



Blakely City Council Minutes

MARCH 3, 2015

City Hall

6:00 P.M.

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

The Mayor, Anthony Howard, called the meeting to order. Let the record show that the Mayor, Anthony Howard, Councilman Al Hutchins, Councilman Charles Middleton, and Councilman Smith were all present. One Councilman seat is open. Reverend Williams gave the invocation. Mayor Howard lead the Council and public in the Pledge of Allegiance. Also 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 Middleton and seconded by Councilman Hutchins to approve the February 3rd, and February 10th Minutes. The motion carried unanimously by Councilman present.

III) **Citizens and Delegations**

Butch Moore - Zoning Mr. Moore was not present until the end of the Council Meeting. Mr. Kenneth Jones spoke on behalf of Mr. Moore regarding having his property appraised. The appraiser wants an accurate description of the property that is when Zoning issues came into the matter. Mr. Jones stated that he had went through past minutes and found that the property is zoned R2. He also stated that the property needs to be in compliance and the requirements of a subdivision, and at this time it is not in compliance. Councilman Hutchins question Mr. Jones on how this location was missed when the City rezoned areas in 2001. Mr. Jones informed the Council that he could find nothing where this subdivision had been accepted by the City previously. Mayor Howard stated that before the Council would entertain acceptance of the subdivision everything would need to be brought to code and that at the present time all roads, water/sewer, etc... are Mr. Moore's responsibility. Mayor Howard made Mr. Moore aware that he should contact Mr. Kenneth Jones and work out the details on rezoning.

Rodney Thornton - Reinstate License - Mr. Kenneth Jones spoke regarding code items needed at Mr. Thornton's location. He stated that he checked the building and provided items, in writing, to bring it to compliance. Kenneth stated that the stove is a major item left to correct. He informed the Council that a health certificate was needed or the stove would need to be removed. Kenneth gave recommendations that if the stove and emergency lights were taken care of, the rest could be repaired in time.

The Mayor called upon Mr. Thornton, and questioned about the time frame he would need to make all repairs to the location. Councilman Middleton stated that if Mr. Thornton repairs the items needed, then he would approve reinstatement of his license. Councilman Hutchins question Councilman Middleton on why the City should reinstate Mr. Thornton's license, and why Mr. Thornton was different than previous customers with similar suspensions. Councilman Middleton stated that Mr. Thornton has made an effort to correct the items the City has asked of him. A motion was made by Councilman Middleton and seconded by

Councilman Smith to reinstate Mr. Thornton's business licenses as soon as the outstanding items had been completed. The motion carried with Councilman Middleton, Councilman Smith voting "YEH", Councilman Hutchins voting "NAY" and the Mayor breaking the tie with a vote of "YEH." Mr. Thornton was informed that if another law violation occurs, the City will not be as lenient .

Jerome Haynes - Mobile Home - Mr. Haynes was not present. Mr. Kenneth Jones spoke regarding burned mobile home that Mr. Haynes would like to move into the City and repair it within the City limits. The City Attorney stated that it does not require action since it was previously presented and voted on.

Auto Doctor and Equipment - Mr. Kenneth Jones spoke regarding the Auto Doctor (located behind McMurria Auto Parts). The Code Ordinance required it to come before the Mayor and Council for approval due to the screen ordinance. The Mayor stated that he felt this location was more compliant than other auto repair locations in the City. Mr. Jones stated that the fence needed to be moved further back due to the location of the church and the possibility of storing vehicles. A motion was made by Councilman Hutchins and seconded by Councilman Middleton to approve with the compliance of the changing of the fencing. . The motion carried unanimously by the Councilman present.

IV) **Administrative Committee Reports**

V) **City Attorney's Report**

Elections Agreement with County - Mr. Coleman stated the changes that have been made to the election agreement since the City's approval and that the Council needs to revote to approve changes. A motion was made by Councilman Middleton and seconded by Councilman Smith to approve the Election Agreement. The motion carried unanimously by the Councilman present

Resolution House Bill 170 - Mr. Coleman spoke regarding transportation funding. He explained the issues with the Bill, and that there should be no loss of revenue to the City. A motion was by Councilman Middleton and seconded by Councilman Smith to approve the Resolution for House Bill 170. The motion carried unanimously by the Councilman **present**.

SWGRC Resolution - Councilman Hutchins spoke concerning a grant that would be for the old Bessie Scott Gym located on Howell Street. Mayor Howard stated that the building is in such bad shape and that the Early County School Board would be happy to work with the City regarding refurbishing the building, if the money could be found. There is a block of funding that could be used for a multi-purpose facility. The RDC will do grant resolutions to support the location if needed. The mayor also stated that there would need to be an inspection and summary, from an engineering firm, of what it would entail to rehab the building. The motion was made by Councilman Middleton and seconded by Councilman Smith to approve the SWGRC Resolution. The motion carried unanimously by the Councilman present

Social Media and Cell Phone Usage - The City Attorney explained that this is a policy for social media and cell phone usage on the job. A motion was made by Councilman Hutchins and seconded by Councilman Middleton to table this item for further review. The motion carried unanimously by the Councilman present.

