



**CITY OF SUMMERVILLE
REGULAR COUNCIL MEETING
AUGUST 10, 2015
5 PM**



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 Albert Palmour.

INVOCATION: Mayor Harry Harvey gave the invocation.

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

WELCOME: Mayor Harvey welcomed everyone to the August Regular Council Meeting. Mayor Harvey stated that it is a little loud due to the air conditioning in the Summerville Recreation Department meeting room. Mayor Harvey stated that the meeting is being held at the Recreation Department building due to renovations taking place in the Council Room at City Hall. Mayor Harvey explained that renovations should be completed after the next Council Meeting.

VISITORS: Mayor Harvey asked that all visitors attending the meeting please sign in listing name, address, and reason for attending the meeting. Mayor Harvey stated that all visitors will be given the opportunity to address Council now and again at the end of the meeting. Mayor Harvey asked that comments be limited to three minutes each. Mayor Harvey asked if anyone wanted to address Council at this time.

CHARLES BENNETT – HOTEL/MOTEL TAX: Charles Bennett addressed Council stating that he is against the hotel/motel tax. Charles asked if Council has thought about the impact of the tax and that the cost will be passed on to visitors. Charles Bennett said that the tax could keep people from coming to visit our area. Charles also stated that the city is not experiencing a financial hardship so he (Charles) does not understand why Council is considering the tax. Charles stated that he thinks the hotel/motel tax should not be done. Mayor Harvey stated that there will be a public hearing concerning the hotel/motel tax at which time public input will be requested. Mayor Harvey stated that Mr. Bennett should feel free to state his opinion at that time.

ANNOUNCEMENTS: Mayor Harvey stated that there are a lot of activities coming up which will be explained during the Better Hometown Report. Mayor Harvey also stated that there are also a lot of projects under way. Mayor Harvey announced that Regular Council Meetings are held at 5 p.m. on the second Monday of each month.

BETTER HOMETOWN – SUSAN LOCKLEAR: Susan Locklear reviewed her activities since the last meeting which are listed in her report to Council. A copy of Susan's report is attached and becomes part of these minutes.

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CODE ENFORCEMENT – JOEY NORTON: Building and Code Enforcement Officer Joey Norton reported that there were several permits sold during the past month and there are several items for Council to consider at this meeting. Joey also stated that he continues to work on property maintenance. A copy of Joey's report is attached and becomes part of these minutes.

WATER TREATMENT PLANT – JANICE GALLOWAY: Water Treatment Plant Superintendent Janice Galloway reviewed the July report she submitted for Council listing all activities for Raccoon Creek, Lowe Springs, the lab and distribution reports. A copy of Janice's report is attached and becomes part of these minutes.

WASTEWATER TREATMENT PLANT – CHRIS TUGGLE: Chris Tuggle reviewed the report he prepared for Council listing the work his department has done during the past month. A copy of Chris' report is attached and becomes part of these minutes. Chris also reported that the Mohawk reuse pump should be repaired and back in service in a couple of weeks. Chris made Council aware that the EPD would be visiting in September to perform an inspection of the pre-treatment process.

PUBLIC UTILITIES – TONY CARROLL: Tony Carroll reviewed the report he prepared for Council listing all activities performed by all departments under his supervision. A copy of his report is attached and becomes part of these minutes.

RECREATION DEPARTMENT – BO CHAMLEE: Recreation Department Director Bo Chamlee reviewed the report of all July activities for the Summerville Recreation Department and upcoming sports events distributed to Council with their monthly meeting packet. A copy of the report is attached and becomes part of these minutes.

POLICE DEPARTMENT – CHIEF STAN MOSLEY: Police Chief Stan Mosley reported that officers patrolled 3,850 miles, housed 48 inmates for a total of 53 days, issued 173 citations, and collected \$9,974.00 at the PD. Chief Mosley also reported that officers handled 69 incident reports, 17 accident reports, and responded to 888 calls during the month of July. Chief Mosley reported that State Probation collected \$8,654.45 and City Probation collected \$15,882.00. Copies of Chief Mosley's reports are attached and become part of these minutes.

