

HAHIRA CITY COUNCIL
COUNCIL MEETING
OCTOBER 6, 2005

Mayor and Council of the City of Hahira met in a regular session on Thursday, October 6, 2005, at 7:30 P.M. at the Courthouse.

PRESENT: Mayor Myron Crowe; Councilmen M. C. Nelson, Wayne Bullard, Temple Ogundu and Terry Benjamin; City Manager/ City Clerk, Janice Logue; Police Chief, Terry Davis; PWD, John Thursby; City Attorney, Rob Plumb; Recorder, Marilyn Brady.

ABSENT: Fire Chief, Dwight Bennett

Mayor Crowe called the meeting to order. He stated that a quorum was present. He called on Matt Hart, to lead the assembly in the Pledge of Allegiance followed by the invocation given by Mr. Marcus Holt.

Mayor Crowe welcomed all visitors.

REVIEW/CORRECTION OF MINUTES: September 1st COUNCIL MEETING;
September 14th PUBLIC HEARING/SPECIAL MEETING; corrected August 10th Called Meeting

Mayor Crowe asked Council if there were any alterations to the minutes. There were none. He then called for a motion to approve the minutes as read.

Council Bullard made a motion to approve the minutes as read, seconded by Council Nelson. Vote was unanimous.

REVIEW OF BILLS

Mayor Crowe stated that Council had reviewed the bills.

PUBLIC HEARING

- (A) ORDINANCE 2005-06 – JOINT ORDINANCE ADOPTING AND ESTABLISHING ADMINISTRATIVE PROCEDURES FOR THE ENFORCEMENT OF STATE MINIMUM STANDARD CODES FOR CONSTRUCTION (2nd reading)

City Manager/City Clerk, Janice Logue, read the ordinance (2nd reading).

Mayor Crowe asked for those in favor or the ordinance to speak.

Mr. John Adams, 611 Hodges Street, stated that this needed to be adopted and enforced.

Mayor Crowe asked for those against the ordinance to speak.

There was no response.

Council Nelson made a motion to accept the joint ordinance, seconded by Council Benjamin. Vote was unanimous.

(B) Ordinance 2005-07 – AMEND THE LANDSCAPE DEVELOPMENT ORDINANCE

City Manager/City Clerk, Janice Logue, stated that the ordinance was read at the work session by Mr. Marcus Holt, who worked long and hard on this. She stated that chapter 18 was deleted in its entirety. The main changes were in administrative appeals. The city will have more to say in landscape development. Other changes were in the buffer. The final decision would come through the City Manager and if it can't be resolved then it would go to the Mayor and Council.

Mr. Marcus Holt stated that a couple of the provisions were one paragraph stated that the landscape ordinance would not put the developer or landowner in conflict with another ordinance. If the landscape ordinance violated the zoning ordinance then the zoning ordinance would prevail. Also, in the industrial area, the areas reserved for large trucks would be exempt from certain types of tree planting in the parking area. Also there is an exception to landscape requirements in the downtown area where the City of Hahira is already doing landscaping.

City Manager/City Clerk, Janice Logue, stated that the reason for the changes was there had been a lot of conflict.

Mayor Crowe asked if there was anyone in favor of the ordinance to speak?

There was no response.

Mayor Crowe asked if there was anyone against the ordinance to speak?

Mr. John Adams, 611 Hodges Street, stated that he was not totally against the ordinance but thought that it needed to be studied very thoroughly before approving. He respected Mr. Holt's opinions. He stated that when he (then Mayor) and council developed and adopted the landscape ordinance in 2001, Marcus Holt and Mr. Megow worked hard on it. One thing that the city had then, but was not appointed by the current administration, was a Beautification Committee and a Tree Board and this ordinance addresses working with those two committees. Those were citizens committees. He stated that some of the proposals take these out of the ordinance and he was opposed to that. Council needs input from other folks also.

