

The City of Pelham

MINUTES OF THE REGULAR MEETING

February 18, 2021 – 6:30 p.m. – Council Chambers

PRESENT:

Mayor James Eubanks
Mayor Pro-Term Alfred Brown
Council Member Bennett Adams
Council Member Fredrick Davis
Council Member Robert Hodges
Council Member Ansel Parrish
Council Member Bobby Robinson
Council Member Tad Williamson

City Manager, Craig Bennett
City Clerk, Lisa Austin
City Attorney, Tommy Coleman
Police Chief, Nealie McCormick
Fire Chief, Ivey Godwin
Bond Attorney, Todd Barnes

With a quorum present, Mayor Eubanks called the meeting to order at 6:32 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 Adams made a motion to approve the agenda as presented, seconded by Council Member Hodges. The roll call vote was unanimous.

BOND 16 REFINANCE OPPORTUNITY

A bond referendum was passed in March 2013 to take care of obligations regarding the notes on City Hall and the Mental Health Clinic, the payment of leases on jail pods, payment of a Tax Anticipation Note, and repayment of a Community Development Block Grant. The bond was financed at 5.875% and is currently held by Pelham Bank and Family Bank. Bond Attorney Todd Barnes gave an overview of the current interest rates and a saving projections if the bond was refinanced.

Council Member Hodges made a motion to move forward with Raymond James Public Finance to proceed with soliciting for bids to refinance Bond 16, second by Council Member Robinson. The vote was unanimous.

COUNCIL MINUTES

Council Member Williamson made a motion to approve minutes from January 21, 2021 Council Meeting, as distributed, seconded by Mayor Pro-Tem Brown. The vote was unanimous.

COVID 19 SICK LEAVE

The Families First Coronavirus Response Act (FFCRA) approved March 18, 2020, mandated “Two weeks (up to 80 hours) of paid sick leave at the employee’s regular rate of pay where the employee is unable to work because the employee is quarantined (pursuant to Federal, State, or local government order or advice of a health care provider), and/or experiencing COVID-19 symptoms and seeking a medical diagnosis. The mandate expired on December 31, 2020. The new Cares Act carried forward aspects of tax credits but did not extend the sick leave allocation. Three options were outlined to consider for approval.

1. Locally, the council could approve a mandate to offer employee 80 hours of sick leave. The 80 hours of sick leave would also be applicable to single parents required to take care of children placed in quarantine.
2. The mandate can be allowed to remain expired, but employees who have been paid in 2021 keep the sick leave. If this option were selected, this would give 24 hours of sick leave to an employee who went into isolation for test purposes on January 27.
3. The mandate can be allowed to remain expired, and anyone given sick leave in 2021 must give it back.

Council Member Hodges made a motion to move forward with option 1 and approve “A Resolution Extending Sick Leave Benefits for COVID related illness eighty (80) hours; repealing all Resolution’s in conflict herewith; and for other purposes”, seconded by Council Member Adams. The vote was unanimous.

TRAILER SURPLUS

An office trailer was acquired at the gun range. It has gone unused and is serving no purpose for the city. This office trailer needs to be put on the surplus list.

Council Member Parrish made a motion to add the office trailer to the surplus list, seconded by Council Member Robinson. The vote was unanimous.

CDBG TARGET AREA

The Consultants Advice on the CDBG Target Area:

1. Target area needs to be adjacent to the previous project

2. Resident in previous target area who have resolved ownership can be included in the new project.
3. Key to receiving assistance is owner-occupied status
4. Negative: Owner occupied in the prosed areas is limited on first analysis, this may penalize the application.
5. Positive, Housing is a priority with DCA this year, so may receive extra points during the application approval process.

Council Member Robinson made a motion to finish Liberia Street and work south to north on Love Street and include Kelly Alley as the CDBG target area and will include 576 Liberia Street from the former target area, seconded by Council Member Davis. The vote was unanimous.

SPECIAL PERMIT-INSURANCE

The permit requirements are 30 lead time, \$150.00 refundable deposit, \$25.00 administrative fee, \$1,000,000 property, and personal liability insurance. The insurance requirement is to protect the sponsor, protects the city, and protects the attendees. Examples of “special events” include family reunions, cookouts or picnics attended by 20 or more people, fairs, festivals, “fun-runs”, walks, and other kinds of races, parades, rallies, concerts, tours and block parties.

Council Member Adams made a motion to amend the number of people to 40 for the special event permit and reduce the insurance required to \$500,000, seconded by Council Member Hodges. The vote in favor was Council Member Adams, Council Member Hodges, Council Member Davis, Mayor Pro-Tem Brown, Council Member Williamson, and Council Member Parrish. Opposed Council Member Robinson. The Mayor stated with the majority in favor the motion will carry.

ALCOHOL ORDINANCE AMENDMENT-HOME DELIVERY

Home Delivery was authorized by HB 879 to allow home delivery of alcohol in the State of Georgia and provided the opportunity for local regulations of these types of activities. Any retail establishment licensed by the City of Pelham for the sale of alcoholic beverages shall be permitted for the sale of alcoholic beverages for home delivery upon issuance of a license for home delivery by the City of Pelham. The qualifications for the license are the same as those established in Section 6-64 of Chapter 6. The license fee for the sale of alcoholic beverages by home delivery shall be \$500.00.

Council Member Williamson made a motion to adopt “An Ordinance to Amend the Code of Ordinances, City of Pelham, Georgia to License the Home Delivery of Alcohol: to Repeal All Ordinances and Parts of Ordinances in Conflict Herewith; and for other Purposes” and dispense with the second reading, seconded by Mayor Pro-Tem Brown. The vote in favor was Council Member Williamson, Mayor Pro-Tem Brown, Council Member Robinson, Council Member Davis, Council Member Hodges, and Council Member Adams. Opposed Council Member

Parrish. Council Member Parrish is not opposed to dispensing with the second reading. Mayor Eubanks stated with the majority in favor the motion will carry.

