



**CITY OF SUMMerville
REGULAR COUNCIL MEETING
MARCH 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 Joe Money, Jr. led the pledge of allegiance.

AGENDA: Mayor Harvey asked if there are any changes needed to the meeting agenda. Council Member Earl H. Parris requested the Executive Session, Item F be removed from the agenda. Mayor Harvey explained the Executive Session is on the agenda for the purpose of discussing personnel, and if the Council decides to remove it from the agenda they can do so at the time it is presented. With no other changes requested, Council Member Joe Money, Jr. made a motion to approve the meeting agenda, Council Member Earl H. Parris seconded the motion, and carried unanimously.

WELCOME: Mayor Harvey welcomed everyone to the March Regular Council Meeting. Mayor Harvey stated that visitors would be given the opportunity to address the Council at a later time.

PROCLAMATION- CHS WRESTLING TEAM: Mayor Harvey welcomed members of the Chattooga High School Wrestling team and congratulated them on their recent third-place finish in the state tournament. Mayor Harvey requested Coach Brian Beasley introduce the members in attendance. Coach Beasley recognized each wrestler by name and stated his accomplishments in their respective weight class. Mayor Harvey asked the members and coach to come forward for the reading of the Proclamation. Mayor Harvey read the Proclamation recognizing Coach Brian Beasley and the following wrestlers; Griffin Jarrett, Alex Mears, Luis Medina, Ty Veatch, Jackoby Cothrell, and Devon Heroch for an amazing and successful season. A copy of the Proclamation becomes part of these minutes.

INTRODUCTION OF VISITORS: Mayor Harvey asked visitors to introduce themselves at this time, and limit comments and discussion to three to five minutes.

BRADEN BLACK: Mr. Braden Black addressed the Mayor and Council explaining he is intending on opening the old Hops N Haze location in downtown. Braden explained he would like to open up a sports bar, to pay homage to athletes from Chattooga County in a family oriented place. Mayor Harvey requested Mr. Black to work with the City Manager and other City Officials on this venture.

PAGE 2
CITY OF SUMMERVILLE
REGULAR COUNCIL MEETING
MARCH 11, 2019

SKYLER ESMAN: Mr. Skyler Esman introduced himself stating he is Mr. Black's business partner. Mr. Esman reiterated Mr. Black's plan for the Sports Bar downtown in the former Hops N Haze building. Mr. Esman stated the goal is to exploit great athletes from Chattooga County.

ANGELA HORNER: Ms. Angela Horner stated she is in her new building located at 9981 Commerce St, and her Alcoholics Anonymous meetings have begun. Ms. Horner invited everyone to stop by and thanked the Mayor and Council for their prayers.

DEPARTMENTAL REPORTS

MAIN STREET: Mayor Harvey requested Susan Locklear provide her report of Main Street activities for February. Susan reviewed the report submitted to the Mayor and Council of activities, meetings, and planning sessions, she attended during the month. Susan explained the date for the Bicycle Ride Across Georgia (BRAG) ride has been set for September 27, 2019, Susan also reviewed the upcoming events for April. Susan stated she currently has 44 vendors signed up for the upcoming Spring Market. Susan's report becomes part of these minutes.

CODE ENFORCEMENT: Mayor Harvey reviewed the Code Enforcement Report, due to the absence of Joey Norton. A copy of Joey's report becomes part of these minutes.

WATER TREATMENT PLANT: John Bares provided the Water Treatment Plant report due to the absence of Jason Greene. John reviewed the work for Raccoon Creek, Lowe Springs and the Distribution Plant for the month of February. John noted the plant had received a Certificate of Excellence in proficiency testing. A copy of the Water Treatment Plant report becomes part of these minutes.

WASTEWATER TREATMENT PLANT: Mayor Harvey asked Chris Tuggle to review 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 February at the Wastewater Treatment Plant. Chris noted the third and final set of Watershed protection samples for 2018/2019 is complete. 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 during February. Terry reviewed the progress of the projects he is overseeing. Terry's report is part of these minutes.

