



CALLED MEETING

The Regular Meeting of the Hogansville City Council was held on Monday, August 27, 2018 at Hogansville City Hall. The meeting was called to order by Mayor Stankiewicz at 6 p.m.

Present were Mayor Bill Stankiewicz, Council Member Reginald Jackson, Council Member Marichal Price, Council Member Fred Higgins, Council Member George Bailey, and Council Member Theresa Strickland. Also present were City Manager David Milliron, City Clerk Lisa Kelly, and Chief of Police Brian Harr.

OLD BUSINESS

1. 2ND Reading & Adoption – Nuisance Abatement Ordinance. Jeff Todd read the caption for the second reading of the proposed ordinance. Price confirmed the ordinance will give the property owner the ability to cut a tree but if they do not, the City can take it down and lien the property. Todd confirmed. Motion by Jackson to adopt the ordinance, seconded by Higgins. Carried 5-0
2. 2ND Reading & Adoption – Sewer Use Ordinance. Todd read the caption as the second reading of the sewer use ordinance as a complete re-write and replacement of the existing ordinance. Motion by Higgins to adopt the replacement sewer use ordinance, seconded by Bailey. Carried 5-0

NEW BUSINESS

1. 1ST Reading – Film Production Ordinance. Todd reads the caption as the first reading to allow for a permitting process for film production within the City. No action to be taken tonight. Strickland expressed concern with non-profits being excluded from the permit fee. Other cities are being charged regardless and we should consider charging for everyone, even non-profits. She referenced the \$100 per day permit fee and sanitation bond and feels it is too low. Mayor asked if there is a suggested fee. Strickland stated we should take into consideration the length of time they would be here. She then asked about an upcoming possible film production that will be from 9/6 – 9/17. She feels everything should be spelled out. There should be reasonable fees and strict amounts to adhere to. Mayor stated sometimes you can't know what the fees will be up front. Milliron stated there are lots of variables and must be able to give latitude. We won't always know the request, each production will be different. He noted the ordinance proposed is a model ordinance. Strickland feels each service should be spelled out.

She noted there are many cities who do not follow the model ordinances and feels it is too vague. Price asked if any roads will be blocked with the upcoming production. Milliron stated DOT will be requested to permit some road closure. Times are spelled out in the ordinance and what happens if deviated from. Strickland pointed out we must do the best thing for our City and should view ourselves as an exception. Milliron stated the application will be required, permit issued and based on the services needed, negotiated cost would be attached based on specific items. \$100 handles the administrative costs. He also used the Chamber of Commerce as an example of a non-profit should they want to come in and shoot a commercial in town. A non-profit would still be required to pay for any special needs. A non-profit is not required to pay fees on current special event permitting now. Strickland stated we could make allowances for students as part of the ordinance. She also asked about fireworks. Milliron stated the fire marshal would mandate the fireworks. Strickland asked if there are any limitations outside of the fire marshal? Milliron stated there would be different levels, which is why the fire marshal would be involved based on the situation. Mayor proposed, if the council decides to keep the non-profit language, changing the language from 501c3 to any organization exempt from federal taxes. He used a veteran's organization as an example of an entity that is not a 501c3 but is a 501c19. He asked that any comments be made before Wednesday, August 29. Bailey looked on the Ga. Camera-Ready website and there is a list of fees recommended.

2. 1st Reading – Foreclosure & Vacant Real Property Registry Ordinance. Todd reads the caption as the first reading. No action to be taken tonight. Carol Smith asked if fees will be charged to owners on foreclosed properties. Milliron noted the provisions of the proposed ordinance would include a fee of \$100 and will allow code enforcement to make direct contact with owners. If they do not register then we would know they are not registered, at such point code enforcement action can be taken. If properties have not been inhabited in 60 days and no determination of utilities, the property will be included in the list of properties that require registration. He noted zero usage meters have been identified and is a key indicator. This will trigger the City to make contact with owners, even bank owned properties. It now takes 2-3 months to identify and determine who is responsible. Jackson stated he thinks the fee should not be on the owner if code is being kept. Should impose the fee only once code enforcement action is begun. Strickland asked what kind of time frame will we allow for notification? Code enforcement would allow ample time for owners to be notified and complete the registration process. Regarding the fees, there are costs for the services being provided and regarding enforcement, there is an established process. There is also a portion that allows for an appeal process. We know when properties do not have utilities and they would get letters from the City. Smith asked if we will go retroactive? Milliron stated it would be incumbent on staff to notify the owners and will allow for a grandfather period for compliance, not enforcement. About 90 days of owner education would be needed and will show leniency until we know proper notification has been given. The ordinance is not designed to go out and generate revenue but help with administrative costs to include inspections, postage, time, etc. Strickland proposed maybe \$20 instead of \$100. Mayor urged everyone to make contact with the City Manager

