



City of Hogansville  
**City Council**

Public Hearing & Regular Meeting Agenda

**Tuesday, June 20, 2023**

**Meeting will be held at Hogansville City Hall,  
111 High Street, Hogansville, GA 30230**

Mayor: <b>Jake Ayers</b>	2025	City Manager: <b>Lisa E. Kelly</b>
Council Post 1: <b>Michael Taylor, Jr</b>	2025	Assistant City Manager: <b>Niles Ford</b>
Council Post 2: <b>Matthew Morgan</b>	2025	City Attorney: <b>Alex Dixon</b>
Council Post 3: <b>Mandy Neese*</b>	2023	Chief of Police: <b>Jeffrey Sheppard</b>
Council Post 4: <b>Mark Ayers</b>	2023	City Clerk: <b>LeAnn Lehigh</b>
Council Post 5: <b>Toni Striblin</b>	2023	* Mayor Pro-Tem

**Public Hearing – 7:00 pm**

Public Hearing to Hear Citizen Comments on the Proposed 2023/2024 Budget

**Regular Meeting – Immediately Following Budget Public Hearing**

1. Call to Order – Mayor Jake Ayers
2. Invocation & Pledge

**Consent Agenda**

All items listed under the Consent Agenda are considered to be routine in nature and will be approved by one blanket motion.

1. Approval of Agenda: Regular Meeting June 20, 2023
2. Approval of Minutes: Public Hearings and Regular Meeting June 5, 2023
3. Approval of Minutes: Work Session Meeting June 5, 2023

**Presentation**

1. Employee Service Award – Michelle Hollis – 16 Years
2. Employee Service Award – Daniel Johnson – 6 Years

**New Business**

1. Adoption of the 2023/2024 Budget
  - a) Funding of line item: 001-00611-594 Intrgvmntl – Youth Centers
  - b) Adoption of Budget
2. Resolution - Booster Pump Station Bid Award – Bass Cross Rd
3. CDBG Change Order
4. Approval of Pepperball Policy

**City Manager's Report**

**Chief of Police Report**

**Council Member Reports**

1. Council Member Taylor
2. Council Member Morgan
3. Council Member Neese
4. Council Member Ayers
5. Council Member Striblin

