



**CITY OF SUMMERVILLE  
REGULAR COUNCIL MEETING  
SEPTEMBER 12, 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 Zachary Martin led the pledge of allegiance.

**AGENDA:** Mayor Harvey asked if there are any changes needed to the agenda. Council Member Earl H. Parris made a motion to approve the agenda as presented with no changes. The motion was seconded by Council Member Joe Money, Jr. and carried unanimously.

**WELCOME:** Mayor Harvey thanked everyone for coming to the September Regular Council Meeting. Mayor Harvey asked that visitors sign in giving their name, address, and reason for attending the meeting. Mayor Harvey stated further that the public will be given the opportunity to speak now and again at the end of the meeting. Mayor Harvey asked if anyone wanted to speak. Mayor Harvey asked that if anyone chooses to address Council please limit comments to three minutes each.

**ANNOUNCEMENTS:** Mayor Harvey stated that there are upcoming September and October events that will be presented by the Main Street Director. Mayor Harvey also announced that the Council holds their Regular Council Meeting on the second Monday of each month.

**MAIN STREET:** Mayor Harvey requested Susan Locklear give her presentation. Susan reviewed activities from August 4<sup>th</sup> through September 2<sup>nd</sup> as well as ongoing projects and upcoming events. A copy of Susan's report to Council is attached and becomes part of these minutes.

**CODE ENFORCEMENT:** Mayor Harvey asked that Joey Norton give his Code Enforcement report. Joey reviewed the information provided to Council concerning the number of permits issued and the ongoing citation cases. Council Member Earl H. Parris asked if there have been any demolitions done this year and if any others are in the works. Joey responded that one property has been processed through Clean and Lien this year and three or four other properties are being processed currently. Joey explained that the Clean and Lien regulations make the process lengthy. Council Member Parris asked if there is any updated information concerning the Sleepy Hollow Trailer Park. Joey stated that the buyer backed out of making the purchase so the trailer park is at a standstill.

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**WATER TREATMENT PLANT:** Mayor Harvey requested Janice Galloway review the report she submitted to Council for activities at the Raccoon Creek and Lowe Spring Water Plants. Janice also reported distribution and lab information as well as miscellaneous statistical information for the month of August. A copy of the Water Treatment Plant's report is attached and becomes part of these minutes.

**WASTEWATER TREATMENT PLANT:** Mayor Harvey asked that Chris Tuggle give the Wastewater Treatment Plant report. Chris Tuggle reviewed the statistical information provided to Council as well as the maintenance performed during the month of August. A copy of Chris' report is attached and becomes part of these minutes.

**PUBLIC WORKS:** Mayor Harvey asked for Terry Tinney to review the Public Works report submitted to Council. Terry reviewed all work performed in the Street, Water/Sewer, and Gas departments as well as providing information concerning locates and general project updates. A copy of Terry's report is attached and becomes part of these minutes.

**RECREATION DEPARTMENT:** Mayor Harvey asked that Bo Chamlee give the Recreation Department monthly report. Bo reviewed the sports activities for the month of August as well as the Scout Hut use. A copy of Bo's report is attached and becomes part of these minutes.

Council Member Earl H. Parris asked about the registration fee for Sun Nelly. Bo responded that there is a \$20 fee for vendor registration. Council Member Parris stated that he hopes the fee doesn't keep vendors away from the event.

**POLICE DEPARTMENT:** Mayor Harvey requested that Harold Tucker review the Police Department report. Harold reviewed the activities of the Police Department which encompass officer's statistics as well as municipal and state probation information. Copies of Harold's multi-faceted report are attached and become part of these minutes.

**FIRE DEPARTMENT:** Mayor Harvey requested that Robbie Lathem review the Fire Department report submitted to Council. Robbie stated that he has prepared a more in depth report for Council than what has been done in the past. Robbie reviewed the statistical information covering the number of calls for each type of Fire Department response as well as the average response time. Robbie also reviewed Fire Department activities relating to the community and firefighter agencies for the month of August. Robbie provided information of upcoming events associated with the Summerville Fire Department. A copy of Robbie's report is attached and becomes part of these minutes.