Mayor Crowe stated that this was the first reading of the Landscape Ordinance.

(C) ORDINANCE 2005-08 – AUTHORIZING THE SUSPENSION OF PORTIONS OF THE CODE DURING A STATE OF EMERGENCY

City Manager/City Clerk, Janice Logue, read the ordinance (1st reading).

Mayor Crowe asked if there was anyone wishing to speak in favor of the ordinance? There was no response.

He asked if there was anyone wishing to speak against the ordinance?

Mr. John Adams, 611 Hodges Street, stated that these needed careful study before adopting.

Mayor Crowe stated that this was the first reading of this ordinance.

- (D) ORDINANCE 2005-09 – REGISTRATION OF BUILDING AND REPAIR SERVICES DURING A STATE OF EMERGENCY (1st reading)

City Manager/City Clerk, Janice Logue, read the ordinance (1st reading).

Mayor Crowe asked if there was anyone in favor of the ordinance?

Mr. John Adams, 611 Hodges Street, stated that he was in favor of this.

Mayor Crowe asked if there was anyone in opposition of the ordinance? There was no response. This is the first reading on this ordinance.

- (E) ORDINANCE 2005-10 – AUTHORIZING THE IMPOSITION OF CURFEWS DURING TIMES OF EMERGENCY OR DISASTER (1st reading)

City Manager/City Clerk, Janice Logue, read the ordinance (1st reading).

Mayor Crowe asked if there was anyone in favor of the ordinance?

Mr. John Adams, 611 Hodges Street, stated that he was in favor of the ordinance.

Mayor Crowe asked if there was anyone opposed to the ordinance? There was no response. This is the 1st reading of this ordinance.

- (F) ORDINANCE 2005-11 – PROHIBIT OVERCHARGING FOR GOODS, MATERIALS, SERVICES AND HOUSING DURING A STATE OF EMERGENCY (1st reading)

City Manager/City Clerk, Janice Logue, read the ordinance (1st reading).

Mayor Crowe asked if there was anyone in favor of the ordinance?

Mr. John Adams, 611 Hodges Street, stated that he was in favor of the ordinance.

Mayor Crowe asked if there was anyone against the ordinance? There was no response. This is the 1st reading of this ordinance.

END OF PUBLIC HEARING

CITIZENS TO BE HEARD

Mr. Gary Minchew, 908 Moss Way, Valdosta, Georgia, stated that about two weeks ago they got a wake-up call on the sewer system in Hahira. As a developer of two subdivisions in Hahira, this was very upsetting, when you have lots to sell, to find out there are no sewer taps available. He stated that he had been in this situation before. The solution is to sit down with the government officials and try to find out what the problem is and get it resolved. He thanked the Mayor and Council, City Manager and PWD, John Thursby and the EPD for their help in working with him. He stated that he had come up with a solution that wouldn't cost the taxpayers a thing.

Mr. Travis Willingham, 317 Daniel Way, wanted to know why the city hasn't accepted the streets in Mulberry Place?

Mr. Freeman Rivers, 204 S. Hall Street, asked the city to waive the sanitation charges on Folsom Chapel. He also asked if the city would mow the lot on the corner of Hall and Sargent Streets. The minutes do not always reflect what has been said at the meeting, also the minutes of August council meeting. The city had another council meeting, but when the situation on the fire station, that did not come up at the council meeting, yet it came up about the word "borrowing money". November 15th will be the opening of Phase I of the North Lowndes Recreation Park. He asked the city to do something to honor Mr. Otis McCann, who passed away in July. He stated that "Citizens wishing to be heard" was put back on the agenda when Council Ogundu came on council.

