



**BLAKELY CITY COUNCIL  
MINUTES**

**June 7, 2016**

**City Hall**

**6:00 P.M.**

**I) Call To Order, Roll Call, Invocation, Pledge Of Allegiance**

Let the record show that the Mayor, Anthony Howard, Councilman Al Hutchins, Councilman Charles Middleton, Councilman Frank Thornton and Councilman James Crozier were present. Commissioner Sol gave the invocation. The Mayor led the Council and public in the Pledge of Allegiance. Let the record show that the City Attorney, Tommy Coleman and the City Clerk, Melinda Crook were also present.

**II) Approve Minutes**

A motion was made by Councilman Hutchins and seconded by Councilman Crozier to approve the minutes from the May 3rd City Council meeting. The motion carried unanimously by Councilman present.

**III) Citizens And Delegations**

**Temeke McClendon** - Ms. McClendon spoke to the Council regarding an issue that she has with the driveway at the lot she rents. She stated that she was told if she signed a paper her driveway would be fixed and asked if she signed the paper when her driveway would be fixed. The Mayor then informed Ms. McClendon that the City Attorney had been asked to look into this item. The City Attorney then stated that this issue had been talked about several times. He then stated that the City was not liable for damage to vehicles. He stated that this has been going on for some time. He then stated that this had been presented to the City insurance company even though he felt that the City was not liable for anything. He stated that the insurance company did pay the owner of the car \$2641.30 and that the owner was not Ms. McClendon. He stated that the owner of the car was Steven Often and that Mr. Often had signed a release relieving the City of any and all liability in this matter once he signed. The City Attorney then read the release. He stated that he did not know of any City that maintained driveway from the curb cut back. he restated that he does not believe that the City is liable and if the City did fix the driveway then the City would be responsible for every driveway. There was discussion about the paper she could sign. The Mayor then stated that he had been to look at the driveway and he agrees with the City Attorney that the City does not have any responsibility when it comes to fixing a private driveway. He then stated that he felt there were some issues there and that he felt those issues rested with the property owner Mr. Day and it was between her, as renter, and Mr. Day. Ms. McClendon then stated that she had spoke with her attorney and that she came to the City because it was determined it was the City right-of-way. The City Attorney then stated that since she had contacted an attorney the City would be happy to speak to him and that any further discussion regarding this issue

should be handled through him. Ms. McClendon questioned who her attorney should contact and she was informed that he should contact the City Attorney.

#### **IV) Administrative Committee Reports**

##### **Adonnis Pittman – Alcohol License – Georgia Pine**

The Building Official, Kenneth Jones, address the Council and stated that Mr. Pittman wanted his license for a location at 5 Georgia Pine and that this has been being discussed since January of this year. He stated that Mr. Pittman has not fully completed his application and had not paid the \$75.00 application fee. Councilman Hutchins questioned why Mr. Jones wanted to hold off on the approval of the license. Mr. Jones stated that it was because the application had changed between the time this started and current and that Mr. Pittman has not fully completed either of the applications. He also stated that this location is less than 300ft. from Pokey's Event Center, where alcohol licenses can be gotten. Councilman Hutchins questioned how much more did Mr. Pittman require. Mr. Jones stated that he had met again with Mr. Pittman that morning and that he, Mr. Jones, had even gone to the Sheriff for the Public Safety approval. Mr. Pittman stated that he would have the \$75.00 by Thursday or Friday of that week and would have the correct application completed. The Mayor then stated, to Mr. Pittman, that he didn't feel that would be appropriate and that before an application comes to the Council it needs to be fully completed. A motion was made by Councilman Middleton and seconded by Councilman Thornton to table the alcohol license for Mr. Pittman until everything is complete. The motion carried unanimously by Councilman present

#### **V) City Attorney's Report**

##### **First Reading of Ordinance Changing Hours Of Operation For Pool Rooms**

The City Attorney did the first reading of the Ordinance Changing Hours of Operations for Pool Rooms. He stated that the hours would be 6am to 2am. He then stated that they would be allowed Sunday operations from 1pm to 6pm provided that no alcohol is served or consumed on the premises. The City Attorney then stated that he understood that there was a time urgency on this Ordinance and that if the Council consented they could dispense with the second reading. The Mayor then stated that a Special Called Meeting had been discussed but that it did not occur so if the Council consented they could dispense with the second reading. A motion was made by Councilman Middleton and seconded by Councilman Thornton to approve the Ordinance change of the hours of operation for Pool Rooms or Billiard Halls. Councilman Hutchins questioned if this was just for Pool Halls what about Church St. The City Attorney stated that it would be addressed in the next Ordinance. The motion carried unanimously by Councilman present with the full Council giving consent to dispense with the second reading.

