



CITY OF SUMMERVILLE REGULAR COUNCIL MEETING SEPTEMBER 9, 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 any changes are needed to the meeting agenda. Mayor Harvey stated he would like to have a discussion concerning the repair of the fire truck at the end of the meeting. 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, which carried unanimously.

WELCOME: Mayor Harvey welcomed everyone to the regular council meeting. Mayor Harvey requested visitors to introduce themselves and limit comments to three to five minutes. Mayor Harvey stated visitors would be offered the opportunity to speak at the end of the meeting if they so desire. Mayor Harvey encouraged everyone to participate in upcoming events and activities. Mayor Harvey stated he would like to remind the public not to throw items such as sofas and mattresses on the streets for pick-up.

DEPARTMENTAL REPORTS

MAIN STREET: Mayor Harvey asked Main Street Director Susan Locklear to review her monthly report submitted to the Council. Susan highlighted current and upcoming events, meetings attended, and training she participated in during the month. Susan announced Main Street would be participating in a joint community fall festival with Lyerly, Menlo, and Leroy Massey Elementary Schools at Dowdy Park on October 26, 2019. Susan explained Main Street is offering downtown businesses the opportunity to purchase advertising to be placed on the side panels of the golf-cart for a one-year term. A copy of Susan's report is attached and becomes part of these minutes.

CODE ENFORCEMENT: Mayor Harvey requested Joey Norton to provide the Code Enforcement report. Joey reported 13 permits had been sold for the month, and he is still working on property maintenance cases. 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 Water Treatment Plant Report. Jason reviewed the work performed, including maintenance, sampling, and water pumped to distribution for the month. Jason explained he had an issue with the computer software following a windows update, but with the assistance from JK Duren, he was able to resolve the issue. Jason reported 3.55 inches of rainfall was recorded for August. Jason's report is attached and becomes part of these minutes.

WASTEWATER TREATMENT PLANT: 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 listing all work performed during August at the Wastewater Treatment Plant. Chris reported 4.35 inches of rainfall was recorded for the month. 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 during August. Terry stated the chert pit is progressing, NOI is ready to submit on soccer fields, a corrective action plan is being prepared for the sewer system, and the bid package is being prepared for the ARC walking trail. Terry's report is part of these minutes.

RECREATION DEPARTMENT: Mayor Harvey asked Bo Chamlee to provide the monthly report for the Recreation Department. Bo reported the recreation department has five teams participating in the North Georgia Youth Football League this season ranging in age from five-year-olds to twelve-year-olds. Bo announced the soccer teams participated in a jamboree on September 7. Bo explained Sum Nelly registration is continuing, and the annual event is scheduled for Saturday, October 5, at Dowdy Park. Bo's report is part of these minutes.

POLICE DEPARTMENT: Mayor Harvey requested Chief Stan Mosley to provide the monthly report for the Police Department and Probation. Chief Mosley reviewed the information presented to the Council, including miles patrolled, inmates housed, accident and incident reports, and the number of calls answered during the month. Chief Mosley reported \$4,916 was collected for State Court Fees and \$6,365 in City Court Fees. A copy of Chief Mosley's reports becomes part of the minutes.

FIRE DEPARTMENT: Mayor Harvey asked City Manager Janice Galloway to provide the fire department report in the absence of Fire Chief Lathem. Janice reported the fire department responded to 83 calls during the month and reviewed the type of call. A copy of the report becomes part of the minutes.

CITY MANAGER: Mayor Harvey requested City Manager Janice Galloway to provide the monthly financial report. Janice reported the operating balance at the end of the month was \$1,933,521.15. Janice stated smoke testing on sewer lines would begin on September 23. Janice explained the city had been awarded \$750,000 for the 2019 CDBG project to be used in upgrades to the Highland Ave area. Janice stated one LED solar light had been installed on E. Washington St to see if the city would be interested in purchasing more.

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Council Member Earl H. Parris asked what the city would be required to match on the CDBG Grant. Terry stated, "ten percent."

Council Member Joe Money, Jr. asked Jason Greene what was lost during the computer update. Jason explained it was a sizeable windows update, and JK Duren was able to recover the information.

UNFINISHED BUSINESS

PUBLIC HEARING-INFORMATION TECHNOLOGY FEE ORDINANCE: Mayor Harvey requested Chief Stan Mosley and City Attorney Albert Palmour to provide information concerning the Ordinance. City Attorney Albert Palmour explained the court system's statewide computer software was hacked and has forced municipalities and governmental agencies to change software providers. City Attorney Palmour explained the Ordinance provides a \$15 fee per violation that is passed on to the offender if found guilty, if the charges are dropped, neither the city or offender will be responsible for the \$15 fee. City Attorney Palmour apologized for any confusion that he may have previously created when discussing the Ordinance concerning the fee. Mayor Harvey asked for questions or comments concerning the Technology Fee Ordinance. No comments or concerns were addressed during the Public Hearing. Mayor Harvey stated the Public Hearing is now closed.