Mr. John Adams, 611 Hodges Street, stated that in August, there were three important meetings, to set the millage. All three meetings were conducted illegally. He advised the Mayor each time of their mistakes. He gave them a copy of the Georgia Law on setting millage rates. They still insisted on doing it their way. He brought it to the attention of the tax commissioner and then went to the state. The state agrees with him and they wrote the mayor a letter. They sent him the same information that he presented to the council at the August 24th meeting. The meeting of August 24th did not reflect what was said at that meeting. He said that he had a copy of the letter if anyone wanted to read it. He stated that next year when the millage is set everyone should attend those meetings. The citizens got a tax increase this year that they should not have gotten. At the work session there was a remark made that former Senator Loyce Turner was said to be the chairman of the EPD board and the city had requested that he intervene on the city's behalf with problems with EPD. Mr. Turner is chairman of the Department of Natural Resources board. The EPD is one of six divisions of the Department of Natural Resources. EPD is a regulatory agency that protects Georgia's air, land and water. He said that he doubted that the board Mr. Turner chairs has much influence over a regulatory agency such as EPD. That would be like me receiving a traffic citation from the Hahira Police Department and requesting the chairman of the board of the Better Hometown Director to fix it. Agenda item tonight on accepting the streets in Mulberry Place is not a popular issue with the citizens of Hahira. They don't need the tax burden. Anyone making those recommendations or accepting those streets will have to answer to the citizens of Hahira.

Ms. Tammy Freeman, 815 Kristin Lane, asked why the streets in Mulberry Place were not accepted. She asked for it to be approved.

Mr. Leland Clanton, 216 E. Park Street, stated that he was here to discuss the budget. He and John Adams asked the city not to increase the budget, but were ignored. He had also requested, twice, why the City of Hahira didn't have the Proprietary budget. The City Council said that all they had to publicize was the General Fund. He was at the work session on Monday night and asked about the sanitation and the water/sewer budget. He did not get a response. None of the council answered his question. He asked again after someone else had made a comment, if he would be able to get a copy of it. The Mayor asked the Finance Director to get him a copy. He received the copy yesterday, but still feels like the citizens of Hahira need to see water/sewer and sanitation budgets the same as the General Fund. He noticed that on the Agenda tonight, the council needed to adopt the 2006 General Fund budget, but not the Proprietary budget. He stated that he is still waiting for an answer. Also, at the meeting, he was concerned why the councilman questioned the Mayor about a person from EPD coming to Hahira to do some justification. It was a simple request and that councilman was treated very unfriendly. He feels like he represents one fourth of the population of the City of Hahira. He was elected by the citizens and he could not see why the administration can't notify all of the city councilmen when a state official from EPD is scheduled to come and they want to attend a meeting with him, along with the Mayor and City Manager, then it is his prerogative. He didn't think the councilman should have been treated like he was treated at the work session.

Mr. Ralph Clendenin, 202 S Hagan Bridge Road, stated that the agenda did not have anything on it about impact fees or sewage. He stated that the city paid for the City Manager and Public Works Director to go to a Florida city that did the impact study, which cost the city around \$4,000.00. The builders do not live in Hahira. They are coming to Hahira and building buildings and I am paying taxes so they can build here and by paying taxes, roads, parks, sewer and water, all of that is enacted by these builders. They are here today and gone tomorrow, but he lives here. He hopes that Council will start addressing this issue.

Mayor Crowe said that he had some issues to talk about. #1 – to Mr. Rivers on "Citizens Wishing to be Heard": When he became Mayor, he immediately started having Town Hall Meeting every three months. November 2004 minutes stated that the Mayor, Myron Crowe requested that "Citizens to be heard" be put back on the Agenda. Mr. Ogundu was not on the council at that time. It started in January.

Council Benjamin stated that he requested it be put back on the agenda on March 2002.

Mayor Crowe stated that, on the millage rate, the council did nothing wrong. He mentioned Mr. Adams going to the Tax Commissioner. He said that he did not receive a letter from the state.

Mayor Crowe stated to Mr. Clanton, that as far as the meetings, he has many meetings. The meeting with the EPD was set up by the City Manager to secure

financing for a loan. He stated that he has from 5 to 10 meetings a week about issues concerning the city. These are fact-finding meetings to bring back to council.

