

## **REGULAR MEETING – CAIRO MAYOR & COUNCIL – JUNE 9, 2008**

The regular meeting was called to order at 6:00 p.m. on June 9, 2008 in the Council Room at City Hall with Mayor Richard VanLandingham presiding. Present were Mayor Pro Tem James H. Douglas, Council Members Ernest W. Cloud, Jr., Kermit V. Gilliard, Jr., and Lannis Thornton. Councilman Robert L. Gwaltney was unable to attend the meeting due to illness. Staff members in attendance were City Manager Chris Addleton, City Attorney Thomas L. Lehman, City Clerk Carolyn Lee, Executive Asst. Donna Young, Finance Director Cecil Rash, and Fire Chief Donald Towne. Cairo Messenger Editor, Randy Wind, and Times Enterprise Reporter, Teresa Williams, were also in attendance.

**INVOCATION** – Mayor VanLandingham gave the Invocation.

**APPROVAL OF MINUTES** – Minutes of the May 29, 2008 Regular Meeting were approved as submitted upon motion by Councilman Cloud, seconded by Councilman Douglas, and passed unanimously by all Council Members present.

**DELEGATIONS:** None.

### **SPECIAL EVENTS:**

**a.) Cairo Church of God - Kenneth Goff of TNT Fireworks – Sale of Fireworks for Fundraiser. (Georgia Approved Sparklers), June 27th – July 5th from 10:00 a.m. to 10:00 p.m. under Tent on the WalMart Parking Lot.** City Manager Addleton advised that the request had been made to sell sparklers for a fundraiser. Councilman Douglas inquired regarding the permit that was required by Georgia law from the Probate Court, as well as the insurance requirement. Mr. Goff and a representative from the Church were present, with Mr. Goff stating that he did not know if the permit requirement applied to sparklers. He added that they carried \$15M liability insurance and followed safety precautions and state guidelines. Attorney Lehman asked if they would be selling accepted sparklers as all were not approved, with Mr. Goff replying that what they sold was approved. After discussion, motion was made by Councilman Douglas to approve the event contingent upon all required information being presented to City Manager Addleton or his designee. Motion was seconded by Councilman Gilliard and passed unanimously by all Council Members present. Mr. Goff stated that he would overnight his insurance policies and also a list of Georgia approved fireworks.

**b.) Dorothy Simmons – 420 1<sup>st</sup> St., NE – Family Reunion – Blocking of 1<sup>st</sup> St., NE from 1<sup>st</sup> Ave., NE to 6<sup>th</sup> Ave., NE - July 4<sup>th</sup> from 5:00 p.m. to 11:30 p.m.** Mayor VanLandingham noted that the request form had not specifically requested a street closing, and there was no way to know how many of the people who signed the petition actually lived on the street. Councilman Thornton noted that he recognized some of the names as residents of 1<sup>st</sup> Street. (Due to the number of blocks involved and residents affected, staff had not recommended the closing). After discussion, motion was made by Councilman Cloud to deny the request, adding that he had wondered why the reunion was not planned at the mother's residence which was on a dead-end street. Motion was seconded by Councilman Douglas and passed unanimously by all Council Members present.

### **OLD BUSINESS:**

**Ordinance to Amend Chapter 22 “Zoning” of the Code of Ordinances – Rezoning from R-3 to C-1 the Property Located at 318 South Broad Street described as County Tax Map C19 - Parcels 48 and 49 – First United Methodist Church.** (Ordinance was introduced at the May 29<sup>th</sup> meeting). After review, motion was made by Councilman Cloud to adopt the ordinance. Motion was seconded by Councilman Douglas and passed unanimously by all Council Members present.

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**Ordinance to Amend Chapter 15 “Offenses and Miscellaneous Provisions” of the Code of Ordinances (to define and identify certain misdemeanors in the Code of Ordinances, such as simple assault, simple battery, criminal trespass, and theft by taking, and provide suitable punishment to be enforced by the Cairo Municipal Court).** (Ordinance was introduced at the May 29<sup>th</sup> meeting). After review, motion was made by Councilman Thornton to adopt the ordinance. Motion was seconded by Councilman Cloud and passed unanimously by all Council Members present.