with any comments. Jackson stated we should not go retroactive. Price noted, with regard to properties not being kept up, the City has property that is not kept up due to current situations with lack of employees.

3. Sponsor | Isaiah Loftin Historic Marker. Miller addressed the Mayor & Council as a follow-up to Dr. Lowe's research on the attempted assassination of Post Master Isaiah Loftin. This event drew National attention and will qualify for a civil rights marker through the Ga. Historical Society; application will be submitted this week. Marker is proposed to be placed on the corner of West Main and Boozer. Total cost is \$5000. \$2500 will come from grant and the other \$2500 will fund through hotel / motel tax dollars. Racial Trust-building group is willing to be a co-sponsor. Need sponsor agreement and easement agreement from the City. The sponsor agreement will require the City be responsible to look after it and maintain it and should it be damaged, replace it. The application needs to be submitted by 9/1/18. Staff is asking the Mayor be authorized to sign the sponsor agreement, look after it, and perform the easement agreement. Strickland stated her concern that this is the first time the Racial Trust-building group has been involved. Why are we not mentioning the original groups involved? The marker can be commemorated and contributed to by bricks and paid for through the process. Miller stated Mr. John Hardy Jones has contributed the City's portion of the marker and also paid for the speaker for the last meeting of the Racial Trust-building group where Dr. Tony Lowe was the speaker. Strickland feels just the City should be listed on the marker and not the Racial Trust-building group. Bailey stated he would rather only the City be referenced on the marker. Jackson stated he does not want any names on the marker. Mayor stated the other names should be considered on the bricks and not the marker. Strickland did say she would bring agreement with the researcher being listed on the marker. Miller stated it can certainly be on the application and Dr. Lowe will be listed throughout the process. Bailey stated Lowe commended Miller and Milliron for their involvement and work throughout the process. Motion by Strickland to approve the sponsorship without listing the Racial Trust-building group on the marker, seconded by Price. Carried 5-0

4. Community Development Block Grant (CDBG) 2019- Engineer. Milliron stated this is the 2nd step in the 2019 CDBG process. Grant administrator has been authorized and Allen-Smith Consulting will be the grant writer. In addition, the City has solicited ten qualified engineers and received five responses. The evaluation committee has chosen Falcon Engineering. Turnipseed was noted as the former CDBG engineer and will remain the engineer for various other projects throughout the City. Falcon is currently working on some of the other City projects. Strickland stated we have worked with Turnipseed since around 2010 and Falcon has only been in business for 12 years and appears to have handled many apartment complexes but nothing in the way of CDBG. Concern was raised due to the good relationship the City has had with Turnipseed over the years She asked for verification of the cost of construction ensuring an apples to apples comparison. Milliron stated the overall costs. Strickland stated the proposal from Falcon is 8-11% where Turnipseed is not to exceed 8.5%. "Why are we not going with

