

**MINUTES
MEETING OF THE BOARD OF COMMISSIONERS
CITY OF DOUGLAS, GEORGIA
DECEMBER 12, 2016**

A Regular Meeting of the Board of Commissioners was held on Monday, December 12, 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

Wynetta Bolder, City Clerk, provided the invocation.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES FROM NOVEMBER 28, 2016

Mayor Paulk stated that the minutes from the Commission meeting November 28, 2016 was tabled

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 Commissioner Cindy McNeill and seconded by Mayor Pro Tem Olivia Pearson. The motion carried **(6-0)**.

RECOGNITION OF 2016 FESTIVAL OF LIGHTS CHRISTMAS PARADE

Mayor Tony Paulk along with Commissioner McNeill and Georgia Henderson, Director of Public information Department recognized the winners for their participation in the 2016 Festival of Lights Christmas Parade.

CYNERGY CARGO TRAILER PRESENTATION

Assistant Fire Chief Casey Wright along with the City of Douglas Fire Chief Larry Wilson and the City of Douglas Police Chief Gary Casteloes introduced the General Manager Ron Vega and Mr. Bigler, Owner of Cynergy Cargo to present a trailer that was donated to the City of Douglas Fire Department and Police Department. Mr. Bigler thanked the City of Douglas for all they do and they are proud to be a part of a wonderful city.

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RECOGNITION OF 2016 CHILI/SOUP COOK-OFF WINNERS

City Manager, Terrell Jacobs stated that each year the City embarks on a Chili/Soup Cook-Off to try to raise money for the Mayors' Motorcade and Unison Behavioral Center. This year's winner was the Public Works Department. Lorinda Gray and Anthony Kirkland received the Trophy for 1st Place.

**SECOND READING AND PUBLIC HEARING – DOUGLAS-COFFEE COUNTY
INDUSTRIAL AUTHORITY ANNEXATION AND REZONING ORDINANCE**

City Attorney, Jerome Adams conducted the second reading and public hearing for Douglas-Coffee County Industrial Authority Annexation and Rezoning Ordinance **"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."** Jerome Adams, City Attorney, proceeded to call for a public hearing. There were no comments from the public and the public hearing was closed. Mr. Adams stated that this ordinance was ready for action.

A **MOTION** was made by Commissioner McNeill and seconded by Commissioner Gowen, the motion **carried (5-1)**. Mayor Pro Tem Pearson opposed the motion.

SECOND READING OF ALCOHOLIC BEVERAGE ORDINANCE AMENDMENT

City Attorney, Jerome Adams conducted the second reading for Alcoholic Beverage Ordinance Amendment **"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"** Jerome Adams, City Attorney, stated that this ordinance was ready for action.

Mr. Jacobs informed Mayor and Commission that once the ordinance is signed, the businesses need to be contacted so they will know that they are allowed to sell alcoholic beverages on Sunday at a certain time.

A **MOTION** was made by Commissioner Roper and seconded by Commissioner McNeill, the motion **carried (6-0)**.

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SECOND READING OF DISORDERLY CONDUCT ORDINANCE AMENDMENT

City Attorney, Jerome Adams conducted the second reading for Disorderly Conduct Ordinance Amendment **“AN ORDINANCE TO AMEND THE CITY OF DOUGLAS CODE OF ORDINANCES, CHAPTER 62, OFFENSES AND MISCELLANEOUS PROVISIONS, SECTIONS 62-14(20); 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 Roper and seconded by Mayor Pro-Tem Pearson, the motion **carried (6-0)**.

