

**HAHIRA CITY COUNCIL**

**COUNCIL MEETING**

**APRIL 5, 2018**

**6:00 P.M.**

**COURTHOUSE**

Mayor Pro Tem Barfield and Council met for a Council Meeting April 5, 2018 with Mayor Pro Tem Barfield presiding.

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

**CALL TO ORDER:** Mayor Pro Tem Mason Barfield

**ESTABLISH QUORUM:** Mayor Pro Tem Mason Barfield

**PLEDGE OF ALLEGIANCE:** Mayor Pro Tem Mason Barfield

**INVOCATION:** Pastor Mike Wells

**REVIEW/CORRECTION OF MINUTES:**

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

Mayor Pro Tem Barfield asked if anyone had any corrections or additions regarding the minutes. None noted. **Councilman Davis made a motion to approve the minutes as presented which was seconded by Councilman Benjamin. Councilman Davis, Councilman Warren and Councilman Benjamin all voted in favor of the motion.**

**PUBLIC HEARING:**

**A. LAWSON STREET RAILROAD CROSSING CLOSURE-NORFOLK SOUTHERN PETITION**

City Manager Sumner said to give a little history the City was contacted by the Railroad about 11 years ago and again at a later date with a request to close the Lawson Street crossing. However, no formal petition to close the crossing was filed on those occasions. The last discussion about closing the crossing was about 5 years ago. In December 2017, Norfolk Southern again came to the Mayor and City Manager and requested it be closed. They offered an incentive of \$32,000 from the Railroad and \$7,500 from GDOT. The city considered this at the January meeting and decided to get more information before making a decision. It was discussed at the Retreat in February and then it was decided to postpone until the March 2018 meeting so that we could have a Public Hearing and listen to the comments of the residents and business owners. A public hearing was held at which several residents voiced opposition to the closing of the crossing. Tim Coombs, a business owner on Lawson Street, stated that he had spoken with representatives of GDOT who had told him there were alternatives to closing the Lawson Street

crossing, including possibly installing crossing gates. The council voted to table the matter to the April meeting to speak with GDOT about alternatives to closing Lawson Street. The next day, the city received correspondence from Norfolk Southern withdrawing the incentive offer and stating the railroad would be filing a formal petition for closure. Representatives of the city had meetings with the GDOT and Tim Golden and a follow up meeting where DOT confirmed that the formal process for filing the petition with GDOT would begin. GDOT told the city that if the city denied the closing of the crossing the Railroad would appeal that decision to the GDOT, which would make the final decision on whether the crossing should be closed. GDOT stated that the Railroad has a compelling case as stated in the petition to the City. The city manager noted that the Lawson Street crossing had already been closed without notice and the approaches to the crossing had already been taken up by the railroad.

Mayor Pro Tem Barfield then asked if anyone wished to speak in favor of the crossing closure. Will Miller with Norfolk Southern Railroad from Atlanta stated they stand firm on the closure of the Lawson Street Crossing, stating that the crossing is between two signalized crossings and this will keep people from getting hit like we had recently. I hope to get a favorable outcome.

Mayor Pro Tem Barfield then asked if anyone wished to speak against the crossing closure. Tim Coombs business owner at 307 W Lawson Street said if the City votes against closure the Railroad and/or GDOT could put up crossing arms and not close that crossing. He said he had spoken to the GDOT Engineer about the crossings to the north and south of Lawson Street, and the grade at both crossings. He said he did not believe those crossings are safe for all vehicles, noting the high clearance needed to get over the tracks, increasing the risk that trailers or other low vehicles would get hung up crossing the tracks. Coombs stated it was his opinion that the railroad should close another crossing not Lawson Street. He stated you need to go down to Stone Creek and look at closing those crossings, they do not have signal arms. It is not fair for the City to have to have this crossing closed.

Mark Lampert of 550 W Stanfill Street stated that as explained at previous meeting the W Stanfill crossing is too steep, I think they should fix the Stanfill Street crossing with a longer grade or put crossing arms on Lawson and close the W. Stanfill Street crossing.

Karen Camion of 405 W Stanfill Street stated that it is a disgrace to close this crossing. She stated she had lived here for 50 years and knows that any crossing is a risk that is life, accidents happen. She noted the traffic problems that closing the crossing would create during times of heavy traffic on Hwy 122 and traffic into and out of the bank, when many cars use Lawson Street as an alternate route. She noted the inconvenience to her and other residents every day not being able to travel Lawson Street since Norfolk Southern shut down the crossing. She asked for crossing guards to be installed at Lawson Street rather than closing the crossing. .

