

MINUTES
REGULAR COUNCIL MEETING
Monday, March 5, 2018

Members Present:

Mayor John Weaver
John Foust
Tony Fountain
Anne Sneve
Dr. Sonny Proctor

Staff:

Lisa Hoyle
Steve Roper
Greg Lovell
Sonny Underwood
Lonnie Waters
David Hall
Stella Brewer

Guests in Attendance:

Mari Livsey
Gerry Nechvatal
Ben Lowman
Fran Dodd
Sheryl Messner
Charlie Mossin
James Parker
Greg Megadosus
Sheree Parker
Kevin Godfrey
Annabell Godfrey
Lyle Smith
Jack Dunn
Joe Godfrey
Mike Callahan
Kim Dunbar
Pat Dunbar
Sue Finley
Carol Caywood
Donna Torres
Donna McDonald
Nancy Watkins
Amy Leake
Carrie Roland

Members Absent:

None

Legal Counsel:

Bill Pickett

Press:

Angela Reinhardt

Mayor Weaver called the meeting to order promptly at 6:00 p.m. He requested Lonnie Waters give the invocation. John Foust led in the recital of the Pledge of Allegiance.

Mayor Weaver asked that the agenda be reviewed and approved by Council. Councilmember Tony Fountain made a motion to approve the agenda. Councilmember John Foust seconded the motion. Councilmember Sonny Proctor stated that he wanted to add an item relating to the city manager position description. Mayor Weaver stated that the agenda was too long and would not be changed. Councilmember Proctor also wanted to move item B under Old Business to executive session. Mayor Weaver agreed to make that change. Motion carried three to one with Councilmember Proctor voting against.

City Clerk Lisa Hoyle read the minutes of the February 5, 2018 regular meeting. Councilmember Sonny Proctor stated he wanted it to reflect in the minutes under Item F, New Business that he asked for a closed session. Councilmember Anne Sneve made a motion to adopt the minutes with the change. Councilmember Tony Fountain seconded the motion. Motion carried unanimously.

Item A under Old Business, Mayor Weaver recognized Matt Bidwell with MSI Benefits as well as Kevin Godfrey with Godfrey Downs to present to council group health insurance proposals. Mr. Bidwell presented a proposal from GMA with a 4.75% increase over the City's current annual premium (with \$1,000 deductible) as well as a .84% increase with a \$1,500 deductible. Mr. Bidwell stated that these rates would be good until December 31, 2019 (date of renewal). Mr. Godfrey presented a partially self-funded proposal with an approximate increase of 24%. Discussion followed. Councilmember John Foust made a motion to accept Mr. Bidwell's proposal with the \$1,000 deductible. Councilmember Anne Sneve seconded the motion. Discussion followed. Motion carried unanimously.

Item B under Old Business, no action necessary as the approved group health insurance renewal will provide continued insurance for the injured police officer.

Item C under Old Business, Mayor Weaver recognized Councilmember Sonny Proctor to give an update on the Perrow/Roper/Pool property. Dr. Proctor stated that there had been no meetings regarding the property since the last council meeting, but that he had met with the inspector at the property and that he felt that the property was in good condition.

Item D under Old Business, Mayor Weaver recognized Water and Sewer Superintendent David Hall and City Manager Jim Looney to present to Council the need for \$30,000 for the city's engineering firm, G Ben Turnipseed, to begin the permit process to expand the Water Pollution Control Plant ("WPCP") and move the discharge from Polecat Creek to Long Swamp Creek. Mayor Weaver entertained a motion. Councilmember Anne Sneve made a motion to approve the \$30,000 for G Ben Turnipseed to move forward with the permit process for the WPCP expansion and Long Swamp Creek discharge. Councilmember Tony Fountain seconded the motion. Discussion followed. Motion carried unanimously.

Mr. Hall also presented to Council the need for an additional \$120,000 to pay Turnipseed engineering to fast-track the pre-design work phase of the WPCP expansion project. He stated that this money would be reimbursed from the GEFA loan that will be applied for to help fund the project. Councilmember John Foust made a motion to table the decision until more information became available. Councilmember Sonny Proctor seconded the motion. Motion carried unanimously.

