



**CITY OF SUMMerville
REGULAR COUNCIL MEETING
JULY 11, 2016
6 PM**

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

ROLL CALL: Mayor Harry Harvey gave roll call. Council Members David Ford, Earl H. Parris, Mayor Pro Tem Lloyd "Buddy" Windle, Joe Money, Jr. and Zachary Martin were present. Also present was Interim City Manager Tony Carroll 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.

AGENDA: Mayor Harvey stated that there is one addition to the agenda; a request for approval of an off premise alcohol sales permit for Los Maguey during the July 23rd Fourth Saturday Concert. Council Member David Ford made a motion to approve the agenda with the addition of Mayor Harvey's addition. The motion was seconded by Council Member Earl H. Parris and carried unanimously.

MAYOR'S COMMENTS: Mayor Harvey welcomed everyone to the July Regular Council Meeting. Mayor Harvey stated that he appreciates everyone's attendance and encourages the public to join all public meetings. Mayor Harvey requested that visitors sign in listing their name, address, and reason for attending the meeting. Mayor Harvey requested people verbally state their name and reason for attending. Mayor Harvey offered an opportunity for any person attending the meeting to address Council. Mayor Harvey stated that an additional opportunity to address Council would be given at the end of the meeting. No public comments were made.

ANNOUNCEMENTS: Mayor Harvey stated that there are a lot of events for July and August which will be covered during Ms. Locklear's Main Street presentation.

Mayor Harvey stated that he wanted to thank everyone that participated in the Independence Day Celebration held on July 2nd at the Chattooga County Agricultural Pavilion. Mayor Harvey stated that the event was well attended and had a lot of positive feedback. Mayor Harvey stated that a special thank you goes out to the Summerville Police, Fire, Recreation, and Main Street Departments as well as city staff that worked to make the event a positive experience for area residents.

Mayor Harvey stated that there are a lot of projects going on noting that three public hearings have been held concerning the Fairway replacement center. Mayor Harvey stated that the Fairway project will be discussed later in the meeting.

Mayor Harvey stated that work continues to fill the City Manager's position. Mayor Harvey stated that review of the applications has resulted in narrowing down the pool to 3 or 4 candidates.

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GORDON ALLEN RETIRES: Gordon Allen was present accompanied by his wife, Debbie, as Mayor Harvey presented Gordon with a framed certificate of appreciation for his ten years of service to the city as the purchasing director. Mayor Harvey stated that he, the Council, and Gordon's fellow department leaders appreciate the excellent job Gordon has done making sure that all city purchases were handled in the most cost effective manner. Mayor Harvey asked if Gordon would like to say anything. Gordon responded stating that he may not have always made everyone happy but he has always had the city's best interest at heart. Gordon expressed further that he loves everyone and has enjoyed his work with the city. Gordon stated that he lives on Allen Street so feel free to stop by and visit; his door is always open. Mayor Harvey followed Gordon's statement with an announcement that the date for Gordon's retirement reception is forthcoming. Interim City Manager Tony Carroll stated that once the details have been set he will make sure everyone has the information.

MAIN STREET: Susan Locklear reviewed the monthly report distributed to Council listing Main Street activities from June 1st through July 1st. In addition to the prepared listing Susan reported that the city has been awarded ten solar lamps that will be installed as soon as they are received. A copy of Susan's report is attached and becomes part of these minutes.

CODE ENFORCEMENT: Joey Norton reviewed the report he submitted for Council listing the number of permits issued, the type of permit, project costs and permit cost for the month of June. Joey also reported that work is still underway to update the zoning map. Joey shared that a Habitat for Humanity home is being planned and should begin being built in a few weeks. Council Member Earl H. Parris asked if there are more mini-warehouses being built. Joey responded that Council approved the construction for one a few months ago. A copy of Joey's report is attached and becomes part of these minutes

WATER TREATMENT PLANT: Janice Galloway reviewed the report she provided Council listing the work done at Raccoon Creek and Lowe Spring. Janice also reviewed the distribution handled through the Water Treatment Plant for the month of June. A copy of the Water Treatment Plant report is attached and becomes part of these minutes.

GORDON ALLEN: Butch Eleam stated that Gordon Allen told him that all departments could follow Janice's example concerning purchases and the budget.

WASTEWATER TREATMENT PLANT: Chris Tuggle reviewed the report he distributed to Council listing the work accomplished during the month of June. A copy of his report is attached and becomes part of these minutes.

