



MINUTES

REGULAR COUNCIL MEETING October 12, 2021, 6:30 PM

REGULAR MEETING:

Call to Order: The October 12, 2021 Regular Council Meeting was called to order by Mayor David Jordan at 6:34 PM.

Attendance: Mayor David L. Jordan, Mayor Pro-Tem Lee Strickland, Larry Bowen, Kenneth Roach, Matt Fields, Wayne Braswell, Paul Crawford, City Attorney Andrea Grant, City Manager Ed Andrews, and City Clerk Sharleen Ayers.

Approval of All Outstanding Minutes: Wayne Braswell made a motion to approve the September 14 Regular Meeting Minutes. Matt Fields seconded the motion; motion passed 6-0.

Additions or Deletions to Agenda: None

Approval of Agenda: Motion was made by Wayne Braswell to approve the agenda. Motion was seconded by Matt Fields. Motion passed 6-0.

Main Street Update – Michael Crump: Community Planning Meeting was a success. Notes from Kathy Papa with the DCA will be distributed to all Council Members. We had a good Fall Festival, good attendance, Vendors and Downtown Business had a good response on their business. Nov 22 from 5-7 will be our Third Thursday Artisan Week. November 29th will be our Trick or Treat at the Wellness Park from 4-6PM. We will have a Virtual Costume Contest this year utilizing Facebook. Pictures can be submitted until Nov 2nd with Winners announced Nov 10th. Winners will be those with the most likes. Holiday Market is scheduled for November 23rd, and the Tree Lighting/Christmas in Royston will be November 30th. December 11th will be the Christmas Market at the Depot and the Parade at 5PM.

New Business:

- A. **Planning & Zoning Board Appointment: Michael Crump:** Mr. Crump addressed Council to update on Planning & Zoning Board members. One member had passed away earlier in the year, and the Chairman has resigned to run for a vacant council seat, but that may change in light of recent information. Mayor asked if he had formally resigned as he had not received that resignation. Mr. Crump said we had it on file, but Andrea had found a clause and we may not actually need it. Mr. Crump said that Mr. Phillips had asked that we consider appointing Tara Beebee. Tara is from Royston, she had moved south for college and has worked for Estee Lauder. She has DDA experience, and we asked if she could be placed on the zoning board to allow her to take training in December. That way she would be prepared to hear zoning requests in the new year. Mayor Jordan asked if the zoning committee had a chance to make any review?