RECREATION DEPARTMENT: Mayor Harvey requested Bo Chamlee to provide the monthly report for the Recreation Department. Bo reviewed the report for the Recreation Department activities. Bo explained basketball season is complete, baseball and softball signups ended on March 4, with the season beginning the second week of April. Bo explained the renovation on the Scout Hut floors will begin soon, and the project is scheduled to take about two weeks. Bo's report is part of these minutes.

PAGE 3
CITY OF SUMMERVILLE
REGULAR COUNCIL MEETING
MARCH 11, 2019

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 the Council. Chief Mosley reported \$5589 was collected for State Court Fees and \$9223 in City Court Fees. 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 each of the 82 calls the Summerville Fire Department responded to during the month of February. Robbie reviewed the training and events for the month of February as well. A copy of Robbie's report becomes part of these minutes.

CITY MANAGER: Mayor Harvey requested City Manager Janice Galloway provide her report. City Manager Galloway reported expenses for February as \$1,177,077.62 and revenue of \$1,772,092.65. Janice reported the operating account balance at the end of February was \$2,248,287.42. A copy of the financial report becomes part of these minutes.

Council Member Joe Money, Jr. asked Terry Tinney for an update on the generator at the Water Treatment Plant. Terry stated at this time we have the ability to run one pump, if necessary.

Mayor Harvey offered visitors a chance to leave the meeting if they were not interested in other agenda items.

UNFINISHED BUSINESS

DISCUSSION-ANIMAL ORDINANCE: Mayor Harvey asked City Attorney Albert Palmour to provide more information on the Animal Ordinance. City Attorney Palmour explained the Ordinance has been amended based on the presentation given. City Attorney Palmour stated the definitions that have been added to the Ordinance come from state statute. City Attorney Palmour reviewed the following changes to the current Ordinance; Additions include definitions of adequate food and water, classified dog, humane care, microchip reader, owner, proper enclosure, serious injury, public nuisance, and tether. City Attorney Palmour explained the definition of a dangerous dog was changed to a more comprehensive definition, and the definition of a vicious dog was changed. Attorney Palmour reviewed the changes to Section 10-2 including penalties, violations, the right of entry and investigations. Attorney Palmour stated changes were also made pursuant to state statutes for kennels in Section 10-6, and (g) was added pertaining to operating a kennel without proper permits. Attorney Palmour explained Section 10-18, concerning adequate indoor and outdoor standards, was added as well as enforcement in Section 10-19. City Attorney Palmour noted Article III Vicious Animals and Dangerous, or potentially dangerous dogs reference the new Georgia Code for Responsible Dog Ownership Law, and added requirements for state regulations for owners of vicious dogs.

Mayor Harvey asked if Council had any comments. Mayor Harvey noted section 10.5 is on tethering and reviewed the section.

Council Member David Ford stated he thought the purpose of the Ordinance was to do away with tethering and use runs. Mayor Harvey explained the purpose was to not have dogs tethered in one place or area, and the animal not being able to move.

PAGE 4
CITY OF SUMMERSVILLE
REGULAR COUNCIL MEETING
MARCH 11, 2019

DISCUSSION-ANIMAL ORDINANCE CONT: Mayor Harvey stated he had spoken with Council and having a dog on a run, which is a form of tethering, would be acceptable, but they could not be tethered to a stationary object. Mayor Harvey stated after reviewing the Ordinance submitted by Attorney Palmour, it will allow tethering to a stationary object but has conditions that must be followed. Mayor Harvey asked if changes need to be made to this section. Council Member Joe Money, Jr. and Council Member David Ford agreed they would both like to see no tethering to a stationary object. Attorney Plamour explained currently the amended Ordinance allows a dual swivel so the dog can move forward and backward. Attorney Plamour stated he can remove the section if the Council would like no tethering. Mayor Harvey asked Attorney Palmour if the tethering section would require a run. Attorney Palmour stated "No".

Mayor Harvey asked if visitors would like to voice concerns on the information provided.