PUBLIC WORKS/UTILITIES: Terry Tinney reviewed all the work accomplished by the street, water, sewer, and gas department staff during the month of June. Terry also reported the locates worked and general updates for the month. Terry stated that there about 850 radio read gas meters left to be installed with the anticipation of being completed soon.

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RECREATION DEPARTMENT: Bo Chamlee reviewed the report prepared for Council covering the Recreation Department activities during the month of June. Bo stated that he is proud of the youth that participated in the events. Bo stated that he is extremely proud of the 13-14 boy's baseball team for being awarded the Dizzy Dean Sportsmanship Award for their conduct in the tournament. Bo explained that the sportsmanship award was the best win of all! Bo also reported that the summer feed program has been a big success. Council Member Joe Money, Jr. asked who sponsored the summer feeding program. Bo explained that the school sponsors the program. Council Member Earl H. Parris asked how many children were fed by the program. Bo responded that 40 to 50 kids a day are fed at each location; the Recreation Department and Dowdy Park.

Bo stated that a "Back 2 School Bash" flyer has been distributed to all elected officials. Bo explained that the event is being held at the Recreation Department Center J. T. Morgan Ball Field for area youth to have fun and kick off the new school year. Bo explained Tuesday, August 2nd from 10 AM until 4 PM there will be lots of fun which includes waterslides and concessions. A copy of Bo's report and flyer are attached and become part of these minutes.

FIRE DEPARTMENT: Chief Robbie Lathem reviewed the number and category of calls that were responded to by the Summerville Fire Department. Robbie stated that there were a total of 87 calls with an average response time of 5.07 minutes. A copy of the Fire Department report is attached and becomes part of these minutes.

POLICE DEPARTMENT: Captain Harold Tucker reviewed the report distributed to Council with their meeting packet. Captain Tucker's report covered the Police Department, City Probation, and State Probation activities. A copy of the reports associated with the June activities is attached and becomes part of these minutes.

Council Member Joe Money, Jr. asked Captain Tucker if the body cameras have come in. Captain Tucker confirmed that the cameras have been distributed.

CITY ATTORNEY: Mayor Harvey asked City Attorney Albert Palmour if he has any comments. City Attorney Palmour responded that he is looking at the tree ordinance that was presented at the previous meeting. Attorney Palmour explained that the city currently has a tree ordinance. Attorney Palmour stated that he will compare what was submitted last month with the existing ordinance to determine if any changes are necessary. Attorney Palmour stated that a first reading of a Tree Ordinance should not be done at this time. Attorney Palmour stated that he will have a recommendation to Council as soon as possible.

INTERIM CITY MANAGER: Interim City Manager Tony Carroll explained that expenses are above income by approximately \$434,000 and \$117,783.87 in outstanding reimbursements. Tony explained that once the annual audit is completed a copy of the report will be distributed to elected officials.

MINUTES: Mayor Harvey asked if there are any changes or corrections needed to the minutes prepared for the previous meetings. With no corrections or changes needed Council Member Joe Money, Jr. made a motion to approve the minutes as prepared and presented. The motion was seconded by Mayor Pro Tem Lloyd "Buddy" Windle and carried unanimously.

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JAKE BRAKE ORDINANCE: Mayor Harvey stated that the next item for consideration is the second reading of the Jake Brake Ordinance. Mayor Harvey explained that the first reading of this ordinance was held a few months ago and the second reading needs to be done to complete the process. Jason Espy of *The Summerville News* asked if the signs were already in place reflective of this ordinance. Mayor Harvey responded that signs are in place and that Council needs to follow through with the process. Mayor Harvey read the Jake Brake Ordinance aloud. Council Member David Ford made a motion to accept and approve the second reading of the Jake Brake Ordinance. The motion was seconded by Council Member Zachary Martin and carried unanimously.

TREE ORDINANCE: Mayor Harvey stated that the city already has a Tree Ordinance. Mayor Harvey stated that he understands that the documents associated with establishing the City of Summerville as a Tree City requires establishing a committee and appointing an arborist. Mayor Harvey stated that he would like to offer this opportunity for public comment.

Richard Lindsey stated that the objective of adopting the example tree ordinance would be to qualify as a tree city. Richard stated that a committee has already been formed with the expectation of meeting soon. Richard stated that plans are in place to plant some trees in October making note that no planting would be done in the heat of summer. Susan Locklear interjected that being designated as a US tree city helps to qualify for some grants while providing benefits to business owners and citizens. Interim City Manager Tony Carroll asked if the committee mentioned needs to be approved by Council. Mayor Harvey stated that the members of the committee need to be approved by Council. Mayor Harvey stated that the existing tree ordinance needs to be reviewed to see if it needs to be modified before any action is taken by Council. Mayor Harvey stated that Attorney Palmour should be able to complete the review in time for the next meeting. Attorney Palmour stated that he would email Richard Lindsey a copy of the current ordinance. Attorney Palmour stated further that he thinks that everything needed is included in the current ordinance.

