

MINUTES

City Council of the City of Jeffersonville
Monday, May 13, 2013, 6:00 p.m.
City Hall, Jeffersonville, GA

MEMBERS PRESENT:

Mayor Shannon Hart
Councilman Mack Bryant
Councilperson Virginia Hollings
Councilman Victor Jordan
Councilman Jeff Lempke
Councilman Richard Stone
Councilperson Annie Williams
Councilman Daniel Young

GUESTS:

Oscar Basley, Chief of Police
Charlene Kipe, Jeffersonville Planning and Zoning Commission
Denise Brookins, Middle Georgia Regional Commission
Garry Garretson
Pope Langstaff, City Attorney

CALL TO ORDER

Mayor Shannon Hart called the May 13th City Council meeting to order at 6:00 p.m.

INVOCATION AND PLEDGE

The opening prayer was given by Councilman Victor Jordan, and Mayor Shannon Hart led the Pledge of Allegiance.

ROLL CALL

Mayor Hart then called the roll and noted that all Councilpersons were present.

GUESTS

Conditional Zoning Recommendations

Mrs. Charlene Kipe, Planning and Zoning Chairman, was the first guest. She indicated that the Planning and Zoning Commission had received two requests for conditional use zoning within the last month. Both were for properties currently zoned R1-A Residential. One property, located at 94 N Church Street and adjacent to the old gym, would be used as a beauty shop by owner Laura Burgamy. Because the surrounding property is zoned C-1 and C-3, the Commission recommended that City Council grant the conditional use. The second property, located at 207 Bullard Road and the former location of the Miller Kaolin Research Lab, is owned by the Development Authority of Jeffersonville and Twiggs County and is being leased by Mr. Earl Waller. Mr. Waller seeks conditional use for the drying, storing, packaging, and shipping of onions and garlic. Due to the commercial zoning around the property and its natural buffer to the adjacent residence, the Commission recommended that City Council also grant this conditional use.

Councilman Victor Jordan expressed concerns that the conditional use for the Bullard Road property would conflict with the school zone and the residents. "I want to be sure that the right thing is coming because I don't want that fire to come at me". Mrs. Kipe assured the Council that the zoning would not affect the school or the residents, noting the hill that buffers the residence and also stating that any shipping would be performed at the south end of the Bullard Road property, away from residences. On apprehensions that the odor from the onions and garlic would bother neighboring residents, Councilman Mac Bryant asked if there were similar businesses in the area. Mrs. Kipe referred him to Judy Sherling at the Economic Development Authority, and added that in a C-1 zone there could be no production of noxious odors.

Councilman Bryant made a motion that the Mayor and Council should pursue the rezoning of the 94 Church Street. property from R-1A to C-1. Councilperson Annie William seconded the motion. Councilman Jeffery Lempke clarified that the motion applied to granting conditional use, and not a permanent rezoning. The motion passed unanimously. For the Bullard Road property, Councilman Bryant expressed concerns about unpaid taxes and wished to hold the matter in abeyance while these concerns are looked into.

Mrs. Kipe also updated Council about her efforts in nominating part of the City of Jeffersonville as a historic district to be placed in the National Registry of Historic Places. Out of 113 properties surveyed, 74 were potentially eligible, and 34 were eligible.

Watson Road/Water Main Funding

Denise Brookins, of the Middle Georgia Regional Commission stated that they have submitted two grant applications, one through the Department of Community Affairs' (DCA) Immediate Threat and Danger (ITAD) program for \$47,876, the other through the Department of Transportation (DOT) in the amount of \$49,924. Ms. Brookins clarified that the DOT funding can be used to repair the road and storm sewer. The ITAD funding may be used to repair the exposed water line and cover any remaining costs associated with the project. Ms. Brookins emphasized how helpful the DOT has been and reported that all they need now are three bids on the project. The funding from the DCA is currently under review, but the agency appears to be on board with the project. Mayor Hart clarified that 49% of the cost were to be covered by DCA and 51% by the DOT.

Councilman Bryant motioned that the City accept bids so that they may be sent to DCA and DOT as soon as possible. Councilman Lempke seconded the motion. The motion passed unanimously.

GEFA approval PCF sidewalk water line

Mayor Hart informed Council that Mr. Gary Garretson could not attend, but reported that work on the transfer lift station has been completed, and that all three pumps are operational.

APPROVAL OF APRIL 8, 2013 CITY COUNCIL MINUTES

Councilperson Virginia Hollings noted that the date on the Agenda was incorrect, and the month should be changed from April to May. Councilman Richard Stone moved that the minutes from April 8, 2013 City Council meeting should be accepted into the City's record. Councilman Bryant seconded the motion. The motion passed with five votes in favor and two abstentions, Councilpersons Annie Williams and Virginia Hollings not attending the April meeting.

