



## Blakely City Council Meeting Minutes

May 1, 2012

City Hall

6:00 P.M.

**I) Public Hearing – Zone Change Request – Redbud Street**  
Separate Minutes

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

Mayor Howard called the meeting to order. Councilman Mills 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 Hutchins and Councilman Smith were all present. Let the record show that Councilman Middleton was not present. Let the record show that also present were the City Attorney, Tommy Coleman, the Utility Director, Charles Jenkins, the City Clerk, Melinda Crook and Fire Chief, Kenneth Jones.

**III) Approve Minutes**

**Minutes April 3, 2012** - A motion was made by Councilman Mills and seconded by Councilman Hutchins to approve the April 3<sup>rd</sup> minutes. The motion carried unanimously

**Minutes Special Called April 12, 2012** - A motion was made by Councilman Hutchins and seconded by Councilman Smith to approve the April 12<sup>th</sup> Special Called Meeting minutes. The motion carried unanimously

**Minutes special called April 23, 2012** - A motion was made by Councilman Smith and seconded by Councilman Hutchins to approve the April 23<sup>rd</sup> Special Called Meeting minutes. The motion carried unanimously

**IV) Citizens And Delegations**

**Alicia Goyco / Chandra Gilbert – after school program / Blakely civic center**  
Were not present

**Lee Conner – SGRITA update** - Mr. Conner came before the Council to update them on what is coming in the future. He stated that they are now in Early County School System and 6 other school systems. He informed the Council that they would be offering internet/phone service for residential service by December. He explained that they would be doing upgrade on the system on the City tower in the next 30 to 45 days. He further stated what the future steps will be and what they hope to move towards. Several members of the Council then asked Mr. Conner's some questions

**Tre McLendon – golf cart ordinance** - Mr. McLendon addressed the Council regarding some of the items that had previously been discussed. Mr. McLendon stated that he had spoken to DOT that speaking to them first was a waste of

time until the Ordinance was put into place. He then stated that once done DOT would state where they would allow State streets to be crossed unless the City requested that the State streets running thru the City be removed from the DOT grid. He then stated that DOT looks very hard had the State street crossing but were not opposed to it entirely and that they preferred these crossings at signaled intersections. There was some discussion on some changes that had been made to the previous Ordinance submitted by the City Attorney.

**Judy Cooper – extending time before euthanizing animals at pound** - Ms. Cooper came before the Council to ask that they re-exam the Ordinance regarding the length of time the animal shelter keeps animals up to 10 days before they are put to sleep. The Council informed Ms. Cooper that they look at the cost factor and how many animals the City can hold so they can address the feasibility of extending the time period.

**V) Administrative Committee Reports**

**Alcohol License – Jimmy Jones** - The Chief re-addressed the Council regarding the facts that Public Safety had no recommendation on the application for alcohol license from Jimmy Jones due to his background check. Mr. Jones addressed the Council regarding his background check and stated that if the Council opted not to allow him a license that he had someone else who could apply in his place. Mr. Jones and the Council was informed by the City Attorney that if he chose to withdraw his application he could have another applicant apply and go through the same process he had, however if not he would be entitled to a hearing if the City denied his license. A motion was made by Councilman Smith and seconded by Councilman Hutchins to deny the alcohol license for Mr. Jimmy Jones. The motion carried unanimously

**Planning Commission – Zone Change Request – Redbud St** - Mr. Billy Glass, the Planning Commission Chairman addressed the Council to inform them of the results of the Planning Commission meeting. He informed them that a motion had been made to approve the rezoning but that it had died due to a lack of second. There was discussion between the Council and the Fire Chief regarding the steps for preliminary approval and once those are met then there would have to be a final approval. Councilman Mills requested a professional opinion regarding the infrastructure for the area where the zone change is being requested. A motion was made by Councilman Hutchins and seconded by Councilman Mills to table the zone change request until Councilman Middleton could be present. Let the record show that Councilman Smith voted "No". The motion carried with a "Yes" vote from Councilman Mills, Councilman Hutchins and Mayor Howard.