Turnipseed?” Mayor stated Turnipseed was selected as the City’s engineer in 2009–2010 and we have used them since. Strickland stated they have done many projects for the City. Mayor stated the waste water treatment plant is engineered by Turnipseed. Chris Poje of Turnipseed Engineers stated they have been successful with engineering and completion of CDBGs every two years since 2011. Strickland does not understand why we would not use them for this CDBG as their performance and outcome has been good. Milliron stated the bottom line costs through Falcon will allow more water lines to be worked on. This is an opportunity to evenly spread out work and costs. Mayor confirmed there are four proposals; Milliron stated only four gave price schedules; Turnipseed proposed 12% of the project, Falcon proposed 10%, BMK did not include fees in their proposal, Keck & Wood did not propose a specific billing rates but assured no more than 12%, and the final proposal did not include any billing rates. Price asked if Milliron if he has worked with Falcon before. He stated yes and gave a brief overview of his work history with them. Milliron stated the original request was for qualifications so the question was sent out to confirm pricing. An overall 10% maximum was committed from Falcon. Turnipseed and Keck & Wood submitted a 12% fee. Strickland stated if we called them back it taints the integrity of the process. Milliron questioned the statement of “tainting the process” as the City should have the ability to negotiate. He wanted to make sure staff is not being accused of any impropriety. The only thing clarified here was the overall cost as every dollar is important. On the current CDBG, there is a portion of paving that cannot be done due to engineering and construction costs. Grant Administrator and Engineer will get paid first and important to look at overall cost; every penny matters. In the current CDBG the City will have to utilize LMIG dollars to pave the completion of the project. The City is seeking \$750k realizing cities may not have CDBGs much longer. Strickland stated she is not in favor of it. Paperwork was submitted and we are going on the fact that a call was made later. Falcon has 12 years of experience and Turnipseed has been with us since 2010. Milliron stated when the amount says 8–11%, staff must clarify. Every project has to be value engineered. Staff is trying to put as much into the west end as possible. Strickland stated we not only want to look at it from the money standpoint but also experience. All the paperwork should have been submitted up front. She reiterated she did not see the quality in Falcon. Jackson asked if there is any reason not to look over it and act on it at the next meeting. He asked that paperwork be submitted on Falcon and Turnipseed and discussed at the next regular meeting. Motion to table made by Jackson, motion fails for lack of a second. Motion by Strickland to proceed with Turnipseed, seconded by Price. Motion fails 2–3 with Higgins, Bailey and Jackson opposing. The item was withdrawn and will be brought back to the Council at the next regular meeting on September 4.

5. Architect for Royal Theater – Plans & Specifications. Lynne Miller spoke stating staff has applied for another FOX Theater grant that will fund ½ of the cost of plans and specifications for the Royal Theater, except for the roof. Having these plans will make grant requests more competitive. Requests were solicited online and sent to five architects. Two responses were received and after reviewing the proposals staff is recommending Carter Watkins Architects to

create the plans and specifications in the amount \$99,500. The second proposal in the amount of \$130,507 was received from Stevens & Wilkins Architects as a base option. Both include construction management and a 10-month construction period. Carter Watkins is 6% of total cost and Stevens & Wilkins would be 10%. Stevens & Wilkins is requiring city staff vacate the building to do selective demolition. Carter Watkins can work with city schedules and allow us to remain in the building. Staff recommends authorizing the City Manager to negotiate a contract with Carter Watkins Architects not to exceed \$99,500 to prepare plans, specifications, and construction management. Funding will be split between theater SPLOST and Fox Theater grant. Will be a matter of a few weeks before we hear from FOX as to approval. Strickland asked about the time frame we would need to move. Miller stated Stevens & Wilkins was recommending the staff vacate almost immediately; Carter Watkins is willing to work around staff. Mayor suggested a work session to discuss a plan and scheduling. Strickland asked where we are with the bank building. Mayor noted the FOX Theater institute is urging us to apply for construction grant. Milliron stated the funds have been transferred to the trust for the repairs to the roof. As soon as City Attorney signs roof repairs will get underway. He further noted he will be sending out RFQs for architects soon. Must have stamped and approved plans before sending to the state corrections board. In addition, regarding the theater, Carter Watkins is very acceptable and will work around existing operations with no impact. He suggested waiting a while to have a work session on this topic until more information can be gathered. Motion by Bailey to accept Carter Watkins Architects as the architect for the Royal Theater, seconded by Higgins. Carried 4-1 with Strickland abstaining.

