

Regular Council Meeting

July 3, 2018

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

Invocation given by Mayor Harley.

Pledge of Allegiance led by Director of Operations Brumfield.

Welcome extended to all by Mayor Harley recognizing Houston County Commissioner Jay Walker.

Present were Mayor John R. Harley, Councilman Cameron Andrews, Councilman Justin Wright, Councilman J. Micheal Evans, and Councilman Edward Armijo. City Attorney Rebecca Tydings absent; vacation.

Mayor Harley read letter from DCA that he had received yesterday (July 2, 2018) and also letter for response from the City of Centerville. Councilman Andrews stated it's very clear where we stand and the letter is very well worded. An "excellent" letter. Mayor Harley thanked City Attorney Tydings for assisting him with the letter on the cities behalf and appreciates her hard work and effort. Councilman Wright expressed his thanks to the citizens from Eagle Springs specifically Mr. Carter and Mr. Pitts, instrumental in getting their responses and values of everyone and participating in this process. A copy of letters attached and made part of official minutes.

Councilman Armijo thanked all residences from Eagle Springs that came out in an effort to voice their opinions and concerns. Keep in mind, the decision is still yet to be made, need to be aware. Thanked the Mayor and Council for their efforts to help fight this off and take a position.

Mayor Harley closed regular council meeting at 7:12pm and opened public hearing.

Bill Tharpe, 210 Tivoli Park, inquired about the zoning of the property in question for the proposed affordable housing/ apartments. Is the property zoned commercial? Mayor Harley responded the property is zoned as PUD. Councilman Wright recommended to Mr. Tharpe that he speak with Mr. Carter, stating he has researched all records and reviewed all documents re: property. Confirming, the proposed project is appropriate for the zoning.

Mayor and Council reconvened at 7:14pm.

- Rules of Decorum: Mayor Harley read rules of decorum which were adopted October 21, 2014. See below.

In light of the foregoing, the following rules of procedure and decorum for City Council meetings in general and for public comment time, specifically, shall be observed by all present:

1. Public comment (comment made during a designated time as shown on the meeting agenda and without prior request to bring a matter before Mayor and Council) will address matters that are on the agenda of the meeting at which an individual wants to speak. Comments will address matters that are within the authority of the Council.
2. Non-elected and non-staff individuals shall not comment on each agenda item as it is considered nor shall they continue to address Mayor and Council throughout the meeting. Interrupting during the meeting to ask questions or attempt to voice an

objection to a discussion is not a protected exercise of free speech. Such conduct is out of order and disruptive and will be met with a request of the speaker by the presiding Council member to cease.

3. When permitting public comment on agenda items that are directly relevant to city business, the Council creates a designated public forum. In this situation, the Council is well within its rights to enact content-neutral time, place and manner restrictions on speech and expressive conduct. Those restrictions, however, must be narrowly tailored to achieve a significant government interest and must allow sufficient alternate channels of communication. (*City of Madison, Joint School District v. Wisconsin Employment Relations Comm'n*, 429 U.S. 167 (1976)). Therefore, restrictions on public comment shall include:
 - (a) **TIME LIMIT ON SPEAKERS:** Each speaker shall limit their comments to three minutes and shall state their name and address for the record at the onset of their remarks. The purpose of this restriction is to keep discussion of issues timely and on point. Each speaker will be asked to yield the floor at the end of the allotted time.
 - (b) **POLITELY ADDRESSING COUNCIL AND CITIZENS:** A policy on respect for the Council and citizens will ensure that meetings remain orderly and productive. Individuals shall refrain from using the public meeting as a forum for rude, slanderous or disruptive personal attacks on others. The presiding Council member may take the floor away from individuals who act in an unruly manner. Individuals are also prohibited from private conversations or other distractions during the meeting. Such acts may also be stopped by the presiding Council member. No one, Council, staff, nor the public, shall conduct themselves in a manner that is abusive, slanderous, profane or disruptive.
 - (c) **FOCUS ON RELEVANT MATTERS:** Public comment shall be limited to matters that are on the agenda of the meeting taking place at the time the comments are made and shall be directly related to the business of the body being addressed. In the interest of time and allowing the expression of a variety of viewpoints, redundant or repetitive comments are also prohibited.
 - (d) **COMMENTS DIRECTED TO CHAIR OR PRESIDING OFFICIAL:** All comments shall be directed to the Chair or official presiding over the meeting.

