



**CITY OF SUMMERVILLE
REGULAR COUNCIL MEETING
SEPTEMBER 18, 2017
5 PM**

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

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

INVOCATION: Mayor Harry Harvey gave the invocation.

PLEDGE OF ALLEGIANCE: Council Member David Ford led the pledge of allegiance.

AGENDA: Mayor Harvey asked if there are any questions or changes concerning the meeting agenda. Mayor Harvey stated item O on the agenda; the approval for Hops N Haze to sell alcohol at the BBQ Showdown on Saturday, September 16, 2017 at Dowdy Park was discussed, and approved at the Special Called Meeting on Thursday, September 14, 2017. Mayor Harvey also stated there would be a hearing of the Alcohol Board on the alleged violation involving the sale of alcohol to a minor at Ingles Market. Council Member Earl H. Parris made a motion to approve the meeting agenda. Council Member Joe Money, Jr. seconded the motion, which carried unanimously.

MAYOR'S COMMENTS: Mayor Harvey thanked the staff on the excellent job in preparing for the possibility of inclement weather due to Hurricane Irma. Mayor Harvey stated he was thankful the city did not have the major event that had been predicted.

WELCOME: Mayor Harvey welcomed everyone to the September Council Meeting. Mayor Harvey thanked visitors for signing in listing their name, address, and reason for attending the meeting. Mayor Harvey stated that visitors are welcome to speak at this time. Mayor Harvey requested that visitors give their address and limit comments to three (3) minutes each. Mayor Harvey stated that there would be another opportunity for visitors to speak at the end of the meeting.

VISITORS

KEVIN DOOLEY: Kevin stated he represents the radio station. (AM1180)

IVA AND JAMES SPEARS: Mrs. and Mr. Spears stated they are just interesting in the meeting.

CHARLIE BENNETT: Mr. Charlie Bennett stated he is at the meeting pertaining to the second reading of the Referendum of Sunday Alcohol Sales. Mr. Bennett asked when item O (consider approval for Hops N Haze to serve alcohol during the BBQ showdown on September 16, 2017 at Dowdy Park) that is on the agenda was voted on. Mayor Harvey stated it was discussed, and approved at the Special called Meeting on Thursday, September 14, 2017 meeting.

JASON ESPY: Jason Espy stated he is with the *Summerville News*.

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VISITORS CONTINUED

KENNETH BUSBIN: Mr. Busbin stated he is here to address the Council on an issue.

CHRISTOPHER NIXON: Mr. Nixon stated he is a candidate for Mayor.

DUSTIN BLACKWELL: Mr. Blackwell is representing Ingles Markets.

RANDY WILLIAMS: Mr. Williams stated he is the store manager for Ingles Markets.

BOBBY PATTERSON: Mr. Patterson stated he is interested in the meeting.

MARILYN PATTERSON: Mrs. Patterson stated she is interested in the meeting.

LEVI BURDICK: Mr. Burdick stated he is representing All On Georgia.

LARRY HOWARD: Mr. Howard requested to address the Mayor and Council at the meeting.

LARRY STANSELL: Mr. Stansell is on the agenda to speak at the meeting.

MAURICE MARTIN: Mr. Martin is on the agenda to speak at the meeting.

NEENA McCONKEY SMITH: Ms. Smith is attending the meeting regarding a piece of property she currently owns inside the city limits.

MICHAEL MACK: Mr. Mack stated he is a candidate for Council Seat #1.

MIKE BENNETT: Mr. Bennett stated he is here to discuss water pressure issues in his area.

COLLABORATION BETWEEN TRION AND SUMMERVILLE TO SALE NATURAL GAS & NATURAL GAS APPLIANCES: Mayor Harry Harvey stated at this time the Council will hear from Town of Trion Mayor Larry Stansell regarding a collaboration between Trion and Summerville to improve the natural gas market, and sell natural gas appliances. Mayor Stansell stated the Town of Trion and the City of Summerville has the opportunity to work together on several projects, and resolve the disconnect between the two communities. Mayor Stansell stated a place to start would be with the natural gas program that both the Town of Trion and The City of Summerville offer. Mayor Stansell stated both municipalities have lost customers due to lack of marketing, warm winters, and customers changing to electric appliances. Mayor Stansell stated this is not just a local problem but it is a statewide problem. Mayor Stansell stated to be successful both municipalities need to work together by combining their budget to get the message out like electric companies do, and start promoting and educate the customer about natural gas and its benefits. Mayor Stansell stated the customer lacks knowledge of the benefits of using natural gas to heat their homes, heat water, dry their clothes, and cook their food.

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COLLABORATION BETWEEN TRION AND SUMMERVILLE TO SALE NATURAL GAS & NATURAL GAS APPLIANCES CONTINUED: Mayor Stansell stated another problem customers are facing with natural gas is the availability of natural gas appliances and the installation of the appliances. Mayor Stansell stated he would like to look at incentives such as fixed price on installations. Mayor Stansell stated he has been in contact with MGAG (Municipal Gas Authority of Georgia), and they are excited about the possibility of the Town of Trion and the City of Summerville working together. Mayor Stansell stated he would like to form an alliance not only to survive but also to thrive in the gas business. Mayor Stansell stated if there were any interest in this alliance, he would like to schedule a meeting, and invite MGAG to facilitate the meeting. Mayor Harvey thanked Mayor Stansell for coming, and stated it would be beneficial for The City of Summerville and Town of Trion to work together in providing services of appliances and installations to customers.