Item E under Old Business, Mr. Hall and Mr. Looney stated that there had been another meeting with Polycor regarding the possible water source for the city at that location. Mr. Hall stated that Polycor was willing to work with the city to take the excess water from the quarry. He stated that EPD would determine if the water could be used.

Item A under New Business, Mayor Weaver recognized Finance Director Lisa Hoyle to discuss difficulties encountered obtaining financial information necessary for the Chamber's hotel/motel tax audit. Ms. Hoyle stated that as of the time that the agenda was made available, there had been no information received by the auditor from the Chamber. She also stated that the Chamber's accountant had not returned phone calls to the city at all. On Thursday March 1, she and the Mayor called the Chamber. She stated as of today, information requested was received by the city's auditor. Councilmember Proctor stated that the Chamber had been cooperative and that he did not understand why it was necessary an elected official was participating in an audit and not the city manager. Mayor Weaver asked Councilmember Proctor was he acting as a Councilmember or as the Chairman of the Chamber of Commerce. Councilmember Proctor stated that he guessed he was acting as Chamber. Mayor Weaver stated that the city needed cooperation in order to complete the audit. Councilmember Proctor stated that he would make sure as a council member that the Chamber would fully cooperate. No action necessary.

Item B under New Business, Mayor Weaver recognized Mike Denson, Gary Copeland and Gerry Nechvatal of the Economic Development Council ("EDC"). Mayor Weaver stated that there had been some misunderstandings about the EDC's efforts to let Mr. Nechvatal go as the Economic Development Director. Mike Denson explained to Council how the EDC was formed and stated that an eight-member board was formed through the efforts of Sanford Chandler, the Sole County Commissioner, the Jasper City Mayor, the Jasper Development Authority and the Pickens County Development Authority. They formed an eight-member board in 2008, established funding for an Economic Development Director through the city and county. He stated that the board then searched for and hired Mr. Nechvatal. He stated that in the past, when the economy went stagnant, he had worked closely with Mr. Nechvatal and that Mr. Nechvatal had worked very hard and had done a good job. He stated that in the prior year that the EDC had developed some criteria to measure and evaluate Mr. Nechvatal's performance and during the evaluation process had decided to go in a different direction by letting Mr. Nechvatal go as Economic Development Director. Mayor Weaver then asked Mr. Denson to explain to council about what happened about a year and a half ago the when the chamber approached the EDC regarding Mr. Nechvatal's having been hired as the Chamber's Executive Director, in addition to already serving as the Economic Development Director. Mr. Denson stated that at that time, the EDC was approached by the Chamber and asked (because there was a void in the Chamber of Commerce Director position) if Mr. Nechvatal could continue serving as Economic Developer and as Chamber Director. Mr. Denson stated that the EDC had approved the dual role. Mayor Weaver asked how the dual role position would be paid. Mr. Denson stated that the EDC director position would be funded by the city and the county. The county would pay \$56,000 annually and the city would pay approximately \$16,000. The remainder of the salary for the dual role position would come from the Chamber. Mayor Weaver then asked Mr. Denson if the EDC had gotten permission for that decision from the county or the city to allow the dual role position. Mr. Denson stated no. Mayor Weaver then asked Mr. Denson to read the by-laws that gave the EDC the authority to dismiss Mr. Nechvatal. Mr. Denson then read the following section of the EDC's bylaws:

Section 104. POWERS. The Economic Development Council shall have the following powers and duties: (1) all authority, powers, and duties to do what is necessary, proper and convenient to carry out its purpose as stated herein. (2) Provide guidance to the Community Economic Development Director in the implementation of all initiatives necessary to carry out the purpose of the Council as stated herein. (3) The Chairman of the EDC provides the direct supervision for the Community Economic Development Director. (4) The Pickens County Chamber of Commerce provides office space for the Community Economic Development Director and facilities for the Council Board meetings. (5) The Pickens County Government, City of Jasper, Pickens County Development Authority, and the Jasper Development Authority provide financial support for the Council and activities of the Community Economic Development Director