FIRE DEPARTMENT: Fire Chief Greg Echols had to leave the meeting for a fire call. City Manager Russell Thompson gave Chief Echols' report reading the type and number of calls in each category. A copy of the Summerville Fire Department activity report is attached and becomes part of these minutes.

CITY MANAGER REPORT – RUSSELL THOMPSON: City Manager Thompson reported that the cash balance at the end of July was 1.6 million with expenses a little higher than revenue. City Manager Thompson explained that there hasn't been a draw down done on the GEFA project so the numbers look low but the city is in good shape.

COUNCIL ROOM: City Manager Thompson reported that a lot of work has been accomplished on the Council Room renovation. City Manager Thompson reported that work will begin on the platform next week; everything is on schedule.

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GEORGIA DEPT OF REVENUE WITHHOLDING TAX AUDIT: City Manager Russell Thompson stated that a Georgia Department of Revenue withholding tax audit brought to light that state withholding taxes were not done correctly over the last 14 years which amounts to \$64,000 in unpaid taxes. City Manager Thompson explained that state withholding taxes were paid but were three to six months behind. City Manager Thompson explained further that there have been checks and balances in place but the errors were not caught. City Manager Thompson stated that the people handling this facet of city business are no longer with the city. City Manager Thompson explained that the funds were sitting in an accrual/general account. City Manager Thompson stated that the city auditor has prepared a letter stating that there was no malfeasance involved with this situation. City Manager Thompson stated that the base \$64,000 and \$48,000 in interest has been paid to the Department of Revenue. City Manager Thompson explained that there will possibly be a penalty assessed but an appeal has been filed. City Attorney Albert Palmour stated that the appeal is requesting a refund of the interest with no penalty. City Attorney Palmour stated that additional checks and balances are now in place. City Attorney Palmour stated further that the finance director and City Manager will be kept in the loop of withholding tax reports and payment. Mayor Harvey asked if Council has any questions. There were no questions asked at this point in time.

AGENDA: Mayor Harvey stated that before the minutes of the previous meeting are considered the meeting agenda needs to be approved. Mayor Harvey asked if there are any items that need to be added or deleted from the agenda. Council Member David Ford stated that he would like to have speed bumps discussed. City Manager Thompson stated that item "f" Assistant Utilities Director Compensation needs to be removed and also item "j" is for general information. Council Member David Ford made a motion to approve the agenda with the before mentioned modifications. The motion was seconded by Council Member Zachary Martin and carried unanimously.

MINUTES: Mayor Harvey asked if there are any changes or corrections needed to the minutes of the previous meeting. Council Member Dale Housch made a motion to accept and approve the minutes of the previous meeting as prepared and presented. The motion was seconded by Council Member David Ford and carried unanimously.

PUBLIC HEARING – HOTEL/MOTEL TAX: Mayor Harvey explained that Council has been looking at a hotel/motel tax of 5 percent and before a final decision will be made a Public Hearing will be held for citizen input.

PUBLIC HEARING OPENED: Mayor Harvey stated that the Public Hearing for the purpose of public input concerning implementation of a hotel/motel tax is now opened. Mayor Harvey stated that anyone wishing to voice an opinion on the proposed tax is welcomed to do so.

PUBLIC COMMENT: Resident Charles Bennett addressed the Mayor and Council stating that he thinks that the hotel/motel tax should not be implemented. Mr. Bennett stated that if the city needed money it would be different. Mr. Bennett asked what the city is going to do with the money. Better Hometown Director Susan Locklear responded that the money can be used for downtown development. Mayor Harvey responded stating that he thinks the money will be well spent to promote Summerville.

