

Council Meeting
September 19, 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.

Invocation was given by Councilman McClain.

Pledge of Allegiance

Approval of Minutes: Councilman Paige made a motion to approve the minutes of September 6, 2022 as presented. Councilman McClain seconded. All were in favor.

Ord. #22-03: This ordinance, establishing the tax millage rate for 2022 at 6.000 mills, was read for the second time. Councilman Greene made a motion to adopt the ordinance. Councilman Paige seconded. All were in favor.

Res. #22-07: This resolution, adopting the fiscal year 2022-2023 budget for each fund of the City of Adel, was presented. Councilwoman Hayes went through the proposed budget with questions about what expenses were included under different line items of the departments. Councilman Cowart made a motion to adopt the budget. Councilman Greene seconded. All were in favor.

Consent to Change Rate Tariff: Mr. Flythe reminded the council that we had discussed Blockstream at the last meeting and the price of energy getting so high because of the price of natural gas, which is used to generate energy. We were buying energy on the market for Blockstream. When it reached 14 cents, they decided they couldn't afford it anymore. He noted this is not a simple conversation, but he is going to try to simplify it as much as possible. With the tariff we adopted, we have a demand reading that we charge them for energy and demand. With demand, you look at the largest number, either in the present month or a percentage of the past 11 months; whichever is the greatest number is the one you bill them on. When they put this tariff together, they not only did it for the demand, but also for the energy. What that means is that the energy demand portion of it is 92%, so whatever 92% of what their consumption has been will continue to be billed forward. That will put them out of business. The intentions on the demand on the energy side or billing them 92% was not there. The 92% represented the date they had said they would get to certain consumption levels. Since they've cut back 99%, this 92% will be a penalty to them and they will go away completely if it remains. We've had a discussion with the other cities and 6 of those were generally in favor with doing away with what I'm calling a penalty. We couldn't do it for their present bill because we didn't have the authority; so they've got a bill for this month that includes this demand charge on the energy portion. We're asking for the authority to redo this tariff and that tariff is just to get rid of the penalty (penalty being what he's referring to as what they're being penalized for due to past consumption). Councilman Greene made a motion to approve the change in the tariff rate. Councilman McClain seconded. Mr. Flythe noted that this tariff will come back before the council so this is not the final decision. We're just asking permission

so we can tell the other cities and give them comfort that we're looking at it and want to try to change it. If we don't do it, I think they're going to walk. After a call of the votes, members McClain, Cowart and Greene voted in favor. Members Hayes and Paige opposed.

Alabama Road Land Swap: Attorney Tim Tanner stated this document was not quite ready for action, so he asked for a motion to continue. Councilman Greene made a motion to continue this item at the next meeting. Councilman Paige seconded. There were no opposing votes.

City Manager Search Agreement: Mayor Duke stated the council had discussed what they wanted to do in search of a new city manager and had polled the majority of the council members and they were in favor at that time to continue the search and let it be known that we wanted to hire a professional company to come in and do work for us on this. He presented a work plan from The Mercer Group out of Athens, Georgia and what they do is they are head-hunter company that searches for the replacement of the city manager. They sent back a proposal that outlines the scope of the work. It requires about a 90-day time frame. He reviewed the steps of the process that included a position analysis, recruitment process, candidate resume review/screening, approval of semi-finalist list, background checks, interview process and negotiations. He noted that The Mercer Group comes recommended by both GMA (Georgia Municipal Association) and ACCG (Association of County Commissioners of Georgia). There is a fee of \$17,500. People associated with The Mercer Group have been in this business for over 30 years and it comes as a highly recommended head-hunter's association. Councilwoman Hayes stated that she didn't understand why we would need them to come in, that the head-hunter's group would pick the candidates and bring them back to us so in that way, we really don't have a say, we have to go with what they're saying. I thought that when we went into executive session it was that the whole council would be involved with the candidates. and we would make the decision and let them do the background check or whatever. You have all these things on the internet with indeed that you can put in stuff for applicants so why this? Mayor Duke stated that was a good point, we could do it that way, but we had 4 other council members that said they would like to use this plan here. He's not saying we can't do it, but I told you that you could ask questions, or you can tell him what questions you want asked or you can ask the questions yourself. Either way. They're just going to do the preliminary work and find the people, make the advertisements, and narrow it down, but that would only be at your approval. Councilman McClain asked if we would give them a set of guidelines? Mayor Duke replied yes, they would interview each of the elected officials to see what we're looking for. He will spend time with each person individually so see what we're looking for. Councilman McClain clarified that he would then take that information and do a search based on what we tell him. Councilwoman Hayes asked what date he would be speaking with the council and was advised it would be the first week of October. Councilwoman Cowart made a motion to accept The Mercer Group out of Athens, GA to perform the search. Councilman Greene seconded. Members Cowart, Greene and McClain voted in favor. Members Hayes and Paige opposed.

