



CITY OF SUMMERVILLE REGULAR COUNCIL MEETING NOVEMBER 14, 2022 5 pm

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

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

INVOCATION: Mayor Harvey gave the invocation.

PLEDGE OF ALLEGIANCE: Council Member Joe Money, Jr. led the pledge of allegiance.

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

PROCLAMATION FOR BRIDGET HOPKINS, DVM: Mayor Harvey read and presented Bridget Hopkins, DVM, with a proclamation recognizing her dedication to the Summerville Veterinarian Clinic. Dr. Hopkins thanked everyone for supporting her business through the years. A copy of the proclamation is attached and becomes part of these minutes.

WELCOME: Mayor Harvey welcomed visitors to the meeting. Mayor Harvey requested visitors introduce themselves, sign the visitor sheet, and limit their comments to three to five minutes.

REPORTS AND PRESENTATION

MAIN STREET – SUSAN LOCKLEAR: Main Street Director Susan Locklear reported she organized a quilt show that was held in Summerville October 8-9, a Trains and Tracks Expo on October 15-16. Susan discussed workshops and webinars she attended. A copy of Susan's report is attached and becomes part of these minutes.

CODE ENFORCEMENT – JOEY NORTON: Joey reported work continues on property maintenance cases, and a copy of the building permits sold is included in the agenda packets. A copy of Joey's report is attached and becomes part of these minutes.

WASTEWATER TREATMENT PLANT – CHRIS TUGGLE: Chris reported 24.7 million gallons of wastewater was treated for an average of 8 million a gallon a day, 18 tons of dry sludge was removed from the plant during the month of October, and 2.73 inches of rainfall was recorded at the plant. A copy of the wastewater report is attached and becomes part of these minutes.

PUBLIC WORKS – TERRY TINNEY: Terry reported his departments worked 78 water and sewer complaints, 335 locates, cleaned out Town Creek, worked on the well site, picked up trash, and started the relocation of the water line on Hwy 48. A copy of the Public Works report is attached and becomes part of these minutes.

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RECREATION DEPARTMENT – BO CHAMLEE: Bo reported fall sports had wrapped up, and signups for basketball will end on November 14, 2022. Bo announced that Atlas Roofing had installed the new roof on the Summerville Recreation Department. A copy of Bo's report is attached and becomes part of the minutes.

POLICE – HAROLD TUCKER: Chief Tucker reported his department patrolled 6,734 miles, issued 55 citations, collected \$3,596, and answered 555 calls for the month. A copy of the Police report is attached and becomes part of these minutes.

FIRE DEPARTMENT-ROBBIE LATHAM: Robbie reported the fire department completed three nights of training for 70 hours, assisted Cloudland Fire Dept with live fire training, and completed a fire prevention training for Pre-K through 1st grade, with 300 kids and 50 adults participating. A copy of Robbie's report is attached and becomes part of these minutes.

CITY MANAGER: Mayor Harvey provided the City Manager report and explained work has started on the mid-year budget. Mayor Harvey stated we would like to have the budget completed by January 1. If not, we will continue to operate under the current budget. Mayor Harvey reported a month-end balance of 1,839,299.03 in the operating account. Mayor Harvey announced the City received the second portion of the ARPA funds of \$792,245. In addition, Mayor Harvey reported a balance of \$1,545,146 in the restricted cash fund.

Mayor Harvey asked for questions or comments.

Council Member David Ford reported the traffic light on Highland Ave is missing the green light. Terry Tinney stated we are waiting on one from GDOT.

NEW BUSINESS

MINUTES: Mayor Harvey stated approval is needed for the October council meeting minutes. Council Member Dana W. Mosley made a motion to approve the meeting minutes. Mayor Pro Tem Zachary Martin seconded the motion, which carried unanimously.

