

MINUTES
REGULAR CALLED
COUNCIL MEETING
Monday, February 3, 2020

Members Present:

Mayor Steve Lawrence
Dr. Sonny Proctor
Kirk Raffield
John Foust
Anne Sneve
Jim Looney

Staff:

Brandon Douglas
Lonnie Waters
Steve Roper
Greg Lovell
David Hall

Guests in Attendance:

John Sneve
Max Calor

Members Absent:

None

Legal Counsel:

David Syfan

Press:

Mari Livsey
Angela Reinhart

Mayor Lawrence asked Council member Sneve if a quorum was present. Having a quorum of council Mayor Lawrence called the meeting to order at 6:00 PM. He requested Max Calor to provide the invocation. He requested Ben Mock to lead the Pledge of Allegiance.

Mayor Lawrence advised that an agenda is in front of them view and he entertained a motion to adopt the agenda. Council member Sneve made motion to adopt the agenda with Council member Raffield providing second. Motion to approve carried unanimously.

Mayor Lawrence stated that Council has the minutes from the January 27, 2020 special called meeting and he entertained a motion. Council member Sneve provided motion with Council member Raffield providing second. Motion to approve carried unanimously.

Mayor Lawrence advised that a Proclamation is to be presented tonight to the Pickens County Ministerial Association. Mayor Lawrence asked the President of the Association, Ralph Barker to come forward for the reading of the Proclamation. Mayor Lawrence presented the Proclamation recognizing the Municipal Day of Prayer set for February 26, 2020.

Mayor Lawrence recognized Item VII under Old Business the item of Appointments to Planning and Zoning Board of Appeals and called Brandon Douglas to speak on this item. Mr. Douglas advised that this item was remaining on the agenda from the January 27th meeting; however, there is the need to evaluate whether or not this Board would continue to stand on its own or if it the duties of the Board would be better suited for the Planning and Zoning Commission. As such, it is recommended to table this item to allow the Development Committee to meet with Staff and Legal to determine how to address this item. Mayor Lawrence asked Council members Raffield and Dr. Proctor if they as the Co-Chairs would like to speak on this matter. Council member Proctor made a motion to table this item to allow the Development Committee to consult with Legal on whether or not to recommend to the Council to maintain this Board or to roll it into the Planning and Zoning Commission with Council member Looney providing second. Motion to table approved unanimously.

Mayor Lawrence moved to Item B as it relates to the appointments to the Tree Board. Mayor Lawrence stated that the same applies as the aforementioned item. Council member Proctor provided motion to table with Council member Sneve providing second. Motion to table approved unanimously.

Mayor Lawrence called on Brandon Douglas to address Item C relating to the Ordinance to amend City Charter – Sec. 2.24. Brandon Douglas advised that he was turning this item over to City Attorney Syfan; however, he advised that during the January 6, 2020 meeting staff was directed to move forward with the proper advertising and 1st reading of the ordinance as it pertains to how Council approves ordinances. City Attorney Syfan stated that the legal notice has been properly advertised pertaining to the Home Rule Ordinance and as such the 2nd reading is ready. Mr. Syfan provided the 2nd reading of said ordinance. Council member Raffield provided motion to approve the 2nd reading with Council member Sneve providing second. Motion to approve the 2nd reading approved unanimously.

Mayor Lawrence called on Brandon Douglas to address Item D relating to the agreement with Judge Robert Sneed. Brandon Douglas advised that during a previous meeting there was direction provided to appoint Judge Sneed and for an agreement to be created to allow the terms to reflect compensation of \$1,000 per month and a term for January 1, 2020 until December 31, 2020. As such, the agreement has been created by City Attorney and Judge Sneed was acceptable of the agreement. Motion to approve the agreement with Judge Sneed was provided by Council member Raffield with Council member Proctor providing second. Motion to approve was unanimous.

Mayor Lawrence called on Brandon Douglas to address Item E relating to the agreement with Prosecuting Attorney Joe Hudson. Brandon Douglas advised that as the aforementioned item this is an agreement with Prosecuting Attorney Joe Hudson for the same period ending December 31, 2020 and compensation set for \$750 per month. Brandon Douglas advised that previously these services were set on a variable rate but now with a flat rate with the appointees, it helps with budgetary purposes. Motion to approve the agreement made by Council member Sneve with Council member Raffield providing second. Council member Proctor asked Mr. Syfan if there was a need for contingency to allow for any changes that may be needed. Mr. Syfan advised that he would recommend that the motion be amended to allow for him as City Attorney to make any necessary changes if there are any suggestions by Mr. Hudson. Mayor Lawrence advised of said amended motion and item passed unanimously.