**Permission to go out for bids for truck for street dept** - The Mayor explained to the Council that this was for a new truck for Charlie Wade, the Department Head of the Street Department, and that it had been placed in the 2012 SPLOST budget. A motion was made by Councilman Mills and seconded by Councilman Hutchins to approve going out for bids on a new truck for the Street Department not to exceed 22,000. The motion carried unanimously

**Bids for fluoride building** - The Mayor brought to the Council's attention that the only bid that had been submitted was from Williams & Son, who was the husband of the City Clerk. The City Attorney then explained that he felt that the submission was in violation of a City policy where a City employee could not

benefit indirectly from a service performed by a relative. He then informed the Council that he felt that this policy was hard to adhere to because of Blakely being a small city and that he didn't think that the policy was intended for that purpose. He informed the Council that they could change the policy or override the policy if they would like, due to the fact that it was a policy not an ordinance. The Mayor then explained that an ad had been placed in the paper with a deadline on submission, giving anyone the same opportunity to submit a bid, and that this was the only bid received. There was some discussion between the Council regarding this matter. It was decided by the council that because everyone who wanted to submit a bid had the same opportunity and that because the bid was being opened in public at the meeting they felt that it would be fair to override the policy this time. When the bid was opened there was some discussion regarding the 5,000 budgeted amount and the bid amount of 7,950. The Mayor explained that the building was being paid out of the SPLOST funds as a capital project. A motion was made by Councilman Mills and seconded by Councilman Hutchins to accept the bid from Williams & Son for the fluoride building and to override the policy this time. The motion carried unanimously

**Variance Request – Tanglewood Apartments [a representative should be present]**

- Mr. Randy Crosby and Mike Cooper came before the Council and explained that when originally submitted the Ordinance regarding the setback was looked at with the front of the building being on Johnson with a 35ft setback and the side being on Liberty with a 15ft setback. He stated that with this originally being a multipurpose building they were not aware of any setback and that when the plans were altered and when brought to their attention they agreed that they were in violation because the building was more of an accessory building. Councilman Mills questioned why wasn't the Ordinance looked at before the change was made and why wasn't the City notified of the change to the plans. The Tanglewood representatives stated that it was an unintentional oversight because of the classification for the accessory setback. The City Attorney informed the Mayor and Council that this really was not a variance request. The Attorney advised making an amendment to the Ordinance. Councilman Mills stated that he would like to find a resolution to make the building work. A motion was made by Councilman Mills and seconded by Councilman Hutchins to have the Mayor and the City Attorney work out a solution to allow the continued construction of the building. The motion carried unanimously

Jeff Jones came before the Council to update them on the proposed cost for the 39 lift station. Jeff informed the Council that the cost would be more than he had initially thought to abandon the line through the swamp area. Jeff gave the Council a write up of the cost and informed them, as well, that the cost would be 179,740. The Mayor explained that he had asked Jeff to break the cost down by full cost and then just materials, being 63,714, because he felt that the City employees might be able to do a good piece of the work therefore saving on the labor cost. The Mayor then informed the Council that he had spoken to CCI regarding the manhole lining which needed to be corrected under warranty. There was discussion between the Council regarding what the City staff could do and concerns as to whether more issues might be created if the City employees couldn't do the work. The Council agreed that they wanted to save as much on the project as they could but to have the project done correctly the first time. The Mayor informed the Council that property that was being looked at for the new pump station belonged to Nelson Hattaway and that he might be able to get it donated seeing as it was a small area. Councilman Mills asked Mr. Jones if he

could check out the problems and submit a recommendation for the issues on Redbud regarding the subdivision project.

