

**MINUTES  
MAYOR AND COUNCIL MEETING  
February 4, 2010**

The Mayor and Council of the City of Franklin, Georgia, met in regular session Thursday, February 4, 2010 at city hall at 6:00 p.m.

Mayor Chapman began the meeting by welcoming everyone in attendance. Councilman Hamil gave the invocation followed by Councilman Almond leading in the pledge to the flag.

**MINUTES OF January 7<sup>th</sup>, January 21<sup>st</sup>, & January 28<sup>th</sup>**

Councilman Hamil made a motion, seconded by Councilman Almond to approve the minutes as presented. The vote was unanimous for minutes of January 7<sup>th</sup> & 21<sup>st</sup>. Councilmen Adams, Almond, Hamil, and Manders voted to approve the minutes of January 28<sup>th</sup> as presented. Councilman Rogers abstained stating he was not present for the majority of the meeting.

**APPROVAL OF ORDER OF THE AGENDA**

Councilman Manders made a motion, seconded by Councilman Adams, to restore public comments at this meeting and all future meetings. The vote was unanimous.

**PUBLIC COMMENTS:**

1. Jimmy Curtis spoke to the council about having a job fair. He said representatives of KIA and the Department of labor were interested in coming to Franklin and sponsoring it. Councilman Hamil suggested allowing Mr. Curtis to set up a date and time and get back with the Mayor and Council.

**DEPARTMENT REPORTS:**

Department Heads submitted written reports to the council.

**City Attorney Dock Davis** reported on the following:

- a. He met with Jimmy Knight of the Water Authority about the recent board appointment. There are no current restraining orders on the appointee. Should any surface in the future, the two of them will attempt to solve the problem.
- b. He has written to the D.O.T. about the problem on Newnan Street. He told the council in all fairness the original letter from the D.O.T. stated they would resurface Newnan Street.
- c. He has spoken with Rhonda McClendon and Pete Skandalakis about the Bradfield case. The defendant's attorney has had the case postponed due to its complexity. Although the insurance company is ready to settle with the city, final figures and a full report may not be available until the case goes to court.
- d. When he was the attorney for the city in the past, he was compensated at the rate of

\$200.00 a month for a retainer and \$190.00 an hour for additional work.

- e. A recent newspaper article alleged he had represented people against the city. He told the council he could represent people outside of the city or even in Superior Court when a police officer was involved and it would not be a conflict of interest, but he had never, nor would he, represent anyone in Municipal Court.

## **APPROVAL OF ORDER OF THE AGENDA**

1. Councilman Adams asked to amend the agenda to include hiring of a consultant for D.O.T. related work.
2. Councilman Manders asked to amend the agenda to include a discussion on the hiring of an assistant chief.

Councilman Adams made a motion, seconded by Councilman Hamil, to approve the order of the agenda as amended. The vote was unanimous.

## **OLD BUSINESS:**

1. Newnan Street/Sammy Noles
  - A. Councilman Adams mentioned the emergency meeting held on the 28<sup>th</sup> concerning Newnan Street. He said the council had contacted Sammy Noles based on his years of experience. He told the council, had someone with experience been available to review the contract with the D.O.T., the current situation might have been avoided. He made a motion for the city to reimburse Mr. Noles for work already done at the rate of \$25.00 an hour. Councilman Almond seconded the motion. The vote was unanimous.
  - B. Sammy Noles addressed the council about his findings and suggestions on Newnan Street. He said he had spoken to a couple of smaller contractors and both told him it would take a lot of work to get the road back to what it should be. Several areas would need to be patched and planed. The road was uneven due to the milling and to the asphalt put down by C. W. Matthews. He also mentioned he had spoken to the Water Authority who had expressed concern because many of the water and sewer lines did not have much coverage. There was a danger of collapsing utility lines. Mr. Noles said the council could either patch the road, resurface with gravel and wait until spring or they could fix it as suggested by the contractors. The council had received two bids for either option from the same individual. Councilman Rogers made a motion, seconded by Councilman Manders, to postpone the bid opening until they received more bids. The vote was unanimous.
2. **Insurance Claim**

City Attorney Dock Davis told the council the city paid for the audit. It should be made available. He said if the problem ever came up in the future, the city might consider having the audit done prior to turning the case over to the District Attorney.

  - Councilman Hamil said he was told that it being a felony count, it had to be turned over to the District Attorney. He suggested the city take the money from the insurance company and let the District Attorney's Office handle the case.
  - Councilman Adams said he would hate to see the city settle and lose money.

- Councilman Almond suggested patience and Councilman Rogers suggested the city wait.
- Councilman Manders stated the city had waited four years. They could wait a little longer.

Councilman Hamil made a motion, seconded by Councilman Adams, to table the decision for now. The vote was unanimous.

### 3. **Assistant Chief**

Councilman Manders told the council he had heard the city wanted to hire an assistant chief. He said, as a member of the police committee, he did not like telling the police department what they needed. He said if the chief needs an assistant, he can ask. He made a motion to table the hiring of an assistant chief until and unless the chief asks for one. Councilman Rogers seconded the motion. The vote was unanimous.

## **NEW BUSINESS:**

### 1. **Boys & Girls Club - Marian Boyd**

Mrs. Boyd told the council they were moving forward with plans to remodel the old gym for a Boys and Girls Club. An architect has volunteered his time and expertise on the project. The previous administration had promised the Boys and Girls Club \$50,000.00 to help with the remodeling project. This money was to be used for a new addition. She asked the current administration to honor this request and to allocate additional funds if they could.