BID OPENING – RIGHT OF WAY MOWING: Mayor Harvey asked Public Works Director Terry Tinney to provide more information on this item. Terry explained only one bid was submitted for mowing the 29 miles of gas right-of-way. City Attorney Albert Palmour announced the submitted bid was from Tim Westbrook for \$12,000, and no other enclosures were submitted with the bid. Mayor Harvey requested staff review the bid and make a recommendation at the next council meeting.

BID OPENING – PRODUCTION WELL #1: Mayor Harvey stated the next item of business is the bid opening for production well #1 to be conducted by Carter & Sloope Engineer Chad Sipe. Chad explained he needed to contact USDA Representative Tamika Lewis before opening the bids so she could attend via phone. Chad explained there were three plan holders, but only one bid was submitted. Additionally, Chad noted Eckardt Group and Hand Service Company, Inc. did not submit a bid. Chad announced a bid was submitted from Tado Construction from Marietta. Chad explained a ten percent bid bond from Fidelity and Deposit Company of Maryland was provided, with a total base bid of \$2,330,765,00. Chad explained the bid would be evaluated and noted the bid was more than the available funding. Chad stated we will look to see if we can reduce the scope and talk with the bidder to see if we could pull the project cost down. We can also look at other funding options. Mayor Harvey asked how long it would take to evaluate the bid. Chad stated it will probably take 30 to 45 days.

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DISCUSS TA SIDEWALK GRANT: Mayor Harvey asked Chad Sipe to provide more information on this item. Chad explained the Council approved Carter & Sloope to complete the application on the premise we would be able to assist the community in administering the project, and it got funded. GDOT informed us when the applications were due, and the community consultant would not be involved in the project; GDOT's on-call consultant would be doing all the engineering, so, unfortunately, Carter & Sloope is not involved moving forward with this project. GDOT will be using Atlas One. It is an 80% grant with a 20% local match for preliminary engineering only. Chad stated we will be glad to assist from a consulting point of view, but we will not be involved in the engineering and permitting. Chad noted the fee that is shown on the application is a Carter & Sloope fee, not an Atlas One fee, if they are honoring it, that's fine, but you need to clarify that. Mayor Harvey explained the 80/20 grant is based on \$612,000, which means the City would have to come up with \$122,000 if we move forward. Mayor Harvey explained if the City moves forward, new sidewalks would be installed in the Hwy 100 area from the Recreation Center to the Summerville Middle school, NW Congress St to Hwy 27, and the Highland Ave area for a total of about 2.1 miles of sidewalks. Mayor Harvey noted it would be done in three phases. Mayor Harvey requested Finance Director Carla Rutledge and Public Works Director Terry Tinney to provide additional information. Terry stated each phase is a hefty amount, and we are responsible for 20% of each phase. Carla stated an email was received today, and an estimated match for the City would be between \$180,000 and \$280,000, and this would not include utility relocation or land acquisition. Mayor Harvey asked if this is just for phase one. Carla stated it didn't specify, but the City of Summerville project expenses could be between \$900,000 to \$1,400,000, with a five-year timeframe from breaking ground. Mayor Harvey asked for questions or comments from Council. Chad asked if you pay this amount are you locked in for the construction grant? Mayor Harvey stated, "No." Mayor Harvey stated we need to get more concrete information. It sounds like a great grant. We have been talking about sidewalks for many years.

