



CITY OF PORT WENTWORTH

CITY COUNCIL

MAY 24, 2018

Council Meeting Room

Regular Meeting

7:00 PM

305 SOUTH COASTAL HIGHWAY
PORT WENTWORTH, GA 31407

1. CALL MEETING TO ORDER

Mayor Gary Norton called the meeting to order.

2. PRAYER AND PLEDGE OF ALLEGIANCE

Council Member Bill Herrin led in prayer and the Pledge of Allegiance.

3. ROLL CALL - CLERK OF COUNCIL

Attendee Name	Title	Status	Arrived
Gary Norton	Mayor	Present	
Paul Fox	Council Member	Present	
Linda Smith	Council Member	Present	
Shari Dyal	Council Member	Present	
Bill Herrin	Council Member	Present	
Thomas Barbee	Council Member	Present	
James L. Coursey, Jr.	City Attorney	Present	
Shanta Scarborough	Clerk of Council	Present	
Brian Harvey	Director of Development Services	Present	
Matt Libby	Director of Public Safety	Present	
Jimmy Stewart	Wastewater Treatment Manager	Present	
Lee Sherrod	Police Major	Present	
Lance Moore	Chief of Fire Operations	Present	
Jim Vaughn	City Engineer	Present	
Trent Long	City Engineer	Present	
Carter Crawford	Interim City Administrator	Present	

4. APPROVAL OF AGENDA

Council Member Bill Herrin made a motion to approve the agenda with the following additions and changes:

- Under **New Business** add Item #C., Crossgate Well Permit for Evans Concrete to locate a temporary well at the Dynacraft construction site, 1501 Crossgate Road.
- Under **New Business** add Item #D., Alcoholic Beverage License Application submitted by Charlene Singleton for a Beer / Wine License, Pouring - Beer, Wine, & Liquor License, and Sunday Sales License for Boomer's Inc (7202 Highway 21) located in a P-C-3 (Planned General Business) Zoning District.
- Under **Executive Session** add Personnel Matter.
- Move **Public Comments/Registered Speakers** above Executive Session.
- Under **Communications & Petitions** Council Member Thomas Barbee would like to make a statement.

Seconded by Council Member Linda Smith. Council Members Paul Fox and Shari Dyal opposed.

5. RECOGNITION OF SPECIAL GUESTS

There were none to report.

6. ELECTIONS & APPOINTMENTS

There were none to report.

7. ADOPTION OF MINUTES

A. City Council - Regular Meeting - Apr 26, 2018 7:00 PM

Council Member Shari Dyal stated that she would like to make one change to the Thursday, April 26, 2018 Regular City Council Meeting, which is to correct the motion for item 12A that she did not approve.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Bill Herrin, Council Member
SECONDER:	Linda Smith, Council Member
AYES:	Fox, Smith, Dyal, Herrin, Barbee

B. Executive Session - April 26, 2018

Council Member Bill Herrin made a motion to approve the minutes of the April 26, 2018 Executive Session. Seconded by Council Member Paul Fox. Vote was unanimous.

8. COMMUNICATIONS & PETITIONS

Council Member Thomas Barbee stated that he would like to go on record "that this communication is the truth and that he is here to tell the truth and nothing but the truth. The State Board of Georgia Campaign Finance Commission has issued a correspondence rejecting the complaint that was filed by newly elected Linda Smith, her sister and Bill Herrin. There was no ethics violation on my 2015 campaign paperwork."

Council Member Bill Herrin asked where did this documentation come from?

Council Member Thomas Barbee replied by stating that Mr. Herrin was issued a copy of the same documentation that he received.

Council Member Bill Herrin then went on to state that the State of Georgia rejected the request simply because they do not deal with campaign contributions; that this would have to be handled by a judge. For this reason, a judge was appointed and a trial was held a couple of weeks ago and we are waiting on the results of that trial. And so, to my knowledge nothing has been cleared yet.

Council Member Linda Smith interjected to confirm what Council Member Bill Herrin said, which is that the State rejected it only because of jurisdiction not because of what Mr. Barbee says "the truth of the matter." Mrs. Smith further stated that the documentation was sent to her and Mr. Herrin and it is ours.