CONCERNS OF MAYOR PRO-TEM PEARSON

Mayor Pro-Tem Pearson began her discussion asking for the date of the last Executive Session that took place. Mr. Jacobs stated that it was the first meeting in November which would have been November 14th. Mayor Pro-Tem Pearson asked what the reason for going into an Executive Session. City Manager Terrell Jacobs stated the reason was personnel. Mayor Pro-Tem Pearson asked if it was protocol to go into Executive Session for personnel or does it have to be a disciplinary issue being discussed about the personnel matter? Mr. Adams stated that it does not have to be an Executive Session to discuss disciplinary actions. Mayor Paulk stated that it was always protocol to go into Executive Session to discuss personnel issues to protect the employees. Mayor Pro-Tem stated that in her research under Open Meetings she found something that differs from that, which states that matters in the Executive Session should be remanded to disciplinary action in Executive Session. Mr. Adams stated if you go into Executive Sessions to discuss personnel issues on a regular basis, particularly when you're considering hiring someone and those kind of things. Mayor Pro-Tem Pearson stated that it is limited to, hiring, firing, compensation, disciplinary, etc. Mayor Pro-Tem Pearson asked who had it placed on the agenda to go into an Executive Session to discuss that personnel matter. Mr. Adams stated that he does not recall. Mr. Jacobs stated we have a standing provision on the agenda that we would if there was a need to go into Executive Session. Mayor Pro-Tem Pearson stated that you all gave out some documents for that Executive Session. She stated someone had to have planned to have for an Executive Session to take place, and documents were distributed in that Executive Session. Mayor Pro-Tem Pearson stated she just needs to know who had it put on the Executive Session on that matter. Mayor Paulk stated that he does not recall but his name can be attached to it because as he stated before he thought that all personnel action was discussed in Executive Sessions and that was his error. Commissioner Roper said he was thinking the same as the Mayor. Mayor Pro-Tem Pearson stated that when Mr. Hal Presley appeared before the Commission and gave his paperwork, he was told by the Mayor that this issue was a personnel matter and we would go into an Executive Session about it. Mayor Paulk stated that at that time that was his understanding for protocol.

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CONCERNS OF MAYOR PRO-TEM PEARSON-CONTINUED

Mayor Pro-Tem Pearson asked when Mr. Presley got up to state his concern on her complaint, Mayor Paulk stated that we will talk about that in the Executive Session. She also stated that Commissioner Moore was allowed to participate in that discussion in the Executive Session that concerned him. Mr. Adams stated that from his understanding and the way he remembered that Mayor Pro-Tem Pearson stated several times to Commissioner Moore that the matter was not about him, it was about the Police Department. Mr. Adams stated that if it was something different perhaps he misunderstood. Mayor Pro-Tem Pearson stated that the matter was about Commissioner Moore, because when Mr. Presley got up to make statements about it and gave out paperwork, Mayor Paulk made the statement that we will talk about this in the Executive Session, and this is a personnel matter. Mayor Paulk stated that is correct, that was the understanding at that time, which was an error. Attorney Adams stated that Mayor Pro Tem Pearson stated it was not the action of Commissioner Moore but the actions of the Douglas Police Department. Mayor Pro-Tem Pearson stated that it was both, and as being the City Attorney, Commissioner Moore should not been allowed to participate with the discussion. She concluded there was a consensus of 3/3.

CONSENT AGENDA ITEMS

- **APPROVAL OF THE APPOINTMENT TO AIRBASE PRESERVATION AND DEVELOPMENT COMMITTEE**
- **APPROVAL OF THE 2017 DOT LOCAL MAINTENANCE IMPROVEMENT GRANT**
- **APPROVAL OF THE RESTORATION OF DOWNTOWN BENCHES**
- **APPROVAL OF THE PAINTING EXTERIOR OF MARTIN CENTRE FOR PUBLIC INFORMATION**
- **APPROVAL OF THE MAIN STREET PROGRAM MEMORANDUM OF UNDERSTANDING**
- **APPROVAL OF THE CHANGE ORDER NO. 1 – CDBG GRANT PROJECT**
- **APPROVAL OF THE TNT LIFT STATION 88 HP PUMP REPAIRS**
- **APPROVAL OF THE ESG CONTRACT WITH THE CITY OF DOUGLAS**
- **APPROVAL OF THE RATIFICATION FOR GENERATOR PURCHASE**

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

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REGULAR MEETING ITEMS

REQUEST FOR FEE WAIVER FOR GYM B FOR DOL JOB FAIR FOR 2017

Mayor Pro-Tem Pearson made a motion to waive the fee for the gym, but assess the administrative fee for the Department of Labor. Commissioner McNeill seconded the motion. The motion **carried (5-1)** with Commissioner Roper opposing.