**CITY ATTORNEY:** Mayor Harvey asked the City Attorney if he has anything to report. City Attorney Albert Palmour stated that there needs to be an associate judge appointed to handle incidence where Judge Finster is unavailable or a conflict of interest exists. Attorney Palmour suggested that Tracy Maddux be appointed and provided the customary pay of \$380.00 per session. There was no vote on this item at this point in the meeting.

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**CITY MANAGER:** Mayor Harvey asked that Interim City Manager Tony Carroll give his report to Council. Tony reviewed the Month End Balances sheet provided to Council. Tony reported that expenses are above revenue a little bit which is atypical for this time of the year. Council Member Joe Money, Jr. asked if the expenses are up due to a rush on the new fiscal year. Tony stated that he thinks that is part of the reason. Tony stated that he is happy to announce that \$500,000 has been awarded for Phase 3 of the CDBG sewer project.

**MINUTES:** Mayor Harvey stated that approval of the minutes for prior meetings is the next item on the agenda. Mayor Harvey stated that if there are no corrections needed to the minutes a motion for approval is needed. Council Member David Ford made a motion to approve the minutes of the previous meetings. The motion was seconded by Council Member Zachary Martin and carried unanimously.

**THIRD ANNUAL CHATTOOGA HIGH SCHOOL CHORUS BLOCK PARTY:** Mayor Harvey stated that a request has been received for approval to hold a block party for the Chattooga High School Chorus on October 13<sup>th</sup> from 5:30 pm to 9:00 pm. Mayor Harvey requested Susan Locklear give information on this event. Susan explained that the Chattooga High School Chorus would like to hold their third annual block party on October 13<sup>th</sup>. Susan stated that they would like to close the road from behind Jefferson's to Economy Street. Susan stated further that the event would utilize amps and a PA system. Susan explained that CHS chorus members and the Chorus Boosters would be responsible for cleanup of the area after the event. Susan stated that the event participants would also need access to the restrooms at Dowdy Park and the Depot. Council Member David Ford made a motion to approve the Chattooga High Schools' request to have a block party on October 13<sup>th</sup> from 5:30 pm to 9:00 pm. Council Member Ford stated further that the motion includes blocking the street for the event from behind Jefferson's to Economy Street, the chorus members and the boosters will be responsible for clean up, and the block party participants will have access to the restrooms at Dowdy Park and the Depot. The motion was seconded by Council Member Joe Money, Jr. and carried unanimously.

**BLOCK PARTY – SMART SPARK/HOPS & HAZE:** Mayor Harvey stated that the next item for consideration is a request by Smart Spark to hold a block party on October 14<sup>th</sup>. Mayor Harvey requested Interim City Manager Tony Carroll give details of the request. Tony explained that a request has been made to authorize Smart Spark – Hops and Haze to hold a block party on October 14<sup>th</sup> and sell alcohol at the event. Jeremy Kwaterski interjected that he would like to have the street blocked off in the anticipation of having around 300 people attending the event. Jeremy asked if Council would approve the event with the stipulation that he provide the proper paperwork before the event. Susan Locklear stated that she has a letter from Jeremy's insurance broker that the insurance coverage needed to hold the block party should be ready by this coming Friday. Mayor Harvey asked Mr. Kwaterski what kind of security would he have. Jeremy responded stating that he plans on hiring some off duty police officers to provide security. Mayor Pro Tem Lloyd "Buddy" Windle stated that he would be competing with two Friday night football games. Jeremy responded that he understands that. Interim City Manager Tony Carroll stated that the request could be approved contingent upon all required paperwork being completed.

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**BLOCK PARTY – SMART SPARK/HOPS & HAZE CONTINUED:** Council Member Earl H. Parris made a motion to approve Smart Spark/Hops and Haze's request to hold a block party on October 14, 2016 contingent upon all paperwork being complete. The motion was seconded by Council Member Joe Money, Jr. and carried unanimously.

**CITY OF ETHICS:** Mayor Harvey stated that the next item is to have the first reading of the Code of Ethics Ordinance and Resolution. Mayor Harvey stated that the second reading will be held at the next regular meeting. Mayor Harvey read the Code of Ethics Ordinance and Resolution. Mayor Harvey asked if there are any questions. There were no questions voiced. A copy of the ordinance and resolution is attached and becomes part of these minutes.