Wyetta Lane of 210 Randall Street stated that it is on you guys up there not to close the crossing. We do not need to close that crossing. Keep it open because 122 is busy and we cannot cut across, we do not need to close it.

Sandra Warren of 817 Smith Road stated she is a bus driver for Lowndes County Schools and the school buses have a problem crossing the tracks at Stanfill Street and the crossing south of Lawson Street. Those crossings are too steep and the door hits the track when we cross over. I think the Lawson Street crossing is needed for the school buses.

Vicki Rountree of 108 E Lawson Street stated the crossing has been closed since the wreck in February. I think there should be room for negotiation, the Stanfill Street crossing is not easy to cross, some cars and buses have a problem with the steep grade. I think the Railroad should be a good partner and maybe move crossing from West Stanfill to Lawson Street. This was all done in Adel, the railroad made a decision and the City of Adel voted against closure of the crossing. I would like to go on the record and speak out and say we should not close the crossing.

Wilmon Stanley of 308 S Washington stated that he has been here for the last 20 years and he thinks we need the Lawson Street crossing to reroute traffic when we have heavy traffic. My vehicle does not go across Stanfill Street and I think the railroad should do what is right for the citizens of Hahira, do what is needed for us. I love my community and I think they should not close the crossing.

Councilman Warren asked Mr. Miller what his position was and how long he has been with the railroad. Mr. Miller stated that he is the manager of crossing safety and he has been doing this for 7 years. Councilman Warren said he knows that Norfolk Southern is a large corporation but can we get the trains to slow down when coming through Hahira? Mr. Miller stated that the speed limit is set by the Federal government and they go at the speed allowed by law. He then asked Mr. Miller about the grade at W. Stanfill Street, it is terrible. Mr. Miller stated that he has not looked at it but I think they came through and did work and then will come back and do permanent work to complete it. Warren asked Mr. Miller who authorized the closing of Lawson Street crossing. Miller stated that he does not have the authority to remove the crossing, it is a local maintenance issue and that it not my department. Warren then asked what about alternate closure of crossing? Miller stated that Lawson Street was the only crossing in Hahira being considered for closure. With regard to putting crossing signals at Lawson Street, GDOT would have to approach us and it is not a simple process, it is the ongoing maintenance that uses Federal funds. It was then noted that GDOT was present to just listen. Councilman Warren stated this is a difficult job, we have deep concerns regarding fire and safety on this side of the tracks. Warren then asked the DOT representative about the point system cut off, is the point system 5.0 or greater, then does GDOT consider closure? The DOT representative said there is a worksheet that was stated by the State that we use as part of the process, if the Council denies the petition then the railroad petitions GDOT and they do another assessment.

Councilman Benjamin asked if there are other crossings in our area that do not have signalized arms that are being closed. And if not, then what makes them safer. Just down the road at Stonecreek they have two crossings with no signals and arms. Mr. Miller said that he is not familiar with those crossings.

Councilman Davis stated he thinks the railroad is treating the city as if it has been uncooperative with the Railroad but we need patience to get this right with the Mayor, Council and citizens. The issue has come up from time to time going back 11 years but prior to the December 2017 request, there had been no discussion of closure with the railroad in five years. With its most recent request, Norfolk Southern did offer an incentive but did not give time frame to make a decision. This has been a discussion off and on for the last 11 years but there has been no request from the railroad in the last 5 years. They should have given more time before they took the incentive off the table. Kevin \_\_\_\_\_ with GDOT stated that this all started in June 2006 for closure status but nothing was done at that time. Councilman Davis said you make it appear that this has been an ongoing request for 11 years in the letter which was a moot point until the end of 2017. We have cooperated and it irritates me the lack of patience regarding the closure after the letter. On receiving the railroad's request, we held public hearings and have had several business owners and area residents state they were opposed to the closing. We took the time to try to accommodate the citizens and the next day the railroad pulls the incentive. That is unprofessional. We just needed more time. Davis said he wanted it closed before for the same reason as the railroad but since the City has been put through so much trouble, no incentive and being jerked around by railroad I change my mind. I hope from this point on they will handle things differently, think twice.

Councilman Benjamin said that Councilman Davis said it all, I represent District 1 and there has been a death on all crossings. I appreciate the sentiment of Councilman Warren and Councilman Davis and I support it being open.

Mayor Pro Tem Barfield said I have been looking at the report [the Norfolk Southern survey], number 4 on the evaluation has 1 in 5 years that is 1 crash in the last 5 years. This is not black and white, this is objective. When I look at this I have to look at the laws and freedom and the rules of the road. Mr. Barfield said I am not buying safety issues as the reason to close the crossing. Why are there 3,000 un-signalized crossings in Georgia and you want to close this one [Lawson Street]. Kevin \_\_\_\_\_ GDOT engineer, said that this is all about federal funds and the crossings are being studied constantly. GDOT has to prioritize, assign hazard index and consider all factors. The engineer said GDOT has the right to rank or index a crossing how we want to.

