

**Minutes
Forsyth City Council
September 7, 2021**

Call to Order

Mayor Wilson called the meeting to order at 6:00 p.m.

Pledge of Allegiance, Invocation and Roll Call

Mayor Wilson led the Pledge of Allegiance. Mr. Lawrence gave the invocation. A moment of silence was observed for Councilmember Dodd and his family. In attendance for the meeting was Mayor Eric Wilson, Councilmembers Julius Stroud, Chris Hewett, Melvin Lawrence, and Greg Goolsby. Also in attendance was City Attorney, Bobby Melton; City Manager, Janice Hall; and City Clerk, Regina Ivie.

Approval of the Agenda

Mr. Stroud offered a motion to approve the agenda as presented. Seconded by Mr. Hewett; the motion carried with four votes (Goolsby, Stroud, Lawrence, and Hewett).

Approval of the minutes from the August 16, 2021, Council Meeting.

Mr. Hewett offered a motion to approve the minutes as presented. Seconded by Mr. Stroud; the motion carried with four votes (Goolsby, Stroud, Lawrence, and Hewett).

Approval of resolution closing Pippin Lane

Ms. Hall referenced a letter from Mr. Thomas Chambliss, current owner of the property. Ms. Hall stated that Mr. George Emami has a contract with Mr. Thomas Chambliss to purchase the property. No city infrastructure exists on Pippin Lane; and the city doesn't currently maintain the street. Ms. Hall further stated that an approval of the resolution is not approval of the proposed development by Mr. Emami; and that all costs associated with the road closure would be the responsibility of the property owner.

Mr. Hewett offered a motion to allow the closing of Pippin Lane. Seconded by Mr. Lawrence.

Mr. Howard arrived at the meeting at 6:10 p.m. Five members of council were present at this time therefore all unanimous votes will be five votes (Howard, Goolsby, Stroud, Lawrence, and Hewett).

After some discussion regarding the current zoning, the three parcels, and the status of the residents if any in the three parcels on Pippin Lane Mr. Stroud offered a motion to table the matter until the September 20th Council meeting. Seconded by Mr. Lawrence; the motion carried unanimously.

Public Hearing to consider a zoning variance request of Kathy Rowland for 94 E. Adams Street.

Mr. Melton stated the application of Kathy Rowland seeks a variance of setback requirements for the property at 94 East Adams Street; tax parcel F35 027. The current zoning of the property is MI (Manufacturing Industrial) and will remain unchanged. Planning and zoning recommended approval. The public hearing notice was published in the Monroe Reporter on August 11, 18, 25 and September 1, 2021.

Mayor Wilson opened the floor in favor of or in opposition of the proposed zoning variance request.

Mr. Eddie Rowland spoke in favor of the proposed zoning variance request. He stated the Old Mill Market is in unit 4; and we would like to expand the market into the other units.

There being no further comments in favor of or opposition of the zoning variance request Mayor Wilson closed the public hearing. Mr. Goolsby offered a motion to approve the zoning variance request as presented. Seconded by Mr. Stroud; the motion carried unanimously.

Approval of a temporary one-day permit for the sale of alcoholic beverage on October 19, 2021, for Old Mill Market Co.

Mr. Goolsby offered a motion to approve the temporary one-day permit on October 19, 2021, as presented. Seconded by Mr. Stroud; the motion carried unanimously.

Public Hearing to adopt the 2021 millage rate.

Ms. Hall reviewed the revenue projections at different millage rates for the city.

Mayor Wilson opened the floor for discussion regarding the 2021 millage rate. There being no comments Mayor Wilson closed floor. After some discussion regarding the property tax revenues being used for special projects, Mr. Howard offered a motion to adopt a millage rate of 2.5 mills for 2021. Seconded by Mr. Stroud; the motion carried unanimously.

Approval of bid for the emergency rehab of air piping.

Ms. Hall reviewed and recommended the emergency rehab of the air piping bid be awarded to P.F. Moon and Company, Inc for \$340,000 based on Hofstadter & Associates' recommendation.

Mr. Stroud offered a motion to approve the bid award to P.F. Moon and Company, Inc for \$340,000. Seconded by Mr. Hewett; the motion carried unanimously.

Approval of bid for the emergency filters.

Ms. Hall reviewed and recommended to award the bid to P.F. Moon and Company, Inc for the replacement of the filters based on Hofstadter & Associates' recommendation. Ms. Hall stated that both projects; emergency filters and the rehab of air piping will be reimbursed by the USDA loan; reimbursing the city for the upfront costs.

Mr. Goolsby offered a motion to approve the bid award to P.F. Moon and Company, Inc for \$646,000. Seconded by Mr. Stroud. The motion carried unanimously.