**SOLID WASTE CONTRACT:** Mayor Harvey asked Interim City Manager Tony Carroll to provide information concerning the solid waste contract. Tony explained that two bids were received for solid waste removal. Tony explained one three-year contract bid was from Santek at \$17,399.82 per month. Tony stated that the other bid was from Wright's Sanitation Services for \$17,878.40 per month. Tony stated that there is only 2.7% difference in the two prices. Tony stated that Wright's has provided good service to the city and is a local company. Tony stated further that since there is a very small difference in price and the city has had a positive working relationship with Wright's the recommendation is to award the three-year contract to Wright's. Council Member David Ford made a motion to authorize Mayor Harvey to sign documents entering into a three-year solid waste service contract with Wright's Sanitation Service. The motion was seconded by Council Member Joe Money, Jr. and carried unanimously.

**SURPLUS SALE:** Mayor Harvey requested Interim City Manager Tony Carroll provide information relating to the surplus sale request. Tony explained that there are about 4,700 old brass water meters on hand from the radio read meter project that could be sold as surplus material. Council Member Earl H. Parris made a motion to approve the surplus sale of the old water meters. The motion was seconded by Council Member David Ford and carried unanimously.

**MOWER – RECREATION DEPARTMENT:** Mayor Harvey stated that the next item for consideration is the purchase of a mower from North Georgia Equipment Sales at a cost of \$6,556.96. Mayor Harvey asked if there are any questions concerning the purchase. Bo stated that he secured three bids for the mower. Council Member David Ford made a motion to approve the purchase of a Husqvarna mower from North Georgia Equipment Sales at a cost of \$6,556.00. The motion was seconded by Council Member Zachary Martin and carried unanimously.

**OLD GARAGE BUILDING ON HENRY STREET:** Mayor Harvey stated that discussion is needed concerning tearing down the old garage on Henry Street and constructing a 40' by 50' building not to exceed \$35,000. Interim City Manager Tony Carroll stated that the old building needs to be torn down because it is an eyesore. Tony explained further that Bandini Construction has quoted a price of \$31,3331.75 to tear down the existing structure and build a 40' x 50' building. Council Member David Ford asked what is the main purpose of the building.

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**OLD GARAGE BUILDING ON HENRY STREET CONTINUED:** Tony responded that part of the building would be for records and part of the building will be for equipment. Council Member Earl H. Parris asked if the fenced in area could be cleaned up and accommodate what is needed. Council Member David Ford stated that what is needed is to have records digitized. Mayor Harvey asked if Council wants to look at other options. Council Member Earl H. Parris stated that he does not think we (Council) are ready to make a decision on this item. No action was taken on the item.

**ATTENDANCE POLICY:** Mayor Harvey stated that the next item is to authorize the City Manager to review the city's attendance policy. Council Member Joe Money, Jr. stated that he thinks that the current policy is as "liberal as a policy can get". Council Member Money stated further that the city needs a policy that defines attendance requirements and absence. Council Member Money stated further that he thinks there should be something in place for department leaders to deal with those employees that lay out of work. Mayor Harvey responded stating that the city would want a policy that is workable but needs to have supervisors involved. Mayor Harvey stated that the policy may need to designate reasons for being absent. Mayor Harvey stated that he would like for the City Manager to get more information on standard policies then come back with some parameters for consideration to develop a new attendance policy. Council Member David Ford stated that the current policy says an unauthorized absence can be disciplined up to termination. Council Member Ford asked what more severe action can occur. Council Member Earl H. Parris made a motion to authorize the City Manager to review standard attendance policies then present recommendations to Council. The motion was seconded by Council Member Joe Money, Jr. and carried with a four to one vote. Council Members Windle, Parris, Money, and Martin voted in favor of the motion. Council Member David Ford voted in opposition of the motion. City Manager Tony Carroll stated that he will have an attendance policy for review by the next meeting.

