

**Minutes**  
**December 7, 2020**  
**Forsyth City Council Meeting**

**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. Dodd gave the invocation. In attendance for the meeting in person was Mayor Eric Wilson, Councilmembers Greg Goolsby and Chris Hewett. Councilmembers Mike Dodd, John Howard, Julius Stroud, and Melvin Lawrence attended the meeting via zoom. Also, in attendance for the meeting in person was City Attorney, Bobby Melton; City Manager, Janice Hall and City Clerk, Regina Ivie.

**Approval of the Agenda**

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

**Approval of the Minutes from the November 16, 2020 Council Meeting**

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

**Presentation of Veto of an Ordinance to Annex H&H Properties**

City Clerk, Regina Ivie read aloud Mayor Wilson's VETO of Council Action regarding H&H Annexation that was received on Wednesday, November 25, 2020 at 10:42 a.m. A copy of the veto is included as part of the minutes.

Mr. Stroud offered a motion to override the veto. The motion failed due to lack of a second.

**Reconsideration of an Ordinance to Annex H&H Properties**

Mr. Dodd offered a motion that the proposed ordinance providing for the alteration and amendment of the corporate boundaries of the City of Forsyth through annexation of the H&H properties as agricultural and for the alteration and amendment of the zoning district and zoning map be approved. Seconded by Mr. Howard. Mr. Stroud expressed his displeasure regarding the reconsideration of the ordinance; stating it was not approved at a prior council meeting. There being no further discussion Mayor Wilson called for a vote; the motion carried with four votes (Goolsby, Dodd, Howard, and Lawrence). Voting against the motion was Mr. Hewett and Mr. Stroud.

**Otis Ingram - Water line discussion**

Mr. Ingram stated he has been discussing with Ms. Hall a water line from Chambers Street to the backside of Minori's Restaurant, new location for the French Market and Tavern. It was explained to Mr. Ingram by Ms. Hall that the City would not run the line from Chambers up to S. Jackson on the backside of Minori's. It has been Mr. Ingram's experience as a developer that City infrastructure is brought to the property. Mr. Ingram further stated that under the state's fire marshall's guidelines based on the capacity he is required to have a 4-inch water line for a sprinkler for the restaurant and a 2-inch line for the lofts above. Mr. Ingram requested a cost sharing arrangement between himself and the City of Forsyth for the necessary water line updates. Currently he has an estimate from Pyles Plumbing to tap the 6-inch water line at Chambers and to trench the line up the hill under the sidewalk at a cost of \$32,000. Mr. Ingram estimated with the additional expense of poured concrete necessary after the water line repairs are done would be \$45,000.

Mr. Howell Newton stated there is currently a water line in the parking lot that is serving all the buildings; he would like the water line moved permanently from his property. His preference would be to move the service to the alleyway.

After further discussion Mr. Stroud offered a motion to table until additional information and a study can be provided. Seconded by Mr. Dodd. After some discussion, the question was never called for a vote. Mayor Wilson noted that there is no action taken until further study.

#### **Bicentennial Update by Richard Dumas and Ralph Bass**

Mr. Bass and Mr. Dumas reviewed plans for a bicentennial County Celebration with a formal invitation to the City of Forsyth with the support of all the Monroe County Commissioners to the City to attend, endorse and participate in the bicentennial celebration. A meeting is held the second Thursday of each month at 1:30 p.m. in the County's meeting chambers. Sponsorship opportunities are available; financial assistance is needed more details coming later and volunteers are needed. May 15, and May 16, 2021 we will need Jackson and Johnston Street closed for the festival.

#### **Approval of Solar Initiative Agreements; review with Mike Leverett**

##### **Power Purchase Contract - Municipal Electric Authority of Georgia**

##### **Renewable Energy Customer Agreement - Walmart**

Mr. Leverett stated that Walmart wants to procure renewable energy; with an internal goal of 75% from a renewable source accomplished with renewable energy credits. Mr. Leverett explained that when renewable energy is generated it creates renewable energy credits; corporations will buy the credits to show support with the renewable industry. Walmart will continue to buy power from the City; the City will continue to provide power under current rates and tariffs. Mr. Leverett further stated the City will participate in two agreements one with Walmart and an agreement with MEAG. MEAG will have an agreement with a solar developer in South Georgia. The solar developer will generate electricity and generate renewable energy credits. City of Forsyth will receive a fee to facilitate the transaction between the two; the fee is still being negotiated. At this time, a non-binding indication of interest is being requested prior to the end of 2020. Mr. Leverette suggested the City provide an indication of interest at 1024 kw.

