

## **MINUTES**

### **FORSYTH CITY COUNCIL MEETING**

**OCTOBER 1, 2018**

#### **CALL TO ORDER, PLEDGE OF ALLEGIANCE, INVOCATION, AND ROLL CALL**

Mayor Wilson called the meeting to order at 6:00 pm and led the Pledge of Allegiance. Mr. Goolsby gave the invocation. Present for the meeting was Mayor Eric Wilson, Councilmembers Mike Dodd, Julius Stroud, Greg Goolsby, John Howard, Chris Hewett, and Melvin Lawrence. Also present was City Attorney, Bobby Melton, and City Manager, Janice Hall.

#### **APPROVAL OF AGENDA**

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

#### **APPROVAL OF MINUTES OF THE SEPTEMBER 17, 2018 COUNCIL MEETING**

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

#### **PRESENTATION BY NORFOLK SOUTHERN FOR RAILROAD CROSSING UPGRADES AND CLOSINGS – WILLIAM MILLER**

Mr. William Miller, Norfolk Southern, Mr. Michael Nash, G-DOT, and Mr. Kevin Cowan, G-DOT came before council to discuss railroad crossing safety. Mr. Miller reviewed ways to improve safety for all crossings; close two and substantial upgrades to Lee and Tift; surface upgrades to full depth rubber; and modernize warning devices with approximately \$1 million project.

Mr. Lawrence stated that upgrades are overdue.

Mr. Howard expressed concerns of how these changes would affect emergency vehicles. Mr. Miller stated that crossing the Indian Springs crossing should be a challenging for fire trucks and closing it would prevent accidents from happening as it is only marked with stop signs and there have been two accidents in recent years at that crossing.

Mr. Stroud questioned if there might be another route to look at rather than closing the Indian Springs crossing. He continued that there have been two accidents on the crossing but the main crossings need improvements as well.

Mr. Hewett suggested reopening one of the crossings that was previously closed. Mr. Miller responded that there is nowhere along that stretch of track that meets the requirements to have a crossing. Mr. Hewett stated that it is a long distance between Lee and Mize if the tracks are blocked.

Mr. Dodd reminded the group that there were two crossings between Indian Springs and Mize that were closed. Mr. Miller commented that the specs have changed over the years and requirements are stricter as to what is allowed around a crossing. Mr. Miller stated that he feels that Indian Springs should be closed and place the focus on the two most important crossings.

Mayor Wilson asked for clarification regarding the rationale for closing the Main crossing. Mr. Miller stated that federal funding is tied to railroad crossing closings. Mr. Hewett said that we are being held hostage if the two main crossings will only be upgraded if the city agrees to close the other two crossings. Mr. Miller stated that Section 130 applies to funds for crossing upgrades and closings. All crossings are ranked and Indian Springs ranks low on the state's list. If it was closed federal funds could be used to upgrade an adjacent crossing. Closure is not required but funding would be obtained faster if the Indian Springs crossing were closed.

Mayor Wilson asked where is Main Street ranked and again, what is the rationale for closing this crossing. The City recently required a developer to upgrade Main Street. Mr. Cowan said that Forsyth has redundant crossings and Main Street crossing is a redundant crossing and it would be a good safety reason to close. Mayor Wilson stated that the Main crossing has arms.

Mr. Goolsby asked if Lee Street needed improvements and has problems. Mr. Miller stated that the surface is asphalt and is beaten down between the track and it needs a better surface in order to handle the large amount of traffic.

Mayor Wilson stated that it's not feasible to replace the Indian Springs crossing but received responses that the City could install at our expense. Mr. Miller pointed out that a new crossing could be installed if it meets the requirements and is permitted by Norfolk Southern.

Mr. Stroud stated that Lee and Tift crossings need work. There have been accidents at the Tift crossing recently. He proposed the question of why couldn't the two crossings be upgraded and leave the other two. He stated that he is here to represent the citizens and none have complained about Main and Indian Springs. If we say no to the closings it seems like the railroad is saying no to upgrades. Mr. Cowan stated that the surface is the railroad's responsibility. The City can work with the railroad on the arms and lights. If the City is not going to work with the railroad then they can only look at how far out the Department of Transportation would be to do the project. It takes twenty-four to thirty-six months to list a project as a regular project. Mayor Wilson asked Mr. Cowan if the City contributes funds would that speed things up any and Mr. Cowan was not sure if it would or not.

#### **PUBLIC COMMENTS REGARDING RAILROAD PROPOSAL**

Dean Clements, 305 Main Street, stated that his family owns several properties on Main and implored council to not grant the closing. Mr. Clements stated that he has health issues and every second counts when have an emergency, it's not just an inconvenience, it is a matter of life or death.