PROPERTY AND CASUALTY INSURANCE FOR FIRE DEPARTMENT: Mayor Harvey stated that the next item for discussion is the property and casualty insurance as related to the Fire Department. Mayor Harvey requested that Interim City Manager Tony Carroll provide information on this item.

Tony reported that the current property and casualty insurance for the Fire Department from Guffin and Eleam costs \$13,522 annually. Tony said that the GMA coverage is \$3,200. Tony stated that representatives from GMA are present as well as Butch Eleam. Mayor Harvey stated that an opportunity to address Council will be given to Butch Eleam and the GMA representative.

Butch Eleam of Guffin and Eleam addressed Council stating that it was his recommendation that the city talk to GMA about the property and casualty liability insurance for the Fire Department. Butch explained that GMA is "pretty good" but there is a bit of difference in his coverage and GMA's. Butch explained that with his policy volunteer firefighters are covered for vehicle damage traveling to and from a call while in their personal vehicle. Butch stated that his policy is the primary coverage for such an accident then the firefighter's personal insurance would be secondary. Butch stated also that contents of a fire truck were not covered under the GMA policy.

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PROPERTY AND CASUALTY INSURANCE FOR FIRE DEPARTMENT:

Georgia Municipal Association's property and casualty insurance client service specialist Meghan Murray addressed Council explaining that GMA was established in 1987 to provide insurance to municipalities. Ms. Murray stated that GMA insurance coverage is comprised of a pool of 340 member cities with GMA taking the lead to provide dedicated coverage for municipalities. Ms. Murray explained that with the current GMA property and casualty policy volunteer firefighters are covered for property and casualty damage but the firefighter's insurance covers their personal vehicle first; GMA is secondary. Ms. Murray also explained that while the fire trucks are not currently listed on the policy that can be done by providing information to her either now or after the meeting. Ms. Murray stated that portable items not affixed to a fire truck are not normally covered but as long as the city provides a specific inventory of what is on a fire truck and what got damaged she doesn't think there would not be any problem covering the lost/damaged items. Ms. Murray stated that what is currently occurring is double coverage; you have property and casualty insurance for the city at large through GMA and you have another policy with Guffin and Eleam. Ms. Murray stated again that the current GMA policy does not list the Fire Department vehicles but that could be changed without a problem. Butch Eleam interjected that his policy is written through a company that covers over 4,000 entities across the country. Butch stated also that out of that pool of policies there are a lot of large cities that have high deductibles. Mayor Harvey asked that Butch please remain quiet during Ms. Murray's presentation because he has already addressed Council. Ms. Murray stated that she has not been privy to the specific details of the policy presented by Guffin and Eleam but would be happy to do a side by side comparison. Council Member Joe Money, Jr. asked that the item be tabled until a breakdown could be done of both policies side by side. Council Member Earl H. Parris stated that it would be best to wait and compare apples to apples. Interim City Manager Tony Carroll stated that the renewal date is today. Butch Eleam stated that the renewal date is no problem. Butch stated that the policy will stay in place and once the city makes a decision a payment can be made for the coverage. Council Member David Ford asked how long the city has had this coverage with Guffin and Eleam. Butch responded that it has been around 20 years. Council Member Ford asked if any changes have been made to the policy over that time. Butch responded stating that no changes have been made over the last 15 years. Attorney Albert Palmour asked if a decision is needed tonight. Butch Eleam responded that a decision is not needed tonight. Butch stated that if the policy is not renewed the coverage from today until that point in time would be prorated. Attorney Palmour stated that he wants Council to be clear that if no decision is made tonight the city will still owe a prorated balance should the coverage not be renewed with Guffin and Eleam. Attorney Palmour stated that he wanted to clarify that the \$3,000 that GMA is proposing is to add the fire trucks to the existing GMA property and casualty coverage. Mayor Harvey asked if Council wants to table or vote on the item. Council Member Earl H. Parris made motion to table action on the property and casualty insurance coverage for the Fire Department until more information is obtained. The motion was seconded by Council Member Joe Money, Jr. and carried with Council Members Windle, Parris, Money and Martin voting in favor of the motion. Council Member David Ford voted in opposition of the motion.

