

**MINUTES
MEETING OF THE BOARD OF COMMISSIONERS
CITY OF DOUGLAS
MARCH 14, 2011**

A Regular Meeting of the Board of Commissioners was held on Monday, March 14, 2011 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, Johnnie Lee Roper, Olivia Pearson, Dennis Josey and Marty Swain were in attendance.

INVOCATION

Troop 859 Boy Scouts, Jack Kirkland and Cameron Cummings gave the invocation by leading the group in the Lord's Prayer.

PLEDGE OF ALLEGIANCE

Lieutenant Junior Grade Ernestina Moya of the JROTC program led The Pledge of Allegiance to the Flag.

MINUTE ADOPTION

Mayor Wilson recommended that the Minutes of the February 28, 2011 Commission Meeting be amended to reflect the following changes:

Page 7, Item 4, which references the "Georgia Homeland Security Grant Program" should be changed to read: The Georgia Homeland Security Grant Application Program.

Mayor Wilson also noted that changes should be made to reflect the recommendation regarding mobile carwash businesses made at the last Commission meeting by Mr. Ray Parker, Community Development Planning Officer. The minutes will be changed to read as the recommendation was approved and as follows:

Upon recommendation from Ray Parker, Community Development Planning Division and Southern Georgia Regional Commission Staff, the Mayor and Commission unanimously approved **(7-0)** the Unified Land Development Code as amended (Chapter 7, Section 8 (g) (4)) with the provision to allow Mobile Car washes to wash a maximum of (5) five vehicles on a non-paved or porous surface, provided there is a good stand of live ground cover such as grass and the grass is able to absorb the run-off into the ground without any water run-off from the site.

A MOTION to approve the minutes with the changes as set forth above was made by Commissioner Bob Moore and seconded by Commissioner Johnnie Lee Roper. The motion was unanimously carried by the Mayor and Commission. **(7-0)**

**Work Session..... February 28, 2011
Commission Meeting..... February 28, 2011**

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APPROVAL OF THE ORDER OF THE AGENDA

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

A **MOTION** was made by Commissioner Marty Swain for approval of the order of the agenda; Commissioner Johnnie Lee Roper seconded the motion.

SECOND READING OF THE STREET LIGHT ORDINANCE

The Mayor, upon recommendation by Mr. Donald Carver, Electric Department Director called for the second reading of the Street Light Ordinance. Mr. Jerome Adams, City Attorney read the following for approval:

BE IT ORDAINED by the Mayor and Board of Commissioners of the City of Douglas, Georgia, and it is hereby ordained by the Authority of the same that from and after the effective date of this Ordinance, the Street Light Ordinance of the City of Douglas, Georgia, shall read:

“AN ORDINANCE REGULATING THE LOCATION OF STREET LIGHTS IN THE CITY OF DOUGLAS BY CREATING AND ESTABLISHING MINIMUM REQUIREMENTS FOR THE PLACEMENT AND INSTALLATION OF ALL STREET LIGHTS IN THE CITY LIMITS; PROVIDING FOR STREET LIGHTING ON STATE FRONTAGE ROADS; PROVIDING FOR ENGINEERING AND INSPECTION OF ALL STREET LIGHTS INSTALLED PROVIDING FOR AN APPROVED CONTRACTOR OR CITY OF DOUGLAS ELECTRIC UTILITY TO INSTALL THE STREET LIGHTS; PROVIDING FOR FINANCIAL RESPONSIBILITY AND ARRANGEMENTS; PROVIDING FOR OWNERSHIP AND MAINTENANCE; AND PROVIDING FOR AN EFFECTIVE DATE.”

OFFERED AND READ for the first time at a regular meeting of the Mayor and Board of Commissioners of the City of Douglas, Georgia, on February 28, 2011, and read for the second time and passed and ordained at a regular meeting of the Mayor and Board of Commissioners of the City of Douglas, Georgia, after properly advertising the Caption as required under the Charter of the City of Douglas, Georgia, on March 14, 2011.

THE MOTION FOR APPROVAL was made by Commissioner Bob Moore, seconded by Marty Swain.

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APPROVAL OF THE ANNUAL UTILITY ELECTRICAL SUPPLY BIDS

Upon recommendation from Stanley Merritt, Assistant Purchasing Director, the Mayor and Commission unanimously approved **(7-0)** to authorize staff to purchase supplies for the Electrical Department from the low bids in the amount of \$53,241.48 as received from the vendors presented. A copy of the approved vendors is on file in the City Clerk's office.

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

APPROVAL TO PURCHASE 2011 WAREHOUSE STOCK WATER/WASTEWATER SUPPLIES

Upon recommendation from Stanley Merritt, Assistant Purchasing Director, the Mayor and Commission unanimously approved **(7-0)** the purchase of water/wastewater supplies from the low bids received in the total amount of \$36,578.67. These supplies will be purchased as stock and used as needed by the Water/Wastewater Department. A list of approved vendors is on file in the City Clerk's office.