**Mayor's Report**

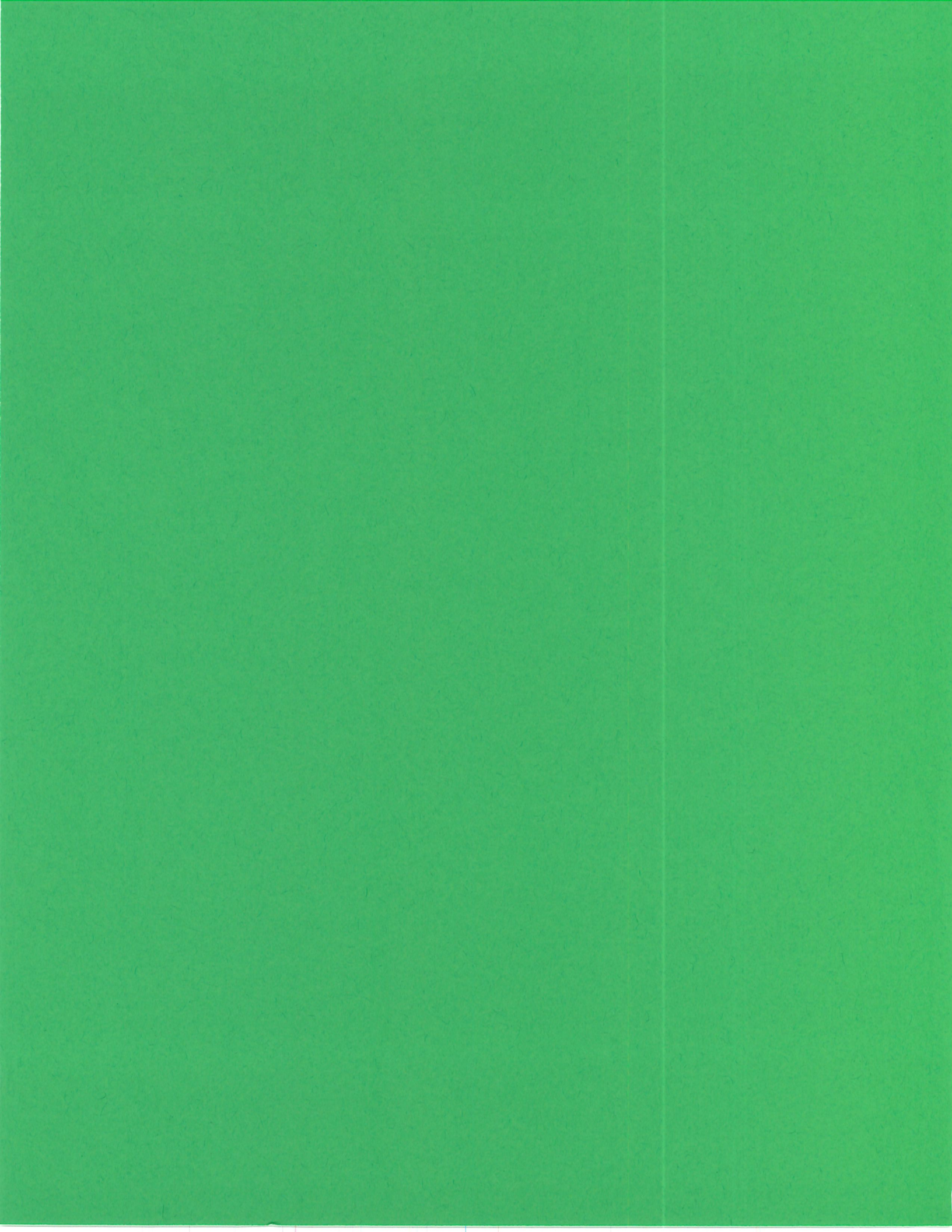
**Adjourn**

**Upcoming Dates & Events**

- June 20, 2023 10:00 am and 7:00 pm | Public Hearings to Hear Citizen Comments on the Proposed 2023/2024 Budget
- June 20, 2023 – Immediately Following Public Hearing at 7:00 pm | Regular Meeting of the Mayor and Council at Hogansville City Hall
- June 27, 2023 – 6:30 pm | Meeting of the Historic Preservation Commission at Hogansville City Hall

Meeting to be held at Hogansville City Hall, 111 High Street, Hogansville Ga. 30230







06/05/2023

*Meeting held at Hogansville City Hall, 111 High Street, Hogansville GA 30230*

### **Public Hearing**

Mayor Jake Ayers called the Public Hearing to order at 7:02pm to hear citizen comments on the proposed Unified Development Ordinance (UDO). Potential resident Mr. Delaney said he was excited about the direction the City is going with the UDO. His only concern was regarding the minimum square footage for homes. Aaron Fortner with Canvas Planning answered that most cities have a minimum square footage for homes, and most communities want appropriate size housing. There are still areas where smaller homes (cottage court, accessory dwellings) are allowed. Mr. Fortner also said the UDO can be adjusted as needed.

The Public Hearing was adjourned at 7:16 pm.

### **Public Hearing**

Mayor Jake Ayers called the Public Hearing to order at 7:16 pm to hear citizen comments on the Proposed 2023/2024 Budget. Potential resident Mr. Delaney asked about the proposed budget for demolishing buildings and how that process works and once a house is demolished, who maintains the lot? City Manager Lisa Kelly and Attorney Alex Dixon explained that it goes through several processes, including attempts through code enforcement and other administrative efforts, with the goal to have the property owners fix or demolish the properties themselves. But when the property owners won't or can't fix or demolish the structure, the City goes through abatement processes and have the structure demolished, putting a lien on the property.

The Public Hearing was adjourned at 7:21pm.

### **Regular Meeting**

**Call to Order:** Mayor Jake Ayers called the meeting to order at 7:21 pm. Present were Council Member Michael Taylor, Jr., Council Member Matthew Morgan, Council Member Mandy Neese, Council Member Mark Ayers, and Council Member Toni Striblin. Also present were City Manager Lisa Kelly, Assistant City Manager Niles Ford, Police Chief Jeff Sheppard, City Attorney Alex Dixon, and City Clerk LeAnn Lehigh.

Council Member Taylor gave an invocation and Mayor Ayers led the Pledge of Allegiance.

### **CONSENT AGENDA**

**Motion:** Council Member Ayers moved to approve the Consent Agenda. The motion was seconded by Council Member Neese.

**Motion Carries 5-0**

Mayor Jake Ayers and City Manager Lisa Kelly introduced new Assistant City Manager Niles R. Ford.

