

# City of White, GA

## City Council Meeting

### October 2, 2023

Present at the meeting were Mayor Curtis Powell, Councilmembers Kim Billue, Stephanie Nicholson, Gary Crisp, Charles Buttrum, City Attorney Brandon Bowen, and City Clerk Robin Cochran.

The meeting was called to order by our mayor at 7:01. He led us in the saying of the pledge. Councilmember Nicholson led the invocation.

Mayor Powell asked for the approval of the minutes from Feb 6, 2023, and Sept 11, 2023. Councilmember Crisp stated that he had not had a chance to read the minutes yet and could we come back to it.

Mayor Powell opened the meeting with second reading of the two zoning presentations. Petro Partners and Wayne Davis Concrete.

Mr. Prince, representative of Petro Partners, addressed the council asking what other questions that had regarding this rezoning. Powell reminded the council this was a C1-C2 request. Councilmember Billue asked Prince if he would explain what his company does once more for the citizens. Prince explained that the facility will clean fuel tanks. He stated the process in detail, how they separate the dirt from the fuel to reduce the amount of fuel that ends up in landfills. His company is working towards zero emissions and being environmentally friendly. Powell asked if council had anything else.

Mayor Powell opened the floor for public comments. Pastor Jerry Jude cited many reasons how the Petro plant would affect the lives of the citizens, our community, and his family personally. Jude said we needed a community where we can raise our families. He stated there's no benefit to the community for the business to be here. Jude reminded the council to make the right choice and not approve the rezoning. Jean Swank spoke in favor of the Petro plant stating that the planning/zoning committee had recommended the application for approval. Swank stated that they had a responsible plan and would not increase the traffic in the Shell Station area. Powell asked for further public comment. Mr. Prince stated that there would be a small building on site with a few offices. He informed the council that this would not be a large operation. Prince stated that the additional traffic impact per week would be less than the Shell Station has in a few days. He stated there are only 3-4 trucks they would be running. Powell asked if there was an existing facility. Prince stated that their facility is currently just outside the city limits. Councilmember Billue asked him what makes you want to come inside the city to which Prince answered property. Councilmember Crisp asked about inspection of the facility. Prince answered yes there are inspections. The mayor closed the public comment section.

Powell continued the meeting by asking for a motion to approve the rezoning application from C1-C2 (Petro Partners). Councilmember Nichelson restated that this application was approved by the planning/zoning committee. Nichelson made the motion to rezone the property from C-1 to C-2. Councilmember Billue stated that she had a question asking what revenue will it bring into the city. Nichelson stated that there would be a business license. Billue replied that would be \$60 a year. Nichelson stated that no one else has offered to put in a business on the property. Nichelson repeated her motion. Powell asked for a second. No second given so the motion does not carry. Councilmember Nichelson stated that she was concerned about the council members who had plenty of time to ask their questions. Councilmember Crisp stated he needed to get a better understanding and speak to the citizens about how they feel. Powell stated that the signs were placed on the property on Aug 2<sup>nd</sup> and the ad was in the paper on Aug 3. Powell reaffirmed with our attorney that our ordinance does not require letters be sent to adjoining properties. Attorney Bowen restated that was true but added that several rounds of letters were sent. Citizen Jerry Jude asked questions about the date of the sign placing to which the mayor restated Aug 2 with the ad being placed Aug 3. Bowen restated again several letters had been mailed. Crisp made a motion to table the rezoning application (Petro Partners) and Councilmember Buttrum seconded the motion. Motion carried with a 3-1 vote. Councilmember Nichelson voted against the motion. Bowen suggested that we try again to approve the rezoning application. Councilmember Nichelson again made a motion to approve the rezoning application of Petro Partners from C1-C2. No second was given. Citizen Jean Swank asked if we could have another meeting before the next monthly meeting. Powell asked if more notices would have to be sent to which Bowen replied to no. Citizen Jude asked who can come to that meeting to which the answer was it is an open meeting. Crisp stated again that he would like to ask the citizens himself as he is sure they were unaware. Petro Partners Richard Prince stated that it would be very similar to a service station. Crisp stated we speak for a group of people, and he would like to ask around. He also stated he should have already done this. Bowen stated it would be old business on the next agenda. Powell asked Bowen if we could move forward to which he said yes.

