



CITY OF SUMMERVILLE REGULAR COUNCIL MEETING OCTOBER 12, 2020 5 PM

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

ROLL CALL: Mayor Harry Harvey gave roll call. Council Members David Ford, Dana W. Mosley, Kristy L. Dennis, Joe Money, Jr., and Zachary Martin were present. Also present were City Manager Janice Galloway and City Attorney Albert Palmour.

INVOCATION: Mayor Harvey gave the invocation.

PLEDGE OF ALLEGIANCE: Council Member Dana W. Mosley. led the pledge of allegiance.

AGENDA: Mayor Harvey asked if there are any additions or deletions needed to the agenda. With no changes requested, Council Member Joe Money, Jr. made a motion to approve the meeting agenda as presented. The motion was seconded by Council Member David Ford and carried unanimously.

INTRODUCTION OF GUEST: Mayor Harvey welcomed both online attendees and in-person visitors to the meeting and offered visitors the opportunity to speak. Mayor Harvey requested visitors limit their remarks to three to five minutes.

ANNOUNCEMENTS: Mayor Harvey gave the following announcements:

- A planning session is scheduled for October 19, 2020, at the Summerville Recreation Center. Visitors can attend in person or virtually.
- Regular Council Meetings are held on the 2nd Monday of the Month at 5:00 p.m.

REPORTS AND PRESENTATIONS

CITY ATTORNEY: City Attorney Albert Plamour stated he would participate in the discussion of items E, F, G, and possibly O, if necessary.

CITY MANAGER: Mayor Harvey requested City Manager Janice Galloway to provide the monthly financial report. Janice reported a balance of \$2,513,923 in the operating account at month-end. A copy of the financial report is attached and becomes part of the minutes.

OLD BUSINESS

AWARD TERMITE AND PEST CONTROL BID: Mayor Harvey requested City Manager Janice Galloway to provide more information on this item. City Manager Galloway explained the only bid received was from Coosa Valley Exterminating, and after reviewing the bid, Coosa Valley would be cheaper after the initial termite treatment than what the city is currently paying to Cook's Pest Control. City Manager Galloway reviewed the price comparisons on a yearly basis between the two companies. Mayor Harvey asked the staff for a recommendation. City Manager Galloway stated her recommendation would be Coosa Valley Exterminating. Council Member Joe Money, Jr. made a motion to award the Termite and Pest Control Bid to Coosa Valley Exterminating. The motion was seconded by Council Member David Ford, and carried unanimously.

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NEW BUSINESS

MINUTES: Mayor Harvey stated approval is needed for the minutes from the previous meeting. Council Member David Ford made a motion to approve the meeting minutes. The motion was seconded by Council Member Kristy L. Dennis and carried unanimously.

