



May 7, 2013

City Hall

6:00 P.M.

**I) Public Hearing Zone Change 2022 South Main St**

The public hearing was called to order at 6:12p.m. There was a citizen who spoke in favor of the rezoning. A motion was made by Councilman Middleton and seconded by Councilman Hutchins to close the Public Hearing at 6:15p.m. The motion carried unanimously

**II) Call To Order, Roll Call, Invocation, Pledge of Allegiance**

Mayor Howard called the meeting to order. Councilman Hutchins gave the invocation. Mayor Howard led the Council and guests in the Pledge of Allegiance. Let the record show that Mayor Howard, Councilman Mills, Councilman Middleton, Councilman Hutchins and Councilman Smith were all present. Also present were the City Attorney Tommy Coleman, City Clerk, Melinda Crook, Utility Director, Charles Jenkins and Fire Chief, Kenneth Jones.

**III) Approve Minutes**

**Minutes April 2, 2013** - A motion was made by Councilman Middleton and seconded by Councilman Hutchins to approve the minutes from the April 2nd City Council meeting. The motion carried unanimously

**IV) Citizens And Delegations**

**Paul Simonton – methane abatement at landfill** - Paul brought a presentation showing the 9 existing vapor extracting well. He explained that these are where the solar power fans are and he stated that it was found that these were not working the way they were intended. He stated that they have replace all the solar power vent fans and have connected them all together to connect to a blower which creates a vacuum to suck the gas out. He then gave a brief history until he came on board for this project in August 2011. He went through the steps he has taken since then. In his presentation he showed where the new pipe has been buried and explained how the system at the wellhead works and the operation of the blower. He then explained the monitoring system and the readings they found when the system first went on line to what the readings have decreased to in the last weeks at some wells. Councilman Mills question the old system and asked how the new system would hold up in the weather. Paul informed the Council that the Gas Department would be taking over the monitoring of the flow. He informed the Council that he had gone over, with the Gas Department, adjusting the flow if needed. He also stated that you could, at different locations, smell if there were any leaks. There was some discussion between Paul and the Council about the possibly of one or two more wells and watching out for leaks or problems with the system. Paul explained the offsite monitoring wells and explained that the City will be putting ports in caps for these wells to monitor those as well. Paul then informed the Council that the cost to date on this project was about \$47,400 compared to the \$140,229 that had been previously quoted by TTL. Councilman Mills questions if more training should be done with the Gas Department. Paul explained that they had picked up the monitoring fairly quickly and he was available if they ran into other issues.

**V) Administrative Committee Reports**

**953 loader** - James Allen explained that the undercarriage of the 953C loader needed to be reworked. He also informed the Council that 7,000 hrs. had been used on the machine before getting this done and that was very good. A motion was by Councilman Middleton and seconded by Councilman Mills to approve the repairs to the 953C loader in the amount of \$21,154.10 by Yancey. The motion carried unanimously

**Blakely Planning Commission – Zone Change - North Church St** - The Mayor informed the Council that he and Councilman Hutchins and visited Mrs. Cawthorn regarding this matter and she was fine with the rezoning. A motion was made by Councilman Middleton and seconded by Councilman Hutchins to approve the rezoning on North Church St. to Commercial. The motion carried

**Blakely Planning Commission - Zone Change - 2022 South Main St** - The Council was informed that the Planning Commission had APPROVED the zone change from R1 to O1 (Office-Institutional.)

Councilman Mills questioned why the zoning was being changed and not just making it a conditional use. Chief Jones informed the Council that this did not classify as conditional use under R1 zoning. A motion was made by Councilman Middleton and seconded by Councilman Hutchins to approve the zone change for 2022 South Main St. from R1 to O1. The motion carried unanimously

**Blakely Planning Commission - Home occupation - 480 Meadowbrook Dr** - Chief Jones informed the Council that the Planning Commission had approved this at their last meeting. He informed the Council that the customer would be living at the location she was conducting business at and that they would be doing some renovations (not structurally) to fit the requirements for home occupation. Parking issues were discussed between the Council and Chief Jones and he stated that would be addressed. A motion was made by Councilman Hutchins and seconded by Councilman Mills to approve the home occupation for 480 Meadowbrook Dr. The motion carried unanimously

**Towanda Sparrow – alcohol license application – 1091 N Church St** - A motion was made by Councilman Mills and seconded by Councilman Middleton to approve the alcohol license application for Towanda Sparrow. The motion carried unanimously

**Request to apply for assistance to firefighters grant** - Chief Jones informed the Council that it was time again this year to start the application process for the Firefighters Grant. He then informed the Council that he would like to apply for an air compressor to refill the air tanks which the firefighters carry on their backs into a fire. He stated that their current air compressor is about 22yrs old. He informed the Council that the cost would be about \$60,000 and if successful the City would have a 5% match. A motion was made by Councilman Middleton and seconded by Councilman Smith to approve applying for the Firefighters Grant. The motion carried unanimously

