



**CITY OF SUMMerville
REGULAR COUNCIL MEETING
FEBRUARY 11, 2019
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 were City Manager Janice Galloway 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 meeting agenda. With no changes requested, Council Member David Ford made a motion to approve the agenda as presented. Council Member Joe Money, Jr. seconded the motion, which carried unanimously.

WELCOME: Mayor Harvey welcomed everyone to the February Regular Council Meeting. Mayor Harvey stated that visitors would be given the opportunity now and again at the end of the meeting to address the Council. Mayor Harvey requested visitors to limit their comments to three to five minutes. Visitors introduced themselves stating they are attending in support for items listed on the agenda.

ANNOUNCEMENTS: Mayor Harvey stated there would be several events forthcoming in February and March. Mayor Harvey encouraged citizens to attend. Mayor Harvey noted project updates would be given when Department Heads present their monthly reports. Mayor Harvey explained that Regular Council Meetings are held the second Monday of the Month, and there would be a Special Called Meeting in March.

DEPARTMENTAL REPORTS

MAIN STREET: Mayor Harvey requested Susan Locklear provide her report of Main Street activities for January. Susan reviewed the report submitted to the Mayor and Council of activities, meetings, and planning sessions held during the month. Susan also reviewed the upcoming events for March and April. Susan stated she was notified Main Street would receive \$2,000 from Forrester's Insurance for the Spring Flower Planting on April 13, 2019. Susan's report becomes part of these minutes.

CODE ENFORCEMENT: Mayor Harvey requested Joey Norton provide the Code Enforcement report. Joey reviewed the Code Enforcement permit and case reports for January. Joey stated there had been six permits sold, and \$503 collected in permit fees. Joey explained he has four new property maintenance cases started. A copy of Joey's report becomes part of these minutes.

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WATER TREATMENT PLANT: Mayor Harvey asked Jason Greene to provide the monthly report for the Water Treatment Plant. Jason reviewed the report listing all activities for the Raccoon Creek, Lowe Spring, lab distribution statistics, and maintenance performed during January. Jason noted 7.67 inches of rain was recorded at the plant for the month. Jason's report is attached and becomes a part of these minutes.

WASTEWATER TREATMENT PLANT: Mayor Harvey requested Chris Tuggle to provide the monthly report for the Wastewater Treatment Plant. Chris reviewed the report submitted to the Mayor and Council listing all work performed during the month of January at the Wastewater Treatment Plant as well as statistical information, and lab work. Chris explained the Annual 2018 Tier two report was submitted to the state, and the 2018 annual Biosolids report was submitted to the EPD & EPA. Chris stated the topic of the monthly safety meeting was; are you following the rules? A copy of Chris' report is attached and becomes part of these minutes.

PUBLIC WORKS: Mayor 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 in January. Terry provided updates on the 2016 CDBG project, chert pit, and the Street Scape project. Terry explained a pad is currently being built for the generator at the Water Treatment Plant and he hopes it will be installed this month. The Public Works report is part of these minutes.

RECREATION DEPARTMENT: Mayor Harvey asked for the Recreation Department monthly report. Bo Chamlee reviewed the report prepared to cover Recreation Department activities. Bo explained the Recreation Department currently has five football teams participating in the North Georgia Youth Football league playoffs, and for the first time since the soccer program began two soccer teams will be competing in the championship game. Bo stated basketball signups are currently being held. Bo's report is part of these minutes.

POLICE DEPARTMENT: Mayor Harvey requested Chief Stan Mosley to present the monthly report for the Police Department and Probation. Chief Mosley reviewed the information presented to Council for the month of January for the Police Department, as well as fees and fines collected for State Court and City Court Probation. A copy of these reports becomes part of the minutes.

FIRE DEPARTMENT: Mayor Harvey requested Fire Chief Robbie Lathem to present the monthly report to Mayor and Council. Robbie reviewed the 82 calls the Summerville Fire Department responded to during the month of January. Robbie reviewed the training and events for the month of January for his department as well.