**FARIWAY BUILDING CONSTRUCTION PROJECT:** Mayor Harvey stated that the Fairway building plans have been available for review by the public. Mayor Harvey asked if there are any questions or comments from Council concerning the item. City Manager Tony Carroll stated that the plans for the facility look great. Council Member Joe Money, Jr. asked if it is a good idea to rebuild in the same spot. City Manager Carroll responded stating that the same location is good because it provides the opportunity for expansion. Council Member Earl H. Parris stated that he looks forward to the building being built and digitizing records. Mayor Harvey stated that a motion is needed for approval of the plans so the construction can be set for bid. Council Member Zachary Martin made a motion to approve the plans and set the project for bid. The motion was seconded by Council Member David Ford and carried unanimously.

**APPEAL BOARD – MARK COOPER:** Mayor Harvey stated that an appeal hearing is set for September 13<sup>th</sup> at 5 pm for Mark Cooper which is in line with the appeal procedures set forth in the city's personnel policy manual. Mayor Harvey stated that an appeal board needs to be established for the hearing recommending that the board consist of himself, Terry Tinney, and Zachary Martin. Council Member Joe Money, Jr. made a motion to approve and appoint Mayor Harvey, Terry Tinney, and Zachary Martin as the appeal board for the September 13<sup>th</sup> hearing concerning Mark Cooper. The motion was seconded by Council Member David Ford and carried unanimously.

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**EMPLOYEE COMPENSATION PLAN:** Mayor Harvey stated that the next item for discussion is the employee compensation plan. Mayor Harvey stated that he would like to adopt the plan with implementation on November 2, 2016. Mayor Harvey stated further that a presentation of the plan was given at the September 6<sup>th</sup> meeting. Mayor Harvey stated that "there may be a couple of things left to do". Mayor Harvey stated that there is \$55,000 in the budget earmarked for this implementation. Mayor Harvey stated that implementation will be \$53,000 to \$54,000 noting that there may be a few changes. Mayor Pro Tem Lloyd "Buddy" Windle asked if there are any cuts involved. Mayor Harvey stated that there are no pay cuts. Mayor Harvey went on to explain that some may get more than others due to the structure. Mayor Harvey stated that the plan has some pay changes less than one percent with others up to more than ten percent. Mayor Harvey stated that four people will not get any increase but could get one next year. Council Member Joe Money, Jr. asked if \$81,000 covers everything for two years. Council Member David Ford asked if what is going to be put into place is the same thing as what Council has received. Mayor Harvey responded that there have been some slight changes. Council Member David Ford asked if there have been any decreases made. Mayor Harvey responded stating that there have been no reductions of current pay. Council Member David Ford asked when Council will be provided a copy of the final numbers. City Manager Tony Carroll stated that once the adjustments are made copies will be available. Mayor Harvey stated that right now all he is asking for is approval of the plan. Council Member Joe Money, Jr. asked if the decision on the plan needs to be tabled. Council Member Earl H. Parris stated that Council could vote on the plan then see what changes. Council Member David Ford stated that the item needs to be tabled until the next meeting then look at what changes have been made. Council Member Earl H. Parris made a motion to table voting on the employee compensation plan. The motion was seconded by Council Member David Ford and carried unanimously.

**BUILDING PERMIT – 37 HIGHLAND AVENUE:** Mayor Harvey requested Joey Norton to provide information concerning the request for a building permit at 37 Highland Avenue. Joey explained that Ms. Beverly Pair is requesting approval to build a six-foot deck and a privacy fence around her above ground pool. Joey explained that there is a storage building on the lot which the owner will turn sideways to accommodate the request. Joey stated that there is a ten-foot set-back requirement. Joey stated that a request is needed to provide a five-foot variance on the set back plus approval for the pool deck and privacy fence. Council Member David Ford asked if the property is in the historic district. Joey affirmed that the property is within the historical district. Joey stated further that both residence locations next to her have been advised of the request and did not come to the meeting to voice any objection. Council Member Earl H. Parris stated that he is good with granting the permit. Council Member David Ford made a motion to approve the building permit for 37 Highland Avenue. The motion was seconded by Council Member Earl H. Parris and carried unanimously.

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**BUILDING PERMIT – 249 E WASHINGTON ST:** Mayor Harvey asked that Joey Norton provide information concerning the request for a building permit at 240 East Washington Street. Joey explained that the permit is being requested for repair to roof damage. Council Member David Ford made a motion to approve the request for a building permit at 249 East Washington Street for roof repairs. The motion was seconded by Council Member Zachary Martin and carried unanimously.

