

# City of White Georgia

## City Council Minutes

### February 6, 2023

Present at the meeting were Mayor Pro-Tem Gary Crisp, Council Members, Kim Billue, Charles Buttrum and Stephanie Nichelson, City Attorney Brandon Bowen, and Jean Swank (took minutes).

Mayor Pro Tem Crisp led us in the saying of the pledge.

Crisp started the meeting asking for the approval of the minutes. Councilmember Nichelson stated she retyped the September 5th meeting minutes and would approve those minutes. For the December 6th meeting, Councilmember Nichelson says there were things in those minutes she did not recall being told at that meeting, specifically about Councilmember Billue only having the ability to sign checks. Councilmember Nichelson said she did have someone double check and that was never said. Crisp asked Councilmember Nichelson if she would provide him a copy of those minutes to which she obliged. City Attorney, Brandon Bowen asked Councilmember Nichelson about the sentence in question and asked if she would approve the minutes with the stipulation that that sentence be taken out. Councilmember Nichelson agreed and responded that it has come to her attention we never actually finished the motion. Bowen asked why there was never a vote and Councilmember Nichelson said we just kind of moved on. Jean Swank suggested the paragraph in the minutes needed to be more accurate. Crisp agreed. Swank continued by stating that you need to have an official vote. There was talk amongst the council members about the recording and whether it was available to listen to on the website.

A citizen asked if they were going to read January's minutes and why Jean was taking minutes. Mayor Pro-Tem Crisp answered that Sherry, the City Clerk, was out sick so Jean was taking the minutes.

Jimmy Dean from the Water Department went to give his report and the question was asked again by the same citizen if they were going to read January's minutes.

Mayor Pro-Tem Crisp asked all in favor of January's minutes. The citizen asked about Robert's Rules of Order and asked, "Are the minutes not supposed to be read"? Crisp said that we don't have Robert's Rules of Order here and reminded the citizen that this part of the meeting isn't open to the public and she had to sign up to speak. The citizen said she was trying to ask a question. Crisp repeated himself once again saying that if she wanted to speak, she needed to sign up to speak as they are conducting a business meeting. The citizen said she wouldn't have known, and Mayor Pro-Tem Crisp said, "you know now." And told Jimmy to proceed. Councilmember Nichelson said we still need to approve the minutes for January 3<sup>rd</sup>, and she would be okay approving them after a few corrections were made to the misspelling of names. Crisp asked if those were the only corrections needed and Nichelson said yes. Crisp said that was the only thing we were changing, and that Sherry is the City Clerk and must sign those things and file them and if she's not happy with it, he's not happy with it. Crisp asked for a motion to approve the minutes from January. Councilmember Nichelson made a motion to approve the minutes with corrections on spelling. Crisp asked for someone to second the motion. Councilmember Billue seconded the motion. The vote was 2-1 with Councilmember Buttrum voting against the motion. The motion failed.

Jimmy Nichols reported for the Water Department. He stated in January that the city used 2,615,000 gallons of water and reported there were 2 leaks. Nichols continued covering concerns about the 100 horsepower pumps at Aubry which costs the city \$70,000 each. He stated Toyo has 40 horsepower pumps and those are priced at \$30,000 each. Nichols continued by saying that the mower is old and needs to be replaced. He asked the council to put a new one in the budget. Nichols estimates a new one around \$12,000-\$14,000 for a zero-turn mower and \$400-\$500 for a quality push mower. Councilmember Buttrum asked about rebuilding the pumps like the three at Toyo. Nichols stated they did rebuild 3 at Toyo in the last year and Councilmember Billue asked if the cost of rebuilding those costs about \$16,000 each. He stated he wasn't sure, but that sounded right. Buttrum started talking about needing a back up pump and renting one is too expensive at upwards of \$10,000 a month.