CITY MANAGER: Mayor Harvey requested City Manager Janice Galloway provide her report. City Manager Galloway reported expenses for January was \$1,106,714.39 and revenues were \$1,476,561.00. Janice reported the operating account balance at the end of January was \$1,812,542.34. Janice explained a storage building had been ordered to store unused meters in, and it would be delivered soon.

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CITY MANAGER CONT: Janice stated Water Treatment Plant employee Thor Rich had completed and passed the state exam.

Janice stated Main Street Director Susan Locklear recently attended training in Forsyth, GA. Also, City Clerk Angie White attended classes to obtain her City Clerk certificate and completed her mandatory credit hours for Election Superintendent.

Janice stated she is currently working on a policy for City donations to private entities.

Mayor Harvey asked Council if there was any questions or comments for the Department Heads.

Council Member Earl H. Parris asked Susan to provide information on the Coke Bottle Exhibit that she and Mayor Harvey recently attended in Rome. Susan explained local artists originally painted the Coke bottles in 2016 as a Main Street project. Susan stated the coke bottles were removed from the downtown area and sent to Paradise Gardens in 2018 to be refurbished by the different artist, who attended Finster Fest. Susan explained the coke bottles are currently on an exhibit sponsored by Harbin Clinic and Paradise Gardens in Rome, Ga at the Makers Village. Susan stated opening night of the exhibit Tina Cox with Paradise Gardens did a presentation and recognized the City of Summerville for the Coke bottle project. Susan stated she, Mayor Harvey and Council Member David Ford attended the opening night. Susan explained the bottles would be on exhibit at the Makers Village on weekends in February and March and will be returned to downtown Summerville in April.

Mayor Harvey asked Terry Tinney if dirt was available for the soccer fields. Terry explained there is a rough set of plans for the soccer fields. Mayor Harvey asked Terry to update the plans for Council to review.

Council Member Joe Money, Jr. asked Code Enforcement Joey Norton for an update on Pine Hill Apartments. Joey stated, "Still pretty bad." Joey explained they will work on one and others will fall behind. Joey explained out of the four that was closed two have reopened. Council Member Money asked if they needed to be condemned. Joey stated, "That will probably need to be revisited." Council Member David Ford asked if the apartments meet fire codes. Joey explained his insurance company made him install smoke detectors and fire extinguishers for every unit. City Attorney Albert Palmour asked what the status was in City Court and was the owner still under court order. Joey stated "Yes." City Attorney Palmour stated he thought the order was to repair or be condemned in a certain amount of time. Joey explained the owner has been working on the issues, but problems have come up with vandals. City Attorney Palmour explained they could discuss with the Judge, and schedule another hearing.

UNFINISHED BUSINESS

SECOND READING FY 2018-2019 MID-YEAR BUDGET ORDINANCE: Mayor Harvey stated the first item of business is the Second Reading of the FY 2018-2019 Mid-Year Budget Ordinance.

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SECOND READING FY 2018-2019 MID-YEAR BUDGET ORDINANCE

CONT: Mayor Harvey explained the First Reading of the FY 2018-2019 Mid-Year Budget Ordinance was held on January 22, 2019, at a Special Called Meeting.

PUBLIC HEARING-OPEN: Mayor Harvey explained the Mid-Year Budget is balanced with Revenues and Expenditures of \$16,983,947.75. Mayor Harvey stated the Public Hearing for the Second Reading for the 2018-2019 Mid-Year Budget is open for discussion from Council or Visitors. Council or Visitors addressed no questions or concerns regarding the Second Reading of the FY 2018-2019 Mid-Year Budget Ordinance.

PUBLIC HEARING-CLOSED: Mayor Harvey stated the Public Hearing is closed.

Mayor Harvey read the FY 2018-2019 Mid-Year Budget Ordinance summarizing Expenditures and Revenues for the General Fund, Confiscated Drug Fund, Hotel-Motel Tax, Water & Sewer Fund, Gas Fund, and SPLOST with total Revenues and Expenditures of \$16,983,947.75 and a net surplus of zero. Mayor Harvey stated at this time a motion is needed to adopt the Mid-Year Budget. Council Member David Ford made a motion to approve and adopt the FY 2018-2019 Mid-Year Budget. Mayor Pro Tem Lloyd "Buddy" Windle seconded the motion and carried unanimously.

