



**CITY OF SUMMerville
REGULAR COUNCIL MEETING
JANUARY 8, 2018
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, and Zachary Martin were present. Council Member Joe Money, Jr. was absent. Also present were 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.

SWEARING IN ELECTED OFFICIALS 11/7/2017: City Attorney Albert Palmour officiated swearing in Council Members elected at the 11/7/2017 City of Summerville Municipal Election. Sworn in were: Mayor - Harry Harvey, Council Seat 1 - David Ford, Council Seat 2 - Lloyd D "Buddy" Windle. Elected officials signed their respective Oath of Office, which becomes part of these minutes.

MAYOR PRO TEMPORE: Mayor Harvey stated at this time he will ask the Council to select a Mayor Pro Tempore for a four-year term. Mayor Harvey recommended current Mayor Pro Tempore Lloyd D "Buddy" Windle. Council Member David Ford made a motion to elect Lloyd D "Buddy" Windle as Mayor Pro Tempore. Council Member Earl H. Parris seconded the motion, which carried unanimously.

AGENDA: Mayor Harvey asked if there are any questions or changes concerning the meeting agenda. No changes were requested Council Member David Ford made a motion to approve the meeting agenda. Mayor Pro Tem Lloyd "Buddy" Windle seconded the motion, which carried unanimously.

WELCOME: Mayor Harvey welcomed everyone to the January Council Meeting. Mayor Harvey asked visitors to sign 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 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: Mr. Will Maples stated he is attending regarding the Easement that is listed on the agenda.

ANNOUNCEMENTS: Mayor Harvey stated that Regular Council Meetings are held the second Monday of each month. Mayor Harvey stated that there are several projects and updates to be discussed during the meeting. Mayor Harvey also stated Mayor's Day is coming up at the end of January and several members will be attending this training. Mayor Harvey explained there would be a public meeting on Tuesday, January 9, 2018, at 4:00 p.m. concerning the planting of trees in the downtown area. Mayor Harvey encouraged everyone to participate and support the activities.

PAGE 2
CITY OF SUMMERVILLE
REGULAR COUNCIL MEETING
JANUARY 8, 2018

DEPARTMENTAL REPORTS

MAIN STREET: Mayor Harvey requested Susan Locklear present her report of Main Street activities. Susan reviewed her report submitted to Mayor and Council of activities, meetings, and planning sessions held during December. Susan stated she has been working with movie producers on a short film that will spotlight the Summerville Depot while filming the 100-year Anniversary of Lee University. The filming will take place the last of February and the first Saturday in March. Susan's report becomes part of these minutes.

CODE ENFORCEMENT: Mayor Harvey asked that Joey Norton provide the Code Enforcement report. Joey reviewed the Code Enforcement permit and case reports for December 1, 2017, through December 31, 2017. Joey stated 14 permits were sold, and 14 new property maintenance cases started in December. Joey reported in 2017 188 permits was sold for \$9741.00. Joey explained to Council that he is currently working with Jessica Keith to update the City of Summerville website with zoning information. Joey explained that he has a new city email and phone number for accountability. The report Joey presented is part of these minutes.

WATER TREATMENT PLANT: Mayor Harvey requested that Janice Galloway provide the Water Treatment Plant report. City Manager Tony Carroll stated he would provide the report for Ms. Galloway in her absence. City Manager Carroll reviewed the report listing all activities for the Raccoon Creek and Lowe Spring facilities, the lab, distribution statistics, and maintenance performed during December. The monthly safety-meeting topic was dangers of energy drinks. The report becomes part of these minutes.

WASTEWATER TREATMENT PLAN: Mayor Harvey asked Chris Tuggle to provide the monthly report for the Wastewater Treatment Plant. Chris reviewed the report submitted to the Mayor and Council concerning all statistical information, lab work, and general maintenance done during December at the Wastewater Treatment Plant. Chris stated the monthly safety-meeting topic was bucket truck safety. A copy of Chris' report is part of these minutes.

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

RECREATION DEPARTMENT: Mayor Harvey asked for the Recreation Department monthly report. Bo Chamlee explained the basketball season kicked off with the Annual Santa in Uniform basketball tournament with 34 teams participating. Bo thanked all the volunteers and coaches for their participation in the tournament. Bo explained the regular basketball season is underway with 40 teams competing countywide. Bo explained the recreation department had started a new program called pickleball, and it is held twice a week. Bo invited the Council Members to attend. A copy of Bo's report is part of these minutes.

