

July 18th meeting cancelled

Council Meeting

August 1, 2022

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

Others Present: John Flythe, Rhonda Rowe, Tim Tanner, Chad Castleberry and members of the public and press

Invocation was given by Councilman McClain.

Pledge of Allegiance

Approval of Minutes: Councilman Paige made a motion to approve the minutes of July 5, 2022 as presented. Councilman Greene seconded. All were in favor.

Alcohol License (Albertana Gonzalez): Albertana Gonzalez has applied for a license for the retail sale of beer for La Mexicana Gonzalez located at 128 S. Burwell Avenue. All fees have been paid and there was no criminal history record found on the applicant. Councilman Paige made a motion to approve the license with Councilman Greene providing the second. All were in favor.

Texas Road Property Swap: City attorney Tim Tanner discussed with the council the proposed real estate exchange with Williams Investment Company. In the exchange, the City will give the existing Texas Road Right-of-Way consisting of approximately .305 acres and will receive real property to relocate a new Texas Road consisting of approximately .686 acres. The new tract of property will align with Alabama Road. He noted we will be receiving double the amount of property compared to what we are giving. After appraisals were completed, the value of the .305 acres is \$98,000 and the .686 acres is \$220,000. This exchange is being done for the new Circle K store. In addition, Williams Investment Company (Winco) will remove all utilities from the existing Texas Road and put in a new road. They will also build the new road out. Mr. Tanner stated this would be a two-step process. At the next meeting, we will need to get permission to close the existing Texas Road. There is also an option included that the properties will revert back if Circle K does not come to fruition. Councilman Cowart made a motion to authorize the Mayor to execute the swap of property. Councilman McClain seconded. The decision was unanimous.

Natural Gas Main Expansion: The council was advised that Valdosta Plant Company has requested the city to run natural gas to their facility. The city manager noted that for every 1 MCF, it takes 7 gallons of propane. He stated he hasn't checked the numbers today, but earlier it was estimated that it would be an approximate 60% discount for the company to use natural gas. He is asking for permission to contact MGAG concerning the financing of the expansion project since their interest rate is less than 3%. It

appears that will be a 4-year payback on the investment so he would like to get a 4 year loan. We will also be asking for a letter of credit from the company for the same amount. Each year 25% would drop off from the required credit amount as payments are completed. Councilman Paige made a motion giving authority for the city manager to proceed with the retaining of funds. Councilman Greene seconded. Councilwoman Hayes asked what the company needed gas for and was told they use it for their green plants; to keep them warm in the winter. Councilman McClain asked what the next step would be? City Manager John Flythe stated that we will get the documents from MGAG and will then have to be sure that we have the letter of guarantee and that both entities agree. Mr. Flythe noted the price of the project has increased from \$125,000 to \$200,000 in six months. After a call for the votes concerning the motion, all members voted in favor.

MEAG Vogtle 3 & 4: City Manager John Flythe advised the council there is an opportunity to sell part of Units 3 & 4 of Plant Vogtle, the newest nuclear power plant, to Georgia Power. The plant is expected to be in operation at the end of the year. The agreement contains a option that when it has reached a certain level of expenses, it gives the partners an opportunity to sell part of the energy back to Georgia Power. There has to be a 100% agreement among the MEAG participants in order to sell. Most cities do not want to sell but MEAG has asked that we vote on the matter for the record. Since most have voted no, he is recommending that we do the same. Councilman Greene made a motion that the city does not sell its interest to Georgia Power. Councilman McClain seconded. All were in favor.

Board Appointments: City Manager John Flythe advised the council there are several seats on boards represented by city appointments that have expired or are soon to be expiring. He previously sent those seats to the council. He further noted that current members have been contacted and are willing to continue serving, if reappointed. Those boards are:

<u>Airport Authority:</u>		<u>New Expiration Date</u>
Ted Holt	-	12/31/2024 (3 yr term)
David Fausett	-	12/31/2024 (3 yr term)
<u>Tourism Board:</u>		
Mary Sue Ward	-	04/07/2026 (4 yr term)
Steve Schramm	-	04/07/2026 (4 yr term)
<u>Library Board:</u>		
Jan Lindsey	-	06/30/2025 (3 yr term)
<u>Land Bank Board:</u>		
Joey Schramm	-	12/31/2023 (1 yr term)
<u>Cook County Economic Commission:</u>		
Buddy Duke	-	12/31/2025 (3 yr term)
Jody Green	-	12/31/2025 (3 yr term)

Councilwoman Hayes asked, “what if someone else wants to be on the board”? Mayor Duke advised her that person would have to be nominated. She asked if she could nominate herself and was advised, yes. She stated she wants to be on the Economic Development Commission. After discussion with the city attorney, Councilman McClain made a motion to approve the board nominees for the airport authority, tourism board, library board and land bank board. Councilman Greene seconded. All were in favor.

