The City of Pelham

MINUTES OF THE REGULAR MEETING

December 19, 2019 – 6:30 p.m. – Council Chamber

PRESENT:

Mayor James Eubanks
Mayor Pro-Tem Alfred Brown
Council Member Bennett Adams
Council Member Jeremey Hatcher
Council Member Ansel Parrish
Council Member Bobby Robinson
Council Member Tad Williamson

City Manager, Craig Bennett
City Clerk, Lisa Austin
City Attorney, Flin Coleman
Police Chief, Nealie McCormick
Fire Chief, Ivey Godwin
Enterprise Journal, Taylor High

Frederick Davis
Charles Brimberry
Howard McKinnon

****Absent from the meeting was Council Member Winfred Parker****

With a quorum present, Mayor Eubanks called the meeting to order at 6:35 p.m. followed by the Pledge of Allegiance to the flag. Mayor Eubanks provided the opening prayer.

REGULAR SESSION – LED BY MAYOR EUBANKS

APPROVAL OF REGULAR MEETING AGENDA

Council Member Robinson made a motion to have Francis Davis Park for discussion, **seconded by Mayor Pro-Tem Brown. The vote was two yea votes by Council Member Robinson, and Mayor Pro-Tem Brown. They were four nay votes by Council Member Williamson, Council Member Hatcher, Council Member Adams, and Council Member Parrish. Mayor Eubanks stated the motion failed to add Francis Davis Park to the agenda.**

Mayor Pro-Tem Brown made a motion to approve the agenda as presented, **seconded by Council Member Williamson. The vote was unanimous.**

CITIZEN COMMENTS

No comments from the public.

COUNCIL MINUTES

Council Member Adams made a motion to approve minutes from the November 21, 2019 Regular Council Meeting, as presented, **seconded by Parrish. The vote was unanimous.**

WILSON STREET REPAIRS

Mayor Pro-Tem Brown made a motion for the approval of Green Back Hoe Inc and Watkins and Associates to carry out the repairs to Wilson Street, utilizing the funds that were presented with a cost of the project being $97,500. Also, to accept the risk that the city may need to delay other FY20 purchases to afford this entire project until federal and state monies arrive, **seconded by Council Member Robinson. The vote was unanimous.**

R2 REZONING ORDINANCE

In October, the Council approved a rezoning application to change several properties in the north end of town from R1 Single Family Residential District to R2 One, Two-Family and Multiple-Family Residential District to authorize manufactured homes and change several properties from R2 to R1.

Council Member Williamson made a motion to approve" An Ordinance to Amend the Comprehensive Zoning Map of the City of Pelham as Recommended by the Planning Commission of the City of Pelham" and dispense with the second reading, **seconded by Council Member Parrish. The vote was unanimous.**

2020 CITY CALENDAR

Council Member Adams made a motion to accept the 2020 City Calendar as presented for both City Observed Holidays, and the City Work Sessions and Council Meeting dates, **seconded by Council Member Williamson. The vote was unanimous.**

2020 LMIG

Council Member Parrish made a motion to approve the 2020 LMIG resurfacing for Branch Street and Wilkes Street, **seconded by Mayor Pro-Tem Brown. The vote was unanimous.**

PHONE PROPOSAL

Council Member Parrish made a motion to proceed with the Verizon quote and implement the new system after the holiday season, **seconded by Council Member Robinson. The vote was unanimous.**

PRIME GROUND MAINTENANCE RENEWAL

Council Member Williamson made a motion to renew with Prime Ground Maintenance for another year which includes the annual cost of $124,800/year and the phase "approximately twice per month curbside pickup", **seconded by Council Member Adams. The vote was five yea votes in favor from Council Member Williamson, Council Member Hatcher, Council**

Member Robinson, Council Member Adams and Mayor Pro-Tem Brown. One nay vote from Council Member Parrish. Mayor Eubanks stated the motion will carry.

CIRCLE K ALCOHOL LICENSE VIOLATION

Council Member Adams made a motion to concur with the Police Chief recommendation for a first-time violation of 12 months' probation and 30-day suspense of the license, canceled immediately upon the payment of a $150 reinstatement fee, **seconded by Council Member Parrish. The vote was unanimous.**

FINANCIAL REPORTS

Reviewed financial reports from November 2019 as presented.

DEPARTMENT REPORTS

Reviewed department reports from Pelham Police Department, Fire Department, Utility Department, and Code Enforcement.

CITY MANAGER'S REPORT

City Manager Bennett reported on the following:

Week of 16 Dec – 20 Dec

Hand Trading Company

- Monday, December 16th, the City Building Office issued the Certificate of Occupancy.
- The Grand Opening scheduled for the 3rd of January.
- Schedule of events include:
    - 11am Tour, invite-only
    - 11:30 Lunch, invite-only
    - 12:15 Community Ribbon Cutting
    - 12:30 Open to the Pelham Community
- The invitation will include a contingent from Atlanta, various state agencies and investors in the project
- More to follow.

Holiday Leave

- City Manager on leave 24-31 Dec, out of town in Ohio.
- City Clerk on leave 23 Dec – 6 Jan, out of town in Tennessee until 29th
- Code Enforcement on leave 24 – 3 Dec, out of town in North Carolina

- Police Chief on leave 23 Dec, local
- Fire Chief on leave 29 Dec, local
- There will be no report next week, Jan 3rd will be the next weekly.