**FY 2008 Employee Performance Bonus System.** City Manager Addleton advised that he had, in addition to the previous four options, provided an additional fifth option as requested that would provide for distribution of the \$41,469 evenly across all 136 eligible employees (\$304.92 each). Motion was made by Councilman Cloud to approve Option 5 and seconded by Councilman Thornton. Councilman Douglas did not think Option 5 was fair to those that met the performance guidelines. Councilman Thornton stated that two of the people who did the evaluations (Terry Holt and William Whitson) were no longer with the City. Mayor VanLandingham asked who did the individual evaluations, with Exec. Asst. Young replying that the department heads did the evaluations for their employees, and the former city manager evaluated the department heads. Council Members Cloud and Thornton voted in favor of the motion to use Option 5, and Council Members Douglas and Gilliard voted against, resulting in a tie vote. Mayor VanLandingham stated that he was not in favor of Option 5. Councilman Douglas made motion to approve Option 3, seconded by Councilman Gilliard. Voting in favor of the motion were Council Members Douglas and Gilliard and voting against were Council Members Cloud and Thornton, resulting in another tie vote. Mayor VanLandingham stated that, while there might not be a perfect option, he felt Option 3 was fair to those who had worked toward their goals; therefore, he broke the tie vote by voting in favor of the motion to approve Option 3. Motion carried. Council discussed future evaluation plans, with Councilman Douglas requesting that City Manager Addleton work on a plan that everyone could approve. He also stated that he had recommended Option 3 due to that being close to the amount that was set aside for bonuses but was not in favor of putting money in the new budget for bonuses. He believed that City Manager Addleton could submit the names of those employees that stood out next year. Councilman Gilliard felt that whatever plan was approved should not be changed in midstream. Councilman Thornton noted that all department heads had been in the performance pool. City Manager Addleton advised that a score of 30 was “average” on a performance range; and he would change that point score to a “does not exceed expectations,” with over 40 being outstanding or distinguished. He added that he was in the process of developing goals for each department head and their departments, with no money being appropriated in the new budget for bonuses.

**Resolution to Authorize City Manager to Abate Nuisance at 104 18<sup>th</sup> Ave., NW (C. B. Murkerson c/o David Francisco & Two Others) - Rubbish/Garbage/Overgrowth/Abandoned Structure - County Tax Map C23 – Parcel 5.** Mr. Larry Murkerson was present and stated that the property had been transferred to Mr. Francisco, and that he had been helping him clean the lot. He added that it was 75 to 80 per cent cleaned, and they should be finished in four to six weeks. It was noted that one extension had already been granted. After discussion, motion was made by Councilman Cloud to grant a 30-day extension, but to abate the nuisance if the lot was not cleaned within 30 days. Motion was seconded by Councilman Gilliard and passed unanimously by all Council Members present.

### NEW BUSINESS:

**Introduction of Ordinance to Amend Chapter 14 “Occupation Taxes and Regulations” of the Code of Ordinances Regarding the Removal of the Word “Coins” from the Holding**

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**Period Requirement.** City Manager Addleton advised that it had been proposed that the word “coins” be removed from the holding period. Attorney Lehman noted that Police Chief Sandefur had approved of the change, adding that the price of silver and gold is so volatile that an owner could not afford to hold coins for a 10-day period. Councilman Douglas inquired if a business owner would still have to keep records, with Attorney Lehman responding that he would. It was noted that the ordinance was originally intended to apply to pawnbrokers, but a buyer/seller of coins had requested the change be made. (Ordinance was introduced and will be considered for adoption at the June 26<sup>th</sup> meeting).