Mayor Powell continued with the next zoning application up for approval, Wayne Davis Concrete. City Attorney Bowen asked since Mr. Davis's attorney was not present if the item could be moved to later in the agenda.

Mayor Powell returned to the approval of the minutes on the agenda. Councilmember Billue made a motion to approve Feb 6, 2023, minutes, and Councilmember Nichelson seconded the motion. Motion carried with a 3-1 vote. Councilmember Buttrum voted against the motion. Powell asked for approval of the Sept 11, 2023, minutes. Councilmember Billue made a motion to approve Sept 11, 2023, minutes, and Councilmember Nichelson seconded the motion. Motion carried with a 4-0 vote.

The mayor stated that Jimmy Nichols was not present at the meeting due to a major water leak under Hwy 411 near the post office. City Clerk Robin Cochran stated that Nichols will be watching the well house tonight. She reported that there had been 4 leaks in the month of September. Cochran stated that a quote had been put together to purchase 25 water meters. Mayor Powell stated the quote was for 25 meters and 25

setters for a total of \$13,137.50. Cochran asked the council for permission to make this purchase. Councilmember Billue made a motion to purchase the needed water meters and setters. Councilmember Nicholson seconded the motion. Motion carried with a 4-0 vote. Cochran continued with the water dept report stating that there were several leaks on Hwy 411 today (Oct 2) but they are unrelated to the one that Jimmy is concerned about.

Robin Cochran reported on City Hall. She reminded everyone that the last day to register in the Nov election is Oct 10<sup>th</sup>. Cochran stated the election on Nov 7<sup>th</sup> will be held at the Methodist Church here in White from 7a.m. to 7p.m. Cochran reminded the citizens that we had a few things coming up at city hall: Halloween trick or treat at city hall on Oct 31 and Cookies with Santa on Dec 2<sup>nd</sup> from 1-3 at the clubhouse. She stated that there were handouts on the podium for those that wanted one. Cochran continued by letting the council know that the 2024 Budget was finished and ready to be presented at the November meeting. Councilmember Nicholson reminded everyone about movies in the park on Oct 14<sup>th</sup> as they will be showing Hocus Pocus.

Chief Smith gave the report on the police department. He stated he had attended career day with the local pre-k kids. Chief also stated that full time officer Jody Coulter had resigned from the department, and we are in the process of finding a replacement.

Mayor Powell gave the floor to Leslie Simmons, attorney for the Wayne Davis Concrete Plant rezoning, spoke on behalf of her client. He told her there were several citizens present that were not at the last meeting. Simmons said this was a rezoning of three parcels to be rezoned Ind H from C2 and R1. She informed the council about the growth across the county and that the demand for concrete is high. Simmons stated that the property they purchased was surrounded by Toyo on one side, railroad track on the other two sides and there's a concrete plant across the road. She stated no one would want to build a residence on that property. Simmons said that the planning/zoning committee had recommended the request. She reminded the council that the application is within the current uses of the property. Simmons stated that her client could speak and provide more information. Mr. Richard Davis, President of Wayne Davis Concrete, spoke on behalf of Wayne Davis Concrete. He stated that the company has been in business since 1971 with 19 plants and it's a family owned business. He advised they purchased the 14 acres with the intention of building a cement plant. Davis reported that there would be 6-8 trucks per day and operations would run according to customer demand. He stated mostly the hours of operation would be from daylight to six, but the facility could run from midnight to 6 a.m. He stated that operational hours would be Monday/Friday with hours based on demand. Davis stated that they would try to hire local drivers with starting pay at \$24/hr. and that all plants are well maintained. He reported that appropriate storm water and EPD requirements would be met. Councilmember Crisp asked if they processed returned concrete on site. Davis stated there would not be a crusher on site as they used a chemical that reacts with the cement to make it reworkable. Crisp was concerned with the nighttime noise if there were a crusher on site. Davis stated that normally they do not have one and if they do it only ran during the daytime.