FINANCIAL REPORTS FOR APRIL 2013

For the month of April, city clerk Chris Nelson reported that the General Fund Account (Account 257) began with a balance of \$99,513.80. There were a total of six deposits during the month totaling \$31,363.23. There were forty eight withdrawals totaling \$34,059.92 leaving the account with an ending balance of \$96,817.11. The Recorder's Court Account (Account 1131) began the month with a balance of \$7,748.62. There were three deposits totaling \$954.50, and ten withdrawals totaling \$2,134.63. This left the account with an ending balance of \$6,568.49.

Mr. Nelson noted the supplementary financial documents in the Councilmembers' packets. He briefly explained the difference between accrual basis and cash basis recording. The Revenue Summary for the General Account totaled \$38,743.29. The Expense Summary, showing all checks and transfers for each account, showed a total expense for the General Account of

\$33,747.29, a total expense for the Water Department of \$25,010.89, and a total expense for the Police Department of \$2,529.36. Total expenses for the month of April were \$61,287.54. He noted that also included at Councilman Jordan's request was a list of plumbing expenditures throughout the year. He stated that the City spent \$573.00 in January, \$2,552.88 in February, and \$2,224.33 in March. At the time of the printing, he noted, April had required no plumbing payments. Councilperson Virginia Hollings inquired about what constituted plumbing expenses. Mr. Nelson replied that he derived his information from two of the City's contractors, Warren Plumbing and Watson Plumbing. Councilman Jordan expressed concerns about the City's obligation to pay for repair work from contractors, referring to a bill from Warren Plumbing. "My understanding on that was when we do plumbing, when the contractor gets that job, we shouldn't have to... we don't supposed to pay for that. But I see we're paying for that too."

Water utility clerk Shakela Durham-Height said that the Water Fund (Account 281) began the month with a balance of \$46,799.03. There were twenty six deposits totaling \$32,848.64, thirty eight withdrawals \$33,442.21. This left an ending balance of \$46,210.05.

Mayor Hart indicated that there were two reports on the GEFA loan, a statement from the bank and an Excel spreadsheet produced in-house. The bank statement showed the City began the month with a balance of \$39,231.33. With transfers in from GEFA, debits, and payments, the City ended the month with \$30,920.10.

Councilman Jordan inquired about the closure of the Jeffersonville branch of CB&T, previously Sunrise Bank. Discussion about the impact to the City and community followed.

Councilman Lempke motioned to accept April's Financial Reports, seconded by Councilperson Hollings. The motion passed unanimously.

Councilman Bryant, referring to a Police Dept. order for emergency lights, suggested that henceforth such orders go through the appropriate Committee, consisting of Mayor Hart, Councilman Jordan, and Councilperson Hollings. Councilperson Williams noted that in the past, such orders were presented in the form of Purchase Requisitions.

COMMITTEE REPORTS

Beautification and Recreation: Councilman Bryant remarked that he had no new business at this time, but that next month he expected to have the chains and fence tops installed at the City Park.

Budget and Finance: Councilman Stone said that he had nothing to report at this time. Mayor Hart informed Council that the City had an upcoming payroll audit on Thursday May 16th. Councilperson Williams recommended that Council consider increasing the pay rate of the water clerk, Shakela Durham-Height, by one dollar an hour. She also noted that the Water Clerk has

been employed with the City nearly three years and has not had a raise in the past fifteen months. Mayor Hart responded that Council should add this to the list of topics for closed session.

Building and Grounds: Councilman Jordan referenced Councilman Bryant's resolution on employee routine reporting from the April City Council meeting. He also noted the disrepair and lack of maintenance for many of the derelict properties within the City. City Attorney Pope Langstaff replied that enforcement is performed primarily by the City and County Permit Inspector, but that the County Health Department may also act. He noted that a letter had been written to the Permit Inspector. Councilman Bryant remarked that the City should take care of its own property before enforcing this Ordinance, referencing a property behind Councilperson Hollings' home.

Fire Protection: Councilman Daniel Young reported that he had representatives from Bug House Pest Control and Arrow Pest Control coming within the week to look at the fire station.

Industrial Development: Councilperson Williams referred Council to Earl Waller's new business drying and shipping onions and garlic.

Planning and Zoning: Councilman Stone reported that he had nothing to bring before Council at this time.

Public Safety: Chief of Police Oscar Basley stressed the importance of hiring more officers, stating that he had turned in all three of the applications to Council. Chief Basley inquired about the status of applicant John Ellison. The Mayor replied that Council had obtained information about Mr. Ellison from the Lamar County Sheriff's Department. Councilperson Hollings noted that Council should wait until closed session to discuss the matter.