JANICE SABO: Ms. Sabo asked if there was a reason that the city did not mirror Trion's Ordinance. Ms. Sabo stated the goal is to eventually have no tethering countywide. Mayor Harvey explained the majority of Council did not want to go to no tethering and try to incorporate into the current Ordinance. Mayor Harvey stated the Council reviewed Trion's Ordinance. Council Member Joe Money, Jr stated he liked Trion's Ordinance, and enforcement would be key in a tethering Ordinance.

Council Member Earl H. Parris stated he was not a fan of tethering to a bumper, but there are people who use runners and take care of their dogs.

Council Member Earl H. Parris asked Ms. Sabo what she liked about Trion's Ordinance. Ms. Sabo stated it is restrictive and allows no tethering.

Council Member David Ford asked Ms. Sabo if she is against runners. Ms. Sabo explained she would prefer no tethering, but if not she would like certain restrictions placed for runners.

KRISTY DENNIS: Mrs. Dennis stated it is frustrating to see a dog tied up because it is usually neglected. Mrs. Dennis stated it is a privilege to have an animal and the animals deserve to be treated right.

BOBBY PATTERSON: Mr. Patterson shared an incident, in which a dog was on a runner but had jumped over the fence, while on the runner. Mr. Patterson stated if runners are allowed, then the dangers of runners need to be addressed.

DEE WINDLE: Mr. Windle stated, the Police Department only has two officers per shift. Dee stated if the officers were going to be looking for dogs, more officers will be needed.

Council Member Money asked Council if they would like to keep Section 10-5, tethering or remove it. Council Member Money stated he would like to remove the section. Mayor Harvey stated he would like to have a provision for runners. Council Member David Ford stated he is opposed to tethering. Attorney Plamour interjected stating the definition of tethering also includes a runner. Council Member Parris asked if tethering could be allowed, but restricted to runners. Mayor Harvey stated "Yes". Council Member Money stated he would like to see body harness used instead of a collar to rule out strangulation.

PAGE 5
CITY OF SUMMERSVILLE
REGULAR COUNCIL MEETING
MARCH 11, 2019

Council Member Earl H. Parris stated he would like the Ordinance to include language to consider the body weight of the dog when using a body harness.

Council Member Money read Section 10-11 Running at Large (b), stated he believes this section is sending mixed signals about tethering. Mayor Harvey asked if Council Member Money wanted this section removed. Council Member Money stated "Yes." City Attorney Palmour interjected, stating this section is referring to someone having custody of the dog and leaving the property as long as it is on a leash.

Council Member Money asked Council again about removing Section 10-5. Mayor Harvey recommended adding more restrictions to tethering. Mayor Harvey stated he would like to review the suggested changes to the Ordinance, and review the restrictions and make a determination at the Special Called Meeting on March 25. No action was taken.

DISCUSSION-SPLOST: Mayor Harvey explained the county would vote on SPLOST on March 19. Mayor Harvey reviewed the projected amount the city would receive. Mayor Harvey explained the majority of the money would be spent on water, sewer, roads, bridges, streets, municipal owned facility, and capital outlay projects. Mayor Harvey encouraged everyone to vote.

NEW BUSINESS

MINUTES: Mayor Harvey stated approval is needed for the minutes of the February Council Meeting. Council Member David Ford made a motion to approve the February meeting minutes. Council Member Joe Money, Jr. seconded the motion, which carried unanimously.

PYRO SHOW-CELEBRATE INDEPENDENCE: Mayor Harvey stated the next item of business is the approval of \$14,999 to Pyro Shows for the Annual Celebrate Independence Day, with a down payment of \$7,499 upon approval. Mayor Harvey noted this is an increase from the previous year. Mayor Harvey requested Terry Tinney to provide information concerning this purchase. Terry explained the increase is about \$1500 and the show is similar to last year. Council Member Earl H. Parris asked if the city is receiving grant money. Terry explained the city receives money from the Tillotson Grant and from individual businesses. Council Member Earl H. Parris made a motion to approve the purchase of fireworks from Pyro Shows for the Annual Celebrate Independence Day in the amount of \$14,999, with a down payment of \$7,499 upon approval, and the remaining balance upon delivery. Council Member David Ford seconded the motion, which carried unanimously.

