**Minutes**

**Forsyth Council Meeting**

**May 15, 2023**

**Call to Order**

Mayor Wilson called the meeting to order at 6:00 p.m.

**Pledge of Allegiance, Invocation by Rod Callahan, and Roll Call**

Mayor Wilson led the Pledge of Allegiance. Mr. Rod Callahan of the Ministerial Association gave the invocation. In attendance for the meeting was Mayor Eric Wilson, Councilmembers Mike Dodd, Julius Stroud, Greg Goolsby, John Howard, and Chris Hewett. Also, in attendance was interim City Attorney, Ashley Brodie, Assistant City Manager, Regina Ivie, and Executive Administrative Assistant, Shayla Furlow. Councilmember Melvin Lawrence was not in attendance for the meeting. There were five members of council in attendance therefore all unanimous votes will be five votes (Dodd, Stroud, Goolsby, Howard, and Hewett).

Mayor Wilson requested a moment of silence in honor of Mr. Phillip English who recently passed away. Mr. English served many years on the city’s planning and zoning board; he was also the chairman of the Monroe County Hospital board.

**Approval of the agenda.**

Mayor Wilson stated a special presentation needs to be added to the agenda, after approval of the agenda. Mr. Hewett offered a motion to approve the agenda as requested. Seconded by Mr. Dodd; the motion carried unanimously.

**Special Presentation**

Mayor Wilson presented Councilmember Julius Stroud with a plaque in appreciation of his many years of dedicated service to the City of Forsyth.

**Approval of the minutes from the council meeting held on May 1, 2023.**

Mr. Goolsby offered a motion to approve the minutes as presented. Seconded by Mr. Hewett; the motion carried unanimously.

**Cheryl Maganti**

Councilmember Goolsby stated he recently spoke with Ms. Maganti about her property and the adjacent property. He further stated that there are issues that need to be looked at and fixed by the city. He presented pictures to council. At the white building with the railroad ties, it seems as if that is the property line for waterworks facility. A storage building looks as if it is partially on her property. The fence that is around the water works is not on the property line. There is a lot of overgrowth that is coming from the water waters department that is our responsibility. At the pond kudzu has totally consumed the fence on the back of the property. The city did spray the kudzu a couple of years ago. A pipe at her driveway appears completed clogged. Councilmember Goolsby assured Ms. Maganti that council would find a resolution to the current issues Ms. Maganti sees on the property; the property needs to be maintained.

Ms. Maganti reviewed several issues that she’s been trying to get resolved. After some discussion Councilmember assured Ms. Maganti that the city will do what’s needed to resolve the issue. A survey is needed to identify if the storage building is on city property. Mike Batchelor stated Ms. Maganti would need to contact the county regarding the clogged pipe at her driveway. According to the tax accessors the building is not on her property. The railroad ties are not at the property line.

**AARP presentation by Myrtle S. Habersham and Kay Sibetta**

Ms. Myrtle Habersham and Ms. Kay Sibetta with AARP Georgia congratulated the City of Forsyth for joining the network of AARP age friendly states and communities. The City of Forsyth is the 764th community. A certificate was presented to Mayor Wilson.

**Public hearing to consider a variance request application of SPAC. LLC, Michael Chad Tyler regarding Chapter 4, Alcohol Beverages, Section 4-175 for tax parcel F35 031 and F35 047.**

Mrs. Ivie stated the public hearing notices was advertised in the Monroe Reporter on April 26th, May 3rd, and May 10th.

Mr. Cody Ellis, Economic Development Director stated the variance request was presented to Planning & Zoning in March. The parcel for the property as well as the property next door is zoned mixed use; there are no required setbacks for those parcels. However, a package store with a drive thru city ordinance states a privacy fence is required along the side of the drive thru. NAPA sit directly on the property line. That side of the building essentially would serve as the privacy fence for the drive thru. Planning & Zoning unanimously approved the variance request for no privacy fence at the drive thru.

Mayor Wilson opened the floor for comments in favor of or opposition to the proposed variance request.

Mr. Chad Tyler stated it would be redundant to have a privacy fence against the block wall. There being no further comments in favor of or opposition to the proposed variance Mayor Wilson closed the public hearing.

Mr. Hewett offered a motion to approve the variance request as presented. Seconded by Mr. Dodd; the motion carried unanimously.

**Public hearing to consider amendments to Article 10 Nonresidential Zoning Districts Table 10.1.**

Mr. Stroud offered a motion to postpone approval of the proposed amendments to Article 10 Nonresidential Zoning Districts Table 10.1 till the June 5, 2023 council meeting. Seconded by Mr. Goolsby; the motion carried unanimously.

Mr. Goolsby offered a motion to schedule a work session on Monday, June 5, 2023 at 5:30 p.m. Seconded by Mr. Hewett; the motion carried unanimously.