- City Attorney Dock Davis said he thought the original agreement with the Corps of Engineers said only the County could use the property. Their approval might be needed.
- Councilman Adams said the previous administration could not obligate the administration. He said he was in favor of helping the Club but not at the old gym because of the past flooding.
- Kathy Knowles said the new gym floor will be made of concrete and the proposed addition will be elevated to prevent flooding. The County has also agreed to pay the utilities and building maintenance.
- Councilman Almond said he agreed with Councilman Adams about the gym and asked about the old elementary school. Ms. Knowles said the school had been asked and they were unwilling to work with them on this.

Councilman Almond made a motion, seconded by Councilman Adams, to table this for the present. The vote was unanimous.

### 2. **Malcolm Jackson - West Georgia Technical College**

Mr. Jackson was unable to stay for the meeting.

### 3. **City Website - Kevin Hayes**

Mr. Hayes gave a presentation to the council about establishing a city website, the monthly costs, and what could be included. The initial cost would be \$1470.00 and the monthly upkeep would be \$545.00. Councilman Adams said he thought this would make for a better government because it's activities would be more transparent. The website would be used exclusively for city business. Councilman Rogers made a motion, seconded by Councilman

- Hamil, to place this on hold for more research due to the cost. The vote was unanimous.
4. **Grant Committee - Councilman Adams**  
Councilman Adams asked the council to grant permission for him and Councilman Manders to speak to various grant writers to see what might be available. Councilman Rogers made the motion. It was seconded by Councilman Almond. Councilman Almond, Hamil and Rogers voted in favor of the motion. Councilman Adams and Manders abstained.
  5. **Handicapped Ramp at Village Inn**  
Mayor Chapman told the council an additional ramp was needed in front of the Village Inn. Several elderly people had fallen while attempting to use the steps. Councilman Hamil and Alan Holcomb were waiting on an estimate of what was needed and how it would have to be fixed. Councilman Hamil made a motion, seconded by Councilman Almond, to get an estimate of what was needed and advertise for bids. Councilman Adams asked to include that all bids were final. Changes could not be made without prior approval. The vote was unanimous.
  6. **Attorney Compensation**  
Councilman Almond made a motion, seconded by Councilman Hamil, to pay the City Attorney a monthly retainer of \$200.00 a month, pay him at the rate of \$190.00 an hour for additional work, and \$300.00 an hour for court work. The vote was unanimous.
  7. **Judge Compensation**  
Councilman Hamil made a motion, seconded by Councilman Adams, to raise the judge's compensation from \$1000.00 a month to \$1250.00 a month making it the same as the solicitor. Councilmen Adams, Almond, and Hamil voted in favor of the motion. Councilmen Manders and Rogers, citing the additional expense, opposed the motion.
  8. **GMA District 4 Nomination**  
This seat is vacant due to former Councilman Ray Hand not seeking re-election. Councilman Hamil made a motion, seconded by Councilman Manders, to allow GMA to make the nomination. The vote was unanimous.
  9. **Meal Allowance - Per Diem**  
The current meal allowance is \$50.00 a day. The council discussed the possibility of raising this amount due to the high costs in some cities. They specifically cited Atlanta and Savannah. The council was unable to reach a consensus. Councilman Hamil made a motion, seconded by Councilman Manders, to leave it at \$50.00 a day. The vote was unanimous.
  10. **Buzzards at the Park**  
V. D. Massey, a local resident and business owner, spoke to the council about buzzards roosting in the trees along the river. He said they were killing the tops of the trees. The council said they could not legally disturb the birds. Councilman Manders made a motion, seconded by Councilman Almond, to contact either the Fish and Game Department or Park Rangers to see if anything could be done. The vote was unanimous.
  11. **Clean Up at City Shop/Milled Asphalt**  
Councilman Hamil said this was put on the agenda at his request. He told the council that after the council meeting in January, he received a call from his wife a representative from the E.P.D. was at their house. She was looking at the material that had been placed in the ditch behind his house and at the city shop. He will be required to place a silt fence around the area and cover

the exposed material with dirt. The E.P.D. will then give him a clean bill of health. The City will be required to haul off all of the debris, except the asphalt, to an approved landfill. He also said, for the present, he wanted to resign from Street Department Committee. Councilman Adams said there were still people who wanted some of the asphalt and the city needed to decide what they were going to do with it. Alan Holcomb said he could use about half of it at the city shop and suggested giving the rest of it away. Councilman Almond suggested allowing Mr. Holcomb to use his own judgement about how much to give away. The city will load the asphalt but will not haul it for anyone. Everyone will also need to sign a waiver absolving the City from damages. Councilman Manders made the motion. It was seconded by Councilman Hamil. The vote was unanimous.

#### **COUNCIL COMMENTS:**

1. Councilman Adams thanked citizens of Franklin for their interest in city government.

#### **EXECUTIVE SESSION:**

Councilman Hamil made a motion, seconded by Councilman Adams, to go into an executive session to discuss personnel and land acquisition. The vote was unanimous.

Councilman Adams made a motion, seconded by Councilman Almond, to re-enter the regular session. The vote was unanimous.

Mayor Chapman told the public Councilmen Adams and Manders will check on grants for land acquisition and the City Attorney will write to an employee about insurance.

Councilman Hamil made a motion, seconded by Councilman Adams, to sign the affidavit certifying what was discussed in executive session.

There was no further business to conduct and Councilman Rogers made a motion, seconded by Councilman Manders, to adjourn. The vote was unanimous.

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Teresa Chapman, Mayor

#### **Members Present:**

Shane Manders, Post #1  
Willie Almond, Jr., Post #2  
Joel Rogers, Post #3  
Johnny Adams, Post #4  
Jimmy Hamil, Post #5

#### **Clerks Present:**

Myra Braswell  
Marian Boyd, Deputy Clerk

#### **Employees Present:**

Alan Holcomb, Public Works Supervisor  
Kevin Hannah, Chief of Police