



CITY OF SUMMERVILLE REGULAR COUNCIL MEETING AUGUST 11, 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 Attorney Albert Palmour.

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

INVOCATION: Mayor Harry Harvey gave the invocation.

PLEDGE OF ALLEGIANCE: Council Member Joe Money, Jr. led the pledge of allegiance.

AGENDA: Mayor Harvey asked if there are any changes to the agenda. No changes were requested. Council Member David Ford made a motion to approve the meeting agenda as prepared and presented. The motion was seconded by Council Member Joe Money, Jr. and carried unanimously.

MAYOR'S COMMENTS: Mayor Harvey announced that the Modern Woodsmen Youth Services Club presented the City of Summerville with a US flag. Mayor Harvey stated that the gift is appreciated and will be displayed with pride.

Mayor Harvey stated that Randy Patty is present and wanted to advise Council of his intentions concerning the old rug mill property. Mr. Randy Patty addressed the Mayor and Council explaining that he is considering holding heavy equipment sales a couple of times a year at the property where the old rug mill was located. Mr. Patty wanted to know if there was anything special he needs to do or if there is any existing ordinance to prohibit the activity. City Manager Thompson explained that he would need to purchase a business license for the equipment sales. City Manager Thompson also stated that the property is designated as industrial so there shouldn't be any problem with holding auctions there. Mr. Patty asked if there is a need for a second business license. City Manager Thompson explained that a separate business license is needed for each location; they are not transferable.

Mayor Harvey asked if there is something that Mr. Charles Bennett would like to discuss. Mr. Bennett stated that there were coolers at the last downtown event and that is against the open container ordinance. Mr. Bennett stated that he is against people bringing in coolers to events. Mr. Bennett stated that he also has another item he would like to discuss; water meters. Mayor Harvey stated that discussion will be held later in the meeting concerning coolers. Mayor Harvey expressed appreciation for Mr. Bennett's interest in city activities. Mayor Harvey stated that there would also be an opportunity for visitors to speak at the end of the meeting.

BETTER HOMETOWN: Susan Locklear gave a report on the Better Hometown activities for the month of July. Susan reported that Better Hometown is holding a Downtown Coffee Break on a bi-monthly basis to offer the opportunity for local business owners to intermingle and network. Susan stated that the event offers a wonderful opportunity for business owners to exchange ideas.

PAGE 2
CITY OF SUMMERVILLE
COUNCIL MEETING
AUGUST 11, 2014

BETTER HOMETOWN CONTINUED: Susan also reported that ballots have been distributed to offer input to determine this year's Christmas theme. Susan asked for people to have their ballots marked and turned in by August 22nd. Susan reported that there will be a ribbon cutting for Oxford Law Firm on Tuesday, August 12th at 11:30 AM.

CODE ENFORCEMENT: Code Enforcement Officer Joey Norton reported that 15 permits were sold during the month of July for a total of \$3,351. Joey also reported that property maintenance issues are still an ongoing issue.

WATER TREATMENT PLANT: Water Treatment Plant Superintendent Janice Galloway reported that during the month of July 61.2 million gallons of water was pumped. Janice also reported the general maintenance that was performed last month.

PUBLIC WORKS: Utility Director Tony Carroll reported all work done by all departments under his supervision during the month of July.

RECREATION DEPARTMENT: Recreation Department Director Bo Chamlee reported that football, soccer, and cheerleading sign ups are finishing up. Bo reported also that games should start September 1st.

POLICE DEPARTMENT: Police Chief Stan Mosley reported that officers patrolled 7,250 miles, housed 32 inmates for a total of 85 days, issued 142 citations, collected \$5,665 in fines and \$7,047 in fees for the month of July. Chief Mosley also reported that probation collected \$8,529 in the month of July. Chief Mosley reminded everyone that the Santa in Uniform Fund Raiser will be held this coming Saturday, August 18th. Chief Mosley encouraged folks to come out and support the underprivileged children of our community.

WASTEWATER TREATMENT PLANT: Wastewater Treatment Plant Superintendent Chris Tuggle reported that the plant processed 35.4 million gallons of wastewater in the month of July for a daily average of 1.1 million gallons. Chris gave a report of all loads of waste received at the plant and that general preventative maintenance was done.

