

HAHIRA CITY COUNCIL

WORK SESSION

APRIL 3, 2018

6:00 P.M.

COURTHOUSE

The Mayor and Council met for a Work Session on April 3, 2018 at the Courthouse with Mayor Bruce Cain presiding.

PRESENT: Mayor Bruce Cain, Councils: Terry Benjamin, Kenneth Davis and Mayor Pro Tem Mason Barfield. City Manager Jonathan Sumner, City Clerk Lisa Mashburn, Fire Chief Dwight Bennett, Police Chief Terry Davis and PWD Donnie Warren. Councilman Patrick Warren was not present.

REVIEW/CORRECTION OF MEETING MINUTES:

- A. FEBRUARY 2, 2018 RETREAT**
- B. FEBRUARY 27, 2018 WORK SESSION**
- C. MARCH 1, 2018 COUNCIL MEETING**

The Mayor asked if anyone had any questions or corrections regarding the minutes. None noted.

PUBLIC HEARING:

A. LAWSON STREET RAILROAD CROSSING CLOSURE-NORFOLK SOUTHERN PETITION

City Manager Sumner stated that this was considered in January, February and March. After consultation with Norfolk Railroad it was stated that the incentive of \$40,000 was withdrew. The Council then received the petition with criteria where it was evaluated and the crossing is eligible for closure. We have had discussion with DOT manager at the crossing office in Atlanta and a Conference call with Mayor Cain, Mayor Pro Tem Barfield and myself. We asked many questions and learned that the GDOT will consider this petition after the Council vote at next meeting. The final decision is with the GDOT, the railroad made a strong petition, the railroad has a good argument. We can retain our on Engineer and make formal response, not sure if that will help. We will have a public hearing on Thursday night and vote at that time. The GDOT and the Railroad should be here on Thursday night. The Mayor asked if anyone had any questions. Mayor Pro Tem Barfield stated that after conversations that it is obvious that this is a moot point as to what we want or plan to do. Why are we making the decision? City Manager Sumner stated that we are voting because it is the law. Barfield then asked what if we do not vote on it. Sumner stated that would be a question for the attorney. Barfield stated do what you will, I would rather not make a decision. The Mayor stated that he does not think it is a law, the Railroad petitioned the City and the statue states we have to decide to close or leave it open. We can vote to deny the petition and they will do what they want. City Manager Sumner stated that we now have no incentive, we ask the questions and we all know how that will turn out. The Mayor said that we know people that talked to DOT and they say it is up to the City, it is not, this is misinformation. Mayor Pro Tem Barfield said he got a realistic feeling from the people in Atlanta and I do not liked to be

pushed around. This is not a safety issue, it is a money issue and liability issue. \$40,000 is big to us but to them it is a small amount. They will do it on their timetable not ours and I wonder what obligation we do have. Why do we have to make this decision? The Mayor said this was all discussed, the City Attorney is out of town but we will find out Thursday morning. The crossing is paid for by GDOT and we are guest of the railroad. Councilman Benjamin asked do we know when the railroad crossing bars were put up and opened. The old map showed the crossing on it. Sumner stated that GDOT is working on communication and to put together a press release. The Mayor stated that the citizens do not want it closed, they feel we will have future traffic growth and they need options. Councilman Davis said that he is on the opposite side of the fence, money is the factor and I do not like that, it is a safety issue with me. I think due to the City center and more events in that area there will be a lot of foot traffic and I think it will be a safety issue. This is unguarded crossing and a 5 plus on the report shows a reasonable amount of safety issues, why we need to vote if it is all forced. I will say that I am neutral or closed at this point. The railroad gave us an incentive with no time limit, they did not give us enough time. You need data and public input and no deadline was mentioned and they will probably now say that we did not cooperate. They stepped up the time frame and took back the money. Sumner stated that this will be under Public Hearing for Thursday night meeting and can all be discussed further.

REVIEW OF BILLS/BUDGET OVERRAGES:

The Mayor asked if anyone had any questions or concerns regarding the bills. None noted.