The floor was then opened for nominations for the EDC. Councilman Hayes nominated herself. There were no further nominations. Councilman Paige made a motion to close the nominations. Councilman McClain seconded with no opposing votes. The city attorney advised they would need to be voted on in the order in which they were presented. That would be Mayor Duke, Councilman Greene and Councilwoman Hayes. Councilman Greene made a motion to reappoint Mayor Buddy Duke. Councilman Cowart seconded. All voted in favor. Councilman Cowart then made a motion to reappoint Councilman Jody Greene. Councilman McClain seconded. Councilman Greene abstained from the vote. Members voting in favor of Mr. Greene’s reappointment were McClain, Paige and Cowart. Councilwoman Hayes cast the only opposing vote. Being that two members had received the majority votes, Mayor Duke and Councilman Greene were reappointed to the board.

Dr. Treva Gear – Dr. Gear addressed the council stating that at the last meeting she discussed the application process, hiring process and discriminatory data being received. She stated that after two years she was asked to meet, “Thank you Mr. Flythe”. We met last Wednesday and talked about changes and made suggestions. City Clerk Rhonda Rowe, Councilwoman Hayes and Altheia Paige also sat in on the meeting. We talked about changes to the application, made suggestions and talked about reasons they were there. Statistical data was being used for other reporting processes, but not at this time. We talked about removing those or using for diversifying staff. We talked about some standards of procedure for the departments. Mr. Flythe heard these things; we talked about how to diversify staff and leadership. We talked about increasing accessibility, about placing the applications on-line and how the web master can help with this so we can pull people outside of Adel. She stated that it was a very fruitful meeting and added that the Concerned Citizens Group is for the people and want to see the city be better and for the city to thrive. She stated they are open to meet with any council members. “Don’t be afraid to meet. It’s great when we can break the bread of knowledge together.” City Manager John Flythe stated that he thought it was an excellent meeting as well.

Altheia Paige – Mrs. Paige stated she has two parts to discuss. Concerning a light bill, her mother passed away two years ago. She had the gas and then lights turned off. Then, because of a freeze, she had the water turned off. She just got a light bill and was charged for water and sewer. She spoke with city staff and was told that usage had gone through the meter. Someone from the city came over and stated the lock was rusted and the water had been off for some time. Mr. Flythe had advised her she needed to come before the council, we can’t issue you a credit. Although it was a small amount, any penny you have to pay over is not what we intend to do; so she needed the council’s approval on that. She then stated that she, along with some others, had attended the Sparks council meeting. In that meeting there was “some stuff brought up in reference to some names that was calling some stuff that had been done that was done illegally”. Our city manager, one of the guys called out our city manager’s name and that he had told him some information that one of the other councilmen had said, which was untrue. I

want to be on record that I did talk with the council that night. I haven't addressed Mr. Flythe about it because she felt like the city councilman's name that was called needs to address it. That was all she had. Mr. Duke advised it would be up to the council to whether they want to act upon her request concerning the water bill issue. He's not sure they know the full story. It would be up to her to tell them the story or they can wait until whatever the attorney deems necessary. Mr. Tanner stated we may need to come back after we get additional information concerning the discrepancy and the amount. Mayor Duke asked Mrs. Paige to allow the staff to get the information to the council and then they would come back and make a decision.