Chief Smith gave the Police Department report. He stated that he did contact the DOT about the signs for Richards Road and that they were working on getting more. He noted that a truck got stuck on the tracks and the driver did receive a

citation. Chief Smith continued by stating in the month of January the department had 18 traffic stops, worked 3 accidents, assisted 8 other agencies, 33 calls for service, 296 citizen contacts, 68 business escorts, and checked on 179 businesses afterhours. Smith then asked if anyone had any questions. Mayor Pro-Tem Crisp ended the discussion by saying he was getting a lot of compliments from citizens on the Chief and his work and told him to keep it up. Councilmember Billue told Smith that the citizens were happy and felt safer that the officers were following buses and to make sure the kids got off the bus safely. The Chief stated that he and his officers follow the buses before and after school every day.

Curtis Powell addressed the council. He contacted Bill Swanson at Signs and More for a quote for the rezoning signs at \$24/each and \$2/per stake. Powell gave a copy of what the signage will look like to Mayor Pro-Tem, Gary Crisp. City Attorney Brandon Bowen asked about the application fee and Powell stated that it covered it. He stated he wanted to get 6 signs as 411 was getting busy. Councilmember Nichelson asked if they were going to be reusable, to which Powell replied, yes. Nichelson reminded Powell that everyone already voted on this, and he was good to go, and he said he just wanted to make sure they knew the price. Mayor Pro-Tem Crisp asked if they needed to vote on it and Councilmember Billue said No. City Attorney, Brandon Bowen asked Powell if he got the request for NWGA Regional Commission and County for any recommendations to update White Elementary. Powell said yes, they had had a couple meetings and adjusted the future land use map from residential to commercial. Bowen asked if those changes to the future land use map needed to be voted on by council. Powell stated not at this time. Crisp asked if Powell was referring to NWGA regional map to which Curtis responded correctly. Crisp stated that that was not the City's zoning map. Powell stated that is part of the criteria you must look at when you get requests to rezone and whether it's in compliance with the future land use map. Bowen asked when he planned to talk about it and Powell stated they have a Planning and Zoning meeting this month and could bring it to the council in March. Crisp reminded Powell that the Planning and Zoning meetings are open to the public and must be advertised. Powell stated meetings are the 3rd Thursday of every month at 7pm per the ordinance. Powell continued noting that 3410 HWY 411, Pirtek, is purchasing Clayton Collins' old store and it's already zoned for their intended use. He stated they will sell hydraulics and they will also have a mobile repair service. Powell told the council they plan to build a 2,000 sq ft building to house their equipment. He stated he has already spoken with the engineer

working on the plans as he has already sent the checklist. Powell moved on to property 3297 Hwy 411. He states the property has 3 parcels one of which butts up to the City of White property and they're wanting to rezone from agricultural/residential to C1 Commercial with office space. Powell stated he had a meeting with them to discuss the intended use of the property. Property at 3338 Hwy 41 is on the corner of Stamp Creek Rd and US Hwy 411. The engineer is working on site plans for 3 different buildings on the property. Powell stated he would get with him the following day to see what was discussed as the engineer has a meeting the next day. At 3607 Hwy 411 across from Toyo, Powell stated he talked to a realtor that was wanting to rezone the property to industrial for truck parking and maintenance on tractors. Powell reported that he told the relator he would like it paved versus the gravel and noted she should get engineering plans for the drainage. Mayor Pro-Tem Crisp agreed that was a great idea.

Mayor Pro-Tem Crisp moved to unfinished business. He reported on an easement that he had previously discussed with our City Attorney stating that an engineer needed to look it over. A citizen responded by saying that the engineer had no problem signing off on it, the only issue was the footers lot wasn't feasible because where the house would sit and the way the land lays, either put in a septic tank or a pump that would pump into the existing sewer. Then only thing with the sewer tap if he went down that road would be the City of White would be making money from that, but the citizen says he has no issue with that, and the sewer tap would be the best way to go for him. The citizen further explains that he's already talked to the state and if you got septic systems they'd have to come and approve that part, they would be the ones to come out and "ok" that part of it.