Mayor Powell opened the floor for comments on this zoning application. Rick Moore spoke in opposition to the concrete plant zoning proposal. He stated that we should put community first and that industrialization leads to more of it. Moore stated that decisions like this change the shape of our city's future and that we should never put concrete before community. Moore said that our city is small and can't afford the domino effect of industrialization. He stated that these changes will redefine our community's future. Moore ended his comments by stating we should never put concrete over community. Open floor comments continued with Eddie Billue. Billue stated he would like to echo the points Dr. Moore had and speak in opposition to the proposed concrete plant. He said since there are no city taxes how would this business help. Billue said if employment is the benefit Davis stated he will only have a few employees. He continued by stating that he works for Toyo Tire where there are 2000 employees of which 35.2% live in Bartow County. Billue stated that there's already a concrete plant across the road from the proposed location of the new facility. He advised the council that the plant already near Toyo has had several noise complaints and complaints about the dust. Billue continued by stating the plant will be nuisance to those that live around it. Approving this facility will only add to the dust problem. Billue stated the city only has a few sites inside the city limits to do things with. Billue stated that Cass/White is getting closer every day. He stated that the land should be saved for future businesses like residential housing, stores, restaurants: things that will benefit the people of White. Billue continued by saying we need to do what is in the best interest and benefit for the people of the city of White. Jerry Jude continued the public comments by stating there will be lots of traffic, trucks, and increased noise. He wanted to know how the plant benefits the citizens. Jude stated it is not a benefit to our community. He stated we needed more houses in our community. He believes these plants will affect us for the rest of our lives. He reminded the council that you are obligated and are the voice of the people. Jean Swank spoke in favor of the rezoning saying that the board had heard all this information at 4 previous meetings and recommended the rezoning to the council. She stated we need to approve these requests in a timelier manner and not waste these people's time. Swank reminded council that the lot is next to Toyo and across from an existing plant. She stated who is going to want to live there. Swank stated we need to show that the City of White can approve zoning changes. She stated that while she was on the planning/zoning committee there should be more residential property. Councilmember Billue spoke up stating that this is the process, and no one is wasting anyone's time. Billue continued by stating that we do want businesses to come but we want them to benefit our city. Swank continued by saying that these two properties (Petro Partners and Wayne Davis Concrete) were perfect for the property they selected. She stated we should just put out a notice stating that none of the property will be rezoned. Swank stated she wanted us to have a community center/senior center. Councilmember Billue asked her where you going to build it. Swank replied not next to Toyo or next to the Shell Station. Billue asked again where you were going to build it. Several citizens stated we had the property at 75 Richards Rd that we could use. Swank continued by stating we must be open to different types of housing. She stated townhomes and affordable housing would allow those folks that work at Toyo to move here. Swank continued by stating we as a city need to operate more effectively. Mayor Powell stated we can't select who files a zoning request. He reminded everyone that there are not a lot of people knocking on the door

