

Council Meeting  
August 5, 2019

Members Present: Mayor Buddy Duke, members Terry McClain, Greg Paige, Vivian Sharpe and Jody Greene. Councilman Michael Purvis was not present.

Others Present: John Flythe, Rhonda Rowe, Tim Tanner, Chad Castleberry and several 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 July 1, 2019 as presented. Councilwoman Sharpe seconded with all in favor.

Public Hearing (Annexation Application – Rashid Sandhu): Councilwoman Sharpe made a motion to enter into public hearing to gain input on the annexation application filed by Rashid Sandhu. Councilman Greene seconded the motion to enter into public hearing with all members in favor. The application requests that 1.25 acres identified as map/parcel 0040E/021 located on Old Quitman Rd. be annexed into the city limits of Adel. There was no one present to speak on behalf of the application. Jerry Connell, Chairman of the Downtown Development Association, addressed the council stating that work is currently being done on the corridor redevelopment plan which includes Exits 37 & 39. He urged the members to allow time to look at what is intended with the corridor redevelopment. This impacts everything else that goes on and he stated that he would like for Councilman Purvis to be here before any vote is taken since this is the same exit the hospital will be located on. He stressed the members to be cautious and proceed slowly as they are continuing to work on the study and getting prepared to request RFP's. Local business owner and architect Jode Hewett stated that allowing the construction of a building with no criteria will depreciate the area. He stated there will be a great influx in this area when developed and he hated to see one convenience store go up without guidelines. He encouraged the council to allow the overlay study to take place and develop the criteria necessary for construction. Councilman Paige then made a motion to close the public hearing followed by a second from Councilman McClain. All members voted in favor.

Attorney Tim Tanner stated it appears this is only an annexation petition. As such, to control the design, the property would first need to be annexed. As it is, the city will have no control over the design. After a discussion, Councilman Greene made a motion to postpone any action until the next meeting. Councilwoman Sharpe seconded. The decision was unanimous.

Ron & Annette Tiveron: Mr. and Mrs. Tiveron, who reside on Hwy. 41 South next to the industrial development area, came before the council to address the loud noise created by the new units installed by Blockstream. Mr. Tiveron stated there are only 3 units now and he is especially concerned about how much louder it will be when the additional units are installed. It is loud both in the yard and inside the house. He invited the elected officials and staff to ride down to his residence and sit in the yard and

come inside his home. The noise is continuous, 24 hours per day 7 days a week. Mr. Tiveron also read a section of a noise control ordinance which includes min/max decibel levels. Mrs. Tiveron stated that no one should have to wear ear plugs in their home. It is affecting their health. They are asking for a barrier to stop a little bit of the noise. Mr. Tiveron then played a video he had taken from the front porch so those present could hear the humming noise being produced. Mayor Duke thanked Mr. and Mrs. Tiveron for bringing this matter to their attention. He stated the AIDA (Adel Industrial Development Authority) did research to have decibel readings done on a scale to be compatible. They knew there would be some humming and they are going to set up some natural barriers. The units will also be at least 150' from the property line. Mrs. Tiveron said natural barriers was not enough. She added there are sound barrier wraps available to go around individual containers. Mayor Duke stated we need to give some time to see where it ends up. It may not be as noisy in the end as it is today. He also stated he wished we had known earlier about the noise. Mr. and Mrs. Tiveron are concerned with it making as much noise as it does now, what will it be when the other 8 or 9 units are added. They stated they are trying to be patient but just want to have peace.

Brandie Dame (Downtown Development Director): Ms. Dame was present to provide the council with an update on the "Mainstreet" designation status. She stated she has been in her position for over 1 year and it is now time to start the reporting requirements. Included in the report is a list of events, attendance, costs, jobs, rehabs, etc. You must have 12 months of consistent reporting before you can become designated as a Mainstreet city along with meeting other criteria outlined by the State. She outlined the items that have been completed and identified those that had not. One of the decisions that needs to be made at this point is whether the council would like a separate Mainstreet Board or use the current DDA board. She noted it would take 2 years to become a Mainstreet city and you must meet requirements in four categories to be approved. If you are not awarded a Mainstreet designation, you must wait 3 years to reapply. City manager John Flythe stated we need to get the board appointed. He advised the council that Brandie is a City of Adel employee but takes direction from the DDA. The Mainstreet board needs to be a working board and the DDA members may not have time to devote to the Mainstreet board. He further recommended that the Mainstreet board be separate, outside of the DDA board. He noted that this can be brought back for the next meeting and the council can bring recommendations. Ms. Dame noted the board must meet on a monthly basis; without that, you can't get certified. Mr. Flythe added this is a 3-year program and we already have a year behind us, therefore, we need to make those appointments. There is not a set number of appointments but according to Ms. Dame, the state recommends 5 to 7 members. Mayor Duke noted we can decide how many members the council would like and if they want a separate board from the DDA. This can be voted on at the next meeting.

Centennial Committee: Members of the Centennial Committee were present to update the council on events held as well as upcoming events for the remainder of the year. A slide show of events held thus far was presented. A different theme is planned for each month with related activities. The group meets every other Tuesday and has worked diligently to plan events for this entire year.

Old Quitman Road Memorial Designation: Councilman Paige made a motion to approve designating Old Quitman Road as the "Dave & Comer King Jackson Memorial Road". The presentation was made at the

last meeting. Councilman McClain seconded. Members Paige, McClain, and Greene voted in favor while Councilwoman Sharpe abstained due to her relation with the family.