##### **First Reading of Ordinance Changing Hours Of Operation For On Premises Consumption**

- The City Attorney read the amended Ordinance changing hours of operations for on premises consumption. He stated that this Ordinance changed section 3.5(b) which, would now state that establishments with on premise consumption shall not sell alcohol between the hours of 2am and 6am Mon-Sat. and not after 2am on Sunday with premise vacated within 15 minutes after closing time. Councilman Hutchins questioned the citizens on Church St. questioning for five years about the hours and it continuing to be turned down and now within two months of the pool hall asking the hours get changed. This served as the first reading. There was then discuss between the Council regarding that the hour change for the pool hall and Church St. clubs.

**First Reading of Ordinance Amending The Alcohol License Regarding The Selling Of Alcohol To Minors** - The City Attorney went over the significant changes in the law. He stated that the definition of a bar was when over 75% of the sales were for alcohol. He stated that there was a change regarding the age of bouncers, they had to be 21 or over and that anyone under 21 could not enter a bar unless they were accompanied by their parents. He then stated that there was also an exception, which is, if they were attending a live music venue or performing arts where admission is charged. He also stated that there was also added a part regarding the sale of powdered alcohol (packaged like kool-aid and would be added to water) which would also be against the law if under 21. He stated that currently if law enforcement finds an infraction in any one of the businesses that has an alcohol license it is reported to the Council, but with the new law we have 45 days to also report it to the GA Dept. of Revenue where they can be fined up to \$750.00. This law is take effect July 1<sup>st</sup>. This served as the first reading.

**VI) City Clerk's Report**

The Clerk presented the Council with financial reports. She then informed the Council that the audit is in the final stages. She then went through the project update report.

**VII) New Items Proposed by Mayor and City Council**

**Landfill Hauling Proposals**

The Clerk informed the Council that the renewal rates, submitted by Decatur County for the disposal of and hauling of the City of Blakely/Early County solid waste, were increased from \$24.00 per ton to \$25.00 per ton with the hauling increased from \$10.50 per ton to \$11.50 per ton. She then stated that there would be an addition to the agreement that, on the hauling, we would be billed a minimum tonnage of 22 per load. She informed the Council that the minimum tonnage was not in their present agreement and because of that a refund had been issued. She then informed the Council that she and Gabe, Sanitation Foreman, had met with Allan Thomas, from Decatur, and that he very strongly suggested that we take over our own hauling to them to make sure the pad gets cleaned off as is should. She informed the Council that Decatur was purchasing a new trailer and that Mr. Thomas stated the if the agreement was renewed and we did our own hauling the cost would increase to \$26.00 per ton to help with the cost of the new trailer. She then informed the Council that Mr. Thomas questioned us taking in garbage from other governmental entities. She stated that Mr. Thomas referenced that the agreement only stated they would receive garbage generated in Blakely/Early County and he also questioned how much we charged to the outside entities. She informed the Council that Mr. Thomas stated that the cost for the garbage not generated in Blakely/Early County would probably increase even more. She then informed the Council that she had contacted a representative from Waste Management to get a proposal. She stated that for the tonnage we would have we received a price quote of \$23.00 per ton. The Mayor then stated that this would be forwarded to the County for their meeting. A motion was made by Councilman Middleton and seconded by Councilman Thornton to approve the Waste Management proposal for \$23.00 per ton. Councilman Crozier questioned if the agreement would terminate upon this vote. The Mayor stated that the current agreement would end June 30<sup>th</sup> and the new agreement would take its place. Councilman Hutchins then question if we would do our own hauling. The Mayor stated that we would be doing a cost analysis to see which would be most cost effective. he stated that there were several things to take into consideration such as the City/County re-gin truck we currently have and the issues that continue with it.

### **Approval Of FTTH Expenditures**

Jason Gaunt addressed the Council to update them on the fiber to the home project. He stated that E&A are about 90% complete with the design. He stated that the design has been taken in stages. He stated that he anticipated this all being done by the end the week. He then stated that once that point is reach they would be working on bidding out services two different ways. He stated that they would be working with certain telecommunication providers to give special project pricing based on amount of material purchased and let them quote labor only and then full install. once these are received back he would be bring them back to the Council for approval. He estimated having boots on the ground in August and feels that everything is on track. He asked the Council to approve five RR crossing in the amount of \$20,000 (\$5,000 each.) A motion was made by Councilman Middleton and seconded by Councilman Crozier to approve the expenditure present for fiber to the home. The motion carried unanimously by Councilman present.

