



## CITY OF SUMMERVILLE REGULAR COUNCIL MEETING MARCH 10, 2014



**CALLED TO ORDER:** Mayor Harvey called the meeting to order.

**ROLL CALL:** Mayor Harry Harvey gave roll call. Mayor Pro Tem Lloyd "Buddy" Windle, Council Members David Ford, Dale Housch, Joe Money, Jr. and Zachary Martin were present. Also present was City Manager Russell Thompson and City Attorney representative Melissa Hise.

**CALLED TO ORDER:** Mayor Harry Harvey called the meeting to order.

**INVOCATION:** Mayor Harry Harvey gave the invocation.

**PLEDGE OF ALLEGIANCE:** Council Member Dale Housch led the pledge of allegiance.

**AGENDA:** Mayor Harvey asked if any changes to the agenda are needed. Attorney Hise stated that the Verizon contract needs to be added. City Manager Russell Thompson interjected that the contract involves a cell tower on Cooper Hill. Council Member David Ford made a motion to approve the agenda with the addition of the Verizon contract item. The motion was seconded by Council Member Dale Housch and carried unanimously.

**WELCOME – MAYOR'S COMMENTS:** Mayor Harvey requested visitors sign in listing their name, address, and reason for being present at the meeting. Mayor Harvey stated that an opportunity would be given at the end of the meeting for visitors to speak.

**KEVIN GILLILAND – REMOVAL OF MASTER WATER METER:** Mayor Harvey stated that Kevin Gilliland is present with a request to have a master meter removed at a multi-family dwelling.

Kevin Gilliland addressed Council stating that he has a master meter at his Melrose Place property. Kevin explained that normally the water bill for the location runs about \$200 to \$250 per month. Kevin explained further that a tenant of Melrose Place did not report a leaking toilet which resulted in a \$1,340 water bill for one month. Kevin stated that he would like to have the master meter removed and require each tenant to establish their own water utility account. Kevin explained that he feels by removing the master meter and going to individual meters tenants would be more mindful of water consumption. Kevin explained that in discussing the situation he learned that there was a resolution passed in 2001 requiring master meters for multi-family dwellings. Kevin stated that he is asking for a variance to the ordinance. Kevin stated that removal of the master meter would require him to re-plumb the building. Kevin stated further that he feels re-plumbing with individual meters would be best and that he would lower rent to compensate for the base water bill he currently charges tenants. Mayor Harvey read the 2001 master meter resolution stating multi-family dwellings are required to have master meters. Mayor Harvey asked if he (Kevin) could install individual meters for the location. Kevin responded that he supposed he could install the individual meters. Utility Director Tony Carroll nodded confirmation that a property owner has the ability to purchase and install individual water meters for a multi-family dwelling. Mayor Harvey stated that it is his recommendation to maintain compliance with the master meter resolution.

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**KEVIN GILLILAND – REMOVAL OF WATER WATER METER CONTINUED:**

Council Member Dale Housch made a motion to hold the master meter resolution as it stands and not grant Kevin Gilliland a variance to have the city install individual meters at his Melrose Place apartment building and to review the ordinance at a later time. The motion was seconded by Council Member Joe Money, Jr. and carried unanimously.

**BETTER HOMETOWN:** Susan Locklear gave a report of each class she attended during her recent training noting that she has a power point presentation she would like to share with Council at a later date. Susan reported that the Better Hometown Board of Directors met two times in February. Susan also reported that work is being done on "Follow the Bunny" and "Brunch with the Bunny". Susan stated that Brunch with the Bunny will be held on April 12<sup>th</sup> at the Boys and Girls Club. Susan stated that tickets for the event will be \$8.00 per person. Susan explained that 13 businesses are signed up to participate in Follow the Bunny with several businesses donating prizes to the golden basket prize. Susan explained that the drawing for the golden basket will be held on April 18<sup>th</sup> at 6 pm noting that the bunny hands out tickets to visitors at each location.

**CODE ENFORCEMENT:** City Manager Thompson explained that Joey Norton is unable to attend the meeting. City Manager Thompson stated that one sign request has been received but was not available in time for presentation to Council. City Manager Thompson stated that a temporary permit will be issued with the formal application presented to Council at the next meeting.