Council Member Thomas Barbee indicated that "there is a lot of talk about the perception of things, but when the truth comes out no one wants to produce the document. If they have the document, I would like a copy to see the truth and not hear it from someone else's mouth, not he-say-she-say, but the actual document. If you have a document why not share it. You're a public official. You're trying to disgrace my name; you're trying to disqualify me for some bullcrap. If you have a document, why not display it. The truth."

Council Member Linda Smith asked that Council Member Thomas Barbee watch his grammar and that she does not think this is, in Mr. Barbee's words, "bullcrap". When the complaint was

filed with the State it was not understood that they did not have jurisdiction. We were advised by the City Attorney, that was here at the time of filing, to go to the Special Master's and not to vote because doing so would be breaking a violation. "They chose to vote. I am not after anybody. I do not want to draw blood or anything like that. All I want is to let's do this and do it the right way."

Council Member Thomas Barbee went on to ask "is she going to produce the document?"

Council Member Linda Smith stated that "Mr. Barbee has requested a document that is mine and if I wanted to share it with him I would. I do speak the truth, Mr. Herrin speaks the truth. The documentation of the matter that's being resolved, that will hopefully be resolved very soon, is on file locally. We are doing it the local way. Simply put and no he cannot have a copy of my letter."

9. COMMITTEE REPORTS

A. Committee Reports

Council Member Bill Herrin made a motion to dispense with the reading of the committee reports and make them part of the minutes. Seconded by Council Member Paul Fox. Vote was unanimous.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bill Herrin, Council Member
SECONDER:	Paul Fox, Council Member
AYES:	Fox, Smith, Dyal, Herrin, Barbee

10. CONSENT AGENDA

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bill Herrin, Council Member
SECONDER:	Thomas Barbee, Council Member
AYES:	Fox, Smith, Dyal, Herrin, Barbee

- A. Change Order No. 1 from Griffin Contracting, Inc., in the Amount of \$2,500.00 for the Phillips Ave Paving Project
- B. Pay Request #3 from Griffin Contracting, Inc., in the Amount of \$150,119.54 for the Phillips Ave Paving Project
- C. BRW Construction Final Payment for Solids Building Improvements

11. UNFINISHED BUSINESS

There were none to report.

12. NEW BUSINESS

- A. Alcoholic Beverage License Application submitted by Earlishia Collins for a Beer / Wine License for SAI 18 Inc (101 North Coastal Highway) located in a P-C-2 (Planned Community Business) Zoning District.

Earlishia Collins was present to answer any questions from Mayor and Council.

Council Member Paul Fox stated that when you are issued a license to sell beer/wine here we hold you to a standard. With that being said, what policies do you have in place to assure that no minors are served?

Mrs. Collins responded by stating that they will be checking ID's, following the law by carding each time. She also stated that she is new to this and is open to whatever suggestions Council may have and would like a copy of any guidelines, if available.

Council Member Shari Dyal asked Mrs. Collins when did she take ownership of the property?

Mrs. Collins stated that she took ownership on the day that the application was filed, which was April 2, 2018.

Major Lee Sherrod stated that the Port Wentworth Police Department will have Sgt. Chamberlain to go by the location to meet with and go over the laws with Mrs. Collins. He also stated that since this location will be keeping the same employees, he urges that the staff be sent through training so that they will know the laws and what's expected due to this location being busted several times in the past for serving minors.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bill Herrin, Council Member
SECONDER:	Thomas Barbee, Council Member
AYES:	Fox, Smith, Dyal, Herrin, Barbee

B. Rice Hope Force Main Water Easement

Council Member Linda Smith recommended approving this item.

Mayor Gary Norton stated that this item involves running a waterline from Abercorn Creek over to the water works.

City Attorney James G. Conway Jr. stated that he has been in contact with the Georgia Department of Transportation (GDOT) lawyer and this particular item concerns an easement that has been partially relocated south of where it now exists. Port Wentworth is being asked to Quitclaim a portion of its easement to GDOT and in return GDOT is granting a new easement to Port Wentworth. So essentially, this will be a land swap.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bill Herrin, Council Member
SECONDER:	Linda Smith, Council Member
AYES:	Fox, Smith, Dyal, Herrin, Barbee

C. Crossgate Well Permit for Evans Concrete to locate a temporary well at the Dynacraft construction site, 1501 Crossgate Road

Drew Gully with Evans Concrete was present to answer any questions of Mayor and Council. Mr. Gully also stated for the record that Evans is looking to put in a well to supply water to the temporary plant onsite to supply concrete for this warehouse.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bill Herrin, Council Member
SECONDER:	Linda Smith, Council Member
AYES:	Fox, Smith, Dyal, Herrin, Barbee

D. Alcoholic Beverage License Application submitted by Charlene Singleton for a Beer / Wine License, Pouring - Beer, Wine, & Liquor License, and Sunday Sales License for Boomer's Inc (7202 Highway 21) located in a P-C-3 (Planned General Business) Zoning District.

