

City of Temple
Monthly Council Meeting
April 3, 2017, 6:30PM
Temple City Hall

Call to Order:

The meeting was called to order at 6:30pm by Mayor Lester Harmon.

Council Members present constituting a quorum:

Lester Harmon, Mayor

Penny Ransom

Todd Rothwell

William Simmons

Howard Walden

Council Members Absent:

Richard Bracknell

Invocation and Pledge of Allegiance: Mayor Lester Harmon gave the invocation and led the Pledge of Allegiance.

Approve the published agenda of this date's City Council Meeting, as presented- Motion to approve by Councilmember Simmons, second by Councilmember Ransom. Vote 4-0.

Public Comments:

Brian Acree- stated he lives in the City limits of Temple and has been a police officer for the past 21 years. He gave his reasons why he is opposed to the marijuana ordinance and stated that he does not think the City should entertain this ordinance.

Debbie McIntosh- stated she thinks there needs to be another perspective. She gave reasons why the ordinance should be pursued as marijuana can be beneficial for certain medical situations.

Linda Walden- stated the reasons why she is opposed to the ordinance and said the ordinance is not addressing medical issues.

Clayton Bailey- stated there is a big misconception about people that smoke pot, and discussed the medical benefits of medical marijuana.

Stephanie Womack- expressed her concerns with the issues with the City Charter. She also stated that it is hard to communicate with elected officials and would like the council member's phone numbers and email addresses on the website.

James Bell- he is from the Lithia Spring CARE project and asked that the Council consider the facts presented to them. Among other things, he discussed the statistics in Clarkston, a town that enacted a similar ordinance.

Approval of Minutes:

March 9, 2017 Regular Council Meeting.....Mayor Lester Harmon

March 28, 2017 Special Called Meeting.....Mayor Lester Harmon

There was a motion by Councilmember Walden to approve the minutes for the March 9th and March 28th meetings, with the corrections mentioned at the meeting, second by Councilmember Simmons. Vote 4-0.

Old Business:

1. Approve the purchase of a heavy-duty 52-inch lawnmower for the City of Temple Public Works Department.

Public Works Director Dwayne Eberhart presented three quotes for the lawnmower; the lowest quote was from ACE Hardware in Douglasville. There was a motion by Councilmember Walden that they go with the lowest quote, Douglasville ACE Hardware, second by Councilmember Simmons. Vote 4-0.

2. Updated report on proposed City Charter changes set forth in a proposed Ordinance as presented by the City Attorney; report on preliminary plans for a City Council workshop at the Georgia Municipal Association in Atlanta and for a training session with the State Attorney General’s Office on Georgia’s Open Meetings Law.

City Attorney Mike McRae stated that after the last meeting he asked the elected officials to give him their comments regarding the Charter. He said the comments were so different that there is no way that he can move forward with this at this time. He would like to have a workshop with GMA that deals with personnel issues , the Charter, etc. and he was hoping that GMA could do the workshop on Open Meetings as well. He asked that the Council let him talk to GMA about that; he would like to cover both matters at one time with GMA's help.

3. Updated report on proposed changes in the operation of the City of Temple Police Department’s Training Program.

Chief Lee stated that the elected officials should have been given what was revised in the SOP, including paying officers for mandatory training that they take online. After a brief discussion, City Administrator Osborne stated that no action needed to be taken, they just wanted to provide an update on the proposed changes in the training program.

4. Updated report on the ongoing review of the City of Temple’s Employee Handbook and the Personnel Policies and Procedures Ordinance of the City of Rockmart.

City Administrator Bill Osborne state that the elected officials have been given another copy of the Rockmart Employee Handbook. He said that we need to review this over the next month and have a discussion about it at the next regular council meeting.

New Business:

1. Consider authorizing the disposal of certain City of Temple property, being the two empty trailers on Johnson Street which once housed the Police Department, by declaring them surplus and advertising for their sale.

City Administrator Bill Osborne reported that both trailers are now empty and Mr. Jones from the Carroll County Board of Education stated that the City Council can do with the buildings what they please. There was a motion by Councilmember Walden to appropriately advertise for the sale of the city property, second by Councilmember Simmons. Vote 4-0.