**WATER TREATMENT PLANT:** Water Treatment Plant superintendent Janice Galloway reported that the 12 inch line for Mohawk was in service for 12 days during the month of February and resulted in the plant pumping 3 million gallons a day during that time. Janice reported that Pat Wright has passed his class 3 certification with flying colors; score of 91 on the test. Janice also reported that Tim Clark will be taking his exam tomorrow. Janice reported the general maintenance done at the plant, 41 water samples were collected, and that the EPD base line report is due April 1<sup>st</sup>. Janice also reported that the Public Confidence Report will be on the city's web site soon.

**WASTEWATER TREATMENT PLANT:** Wastewater Treatment Plant superintendent Chris Tuggle reported that the plant handled 2.4 million gallons of wastewater a day during February, there was 5.1 inches of rain, received 17 loads of septic waste for \$1,327, TriCon dumped 2,000 gallons of condensation water for \$125, Greg Harrison will be testing for his class 3 certification tomorrow, and the alum tank project should be completed within the next two weeks. Chris also reported that the booster water pump has been rebuilt.

**PUBLIC WORKS/UTILITIES:** Tony Carroll reported all work orders done for all departments under his supervision. Tony also reported that the CDBG project is in the final stages. Tony explained that road binder has put down on First Street with the final paving forthcoming. Tony also reported that 45 pot holes have been repaired and that the surplus sales have generated \$84,606.

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**RECREATION DEPARTMENT:** Recreation Department director Bo Chamlee reported that basket ball All Stars is finishing up nothing that Summerville has two runner-ups. Bo also reported that baseball sign ups are coming to a close with team members to be assigned soon. Bo reported that Summerville has 6 state champion wrestlers that he would like to have recognized at the April meeting.

**POLICE DEPARTMENT:** Police Chief Stan Mosley reported that officers patrolled 6,285 miles, housed 34 inmates for a total of 98 days, issues 139 citations and collected \$4,856 for the month of February.

**PROBATION:** Police Chief Stan Mosley reported that the probation office collected \$22,263 for the month of February.

**FIRE DEPARTMENT:** Fire Chief Greg Echols reported that the Summerville Fire Department responded to 68 calls during the month of February. Greg stated that among the calls were 3 combustible spills and leaks, 1 controlled burn, 9 dispatched and cancelled en route, 7 electrical problems, 17 EMS incidents, 2 false alarms, 22 medical assists, 1 natural vegetation fire, 3 outside rubbish fires, 1 structure fire, and 1 wrong location with no emergency found. The full report is attached and becomes part of these minutes.

**CITY MANAGER'S COMMENTS:** City Manager Thompson stated that everyone has a copy of the financial report noting that revenue is just over 10 million and expenses at 9.4 million. City Manager Thompson stated that the city is in the black for the month and for the fiscal year. City Manager Thompson stated that he would like Council's opinion on holding a spring clean up. Discussion rendered that information on when the County will hold their spring clean up is needed to coordinate the effort. City Manager Thompson explained that the Public Confidence report was mentioned earlier and will be on the city's web site soon. City Manager Thompson stated that the Georgia Public Service Commission requires our gas department to conduct a survey but survey responses are not being received. City Manager Thompson stated that he is looking at adopting some sort of incentive to complete the survey to satisfy the PSC's response requirement. City Manager Thompson stated that he would like to discuss this item at next month's meeting.

**PREVIOUS MINUTES:** Mayor Harvey asked if there are any comments concerning the minutes of the previous meetings. No comments were made. Council Member David Ford made a motion to accept and approve the minutes as prepared and presented. The motion was seconded by Council Member Zachary Martin and carried unanimously.

**CHARTER FRANCHISE SETTLEMENT AGREEMENT:** Mayor Harvey asked City Manager Thompson to give details on the Charter Franchise Settlement Agreement. City Manager Thompson explained that part of the GMA telecommunications management service GMA performs an audit of franchise fees. City Manager Thompson explained that during GMA's audit of Charter franchise payments it was discovered that \$303.61 was not paid by Charter to the city. City Manager Thompson explained that the settlement and release agreement specifies that Charter Communications will pay the city \$303.61 as final settlement on the audited period of January 1, 2010 through December 31, 2012.