6. Discussion – Mayor & Council Travel. Strickland stated Council has received the paperwork on training dollars and feels any amounts over the original amounts should be reimbursed to the City by anyone who has gone over their allotted amounts. She feels at times you should go to certain training and anything over the budgeted dollars should come back before Council for approval. Mayor stated in his case, the accounting shows there are two June conferences in the same budget year; one of them clearly belongs in a different budget year. He agrees that budgets should be minded but we have to make sure the accounting is correct. Strickland stated the Savannah conference costs around \$1500. We are responsible to take care of taxpayer dollars and Council Members take a lot of heat for it at times. She stated she stuck to her budget and not fair for anyone else to go over the allocated amount. Milliron explained governmental accounting and how it works with accruals for any service used in one budget year but paid in another. If something occurs in a budget year it should be booked in the budget year it is in. That is how two of the same conferences can end up in one year. Strickland stated she is diligent about keeping up with her numbers and not going over. Milliron stated going forward proper accounting will be required and requests for travel submitted to ensure everyone is staying within their budget dollars. This will ensure no one exceeds their budgets. Monthly financials are also provided that show those dollars. A forensic audit can be done for every dollar spent. Moving forward staff will have an audit trail to check and verify. Council as a whole did not go over the training budget. Conference in June under the new

budget will go back to the previous budget year. Council has 100% of control over the budget and can do what they will. Strickland stated it is not fair to say that the Council as a whole did not go over, line items are detailed in the financials. We have ownership to take care of the City. She stated she ate the additional cost because she wanted the training but did not exceed her budget. Bailey stated when he first got on the Council he and the Mayor were the only ones going to training classes. He gave an example of the classes he attends and elects to use. He is over \$1400 and Mr. Higgins has offered to allow his training dollars to be used for Bailey's benefit. He was at one time ahead in all the levels of training. There are many 1-day training classes. Mayor stated for the benefit of the public; all of the dollars in question were used for training. Strickland stated she paid for many of the classes on her own once she met her budget. Mayor noted the City Manager goes to lots of training and has not yet submitted an expense report. The total budgeted for training is \$21k, total overage is just over \$1k. Milliron stated if the Council will agree to it he will write a check now to reimburse and make it whole. Strickland disagreed and noted her own dollars spent. Motion by Strickland to reimburse the City for expenditures over their allotted amounts, seconded by Price. Jackson suggested it be resolved a different way. The Mayor opposed to break the 2-2 tie. Motion fails.

7. Strickland asked about the veto power of the mayor and where we are in modifying the charter. Todd clarified that the process can be done by the home rule if it be the will of the group.
8. Strickland asked if anything has been done regarding amendments to the charter for missed consecutive meetings. Mayor stated the Council has the power to set rules and require attendance. Provisions in the charter allow Council to set rules for attendance. Jeff Todd committed to doing a little more research and further inquired about past discussions regarding payment to Council on a per meeting basis. Strickland suggested placing the item on a future work session.
9. Price discussed the previous meeting he missed. He stated a family matter kept him from attendance and before the Mayor puts stuff in the paper he (Price) should receive a call. Mayor explained the message that was delivered to the Council through Bailey in that Price may not be able to make the meeting. He further stated that he did not put anything in the paper and did not have any conversation with the press. Price was heated and accused the Mayor of putting the information in the paper about his family. Mayor stated he was not aware of any family information being in the paper and he certainly did not give them any information as he did not know of any family issues. Strickland stated on her end an e-mail was sent at 3:29pm that she would not be in attendance. Mayor stated he does not check his e-mail constantly and did not receive that e-mail until later that night. Strickland stated we have city-issued tablets and they should be checked. Mayor reiterated that he does not check his e-mail constantly and did not receive the e-mail prior to the meeting. He further explained that he did

not put anything in the paper regarding Price's absence. Milliron stated he has read all three papers and does not recall seeing anything about Price's family being printed. Price stated that he will bring the paper in. Bailey reminded everyone he will not be in attendance at the September 4 meeting as he will be in Washington DC.

There being no further business to come before the Mayor & Council of the City of Hogansville at this time, on a motion by Council Member Strickland and dually seconded by Council Member Bailey, the meeting was adjourned at 7:55pm.

Respectfully,



Lisa E. Kelly, CMC
City Clerk
City of Hogansville

August 27, 2018