FIRE DEPARTMENT: Fire Chief Greg Echols reported that the Summerville Fire Department responded to 107 calls during the month of July. Chief Echols reported that there were 6 combustible spills, 5 electrical problems, 17 EMS incidents, 4 false alarms, 27 medical assists, 4 vehicle fires, 1 vegetation fire, 3 rubbish fires, 5 public assists, 1 EMS rescue, 6 structure fires, and 2 no emergency found among the calls. The full report of all calls is attached and becomes part of these minutes.

CITY MANAGER'S REPORT: City Manager Russell Thompson reported that the July financial report shows that the city is in the black with revenues at 1 million and expenses are slightly above \$900,000. City Manager Thompson stated that it looks like the city is off to a good start in the new fiscal year.

PREVIOUS MINUTES: City Council Member Dale Housch made a motion to approve the pervious minutes as prepared and presented. The motion was seconded by Council Member Zachary Martin and carried unanimously.

PAGE 3
CITY OF SUMMERVILLE
COUNCIL MEETING
AUGUST 11, 2014

PURPLE HEART DAY – 8/7/14: Mayor Harvey stated that the City of Summerville is proclaiming August 7th, 2014 as Purple Heart Day. Mayor Harvey stated that he and the elected officials appreciate the dedication and sacrifice given by the US Armed Forces service men and women. Mayor Harvey read the proclamation. The proclamation is attached and becomes part of these minutes.

HOUSING AUTHORITY – MELVIN MOSLEY: Mayor Harvey explained that Ms. Nona Snow's term with the Summerville Housing Authority expires and a replacement is needed. Mayor Harvey stated that the Housing Authority recommended Melvin Mosley be appointed to Ms. Snow's seat which expires on August 15, 2014. Mayor Harvey explained that the term of office for this seat will run from August 15, 2014 to August 15, 2019. Mayor Harvey asked if Council concurs with the Housing Authority recommendation or if someone has an alternate candidate. No alternate candidates were suggested. Council Member David Ford made a motion to appoint and approve Melvin Mosley to the Summerville Housing Authority Board of Directors. Council Member Zachary Martin seconded the motion which carried unanimously.

CLEAN & LIEN DEMOLITION – 209 CURRAN ST: Mayor Harvey asked City Manager Thompson to explain the demolition of the house at 209 Curran Street. City Manager Thompson explained that the city has gone through the clean and lien process for the property located at 209 Curran Street and now the property needs to be cleared. City Manager Thompson explained that the demolition of the house and clearing the land was advertised for bids but that Randy Patty was the only bid received. City Manager Thompson stated that the City will be responsible for the tipping fees from the County. City Manager Thompson stated that Commissioner Winters has agreed to allow the City to dump refuse at cost for this project. City Attorney Palmour interjected that once the property is cleared the City will place a lien on the location then sell it to recoup the expense. Council Member Dale Housch made a motion to approve and accept Randy Patty's bid of \$2,784 to clear the land and demolish the house located at 209 Curran Street with the City of Summerville to pay dump fees associated with the project. The motion was seconded by Council Member David Ford and carried unanimously.

DEPOT/TURNTABLE WORK: Mayor Harvey stated that there is some work needed at the Depot and the Turntable. Mayor Harvey asked City Manager Thompson to give details of this item. City Manager Thompson explained that the bid package was set to tear out and replace the decking on the track side of the Depot and some fascia boards plus clean and paint the railroad turntable. City Manager Thompson explained that Grantoak is the same company doing the work on the Couey House. Council Member Joe Money, Jr. made a motion to approve the bid of \$16,400 from Grantoak, Inc. for the Depot and Turntable repairs. The motion was seconded by Council Member David Ford and carried unanimously.

WALKING TRACK – FAIRWAY: Mayor Harvey stated that the City has received a bid for the Fairway Walking Track from William D. Patty Construction for \$30,992.50. Mayor Harvey asked City Manager Thompson to give details of the project. City Manager Thompson explained that \$20,000 S.P.L.O.S.T. funds are budgeted for the Fairway walking track. City Manager Thompson stated that the bid received is approximately \$11,000 over budget. City Manager Thompson stated that there is the possibility of going with something other than asphalt like gravel. Council Member Joe Money, Jr. asked about the size of the track.

