

**MINUTES
MEETING OF THE BOARD OF COMMISSIONERS
CITY OF DOUGLAS
AUGUST 23, 2010**

A Regular Meeting of the Board of Commissioners was held on Monday, August 23, 2010 at 7:10 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, Olivia Pearson, Dennis Josey, Johnnie Lee Roper and Marty Swain were in attendance.

INVOCATION

Pastor Marvin Holiday, Northside Baptist Church, gave the invocation.

PLEDGE OF ALLEGIANCE

The Coffee County School JROTC led The Pledge of Allegiance to the American Flag.

MINUTE ADOPTION

The following minutes were unanimously approved:

**Work Session..... August 9, 2010
Commission Meeting..... August 9, 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)** to accept the order of the agenda.

A MOTION was made by Commissioner Robert Moore, for approval of the order of the agenda; Commissioner Johnnie Lee Roper seconded the motion.

APPROVAL OF THE SECOND READING TO AMEND THE OCCUPATIONAL TAX ORDINANCE

Following the second reading of the Occupational Tax Ordinance, City Attorney Jerome Adams opened the Public Hearing on the Occupational Tax Ordinance.

The Public Hearing was closed. The Mayor and Commission unanimously approved **(7-0):** **“AN ORDINANCE TO AMEND CHAPTER 22 OF THE CITY OF DOUGLAS CODE OF ORDINANCES BY ADDING A SECTION ENTITLED ADDITIONAL REQUIREMENTS FOR ISSUANCE; TO PROVIDE PROCEDURE FOR APPLICATIONS; TO PROVIDE FOR APPEAL AND FOR OTHER PURPOSES”.**

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A **MOTION** was made by Mayor Jackie Wilson to amend the ordinance by stating that *“the applicant and owner of the property where the business is located have paid all occupation or ad valorem taxes due the city on or before June 1st”*. Pro Tem Ronnie Anderson made a motion for approval, and it was seconded by Commissioner Dennis Josey.

**APPROVAL OF THE SECOND READING OF THE REVISED SPEED ZONE
ORDINANCE**

Following the second reading of the Revised Speed Zone Ordinance, City Attorney Jerome Adams opened the Public Hearing on the Revised Speed Zone Ordinance. The Mayor and Commission unanimously approved (6-1): **“AN ORDINANCE CONCERNING LOCAL AUTHORITIES POWER TO ALTER LAWFUL SPEED LIMITS WITHIN THE CITY OF DOUGLAS, COFFEE COUNTY, GEORGIA, PURSUANT TO SECTION 40-6-183 OF THE OFFICIAL CODE OF GEORGIA ANNOTATED”**.

Commissioner Robert Moore suggests that Bo Jo Ella remain at 25 mph.

A **MOTION** was made by Mayor Pro Tem Ronnie Anderson for approval and seconded by Commissioner Johnnie Lee Roper. Mayor Wilson, Mayor Pro Tem Ronnie Anderson and Commissioners Roper, Swain, Josey and Pearson voted in favor of the motion. Commissioner Robert Moore voted against the motion.

**APPROVAL OF THE REQUEST FROM COFFEE COUNTY MINISTERIAL
ASSOCIATION**

Upon recommendation from Georgia Henderson, Central Services Director, the Mayor and Commission approved (7-0) the request of the Coffee County Ministerial Association to waive the fees associated with the use of Central Square Complex, Gymnasium “A” & “B” for the purpose of hosting a Community Fall Festival, which will be held on October 30th for setup and on October 31st for the event.

A **MOTION** was made by Commissioner Robert Moore for approval and seconded by Commissioner Johnnie Lee Roper.

**APPROVAL OF THE FACILITY USAGE TERMS FOR CITY ELECTED OFFICIALS
AND EMPLOYEES**

Upon recommendation from Georgia Henderson, Central Services Director, the Mayor and Commission approved (7-0) to and adopt the policy as stated in the City of Douglas Code of Ordinance; Ethics Policy: Sec. 2-264. Prohibition (j) No city official shall use city facilities, personnel, equipment or supplies for private purposes, except to the extent such are lawfully available to the public.

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(Ord. No. 11232009, 11-23-2009) Therefore, no elected official, employee, or government agency may use city facilities for any personal or political use without paying for the facility. Requests for the use of facilities by elected officials for public or community meetings must be scheduled through the Central Services Department, Facility Division.

A **MOTION** was made by Commissioner Robert Moore for approval and seconded by Commissioner Johnnie Lee Roper.

APPROVAL OF THE PARTNERSHIP WITH GEORGIA DEPARTMENT OF LABOR FOR COMMUNITY JOB FAIR

Upon receiving a recommendation from Georgia Henderson, Central Services Director, the Mayor and Commission unanimously approved **(7-0)** to partner with the Georgia Department of Labor on an annual basis to host a Community Job Resource Fair at Central Square Complex on October 13 – 15, 2010, with the actual event on Thursday, October 14, 2010, 1:00 pm – 5:00 pm.