SECOND READING AND ADOPTION-INFORMATION TECHNOLOGY FEE ORDINANCE: Mayor Harvey read the Technology Fee Ordinance and the stipulations of the Ordinance. Mayor Harvey reviewed the violations in which Georgia State Law prohibits the fee to be added. Mayor Harvey stated if the Ordinance is passed, it will be effective immediately. Council Member David Ford made a motion to adopt the Technology Fee Ordinance. The motion was seconded by Council Member Earl H. Parris and carried unanimously.

MINUTES: Mayor Harvey stated approval is needed for the minutes of the August 12 and August 26, 2019 meetings. Council Member Joe Money, Jr made a motion to approve the minutes from both meetings. The motion was seconded by Council Member Zachary Martin and carried unanimously.

160 MONTGOMERY ST-RE-ZONING: Mayor Harvey asked Joey Norton to provide more information on the request to re-zone 160 Montgomery St from an R2 to C1. Joey explained Anthony Bryant has purchased the back lot of 160 Montgomery St and sub-divided the property. Joey explained Anthony is requesting to re-zone the property from an R2 to C1. Joey stated Anthony says he has documentation from a previous Mayor and Council, and the property was re-zoned years back.

Anthony explained he has owned the first three lots on Montgomery St for approximately twenty-five years and had the lots re-zoned about fifteen years ago. Anthony explained he would like to build metal buildings on the property. Anthony stated he had purchased half of the adjoining lot from Melinda Durham, and she doesn't have any concerns regarding the request to re-zone the property. Anthony noted all of the property except for 130 Montgomery is already zoned as commercial.

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160 MONTGOMERY ST-RE-ZONING CONT:

RUTH WARREN: Ms. Warren stated she lives at 110 Montgomery St, and it has always been residential, and she doesn't think it is a good idea to put buildings on Lyerly Highway. Ms. Warren stated a red light is needed at the intersection at Lyerly Highway and Highway 100. Ms. Warren said she is three houses down from the property Anthony wants to re-zone.

ROXANNE PALMER: Ms. Palmer stated her property on Montgomery St is already zoned commercial. Joey said Ms. Palmer's property is zoned as manufacturing according to the zoning map.

Ms. Warren asked why it took so long for her to find out what was going on with the property. Ms. Warren said she has lived at her residence since 1963, and she was not aware the property was re-zoned as commercial. Joey Norton stated he does not have documentation showing the property was re-zoned. City Attorney Albert Palmour stated if it was changed in a regular council meeting, the zoning should have been changed on the zoning map. City Attorney Palmour said the change should be reflected on the zoning map. Anthony stated he has a copy of the minutes showing the approval of the re-zoning of the property. City Attorney Palmour explained the zoning map should be made current and reflective of changes made by the Council going forward.

Mayor Harvey asked Terry to provide information about the sewer lines that currently run through the property. Terry Tinney stated there are two sewer lines, a ten-inch and a twelve-inch sewer line that is located on the property. Terry stated it is possible to build around the sewer lines and leave them in a roadway. Anthony stated that it might be hard to do because one of the sewer lines is located in the middle of the property. Anthony stated the sewer line is 60 to 70 years old, and he was hoping the city would consider moving the sewer line. Council Earl H. Parris asked Terry how much it would cost to move the line that goes through the property. Terry stated, "A minimum of \$40,000 to \$50,000". Terry explained it is an older line, but it is still active. Mayor Harvey made a recommendation to table the item and come up with a solution to the sewer line issue before making a decision.

City Attorney Albert Palmour asked why a setback is needed. Joey explained there is a 30 ft setback on Montgomery St and a 35 ft setback from Hwy 114, and Anthony is asking for a reduction to 5 feet from each property line to be able to get more buildings on the property. City Attorney Palmour asked if the current building codes allowed for structures to be built on top of an existing sewer line. Joey explained he is just hearing of the sewer line issue on the property, but a structure can not be built on a sewer line. Anthony stated there is not an easement or deed to the sewer lines that he can locate. Mayor Harvey said several issues need to be addressed before making a decision. Mayor Harvey made a recommendation to table item (b) re-zoning 160 Montgomery St and item (c) reducing setbacks on Hwy 114 and Montgomery St. Council Member Earl H. Parris made a motion to table item (b) re-zoning 160 Montgomery St and item (c) reducing setbacks on Hwy 114 and Montgomery St. Council Member Zachary Martin seconded the motion. The motion passed 4 to 1, with Mayor Pro Tem Lloyd "Buddy" Windle voting in opposition.