NEW BUSINESS

MINUTES: Mayor Harvey stated the first item of new business is the approval of the meeting minutes from January 14, 2019, and January 22, 2019 meetings. Council Member Earl H. Parris made a motion to approve the meeting minutes. Council Member Joe Money, Jr. seconded the motion, which carried unanimously.

RESOLUTION- 2019 CDBG: Mayor Harvey explained at the previous meeting Council had decided to apply for the 2019 CDBG. Mayor Harvey stated there is a Resolution needed to continue with the project. Mayor Harvey asked for comments or concerns from the Council regarding the 2019 CDBG. Mayor Harvey read the FY2019 CDBG Application Resolution. Mayor Harvey asked for comments from the Council. No comments or questions were presented. Council Member Earl H. Parris made a motion to approve the FY2019 CDBG Application Resolution. Council Member David Ford seconded the motion, which carried unanimously.

MOWER & DECK PURCHASE-WATER TREATMENT PLANT: Mayor Harvey stated the next item of consideration is the purchase of a mower and deck for the Water Treatment Plant. Mayor Harvey asked City Manager Janice Galloway and Water Treatment Plant employee Jason Greene to provide more information. Jason explained the mower the current mower is not a commercial unit and it is beginning to fail. Mayor Harvey stated the amount requested is \$6,924.93 for a mower and deck. Mayor Harvey noted this item was in the budget. Council Member made a motion to approve the purchase of a mower and deck for the Water Treatment Plant for \$6,924.93. Council Member Zachary Martin seconded the motion, which carried unanimously.

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PRESENTATION & DISCUSSION OF A TETHERING ORDINANCE: Mayor Harvey stated the next item of business is a presentation from Council Member Joe Money, Jr, and discussion of a Tethering Ordinance. Mayor Harvey stated an Ordinance has not been formulated at this time, but it is being looked at. Mayor Harvey stated visitors would be given a chance to voice their concerns as well.

Council Member Money explained the City of Summerville does have a dog Ordinance, but it is vague and it needs to be tweaked. Council Member Money stated animal neglect in Summerville is a crisis. Council Member Money provided a PowerPoint presentation for Mayor, Council, and Visitors concerning the need for a Tethering Ordinance. Council Member Money explained the Humane Society highly recommends that all communities have a no Tethering Ordinance. Council Member Money stated dogs need to have plenty of outdoor space and reviewed the recommended square foot per dog in fences, pens, and acceptable shelter. Council Member Money explained Mayor and Council would need to establish proper fines and punishment once an Ordinance is adopted. Council Member Money stated animal owners would need a grace period to make adjustments before any action is taken on the owner. Council Member Money stated the City of Summerville and Animal Control would need to be aggressive on enforcing the Ordinance. A copy of the PowerPoint Presentation is attached and becomes part of the minutes.

Mayor Harvey stated there is not a Tethering Ordinance at this time, but a sample Ordinance should be available at the March Meeting. Mayor Harvey asked for discussion from Council regarding a Tethering Ordinance.

Council Member Earl H. Parris stated in January 2018 he spoke with the Police Department regarding forecasted low temperatures and animals left outside. Council Member Parris explained the officers went out to the homes and requested due to low temperatures the animals be brought indoors, but their hands are tied to enforce it without the proper Ordinance. Council Member Parris explained he would like specific wording in the Ordinance that would consider the size of the animal and size or weight of the chain the animal is connected to.

Council Member David Ford stated the Police Department does a good job checking on the animals in the city.

JANICE SABO: Mrs. Sabo explained she is attending the meeting in support of the proposed Ordinance. Mrs. Sabo explained incidents where she has personally stopped and checked on animals herself. Mrs. Sabo stated she appreciated the Mayor and Council for considering the Tether Ordinance.