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PUBLIC COMMENTS CONTINUED: Susan Locklear stated further that the Better Hometown budget is small and the hotel/motel tax can provide more funds to attract tourism. Susan explained that the money can also be used to upgrade downtown facades, most surrounding areas have the tax, and the tax is paid by tourists rather than citizens. City Manager Thompson stated that he doesn't think many people call ahead to check on the local hotel/motel tax for a basis of visiting a location. City Manager Thompson also commented that the funds would be used for the downtown area. Mayor Pro Tem Lloyd "Buddy" Windle asked how the money would be used. City Attorney Albert Palmour responded stating that 3% has to go to tourism but that all of it could be used for a number of programs that would qualify with Better Hometown. City Attorney Palmour explained that anything that promotes Summerville, such as the upcoming County Fair, would qualify. City Attorney Palmour stated that the goal is to have more motels and more visitors.

PUBLIC HEARING CLOSED: Mayor Harvey asked if there are any further comments. With no further comments made the public hearing was closed.

COUNCIL DISCUSSION & MOTION OF CONFIDENCE – HOTEL/MOTEL TAX: Mayor Harvey asked if Council has any questions or discussion. Mayor Harvey stated that he recommends having the hotel/motel tax because it would be used to promote Summerville. Mayor Harvey stated that two readings will be required before implementation noting a vote of confidence is needed. Council Member David Ford made a motion to approve the 5% hotel/motel tax. The motion was seconded by Mayor Pro Tem Lloyd "Buddy" Windle and carried unanimously. Mayor Harvey asked that the City Manager talk with the hotel/motel owners to discuss the ordinance.

FIRST READING OF THE HOTEL/MOTEL TAX ORDINANCE: Mayor Harry Harvey stated that this is the first reading of the Hotel/Motel Tax Ordinance. Mayor Harvey stated that City Attorney Albert Palmour has provided a copy of the ordinance. Mayor Harvey asked if there are any questions about the ordinance as prepared. Mayor Harvey asked the effective date of implementation for the ordinance. A general discussion rendered that the effective date needs to be listed as January 1, 2016. Mayor Harvey read the ordinance noting that the final copy will have an effective date of January 1, 2016. Council Member Dale Housch made a motion to accept the Hotel/Motel Tax Ordinance at 5% with an effective date of January 1, 2016. Council Member Dale Housch made a motion to change the effective date of the Hotel/Motel Tax Ordinance from October 1, 2015 to January 1, 2016. The motion was seconded by Council Member David Ford and carried unanimously.

SECOND READING – HOTEL/MOTEL TAX ORDINANCE: Mayor Harvey asked if a time needs to be set for the second reading of the Hotel/Motel Tax Ordinance. City Attorney Albert Palmour stated that the second reading can occur at the next regular meeting. Council Member Joe Money, Jr. made a motion to have the second reading of the 5% Hotel/Motel Tax Ordinance at the next Regular Council Meeting. The motion was seconded by Council Member David Ford and carried unanimously.

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HOUSING AUTHORITY – ROBERT H. FLOYD: Mayor Harvey stated that the Housing Authority has requested that Robert H. Floyd be reappointed to the Housing Authority Commission with his new term to expire in 2020. Mayor Harvey asked if Council has any alternate suggestions or questions about the appointment. Following no questions being asked, Council Member David Ford made a motion to reappoint Robert Floyd to the Housing Authority Board of Commissioners. The motion was seconded by Mayor Pro Tem Lloyd "Buddy" Windle and carried unanimously.

WASTEWATER RATE STUDY: Mayor Harvey stated that several months ago a study of the water and wastewater rates was requested. Mayor Harvey requested that City Manager Thompson report the findings to Council.