Mr. Hewett offered a motion to provide a non-binding indication of interest at 1024 kw. Seconded by Mr. Goolsby, the motion carried with five votes (Goolsby, Hewett, Lawrence, Howard, and Stroud).

#### **Approval of right-of-way agreement with Cox Communications**

Mr. Goolsby offered a motion to approve the right-of-way agreement with Cox Communications as presented. Seconded by Mr. Hewett; the motion carried with five votes (Goolsby, Howard, Stroud, Lawrence, and Hewett).

#### **Approval of 2021 Local Maintenance and Improvement Grant**

Ms. Hall stated for the 2021 Local Maintenance and Improvement Grant Chambers Street, Harris Street and Kimball Street will be submitted for resurfacing. If additional funds are remaining, we will resurface Newton Memorial Drive. In previous years, the City has received just over \$60,000 from the grant; the City has provided just over \$40,000.

Mr. Hewett offered a motion to approve the 2021 Local Maintenance and Improvement Grant as presented. Seconded by Mr. Goolsby; the motion carried with five votes (Goolsby, Howard, Stroud, Lawrence, and Hewett).

### **Review and Adoption by resolution of 2021 Proposed Budget**

Ms. Hall stated a revised preliminary invoice from MEAG indicated a reduced cost of \$100,000. With the adoption of the proposed budget a \$3.9 million transfer from the combined utilities fund to the general fund will be required to balance the budget; combined utilities fund will have a surplus of \$111,745. Ms. Hall further stated that the proposed budget does include a four percent maximum raise for all employees. Vacant positions and new positions are being created within this proposed budget.

Mr. Hewett offered a motion to adopt by resolution the 2021 proposed budget as presented. Seconded by Mr. Lawrence; the motion carried with five votes (Goolsby, Howard, Stroud, Lawrence, and Hewett).

### **Discussion regarding date of first Council Meeting in 2021; Tuesday, January 5, 2021 per Charter**

Mr. Goolsby offered a motion to schedule the first council meeting of 2021 on Monday, January 4, 2021. Seconded by Mr. Hewett; the motion carried with five votes (Goolsby, Howard, Stroud, Lawrence, and Hewett).

### **Approval of Requisitions Greater than \$5,000**

**Davis Plumbing \$ 51,474.00 - 2014 SPLOST**

**Walt Sconyers Plumbing Co. - \$5,860.00**

Mr. Dodd rejoined the meeting at 6:55 p.m.

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

### **City Manager's Report**

Ms. Hall provided the following report to Council:

- Kynette Community Building - to repair the damage done couple weeks back we are removing the doors between the community room and the restrooms and closing those off; removing the doors to the storage area that were destroyed and replacing with bifold doors; removing the sink and cabinets that were destroyed and replacing with a stainless-steel sink and countertop; replacing the window trim that was destroyed; and painting the entire room and both restrooms.
- Commercial Vehicle Lane map and documents are on display in the Welcome Center lobby. The public is welcomed to come by and view the display but must always wear a mask when inside the building. Georgia Department of Transportation is accepting comments until December 16<sup>th</sup>. Attended the virtual meeting Wednesday evening with Georgia Department of Transportation for Commercial Vehicle Lane project. Not sure how many were on the call, but good information presented, and questions asked. Several came by on Thursday after the meeting to look at the large map.
- Submitted a request to Regional Commission for assistance with applying for 2021 CDBG for waterline upgrades. Reminder that if we do water/sewer line projects outside the city limits for CDBG, it is required that we do a joint city/county CDBG and that would mean the county would forfeit their grant for that year.
- Submitted request to Georgia Department of Transportation to approve and install signage on Highway 42 South/Lee Street for City Cemetery
- Replaced sign at Public Safety Complex - looks great. Lighting is no longer run to sign as was removed several years ago but streetlight should be sufficient.
- Open Enrollment will be different this year. Not holding meetings but having each department head pass out the annual booklets and get employees signatures that are required for cafeteria plan coverages. Each elected official will need to sign a form as well since you are covered by the insurances.
- Working to try to figure out a solution for the curb stops on Johnston Street. Vehicles are running into and over them enough that they are regularly moving them and breaking them and bending the rebar holding them

in place. If we remove them, the damage currently being done to the curb stops would then be done to the curb and sidewalk. There are areas along the street that require the additional space for handicap access between the vehicles and stairs.