MOBILE HOME REQUEST – 95 JONES ST: Mayor Harvey requested Code Enforcement Officer Joey Norton to provide additional information on this item. Joey explained a property owner is requesting approval to move a new two-bedroom, one-bath mobile home to 95 Jones St. Joey explained currently, the property has a house that is falling in, and the property owner plans to remove the existing structure. Joey stated the property is zoned R-2, which allows mobile homes, so it will not need to be re-zoned. Joey stated it is not an overly large mobile home, it is very tiny, but it does need Council approval. City Attorney Albert Palmour stated R-2 zoning requires Council to approve any mobile home request. City Attorney Palmour explained the Council acts as the zoning board of appeals, and you are not permitted to put a mobile home in R-2 unless you get Council approval. Joey explained it has been done both ways over the last eleven years. Sometimes I approved them if it was zoned for mobile homes and didn't need special considerations or variances, but several years ago, it was brought up it may need to go back to the ordinance guidelines. City Attorney Palmour interjected, stating I'm not sure I agree on that, Mayor. If you are going to allow mobile homes on the property, which don't currently have a mobile home, the adjacent property owners should have the right to object and make their voices known as to whether they are in favor or not in favor of the change in the character of the homes adjacent to them. City Attorney Palmour continued I think it is a zoning change and a conditional use that you are allowing and need permission from adjacent property owners. Mayor Harvey asked City Attorney Palmour if this needs to be advertised or at least check with the adjacent property owners. City Attorney Palmour stated I think we need to notify the adjacent property owners and see if they object to a mobile home. Mayor Harvey requested Joey to speak with the adjacent property owners. Mayor Harvey requested City Attorney Palmour to look at the existing ordinance for the procedures that must be followed.

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ANNUAL CHRISTMAS BONUS: Mayor Harvey stated the next item of business is to consider approving the annual employee Christmas bonus. Mayor Harvey explained full-time employees would receive \$300, and part-time employees and volunteers would receive \$150. Mayor Harvey asked finance director Carla Rutledge for a final cost for the bonuses. Carla stated the total cost would be \$32,106.61, which includes social security. Council Member Rickey Hughes made a motion to approve annual Christmas bonuses in the amount of \$300 for full-time employees and \$150 for part-time employees and volunteers. The motion was seconded by Council Member David Ford and carried unanimously.

EUGENE MCGINNIS – CHATTOOGA COUNTY BOARD OF HEALTH: Mayor Harvey stated the next item of business is to appoint Eugene McGinnis to the Chattooga County Board of Health for a six-year term. Council Member David Ford made a motion to appoint Eugene McGinnis to the Chattooga County Board of Health. The motion was seconded by Council Member Dana W. Mosley and carried unanimously.

BIOCONVERSION TECHNOLOGY: Mayor Harvey stated approval is needed to purchase PAC from BioConversion Technology for the wastewater treatment plant in the amount of \$7,049. Council Member David Ford made a motion to approve payment of \$7,049 to Bio Conversion Technology. The motion was seconded by Council Member Joe Money, Jr. and carried unanimously.

CONSOLIDATED PIPE: Mayor Harvey stated the next item of business is to approve the purchase of large pipe fittings from Consolidated Pipe in the amount of \$12,112, to be paid from water maintenance and materials. Council Member Joe Money, Jr. made a motion to approve payment of \$12,112 to Consolidated Pipe for pipe fittings. Council Member Rickey Hughes seconded the motion, which carried unanimously.

REALLOCATION OF SPLOST FUNDS FOR THE SUMMERVILLE RECREATION DEPARTMENT: Mayor Harvey stated the next item of business is to approve the reallocation of \$7,000 in SPLOST funds remaining from the installation of a new roof at the Summerville Recreation Department to the installation of a heater at Dewey Hoskins Gym for \$3,400 and the installation of a new scoreboard at the Summerville Recreation Department for \$3,600. Mayor Harvey requested Bo Chamlee to provide additional information on this item. Bo explained \$35,000 was allocated for the roof installation, and the total job cost was \$28,000, which saved \$7,000. Bo continued a heater is needed at Dewey Hoskins, and Coke donated a scoreboard, but the City would be responsible for wiring it up. Bo added once the scoreboard is hooked up, and Coke will repair it at no cost. Mayor Pro Tem Zachary Martin motioned to approve the reallocation of \$7,000 in SPLOST funds to purchase a heater for Dewey Hoskins Gym and install a new scoreboard at the Summerville Recreation Department. The motion was seconded by Council Member Dana W. Mosley and carried unanimously.

