

## Regular Council Meeting

August 5, 2014

Meeting called to order by Mayor Harley at 7:00pm

Invocation given by Councilman Nichols

Pledge of Allegiance led by Councilman Tucker

Welcome Extended to all by Mayor Harley. Mayor Harley also recognized Houston County Commissioner Jay Walker.

Present were Mayor John R. Harley, Councilman Randall Wright, Councilman Edward Tucker, Councilman Jonathan Nichols and City Attorney Rebecca Tydings. Absent, Councilman Andrews.

Proclamation National Night Out: Mayor Harley read proclamation and declared August 5 as “National Night Out” in Centerville.

Adoption of Minutes: Motion made by Councilman Wright to adopt minutes as written; seconded by Councilman Tucker. Motion carried.

- July 15, 2014 Council Work Session

### Old Business

Urban Chicken Ordinance: Councilman Wright reported that there have been some revisions to the draft ordinance, permit fee increased to 50.00 and exemption from ordinance provisions if property owner has more than 4 acres in one parcel where chickens are proposed to be kept.

Councilman Wright made motion to approve ordinance as written; seconded by Councilman Tucker. Mayor opened the floor for discussion.

David Parker, 129 Ridge Bend Drive, asked about the inspection process for chickens/ health issues of chickens carry disease ex: salmonella, mites and other diseases.

City Attorney Tydings stated that there will be an inspection process initially and then each year at renewal time. Additional, if the city receives calls/complaints will respond accordingly.

Councilman Wright stated that there will be (2) inspections before the application is approved. Once the application is approved, the City Marshal will perform random inspections unless he receives a complaint. Complaints will be investigated and will include an inspection related to the conditions complained about.

City Attorney Tydings if there are a health (disease) concerns the city will contact the County Health department, which has jurisdiction in those circumstances.

Councilman Nichols referenced the following language in section 7 (d) Renewals - Building and/or code enforcement officials shall verify that the coop and run remain in compliance with the provisions of this

ordinance and that all other provisions of this ordinance are being met before the renewal application may be approved.

Mayor Harley referenced dogs and cats that can have medical problems and pointed out that disease concerns could arise in any situation where animals are kept or not. In addition, Mayor Harley pointed out that there will be no slaughtering of the chickens; only can harvest their eggs.

Councilman Wright informed everyone that there are individuals that live in Peach/ Spalding County that will take chickens that are unwanted or running at large.

Mayor Harley called for vote. Motion carried. See Ordinance 2014-2.

City Attorney Tydings stated that it is important to note that the ordinance will be effective January 1, 2015. The staff will need to get together and develop forms for the permitting process and make sure everything is in place prior to application approval.

Precious Metals and Gems Ordinance: Councilman Tucker pointed several sections of the ordinance: See below:

Section 44-4-72 (a): No license shall be granted pursuant to this article to any applicant who has been convicted, pled guilty or pled nolo contender to any felony as described in subsection.

Section 44-4-71(b): All applications shall be made to the City Clerk and shall be accompanied by an application fee of one hundred fifty dollars (\$150.00). All applications shall be in writing upon a form supplied to by the City Clerk.

Section 44-4-74 (b): Record of transactions; inspection by police: The permanent record book shall be maintained for each purchase of precious metals and/or gems for a period of three (3) years from the date of purchase of the last entry in said record book.

Section 44-4-75: Holding period for goods. Any precious metals and gems dealer or person operating under a precious metals and gems dealers license who takes or buys precious metals or gems, taking full title thereto, shall hold unaltered, such goods so taken or purchased for at least ten (10) days before disposing of the same by sale, transfer, shipment or otherwise.

Section 44-4-76: Reports of transactions. Every precious metals and gems dealers shall complete a weekly report, in such form as may be prescribed by the Chief of Police, of all precious metals or gems taken or bought by him during the preceding 7 day (Monday – Sunday) period. Such report shall show the name and address of the precious metals and gems dealer; the time of each transaction; the serial number, if any, on the item; the amount paid, pledged, or advanced; a full description of the article, including the kind, style, material, color, design, kind and number of stones in jewelry and all identifying names, marks and numbers; along with a photograph of each article and a description of the person selling, including the name, address, race, sex, weight and height and such other information as may be required by the chief of police. The form required by this section shall be hand delivered or transmitted electronically, along with the required photographs, to the Centerville Police Department each Monday morning by 10:00 a.m.

Motion made by Councilman Tucker to adopt ordinance as written; seconded by Councilman Nichols.

Councilman Nichols spoke briefly about burglaries and break-ins within our city/ county. There has been an increase in the areas over the last (2) years. Councilman Nichols had recently participated in a ride along with the Centerville Police Department. A lot of discussion with the officer about why there is an increase in burglaries. The main cause of break-ins is due to unlocked cars and items not being secured. Common sense people are out there that want your “stuff”. Councilman Nichols referenced the below section of the ordinance.

