

**MINUTES
MEETING OF THE BOARD OF COMMISSIONERS
CITY OF DOUGLAS
OCTOBER 11, 2010**

A Regular Meeting of the Board of Commissioners was held on Monday, October 11, 2010 at 7:00 P.M. The meeting was convened in the Council Chambers of City Hall with Mayor Jackie L. Wilson presiding. Mayor Pro Tem Ronnie Anderson, Commissioners Robert Moore, Dennis Josey, Johnnie Lee Roper, Olivia Pearson and Marty Swain were in attendance.

INVOCATION

Pastor Sherman Childers of Gaines Chapel AME Church gave the invocation.

PLEDGE OF ALLEGIANCE

Commissioner Robert Moore led The Pledge of Allegiance to the American Flag.

MINUTE ADOPTION

The following minutes were unanimously approved:

**Work Session..... September 27, 2010
Commission Meeting..... September 27, 2010**

A MOTION was made by Mayor Pro Tem Ronnie Anderson to approve the minutes of the previous meeting; it was seconded by Commissioner Dennis Josey. The motion was unanimously carried by the Mayor and Commission. **(7-0)**

APPROVAL OF THE ORDER OF THE AGENDA

The Mayor and Commission unanimously approved **(7-0)** the order of the agenda.

MOTION was made by Commissioner Robert Moore, for approval of the order of the agenda; Commissioner Marty Swain seconded the motion.

APPROVAL OF A NEW 2011 DIGGER DERRICK TRUCK & BODY BID (09-27-10)

Upon recommendation from Jerald Guthrie, Purchasing Director, the Mayor and Commission unanimously approved **(7-0)** the recommendation by the Electric Department Director, Donald Carver, to award and purchase one new 2011 International digger derrick (utility) truck along with one new 45 foot digger derrick from the low bid received from Yancey Truck Centers located in Blackshear, Georgia, for a grand total of \$174,249.41.

A MOTION was made by Commissioner Marty Swain for approval and seconded by Commissioner Robert Moore.

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APPROVAL OF A NEW 2011 FORD FUSION SE CAR PURCHASE (09-27-10)

Upon recommendation from Jerald Guthrie, Purchasing Director, the Mayor and Commission unanimously approved (7-0) the recommendation by the City Manager, Terrell Jacobs, to purchase a new 2011 Ford Fusion SE car to be utilized by the City Manager from the low bid obtained off of State Contract from Allan Vigil Ford of Morrow, Georgia, for a grand total delivered price of \$17,250.60 which includes a 5% discount. In order to receive the 5% discount, payment in full must be received within 20 days of purchase.

A MOTION was made by Commissioner Marty Swain for approval and seconded by Commissioner Johnnie Lee Roper.

APPROVAL OF THE APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

Upon recommendation from Ray Parker, Code Enforcement Officer, the Mayor and Commission unanimously approved (7-0) the request of Shree Ganeshay Namah, Inc. for an alcoholic beverage license, retail, for Mr. T's at 1400 Bowens Mill Rd. SE

A MOTION was made by Mayor Pro Tem Ronnie Anderson for approval and seconded by Commissioner Olivia Pearson.

APPROVAL OF THE FIRST READING FOR AN ALCOHOLIC BEVERAGE ORDINANCE

Ray Parker Code Enforcement Officer requested that the Mayor and Commission approve the amendment of Section 6-69 of the alcoholic beverage ordinance to include a legal permanent resident or an otherwise qualified alien or non-immigrant under the Federal Immigration and Nationality Act and lawfully present in the United States and that any such alien shall have been lawfully admitted for a permanent residence for at least one year prior to application as a minimum qualifications and that it be read for the first time at this meeting.

City Attorney Jerome Adams read the first reading of the amended Alcoholic Beverage Ordinance: **“AN ORDINANCE TO AMEND THE ALCOHOLIC BEVERAGE ORDINANCE OF THE CITY OF DOUGLAS, GEORGIA; TO PROVIDE AN EFFECTIVE DATE; AND OTHER PURPOSES.”** The second reading will be heard October 25, 2010.

Jerome Adams, City Attorney commented that this ordinance actually brings the city into compliance with the state law.

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**APPROVAL OF THE PERMIT FOR THE CHILDREN MIRACLE NETWORK
METRIC CENTURY BIKE RIDE**

Upon receiving a recommendation from Ray Parker, Permit Inspections Officer, the Mayor and Commission unanimously approved **(7-0)** the request from the Children Miracle Network (CMN) Metric Century Bike Riders to allow the bicycle ride on Saturday, October 16, 2010 at 8:00 a.m. on the route mentioned in the work session. Mr. Parker also stated that the Police Department will provide assistance with traffic.