SUSAN MARKS: Ms. Marks stated she is not a city resident, but a county resident and it would mean a lot to have an Ordinance that would not allow tethering 24/7. Ms. Marks explained it makes a dog more aggressive if in a confined space for a long period.

Council Member Earl H. Parris stated he would also like the Ordinance to specifically address temperature standards.

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TOMMY COX: Mr. Cox asked if the Ordinance would offer an alternative to requiring property owners to allow animals in their homes when renters are occupying the home. Mayor Harvey explained the Tethering Ordinance is still in progress, but he does not see it requiring property owners to allow animals in rental homes. Mayor Harvey explained the Ordinance should not be so restrictive that it cannot be enforced.

Mayor Harvey stated he would like to have a sample Ordinance available for the March meeting. Mayor Harvey encouraged Council to review other cities Tethering Ordinance. Mayor Harvey explained City Attorney Albert Palmour would be working with the city to determine what would work best. Mayor Harvey stated there would be a Public Hearing for citizens to voice their concerns, as well as a First and Second Reading of the Ordinance.

City Attorney Albert Palmour explained the city has a current Animal Control Ordinance that has some enforceable provisions. City Attorney Palmour encouraged the Mayor and Council to review the current Ordinance and look at amending the current Ordinance to include tethering. City Attorney Palmour stated one problem with animal control is the cost associated with it.

Mayor Harvey stated the Ordinance needs to be more stringent than it is now.

SPLOST: Mayor Harvey stated the next item of business is the discussion of SPLOST and SPLOST projects. Mayor Harvey explained SPLOST is used for a variety of different projects and has been beneficial to the City of Summerville. Mayor Harvey reviewed the outline of dates for meetings and publications leading to the Special Election on March 19, 2019. Mayor Harvey reviewed the SPLOST Resolution and Municipal project estimated gain to the city from SPLOST funds. Mayor Harvey noted the SPLOST tax would cover a six-year span beginning in 2020. Mayor Harvey reviewed projects the city has completed that was made possible by SPLOST funds. Mayor Harvey asked City Manager Janice Galloway if she has any information to present concerning SPLOST. City Manager Galloway explained she requested a list of the top three priorities from each Department Head, and she reviewed the list for Mayor and Council. A copy of Janice's request becomes part of these minutes.

Council Member Earl H. Parris reviewed some of the projects and items that were funded from the current SPLOST, and improvements that are still needed at the different facilities. Council Member Parris explained the visitors that attended events, and the community had a hand in all of the projects that have been accomplished. Council Member Parris stated "Our goals should be to have more goals."

Mayor Harvey stated he would like public input concerning SPLOST projects. Mayor Harvey stated there are several projects that need to be done.

Council Member Joe Money, Jr. asked Terry Tinney if the pad was ready for the generator at the Water Treatment Plant. Terry explained the pad has been built, but the concrete has not been poured. Terry explained we have the capability of installing a generator now and running the system, but not the entire plant at this time. Council Member Money asked how soon before it is ready. Terry stated "This week".

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TRAFFIC CALMING DEVICES-GOODWIN DRIVE: Mayor Harvey stated the next item for discussion is the installation of traffic calming devices on Goodwin Drive. Mayor Harvey explained there has been increased patrol in the area but it has not helped. Mayor Harvey reviewed the procedures for installing a traffic-calming device, noting there is a 90-day trial period. Mayor Harvey explained the school system, E911, Police, Fire, and the neighborhood should be notified to see how it might affect each group. Mayor Harvey explained after the 90-day trial period is over, the device could become permanent with Council approval. Mayor Harvey explained that in the procedures, the neighborhood could be required to pay fifty percent of the cost, but the Council could discuss the fee. Mayor Harvey asked for input from visitors regarding the traffic calming devices.

DAVID SEARLES: Mr. Searles stated he had spoken with the Mayor, Council Member Martin, Council Member Money, and Council Member Ford regarding the traffic on Goodwin Drive. Mr. Searles explained the Police Department could not be present 24 hours a day, and it is a racetrack. Mr. Searles introduced Christy and Tommy Cox who resides on Goodwin Drive and explained they are attending in support of traffic calming devices and for other neighbors that could not attend.