DISCUSSIONS:

A. OPIOID LAWSUIT RESOLUTION (STUDSTILL FIRM)

Mr. Studstill is with the Studstill Law Firm and he is here to talk to you about the opioid crisis, and a resolution that would hire his firm and sue the drug manufactures. The City has to shoulder the financial burden of the Opioid crisis due to the related habits and medical attention that is needed for this group of people. This is a multi-district litigation and is favorable for the City, this would be filed on behalf of the City in the Federal district court and then transfer to multi district court. They would then meet with distributors of the opioids and work out settlement just like they did in the asbestos litigation and tobacco settlements. Each plaintiff would show damages and there would be no recovery fees, you have everything to gain at no cost. The only cost would be your time. The State of Georgia needs to step up and be responsible to the people, doctors were lied to and the drug companies need to be held liable for their deception. The suit is lengthy and well thought out, if you sign this resolution you could recover one third of the money. City Manager Sumner stated that he has sent the resolution to the City attorney and it does not contain any obligation to pay by the City, This was brought to our attention by Councilman Warren. Studstill stated that the firm would have to get with the Police department and Fire department and collect data. Councilman Davis said that he does not believe this. Studstill said everyone has an opinion and before we ask to spend one dime we must get the data, we will be here to help you, I think it will be worthwhile or I would not be here.

B. DEVELOPER REQUEST FOR PROPOSED SOUTH HALL STREET-BROOKRIDGE DRIVE DEVELOPMENT (CLAY BROWNING)

Clay Browning is a broker with First Reality and he is partners with Mr. House that was at our last meeting. We have purchased 60 acres on Brookridge Drive and plan to develop with 170

lots. We are still in the beginning stages and as discussed at the last meeting we requested .4 miles of the County road to be paved with the help of the City in the amount of \$300,000.00. The Mayor and Council decided not to spend the money on that at this time. Now I would like to propose that the City annex this property into the City of Hahira and waive tap fees and this would be \$3,000 for 107 lots. This would make the taxes for the properties sold to be paid to the City. City Manager Sumner said the millage rate is 4.75 and this would require the services of the Police department, Fire department and Street department with maintenance which would be services from the General Fund. The tap fees are part of the proprietary fund for the water sewer services and the fees go to the ongoing cost of water sewer fees and for operation of the system. This would be a capital expenditure and I do not know if a City can waive the tap fees, I would have to talk to the City Attorney. Browning said it would have an economic impact to the local government. Mayor Pro Tem Barfield so you are saying if we waive the tap fees we would gain it back in tax revenue. Sumner stated that we access a tap fee instead of an impact fee. We all want this development and we can work to find a way to make it financially able but I am not sure no tap fees would be the answer for the City.

C. CITY OF ETHICS RECERTIFICATION RESOLUTION (CITY MANAGER)

City Manager Sumner stated that many years ago the City of Hahira became a certified City of Ethics by Ordinance. Now every 5 years we have to do recertification via Resolution and this will be before you on Thursday night.

D. CITY REAL ESTATE (COUNCILMAN DAVIS)

Councilman Davis is also the DDA Vice Chairman, at the last DDA meeting we discussed the inventory and property for future projects in the City of Hahira. One building the Old Public Works building on Lowndes Street and the Old Firehouse on Main Street were discussed. The buildings are primarily storage buildings for the City at this time and are just sitting there. The DDA wanted to know if the properties could be put up for sale or donated to the DDA and asked that I bring this to Mayor and Council. I would like to know your thoughts on this. The Mayor said the properties could be sold to connecting business that need room or parking. The building on Main Street does not have enough setback for building something new but the Public Works building is there and big enough.

DEPARTMENT REQUESTS:

A. FIRE TRUCK TIRES (CHIEF BENNETT)

Chief Bennett stated that he is here to request tires for the 95 Fire Engine which is the oldest one that we have. We need to replace the tires every 5 years and they have original tires on it now, this is the third truck out of fire. We would need 6 tires and this is needed from a safety and legal standpoint. We have 3 quotes and the low quote is \$1620.00 and this would be a General Fund expense.

B. ICE MACHINE (CHIEF BENNETT)

This is a request for an Ice machine at the Fire Station. We need ice for our coolers. The low bid cost is \$1469.20 and this would be a SPLOST expense.

C. WATER TANK (CITY MANAGER)

City Manager Sumner said the current provider (Seweze) has been bought and sold and although it is satisfactory service the cost is \$30,000 annually. This is something the Public Works Director has looked at for many years. He has researched and found another Company, American tank maintenance that has a good service staff and the cost would be around \$21,000 per year. Mayor Pro Tem Barfield asked if we have to put this out for bid, Sumner stated that we are not required to bid it out but we can. We do have alternatives.

SET APRIL COUNCIL MEETING AGENDA (MAYOR CAIN)

-OPIOID LAWSUIT RESOLUTION

-WATER TANK CONTRACT

SET APRIL CONSENT AGENDA (MAYOR CAIN)

-FIRE TRUCK TIRES

-ICE MACHINE-SPLOST VII

-CITY OF ETHICS RECERTIFICATION RESOLUTION

THE MEETING WAS ADJOURNED AT 8:00 P.M.

MAYOR BRUCE CAIN

CITY CLERK LISA MASHBURN