Council Member Bill Herrin suggested that the motion for this item be made as follows: to approve a RESOLUTION by the City Council, after full consideration of the facts and

circumstances of the Charlene Singleton and Boomers Inc. 2017 liquor license, that Council recommends to the Mayor, as Chief Executive Officer, that the 2017 alcohol license FEE be repaid to the license holder.

Council Member Paul Fox recommended that Mrs. Singleton be refunded as soon as possible so that there are no further delays.

Clerk of Council, Shanta Scarboro, stated that Mrs. Singleton will be refunded within seven (7) to ten (10) business days.

Mayor Gary Norton stated that he wanted to be certain that Mrs. Singleton was refunded her money for all fees paid for the 2017 alcohol license. He also conveyed that all of our businesses deserve to be treated with respect as well as relayed the importance of the City doing the right thing. He also offered Mrs. Singleton an opportunity to speak, but she declined.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Linda Smith, Council Member
SECONDER:	Shari Dyal, Council Member
AYES:	Fox, Smith, Dyal, Herrin, Barbee

13. RESOLUTIONS/ORDINANCES/PROCLAMATIONS

A. Ordinance No, 18-16, Budget FY19, First Reading

Glenn Jones, 309 Clifton Drive, approached the podium to ask Mayor and Council if the millage rate will remain the same and if the budget can be approved today?

Mayor Gary Norton replied "yes".

Interim City Administrator, Carter Crawford stated that the amount of money that the City will be receiving in taxes is projected the same as last year. We do not anticipate any increase.

Council Member Thomas Barbee stated that there are a few things in the budget that need to be re-addressed and suggested having another meeting before approving the first reading.

Council Member Shari Dyal stated that she agrees with Mr. Barbee and has noticed a few conflicts and thinks it be best if Council meets again.

Council Member Paul Fox made a motion to delay the first reading stating that Council does need to review the budget more due to only having two budget workshops and that the figures are not correct. Mr. Fox believes that Council are stewards of the citizens money and to approve the first reading would be wrong on all of our parts. He further stated the issue of only having two meetings isn't enough and that he does not feel comfortable in moving forward.

Council Member Linda Smith stated that she thought the first reading was to just get the budget on the table and that this is not the final reading. She too suggested having a workshop to discuss any discrepancies and/or changes.

Mr. Crawford stated that he understood it to be that way also. That this is the first reading on the Ordinance and Public Hearing and that the budget would be discussed further during an upcoming Council Retreat planned for Saturday, June 2, 2018.

Council Member Bill Herrin stated that he was under the impression that more workshops would be held to discuss the budget and that it was also his understanding that if we delay the first reading we will have to come back in session to have a first reading again, before we can give the final approval in the June meeting.

Matt Libby, Public Safety Director, advised Council that if they wish to move forward in delaying the approval of the first reading that a Special Called Meeting would have to be scheduled, sooner than later, to give final approval of the first reading. Therefore, a workshop needs to be set immediately so that everyone will know when it is and so that Mr. Crawford will have time to make the changes to the budget. This is an extra step that will need to be done, which it can be, but it is important that everyone understands this.

Glenn Jones stated that the first reading is nothing more than to get the budget on the table because you have to have two readings. Several workshops can be held, after approving the first reading, to make any changes that Council wants. But the budget has to be approved during the June meeting for adoption on July 1. The first reading is being presented to the public for approval. The second reading during the June Council meeting will be the final reading and the one that will be approved for the next fiscal year.

Mr. Crawford then went on to say that this process is just for presenting the budget and having a hearing on it. He suggested having a Public Hearing before the June 28, 2018 Regular City Council Meeting so that during the meeting the final budget can be passed. In the meantime, Council can meet to straighten out any discrepancies.

Council Member Paul Fox spoke out again and stated that he was fine with how the former Mayor stated things, but that when he looks at the final figures he is not happy and that some of the things on the budget will have to change. He does not feel that two meetings on the budget is enough.