**Donation of Property Located on 6<sup>th</sup> Street, SW (C5-55) by Mary F. Hall Estate to the City.** City Manager Addleton informed the Council that Mr. Sonny Hall, heir of the estate of Mary F. Hall, wished to donate a vacant lot to the City that was contiguous to other City property near the Wastewater Treatment Plant. After discussion, motion was made by Councilman Cloud to accept the donation of property. Motion was seconded by Councilman Douglas and passed unanimously by all Council Members present. It was requested that a letter of thanks be written to Mr. Hall.

**Award of Bid for the Pine Circle, NW Sanitary Sewer Rehabilitation.** City Manager Addleton advised that the low bid of the two received was from Southeast Pipe Survey, Inc. in the amount of \$40,050.00 and recommended that it be awarded to the low bidder. After review, motion was made by Councilman Douglas to award the low bid as recommended. Motion was seconded by Councilman Cloud and passed unanimously by all Council Members present.

**Contract Agreement between the City of Cairo and Southeast Pipe Supply for Pine Circle, NW Sanitary Sewer Rehabilitation.** City Manager Addleton reported that the project should be substantially completed in 60 days, and that a 10% holdback was included in the contract. After review, motion was made by Councilman Cloud to approve the contract. Motion was seconded by Councilman Thornton and passed unanimously by all Council Members present.

**Municipal Electric Authority of Georgia (MEAG) Voting Delegates.** No action was taken on this item as the delegates had been appointed at the May 12<sup>th</sup> meeting.

**Annual Meeting Proxy regarding GMEBS/WCSIF/GIRMA Annual Meeting in Savannah.** After discussion, motion was made by Councilman Cloud to designate City Manager Addleton as the City’s representative and the person who would also be allowed to appoint a proxy for the annual meeting if necessary. Motion was seconded by Councilman Gilliard and passed unanimously by all Council Members present.

**Information from Autry State Prison in Reference to Inmate Contract.** City Manager Addleton reported that the annual contract amount had increased for the first time in three years, from \$37,500 to \$39,500. After review, motion was made by Councilman Douglas to approve the contract amount of \$39,500. Motion was seconded by Councilman Thornton and passed unanimously by all Council Members present.

**Resolution to Authorize City Manager to Abate Nuisance at 340 Teresa Edwards St. C6-46 (Angela McGriff c/o Greg Fullerton) - Overgrowth.** After review, motion was made by Councilman Cloud to approve the resolution to abate the nuisance. Motion was seconded by Councilman Gilliard and passed unanimously by all Council Members present.

**Resolution to Authorize City Manager to Abate Nuisance at 336 Teresa Edwards St. C6-47 (Clara J. Glenn Estate) – Overgrowth/Condemned Structure.** After review, motion was made by Councilman Cloud to approve the resolution to abate the nuisance after a 30-day period if

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the owner, who was in the process of cleaning the lot, had not finished cleaning at that time. Motion was seconded by Councilman Douglas and passed unanimously by all Council Members present.

**Resolution for Budget Amendments for FY 2007-08.** After review, motion was made by Councilman Douglas to approve the resolution for amendments to increase the City Manager's budget in the amount of \$104,696; increase Municipal Court in the amount of \$3,000; decrease CS-Streets & Sidewalks in the amount of \$107,696; and increase the RCC contribution (Hotel/Motel Tax) by \$20,000. Motion was seconded by Councilman Gilliard and passed unanimously by all Council Members present. With regard to the proposed budget for 2008-09, Councilman Cloud noted that the Downtown Development Authority would be coming back to request a budget amendment.

**Finance Report for Month of April 2008 and Year-to-Date.** Due to changes that needed to be made to the report, motion was made by Councilman Douglas to postpone action until the June 26th meeting. Motion was seconded by Councilman Cloud and passed unanimously by all Council Members present.

### OTHER BUSINESS – ADDENDUM:

**Request from Southwest Georgia Regional Development Center (RDC) regarding Participation in DCA's Statewide Count of Homeless and Precariously Housed Individuals.** Mayor VanLandingham reported that the RDC had requested a preliminary commitment to participate in the count and the appointment of a Council Member to be on the team. Since no one was familiar with having participated previously, he suggested that more information be obtained. Councilman Gilliard noted that the school system compiled this information. City Manager Addleton was requested to obtain more information on the program.