A MOTION was made by Mayor Pro Tem Ronnie Anderson for approval and seconded by Commissioner Olivia Pearson.

APPROVAL FOR THE PERPETUAL CARE FOR MAUSOLEUMS

Upon recommendation from Henry Milhollin, Cemetery Coordinator and the Cemetery Advisory Board, the Mayor and Commission unanimously approved **(7-0)** to impose a moratorium on allowing walk in mausoleums erected at the cemetery for six months. This will allow time to create building codes to be put in place to assure that quality buildings are constructed at the cemetery.

A MOTION was made by Commissioner Olivia Pearson for approval and seconded by Commissioner Robert Moore.

GENERAL COMMENTS

Chief Gary Casteloes, City of Douglas Police Department introduced Brannen Pruitt, newly hired Deputy Chief of Field Operations for the City of Douglas Police Department. This position consists of supervising patrol uniform officers and the criminal investigation unit. Chief Casteloes stated that Deputy Chief Pruitt brings vast experience from Holly Springs which is located in the Atlanta, Georgia area.

COMMISSIONERS COMMENTS

Commissioner Johnnie Lee Roper encouraged citizens to exercise their rights to vote by participating in early voting at the Coffee County Board of Registration by October 29, 2010.

Commissioner Olivia Pearson commented on the actions of the Mayor and Commission during her absence at the Commission meeting that was held on September 27, 2010, concerning the decision of reimbursing Ms. Tammy Tim and the situation of Ms. Cheryl Cunningham. Commissioner Olivia Pearson stated that in the future she would like a copy of the claims that citizens are submitting to the Ethics Committee. Also, Commissioner Pearson request for Mr. Jacobs to give her a copy of the Ethics Ordinance. Commissioner Pearson also stated that several citizens voiced their concerns regarding the actions of the Ethics Committee.

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PUBLIC ANNOUNCEMENTS

Georgia Henderson, Central Service Director informed the citizens on the following events:

- The Department of Labor will host a Job Fair Thursday, October 14, 2010 at the Central Square Complex, 1 pm-5 pm.
- The City of Douglas will host the World War II 63rd Reunion, October 17-21, 2010.
- The Main Street office will host the Hometown Harvest, Thursday October 28, 2010.
- Legacy and Lanterns Tour tickets are currently on sale. This event will be held on Friday, October 29, 2010 beginning at 6:30 p.m.
- The City is encouraging citizens participating in door to door trick or treating on October 30, 6-9 pm. to turn off their lights at 9 pm. Also trick or treaters will be advised not to park on city right-of-ways, private property or obstruct roadways. The Douglas Police Department will be enforcing these violations and vehicles will be towed.
- The Festival on the Square will be held on Saturday, November 6, 2010, along with the Gigantic Yard Sale starting at 7:00 a.m.
- Mayor Jackie Wilson stated the churches are encouraging citizens to take the children to Central Square Complex October 31, 2010 for the Fall Festival which will be hosted by the Coffee County Ministerial Association.

CITIZENS COMMENTS

Bill Elliott expressed concerns to the Mayor and Commission of the dissatisfying services of Charter Communications. Mr. Elliott explained that cable channels located in Atlanta and Albany have been having malfunctions as well as the Douglas local channel. Mr. Elliott stated due to a number of channels from different areas malfunctioning that there is possibly a problem with Charter's equipment.

Mr. Elliott suggested that the Mayor and Commission look into providing another Cable Company to service the City of Douglas.

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Mr. Jacobs explained that the city works with a liaison from Charter Communications even though they currently have a state franchise agreement, and even if they were to have a local franchise agreement, there would be certain provisions of what we have control over. The franchise agreement gives them the ability to provide those services, there are FCC provisional rules that keep them, and there are certain things we can do. Mr. Jacobs has tried to communicate with Skip Jones, Director of Government Relations representing Alabama, Georgia, and part of Florida for Charter Communication. Presently, Mr. Jacobs has not received a returned call from Mr. Jones. Mr. Jacobs stated that there are customer service issues that possibly could be reported to the FCC agency. The original problem is the overall feed coming from Atlanta. Charter has a broadband connection feed from here to Atlanta. The issue with Albany is that their digital feed has not been upgraded from their end, which was the response from Charter. Mr. Jacobs also recommended a carrier here that would help them with the Atlanta feed, however, Charter decided to go another route.