Mayor Lawrence called on Brandon Douglas to address Item F relating to agreement with Public Defender Cortney Stuart and same terms as previous item with flat rate of \$750 per month and term ending December 31, 2020. Mayor acknowledged that City Attorney Syfan and Mrs. Stuart had worked out questions on agreement and Mr. Syfan advised that the agreed upon agreement was updated in their packets. Motion to approve agreement provided by Council member Proctor with Council member Sneve providing second. Motion to approve passed unanimously.

Mayor Lawrence advised that under New Business there was a request for a special event on Main Street – Long Table and asked Brandon Douglas to present. Brandon Douglas asked June Ash to come forward to assist in the presentation. Brandon Douglas advised that this event had been presented last year and approved and June was in attendance to speak on the partnership with the businesses along Main Street and to explain her due diligence. Further discussion had on the date of event as Saturday, September 12, 2020 with the closing of the road scheduled for noon to approximately 11:00 pm. June Ash advised that the set up begins at noon and takes until approximately 4:30 pm. She further stated that she had spoken with all of the businesses in the immediate area and all of them are partnering for the event except for 2 but those will have tickets and will be attending the event. Further description provided of the event. Council member Proctor confirmed that June had stated that she had spoken with all of the businesses and there were partnerships involved. She advised in the affirmative. Further discussion held that concerns from last year had been addressed and mitigated. Mayor asked for motion to approve with Council member Foust providing and Council member Sneve providing second. Further discussion from Council member Raffield asked about any budget implications for the event. Brandon Douglas advised that there were no negative budgetary implications. Motion to approve carried unanimously.

Mayor Lawrence asked Brandon Douglas to come forward for Item B relating to a request for special event on Main Street to incorporate Yaarah Shrine Temple into the Marble Fest Parade and for Keith Hale to come forward as well. Brandon Douglas provided background on the event and advised that Council packets contained insurance information relating to the Shriners. Further discussion on matter held relative to consultation with Mr. Syfan. Mr. Hale provided information on the process for advertising and to have the Shriners involved. Mayor Lawrence advised that the City will be added as additional insured on the Chamber's policy and Mr. Hale advised that the Shriner's carry a \$5 million policy coverage. Brandon Douglas advised that the Chamber wanted to add another element to the parade and thought the Shriners were a good inclusion. Further discussion held. Mayor Lawrence asked for motion to approve with Council member Raffield providing with Council member Sneve providing second. Council member Sneve asked Brandon if there is something that could be done mitigate any risk of parade observers. Further discussion held that staff will work with Chamber organizers to stage the participants accordingly. Motion to approve carried unanimously.

Mayor Lawrence called on Brandon Douglas to address Item C as well as Council member Sneve relating to a request for special event on Main Street for Car Shows. Brandon Douglas advised that the item was presented in January / February of 2019 and that there had been concerns expressed in the past. Brandon Douglas advised that it was expressed that should there be formal complaints the matter would need to be revisited. Brandon Douglas advised that during his tenure he had not fielded any formal complaints. Further discussion held relating to the continued use of Main Street to hold the event beginning in April on the 4th Saturdays of each month. Further discussion held relative to the

impact on city staff. Council member Sneve advised that this has been requested and she wanted to provide Council the opportunity to discuss. Further discussion held. Council member Looney asked if the request involved closing the road. It was advised that the request was to close the road for the event. Further discussion held relative to what direction staff to proceed. Council member Looney suggested that the event be held at the City owned Entegra property (parking area). Further discussion conducted. Motion provided by Council member Sneve to offer for the events to be held at the suggested city owned Entegra property so as to not have to close the road with Council member Looney providing second. Motion to approve carried unanimously.

Mayor Lawrence called on City Attorney Syfan to address Item D relating to the introduction of Prosecuting Attorney Ordinance. Mr. Syfan stated that in an attempt to update the various ordinances relating to municipal courts, this ordinance was provided. Council member Sneve provided motion to approve the ordinance with Council member Proctor providing second. Motion approved unanimously.