### **PRESENTATION**

1. **2023/2024 Proposed Budget Presentation**
2. City Manager Lisa Kelly gave a PowerPoint presentation on the proposed 2023/2024 budget. In the presentation, explaining some of the highlights: Increase of condemned structures to 100k, 20k budgeted for Elevations and Pioneer Youth Centers, Annex building renovations, budgeted

June 5, 2023

amounts for new Public Works equipment that is desperately needed, Police Department body cam equipment, 2 Police Department positions including vehicles and equipment, a 3% cost-of-living increase for all City employees and a not-to-exceed 5% merit increase, new utility and financial software. Ms. Kelly also mentioned that 140k would go to reimplementing payment for Fire Services, as required in the SDS agreement. There is no increase in the property tax rate and no utility rate increases.

### **OLD BUSINESS**

#### ***1. 2<sup>nd</sup> Reading and Adoption – Unified Development Ordinance***

**Motion:** A motion was made by Council Member Striblin to adopt the Unified Development Ordinance (UDO). The motion was seconded by Council Member Ayers.

**Discussion:** None

**Motion Passes – 5-0**

### **NEW BUSINESS**

#### ***1. Approval of Utility and Financial Software***

**Motion:** A motion was made by Council Member Neese to approve the Utility and Financial Software through Edmunds GovTech in the startup amount of \$99,895.00, with \$77,270 due at contract signing and the remainder paid in two payments of \$11,312.50 at intervals post contract and after the software goes “live”, along with a monthly amount of \$4,553.75. The motion was seconded by Council Member Taylor.

**Discussion:** None

**Motion Passes – 5-0**

#### ***2. Bid Award – Royal Theater Film, AV, Sound Technology***

**Motion:** A motion was made by Council Member Striblin award New Ground Group the bid for plans and drawings for the film, AV, and sound technology for the Royal Theater in the amount of \$56,900 plus additional fees for AVL Design-Bid Services. The motion was seconded by Council Member Neese.

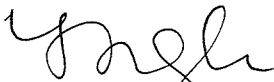
**Discussion:** None

**Motion Passes – 5-0**

### **ADJOURNMENT**

On a motion made by Council Member Neese and duly seconded, Mayor Jake Ayers adjourned the meeting at 8:12 pm.

Respectfully,



LeAnn Lehigh  
City Clerk





06/05/2023

*Meeting held at Hogansville City Hall, 111 High Street, Hogansville GA 30230*

### **Work Session Meeting**

**Call to Order:** Mayor Jake Ayers called the Work Session to order at 5:36 pm. Present were Mayor Jake Ayers, Council Member Michael Taylor, Jr., Council Member Matthew Morgan, Council Member Mandy Neese, Council Member Mark Ayers, and Council Member Toni Striblin. Also present were City Manager Lisa Kelly, Assistant City Manager Niles Ford, Police Chief Jeff Sheppard, City Attorney Alex Dixon and City Clerk LeAnn Lehigh.

### **DISCUSSION ITEMS**

#### ***1. Royal Theater***

City Manager Lisa Kelly explained that the City solicited bids for the drawings and plans for the film, AV, and lighting design for the Royal Theater. They received three quotes. Magna Tech Electronics out of Florida with a proposed fee of \$17,775 plus travel, SSOE Group out of Atlanta with a proposed fee of \$61,400+, and New Ground Group out of Grantville/Newnan/Fayetteville, GA with a proposed fee of \$56,900 plus additional fees for AVL Design-Bid Services. New Ground Group has come several times to the theater to help determine the needs for the technology needed and are ready to work with Principle Construction to get the red-line drawings quickly before construction begins on June 10, 2023. Staff recommends New Ground Group as they are the only consultants who are able to work within the construction timeline and can work with the architect and construction contractor to minimize change orders that could save money down the road.

#### ***2. Discussion of Proposed 2023/2024 Budget***

City Manager Lisa Kelly gave a PowerPoint presentation on the proposed 2023/2024 budget. In the presentation, explaining some of the highlights: Increase of condemned structures to 100k, 20k budgeted for Elevations and Pioneer Youth Centers, Annex building renovations, budgeted amounts for new Public Works equipment that is desperately needed, Police Department body cam equipment, 2 Police Department positions including vehicles and equipment, a 3% cost-of-living increase for all City employees and a not-to-exceed 5% merit increase, new utility and financial software. Ms. Kelly also mentioned that 140k would go to reimplementing payment for Fire Services, as required in the SDS agreement. There is no increase in the property tax rate and no utility rate increases. There will be a Public Hearing before the Council Meeting tonight at 7pm, and Public Hearings on June 20 at 10am and 7pm to hear citizen comments on the proposed budget.