Council Ogundu stated that the question he asked at the work session was "If the city is going to commit itself to half a million dollars loan, wouldn't it be prudent that you call, or inform, all the council members".

DEPARTMENT REQUEST CONSENT AGENDA

(A) Approve purchase of trailer

PWD, John Thursby, reported that he had asked for council to approve the purchase of a trailer at the work session, but he had some good news. A trailer was donated to the city by Mr. D. K. Hollis. He thanked Mr. Hollis. He also was given 6 more trailers.

(B) Approve accepting streets in Mulberry Place Subdivision

PWD, John Thursby, stated that the streets comply with the ordinance, street signs are up, and curb and gutters are in correctly.

Council Ogundu asked, for clarification, who is Nelco? Mr. Thursby stated that according to the permit letter issued by Jerry Whittaker, Lawrence Nelson is the primary permittee.

Mayor Crowe called for a motion to accept the streets.

Council Bullard made a motion to accept the streets, seconded by Council Nelson. Councils Bullard and Nelson voted yes. Councils Ogundu and Benjamin voted no. Mayor Crowe broke the tie by voting yes. Motion passed.

Adopt City of Hahira 2006 General Budget

Mayor Crowe reported that the millage rate was set at 5.38. He read the budget letter.

Council Bullard made a motion to approve the 2006 General Budget, seconded by Council Nelson. Vote was unanimous.

Approve bid on Sewer Rehab Project

Mayor Crowe called on Mr. Jeff Lovell, City Engineer, to report on the sewer rehab project. Mr. Lovell stated that the council voted to send out bids. The low bidder on the sewer rehab was Institutorm. He recommended accepting the bid from Institutorm and rebid the manhole.

Council Bullard made a motion to accept the bid and rebid the manhole, seconded by Council Nelson. Vote was unanimous.

EMPLOYEE RECOGNITION

Mayor Crowe presented Sgt. Bobbie Dumas of the Hahira Police Department, a plaque for 10 years of dedicated service to the City of Hahira.

Mayor Crowe presented Police Chief, Terry Davis, with a plaque from Governor Sonny Perdue, in recognition of the City of Hahira's Police Department receiving 2nd place in the Governor's Challenge. The Police Department received a \$3,000.00 laser prize.

COUNCIL REPORTS

Council Benjamin stated that the "Citizens Wishing to be Heard" issue was brought up in 2002 when he was first elected. He placed "Citizens Wishing to be heard" on the agenda so that citizens could have the right to voice their opinions. The only reason it is back on is because Councilman Ogundu was coming in place. They were lacking one Councilman at that time and knowing that he was in favor of putting it back on the agenda and Council Ogundu was in favor also, it was put back on the agenda just before he got on in December. When he came on, it was already in place. He stated that the Mayor should be reprimanded for calling out names of citizens. He said that he was ashamed. He thought the citizens should come out and vote in November. Council should be able to discuss all of the issues. There are infrastructure problems. Council needs to be informed on all decisions so that they can better serve the citizens. He encouraged everyone to vote.

Council Ogundu stated that he was glad there would be a new administration in January. He said that it disturbed him to see that information that a councilman should use to make a decision is kept away from that councilman. It bothers him that an important agency like the EPD and USDA, the city is about to go into a half a million-dollar loan. Only one councilman and the Mayor knew about it. He said that he was an elected official. Before the citizens can be committed into such things, he would have to go to his constituents and explain to them what is happening. On October 3rd, EPD called the city. Council Benjamin and himself were not aware of it and he doubted Council Bullard was aware of it. Recently, the Department of Revenue wrote a letter to Myron Crowe in reference to the millage rate. He personally recommended a rollback to avoid all of the confusion. Several days later he made a recommendation on something but the Mayor told them that he was right. An important letter should have been shared with the councilmen. Council Ogundu stated that the Mayor made promises during the May 2005 council meeting to the people that he can not keep. Mayor Crowe said that in two weeks the city will have the preliminary waste load allocation. The City Engineer has several plans in place. This will take 60 days to get approved through EPD. We are looking approximately six to eight months before getting a solution to this problem. We have approximately 138 taps and in six to eight months there will an additional 2000 taps. This was a promise made to these people. Now we have to pay for this with utilities. I was not informed of this worksheet until it was placed on the desk. I came in here this evening. If it fair to you, it is not fair to me. If you think this is fair, it will happen to you in your job or any place. When someone intentionally withheld information that you will

