

Council Meeting
June 5, 2023

Members Present: Mayor Buddy Duke, members Terry McClain, Greg Paige, Walter Cowart and Jody Greene. Councilwoman Celestine Hayes was absent.

Others Present: City Manager Mark Barber, City Clerk Rhonda Rowe, City Attorney Tim Tanner, Chief Chad Castleberry and members of the public.

Invocation was given by Councilman McClain

Pledge of Allegiance

Approval of Minutes: Councilman Paige made a motion to approve the minutes of May 15, 2023 as presented. Councilman McClain seconded with all in favor. Councilman McClain made a motion to approve the minutes of May 22, 2023 as presented. Councilman Greene seconded. There were no opposing votes.

Public Hearing: Councilman Paige made a motion to enter into a public hearing to gain input on the rezoning application filed by Dianne Grimsley. Councilman Greene seconded with all in favor. The application requests that property located at 503 N. Parrish Avenue be rezoned from General Business (GB) to Wholesale Light Industry (WLI). The rezoning would allow for the construction of a 60 x 100 climate controlled mini storage building. It will adjoin existing mini storage buildings. The planning commission voted unanimously to approve the request. Eric Pittman spoke on behalf of Ms. Grimsley in support of the application. He stated plans are to construct the building with materials purchased in Adel. They will honor all setbacks, regulations of council and building codes, etc. Councilman McClain asked if it would look similar to the storage units that are currently there to which he replied yes, it will be a continuation of what is there now. Betty Horne Bullard spoke against the rezoning request stating that she doesn't want another storage building beside her. She asked if she would be able to drive her vehicle between the house and the building? Shelbie Horne stated there is a discrepancy involving the property line. Mayor Duke stated the property lines should have been verified by the planning and zoning commission. Shelbie Horne asked where the doors would be located for people to enter? Would they enter from the front where they don't access from the outside. Would they be pointing toward the house or toward the other side? Mayor Duke stated we have not been provided a copy of the set of plans. That would have to be verified by the petitioner of the property to be rezoned. He noted this meeting was to speak either for or against the rezoning. We didn't have anything to do with the scope of the project as to how it would look. Ms. Horne stated that if the access to the building is on their property side, she would ask that a privacy fence be put up. The city attorney stated the council could possibly put in conditions if the council so chose. There were no further comments and the public hearing was closed. He noted the vote would take place at the next meeting.

Alcohol License (Deeplaxmi 9, LLC): The council was presented with an alcohol application request from Deeplaxmi 9, LLC, d/b/a Quick Trip 4, located at 600 W. 4th Street. All documentation has been

completed and reviewed with the required payment being made. Councilman Greene made a motion to approve the issuance of the license. Councilman McClain seconded. All were in favor.

Fourth Amendment to Intergovernmental Agreement (Blockstream Electric Service): City Manager Mike Barber stated that a special called meeting had been held on May 22, 2023 with Mike Leverett (Energy Economics Consulting). Mr. Leverett had discussed in detail the provision of electric service to Blockstream. Mr. Barber stated that in September 2022, Blockstream went to minimal usage. At that point is when the issue was revealed and they were paying for electrical usage and demand as well. Since September 2022, the city has not been required to purchase demand or capacity because they were ramped down. Blockstream has been using 150-200 kwh but have been billed for approximately 40,000 kwh. The other thing that happened was gas prices increased, increasing that price, so that gap grew. The other 6 cities have approved the fourth amendment to the intergovernmental agreement. He noted the first two amendments had nothing to do with pricing, the 3rd did include a change regarding capacity and demand charge as well. The fourth amendment will change the third amendment. To summarize, the 4 things to come out of amendment #4 will be as follows: (1) For the months effective as of August 2022-December 2022, the definition for Billed Energy shall be deleted and replaced with Billed Energy (the actual meter usage in kWh having occurred in a calendar month); (2) For the months of September 2022 – December 2022, the definition for “Capacity” shall be reduced from \$5.00/kW of billing demand to \$2.00/kw of billing demand; (3) Effective January 12, 2023, Blockstream will be billed under the criteria of Amendment 4; (4) Effective April 1, 2023, the second premises located at 801 N. Hutchinson Avenue shall no longer be part of the Intergovernmental Agreement. Basically, they will be charged for actual meter usage. The demand charge will be part of that \$2.00 fee he was talking about, the base fee and all of those fees will remain the same. He reminded again that the other 6 cities have approved the fourth amendment. Councilman Greene made a motion to approve the amendment. The motion died for a lack of a second.

