed cash flow problem. There was a lengthy discussion regarding past due invoices, when those invoices could be paid, and cash flow. Mrs. Hall reviewed totals for invoices already approved but not yet paid. Mrs. Banks stated that city has had shortfalls over years but the excess is no longer there to carry the shortfalls and the electric department is subsidizing the other services. Mayor Howard stated that council should take the recommendations of staff. Mr. Wilson offered a motion to pay the invoices as soon as possible. Seconded by Mr. Lawrence, the motion carried unanimously (voting in the affirmative was Dodd, Banks, Wilson, and Lawrence).

CITY ADMINISTRATOR REPORT

Mr. White stated that he reviews all items before purchase and questions the department head to see if the purchase can be reduced or delayed; currently most expenses are for operating cost; and the budget is as low as possible.

Railroad Avenue Project – city has formally offered a bid and the Railroad is will push the request through the approval process

Old Brent Road Landfill – EPD has cleared the deficiencies found in recent inspection

Inert Landfill – researching alternatives to decrease the cost of the project, estimate at \$80,000 to chip

Union Hill Lift Station – Mr. Dodd asked Mr. White if the Union Hill Lift Station was stopped-up and Mr. White stated that it was but has been cleared. Mr. Dodd asked for an explanation of the stoppage and Mr. White stated that a large dog was found in the sewer system and stopped up the system at the lift station. Mr. White stated that there was not a sewage spill so it was not reportable to the EPD. Mayor Howard stated that the matter should be investigated by the Monroe County Sheriff's Office

CITY CLERK REPORT

Mrs. Hall stated that Mrs. Lisa Bellwin, 39 Cabiness Avenue, has contacted her as requested in letter from Mr. Melton within the allotted 10-day period. Mrs. Hall stated that Mrs. Bellwin would contact Mr. Steve Jones this week to discuss the city specifications to replace the sidewalk she removed last summer.

Mrs. Hall reported that the Relay For Life yard sale was cancelled this past weekend and will reschedule as soon as possible.

Mrs. Hall stated Wells Fargo and Merchant Capital are working together on the early redemption of the cable bond and it looks favorable to not only have sufficient funds in the accounts to payoff the bond but there may also be excess funds. Mrs. Hall stated there is a \$2500 fee for processing the termination. Mrs. Hall will speak with Merchant Capital in the morning and pass on any information received.

CITY ATTORNEY REPORT

Mr. Melton requested authorization to negotiate with Selective Insurance Company for some reimbursement in the Rutherford settlement. Mrs. Banks offered a motion to approve the authorization. Seconded by Mr. Lawrence, the motion carried unanimously (voting in the affirmative were Dodd, Banks, Wilson, and Lawrence).

Mr. Melton stated that the Battle easement for the South Interceptor sewer line project is in the courts and should come for a hearing soon.

MAYOR'S REPORT

Mayor Howard reviewed the regional Mayor's meeting held in Forsyth on April 30th. Mayor Howard stated that the mayors' meet quarterly and the main topic of discussion is Regional Transportation in the form of a bus line.

Mayor Howard reviewed Georgia Conference of Black Mayors he attended last weekend in Albany. Mayor Howard stated that all are encouraged to attend and reviewed several agencies he made contact with during the conference. Mayor Howard stated this was the best conference he has attended so far.

Mayor Howard stated Homesafe Program information would be available at City Hall for those that have lost their jobs and in danger of losing their home.

ADDITIONAL BUSINESS

Mr. William Calloway came before council to discuss repairs needed at the Country Club park restrooms. Mr. Calloway stated that if the city does not have the money to make the repairs

they should at least lock the doors so that people do not go in the restrooms. There was a lengthy discussion regarding need to make the repairs and paint the walls in the restrooms. Mr. Calloway stated that the restrooms at Kynette Park need to be open to the public. Council discussed that the building at Kynette was not built to be opened and unattended but was built to be used with the conference room. Mr. White stated the city ordinance states city parks will be open between the hours of 8 am and 10 pm daily.

Mr. Ramael Davis came before council to review the Monroe County Kids Day that is planned for May 25th at Kynette Park from noon to 6 pm and reviewed events to be held that day. Mr. Davis requested cones to block the parking areas, police presence, and garbage cans.

Mr. Lawrence stated that council needs to look at the tractor/mower financing and will bring information back to council.

Mr. Adam Cochran, Advanced Disposal, came before council to provide an update on the privatization of the garbage service. Mr. Cochran reviewed meeting held on Friday with Mr. White and Mrs. Hall where it was decided that route sheets would be turned in daily to City Hall to show which homes did not have their carts out at pickup time. Mr. Cochran stated that they would try to get any customers that are missed on the next day. Council reviewed problems with the limb pickup where a lot of citizens have debris that outside the parameters allowed. Mr. Cochran stated that he has worked out an agreement with Monroe County so that he can dump once a day in the County landfill and will pay a tipping fee to the County.

ADJOURN

There being no further business to discuss, the meeting was adjourned at 7:50 pm.

Submitted by:

Janice L. Hall, City Clerk