City Manager Thompson stated that a rate study was done for water and wastewater for incorporated versus unincorporated service areas. Carter and Sloope prepared the study considering several aspects of both types of service. City Manager Thompson stated that approximately 50% of water systems have a higher rate for unincorporated service areas. City Manager Thompson explained that the average difference in rates between incorporated and unincorporated is 35%; the City of Summerville is at 32%. City Manager Thompson stated that the price break for the difference is between 35 to 37%. City Manager Thompson explained that he wanted Council to have the study to review. City Manager Thompson stated that all water rates are on the GEFA web site. City Manager Thompson explained that the study validates justification for a difference of 25% to 37% between incorporated and unincorporated services. City Manager Thompson stated that our rates are in the normal range. Mayor Harvey interjected that the study was for informational purposes only.

EMPLOYEE COMPENSATION PLAN ADJUSTMENTS: Mayor Harvey explained that there are some adjustments to the employee compensation plan which the City Manager will explain.

City Manager Thompson stated that Council had the old employee roster at budget time. City Manager Thompson explained that some approved class and step changes did not match. City Manager Thompson explained that payroll calculated 3.5% and when the scale was used it doesn't match. City Manager Thompson explained that some calculations were on the cusp, some were a little lower, and some were a little higher. City Manager Thompson explained that the biggest change is that of the Assistant Utilities Director which was set by Council and not noted in the salary sheets with your budget. City Manager Thompson explained that the total change amount is \$11,240.80. City Manager Thompson explained further that once the Assistant Utilities Director compensation is backed out of the number the change is approximately \$4,000. City Manager Thompson said that \$7,000 goes to one employee, \$1,000 was left off and that leaves approximately \$3,000 in changes. Mayor Harvey asked if there are any questions. Council Member David Ford asked if errors were made when the information was put into the computer system. City Manager Thompson responded that when the 3.5% across the board was done but the scale of 1.25% didn't line up right.

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EMPLOYEE COMPENSATION PLAN ADJUSTMENTS CONTINUED: Mayor Harvey asked if there are any further questions. With no further questions Council Member David Ford made a motion to approve \$11,240.80 to adjust the payroll as described by City Manager Thompson. The motion was seconded by Mayor Pro Tem Lloyd "Buddy" Windle and carried unanimously.

LMIG SIDEWALK PRIORITIZATION: Mayor Harvey stated that Council has the 2016 LMIG Priority List. Mayor Harvey requested City Manager Thompson to give information on this item.

City Manager Thompson explained that the 2016 LMIG Grant is \$45,623.49, the City of Summerville is required to make a 30% match which is \$13,687.05 for a total of \$59,310.54. City Manager Thompson stated that \$70,000 is currently budgeted for street repairs with LMIG noting that any funds left over from the current year (2015) will go with 2016. Tony Carroll explained that \$40,000 to \$50,000 will be used on pothole repairs leaving approximately \$20,000. City Manager Thompson stated that all of the funds can be used to get it all done or save the difference between what is listed to be done and total funds available to work on potholes. City Manager Thompson stated that he recommends holding off until mid year. Mayor Harvey stated that the 2016 funding from LMIG has not been received yet. Tony Carroll interjected that the city's list will be sent to LMIG by January. City Manager Thompson stated that there is a pretty quick turn around for funding noting that it would be possible to get some money now during warm weather. Council Member David Ford asked if we can get next year money now. City Manager Thompson stated that funds could be received and the deadline for using the funds would be next year. City Manager Thompson explained that the city is working with two LMIG projects; 2015 and 2016. City Manager Thompson explained that the choice is focusing on a few streets now and fixing potholes or having the main focus on streets. Council Member Joe Money, Jr. asked if consideration is given to the most highly traveled streets. Tony Carroll responded, "Yes." Mayor Harvey stated that he would like to keep some money for potholes. Council Member David Ford stated that there are a lot of potholes. City Manager Thompson stated that the 2016 list could be submitted as presented then add more streets later. Mayor Harvey asked if Council needs to take action at this time. City Manager Thompson responded stating that it might be best to look at more options before taking action. Mayor Harvey commented that streets need to be paved and money is needed for potholes. Mayor Harvey stated that if it pleases Council no action will be taken at this time. A copy of the 2016 LMIG Priority List as of this date is attached and becomes part of these minutes.