MIKE BENNETT- TELEMTRY FAILURE COOPER HILL RESERVIOR: Mayor Harry Harvey stated the next item of business is to hear from resident Mike Bennett concerning a water outage at his home due to a telemetry failure at the Cooper Hill reservoir on Labor Day. Mr. Mike Bennett introduced himself stating he has spent many years in public safety, and several years at Image Industries as a project manager. Mr. Bennett stated on Labor Day evening around 9:30 he realized he was out of water. Mr. Bennett stated he did not realize there was a problem until he was completely out of water. Mr. Bennett told Council that when he built his home in the nineties he had to install his own bladder tank and pump system because of low water pressure in the subdivision. Mr. Bennett stated on Tuesday he called Council Member David Ford, and City Manager Tony Carroll, and Mayor Harvey regarding the outage. Mr. Bennett stated he voiced his concern of the water outage, and numerous homes not having water or fire protection. Mr. Bennett stated it was his understanding the telemetry unit had failed, and had been reading 26.4 all weekend and never changed. Mr. Bennett asked if the system has been repaired reliably, and what other improvements can be done to improve water pressure on Buice Lane. Mr. Bennett stated he was also concerned there were several hundred homes without fire protection for a lengthy amount of time, and no one was aware. Mr. Bennett stated the time to find out there is a water outage is not when there is a home on fire, and personnel respond with only, the availability of water that is on the firetruck. Mayor Harvey requested City Manager Tony Carroll to discuss what is being done in regard to this issue. City Manager Carroll stated the telemetry failure was an unfortunate malfunction. City Manager Carroll stated the water treatment plant was receiving a false reading of 26.4 during this time, and the water plant was not aware of any problems. City Manager Carroll stated the water department started to receive complaints of low water pressure, and at that time, the water department realized the level in the tank had dropped significantly. City Manager Carroll stated it was a slow process to refill the tank while customers continued to use water, the tank is now full, and pressure is back to normal. City Manager Carroll stated a boil water notice was issued, samples were taken from several residences in the affected area, and all samples came back negative. City Manager Carroll stated at this time he is currently in the process of getting prices to upgrade the telemetry system to a system that would be able to be viewed by Public Works, Water Treatment Plant, or himself on a smartphone, or computer. City Manager Carroll apologized to customers for any inconvenience or lack of service.

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MIKE BENNETT- TELEMTRY FAILURE COOPER HILL RESERVIOR CONTINUED: Mayor Harvey asked City Manager Carroll for a timeline concerning upgrading the telemetry. City Manager Carroll stated he hoped he would have information and prices for the Council to consider at the October 2017 meeting. City Manager Carroll stated he is currently working with Georgia Power on pricing information and a payment plan on a generator at the water treatment plan. Council Member Earl H. Parris asked City Manager Carroll if this would be a natural gas generator. City Manager Carroll stated "Yes". Mayor Harvey asked City Manager Carroll about the required minimum pressure. City Manager Carroll responded the required amount is 20 pounds at the meter. Council Member Earl H. Parris asked Public Works Director Terry Tinney where the information pertaining to the minimum pressure is found. Terry Tinney responded the EPD. Council Member David Ford asked Mr. Bennett when he was a firefighter in Cobb County how their department was notified of a water outage. Mr. Bennett stated 911 Emergency would notify the closest department of the outage regardless of the time of day. Mayor Harvey stated the City would be working on correcting these issues and thanked Mr. Bennett for coming and addressing the Council.

LARRY HOWARD- JACKSON DRUG BUILDING: Mayor Harry Harvey asked Larry Howard owner of the Jackson Drug Store building to address the council at this time. Mr. Howard stated he has been working on this building for the last 3-4 years, and has two different people that is interested in leasing this property. Mr. Howard stated that during preliminary discussion with the interested parties he realized that he does not have a viable place for a dumpster. Mr. Howard stated the only place behind the business is a lot that is owned by someone else. Mr. Howard stated when he starts service with the city he is required to pay for a dumpster on his utility bill, but he does not have an area suitable at this time for one, but he is willing to build a nice area for a dumpster. Mr. Howard stated he has met with Code Enforcement Joey Norton, and Public Works Director Terry Tinney. Mayor Harvey asked Code Enforcement Joey Norton for his report regarding the dumpster. Joey presented the Council with two pictures showing the area for the proposed dumpster. Joey explained Mr. Howard is proposing to dig out and build a concrete with brick overlay dumpster housing with a lockable fence. Joey stated it would be recessed in the bank and it would not be a trip hazard. Mr. Howard interjected stating he would put a sidewalk beside it. Mayor Harvey stated he would like Council to look at the proposal and get more information before making a decision. Mr. Howard stated he would like to discuss another issue with the Council. Mr. Howard stated he currently owns the corner lot beside Jefferson's Restaurant where two dumpsters are located. Mr. Howard stated if he should decide to sale the lot this will be an issue, and place dumpsters on the street. Mr. Howard stated Jefferson's, Hops N Haze, The Computer Shop, and the Chattooga County Commissioners office all use these dumpsters. Mr. Howard stated someone needs to purchase the lot behind the businesses to give them access to place a dumpster. Mayor Harvey stated the Council, and City Manager need to discuss this issue. Council Earl H. Parris asked Mr. Howard what is the timeline, and how soon the Council needs to make a decision on the dumpster for the Jackson Drug Building. Council Member Earl H. Parris asked if thirty (30) days would be too long. Mr. Howard stated "yes" it could be.

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DEPARTMENTAL REPORTS

MAIN STREET: Mayor Harry Harvey requested Susan Locklear present her report of Main Street activities. Susan reviewed the report submitted to elected officials of activities, meetings, and planning sessions held during the month of August. Susan also reviewed remaining events for September and upcoming October events. Susan's report becomes part of these minutes.

