

Council Meeting
October 17, 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 October 3, 2022 as presented. Councilman McClain seconded with all in favor.

Alabama Road Land Swap: The council was advised that all of the paperwork has not been completed for this transaction and will need to be continued until the next meeting.

Alcohol License: The council was presented with an alcohol license application from Kakezai, Inc., d/b/a Mega-Mart, located at 100 N. Hutchinson Avenue. All fees have been paid and background check successfully completed. Councilman Greene made a motion to approve the issuance of a license. Councilman Paige seconded. All were in favor.

Res. #22-08: This resolution, retiring the Adel Main Street Advisory Board, was presented to the council. Downtown Development Authority Chairman Jerry Connell spoke on behalf of the resolution stating that approximately 100 Georgia Main Street programs are under the DDA's of their respective cities. There are only 3 that have a "second layer", with Adel being one of these. The other two that have a Main Street Board do not have a Downtown Development Authority. He explained that in 2019 when the city created the position of Downtown Development Director, there was a lot of learning ahead with a goal to become a certified Main Street community within 3 years. For this reason, the 13-member Main Street Board was stood up to help with this process. That goal has now been accomplished. He explained that it is inefficient to have the City of Adel's City Manager as boss, the DDA as an authority and then 13 more individuals on another board so that the Main Street Director has 21 "bosses". To have to answer to the concerns of that many, when the most important entity is the City Manager and City of Adel; the others are extra layers that create too much complexity. Steve Schramm, Chairman of the Adel Main Street Advisory Board, stated that his comments would be a repeat of what Mr. Connell had explained. He stated that the purpose of the board was to execute the plans of the director. When the former Main Street Director departed, he was taking on some of those responsibilities and had to continue with the reporting and activity requirements. At that time, he started digging into different areas and that's when the conversation began about us needing to restructure moving forward. He further added that it had been determined that the by-laws were never ratified and secondly, when the advisory board was created, they did an excellent job. The Classic Main Street designation was accomplished in 2-1/2 years. Since that time, it has come from a need to become certified, to now

executing. They need to move faster and quicker. He again stated that Adel is 1 of only 3 structured this way. As Chairman, he is essentially firing himself. We need to retire this board, and get out of the way, essentially being absorbed into the Downtown Development Authority. We need to let the new director do their job more efficiently and effectively. We have a great Main Street Board, and their service is not over; it will just go in a different direction. They can be on a committee or help with projects. Councilwoman Hayes stated she was confused, which is it, a Main Street Board or Downtown Development Authority Board? Mr. Schramm stated that is exactly where the confusion is. He explained that the Main Street Board was created underneath the Downtown Development Authority Board. The DDA board is made up of 7 people that will serve in effect as one entity; they will service as the Main Street Board. Councilman Cowart made a motion to approve the resolution retiring the Adel Main Street Advisory Board. Councilman Greene seconded. The decision was unanimous.

Altheia Paige: Mrs. Paige presented pictures of the paving on 9th Street, Maple and Railroad Streets for the council to review. She stated that Councilman Paige had talked with the city manager about the potholes and there was one filled in that was directly in front of their house. There are others that are also a mess. In the minutes it states where the city is paving the new No Name Road and where they're paving where they're going to be relocating the utilities on Alabama Road. She is aware about taking the money and dealing in phases with the DOT. We had paved 30% of the roads per the city manager and don't have a say in what streets are paved. As far as the paving list is concerned, she stated that nothing is on the west side except a few streets. She asked can we get the streets paved? They have the fire department, along with other vehicles, traveling up and down 9th Street. Railroad is bad; are yall willing to pave those streets? She stated also included in the pictures are W. 5th Street at S. Poplar, S. Poplar between 4th & 5th, S. Poplar at the curve, S. Poplar and 9th, S. Maple & 8th, S. Maple & W. 7th, W. 8th and S. Railroad. She did not get pictures of all the other streets. City Manager John Flythe stated that when we borrowed money from the DOT for paving, we stretched that contract out to add many streets. The streets were graded by the engineering company out of Douglas. We went down through the grading list. He further stated that we can probably address this in the new budget when its revised; the current budget was adopted with no capital items included. He asked for a written list of the roads she was referring to. Mrs. Paige stated the engineer is not traveling the streets. Bear Creek, Newton and Kent Drive were paved.; no potholes. When you compare our streets with those streets, we have a mess. She asked that something be done but for them not to be filled in, because when its filled in, its not done right, it washes right back out. The streets need paving. She would like for them to be paved before No Name Road and Alabama that they are going to swap the land for. "Yall got allocated to do that, but what yall are doing is paving that for the Circle K and for Mr. Williams to do the apartments. That is not as important as those pictures that I showed." She stated she understands we need new businesses here and doesn't have a problem with paving that but look at the streets we have now before yall go and try to do that and relocate utilities and the money that yall are going to be spending there.

