**MINUTES**

**MAYOR AND COUNCIL MEETING**

**December 6, 2012**

The Mayor and Council of the City of Franklin, Georgia, met in regular session Thursday, December 6, 2012 at city hall at 6:00 p.m.

Mayor Pro Tem Johnny Adams began the meeting by welcoming everyone in attendance. He told the public there was a sign up sheet for anyone wanting to speak under public comments. Brandon Brooks, Pastor of Prospect Church gave the invocation followed by Councilman Almond leading in the pledge to the flag.

Council Manders told the council would like to make a statement for the record. He is the owner of the property housing Rogers Loco Rio. He is not affiliated with the business in any way.

**MINUTES OF November 1, 2012**

Councilman Rogers made a motion, seconded by Councilman Manders, to approve the minutes as presented. The vote was unanimous.

**ORDER OF THE AGENDA**

Mayor Pro Tem Adams asked to amend the agenda to under old business to add a discussion about the 2% excise tax. Mayor Pro Tem Adams made the motion to amend the agenda. It was seconded by Councilman Manders. The vote was unanimous.

**DEPARTMENT REPORTS:**

**Finance -** City Clerk Myra Braswellsubmitted a written report. She also spoke briefly on the following:

1.LOST revenues were back up in November but still down about $100,081.93 from the same time period last year.

 2. Expenditures are where they should be.

 3. Amendments have been made to the 2012 budget to include expected expenses through December and January.

**Police Department** - Chief Hannah was not present and submitted a written report.

**Street Department -** Street Department Supervisor Alan Holcomb spoke on the following:

 1. Mr. Holcomb told the council he had spoken to Tyler Parmer about rebuilding the motor on the trash truck. He was told the only way he would do it would be to remove the motor and rebuild it. The cost would be approximately $10,000.00. A new motor from Jasper would be $10,500.00 with a three year 36,000 mile warranty. Councilman Hamil made a motion, seconded by Councilman Manders, to purchase a new motor. Mayor Pro Tem Adams asked to amend the motion to include training, a designated driver, and the purchase being conditional upon it being able to be purchased with SPLOST funds. The motion, as amended, was unanimously approved.

Councilman Manders had to leave the meeting at this point.

**City Attorney David Mecklin -** Mr. Mecklin spoke on the following:

1. LOST Litigation - Senior Judge William Smith of Pine Mountain had been appointed to hear the case. He expects to meet with him soon to establish a schedule of when the case will be heard. The final hearing date will be set by the judge and could be after the first of the year.

**NEW BUSINESS:**

**1. 2013 Budget** - Mayor Pro Tem Adams presented the budget to the council and explained what items had been omitted in order to have a balanced budget. They are:

A. No called council meetings.

B. No training for mayor and council.

C. No phone allowance for the mayor.

D. No training for the clerk other than required election training.

E. No uniform rental for the street department. Uniforms will be purchased.

F. Cleaning supplies will be purchased on an as needed basis.

G. Maintenance and repairs for the fire department have been eliminated. The LOST agreement specified utilities only.

H. No Health Reimbursement Accounts.

The city saved $55,000.00 a year by bidding out the insurance. The budget includes a $.50 an hour raise for all employees. The overall budget was cut by $88,000.00 from the previous year.

Councilman Rogers said the city had spent $48,793.00 in 2011 for phone allowances, training, insurance and HRA for the elected officials. He stated he did not think the city should have to pay this. Councilmen Almond and Hamil objected to this stating Councilman Rogers had other insurance and they did not. Mayor Pro Tem Adams ended the discussion by stating he and the clerk had worked for two months on the budget and the charter called for the mayor to present the budget to the council for approval. Mr. Mecklin confirmed this and said he had presented balanced budget. Mayor Pro Tem Adams made a motion to approve the budget as presented. It was seconded by Councilman Hamil. The vote to approve was unanimous.

**2. 2012 Budget Amendments -** The council was presented with final budget amendments for 3012. Councilman Rogers made a motion, seconded by Councilman Hamil, to approve the budget as amended. The vote to approve was unanimous.

**3. Special Prosecutor -** Mayor Pro Tem Adams told the council the judge may have to try a case in city court on which the city prosecutor, Michael Arrington, will have to be excused due to a conflict of interest. He would like the council to give the judge the authority to appoint a special prosecutor if needed. Mr. Mecklin said the case may be heard in Superior Court. The council needs to give the judge authority to appoint the District Attorney as prosecutor. This would be at no cost to the city. Councilman Hamil made the motion. It was seconded by Councilman Almond. The motion to approve was unanimous.

**OLD BUSINESS:**

**1. Rental Property** - The city received one bid from Georgia Container. They bid $5900.00 to demolish the property. The city wanted to sell the property not pay someone to demolish it. Mr. Mecklin suggested the city table the bid. Councilman Hamil made a motion the city reject the bid and rebid it in January. Councilman Rogers seconded the motion. The motion was unanimously approved.

**2.** **2% Excise Tax -** Mayor Pro Tem Adams told the council he had met with the county and they had decided not to implement the 2% excise tax. It would only bring in about $400.00 a year to the city. It might also stop any new growth in the area. His recommendation was not to pass the excise tax. Councilman Almond made a motion, seconded by Councilman Hamil, not to pass the excise tax. The vote to approve was unanimous.

 **PUBLIC COMMENTS:** Greg Holcomb asked to address the council.He had been approached earlier by the city clerk to be the announcer at the Christmas parade. Last minute changes, from a restaurant opening eliminating the usual place for an announcer to set up and not having the necessary equipment, resulted in the city having to make other arrangements. Mr. Holcomb thought he should be compensated for his time at the usual rate. He was advised to meet with the city attorney after the meeting to discuss the situation.

 **COUNCIL COMMENTS:**

1. Councilman Almond wished everyone a Merry Christmas and a Happy New Year.

2. Mayor Pro Tem Adams reminded the council of the Christmas Dinner at the community center on December 21, 2012 at 6:30 pm and of a Chamber breakfast January 13, 2013 from 7:30 - 8:30 at the community center.

**EXECUTIVE SESSION:**

Councilman Rogers made a motion, seconded by Councilman Almond, to enter in an executive session to discuss personnel. The vote was unanimous.

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

Mayor Pro Tem Adams said the council discussed a personnel issue. No decisions were made.

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

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Johnny R. Adams, Mayor Pro Tem

**Members Present: Clerks Present:**

Shane Manders, Post #1  Myra Braswell

Willie Almond, Jr., Post #2

Joel Rogers, Post #3

Jimmy Hamil, Post #5