CODE ENFORCEMENT: Mayor Harry Harvey asked that Joey Norton provide the Code Enforcement report. Joey reviewed the Code Enforcement permit and case reports for August 1, 2017 through August 30, 2017. Joey reported the dilapidated house at 503 West Washington Street the family is going to demolish themselves. Joey stated they have a ninety (90) day period to complete. Joey reported further that he continues to work with signs and general code issues. Joey stated he is currently working with several businesses on renovations and changes, and has several businesses in the planning stages.

WATER TREATMENT PLANT: Mayor Harry Harvey requested that lead operator Jason Hughes provide the Water Treatment Plant report. Jason reviewed his report listing all activities for the Raccoon Creek and Lowe Spring facilities, the lab, distribution statistics, and maintenance performed during August. A copy of this report becomes part of these minutes.

WASTEWATER TREATMENT PLAN: Mayor Harry Harvey asked led operator Randall Craig to provide the monthly report for the Wastewater Treatment Plant. Randall reviewed the report submitted to the Mayor and Council concerning all statistical information, lab work, and general maintenance done during the month of July at the Wastewater Treatment Plant. A copy of this report becomes part of these minutes.

PUBLIC WORKS: Mayor Harry Harvey requested Terry Tinney present the Public Works report. Terry reviewed all work done by the Street, Water, and Gas Department staff under his supervision during August. Terry also reported the status of various projects he is directing. The Public Works report is part of these minutes.

RECREATION DEPARTMENT: Mayor Harry Harvey asked for the Recreation Department monthly report. Bo Chamlee reviewed the report prepared covering Recreation Department activities. Bo stated The Summerville Recreation Department hosted the NGYFL preseason jamboree on Saturday August 26, 2017 at Chattooga High School, and the event hosted 16 teams in multiple age groups. Bo stated the recreation department had a good turnout for soccer season this year with the season starting Saturday, September 9, 2017. Bo stated there was a great turnout for the annual youth night that was held at Chattooga high football game to recognize all recreation players. Bo reviewed the building rentals for the month of August. A copy of this report is part of these minutes.

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POLICE DEPARTMENT: Mayor Harry Harvey requested Police Chief Stan Mosley give the Police Department report. Police Chief Mosley reported officers patrolled 8,221 miles, housed 25 inmates for a total of 32 days, and issued 135 citations, had 60 incident reports, 12 accident reports, responded to 722 calls, collected \$8,698.00 at the PD, received \$4954.00 in city fines and fees, and received \$10,986.52 in State Court fees in August. Police Chief Mosley's report also included statistical information listing the citation categories and counts. Copies of Police Chief Mosley's reports are part of these minutes.

FIRE DEPARTMENT: Mayor Harry Harvey requested the Fire Department report. Fire Chief Robbie Lathem reported the number and category of calls responded to by the Summerville Fire Department during the month of August. Mayor Harvey asked Chief Lathem if he was still getting a high volume of calls from the High-rise. Chief Lathem responded with "yes not a malfunction from the alarm, but calls due to people setting the alarms off while cooking". The Fire Department report is part of these minutes.

CITY ATTORNEY: Mayor Harry Harvey asked City Attorney Albert Palmour if he has anything to report to Council. Attorney Palmour responded stating that he does not have any item other than what is listed on the agenda.

CITY MANAGER: Mayor Harry Harvey requested City Manager Tony Carroll provide his report. City Manager Carroll stated that the Mayor and Council have a copy of the daily receipts report dated 8/31/17. City Manager Carroll reported revenue at \$822,070.72 and expenses of \$1,078,438.08. City Manager Carroll reviewed account balances for various city accounts. City Manager Carroll reviewed the progress on the Fairway project, and the garage and records building. City Manager Carroll stated the garage and records building will be very nice once completed, and he thanked the Mayor and Council for approving the building. City Manager Carroll announced the hire of Angie White as the new City Clerk, and Jessica Keith as the new Purchasing Agent and Executive Assistant. City Manager Carroll stated they are both doing a fantastic job and things are running smoothly. City Manager Carroll stated interviews for the replacement of Water Treatment Supervisor Janice Galloway, who will retire soon, would begin in a week. City Manager Carroll announced the city was awarded a \$7,000.00 grant with no matching funds required from the city, from the Georgia Municipal Association Safety and Liability Grant Program to purchase traffic cones, safety vest, barricades, reflective jackets, and self-contained breathing apparatus. City Manager Carroll announced the award of The Appalachian Regional Commission Grant (ARC) for \$154,000.00, the required match from the city will be \$15,000.00 and this amount is budgeted in SPLOST funds. City Manager Carroll stated this grant will be used for the extension of the existing walking trail from the Depot to Willow Springs Park and will connect the trail to the downtown area. City Manager Carroll stated Summerville Main Street, Fire Department, and Recreation Department will all be applying for the Tillotson grant for numerous items including, new playground equipment, Splash Pad, and fireworks for the annual Fourth of July celebration. City Manager Carroll stated the truck for water treatment plant, public works truck, and Explorer for the police department have all been purchased, and the tractor is in South Dakota having the side arm installed, these vehicles were all purchased through the USDA grant/loan.