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160 MONTGOMERY ST-RE-ZONING CONT: Council Member Joe Money, Jr asked for a current zoning map. Mayor Harvey requested Joey Norton provide a current zoning map. Joey stated if he could verify with the records, he would work on a current map. City Attorney Palmour explained he is going through the changes that need to be made, and suggested to make a decision on the current issue and then provide the map. Mayor Harvey stated the neighbors need to be aware of the request to re-zone the property.

MUNICIPAL ELECTION STAFF: Mayor Harvey stated the next item of business is the approval of the 2019 Municipal Election Staff. Mayor Harvey stated the proposed members are:

- Election Superintendent-Angie White
- Poll Manager-Deborah Moore
- Assistant Poll Manager-Mary McDaniel
- 2nd Assistant Poll Manager-Jill Durham
- Poll Worker-Vickie Dawson
- Poll Worker-Preeya Fain

Council Member Earl H. Parris made a motion to approve the Election Staff for the November 5, 2019, Municipal Election. Council Member David Ford seconded the motion, which carried unanimously.

REQUEST FOR PROPOSALS-SOLID WASTE: Mayor Harvey requested City Attorney Albert Palmour and City Manager Janice Galloway to open the Request for Proposals (RFP) for solid waste services. City Attorney Palmour stated the first RFP is from Wright's Sanitation, LLC., with a group of pricing of a total combined monthly rate of \$36.45. City Attorney Palmour reviewed the break down of the combined monthly rate. City Attorney Palmour also reviewed the price breakdown for front-load service, commercial cart service, roll-off service, and compact containers. City Attorney Palmour stated Wright's Sanitation provided all information necessary under the bid specifications. A copy of the bid is attached and becomes part of the minutes.

City Attorney Albert Palmour stated the next bid is from Santek Waste Services. City Attorney Palmour stated the combined rate of \$27.69 monthly. City Attorney stated a breakdown is included for front-load service, commercial cart service, roll-off service, and compact containers. City Attorney Palmour stated it appears that all bid specifications have been met. City Attorney Palmour stated the RFP has an alternative proposal, requesting the contract begin November 1, since the City of Summerville does not own the current carts, or the residents could leave bagged trash out for pick-up.

City Attorney Palmour stated both companies requested a copy of the competitor bids.

Mayor Harvey asked the staff to review the bids and make a recommendation prior to the next meeting.

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COOSA VALLEY COMMUNICATIONS –POLICE CAR: Mayor Harvey stated the next item of business is to consider approving Coosa Valley Communications, Inc. to equip the 2019 Police Department Explorer for \$6185. Mayor Harvey asked Chief Stan Mosley to provide more information on this item. Chief Mosley explained this would be all of the essentials needed to equip the new Explorer. Council Member David Ford made a motion to approve Coosa Valley Communications, Inc to equip the 2019 Explorer for \$6,185. Council Member Earl H. Parris seconded the motion, which carried unanimously.

2019 POLARIS RANGER: Mayor Harvey asked Terry Tinney to provide more information on this item. Terry explained the 2019 Polaris Ranger would be used by the Gas, Water, and Sewer departments to check sewer and gas lines. Council Member Earl H. Parris made a motion to approve the purchase of the Polaris Ranger for \$7,797. The motion was seconded by Mayor Pro Tem Lloyd "Buddy" Windle and carried unanimously.

DISCUSSION-REPAIR OF FIRE TRUCK: Mayor Harvey asked City Manager Janice Galloway to provide more information on the repairs needed to the fire truck due to Chief Lathem's absence from the meeting. Janice explained the fire truck has a blown head, and there is an issue with the computer on the truck. Mayor Harvey stated more information is needed before taking action. Council Member Earl H. Parris asked if the truck is out of service at this time. Janice stated, "Yes." Janice explained the fire department has a backup truck if needed.

EXECUTIVE SESSION - OPEN: Mayor Harvey stated an Executive Session is needed to discuss personnel, land acquisition, and disposal of property. Council Member David Ford made a motion to close the regular meeting and enter into Executive Session. Council Member Zachary Martin seconded the motion, which carried unanimously. The regular meeting was closed at 6:09 p.m.

EXECUTIVE SESSION-CLOSED: Mayor Harvey stated the Executive Session is closed, and no action was taken.

REGULAR MEETING-OPEN: Mayor Harvey re-opened the regular meeting at 6:29 p.m.

PUBLIC COMMENTS: Mayor Harvey asked for public comments. No questions or concerns were addressed.

Public Works Director Terry Tinney reminded everyone, smoke testing on the city sewer lines would begin on Monday, September 23, 2019.

ADJOURN: With all business concluded, Mayor Pro Tem Lloyd "Buddy" Windle made a motion to adjourn. Council Member Zachary Martin seconded the motion, which carried unanimously. The meeting was adjourned at 6:30 p.m.

HARRY HARVEY – MAYOR

ANGIE WHITE – CITY CLERK

Attest:

