

**CITY OF BARNESVILLE
COUNCIL PROCEEDINGS
December 8, 2022**

Council met at 5:30 p.m. on Thursday, December 8, 2022, in the Courtroom at 100 Mill Street in Barnesville, Georgia.

Mayor Peter L. Banks called the meeting to order at 5:45 p.m.

Councilmember Christopher Hightower opened the meeting with prayer.

MEMBERS PRESENT

Mayor Peter L. Banks
Mayor Pro Tem Sammie D. Shropshire, Jr.
Councilmember Bill Claxton
Councilmember Christopher Hightower
Councilmember Joseph Sims
Councilmember Cecil D. McDaniel, Sr.

STAFF PRESENT

City Manager Timothy T. Turner
City Clerk Tammy T. Folson
City Accountant Tammy York
Fire Chief Kelvin Chute
Director of Utilities and Public Works Richard Vereen
Building and Zoning Administrator Mike Aiken
Police Major Belinda Penamon

ACTION TAKEN BY COUNCIL

On motion by Councilmember McDaniel and seconded by Councilmember Claxton, Council unanimously approved the agenda.

Councilmember Hightower presented a proclamation to Reverend Jimmy Lyons recognizing his 30th anniversary as Pastor at East Mount Sinai Baptist Church.

On motion by Councilmember McDaniel and seconded by Mayor Pro Tem Shropshire, Council unanimously approved the following minutes as circulated.

November 9, 2022	Council Workshop
November 16, 2022	Joint SPLOST Meeting
November 30, 2022	Public Hearing
November 30, 2022	Regular Council Meeting

Mr. David Irvin, the City Auditor with Mauldin & Jenkins, gave an overview of the 2020-2021 Audit. He explained the financial statements are the responsibility of management and the auditor is responsible for providing an opinion. Mr. Irvin stated this year's audit is clean, unmodified, and fairly stated. He thanked the staff for all their assistance. He noted all three enterprises, especially the Water and Sewer, are in good standing. Mr. Irvin informed the Council they were receiving a clean opinion that's independent of the City with no uncorrected mistakes.

Councilmember Claxton asked about the building sold last year and if the money has now been spent since it was in the General Fund. City Accountant York responded the money is in the Economic Development Fund.

Councilmember McDaniel asked Mr. Irvin about how much progress has been obtained since his firm began auditing the City. Mr. Irvin responded how far the City has come is attributed to your staff Tammy York and Tim Turner. He further noted City Accountant York is proactive and not reactive and he said this provides for a smoother audit. Councilmember McDaniel thanked both City Manager Turner and City Accountant York.

On motion by Councilmember Claxton and seconded by Councilmember McDaniel, Council unanimously accepted the 2020-2021 Audit.

On motion by Councilmember Hightower and seconded by Councilmember Sims, Council unanimously added Juneteenth as a paid holiday for City employees.

City Manager Turner gave the second reading of Ordinance No. 593 to adopt the Defined Benefit Retirement Plan Amendment. On motion by Councilmember Claxton and seconded by Councilmember McDaniel, Council unanimously adopted Ordinance No. 593.

City Manager Turner gave the second reading of Ordinance No. 594 to deannex Powell Place Apartments from the City of Barnesville. On motion by Councilmember Claxton and seconded by Mayor Pro Tem Shropshire, Council unanimously approved Ordinance No. 594. Mayor Banks explained the reason why the City is doing this is so the Town of Aldora can annex the property and be able to apply for grants for funds to operate.

City Manager Turner gave the first reading of Ordinance No. 597 to adopt a Short Term Rental Ordinance. Councilmember Sims expressed he thinks the City should have a Town Hall Meeting to let the people talk about it. He added we have one, the Black Chateau, in the neighborhood on Collier Road where the City Attorney issued a cease and desist. Mayor Banks asked for comments from Police Major Belinda Penamon. Major Penamon responded she's not in a position to answer because she was not in the position at the time. Councilmember Hightower asked for clarification on the Black Chateau. City Manager Turner said it's not legal because it's in a single family area. He said this ordinance allows them in multi-family areas. Council discussed again needing an updated street map that identifies single and multi-family areas and establishing objective criteria for issuing variances.

City Manager Turner gave the first reading of Ordinance No. 598 to adopt the Water Standards Design Requirements. Mr. Turner noted the current design standards are antiquated and the engineers have updated them.

City Manager Turner gave the first reading of Ordinance No. 599 to create the Fire Department Hierarchy Personnel Structure. Mr. Turner noted it will be similar to the Police Department and the Fire Chief wants to create a Fire Captain and Fire Lieutenant. Councilmember Sims stated he thinks it's a good plan.

Mayor Banks said the next order of business was to approve Resolution No. R2022-0019 to authorize the transfer of property from Akins Real Estate Properties, LLC to the City of Barnesville. Mayor Banks noted the City will get all of the property. Councilmembers Hightower and Sims indicated they still had questions and concerns and asked about the soil test results. Mayor Banks reported in the Phase I Environmental Study, the engineers said there is nothing on the property that poses a hazard, the property is clean, and there is no problem with the land. Councilmember Hightower expressed he hadn't had an opportunity to look at the report and discuss the vision for the project. He asked if it was feasible to have further discussion. Mayor Banks said yes, but explained Bruce Akins wanted to give it to us and get a tax deduction for this year. He encouraged the Council to go ahead and accept the property because there was nothing wrong with it. On motion by Councilmember Sims and seconded by Councilmember Hightower, Council unanimously tabled the resolution until everyone has had an opportunity to review the report. City Manager Turner announced there would be a Special Called Meeting on next Wednesday, December 14, 2022, at 5:30 p.m. to approve the resolution.