Ref 44-4-79. Section 44-4-79: Violations and penalties. The performance of any act prohibited by any section or provision of this chapter, or the failure to perform any act required thereby, shall constitute a violation and an offense hereunder and any person found guilty in the city court of a violation of any section or provision of this chapter shall be punished as provided in Section 22-1 of this Code.

Mayor Harley called for the vote. Motion carried. See Ordinance 2014-3.

Discussion Elected and Appointed Officials Travel Policy: Councilman Tucker stated that this has been a work in progress and feels this is a solid document. Trying to make this a lot easier process when traveling for Mayor, Council and staff. Councilman Tucker stated Mayor and Council are part time employees and when asked to travel to GMA their wives have to make (2) choices either go with them or stay home. This would allow the Mayor and Council to take spouse.

Councilman Tucker referenced the below sections of the revised policy. See below.

Elected officials shall have two options when paying for meal expenses as follows:

1. Elected and appointed officials may use the city's credit card to pay directly for meal expenses. Use of the city's credit card shall require the submission of an expense report and itemized receipts for all meal expenses charged to the city's credit card. Other expenses such as parking may also be charged to the city's credit card. Failure to provide receipts as required by this section shall result in the elected or appointed official reimbursing the city for the full amount of the charge. Cash expenses for cab or other travel fares and tips for bellman and valet services will be reimbursed as requested on the elected or appointed official's expense report submitted upon return from business travel.
2. Elected officials may request a travel advance at the rate of \$125.00 per day to cover meals and cash tips for bellman or valet services. Receipt of the \$125.00 per day travel allowance shall preclude any other reimbursement for travel expenses except lodging costs, parking costs, mileage reimbursement and cab or other travel fares. Reimbursement for items not covered by the daily travel allowance will require submission of an expense report upon return from business travel. To the extent that the daily travel allowance exceeds the IRS recommended per diem for the city or other area of travel, the elected official shall produce receipts substantiating that the daily travel allowance was used for allowable travel expenses. Any amount in excess of the IRS recommended per diem that is not spent shall either be refunded to the city or shall inure as income to the elected official and shall be included on the official's W-2 earnings statement for the applicable tax year.

Non-Allowable Expenses: Below is the list of Non – Allowable - expenses that will not be reimbursed by the City of Centerville while traveling on City business. These expenses may be placed on the City's credit card or otherwise charged to the city, but shall be reimbursed by the official.

- Laundry and/or Dry cleaning services
- Entertainment
- Cost of in-room movies
- Personal telephone calls to home resulting in a charge associated with lodging
- First class travel accommodations when economy or coach class are available except when an upgrade fee will result in less expense to the City (i.e., when the upgrade fee is less than the cost charged for baggage)
- Fines, forfeitures or penalties
- Rental vehicles except as included in the approved budget
- Expenses of a spouse or other family members except as previously allowed in accordance with the spouse/family travel section of this policy
- Loss or damage to personal property
- Barber, beauty parlor, shoe shine or toiletries
- Personal postage
- Alcoholic beverages

Councilman Tucker stated that this document gives choices (Mayor and Council). Gives the ability to make wise choices and decisions.

General discussion about spouse events. The interpretation about “group” events. The whole point about spouses was to be covered per Councilman Nichols.

Councilman Nichols recommended tabling the item until Councilman Andrews present, have a full council present at meeting to discuss document. No motion made.

Councilman Tucker stated this should cover any event that spouses attend, meals should be covered. In addition, stated that he is not “staff” and we need to understand that this is about the (5) of us (Mayor and Council). Councilman Tucker stated that he wants his wife to travel with him and doesn’t feel he should have to pay out of pocket for her. When traveling for city business he isn’t getting paid, only makes \$300 per month for (2) council meetings.

City Attorney Tydings recommended the following amended language:

Spouse/family Travel: Travel expenses related to an official’s spouse are reimbursable by the City. The City will pay for or reimburse for meal expenses that include an official’s spouse.

Motion made by Councilman Tucker to adopt policy as written to include the above amended language re: spouse / family travel; seconded by Councilman Nichols. Opposed, Councilman Wright. Motion carried.

### New Business

#### Home Based Business-Rhino’s Home Improvement (owner: Ryan Lyle) 211 Montego Ct:

Councilman Nichols stated he has reviewed application and made motion to approve; seconded by Councilman Tucker. Motion carried.

Covered Employees Travel Policy: Councilman Nichols informed that the policy was revised; removing City Administrator language. Councilman Nichols made motion to approve; seconded by Councilman ET. Motion carried.

McEver Work Detail Agreement: Director of Operations/ Utilities Superintendent Brumfield stated that there is no change to the price, \$39,500. The General Fund and Water/ Sewer Department will split cost. Motion made by Councilman Wright to authorize Mayor Harley to sign agreement and approval as written; seconded by Councilman Nichols. Motion carried.