Sheriff Shackelford, is retired from Norfolk Southern, stated that trains are unforgiving. Sheriff Shackelford stated that he and his deputies looked at Indian Springs Crossing for several days and one out of three stopped at the crossing. If crossing toward the north, you cannot see so it is sight distance issue. Mr. Hewett asked if the vegetation in the right-of-way belongs to the Railroad at Indian Springs crossing. Mr. Miller stated he is not sure but right-of-way is kept clear; crossing is skewed and curves so nothing can be done to correct these issues-is not a vegetation issue.

Ronald Bearden, 441 Sunset Circle, stated the he uses Indian Springs crossing as a cut through, and it is a terrible crossing with accidents; no problem in closing as emergency vehicles not use that crossing; cannot see at Indian Springs; would give up the two crossings to upgrade the other two; developer spent his own money to upgrade the road at Main Crossing; propose that money be given back to the developer for upgrades he did to road; those helped will out-way those that have slight inconvenience.

Otis Ingram, 5327 Hwy 41 S., originally wanted to close the road for Tractor Supply, cost \$125,000 to put in road, want to discuss with railroad about compensatory damages; Tractor Supply deliveries use Main Street to enter back of building; 8:00 am and 3:00 pm has increase in traffic on Main for school traffic; lot size was decreased when put in road as well; doesn't have opinion as to open or close but if close crossing want reimbursement from railroad for money he spent to move and upgrade Main Street.

John Ambrose, County Commissioner and retired from Norfolk Southern, stated traffic on railroad has increased and so has speed; Indian Springs crossing problem is that it is in a curve; urged council to

close Indian Springs crossing. Mr. Ambrose stated the Railroad is working with county to close some of the crossings in the county.

Mr. Miller stated the railroad plans to double stack not double track and every crossing upgrade will pay dividends.

Mr. Miller stated that he appreciates the civility in room and the way the discussions were held. Mr. Miller stated this is a proposal and what he is hearing is that Main Street not favorable, Indian Springs could be favorable, Lee and Tift upgrades favorable. Mr. Miller stated they were not looking for vote tonight, just looking for feedback on their initial proposal and will come back with changes sooner rather than later.

Mayor Wilson stated that Representative-Elect Washburn is present and that Representatives Dickey and Holmes were invited as well but not able to attend. Mayor Wilson stated that Representative Dickey has previously voiced concerned with lack of arms on Tift crossing.

Mr. Stroud asked if closing one will we get to choose which crossing to get emphasis as Tift needs the most work. Mr. Stroud thanked the presenters for the diagrams and asked if we can get better view of how it would look? Mr. Cowan stated that typically work is on adjacent crossings but could look at to see if can approve if close Indian Springs and upgrade on Tift College crossing. Mr. Stroud stated that we need definite as to what would be done to make educated decision and explain to public.

Chief Harris stated that safety is good but need to consider 1<sup>st</sup> Responders in plan, one to two minutes is huge for 1<sup>st</sup> Responders.

Jack Davis, BOE Transportation Director, stated upgrades on Tift very beneficial. Mr. Davis stated that the buses use Main St. but could reroute them just need timeframes well in advance and requested street closings for work on Lee and Tift in summer if at all possible.

Bridgett Bryant, Bryant Collision, stated that closure of Indian Springs crossing could be detrimental to her business, and she employs eleven locals and would be detrimental to them. Also stated that if you stop at stop sign at crossing you can see all the way to Lee St.

John Ambrose stated that the Lee and Tift upgrades would not close entire street. Mr. Miller stated they would coordinate any closings during upgrades for minimal impact.

Mayor Wilson reiterated that the Railroad and G-DOT came tonight for safety improvement discussions, and nothing has been adopted or approved and they will return with an alternate plan.

**APPROVAL TO CLOSE JACKSON STREET FROM JOHNSTON STREET TO MAIN STREET FROM 8:00 AM UNTIL 10:00 PM**

Mrs. Tammie Pierson reviewed the request stating that the street will be closed for Public Safety Day until 4:00 pm and the Chamber of Commerce would like to extend the street closings until 10:00 pm to hold a Political Rally for local and state office races.

Mr. Lawrence offered a motion to approve the request as presented. Seconded by Mr. Dodd, the motion carried unanimously.

**APPROVAL TO CLOSE KING STREET FROM JACKSON STREET TO INDIAN SPRINGS DRIVE ON OCTOBER 31, 2018 FROM 5:00 PM UNTIL 8:00 PM FOR A FALL FESTIVAL AT THE FIRST BAPTIST CHURCH**

Mr. Dodd offered a motion to approve the request as presented. Seconded by Mr. Lawrence, the motion carried unanimously.