Mayor Lawrence called on City Attorney Syfan address Item E relating to the introduction of Public Defender Ordinance. Mr. Syfan provided information relative to public defender and advised that the City's current ordinance does not address this matter. Council member Raffield provided motion to approve with Council member Sneve providing second. Motion to approve carried unanimously.

Mayor Lawrence called on City Attorney Syfan to address Item F relating to Municipal Court Ordinance. Mr. Syfan advised that this item is under the same heading of updating the various ordinances relating to municipal court. Motion to approve provided by Council member Sneve with Council member Raffield providing second. Council member Looney asked City Attorney Syfan if these ordinances were in essence 1st readings and that they will need to be considered and approved at a later meeting. Mr. Syfan advised that in accordance with our procedures these are considered introductions and that the approvals will come at a separate meeting. No further discussion and motion to approve carried unanimously.

Mayor Lawrence advised of next item (G) request for approval of wet well replacement at Water Pollution Control Plant and asked David Hall and Brandon Douglas to present. David Hall provided a synopsis of the wet well and the functionality of it relative to the pond. Discussion held on the budgetary implications on this item. Quotes provided were as follows:

James Electric Company = \$12,607.84

Xylem Water Solutions USA Inc. = \$10,403.30

Pro Pump Solutions, Inc. = \$8,787.40

Motion provided to authorize up to \$9,000 for Pro Pump Solutions with Council member Proctor providing with Council member Sneve providing second. Motion to approve carried unanimously.

Mayor Lawrence advised that Council had in their packets the separation agreement with Lisa Hoyle and asked City Attorney David Syfan to advise. Mr. Syfan advised that Lisa Hoyle and her attorney had approved the agreement. Motion to approve the separation agreement with Lisa Hoyle provided by Council member Raffield with Council member Sneve providing second. Motion to approve carried unanimously.

Mayor Lawrence advised of next item was alcohol application and asked Brandon Douglas to present. Brandon Douglas advised that Items I & G were alcohol applications for approving to advertise. As such, Item I was for Teek 2 LLC was presented for approval of advertising and the matter would come back to council for final approval. Motion to approve to advertise was provided by Council member Sneve with Council member Raffield providing second. Motion to approve carried unanimously.

Mayor Lawrence advised of next item was Item G and was an alcohol application for Texas Grill, LLC and asked Brandon Douglas to present. Brandon Douglas advised as such and Council member Sneve provided motion to approve for advertising with Council member Foust providing second. Motion to approve carried unanimously.

Mayor Lawrence advised of next item relative to Item K for reduced water-sewer rate application. Council reviewed the application and motion to approve provided by Council member Looney with Council member Sneve providing second. Motion to approve carried unanimously.

Mayor Lawrence asked for motion to go into Executive Session to discuss legal. Council member Raffield provided with Council member Sneve providing second. Motion approved unanimously.

Mayor Lawrence asked for a motion to come out of Executive Session with Council member Raffield providing with Council member Proctor providing second. Motion approved unanimously.

Mayor Lawrence advised of next item relating to committee reports with Development Committee. Council member Proctor advised that there have been preliminary discussion relating to the functioning of the committee but nothing further to add.

Mayor Lawrence advised of Street/Parks Committee and Council member Sneve advised nothing to advise.

Mayor Lawrence advised of Administration Committee and Council member Looney advised that job descriptions have been worked on and will be discussed at the retreat.

Mayor Lawrence advised of Water/Waste Water Committee and Council member Foust advised nothing to provide other than will be getting with David Hall to review the facilities.

Mayor Lawrence advised of Police / Fire Committee and Council member Raffield advised that committee will be speaking with Chiefs in the future.

Mayor Lawrence advised of Finance Report with Brandon Douglas referencing the report in packet.

Mayor Lawrence advised of Development Report with Lonnie Waters providing said report.

Mayor Lawrence advised of Police Department Report with Chief Lovell providing said report.

Mayor Lawrence advised of Fire Department Report with Chief Roper providing said report.

Mayor Lawrence asked if there was anyone in the audience that would like to make comments. Recognizing none, Mayor Lawrence asked for motion with Council member Looney providing and Council member Sneve providing second. Motion to adjourn carried unanimously.



Steve Lawrence
Mayor



Brandon D. Douglas
City Manager/Interim City Clerk