PAGE 4
CITY OF SUMMERVILLE
COUNCIL MEETING
AUGUST 11, 2014

WALKING TRACK – FAIRWAY CONTINUED: Tony Carroll responded that it will be approximately 1,600 feet which makes it a little bit bigger than the track at Dowdy Park. Mayor Harvey stated that \$20,000 is budgeted for the project. Mayor Harvey stated that the City Manager suggests doing the prep work then figure out where Council wants to get the balance of the money for the project from at the planning retreat. City Manager Thompson stated that some funds for capital improvements could be used. City Manager Thompson stated that he didn't want the prep work to be done and then have cold weather here making it inadvisable to put down asphalt. City Manager Thompson stated that Council has discussed setting a cap on the operating fund with anything over the cap set to capital projects. Mayor Harvey asked when the project needs to be started. City Manager Thompson responded that the project needs to be started as soon as possible. City Manager Thompson explained that what Mr. Patty turned in is a quote; the project would need to be bid. City Manager Thompson stated that City Attorney Albert Palmour could draw up a contract for the project so things could be lined up to start in three to four weeks. City Manager Thompson stated that it will take another two to three weeks to finish the work. Council Member David Ford made a motion to approve the site prep with the budgeted \$20,000 then look at appropriation for the remaining portion of the project at the next meeting. The motion was seconded by Council Member Zachary Martin and carried unanimously.

DITCH WITCH PURCHASE: Mayor Harvey stated that the next item for consideration is the purchase of a ditch witch from Ditch Witch of Georgia for \$72,236.59. Mayor Harvey asked City Manager Thompson to give details. City Manager Thompson explained that two bids were received for a ditch witch; one from Vermeer Southeast for \$75,800 and one from Ditch Witch of Georgia for \$72,236.59. City Manager Thompson stated that this is an essential piece of equipment for general operations and is key to the completion of the chicken house gas project. City Manager Thompson explained that the current ditch witch has been in the shop more than it is in operation. City Manager Thompson stated that it is staff recommendation to go with the lower of the two bids; Ditch Witch of Georgia. City Manager Thompson stated that \$90,000 was budgeted for this item and thanks to our purchasing agent it can be bought well below the anticipated cost. Council Member Dale Housch asked if this is the same type equipment that was just sold by the city. Tony Carroll responded that it is the same type of equipment but the unit being presented for consideration is smaller and better suited for our type of work. Council Member Dale Housch made a motion to approve the purchase of a ditch witch from Ditch Witch of Georgia for \$72,236.59. Council Member David Ford seconded the motion which carried unanimously.

UV BULBS – WASTEWATER TREATMENT PLANT: Mayor Harvey stated that Council is being asked to consider approving the purchase of UV bulbs for the Wastewater Treatment Plant costing \$19,336.00. Mayor Harvey asked City Manager Thompson to explain. City Manager Thompson explained that two bids have been received; one from UV Doctor for \$15,600 and one from Xylem for \$19,336. City Manager Thompson explained that in the past the city has gone with the cheaper of the two suppliers and had complications. City Manager Thompson explained that the cheaper bulbs ended up having to be replaced which cost more money in the long run. City Manager Thompson stated that it is staff recommendation to purchase the UV bulbs from Xylem at a cost of \$19,336 which is the manufacturer's suggested supplier.

PAGE 5
CITY OF SUMMERSVILLE
COUNCIL MEETING
AUGUST 11, 2014

UV BULBS – WASTEWATER TREATMENT PLANT CONTINUED: Wastewater Treatment Plant Superintendent Chris Tuggle interjected that the Xylem bulbs are expensive but they do a good job. Chris explained that there is an approximate 2 year bulb life with the sleeves needing to be replaced every 5 years. Chris stated that the reason this request is so high is because it is time to replace the sleeves. Council Member Dale Housch made a motion to approve the purchase of UV bulbs and sleeves from Xylem for \$19,336. The motion was seconded by Council Member Zachary Martin and carried unanimously.