The Mayor questioned Jason about the availability of material. Jason stated that the material is on allocation. He stated that he was able to get 14 cabinets set aside and 68 miles of fiber optic cable. The Mayor reiterated that in the next 45 days proposals would be put out. Jason then stated that he felt by year end or the beginning of 2017 the City would be lit up as a smart rural City.

Jason then spoke about SGRITA. He stated that when he first started with the City in January SGRITA only had around 100 customers. He stated that at the present time they have around 650 customers with around \$35,000 revenue stream per month. He stated that he informed the SGRITA board that he was able to do a fiber lease with Diverse Power to put a connection between Dawson and Arlington and this brought in an additional \$75,000 in cash. Jason went on to explain a little on how internet works. He stated that they have upgraded their bandwidth and lowered their cost.

The Mayor stated that GPW needed a City appointment for their board. A motion was made by Councilman Middleton and seconded by Councilman Hutchins to appoint Jason Gauntt to the GPW Board. The motion carried unanimously by Councilman present

Councilman Hutchins questioned Lane Davis if the bathrooms at the new park could be repaired. Lane stated that they could. He stated that they would need some minor upgrades.

Councilman Hutchins questioned Gabe Jordan's temp employees and asked if they can be hired full time. The Mayor stated that Gabe needs to keep his department in budget. There was then discussion on what is involved if moving from a temp employee to a full time employee (benefits)

Councilman Hutchins asked the City Attorney if trees fall across a street who is the responsible party. The Attorney stated that if it was an act of God he did not know who would be responsible. Councilman Hutchins then questioned a tree falling on private property, to which the City Attorney stated that it was not a City problem. Kenneth Jones explained a situation with a tree and the City Attorney again stated that this was not the City's business.

Councilman Middleton asked Mr. Jerome Johnson to come before the Council. He stated that he would like to ask the Council to reconsider letting Mr.

Johnson open back up his event center when the Ordinance on the new hours takes effect. Councilman Middleton made a motion to reinstate Mr. Johnson's event center license back. The Mayor then suggested that the Council wait and allow Mr. Johnson to determine the route his is going with the building and if he chose to obtain his own alcohol license to do so when the Ordinance regarding the hours of operation passes. The Mayor then asked Councilman Middleton if he would like to rescind his motion, to which he stated that he would. Councilman Thornton questioned if it would be going back to an event center to which the Mayor responded that it would not due to Mr. Johnson wanting to get his alcohol license.

Councilman Hutchins question putting a pool across from Piggly Wiggly on the property deeded over to the City from Birdsong. A motion was made by Councilman Hutchins to put in a pool on the property deed over to the City from Birdsong. The Councilman Thornton then stated that this property was more or less a swamp and a pool would not work in this area. The Mayor then reminded the Council that there had been discussion at one time about a splash park. The Mayor stated that the best time to discuss this item would be during budget talks which would be taking place in a few months. The motion died due to a lack of second.

#### **VIII) Public Comments**

Mr. Homer Reddick addressed the Council regarding his property on Liberty St. He stated that he was told by Mr. Jones that he could not get lights on at this location until the property was cleaned up and that he has a problem with that. The mayor stated that Mr. Jones is the Building Official and he goes out and inspects the properties before utilities can be provided. He then stated that he knew the grievance is because of the junk/appliances on the property. Councilman Thornton then informed the Council of the discussion he had had with Mr. Reddick and that utilities could be supplied to work on the house but when rented out the junk/appliances would become an issue. Mr. Reddick stated that he was not told that and that he never intended to clean up the junk because of the privacy fence. Kenneth Jones spoke regarding his agreement with Mr. Reddick regarding everything needing to be removed because he was renting out the entire property. Kenneth then stated that Mr. Reddick currently wants to rent half the property to one person and half to another. The Mayor stated that the code needs to be abided by.

Ms. Hughes questioned the new regulations and Law regarding under age in the pool hall and the live music. The City Attorney stated that he didn't feel that the new law didn't pertain to her questions.

#### **IX) Executive Session To Discuss Employee Matters**

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

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

**X) Adjournment**

A motion was made by Councilman Hutchins and seconded by Councilman Middleton to adjourn the June 7th City Councilman Meeting. The motion carried unanimously by Councilman present.

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Anthony Howard, Mayor