**PAGE 3
CITY OF SUMMERVILLE
REGULAR COUNCIL MEETING
JANUARY 8, 2018**

DEPARTMENTAL REPORTS CONTINUED

POLICE DEPARTMENT: Mayor Harvey requested Police Chief Stan Mosley give the Police Department and Probation report. Police Chief Mosley reported officers patrolled 3,494 miles, housed 18 inmates for a total of 30 days, and issued 110 citations, had 61 incident reports, 18 accident reports, responded to 635 calls, collected \$6,143 at the PD. Chief Mosley reviewed the City Probation fines and fees, and State Court Fees in December. Copies of Police Chief Mosley's reports are part of these minutes.

FIRE DEPARTMENT: Mayor 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 December. The Fire Department report is part of these minutes.

CITY ATTORNEY: Mayor 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 currently listed on the agenda.

CITY MANAGER: Mayor Harvey requested City Manager Tony Carroll provide his report. City Manager Carroll stated he does not have an accurate daily receipt financial report at this time, due to closing out in December. City Manager Carroll stated he would have the numbers available at the mid-year budget work session, which a date needs to be set. City Manager Carroll read a letter from Lieutenant Brian Ozment with the Summerville Police Department regarding the Santa in Uniform theft case. City Manager Carroll explained the local District Attorney's office had recused themselves from the case since they could potentially be considered a victim since funds are alleged to have been stolen from the Police Department's Drug Forfeiture Fund. City Manager Carroll explained Leigh Patterson, District Attorney of Floyd County has been assigned to prosecute the case by Georgia's Attorney General Office. City Manager Carroll stated Ms. Patterson had requested the GBI's forensic auditors and their Financial Investigation Unit to provide a financial analysis of the records and the case. City Manager Carroll explained due to the backlog of cases this investigation could take a year or possibly two years before this case is fully resolved. City Manager Carroll stated the Summerville Police Department has turned over all evidence and documents requested by the GBI.

NEW BUSINESS

VIDEO 2018 CDBG: Mayor Harvey asked City Manager Tony Carroll to provide information on this item. City Manager Carroll is asking for approval from Council to video the 2018 CDBG sewer line project to gain points in the grant application process. City Manager Carroll stated the cost to video the 2018 CDBG sewer line project would be \$8178. City Manager Carroll explained the grant process is very competitive, and it is recommended by both the engineers and grant writers to video the project. City Manager Carroll explained the 2016 CDBG project was videoed and it helped tremendously in the selection process. Mayor Harvey asked for discussion from Council. Council Member David Ford made a motion to approve videoing the 2018 CDBG project. Council Member Zachary Martin seconded the motion, which carried unanimously.

PAGE 4
CITY OF SUMMERVILLE
REGULAR COUNCIL MEETING
JANUARY 8, 2018

RESOLUTION- FIREFIGHTER CANCER POLICY: Mayor Harvey stated the next item for discussion is the resolution of the City of Summerville recognizing and providing firefighter's cancer benefit. Mayor Harvey read the resolution. Mayor Harvey asked Council for any discussion regarding the resolution. Council Member David Ford made the motion to pass and adopt the resolution. Council Member Zachary Martin seconded the motion, which carried unanimously.

RESOLUTION- OPPOSING DE-ANNEXATION LEGISLATION TO CREATE NEW MUNICIPALITIES: Mayor Harvey explained the resolution opposing the de-annexation legislation to create new municipalities. Mayor Harvey read the resolution and explained the purpose of the resolution. City Attorney Albert Palmour explained the resolution is to support the City of Stockbridge and GMA to prohibit the creation of a new city inside another city without consent by the governing body. Mayor Harvey asked for questions regarding the resolution. Council Member Earl H. Parris made a motion to adopt the resolution. David Ford seconded the motion, which carried unanimously.