2. Staff reports on the status of development of the 2017 Capital Fund program for the City of Temple and on the anticipated date of its final approval.

City Administrator Bill Osborne stated that the City had received back the entire \$100,000 from the Georgia Department of Natural Resources, and that of that, approximately \$23,000 was spent for the roofing of the Senior Center leaving \$74,000, and he asked not to commit any of these funds until we have heard from Joe Wilson in the Recreation Department. He expects to come to the elected officials with a proposed budget at the May 1st meeting. After a brief discussion about SPLOST and other budget issues, no action was taken.

3. Consider awarding to the successful bidder the purchase of two new Ford vehicles for the Police Department with one being a Sedan and the other a Utility vehicle, to be charged to the City's 2017 Capital Fund budget.

Chief Lee reported that he got quotes from four dealers for a Sedan and a Utility vehicle. The lowest quote came from Don Rich Ford in the amount of \$48,653 for both vehicles at a total cost of \$74,542 to equip both vehicles. After a brief discussion, there was a motion by Councilmember Simmons to purchase both vehicles from Don Rich Ford who had the lowest bid, second by Councilmember Rothwell. Vote 4-0.

4. Report by the City Administrator on the annual review of the City Clerk's performance and on his recommendation based on this review.

City Administrator Osborne stated that he recently completed the annual review for the City clerk and is recommending the annual merit increase that is provided to all employees. Councilmember Ransom questioned if this is something that the Council has to approved; the City Administrator responded that unless they object to what he has done, this will stand. There was a motion by Councilmember Simmons to approve the review and annual merit increase of the City Clerk, second by Councilmember Walden. Vote 3-1. Councilmember Ransom abstained.

5. Report and discussion on an Ordinance to change the reduction of the amount of the fine imposed by the City of Temple if an individual is found guilty of possession of less than one ounce of marijuana with no intent to distribute, and to have the first reading of said Ordinance.

Councilmember Ransom explained her reasoning behind her proposed change to the existing ordinance that the City has in place. She stated that she would like to start the fine amount at \$75 with a maximum of \$150, as the penalty for possession of an ounce or less of marijuana with no other violations. When asked if anyone had any comments on the fine, there were none. City Attorney McRae stated that normally a first read happens, so there needs to be discussion on the fine. He asked if they wanted to have the first read tonight, that would have to be a vote. Councilmember Walden stated he was a prepared to make a motion. Ms. Ransom stated that they had never made a motion to read a budget ordinance. The City Attorney stated they can consider the ordinance or defer it. Councilmember Walden stated he wanted to make a motion to kill the ordinance and not hear it at all. There was a second by Councilmember Simmons. Councilmember Ransom stated that any councilmember can call for an ordinance to be read and that you can not kill an ordinance before a reading. There was a vote of 2-2; Councilmembers Ransom and Rothwell opposed killing the ordinance. City Attorney Mike McRae stated that the mayor can vote to break the tie, not vote to break the tie, or appoint a committee.

Mayor Harmon stated that he was going to form an information gathering committee. He appointed Councilmembers Ransom and Rothwell to have an information gathering committee for this ordinance. Councilmember Ransom then made the motion that they have a first read of the ordinance tonight with the fine being \$75; second by Councilmember Rothwell. Vote 2-2, Councilmembers Walden and Simmons opposed. Mayor Harmon broke the tie and said to read the ordinance. City Attorney McRae proceeded to read the ordinance.

6. Report on plans for the Saturday, April 8, West Georgia "Old Days Festival" in the City Park from 10:00 a.m. to 6:00 p.m., including a Veterans Appreciation Ceremony in the Temple Recreation Department gymnasium at 5:00 p.m.

City Clerk Kristin Etheredge reported that the City will have a booth at the "Old Days Festival" on Saturday, April 8th. The City's Code's Enforcement Officer, Ricky Watts, is organizing the City's involvement in this event.