**APPROVAL OF FUEL DEPOT AGREEMENT WITH MONROE COUNTY FOR 2018**

Mrs. Hall reviewed that this is the same agreement as approved at the last meeting but the County inadvertently left the dates in the agreement as January thru December 2017. Mrs. Hall stated that once a corrected agreement is received, it will be presented to Mayor Wilson for signatures and requested that the agreement be approved with the correction of the dates to reflect January thru December 2018.

Mr. Dodd offered a motion to approve the agreement with the change of the dates to January – December 2018. Seconded by Mr. Lawrence, the motion carried unanimously.

**APPROVAL TRAVEL REQUEST FOR MAYOR WILSON FOR MEAG MAYOR'S SUMMIT NOVEMBER 9-11 AND ECG ANNUAL MEETING DECEMBER 9-11**

Mr. Dodd offered a motion to approve the travel request. Seconded by Mr. Hewett, the motion carried unanimously.

**APPROVE PROPOSAL FOR RESTROOM RENOVATIONS AT SPLASHPAD**

Mrs. Hall reviewed that the RFP for the Restroom Renovations at the Splashpad was advertised for 30 days but only one bid was submitted. Mrs. Hall stated that the original bid included two options – one for \$165,000 and one for \$174,000. Mrs. Hall met with the contractor and requested that they review their bid and return with a lower cost for Option B. Mrs. Hall reviewed the changes from the original proposal to the one before council tonight for approval to include change of shingles from architectural to 3-tab, hardy board siding to vinyl siding, removal on one of the gables, different materials surrounding the awning post, removal of gutters, and vinyl gable vent. Mrs. Hall stated the revised proposal for Option B is \$156,581. Mrs. Hall stated there are two alternates listed as well – one for HDPE partitions for an additional cost of \$764 and the other to add a ductless HVAC system in the concession room for an additional cost of \$3,999. Mrs. Hall stated that the HDPE is a more durable partition in the bathrooms and the ductless HVAC could be added at a later date if the concession room is used in the future.

Mr. Hewett offered a motion to approve Option B as presented. Seconded by Mr. Stroud, the motion carried unanimously.

**APPROVAL OF ACCOUNTS PAYABLE INVOICES - \$200,133.90**

Mrs. Hall reviewed the invoices for approval by department for a total general invoices of \$171,279.90, capital outlay invoice of \$28,854 for pickup truck in fire department, for a grand total of all invoices of \$200,133.90.

Mr. Hewett offered a motion to approve the accounts payable as presented. Seconded by Mr. Stroud, the motion carried unanimously.

**APPROVAL OF REQUISITIONS GREATER THAN \$5,000**

**Georgia EPD – Consent Order - \$7,500 (paid by Utility Partners to City)**

**ADC – Captor (chemicals) - \$7484.40**

**Gresco Utility – supplies - \$6372.42**

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

**REPORTS**

**CITY MANAGER REPORT**

- Consent order from EPD on copper at NEWWTP was previously approved by council; Carl, Craig and I went to Atlanta and met with EPD to discuss changes to the Consent Order; EPD made all changes except reducing the fine amount; Utility Partners has submitted the \$7500 fine to the

City and I need authorization to write check from city to EPD; The Consent Order is for violations related to copper and chlorine in the discharge from the sewer plants.

- Received reimbursement from GEMA for hurricane Irma expenses. Original received \$44,483.30 now received additional \$11,837.91 for total reimbursement of \$56,321.21. This is mainly for personnel and equipment reimbursement
- Vaughn rezoning request was approved by P&Z on 9/24 and will be advertised for a public hearing on November 5
- MEAG is working to schedule CEO Roundtable meetings to discuss Plant Vogtle 3&4 and any changes made to the plan to move forward. The memo from Jim Fuller was emailed out to everyone last Wednesday
- Johnny rode the entrance/exit ramps and reported all lights out to BB&H; they will work to begin repairs this week; centerline pole that was broken several months back should be replaced soon just waiting on approval from GDOT to install
- Employee appreciation lunch Wednesday, October 17 at 11:30 at the fire station
- Received 2 responses to RFP for water/wastewater management services and 7 responses to engineering RFP; will review these and have recommendation back to council
- Working with Brant Lanford at RC now on rendering for City Park; should have something preliminary for next meeting
- New voting locations for city voters

SPLOST will be the topic for discussion at the October 10 Conversations & Coffee; hosted by Chamber at La Quinta Inns at 7:30 am

#### **CITY ATTORNEY REPORT**

Mr. Melton stated there will also be a public hearing for a sign variance for the Birthing Center at the November 5, 2018 council meeting.