A MOTION was made by Commissioner Marty Swain for approval and seconded by Mayor Pro Tem, Ronnie Anderson.

APPROVAL TO PURCHASE EXCAVATOR

Upon recommendation from Stanley Merritt, Assistant Purchasing Director, the Mayor and Commission unanimously approved **(7-0)** the purchase of one (1) Compact Hydraulic Rubber-Tracked Excavator for a purchase price of \$31,852.00 from low-bidder, Vermeer Southeastern Sales and Service of Marietta, Georgia. This Excavator will be purchased by the Public Works Department then swapped to the Natural Gas Department as trade for their backhoe. This was discussed and approved during last year's budget process. This excavator is necessary for the Natural Gas Department to conduct new installations and repairs as needed.

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

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APPROVAL OF PURCHASE OF 2011 ELGIN WHIRLWIND MV STREET SWEEPER

Mr. Stanley Merritt, Assistant Purchasing Director brought a recommendation to purchase a 2011 Elgin Whirlwind MV Street Sweeper at a cost of \$211,700.25 to the Mayor and Commission. This item was brought forward to the Mayor and Commission exactly as it had been presented in the WORKSESSION where Mr. Merritt had obtained consensus to do so. However, Mayor Jackie L. Wilson, upon requesting a motion to approve, received a request from Mayor Pro Tem, Ronnie Anderson who stated he felt that two gentlemen in the audience should be allowed to speak regarding the bid process and selection of equipment. He introduced the gentlemen, representing Tractor Supply and Equipment Company of Albany, Georgia and stated they had requested an opportunity to dispute the purchase of the equipment stating their bid was some \$61,000.00 cheaper and equally as good as the Elgin being recommended. Mayor Wilson asked the Commission if they wished to agree to allow this request. Commissioner Roper stated that he did not agree to allow it since the proper procedures had been followed by City of Douglas staff members who are very qualified and capable of making such recommendations. He stated City of Douglas Staff had obviously reviewed and deliberated for several months regarding this equipment purchase and that it would be not only disrespectful of their authority and knowledge as decision makers, it would also be against the City's process to allow this vendor this opportunity without allowing others who had bid to do the same. Mayor Wilson noted that the gentlemen requesting to dispute that their price was much lower, had bid a different type of equipment which did not in fact, meet the bid specifications.

Commissioner Anderson made a motion to allow the gentlemen to tell the Commission why their equipment did not meet specifications. Commissioner Bob Moore seconded the motion. A majority (5-1) vote allowed the gentlemen to proceed with their dispute. Commissioner Roper voted against. Mayor Pro Tem Anderson, Commissioner Moore, Commissioner Josey, Commissioner Swain and Mayor Wilson voted for the motion. Commissioner Pearson abstained. After much discussion the vendor admitted that their company did not actually manufacture the type of sweeper the City had requested and they attempted to provide the Commission with information to persuade them to purchase their product instead. City Manager, Terrell Jacobs reminded the Mayor and Commissioners that the Work Session would have been the appropriate time to handle a dispute of this nature. He stated Tractor and Equipment Company had approached him on previous occasions requesting that they be allowed to contact each Commissioner individually and Mr. Jacobs (and others within the City) advised them that this was not the City's protocol for vendor selection.

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APPROVAL OF STREET SWEEPER (CONTINUED)

After much discussion with Jacob Lott, Director of Public Works and Terry Fesperman, Vehicle Maintenance Director, who very clearly emphasized the City's need for a true vacuum sweeper instead of a regenerative air sweeper, Mr. Jacobs, asked the Mayor and Commission if they would be willing to entertain an option of a Lease Agreement with Elgin instead of the purchase discussed earlier since cost factors had been discussed. After comments from Commissioner Pearson regarding her desire to bring forth a motion as originally discussed, she made a motion to purchase the Elgin Sweeper. Commissioner Johnnie Lee Roper seconded the motion. The Mayor asked for a vote and the Commission voted (**4-3**) against the purchase of the sweeper. Commissioners Pearson, Roper, and Swain voted for; Commissioners Anderson, Josey, Moore and Mayor Wilson voted against the motion.

The Mayor then asked for a motion regarding a comparison of leasing versus purchasing. The Commission voted (**5-2**) to re-evaluate the bid from Environmental Products of Atlanta, Georgia-Elgin (originally selected for their compliance to bid specifications) at the next regularly scheduled meeting on March 28, 2011. Commissioners Pearson, Swain, Josey, and Moore and Mayor Wilson voted in favor of re-evaluating the bid. Commissioner Roper and Mayor Pro Tem Anderson voted against.

A MOTION WAS MADE BY Commissioner Olivia Pearson to approve and seconded by Commissioner Josey.