HOTEL- MOTEL TAX: Mayor Harvey stated that a hotel/motel tax is something that can be levied noting that some base information was included with the meeting packets. Mayor Harvey asked City Manager Thompson to give details. City Manager Thompson stated that the hotel/motel tax law is massive. City Manager Thompson stated that the information provided in packets is for review and consideration; something to think about. With that said, City Manager Thompson explained that a hotel/motel excise tax can be levied up to 3% or at a rate of 5 to 8% on charges made for rooms or accommodations furnished by the hospitality industry which includes campgrounds. City Manager Thompson explained that the amount of the levy chosen dictates the expenditure requirements. City Manager Thompson explained that the hotel/motel tax is not a requirement; it is a choice. City Manager Thompson explained further that if the city was to levy 3% hotel/motel tax the city would be required to expend at least the same percentage of money to promote tourism. City Manager Thompson explained that if the city set the hotel/motel tax at 5% then the city could utilize funds for tourism or Better Hometown. City Manager Thompson stated that he is not sure if the hotel/motel tax is done through local ordinance or if it has to go through legislation. City Manager Thompson stated that he would like Council feedback on this item. City Manager Thompson stated that the revenue would be minimal but it could help with Better Hometown. Council Member David Ford stated that LaFayette has the hotel/motel tax and uses the funds for their Better Hometown program. Mayor Harvey stated that this tax can be done with campgrounds, bed and breakfast establishments, and short term stay businesses. Council Member Ford stated that the tax is not a burden to the residents. The discussion was for informational purposes only. No action was taken.

AMR GAS METERS – USDA REVENUE BOND: Mayor Harvey asked City Manager Thompson to give information on the automated gas meter project. City Manager Thompson explained that a loan application has been submitted to the USDA for the automated gas meter project. City Manager Thompson explained that the USDA has modified the cap on loans and the city will now have to go about the project utilizing a revenue bond. City Manager Thompson stated that the change will add approximately \$23,000 to the project cost. Council Member Dale Housch asked if there is another source for funding. City Manager Thompson stated that GMA has been contacted but they do not want to give another loan before a year. City Attorney Albert Palmour interjected that the cost for the bond issuance is listed at \$23,000. City Attorney Palmour stated that he is fairly certain that he can have the revenue bond done for less than that. Mayor Harvey asked when a vote is needed on this item. City Manager Thompson stated that a vote is needed no later than the next meeting or perhaps at a called meeting. City Manager Thompson stated that he will have more information available for the planning retreat.

PAGE 6
CITY OF SUMMERVILLE
COUNCIL MEETING
AUGUST 11, 2014

ENVIRONMENTAL NIGHT COURT: Mayor Harvey asked City Manager Thompson to explain the request to hold environmental court in the evening. City Attorney Albert Palmour responded stating that Joey Norton is the City's part time Code Enforcement Officer. Attorney Palmour explained that Joey works full time for the City of Rome. Attorney Palmour stated that the City of Summerville Municipal Court is held Wednesday mornings. Attorney Palmour stated that a lot of cities and towns hold environmental court in the evenings. City Attorney Palmour stated further that the City of Summerville Charter says that municipal court is to be held one time a month and the Clerk of Court sets the time. Attorney Palmour stated that he sent a letter to Judge Sam Finster asking if holding court at in the evening would work better. City Attorney Palmour stated that he (Attorney Palmour) heard from City Manager Thompson that Judge Finster does not want to hold night court. Code Enforcement Officer Joey Norton interjected that contractors have expressed an interest in night court to help reduce the impact on their business. Joey explained that when a contractor has to come from Atlanta to Summerville for court in the middle of the week it creates a hardship on them. Joey explained that he takes a few hours of vacation once a month to accommodate the court schedule. Joey explained further that the City of Rome is aware of the activity. Judge Sam Finster stated that the current schedule has been in place for 28 years and has worked well. Judge Finster stated that he would do whatever Council wants but he operates by the law and makes administrative decisions that are in the best interest of the city. Judge Finster stated that he did not think that the number of cases for Environmental Court justify the additional expense of holding night court. Judge Finster stated that January 2012 to date there have been 4,213 cases in municipal court. Judge Finster stated that since September 2011 there have been 51 Environmental Court cases which figures out to 1.12% of total cases. Judge Finster stated that he is looking at what is best for the City and respectfully request that Municipal and Environmental Court be left alone. Council Member David Ford asked if it is correct that only three people have complained. Joey Norton affirmed Council Member Ford's information. Attorney Albert Palmour stated that he does not care one way or the other if the sessions remain the same or change. Attorney Palmour stated that being present for court day or night is no inconvenience. Mayor Harvey stated that with the number of environmental cases it would be best to leave things are they currently operate. Council Member Joe Money, Jr. interjected that he thinks there should be a full time staff member for code compliance. Attorney Palmour stated that the only issue with environmental court is continuations which result in 6 or 7 hearings. Attorney Palmour stated that he thinks that many hearings is ineffective. Judge Finster responded stating that the process of issuing a citation, having a hearing before the court, being given an opportunity to rectify the situation then come back dictates multiple hearings. Attorney Palmour stated that when court is held is up to the Judge. Mayor Harvey stated that this is not a discussion for vote by Council. Mayor Harvey stated that the discussion is for Council's input.