Councilman Warren asked if any Municipalities pay for signalizing the crossings. Miller stated not in my time, it is not done like that. Warren then asked if he has seen crossings being moved to other crossings. Miller stated that he has not seen it.

Mayor Pro Tem Barfield stated that he does not feel it is in the best interest to close the crossing due to the growth of the City and I will not vote for the crossing to close. **A motion was made by Councilman Benjamin to deny the Railroad petition and leave the Lawson Street crossing open. This was seconded by Councilman Davis. Councilman Warren, Councilman Davis and Councilman Benjamin all voted in favor of the motion.**

**CITIZENS TO BE HEARD:**

Willmon Stanley of 308 S Washington said that he would like to commend the Council and the City Manager on listening to the citizens and voting the way of the people. The railroad and the GDOT is a matter of concern for me, we have a right to have a voice against big Corporations. We fought for the right to have a say in things, we have freedoms and rights. Our voice is being heard.

Mark Lampert of 550 W Stanfill Street stated that something needs to be done about the grade on W Stanfill Street at crossing. I recommend you not close the Lawson Street crossing and that the train should slow down to 45 when coming through town and tell the engineers to not blow the horn so much.

#### **REVIEW OF BILLS/BUDGET OVERAGES:**

Mayor Pro Tem Barfield asked if anyone had any questions or concerns regarding the bills. None noted. **Councilman Warren made a motion to pay the bills as presented which was seconded by Councilman Benjamin. Councilman Benjamin, Councilman Warren all Councilman Davis all voted in favor of the motion.**

#### **DISCUSSIONS/DEPARTMENT REQUEST:**

##### **A. OPIOID LAWSUIT RESOLUTION (STUDSTILL FIRM)**

City Manager Sumner stated that after the work session we had internal discussion and decided we would like to remove this from the agenda. Thank you to Councilman Warren for getting the information to us.

##### **B. WATER TANK CONTRACT (CITY MANAGER)**

City Manager Sumner stated that after discussion with PWD Warren we would like to get additional proposals and postpone to May meeting. **Councilman Benjamin made a motion to postpone which was seconded by Councilman Davis. Councilman Benjamin, Councilman Davis and Councilman Warren all voted in favor of the motion.**

#### **CONSENT AGENDA:**

##### **A. FIRE TRUCK TIRES**

##### **B. ICE MACHINE-FIRE DEPARTMENT-SPLOST VII**

##### **C. CITY ETHICS RECERTIFICATION RESOLUTION**

**A motion was made by Councilman Davis to approve the Consent agenda as presented which was seconded by Councilman Benjamin. Councilman Davis, Councilman Benjamin and Councilman Warren all voted in favor of the motion.**

#### **REPORTS:**

Councilman Benjamin thanked everyone for the opportunity to serve District 1. I appreciate all your opinions and the opportunity to represent the citizens of Hahira. Thank you to the Council, I think the point was made.

Councilman Warren said that he enjoyed tonight's meeting and representing the people of Hahira. I know there are concerns regarding the fire and safety. I have been in favor of closure due to death there but we have growth with many businesses and lives. I feel every road is dangerous, slow down.

Mr. Stanley is a veteran and I am glad he can speak and be heard. It is the Democratic will of the people. I know 9 out of 10 times the railroad and it cost us \$40,000.

Councilman Davis said he would like to shed some light on what councils do, I have been listening to talk radio and blogs and we do listen to the people. There are railroad points that I do not like and now our Council has voted no. This is not set in stone and I thank you for your support.

City Manager Sumner thanked everyone for the opportunity to serve, thank you to the department heads and administrative staff. We are working on many things, the railroad crossing, food truck ordinance and planning new communities. I am thankful we can work together and check them off the list. Thank you all.

Mayor Pro Tem Barfield said now it is time for GDOT to come to the table. They wanted it closed back in 2006 but never came to the table. Thank you for coming maybe something will stick with GDOT and the Railroad and they will give us options. Thank you for being here. We can all agree or disagree and walk out of here and go in different directions. Thank you.

**A motion was made by Councilman Warren to adjourn which was seconded by Councilman Davis. Councilman Warren, Councilman Davis and Councilman Benjamin all voted in favor of the motion to adjourn.**

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

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**MAYOR PRO TEM MASON BARFIELD**

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**CITY CLERK LISA MASHBURN**