Ron Mozzo: Mr. Mozzo addressed the council stating that he was here about the taxes. He filed an appeal on his taxes this year. It was found that the tax assessor's office had no record of a screened patio he has had for 32 years or an addition he done 15 years ago. That's a problem. It's not his fault. Permits were issued on both. That is number one. The second thing is he is retired navy so why should he have to pay school taxes when he has no children in school for the last 25 years and he is 76 years of age. There's a bunch of vets here in the county as well. They should not have to pay or either get a reduction in school taxes when they are over 75 years of age. This was brought up to him so he's bringing it forward. The permits were issued. If a permit is issued, where does it go? It should go to the tax office. His taxes jumped from \$1200 to \$1800 for a screen house he paid \$2800 for and the addition for which he paid \$14,000. He stated the county tax assessor never would have come to his house if he hadn't filed an appeal. Where is the taxation without representation? Veterans up north get a 30% discount. Who does he go to, the board of education or city council. The average age for the City of Adel is over 55 yrs of age. School taxes went up \$160.00 per year. He also brought up the school bond to her. It's been going up every year for the past 10 years. It should be paid off by now. Its \$46.89 this year. That high school should be paid off. Just tell me what I have to do. Permits were issued on both pieces; it's your problem, her problem. Mayor Duke advised him he might be better suited to talk with the school board to get some answers. He commended him for his efforts.

New Birth Ministries: Past Leon Roughton of New Birth Ministries at 401 S. Hutchinson addressed the council. They want to put a tent up in the empty lot next to the Presbyterian Church to bring people in. They've had great success with young people. They want to continue that. They are also feeding them on Sundays. They want to reach out to the community and grow the community and let the Lord have his way. They have a tent someone is going to let them use. He doesn't have a date at this moment. Mayor Duke stated we would need to know the time and date of his events and the number of days he wants to have the tent revival. He stated they wanted to do it maybe 3 nights to let people know they are there. Mayor Duke would ask Mr. Flythe to look into any certain requirements. He asked Pastor Roughton to let the council know when they had some additional information.

Utility Account Discussion: City Manager John Flythe advised the council that Councilman Paige had called to discuss a utility bill for Sharonda Brown. They were using an average of 26 to 52 kilowatts per day; on October 14th it jumped to 184. They were using about 1500 KW per month. Because of that increase in consumption, it jumped to a usage of 4448 kilowatts for that particular month. The consumption then dropped back down to where the average was previously. We've been asked to do something with this bill. The electric superintendent was asked to look at it. There was an air conditioner problem, but it was supposedly outside this period. We don't know exactly when that was

and haven't talked to the a/c guy. Councilman Paige was asked if he knew who the a/c repairman was, to which he did not. Councilman Paige will get the name. Mr. Flythe asked if we could come back to the next meeting and complete this. We will extend the customer's bill until we have a resolution.

Utility Billing Update: Mr. Flythe stated he is hoping, this is not a drop down due date, but he's hoping late fall or December we might have the billing caught up. We need to have a meeting among the council to talk about what happens when people start getting 2 bills within one month. With our accounting being affected by the delayed billing, we are going to recommend we adopt a budget that will be subject to review the early part of the year. He wants to take the budget we have now, take off the capital items, and use that number for our budget. We have to have an approved budget by October 1. We will have to set a millage rate. We'll bring this to the next meeting with a calendar of events we need to work off of. If you have a different way you want to do it, let me know. Councilwoman Hayes asked when we would have the work session. Mr. Flythe stated it is up to the council but we can get a calendar as to when we think more than 1 bill will be going out and we'll meet prior to that to decide what to do. We'll decide at the next meeting when will be a good day to meet.

Forgiveness of Bills: City attorney Tim Tanner brought it to the council's attention that there is a public gratuity prohibition on the forgiveness of debt by municipalities or counties or the state. I'm not against it but there needs to be a policy in place that everybody knows about so we can make objective, instead of subjective, decisions on. If there's an unexplained rise in the amount of usage, whether it be water or electricity, there just needs to be a policy in place that we go by. I can foresee a problem arising if you get in a situation where you forgive one person's debt and don't forgive another person's debt. Some people may have more information and present more information and have a better claim. Some may not but that might not justify a denial. Just keep that in mind going forward that if we're going to forgive debt, we need to do it by a policy that applies across the board. Councilman Hayes asked "why can't we just forgive everybody's debt"? Mr. Tanner replied "because that would be illegal". She was also advised "because the city would be bankrupt". Mr. Tanner stated the forgiveness of debt would have to be based upon some type of mistake such as they didn't get the service; therefore, they shouldn't have to pay for the service. To forgive debt, there may be problems with that.

There was no further business and the meeting was adjourned.

Rhonda P. Rowe, City Clerk

Luther L. Duke III, Mayor