APPROVAL OF APPOINTMENT OF PLANNING COMMISSION MEMBER

Upon recommendation by Ray Parker, Community Development Planning Division, the Mayor and Commission unanimously approved (**7-0**) the appointment of Mr. Alvin Ricketson, Jr. to serve another four-year term as Planning Commission Member. Mr. Ricketson's new term will expire December 31, 2014

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

ANNOUNCEMENT OF APPOINTMENT OF BOARD OF HEALTH MEMBER

Upon recommendation from City Manager, Terrell Jacobs, the expired position of the Board of Health Member appointed by the City will be advertised for a period of two weeks on Chanel 13. The Commission will consider the reappointment or appointment at the March 28, 2011 meeting.

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**APPROVAL OF RESOLUTION, SELECTION OF ENGINEER AND LOCAL MATCH
FOR 2011 COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT**

Upon recommendation from Dale Batten, Community Development Director, the Mayor and Commission unanimously approved (7-0) a Resolution authorizing Mayor Jackie L. Wilson to submit the 2011 CDBG application, approved Statewide Engineering Company as engineers for project, approved the local match in the amount of \$50,000 to be funded from Project Delivery Fees in the Community Development Department and authorized Mayor Wilson to execute the grant documents if application if approved.

THE MOTION for approval was made by Commissioner Johnnie Lee Roper, seconded by Olivia Pearson.

APPROVAL OF GDOT TRANSPORTATION INVESTMENT ACT OF 2010

Upon recommendation from Dale Batten, Community Development Director, the Mayor and Commission unanimously approved (7-0) that the East Perimeter Widening, the four-laning of SR 31/US 441 North to I-16, the four-laning of SR 32 from Douglas to Ocilla, then SR 319 to Fitzgerald then SR 107 to I-75, and SR 32 from 135 East Perimeter to Brunswick, SR 158 East to 82, SR 158 West to Forest Hills Sub-Division, and passing lanes on SR 32 between Ocilla and I-75 be submitted as regional projects to the Southern Georgia Regional Commission for the GDOT Transportation Investment Act of 2010.

THE MOTION for approval was made by Commissioner Bob Moore and seconded by Olivia Pearson.

MAYOR AND COMMISSIONERS' COMMENTS

Mayor Wilson gave an update on the proposed removal of trees on North Gaskin Avenue. She stated that the City had recently requested an unbiased, professional evaluation from a certified, licensed arborist and that his findings indicated a decay/deterioration in the 12 Oak trees in question. Their recommendation based on the study was to remove the trees to prevent further decay and any liability issues that could result from leaving them in this state of decline. After discussion and comments from the City Attorney regarding the potential risks involved in trying to save the trees, the Commission was in agreement that although no one was in favor of losing these huge Oak trees, the City had to act responsibly. The Mayor and Commission unanimously voted (7-0) to remove the trees immediately.

THE MOTION was made by Commissioner Olivia Pearson and seconded by Dennis Josey.

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SPLOST 2011

Commissioner Roper reminded everyone of the importance of the SPLOST vote on the 15th and encouraged everyone to cast their important vote. Mayor Wilson and other Commissioners discussed the infrastructure improvements that would be paid for by this vital sales tax and also encouraged everyone to go out and vote.

BEREAVEMENT

The Mayor and Commissioners recognized City employees who had lost their loved ones within the past few months.

PUBLIC ANNOUNCEMENTS

Georgia Henderson, Central Services Director presented the following upcoming event:

Coats and Clark will sponsor a Handcraft demonstration and exhibit which will be held at the Heritage Station Museum, March 17, 2011 at 2 p.m.

Thank you to everyone who sponsored and assisted with the Home and Garden Show.

The City of Douglas will host several events leading up to and during the week of April 18th – April 21st. There will be a “Great American Clean-Up” on the 16th, “Spring Junk-Free Week” to collect brown and white goods on Earth Day, April 21st, and Georgia Cities Week which will be the week of the 18-21st. There will also be a Town Hall meeting at the C. E. Weir Center on the 19th. Those who would like to participate are encouraged to call the Central Services Department or the Public Works Department. More information will be shared at the next Commission meeting.

Coffee Alliance for the Arts will present “Munch-N-Music” at Atkinson Plaza on April 20th.

Volunteers’ Banquet will be held on April 21st.

THE MAYOR AND COMMISSION unanimously approved (7-0) to enter into Executive Session to discuss Personnel Issues.

A MOTION WAS MADE BY Commissioner Bob Moore, seconded by Commissioner Dennis Josey and unanimously approved to adjourn the Regular Meeting at 7:50 p.m.

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EXECUTIVE SESSION

PERSONNEL ISSUES

City Manager Terrell Jacobs discussed several Personnel issues with the Mayor and Commissioners.

The Mayor and Commission unanimously approved (7-0) to reconvene to the Regular Meeting and end the Executive Session.

THE MOTION was made by Commissioner Bob Moore and seconded by Commissioner Ronnie Anderson.

ADJOURNMENT

With no further business to discuss, Commissioner Marty Swain made a motion to adjourn and his motion was seconded by Commissioner Bob Moore. The Mayor and Commission unanimously approved (7-0) the motion to adjourn the meeting at 9:30 p.m.

Jackie L. Wilson, Mayor

Cindy McNeill, Deputy City Clerk