Chief Basley also asked about the process for Purchase Requisitions. Councilperson Williams responded that, in the past, non-emergency purchases came before Council to be approved. Councilman Bryant informed Chief Basley to, in the future, use his designated Committee.

Councilman Lempke mentioned that at the April City Council meeting he requested that an advertisement for the Police Officer position be placed in the Macon Telegraph. He shared with Council that the cost for such an advertisement was \$1,000, and asked Chief Basley where he found the current applicants. Chief Basley replied that they came in through word of mouth. Discussion followed about when City Council could interview the applicants. Chief Basley said he would contact the applicants to see when they could both come before Council.

Councilman Jordan inquired if the City could send a letter to the P.O.S.T. school displaying our openings in the department. Chief Basley replied that such a letter would apply only to those officers sending themselves through Mandate School. A short discussion followed about the wages paid to the City's officers and the budget for those wages.

Councilperson Hollings remarked that Saturday during the road block, no one had on an orange safety vest. Mayor Hart pointed out that when the same group performed the road block last year they borrowed safety vests from the Police Department. Chief Basley replied that he did not know of any vests and had not seen any since he had taken office. Councilman Lempke mentioned that the vests might be purchased with a \$6,000 safety grant. Assistant Chief Trey Yates was planning to take the required class to be considered the City's Safety Coordinator, but the class would not be available until next year. Councilman Lempke volunteered act as the Safety Coordinator until Assistant Chief Yates could be trained. A motion was put forward by Councilman Bryant that Councilman Lempke serves in the unpaid position of Safety Coordinator for the remainder of the year. Councilman Stone seconded the motion, and it passed unanimously.

Mayor Hart briefly mentioned the No Parking signs, noting that we have the signs and posts. Once the signs are up large trucks that ignore the signs will then be ticketed.

Councilpersons Bryant and Williams expressed a desire to have included in their packets the ticket number and disposition of cases during the month.

Rural Development: Councilperson Williams reported that she had nothing to bring before Council at this time.

Streets and Bridges: Councilman Bryant stated that he would wait until the May City Council meeting to report on the current events. Councilman Jordan interjected "Looking at this plumbing bill, that means our employees aren't fixing water leaks, and they're not cutting grass, what are they doing?" After a short discussion, Mayor Hart encouraged Councilman Jordan to wait until closed session to discuss the matter.

Water and Sewer: Councilman Young queried Mayor Hart about whether Warren Plumbing was responsible for injury to his employees, stating that at a recent work site a pressurized stream of water came very close to touching live power lines. Discussion followed about safety procedures at work sites.

Councilman Lempke reported that the pumps at the well site were pumping less than they historically had, and described several reasons why this might be; he summarized that nobody would know what the problem was until the pumps were pulled. He then referred to the Watson Road leak, noting that it had been fixed the day it was found. The rupture causing the leak stemmed from a pocket of air that was trapped in the pipe. An air release valve was installed to prevent future ruptures. He also reported that Warren Plumbing could not shut off a leaky valve at N Main St. and MLK Blvd., though they were able to repair it. He noted that Council should expect more valve issues in the future, and the only way to replace the valves would be to temporarily shut off the water to the city. The leak at the new library has been fixed by Warren Plumbing, and a leak on Pine Street has been repaired by city employees.

Councilman Lempke told Council that several fire hydrant caps were missing and should be found or replaced. One was at E Main and Spring Valley Rd.; another was by the old school on Bullard Rd. He spoke about the City's pump situation. The two pumps at the MLK lift station have experienced problems. The pump that continuously threw its breaker has been fixed, whereas the pump with the bad bearings is currently in the shop. The single pump at the lift station should be enough to handle the flow demands. Also, the controls at the lift station also need addressing, wires are hanging loose, and electricity is arcing in some areas.

Councilman Lempke also spoke about hunting and trespassing at the wastewater treatment plant, noting that a deer stand had been set up next to the property line overlooking the area. He said that signs were being made to post there. The Councilman also reported that it had been brought to his attention that the holder of the wastewater treatment plant loan, the USDA, had not been receiving monthly reports over the past five years and had scheduled an inspection. Mayor Hart amended his statement clarifying that since April 2012 the City had been in compliance with the USDA's requirements. She also informed Council that the USDA meeting was scheduled for Tuesday May 14.

Mayor Hart related to Council that the hay field gate, the gate to the elevated tank, and the old wastewater treatment facility's locks had been changed by an unknown entity. Those locks have been replaced and copies of the keys are located at City Hall. Referring to work performed under grants and loans, Councilman Jordan professed frustration at the engineers saying "We using General Fund money now to pay for something these contractors supposed to have did in the Grant." A short discussion followed about whether to get Mr. Langstaff to pursue the matter.