Council Member Bill Herrin responded to Mr. Fox's statement by saying that he believes everyone agrees that the budget needs to be approved but that there is nothing to stop the process. The vote is just letting the people know that we are working on the budget that we are trying to bring together and they are open to attend any workshops.

Council Member Linda Smith questioned that Mr. Fox amend his motion.

Council Member Paul Fox stated that he will amend the motion to approve the first reading with the intent to have more meetings on the budget and that some things will change.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Paul Fox, Council Member
SECONDER:	Linda Smith, Council Member
AYES:	Fox, Smith, Dyal, Herrin, Barbee

B. Ordinance No.18-17, Budget Adjustment FY18, Administration, First Reading

Council Member Bill Herrin requested that the audience be made aware of why this item was placed on the agenda.

Clerk of Council, Shanta Scarborough, stated that due to the payout to former City Administrator, Phillip Claxton, as part of his Separation and Release Agreement this particular line item became over-budget.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bill Herrin, Council Member
SECONDER:	Shari Dyal, Council Member
AYES:	Fox, Smith, Dyal, Herrin, Barbee

C. Ordinance No.18-17, Budget Adjustment FY18, Administration, Second Reading

RESULT: APPROVED [UNANIMOUS]
MOVER: Bill Herrin, Council Member
SECONDER: Shari Dyal, Council Member
AYES: Fox, Smith, Dyal, Herrin, Barbee

- D. Ordinance No.18-18, Budget Adjustment FY18, Court Insurance, First Reading
 Council Member Paul Fox asked what is the Court Insurance for?

Clerk of Council, Shanta Scarboro, stated that Court Insurance is the name of one of the funds that salaries are paid out of. When the budget was done for FY18 an additional staff member was added to cover their salary. The fund typically covered only two personnel, but again in FY18 a third employee was added, thus causing this line item to go over-budget.

Council Member Shari Dyal asked when was this third person added?

Mrs. Scarboro responded by stating "I don't know. This was done during the time of the former Director of Administrative Services, Rebekah Reddish, who is no longer employed by the City."

RESULT: APPROVED [UNANIMOUS]
MOVER: Bill Herrin, Council Member
SECONDER: Paul Fox, Council Member
AYES: Fox, Smith, Dyal, Herrin, Barbee

- E. Ordinance No.18-18, Budget Adjustment FY18, Court Insurance, Second Reading

RESULT: APPROVED [UNANIMOUS]
MOVER: Bill Herrin, Council Member
SECONDER: Paul Fox, Council Member
AYES: Fox, Smith, Dyal, Herrin, Barbee

- F. Ordinance No.18-19, Budget Adjustment FY18, Stormwater - Overtime, First Reading
 Council Member Paul Fox asked who does the Stormwater Overtime fund cover?

Brian Harvey, Director of Development Services, stated that this particular line item covers employees Joey Morrison and Donald Scott.

RESULT: APPROVED [UNANIMOUS]
MOVER: Paul Fox, Council Member
SECONDER: Bill Herrin, Council Member
AYES: Fox, Smith, Dyal, Herrin, Barbee

- G. Ordinance No.18-19, Budget Adjustment FY18, Stormwater - Overtime, Second Reading

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Paul Fox, Council Member
SECONDER: Bill Herrin, Council Member
AYES: Fox, Smith, Dyal, Herrin, Barbee

- H. Ordinance No.18-20, Budget Adjustment FY18, Solid Waste - Salaries, First Reading
 Council Member Paul Fox asked who does the Solid Waste fund cover?

Clerk of Council, Shanta Scarboro, stated that this is another line item that covers employee salaries. There are five (5) staff members that are currently being paid from this fund.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Paul Fox, Council Member
SECONDER: Bill Herrin, Council Member
AYES: Fox, Smith, Dyal, Herrin, Barbee

- I. Ordinance No.18-20, Budget Adjustment FY18, Solid Waste - Salaries, Second Reading

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Bill Herrin, Council Member
SECONDER: Paul Fox, Council Member
AYES: Fox, Smith, Dyal, Herrin, Barbee

- J. Ordinance No.18-21, Budget Adjustment FY18, Leisure Services/Retirement - GMEBS, First Reading
 Clerk of Council, Shanta Scarboro, stated that this line item was under-budgeted.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Linda Smith, Council Member
SECONDER: Paul Fox, Council Member
AYES: Fox, Smith, Dyal, Herrin, Barbee