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**CHARTER FRANCHISE SETTLEMENT AGREEMENT CONTINUED:** City Manager Thompson explained once the agreement is accepted and signed by the city it concludes all auditing of that time frame. Mayor Harvey stated that there a discrepancy in the agreement; the numerically printed number is \$303.61 but what is written out is three hundred and seventy-nine dollars and forty-nine cents. City Manager Thompson stated that he would get clarification on the numbers. Council Member Dale Housch made a motion to authorize Mayor Harvey to execute the settlement with Charter. The motion was seconded by Council Member David Ford and carried unanimously.

**PROBATION FEE SCHEDULE:** Mayor Harvey asked City Manager Thompson to provide information concerning probation fees. City Manager Thompson explained that the fee schedule the city is currently functioning with is based on probation services established in 2009. City Manager Thompson stated that he has talked with the city attorney and recommends that the city's probation service fees be brought up to date. The goal is that city and county fee schedules mirror each other. Council Member Ford asked how much difference there would be. City Manager Thompson stated that the old fee for supervised probation is \$30 and the new fee is \$35. Council Member David Ford made a motion to approve the new probation fees. The motion was seconded by Council Member Joe Money, Jr., and carried unanimously. A copy of the resolution and fee schedule is attached and becomes part of these minutes.

**4<sup>th</sup> of JULY CELEBRATION:** Mayor Harvey stated that there has been prior discussion concerning the date for the city's 4<sup>th</sup> of July Celebration nothing that the date needs to be set at this meeting. Council Member Dale Housch stated that he would like to have the celebration set for the same time each year. Council Member Joe Money, Jr. stated that there was discussion about a firm date last year. Council Member Money stated that Cedar Bluff always has their fireworks on the Saturday before the 4<sup>th</sup> of July. Council Member Money stated further that he did a pole on Facebook and there were 39 responses with 37 of those being to have the celebration on Saturday. Mayor Harvey asked for Recreation Director Bo Chamlee's opinion on when the celebration should be held. Bo responded that he thinks Saturday would be best. City Manager Thompson stated that he will need Jason's help with public information concerning parking for the event. Mayor Harvey asked if there were any questions or further comments. Council Member Dale Housch made a motion to have the 4<sup>th</sup> of July celebration on the Saturday after the 4<sup>th</sup> and if in the future the holiday falls on Saturday do it on that Saturday. The motion was seconded by Council Member Zachary Martin and carried unanimously.

**FIREWORKS – 4<sup>TH</sup> OF JULY CELEBRATION:** Mayor Harvey asked City Manager Thompson and Tony Carroll to explain the fireworks for the 4<sup>th</sup> of July celebration. City Manager Thompson stated that the fireworks for this year's show will be the same as last year except for some of the candles. City Manager Thompson explained that Tilloston's support of the event has been increased by \$2,500 this year. City Manager Thompson is asking for authorization to move forward with the purchase of supplies for the fireworks show and associated permits. Council Member Joe Money made a motion to approve \$11,000 for the purchase of supplies for the 4<sup>th</sup> of July fireworks. The motion was seconded by Council Member Dale Housch and carried unanimously.

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**VERIZON CELL TOWER CONTRACT:** Mayor Harvey asked attorney Hise and City Manager Thompson to explain the Verizon cell tower contract. City Manager Thompson explained that Verizon has a cell tower at Cooper Heights with the contract running through 2018. City Manager Thompson stated that he would like to renew the lease. City Manager Thompson explained that currently the lease pays \$10,000 per year with the new lease proposed at about \$15,000 for 4 five year terms with automatic renewals. City Manager Thompson stated that the city attorney has expressed concern about the length of the contract. Attorney Hise interjected that Albert Palmour's recommendation is to have Council vote on the agreement every five years. City Manager Thompson stated that it is staff's recommendation to reject Verizon's current contract offer and authorize legal council to negotiate for five year terms for Council's approval. City Manager Thompson stated that the proposed enumeration is higher so he wanted Council to review the proposal. Council Member Joe Money, Jr. made a motion to authorize legal council to reject the Verizon contract offer and negotiate for five year terms for Council's approval. The motion was seconded by Council David Ford and carried unanimously.