SECOND SATURDAY EVENTS: Mayor Harvey stated that our Alcohol Ordinance does not include Second Saturday event regulations. City Manager Thompson stated that the City's Code has to have regulations set in an Ordinance. City Manager Thompson stated that the question at hand has to do with the selling alcohol through vendors. City Manager Thompson stated that there were some people bringing in coolers to events. City Manager Thompson stated that there is no brown bag ordinance. Mayor Harvey asked about what options are available.

PAGE 7
CITY OF SUMMERSVILLE
COUNCIL MEETING
AUGUST 11, 2014

SECOND SATURDAY EVENTS CONTINUED: City Manager Thompson responded stating that currently open containers are not allowed. City Manager Thompson stated that specific regulations can be set based on what Council wants. City Attorney Albert Palmour stated that the person or entity putting on the event would have to buy a special event alcohol permit. Attorney Palmour stated that Council can put a BYOB (bring your own bottle) section in the ordinance. Council Member Dale Housch asked if it would be a limited area. City Attorney Palmour responded that it would be a limited area. Attorney Palmour stated further that for the purpose of the second Saturday events the City could contract with a vendor. Mayor Harvey stated that he liked the specified vendor idea best. City Attorney Palmour stated that he wanted to advise enforcement of whatever ordinance is in place. Council Member Dale Housch stated that he is in favor of having options. Mayor Harvey stated that there are three options available; not allowing open containers at all, BYOB, and have a specific alcohol vendor. Mayor Harvey stated he would like to look at the pros and cons of each option. Mayor Harvey stated that Council will need to have two readings to change the existing ordinance. Council Member Dale Housch made a motion to look at the options and set a vendor for the next Second Saturday event. The motion was seconded by Council Member Joe Money, Jr. and carried unanimously.

PUBLIC COMMENTS: Charles Bennett stated that if Council chooses to allow brown bagging there needs to be officers to control any problem and if BOYB is not allowed then that needs to be enforced too by having the people leave.

EXECUTIVE SESSION OPEN: Mayor Harvey stated that an Executive Session is needed for the purpose of discussing real estate. 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: Mayor Harvey stated no action was taken during the Executive Session. 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.

PLANNING SESSION: Mayor Harvey announced that there will be a planning session held on Monday, August 25th at 6 pm.

COOKOUT FOR WORLD SERIES PARTICIPANTS: Mayor Harvey stated that a cookout will be held for the girls and boys that made it to the baseball/softball World Series playoffs. Mayor Harvey stated that the cookout will be held at the Depot beginning at 6 pm on August 18th. Mayor Harvey commended the participants, coaches, and parents for their hard work and dedication to representing Summerville well.

COUNTY FAIR VOLUNTEERS: Council Member Dale Housch stated that volunteers are still needed for the fair. Council Member Housch stated that the Fair Committee has suggested that Council Members take up tickets at the event. Council Member Housch stated that if anyone is willing to participate they need to contact Kendra Stallings. Mayor Harvey stated that he looks forward to a great turn out.

**PAGE 8
CITY OF SUMMERVILLE
COUNCIL MEETING
AUGUST 11, 2014**

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.

HARRY HARVEY – MAYOR

Attest:

JILL DURHAM – CITY CLERK, G.C.M.C.