Public Comments

Discussion- Affordable Housing-Gunn Rd-Elizabeth Hunter, 119 Tivoli Gates: Ms. Hunter called the office earlier today and informed the City Clerk's Office she will not be at the meeting tonight.

Susan Lemme 219 Mason Drive, stated that a lot of her questions were answered by the handouts received tonight for the meeting and a more complete set of minutes for one of the meetings; will refrain from those comments. Open government invites trust with local officials and their actions. In regards to the investigation there was a lot explained with the accompanying handout today. Wanted to make sure if outside council is engaged there are measures to make sure no one is associated or has a relationship with anyone with the outside council; personal request. Searched and looked at the website -Georgia Initiative for

Community Housing (GICH). A very interesting organization. They look at community needs, code enforcement, housing, blight and encourage citizen participation, would be honored to sit on any committee if Mayor and Council would consider her volunteering. Engagement letter with Nichols, Cauley-inquired about their services. Mayor Harley informed Mrs. Lemme, they are auditors for the city. Mrs. Lemme, stated when an issue such as Executive Session re: land acquisition in the interest of open government, to include what department or function this might be helpful. Mayor Harley responded, that if they (Mayor and Council) were to discuss future land acquisition in the public forum, prices increase. This topic is one of the (3) areas that can be discussed in closed executive session, however, cannot make decisions or vote, this would have to be done out in the public. Mrs. Lemme stated she understands this, however, wanting to know more of the broad function might be mentioned so that the public would be aware of what the city is working on. Councilman Wright, stated as an effort for us to use tax payer funds, limit any speculation before we make an offer, and protect citizens. This is a discussion to work on these things and protected under attorney client privileges.

David Parker, 129 Ridgebend, referenced agenda item 7: Resolution-Investigation, purpose was not stated on the agenda, however, does see the paperwork that has more detail. Inquiring if there was any other investigation or harassment, relating to the harassment his wife received when she was told to “shut up” at a council meeting. Also, text messages that were sent to he and his wife, due to excessive freedom act of information requests. Wondering why all these other things go on and all of sudden harassment is an issue. Would like to know who filed the complaint, but understands you have to keep that information on the “low”. Things that go on and are intimidating to people, and no one ever complains about that, just wanted to make this comment. Mayor Harley replied, you or your spouse are not employees of the city, so what we have to go by is our (City of Centerville) rules, regulations and procedures within our city.

Jay Taylor, 403 Collins Estate Avenue, informed all that he is the President of Centerville Lions Club. My concern isn't on the agenda and you can tell me I am out of order. Mayor Harley informed Mr. Taylor he was out of order. Stated he had a problem being called a liar on Facebook, by Mayor Harley. Mayor Harley responded “I did not call you a liar, I was referring to something else”. Mr. Taylor stated that he is asking for that to be clarified. The City of Centerville and the Lions Club have had a wonderful relationship. Mentioned the meeting with Councilman Andrews and Councilman Wright. Reported that Mayor Harley had asked if he could come and speak at one of the Lions Clubs meetings. Mr. Taylor stated he had informed Mayor Harley they might not be a good idea and that Mayor Harley said I will endure, however did not show up. Mayor Harley responded that he was at Emory and did not get back in time. Jay confirmed Mayors response. Mr. Taylor stated he will be going out of town on vacation. Really concerned on city website, has the “City of Ethics”. Informed everyone that Houston County Commissioner Jay Walker was his civics teacher. Appreciates him for all that he taught him about citizenship and government. Want to be good community partners. The way this Independence Day Celebration was handled, was not in a good spirit. The Lions Club was offered to have a raffle, you have to have a license with GBI, and we don't have one. We are an organization that serves the community. Mr. Taylor stated that he wants you all to know how we (Lions Club), as a civic organization, feels slighted by the City of Centerville. Mayor Harley responded stating that Mr. Taylor had not made contact until the very end. Mr. Taylor stated that wasn't true has text messages sent 64 days prior to the event to Councilman Andrews. Mayor Harley stated that he didn't know anything about this until recently. Councilman Andrews stated he has known Mr. Taylor for over 40 years and cannot really discuss right now

