

HAHIRA CITY COUNCIL
COUNCIL MEETING
JUNE 1, 2006

Mayor and City Council met in regular session on Thursday, June 1, 2006, at the courthouse with Mayor Stalvey presiding.

PRESENT: Mayor Johnny Stalvey; Councils Rose Adams, Terry Benjamin, Wayne Bullard and Temple Ogundu; City Manager, Tom Weldon; PWD, Donnie Warren; Police Chief, Terry Davis; Fire Chief, Dwight Bennett; City Attorney, Rob Plumb; Recorder, Marilyn Brady.

Mayor Stalvey called the meeting to order. A quorum was established.

Mayor Stalvey led the assembly in the Pledge of Allegiance, followed with the invocation given by Council Benjamin.

Mayor Stalvey welcomed citizens to the meeting.

ADOPTION OF AGENDA

Mayor Stalvey asked Council if they had any comments on the agenda. There were none.

REVIEW, CORRECTION AND ACCEPTANCE OF COUNCIL MINUTES:

- A. May 1st Work Session
- B. May 4th Council Meeting
- C. May 11th Special Called Meeting

Mayor Stalvey asked for a motion to approve the minutes. **Council Adams made a motion to approve the minutes, seconded by Council Ogundu. Vote was unanimous..**

REVIEW AND DISCUSSION OF BILLS

Mayor Stalvey asked Council if there was any discussion on the bills. There was none.

PUBLIC HEARING ON CLOSURE OF LAWSON STREET FOR SUNDAY SERVICES AT BAPTIST CHURCH

Mayor Stalvey asked City Manager, Tom Weldon, to report on this. Mr. Weldon stated that Council had a copy of the proposal from Reverend Gordon and the Baptist Church in terms of the hours they are requesting closure, which are from 9:00 A.M. until 1:00 P.M., and again at 4:45 P.M. until 7:00 P.M. each Sunday, to be closed from Highway 41 to the alley behind the present sanctuary on Lawson

Street. It would not interfere with traffic in front of the Boggs residence or the intersection at Webb and Lawson Streets.

Mayor Stalvey asked for those wishing to speak against the request. Mr. David Hollis stated that he was not against the closure but he was concerned about the precedent that Mayor and Council are performing. He stated that to his knowledge and understanding, the city has no official code or ordinance pertaining to the closing of streets, so whatever you do will set a precedent and that precedent will follow you forward. He said that if the street is closed for seven hours there will be more traffic on Stanfill Street. There is another church on Stanfill Street and they already have a congestion problem. He asked Council to stop and think. He found out tonight that this was a public hearing but that is not what the paper said yesterday, it said that Council was going to discuss it. Was there a notice for a public hearing? Were interested citizens notified? He stated that he was not against closing a street for a reasonable time, but he thought the city could open a Pandora's box that would be very hard to close. He thought seven hours was unreasonable. Maybe Council might want to do a trial basis of it for 90 days and if you decide to go ahead, renew it on an annual basis where you have the right to come back and look at it later. The D.O.T. is going to expand Highway 122. Highway 41 is going to be four-laned. The city is going to explode in the next 10 years and now is the time to study and get a good traffic plan. He said that Council should look at what is good for the community as a whole.

Mr. John Adams, 611 Hodges Street, concurred with what David Hollis said. He said that Mayor and Council needs to consider in the future in making variances without having ample room for parking. He said that he was opposed to closing the street, but not opposed to doing something on a trial basis that might work for the church and the city, but closing the street for 7 hours, no. A couple of months ago the city closed a street for a family reunion. He was opposed to that. It did not come before the public. He didn't agree with that and he can't agree with this closure.

Mayor Stalvey asked for those in favor to speak. Reverend David Gordon of the Baptist Church stated that he appreciated the comments that were made. He said that they were concerned about the people walking across the street from the education side to the church. What they wanted to do was control the traffic that came through the area. They would be open to a study, because they want to protect the people. They would welcome anyone's suggestion through study on how to route the traffic through there on any given day.