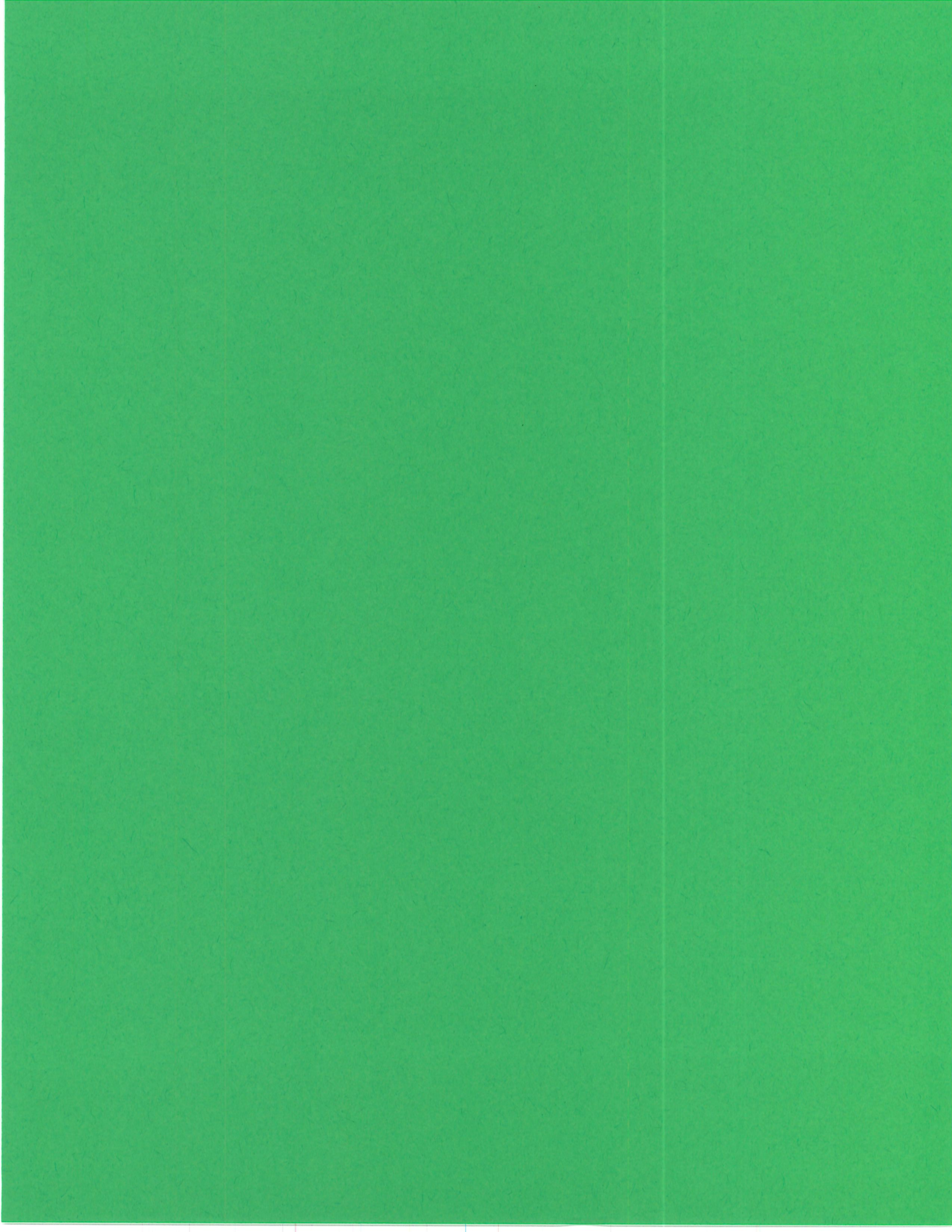
### **ADJOURNMENT**

Mayor Jake Ayers adjourned the Work Session at 6:52 pm.

Respectfully,

LeAnn Lehigh  
City Clerk

June 5, 2023



**RESOLUTION**

WHEREAS bids were received by the City of Hogansville, May 4, 2023, for the Bass Cross Road Booster Pump Station and Ground Storage Tank, and

WHEREAS the low, responsible, responsive Division One bidder is C. Geiger Construction Company, Inc. of Macon, Georgia with a bid in the amount of \$717,322.00 with Alternate One, and

WHEREAS the Division One low bidder, C. Geiger Construction Company, Inc., appears to have the necessary financial and technical ability to complete the project,

BE IT THEREFORE resolved the City of Hogansville hereby makes tentative contract award of the construction contract to the Division One low bidder, C. Geiger Construction Company, Inc. of Macon, Georgia, in the amount of \$717,322.00 with Alternate One.

Award of this contract is contingent upon the selected bidder meeting the requirements regarding DBE/MBE/WBE compliance.

THIS RESOLUTION was passed by a vote of \_\_\_\_ to \_\_\_\_ at a regular meeting of the Mayor and Council on \_\_\_\_\_.

**CITY OF HOGANSVILLE, GEORGIA**

\_\_\_\_\_  
Jake Ayers, *Mayor*

Attest: \_\_\_\_\_  
*City Clerk*



## Lisa Kelly

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**From:** Greg Ashworth <gashworth@turnipseed.com>  
**Sent:** Wednesday, June 14, 2023 5:09 PM  
**To:** Lisa Kelly  
**Cc:** Andy Jones  
**Subject:** Post 1990 Build for Service in CDBG

Lisa,

We can discuss this on Monday. It would be good if Ryan or Daniel could get a count on how many meters are not at the right-of-way in the CDBG Target area before Monday.

Please see link:

[https://www.google.com/maps/d/viewer?mid=1av\\_fjopgHOB3hO2PwSGeXwlfdtmxejk&ll=33.17623219745164%2C-84.9181051290253&z=16](https://www.google.com/maps/d/viewer?mid=1av_fjopgHOB3hO2PwSGeXwlfdtmxejk&ll=33.17623219745164%2C-84.9181051290253&z=16)

It appears that 10-13 of the services in the Target Area were put in post-1990 so that leave approximately 95 if all are replaced to the house.

If you replace 95 services from the meter to the house and the average length of service line from meter to the house is 30 feet =>  $\$500 \times 95 + \$20 \times 95 \times 30 = \$104,500$ . If we take out the \$36,000 allowance in the bid, this would mean it would cost approximately \$68,500 above the current contract price. If they come to service lines that have already been replace this would lower the cost. This would include the cost of moving the meters to the right-of-way on any that are not currently at the right-of-way.

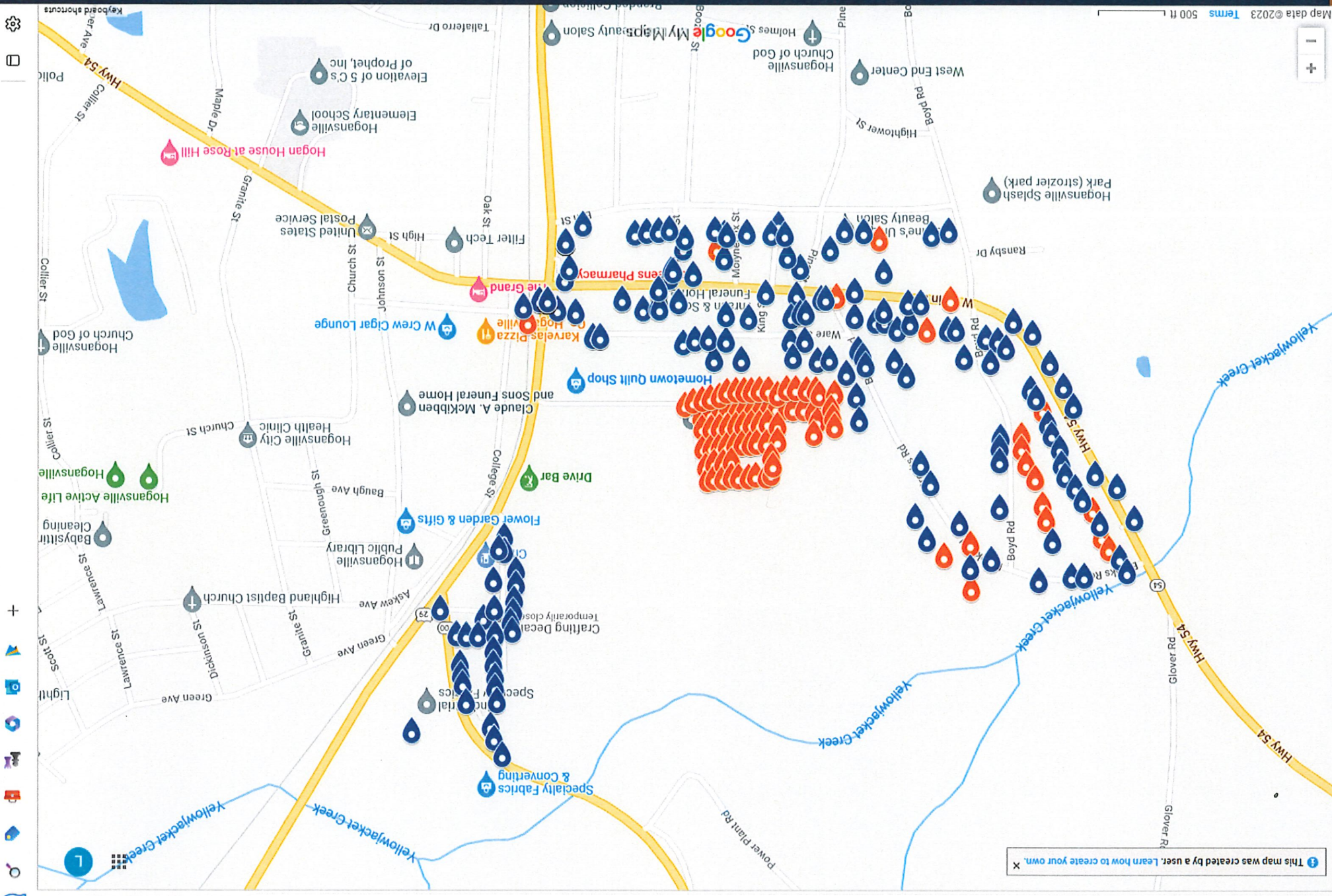


**Greg Ashworth, P.E.**  
Engineer

**M:** 770.525.2289 **T:** 770.333.0700  
[www.turnipseed.com](http://www.turnipseed.com)

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and meter size, selected area west of

Map of Hogansville addresses with year built

Portion of Hogansville LC...

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CITY COUNCIL  
Mayor Jake Ayers  
Michael Taylor, Jr., Post 1  
Mathew Morgan, Post 2  
Mandy Neese, Post 3  
Mark Ayers, Post 4  
Toni Striblin, Post 5




Lisa Kelly, City Manager  
Niles Ford, Ast. City Manager  
Alex Dixon, City Attorney

111 High St  
Hogansville GA 30230-1196  
706-637-8629 | cityofhogansville.org

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## COUNCIL ACTION FORM

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**MEETING DATE:** June 20, 2023      **SUBMITTED BY:** Jeffrey Sheppard 

**AGENDA TITLE:** Hogansville Police Department Proposed PepperBall Policy

**CLASSIFICATION** (City Attorney must approve all ordinances, resolutions and contracts as to form)

- |  |                                     |   |   |
|--|-------------------------------------|---|---|
| <input type="checkbox"/> Ordinance (No. ____)  | <input type="checkbox"/> Contract   | <input type="checkbox"/> Information Only             | <input type="checkbox"/> Public Hearing |
| <input type="checkbox"/> Resolution (No. ____) | <input type="checkbox"/> Ceremonial | <input checked="" type="checkbox"/> Discussion/Action | <input type="checkbox"/> Other          |

**BACKGROUND** (Includes description, background, and justification)

Policies are reviewed and or created from time to time within the Hogansville Police Department and those policies are brought before City Council for approval.

This policy provides personnel, trained in using PepperBall system, with direction as to use, deployment, storage, and suspect care. Personnel trained in the use of PepperBall system are authorized to employ PepperBall projectiles in accordance with the provisions of this policy and the department's overall policy on use of force.

The PepperBall system is a semi-automatic, high-pressure launcher, which uses compressed air to propel .68-caliber plastic balls filled with PAVA (Capsaicin II) powder that is disbursed upon impact. PAVA is a pepper derivative that is extremely hot. The PepperBall system is considered non-deadly use of force, which is not intended to cause death or serious physical injury. The PepperBall system may be used to control subjects who have made active movements to avoid physical control; apprehension of subjects armed with weapons other than firearms; preplanned warrant service with potentially violent subjects; apprehension of violent persons under the influence of drugs/alcohol; detention of persons threatening suicide or injury to themselves; or riot control or an unlawful assembly.