City Manager commented there was not a quorum on the zoning board at this time. Mayor Jordan reiterated he was referring to the zoning committee from the council. City Manager stated he did not have that information in front of him. City Attorney Grant relayed she understood that Mr. King was the only member left on the Planning & Zoning Board. Mr. Crump said he was not aware he had to confer with the committee as he was used to the DDA Board, and it was not required with the DDA. Mayor Jordan asked how many in total he was looking to replace. Mr. Crump responded just one currently and the others would depend on the outcome of the election. Mr. Andrews told the Council that Kenneth Roach and Matt Fields are the members of the Zoning Committee. Mayor Jordan asked if they had looked at her information. They responded they had not met about it, but Mr. Fields mentioned he had met her before. Mr. Crawford requested to speak with the committee before any decisions were made. Mayor Jordan asked if that would be tonight, Mr. Crawford responded yes, if they met tonight. Mr. Fields asked if Darryl Ayers was on the board too. City Attorney Grant responded that Mr. Ayers had resigned, but she did not see the requirement for Mr. Phillips and the others to resign. It did make sense because there cannot be a conflict of interest and if something came before the membership and they had to recuse themselves, there would not be enough members on the planning commission. Ms. Grant stated our City Charter read there would need to be 5 members appointed by the mayor by and with the advice and consent of the City Council. Mr. Fields stated we possibly may need three board members unless they (Mr. Phillip & Mr. Ayers) don't resign. City Attorney Grant relayed she had not seen anything but there may be some things coming before planning & zoning and just as a reminder, not to put pressure on council, but there may be items coming before planning & zoning. If those requests do not get an answer in a required amount of time they may be automatically passed. Mayor Jordan asked what application is out there currently. Mr. Crump responded there was an application for the Tucker-Veal property that had been temporarily halted for the citizen to prepare a further presentation for the board. Mr. Crump has received part of the application, but it has not been fully submitted. City Attorney Grant stated that the application has to be deemed complete by your zoning administrator, who is de-facto Ms. Grant. She had not seen or deemed a complete application at this point. Mayor Jordan said this is the first he heard of making a nomination to be approved for the zoning board and the council had not had a chance to review, so making any decision tonight would be premature. He stated there is some discussion the community might want to have too, so he did not want to step in too early and decide. Mr. Roach said they would like to talk with Mr. Crawford. Mayor Jordan stated we will need three folks. City Attorney Grant stated it was only her opinion, but we might want to talk with Mr. King to be sure he still wanted to be on the board. Mr. Fields asked if the ones who had resigned would have to be appointed again? Mayor Jordan stated after the election they could be reappointed if the positions were kept open. If there was a completed application, we would have to do something within a certain amount of time. Mr. Roach said he was referring to Darryl Ayers & Jason Phillips. Mayor said they could be put back on the board if they were not elected, but if we fill the seat, we cannot remove those folks and replace with the prior appointees. City Attorney Grant stated they would be filling the unexpired term. She stated she did not know what the terms were for each person, but they would only be filling the unexpired term. Mayor Jordan confirmed a replacement would be on until the end of the term. Mr. Crawford asked if they could be removed and replaced once the election was over. Mayor Jordan stated they could be removed for cause but could not be removed at random. Mayor Jordan stated he did not know if we had to take Jason (Phillips) off or Darryl (Ayers) off. We did Paul (Crawford) because there is prohibition of an appointment of an elected official to a commission. He did not know why Jason (Phillips) and Darryl (Ayers) could not stay on until the election and then replace them. Then if they did not get elected, they could stay on. He stated that was just in his opinion. If they are replaced, they could not be put back on until the position expired. Mayor Jordan wanted to appoint those two back if they will do it until the election, and then if they get elected replace them and if not, they stay on. Mr. Bowen asked what we needed to do now. Mayor believed we should reappoint them at the next meeting. Mr. Hightower asked if he could talk about the property up for zoning change. He stated there was a large amount of work to be done on the property, and he did not think a delay would be a problem. Mr. Crump agreed. Mr. Bowen asked if we could delay this appointment decision until the next meeting, and then the election would be over and the problem would be solved. City

Attorney Grant told council the advertising requirements would move the zoning decision beyond that date anyway. Mr. Bowen asked that Ms. Beebee be patient with the council. Mr. Ayers asked was he resigned or not resigned. Mr. Andrews stated no, not right now. We will actually hold Darryl and Jason where they are pending election outcome and then there will be a 5–6-day period between that so Kenneth, Matt, and Paul can get together with Michael, and we can resolve this and fix this issue moving forward with the attorney. Mayor Jordan stated they did not want to create something that did not need to be created.

- B. Policy Updates: GCIC Information: Ed Andrews:** City Manager relayed to council that we have an audit relating to alcohol licensing and GBI has mandated that we follow these procedures and have these policies in place in regard to privacy of this information. There are 3 policies: Media Protection, Disciplinary Procedure, and Man-Made/Natural Disaster Policy. City Manager recommended these be stand-alone policies for GCIC information. We will have a Local Agency Security Officer and our guidelines will be built into this policy. These will be implemented and added as an addendum to our Employee Policy. Mayor Jordan stated a vote would need to be made to add this into the current policy. City Manager requested the City Attorney review the policies. GBI wants proof of these policies being implemented. The City Attorney is also required to have the same level of training as those in the City who have access to this information. Mayor asked if this was something new, City Manager responded this has been in place for years and the GBI auditor has requested this be implemented. Mayor asked for a motion to adopt the policy for Media Protection, Disciplinary Action, and Man-Made/Natural Disaster Policy as a totally separate policy. Wayne Braswell made the motion. Kenneth Roach seconded the motion. Motion carried 6-0.
- C. Insurance Proceeds from Street Department Building: Ed Andrews:** Mr. Andrew told council there was damage to a structure at the street department due to a tree falling on it. We made claims to our insurance company. We received \$22,155.39 from the insurance claim. This structure had been up for 50 years. It was a pole barn. Mr. Andrews requested the city use these funds to demo and put in place the same type of steel structures we have over our sanitation trucks and water equipment. A nicer facility that will be here for another 50 years. Council will need to do an amendment to the budget to receive the funds and appropriate these funds to expense. Mr. Crawford asked if the funds would cover the expense? Mr. Andrews said he believed it would, the structure is economical and would last a long time. Mayor asked again what the proceeds were. He asked if we would enter that back into the general fund? He asked how much it would cost, around 1,500? Mr. Andrews stated they were about 4 to 6 thousand dollars. Mayor Jordan asked again how he wanted to spend the funds? Mr. Andrews wanted to use the funds to demo and remove the current structure and then turn the other back into the building. Any excess proceeds could go back into the general fund. Mayor asked for a motion to use the insurance proceeds to demo the current structure, use remainder to purchase a new structure up to the amount of proceeds. Any extra would go back into the sanitation fund. Motion was made by Lee Strickland and seconded by Larry Bowen. Motion passed 6-0.
- D. ARPA Funds: Updated Deadlines: Ed Andrews:** City Clerk has attended several seminars on ARPA. An addendum has come from the State of Georgia giving an extended date of April 30, 2022, for the first report of fund uses. We are still waiting on final rules for the funding. These funds must be submitted with a detailed project listing with named and eligible projects.
- E. Mill Street Parking Lot: Cost Update: Ed Andrews:** Project was estimated to come in around \$88K. Actual cost to date is \$95,583.17. Council was given a current cost listing. Cost includes cost of property. Draining issues caused an increase in costs. Cost does not include the alley. That was a separate project itself. Mayor said it all looked great and everyone did a good job.