**MAYOR'S VETO ACTION:** Mayor Harvey stated that pay raises with the mid-year budget was passed by the council. Mayor Harvey stated further that the reason for his veto is that proposed classification and pay changes need more time to be reviewed, no job classification should change more than two classes, and any change should be done with the new fiscal year and not the mid-year budget. Mayor Harvey read his Veto Resolution dated February 27, 2014 which explained that he did not feel what Council passed was fiscally responsible for inclusion with the mid-year budget. Mayor Harvey stated that in order to overturn his veto 4 Council Members would have to vote in favor to overturn his action. Mayor Pro Tem Lloyd "Buddy" Windle stated that he feels the adjustments to classifications should be included in the mid-year budget. Mayor Pro Tem Windell stated that not including the classification adjustments sends the wrong message to employees when the city is adding \$10,000 for the Couey House, \$10,000 for the fair, and \$7,500 for the cemetery to the mid-year budget. Mayor Pro Tem Windell stated that he thinks repairs to the Couey House, support for the fair, and helping the cemetery is all good but the city needs to be competitive with wages. Mayor Pro Tem Windell stated that folks can start off at Mohawk at \$15.00 per hour. Mayor Pro Tem Windle stated that the city is better off than he has seen it in seven years. Council Member Dale Housch stated that he is in favor of employee raises but thinks the adjustments should be done with the upcoming budget year. Council Member Housch stated that he thinks a little more time is needed for review. Council Member Joe Money, Jr. stated that he is not in favor of mid-year classification adjustments. Council Member Dale Housch stated that he wanted to make a motion to have the veto stand. Mayor Harvey responded that no action is needed if the veto stands. Mayor Harvey stated that a motion is only needed to overturn the veto. Mayor Pro Tem Lloyd "Buddy" Windle made a motion to overturn Mayor Harvey's veto. The motion was seconded by Council Member David Ford. The motion failed with Council Members Windle, Ford, and Martin voting in favor of the motion and Council Members Money and Housch voted in opposition. (4 votes in favor of the motion to overturn the veto were needed to pass)

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**BUDGET WORK SESSION**

**EMT TRAINING REIMBURSEMENT:** Mayor Harvey stated that he would like City Manager Thompson to give information concerning the budget work session. City Manager Thompson stated that there were two original proposed mid-year budget amendment sheets; one that included all requests for classification adjustments with a \$27,409.22 equity transfer and one that included \$1,500 training reimbursement, temporary positions to full-time, the classification changes removed, and an equity transfer of \$4,510.28. City Manager Thompson stated that the budget up for consideration includes a \$4,510.28 equity transfer, \$1,500 training reimbursement, \$10,000 for the Couey House, \$10,000 for the fair, and an additional \$7,500 to the cemetery for a final mid-year budget of \$16,283,599.51. City Manager Thompson stated if Council is okay with the summary and does not have any changes, forward movement can be made with the readings. Mayor Harvey stated that he wanted to discuss the training reimbursement noting there was some question about retention of the employee. Council Member Ford asked if this discussion is based on this one person or is it for anyone. Council Member Ford stated that in the past there was no guarantee of continued employment. Council Member Ford asked if there is an established policy concerning reimbursement of training. City Manager Thompson responded stating that typically license requirements are a cost of doing business. City Manager Thompson stated that in this situation the employee went above and beyond what is required and received EMT certification. City Manager Thompson stated that EMT certification is not a requirement to serve as a firefighter but it is a benefit to the city. Public Safety Director/Police Chief Stan Mosley reported that the Summerville Fire Department does respond to medical calls. Chief Mosley stated further that having an EMT on staff is a valuable asset. Council Member David Ford interjected that this person did not ask to be reimbursed. Council Member Joe Money, Jr. stated that he thinks it is great that this person has gotten his EMT certification but questions if he will stay. Stan Mosley responded stating that the person has stated that he wants to do EMT work part time and stay with the city as a full time firefighter. City Manager Thompson stated that it would be possible to "pin him down" but thinks the reimbursement should be considered as a good faith action. Council Member Joe Money, Jr. asked what if someone else wants reimbursement and has less time served with the city. Council Member Dale Housch asked if there is anything in the city's policies and procedures to address this type of situation. City Manager Thompson responded that there is not anything in the city's policies and procedures that addresses continuing education. Council Member David Ford stated that firefighters get more certification for more income. Council Member Dale Housch asked if continuing education reimbursement could be added to our policies and procedures. City Manager Thompson stated that it would have to be specified as job related and pre approved based on availability of funds. Mayor Harvey asked if Council wants to approve the reimbursement with stipulations. Council Member Dale Housch made the motion to approve reimbursing \$1,500 for EMT training and study preparing a policy concerning training reimbursement for the policy and procedures handbook. Council Member David Ford seconded the motion which passed unanimously.