Councilmember Nichelson brought up the topic of bank accounts. She stated they spoke about getting the appropriate people on the accounts and named the Mayor Pro-Tem, and at least two other people to sign checks. Nichelson asks our City Attorney if they can have it in there that not one person can transfer money, take money out, etc. of the CDs without the vote of the council. Mayor Pro-Tem Crisp stated it's already been that way. City Attorney Bowen said yes, we can put in there that two signers are required by the council for the CDs. Mayor Pro-Tem stated that the only person who has any access to it is the mayor. Councilmember Billue stated they proved during the work session that money was touched that shouldn't. Crisp stated maybe it had been touched and that we'd just have to

check into that. Nicholson gets back to the motion from December 6<sup>th</sup> minutes. She makes the motion that Sherry Walker, Mayor Pro-Tem Gary Crisp, and Councilmember Kim Billue be authorized on all bank accounts with two signatures signed on each check apart from the CDs, as she would like a council vote before any money gets moved out of the CDs. Crisp stated that the only people who should be allowed on the accounts are the mayor, mayor pro-tem, and the city clerk. Councilmember Nicholson says again to make a motion for City Clerk Sherry Walker, Councilmember Kim Billue, and Mayor Pro- Tem Gary Crisp to be on all accounts with two signers on each check. The CDs need to have a council vote to remove or transfer money. Councilmember Billue seconded the motion. Mayor Pro-Tem Crisp said that he didn't think that part needed to be in there and that he didn't see the point in the motion. City Attorney Brandon Bowen said that while he didn't think it was necessary, it wouldn't hurt anything since you're not going to spend anything out of the CDs without council approval anyways. Mayor Pro-Tem Crisp says again that he doesn't think it needs to be in there. Councilmember Nicholson said she's been attempting to get records since before January and that's why it's important to her that there is someone else on the account so when she can't get the information from one source, we need to have someone who can call the bank and get the activity on the account. She goes on to explain that she did receive an email from GMA that states there should be no delay in getting information related to expenses, or financial accounts, that it should be readily available. She continues to say that as council people making financial decisions, they should have access to that documentation. Mayor Pro-Tem Crisp says that the city employee has access, and a city council member is not a city employee. The lady that was there said you identified yourself (Councilmember Billue) as a City Employee and she gave the information and when she found out she could lose her job by doing so- Councilmember Billue quickly responded and said she has never introduced herself as a city employee. Mayor Pro-Tem Crisp continued by saying that the lady was misled to believe she could give out information and reminded the council if you don't have a signature on the account, you can't access the account.

Councilmember Billue stated that after doing some research that Mayor Pro-Tem Crisp has never been voted on to go on any accounts, only use of the credit card and asked how he's been signing checks for a year. Mayor Pro-Tem Crisp said that that's all water under the bridge and until Councilmember Charles agrees with this we'll continue to do what we've been doing. Councilmember Billue argued that he

was just going to do what he wanted to do. Mayor Pro-Tem Crisp said I have a motion and a second, correct? Motion passed with a 3-0 vote.

Mayor Pro-Tem Crisp asked if there was anything else needing to be discussed. Councilmember Billue stated we needed more mulch for the playground. Mayor Pro-Tem stated that we didn't have trucks large enough and said we'd have to hire someone and asked if anyone knew anyone. Councilmember Nicholson stated that she would investigate it and get back with him soon.

Mayor Pro-Tem moves to public comments. He states that if anyone wants to speak, they have 3 minutes to do so. Councilmember Billue stated that was something the council would have to vote on according to the charter. Mayor Pro-Tem Crisp repeated he would give citizens 3 minutes to speak. Feeling like the mayor pro-tem Crisp was silencing the citizens asked if we could refer to City Attorney Brandon Bowen for clarification. He said that there's nothing in the charter that forbids the mayor from limiting the amount of time the public is allowed to speak. The citizen asked what if his issue was big enough. Mayor Pro-Tem said that the council would vote.