RODNEY BRIGHT CONSTRUCTION: Mayor Harvey stated the next item of business is to approve payment of \$48,000 to be paid from SPLOST to Rodney Bright Construction for the installation of a new fence on Dunson Field. Mayor Harvey requested Bo Chamlee to provide more information on this item. Bo explained that the fence is in bad shape and needs to be replaced. Bo stated it would be black-coated wire and will not rust or deteriorate in the weather. Council Member Dana W. Mosley asked Bo how long will it take to install it. Bo stated it wouldn't take long once he gets the material. Council Member David Ford made a motion to approve payment to Rodney Bright Construction in the amount of \$48,000 for the installation of a new fence on Dunson field. The motion was seconded by Council Member Rickey Hughes and carried unanimously.

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PURCHASE OF VEHICLES: Mayor Harvey stated approval is needed to purchase vehicles not to exceed \$71,113.33 for the gas and street department. Mayor Harvey requested Terry Tinney to provide additional information on this item. Terry explained the vehicles would be purchased from SPLOST funds and the items were included in the budget. Terry explained he purchased a Ford F250 service truck and a Chevrolet Colorado, and I have two more trucks with the engines down, so we are just getting by with what we can. Mayor Harvey asked how many trucks do you expect to buy. Terry stated, "I think we can buy three." Council Member David Ford asked what is wrong with the motors. Terry stated, "Rods knocking." Council Member Rickey Hughes made a motion to approve the purchase of vehicles not to exceed \$71,113.33 from SPLOST funds. The motion was seconded by Council Member Joe Money, Jr. and carried unanimously.

FINANCING OPTIONS FOR THE NEW FIRE TRUCK: Mayor Harvey stated the next item of business is to approve financing options for the fire truck and authorize the Mayor to sign the necessary documents. Mayor Harvey stated two banks had provided financing information. Mayor Harvey requested Finance Director Carla Rutledge to provide additional information on this item. Carla reported Truist Bank, formerly BB&T Governmental, provided two options, the first option is an annual payment of \$127,721.41, or the second option is a monthly payment of \$10,469.22. Carla noted you would save a little money by paying it monthly. Carla reported the interest rate would be 4.27% with either option. Carla explained First National bank provided an interest rate for annual payments of 5.79% with an overall finance charge of \$188,952.44 compared to Truist's overall finance charge of \$120,414.48. Carla noted the cheapest way to go would be with the monthly payment, but the payments would begin this fiscal year. Mayor Harvey questioned if annual payments were selected and when those payments would begin. Carla stated, "November or December of 2023." Mayor Harvey stated if we were going to do this, it would or should involve increasing the fire fee. Mayor Harvey stated information concerning increasing the fire fee has been provided. Mayor Harvey recommended the annual payments, but covering that would require an increase in fire fees between 20%-25%. Mayor Harvey explained the fire department had provided information and recommendations on the increase. Mayor Harvey stated some funds are available in the restricted fund to supplement the payment for the fire truck. We need at least a \$9,000 to \$10,000 increase per month. Mayor Harvey stated we need suggestions so it can be added to the mid-year budget. Mayor Harvey asked Finance Director Carla Rutledge when the financial institution would need to know the option selected. Carla stated, "They have to have all of the paperwork signed and returned by the end of December, but due to the holidays, it would be better if it was back before Christmas." Mayor Harvey asked if this was for Truist. Carla stated, "It is for Truist." Mayor Harvey asked about the options from First National Bank. Carla stated, "I haven't spoken with them. Ms. Galloway was handling First National." City Attorney Albert Palmour asked if we borrow money from Truist can we pay interest as we drawdown the money? Carla responded, stating they put the payments in an account and don't care when you make the payments. It is an automatic loan you start repaying. Mayor Harvey asked for questions from Council. Mayor Harvey stated we will have a mid-year budget meeting to firm up the fire rates. A discussion was held as to when the interest and payments would begin if the Council selected Truist as the financial institution. Mayor Harvey asked Carla what the monthly interest was. Carla stated, "\$2,778." Mayor Harvey stated that would give us an idea of how much interest we will be paying the first year. The annual payments will be different but not drastically different. Carla stated for yearly payments, the interest would be \$18,321.47 for the fiscal year. Mayor Harvey discussed the options for the payments, budgeting, and the proposed rate increase that will be needed. Mayor Harvey asked for questions, comments, or concerns from Council. Mayor Harvey asked Council to review the information that had been provided.