Mr. Wilmon Stanley, 308 Washington Street, said that he would like to be a middle of the road type of person. He said that he was hearing 7 hours. He didn't understand it to be the case when they requested this. Also closing the street that the church would be controlling so that no one would get hurt. He agreed with Reverend Gordon because he was sitting at a meeting when he asked for it. He

understood not wanting to set a precedence, but if we don't have enough empathy for one another, enough concern for everyone's safety, to appoint that we will sit down and look at this and come about with the best solution that will help protect the churchgoers and give a comfort zone to the children. If we don't have any feeling for our children and the young people in our city, then when the old people die, there won't be a city.

End of Public Hearing

Mayor Stalvey stated that everyone had heard him say many times for the past five months that he doesn't believe in setting a precedence and is a firm believer in not doing anything to set a precedence. He said that he believed that it would come back to haunt you when you do. He recommended that Council not close any street temporarily or permanent in the city. He asked for a motion. Council Ogundu stated that he understood setting a precedence and asked if they could do this on a trial period of 90 days and then revisit the issue quarterly or every 90 days to see if they could work it out. City Attorney, Rob Plumb, stated that the Council needed to look at this, not like Council is passing a law or ordinance about closing a street. This is a request for accommodation that can be granted or taken away at any time. To formally close a street, there is a process you have to go through. Council Ogundu suggested giving 9:00 A.M. to 1:00 P.M. on a trial basis of 90 days. Mayor Stalvey stated that when you do this you are going to have a lot of 90 day trial periods. We are going to have a lot of problems and the only way to solve this is to not start any of it. Mayor Stalvey asked for a motion to not accept their proposal to close the street temporarily or permanent. **Council Adams made a motion not to close Lawson Street for Sunday services because it's setting a precedence. There was no second to the motion. Motion died for lack of a second.**

Council Ogundu made a motion that Council give a 90 day trial basis from 9:00 A.M. to 1:00 P.M., under condition that the Baptist Church be responsible for putting the blockade out and taking it out and being police of the corner. Council Benjamin amended the motion that it also meet the Chief's certification of them being able to follow any road safety issues as far as any training the person they need, vests or anything. Motion was seconded by Council Benjamin. Discussion followed. Reverend David Gordon stated that they would be willing to withdraw their request for closure of that street. They did not intend for it to be a closure of the street, they mainly wanted to control traffic so that their people could be safe. They would be willing to withdraw their request if it will bring peace. Would the church have the option to be able to monitor traffic and control traffic during the hours when the people are let out of one building and crossing the street to the other side? He said that he was withdrawing the request and asking for permission to monitor the traffic. **Council Ogundu withdrew his motion.**

AWARDS AND RECOGNITION

A. Thanks & Congratulations to HFD Chief Bennett

Mayor Stalvey thanked and congratulated Fire Chief, Dwight Bennett for the grants he received in the past few days. City Manager, Tom Weldon, stated that it was an honor for him to be at the presentation when the Fireman's Fund Underwriters made a ceremonial check presentation to Chief Bennett. He said, on behalf of the City Manager, Mayor and Council, he conveyed their congratulations for a job well done to Chief Bennett.

Mayor Stalvey asked Chief Bennett to explain the grant. Chief Bennett thanked the City Manager, Mayor and Council for the recognition. He said that they received two different grants over the past few weeks that he had worked hand in hand with Representative Jay Shaw and State Senator Tim Golden and done a lot of lobbying, phone calls and E-Mails. They successfully entered the 07 State of Georgia budget for some extrication equipment. \$14,500.00 will be available for the city to spend after July 1. Basically this will be used for the equipment, Jaws of Life, something the city had not had before. The city has always used Lowndes County for that. Over the last few years the city has had multiple calls for accidents where people were pinned under their vehicles and we would have to wait 15 minutes for Lowndes County to get here. With this equipment, it will give access to disentangle within a matter of a few minutes versus 20-30-45 minutes down the road. The next grant from Fireman's Fund was for \$23,683.00.