Land Swap Agreement (Alabama Road): City attorney Tim Tanner stated on December 19, 2022 the council approved a contract for a land swap agreement between the City of Adel and Williams Company. The city will be getting 8.65 acres of land valued at \$478,000 and giving up 3.12 acres valued at \$49,000. Those appraisals were provided by Brian Aultman in connection with the paving of the Alabama Road and getting the necessary area to build that road. This last piece is to consummate the real estate agreement. Councilman Cowart made a motion to approve and consummate the land swap agreement between the City of Adel and Williams Company which will involve giving the Williams Company approximately 3.12 acres valued at \$49,000 in exchange for receiving 8.65 acres valued at \$478,000 as determined by the appraisal of Brian Aultman. Councilman McClain seconded. Councilman Paige cast the only opposing vote.

Fire Department Equipment Bids: Bids were received for a Self-Contained Breathing Apparatus refill station and were as follows:

Ten-8 Fire and Safety	\$54,038.73
B & T Enterprises	\$55,877.00
Channel Innovation	\$64,000.00
Breathing Air Systems	\$67,231.05

NAFECO	\$70,542.00
Breathing Air Systems (18 CFM)	\$74,539.05

City Manager Mark Barber explained that our current model is a 2002 that has been band-aided and fixed until you couldn't find parts. We've had to rely on the City of Lenox to refill our tanks. He noted that after a review of the bids, which were opened on May 8, 2023, Chief Weeks and city staff recommend awarding the bid to B & T Enterprises. Although B & T is not the lowest bidder, the long-term expense of service and repair travel for the equipment will more than offset the initial \$1,838.27 price difference. B & T Enterprises is based in Thomasville and Ten-8 Fire and Safety is in Forsyth. Councilman Cowart made a motion to approve the purchase from B & T Enterprises. Councilman Greene seconded with all in favor.

Well Repair (Pump #4): Mark Barber advised that the pump at the water well located on the corner of 11th Street and S. Hutchinson was experiencing some issues. We contacted Woodrow Sapp Well Drilling who has provided repair in the past to review and inspect the pump. That cost was \$7500.00. While the pump was out, there were other issues that were found that would soon require attention. Since the pump was already pulled, it was treated as an emergency repair. The cost for that repair was \$27,900. Due to the urgency of the situation, normal procurement policies were not followed. Councilman McClain made a motion to approve the expenditure. Councilman Greene seconded. All were in favor.

Sanitation Truck Purchase: The council was advised that we have a sanitation truck that is in dire need of replacement. It has a split in the back half of it. When it cranks up we have to put 20 gals of hydraulic fluid in it before it hits the road. It should have already been rotated out of our fleet. Its more economical to look at a new truck rather than try to fix it. A company called Solid Waste Applied Technologies contacted us in March stating they may have a refuse truck available in early summer. The quote at that time was \$344,144.27. We've had these in the budget before but there can be a 2 year lead time so we didn't get a new one. We need this truck and then we have two others we can use, although they're not in much better shape than the one we're trying to replace now. They have offered it to us this week at a cost of \$340,000. There has been no promise made to this company to purchase the truck; the truck is available and they knew we were placing one in next year's budget. This year, we did not have any capital items in the operating budget. If we wanted to take advantage of this, it would prevent the possible 2 year lead time and the price at that time would probably be \$425,000-\$430,000. Mayor Duke asked the city attorney if we were in line to spend this kind of money without going through the bid process. Mr. Tanner stated that this is not a public works contract so there is not an ordinance requirement that required it to be bid. We have traditionally done it but this is kind of a unique situation. City manager Mark Barber stated that normally we would go through a sealed bid process but this is a unique opportunity for us. Councilman McClain asked if we would have time to put it out for bid or would we lose this truck? He was advised we would probably lose the truck because it would take at least 6 weeks to procure bids. Councilman McClain then asked what the main purpose of this truck would be for, residential or commercial? He was advised it was for residential. Councilman Cowart asked the year model of the truck this would be replacing to which he was advised a 2018. If approved, we would keep the one we have now for 90 days to be sure there were no issues with the new one and then sell the old one on Gov Deals. Mayor Duke asked if we would be financing through GMA? Mr. Barber stated the financing would come after the purchase. Mayor Duke then questioned if the current

truck is financed and was advised no, it is not financed. Mayor Duke added that he was aware there have been significant problems with diesel engines and Mr. Barber confirmed that yes, that is a definite problem, along with the back end of the truck being split. Mr. Barber noted that the usage of these trucks is 5-7 years and we are currently in year 5 with the one we would be replacing. Councilman Greene made a motion to approve the purchase of the truck. Councilman McClain seconded. All were in favor with the exception of Councilman Paige.

Executive Session: Councilman Greene made a motion to enter into executive session to discuss real estate. Councilman Cowart seconded. All were in favor.

Following executive session there was no further business and the meeting was adjourned.

Rhonda P. Rowe, City Clerk

Luther L. Duke III, Mayor