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SUMMERVILLE CEMETERY: Mayor Harvey stated the next item of business is to discuss options for the Summerville Cemetery. Mayor Harvey explained the Cemetery Corporation had presented two options to the Mayor and Council. Mayor Harvey read the following options:

OPTION ONE: The City of Summerville would accept a conveyance from the Summerville Cemetery Corporation of all lands and lots that it currently owns, together with any funds located in our bank account and all rights in the Summerville Cemetery. Thereafter, the City would operate the cemetery as a city-owned facility, and the City would receive all funds from the sale of lots and any additional funds they may raise from proposed fees or other income.

OPTION TWO: The City of Summerville would continue to contract with the Summerville Cemetery Corporation for our maintaining your portion of the Summerville Cemetery in providing maintenance and grass cutting through this agreement. The City would increase its payment under this contract to \$35,000 per year and the additional cost of removal of any dead trees or trees struck by lightning at City expense. Additionally, the City would fund an initial cleanup and removal of brush and debris from the cemetery as a one-time cost of whatever bid price was deemed agreeable by the Cemetery and the City, probably in the range of \$5,000 to \$10,000 initially.

Mayor Harvey asked for a discussion from Council. City Attorney Albert Palmour explained that Mr. Farrar had presented a copy of the cemetery's rules and regulations and restricted covenants. City Attorney Palmour stated it appears that if the City accepts option one, we would be bound by the restriction, rules, and regulations. If you were to accept the conveyance of the property, we would want to require them to make changes the City wants otherwise, we would be subject to their restrictions and covenants. We wouldn't want to take the property and have someone else tell us what to do.

Council Member Joe Money, Jr. stated I like option two. Mayor Harvey stated my recommendation would be to select option two, and we may want to do option one at some point. However, we need to look at the rules and regulations and what the City needs to do if we take it over entirely. Mayor Harvey asked City Attorney Palmour if the City could have a say in who the cemetery board contracts with. City Attorney Palmour explained if the City agrees to help the Summerville Cemetery Corporation maintain the cemetery, then our options would not be restricted by the options they presented. City Attorney Palmour stated that if we enter into a contract with them, we could be the ones accepting the bids. Mayor Harvey asked if the friends of the cemetery have any questions. Keitha Shamblin asked if the City is looking at option two with the stipulation the City has a say on who gets the bid on maintaining the cemetery every year. Gary Floyd stated my expectation is the City would be more successful in getting that bid. Gary questioned if the \$35,000 includes the cleanup or is that separate. Mayor Harvey stated it would be separate, but I have some caveats. Mayor Harvey asked Carla if the money had been sent to the Cemetery Board this year. Carla explained \$15,000 was in the budget, but we were told to hold the payment until they decided what they were going to do. Carla explained that \$15,000 was allotted for a contribution, and \$30,000 was allotted for tree cutting, but at last account, only \$6,800 had been spent on trees.

Lynn Rowland asked if anyone knew the extent of the cleanup. Gary Floyd explained Jason Hines met with Mr. Farrar and pointed out things that needed to be done, they had a specific conversation, but I have not had that.

Gary stated regardless of what happens, the Friends of the Cemetery do not plan to go away. We are here to support, advocate for and serve with the city council. If the decision is made and the City does not participate, we will still move forward.

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SUMMERVILLE CEMETERY CONT: Carla stated my concern is in the past years, when the budget was tight, we have reduced the cemetery funding, but this year we increased it, but once you obligate yourself and the budget is tight, you will have to find it somewhere else.