because of our procedures. Mr. Taylor asked if he should get on the agenda for the next council meeting. Councilman Andrews stated he and Councilman Wright had met with Mr. Taylor and that there is more to the story. Mr. Taylor agreed and stated that the citizens need to know. Mr. Taylor stated that he had gotten accused of harassment by Kate Hogan and that stated “he feels your pain Mr. Armijo”. Not sure how a citizen harasses a public employee. Mayor Harley informed Mr. Taylor that he was out of order again and that he will be escorted from the meeting if he continues to make comments. Mr. Taylor left the meeting.

Geraldine Parker, 129 Ridge Bend, asked why is it ok for a councilman to harass citizens over text messages, such as Councilman Andrews did before Christmas and not able to speak our minds more than 3 minutes. Councilman Armijo has tried to get all of your “machinations” out in the open. You do things that are done behind closed doors that are really not acceptable. He has tried to straighten out city council. We voted for him- Post 4. You have harassed him (Councilman Armijo) both in public and private. Mayor Harley called her out of order. Mrs. Parker stated you all are out of order and need to resign. Mrs. Parker stated she has backing from former council member. Sgt Welch escorted Mrs. Parker out of the meeting.

Mayor Harley stated that we (council) spend a lot of time going to training. Tries to learn as much as he can on how to run the city and do it right. Mayor Harley presented Councilman Armijo with award for Certificate of Achievement. Proud of him.

Adoption of Minutes: Councilman Wright stated he would like to make a motion to adopt all sets of minutes as written: June 5, 2018 Special Council meeting, June 5, 2018 Regular Council meeting and June 28, 2018 Special & Planning Retreat minutes. This motion does not include adoption of the June 19 meeting because he wasn't there; seconded by Councilman Andrews. Motion carried.

Motion made by Councilman Andrews to adopt June 19, 2018 Council Work Session minutes as written; seconded by Councilman Evans. Councilman Wright abstained. Motion carried.

- June 5, 2018 Special Council Meeting
- June 5, 2018 Regular Council Meeting
- June 19, 2018 Council Work Session
- June 28, 2018 Special Council Meeting & 2018 Retreat

Old Business

None

New Business

Resolution-Investigation: Mayor Harley read resolution. Motion made by Councilman Wright to adopt as written; seconded by Councilman Andrews. Councilman Armijo abstained. Motion carried. See Resolution 2018-6.

Point of Information FEMA Reimbursement from Hurricane Irma: Chief Jones reported that the city has started receiving FEMA reimbursement checks from hurricane Irma. Recognizing City Accountant Carol Harrison, Accounts Payable/ Payroll Clerk Lee Siefert and Utility Assistant Superintendent Ben Knight for their hard work providing information pertaining to cost for clean-up efforts. This is the reason we are receiving funds. They did a great job.

Ladder Truck- Pump Repair Approval: Chief Jones requesting to move forward with repairs. The expenditure will be funded from the General Fund and reimburse from SPLOST 2018. Motion made by Councilman Armijo to approve repair; seconded by Councilman Evans. Motion carried.