Council Benjamin stated that since Chief Bennett has been here the ISO rating has been the lowest. He appreciated Chief Bennett's dedication.

Mayor Stalvey thanked Chief Bennett on behalf of the City Manager, Mayor and Council.

B. 25-Year Plaque for HPD Chief Davis

Mayor Stalvey asked City Manager, Tom Weldon, to present Chief Davis with a 25-year plaque for dedicated services to the City of Hahira. Mayor Stalvey stated his thanks and appreciation to Chief Davis, on behalf of the citizens of Hahira, Mayor and Council.

CITIZENS TO BE HEARD

Mr. David Hollis stated that he wasn't opposed to trying to work out something. He said that we need to think about the future and try to accommodate the church if possible. Mayor Stalvey stated that he would be working with Chief Davis on this.

Mr. Ralph Clendenin, 202 S. Hagan Bridge Rd., said that the road situation was terrible. There are pot holes, cracks, manholes that have sunk and we are broke.

What are the options, how do we get these roads fixed? We need to look at the infrastructure and start charging the builders for roadwork, parks, water, sewer, by an impact fee. Last year the previous council sent the City Clerk and Public Works Director to Florida to a city that had the same issues. They came back and reported that the study cost them \$17,000.00. After the completion of that they were able to impose impact fees. The city needs to start addressing some of the issues. The city is expanding and growing and talking about annexing again. He asked Council to please address the issues and lets move forward.

Mr. John Adams, 611 Hodges St., commended Mayor and Council for the job they have done over the last five months. The city looks better than it has in a long time. The employees are more responsive to the needs of the citizens. He said that he heard a rumor that the Mayor was going to resign. He said that he hoped that it was a rumor because he would be very disappointed, along with three quarters that voted for him and that other quarter that did not vote for him are solidly behind him today. He said that he wanted the Mayor to know that and he wanted this rumor to be put to rest because it is not good for this city. Mayor and Council are doing a great job and he wanted them to know it and he wanted the Mayor to keep it up. He said that we needed his leadership. The Mayor has shown us what can be done and he wanted him to continue. He also congratulated Police Chief, Terry Davis and Fire Chief, Dwight Bennett, for their accomplishments. He said that he was a little bit disappointed in the Council when they had the presentation of the Grant award. There were not many people there. It wasn't publicized. There were no refreshments. There should have been a crowd for it.

COMPREHENSIVE TRANSPORTATION PLAN UPDATE – DAN MCGEE SGRDC

Mr. McGee stated that he had three things he wanted to address to the Council and public. First is, they have completed the fiscal year 2007 through 2009 Transportation Improvement Program. This document is required through federal mandate now that we are a Metropolitan Planner Organization. They handle all of the transportation planning in Lowndes County and the urbanized portion of Valdosta. His job was to coordinate the development of the Metropolitan Planner Organization, or MPO. They developed their committees and have completed a Comprehensive Long Range Transportation Plan that outlines projects through the year 2030. The document is at South Georgia Regional Development Center's web site. They are involved in many transportation projects. A project to 4-lane Highway 41 to Highway 122 is in the planning process.

The second item is they have endeavored into a Transit Feasibility Study to evaluate a bus system for the community. There would be a large concentration of individuals in this area that would be served by transit.

The third item is the SGRDA, in conjunction with the Chamber of Commerce and the Homebuilders Association are sponsoring a workshop on topics of great

interest to all public officials and planners and our public. The deadline for registration is June 9th.. This will be held on June 15th at the Jimmy Rainwater Center.