F. **Amphitheater Update: Ed Andrews:** Plenty have been out to the park taking pictures. Construction is about 60% complete. Part of the structure is up, and over the next couple days the contractor will complete the steel structure. Next work will be on the green room, restrooms, etc. City Manager did not have a final date, but the intention is to be done by the fifteenth of November. Mayor mentioned some Christmas music out there would be good. City Manager mentioned he would get with Michael to plan something for a Grand Opening perhaps for Christmas events.

G. **Code Enforcement: Address Council regarding Junk Car Ordinance: Jared Hightower:** Code Enforcement Officer wished to address ordinance Sec 38-95 Abandoned and/or Junk motor vehicles - conditions constituting a nuisance. Mr. Hightower explained to council what he was seeing around town and what he had observed. He did not want to take away from what someone thought had value, but some had been sitting around for a long time. We have a page and a half that describes what the nuisance is, and he can cite, summons to court, etc. Mr. Hightower is asking if the council would support sending a letter from City of Royston stating what is in our ordinance and we will issue a grace period from Nov 1 until whenever. Allow that to go in as a foldable filler in the billing, a public Facebook, social media notice, use our marquees, basically a public media push. Let this work for itself by letting citizens see we are about to enforce this and allow them time to clean it up. In that letter, we would identify a couple business in town that would do the removal at little or no cost to help to abate. It would allow people to have a resource in the letter to help them get it out of there. Then Code Enforcement could go in there after the grace period to give a definite deadline for removal. Mr. Hightower stated as the city had allowed this to happen and had not enforced in some time, this would give the public some notice to be aware enforcement was coming. He stated we can issue citations now, but this situation did not get this way overnight and will not get solved overnight. Mr. Hightower is asking the council to allow him to send out this notice. City Attorney Andrea Grant stated it is also called the abandoned motor vehicles. She stated the ordinance says whether motorized or non-motorized it must present a danger to the health welfare and good order of the community and constitute a nuisance. That it is a whole litany of things but must jump over that first hurdle of endangering the health, welfare, and good order of the community. Ms. Grant then read the ordinance to the council in total. She stated that once Mr. Hightower cites it, Code Enforcement must send notice certified return receipt mail, and outline conditions complained of, outline remedial action, give a reasonable time to do it, and that it can move on to municipal court to enforce it if they don't take our interpretation of whether it is abandoned or junked. Mayor Jordan said there used to be a requirement that stated it must be untagged, had not paid their ad valorem taxes on it. Mr. Hightower also stated the way he interpreted motor vehicle would include boats, and some boats are in the city. Mr. Hightower wanted to give the citizens a reasonable time to inform of the ordinance and maybe the citizens will abate some themselves. Mr. Hightower was suggesting a mailer to go into the monthly Utility billings. It would cost about \$100 to have it printed locally, and \$60 for it to be added to our billing. So roughly \$160 to go out in the next billing. Mr. Hightower was ultimately looking for council support to do these mailings. Mayor Jordan asked if there was a list or idea of how many residences this is? City Manager Andrews added that not only are junk cars involved but when you unfold a property that needs abating from a nuisance standpoint you then find abandoned cars that need abating. Mr. Hightower stated he could get a listing of properties that were currently aware of. Mayor Jordan stated perhaps the city could just send a letter to those specific properties. Mr. Hightower said yes, that is the process right now. He said this is an issue that he had hopes this might work itself out since there were a lot of bigger "fires" for the city at this time. He thought will fall coming it would be easier to see these things and attack it that way. He acknowledged it is his job to handle these on an individual basis. Mayor Jordan stated he did see an issue with creating a flyer and sending it out, but to go ahead and send letters to those with already identified issues. Mr. Hightower said at least this would serve as some notice that council would likely be hearing about this from citizens.