PRESENTATION – SOPHIA PRICE: Mayor Harvey explained Sophia Price, President of the Chattooga County BeeKeeper Association, will make a presentation concerning a proposed pollinating teaching garden at Willow Springs Park. Ms. Price presented a PowerPoint presentation focusing on the large overgrown planter in Willow Springs Park. Ms. Price explained Chattooga County Beekeepers could apply for funds to use as an educational or community opportunity from the State of Georgia Beekeepers. Ms. Price stated if the Chattooga County Beekeepers apply to utilize the funds, it would cost the City of Summerville absolutely nothing to renovate the planter in Willow Springs Park. Ms. Price explained the Chattooga County Beekeepers would apply for the funds, and once awarded the funds, and the beekeepers would have everything needed to renovate the planter, including the soil, soil amendments, seeds, shrubs, and plants. Ms. Price explained the beekeepers could begin in February, and pollinators would be visible by May. Ms. Price explained the City of Summerville could help by removing the overgrown shrubbery from the park. Mayor Pro Tem Zachary Martin asked if the Grant is guaranteed. Ms. Price stated, "Once the money is approved, then yes." Council Member David Ford asked how much upkeep would be involved. Ms. Price stated, "Very little because it will be a perennial garden." Mayor Harvey asked if the garden would be limited to the planter. Ms. Price stated, "Yes." Mayor Harvey asked what the garden would look like in the winter. Ms. Price explained in the wintertime, and it would die back because it is not an evergreen, it is a pollinator garden, and it will bloom in the spring and have a continuous bloom until frost. Mayor Harvey stated he is concerned about upkeep. Ms. Price explained there would not be a lot of upkeep. Dan Little asked how much watering would it require. Ms. Price stated, "It is very little, because most of the plants are drought-tolerant, and it is in a raised planter." Susan Locklear asked if an arbor or decorative piece could be used in the garden. Ms. Price explained a beekeeper had volunteered an A-Frame hive for display and signage that could be used for educational purposes. City Manager Janice Galloway asked if pansies could be used for color in the winter. Ms. Price stated, "Pansies could be used to fill in and give color." Mayor Harvey stated his main concern is what it will look like in the winter and in the next five years. Ms. Price explained it is a very low maintenance project, and her recommendation is dwarf plants and shrubbery. Council Member Joe Money, Jr. commented, anything would be an improvement. Council Member Joe Money, Jr. made a motion to approve creating a pollinating teaching garden at Willow Springs Park Council Member Dana W. Mosley seconded the motion, which carried unanimously. Mayor Harvey requested a copy of the plans for the park.

EXCAVATOR: Mayor Harvey stated the next item for consideration is to lease, with the option to purchase a Caterpillar Excavator model# 313GC. Mayor Harvey explained the monthly lease would be \$4,800, with a purchase price of \$138,758. Mayor Harvey requested City Manager Janice Galloway and Public Works Director Terry Tinney to provide more information. Terry explained he received a lower price late Friday on a Kobelco Excavator. The monthly rental fee would be the same as the Caterpillar, but it has a lease to purchase option. Terry explained 100% of the six-month rental fee could be deducted from the purchase price, leaving a balance due of \$102,430 after six months, should the city decide they would like to purchase the excavator. Terry stated this purchase could be used as part of the fine the city will have to pay under the Consent Order, or if the city decided to finance, it would be zero interest for fifty-four months. Terry stated an environmental fee of \$96 would be charged monthly during the six-month lease, but if the city decided to purchase, the \$96 monthly fee would come off the purchase price.

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EXCAVATOR CONT: Council Member Joe Money, Jr. asked what the excavator would be used for. Terry stated, "We are going to finish the waterline, then start working on the sewer." Council Member David Ford asked how much it would be to purchase. Terry stated, " \$131,230, but the rental money for six months can be paid out of grant money." Council Member David Ford asked if there was a difference in horsepower. Terry stated, "The Kobelco is 105 hp, and the Caterpillar is 73 hp." Council Member David Ford made a motion to lease the Kobelco Excavator for six months, for \$4,800 monthly, with the option to purchase after six months. Council Member Dana W. Mosley seconded the motion, which carried unanimously.

BID OPENING RIGHT-OF-WAY MOWING: Mayor Harvey stated the next item for business is the bid opening for right-of-way mowing. City Attorney Albert Palmour opened the bid from Tim Westbrooks. City Attorney Palmour explained the bid amount is \$11,500, and Mr. Westbrooks would like to collect half the money at the halfway point when mowing. City Attorney Palmour noted a check for \$600 is included to comply with bid requirements. City Attorney Palmour stated the next bid is from Spartan Mangement, LLC. City Attorney Palmour stated a certificate of liability insurance and appropriate bid documents are included with the bid, and the bid amount is \$8,800, with the option for Spartan Management, LLC. to remove and dispose of trees on the right-of-way for \$25 per tree, but it is not a requirement of the bid. Council Member Dana W. Mosley asked if the city would need to request the tree removal and not something the company does on their own. Terry stated, "Whatever trees are down, they can just push them to the side." City Attorney Palmour recommended that staff review the bids and make a recommendation to Council. Council Member Dana W. Mosley asked where Spartan Management, LLC. was located. Terry stated, "Around Marietta." Council Member Mosley asked if Mr. Westbrooks was local. Terry stated, "From Walker County." Mayor Harvey requested staff to make a recommendation at the next meeting.

