

Council Meeting
June 7, 2021

Members Present: Mayor Buddy Duke, members Terry McClain, Greg Paige, Walter Cowart, Vivian Sharpe and Jody Greene.

Others Present: John Flythe, Rhonda Rowe, Tim Tanner, Luke Brogdon and members of the public and press.

Invocation was given by Councilman McClain

Pledge of Allegiance

Approval of Minutes: Councilman McClain made a motion to accept the minutes of May 17, 2021 as presented. Councilwoman Sharpe seconded with all in favor.

Main Street Presentation: Elizabeth Elliott, the Georgia Main Street Downtown Preservation Planner for Downtown Development at the Georgia Department of Community Affairs, was present to make the official designation to the City of Adel as the newest 2021 Georgia Classic Main Street city. She complimented Brandie Dame for the passion and care she exemplifies in wanting Adel to be successful.

Paving Bids (Various Streets): Bids were received for various streets to be resurfaced utilizing funds from the Georgia Transportation Infrastructure Bank (GTIB) Loan and 2020 Local Maintenance & Improvement Grant (LMIG). City Manager John Flythe noted the streets comprise a total of approximately 3 miles. Bid requests were sent to five companies with two providing a bids, which were as follows:

The Scruggs Company	\$1,700,737.61
Reames & Son Construction Company, Inc.	\$1,383,037.84

Mr. Flythe stated the bid includes paving Mitchell Street from the overpass to Hwy 37, with the county agreeing to paying ½ of this portion. We will have a shortfall of approximately \$50K in the entire project, which can be taken out of retained earnings. Councilman Paige made a motion to approve the low bid. Councilwoman Sharpe seconded. The decision was unanimous.

Bids for Constructing Turn Lane (Hwy 37 at new Recreation Facility): Bids were received for constructing a turn lane at the new recreation facility located on Hwy 37. Funding for the project will be provided from TIA (formerly TSPOST). Bids were as follows:

The Scruggs Company	\$342,524.60
Reames & Son Construction Company, Inc.	\$303,937.90

Councilwoman Sharpe made a motion to approve the low bid and authorize the execution of the contracts for this project as well as the contract on the resurfacing of various streets. Councilman Paige seconded. The decision was unanimous.

Voting Delegate for Georgia Public Web: Councilman Cowart made a motion to reappoint Mayor Duke as the voting delegate for affairs related to Georgia Public Web. Mr. Flythe noted this is generally to vote on board member recommendations. Councilwoman Sharpe seconded. All were in favor.

Resolution #21-04: This resolution, authorizing the execution of the lease supplement for the lease under the GMA direct leasing program; to designate such lease as a qualified tax-exempt obligation; to provide an effective date; and for other purposes, was presented to the council. This is part of the financing package on the F-550 recently purchased for use in the public works department. Councilman McClain made a motion to approve the resolution. Councilman Greene seconded. There were no opposing votes.

Williams Investment Company Request (Texas Road): The council was advised that Circle K is considering purchasing property belonging to Williams Investment Company to construct a facility. In order to proceed, Texas Road would need to be realigned beginning at Hwy 37 and extending to Circle K's northern property line. This would be a TIA project that the State would participate in; however, due to timing restraints, Texas Road would need to be constructed before the road would be constructed under TIA. The council was asked to deed the present road bed so that it could be moved east. The new road would be built and deeded back to the city. The city would retain utility easements. Williams would have to apply for the state permit. We are asking that the Mayor be given the authority to give the deeds and then take the deeds back, while retaining the easements. Mr. Flythe noted that plans are to align Alabama Road with the newly aligned Texas Road to accommodate a traffic signal to be approved by the Georgia Department of Transportation. Councilman Greene made a motion to approve the request. Councilwoman Sharpe seconded. All were in favor.

Woodlawn Cemetery (Request for financial support): The council was presented with a letter from Don Huckaby, treasurer of the Woodlawn Cemetery Foundation, Inc. Mr. Huckaby explained that in 1992, upon the death of Margaret Smith, the City requested he replace her and assume responsibility for the upkeep of the cemetery. At that time, the foundation was formed and receipt/disbursement of funds were handled through this foundation. The city provided a monthly injection of \$200, with much of the labor provided by prisoners or others assigned to community service. In 2008, the monthly contribution was increased to \$350. No community service labor is now provided and the monthly cost is approximately \$1500 for equipment, fuel, chemicals and labor. Monetary donations from family members of those buried covers approximately 40-50% of these costs; leaving around \$800 per month uncovered. He is requesting the City of Adel increase its budget to \$800 to help cover the monthly expense. The foundation will continue to provide oversight and accounting for the maintenance. John Flythe asked the council to appropriate up to \$800 as well for maintenance of the black cemetery. Currently, the city is trying to maintain that cemetery. Councilman Paige stated with the current situation, that cemetery needs to stay as is. Mr. Flythe stated that he would prefer that a group of people come together for this responsibility. Councilman Paige stated that he has been responsible for

the past years and will create a foundation to keep it up. Councilman Paige then made a motion to approve the request. Councilman Greene seconded with all in favor.