**BUILDING PERMIT – 123 NW CONGRESS:** Mayor Harvey asked Joey Norton to provide information concerning the request for a building permit by Donna Hamilton for 123 Northwest Congress Street. Joey explained that the new owner of the location is in the process of doing some repairs. Joey explained that since the home is in the historic district the permit requires Council approval. Council Member David Ford made a motion to approve the building permit for 123 Northwest Congress Street. The motion was seconded by Council Member Joe Money, Jr. and carried unanimously.

**BUILDING PERMIT – DEPOT:** Mayor Harvey asked that Joey Norton provide information concerning a request for an electrical permit for the Depot from Terry Money. Joey explained that the permit is to change out an electrical panel. Council Member David Ford made a motion to approve the electrical permit for the Depot by Terry Money. Council Member Zachary Martin seconded the motion. The motion passed with Council Members Ford, Windle, Parris, and Martin voting in favor of the motion. Council Member Joe Money, Jr. abstained from the motion due to Terry Money being a relative.

**BUILDING PERMIT – 100 FIRST AVENUE:** Mayor Harvey requested that Joey Norton provide information concerning a request by Jason Winters for a building permit for 100 First Avenue. Joey explained that the location is the old NAPA building. Joey stated that he recommends the permit request be denied because Jason listed himself as the contractor and is not licensed to perform the work. Council Member David Ford made a motion to deny the building permit for 100 First Avenue. The motion was seconded by Council Member Joe Money, Jr. and carried unanimously.

**SIGN APPLICATION – 35 EAST FIRST AVENUE:** Mayor Harvey requested Joey Norton provide information concerning the sign request for 35 East First Avenue. Joey explained that Robert Adams had submitted a sign request before and it was denied by Council because the proposed sign size exceeded ordinance regulations. Joey explained that the sign has been reduced to meet the ordinance. Joey stated that he recommends approval of the request. Council Member Zachary Martin made a motion to approve the sign request as submitted by Robert Adams. The motion was seconded by Council Member David Ford and carried unanimously.

**SIGN APPLICATION – 10100 COMMERCE STREET:** Mayor Harvey requested that Joey Norton provide information concerning the sign request for 10100 Commerce Street. Joey explained that the location currently has a plywood sign that is within the ordinance limits for size. Joey explained that Mr. Kwaterski wants to install a backlit box sign. Joey stated that because it is a change in the style of sign Council has to approve the application. Council Member David Ford made a motion to approve the sign application for 10100 Commerce Street. The motion was seconded by Council Member Earl H. Parris and carried unanimously.

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**EXECUTIVE SESSION:** Mayor Harvey stated that an Executive Session is needed for the purpose of discussing property acquisition and appointment of a public official. Council Member Earl H. Parris made a motion to go into Executive Session. The motion was seconded by Council Member Joe Money, Jr. and carried unanimously.

**CLOSE EXECUTIVE SESSION AND REOPEN REGULAR SESSION:** Council Member David Ford made a motion to close the Executive Session and reopen the regular session. The motion was seconded by Council Member Joe Money, Jr. and carried unanimously.

**NO ACTION TAKEN IN EXECUTIVE SESSION:** Mayor Harvey stated that there was no action taken in Executive Session.

**SPECIAL CALLED MEETING:** Mayor Harvey stated that a Special Called Meeting needs to be scheduled for September 19<sup>th</sup> at 6 pm. Council Member Earl H. Parris made a motion to set a Special Called Meeting at 6 pm on September 19, 2016. The motion was seconded by Council Member David Ford and carried unanimously.

**PUBLIC COMMENTS:** Mayor Harvey stated that the public is granted an opportunity to address Council if anyone wishes.

**GLENN DOWNS:** Glenn Downs addressed Council stating that he has had an opportunity to see Tony Carroll function as the Interim City Manager. Mr. Downs stated that he has heard remarks that Tony doesn't have the formal education but he has thirty years of experience with the city which is worth a lot. Mr. Downs stated that he hopes that Council takes his experience into consideration when evaluating who is put into the City Manager's position. Mr. Downs stated that he hopes Council will take care of a "home boy" before anyone else.

**ADJOURN:** 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.**