Approval of maintenance and master lease agreement for Ricoh.

Mr. Hewett offered a motion to approve the master lease agreement for Ricoh as presented. Seconded by Mr. Stroud; the motion carried unanimously.

Approval of requisitions greater than \$5,000.

- i. **GoForth Williams, Inc - \$14,846.00**
- ii. **Davis Plumbing - \$10,989.00**
- iii. **Davis Plumbing - \$14,448.00**

Mr. Stroud offered a motion to approve the requisitions as presented. Seconded by Mr. Hewett; the motion carried unanimously.

City Manager's Report

Ms. Hall provided the following report:

- Monica reports that we had probably the best yard sale so far this year.
- Farmers Market vendors have requested to extend market until end of October.
- Telling Our Story exhibit ribbon cutting this past Saturday. Very nice exhibit. This is the exhibit that Rosemary Walker has displayed for years in different locations during Black History Month. She finally has a permanent home for the display thanks to Mike Hickman and the MC BOE. I encourage everyone to take the time to visit the museum located in the old part of Hubbard Elementary.
- Blount Street CDBG just continues to have issues. Letters were inadvertently sent to residents on Willis Wilder Drive telling them about the delay and the process that the contractor would be going through. Then when they isolated the old line, several homes on Freeman/Willis Wilder were without water, so we called in Davis Plumbing as they were already working on another portion of the project, to run lines and get those few houses reconnected. When the line was isolated again last week, residents on Norvin Place

were without water. Again, called in Davis Plumbing to get those houses connected to a good line. The new line is operational but until we get those houses on Norvin tied in somewhere, the old line is still flowing as well.

- Once we are moved out of Welcome Center building, Hofstadter will get bids to make the repairs they feel will eliminate the stormwater getting in the building. When that project is complete, CVB can move back in (if they want to) and council can decide how best to proceed with use of the remainder of the building.
- 911 Memorial Event is Saturday at 8:30 to honor those that lost their lives during the attack. The event should last about an hour. Part of the ceremony will be the raising of the flag at new City Hall for the first time.
- 9/25 from 2:00 to 3:30 pm will be the Open House for City Hall. The public is invited to attend and walk through the new building.
- Clark Nexsen will do an inspection tomorrow to determine if Pellicano is substantially complete with construction or not. If passes inspection, that will stop liquidated damages. Initial landscaping of trees and plants going in today and sod next week. Chief Herndon and Steve Jones are working together to take care of watering the plants as directed by Silas.
- I offered to employees that want the vaccine but do not want to or will not take the time to go and get it, that we would have health department come and give the vaccine. Department heads report back that most have gotten the vaccine and those that have not, do not want it. We are requiring mask in city buildings and when more than 1 employee in city vehicles.
- Public hearing for signage at Starbucks will be held on 9/20 in new City Hall building

City Attorney Report

Mr. Melton stated a public hearing is being advertised for the September 20th Council meeting; Willie J. Green and Creative Solutions & Design LLC, for a conditional use application of 208 Sharp Street. A public hearing is being advertised for the September 20th council meeting to update the hotel/motel tax definitions to reflect the new state.

Mr. Melton stated he had received an anonymous email regarding an ethics question presented to the city. Mr. Melton read the email aloud.

On Aug 13, 2021, at 11:50 AM, Anonymous Name <anonymousname969@gmail.com> wrote:

To Whom It May Concern:

As a citizen of Monroe County, Forsyth, Georgia, I would like to bring a significant concern to your attention.

A city councilman is voicing strong, politically outrageous, and racial opinions on his social media. He has made several live videos and posts in regards to the protest on August 11, 2021 at the Board of Education specifically about the Boards' reversal decision and by bringing race into it.

I have attached the following photos so that they can be reviewed and addressed. Councilman Julius Stroud attended the scheduled meeting and spoke his opinions.

He also attended the peaceful protest. Later on that same evening, he made a FaceBook post with a comment inciting racial divide in our community. This comment was on his personal page, which he is using as a platform for his position as a City Councilman and Monroe County Educator.

I am 100% confident that you will agree and know that racial divide and threats of violence have NO place in our community.

If you recall, there was a peaceful protest in Forsyth for the Black Lives Matter movement in July of [2020](#). To my knowledge, as I followed this event closely, no negativity came of it. Black people were not arrested, taunted, jeered, threatened, and there were no shots fired.

The fact that Mr. Stroud would make a comment saying "if it would have been a black crowd....." directly showing with emojis that shots would have been fired and the police dispatched. His stating that things would have gone differently is absurd, biased, racial, and not even closely appropriate for a City Representative to post, promote, incite, or be given the opportunity to defend.

