

Council Meeting
December 6, 2021

Members Present: Mayor Buddy Duke, members Terry McClain, Greg Paige, Vivian Sharpe and Jody Greene. Councilman Cowart was present via telephone.

Others Present: Rhonda Rowe, Tim Tanner, Chad Castleberry, and Randy Lane. John Flythe was present via telephone.

Invocation was given by Councilman McClain.

Pledge of Allegiance

Approval of Minutes: Councilman Paige made a motion to approve the minutes of November 15, 2021 as presented. Councilman Sharpe seconded. All were in favor.

Georgia Public Web Discussion: Georgia Public Web (GPW) is a non-profit telecommunications provider that is owned by 32 municipalities, including Adel, and serves as the fiber backbone for the major metropolitan areas as well as rural areas in Georgia and North Florida. City Manager John Flythe explained that because of the need to capitalize assets in the GPW system on an on-going basis for new technology and having to borrow or pledge funds, the staff of GPW has presented to their board a request to sale the assets. Since the project was so large, they wanted to look at selling it since there is no longer a need for the cities to partnership in ownership. It was put out for bids and a purchase offer received. He noted we will receive the same level of service we presently have and can sale our equity position for a little over \$1.7M. The sale should occur in the latter part of the 2022 budget. Mr. Flythe recommended we sell our interest. Councilman Greene made a motion to sell our interest. Councilman Paige seconded. The decision was unanimous.

Street Closure: The council was presented with a request to close the roads in the area of S. Gordon Avenue and East 6th to 9th Streets on Saturday, December 11th, for the Toys for Cook Kids annual event. The roads will be closed from 7:30 am until 10:00 am. Councilman Cowart made a motion to approve the request. Councilwoman Sharpe seconded. All were in favor.

Ord. #21-09: This ordinance, adopting an electrical rate for the Load Following Extra Large Power No Distribution Infrastructure (Schedule LFXLP-1 NDI), was read for first time. This rate is for loads that are 30MW or greater. The council just adopted that rate at the last meeting; however, because of a change that now uses a monthly average of the NYMEX, instead of the first day of the month NYMEX number, a new ordinance needed to be presented. City manager John Flythe stated that the reason for the change is that market prices are changing substantially during the month; therefore, using the average pricing is beneficial to both the city and the customer. This is a change that has resulted because of new federal legislation affecting current costs.

Contract to Purchase Excess Capacity: The council was presented with a contract to buy excess capacity from the City of Sylvania, a MEAG sister city. The capacity is needed due to load growth. The regular

price is \$13.00 per kW but the market price came in at \$6.00 per kW. Sylvania has agreed to meet the external price of \$6.00 per kW. The amount we are purchasing is just under 3000 kW. Councilman Greene made a motion to authorize the execution of the contract. Councilwoman Sharpe seconded. There were no opposing votes.

Bid Award for Gas Line Extension: The council was advised that one bid was received for the gas line extension project that would extend service down to the proposed Trulieve site. At this time however; we have not received a commitment from Trulieve. Due to the volatile price market, the bid was only good for 10 days. The contractor has agreed that he could maintain the fixed labor cost but an allowance would need to be made for any material cost increases. City attorney Tim Tanner suggested the possibility of discussing a contingency amount so that council would know the amount on the top end. He also questioned how long the bid would be good? If it were 6 months before Trulieve comes, and there was a deflation, does the price go down as well? City Manager John Flythe agreed on establishing a time limit or even rebidding. He noted the pipe in this case is 4" steel pipe and is not something we regularly maintain in our inventory. Mr. Tanner suggested establishing 2 limitations; one for the price increase of materials – maybe 10% and establishing either a 3 or 6 month limitation. Councilman Cowart asked if we need to make a decision tonight or can we wait until we get further information? Mr. Flythe stated we need to talk with the contractor and also need to speak with the customer to see when they will know if they are committing to the project. Mr. Flythe noted that once Trulieve receives their license, they only have 12 months to be up and running. Councilman McClain made a motion to table any action until the next meeting. Councilman Cowart seconded. All were in favor.

Alcohol License Renewals: The council was presented with a list of alcohol license holders that have completed the renewal process and paid the required fees. Councilman Paige made a motion to approve the issuance of the licenses. Councilman McClain seconded. The decision was unanimous.

Billing Update: The council was advised that the new software provider is closing in on the completion of the accounts receivable side and we are hopeful the bills will be sent out very soon.

Language Access Plan Update: Part of the requirements when applying for our CDBG grants is to have a written language access plan. The plan has been prepared to address the city's responsibilities as a recipient of federal financial assistance from the Georgia Department of Community Affairs Programs and Grants funded by HUD as they relate to the needs of individuals with limited English language skills. The updated plan was presented to the council. Councilman Paige made a motion to approve the plan. Councilman Greene seconded. There were no opposing votes.

Celestine Hayes: Ms. Hayes addressed the council concerning the foul smelling gas odor. She had never known exactly where the smell was coming from until recently. After several complaints before council, the owner had advised of a process he had to eliminate the odor. Ms. Hayes stated it was not working. She noted she hasn't heard a response and asked if anyone had responded to the residents and what was being done? Mayor Duke stated he had met with owner and he had a mitigation plan. There have been a couple of instances where he re-worked the technique. He noted that it had been explained what we are smelling and is approved by state authorities. He noted there are no violations by the

state. The odor has clearance by the state and is used to detect if there is gas in the tanks. The odor is not a gas itself, but an odorant to detect gas. He noted that this would be re-addressed with the owner. City attorney Tim Tanner suggested that from a health issue perspective, if the city wants to write a letter to the state, we can go that route to see if there is a harmful component. The council may want to request to see if there an updated plan.

Yolanda Roberson: Ms. Roberson addressed the council stating that she lives in the area of the foul smell. On November 17, 2021, the odor was so extreme she had to call the fire department. She has a 13 yr old with asthma. She knows it aggravates this condition and they are both having headaches. The residents should not have to deal with this inside their own home. She does not have natural gas in her home; however, if she did she wouldn't be able to detect it if she did have problem. She emailed all the council and Vivian Sharpe was the only respondent, with her stating she was just following up to the email. Mayor Duke thanked her for her concerns.

Annette Tiveron: Mrs. Tiveron spoke to the council concerning the ongoing sound issue with Blockstream. She asked if (1) The sound survey had come back yet and if she would be able to get information from the report? (2) Is there a timeline as to when the berm will be completed and what is the next step if it does not work in cutting down the noise (3) What is being done about Blockstream running over at times on the MOU? Sixty decibels is still too loud as close as they are located to them. (4) She stated that now that there are 28 units and expecting 2 more. It was loud enough already and now even louder. They have to wear earplugs and is sounds like a freight train coming through their house at night. There should have been a barrier put up 3 years ago. She invited the Mayor and Council to come out again to listen to the noise. Mr. Flythe stated we have been told it should be the first week of December when the sound results are received. An answer has not been given as to when the berm will be completed, it will be 13-15 feet high and they will place vegetation on top. Mrs. Tiveron stated they had been told it would be 15-16 feet high but that trees are not going to stop the noise. There has to be something higher than the fans. Mr. Flythe stated he would find out what the actual height will be. She added that she knows there has been a letter sent about going over the 60 decibels. They have gone over that and are almost at that tonight. She concluded by stating she would appreciate being kept informed of any updates.

Executive Session: Councilman Paige made a motion to enter into executive session to discuss property acquisition and litigation. Councilman Greene seconded with all in favor.

Following executive session, there was no further business and the meeting was adjourned.

Rhonda P. Rowe, City Clerk

John H. Flythe, City Manager