SIDEWALKS: Mayor Harvey asked City Manager Thompson to provide information concerning city sidewalks. City Manager Thompson stated that \$50,000 is appropriated for sidewalk repair or replacement. City Manager Thompson stated that there is about 1,600 feet of sidewalk to repair at \$180 per 10' x 4' space. City Manager Thompson stated that the cost would include tearing out and replacing a sidewalk. City Manager Thompson explained that the price does not include any other incidental costs. City Manager Thompson stated that he wanted to know Council's direction of focus; redo existing sidewalks or build new ones. Council Member Joe Money, Jr. expressed the opinion that the existing sidewalks need to be repaired before new ones are constructed. Council Member Dale Housch asked where new sidewalks would be built. City Manager Thompson stated that curb cuts for the handicapped and new sidewalks would be beneficial.

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SIDEWALKS CONTINUED: City Manager Thompson stated that new sidewalks would be nice on Highland Avenue, Highway 27 South, East Washington Street, and Congress. City Manager Thompson stated that there is more need than there are funds. Council Member David Ford stated that he thinks the first thing that needs to be done is having the curbs handicap assessable. Council Member Dale Housch stated that he agrees (with Council Member Ford). Tony Carroll stated that he would like to start in the downtown area and work out. City Manager Thompson stated that \$50,000 is budgeted for this year then next year do more. Council Member David Ford stated that he thinks work should be done on what we have first. Mayor Harvey stated that a list of the worst sidewalks is needed and put new ones to connect streets to Highway 27. Council Member Dale Housch asked what is involved with sidewalks on state highways. Tony Carroll responded stating that the Department of Transportation has to give permission to build sidewalks that are on state highways.

ALCOHOL LICENSE: Mayor Harvey stated that Council is being asked to consider approval of new alcohol license for a change of ownership; Circle K is buying The Pantry locations. City Manager Thompson stated that it is just an ownership change noting that there was no problem with any background checks. Council Member Joe Money, Jr. made a motion to approve alcohol license for Circle K Stores purchase of The Pantry, Inc. locations in Summerville. The motion was seconded by Council Member David Ford and carried unanimously.

TN VALLEY RAILROAD AUTHORITY: Mayor Harvey asked City Manager Thompson to give information concerning the Tennessee Valley Railroad Authority.

City Manager Thompson explained that a meeting has been held with the Tennessee Valley Railroad folks to reaffirm the city's partnership and work on a hold harmless agreement for use of the turntable. City Manager Thompson stated that discussion about increasing the railroad ticket price to allow the Summerville Better Hometown a cut of the revenue was met with "blunt skepticism". City Manager Thompson explained that the railroad explained that they could add to the price of the ticket but when the trip is not profitable anymore they won't be run. City Manager Thompson explained that the city will have access to a train for rides mid November through December 19th providing an opportunity to have a Santa train. City Manager Thompson explained that discussion was also held concerning better access for passengers. City Manager Thompson stated that if brick and mortar items are enhanced then the railroad may be more approachable about ticket prices. City Manager Thompson stated that he does think that making improvements to the loading and unloading areas will increase the number of tourists. Council Member David Ford asked if the train could stay a little longer. Susan Locklear responded stating that federal requirements mandate trips to have a specific start and finish time with no more than 6 hour trips. Mention was made that if sidewalks were fixed there could potentially be an additional unloading spot which would in turn add to the length of visits.

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OFF PREMISE POURING PERMIT – LOS MAGUEY’S: Mayor Harvey stated that Los Maguey’s has requested a special event pouring permit for the Fourth Saturday Concert in August. Mayor Harvey has asked City Manager Thompson to provide information. City Manager Thompson explained that vendors with alcohol pouring license and the appropriate insurance are given consideration for special event pouring permits. Los Maguey’s now has the appropriate insurance and is eligible to make application for the special event pouring license. City Manager Thompson stated that staff recommends approval of the permit. Council Member David Ford made a motion to approve Los Maguey’s application for an off premise special event pouring license. The motion was seconded by Council Member Dale Housch and carried unanimously.