Mr. Crawford asked what happened if the citizens ignored the letter. Mr. Hightower said sometimes the judge would offer more time, but it would be up to the judge at that point. Mayor said educating the community is a good thing, however he still wants to go ahead and send a certified letter to those identified and give them special notice. City Attorney Grant wanted to “put some teeth” into what we were talking about by talking about Sec 38-4 Accumulation of Junk. So, he may come across what would fall under that ordinance. She repeated the process to get to court. If a citizen were to say it has been here forever, but everyday it occurs it is a new day, a continuing nuisance, and a new violation. Mayor stated that Jared’s point was if it has not been pushed and enforced, we didn’t want to jump in and say it has got to go now. City Manager pointed out the city wanted to provide some resources as not everyone has the money to do some of this stuff and obviously the city cannot clean up every bit of it. Mayor pointed out the recycling place will pick up a vehicle. Mr. Andrews said we were providing resources and information that just cutting the grass around it does not make it fine. City Attorney recommended that Jared had a good idea to give them some resources, but if anyone else had resources to offer they talk with Jared about getting on a list. Mr. Hightower hoped that this process would allow the community to make an effort to help each other solve some of these problems. Mr. Hightower thanked the council for their time.

Councilman Crawford addressed Council: Mr. Crawford wanted to make some recommendations before he leaves the temporary council position. He stated he was on the council when the city purchased the land for the wellness center. He really appreciated the progress that had been made, it was well used, and looked great, it was a real success story. He wanted to recommend that more seating be placed around the paths especially on the lower end of the walkway just about where you would give out after walking. He said there used to be a bench around there, but it was gone. Mr. Hightower stated it was removed due to a safety issue with the tree it had been placed under. A second thing Mr. Crawford requested was the addition of a separate dog park. Mr. Crump stated the DDA was going to discuss that at their next meeting as he heard of someone who would be willing to donate some funds for that purpose. Mr. Crawford said a fenced in area for the dogs to be off leash would be greatly appreciated. The third thing Mr. Crawford wanted to mention was changes to the Depot. He stated the Rotary appreciates using the Depot since their prior meeting place had burned, but he would recommend allowing for an ice maker during the next budget process and better lighting for all meetings there, especially for old people whose vision was getting bad. He understood there was already more insulation to be put in and with those changes, he believed it would be utilized more. He thanked council for giving him the chance to come back and thanked them for their service. Mayor Jordan said the council appreciated that.

City Manger Update: Kenneth Roach asked for an update on Harper Lane paving. Mr. Andrews said the Street Superintendent had that scheduled but there were rain delays, and they were on the paving contractors list. He would have the Street Superintendent get in touch with Mr. Roach with a potential date.

Executive Session: Personnel: Kenneth Roach made a motion to enter Executive Session. Wayne Braswell seconded the motion. Motion carried 6-0. Executive session began 7:34PM. Motion was made by Kenneth Roach and seconded by Wayne Braswell to close Executive session. Motion carried 6-0. Executive Session was closed 7:54PM.

City Manager Ed Andrews tendered his retirement to be effective December 31, 2021, with an aspect to allow the Council formally to advertise to look for a candidate to shadow him and work with some things with the Clerk/Finance Officer on projects in motion before he left. He wanted to echo what was said in chambers that this city has great potential and expectations from the citizens and council. Mr. Andrews said he had enjoyed every bit of it of his job. Mayor Jordan stated Mr. Andrews had done a great job and left a large void to fill for this next council. He said Mr. Andrews had given a 110% and it was greatly appreciated.

Adjourn: Kenneth Roach made a motion to adjourn; Larry Bowen seconded the motion; motion carried 6-0. Meeting adjourned at 7:14 PM.

Sharleen Ayers, City Clerk

Mayor David L. Jordan

(SEAL)

City of Royston
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