MINUTES
CITY OF MCDONOUGH
CITY COUNCIL MEETING
CITY HALL-136 KEYS FERRY STREET
AUGUST 15, 2016
6:00 PM

The Regular Meeting of the City of McDonough City Council was held Monday, August 15, 2016, at 6:00 p.m.

Mayor Copeland called the meeting to order at 6:00 p.m.

The City Clerk, Ms. Janis Price called the roll as follows:

Mayor Billy Copeland	Present
Mayor Pro Tem Roger Pruitt	Present
Councilmember Craig Elrod	Present
Councilmember Benjamin Pruitt	Present
Councilmember Rufus Stewart	Present
Councilmember Kamali Varner	Present
Councilmember Sandra Vincent	Present

Others in attendance for the meeting were: City Administrator, Mr. Keith Dickerson; City Attorney, Ms. Leigh Hancher; City Clerk, Ms. Janis Price; Police Chief, Mr. Preston Dorsey; Fire Chief, Mr. Steve Morgan; Finance Director, Mr. Mike Clark; Executive Assistant, Ms. Trisha Colpetzer; and IT Services Specialist, Mr. Brian Linton.

Mayor Copeland called for a motion to approve the Agenda. Councilmember Stewart motioned, and Mayor Pro Tem Pruitt seconded. Before the vote was taken, Councilmember Vincent requested clarity from the City Attorney concerning one of the Consent Agenda items. Mayor Copeland called for the vote on the motion to approve the Agenda as a point or order. The vote was seven in favor.

Councilmember Vincent led the Pledge to the Flag; and The Reverend Bert Neal, Pastor of Wesley Chapel United Methodist Church gave the Invocation.

6. Approval of the Consent Agenda
   A. Adoption of a Resolution to rescind the Declaration of Affirmative Covenants with Ms. Mary Loyd related to the private sewer extension at 88 Angie Drive and

return to her the surcharge fee in the amount of $8,975.16 currently being held in Regions Banks for this purpose, and authorize Mayor to sign document.

B. Approval to replace and install the high service pump located at the water treatment plant at a cost of $64,673.00; to award this project to Goforth Williamson and authorize to pay the invoice when the project is completed. This project will be funded by the 2017 Water Treatment Plant's Capital Improvement Budget.

C. Approval of new tracks and undercarriage for the Water Distribution's Kubota Excavator at a cost of $12,352.28 and will be funded by the 2017 Water Distribution Capital Outlay Budget.

D. Approval of an updated Proposal for Services as Special Counsel for Annexation Projects submitted by the Whalen Law Firm. Approximate cost for outside legal services is $15,000 and will be paid from the City Attorney's 2017 budget.

E. Approval to pay invoice from Attorney James Elliott, Jr., Special Counsel for the Ethics Board in the amount of $1,750.00 from the City Attorney's 2017 Budget.

F. Approval of a Change Order to increase the Construction Contract with New South Construction regarding a covered parking canopy above the handicap parking for ADA compliance in the amount of $22,115.00 which will be funded from the existing Courthouse Facility Budget.

G. Approval of the August 4, 2016 Workshop Minutes.

Mayor Copeland called or a motion to approve the Consent Agenda, with an amendment to remove Items 6A and 6E for full discussion. Mayor Pro Tem Pruitt motioned, and Councilmember Stewart seconded. The vote was seven in favor.

(The following items were added as discussion items as a result of the vote.)

City Administrator, Mr. Keith Dickerson presented the information relative to Item 6A, a Resolution to rescind the Declaration of Affirmative Covenants with Ms. Mary Loyd; and a brief discussion ensued.

- Agreement between Mary Loyd and the City terminates automatically when Ms. Loyd no longer owns the property.
- It has been confirmed that Ms. Loyd no longer owns the subject property.
- Suggestion is to terminate the agreement; refund the surcharge; and close the account at Regions Bank

Mayor Copeland then called for a motion to adopt a Resolution to rescind the Declaration of Affirmative Covenants with Ms. Mary Loyd related to the private sewer extension at 88 Angie Drive, and return to her the surcharge fee in the amount of $8,975.16 currently being held in the Regions Bank for this purpose, and authorize the Mayor to sign any documents. Councilmember Stewart motioned, and Mayor Pro Tem Pruitt seconded. The vote was seven in favor.

Mayor Copeland recognized Councilmember Vincent for any discussion regarding Item 6E. Councilmember Vincent then posed questions to the City Attorney about retaining Special Counsel for the Ethics Board, and expressed that she wanted to clearly understand the process. Ms. Hancher offered the following points in her response.