CAR SHOW ALCOHOL PERMIT

The Main Street Board is requesting City Council’s approval of alcohol sales at the upcoming Car Show on April 24th in Downtown Pelham in order to petition the State of Georgia for Special Event Alcohol Beverage Permit. The sale of alcohol at the annual City of Pelham Car Show is a large contribution to the financial profits of the show.

Council Member Hodges made a motion to approve the request for the alcohol beverage permit, seconded by Council Member Adams. The vote in favor was Council Member Hodges, Council Member Adams, Mayor Pro-Tem Brown, Council Member Robinson, Council Member Davis, and Council Member Williamson. Opposed Council Member Parrish. Mayor Eubanks stated with the majority in favor the motion will carry.

FINANCIAL REPORTS

Reviewed financial reports of January 2021 that were presented.

DEPARTMENT REPORTS

Reviewed department reports from January 2021 from the Pelham Police Department, Fire Department, Utility Department, and Code Enforcement.

CITY MANAGER'S REPORT

Subject: City Manager's Report

Week of 15-19 February

Coronavirus

| Area | Contracted COVID 19 | | Died | | % | |
|-----------------|---------------------|-----------------|-----------|-----------------|-------|-----------------|
| | Today | Previous Report | Today | Previous Report | Today | Previous Report |
| Global | 109,594,835 | 106,991,090 | 2,424,060 | 2,347,015 | 2.21 | 2.19 |
| U.S. | 27,669,556 | 27,127,858 | 489,067 | 470,110 | 1.77 | 1.73 |
| Georgia | 798,785 | 783,821 | 14,358 | 13,672 | 1.80 | 1.74 |
| Mitchell County | 1456 | 1,441 | 70 | 68 | 4.81 | 4.71 |

- Nation-wide 16,162,358 people have received their full immunization.
- See digital map at <https://covid.cdc.gov/covid-data-tracker/#casescasesper100klast7days>
- A new community report can be seen daily at <https://beta.healthdata.gov/National/COVID-19-Community-Profile-Report/gqxm-d9w9>
- City staff has one employee in COVID-19 quarantine.
- The Department Heads and I will discuss reopening tomorrow morning at our weekly meeting.

Food Distribution

- Summerhill Mission Baptist Church for several months has distributed food to the residents of Pelham.
- On Saturday, in the morning, they will have 4 times their normal supply for distribution.
- Distribution will occur at the church.

Dropbox

- We average 54 customers/month who utilize the drop box, or 3.7%.
- I am waiting on a quote from Flint Machine Shop to do the business analyses to continuing to offer the option.

316 MLK Blvd.

- The commercial building at the site is under contract for sale.
- The building protrudes in the public rights-of-way; therefore, the Closing Lawyer is asking for a letter from the City stating we will not in the future ask them to remove the building from the rights-of-way.
- The City Attorney has drafted me a letter stating we can't make the commitment for the future, but at this time there is no intention of ordering it removed.

City Hall Roof

- The roofing job is complete.
- The roofer is coming back to investigate why one of the leaks was not corrected.

Charter Amendment

- The House passed the charter on February 16th.
- The Senate has it for deliberation and vote.

Francis Davis Park

- Pending the weather, the park will be complete by March 19th.
- Dugouts. GA Power will be returning to cement the dugout floors and install benches once the current level of COVID 19 cases reduces. When they return is TBD. When they do return, they will help with other portions of the project upon my request.
- Fencing, Fence repairs have been completed and 1000 of yellow boarder on top of the outfield fencing is on order.

- Swing set. Group covering still in work. Linked it with the purchase of ground covering for flower beds downtown. The ground covering for downtown is identified but not suitable for the swing set area, so need to research an alternative. Once the ground covering is on order, will place the boarders around the set before delivery of the ground covering. Once the ground covering is in place the swings will be hung.
- Bathrooms. Waiting on the delivery of the doors. Once doors are in place will work on fixing fixtures in the bathroom and replacing the window.
- Basketball court. Still need to order a replacement pole for the basketball hoop damaged in the accident.
- Slide. Once ground covering is in place around swing set, will evaluate if the same ground covering and boarders are required around the slide. Otherwise the slide is in service.

EXECUTIVE SESSION


Council Member Williamson made a motion to enter Executive Session at 8:02 p.m., seconded by Council Member Davis. The vote was unanimous. Mayor Eubanks state the purpose of executive session was to discuss personnel.

RECONVENE REGULAR SESSION

Council Member Robinson made a motion to reconvene into Regular Session at 9:00 p.m., seconded by Council Member Hodges. Mayor Eubanks stated the meeting was back in Regular Session and they were no votes taken during Executive Session.

ADJOURN

With no further business to come before the Pelham City Council, Council Member Adams made a motion to adjourn the meeting, seconded by Council Member Williamson. The vote was unanimous. Mayor Eubanks declared the meeting closed at 9:01 p.m.


 Mayor, James Eubanks

AUTHENTICATED:

This 18th Day of February 2021.


 City Clerk, Lisa Austin



Government in the Sunshine

SAMPLE AFFIDAVIT

Before an officer duly authorized to administer oaths appeared Mayor 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 18th day of Feb 21. 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).

Open Meetings

- 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).

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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 18th day of February, 2021. James Tubanks
Affiant

Sworn to and subscribed before me
this 18th day of February, 2021. Lisa Austin
Notary Public