- Pyles Plumbing continues work on running the sewer line under Highway 83/N Frontage Road. Found water line but hit rock so that slowed them down.
- Public Works and Electric Crews will attend flagging school next week to get their certification. Training provided by Electric Cities of Georgia at a cost of \$99/employee.
- Electric department completed rehanging feeder across I75 that was pulled down weeks back when vehicle hit and broke 2 poles.
- Radar signs returned and are back up and running. The traffic calming policy is still on Google Drive for your review and the city engineers are reviewing as well.
- Fire hydrants have been painted by Mary Person High School; Public Works crew has set them in dog park. We are ready to have "unveiling" and check presentations to the students as part of our Surprise Art Grant this week if possible so the paperwork for the grant can be submitted and the students will have their checks before the holidays.
- Blocked off stairs on Johnston Street at Pickled Okra and Harbin Engineering due to large cracks in stairs. Researching to determine best course of action to repair - either remove stairs and put in wall with small walk area like what is in front of ramp at Scoops or several sets of stairs. Will keep everyone updated as we work through the process. We are having railing installed to prevent anyone from using the steps.
- Regular meeting held last week with Pellicano and still on schedule for completion of new city hall by end of March, but he did state that he will submit another revised schedule in next couple of weeks.
- Bryant Engineering is still working on the numbers for the installation of the water to Charlie Pelt's State Farm project on Railroad Avenue. You will remember that we previously had water on that street with a fire hydrant but abandoned all of that when the Railroad Avenue Project was done. Once we have the figures, a recommendation to council will be made as to our participation in the project.
- Completed application for beer and wine package received for Comfort Inn which is changing to Clarion Pointe. Advertisement will run for public hearing 1<sup>st</sup> meeting in January.
- Meeting this week with Georgia Department of Transportation to review changes they are proposing for Highway 83/Lee Street.

#### **City Attorney Report**

Mr. Melton had no further business to report.

#### **Mayor's Report**

Mayor Wilson had no further business to report.

#### **Council Board Reports**

Mr. Hewett stated there is no meeting scheduled for the Housing Authority for December.

Mr. Howard stated the Convention & Visitors Bureau Board will meet December 8, 2020 at 9:00 a.m. Board appointments and electing officers will be done at that meeting. Mr. Howard inquired as to a solution regarding the sawmill noise issue in Mr. Stroud's backyard. Mr. Howard further stated he would like for Council to maintain the course with annexation plans in the City as previously discussed.

Ms. Hall stated the property is being investigated by code enforcement; the City did not approve a variance; it is an unincorporated island that was annexed into the City. The City of Forsyth did not approve the sawmill.

**Additional Business**

Mr. Stroud stated he is disappointed in how we changed our minds; and how Mayor Wilson vetoed an item that Council voted for; we have all made mistakes; perhaps it was not the right vote at the time. He feels in his opinion it is the wrong call to annex H&H properties. Mr. Stroud further stated the City has plans to annex numerous other properties that has yet to be annexed into the City; the plan was submitted to the Regional Commission.

**Public Comments**

Mr. John Ambrose, Commissioner of Monroe County stated the City's actions taken tonight were irresponsible that the public was not allowed to speak. Mr. Ambrose further stated what's to stop the City from trying to annex the whole county; the mediation board what they said doesn't mean a hill of beans; they have no right to act on anything, they are just trying to mediate, and this isn't over with.

Ms. Dawn Young @ 15 Harper Lane addressed Mr. Howard regarding his audacity of mentioning the issues with Mr. Stroud's sawmill issue after the way he voted tonight for the annexation of H&H properties.