Welfare and Sanitation: Councilman Stone had nothing to report at that time.

OLD BUSINESS

A. Remediation of Manholes and Drain Grates

Mayor Hart noted to Council that the manholes were still open and that something should be done about it. Councilman Lempke motioned that the City have its employees put barricades around the manholes to keep vehicles and people out. Councilman Bryant reminded Council about the \$28 per foot covers discussed in the April City Council Meeting. Discussion followed about the best ways to address the separate problems. Councilman Bryant reported that he knows someone who can provide the storm sewer grates for the \$28 per foot price, saying that he was not going to commit to the purchase without bringing it before Council. Mayor Hart reminded the Councilman that Council had already passed that motion. Councilman Bryant responded that he would take care of it.

Discussion followed about whether Council had already passed a motion to repair the manholes. Mayor Hart directed Council to April's minutes, noting that a motion had been

presented but that it had been voted down. Councilman Lempke, echoing the April meeting, motioned that the three manholes be repaired by Don Hall for \$1,850 each. Councilman Young said that the explanation of the process and costs offered by Don Hall matched up with what he found from Houston and Laurens County. Councilman Jordan reiterated his concern for the open storm drains and the possibility that a child might fall into one, saying “I think a child’s life is important to me.” Mayor Hart reminded Council that there was a motion on the floor. Councilman Young seconded the motion and it was carried with five votes, Councilmen Stone and Jordan abstaining. Councilman Jordan stressed to Council the motion should have a stipulation regarding the quality of the work. After discussion, Council decided to amend the motion so that Sam Hall and Company’s work meets state specifications. Councilperson Williams made the motion, seconded by Councilman Lempke. The motion passed with six votes, Councilman Stone abstaining.

B. Pope Langstaff: Derelict property enforcement, Comp time, “in-kind” money

Mr. Langstaff noted that the principal enforcer of the derelict property Ordinance is the City and County Permit Inspector, but this enforcement can also come from the Board of Health. He noted that a letter had been sent to the Permit Inspector reminding him of the Ordinance and making him aware of several properties that need inspection. Mayor Hart reassured Council that Twiggs County was aware of the dual responsibilities of the Permit Inspector.

Mr. Langstaff said that in regard to the comp time issue, it was a personnel as well as a possible litigation matter, and therefore it should be addressed once in closed session. The “in-kind” money issue, in regards to Broderick Stanley was also a possible litigation matter, and should be discussed in closed session also.

Mr. Langstaff related to Council that the Mustard Seed Group owes a considerable amount of backed city taxes. He noted that the City has FIFA forms, and he would make sure that they were up to date. He remarked that sometimes filing a FIFA is enough to get a response, but that the County went so far as to advertise foreclosure proceedings before getting payment from the Mustard Seed Group.

Mr. Langstaff also spoke about the damaged ductile pipe at the wastewater treatment plant. He mentioned that there were two time statutes to consider, the statute of limitations begins when the injury occurs and lasts four years, the statute of repose lasts eight years and begins when the pipe was laid. He remarked that the statute of repose is the most important now, given that the work was done in 2005, or eight years ago. Therefore, the City needs to discover the month that the work was performed.

NEW BUSINESS

There being no New Business, Councilperson Williams moved to go into Closed Session with Councilperson Hollings seconding. The motion carried unanimously, and Council went into Closed Executive Session.

RECONVENE MAY 13 CITY COUNCIL MEETING

After Closed Executive Session, Councilperson Hollings moved and Councilman Bryant seconded that the Council reconvene: All in favor.

Mayor Hart asked if there was a motion on the matter of Shakela Durham Hieght's pay rate. Councilperson Williams motioned that Council should increase her pay rate from \$10.00 per hour to \$11.00 per hour. Councilman Stone seconded the motion and it passed unanimously. In the matter of Ms. Shanika Butler's employment, Councilperson Hollings motioned that the Mayor present to Ms. Butler the offer to resign and be paid for the remainder of the week and if declining, be terminated. The motion was seconded by Councilman Lempke and carried with five votes in favor. Councilman Jordan voted nay, and Councilperson Williams abstained. On the matter of City Clerk Chris Nelson's request for unpaid vacation, Council agreed in Closed Executive Session without reservation.

Councilman Jordan remarked that for the next City Council Meeting he hoped Council would give serious thought to hiring a full-time maintenance employee. Discussion followed about what Council should look for to improve the Public Works Department.

ADJOURNMENT

Councilperson Annie Williams moved to adjourn the May 13, 2013 Council Meeting, seconded by Councilperson Virginia Hollings and Councilman Stone: All in favor.

After no further business, the May 13 meeting of the Jeffersonville City Council adjourned at 8:49 p.m.