REFEREE PAYMENT-SANTA IN UNIFORM: Mayor Harvey stated the next item for discussion is the payment for the referees for the Santa in Uniform Basketball tournament. Mayor Harvey explained the City of Summerville did not pay for the referees for the most recent Santa in Uniform basketball tournament held in December, and the city should not pay for the referees for a non-profit organization. Mayor Harvey explained when the tournament originated it was not a Santa in Uniform tournament; it was a city-sponsored tournament, and the city benefited from the tournament and proceeds. Mayor Harvey stated it would cost the city approximately \$1800. for referee's, and the city does not profit from this event. Mayor Harvey asked for discussion from the Council. Mayor Pro Tem Lloyd D "Buddy," Windle asked after paying for the referees for twenty years is it a problem now. Mayor Harvey explained when the tournament originated it was a city-sponsored tournament, not a Santa in Uniform Tournament, and the city collected gate fees, received proceeds and paid the referees. Mayor Harvey explained over time the tournament was turned over to the Santa in Uniform group as a fundraiser for their organization, and he was not aware that the city had continued to pay for the referees. Mayor Harvey stated the city does not need to pay for referees for nonprofit or, sponsor tournaments for nonprofit organizations. Mayor Pro Tem Lloyd D "Buddy," Windle asked if the city could donate to Santa in Uniform. City Attorney Palmour explained the city is prohibited from using public funds for a private enterprise. City Albert Palmour stated an inquiry was made to him, and his recommendation was not to pay for the referees because it is a private enterprise and they are charging fees that benefit a private enterprise. City Attorney Palmour stated he had made a recommendation to have a policy set for the use of recreation facilities by private enterprise, and it would be inappropriate to use public funds to pay for private enterprise. Council Member David Ford asked why Santa in Uniform was not informed before the middle of the tournament that the city was not going to pay for the referees. Mayor Harvey explained no one had asked before the beginning of the tournament, and they should have been notified the city would not pay for the referees, but they were not notified. Council Member Earl H. Parris asked Recreation Director Bo Chamlee to give a timeline of the Christmas Basketball tournament (Santa in Uniform). Bo explained basketball season is in the middle of football and baseball/softball season, and the idea of the tournament was to give the kids more games due to the short season. Bo explained the tournament originated as a City of Summerville tournament.

PAGE 5
CITY OF SUMMERVILLE
REGULAR COUNCIL MEETING
JANUARY 8, 2018

REFEREE PAYMENT-SANTA IN UNIFORM CONTINUED: Bo stated at the time he had no one providing concessions, and it was offered to the Santa in Uniform organization to sell concessions and keep the money from the sales. Council Member David Ford asked if during recreation football season did the city get the money for concessions. Bo Chamlee explained that the city receives gate money from the recreation football games, but the concessions go to the Chattooga High School band, and the sales of concessions at recreation softball/baseball games are determined by bids placed each year for the concessions sales. Council Member Earl H. Parris asked Bo Chamlee how this should be addressed in 2018. Mayor Harvey interjected stating there is a policy to be considered for adoption regarding the use of recreation facilities. Council Member Earl H. Parris asked in 2018 what will this tournament be called. City Attorney Palmour stated if the city is going to rent the recreation facility to a 501 (3) C, then there needs to be a policy regarding the use of the facility, and if Santa in Uniform rents the facility, then it has to be available for rental to other organizations. Council Member Earl H. Parris asked if there will still be a Christmas tournament. Mayor Harvey stated that would be up to Santa in Uniform and the recreation department. Council Member Earl H. Parris apologized to Bo Chamlee for being put in the middle of a situation between the city and Santa in Uniform organization. Mayor Harvey stated the problem should have been addressed before the tournament started. Mayor Harvey stated after discussion with City Manager Carroll, and City Attorney Palmour the recommendation is for no action to be taken.

RECREATION FACILITY RENTAL/USE POLICY: Mayor Harvey stated the next item is the consideration is to adopt a recreation facility rental policy. Mayor Harvey reviewed the policy and fee schedule. Mayor Harvey asked Recreation Department Director Bo Chamlee if he had reviewed the proposed fee schedule. Bo stated "No." Mayor Harvey asked for questions from Council concerning the policy. David Ford made a motion to table the policy until Recreation Director Bo Chamlee can look over the fees and policies. Council Member Earl H. Parris seconded the motion, which carried unanimously.

MAPLES EASEMENT AGREEMENT: Mayor Harvey asked City Attorney Albert Palmour to provide information regarding an easement between the City of Summerville and Will Maples Jr. City Attorney Palmour stated the engineering survey plans provide the fiber would be placed under the City of Summerville utilities would be at least five feet under sewer and gas existing utilities. City Attorney stated he had requested a contract stating that lines would be installed with the appropriate conduit, and the City of Summerville would not be responsible for any damage in the normal use of utilities to the fiber. City Attorney Palmour stated he had not received the final easement document. Mayor Harvey asked Will Maples, Jr. if he had any questions. Mr. Maples asked for clarification on what City Attorney Palmour was requesting. City Attorney Palmour explained it was his understanding Mr. Maples had not signed the final contract. City Attorney Palmour explained once he received the final document, and with Council approval, he would approve the contract. Harvey asked the Council if there is any questions or discussions. Council Member Earl H. Parris made a motion to allow Mayor Harry Harvey to sign an easement agreement with Will Maples, Jr. Council Member Zachary Martin seconded the motion, which carried unanimously.