SETBACK REQUEST FOR 10601 COMMERCE ST: Mayor Harvey explained that the next item for business is to consider approving a rear setback change from 20ft to 5ft from the rear property line to the building at 10601 Commerce Street. Code Enforcement Office Joey Norton explained Mr. Greg Wyatt is remodeling the building and would like to extend the back of the building for an additional work area, which requires a setback reduction from a 20ft setback to a 5ft setback. Joey explained Mr. Wyatt is asking permission to move a retaining wall back to within 5ft of the property line. Council Member David Ford asked if this was due to a City Ordinance. Joey stated, "Yes, it is in the Ordinance." Council Member Ford asked if he is asking for a variance. Joey stated, "Correct." Joey explained it has been posted two weeks on-site and run in The Summerville News. Mayor Harvey asked if there is any opposition from the neighbors or property owners. Joey stated, "The only neighbor would be Joseph Jackson, and he would not be opposed to people looking at cars." Mayor Harvey asked if the Summerville Housing Authority had any objections. Joey stated, "As far as I know, Ms. Regina from the Housing Authority has not objected because it will not change her landscape at all." Council Member Dana W. Mosley asked if extending the building would be a fire hazard. Joey stated, "No, a building can not be closer than 3ft to a property line." Mayor Harvey asked for a recommendation from Joey. Joey stated, "I don't have an issue with it." Council Member Mosley asked if there would be an issue with a sewer or water line. Terry Tinney stated, "No." Council Member Joe Money, Jr. asked if it had been posted and advertised correctly. Joey stated, "Yes." Council Member David Ford made a motion to approve a rear setback change from 20ft to 5 ft from the rear property line to a building located at 10601 Commerce St. Council Member Joe Money, Jr. seconded the motion, which carried unanimously.

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10601 COMMERCE ST. SIGN REQUEST & VARIANCE CHANGE: Mayor Harvey stated the next item of business is to consider approving a sign variance change from a maximum of 2ft above a roofline to allow a maximum of 10ft for one sign located at 10601 Commerce St. Code Enforcement Office Joey Norton explained the ordinance states a sign cannot project more than 2ft above a roof or building, and the owner, Mr. Greg Wyatt is asking for a variance. Joey explained the proposed sign would be 9.6 ft or 9.8 ft above the roofline. Joey noted Mr. Wyatt is trying to restore the building to its original condition. Council Member David Ford made a motion to approve the sign variance change from a maximum of 2ft above a roofline to allow a maximum of 10ft for one sign located at 10601 Commerce St. Mayor Pro Tem Zachary Martin seconded the motion, which carried unanimously.

AUTHORIZE CITY MANAGER TO SIGN SETTLEMENT AGREEMENT FOR WELL SITE #1 PROPERTY: Mayor Harvey stated the next item of business is to authorize the City Manager to sign the settlement statement for the purchase of well site #1 property and the payment to Hancock Timberland VIII, Inc. in the amount of \$27,375. Mayor Harvey requested City Manager Janice Galloway and City Attorney Albert Palmour to provide more information on this item. City Manager Janice Galloway stated the total purchase price was \$27,375. Mayor Harvey asked how many acres did that include. Janice stated, "1.407 acres plus the easement." Council Member Joe Money, Jr. made a motion to authorize the City Manager to sign the settlement statement for the purchase of well site #1 property and the payment to Hancock Timberland VIII, Inc. in the amount of \$27,375. The motion was seconded by Council Member Kristy L. Dennis and carried unanimously.

