

**MINUTES
MEETING OF THE BOARD OF COMMISSIONERS
CITY OF DOUGLAS, GEORGIA
NOVEMBER 28, 2016**

A Regular Meeting of the Board of Commissioners was held on Monday, November 28, 2016 at 7:00 P.M. in the Council Chambers of City Hall with Mayor Tony L. Paulk presiding and Mayor Pro Tem Olivia Pearson, Commissioners Bob Moore, Mike Gowen, Kentaiwon Durham, Cindy McNeill and Johnnie Lee Roper Sr. were present.

CALLED TO ORDER

The Regular Meeting of the Board of Commission was called to order by Mayor Tony L. Paulk.

INVOCATION

Reverend Kevin Vickers, Waycross Holiness Baptist Church, provided the invocation.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Lieutenant Commander Ortiz and Lieutenant Jr. Grade Metz with the Coffee County NJROTC.

APPROVAL OF THE ORDER OF THE AGENDA

The Commission approved the order of the Agenda as printed. A **MOTION** to approve the order of the Agenda was made by Mayor Pro Tem Olivia Pearson and seconded by Commissioner Cindy McNeill. The motion carried **(6-0)**.

SECOND READING OF ORDINANCE AMENDING CHAPTER 18, BUILDINGS AND BUILDING CODES

City Attorney, Jerome Adams conducted the second reading for an ordinance to Amend the Chapter 18, Buildings and Building Codes. **“AN ORDINANCE TO AMEND THE CITY OF DOUGLAS CODE OF ORDINANCES, CHAPTER 18, TECHNICAL CODES SECTION 18-31 - CODES; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES”** Jerome Adams, City Attorney stated that this ordinance was ready for action.

A **MOTION** was made by Commissioner Cindy McNeill and seconded by Commissioner Kentaiwon Durham. The motion **carried (6-0)**.

CONCERNS OF MAYOR PRO-TEM PEARSON

Mayor Pro Tem Pearson stated that she wanted her complain to be a record of the official minutes of this meeting. She stated that she filed a complaint with the Coffee County NAACP. Mr. Hal Presley present a copy of the complaint to the Mayor and Commission at the November 14th meeting. She stated that on this day, she is making a verbal complaint that she would like added to what has already been stated.

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CONCERNS OF MAYOR PRO-TEM PEARSON CONTINUED

OP: Before I get started, I want to first of all, because Mr. Mayor, I heard you say to Mr. Adams or say to Mr. Presley, correct me that personnel cannot be talked about in an open meeting. So, Mr. Adams, I need that to be clarified for me because I recall a personnel issue some years back involving one of our city employees and we chose to take that issue inside of Executive Session and we received an order from the Superior Court of Coffee County saying that we had violated law.

OP: Right, it was. So, then, doing that, bringing someone into Executive Session, how were we to discuss the matter if we didn't do it in Executive Session? Because we did it in Executive Session. But I'm referring to what the Mayor stated in terms of not discussing personnel matters in an open meeting. So, I want some clarification.

OP: Oh, okay.

OP: Right. But so in our regular open meeting like we are in now, we can talk about personnel.

OP: Thank you. So I just wanted to get that clear that we are not violating the law to discuss this issue, which brings me to my complaint that I filed with the NAACP of Coffee County approximately 2 weeks or so ago. On November 4, 2016, I received a copy of an incident report dated October 31, 2016 where a certain elected official had been involved in an incident with a Douglas Police Officer. It was disclosed to me that the officer was going to issue a citation to the Commissioner for two offenses. But however, I was informed that the officer was told by his superiors that he was not to issue the citation to the Commissioner and it would be best if that incident report was destroyed. I disclosed this information to City Manager, Terrell Jacobs and he informed me that he was aware of the incident and the he had informed Chief Casteloes that if Mayor Pro Tem Pearson learned of this, it would be a problem. Well, Mayor Pro Tem Pearson did learn of this and there is a problem.

There's not only a problem because of the discriminatory manner in which Mayor Pro Tem has been treated. But, because the citizens of Douglas, GA deserve better and more professional services than a cover up and in my opinion, that's exactly what has happened. I can assure you had this been a regular citizen or Mayor Pro Tem Pearson, if I had disobeyed what the officer had stated for me to do or a regular citizen had disobeyed, then that officer would have proceeded behind me or the other regular citizens. Our citizens deserve fair treatment and more importantly, they deserve transparency in the law, not a cover up.

