

7:30PM

Regular Meeting

December 6, 2012

Present: Mayor Schindler, Mayor Pro-Tem Sherrill, Council Members Lane, Whitfield, Moss, City Attorney, City Clerk, and interested citizens.

Welcomed by Mayor Schindler, followed by Pledge of Allegiance, and prayer.

Mayor recessed regular meeting to hold Public Hearing, meeting called back to order at 7:35PM

Minutes from the regular meeting of November 13<sup>th</sup> and Call meeting of November 20<sup>th</sup> were reviewed with member Sherrill moving to adopt the minutes as written, motion seconded by member Whitfield. Member Moss stated the call meeting November 20<sup>th</sup> minutes needed to be amended to show Council went into Executive Session twice during the meeting. Motion by member Sherrill was amended to reflect this change. When question called, members Moss, Sherrill, and Whitfield for, member Lane abstained, motion carries.

Mayor asked for council to review the monthly financial statement. After reviewing the finances, member Whitfield made a motion to accept them as submitted, member Sherrill seconded, member Moss opposed, and Lane abstained. Motion passed by majority vote.

Mayor called for citizens' concerns and addressed the previous concerns pertaining to member Lane's attendance. Mayor asked Lane if he would like to address those previous concerns and he did so. He explained that due to his business schedule and his business issues, he hadn't been able to be present as much as he would have liked but his intention was to maintain his seat on the council and doesn't foresee that being a problem any longer. Mayor asked for any other citizen concerns at this time; Carl Spano came forward to address the council inquiring why they did not follow the City Ordinances regarding the electoral terms and asked if they would investigate that and see what they could do to get back in the time line that is stated in the Ordinance. (See attached)

Mayor advised that the next item on the agenda was the application for a beer/liquor license submitted by The House Saloon Corporation (DBA Rajun Cajun) Mayor noted that no background check was included with the application. Chief Baker stated that he was no longer able to request background checks and that he was advised to have the citizen or business to have their own check ran through the Lowndes County Sheriff's Office. Mayor stated that we need to notify the applicant and advised them on the process of getting their background check done. Member Sherrill questioned about hours of operation and what were the permitted hours of alcohol sale. Member Whitfield made a motion to table at this time until the applicant gets the required background check and can come in before the council. Member Moss second, all approved.

Mayor called on Police Chief Tim Baker for the Police Dept. report. The Mayor also noted that there had been a citizen concern brought to him regarding a need for increased patrolling at the apartment complex. Chief stated that the concern would be addressed. Member Moss stated that she had a citizen address the concern that there was an emergency call and the police couldn't find the house. The Chief responded by stating that there had been an instance that they were dispatched out to a residence that they were unable to locate due to the 911 address not being posted on the house. A citizen stated that it was voted on previously that it was the homeowner's responsibility to post their address so that it is visible from the road. Attorney verified that it is the citizen's responsibility.

Mayor called on Assistant Fire Chief Bob Wilbers, Mr. Wilbers stated that they had been dispatched on three calls. Wilbers discussed the NFPA being the safety standard. Also submitted an invoice quote from Ten8 for 3 black firemen coats, and pants, 4 pair of leather fire boots, and fireman hats.

Mayor called for Maintenance Department report. Bob Elworthy stated that they had been working on putting up Christmas lighting, flags, and wreaths. Mayor noted that Maintenance Supervisor should be present for the next meeting to answer any departmental questions or concerns.

Member Lane made a motion for a 5 minute recess, all agreed.

Member Whitfield made a motion to call the meeting back to order, member Sherrill seconded and Mayor called the meeting back to order.

Member Sherrill asked if the council was going to act on the fire department invoice request, which consisted of gear and equipment for Assistant Fire Chief and other firemen. Mayor asked for a motion, Sherrill made a motion purchase the needed equipment, Lane seconded. Whitfield asked what happen if they approve the gear purchase and the firemen leave and where would the funds come from. Wilbers stated that the equipment belonged to the city and would remain there. Each item documented by serial numbers when it is assigned to a fireman. Remaining SPLOST VI money was mentioned for the purchase. Mayor asked for action from the council, Sherrill made a motion to purchase of the needed gear quoted at \$4166.02 with SPLOST VI funds, Lane seconded. All in favor, motion passed.

Mayor asked for a date to be set for the next budget workshop. After brief discussion, the workshop was scheduled for Monday December 10 to begin at 6:30.