Mr. Melton stated that during the railroad crossing discussions, it was mentioned that closing the crossing at Main Street would also close that portion of the street. Mr. Melton stated there are businesses and the driveway entrance to a home located on the section of Main Street between the railroad and Highway 41 so it would become a dead end if the crossing is closed but the roadway would remain.

#### **MAYOR'S REPORT**

Mayor Wilson stated that MEAG voted to move forward with Plant Vogtle 3 & 4 plants. Mayor Wilson stated that we are participating in Vogtle 3 & 4 but Power South and JEA have purchased the first 20 years. Power South has not filed suit but JEA has and MEAG has countersued.

Mayor Wilson stated he visited with a 2<sup>nd</sup> Grade class this morning and enjoyed their questions and attentiveness.

#### **ADDITIONAL COUNCIL REPORTS**

Mr. Lawrence thanked Mrs. Hall for handling citizen issues that he has presented to her.

Mr. Lawrence stated the Middle Georgia Regional Commission Annual Meeting will be held on October 11 at Lake Tobosofkee.

Mr. Dodd stated that he wants to go on record that he adamantly opposes closing any railroad crossings. Mr. Stroud stated that he can see the validity of closing the crossing at Indian Springs Drive but not Main Street. Mayor Wilson stated that the Railroad Representatives making the presentation tonight,

going back to make revisions, and returning will allow everyone time to study this before making a decision.

Mr. Howard asked if a resolution has been reached on the Thomas Street issue yet and Mrs. Hall stated she has meeting with the engineer to review the issue.

Mr. Dodd asked “what happened to the power Friday night” and Mrs. Hall reviewed that late Friday afternoon there was a problem with a jumper at the hospital and required the circuit to be brought down briefly to make the repair and then a pole was broken overnight on Stroud Street which had the power out for a time while the pole was replaced. Mr. Dodd stated that the power blinked on Saturday morning as well but Mrs. Hall was not aware of the cause.

Mayor Wilson asked if the cost of the restroom building at the Splashpad would include connection to the septic tank and Mrs. Hall stated that the contractor stated the plumbing coming into the building would not be replaced but all interior plumbing lines and fixtures would be replaced. Mr. Dodd stated that research needs to be done to build a lift station in that area for the park and golf course.

Mr. Stroud stated that we need to find a 3<sup>rd</sup> Party to do a study on the railroad crossings and assist the city with the proposal.

Mr. Hewett asked who is responsible for North Frontage Road from just past Betsy Lynn Subdivision to Highway 42 and Mrs. Hall stated that is outside the city so it would be the county’s responsibility. Mr. Hewett stated the roadway is concrete and needs to be resurfaced. Mr. Stroud stated that Johnston at the Post Office still has not been repaired. Mr. Hewett stated there is a large hole on Railroad Avenue at Vaughn Lumber that needs to be repaired.

Mrs. Pierson stated that the photographer in the meeting earlier is from the Washington Post and will be leaving tomorrow after being in town for several days. Mrs. Pierson stated that he told her he has really enjoyed being in Forsyth.

**PUBLIC COMMENTS (MAYOR WILSON TO REVIEW RULES FOR PUBLIC COMMENTS)**

**PUBLIC COMMENTS**

Mr. Ronald Bearden, 441 Sunset Circle, addressed council regarding previous comments regarding speed limits on several streets. Mr. Bearden stated that other cities enforce the speed limit without giving the 10 mph over that Forsyth does. Mr. Bearden stated that the speed limit coming toward the square on Tift College Drive is 25 MPH but is 40 MPH on the same street when headed away from the square. Mr. Bearden stated that he has been talking with council for years about the lights on the entrance/exit ramps for I75 and glad to know they are finally fixed. Mr. Bearden thanked council for that project.

Mayor Wilson recognized Representative-Elect Washburn and thanked him for remaining for the entire meeting. Representative Washburn thanked Mayor Wilson for the invitation to the meeting with the Railroad and stated he looks forward to working with everyone.

**EXECUTIVE SESSION**

Mr. Dodd offered a motion to adjourn into executive session for the purpose of land acquisitions, lease, sell, or trade and personnel matters. Seconded by Mr. Hewett, the motion carried unanimously and council adjourned into executive session at 7:55 pm.

Mayor Wilson called the meeting back into open session at 8:30 pm.

Mr. Dodd offered a motion to approve an Intergovernmental Agreement between the City and the Downtown Development Authority to convey F26 075 for the purpose of revitalization and

redevelopment of the Central Business District and other related purposes. Seconded by Mr. Stroud, the motion carried unanimously.

**ADJOURN**

There being no further business to discuss, the meeting was adjourned at 8:35 pm.

Submitted by:

Janice L. Hall, City Manager