Multiple ethnicities were present at the PEACEFUL protest last night. For a City Council Member to use their position to make such a senseless and riotous statement should be addressed and dealt with by immediate termination and replacement. This was a DIRECT violation of the Georgia Ethics Commissions Policies and Regulations.

A City Council Member should not be talking, osting, or publically speaking regarding matters that cause racial division.

I fully expect this to be handled with the utmost urgency.

Racial division is an ever growing issue in every county in America. We cannot allow our City of Forsyth to support and perpetuate this very serious and potentially deadly matter.

Please see attached the most recent comment from August 12, 2021 indicating he has agreed with someone and is supporting and inciting violent behavior.

I have submitted this urgent appeal anonymously as I am in fear of retaliation.

Please take this matter SERIOUSLY.

Mr. Melton stated that at first look, Stroud's Facebook post, on his personal Facebook page, seems to me to be protected speech under the First Amendment to the United States Constitution, and Article 1, Section 1, Paragraph 5 of the Georgia Constitution. The Reporter in its front-page article this week references Stroud's comments, and the newspaper, and the other persons mentioned, George Head and George Emami, all have the freedom of expression, and to disagree, but the speech complained about does not seem to arise here as any conduct that is a "call to arms" or threat of violence.

Mr. Melton further stated as the City Code requires, this has been referred to me, as City Attorney, to review. Article V of Chapter of City Code (Code of Ethics).

The anonymous complaint does not fall under any of the "Definitions" set out in Code 2-131.

The complaint does not fall under any of the "Standards of Conduct" of Code 2-132.

The complaint does not set out any "Conflicts of Interest" under Code 2-133.

The purpose of the City's Code of Ethics is in the setting of acting as an official of the City, not being influenced to do or not do something with reward for the action, in other words, acting in an official capacity and conduct.

The personal Facebook post being complained about does not seem to me as in any way to be "official conduct" of Stroud.

Code 2-136 sets out that the complaint "shall be submitted to the City Attorney to be read at the next City Council Meeting" and if the council determines probable cause for an ethics hearing to convene such hearing.

The complaint is anonymous so there is no way to determine if (as required by Code 2-136 ["Any resident or official of the city may file an ethics complaint . . ."]) the complainant is actually a resident or official of the city and qualified to make the complaint.

Mr. Melton also stated there is no way to know that the complaint was made by a resident or city official, that the actions complained of appear to be protected free speech rights, and that the actions complained of do not violate any of the City Code of Ethics provisions, and that there does not appear to be any probable cause for an ethics hearing.

Mr. Hewett offered to a motion to dismiss the ethics complaint; no further action to be taken. Seconded by Mr. Lawrence; the motion carried with four votes (Goolsby, Lawrence, Hewett, and Howard). Mr. Stroud recused himself from the vote.

Mayor's Report

Mayor Wilson stated the employee luncheon will be held Thursday, September 9th at 11:30 a.m. He further reviewed recent statistics relating to the Covid pandemic. On September 3rd we reached 20k deaths related to Covid. Since the vaccine has become available 97% of deaths are unvaccinated people. He encouraged all to get vaccinated against the virus. Mayor Wilson further stated the 9/11 ceremony will be held Saturday, September 11th to commemorate the 20th anniversary of the 9/11 attack. And we will be hosting an open house on Saturday, September 25th. Governor Kemp and other state representatives have been invited to attend the open house.

Council Board Reports

Mr. Hewett stated a Housing Authority meeting will be held on September 14, 2021, at 3:00 p.m. at Aldermen Hall. Mr. Lawrence stated the Regional Commission meeting will be held on September 9, 2021, at 6:00 p.m. He's received many compliments on the City's new City Hall building. Mr. Lawrence requested prayers for Mr. Dodd and his wife.

Additional Business

No additional business was stated.

Public Comments

Mr. Stroud mentioned on Gloria Parker's behalf recent issues with her trash can, lid issues.

Executive Session

Ms. Hall stated a brief executive session was needed to discuss pending litigation.

Mr. Goolsby offered a motion to adjourn into executive session. Seconded by Mr. Stroud; the motion carried unanimously. Council adjourned into executive session at 7:17 p.m.

Mr. Goolsby offered a motion to adjourn the executive session. Seconded by Mr. Stroud; the motion carried unanimously. Executive session adjourned at 7:29 p.m.

Adjourn

Mr. Goolsby led a prayer for Councilmember Mike Dodd and his family.

There being no further business to discuss Mr. Stroud offered a motion to adjourn the council meeting. Seconded by Mr. Hewett; the motion carried unanimously. The meeting adjourned at 7:33 p.m.