This document has been reviewed and approved in form by the City Attorney. All members of the HPD will be required to review and acknowledge receipt of this policy through their system. This is consistent with all police amendments.

**BUDGETING & FINANCIAL IMPACT** (Includes project costs and funding sources)

No budget or financial impacts from this request.

**STAFF RECOMMENDATION** (Include possible options for consideration)

Staff recommends approval of this policy.



**TOPIC: PepperBall System**

**DRAFT**

**Policy Number: P123**

**Policy Effective Date: 07/01/2023**

**Type of Communication:** General Order  Special Order

**Dissemination:** Department  Division

**Approved by:** Jeffrey Sheppard, Chief of Police Initials: JS

**Action:** New  Amends  Rescinds  Review

**Pages:** 5

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**P123.01 PURPOSE**

The purpose of this policy is to provide guidelines and directions for the establishment regarding departmental use of the PepperBall system.

**P123.02 POLICY**

This policy provides personnel, trained in using PepperBall system, with direction as to use, deployment, storage, and suspect care. Personnel trained in the use of PepperBall system are authorized to employ PepperBall projectiles in accordance with the provisions of this policy and the department's overall policy on use of force.

**P123.03 DEFINITIONS**

**NON-DEADLY FORCE:** Force which is not likely or intended to cause serious bodily harm or death.

**PEPPERBALL SYSTEM:** The PepperBall system is a semi-automatic, high-pressure launcher, which uses compressed air to propel .68-caliber plastic balls filled with

PAVA (Capsaicin II) powder that is disbursed upon impact. PAVA: PAVA is a pepper derivative that is extremely hot. The ingredients in hot peppers that are responsible for "the heat" are called capsaicinoids. Capsaicinoids are a family of chemicals and they come with various heat qualities. PAVA (Capsaicin II) is the hottest of the capsaicinoid family.

**P123.04 TRAINING**

1. All officers must attend and complete an approved pepperball training course. All training will be documented and conducted by a Certified Pepperball instructor and in accordance with the training polices of the Hogansville Police Department.

2. Each officer attending the training will receive instruction in the Hogansville Police



Department use of force policy (SOP P103), proper delivery of pepperball, the carrying of pepperball launchers, incident reporting procedures, safety precautions, decontamination procedures, and copies of the use-of-force and other related policies for training purposes.

3. Each officer attending the initial training **will be exposed** to pepperballs in order to become familiar with the effects and decontamination procedures.

### **P123.05 AUTHORIZED USERS**

1. Instructors: Instructors of the PepperBall system will be trained and certified by PepperBall Technologies, Inc. All instructors will be required to maintain their certification through PepperBall Technologies. These certified instructors will train all Police Department operators.

2. Operators: Only sworn personnel trained and certified by the Department shall use the PepperBall system. Operators shall maintain annual recertification.

### **P123.06 WEAPON READINESS**

Only qualified operators shall carry the PepperBall weapon system. The PepperBall system shall be carried in an approved carrying case until it is deployed.

Only the PepperBall operator shall have discretion to deploy the PepperBall system. The PAVA rounds should be stored in the quick load canister and not in the magazines of the weapon so the operator will know what rounds are in the system.

ONLY certified PepperBall armorers shall have the authorization to make alterations or repairs to the PepperBall systems.

### **P123.07 DEPLOYMENT**

The PepperBall system is designed to provide an alternative to physical force. The use of the PepperBall system will be at the discretion of the system operator once on the scene. However, the use of PepperBall system may not always be appropriate and should not be considered if not readily available and a delay in action could be detrimental to the situation.

The PepperBall system is considered non-deadly use of force, which is not intended to cause death or serious physical injury. Depending on the system's use, it can fall into one or both of the below listed categories for Use of Force:

1. Physical Control: If used for area saturation without striking subjects.

2. Intermediate Weapons: If used against a person to cause diffused pressure striking and to deliver the PAVA chemical agent.



The PepperBall system may be used to control a violent or potentially violent subject when an officer reasonably believes any of the following conditions exist:

1. Deadly force does not appear to be immediately necessary.
2. Attempts to gain compliance by verbal commands and/or physical control are likely to be ineffective or have been ineffective in the situation.
3. There is a reasonable expectation that it will be unsafe for officers to approach within the contact range of the subject.