OLD BUSINESS

- A. Declare the furnishings and equipment in Smith Hospital surplus so they can be sold

Mayor Stalvey called on City Manager, Tom Weldon, to report on this. Mr. Weldon stated that this was a necessary declaration to legally sell the property. He had a list of items to be sold. He also has a deed to the property. Mayor Stalvey asked Council if they wanted to make any action to this. Council Adams asked what was needed tonight? City Manager, Tom Weldon, stated that they needed a motion and a second and a vote to declare those items in Smith Hospital as surplus so that Chief Davis can take the necessary steps to dispose of that property and to allow advertising the items for sale. The first strategy is to first offer the items to the citizens of Hahira. Council Adams asked City Attorney, Rob Plumb, if the city could legally offer it first to the people of Hahira. City Attorney, Rob Plumb, stated that you could sell anything less than \$500.00 without putting out a bid. City Manager, Tom Weldon, stated that this would be offered as a public sale locally, so that if there were needs in the city, citizens would have the opportunity to make those purchases and get that equipment before we put it on the internet, or auction, or whatever.

Council Benjamin made a motion to declare the furnishings and equipment of Smith Hospital surplus so that they can be sold, seconded by Council Bullard. Vote was unanimous.

NEW BUSINESS

- A. For Consideration And/Or Approval
 - 1. Adopting Ordinance for Code of Ordinances of City of Hahira

Mayor Stalvey stated that he didn't feel like they should make a decision on this tonight as they have extra things they want to add. Council Adams stated that the previous Administration went through the re-codification and then we received the new codes. She stated that she was going to recommend a few changes because of a conflict with Section 8 and 9 of the Charter and Section 2 and 161 of the new code. She read Section 2-223 Duties of the City Manager. #1 is to appoint and when necessary for the good of the city suspend or remove all officers and employees of the city except as otherwise provided by the city charter or by law and accept as he may authorize the head of department or office to appoint, suspend or remove subordinates to such department or office. Nothing herein contains can be construed as giving the City Manager the right to appoint,

suspend or remove the City Auditor or the City Attorney, or either of them. She stated that she would like to remove where it says “all officers” because the officers are the department heads. This would give the City Manager the authority to remove department heads which the Mayor and Council, according to the Charter, has the authority to appoint and remove.

Move subordinates in such department. Also to add: Nothing herein contained shall be construed as giving the City Manager the right to appoint, suspend or remove the City Auditor, the City Attorney. She would like to add to that: that the City Manager cannot suspend or remove the City Clerk, the department heads, the City Engineer or any officer that has been appointed by the Mayor and Council.

Mayor Stalvey suggested to hold this motion until June and get together and give everyone a chance to understand this. Council Adams stated that this was a conflict of interest with the Charter and #14. Mayor Stalvey stated that they could get together and go over this. Mayor Stalvey said that maybe in July this could be decided on. City Attorney, Rob Plumb, stated that if there are any other proposed amendments, each Council could put together their thoughts or concerns. They could set a date to turn in the proposed amendments. He stated that Council could have their proposals in to the City Manager by June 21st. Mayor Stalvey stated that they could have this at the July meeting.

2. Courthouse Floor and Door Repairs/Renovation

Mayor Stalvey stated that this had been on the agenda for some time, even with the past Administration. He said to go ahead and get it done. He asked City Manager, Tom Weldon, if there was money to do this. Mr. Weldon stated that Council Benjamin had reminded him of the money that Chief Davis had collected from surplus sales on the Internet in the amount of \$27,000.00. Council Benjamin suggested using some of that money to fix the Courthouse floor and door. Mr. Weldon said that there were two bids for the project, which were updated. He recommended going with the high bid, after he had looked at what would be done in preserving the historical features to the building. Mayor Stalvey asked for a motion to go with the high bid. **Council Benjamin made a motion to go with Savannah Heartpine for the installation of the floor for the courthouse, seconded by Council Ogundu. Discussion followed. Councils Benjamin, Ogundu and Adams voted yes. Council Bullard abstained. Motion passed.**