Dr. Treva Gear: Dr. Gear stated she was coming to follow up from her last visit two weeks ago about the bill issue. This morning she received a call from Mayor Duke concerning a follow-up of her questions. It was Monday, she was busy and didn't have time to talk. However, she was glad he called. The problem is that's been two weeks ago. This is Monday. The council needs to be more mindful to follow up with the citizens when they address a concern at these meetings. This is the first time in two years that he

has followed up with her and will tell citizens such as Mrs. Tiveron that we're going to follow up with you and then don't. It should be a standard of practice. It should be a habit because when you're running for office during election season you want to hear everybody's voice. I want to hear what you've got to say, I want to answer your concerns, then you get up here and forget about what you told the people, at least some of you do. However, Mayor Duke informed me about a demonstration of the Department of Community Affairs providing rental assistance and some mortgage assistance that's available from the state. That's important that we provide those and if there's some type 24-month financing that's going to be coming for the people once all the bills come out. In the meantime, people are still on the struggle bus. They're not able to pay the bills when they come in and they don't like that. Everybody is not just trying to get by as some comments that I've heard in the council before as people are trying to skirt that. This is not the people's fault. I will bring up my big question. Where are the American Rescue Funds? What did you do with them? The city attorney said you could not use public funds, well the public funds were sent from the federal government. She quoted from a White House page concerning utility relief including the emergency rental assistance program and state and local fiscal recovery. It goes on to state that it can provide help with past due utility bills, provide ongoing assistance with energy costs to help distressed renters avoid shut off and keep current on expenses. State and local fiscal recovery funds can also be deployed to help deliver energy relief to families. You don't need but a 5th grade education to understand that. That's simple. I think the whole council could understand that if you read it, so why is that a question that there can't be some level of relief? We mentioned that \$17,500 is about to be spent for a head-hunter. I note again there's a lack of communication with the council, with the government, with the people, because the council just seemed like they hadn't seen the proposal, they just heard word of mouth. She stated they were elected to lead, not be sheepish. You're just following and not knowing what you're about to agree on, you're just believing what someone is telling you. That's a trainwreck waiting to happen. Who's really leading the city government up here? We elected the council to do that. She stated we've still got this billing issue and asked the council to go back to the recommendations. She was glad that a part of the recommendations were considered, which was setting up a finance plan, which most people don't know about that yet, and getting some outside assistance in. That still doesn't get the bill paid. We're asking you to do a little bit more, reach out, go above what you think you can do, reach out to us, talk to us, not the day of or two days before the meeting, you have two weeks between each meeting that we can set something up. She thanked District 1 councilmembers for the town hall meeting being set up Saturday at 1:00 at Jim Battle Park. We appreciate that. She asked everybody to come out because its important. She stated they looked forward to working together but we don't just need talk, we need action.

