

REGULAR COUNCIL MEETING

April 4, 2011

The Hartwell City Council met in regular session on Monday, April 4, 2011 at 7:00 p.m. in the council chambers of city hall, 500 E. Howell Street, Hartwell, with all members present. The meeting was called to order by Mayor Jennifer Scott.

Following the Pledge of Allegiance to the United States Flag, the Mayor asked everyone present to pause for a moment of silence, followed by an invocation given by Dr. Steve Williams, Pastor of Hartwell First Baptist Church.

Mayor Scott announced that once again the City's Finance Officer has received the Certificate of Excellence in Financial Reporting from the Government Finance Officers Association (GFOA), with the award to be presented to the Finance Officer possibly next month when the plaque is received from GFOA. The City has also been awarded once again the Tree City USA designation.

In other announcements by the Mayor, she reported that the Susan G. Komen Breast Cancer Awareness Foundation would be having a 60-mile benefit walk in Atlanta October 21-23, 2011. She stated that she would be walking in honor of her late grandmother and her stepmother's mother, and anyone wishing to participate in a team from Hartwell could either contact her or go to the Susan G. Komen website. She further reported that the month of April was Autism Awareness Month, as well as Remembrance of the Holocaust where millions perished during this horrible crime, 6 million being Jews and 7 million considered as "others."

Mr. Jerry Cannady addressed Mayor and Council regarding some additional information concerning consolidation of city and county governments. He reported that following last month's council meeting, an online poll was taken by the Hartwell Sun newspaper asking whether or not the city and county should consolidate. With 1,990 people responding, the survey resulted in 60.5% voting "yes," 26.3% voting "no," and 13.2% undecided. He further stated that the County voted to get a proposal from the Carl Vinson Institute of Government to conduct a study regarding consolidating city and county governments.

As Council began discussing the proper procedure for prayer before council meetings, Mayor Scott stated that over the past two meetings there was a growing issue she categorized as more of a misunderstanding or simple ignorance, and the terms of denomination and religion had been used synonymously with each other. She stated that the proper procedure under the Constitution is to respect and identify everyone's right to participate in their religion without feeling they are pushed to another religion. She reiterated that she had no issue at all with someone coming and praying before the meetings, but stated the Constitution was being violated when a certain religion is dictated for our community. Councilman Tray Hicks pointed out a case heard by the 11th Circuit Court of Appeals called "Pelphrey vs. Cobb County, Georgia," in which prayers conducted at the Cobb County Commission meetings were found to be constitutional, while prayers conducted at Cobb County Planning Commission meetings were unconstitutional due to the method of selection of prayer givers, which excluded certain faiths. Councilman David Little made a motion to ask the City staff to make a thorough attempt to contact all established churches in Hartwell to see who would like to participate in offering prayer before council meetings. The City would then prepare a list to go by in asking someone to pray at each meeting. Motion was seconded by Councilman Billy Ethridge. Councilwoman Sarah Mayfield stated that she preferred such a list be developed by contact through news media such as radio, newspaper, or local cable television coverage rather than city employees. Councilman Hicks stated that this has never been an issue since anyone has always been invited to pray. City Attorney Rob Leverett stated that he did not think invitations needed to be sent; the concern is who you say "no" to. Mayor Scott again stated that it was Mayor and Council's responsibility to uphold the United States Constitution and the Constitution of the State of Georgia, and she would continue to recognize everyone's right to worship, to pray, and to believe in their own spirituality. Following extensive discussion, Councilmen Little and Ethridge withdrew their motion and second. A motion was then made by Councilman Little to authorize the City Manager to place an article possibly twice in the newspaper asking any church who would like to participate in offering prayer before council meetings to contact city hall to have their name placed on a list. Motion was seconded by Councilman Ethridge and carried unanimously.