**Approval of a second amendment to the power purchase agreement with the Municipal Electric Authority of Georgia.**

Mr. Stroud offered a motion to approve the second amendment to the power purchase agreement as presented. Seconded by Mr. Dodd; the motion carried unanimously.

**Award the bid for the 2022-2023 Local Maintenance Improvement Grant (LMIG).**

Mr. Goolsby offered a motion to award the bid for the 2022-2023 Local Maintenance Improvement Grant. Seconded by Mr. Hewett; the motion carried unanimously.

**Approval of a renewal agreement with H20 Innovation.**

Mr. Dodd offered a motion to approve the renewal agreement as presented. Seconded by Mr. Stroud; the motion carried unanimously.

**Approval of a renewal work detail agreement with Georgia Department of Corrections.**

Mr. Stroud offered a motion to approve the work detail agreement with Georgia Department of Corrections as presented. Seconded by Hewett; the motion carried unanimously.

**Approval of a memorandum of understanding with Georgia Department of Community Affairs for the Main Street Program.**

Mr. Dodd offered a motion to approve the memorandum of understanding with Georgia Department of Community Affairs for the Main Street Program as presented. Seconded by Mr. Hewett; the motion carried unanimously.

**Approval of a temporary electric board policy.**

Mr. Dodd offered a motion to approve the temporary electric board policy. Seconded by Mr. Hewett. Interim City Attorney suggested a rewording for clarification to the policy, Upon City Council approval of an event. The motion carried unanimously.

**Approval of a new job description and grade for an Advanced Laborer within the public works department.**

Mrs. Storey reviewed the proposed job description and grade for an advanced laborer.

Mr. Dodd offered a motion to approve the new job description and grade as presented. Seconded by Mr. Hewett; the motion carried unanimously.

**Rescind approval of the resolution approved at the September 13, 2022 meeting, purchase of PW&PD vehicles.**

Mrs. Ivie reviewed the resolution that was previously approved. It was determined at year end to be not needed due to the good financial situation of the city. Therefore, the resolution should be rescinded.

Mr. Hewett offered a motion to rescind approval of the resolution approved at the September 13, 2022 council meeting as presented. Seconded by Mr. Stroud; the motion carried unanimously.

**Waste Management Update**

Mr. Steve Edwards and Mr. Jeffrey Turner with Waste Management reviewed upcoming updates to better facilitate service-related issues. Mr. Edwards reviewed data that indicates Waste Management is operating at less than 1% of issues. He also stated that rules and guidelines of what’s allowed for pickup could be provided to the city to pass along to the citizens of Forsyth.

**Otis Ingram – Update on Senior Living Community.**

Mr. Otis Ingram stated the roofs and shingles on the two duplexes will be completed in two weeks. He had recently spoken to Chief Bunn about burning the roof rafters, but a new law prohibits burning building materials. Mr. Ingram stated he would like to plant evergreen trees along the sidewalk to enclose the site. He estimated the trees would grow enough in the next year would provide a green wall to cover the eye sore to help solve the community upset about the unfinished project. Mr. Ingram further stated that interest rates as of March 2022 are at 3.5%, today rates are at 8.25%. Interest rates have gone up 135% in the last year. The rate hikes continue to rise it makes the viability of the project a real concern. In the last 30 days a building has burned, and two restaurants have gone out of business. Mr. Ingram requested a 90-day extension.

After some discussion Mr. Hewett offered a motion to deny the 90-day extension. Seconded by Mr. Stroud.

Mrs. Brodie, Interim City Attorney stated she would review the issue and provide her legal opinion regarding the matter, and to meet with Mr. Ingram’s attorney. After additional discussion about blighted property, fines related to, complaints received from citizens Mrs. Brodie recommended to amend the original motion, to postpone any action till a future council meeting. Mr. Goolsby offered a motion to postpone any action till a future council meeting; to allow Mrs. Brodie to review, provide a legal opinion, and meet with Mr. Ingram’s attorney. Seconded by Mr. Stroud; the motion carried with four votes (Mayor Wilson, Dodd, Stroud, and Goolsby). Mr. Hewett and Mr. Howard voted against the motion.

Mayor Wilson called for a vote on the original motion; Mr. Hewett voted in favor of the motion, Mr. Goolsby and Mr. Dodd voted against the motion. Mr. Howard, and Mr. Stroud abstained from voting. The motion failed due to a lack of votes.

**Approval to advertise for proposed ordinances changes.**

Mr. Stroud offered a motion to approve advertising for proposed ordinance changes. Seconded by Mr. Dodd; the motion carried unanimously.