After much discussion, the Mayor and Commission recommended for staff to contact other cities to look into what providers are servicing their area, and let the providers inform the city that the market is not large enough in this area to provide cable services.

James Perry asked the Mayor and Commission if the public is allowed to attend the meetings of the Ethics Committee.

Mayor Wilson stated that the city can respond orally or in writing, if they so choose too. The city has no obligation to comment or respond in writing. The city commission will respond orally the same night. If one Commission wishes to respond in writing the remaining commission is not bound to respond.

Jerome Adams, City Attorney responded to Mr. Perry stating that the public is not allowed to attend the meetings of the Ethics Committee. Mr. Adams also stated that the Ethics Committee hears ethics complaints against the city commission, city manager, city attorney, and city judge, which are the only ones that are considered for complaints. The Ethics Committee only meets as needed when someone files a complaint. The Ethics Committee has only had one complaint filed which was done by Ms. Cunningham. The ethics ordinance is narrow and tailored, and it does not encompass rudeness. Mainly it covers conflicts of interest, voting and financial matters.

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Mayor Jackie Wilson cautioned Ms. Cunningham that the commission only wishes to hear new issues. Ms. Cunningham was asked to only speak five minutes on new issues, and don't complain on things that have already been complained about. No personal attacks on mayor and commission, city manager, department heads or citizens should be made, or Ms. Cunningham will be asked to sit down at the first complaint. The Commission will respond after Ms. Cunningham has been seated. The city can respond orally or in writing. The city has no obligation to respond in writing. Mayor Wilson stated that taking those things into consideration, if there is a new issue the Mayor and Commission will be glad to hear Ms. Cunningham.

Cheryl Cunningham stated that at the last meeting she was personally attacked by the newspaper.

Mayor Wilson stated the city does not handle attacks by the newspaper.

Ms. Cunningham stated that she gave the complaints against Charlie Davis and Gloria Ricketson to the City Manager, Terrell Jacobs. Ms. Cunningham stated that Mr. Jacobs knew these complaints did not go to the ethics committee so therefore why didn't he address them. Ms. Cunningham stated that none of her complaints that had been filed has been answered. She feels as if this was a waste of time.

ADJOURNMENT

Mayor Wilson stated this was not a new issue, and abruptly recommended to adjourn the meeting. A **MOTION** was made to adjourn by Commissioner Mayor Pro Tem Ronnie and seconded by Commissioner Dennis Josey and approved **(6-1)** at 7:25. Commissioner Olivia Pearson opposed the motion.

UTILITY COMMITTEE

Lorraine Presley, 552 Cecil Way, was requested to make a payment of \$200.00 per month on her utility bill. Ms. Presley, who was not in attendance, voiced her opinion to Terrell Jacobs, City Manager and Charlie Davis, Assistant City Manager, that she was unable to fulfill her obligation to this agreement.

Terrell Jacobs, City Manager stated that the problem with Ms. Presley's hot water heater has been addressed. Mr. Jacobs informed the commission that he has spoken in general to the landlord, Judge Gillis, concerning the issues with the properties in that subdivision. Mr. Jacobs also stated that Judge Gillis mentioned to him that he was working on things that would help improve the conditions.

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After much discussion, it was the consensus of the Mayor and Commission not to excuse the utility bill of Ms. Presley, and for the City Manager, Terrell Jacobs to meet with Judge Gillis to discuss on a solution to help Ms Presley in paying her utility, along with her continuing to live at that property.

Tammy Tim expressed concern of the letter that was sent to her by the City Manager, Terrell Jacobs, informing her on the decision that was given by the Mayor and Commission on not reimbursing her loss of revenue. Ms. Tim questioned the reason of the denial of the reimbursement.

Mayor Wilson stated that denial was due to excessive things on her list, not being open half the time and she already had gone out of business.

Ms. Tim stated that she felt it was not her fault the city did not reconnect her service, and she stated the reason she closed her store was due to the illness of her father. Ms. Tim also stated the reason given was not a good reason not to reimburse her losses.

Commissioner Olivia Pearson stated that the fact of the matter is that the city should have reconnected Ms. Tim's services, and the city is not taking responsibility for their actions.

Mayor Wilson stated that Commissioner Moore suggest to reimburse Ms. Tim her reconnect fee of \$20.00.

Ms. Tim's responded that the city could keep the \$20.00, because this would not compensate her for the loss.

ADJOURNMENT

After no further business the meeting was adjourned at 8:20 p.m.

Jackie L. Wilson, Mayor

Wynetta Bolder, City Clerk