GENERAL COMMENTS SECTION TO THE WORK SESSION

Mr. Jacobs stated that the general comments will be moved to the work session and eliminated from the regular meeting. Individuals may submit information for general comments the same day of the meeting before noon to be able to be placed on the agenda. Commissioner Durham made motion and Commissioner Moore seconded. The motion **carried (5-1)** with Mayor Pro-Tem Pearson opposing.

Mayor Paulk called for a recess

**UTILITY COMMISSION MEETING
CITY OF DOUGLAS
DECEMBER 12, 2016**

A Utility Commission Meeting was held on Monday, December 12, 2016. The meeting was convened in the Council Chambers of City Hall with Mayor Tony Paulk presiding. Pro Tem Olivia Pearson, Commissioners Cindy McNeill, Mike Gowen, Bob Moore, Kentaiwon Durham and Johnnie Lee Roper Sr. were in attendance.

Terrell Jacobs, City Manager, Jerome Adams, City Attorney and Tommy Harrell, Utility Billing and Payment Manager, Mike Hudson, Utility Director and Wynetta J. Bolder, City Clerk appeared before the Mayor and Commission to discuss and receive recommendations.

Tommy Harrell, Utility Billing and Payment Manager, presented the following information:

MRS. WHITTLE, ADJUSTMENT ON UTILITY BILL

Tommy Harrell presented Mrs. Whittle who had a problem with their thermostat while they were out of town and caused her utility bill to be extremely high. Electric Department was to investigate the problem. They called an air conditioner company and they came out and fixed the thermostat which was the problem. Mrs. Whittle appealed to the Utility Committee for an adjustment and was denied. Mr. Harrell presented four options for the Mayor and Commission to consider. After much discussion it was the consensus of the commission to deny an electric adjustment and to offer her a payment plan option.

A MOTION was made by Commissioner Durham to deny an adjustment for electric utilities and for a payment plan to be offered, seconded by Mayor Pro-Tem Pearson.

The motion **carried (6-0)**. Mayor Paulk ask for a motion to go into Executive Session. Mayor Pro-Tem Pearson made motion and seconded by Commissioner Moore.

**MINUTES
EXECUTIVE SESSION OF THE BOARD OF COMMISSIONERS
CITY OF DOUGLAS, GEORGIA
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An Executive Meeting of the Board of Commissioners was held on December 12, 2016 at 9:10 PM, in the Council Chambers of City Hall with Mayor Tony L. Paulk presiding and Mayor Pro-Tem Olivia Pearson, Commissioners, Bob Moore, Cindy McNeill, Mike Gowen, Kentaiwon Durham and Johnnie Lee Roper, Sr. present. Terrell Jacobs, City Manager, Jerome Adams, City Attorney, Wynetta J. Bolder, City Clerk and Judy Carter, Human Resources Director were also in attendance.

LITIGATION ISSUES

Terrell Jacobs, City Manager, and Judy Carter, Human Resources Director discussed litigation regarding workmen's comp with the Mayor and Commission.

Mayor Pro-Tem Olivia Pearson made the **MOTION** to adjourn from Executive Session and **MOTION** was seconded by Commissioner Johnnie Lee Roper Sr.

REGULAR SESSION

Mayor Pro-Tem Olivia Pearson made the **MOTION** to re-enter back into Regular Session and **MOTION** was seconded Commissioner Cindy McNeill.

A **MOTION** approved to pay a settlement claim of \$70, 000 to settle workmen's comp case was made by Mayor Pro-Tem Olivia Pearson and was seconded by Commissioner Cindy McNeill. The **MOTION was carried (6-0).**

ADJOURNMENT

With no further business to discuss Commissioner Bob Moore made the **MOTION** to adjourn the Regular Session. The **MOTION** was seconded by Mayor Pro-Tem Olivia Pearson. The Commission unanimously approved **(6-0)** and the meeting was adjourned at 9:20 PM.

/s/ _____
Tony L. Paulk, Mayor

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