need to make an informed decision. If it is not for personal effort and research we would (inaudible). That's all I'm saying to you. Before you judge, find out the true story, find the true condition, the true situation. What is happening, who is fighting is for you. If you hear that Councilman Ogundu is working against the streets. When you see me out there ask me what my intention is. When that streets, they're flooded when all of the developers are gone. When your homes they 're flooded when all of the developers are gone. Oh my goodness. Then you will know what Councilman Ogundu is doing for you. I want to do it right. I'm not against you having the streets but I want it to be right. We have to do the right thing. Its all of our money, its all of our financial interest. (Inaudible) As an elected official I will not (inaudible) God Bless you. If it comes to my job at the election. If you don't elect me I'll go home but while I'm here I've done my possible best to protect you, you, you, you and you. Don't give me this (Inaudible) I'll win this on my own. I have intelligence, I know when things are wrong, I know when things are right. I know when people are making decisions based on their pocket, POCKET. (Inaudible). You watch, those of you that are here tonight talking about the streets, when you get flooded, when you get flooded, when you get flooded remember I said it . Thank you.

Council Nelson reported on the new street in Audubon Heights and they will be building on them soon. He stated that he initiated and pushed real hard to get the old whiskey store demolished on Highway 122. Everything seems to be going good in District 4.

Council Bullard said that the Honey Bee Festival would be this week. He thanked the Honey Bee Festival Committee for their hard work. He also thanked the Public Works Department and the Police Department for their help during the festival.

CITY MANAGER

City Manager/City Clerk, Janice Logue, stated that she appreciated the city employees. She also commended the Police Department on their award from Governor Purdue.

MAYOR

Mayor Crowe stated that the Honey Bee Festival starts tomorrow.

Mayor Crowe called for a motion to enter into an Executive Session.

Council Bullard made a motion to enter into an Executive Session, seconded by Council Nelson. Vote was unanimous.

The Council Meeting adjourned at 8:30 P.M.

The Council Meeting re-opened after the executive session at 9:40 P. M.

Approve draft EPD Consent Order

Mayor Crowe called for a motion to accept the draft EPD Consent Order.

Council Bullard made a motion to approve the draft EPD Consent Order, seconded by Council Nelson. Vote was unanimous.

Mayor Crowe asked for the Council approved a special called meeting to be held on Wednesday, October 12th at 2:00 p.m. in City Hall for the purpose of allowing Mr. Minchew to detail his proposal of financing the City's sewer expansion project in regards to a new spray field. This meeting will allow the Council to ask questions and obtain all of the details of this proposal. **Council Nelson made a motion to approve the special called meeting, seconded by Council Bullard. Vote was unanimous.**

Mayor Crowe asked for the Council to approve immediately sending a letter to the City of Valdosta's Permit Office notifying them to stop issuing new construction building permits within the city limits of Hahira until further notice. This will allow Hahira time to implement new procedures on issuing sewer connection taps. **Council Benjamin made a motion to approve sending the letter, seconded by Council Nelson. Vote was unanimous.**

Council Nelson made a motion to adjourn, seconded by Council Benjamin. Vote was unanimous.

The Council Meeting ended at 9:50 P.M.

Myron Crowe
Mayor

Janice Logue
City Manager/City Clerk

Marilyn Brady
Recorder