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CITY MANAGER CONTINUED: City Manager Carroll stated he would like to address an issue that was brought to his attention regarding the purchase of the public works truck, and a picture of the truck posted on Facebook with people complaining about property taxes going up. City Manager Carroll stated the City of Summerville does not collect property taxes, and this truck was purchased through the USDA Grant/Loan Project, which saved the city thousands of dollars, and made it possible to purchase these vehicles for these departments. City Manager Carroll stated the only tax dollars spent on the vehicles were funded by SPLOST. Mayor Harvey asked if Council had any questions or discussions regarding any Supervisors or City Manager Carroll's report. Council Member Earl H. Parris asked Recreation Director Bo Chamlee to give an update on the Fairway soccer fields. Bo stated he has been talking with City Manager Carroll about a grant that may be available. City Manager Carroll stated there is a land and water conservation grant that is available for soccer fields, and football fields. City Manager Carroll stated he is working with Carter & Sloope on pre-engineering for the site, and should have information available for the October Council meeting. Mayor Harvey stated the available grant is a twenty percent (20%) match. Council Member Earl H. Parris asked Fire Chief Robbie Lathem if his department was still installing smoke detectors. Chief Lathem responded, "Yes he is still getting regular request". A copy of the financial report is part of these minutes.

NEW BUSINESS

QUITCLAIM DEED TO NEENA MCCONKEY SMITH FOR UNOPENED STREET ADJACENT TO 18 MAPLE DRIVE: Mayor Harry Harvey stated the next item of business is to discuss granting a quitclaim deed to Neena McConkey Smith for the unopened street adjacent to her property located at 18 Maple Drive. Mayor Harvey asked that City Manager Tony Carroll and City Attorney Albert Palmour to provide information on this. City Manager Carroll stated Ms. Smith had contacted him regarding the property, and is requesting the city to deed the property to her. City Manager Carroll stated the city does not use this property, and was unaware of the street. City Manager Carroll stated the staff has made a recommendation to abandon the unopened street, and allow the adjacent property owners to split the property. City Manager Carroll stated the adjacent property owners are Neena McConkey Smith & Claudia M. Keeney at 18 Maple Dr., John & Margaret Fulton at 233 Third Ave, Jeffery L. Smith III at 177 Second Ave., Lilli Mae Ware C/O Sencea Ware at 348 Third Ave. City Attorney Palmour stated he has prepared a resolution to abandon the unopened portion of Maple Street and Massey Subdivision including a sketch of the property. City Attorney Palmour stated he looked at the property and it does not appear to have any gas or utility lines, and it looked as if it was laid out to be a street, but was never used. Ms. Smith stated that about forty years ago there was a sewer line there. Terry Tinney interjected stating there is still a sewer line there. City Attorney Palmour asked if the sewer line runs through the unopened street. Terry Tinney stated the sewer line is not in the unopened street, but it runs from Selman and crosses Third St. Ms. Smith stated if the city does not abandon the property she would have to herself due to the building restrictions on the property. City Attorney Palmour stated if there is a sewer line there it cannot be abandoned, if there is not a sewer line there then all of the surrounding property owners would each divide it. Mayor Harvey stated a determination needs to be made as to where the sewer line is located. City Manager Carroll stated he could have this surveyed to be sure where the sewer line is located. Mayor Harvey stated this issue will be postponed until more information is available.

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AUTHORIZE CITY MANAGER TO BEGIN PHASE 1 OF THE INTERNET AND PHONE SYSTEM UPGRADE AND CONVERSION: Mayor Harry Harvey stated the next item for consideration is to authorize City Manager Tony Carroll to begin phase one of the internet and phone system upgrade. Mayor Harvey asked City Manager Tony Carroll and IT personnel Trey Goble to provide information on this project. City Manager Carroll stated he has been discussing this project for several months with IT personnel Trey Goble (Computer Central) to provide the most economical system to be more efficient and save money. City Manager stated he recommends doing this conversion in phases, and to begin with satellite offices, which include, Recreation Department, Wastewater Plant, Water Treatment, Fairway, and the Floyd gas office. City Manager Carroll stated by changing to Charter Communications for this service the speed would be faster and it would save the city approximately \$798.48 per year. City Manager Carroll stated the changeover for this phase would be two-three weeks after approval. City Manager stated at the October Council Meeting he will give a report on the status of phase one, and ask for approval for phase two, which will be the changeover of the Main Campus Center. Trey Goble stated the main goal is to take all the IT resources the city uses and divide into pieces to have a smooth transition. City Manager Carroll stated the initial cost for phase one will be \$600.00, but the internet service will be much better. Trey Goble stated Charter Communications is picking up the construction cost to any locations who do not currently have the availability of Charter. Mayor Harvey asked if Council had any questions or discussion about the upgrading of phone and internet system. Council Member David Ford made a motion to authorize the City Manager to begin phase one of the internet and phone system conversion. Council Member Joe Money, Jr. seconded the motion, which carried unanimously.

PARTNERS IN PROGRESS SPONSORED BY THE NORTHWEST GEORGIA JOINT DEVELOPMENT AUTHORITY: Mayor Harry Harvey stated the next item for consideration is joining the "Partners in Progress" sponsored by the Northwest Georgia Joint Development Authority. Mayor Harvey explained this program is designed to bring industry and businesses to the Northwest Georgia Area. Mayor Harvey stated this program will promote the city, and will help with development of projects. City Manager Tony Carroll stated it advertises the city regionally, nationally, and internationally. City Manager Carroll stated it is a bold partnership to obtain, create and attract businesses to our area. City Manager Carroll stated it is a four-year initiative to accelerate economic growth. City Manager Carroll stated the cost of joining was originally \$5000.00 per year for four years, but he has negotiated the price to \$1000.00 per year. City Manager stated he has not received a contract, but his recommendation would be contingent on the contract, with City Attorney Albert Palmour and himself approving the contract. Mayor Harvey asked if Council had any questions or discussions regarding joining the Partners in Progress. Mayor Harvey asked for a motion to join Partners in Progress by the Northwest Georgia Joint Development Authority contingent on the contract with City Manager Carroll, and City Attorney Palmour approval. Council Member David Ford made a motion to join. Council Member Zachary Martin seconded the motion, which carried unanimously.