to bring a business here. Powell stated that zoning applications like these set a precedent for other businesses looking to come here. Swank stated that she had been reading the history of the City of White and how we had a booming downtown area with restaurants, stores, and other local businesses. She said we must find a way to grow our city, protect the city's charter and move forward. Swank stated again she would love for more people to move here and for there to be townhomes. She finished up by stating we can show others that we can be effective in approving these applications. Jerry Jude asked how do we determine who can purchase property. He stated that anyone can buy property and do whatever they want with it. Mayor Powell stated that unless they need it to be rezoned to do so. Jude stated that he must live here and listen to all the noise. He reminded the city council they can only do what's in their heart for the community. Powell asked if there were any more questions. Councilmember Nicholson asked what could be done to make sure crushing only happened during daylight hours. Mr. Davis answered that crushing if needed would only be done during the day. Nicholson continued by asking can we do anything about the trucks on Old Tenn Hwy. Several citizens all speaking at the same time stating there are trucks on Old Tenn Hwy. Powell advised speaker to address the council. Jude stated that trucks use Old Tenn Hwy every day. Powell stated that once Old Tenn turns into a county road, he could not tell you the restrictions. He continued saying that it's a county route outside of the city limits. Citizen Nicholson asked Jude if he could write them a ticket. Dr. Moore spoke up again stating that concrete trucks travel down Old Tenn Hwy into the city of White as a short cut to US 411. The conversation among citizens and council members continued. Councilmember Crisp and the Mayor stated that if the truck is making a delivery on that road, you can't stop them from using it. Moore continued stating that the concrete trucks travel Old Tenn all the time. Again, many citizens speak at the same time. Attorney for Mr. Davis, Leslie Simmons, reminded everyone that this piece of property is in between the right of way on 411 and the railroad. Simmons continued by stating that you are very limited on what this property can be used for since it is surrounded by US Route, railroad, and industrial properties. She stated that no one is going to want to live there. Simmons stated several suggestions for what the property could be used for funeral parlor, motel, vet clinic, truck terminal, group home, mini warehouses per the land use map. She stated that there's not enough rooftops in White to warrant a grocery store. Simmons stated that you are going to end up with truck terminals or mini warehouses. She reminded council about the Ga Law is still in favor of free use property which protects her client, and he has the right to use his property within the scope of what is around him. Simmons stated there must be a public policy purpose served. She continued by stating that her client is asking for reasonable use of his property. Simmons continued by stating you are not going to get a restaurant to go in there and my client's use of this property is within the scope of the purpose. She asked the council to consider the rights of her client to use his property for this facility. Simmons asked the council again to show public policy against it. She concluded by asking council to approve her client's application for rezoning. Powell asked once more for comments. Dr. Moore spoke one last time community over concrete and reminded the council to follow their heart. He stated that he didn't think mini warehouses were the only option and that plan doesn't show much vision. Moore continued by stating this plant will not benefit the City of White one iota.

Mayor Powell closed the public comment portion of the meeting. He asked for a motion to approve the rezoning of the application for the concrete plant. Councilmember Nichelson restated all her reasons for being in favor of the approval of the rezoning application for the concrete plant. Nichelson made a motion to approve the rezoning (R1/C2 to Ind H) application and Councilmember Crisp seconded the motion. A vote was taken with 2 in favor and 2 opposed. Councilmembers Charles Buttrum and Kim Billue voted against. Powell stated that the vote was a 2/2 tie and the motion failed. Councilmember Crisp stated it's a tie you can vote. Powell stated he cannot vote. Crisp stated again that if there's a tie the mayor can vote. Powell stated again according to the charter he can't break a tie. Crisp stated his statement again. Councilmember Billue stated that provision is not in the charter. City Attorney Bowen confirmed that the charter provides that an affirmative vote made by 3 councilmembers is required in a vote. Bowen stated that it does not provide for the mayor to break a tie. He said it was a common tradition but not provided in our charter. Leslie Simmons asked if there was a provision under the responsibility of the mayor to be able to vote. Powell and Councilmember Billue both replied it's not listed. Bowen continued with information from the charter stating the mayor has veto power. Powell asked if there was a countermotion. Bowen stated that the motion was made and the only out was if that someone in opposition voted in favor. Powell stated that there was no counter motion, and the original motion fails to pass 2/2 vote. He stated that all people there for the zoning portion of the meeting could leave at this time since that portion of the meeting was finished at this time.