EXECUTIVE SESSION

Council Member Williamson made a motion to close the Regular Session and go into Executive Session to discuss litigation at 7:11 pm., **seconded by Council Member Parrish. The vote was unanimous.**

RECONVENE FROM EXECUTIVE SESSION

Council Member Adams made a motion to come out of Executive Session and to enter back into Regular Session at 7:42 pm., **seconded by Council Member Williamson. The vote was unanimous. Mayor Eubanks stated no votes were taken during Executive Session.**

RESIGNATION OF JEREMY HATCHER

Council Member Hatcher gave his resignation effective December 31, 2019 due to moving out of town.

ADJOURN

With no further business to come before the Pelham City Council, **Council Member Robinson** made a motion to adjourn the meeting, **seconded by Mayor Pro-Tem Brown. The vote was unanimous. Mayor Eubanks declared the meeting closed at 7:45 p.m.**

James T. Eubanks

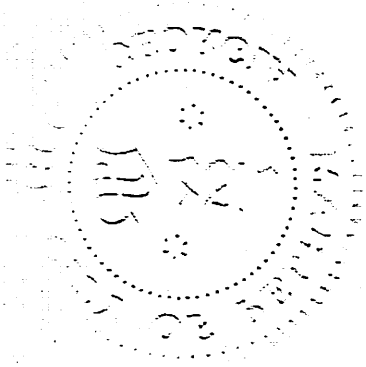
Mayor, James Eubanks

AUTHENTICATED:

This 16th Day of January 2020.

Lisa Austin

City Clerk, Lisa Austin



SAMPLE AFFIDAVIT

Before an officer duly authorized to administer oaths appeared James Eubanks who, after being duly sworn, deposes and on oath states the following:

(1) I am competent to make this Affidavit and have personal knowledge of the matters set forth herein.

(2) Pursuant to my duties as Mayor, I was the presiding officer of a meeting of the Regular City Council held on the 19th day of December, 2019. A portion of said meeting was closed to the public.

(3) It is my understanding that O.C.G.A. § 50-14-4(b) provides as follows:

> When any meeting of an agency is closed to the public pursuant to subsection (a) of this Code section, the person presiding over such meeting or, if the agency's policy so provides, each member of the governing body of the agency attending such meeting, shall execute and file with the official minutes of the meeting a notarized affidavit stating under oath that the subject matter of the meeting or the closed portion thereof was devoted to matters within the exceptions provided by law and identifying the specific relevant exception.

(4) The subject matter of said meeting, or the closed portion thereof, was devoted to matters within exceptions to public disclosure provided by law. Those specific relevant exceptions are identified as follows: *(Using the list below as a guide list in the affidavit **only** the exceptions actually applicable to the specific closed meeting.)*

A. Meeting to discuss or vote to authorize the settlement of a matter covered by the attorney-client privilege as provided in Georgia Code section 50-14-2(1) and 50-14-3(b)(1)(A). The subject discussed was *[identify the case or claim discussed but not the substance of the attorney-client discussion]*.

B. Meeting to discuss or vote to authorize negotiations to purchase, dispose of or lease property as provided in Georgia Code section 50-14-3(b)(1)(B).

C. Meeting to discuss or vote to authorize the ordering of an appraisal related to the acquisition or disposal of real estate as provided in Georgia Code section 50-14-3(b)(1)(C).

D. Meeting to discuss or vote to enter into a contract to purchase, dispose of, or lease property subject to approval in a subsequent public vote as provided in Georgia Code section 50-14-3(b)(1)(D).

E. Meeting to discuss or vote to enter into an option to purchase, dispose of, or lease real estate subject to approval in a subsequent public vote as provided in Georgia Code section 50-14-3(b)(1)(E).

F. Meeting to discuss or deliberate upon the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer or employee as provided in Georgia Code section 50-14-3(b)(2).

G. Meeting to interview one or more applicants for the position of the executive head of an agency as provided in Georgia Code section 50-14-3(b)(2).

H. Pursuant to the attorney-client privilege and as provided by Georgia Code section 50-14-2(1), a meeting otherwise required to be open was closed to the public in order to consult and meet with legal counsel pertaining to pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the agency or any officer or employee or in which the agency or any officer or employee may be directly involved and the matter discussed was *[identify the matter but not the substance of the discussion]*.

I. Staff meeting held for investigative purposes under duties or responsibilities imposed by law as provided by Georgia Code section 50-14-3(a)(1).

J. Meeting to consider records or portions of records exempt from public inspection or disclosure pursuant to Article 4 of Chapter 18 of Title 50 of the Georgia Code because there are no reasonable means to consider the record without disclosing the exempt portions.

This Affidavit is executed for the purpose of complying with the mandate of O.C.G.A. § 50-14-4(b) and is to be filed with the official minutes for the aforementioned meeting.

This 19th day of December, 2019. James T. Eubanks
Affiant

Sworn to and subscribed before me
this 19th day of December 2019 Lisa Austin
Notary Public

LISA AUSTIN
MITCHELL COUNTY, GEORGIA
MY COMMISSION EXPIRES
NOTARY PUBLIC
JULY 8, 2021