

REGULAR MEETING – CAIRO MAYOR & COUNCIL – APRIL 22, 2019

The April 22, 2019 Regular Meeting was called to order at 6:00 p.m. in the Council Room at 101-B North Broad Street by Mayor Booker T. Gainor. Present were Mayor Pro tem Lannis Thornton, Council Members Demario J. Byrden, Jerry L. Cox, James H. Douglas, and Robert L. Gwaltney. Staff Members present were City Manager Chris Addleton, City Attorney Thomas L. Lehman, and City Clerk Carolyn Lee. Also in attendance was Cairo Messenger Editor, Randy Wind, and Times Enterprise Reporter, Eric Yabor.

INVOCATION: The Invocation was given by Mayor Gainor.

APPROVAL OF AGENDA: Motion to approve the agenda was made by Councilman Gwaltney, seconded by Councilman Thornton, and approved unanimously by all Council Members.

APPROVAL OF MINUTES: April 8, 2019 - Regular Meeting: Motion to approve the minutes as submitted was made by Councilman Cox, seconded by Councilman Gwaltney, and approved unanimously by all Council Members.

DELEGATIONS:

SPECIAL EVENTS:

Special Event Permit for Grady County Relay for Life on May 4, 2019 from 4:00 p.m. to 10:00 p.m. at Davis Park - Jackie Pearson, Applicant. After review, motion to approve the event permit was made by Councilman Thornton, seconded by Councilman Douglas, and approved unanimously by all Council Members.

OLD BUSINESS:

NEW BUSINESS:

SPLOST 2020 Proposed Projects for the City of Cairo. The Proposed 6-Year SPLOST 2020 Funding Project List consisted of Water Distribution (Loops and Mains) - \$2,000,000; Sewer Distribution and WWTP (Grit Removal Chamber and Repair Sources of inflow and infiltration) - \$1,000,000; Buildings & Parks (Southern Terrace, RR Depot renovation, Public Works Bldg.) - \$900,000; Public Safety Equipment (3 Police vehicles per year) - \$500,000; Public Works Equipment - \$400,000; Drainage & Stormwater Improvements - \$300,000; Debt Reduction (GEFA Water Loans for Water Plants) - \$1,740,000; for a total of \$6,840,000. City Manager Addleton advised that a meeting would be held on Tuesday with the County and the City of Whigham to discuss project lists. He had worked on revising the City's list, with a change in the debt reduction regarding previous bond debt which could not be paid with SPLOST. He proposed paying debt toward GEFA loans for the two water plants. He had taken out the renovation of the second floor of City Hall, with Mayor Gainor asking if the upstairs bathroom could still be fixed. It was suggested that ballot language should be a little generic for flexibility and to be sure referendum wording included that money could be borrowed for the projects. Councilman Douglas noted that a caveat was needed that any excess over the total amount should be used to reduce debt or taxes. City Manager Addleton advised that the County wanted a TSPLOST in 2020. He added that the City would be getting \$150,000 for resurfacing, and the Phases for resurfacing had been a good plan. After discussion, motion to approve the project list as presented totaling \$6,840,000 was made by Councilman Douglas, seconded by Councilman Thornton, and approved unanimously by all Council Members.

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Utility Billing Penalties. City Manager Addleton had researched back to the eighties and nineties regarding the date that penalties had been incurred on utility bills. He explained that the 1975 ordinance referred to due dates for water and sewer only, not electric and gas. When the Code was consolidated, it was not clear if it should have included electric. In September 1991, a proposal was passed by Council that referenced that the penalty was to be applied from the billing date, and not the due date, which should have amended the 1975 ordinance; however, the ordinance was not updated. He had presented copies of bills from the eighties and nineties, all of which consistently applied penalties and cut-offs from bill date. He referred to Chapter 13 - Sec. 13-4 “Service rates and conditions” which gave the Council the right from time to time to fix the rates and rate conditions for utility services by motion or resolution entered on its minutes, adding that this was what happened in 1991 when, using the bill date, the penalty date and cut-off date was increased. Mayor Gainor referred to the ordinance adopted in September 2018 to put correct language in the ordinance, stating that it was still not followed. Atty. Lehman stated that the minutes were the controlling factor and was policy, but the policy was not reflected in the ordinance until September. He asked how many days before the cut-off, learning that it was the morning of the 28th day from billing which had been extended in 1991. Councilman Douglas stated that his opinion was that the billing was done as intended. Mayor Gainor questioned the difference in “bill” date and “due” date, adding that policy, per GMA, did not override the ordinance and felt that the City should be held accountable. It was requested that Atty. Lehman give an opinion and get a couple more also. Mayor Gainor stated that Atty. Lehman had given an opinion in September 2018, with City Manager Addleton adding that he had given out the material for facts, some of which had not been available back in September. Atty. Lehman stated that there was no good solution to the problem; and if something was done, it should be set out in the policy. Councilman Cox stated that it looked as if Sec. 13-4 allowed policy changes in the minutes. Atty. Lehman advised that he would contact GMA and request an expedited opinion and ask how to address the problem. Mayor Gainor suggested that future policy changes be compared with current ordinances.

OTHER BUSINESS:

Reports:

1. Reports from City Manager:

- District 10 meeting in Moultrie on Thursday at 11:30.
- The live burn requested at 420 1st St., SE had been denied.

2. Reports from Mayor and Council:

- Councilman Byrden reported that the Easter Egg Drop at the Airport was well attended on Saturday.
- Councilman Douglas asked Atty. Lehman what the status was on Hammett/20th Street and requested that he proceed. He also reported that the ditch near the MacIvor Treatment Plan had become filled with dirt from run-off, and it needed to be piped.
- Councilman Thornton reported potholes on 4th St., SW between MLK and the railroad. He also reported that a lot on 16th St., SW that was already on the N/A list had gotten worse.
- Councilman Gwaltney reported a pothole on 4th St., SE between 6th and 7th Avenues.
- Mayor Gainor thanked the Cairo Quality of Life Committee and everyone who had helped with the Easter Egg Drop for the 400 plus attending. He also asked

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for enforcement of nuisance abatement complaints as he had received several recently. City Manager Addleton advised that he would have an updated list at the next meeting.

ADJOURN: Motion was made by Councilman Douglas to adjourn the meeting, seconded by Councilman Thornton, and unanimously approved by all Council Members.

APPROVED:

ATTEST:

CAROLYN B. LEE, CITY CLERK

BOOKER T. GAINOR, MAYOR