Mr. Bob Hunter at 700 River Walk inquired as to whether community, utility, and traffic study had been completed; inquired about the hours of operation; asked if a noise and decibel level study been completed; inquired about development costs and costs being deferred to residents; tax abatements. Mr. Hunter further mentioned roads, and possible bridge issues in the newly annexed property owned by H&H properties.

Mr. Gary Bell @ 273 Orchard Ridge Drive commended Mr. Stroud and Mr. Hewett by standing by their original vote. Mr. Bell further mentioned various issues within the City; he feels the City is not being transparent.

Mr. Greg Head @ 294 Rocky Creek Rd stated the City has competing interests against the County. He hopes that the process to annex a business out of the City is as simple a process as it is to annex in.

Mr. Ben Vaughn provided a letter to Mayor & Council indicating Monroe County's position regarding the consideration of vetoing and reconsideration of the November 16, 2020 decision regarding the annexation and zoning of H&H Timberlands, LLC property into the City of Forsyth. Mr. Vaughn referred to the City's charter and further referenced various paragraphs within the provided letter. Mr. Vaughn on behalf of Monroe County asked Council to reconsider their decision made earlier. A copy of the letter provided is included as part of the minutes.

Mr. Lewis Young @ 15 Harper Lane expressed that he was upset over the actions of Council changing their decision on the original vote regarding the H&H annexation. Mr. Young further inquired as to what would be located at the property; referenced transparency within the City; does not want an industrial park in the area. Mr. Young expressed his appreciation for their votes to Mr. Hewett and Mr. Stroud.

Mr. Mack McGraw @ 186 Orchard Ridge Drive stated he does not understand what happened after the last meeting to change the vote on the H&H annexation. Mr. McGraw inquired why does the property need to be annexed into the City now when it is not known what is going to be done on the property.

Mr. George Emami stated Council is aware of his position on the matter; has worked with Mayor & Council and knows their intentions are pure; their desire is to help Monroe County as economic perspective. Mr. Emami further stated he feels the decision to annex the H&H properties is a poor decision. Currently, what is known is that there is an industrial intent for the property; with proper setbacks, and due process he is in favor of.

Mr. Larry Evans former Monroe County Commissioner stated the City is working in the best interest of the City and Monroe County; has worked with all the Council for years; Mayor Wilson has the best interest of the City at heart. Mr. Evans stated that once a plan has been developed for the property the studies that were previously mentioned in public comment would be done at the time.

Mr. Firman Sakir @ 280 Orchard Ridge Drive stated industry is needed in the area due to the Georgia Power plant being shut down at some point soon. He feels there's no accountability, a land grab. He stated he is angry that no one knows what's going to be done on the property? He's concerned it will affect his well; will there be pollution from trucks?

Ms. Dawn Sherry @ 270 Orchard Ridge Drive stated she's not in favor of the annexation; asked Council to reconsider their vote.

A citizen who didn't provide his name or address stated that he didn't want to come tonight; thought this was all dealt with on December 7<sup>th</sup>; it rears it's head again, another day that will live in infamy.

Mr. Tye Hanna with H&H Properties expressed his gratitude for reconsidering the action on the H&H annexation. Mr. Hanna stated that since 2004 he's contacted Monroe County on numerous occasions seeking assistance obtaining utilities on the property; plans are long range; intentions are pure. Possible residential and industrial will be done but neither can be done until water and sewer is available on the property. There are no concrete plans for the property currently.

Mr. Clarence Upright @ 1489 Smith Rd stated there is water on both ends of the road; all of this is underhanded. We have no say, we have nothing to do with that.

#### **Executive Session**

Mayor Wilson stated an executive session was necessary to discuss land acquisition, lease or sale and personnel matters. Mr. Hewett offered a motion to adjourn into executive session at 8:20 p.m. Seconded by Mr. Goolsby; the motion carried unanimously.

Mr. Goolsby offered a motion to adjourn the executive session at 8:37 p.m. Seconded by Mr. Hewett; the motion carried unanimously.

#### **Adjourn**

There being no further business to discuss Mr. Hewett offered a motion to adjourn the Council Meeting. Seconded by Mr. Goolsby; the motion carried unanimously. The meeting adjourned at 8:38 p.m.