Point of Recognition - Sgt. Welch: Councilman Evans stated public safety workers are doing a great job. Chief Hadden stated he wanted to take the opportunity to recognize Sgt Christine Welch for her recent accomplishment. Sergeant Welch has completed 104 hours for this certification. GOHS provides classes for both police and firefighters on how to install child safety seats. Sergeant Welch has also completed additional classes to achieve her instructor certification. There are 2700 technicians in the state of Georgia. Only 86 instructors for this certification. She attended extensive training to achieve the instructor certification award. No motion or action taken.

Resolution-Georgia Initiative for Community Housing (GICH): Councilman Wright read resolution. Motion made by Councilman Wright to adopt as written; seconded by Councilman Armijo. Councilman Wright reported that the City of Perry used grant money for homes near downtown to help citizens make repairs to their homes, hope to have the option to use as well, provides for acquisition of property. Discussion we cannot say this isn't a good location, we are the best arbitrators, direct some of the development, where we can improve our city, fit in with our whole vision of the city. Hope to have an update soon. Mayor Harley stated that he had an opportunity to sit down and speak with people that offer this GICH during the GMA convention; very impressed. Motion carried. See Resolution 2018-7.

Engagement Letter Nichols Cauley & Associates: Councilman Andrews recognized City Accountant Harrison. Mrs. Harrison provided a copy of the engagement letter FY 2018-2019 audit. It talks about the auditor's responsibilities, the cities, give an opinion and cities responsibilities present information accurately. Mentioned the fee associated with services \$30,595 for 2018 with a 3% increase for 2019. Seeking approval tonight for Mayor Harley to sign engagement letter. Motion made by Councilman Andrews; seconded by Councilman Wright. Motion carried.

Comments from Council

Councilman Cameron Andrews Post 1, wanted to address the Independence Day saga, personally have a long standing friendship with Centerville Lions Club President, Jay Taylor. There have been a lot of conversations, big fan of the Lions Club. Recently met with Mr. Taylor (Jay) and Councilman Wright, tried to come in as an objective observer. Clear to me there were communication issues on both sides. In the process of trying to play peace maker, difficult from time to time. Asked Mr. Taylor to serve on the July 4 planning committee and he agreed. There will be several groups within the community. We do this for our Christmas parade, Mrs. Bedingfield is the head of the parade committee. When you have a committee it does not put the responsibility on one. When you have a committee, it allows for round table discussion.

Councilman Justin Wright Post 2, no comment.

Councilman J. Micheal Evans Post 3, no comment.

Councilman Edward Armijo Post 4, shared with everyone that the Fire Dept will be visited by ISO July 18, inspection that is done to determine the class, which is currently a 3. I know they will do well, top notch Fire Department. They visit every 5 years, also has (3) opening for

firefighter positions contact the city clerk's office, flow testing, highlights within the Fire Department. City Accountant Carol Harrison you are a magician, thank you for your hard work.

Mayor Harley, stated he "loves" the Lions Club. Stated he wish he had spoken with Mr. Taylor some time ago. If he had known about this would have been resolved a long time ago. At one time considered joining the Lions Club, however, just does not have a lot of free time to dedicate. The Lions Club does a lot of wonderful things for our city, try to support them. Sorry that Mr. Taylor thought he was talking about him. A lot of miscommunication going on.

Executive Session- Future Land Acquisition: Councilman Andrews made motion to enter into executive session at 8:00pm; seconded by Councilman Evans. Motion carried.

Mayor and Council reconvened at 8:34pm. Resolution & Affidavit: Mayor Harley

Affidavit and Resolution: Mayor Harley entertained motion to adopt Resolution as written. Motion made by Councilman Andrews to adopt resolution; seconded by Councilman Wright. Motion carried. Affidavit executed by Mayor Harley and notarized by City Clerk Bedingfield. Affidavit and Resolution are attached and made part of official minutes.

Meeting adjourned at 8:36pm by Mayor Harley.

Mayor John R. Harley

Attest by City Clerk Krista Bedingfield

Date