Instances where the use, or availability, of the PepperBall system may be effective, would include, but are not limited to:

1. Subjects who have made active movements to avoid physical control.
2. Apprehension of subjects armed with weapons other than firearms.
3. Preplanned warrant service with potentially violent subjects.
4. Apprehension of violent persons under the influence of drugs/alcohol.
5. Detention of persons threatening suicide or injury to themselves.
6. Riot Control or an unlawful assembly

Prior to utilizing the PepperBall system, the operator should consider the totality of the circumstances and give particular consideration to its use on persons who are known to be at high risk. This may include persons who appear very obese or who are known to have respiratory ailments, such as bronchitis, asthma, emphysema, or other similar respiratory diseases.

Subjects exhibiting symptoms of mental health crisis or drug abuse may require PepperBall system use in order to gain control and compliance. These persons may be at an increased risk for unsuspected secondary injuries or for the development of excited delirium. Excited delirium (ED) is a potentially fatal acute medical illness. Subjects who are exhibiting signs or symptoms of ED shall be evaluated by a physician at a medical facility. ED should be strongly suspected in a subject who exhibits unbelievable strength, little or no reaction to pain, ability to resist multiple officers, excessive sweating, bizarre or violent behavior, extreme aggression, extreme paranoia, incoherent shouting, and destruction of property - particularly glass.

When practical and prior to deploying the PepperBall system, officers should attempt to use verbal commands to gain compliance. When deploying the PepperBall system, one officer, when practical, should be dedicated to the PepperBall system and a second officer should be on scene to take control of the subject.

The PepperBall system projectiles can target individuals accurately at distances up to 60 feet and are muzzle safe from point blank range. Tactical considerations, however, should dictate the minimum distance to close with a particular subject.



The PepperBall system may also be used for area saturation against hard surfaces at distances up to 150 feet. As with deployment of any chemical agent, wind, temperature, and humidity conditions need to be considered when evaluating the use of the PepperBall system.

When circumstances permit, operators should aim at the subject's torso or center of mass. **Intentional impact to the head, neck, spine, groin, and breast area of females should be avoided.**

The PepperBall system should not be used on the following individuals, except in circumstances where the safety of officers or the public outweighs the potential health risk to the suspect:

1. Children
2. Elderly persons
3. Persons with known respiratory ailments
4. Persons with known heart related ailments
5. Females known or appear to be pregnant

Officers are responsible for decontaminating subjects in their custody who have been exposed to the PAVA powder. Personal security should be established in a safe area and subjects must be physically controlled prior to undertaking decontamination procedures.

Officers may decontaminate a subject by rinsing the affected area with water or request rescue personnel assist with the decontamination. The water should be poured over the bridge of the nose so that it floods both eyes. Particular care should be given to persons wearing contact lenses.

Persons who have been exposed to the PepperBall system PAVA powder and who have complaints or symptoms of respiratory ailments (e.g., bronchitis, asthma, emphysema, etc.) shall be decontaminated by EMS personnel. This will allow EMS personnel to assess the subject for any adverse reaction to the PAVA powder.

Officers shall ensure that persons exposed to the PAVA powder, especially those who are very obese or who have respiratory ailments, are restrained or transported in a manner which does not constrict their body position since these persons have a greater risk for positional asphyxiation.

Any person inadvertently hit with a projectile fired from a PepperBall system or affected from the PAVA powder shall also be provided proper medical attention as required or upon request.

**P123.08      REPORTING**



Whenever the PepperBall system is utilized, it shall be documented and investigated in accordance with Policy 103-Use of Force.

A. Display of PepperBall system: The displaying of Pepperball system is a show of force and not a use of force; therefore, a Use of Force investigation is not required.

B. Minor Injury or No Injury: When the PepperBall system is deployed and an individual is struck, in addition to the above reporting requirements; pictures of the impact points should be included with the other documentation.

C. Serious Injuries: Serious injuries received due to the use of the PepperBall system, beyond simple decontamination, welts and/or bruising, shall also be documented and investigated in accordance with Policy 103, "Use of Force".

The Patrol Commander shall be notified and shall have investigative responsibility. Reports shall be forwarded via the chain of command. An additional copy shall also be forwarded to the Training Unit.

\_\_\_\_\_  
Chief of Police

\_\_\_\_\_  
Date