Mayor Harvey stated my recommendation is to add \$5,000 to the \$15,000, plus the remaining \$20,000 for tree cutting, and look at increasing the amount to \$35,000 in the new budget. Mayor Harvey stated we need a stipulation the City will be involved in the bid process.

Council Member Dana W. Mosley made a motion to approve payment of \$20,000 to the Summerville Cemetery Board for the remainder of the budget year, with Attorney Albert Palmour looking at additional stipulations. The motion was seconded by Council Member Rickey Hughes and carried unanimously.

EXECUTIVE SESSION – OPEN: Mayor Harvey announced an Executive Session is needed to discuss personnel and litigation. Council member Dana W. Mosley made a motion to close the regular meeting and enter into Executive Session. Council Member Joe Money, Jr. seconded the motion, which carried unanimously. The regular meeting was closed at 6:41 p.m.

EXECUTIVE SESSION – CLOSED: Mayor Harvey closed the Executive Session and reopened the regular meeting at 7:25 p.m. Mayor Harvey announced no action was taken during the Executive Session.

Mayor Harvey explained he received a letter from the City Manager, and she will be retiring effective November 15, 2022. The Mayor and City Council will accept her retirement, and we will immediately begin the search for an Interim City Manager and a City Manager. Mayor Harvey stated we will get a timeline out as soon as possible.

PUBLIC COMMENTS: Mayor Harvey asked for questions, comments, or concerns.

JASON ESPY: Jason Espy with the *Summerville News* asked why she was retiring and was it expected. Mayor Harvey stated, "The contract has not been renewed." Jason asked whether the Council decided not to renew the contract. Mayor Harvey stated, "We have not worked on that." Jason asked if it was a forced retirement. Mayor Harvey stated, "We are not forcing anyone to retire." Jason asked did you offer her a contract. Mayor Harvey stated, "No, it has not been offered." Jason asked who will be the Interim. Mayor Harvey stated, "We do not know. We will do a search and, hopefully, have someone in the next two to three weeks." Jason asked what will the process be for finding an Interim. Mayor Harvey explained we will appoint an Interim in the next two to three weeks and search for a City Manager. We will have a group of Council Members who will work on finding an Interim and a City Manager.

Jason asked about the low revenues and how they related it to the September flood. Mayor Harvey stated I have not done an analysis, but I noticed an overall reduction in funds. Jason commented your revenues are declining.

Jason commented Menlo received a grant for a fire truck and questioned if anyone had looked into applying for a grant. Chief Robbie Lathem explained everything is leaning more toward firefighter safety. If you apply for a grant, you are looking at a year before the announcement, and truck pricing has already increased.

Jason asked who do you see controlling the cemetery in the end? Mayor Harvey stated, "The city will do everything they can to work with whomever to ensure the cemetery is in good shape." Council Member Joe Money, Jr. commented we want to take care of the upkeep, but we don't want to be responsible for opening and closing graves.

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Chief Harold Tucker asked what do we need to do as department heads concerning purchases and hiring in a short period before an Interim is selected. Mayor Harvey stated things need to continue to operate as they have been until we have an Interim City Manager. Harold asked about purchase orders. Mayor Harvey asked if the City Manager is out who normally signs purchase orders. Lynn Rowland commented Angie normally signs. Mayor Harvey stated we still need to follow those procedures.

Mayor Harvey asked if a budget meeting could be scheduled for November 28th or December 7th. Council agreed to hold a budget meeting on Monday, November 28, 2022, at 5:30 p.m.

ADJOURN: Council Member Dana W. Mosley made a motion to adjourn. Council Member Joe Money, Jr. seconded the motion and carried unanimously. The meeting was adjourned at 7:40 p.m.

HARRY HARVEY – MAYOR

Attest:

ANGIE WHITE-CITY CLERK