VI) **City Clerk's Report**

The City Clerk presented the Council with financial reports. She informed the Council that the City finished the month of February with \$284,689.88 in the bank. She stated that the balance in the General Fund increased from January to February in the amount of \$27,915.18. The Clerk then informed the Council that the audit would be starting at the end of March. The clerk presented the Council with three final budget adjustments for 2014's budget. A motion was made by Councilman Middleton and seconded by Councilman Smith

to approve the final 2014 budget adjustments. The motion carried unanimously by Councilman present.

VII) New Items Proposed By Mayor And City Council

Change in ECG Billing - The City Clerk explained to the Council how the City is presently bill by ECG. She then informed them that per the change in billing the City would now be billed as services are used instead of paying for services, Engineering and Analytical, in advance. The Clerk informed the Council that per ECG's estimates the City would pay more for analytical but less for engineering. She stated that the savings would be small the first year but that ECG projects that the savings would increase over time. The motion was made by Councilman Middleton and seconded by Councilman Smith to approve the proposed contractual billing changes from ECG.

EPD Notice of Violation/Landfill; Quotes on Closure of Inert Pit at Landfill - Sanitation Supervisor, Gabe Jordon addressed the Council regarding the EPD violation items at the inert pit. Mr. Jordan stated he spoke with the EPD on March 3, 2015. He informed the Council that they have cleaned out the plastic items. He also stated that the 100 foot buffer has been established, and that they are currently working on covering the drainage areas. He stated that they will be filled in and that the time frame to complete the EPD issues should be completed within 2 weeks if the weather cooperates. Gabe stated that he would like to keep the inert pit open if possible. Mayor Howard explained that he is not for closing the inert pit completely. He stated that he felt EPD is looking to close these types of pits.

Issue with Tire Shop Fence - Mr. Kenneth Jones stated that the solution approved by the Council for the Auto Doctor could also work for the Tire Shop on Magnolia St. He stated that they will have to dispose of tires every 30 days. The Council agreed to proceed the same way.

Pokey's Event Center - Office Price spoke to the Council regarding several violations that had occurred at Pokey's Event Center on February 21, 2015 and February 22, 2015. He stated that the activity there required additional patrol by Lt. Hunt and Officer Wimberly, and an additional 4 officers were called upon during the chaos. He also stated patrons were consuming alcohol inside and outside the premises and that marijuana had been smelled inside the premises. He also made the Council aware of under aged patrons at the location past the Curfew Ordinance. The name of the renter for February 21st was Nico Wimberly. Mayor Howard asked about past incidents. Officer Wimberly stated that in December 2014 there was a fight on the inside, and Officer Wimberly had to call upon additional officers to respond.

The City Attorney went over the ordinance and how the City should be notified. He stated that it is up to the owner to manage the event, not the sponsor. He then went over the types of disciplinary action to be taken for violating the ordinance. Mayor Howard asked the Council to state their pleasure. Councilman Hutchins asked the City Attorney who is actually responsible for incidences, the renter or the owner. Attorney stated the owner is ultimately responsible and that he would suggest not give a license to that renter for any future events. Councilman Hutchins spoke in regards to the issue and suggested the City do the right thing and revoke the license. The City Attorney stated that the Council has a right to suspend or revoke license per violation if they chose to do so. He also reminded the Council that a hearing will be allowed for the owner. A motion was made by Councilman Hutchins and was seconded by Councilman Smith to revoke Pokey's Even Center license. The motion carried unanimously by Councilman present.

VIII) Public Comments

Mr. Jerome Johnson (Pokey) spoke and stated he did not understand why he should be held responsible for issues with security at the Event Center as long as he had an officer present at the time of an event. He informed the Council that he did not realize that the Ordinance stated that he would be held responsible. The Council informed Mr. Johnson that there would

he would be allowed a hearing in regards to the revocation of the license. His sister, Katrina Johnson-Thomas spoke regarding the issue. Ms. Thomas stated that she feels that Mr. Johnson's business has been targeted since it was opened and that the security officer or renter should be held responsible.

Mr. Charlie Sol addressed the Council on public safety and children playing in the road.

Mayor Howard informed the Council that the Development Authority agreed to give DOT land in the industrial park to build a new office.

IX) Executive Session

Upon returning to regular session A motion was made by Councilman Middleton and seconded by Councilman Hutchins to approve the intergovernmental agreement between the City, County and Development Authority regarding the employment of a Economic Development employee. The motion carried unanimously by Councilman present.

X) Adjournment

A motion was made by Councilman Middleton and seconded by Councilman Hutchins to adjourn the March 3rd, 2015. The motion carried unanimously by Councilman present.

Anthony Howard, Mayor