Mayor Scott announced that two Hartwell citizens celebrate their 100th birthdays during the month of April. Ms. Mary Jane Moore celebrated her 100th birthday on April 1st, and Ms. Caldonia Allen will celebrate her 100th birthday on April 19th. Proclamations were prepared by the Mayor to be presented to both ladies.

Upon recommendation of Police Chief Cecil Reno, a motion was made by Councilwoman Mayfield to accept the quote of \$12,000 from Mr. Jan S. Scofield of Titusville, Florida for the purchase of a drug dog for the Hartwell Police Department. Motion was seconded by Councilman Craft and carried unanimously. Chief Reno introduced Police Officer Sherod Blackwell as the handler for the new drug dog.

Hearing no additions or corrections to the minutes of the March 7, 2011 council meeting, a motion was made by Councilwoman Mayfield to approve the minutes as recorded. Motion was seconded by Councilman Ethridge and carried unanimously.

A motion was made by Councilman Ethridge, seconded by Councilman Hicks, and carried unanimously to authorize the City Manager to seek bids for a backup diesel pump for the Jailhouse Sewer Lift Station.

Referring to the agenda item regarding response to backing of the coalition (ad hoc committee) as previously presented by NAACP President Randy Combs, Mayor Scott reported that the Police Department, as well as City Council, were in full support of the coalition, and Chief Reno and Officer Ed Starks had been attending committee meetings. As stated in prior discussions, the purpose of the committee was to research, evaluate, and provide effective solutions and suggestions to establish better community relations.

Councilwoman Mayfield reported on the insurance committee's review of the City's group health insurance. Upon recommendation of the insurance committee, a motion was made by Councilwoman Mayfield to increase the annual aggregate amount from \$40,000 to \$50,000 and to go with insurance carrier Montgomery Management & Companion Life. As stated by Councilwoman Mayfield, there were no other changes and the local insurance agent would remain the same. Motion was seconded by Councilman Arthur Craft and carried unanimously.

Councilman Hicks reported that the City Hall Building Committee was moving forward with the final layout of the new building, and the jail issue had been put to rest. He also stated that options for moving the Fire Station were in the planning stages. Councilwoman Mayfield reported that she received the following questions from listeners/viewers of the Back Talk Live radio/TV show:

- Would the City still consider relocating the city hall to another location or another building?
- What are the numbers voted on and the interest rate, etc.?
- Would the project have to be rebid due to addition of a jail?

In answer to these questions, Councilman Hicks explained that the Building Committee did a thorough job at looking at other locations and Council members, as a whole, felt the location chosen (parking lot adjacent to current city hall) was the best location. He felt the issue should not be revamped over and over again unless Council wishes to reconsider. The City Manager stated that the interest rate was 2.74% for ten years on \$1.5M. It was also his opinion, as well as the City Attorney's, that the project would not have to be rebid since it was still the same project and same property.

Questions were received from Mr. Ed Weaver regarding the city hall project. He asked if a change order would be required due to the addition of a jail and possible removal of the Fire Department. He also asked why the City was borrowing money to build a new city hall since they had the necessary funds. The City Attorney explained that a change order was not necessary since the project revisions were still part of the city hall complex and within the scope of the original project. The City Manager reported also that the City did have reserves but felt it was not prudent to deplete these funds. He further stated that the City received an exceptional interest rate from a local bank. Mayor Scott also stated that it was best to finance half the project since the City still had responsibilities to meet.

The City Manager reported that the jail committee had considered incorporating the city jail into the existing county jail. After going through the process of meeting with necessary officials to work out details regarding renovation of the vacated office of the Sheriff since he moved to a new location, it was learned that the County would have to hire five additional jailers for the added inmate space since they were required to have full-time jailers 24 hours a day, 7 days a week. He stated that although the County worked diligently with the City in working out details for modifications to meet all state rules and regulations, the configuration of the jail limited the line of site, which would require the hiring of the extra personnel to meet state regulations.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Jean Turner
City Clerk