7. Report on the annual Highway 78 Yard Sale being held on Saturday, April 8, between 8:00 a.m. and 1:00 p.m. along a 23-mile stretch of highway between Villa Rica and Tallapoosa, including within the City of Temple.

City Clerk Kristin Etheredge reported that the Highway 78 yard sale will take place again this year, and stated that last year the City Council voted to waive the \$5 yard sale permit fee for that event. There was a motion by Councilmember Walden to waive the \$5 yard sale permit fee for the 2017 Highway 78 yard sale; second by Councilmember Simmons. Vote 4-0.

8. Report on plans for the City of Temple's participation in the events on Easter weekend on Saturday and Sunday, April 15 and 16, with an Easter Egg Hunt festival starting at 2:00 p.m. at the Senior Center and the egg hunt being held at 3:00 p.m.

City Clerk Kristin Etheredge reported that local churches are working with the City and the Police Department to organize the annual Easter egg hunt which will take place on Saturday, April 15th.

9. Report on plans for the City of Temple's participation in Georgia Cities Week on April 22 – 29, including the second annual Spring Clean Up on Saturday, April 22.

City Clerk Kristin Etheredge reported that the Georgia Municipal Association encourages cities throughout the state to participate in Georgia Cities week. Temple will be having the annual Spring clean up on Saturday April 22nd. Other events scheduled for the week include: A voter registration drive at the Senior Center, A Town Hall meeting, and an Open House at City Hall.

10. Staff report on the implementation of the new billing and financial management system for the City of Temple's water and sewer operations, including the possible need for any further action to be considered by the City Council at this time.

City Administrator Osborne reported that we are finally about to make the transition from Harris TBS to Casselle. We are looking at making the switch on April 20th. He stated that he does need the council to authorize for the Mayor to sign the agreement with Chase Payment Tech. Councilmember Walden made a motion to authorize the Mayor to sign the agreement with Chase payment Tech, second by Councilmember Simmons. Vote 4-0. Mr. Osborne stated that they are not ready to sign the agreement with Express Bill Pay, there are three items that the City Attorney does not agree with and they are still working on that. He stated that he will come back to the Council regarding online payments and mailing of the bills. They are considering having Harris TBS to continue mailing the bills.

11. Staff report on the parking plan for the retail store proposed for location on Carrollton Street just south of the Temple City Hall.

City Administrator Bill Osborne stated that he has been talking with our City Engineer about the need for a development code for the City of Temple. We have been relying on Douglasville City Development Code. We ran this by the City Attorney and they said we do not have an enforcement capability on this. Dollar General is wanting to have 35 parking spaces. Their retail space requires 43, and the total building space (including storage) would require 53 spaces. We are trying to work with Hughes Ray and hope that later this year we will have a parking ordinance as part of the zoning/development code.

12. Staff report on correspondence from the U. S. Environmental Protection Agency (EPA) concerning the demolition in 2013 of the former Sewell Manufacturing Company in Temple.

City Administrator Osborne stated that this subject has been talked about from time to time. Recently the EPA did make contact with Carroll County government with some questions in regards to the May 2013 demolition of the structure. We will be monitoring this and will keep in touch with the county government and will be back in touch with you as things materialize.

Closing Comments:

Todd Rothwell- Asked if a copy of the letter from the EPA would be available to the Councilmembers. Mr. Osborne responded that he would put a copy in their mailboxes tomorrow.

Howard Walden- Have a Happy Easter if we don't see you before then.

Penny Ransom- I want to say thank you to the new faces for coming to the meeting. Please keep April 13th at 6:30PM in mind if you would like more information or have an interest in the ordinance that is on the table.

Mayor Harmon- Mr. Rothwell did such a great job organizing Founder's Day last year, I would like to ask him if he would be in charge of it again this year. Mr. Rothwell said yes. The Mayor stated he should have more time this year to help and he hopes that others will also volunteer to help.

Adjournment:

Councilmember Ransom voted to adjourn, second by Councilmember Rothwell. Vote 4-0. The meeting adjourned at 8:32PM.

Mayor Lester Harmon

City Clerk