**Approval of hours of operation for the walking trails and all other park amenities.**

Mr. Goolsby offered a motion to modify the hours of the city park amenities from 8:00 a.m. to dusk daily. Seconded by Mr. Stroud. After some discussion Mr. Goolsby withdrew his original motion. Mr. Goolsby offered a motion to modify the hours of the city park amenities from 8:00 a.m. to 9:00 p.m. daily during daylight savings time; walking trails to remain open 24 hours a day. At the conclusion of daylight savings time city park amenities will be open from 8:00 a.m. to 8:00 p.m. Seconded by Mr. Stroud; the motion carried unanimously.

**Approval of a resolution pledging to practice and promote civility in the city.**

Mr. Dodd offered a motion to approve the resolution pledging to practice and promote civility in the city. Seconded by Mr. Hewett; the motion carried unanimously.

**Call for a Special Election**

Interim City Attorney, Ashley Brodie reviewed that a special election could be held in September, or council could wait until the general election to fill Councilmember Stroud’s post. Mr. Stroud’s last day on council is May 30, 2023. After some discussion regarding the cost of conducting a special election Mr. Goolsby offered a motion to hold an election for Mr. Stroud’s seat in November to correspond with the general election. Seconded by Mr. Hewett; the motion carried with four votes (Hewett, Goolsby, Dodd, and Howard). Mr. Stroud abstained.

**Pachacutec Yupangui – Sedition and Subversive Activities**

Mr. Pachacutec was not in attendance.

**Approval of a street closure request on June 3, 2023 by Katina Dent & Rosa Harvey.**

Mr. Stroud offered a motion to approve the street closure request as presented. Seconded by Mr. Hewett; the motion carried unanimously.

**Approval of a street closure request on October 21, 2023 for the Fox City Witches Ride.**

Mr. Goolsby offered a motion to approve the street closure request as presented. Seconded by Mr. Hewett; the motion carried unanimously.

**Approval of a street closure request on June 24, 2023 by John Walton.**

Mr. Goolsby offered a motion to approve the street closure request as presented. Seconded by Mr. Hewett; the motion carried unanimously.

**Approval of Requisitions Greater than $6,000**

**Gresco Utility Supplies, Inc $ 8,672.50**

**Ace Pole Company Inc $6,300.00**

**Calibration Controls Automation $24,820.00**

**Solor Thingz, Inc $15,999.84**

**Boone Trucking, Inc $9,500.00**

Mr. Hewett offered a motion to approve the requisitions as presented. Seconded by Mr. Stroud; the motion carried unanimously.

**City Manager’s Report**

Mrs. Storey provided the following report. Mrs. Ivie presented the report to the council.

* The splashpad is up and running; we are having issues that can be corrected and the pad continues to be operational unless we run into a new issue.
* Grapple truck should be back up and running tomorrow.
* Vacancies on P&Z/D&R and DDA/Main Street boards that need to be filled.
* Reminder that June 19 is a holiday, and per recent change to City Ordinance, the council meeting will be moved to June 20
* Advertising Public Hearing for rezoning request from W. James Green for 2 properties on MLK to be held on June 5
* Walter Goodson’s request regarding abandoned road off Powell Street. December 2017 Bobby Melton provided a response regarding the “abandoned roadway” stating that this is not an abandoned roadway as defined under Georgia law since people actually live on that road; case law holds that abandonment only to benefit a private individual is not permissible; the public nonuse of a road’s full width is not considered abandonment; no one living on the roadway has been given an address and that roadway does not appear to have ever been named; 20’ roadway was deeded to city from George Willis in 1986; and in his opinion “the City would have some procedural problems in declaring this roadway as abandoned and of no benefit to the public, since there is a least one structure in which someone lives on that street, without other apparent access except on this roadway, and the request of Mr. Goodson was for his benefit and not any person living on that street or owning the property on that unnamed street.”
* Mr. Goodson stated today with Ms. Hall that he only wants to know the boundaries of the road.
* Monroe County has temporarily connected to our system for their north customers due to equipment issues with Butts County. We are providing water via pumper truck and hose to their customers.

**Interim City Attorney Report**

Mrs. Brodie had no further business to report.

Mr. Goolsby mentioned he’s received complaints about the Atlanta Gas Light project on Tift College. It’s a nuisance, and a safety hazard. The current state of the sidewalk presents problems for anyone in a wheelchair.

Mr. Dodd offered a motion to send a letter to Atlanta Gas Light regarding the road construction. Seconded by Mr. Hewett; the motion carried unanimously.

**Mayor’s Report**

Mayor Wilson had no further business to report.

**Additional Business**

No additional business was brought forward.

**Public Comments**

No one came forward for public comments.

**Executive Session**

Mayor Wilson stated an executive was needed to discuss pending litigation at

**Adjourn**

Mr. Dodd offered a motion to adjourn the meeting at 8:22 p.m. Seconded by Mr. Goolsby, the motion carried unanimously.