Dr. Treva Gear: Dr. Gear came before the council to talk about Jim Battle Park. She stated there was supposed to be renovations. Compared to Delle Beamguard, Masee Post Road, City Park and Bear Creek, there is a stark difference. It has been neglected. Needs to be updated. The restrooms are not up to par. When you rent it, everything needs to work. She stated that it doesn't look good when the community of color has a park in such condition, in the City of Daylilies. She asked if there was funding

allotted and what is the amount? What is the timeline? Will there be input from the community? She stated there are people playing kickball and baseball; there are cracks in the basketball court because vehicles are allowed to pull onto the top of it. What is the amount allotted and when was it to start? City Manager John Flythe stated there are no dollars allocated for renovations. The time to do that will be when the budget is revised. It was noted that any portion in SPLOST for recreation is not allocated specifically. It would be a good time to request that when the budget is presented. It is a budgeting matter. Dr. Gear stated that they needed them to find the money. That's the way we're going in this town. Councilwoman Hayes stated that money was allocated for the airport, recreation and etc. with the SPLOST. \$200K was allocated to recreation. Mr. Flythe advised she was talking about the upcoming SPLOST that will have to be voted on. Councilman Greene stated he doesn't recall a dollar amount for recreation. Councilman Hayes stated she has it at home.

Annette Tiveron: Mrs. Tiveron addressed the council concerning Blockstream. She stated that without Blockstream in operation the decibel readings have dropped by 20-25. The readings are now in the 40's and they are not having to wear ear plugs. She added that Chris Cook, with Blockstream, had stated that it was too close to them. She had a book containing the decibel level readings on a daily basis that went back to April 2021. They have gone over their level 1,544 times. The barrier has not stopped the noise and fixed the problem. The MOU states they would have 10 days to correct issues. She requested that the businesses be researched that are coming in and how they will affect the community. She then referenced the penalty that had been discussed in the paper. She stated that it sounds like a lot of money for them not to pay, if they owe it. She stated she used to enjoy crafting under her carport. She liked to fish and work in the yards. Blockstream has stolen their joy. She added we don't need a pellet mill to be built, it will be detrimental to health. She added she had the MOU presented concerning the Blockstream levels and what actions would be taken. Action must be taken within 10 days of notification. They have not complied with the MOU. She stated it is depressing to know if they get turned back on that they will have to listen to this. She invited anyone to come listen when Blockstream is on. You cannot get away from the noise. It's not good and you wouldn't like it in your yard. You go to town and then start crying on your way back home because you know what you're going to start hearing when you get there and open the car door. Nobody believes us about how loud it is. Councilwoman Hayes asked if Blockstream was running now? She was advised they are running one fan on each container to prevent moisture. They're not mining right now; that's why the decibel readings are in the 40's. She stated that's with everything out there, including Messer. She added that her birthday was Friday and she looked back at her book and found that the reading on her birthday last year was 69.9 decibels all day long. This year is was 41.4. Last year she had written in her book beside that date, "Most miserable birthday I've ever had".

City Manager John Flythe responded stating that typically a penalty is what we refer to as a late payment. He wasn't talking about them paying late, Blockstream pays 30 days in advance. What has been in discussion is a rate design that stated how much power they would use, 99.5% – the "penalty" was that if they didn't use it, like if they shut down, they would pay 80% of what that was every month. Instead of using \$5-6 million worth of energy, they wouldn't use but \$50,000 worth of energy but be billed for the differential. It is not right to bill someone for something they didn't use. If you call that a penalty, that's what I call a penalty, they are being penalized. Councilwoman Hayes stated the city manager had stated in the paper that he didn't want them to pay that penalty because if they did, they

might leave. John stated we were talking about rates. She thought he said one time they might leave if we didn't do something. He stated if we left the rate like it is, they would. Councilwoman Hayes asked how do you know they're not running just to get away with it? He had a discussion today with some crypto type companies and they stated anything over 6 cents, they couldn't run, it's not profitable. Blockstream's rate got to 11 and 12 cents and they couldn't run at that. If the rate got back down to 5 or 6 cents it might be profitable to them. That's the reason they cut back. In Georgia, there's a number of crypto type companies that are out of business completely. If the rate doesn't come down, this has to do with natural gas pricing out of electricity. Because the natural gas price has been so high, it more than doubled the price of electricity. In the past, crypto type currencies were paying 4-6 cents. That's the range. She then asked why they haven't built this barrier to keep from disturbing the residents? He stated he couldn't answer that. She stated if they are not following the code something should be done about it. They shouldn't be allowed to keep going if its affecting the residents. She stated she thought that was their job, to protect the inhabitants of the city. That's what she was sworn to do and thought everyone else was. The residents are our priority. Something should be done to ease what she's going through. Mayor Duke stated he agreed, but right now they're not running.