Ordinance #21-02: This ordinance, creating article IV “Commercial Racetracks” of Chapter 10 *Amusement and Entertainments* of the Code of Ordinances of the City of Adel, was brought before the council. Mayor Duke confirmed council’s receipt of the letter requesting to postpone this item until the June 21, 2021 meeting so that Ozzy Moya, owner of South Georgia Motorsports Park, could be present. Councilman Cowart made a motion to move forward with the ordinance tonight. Councilman Paige seconded. The decision was unanimous. City Manager John Flythe advised the council that as he reads the ordinance, they would have to decide on the hours. For the penalty section, they can either use as is presented or change to whatever they desire. The council was also presented with 4 exhibits of ordinances: (A) the ordinance as originally presented, (B) the ordinance with changed penalty provision to give guidance regarding offenses, including the administrative provision to suspend the occupational license, (C) the version of the ordinance as presented by South Georgia Motorsports Park. It includes provisions for (1) rain delays/wreck delays (2) increases time to 11:00 during the week, (3) for special events – application is made with city manager but if they did not go over time, it would not be counted as one of their extended events, (D) the version of the ordinance presented by SGMP with revisions made by the city attorney, other than the time. City attorney Tim Tanner advised the council the ordinance on the agenda is the first ordinance as originally presented. If they want to modify the times, that will need to be added. City Manager John Flythe stated he will leave the hours out. The council can include the hours as they want and can change the penalty when they get there if they so desire. Mr. Flythe proceeded with reading the ordinance for the second time. Councilman Cowart made a motion to go with 10:00 during the week and 11:00 during the weekend for the hours of operation and go with what the County had in place with regard to the penalty. After a discussion, it was agreed that the penalty would be \$1000 for each violation. Mr. Tanner stated the maximum fine for each violation would be \$1000. Councilman McClain seconded. The decision was unanimous.

Altheia Paige: Mrs. Paige addressed the council stating that a request had previously been made in reference to the ordinance and nuisances but have not gotten anything back on the cylinder gas, also it’s been almost two months and have not heard anything. She asked if anybody had any answers. Mr. Tanner advised that a letter has been written to Mr. Roberts, owner of Advanced Cylinder and Tank, and has asked for a response by June 23, 2021. She asked how long it had been since the letter had been sent and Mr. Tanner advised it was sent last week. Ms. Paige stated the council should not continue as they are allowing. With the Del-Cook property, they have all those fumes; it needs to be cleaned and uncontaminated. Nearly everybody over in that area was diagnosed with cancer. Where you turn in on Tony Street, it used to be locked; it’s not anymore. She further stated Mr. Flythe had presented a list for paving earlier and that she has a list and if you go from Exit 37, go north, and turn down each street, there are big pot holes. She further stated there is different paving from one side to the other side. Mr. Flythe stated “No mam, that’s not true”. She has pictures to show of the paving and will present at the next meeting of the paving. On the west side, it’s a different paving. When you hit pot holes and call to make a complaint, nothing is being done. All of the ditches are on the west side, all of the lift stations. Nothing is on the east side; it shouldn’t be when anyone comes into the City of Adel that you can tell the difference from one side to the other side. If you ride out there on Mr. Flythe’s street, it looks like you’re coming to America, all the streets are lit up and pretty. They want the same thing. Not where

you've got \$200,000, but because I've got \$20,000, you got to make a difference between what your street looks like and what mine looks like. It shouldn't be about money anymore, but doing what's right. She then stated that each one of yall call yourself in the church and saved and praying to Jesus, "I don't know what Jesus yall are praying to because if yall were praying then the things that were going on in Adel would not go on." Asking yall look at the streets and the situation. See where changes need to be made and make those changes. Not just put something in it and then it washes out. On your bid for the 550 truck, what department does that truck go to? Mr. Flythe advised the street department. She asked was that one going to be able to carry the swa-cars or is it one they will drive? She was advised it would do a multitude of things, swa-car included. On the bid for the lane at the recreation department, on the bidding for Alabama that Mr. Williams has, we seem to be able to come up with money for all this other stuff, we be budget short-cut cause its over budget, then got to go in and replace money from here to here to here. But when it comes down to doing something for the west side, you have no money. You told us when you came, when this business comes, light bills were going to be lower but we haven't seen that change yet. From the west side to the east side, from the north side to the south side. "Only thing I'm asking you to do is anybody that's doing illegal packing up some money to your pocket, that you stop and do what's right by the people."

Recreation Facility Dedication: The dedication for the new recreation facility on Hwy. 37 will be held on June 22, 2021 at 4:45 pm

There was no further business and the meeting was adjourned.

Rhonda P. Rowe, City Clerk

Luther L. Duke III, Mayor