BUILDING PERMIT – 29 GEORGIA AVE: Mayor Harvey stated that a building permit application has been received from Ted Bridges for 29 Georgia Avenue. Mayor Harvey stated the location is in the historic district which requires Council approval for the permit. Code Enforcement Officer Joey Norton explained that this was an emergency repair to fix the rotten front door frame and front window. Council Member David Ford made a motion to approve the building permit for 29 Georgia Avenue. The motion was seconded by Council Member Zachary Martin and carried unanimously.

BUILDING PERMIT – 256 EAST WASHINGTON: Code Enforcement Officer Joey Norton explained that the next permit requested is for roof repairs at 256 East Washington. Joey explained that the location is in the historic district and requires Council approval. Council Member Dale Housch made a motion to approve the building permit application. Council Member Joe Money, Jr. seconded the motion which passed unanimously.

ELECTRICAL PERMIT – 120 GEORGIA AVE: Code Enforcement Officer Joey Norton explained that an application has been received from Terry Money for the electrical work at city hall related to remodeling the Council Room. Council Member Joe Money, Jr. stated that he will abstain from voting on this item. Council Member David Ford made a motion to approve the electrical permit for Terry Money’s work at City Hall Council Room. The motion was seconded by Mayor Pro Tem Lloyd “Buddy” Windle and carried with Council Members Ford, Windle, Housch, and Martin voting in favor of the motion. Council Member Joe Money, Jr. abstained.

SPEED BUMPS: Mayor Harvey stated that Council Member Ford has requested to discuss speed bumps. Council Member David Ford stated that he thinks there needs to be speed bumps installed at Dowdy Park and coming from the library to the Fairway Recreation Department. City Manager Thompson stated that he has questions about liability associated with speed bumps. City Attorney Albert Palmour stated that there is a code on speed bumps that includes public notification. City Manager Thompson stated that if he receives a petition from all the residents then he will put them in. City Manager Thompson stated further that if Council is interested then the code can be provided for review. City Attorney Palmour stated that he would get the code. Council Member Ford stated that he would also like to have a speed limit sign posted on Veterans Memorial Drive. Council Member Dale Housch stated that he doesn’t like speed bumps much but the ones that Dahlonga uses are about one brick high and are wide. Council Member Housch stated that those type speed bumps are nice and don’t bounce the car.

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FIRST BAPTIST CHURCH BUILDING PERMIT: Building and Code Enforcement Officer Joey Norton asked to have item "L" discussed; replace decorative trim around the main entrance door and associated façade at the First Baptist Church. Joey explained that the location is within the historic district and requires Council approval. Council Member Dale Housch made a motion to approve the building permit application from First Baptist Church to replace the decorative trim around the main entrance and the associated façade. The motion was seconded by Council Member Joe Money, Jr. and carried unanimously.

PUBLIC COMMENTS: Mayor Harvey asked if there are any final comments. Council Member Dale Housch stated that he would like to mention the upcoming fair.

CHATTOOGA COUNTY FAIR: Council Member Dale Housch stated that a lot of work has been done for the upcoming fair but there are still areas where volunteers could be used. Council Member Housch stated that those available to volunteer should contact the fair office for work assignments. Council Member Dale Housch also stated that there have been several adjustments to the layout of this year's fair which includes five more rides than last year. Council Member Housch reported that there are 41 vendors signed up for the event.

CITY WORKERS COMMENDED: Council Member Dale Housch stated that there was a letter of appreciation commending city workers included in the packets for Council Members. Council Member Housch stated that he appreciates the time and effort given to commend city workers and their good work.

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.