Powell continued the meeting with old business. The new version of the lease agreement for the ballfield was presented. Councilmember Billue stated there was an error in the first part of the lease agreement. Powell stated that payment must be cash or check. Councilmembers talked among themselves about the fees. Attorney Bowen stated the fees/lease were patterned after others in the area. Councilmember Nichelson stated she didn't think ball teams would be able to afford it. Powell stated that travel ball teams had the funds. He stated that most of those organizations do it every year. Lots of council members speaking at once. Powell stated again this lease was drafted for travel ball teams. Nichelson asked so not for a Bartow Rec team looking for a field to practice on. Councilmembers Crisp and Buttrum stated they did not get that from the working of the lease. Nichelson said she would be okay with it if the corrections Billue suggested were made and it was used solely for travel ball teams. Lots of members are speaking at the same time. Councilmember Billue made a motion to table the ballfield lease and Councilmember Nichelson seconded the motion. Motion carried with a 4-0 vote. The mayor continued with old business and had the second reading of the Adult Entertainment Ordinance. Several council members stated the fees should be higher. City Attorney Bowen reminded the council that the US Supreme Court forbids an ordinance against adult entertainment businesses. Councilmember Billue asked if the fees were changed. Powell stated he has spoken with city attorney about that earlier as well as the chief. He stated to handle the administrative portion the fees should be raised to \$300. Lots of folks speaking at the same time again. Bowen stated there was extensive administrative costs in the application process. Nichelson asked again what the fee would be. Powell stated that it would be \$300 for the application fee and \$300 a year for a business license. Billue stated Powell meant \$300 across the board.

Nichelson stated that would be good. Bowen reminded the mayor that we needed to take care of the public hearing portion of this ordinance proposal. Mayor Powell opened the floor for comments on the adult entertainment ordinance. Citizen Tim Nichelson asked could there be a strip club where they want to put the concrete plant.

Councilmember Nichelson stated that area is Ind H and we can't say no. Lots of people all speaking at the same time. Bowen stated we are here to have a public hearing. He stated that we can't have an ordinance that says we don't allow adult entertainment. He said we must have an ordinance that effectively allows those types of businesses in designated areas. Bowen stated that he has used this ordinance for about 2 decades and it works just fine. He said it does allow adult entertainment activities however, it regulates them and tries to limit the subsidiary results of what happens in the areas around them. Bowen continued with detailed information on what type of crime would happen at such establishments as victims would be more likely not to call the police. He stated this ordinance is designed to address having any secondary effects. Bowen stated there is property zoned Ind H and these establishments could operate there within the location restrictions. Bowen stated this is why we are having a public hearing for you to ask questions. Citizen Kesha Fussell stated those parameters are put in the ordinance to discourage it. Bowen stated that if they are going to operate, they are going to follow the ordinance to minimize the secondary effects. Powell explained that the ordinance calls for these businesses to be in Ind Heavy areas of our city. Fussell continued with her questions stating we can't say no because of the first amendment. She continued by asking if there are still dry counties. Bowen replied yes. Fussell asked what is the difference. Bowen stated there's not going to be a high level discussion on the first amendment meaning. He stated that the supreme court has stated again and again that adult entertainment can't be denied. He closed the public comments portion.

Councilmember Billue made a motion to increase the fees in the adult entertainment ordinance to \$300 across the board. Councilmember Nichelson seconded the motion. Motion carried with a 4-0 vote. Powell asked if the council was ready to approve the ordinance. Councilmember Billue stated she would like to wait until it's updated. Councilmember Billue made a motion to table this matter until the ordinance is updated. Councilmember Nichelson seconded the motion. Motion carried with a 4-0 vote.