APPROVE PAYMENTS TO THE FOLLOWING: Mayor Harvey stated approval is needed to the following for water usage:

- Chattooga County Water in the amount of \$13,965.29 – well #7 water usage
- Town of Trion in the amount of \$16,482.80 – Hays State Prison water usage

Council Member Joe Money, Jr. asked City Manager Janice Galloway when test results would be in on the carbon filters. City Manager Janice Galloway after initial test results come back, it will be about a month. Council Member David Ford made a motion to approve payments to Chattooga County Water and Town of Trion. Council Member Dana W. Mosley seconded the motion, which carried unanimously.

PURCHASE OF 16-INCH DUCTILE PIPE AND FITTINGS FROM FERGUSON WATERWORKS: Mayor Harvey stated the next item of business is to approve the purchase of a 16-inch ductile iron pipe from Ferguson Waterworks, the low bidder in the amount of \$54,824. Mayor Harvey requested Utilities Director Terry Tinney to provide more information on this item. Terry explained the pipe and fittings are part of the new water transmission line, and this particular pipe and fittings will be used at creek crossings. Council Member Dana W. Mosley made a motion to approve the purchase of a 16-inch ductile iron pipe from Ferguson Waterworks, the low bidder, in the amount of \$54,824. The motion was seconded by Kristy L. Dennis and carried unanimously.

PURCHASE OF 2000 FT OF 16-INCH PVC PIPE AND FITTINGS FROM FERGUSON WATERWORKS: Mayor Harvey stated the next item of business is to approve the purchase of 2000 ft of 16-inch PVC pipe and fittings from Ferguson Waterworks in the amount of \$60,628.36. Council Member David Ford made a motion to approve the purchase of 2000 ft of 16-inch PVC pipe and fittings from Ferguson Waterworks in the amount of \$60,628.36. Mayor Pro Tem Zachary Martin seconded the motion, which carried unanimously.

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DESIGNATE CITY OF SUMMERVILLE AS THE FRIENDSHIP CAPITAL OF THE WORLD: Mayor Harvey stated the next item of business is to consider designating the City of Summerville as the Friendship Capital of the World. Mayor Harvey asked for discussion from Council. Council Member David Ford explained Mr. John Turner has worked with Paradise Gardens and Coca Cola to promote this for the city. Council Member Ford stated he thinks this would add great marketing value to the City of Summerville. Council Member Dana W. Mosley commented she would like Mr. John Turner to attend a meeting to provide more information. Council Member Joe Money, Jr. stated it would be good if Mr. Turner could provide a good explanation of the flag and its meaning. Council Member David Ford stated he would see if Mr. Turner would attend the planning session next week. Mayor Pro Tem Zachary Martin made a motion to table this item. Council Member Dana W. Mosley seconded the motion, which carried unanimously.

POLICE DEPARTMENT VEHICLES: Mayor Harvey stated the next item of business is to approve the purchase of four vehicles for the Summerville Police Department in the amount of \$52,600. Mayor Harvey requested City Manager Janice Galloway and Police Chief Stan Mosley to provide additional information. City Manager Galloway explained \$55,000 was allocated in the budget, and the Police Department was able to purchase four vehicles for \$52,600. Council Member Kristy L. Dennis made a motion to approve the purchase of four police vehicles in the amount of \$52,600. The motion was seconded by Council Member David Ford, and carried unanimously.

2016 FORD EXPLORER 4X4 – POLICE DEPARTMENT: Mayor Harvey stated the next item for business is to consider approving the purchase of a fifth vehicle, a 2016 4x4 Ford Explorer from Trucktown, for the Police Department in the amount of \$15,000. Mayor Harvey stated \$2,400 would apply from the remaining \$55,000 approved on September 14, 2020, leaving the remainder of \$12,600 to be paid from SPLOST. Chief Mosley stated he is requesting approval from Council to purchase the fifth vehicle from Trucktown. Mayor Pro Tem Zachary Martin asked if SPLOST money could be used to equip the vehicle. Mayor Harvey stated, "Yes." Council Member David Ford made a motion to purchase a 2016 4x4 Ford Explorer from Trucktown, in the amount of \$15,000, to be paid from SPLOST. Mayor Pro Tem Zachary Martin seconded the motion, which carried unanimously.