- K. Ordinance No.18-21, Budget Adjustment FY18, Leisure Services/Retirement - GMEBS, Second Reading

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Bill Herrin, Council Member
SECONDER: Paul Fox, Council Member
AYES: Fox, Smith, Dyal, Herrin, Barbee

- L. Ordinance No.18-22, Budget Adjustment FY18, Sewer - Overtime, First Reading

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Paul Fox, Council Member
SECONDER: Bill Herrin, Council Member
AYES: Fox, Smith, Dyal, Herrin, Barbee

- M. Ordinance No.18-22, Budget Adjustment FY18, Sewer - Overtime, Second Reading

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Bill Herrin, Council Member
SECONDER: Linda Smith, Council Member
AYES: Fox, Smith, Dyal, Herrin, Barbee

- N. Ordinance No.18-23, Budget Adjustment FY18, Water Salaries, Overtime, Insurance Group, First Reading

Council Member Shari Dyal stated that this is almost a \$46,000 budget adjustment and asked how many persons does this cover?

Clerk of Council, Shanta Scaboro, stated that ten (10) employees are paid from the Water Salaries line item. Mrs. Scaboro went on to further explain that staff is setup to be paid at a certain percentage under line items. For example, a staff member that works in administration is not necessarily paid at 100% from the administrative line item.

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Bill Herrin, Council Member
SECONDER: Linda Smith, Council Member
AYES: Fox, Smith, Dyal, Herrin, Barbee

- O. Ordinance No.18-23, Budget Adjustment FY18, Water Salaries, Overtime, Insurance Group, Second Reading

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Shari Dyal, Bill Herrin
SECONDER: Linda Smith, Council Member
AYES: Fox, Smith, Dyal, Herrin, Barbee

14. PUBLIC COMMENTS - REGISTERED SPEAKERS

Mayor Gary Norton stated that he is going to allow Public Comments to go before the convening of Executive Session.

Charles Russell, addressed Mayor and Council and thanked them for allowing him to speak. Mr. Russell stated that he was ousted out when the Georgia Ports took over and is speaking on behalf of some of his family members to ask that something be done to remember his family. Mr. Russell went on to further state his concern that their legacy is not being remembered. If you were not born on Grange Road, you may not know anything about it. He asked that people be made known as to who was there first; the Russell's, the Jackson's, the Steele's and others. Mr. Russell also shared that his family is a part of the Mulberry Grove Plantation and because they are proud to once have been a part of Port Wentworth to please remember his family.

Mayor Gary Norton stated that he has been part of this City since 1958. That he went to school with the kids from Grange Road, knew a lot of them and that they were good people from a good community.

Gary Cubbedge, 219 Aberfeldy Street, expressed his appreciation to Mayor and Council for the opportunity to speak. Mr. Cubbedge thanked Brian Harvey and the Public Services staff for getting his trash picked up due to his illness that took place over a year ago. He also thanked Lara Horne, Director of the Port Wentworth Senior Citizens Neighborhood Center, for the excellent home cooked meals and activities they provide for seniors. Mr. Cubbedge went on to thank the Fire & Rescue Team for the manner in which they aided him quickly during a recent fall inside his home and the Police for consistently patrolling the neighborhood. Lastly, he extended his thanks to the ladies of City Hall for always being willing to assist him with any problems he may have.

Carol Litzinger, 104 Gordon Street, thanked the First Responders for the manner in which they quickly and professionally responded to the plane crash on Wednesday, May 2, 2018 and said that she is very proud of everyone and glad to be part of this City.

15. EXECUTIVE SESSION

Council Member Bill Herrin made a motion to adjourn into Executive Session for the purpose of property acquisition and personnel matters. Seconded by Council Member Paul Fox. Vote was unanimous.

16. ADJOURNMENT

Council Member Thomas Barbee made a motion to reconvene the Regular City Council Meeting. Seconded by Council Member Paul Fox. Vote was unanimous.

There being no further business, Council Member Linda Smith made a motion to adjourn. Seconded by Council Member Thomas Barbee. Vote was unanimous.

Mayor Gary Norton

DRAFT

The foregoing minutes are true and correct and approved by me on this _____ day of _____, 2018.

ATTEST:

Shanta M. Scarboro, Clerk of Council