- The invoice is for payment for services rendered.
- The City's Ordinance provides that the City must provide the Ethics Board with the funding necessary to do its job.
- Ms. Hancher is conflicted out and cannot advise the Ethics Board on these issues since she is the City Attorney.
- The Board retained Attorney Elliott to act as Special Counsel for the Board of Ethics.
- Ms. Hancher will gather additional information and prepare a response for the Mayor and all Councilmembers.

Councilmember Vincent asked that Ms. Hancher identify what constitutes an ethical violation in her response to Mayor and Council.

Mayor Copeland called for a motion to approve to pay the invoice from Attorney James Elliott, Jr., Special Counsel for the Ethics Board in the amount of $1,750.00, from the City Attorney's 2017 Budget. Councilmember Vincent motioned, and Councilmember Elrod seconded.
The vote was seven in favor.

Mr. Dickerson recognized City of McDonough Firefighter Dale Matthias for going above and beyond his official duties by giving a pair of his own shoes to a patient who he learned was homeless after treating him for injuries. Firefighter Matthias saw that the man had only one worn-out sandal; so he returned to the station and gathered a pair of his own shoes, which he then delivered to the patient at the hospital.
Mayor and Council offered their individual appreciation as well.

Mr. Dickerson then discussed the approval of an amendment to the BFI Waste Services, LLC (Republic Trash Services) contract Recycling Fee to $32.92 per ton.

- Fees for recycling will now be charged to Republic at the rate of $32.92 per ton.
- Costs will total approximately $10,000 to $12,000 per year.
- Some communities have stopped recycling services.

Councilmember Elrod asked about the current contract terms with Republic and whether or not costs could be passed along to the City and its citizens. Ms. Hancher responded that Republic is requesting an amendment to the contract. Councilmember Elrod requested that the details of the contract be reviewed, and he questioned if service could be cancelled or interrupted if an agreement is not reached. Ms. Hancher said that she would look into the terms of the contract and provide that information to Mayor and Council.

Councilmember Vincent said that recycling is an important part of McDonough being recognized as a progressive city. She suggested that the contractor should absorb the costs for recycling throughout the current contract year; and if not, the City should look into other ways to ensure that citizens continue to receive recycling services. Mayor Pro Tem Pruitt said that he would like the City to keep recycling; and Mayor Copeland asked Mr. Dickerson to review the provisions of the contract with Republic.

There were no unscheduled public comments at the meeting.

Mayor Copeland called for a motion to go into Executive Session for Real Estate O.C.G.A. 50-14-3 (b)(1). Councilmember Pruett motioned, and Councilmember Elrod seconded. The vote was seven in favor.

Mayor Copeland called for a motion to return to Regular Session. Councilmember Stewart motioned, and Mayor Pro Tem Pruitt seconded. The vote was seven in favor.
There were no action items to report.

City Administrator, Mr. Keith Dickerson said that negotiations are continuing with Henry County about any support that may be available for the park area on Jonesboro Road.

City Attorney, Ms. Hancher reviewed some details of the current 2014 contract with BFI Waste Services, LLC (Republic Trash Services).

- Contract is subject to year-to-year renewal.
- 90 days written notice is required to terminate the contract.
- If termination of the contract is for cause, the City must provide a 30-day notice of the material breach of the contract.
- Ms. Hancher will provide a copy of current contract with additional explanation to Mayor and Council.

Councilmember Vincent offered a reminder of the September 24, 2016 Walk to End Alzheimer's, and invited everyone to join the City's team for the walk. She also recognized that the first Alzheimer's Support Group for the south metro has been started in McDonough.

Mayor Pro Tem Pruitt offered his personal appreciation for the prayers and well wishes for his grandson, who is being treated for leukemia. He also discussed the traffic issues that are ongoing throughout McDonough, and asked Mr. Dickerson to offer an update on his meeting with Georgia Department of Transportation regarding McGarity Road.
Mr. Dickerson said that he is currently working to set up further meetings with GDOT.

Mayor Copeland reiterated Mayor Pro Tem Pruitt's concerns about the traffic issues that have resulted from work by GDOT. He also said that there may be a few policy changes that need to take place regarding filming in the City, with the next project being scheduled for October.

Mayor Copeland called for a motion to adjourn. Councilmember Elrod motioned, and Councilmember Pruett seconded. All stood in favor.

The meeting was adjourned at 7:10 p.m.

Janis E. Price
City Clerk

OPEN MEETINGS COMPLIANCE NOTICE: This is a regularly scheduled meeting of Mayor and Council of the City of McDonough duly noticed pursuant to the requirements of the Georgia Open Meetings Law (O.C.G.A. § 50-14-1, et seq). Notice of the meeting was published in the Henry Herald on December 30, 2015; and a copy of the meeting schedule was posted at City Hall and on the City's website, as required by law.