House Bids: Bids were received on the house located at 422 East 3<sup>rd</sup> Street that was recently acquired by the city. The house would be required to be removed from the property by the purchaser. No bids have been received. Mr. Flythe noted the city could take our equipment in and take down the house. City attorney Tim Tanner noted the house could be both an asset and a liability. He suggested readvertising for bids. Altheia Paige stated she didn't want to see the city tear down the house. She'll bid on it and take it off your hands. It was the consensus of the council to rebid and bring back to the council the first meeting in September.

Res. #19-06: This resolution, creating the 2020 City of Adel Local Complete Count Committee, was presented to the council. Councilman Greene made a motion to approve the resolution with Councilwoman Sharpe seconding. The decision was unanimous.

Appointment to Area Agency on Aging Program: We have received notification that it is time for the City of Adel to either reappoint or replace the current member. Ron Mitchell is the current representative and he has attended 50% of the meetings. Meetings are held quarterly. Councilman Paige made a motion to table this item until the next meeting. Councilwoman Sharpe seconded with all in favor.

Budget Adjustments: The council was presented with additional budget adjustments that need to be made for FY17-18. City Clerk Rhonda Rowe explained adjustments are needed in the general fund to account for insurance payments (health, life, dental and disability) made in September 2018 that covered the period of October. The amount of the payments was \$85,245.87 and modified accrual accounting does not allow for pre-payments in general fund accounts; only the enterprise fund. Additionally, an adjustment needs to be entered for the tax collection services line item to account for the payment made in September 2018 of \$20,237.08 that covered the FY18-19 collections. For the asset forfeiture fund, a budget needs to be established to account for the revenues and expenses that occurred during FY17-18 that resulted in a net income of \$7,300. Councilman Greene made a motion to approve the budget adjustments with Councilman Paige seconding. The decision was unanimous.

Vest Purchases (Asset Forfeiture Funds): Councilwoman Sharpe made a motion to approve the use of asset forfeiture funds to pay for ½ of the cost of 14 bullet-proof vests for the police department. The remaining ½ will be reimbursed from grant proceeds received from the Bulletproof Vest Partnership Program. Councilman Greene seconded. All were in favor.

Confiscated Funds Discussion: City manager John Flythe explained to the council that we have a sum of money held by the police department for pending cases. We have talked to both our auditors and the judge and would like to begin depositing those funds in a bank account. We will maintain a history of those funds to trace from receipt to disposition. It was recommended they be placed in a non-interest bearing account so that interest does not have to try to be determined when making pay-outs. Councilman Paige made a motion to approve transferring the funds to a bank account. Councilwoman Sharpe seconded. There was no opposition.

GCIC Policies: The council had been presented with a set of policies for their review a few months ago. The policies are due to the receipt of a separate ORI# that the City had to apply for, outside of the police department, and is used for processing background checks for employment or licensing purposes. The council was presented with a (1) man-made/natural disaster policy, (2) media protection policy and (3) a disciplinary policy for misuse of information. Councilman Paige made a motion to approve the adoption of the policies. Councilwoman Sharpe seconded. All were in favor.

Tower Lease on 3<sup>rd</sup> Street: City Manager John Flythe reminded the council that Verizon had erected a tower at their expense on our property at the end of 3<sup>rd</sup> Street in exchange for a reduced lease payment. After 5 years, that lease goes up. They built the tower with the understanding that we could lease out additional space on the tower. T-Mobile is interested in a lease. They have the agreement in a form suitable for the city and the city attorney has reviewed and is making a couple of recommendations. Mr. Flythe asked for the council's authority to sign the lease with T-Mobile paying \$2500 per month. Councilman Greene made a motion to authorize signing the contract contingent upon reporting any substantive changes to the council. Councilwoman Sharpe seconded. The decision was unanimous.

Housing Authority Discussion: The council was presented with a hand-out prepared by Community Development Director Randy Lane regarding the housing authority. Ms. Altheia Paige, who serves as a member on the housing board, was present and provided an overview of the hand-out. The housing authority is managed by the Nashville Housing Authority. It was noted that Adel has a total of 60 public housing units as compared to Nashville – 159 units; Doerun – 44 units; Quitman – 202 Units; Fitzgerald – 221 Units; Ashburn – 168 units; and Homerville – 80 units. Ms. Paige showed pictures of Adel's units that currently include fencing. They are being told the fence is going to be taken up so you can park directly in front of the units. When this is done, there will be no playing area remaining for the children. City Manager John Flythe recommended bringing our part back to the City of Adel. He would like to start looking for land to construct new apartments and wants to see what has to be done to bring all this back to Adel. Councilwoman Sharpe questioned what would happen to the current property? She didn't want to see new ones constructed and the old ones left to become dilapidated structures. Mayor Duke stated they could be built in phases. Displaced individuals would have to be taken care of while they are being renovated. Ms. Paige stated the projects are supposed to be a stepping stone, not life-long. However, there are some people who never leave once they get in. After children are grown and gone, you could have a couple occupying a 3-bedroom house. It was noted that if Adel was over it, it could be better managed.

Executive Session: Councilman Paige made a motion to enter into executive session to discuss a proposed land purchase. Councilwoman Sharpe 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

---