**VI) City Attorney's Report**

**Second reading and adoption of an ordinance amending zoning to permit cattle -**

A motion was made by Councilman Smith and seconded by Councilman Mills to adopt the Ordinance amending zoning to permit cattle. The motion carried unanimously

**Second reading and adoption of an ordinance repealing article iv of chapter 12 -**

A motion was made by Councilman Smith and seconded by Councilman Mills to adopt the Ordinance on Pool Rooms, internet café's, etc... with the change from City of Blakely Police Department to Early County Department of Public Safety. The motion carried unanimously

**Resolution to submit an updated short term work program -** A motion was made by Councilman Smith and seconded by Councilman Mills to approve the Updated Short Term Work Program Resolution. The motion carried unanimously

**Resolution adopting pole attachment contract with a & S Connect -** A motion was made by Councilman Mills and seconded by Councilman Hutchins to approve the Resolution for the Pole Attachment contract with A & S Connect. The motion carried unanimously

**Resolution accepting MEAG 2011 year end settlement -** A motion was made by Councilman Mills and seconded by Councilman Hutchins to approve the Resolution accepting the MEAG 2011 year end settlement in the amount of 147,060. The motion carried unanimously

**Resolution accepting MEAG telecom 2011 year end settlement -** A motion was made by Councilman Mills and seconded by Councilman Hutchins to approve the Resolution accepting the MEAG Telecom 2011 year end settlement in the amount of 1,093.30. The motion carried unanimously

The City Attorney brought to the Council an Ordinance Amending Article III of Chapter 6 of the Official Code of Ordinances of the City of Blakely Establishing the Office of City Prosecutor, the Duties of City Prosecutor, Repealing all Ordinances in Conflict Herewith and for Other Purposes. There was a first reading of the Ordinance establishing the office of City Prosecutor.

**VII) City Clerk's Report**

The City Clerk gave the Council financial reports. She then informed them of the shortfall in the operating funds of 3,077. The Clerk informed the Council of the GA Public Web refund, in the amount of 16,261, that had been received that day. The Clerk gave the Council a quote, from the City's software company on an inventory program that could be purchased. The Council asked the Clerk to set up an in house demo after the 23rd of May. The Clerk then updated the Council on what steps were being taken regarding the payment to Governmental Enterprises from sales tax recovery on the Water Treatment Plant. The Clerk then informed the Council that the reason for the decline in last year's Insurance Premium Tax Refund was due to the calculation being based on population. The Clerk informed the Council that she was going to call back to the Office of the Tax

Commission and ask some more detailed questions on how the refund had been previously calculated and would inform them upon find out this information.

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

**Travel policies** - The Mayor asked the Council to continue reviewing the travel policy for any proposed changes.

**T B McDowell Memorial Fund** - The City Attorney explained the McDowell Memorial Fund to the Council and what was being done regarding changes to the fund. He explained that the change was from a Community Chest to be modified to be managed by a foundation. A motion was made by Councilman Smith and seconded by Councilman Mills to approve letting the Mayor to accept the service to represent the public in this matter. The motion carried unanimously

**Insurance proposal** - The Mayor brought to the Council the insurance renewal proposal from Swanner Collier regarding the City's liability insurance policy. He informed the Council that GMA stated that they felt that they would be 15 to 20% higher than our renewal. He informed the Council that the renewal quote from Trident was 89,979 and that the Utility Director and City Clerk were looking into some items that they felt should not still be on the policy and if so these changes could decrease the policy amount. A motion was made by Councilman Mills and seconded by Councilman Hutchins to approve the insurance quote from Swanner Collier and Trident for the City's liability insurance in the amount of 89,979. The motion carried unanimously

**IX) Executive Session**

Discuss personnel issues, including but not limited to disciplinary action. In accordance with O.C.G.A. 50-14-3(6)

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

**X) Public Comments**

**XI) Adjournment**

A motion was made by Councilman Mills and seconded by Councilman Hutchins to adjourn the May 1st City Council meeting. The motion carried unanimously

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Anthony Howard, Mayor