Next item of business was the two open seats on the Board of Zoning Appeals Committee. Mayor asked if there were any names suggested from the council. Several names were mentioned of citizens that had shown interest. Member Whitfield moved to appoint Carl Spano and Ronald Carter for the open seats. Member Sherrill second. Council went into discussion. Member Moss asked if they could go into Executive session to discuss the suggested appointments and others mentioned. Mayor and Attorney denied the request and stated that only personnel issues could be discussed in Executive session. When question called members Sherrill and Whitfield for, members Lane and Moss opposed, Mayor voted for appointments to break tie. Motion carries. Mr. Spano being present in the audience made the statement that if half the council opposed of him volunteering to serve on the committee, and then he would respectfully decline the position. Mr. Carter also being in attendance, also stated he would prefer not to accept the position since the council could not all agree. Mr. Carter suggested that the council split the appointments and have them revote. Mayor asked for a motion from the Council, there being no motions, Member Whitfield moved to table until the next scheduled meeting. Member Lane second to table till the regular January 8th meeting. When question called, Members Moss, Whitfield, and Lane for, Member Sherrill opposed, motion carries.

Mayor noted that the City might need to consider a new appointment for the City's representation on the GLPC (Greater Lowndes Planning Commission). It was unclear if present appointee Kevin Coggins intended to continue serving. Member Whitfield moved City appoint Ken Sherrill to fill term, motion died for lack of second. No other motion was forthcoming; appointment will be put on next Regular Council meeting agenda for consideration.

Member Sherrill stated that the council's lack of decision making abilities needed to be addressed. The Mayor urged the council to work together and seriously consider these upcoming decisions to be made. These are serious issues and this council needs to come together so that we can uphold our responsibilities.

Mayor stated that the water system had a 6 inch water pipe coming from the pump house that had gotten corroded due to chlorine being stored inside the building. He also stated that the chemical had been removed and stored elsewhere and maintenance will be removing rust from the pipe and painting it.

Member Moss questioned if Council was agreeable to a second re-printing of City Code book, or interested in paying \$ 25.00 per ordinance (changed since initial printing) to have updated immediately on City's website listing. No action taken.

Mayor stated that the city software was the next item of business. Member Lane mentions the concern regarding the Chart of Accounts. Mayor stated that when he met with the Regional Commission that it was recommended to him that the city stay with the current RDA system. Also stated that for the time being there was no reason to change programs and doing so wasn't financially feasible. Mr. Whitfield moved to make a 2 part motion, 1<sup>st</sup> part being for the city to stay with the current program and system for the remainder of the council term, and 2<sup>nd</sup> part being for the program not to be presented to the council again for the remainder of term. Member Lane contested the 2<sup>nd</sup> part of the motion stating that Member Whitfield could not request not to have something brought before council. Member Moss presented graphed information regarding the RDA cost and the continuing expense that it would be to stay with that program. Lane stated that the recurring and increased expense of the RDA program was the reason to leave the RDA program. Mayor asked for a move from the council. Member Whitfield moved to stay with RDA, Member Sherrill second, Lane, and Moss opposed, Mayor was tie breaker and motion approved to stay with current RDA system.

Uncollected taxes were then discussed. Mayor stated that there was a number Lake Park citizens and businesses that had uncollected taxes. The list totaled \$13,623.72 in outstanding tax monies. Member Whitfield asked what actions had been done to collect these taxes. He was advised that a notice had been sent and tax liens had been filed. It was also stated that previous council had set up payment plans for some of the uncollected taxes but the property owner failed to make any payment. Member Moss asked what the next step in collecting back taxes was. Attorney stated that a force auction of the property to collect those unpaid taxes was the next step. Member Moss made a motion to proceed in forced auction, Member Lane second, all in favor the motion passed.

Next item of business was to discuss the City of Lake Park businesses that were operating without a business license. The council discussed some businesses that were currently operating without a proper license. Member Whitfield made a motion that if they have been made aware that they must have a business license then the City should cite them. Member Sherrill second the motion, all approved and the motion passed.

Member Sherrill asked about the before mentioned Altitude business that was operating without paying their Franchise Fee. Member Moss asked Attorney how the council was to address that collection process. After reviewing the city and state regulations, the unpaid Franchise Fee should be handled the same way as outstanding taxes. The council discussed the process and decided to notify the businesses and if they failed to respond within 5 days, then the city is to cite the business.

Mayor mentioned the chemical additive Chlorine blended Phosphate formally used in City's Water supply from Professional Water Services. Mayor suggested inviting Professional Water Services to attend a Town Hall Meeting to meet with citizens and Council to answer questions regarding the use of the chemical additive.

Mayor asked for any continuing citizen concerns. A citizen questioned and charged the council about putting off making decisions and making motions on items that need to be addressed. Another citizen thanked the Mayor and Member Whitfield for their efforts and support of the city.

Mayor stated he needed a motion from the council regarding the executive session. Member Lane made a motion to go into executive session; Member Whitfield second, and all approved.

The Mayor asked for a motion to reopen the open business meeting. Member Sherrill read the Affidavit and Resolution regarding the Executive Session.

Being no further business, the meeting adjourned at 10:30PM.

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Read & Approved

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Date