A **MOTION** was made by Commissioner Robert Moore for approval and seconded by Commissioner Johnnie Lee Roper.

APPROVAL FOR GUNRUNNERS SHOW AT CENTRAL SQUARE

Upon recommendation from Georgia Henderson, Central Services Director, the Mayor and Commission approved **(7-0)** to waive the clause in the current contract, which states that, “No person attending any function will be allowed to possess any firearms, knives, or other weapon while present on the property...”, and allow GunRunner Shows, Larry Steverson to bring his Consumer Trade Show to Douglas. The recommendation is to also change the future language of the contract to state the following: “No person attending a general function will be allowed to possess any firearms, knives, or other weapon while present on the property. The only exception is that if the nature of the event is for consumer trade, sell, and collectible show or sporting event related to weapons. Events of this nature can only be held in City of Douglas facilities if the adequate security is required and that weapons are properly secured prior to entering event.”

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

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APPROVAL OF THE APPOINTMENTS TO THE ETHICS COMMITTEE

Upon recommendation from Terrell Jacobs, City Manager, the Mayor and Commission unanimously approved (7-0) the following individuals to the Ethics Committee Attorney: Matthew Hennessy, Danita Haliburton and Lynne Gaskin.

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

APPROVAL OF THE HISTORIC PRESERVATION COMMISSION APPOINTMENT

Upon recommendation from Dale Batten, Community Development Director, the Mayor and Commission unanimously approved (7-0) the appointment of Melissa Ferguson Rowell to fill the unexpired term of Cory Carver on the Historic Preservation Commission, which will expire on December 31, 2012.

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

APPROVAL OF THE RETIREMENT PLAN

Upon recommendation from Judy Carter, the Mayor and Commission unanimously approved (7-0) to have GMA prepare an draft ordinance with changes to allow elected officials to draw an in-service distribution indefinitely; all present and future employees who have worked for another city, and that city is a member of the GMA Retirement Plan, may bring their years of service over to count towards retirement with an offset, also to bring in the new IRS regulation of in-service distribution.

A MOTION was made by Commissioner Olivia Pearson for approval and seconded by Commissioner Dennis Josey.

APPROVAL OF THE JOINT DOUGLAS-COFFEE COUNTY DRUG TASK FORCE AGREEMENT

Upon recommendation from Gary Casteloes, Chief of Police, the Mayor and Commission unanimously approved (7-0) the formation of the Douglas-Coffee County Sheriff County Joint Drug Task Force to address the usage of illegal drug activity in the city and county.

MOTION was made by Mayor Pro Tem Ronnie Anderson for approval and seconded by Commissioner Robert Moore.

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MAYOR'S STATEMENT

Mayor Jackie Wilson stated that per the City Charter, she is to conduct the meetings to preserve order and decorum as her responsibility as Mayor. Therefore the following steps were taken:

Citizens will be allowed the maximum of ten (10) minutes, to ask their question and concerns and keep it in that ten (10) minute time period. Citizens will need to stick to the issues and no personal attacks.

Commissioners and citizens will be recognized by the Mayor before they speak. There will not be any interruptions from anyone while the person has the floor. After that the person will take their seat, and then if a commissioner wish to comment they will have the floor. The City Clerk will have a record of the questions and comments. There will not be any unruly comments.

COMMISSIONERS COMMENTS

Commissioner Johnnie Lee Roper expressed concern with the situation of the Mosque being built in New York. Mr. Roper stated that he would like to see our country live in peace.

Commissioner Olivia Pearson expressed concerns of not receiving information relating to the Probation Services.

Mr. Jacobs explained that Chief Casteloes will provide his Police Department Assessment Report to the Mayor and Commission at the next meeting.

CITIZENS COMMENTS

Cleveland Ragsdale, 1079 M J McClelland Rd, has requested for the citizens of Coffee County to join him on Saturday, September 11, 2010, at 10:00 am at the Coffee County Courthouse to walk to City Hall and return to the Coffee County Courthouse, in remembrance of 9/11. Mr. Ragsdale questioned the Mayor and Commission on an escort to walk the streets in the event there are approximately 100 people or more participating.

Randall Parker, Inspection and Permit Officer suggested that the safest route would be Columbia Avenue to Bryan Street and return the same route.

MOTION was made by Mayor Pro Tem Ronnie Anderson approved a parade permit for the event held on Saturday, September 11, 2010 at 10:00 am, and seconded by Commissioner Johnnie Lee Roper.

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Jerry Gaskins, 712 E. Seller Street, stated that he is a disable veteran and due to the area he resides, he is unable to pay his utilities on the due date of the 30th of each month. Mr. Gaskins stated he does not receive his check until the 3rd of the month.

Mayor Wilson stated that a Utility Committee meeting will be held following the Commissioners meeting.

Tammy Tim of 508 South Gaskin Avenue informed the Mayor and Commission that her lights were reconnected. Ms. Tim proceeded to explain to the Mayor and Commission that her concern is that she would like to be reimbursed for the days that they were disconnected due to miscommunication.