A citizen addressed the council and stated he lives over on E Rocky and is having issues with transfer trucks blocking him from getting out. The citizen states he must either back up to see around the truck or pull into oncoming traffic to look around. He also states he has lived here for almost 2 years and still struggles to get an accurate water bill. Mayor Pro-Tem Crisp said everyone is having issues with the water bill and the only thing that they can really blame it on is the meters going bad. He has reached out to other cities and sees this as an ongoing issue everywhere and there's just a lot that needs to be replaced.

The second citizen, Vickie Dowdy spoke to the council about the water bills stating she has called Harris who we use for third party billing and spoke with a woman named Karen who told her that the reason the water bill gets sent out late is because the City of White isn't sending them on time. She and Karen went back through her past month's bills and noticed that the bills were being sent out a few days before the bill is due. Dowdy claims that this has been an ongoing issue since August of 2022. Mayor Pro-Tem Crisp said that this has always been an issue. Dowdy said she called and spoke with the City Clerk, Sherry Walker about the bill and Sherry accused her of attacking her. Mayor Pro-Tem Crisp got the date and

time they spoke and said he'd investigate. Dowdy continues saying she didn't appreciate being accused of attacking someone. Mayor Pro-Tem said again he'd investigate it. She asked if he was concerned about his employee's accusing citizens of attacking them. Mayor Pro-Tem Crisp says again that he'd investigate as the calls are being recorded and he'd listen to it and reminded her time was up. She asked him to answer her question and to give her a date and time when he'd get back with her. He said he didn't know until he checked.

The third citizen, Chauncy Williams, also asked about water bills and gives off his bill dates and the usage from his past few bills. The usage number is not right on his bills but states the City Clerk, Sherry Walker adjusted his account to get it right, but that this \$70.00 water bill is the largest they've seen in 12 years. Mayor Pro-Tem Crisp stated that they would figure it out, but it will take time.

The fourth Citizen, Roger Oswald addressed the council with the charter and audio proof saying since he only has three minutes, Mayor Pro-Tem Crisp is going to have to prove he didn't commit fraud and malfeasance because he has found no proof in the minutes that Crisp had been approved by the council to sign checks. He wants to see proof that Crisp was put on the accounts in the minutes, if he can't prove it, next month he would go to Bartow DA, Bartow Superior Court Clerk, Attorney General, State Senator, and go to the Governor. Oswald's time three minutes were up, but those were his charges.

Mayor Pro-Tem Crisp asked if that was everyone on the signup sheet and asked for a motion to adjourn. Citizen Eddie Billue stated he never got to speak but would like to throw his time to Roger Oswald. Mayor Pro-Tem Crisp said you can't. Billue said he can defer his time and the mayor pro-tem Gary Crisp asked the Chief if Billue was interrupting the meeting. Billue stated he was not, and he signed up to speak and it's his time. Billue abruptly left the room.

Citizen Vickie Dowdy asked what the issue was if water billing is our main source of income for the City, and offered to come in and help as she was an accountant and feels like she could help. Dowdy stated we needed an audit. Councilmember Billue says they reached out to City Clerk, Sherry Walker at the end of August or beginning of September asking a question and hasn't heard back yet. Councilmember Nicholson says we hope to utilize Jean Swank in this department and Mayor Pro-Tem Crisp said we are working on it and that there is a lot going

on. Councilmember Nicholson stated that they figured out it wasn't the handheld messing up causing the issues but that her hope is to get Jean Swank in there to help clear up any confusion between it getting from the handheld, Neptune, and into Harris.

Mayor Pro-Tem Crisp asked for a motion to adjourn the meeting. Councilmember Buttrum motioned to adjourn with Councilmember Nicholson seconded the motion. The vote passed 3-0. The meeting adjourned at approximately 8:30pm.

These minutes were recreated via listening to the meeting recording/video. We were not present at this meeting.

Bianna Shuping  
8-30-23

Robin Cochran  
8-30-23