**Introduction of Ordinance to Amend Chapter 7 "Cemeteries" of the Code of Ordinances Regarding Decoration or Adornment of Graves.** Attorney Lehman advised that there were two reasons for the amendment: 1.) to state that the City would have no liability regarding the damage or destruction of grave adornment or decoration unless there was intentional or gross negligence involved, and 2.) to permit the removal of items that interfered with the maintenance of the cemeteries. Councilman Cloud suggested preparation of a pamphlet regarding cemetery regulations to be given to purchasers of cemetery lots and to be placed at the funeral homes. (Ordinance was introduced and will be considered for adoption at the June 26<sup>th</sup> meeting).

**Introduction of Ordinance to Amend Chapter 22 "Zoning" of the Code of Ordinances Regarding "Signs" to Clarify that Signs Should Not Be Placed on Rights-of-Way.** The ordinance had referred to the overhang of signs on the right-of-way but not specifically on the right-of-way itself; therefore, the amendment would clarify that signs were not allowed on rights-of-way. Council discussed the enforcement of the ordinance, questioning who should be picking up the illegal signs and what the penalty was for violations. Council also discussed the placement of yard sale signs in violation of the ordinance, with Councilman Cloud noting that some people have more than the allowed two yard sales per year. (Ordinance was introduced and will be considered for adoption at the June 26<sup>th</sup> meeting).

**Rental/Purchase of New Sewer Jet Machine from Adams Equipment Co. in the amount of \$55,633.00.** City Manager Addleton reported that \$60,000 was proposed in the 2008-09 budget for a sewer machine, but the machine had not lasted. Three quotes had been received, with the lowest in the amount of \$55,633.00 from Adams Equipment Co., Inc. The machine could be rented until the new budget year, with full rental applied to the purchase. Councilman Douglas recommended going ahead and purchasing the machine since it was so close to the end of the fiscal year, making motion to

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do so. Motion was seconded by Councilman Thornton. Councilman Cloud inquired if the machine would be large enough, with City Manager Addleton responding that it was between a large and a small and was larger and better than the last machine. He added that a larger machine would be between \$75,000 and \$80,000, but Public Works Director Stokes and Public Works Supt. Todd believed that the mid-sized model would be what was needed. Mayor VanLandingham suggested going ahead and voting to purchase the proposed machine; and if it was decided that a larger one was needed, other action could be taken at the next meeting. Motion passed unanimously by all Council Members present.

**REPORTS:**

**a.) City of Cairo Code Enforcement**

**REPORTS FROM MAYOR & COUNCIL:**

Councilman Douglas inquired as to the progress of repairs to the fire truck, with Chief Towne responding that the pump had been ordered, and repairs should be made by the end of July.

Councilman Gilliard requested that a report be prepared on the CNS bundling package. He also announced that he might not be able to attend the June 16<sup>th</sup> special meeting.

Mayor VanLandingham announced that he would be attending the MEAG meeting in July but would be absent for the July 28<sup>th</sup> Council meeting.

Councilman Thornton reported that there were basketball goals turned toward the street and kinds playing in the street in the 900 block of 10<sup>th</sup> and 11<sup>th</sup> Streets, NW and requested that this be checked. He also reported a water leak on West Lake Drive in Hawthorne Trails Subdivision.

Councilman Cloud advised that there were also water leaks on Ridge Ave., SW, 3<sup>rd</sup> St., SW, and 3<sup>rd</sup> Ave., SW.

Councilman Thornton stated that he had problems with his internet over the past weekend, with City Manager Addleton reporting that CNS had been monitoring for some problems. Councilman Douglas suggested going ahead and changing out the modems that were going to have to be changed.

**EXECUTIVE SESSION:** None.

**ADJOURN:** There being no further business, the meeting was adjourned.

**APPROVED:**

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**RICHARD VANLANDINGHAM  
MAYOR**

**ATTEST:**

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**CAROLYN B. LEE  
CITY CLERK**