Powell wrapped up the old business portion of the meeting with the presentation of the New Sanitation Fee Schedule. He explained that we pay \$52 per ton with Waste Managements and the landfill charges about \$44 per ton. Powell discussed this with the sanitation department and the reason why we use Waste Management was the weekly flat tire they incurred at the landfill. He stated they either had to have the tire plugged or purchase a new tire. Councilmember Buttrum asked if Waste Management was at the landfill. Powell replied no. Councilmember Crisp replied that the Waste Management facility was on Hwy 113. Crisp stated that the trash truck uses 26 gallons of fuel a week well the tank must have a hole in it. He continued by stating the route isn't about 50 miles. Powell stated that there's the starting stopping and idling which are all factors in fuel consumption. Crisp stated they shouldn't burn that much. Councilmember Nichelson asked how often do they have to go dump. Powell stated that it depends on the amount of trash they get, sometimes once and other times more like around the holidays. Crisp rebutted by stating that's not very often and at Christmas we have a

dumpster for the overflow. Councilmember Buttrum stated it's almost 8/ton to keep the truck from the landfill. Powell said almost. Crisp asked how many tons is one truck load and what is the average weight. City Clerk, Robin Cochran stated an average bill is about \$175. Crisp asked how many tons it was, and Cochran replied divide that number by \$52/ton. Crisp stated about 2.5 tons. Powell stated about 3 tons. Crisp stated that the landfill number is about \$49/ton. Powell stated he got his figures from the Bartow web site. Crisp stated he believed the number was wrong. He continued with his questions asking if we pay for 2/ton per week. Powell stated again that is about \$175 a week. Crisp continues with the math trying to determine if the pricing is right. Powell stated again it was just an average. Nichelson asked how much is it to replace a tire that was damaged. Powell said we replaced two tires on the truck recently and the cost was about \$613 dollars. Billue stated it is cheaper to go to the transfer station. Powell agreed with her statements. Nichelson said that her dad used to work at the landfill, and he would not allow her to drive in there. Cochran stated that Nichelson's father is the one that told us we shouldn't go out there anymore with the trash truck. Nichelson stated we are looking at \$174 vs. \$148 is not that much. Billue agreed. Powell brought up the fact the fees have never been raised since the city started handling the trash. Billue stated that was correct, fees were never raised. Powell continued the discussion by stating the price of everything has gone up. He stated when you start looking at other cities fees, we are by far the cheapest in Bartow Co as well as the private sector. Powell stated his plan will try to keep sanitation in the black. Powell asked the council for approval to raise the fees inside the city to \$18, seniors \$15 and outside the city \$25. He stated that would keep us afloat as far as the sanitation services we provide are continued as it is currently running in the red. Citizen Fussell asked about the current fees. Powell stated the fees were \$10 inside city, \$8 seniors and \$14 outside the city. Nichelson stated even at the proposed increased fees of \$18, \$25, and \$15 we are still cheapest. Billue stated it was a bargain. Powell stated as these fee rates we are still cheaper than anyone else in Bartow Co. There were several minutes of discussion among the council members and citizens about the pricing, fuel costs, raises and other topics. Powell reminded everyone that the winter blend of fuel is usually cheaper. Billue stated that \$18 is a big jump for people when they are having a hard time, her suggestion is \$15. Powell stated he had \$15 and \$12 at first. Citizen Nichelson asked how seniors get a discount. Billue stated that the rates were like that when she took office. Citizen Nichelson continued by asking if it's based on their income. Councilmember Buttrum suggested that increase a little bit at a time. Powell stated that \$15 and \$12 were proposed. Council agreed to a charge of \$15 for inside the city limits, \$12 for seniors (inside the city limits) and \$22 for outside the city limits. Buttrum asked what do you call a senior. Nichelson stated that it was 70 and older. Lots of discussion about what the age of the senior rate should be. Crisp stated it should be 65. Buttrum said it should be 62. Powell stated that 65 should be the age. Billue stated that the seniors will go from \$8 to \$12. She also reminded everyone that we are not supposed to give discounts on city services. Billue continued by stating that it was like that when she took over. Nichelson stated God would honor us for doing that. Discussion continued to review the proposed pricing among themselves. Councilmember Billue made a motion to accept the New Sanitation Fee Schedule of \$15 inside, \$12 senior (age 65 or up) and \$22 outside. Councilmember Nichelson seconded the motion. Motion carried with a 4-0 vote.