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CONCERNS OF MAYOR PRO-TEM PEARSON CONTINUED

Upon learning of the various information, I requested that this Mayor and this Commission have an investigation, to conduct it to find the truth. Needless to say, the vote went three in favor of the investigation and three not in favor of an investigation. Go figure. Now, I am appalled at the actions of this Mayor and Council because I feel like we have a responsibility to do the right thing. Now, it could be said well we don't know that there is a cover up. But that's right, we don't know. But it appears to be because several sources have come to me and stated that the officer was told he was not going to issue the citation. And when he did issue it after I found out about the report, I went and got the report, and at that point, 10 days later, a citation was issued but it was not issued for what the original charge was, which was you cannot proceed down that road and the person chose to proceed down that road anyway. It was issued for not parking behind the officer's car. I am concerned about this because in my opinion, such matter is very minute. That's a small matter. I'm concerned that if we are bothered to try to cover up for a Commissioner who disobeyed the law, what would happen if it was something more serious? Now, Mrs. McNeill, Commissioner McNeill, you sat here at the last meeting and you stated to Commissioner Moore that he did in fact go down the road the officer said not to go. Commissioner Durham has confirmed that he heard you say that, Mrs. City Clerk Wynetta Bolder has confirmed that she heard you say that.

OP: Ma'am? Go ahead

OP: That's not what you stated at our last meeting

OP: No that's not what you stated and it's been confirmed by others up here that you did tell him, you it twice, "Commissioner Moore, you told me that you went down the road that the officer told you not to go down". You said it twice Mrs. McNeill

OP: But, we're not going to argue about that. We're not going to argue about that. That's fine. That pastor that come here tonight, he was asked to come here for a reason and what he spoke on had to come from God because like he said, it's not to be on one person to do what's right. It's on the whole council and if you all do not want to and look into what's happening because we have several issues going on and we all know it....we all know it, the high turnover rate, the discrepancies and how different people are treated and now I'm just to the point I'm sick and tired of it. I am really sick and tired of it. But I can assure you, you all say you're gonna get Mr. Presley something in writing.

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CONCERNS OF MAYOR PRO-TEM PEARSON CONTINUED

OP: Not only to Mr. Presley. You get me something in writing because I made the complaint. I know you're gonna do it to the whole council but see the point is, it should not have taken this long. It should not have taken two weeks ago and then for him to have to come back. We should've already had something. We should've already had something. But to those of you who did not agree to try to launch an investigation into what's going on, if there's something wrong, then you all are at fault. And I tell you, the citizens of Douglas needs to demand your resignation if you're not gonna uphold the seats that you're holding, you don't need 'em...you don't need 'em. But I'm tired. I am tired. I assure you, I am tired and this is not the last of this. This is not the last of it. This Commission had the authority to do an investigation to get down to the truth, but if you're scared, you don't need to be sitting up here. That's my complaint and I rest my case for now but that's not the end of it. I will continue to move forward to the GBI, to the FBI, ACLU, wherever I need to go into this matter. Don't sit there nodding your heads Mr. Attorney because you sat there and you heard Mrs. Cindy sat that and you didn't say anything to her at that last meeting. You didn't address it. Nobody addressed it but me when I said, "Really?"

OP: okay, okay. Thank you

OP: No we're not but I'm gonna address what he said about an indictment since he brought it up

OP: Is he finished?

OP: Yes sir. Uh, matter a fact, Commissioner Moore, you stated about an indictment. Well, the indictment was not pertaining to the stop I got out on November 2015. Now, when I got out of my car 2015, November 5th, it was because I was concerned for the life of some people, what was going on, what was wrong. I saw a young lady standing on the sidewalk as I have said numerous times. But see, had the City of Douglas Police Department afforded me what they afforded you, that wouldn't have never been on social media site. It would not ever been on Channel 10 news. It would've never been on Douglas scanner but you see I was not afforded that for whatever reason. I got out, I saw a young lady on the sidewalk to ask her what was happening. As soon as I approached her and said, "what's happening honey?" by that time, the officers began saying, "go back to your car ma'am". I began backing up, going back to my car upon them stating that. That's what I did. Even though I complied and went back to my car, it was sent to the Georgia Bureau of Investigation to investigate me to try to bring some charges against me. The GBI found not wrong doing in what I did because I went back to my car like the officer instructed me. So, the indictment that has come about, came about afterwards. After they weren't able to pin that on me, they came up with some fraudulent mess about helping people to vote. People have always helped people to vote. Just let you know a little history of it because the fact of the matter is certain people in this community do not approve of me sitting in this seat. But those people who don't approve are the ones who do not live in my district. So, to clarify with you since you're talking about an indictment, that's just a motive to get me out of

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CONCERNS OF MAYOR PRO-TEM PEARSON CONTINUED

this seat that I sit in like some of you who would really like to see it happen. So, that's what that's all about. Nothing to do with not complying with what the officer said. The indictment is about helping people to vote, since you chose to bring that up. But like I say, I was not afforded the opportunity when you got your ticket that you got, it stated under investigation. That night I got out of my car, it was not allowed to be under investigation. It was immediately, immediately sent to the media to scandalize my name and bring, try to bring shame on me but there's no shame to be brought because I did nothing wrong. Had I not complied to the officer, I would have been at fault and I would've been arrested. You didn't comply and you know you didn't comply. You've told several people that you went down the road the officer told you not to go down and so has that officer. So what I wanna know is why has his statement changed? He's been forced to change his statement, which would have been revealed if we did an investigation. But one will get done. But I just needed to respond to that about the indictment.