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REGULAR COUNCIL MEETING CLOSED: Mayor Harvey stated at this time the Regular City of Summerville Council Meeting is closed. Mayor Harvey explained at this time there will be an Alcohol Board Hearing to discuss the alleged alcohol violation by Ingles Markets.

OPEN ALCOHOL BOARD HEARING: Mayor Harvey opened the Alcohol Board Hearing

ALCOHOL BOARD HEARING FOR INGLES MARKETS: Mayor Harry Harvey stated at this time the Alcohol Board hearing is open he asked Police Chief Stan Mosley to provide the information. Chief Mosley stated the Summerville Police Department did an underage alcohol buy in the city limits to every store and restaurant that has an alcohol license. Chief Mosley stated an Ingles employee sold the underage person alcohol. City Attorney Albert Palmour asked if this was the first violation. Police Chief Stan Mosley stated "Yes". City Attorney Palmour asked what Chief Mosley recommended. Chief Mosley stated \$1000.00, which is the violation for the first offense. Mayor Harvey asked Ingles Representative Randy Williams to address the Council regarding the alleged violation. Mr. Randy Williams stated a former employee did not follow procedures on an alcohol sale. Mr. Williams stated new hires are required to do an alcohol class provided by Ingles, and current employees are required to do a training class every six months. Mr. Williams stated since the incident happened all employees have been retrained. Mayor Harvey stated his recommendation since it is the first offense is the \$1000.00 fine, and they have retrained their employees. Council Member Earl H. Parris asked if the employee was terminated or moved to a different department. Mr. Williams stated, "Yes the employee was terminated". Mayor Harvey asked for a motion on this item. Council Member Joe Money, Jr. made a motion for Ingles to pay the \$1000.00 fine for underage alcohol sales. Council Member Earl H. Parris seconded the motion, which carried unanimously.

CLOSE ALCOHOL BOARD HEARING: Mayor Harvey closed the Alcohol Board Hearing.

OPEN REGULAR CITY COUNCIL MEETING: Mayor Harvey opened the City Council Meeting.

PUBLIC HEARING

SUNDAY SALES OF ALCHOLIC BEVERAGES BY THE DRINK

PUBLIC HEARING OPENED: Mayor Harvey opened the Public Hearing for Sunday Sales of alcoholic by the drink.

ORDINANCE READ ALOUD: Mayor Harvey read proposed Ordinance Number 2017-4-4-134 to allow for Sunday Sales of alcoholic beverages by the drink. If the ordinance passes the City of Summerville Council, the item would be on the November 7, 2017 ballot to become effective on December 15, 2017.

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PUBLIC COMMENT: Mayor Harvey stated if there are any comments from the public. Mr. Charles Bennett stated he is against it, and he is asking the Council not to amend the ordinance and leave it as it is. Mrs. Iva Spears stated she is very much against it, and you are supposed to respect God on Sundays, and this would not be respecting him. Mr. James Spears stated he is against the sale of alcohol on Sundays.

PUBLIC HEARING CLOSED: Mayor Harvey asked if the Council had any questions or concerns. Mayor Harvey closed the public hearing for Sunday Sales of alcoholic beverages.

SUNDAY ALCOHOL SALES BY THE DRINK: Mayor Harry asked if Council is ready to make a motion to amend the ordinance to allow for Sunday Sales of Alcoholic beverages by the drink. Council Member Joe Money, Jr made a motion. Council Member Zachary Martin seconded the motion, which carried with a 4 to 1 vote in favor of the motion. Council Member David Ford voted in opposition.

SUNDAY PACKAGE SALES OF MALT BEVERAGES AND WINE

PUBLIC HEARING OPENED: Mayor Harvey opened the Public Hearing for Sunday Sales of packaged malt beverages and wine.

PUBLIC HEARING CONTINUED

ORDINANCE READ ALOUD: Mayor Harvey read the proposed Ordinance number 2017-3-4-133 to amend the Code of Ordinances for the City of Summerville, Georgia to allow for Sunday package sales of malt beverages and wine. If the ordinance passes the City of Summerville Council, the item would be on the November 7, 2017 ballot to become effective on December 15, 2017.

PUBLIC COMMENTS: Mayor Harvey stated that the floor is now open for public comments. Mr. Charlie Bennett asked that the Council vote no, and do not put this on the ballot. Mrs. Iva Spears also asked that Council vote no, and do not put this on the ballot. Mr. Harvey asked if Council had any comments or concerns.

SUNDAY PACKAGE SALES OF MALT BEVERAGES AND WINE: Mayor Harry Harvey asked for a motion from Council to amend the Code of Ordinance for the City of Summerville, Georgia to allow for Sunday package sales of malt beverages and wine. Earl H. Parris made a motion to let the public decide, and place on the ballot on November 7. Council Member Joe Money, Jr. seconded motion, which carried with a 4 to 1 vote. Council Member David Ford voted in opposition.

PUBLIC HEARING CLOSED: Mayor Harvey stated at this time the Public Hearing is closed.