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UTILITY BILL FOLDER/INSERTER: Mayor Harvey requested Interim City Manager Tony Carroll provide information concerning the request to purchase a Formax FD6204 Advanced 2 folder and inserter FOR \$10,191 from Progressive Business Systems, Inc. Tony explained that the format of the city's utility bills will change with the upgrade and installation of new software. Tony stated that in correlation with the upgrade the new bill format will require utility bills to be folded and put into envelopes. Tony stated that the requested machine is the less expensive of the two models compatible with the new format. Tony stated that it is staff's recommendation to approve the purchase. Council Member David Ford made a motion to approve the purchase of one Formax FD6204 Advanced 2 machine from Progressive Business Systems, Inc. at a cost of \$10,191.00. The motion was seconded by Council Member Joe Money, Jr. and carried unanimously.

AMS CREDIT CARD SERVICES: Mayor Harvey stated that the next item for discussion is consideration to authorize entering into an agreement with Automated Merchant Systems "AMS" to provide credit card services linked with the new Tyler Technologies software. Mayor Harvey asked that Interim City Manager Tony Carroll provide Council with information. Interim City Manager Carroll explained that the new software has the capability of handling online utility bill payments. Tony explained further that AMS works with Tyler Technologies to provide a secure online utility payment system. Tony stated that the company has competitive pricing noting that it is staff's recommendation to enter into an agreement with AMS for all credit card transactions associated with the Tyler Technologies software. Council Member Joe Money, Jr. made a motion to authorize entering into an agreement for credit card services through AMS. The motion was seconded by Council Member David Ford and carried unanimously.

WATER TREATMENT PLANT 12" INLINE MIXER: Mayor Harvey stated that an emergency purchase of a 12-inch inline mixer has already been made. Mayor Harvey asked Janice Galloway to provide information on the situation. Janice explained that the inline mixer combines alum with raw water. Janice explained further that the replaced unit had been in operation for 22 years and developed a crack. Janice stated that if the unit is not repaired prior to completely breaking there is a high risk of extended water plant down time. Janice stated that R-W Contractors out of Chattanooga installed the last inline mixer and it has provided great service. Council Member Earl H. Parris made a motion to approve the purchase of a 12" inline mixer from R-W Contractors, Inc. at a cost of \$12,927. The motion was seconded by Council Member David Ford and carried unanimously.

BUILDING PERMIT – 292 E WASHINGTON ST: Mayor Harvey stated that a request for a building permit has been received for 292 East Washington Street. Mayor Harvey asked Joey Norton to provide information on the request. Joey responded stating that a building permit has been requested for Jon Dennis' house to have siding replaced on one side of his home. Joey explained that since the residence is in the historical district Council has to approve the application. Council Member David Ford made a motion to approve the application for a building permit for 292 East Washington Street. The motion was seconded by Council Member Joe Money, Jr. and carried unanimously.

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FAIRWAY RECREATION CENTER PLANS: Mayor Harvey stated that two architectural renderings are displayed for consideration as the Fairway Recreation Center rebuild design. Mayor Harvey stated that the designs are submitted by Robert Noble Architect who was given a project budget of \$300,000. Mayor Harvey asked for Interim City Manager Tony Carroll explain the differences in the two designs.

Interim City Manager Tony Carroll stated that one rendition is 3,000 square feet which is more in line with project funding. Tony explained that the second design is 3,100 square feet and has a computer lab. Tony stated that in order to build the facility that has a computer lab an additional \$20,000 to \$30,000 would be needed. Tony stated that he hopes to have the project built by a local contractor for \$100 to \$120 per square foot; leaning to the \$100 per square foot side. Joey Norton asked if a security system is included in the construction price of the design with a computer lab. Interim City Manager Tony Carroll stated that there was no security system included in the project. Joey stated that if a computer lab is built it would probably be in the city's best interest to have a security system installed. Mayor Harvey stated that it is his recommendation to look over the designs during the next couple of weeks and make suggestions. Mayor Harvey stated that he has a couple of small changes to the design he would like to see incorporated. Dan Little asked if the public would have access to the computer lab? Council Member David Ford interjected that the computers will be free. Bo Chamlee stated that he hopes the computer lab is approved noting that it will be used for study groups and tutoring. Council Member David Ford stated, "Computers will only be used when someone is there". Mayor Harvey stated that he would like to see a multipurpose facility. Mayor Harvey asked that Council look at the two drawings and make note of any changes they would like to have. Mayor Harvey stated that any design ideas can be turned in for consideration. Mayor Harvey stated that by the next meeting Council should be in a better position to discuss the item further. Council Member Earl H. Parris asked if the new building will be in the same place and if a new foundation would be used. Interim City Manager Tony Carroll stated that the footprint of the building may be slightly different but not substantially. Tony explained further that the design does include a new foundation. Mayor Harvey stated that there will be no action on this item at this time.