**VI) City Attorney's Report**

**Intergovernmental agreement with the City of Damascus RE Water Services** - The Mayor explained to the Council that the City had assisted the City of Damascus on several occasions with water line repairs. He explained that he felt an agreement should be in place and that the agreement stated that the City would assist in repairs and send a bill, at cost, for those repairs. A motion was made by Councilman Middleton and seconded by Councilman Hutchins to approve the intergovernmental agreement with the City of Damascus for water repair services. The motion carried unanimously

**First reading of an ordinance regarding enforcement of the building code and the health and sanitation code** - There was a first reading of an Ordinance regarding Enforcement of the Building Code and Enforcement of the Health and Sanitation Code.

**VII) City Clerk's Report**

The City Clerk informed the Council that the City finished April with \$100,342 in the bank. She then informed the Council that on the month report, showing the change in the General Fund account, there was a decrease of \$25,000 from March to April. She explained that per the comparison reports, March 2012 to March 2013, revenue was \$262,000 higher but that expenses were also higher by \$41,000 but from January to March the City was up by \$300,000 to last year. Councilman Mills question where the amount paid to TTL is allotted for on the Rev & Exp reports. The Clerk informed him that it was under contract labor in the Landfill Dept. She also informed the Council that the audit report was being compiled and they had been in the office for a short period of time and had asked very few questions regarding the audit.

**VIII) New Items Proposed By Mayor And City Council**

The Utility Director, Charles Jenkins, updated the Mayor and Council on the City projects. He informed them that the City's portion of the Oxford project was complete and Oxford's portion is now being worked on. He informed them that the new generator had been hooked up at the radio tower and that the storm pipe at Billy Day's house would be completed the next day. He informed them that the 39 pumping station was keeping up with the flow and that work was progressing on the line for the new pumping station. He informed the Mayor and Council that the power line to the Courthouse had blown out a fuse and that the line had to be replaced. He stated that they had run three cables 600ft in length from the stop light at Bay St. to the Courthouse. He briefly explained how they determine where the problem is located. He finished up by stating that Jeff Jones was waiting on one more bid on the pumping station.

**Hazardous waste trust fund application** - A motion was made by Councilman Middleton and seconded by Councilman Mills to approve the Hazardous Waste Trust Fund Application. The motion carried unanimously

**Watershed monitoring** - Paul explained the watershed monitoring to the Council stating that there is chemical and biological testing. He then informed the Council that TTL had been contracting Arrowwood to do the City's watershed monitoring. He explained that he had been asked to get proposals on the watershed monitoring and had received proposals from three different firms. He explained that they asked that they give proposals on both sights, one on Dry Creek and one on Baptist Branch. He then asked them to give the proposals on fish study with water quality and dry weather reception. He

explained that if they were to come in for the Fish study and there was not enough water then they would still have to do the biological and chemical samples and it could possibly work in reverse. He informed the Council that he had received the three proposal for a two year period for all situations and the bids were: from Arrowwood in the amount of \$25,700 per year, from PSI in the amount of \$26,330 and from TTL in the amount of \$29,903. He explained that he had presented the proposal with different scenarios and Arrowwood had still come in lower when broken down, with the first year being \$15,160 because some of the sampling won't be required and the second year at a cost of \$24,800, for a total cost for the two years of \$39,960. A motion was made by Councilman Middleton and seconded by Councilman Smith to approve Arrowwood for the watershed monitoring. The motion carried unanimously

**NPDES proposal** - Paul explained that every five years the City has to apply for the NPDES permit to operate the Wastewater Treatment Plant. He explained that the permit expires this year and that we have until June to resubmit the application. He explained that there are some other test and scans which need to be done. He explained that they have been done, but are about two and half yrs old and is hoping that they are current enough for the City to use. He stated that in order to assist the City he has prepared a proposal in the amount of \$2,400 to prepare the permit application. The Mayor questioned what the City would have to do in our permitting process, because of different rules and regulations by state, if someone asked for the City sludge. Paul stated that the City would only have to get a referendum from CRA from sight taking the sludge, report to EPD and fill out a form. Paul also stated that the City would need to put its intentions in permit if we are looking at possibly do this. Paul stated that the City would need to do a sludge management plan. A motion was made by Councilman Middleton and seconded by Councilman to approve the NPDES application process with Paul proposal of \$2,400. The motion carried unanimously

**Bids - Southside sewer project** - A bid from Blankenship, in the amount of \$81,143, was opened regarding the Southside sewer project (Old Lucille Road.) There were also two other locations for work, one was to replace up to 28' of pipe up to 12' deep, in the amount of \$4,500 and another Rem & Rep. existing manhole, in the amount of \$3,900. With the additive alternates the full cost would be \$89,543. A motion was made by Councilman Middleton and seconded by Councilman Smith to approve Blankenship's bids, for three repairs, for a full cost of \$89,543. The motion carried unanimously

**Appoint committee to review applications for Fire Chief position** - There was some discussion regarding when the interviews would be started. Councilman Mills stated that he could not attend until after the 24th. Councilman Middleton volunteered as did Councilman Hutchins and the Mayor.