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**BUDGET WORK SESSION CONTINUED**

**FUNDING FOR FAIR - \$10,000:** Mayor Harvey stated that he would like discussion concerning the appropriation of \$10,000 to help with the fair to celebrate the 175<sup>th</sup> year for Chattooga County. Mayor Harvey stated that both Council Member Housch and Money are on the Fair Committee. Council Member Housch stated that he feels \$10,000 is needed to help support the fair and if the city feels more can be given that would be great. Mayor Harvey stated that he has had a lot of positive feedback on this upcoming event. Mayor Harvey stated that he feels it would be great for the city and county. Council Member Housch stated that there is plenty of room for volunteers. Council Member Zachary Martin stated that it will benefit the children so it is a good thing. Council Member Joe Money, Jr. stated that it is a good event that the city needs to support. Council Member David Ford made a motion to approve appropriation of \$10,000 to help support the fair. The motion was seconded by Council Member Zachary Martin and carried unanimously.

**TEMPORARY EMPLOYEES TO FULL TIME:** Council Member Dale Housch asked if discussion is needed concerning the three temporary employees being set as full time staff members. City Manager Thompson responded that those positions are included in the proposed mid-year budget amendments.

**MID-YEAR BUDGET MOTION:** Council Member Dale Housch made a motion to approve the mid-year budget as presented with \$1,500 training reimbursement for EMT certification, three temporary positions set as full time employees, all other salary classification modifications removed, and an equity transfer of \$4,510.28. The motion was seconded by Council Member Joe Money, Jr. and passed with Council Members Housch, Money, and Martin voting in favor of the motion. Mayor Pro Tem Lloyd "Buddy" Windle and Council Member David Ford voted in opposition of the motion. Mayor Harvey stated that this is considered the first reading of the amended mid-year 2013-2014 fiscal year budget.

**EXECUTIVE SESSION OPENED:** Mayor Harvey stated that an executive session is needed to discuss the City Manager's performance evaluation and compensation package. Council Member Dale Housch made a motion to go into executive session. The motion was seconded by Council Member Zachary Martin and carried unanimously.

**EXECUTIVE SESSION CLOSED:** Council Member David Ford made a motion to close the executive session. The motion was seconded by Council Member Joe Money, Jr. and carried unanimously.

Mayor Harvey stated that there was no action taken in the executive session.

**PUBLIC COMMENTS:** Mayor Harvey asked if there are any comments from the public. Jason Espy of *The Summerville News* asked why there was an executive session to discuss the City Manager's performance and pay when staff members had to defend their requests in an open meeting. Mayor Harvey responded that an executive session is held because he is the City Manager and it is legal. Jason Espy asked if the Mayor is sure it is legal. Mayor Harvey responded, "Yes".

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**BUILDING AND CODES ENFORCEMENT:** Council Member Dale Housch stated that Joey Norton is now present then asked if Joey has anything to report. Joey reported that there were 12 permits sold in February for a total of \$1,863. Joey also reported that Mohawk is working on another expansion. Joey stated that with spring coming soon property maintenance will start back.

**ADJOURN:** All current business having been concluded, Mayor Pro Tem Lloyd "Buddy" Windle made a motion to adjourn. The motion was seconded by Council Member Zachary Martin and carried unanimously.

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**HARRY HARVEY – MAYOR**

Attest:

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**JILL DURHAM – CITY CLERK, G.C.M.C.**