MUNICIPAL COURT: Mayor Harvey stated that Attorney Albert Palmour has information concerning municipal court that he would like to discuss. Attorney Palmour stated that Municipal Court has become a hot topic. Albert explained that at the attorney's breakfast held during the GMA annual convention municipal court was a point of focus. Attorney Palmour stated that new legislation has passed to help make the process as transparent as possible. Attorney Palmour stated that he doesn't want anyone to misconstrue the discussion; nobody is doing anything wrong currently. Attorney Palmour stated that the discussion was fostered to provide an improved work flow. Albert explained that some change is needed to provide a solicitor for the city and a public defender. Attorney Palmour stated that in the past Brian Ozment has been utilized to present evidence on behalf of the city. Attorney Palmour stated that new legislation says presentation of evidence during a court hearing is to be done by a licensed lawyer. Attorney Palmour stated that he will be happy to serve as the city's solicitor and the city can work thorough the District Attorney's office for a public defender.

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MUNICIPAL COURT CONTINUED: Attorney Palmour stated that he will have specific recommendations using existing personnel to improve the work flow. Attorney Palmour stated that he will review the charter as part of process. Mayor Harvey stated that if there is protocol in the Charter then that needs to be followed. Attorney Palmour stated that he does not anticipate any major changes; only organization of the work flow.

SPLASH PAD: Mayor Harvey stated that work has been in progress for a splash pad with another person providing information this coming Thursday. Mayor Harvey stated that some preliminary work needs to be presented noting that there is \$20,000 in the budget earmarked for this project. Mayor Harvey asked Interim City Manager Tony Carroll to provide information on the topic. Tony stated that a firm from Dalton gave an estimate of \$300,000 for a splash pad. Council Member David Ford asked if there are any grants available for this kind of project. Council Member Earl H. Parrish asked if there is any money set aside for the project. Interim City Manager Tony Carroll responded that there is \$20,000 budgeted for this item. Mayor Harvey stated that \$20,000 will get the project started. Council Member Earl H. Parris stated that he would like to have some firm dates on this since it has been discussed for three years. Mayor Harvey responded that a time line is needed but a firm design decision is needed on what is going to be built first. Council Member Joe Money, Jr. asked how much S.P.L.O.S.T. money is received each year. Interim City Manager Tony Carroll stated that the city gets about a half a million dollars a year with around \$228,000 already earmarked for projects in the coming year. Mayor Harvey stated that the full allocation of S.P.L.O.S.T. funds would not be available for a splash pad. Interim City Manager Tony Carroll stated that he will be meeting with some folks about splash pad designs at 10 a.m. on Thursday, July 14th. Tony extended an invitation for any or all of the Council to join the meeting.

OFF PREMISE POURING PERMIT – LOS MAGUEY: Mayor Harvey stated that a request for a one day off premise pouring permit to serve alcohol has been received from Los Maguey Mexican Restaurant. Mayor Harvey stated that the request is to be a vendor at the July 23rd Fourth Saturday Concert in the downtown area. Mayor Harvey explained that the request states that the establishment has all appropriate and required insurance coverage which has been provided to the city. Council Member David Ford made a motion to grant Los Maguey Mexican Restaurant their request for a one day off premise pouring permit for the July 23rd Fourth Saturday Concert. The motion was seconded by Council Member Zachary Martin and carried unanimously.

PUBLIC COMMENTS: Mayor Harvey asked if there are any comments or questions.

DOUBLE COVERAGE: Council Member Joe Money, Jr. asked for someone to elaborate on the double coverage (property and casualty liability insurance). GMA's representative Meghan Murray stated that the city currently has property and casualty liability insurance coverage. Butch Eleam interjected that the Fire Department vehicles are not listed on the policy. Ms. Murray stated that the vehicles can be added to the existing policy for around \$3,000. Council Member David Ford asked if there are any other policies for employees. Butch responded that there are accident policies for Probation.

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ADJOURN: Mayor Pro Tem Lloyd "Buddy" Windle made a motion to adjourn. The motion was seconded by Council Member Zachary Martin and carried unanimously.

TEEN AWARENESS: Council Member David Ford stated that he wanted to express appreciation for those that participated in the Teen Awareness program. Council Member Ford said there was a great turn out!

HARRY HARVEY – MAYOR

Attest:

JILL DURHAM – CITY CLERK – G.C.M.C.