Credit on Utility Accounts: John Flythe stated that within the last couple of weeks Councilman Paige and Councilwoman Hayes came to his office to talk about some kind of credit to be issued to the ratepayers. The city attorney is suggesting we prepare a resolution that he could bring to the next meeting if all are in agreement. As he develops the resolution, we need to give him input as to what we want to do. Tim stated he would need some direction with maybe some bullet points so that he could place in the form of a resolution. Councilwoman Hayes then stated it had come to her attention about the American Rescue Plan and it states that it can be used to address home energy costs; the RA programs which receive an additional \$21.5 Billion in funding from the American Rescue Plan can provide help with past due utility bills for ongoing assistance with energy costs to help distressed renters avoid shutoff. State & local fiscal recovery funds can also be deployed. She questioned whether a motion should be made tonight on the resolution or wait until we find out about these funds to see if we can get additional? He asked her if she knew who administered those funds? She could not provide any additional information. Mayor Duke stated he thought it would be prudent to let the city attorney take that information to see what can be used under the American Rescue Plan. He asked Councilwoman Hayes if that funding was for cities to make application for or citizens? Her information did not specify. Mayor Duke suggested a motion concerning a resolution for the current ARPA funds we have and then look at what she has separately. Councilwoman Hayes made a motion to credit the residents with \$400 after we total all the bills and then give them 24 months to pay off with no penalty and interest; also with an amendment to give them extra funds and also to pave Lavind Way. Councilman Cowart stated he thought we were talking about the American Rescue Plan funds. She stated she was but also talking about some additional funds they have now. The city attorney suggested two motions; one about the \$400 credit and one about paving the streets using ARPA funds and then a separate motion concerning the policy on the 24 months payback. Have 2 separate resolutions. He explained the ARPA funds has about a 500 page rule. To pay money out to give utility credit, you go under the negative impact portion of ARPA funds. That will have to be submitted to Washington and submitted that due to the negative economic impacts of COVID, our citizens need this and this is how we want to spend our money. We have a unique situation in Adel with the billing situation. That's kind of an internal Adel situation, but still 2 resolutions would be passed. Mayor Duke confirmed that we would still get to where we want to get to.

The city attorney then explained that ARPA funds are supposed to be spent specifically to address the economic impacts of the pandemic; its not because we've got a utility billing problem here in Adel. If we have to submit this to Washington he thinks it's all legal, but it needs to address the impact, not our own internal situation. There will still be 2 resolutions he will draw up. Councilman Hayes made a motion to (1) provide a \$400 credit for utility customers on or about April or March 2023 and (2) pave three streets which include Bill, Ayers and Lavind. It will be paid out of ARPA funding. She noted that this wouldn't happen until next year after we get all the bills sent out. People will continue to pay as they have been within the 30 day time frame. Councilman Paige seconded. All were in favor.

Councilman Hayes then made a motion that residents, once the total is there, that they be given 24 months to pay if off. With that total, the statement should read what their total is, minus the \$400 and what the total balance is after that and also with the amendment, will you (referring to city attorney) check on the other ARPA money to offset the remaining total? The attorney verified that everyone would get 24 months to pay off past arrearage after the final tally is obtained. Yes, with no interest and penalties. He asked if we were going to add 1/24th on top of the bill each month? It was noted that we will have to speak with the programmer to see if we can fit what we want to do on the bill, we will have to confirm that with him. Councilwoman Hayes stated that when you look at your bill you've got all these past months; take off some of that so you can see it. The city clerk explained that this is the history on the bottom of the bills that residents want so they can see what they were using at this time last year. It is a history table and not part of the billing program. Councilwoman Hayes said that would be a one time thing to let them know what the amount is and you can cut some of that off to let them know what the total is minus the credit. The city manager said we would try to get that worked out. The city attorney confirmed Mrs. Hayes' motion was to give utility customers a repayment schedule with no penalty or interest up to 24 months when the city is able to get a total arrearage which is expected to be March or April 2023. He noted he would include something about looking for all additional funding. Councilman Paige seconded. All were in favor.

City Manager's Position: Councilwoman Hayes asked if we had come up with an application for the city manager's position for people to apply? She was advised it had been completed on Friday and submitted to several outlets. It will be in the local newspaper this week and placed on the city's website.

Utility Assistance Programs: Mayor Duke announced the Area Agency on Aging will be at the city hall on November 17, 2022 to accept applications for utility assistance. The account holder must be at least 60 years of age and meet certain income requirements. The applicants must also provide a copy of their utility bill and proof of identification. Applications are available at the city hall and on the City of Adel's website.

Coastal Plain Area EOA will begin accepting applications for their next round of funding on November 1st. Appointments for age 65 and older can begin on November 1, 2022. This program will open up for the general population on December 1, 2022.

There was no further business and the meeting was adjourned.

Rhonda P. Rowe, City Clerk

Luther L. Duke III, Mayor