CONSIDER APPROVAL OF A BLOCK PARTY FOR CHATTOOGA HIGH SCHOOL CHORUS FOR A FUNDRAISER: Mayor Harry Harvey requested City Manager Tony Carroll to provide information regarding the fundraiser. City Manager Carroll explained The CHS Chorus is requesting approval to hold a block party on October 19, 2017 at the Open-Air Amphitheater as a fundraiser for their upcoming trip to NYC in April to perform at Carnegie Hall. City Manager Carroll stated the event will be held from 6 p.m. to 9 p.m.

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CONSIDER APPROVAL OF A BLOCK PARTY FOR CHATTOOGA HIGH SCHOOL CHORUS FOR A FUNDRAISER CONTINUED: City Manager Carroll stated they will have several vendors selling food, and they have requested East Washington Street be closed from Commerce Street to Economy Street during this event. Mayor Harvey ask if any of the Council had any questions about this event. Council Member David Ford made a motion to approve the block party for the CHS Chorus. Council Member Zachary Martin seconded, which carried unanimously.

CONSIDER APPROVAL OF BY-LAWS FOR THE SUMMERVILLE DOWNTOWN DEVELOPMENT AUTHORITY: Mayor Harry Harvey stated the next item for discussion is the approval of By-Laws for the Summerville Downtown Development Authority. Mayor Harvey asked City Manager Tony Carroll and Summerville Main Street Director Susan Locklear to provide information to the Council. City Manager Carroll stated the Summerville downtown development authority is required by law to have By-Laws in place. City Manager Carroll suggested that Council read over the By-Laws to see if there are any additions that Council would like to add. Susan stated the downtown development authority and Summerville Main Street has all completed training. Susan stated the By-Laws submitted is a draft, and reviewed by each of the members, and she is submitting for the Mayor and Council approval. Mayor Harvey read the proposed By-Laws of the Downtown Development Authority of the City of Summerville. Mayor Harvey asked if there is any discussion form Council. Mayor Harvey stated he makes a recommendation to adopt the By-Laws as presented. Council Member Earl H. Parris made a motion to adopt the By-Laws submitted for the Downtown Development Authority of the City of Summerville. Council Member David Ford seconded the motion, which carried unanimously. A copy of the By-Laws become part of these minutes.

CONSIDER AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT WITH GEORGIA POWER TO CHANGE OUT ALL REGULAR STREET LIGHTS TO LED LIGHTS: Mayor Harvey stated that the next item for consideration is authorizing the Mayor to sign an agreement with Georgia Power to change out all regular streetlights to LED lights. Mayor Harvey asked City Manager Tony Carroll to provide information on this. City Manager Carroll stated he has spoken with Tom Isabelle with Georgia Power about changing out the streetlights. City Manager stated there is a six (6) month waiting list for the program. City Manager Carroll stated there is no charge to the city for changing out the lights, but the power bill could possibly increase by \$300.00 per month. City Manager Carroll stated the LED lights would help the city to look more modern, neater, and cleaner. Mayor Harvey stated from his understanding the LED lights last longer. Council Member David Ford made a motion to authorize Mayor Harvey to sign an agreement with Georgia Power to change out the regular streetlights to LED lights. Council Member Joe Money, Jr. seconded the motion, which carried unanimously.

CONSIDER AUTHORIZING THE MAYOR TO SIGN THE 2018 FISCAL YEAR LMIG APPLICATION: Mayor Harry Harvey stated the next item of business is to ask the Council to consider authorizing the Mayor to sign the 2018 Fiscal Year LMIG application. Mayor Harvey asked City Manager Tony Carroll and Public Works Supervisor Terry Tinney to provide information on this item.

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CONSIDER AUTHORIZING THE MAYOR TO SIGN THE 2018 FISCAL YEAR LMIG APPLICATION CONTINUED: City Manager Carroll stated this 2018 LMIG (Local Maintenance Improvement Grant) sponsored through Georgia DOT is \$63,289.11, and the city is required to match this amount by at least 30%. City Manager Carroll stated the streets that will be paved is Jones Street, McKenzie Street, Y Street, Henderson Street, and East Street. City Manager Carroll stated the total match required by the city will be \$19,443.84 which is 31% match. City Manager Carroll stated if there is money left over then it will be used to pave the parking area at Fairway where the records building was located. Mayor Harvey asked Council if any questions. Council Member David Ford made a motion to authorize the Mayor to sign the 2018 fiscal year LMIG application. Council Member Zachary Martin seconded the motion, which carried unanimously. A copy of the streets to be paved becomes part of the minutes.

CONSIDER APPROVAL FOR A SPEED HUMP TO BE INSTALLED ON OAK STREET: Mayor Harry Harvey stated the next item of business is the consideration to install a speed hump on Oak Street. Mayor Harvey stated there is a request to install a speed hump on Oak Street, and there is application process that was passed earlier in the year. Mayor Harvey asked City Manager Tony Carroll to review the application process.

City Manager Carroll stated the following procedures for the request of a speed hump listed in the handbook is as follows:

1. Make initial request in writing to the City Manager.
2. Pre-Application meeting with city staff and property owner.
3. A completed application, and \$50.00 application fee.
4. A petition signed by at least seventy-five (75%) of the property owners in the affected area.