3. New Copier for Public Works Department

City Manager, Tom Weldon, stated that each Council member had a copy of the quotes from Lanier and Colson for a copier that does what we need

at Public Works. He recommended the bid from Colson for \$1,595.00. Mayor Stalvey asked for a motion. **Council Adams made a motion to accept the Colson Business System's bid, seconded by Council Ogundu. Vote was unanimous.**

4. Use of GEFA Residual Funds for I & I Repairs

Mayor Stalvey asked City Manager, Tom Weldon, to report on this. Mr. Weldon stated that in 2001 the City of Hahira borrowed approximately \$600,000.00 from the Georgia Environmental Facilities Authority, GEFA to put up the new water tower. When the work was completed there was a residual of \$65,000.00 to \$67,000.00 left in the account that went unused and is still in the account, available. He verified with GEFA, this week, that they have no strings attached to that money as long as the city keeps paying the quarterly loan payment on the loan, they don't care how the city uses the money. He recommended using the money to solve some of the I & I problems with the sewer system in the city. Mayor Stalvey called for a motion. **Council Ogundu made a motion to accept City Manager's recommendation to use excess funds for I & I repairs, seconded by Council Bullard. Vote was unanimous.**

5. Downtown Development Committee to Develop & Present Recommendations Regarding Use/Disposition of Smith Hospital Property

Mayor Stalvey asked City Manager, Tom Weldon, to report on this. Mr. Weldon stated that the city has a significant I & I problem and they have a significant piece of property, in terms as to what that property is worth. After talking with two members of the Downtown Development Authority, Council Ogundu and Scott Purvis, he suggested asking the committee for ways to use the property in the best interest of the citizens of Hahira, what the citizens want and need the property to be used for and to develop options and plans how best to invite bids or sell it or build on it or whatever in order to make use of the property rather than seeing that structure that is there collapse. He recommended that Mayor and Council task that committee to take that assignment on and come back to Mayor and Council after some period of time with some recommendations on how to use the property for the city and the citizens of Hahira. Mayor Stalvey asked for a motion to accept City Manager's recommendation. **Council Benjamin made a motion to allow the Downtown Development Committee to give suggestions for usage of the old Smith Hospital property, seconded by Council Ogundu. Vote was unanimous.**

REPORTS

A. COUNCIL

Mayor Stalvey asked if Council had any reports? Council Bullard commended Police Chief, Terry Davis and Fire Chief, Dwight Bennett for an excellent job.

Council Ogundu expressed his thanks and appreciation for Chief Davis and Chief Bennett.

Council Benjamin also thanked Chief Davis and Chief Bennett for their dedication to service to the city. He also thanked City Manager, Tom Weldon, for finding the money to use for projects. He also stated his appreciation for Public Works Department for the job they do.

Council Adams also thanked Chief Davis and Chief Bennett.

B. CITY MANAGER

City Manager, Tom Weldon, thanked Chief Davis and Chief Bennett for their leadership and dedication they provide. He commended the Public Works Department and Donnie Warren.

C. MAYOR

Mayor Stalvey stated that he had no report.

EXECUTIVE SESSION

Mayor Stalvey asked for a motion to go into an executive session. **Council Benjamin made a motion to adjourn regular session and enter into an executive session to discuss personnel issues, seconded by Council Ogundu. Vote was unanimous.**

Council Benjamin made a motion to return from executive session back into regular session, seconded by Council Bullard. Vote was unanimous.

Council Ogundu made a motion to authorize the Mayor to sign the affidavit saying all that was discussed was personnel issues at this session, seconded by Council Benjamin. Vote was unanimous.

Council Benjamin made a motion to adjourn, seconded by Council Ogundu. Vote was unanimous.

There being no further business to discuss, meeting adjourned at 9.40 P.M.

Johnny Stalvey
Mayor

Marilyn Brady
Recorder