TOMMY COX: Mr. Cox addressed Mayor and Council stating the traffic on Goodwin Drive is a problem. Mr. Cox stated he was pleased the Mayor and Council was considering a 90-day trial for a traffic-calming device.

CHRISTY COX: Mrs. Cox stated she was appreciative of the increased Police presence on Goodwin Drive. Mrs. Cox stated if there were children in the street, you would be hard pressed to get them out of the way.

DAVID SEARLES: Mr. Searles stated Fed Ex, UPS, and delivery trucks are also using Goodwin Drive as a cut through and they drive too fast. Mr. Searles stated the most prevalent time is in the morning when people are going to work and in the evening. Mr. Searles stated he would appreciate any assistance the city could offer.

Mayor Harvey stated the traffic devices have already been ordered. Mayor Harvey asked Terry Tinney to provide more information. Terry explained they are approximately 2 foot wide and 3 inches tall and will cover the span of the road. Terry explained signage would be installed to notify people before and after each device. Terry stated the cost is approximately \$400 with signage for each device. Terry explained the road is scheduled to be paved and he would like to install after the paving is complete. Mayor Harvey stated he was concerned about the placement on the road. Terry explained there would be two devices installed. Council Member David Ford asked Terry if two would be sufficient. Terry stated "Yes". Mayor Harvey requested Chief Mosley to work with Terry on the installation of the devices. Council Member David Ford made a motion to approve two traffic calming devices for Goodwin Drive. Mayor Pro Tem Lloyd "Buddy" Windle seconded the motion, which carried unanimously.

Council Member David Ford and Council Member Joe Money, Jr. thanked visitors for attending the meeting.

Mayor Harvey stated on February 25 the Mayor and Council would be traveling to the Capitol to meet with Senator Jeff Mullis and Representative Eddie Lumsden.

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Mayor Harvey stated he would like to have a planning meeting on March 25. Mayor Harvey suggested the Depot or the Recreation Center as the location for the meeting. Council Member David Ford suggested holding the meeting at Fairway. Mayor Harvey encouraged visitors to attend. Mayor Harvey explained the purpose of the planning meeting will be to look at projects and future projects.

CHRISTY COX: Mrs. Cox stated there was a previous water outage on her street and was concerned about how the public is notified. Mayor Harvey stated outages are announced on the radio. Terry Tinney explained at this time that is all that is available, but the city is going to a call system to notify customers if an outage occurs.

JASON ESPY: Jason Espy with *The Summerville News* asked for an update on Badger Meter problems. Terry explained Badger has found a supplier for the gas retros, and the city will eventually have to convert to a beacon system, but there will be a per meter charge every month. Council Member Earl H. Parris asked if the upgrade was being forced upon us. Terry stated "Correct". Council Member Earl H. Parris asked if the beacon system upgrade was for both water and gas. Terry stated, "He hoped it would be both." Jason asked if the beacon system was being forced upon the city. Mayor Harvey explained the city does not have all the details, but the City Attorney would be working with the city on the issue. Council Member Earl H. Parris asked if we had provided time for Badger to respond. City Attorney Palmour stated "No." Terry explained there is a meeting scheduled for February 26 to address some of the issues we have been having. Council Member Parris asked if it was only gas meters that was giving a problem. Terry stated "Yes." Council Member asked why would we need to convert to the beacon system for water. Terry stated, " They are doing away with read center." Council Member Parris asked City Attorney Palmour how long do we wait. Attorney Palmour stated " He could sue tomorrow."

ADJOURN: With all business concluded, Mayor Pro Tem Lloyd "Buddy" Windle made a motion to adjourn. Council Member Zachary Marin seconded the motion and carried unanimously. The meeting was adjourned at 6:35 p.m.

HARRY HARVEY – MAYOR

Attest:

ANGIE WHITE – CITY CLERK