Bobby Kaiser: Mr. Kaiser was not on the agenda but addressed the council stating his lights were on the agenda. He proceeded stating that he had been living in Cook County for 20 years. He had a little mental health issue where he didn't have an education, didn't know to get a job, he didn't understand work processes, but he had a family. He had 3 sons in the house with him and one day he got a bill for over \$700 for electricity. He was nervous and didn't know what to do. His water was turned off. He looked at his three sons and couldn't give them what would sustain their life. I didn't have nothing to give them to drink. He's read the constitution. That's a crime. That's criminal to tell a man he's cutting his water off. You must be God. God causes famine to punish people. I understood that the city manager was playing God. He was punishing me because I owe him money. If I didn't get his money,

because nobody else was going to give me and my children water, so I chose to do something that the government created for the uneducated to do, get some crack. I fell victim all the way around until one day God turned on my life and said I'll save you from that cry. You ain't got to worry about your kids going to school and haven't had water. They're going to school for water. Ya'll don't understand that; he's got a bottle of water, he's fortunate. He committed a crime that no man should be afforded liberty because he has money and another one persecution because he's poor. He stated he was willing to work out a negotiation. He looked at the chief of police and stated that he was going to have to ask him to arrest him (referring to the city manager) because if he doesn't get some water for his children to drink at home, you're going to charge me with a crime against a child. What's the difference if I do it or he do it? There's no difference so he's willing to start from A one, day one, with these lights. Be the honorable men and women you were elected for, and we all make errors, and I forgive you for those errors. But he should be man enough to say I ain't gonna make everybody get along with me because I messed up along the way. I made a mistake, forgive me God. I'm man enough to admit it. Now, let's skin back the paper and see how did we get into this light bill error. Don't just jump up telling me you gave me a gift for 4 months. I'm like God done answered me my prayers and spared me that high light bill. Eight months later you're talking about you owe me, I tricked you. You know you can't do like that. That light bill shouldn't even be a discussion in here. That should be the least of things. I'm living in a house that was built maybe in the 18th century. We need to be growing Adel; everybody not mad at nobody; we all make mistakes, we've all messed up, all done something wrong. I forgive everybody; I hope everybody forgives me. Let's leave that light bill issue alone, start day one, A one, or else he's going to have to defend himself and call Washington and see if it's a crime to deprive children of water that their parents can't pay for. We can leave it right there and start day one, A1 or ya'll can insist on persecuting poor people and give ones with money water to run all day or we can say hey, we gone start right now, but never cut off another man's lights, I didn't know what to do. Mayor Duke thanked him. There was another person that attempted to speak but Mayor Duke stated that they were not on the agenda. Another citizen stated he didn't know what was going on. Mayor Duke advised him to speak with his councilmember or come speak with him. He said he had paid the light bill ahead of time when there was no light bill sent out, he came and paid his light bill, shouldn't he be rewarded for that? You're trying me with everybody else that hadn't been paying their light bill, but I've been paying my light bill every month and it's still going up. That's all he had.

Other Business:

Utility Billing: Councilwoman Hayes asked if we were billing the businesses the same way we were billing the residents, getting two and three bills? She was advised yes, that is correct.

Recreation Dept. Positions: Councilwoman Hayes stated she was confused about the athletic manager position. According to this, the applicants had until Friday, September 16th to apply, or until the position is filled. But yet, the athletic director was already picked, and in the paper last week and the paper came out the 14th. City Manager John Flythe advised her that was two different jobs. She asked how come she only has this one notice for athletic manager position? It says this position is until Friday so how can that be and he's already in the paper that came out on the 14th? He replied again that it was two separate jobs. She asked what was the other and was advised he is the recreation director. The recreation director and athletic manager are two separate jobs. The person we are going to hire will

take the place of the person that was promoted. She then asked what was the position of the guy that was in the paper? She was advised he is the director and took the place of Michael Folsom. She stated, "so we are still looking for an athletic manager?" and was advised, yes.

There was no further business, and the meeting was adjourned.

Rhonda P. Rowe, City Clerk

Luther L. Duke III, Mayor