OP: Thank you

CONSENT AGENDA ITEMS

- **MINUTES ADOPTION –NOVEMBER 14, 2016**
- **APPROVAL OF THE REPEAL OF CITY ORDINANCE, CHAPTER 98 VEHICLES FOR HIRE**
- **APPROVAL OF SUNDAY SALES OF ALCOHOLIC BEVERAGE FEES**
- **APPROVAL OF WORK AUTHORIZATION NO. 3 T-HANGAR AREA DEVELOPMENT DESIGN PHASE**
- **APPROVAL OF APPOINTMENTS TO LAND BANK AUTHORITY- (COMMISSIONER CINDY MCNEILL AND THEODORE BRASWELL)**
- **APPROVAL OF 2016 CHIP APPLICATION**
- **APPROVAL OF AWARD OF STREET RESURFACING CONTRACT**
- **APPROVAL OF PURCHASE OF ONE (1) 2017 FORD EXPLORER PURSUIT UTILITY VEHICLE**

A **MOTION** to approve all **Consent Agenda Items** listed above as discussed in the Work Session was made by Commissioner Bob Moore and seconded by Commissioner Johnnie Lee Roper. The motion **carried (6-0)**.

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WORK SESSION ITEMS

FIRST READING- ALCOHOLIC BEVERAGE

City Attorney Jerome Adams conducted the first reading of an ordinance amending Chapter 6 Alcoholic Beverage Ordinance to allow for Sunday Alcohol Beverage sales. The second reading will be on December 12, 2016 after properly advertising caption as required under the **MINUTES**

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FIRST READING- ALCOHOLIC BEVERAGE -CONTINUED

Charter of the City of Douglas, Georgia. **“AN ORDINANCE TO AMEND THE CITY OF DOUGLAS CODE OF ORDINANCES, CHAPTER 6, ALCOHOLIC BEVERAGE SECTION 6-1, 6-7.1, AND 6-20; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES”**

No action taken at this time.

FIRST READING- DISORDERLY CONDUCT ORDINANCE AMENDMENT

City Attorney Jerome Adams conducted the first reading of an ordinance amending Chapter 62 Offenses and Miscellaneous Provisions Ordinance, Section 62-14(20) to allow for consumption of alcoholic beverages on any public sidewalk, street or any other public property, when the board of commission approves an alcoholic beverage special event permit or an approved catering event. This would also allow for alcoholic beverages to be consumed on a sidewalk where a business holds a valid sidewalk cafe' permit.

**FIRST READING- DISORDERLY CONDUCT ORDINANCE AMENDMENT-
CONTINUED**

The second reading will be on December 12, 2016 after properly advertising caption as required under the Charter of the City of Douglas, Georgia. **“AN ORDINANCE TO AMEND THE CITY OF DOUGLAS CODE OF ORDINANCES, CHAPTER 62, OFFENSES AND MISCELLANIOUS PROVISIONS, SECTIONS 62-14(20); TO PROVIDE FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES”**

No action taken at this time.

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FIRST READING- ANNEXATION & REZONING PETITION OF DOUGLAS-COFFEE COUNTY INDUSTRIAL AUTHORITY

City Attorney Jerome Adams conducted the first reading of annexation and rezoning ordinance for Satilla Industrial Park. The second reading and public hearing, after property advertising caption per city ordinance, being held on December 12, 2016. **"AN ORDINANCE TO ANNEX PROPERTY INTO THE CITY OF DOUGLAS, GEORGIA, PURSUANT TO CHAPTER 36 OF TITLE 36 OF THE OFFICIAL CODE OF GEORGIA ANNOTATED: TO PROVIDE AN EFFECTIVE DATE; AND OTHER PURPOSES."**

No action taken at this time.

ANNOUNCEMENT OF APPOINTMENTS TO THE AIR BASE PRESERVATION & DEVELOPMENT COMMITTEE

Dale Batten, Community Development Director, announced there are (7) vacancies for the Air Base Preservation & Development Committee within the next two weeks. Applications are available at City Hall, the Air Base Committee deals with the preservation and development of the World War II Army Airforce base at the Airport.

Informational Purpose Only

ADJOURNMENT

With no further business to discuss in the Regular Meeting a MOTION was made to adjourn by Mayor Pro Tem Olivia Pearson Mayor Tony Paulk and seconded by Commissioner Kentaiwon Durham. The meeting was adjourned the Regular Meeting at 8:35 p.m.

/s/_____
Tony L. Paulk, Mayor

/s/_____
Wynetta J. Bolder, Certified Municipal Clerk