The mayor continued the meeting with new business. He discussed the three quotes we had received for the Mold Remediation to be done at 75 Richards Rd. Crisp stated that about a month ago you said we were low on funds, and I don't think we need to spend the money until we get an audit done. Billue stated that this issue had already been voted on. Powell restated that this had been voted on. Crisp continued by reviewing some of the quotes stating wet carpet, wet sheet rock would all need to be removed. He stated that we need to put a new roof on the building. Powell stated that there's a lot that must be done to get this building up to code mols removal, new HVAC system and updated the wiring/electrical system. He stated that the quotes indicate the problem is in the crawl space and that it got into the HVAC system. Buttrum stated we should start with the crawl space. Crisp stated the HVAC is a working system. Powell stated it's not working, and it must go. Crisp stated we need new ducts, and we need a total amount of money and see if we have the money to spend on this. Crisp stated that public safety should come first, we need officers working on the weekend. Nicholson said she agreed with Crisp on spending, however, this is coming out of Splost funds. She stated that funds from Splost can't be used to pay the police, but we can take those funds and make the repairs. Citizen Nicholson said that using Splost funds to fix the Richards Rd house is a no brainer. Crisp stated he would like to have more time review how we can spend Splost money. Powell stated that the Splost is very broad in what we can spend the funds on. He reminded the council that the referendum changed in 2020 from what was listed in 2014 and the repairs can be made with 2020 Splost funds. Councilmember Crisp stated the referendum doesn't change from year to year. Powell stated that it did change. He told Crisp he would send him a copy. Crisp stated he has it. Powell stated we have \$100,000 for Parks and Recreation. Crisp stated again we can't use the 2014 Splost to pay for the repairs. Powell stated we planned on using the 2020 Splost. Crisp stated he thought we were trying to use both to which Powell stated we can't Billue stated again we are using the 2020 Splost. Powell stated that we have three quotes: and the hygenapure gave the best quote and he would enclose the crawl space and remove the mold and get the building safe. He did actual testing on mold particles. Citizen Fussel made statements about the quotes saying they were all different in what they would be doing, and she didn't see where anyone would be enclosing the crawl space. Councilmember Crisp stated it is a very old building, needs a lot of work, we could spend \$100,000 on it and why we are spending this money. Powell asked him what do we need to do with it. Billue reminded everyone that the mold remediation has already been approved. Fussel stated that there was a remediation company in our town. Crisp stated that he is a fan of using local. Citizens agreed. Fussel stated the council should look at more closely what they are offering to do. Nicholson stated that she had reviewed the quotes and stated she liked the hygenapure company as they did the testing beforehand showing their expertise. She stated that they are the middle of the road, and we need to do something about it. Nicholson stated it would make a great community center to go along with the other things that Bartow will partner with us to do with the property. Nicholson continued by letting things go unrepaired so the house will become more dilapidated. Crisp stated there's a lot more work that needs to be done than just this. Fussel reminded him that we must stop what is going on to do other work. Crisp stated again if the roof is leaking, and the walls are wet. He stated we need to get it dry first. Billue stated the roof is fixed. Crisp continues with his argument that

the roof is leaking. Lots of people speaking at the same time. Crisp stated that the roof is 50 years old. Crisp needs a more detailed list of the repairs and costs. Lots of people all speaking at once again. Powell stated that we have mold remediation quotes, HVAC quotes, and electrical wiring/panel quotes. Buttrum asked about the tree limb taking out the power line. Powell told the council that had been repaired. He continued by stating the electrician stated the current electrical panel was not up to code and needed to be replaced. Crisp stated that all the wiring would need updating. The council agreed we needed more quotes. Lots of people all speaking at the same time. Powell stated the county does have people to put a proposal together and they could help us. Crisp stated a building inspector would help as well. Fussel stated once again to get the local business to quote. Councilmember Nicholson made a motion to table the mold remediation until we get the local company to quote the job. Councilmember Billue seconded the motion. Motion carried with a 4-0 vote. Crisp stated again we need the total cost of the project not just one section. Fussel stated that after this work is done you will be able to get a quote on the rest of the project. She said you don't know exactly what will need to be done to put it back together. Nicholson stated this needs to be done first and then get the general contractor in to let us know what needs to be done. Crisp stated we don't need to spend the money remodeling an old building when we can build a new one and save money. Billue states that Jane listed this house on our list of historical homes.