PAGE 6
CITY OF SUMMERVILLE
REGULAR COUNCIL MEETING
JANUARY 8, 2018

77 WEST WASHINGTON STREET-SIGN PERMIT: Mayor Harvey stated the next item for discussion is the approval of a sign at 77 West Washington Street. Code enforcement Officer Joey Norton stated it meets the requirements for size and content. Joey explained it is a tax service business that is seasonal and will only be here temporarily. Joey stated it needs Council approval because it is located in the Historic Downtown Business District. Mayor Harvey asked for Joey Norton's recommendation. Joey stated it meets the guidelines required by Mayor and Council. Mayor Harvey asked for questions or discussion from Council. Council Member David Ford made a motion to approve the sign for 77 West Washington St. Council Member Zachary Martin seconded the motion, which carried unanimously.

EMERGENCY PURCHASE-WASTEWATER PLANT: Mayor Harvey stated the next item of business is to consider an emergency purchase at the Wastewater Treatment Plant. City Manager Tony Carroll asked Wastewater Supervisor Chris Tuggle to provide information regarding the emergency purchases. Chris explained the original emergency purchase was for \$5329., but the number has now increased due to more pump failure. Chris explained how the plant is in need of additional repairs. Chris stated the other repairs needed is to rebuild an aerator that malfunctioned and is currently not working, and an influent pump and float. Chris explained there is a four to six-week turn around time. Mayor Harvey asked for a dollar amount for the emergency purchases. City Manager Carroll stated around \$38,000. Mayor Harvey stated Council needed to vote on the original emergency purchase for \$5329; then Council can approve the tentative purchase up to \$35,000 for the float and pump with the understanding, the Chris will come back to Council with the exact amount of repairs. Council Member Earl H. Parris made a motion to approve the purchase and repairs in the amount of \$5500. Council Member David Ford seconded the motion, which carried unanimously.

Mayor Harvey asked for a motion to authorize the emergency purchase and repairs up to \$35,000 with the understanding Chris will bring final numbers back to Council. Council Member David Ford made a motion to approve the emergency purchase and repairs for the Wastewater Treatment Plant. Council Member Zachary Martin seconded the motion, and it carried unanimously.

EARLY RETIREMENT: Mayor Harvey stated the next item for discussion is the consideration of an early retirement plan for eligible employees. Mayor Harvey asked City Manager Tony Carroll to review the information with Council. City Manager Carroll stated that some of the longer tenured employees had asked about early retirement. City Manager Carroll explained this policy would allow eligible employees the opportunity to retire early and would also save the city money over a three-year period, by hiring a new employee at a lower rate of pay. City Manager Carroll also stated that the eligible employee would agree to forfeit their accrued vacation and comp time but would agree to stay until a replacement was hired and trained. City Manager Carroll explained the scenario of the proposed plan with an example of eligible employee Vickie Dawson. City Manager Carroll explained by allowing Vickie to retire at 62; it would save the city \$29,169.08 over a three-year period. City Manager Carroll stated he had included a three-year policy and a five-year policy for consideration; the difference would be the age for early retirement, either at age 60 or 62.

**PAGE 7
CITY OF SUMMERVILLE
REGULAR COUNCIL MEETING
JANUARY 8, 2018**

EARLY RETIREMENT CONTINUED: City Manager Carroll explained at this time there are two (2) employees that would qualify for the early retirement plan at 62, and six (6) employees that would qualify for early retirement at 60. City Manager Carroll stated this would not only save the city money but would be another perk for employees. Mayor Harvey asked for discussion or questions from Council. Mayor Harvey made a recommendation for Council to look over the plan and table this item until the next meeting. Council Member David Ford made a motion to table this item until next meeting. Council Member Zachary Martin seconded the motion, which carried unanimously.

MID YEAR BUDGET MEETING: Mayor Harvey stated he would like for Council to meet on January 16, 2018, at 5:00 p.m. to review the mid-year budget.

PUBLIC COMMENTS: Mayor Harvey asked if there are any public comments. Dee Windle asked visitor Jimmy Holbrook if the Chattooga County Fair would ask the city for a donation. Jimmy Holbrook stated he is no longer with the Fair Committee, but the fair is not a private organization, it is part of County Government it would be intergovernmental.

Council Member David Ford asked for an update on flag poles for Dowdy Park. Terry Tinney stated he is looking at options for shipping. City Manager Carroll stated he has not been able to find a feasible way to have them delivered. City Manager Carroll stated it was going to cost around \$155 a pole.

ADJOURN: Council Member David Ford made a motion to adjourn. Mayor Pro Tem Lloyd "Buddy" Windle seconded the motion, which carried unanimously.

HARRY HARVEY – MAYOR

Attest:

ANGIE WHITE – CITY CLERK