Council discussed the reappointment to the Lamar County Board of Elections and Registration. Councilmember Hightower questioned why the Council's normal process of reappointment was not being followed and why this item on the agenda looked different from the other reappointments. Mayor Banks noted it was because one councilman had said he was going to oppose the reappointment. Councilmember McDaniel explained this was the first time we have had two people to choose from. He added he never said he didn't want Mrs. Williams, but one of his constituents was interested in the position. Mayor Pro Tem Shropshire stated Mrs. Williams has been on the board for a while. He asked for a comment from the Board. Chairman Bill Christopher, who's appointed by the City of Milner, stated Mrs. Williams has been on the Board for 10 years where she has served 8 years of her own appointment and 2 years to finish Mrs. Georgia Fletcher's term. Mr. Christopher said in her 10 years of service, Mrs. Williams has proven herself exemplary. He commented Mr. Jackson had served on the board where he resigned and he is no longer used as a poll worker because his heart is not in it like Elaine. Mr. Scott Cone, a Board Appointee, also noted it is a pleasure to work with someone with a fair and nonpartisan approach. Mr. Christopher noted there are no other persons of color on the Board. On motion by Councilmember Hightower and seconded by Mayor Pro Tem Shropshire, Council unanimously reappointed Mrs. Elaine Williams for a four year term beginning January 1, 2023 and ending December 31, 2026 to the Lamar County Board of Elections and Registration.

On motion by Councilmember Claxton and seconded by Councilmember McDaniel, Council unanimously reappointed Mr. Red Sammons to the Barnesville-Lamar County Industrial Development Authority Board for a four year term beginning January 1, 2023 and expiring December 31, 2026.

On motion by Councilmember Claxton and seconded by Councilmember Sims, Council unanimously reappointed Mr. Dan Rainey to the Barnesville-Lamar County Industrial Development Authority Board for a four year term beginning January 1, 2023 and expiring December 31, 2026.

On motion by Councilmember Sims and seconded by Councilmember Hightower, Council unanimously appointed Ms. Sylvia Myers as Resident Commissioner to the Barnesville Housing Authority Board for a one year term beginning January 1, 2023 and ending December 31, 2023.

Mr. Soheli Batliwala, the owner of Hot Shot, addressed the Council and stated he's wanted to connect to the City sewer system and lift station for three years. He said his engineer was here to explain. Mr. Joey Scanlon, a Griffin Civil Engineer, said they had come up with the best and economical solution to the problem in February of 2020 when David Rose was with the City to pump Hot Shot's wastewater just north of the new Farm Supply. He discussed the proposed plan with the Council for the City to fill out a gut application to go into the Georgia Department of

Transportation's right of way and they discussed other alternatives. City Manager Turner noted the City is under an Environmental Protection Division advisement and it cannot take anymore sewer from anybody and there's nothing else he or the City engineers can do to help. Mr. Scanlon requested telemetry for the lift station. City Manager Turner reported we do have Scada and Mr. Scanlon can put in a proposal to our engineers.

Mr. Rudy Giadrosich addressed the Council to discuss the inconsistency in the picking up of limbs and leaves. He noted they are being picked up every 2 to 3 months. Mr. Giadrosich said he came to find out what the problem is and what can be done to solve it. City Manager Turner reported both of the limb trucks have been down and we have had to wait on parts to repair them. He said a new truck has been ordered and is set to come in March. Mr. Turner noted they are working on weekends to get caught up. Mr. Giadrosich suggested putting preventative maintenance on the trucks. The Director of Utilities and Public Works Richard Vereen explained the City does have preventative maintenance and the trucks are serviced monthly by EFG, but the hydraulic pumps overheat and melt the lever control. He noted the problem with them is because of all the stopping and going and the lifespan for them is five years and we have a 2009 and 2019. Mr. Giadrosich said he knows we can get these trucks fixed. He said we pay a lot of money for the service and we have got to do something in this town to get things picked up. City Manager Turner said he will get with Mr. Vereen at 8:00 in the morning to discuss.

Mayor Banks called for Ms. Mary Rooks to address the Council. He noted she was not here.

On motion by Mayor Pro Tem Shropshire and seconded by Councilmember McDaniel, Council unanimously voted to enter executive session to discuss personnel at 7:34 p.m.

On motion by Councilmember Claxton and seconded by Councilmember McDaniel, Council unanimously voted to reconvene into regular session at 7:51 p.m.

City Manager Turner read Resolution No. R2022-0020. On motion by Councilmember Claxton and seconded by Councilmember McDaniel, Council unanimously approved the resolution and executive session documents that showed compliance with the Open Meetings Law and confirmed Council entered in executive session for the discussion of personnel.

On motion by Councilmember Hightower and seconded by Councilmember Claxton, Council unanimously approved for the City Manager to present an ordinance to adjust the balance and amend Ordinance No. 590 and to cause for the agreed upon amount set forth during executive session to reflect a cost of living adjustment for the remaining fiscal year 2022-2023.

After no further business, on motion by Councilmember McDaniel and seconded by Councilmember Claxton, Council adjourned at 7:55 p.m.

Peter L. Banks, Mayor

Tammy T. Folson, City Clerk