Status update – Demolition of Former PD/City Hall Building: Director of Operations Brumfield explained that there are no quotes in packets. Mr. Brumfield reported that he had spoken with David Selby and he stated that we will need a hazardous material survey on the building. Preston Testing will come out and perform asbestos testing/soil testing/hazardous materials testing at a price of \$1968.00; requesting to approve Preston's cost and to approve funding to have David Selby administer contract for the demolition of the building, \$ 2-3000 for his services. Mr. Selby hasn't had the opportunity to provide a quote to develop RFP.

Motion made by Councilman Nichols authorizing Director of Operations/ Utilities Superintendent Brumfield as signatory and approve expenditure not to exceed \$5000.00 to be paid from the General Fund contingency; seconded by Councilman Wright. Motion carried.

Approval of RFP – Lawn care – City Municipal Complex and Recycling Center: Director of Operations Brumfield stated the probationers are not a professional crew, not able to do the quality job necessary around City Hall properties and that they are needed to take care of the streets, ditches. Looking for permission to put out a RFP to get quotes and will include language, we can refuse/ reject all bids. City Attorney stated the bid would be awarded to the lowest responsible, responsive bidder that is approved by council. Motion made by Councilman Wright to approve RFP for lawn care; seconded by Councilman Nichols. Motion carried.

#### Comments from Council

Post 2 Councilman Wright read letter from Vernon Goss on July 21, 2014, thanking the Water and Sewer Department on work done at 524 Eagle Springs Dr. finding resolution to problem at 519 Eagle Springs Dr. Councilman Nichols stated "job well done".

Post 4 Councilman Nichols stated there are a lot of people that work for the city that put up with a lot of peoples issues and find a resolution. Mentioned departments: Court Clerk, Sara Caldwell, she does a massive amount of work and goes unnoticed. The Fire, Police, City Clerk's Departments, great group of people that work here but do not get a lot praise. Not a better group of people that work for the city of Centerville.

#### Comments from Audience

Geraldine Parker, 129 Ridge Bend Drive: Mrs. Parker wanted to address trash containers, junk, and scrap materials. Secondly, wanted to request the repaving of Northridge subdivision. Mrs. Parker read the following code section from the Code of Ordinances, Chapter 34-Article IV- Other Nuisance, Sec. 34-81. Cleanliness of private properties required. Mrs. Parker also stated that when she moved to Centerville that she was told by her realtor that the city required all garbage containers to be hidden from view as soon as the city had picked up the garbage. Also, the garbage containers when left out by the street pose a health hazard due to stray / feral animals getting inside containers; getting into the plastic bags and spreading the garbage around the neighborhood. Mrs. Parker stated that Northridge has never been repaved in all of its 24 years in existence and is requesting that the Northridge Subdivision be repaved due to the conditions of the streets. Mrs. Parker presented the city clerk/ Mayor and Council a copy of pictures of roadway and letter with full comments. Letter with pictures attached and made part of official minutes.

Daniel Eidson, 125 Ridge Bend Drive: Mr. Eidson echoed Councilman Nichols comments stating that he is correct that there are a lot of city employees that do a lot of great work. Thanked everyone for all that you do/ staff/ council. Wanted to address concerns primarily code enforcement/ streets that need to be repaved. There is concrete busted up in front of his home. Also, continuous water main leak gets patched and then breaks again. Would like to see the neighborhood streets repaved.

Mayor Harley explained the process on how streets are approved to be repaved. The city provides a list to Department of Transportation to be reviewed and considered for repaving.

Director of Operations/ Utilities Superintendent Brumfield confirmed that there is a spring that runs under the roadway wear the leak is present at various times. Mr. Brumfield stated that the city has tested the water and there are no chemicals present, this is a natural spring.

Gary Davey, 512 Woodhaven Rd: stated that he is partially involved with the ordinance. Personally thanked Mayor Harley and City Attorney Tydings for the response to his problem; precious gems/ metals. Thanked Captain Hayes for his efforts. Criminals do not care if you lock doors, they will smash windows to do the crime. Thanked everyone again for working on and adopting the precious gems/ metals ordinance.

Ralph Kennedy 101 Crestwood Ct: Asked Mayor and Council who they work for, their response is the work for the citizens. The issues will be settled, throughout the city, county, Warner Robins, state of Georgia. Mr. Kennedy stated that there is a bigger issue it is our national government, we have 2 political parties that will not get anything done, as well as a president in the same direction. We as citizens need to contact our representatives and let them know what we want for a change. There are (2) documents that we hold dear the bible and it's getting abused over the years and is not funny. Also one of the most precious is our constitution that is being used as door mat in D.C. Things need to change, what do we need to do? Need to get a hold of our federal legislators and let them know who they work for, this is getting a ridiculous.

Councilman Nichols provided the following contact number: 202 244 3121, switch board to call your congressman/ senator on issues.

Meeting adjourned at 8:14pm.

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Mayor John R. Harley

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Attest by City Clerk Krista Bedingfield

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Date