**Approve insurance proposal. (General liability, public officials, employment practices & commercial auto)** - The Mayor explained to the Council the issues that come up when presented with the renewal quote from Trident. He then explained that he had asked the Clerk to contact GIRMA (GMA) to get a quote on the liability insurance. He informed the Council that the renewal quote had come back in the amount of \$128,000, which was an increase of a little over \$20,000 from the previous year. He then informed the Council that GIRMA had given a quote of \$111,481 and that our present agent had come back with an adjusted quote of \$118,000. He informed the Council that the issue of claims, regarding the Council, had come up and that GIRMA operates on an occurrence basis and Trident on a claims made basis and we would need to purchase "Tail Coverage." He went on to tell the Council that the quote for this additional coverage was \$14,427 but that GIRMA had agreed to cover that cost. A motion was made by Councilman Middleton and seconded by Councilman Mills to approve changing the City liability insurance coverage to GIRMA. The motion carried unanimously.

**Housing Authority Cooperation Agreement - tabled from last month** - A motion was made by Councilman Hutchins and seconded by Councilman Middleton to table the Housing Authority Cooperation Agreement for a second time. The motion carried unanimously.

**Debris removal proposal** - The Mayor spoke to the Council regarding the proposal made by Decatur County, to take the City garbage in their landfill and Randy Miles to haul the City garbage to Decatur County. He informed the Council that at present the City pays Waste Management \$27 per ton, and he reiterated the fact of their contract is not valid because of the number of years and that it was not approved by Council. He reminded the Council that Decatur's proposed price was \$24 per ton with the hauling for \$10 per ton. He explained to the Council that when initially looking at the cost differences, to the City, he had not realized that the City currently hauls sludge on the loads as garbage. He explained that when recalculating the cost, deducting the separate cost for hauling sludge, there would be an overall savings to the City of \$30,845 per year where initially the savings would have been \$21,000 per year. A motion was made by Councilman Middleton and seconded by Councilman Mills to proceed, legally, in the steps to void the Waste Management contract. The motion carried unanimously

The Mayor informed the Council that the Sheriff's office would like the City to approve use of the City's jail funds, from the account they monitor, for a roof, mold and new HVAC. The Council was informed that there were bids for the roof and mold but that they had not gotten bids on the HVAC system as of

yet. A motion was made by Councilman Middleton and seconded by Councilman Mills to approve the Sheriff's office using the jail funds for the roof, mold and new HVAC. The motion carried unanimously

Councilman Mills discussed, with the public who were not present at the work session, the cost of the limb, leaf, yard debris etc... He discussed his suggestion of not outsourcing the job but moving one man to another department and continue with only two but outsourcing the recycling (Chipping and grinding) of the inert materials. A motion was made by Councilman Mills and seconded by Councilman Hutchins to RFP for only recycling of the inert materials. The motion carried with Councilman Mills, Hutchins and Smith voting "Yes" and Councilman Middleton voting "No"

Councilman Hutchins questioned the splash pool. The City Attorney informed Councilman Hutchins that he could get him contact information for someone he would speak to regarding this matter.

**IX) Executive Session**

A motion was made by Councilman Hutchins and seconded by Councilman Middleton to enter into Executive Session. The motion carried unanimously

Meeting was called back to order by the Mayor

There was a First Reading of the Ordinance Regarding Protection of Whistleblowers.

The Mayor informed the Council that the owner of Blakely Cable, Chuck DeLoach, had approached the city on several occasions regarding purchasing the business. He informed them that he and Councilman Middleton had met with Mr. DeLoach and that the only way the proposal would be considered was if the business was given to the City because of how much needs to be done to the system. He explained that at the present time two bills and a letter had been sent to Mr. DeLoach regarding pole attachment fees, and because of no response the City was ready to disconnect utility services to Blakely Cable. It was questioned whether the City Attorney sending a letter would help. A motion was made by Councilman Hutchins and seconded by Councilman Middleton to have the City Attorney send a letter to Mr. DeLoach detailing the situation and the steps the City will be taking to get the bill paid. The motion carried unanimously.

**X) Public Comments**

**XI) Adjournment**

A motion was made by Councilman Middleton and seconded by Councilman Mills to adjourn the May 7th City Council Meeting. The motion carried unanimously.

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Anthony Howard, Mayor