Powell continued with new business asking for council approval on the new probation office contract. He stated this is the same company we do business with now. Powell stated that Judge White had a copy for review. Councilmember Crisp made a motion to approve the probation services contract and Councilmember Billue seconded the motion. Motion carried with a 4-0 vote.

The mayor moved to the public comment section of the meeting. Citizen Eddie Billue spoke on the condition of his property after the completion of the Richards Rd project. He stated that his property was never returned to its original condition. He stated that he never signed off on any work and never approved the condition his property was left in. He stated that Mayor Pro Tem Gary Crisp came and inspected the property. He stated after that nothing happened but did learn that the final payment was made on the project. Billue wants a date that the city will make the needed repairs. He continued by stating he will not address this with the council again. Councilmember Crisp stated that he said after a couple of loads of dirt he was good. Billue stated again that he did not. Powell stated that he has reviewed minutes, and he has not seen anything where Billue stated he was satisfied with the work that was done. He stated the only notes in the minutes were that Billue had spoken about issues with the Richards Rd project. Crisp stated we need to review the tapes. He stated Billue said he was satisfied with it. Crisp stated dirt was brought in to correct the problems and Billue replied that he is not satisfied with the work that was done. After an exchange of words Billue left the meeting. Nicholson stated that she called Meg with Rhindt McDuff, and I asked her to put everything in writing that she told me and that has not happened. Powell stated he has emailed her and she's not responsive, but he will call her this week to see where we stand. Crisp stated you need to speak to Leslie (form city attorney, Leslie Simmons) as he acted under her advisement. He stated the city got letters from the railroad that the

bills needed to be paid. Crisp stated he went down there and approved the work. Citizen Nicholson asked if Eddie Billue signed anything. Crisp said he was okay with it, and we need to check the tapes. He stated we got a lot of minutes that didn't get took stating I don't know if Twanda didn't write them or what. Citizen Nicholson stated someone had to sign off. Crisp stated that Leslie said we needed to take care of that as we were in a serious position with the railroad. Powell stated that there were emails. Crisp replied if the job is not finished then the job is not finished. Citizen Nicholson restated if Eddie didn't sign then he's not satisfied. Crisp said there was a form that he had to sign when it was over with. Citizen Nicholson asked if the homeowner signed the form saying they were satisfied with the work. Crisp stated that the form will be there. Nicholson continued by stating if I was the mayor pro tem I would know where my paperwork was and who signed it. Crisp stated he does not have an issue with looking into it. He continued by stating that he got some calls that city employees were mowing grass down on Kim's property. Billue stated that it was a city ditch. Crisp stated that the city does not own the property. Billue stated again oh yes, it is. Lots of people all talking at once. Councilmember Billue stated that Mr. Billue had to give the city easement so the railroad could do the work and that the railroad doesn't need a ditch.

Councilmember Crisp brought up the condition of two pieces of property within the city stating they were overgrown and needed a visit from code enforcement. Powell stated we can send Chief Smith (code enforcement) he would take care of this issue. Crisp stated that we talk about these things, and we never do nothing.

Councilmember Crisp made a motion to adjourn and Councilmember Billue seconded the motion. Motion carried with a 4-0 vote.

The meeting ended at 9:16 p.m.

Respectfully submitted,

Robin Cochran  
City Clerk

Attest:

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Curtis Powell, Mayor