Terrell Jacobs, City Manager explained that Ms. Tim turned in a form requesting for reimbursement late in the afternoon, and staff had not reviewed the contents of the form. Mr. Jacobs is requesting to further examine the issues that Ms. Tim has brought before the Commission.

Commissioner Olivia Pearson asked for the specific reason of why her services were not reconnected on the day she made her payment.

Mr. Jacobs stated that due to Ms. Tim recently coming forth to request reimbursement for her loss of sales during the time of her utilities being disconnected, the staff will need to review the issue prior to reporting to the Mayor and Commission.

Mayor Wilson reiterated that upon further investigation, City Manager Terrell Jacobs shall return to the Commission at the next work session where it will be taken forward for a decision to be made by the Mayor and Commission.

Commissioner Pearson inquired about the customer service representative not being aware of identifying an account that has been disconnected for non-payment.

Mr. Jacobs explained that the city's software system which is HTE does not have the capability to recognize an account that has been disconnected for non-pay. Mr. Jacobs stated that if a customer has been cutoff they usually verbalize that their services has been disconnected.

Corey Benjamin, 106 Heart Lane, stated that he resides in Kenwood Estates and he was presenting a petition of 96 residence concerning excessive utility bills. Mr. Benjamin expressed concern of the utilities being \$200.00 and has increased to \$600.00. He is requesting for someone to look into the matter.

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Charles Davis, Assistant City Manager/Customer Service Director, stated that due to the summer months, the city has had an increase in the temperature. Mr. Davis stated that the city has staff that provides energy audits to survey at customers' home to give direction in making their home more energy efficient.

Mr. Jacobs stated that there are challenges of perfect scenarios with the inefficiencies of properties, high unemployment along with the heat index on the rise for these types of problems. Mr. Jacobs stated that the city employees are looking into volunteering a Saturday to help those in the community that have challenges with their housing inefficiencies.

Cheryl Cunningham of 207 Pinecrest Drive, Douglas Georgia, stated that she had several questions that had yet to be answered. Ms. Cunningham stated that her questions were: what individual are serving on the Ethics Board; what is the procedures for a formal complaint that has been taken out by a citizen; who will hear the complaints; will the people whom the complaint is against be able to vote against the complaints; Charlie Davis has broken several rules and policies, can he be removed?

Ms. Cunningham stated that concerning Ms. Tim, if her service was cut off for two weeks, due to the policy, her account would have been terminated.

Mayor Wilson stated that the individuals on the Ethics Board are the following: Matthew Hennessy, Danita Haliburton and Lynne Gaskin.

Jerome Adams, City Manager stated that City Commissioners can vote on matters that come before the ethics committee because the ethics committee is going to make a recommendation to the City Commission. If a complaint is against an individual commissioner, that individual commissioner would not be able to vote on the issue affecting that commissioner himself.

Mayor Wilson stated that the action of the ethics committee could be appealed and taken to the superior court and also the city commissioner could take someone else to superior court.

Attorney Jerome Adams acknowledges the statement by Mayor Wilson was correct. Mr. Adams also stated that the Ethics Committee will handle those complaints themselves. The City Commission will not be involved in what the ethics committee does.

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Mayor Wilson made a **motion** that the commission shall require individuals serving on the ethics committee to reports to the city attorney, anyone that approaches them or tries to talk with them or sway them concerning any case that is brought before them whether it's an individual, organization or group. Mayor Pro Tem Ronnie Anderson seconded the motion. Mayor Wilson, Mayor Pro Tem Anderson, Commissioners Josey, and Moore voted in favor of the motion. Commissioners Pearson, Swain and Roper voted against the motion.

Commissioner Pearson questioned if this was within the ethics ordinance.

Mayor Wilson replied it was not within the ethics ordinance, but that it is important due to the ethics committee preparing to meet. Mayor Wilson stated that she feels individuals will approach the individuals of the ethics committee, and they need to know they will be taken to task.

City Attorney Jerome Adams explained that the ethics ordinance does not address outside pressure, but the ethics committee is a deliberative body that would be making a decision and it would be improper to approach a deliberative body.

UTILITY COMMITTEE

The Mayor and Commission met concerning Jerry Gaskins, residing at 712 E. Seller Street. Mr. Gaskins stated that he is a disable veteran and due to the area he resides, he is unable to pay his utilities on the due date of the 30th. Mr. Gaskins stated he does not receive his check until the 3rd of the month.

After much discussion, the Mayor and Commission advised Mr. Gaskins to allow our staff to direct him to agencies that may assist him with his utility bills. Also, to allow direct deposit of his check so that he may receive it at an earlier date and is able to pay his utilities by the due date.

ADJOURNMENT

The Mayor and Commission unanimously approved **(7-0)** the motion to adjourn the meeting at 8:20 pm.

Jackie L. Wilson, Mayor

Wynetta J. Bolder, City Clerk