STREETSCAPE- CHANGE ORDER #1: Mayor Harvey explained a change order for the Streetscape Project has been presented from S&ME, Inc to increase from \$10,800 to \$16,500. Mayor Harvey explained this request would not change the overall cost of the Streetscape Project. Mayor Harvey requested City Manager Janice Galloway and Public Utilities Director Terry Tinney to provide more information concerning the Streetscape change order. Terry explained S&ME, Inc test the dirt, rock, concrete, and asphalt. Terry explained some of the soil is very poor and had to be replaced with new soil, which has increased the amount of testing needed. Mayor Harvey clarified this would not increase the overall cost of the project, just the particular phase of the project.

**PAGE 6
CITY OF SUMMERSVILLE
REGULAR COUNCIL MEETING
MARCH 11, 2019**

STREETSCAPE- CHANGE ORDER #1 CONT: Council Member David Ford made a motion to approve Streetscape change order #1 to S&ME, Inc from \$10,800 to \$16,500. Council Member Zachary Martin seconded the motion, which carried unanimously.

MAIN STREET BOARD OF DIRECTORS: Mayor Harvey stated the next item of business is the approval of the Main Street Board of Directors. Mayor Harvey read the proposed members which include; David Ford, Charlie Long, Kristy Dennis, Ellen Kinnamont, Gina Goodnight, Ginger Wofford, Sid Gowens and the proposed terms for each. Mayor Harvey welcomed all of the proposed members. Council Member David Ford stated he would abstain from voting because he is a proposed board member. Council Member Earl H. Parris made a motion to approve the proposed Main Street Board Members. Council Member Joe Money, Jr. seconded the motion. The motion carried. A list of the Main Street Members and proposed terms becomes part of these minutes.

DOWNTOWN DEVELOPMENT AUTHORITY BOARD MEMBERS: Mayor Harvey stated the next item for consideration is the approval of the proposed Downtown Development Authority Board Members. Mayor Harvey read the proposed members which include; Richard Lindsey, Ashley Mason Kielborn, Jessica Keith, Earl H. Parris, Barry Hurley, John Sterner, Todd Kingsolver and the proposed terms for each. Council Member David Ford questioned Ms. Jessica Keith's qualifications to be on the board citing she was a city employee, and board members should live in the city, or have a business in downtown. City Manager Janice Galloway stated Ms. Keith is being sponsored by business owner David Parker. City Manager Janice Galloway stated she can review the qualifications again. Mayor Harvey asked if City Attorney Palmour could provide information. City Attorney Palmour stated he does not have a copy of the Charter with him. Mayor Harvey recommended approving the proposed members with the exception of Ms. Jessica Keith until the qualifications can be reviewed. Council Member David Ford made a motion to approve the following Downtown Development Authority Board Members; Richard Lindsey, Ashley Mason Kielborn, Earl H. Parris, Barry Hurley, John Sterner, Todd Kingsolver. Council Member Zachary Martin seconded the motion which carried 4 to 0, with Council Member Earl H. Parris abstaining from the vote. A list of the proposed Board Members and terms becomes part of these minutes.

EXECUTIVE SESSION-OPEN: Mayor Harvey stated he would like an Executive Session, which allows for discussion of the appointment, employment, compensation, hiring, and periodic evaluation or rating of a public officer or employee according to Georgia Code. Council Member David Ford made a motion to enter into Executive Session. Council Member Joe Money, Jr. seconded the motion, which carried unanimously.

REGULAR COUNCIL MEETING CLOSED AT 6:09 P.M.

EXECUTIVE SESSION-CLOSED: Mayor Harvey stated the Executive Session is now closed.

REGULAR COUNCIL MEETING RE-OPENED AT 6:34 P.M.

Mayor Harvey stated no action was taken in the Executive Session.

**PAGE 7
CITY OF SUMMERVILLE
REGULAR COUNCIL MEETING
MARCH 11, 2019**

PUBLIC COMMENTS: Mayor Harvey asked for public comments. No comments from the public or Council was presented.

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

HARRY HARVEY – MAYOR

Attest:

ANGIE WHITE – CITY CLERK