City Manager Carroll stated once the application and petition is completed, city staff will review the information, do a traffic study, consider technical feasibility, look at physical conditions, and anticipated impacts of the proposed device. City Manager Carroll stated once the review is conducted, the city staff will send findings to all affected city departments, including Public Works, Police, Fire, EMS, and Chattooga County School System. City Manager Carroll stated once City staff, Mayor, and Council approve the device, then it will be installed for a trial period. City Manager Carroll stated if the trial period were successful, then it would be installed permanently, if not it would be removed. Mayor Harvey asked Mr. Kenneth Busbin to address the council. Mr. Busbin thanked the Council, Mayor, Staff and Visitor's that have allowed him to come, and discuss the speed problem that he has on Oak Street. Mr. Busbin stated he wanted to read the definition of Ethics from the business dictionary. Mr. Busbin read the definition aloud and asked City Manager Carroll when the handbook was written on speed humps and the process to have them installed. City Manager Carroll stated he did not know the exact date. Mr. Busbin stated the citizens should not have to pay for their protection. Mr. Busbin stated the most unethical thing that could happen is to come up with an application, and handbook four (4) months after this issue was brought before Council. Mr. Busbin stated his concern is the cars speeding down his road and the City of Summerville Police Department not being able to legally enforce the speed limit due to Georgia State Law. Mayor Harvey stated the Council would follow procedures that is in place. Mayor Harvey stated that Mr. Busbin would need to complete an application, and the Council would need to look at the petition, and move through the process.

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CONSIDER APPROVAL FOR A SPEED HUMPS TO BE INSTALLED ON OAK STREET CONTINUED: Mayor Harvey asked Council for discussion. Council Member Joe Money, Jr. asked City Manager Carroll what the temporary device would consist of. City Manager Carroll stated it is a temporary rubber speed hump, that could be installed and if it does not work it can be removed. Council Member Money asked if that is something, the city currently has. City Manager Carroll stated "no" they would need to be purchased and the cost is around \$1500.00. Mayor Harvey explained to Mr. Busbin that he needed to complete the application process. Mr. Busbin asked if the minutes from four (4) months ago could not serve as the application. Mayor Harvey stated "No it needs to be in writing". Council Member Earl H. Parris stated he is requesting the Council to waive all the fees, red tape, and install a temporary speed hump in the name of safety on Oak Street for the neighborhood and children. Council Member Earl H. Parris stated Council Member Joe Money, Jr. and himself went out to the neighborhood and knocked on doors in the community that has a stake in the speed hump. Council Member Earl H. Parris stated he is very familiar with the speed Mr. Busbin is talking about. Earl H. Parris stated he has an interest and concern for the children in the area. Council Member Earl H. Parris asked the council to consider his thoughts and take it before a vote. Mr. Harvey stated he would caution the council that there is a process in place and the procedure should be followed. Mayor Harvey stated he had also visited the neighborhood and some feel the speed hump is not necessary due to increase of patrol. Mayor Harvey stated he strongly discourages waiving the fees. Council Member Joe Money, Jr. stated this is a safety issue, and has been before the council numerous times and for the council to ignore this issue would be against everything we are here to do. Council Member Joe Money, Jr. stated he agrees with Council Member Earl H. Parris and believes the fees should be waived. Council Member Joe Money, Jr. stated the rules have been made up as we went. Mayor Harvey stated there is rules, and procedures that need to be followed. Council Member Zachary Martin stated he would like to see this solved but asked how would you know if it is working. Mr. Busbin stated he wanted to answer Council Member Martin. City Attorney Palmour interjected it is Parliamentary Procedure and the Council is discussing at this time. Mr. Kenneth Busbin interjected he does not answer to City Attorney Palmour he answers to the Council. City Attorney Palmour explained to Mr. Busbin Parliamentary Procedure stating if Council wants to ask him a question they can after the discussion. Council Member Zachary Martin asked again how do we know the temporary speed hump is working. Mayor Harvey stated he needs to follow procedures, once it is installed the police, and street department will do a survey and check with neighbors. Mayor Harvey stated this would go quickly if Mr. Busbin will follow procedure. Mayor Harvey asked if any further discussion from council. Council Member Earl H. Parris made a motion to waive fees, cut the red tape, and install a temporary speed hump as soon as possible. Council Member Joe Money, Jr. seconded the motion with a 3 to 2 vote. Council Member Zachary Martin and Council Member David Ford voted in opposition.

CONSIDER A REQUEST FOR ANNEXATION INTO THE CITY LIMITS FOR AN ESTABLISHMENT LOCATED ON HEMLOCK STREET OWNED BY MAURICE MARTIN: Mayor Harry Harvey stated the next item of business is the consideration for annexation into the city limits for an establishment located on Hemlock Street owned by Maurice Martin. Mayor Harvey asked Mr. Maurice Martin to address the Council. Mr. Martin stated he has owned the Kuzzins sports Lounge for about five (5) years.

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CONSIDER A REQUEST FOR ANNEXIATION INTO THE CITY LIMITS FOR AN ESTABLISHMENT LOCATED ON HEMLOCK STREET OWNED BY MAURICE MARTIN CONTINUED:

Mr. Martin stated he is licensed with the State of Georgia and Chattooga County to sell beer and wine. Mr. Martin stated his business is located about 200 ft. from the city limits of Summerville. Mr. Martin stated he is requesting the Council to allow the annexation of his business into the city limits. Mr. Martin stated he has been working with Code Enforcement Joey Norton to get the process started. Joey stated he met with Mr. Martin about a year ago, and did a review of the building at that time. Joey stated he had several code issues, and has worked diligently to resolve the code issues. Joey stated at his last visit Mr. Martin had corrected about 75% of the code issues. Joey stated he has received his state inspection for his kitchen area, exit signs, and emergency signs have all been installed. Mayor Harvey asked if there are items that still need to be completed to bring the building up to code. Mr. Martin stated he had to install a fire door, and it has been installed but Joey has not been out to inspect. Mr. Martin stated he knows there is a process to follow and he would like to start the process. Mayor Harvey asked City Attorney Palmour about the process to have the business annexed into the city limits of Summerville. Mr. Palmour stated a letter would need to be sent to the County Commissioner, give notice to adjacent property owners, and request proper zoning. Mr. Palmour stated the last time Mr. Martin requested to be annexed into the city there was a problem with the zoning requirements, and he did not meet the requirements. City Attorney Palmour stated Mr. Martin should be responsible for the cost of advertisement, notifying adjacent property owners, and zoning classification. City Attorney stated the city would not want to grant him annexation if he is not going to comply with the zoning requirements for that area. City Attorney Palmour stated in his annexation request he would need to make a request that was consistent with the use of the property. Joey stated he would work with him on the process. Mayor Harvey asked if the Council had any questions. Mayor Harvey advised Mr. Martin to start the process, and then bring before the Council. Mr. Martin asked if there is an application he needs to complete to send to the Chattooga County Commissioner. City Attorney Palmour stated he would take care of that when he knows what classification he wants for zoning, and has permission from the adjacent property owners. City Attorney Palmour recommended having the adjacent property owners sign a consent form to have for the public hearing. City Attorney Palmour told Mr. Martin he would want to try to get this approved before December 2017 so it would be listed on next year's tax digest.

CONSIDER APPROVAL FOR BRAG TO CAMP IN DOWDY PARK AND SERVE ALCOHOL TO MEMBERS:

Mayor Harvey stated the next item for business is to consider the approval for BRAG (Bicycle ride across Georgia) to camp in Dowdy Park Friday, September 29, 2017, and serve alcohol to its members. Mayor Harvey asked City Manager Tony Carroll to provide information to the Council. City Manager Carroll stated BRAG has requested to stop in Summerville to camp at Dowdy Park and serve alcohol to their members during this event. City Manager Carroll stated they camped in Dowdy Park last year and there were no problems, and it was very professional. City Manager Carroll asked Summerville Main Street Susan Locklear to provide additional information. Susan stated BRAG is expecting around 300 attendees, and the city is one of the few camping spots. Susan stated they want to patronize the downtown businesses.

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CONSIDER APPROVAL FOR BRAG TO CAMP IN DOWDY PARK AND SERVE ALCOHOL TO MEMBERS CONTINUED: Susan stated she would like to have a shuttle to help transport to other businesses that may be out of walking distance. Susan stated there will also be a concert in the park. Mayor Harvey asked if Council had any questions or comments. Council Member David Ford stated the event coordinator commented on the city's hospitality. Council Member Zachary Martin asked if there would be vendors. Susan stated they would have their own vendors, and they would have documentation, and insurance. Susan stated any food vendors would be limited because she would like for them to patronize the downtown businesses. Council Member Earl H. Parris asked Police Chief Mosley about the ordinance requiring a police officer onsite if alcohol is being served, and is this event exempt. Chief Mosely stated "yes if onsite". Council Member Earl H. Parris asked Susan if someone would be onsite for this event. Susan stated last year they did not. Chief Mosley stated he could have someone to patrol the area. Council member David Ford made a motion to approve BRAG to camp at Dowdy Park and serve alcohol to their members. Council Member Zachary Martin seconded the motion, which carried unanimously.

CONSIDER THE APPROVAL FOR BEER AND WINE LICENSE FOR GENERAL FOOD MART: Mayor Harvey stated the next item of Business is the approval for beer and wine License for General Food Mart. Mayor Harvey asked City Manager Carroll to provide information. City manager Carroll stated Aum Business LLC. DBA General Food Mart located at 40 Second Street has submitted an application for an Alcoholic Beverage License to sale beer and wine. City Manager Carroll stated this was the former location of the Cruz Thru. Mayor Harvey asked if any discussion from Council. Council Member Earl H. Parris made a motion to grant the Alcohol License to General Food Mart. Council Member David Ford seconded the motion, which carried unanimously.

EXECUTIVE SESSION OPENED: Council Member David Ford made a motion to go into executive session for discussing compensation, and evaluation of City Manager Tony Carroll. Council Member Zachary Martin seconded the motion, which carried unanimously.

EXECUTIVE SESSION CLOSED: Mayor Harvey stated the executive session is now closed and no action was taken.

CALLED BACK TO ORDER: Mayor Harvey called the meeting back to order. Mayor Harvey reported no action was taken in the executive session, and the City Manager did have a satisfactory review.

PUBLIC COMMENT: Mayor Harvey stated the meeting is now open to visitor comments or questions.

Jason Espy with *The Summerville News* asked if there was a cost associated with the Northwest Georgia Development "Partners in Progress". City Manager Carroll stated the cost was originally \$5000.00 but he negotiated it down to \$1000.00. City Attorney Palmour stated that was contingent on a contract that was acceptable to the city. Jason Espy asked if the Council made any changes to City Manager Carroll's contract. Mayor Harvey stated no action was taken. Jason Espy asked if it is in the City's Charter that the Council has to approve new hires for a supervisor position.

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PUBLIC COMMENT CONTINUED: City Attorney Palmour asked if he was referring to the City Clerk position. Jason Espy stated "Yes". City Attorney Palmour stated he would need to look into that. Jason Espy asked about the bid opening that was held on Thursday, September 14, 2017. Jason was provided with a list of bids and the companies that submitted bids for the CDBG project.

ADJOURN: With all current business concluded, Council Member David Ford made a motion to adjourn. Mayor Pro Tem Lloyd "Buddy" Windle seconded the motion, and carried unanimously.

HARRY HARVEY – MAYOR

Attest:

ANGIE WHITE – CITY CLERK