ANNUAL CHRISTMAS PARADE: Mayor Harvey explained a date needs to be set for the annual Christmas Parade. Mayor Harvey reminded everyone as discussion takes place to keep in mind, we are still amid a pandemic, and it could be worse at that time. Mayor Harvey explained a proposal had been made to have a reverse Christmas Parade. Mayor Harvey asked City Manager Janice Galloway to provide more information on this item. City Manager Galloway explained Main Street Street Director Susan Locklear has recommended a reverse Christmas Parade, with the floats parked on Washington St and possibly around Dowdy Park. City Manager Galloway explained this would allow people to view the floats from their cars, so there would not be any contact, and the number of people on a float would be limited to ten people. Susan stated a reverse parade is a safer way to have a parade, rather than not having one. Susan explained the floats would be parked long ways in the parking spots, and Saturday, December 5, would be the preferred date so that it does not interfere with businesses. Susan reviewed the route and times for the parade.

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ANNUAL CHRISTMAS PARADE CONT: Susan explained she would like to hold a scavenger hunt downtown, visits with Santa, and a Mistle Toe Market in Dowdy Park with a limited number of vendors while following CDC Guidelines. Mayor Harvey voiced concerns about holding a Mistle Toe market and the number of participants that it may draw. Mayor Harvey asked Susan how much distance would be between vendors. Susan stated, "They could be 20 to 25 ft from each other." Susan stated she would provide more information on the Mistle Toe Market at the Special Called Meeting on Monday. Council Member David Ford made a motion to approve the date of Saturday, December 5, 2020, for the annual Christmas Parade. Council Member Joe Money, Jr. seconded the motion, which carried unanimously.

EXECUTIVE SESSION – OPEN: Mayor Harvey stated an Executive Session is needed to discuss personnel, possible litigation, and land acquisition. Council Member Joe Money, Jr. made a motion to enter into Executive Session. Council Member David Ford seconded the motion, which carried unanimously. The regular meeting was closed at 6:22 p.m.

EXECUTIVE SESSION – CLOSED: Mayor Harvey closed the Executive Session and re-opened the regular council meeting at 7:59 p.m. Mayor Harvey stated no action was taken on land acquisition.

EXECUTIVE SESSION-PERSONNEL: Mayor Harvey reported the City Manager evaluation was conducted and was satisfactory. Mayor Harvey stated she had done an exceptional job during the pandemic. Mayor Harvey noted the City Manager's contract would be reviewed by the end of the month.

EXECUTIVE SESSION-LITIGATION: Mayor Harvey read a Resolution regarding The City of Summerville water supply and legal action. Mayor Harvey stated the Resolution would be effective October 12, 2020. Mayor Harvey asked for discussion from Council. Council Member Dana W. Mosley made a motion to adopt the Resolution and put it into effect. The motion was seconded by Council Member David Ford, and carried unanimously. A copy of the Resolution is attached and becomes part of these minutes.

PUBLIC COMMENTS: Mayor Harvey asked for public comments. Jason Espy, with *The Summerville News*, asked if this would be a Federal or State Lawsuit. City Attorney Albert Palmour responded with a nod. Jason asked if it would be a class-action lawsuit. City Attorney Palmour stated, "I don't know yet."

ADJOURN: With all business concluded, Council Member Kristy L. Dennis made a motion to adjourn. The motion was seconded by Council Member Dana W. Mosley and carried unanimously. The meeting was adjourned at 8:06 p.m.

HARRY HARVEY – MAYOR

Attest:

ANGIE WHITE – CITY CLERK