Mayor Weaver asked Mr. Denson that after reading the EDC Powers section of the by-laws, what makes you think that the EDC has the right to hire/dismiss? Councilmember John Foust asked to be recognized. He asked Mr. Denson what are the duties of the EDC? Mayor Weaver stated that the EDC hired the Economic Developer. Mr. Nechvatal stated that was not accurate - that it was the Chamber of Commerce who was directed by a citizens group to assist

in that hiring decision. He states these bylaws were written after he was hired by the Chamber and the EDC did not exist at the time of his hiring. Mayor Weaver asked Mr. Nechvatal how do you feel that the EDC can replace you – who is your boss? Mr. Nechvatal stated that the original bylaws were altered without resolution by the city and county. Mayor Weaver asked is the city going to continue to fund the Chamber with taxpayer dollars? Mr. Denson stated that he believed the EDC had the power to fire Mr. Nechvatal. Mr. Nechvatal reads the purpose of the EDC which states that it is their responsibility to assist. Councilmember Sonny Proctor stated that he felt that this should have been a group decision. Tony Fountain asked did I as a member of the Jasper City Council hire the Economic Developer. He also asked if the position is vacant. Gary Copeland stated that in his opinion the position was vacant. He stated that they had given Gerry the opportunity to draw up his own scorecard. Councilmember Fountain stated that the city council should not have to make the decision it should be up to the EDC. Gary Copeland stated that in his opinion, that the record of the Economic Developer was pitiful. Gerry Nechvatal defended his record. Mayor Weaver entertained a motion. Councilmember Fountain made a motion that the City stop the funding of the Economic Development Council in its efforts in supporting the Economic Developer. There was no second to the motion. Motion failed for lack of a second. Mayor Weaver stated to Gerry that he was impossible to fire. Mayor Weaver asked if there was another motion. No motion was made. Mayor Weaver stated that he deeply believes that we need to separate the Chamber which represents the businesses of the community and the Council which represents the government (which represents everyone including the little old lady that lives on Piney Ridge). He also stated that he deeply believes we should not be intermingling funds with the Chamber because the City Council has its duties and responsibilities to the citizens of Jasper and he wants all of this to be out in the open for the taxpayers to see.

Item C under New Business, Mayor Weaver recognized Carrie Roland of the Chamber of Commerce to present to council it's plans to have events in downtown Jasper every first Saturday from May to October. She stated that the events would be called Saturday Social in the Mountains and would have a different theme each month. She stated that this would require North and South Main Street to close. She also stated that they Chamber would like to use the City's stage for these events. She stated that the Chamber would pay for required off-duty police officers. Councilmember John Foust made a motion to allow the Chamber to hold these downtown events. Councilmember Tony Fountain seconded the motion. Discussion followed. Motion carried by unanimous vote.

Item D under New Business, Mayor Weaver recognized David Hall and Jim Looney to present to council the need to replace the gas-powered emergency generator at the Cove well with a diesel-powered generator. He stated that the gas-powered generator did not have enough power to operate both pumps at the well. He stated that Caldwell Electrical had offered to trade the generator out for the diesel general for an additional \$14,790. He stated that the city was trying to get additional funding as well as an extension of the FEMA/GEMA grant at this time but that it was not guaranteed. Mayor Weaver entertained a motion. Councilmember John Foust made a motion to approve the additional funds to replace the generator. Councilmember Anne Sneve seconded the motion. Motion passed unanimously.

Item E under New Business, Mr. Hall stated that the pump near Shiloh Baptist Church required a rebuild. He stated the cost would be \$11,900. Councilmember Anne Sneve made a motion to approve the rebuild. Councilmember John Foust seconded the motion. Motion passed unanimously.

Item F under New Business, Mr. Hall stated that recent water tank inspections had indicated that the city have three tanks cleaned out at a cost of \$3,800 each. He stated that Lilly Circle, Industrial Blvd and Woodbridge tanks needed cleaning this year. Councilmember Anne Sneve made a motion to approve the cleaning of the tanks at a cost not to exceed \$3,800 each. Councilmember Sonny Proctor seconded the motion. Motion passed unanimously.

Item G under New Business, Mr. Hall presented to council two quotes for water loss detection services for the city. He stated that the first quote was from Watts at \$54,000 and the second quote from Matchpoint came in at \$45,567. He stated that the city's engineer had highly recommended both companies. He stated that the city had budgeted \$100,000 through prior year fund balance. Councilmember Anne Sneve made a motion to approve the low bid from Matchpoint at \$45,567. Councilmember John Foust seconded the motion. Motion passed unanimously.

Item H under New Business, Planning and Zoning Director Sonny Underwood presented the Jasper Planning Commission Report. Mr. Underwood stated that he was presenting the report for Robert Walker, Chairman of the Planning Commission. Mr. Underwood stated that on February 26, 2018, the Planning Commission heard a request for the annexation of Parcel 030D 085 of 2.69 acres to be annexed into the city limits. Mr. Underwood informed the council that the Planning Commission had recommended to approve the annexation of this Parcel owned by Johnny Greenway located at 1356 Old Philadelphia Road as C-2 (General Commercial) property. Mr. Underwood stated that the property owners had completed all required advertising, signage and public notices. Councilmember Sonny

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Proctor made a motion to annex Map and Parcel Number 030D 085 into the city limits. Councilmember Anne Sneve seconded the motion. Motion carried unanimously.

Item I under New Business, Mayor Weaver recognized City Manager Jim Looney to present for council's approval a pay rate increase for all employees of 3%. Mr. Looney stated that this increase had been approved in the budget for 2018, but postponed depending on how much the city's group health insurance increased. He stated that since the insurance increased less than the budgeted amount, he is asking for approval of the pay increase to take effect as of the beginning of 2018. Councilmember John Foust made a motion to approve the 3% pay increase for the entire year. Councilmember Anne Sneve seconded the motion. Motion carried unanimously.

Item J under New Business, Mr. Looney stated that more research was required by the city's attorney on our alcohol beverage ordinance being amended to include breweries and possibly wineries. No action taken.

Item K under New Business, Mr. Looney presented three areas of storm water structures requiring repair. He stated that cost of repairs alone could be \$20,000 and more if an engineer was hired. He stated that more research was necessary in order to make a decision. No action taken.

Item L under New Business, Mr. Looney stated that council needed to make a decision on how to proceed with the Appalachian Trail project. Discussion followed. No decision could be reached by council. No action taken.

Item M under New Business, Mr. Looney stated that he recommended that the sick leave policy be changed to allow that it required three consecutive days out or three days out in one quarter before a doctor's excuse was required. He stated that presently a doctor's excuse is required for one day's sick leave. Councilmember Anne Sneve made a motion to change the policy to three days. Councilmember John Foust seconded the motion. Discussion followed. Councilmember Anne Sneve recalled her motion. No action taken.

Item N under New Business, Mr. Looney asked council for a decision to keep or to do away with the GPS software system that the city uses to track vehicles and equipment. Councilmember Anne Sneve made a motion to do away with the software. Councilmember John Foust seconded the motion. Motion passed by three votes. Councilmember Tony Fountain voted against.

Item O under New Business, Mr. Looney asked for council's approval to sell some scrap metal located at City Hall. Councilmember Tony Fountain made a motion to approve the sale. Councilmember John Foust seconded the motion. Motion passed unanimously.

Finance Director Lisa Hoyle gave the financial report for the month of February 2018.

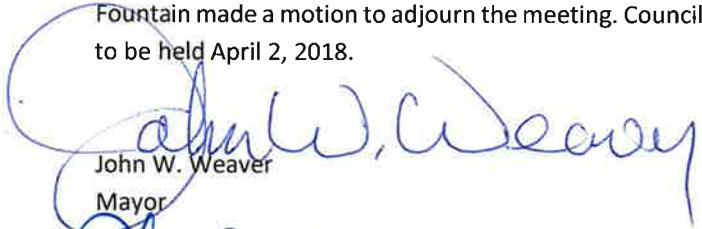
Lonnie Waters updated Council on roads.

Chief Greg Lovell gave a report of police activities for the month of February 2018

Chief Steve Roper gave a report of fire activities for the month of February 2018.

Councilmember John Foust gave an update on JYSA activities.

Being no other business to come before Council, Mayor Weaver asked for a motion to adjourn. Councilmember Tony Fountain made a motion to adjourn the meeting. Council is scheduled to convene next at the regular council meeting to be held April 2, 2018.


John W. Weaver
Mayor


Lisa J. Hoyle
City Clerk/Finance Director