

MEETING OF THE MAYOR AND COUNCIL FOR THE CITY OF RICHMOND HILL

**Tuesday, August 2, 2016
7:30 P.M.**

Present from City Council: Harold Fowler, *Mayor*; Russ Carpenter, *Mayor Pro-Tem*;
Councilmembers: Johnny Murphy, John Fesperman, Jan Bass

Staff Present: Chris Lovell, *City Manager*; Ursula Lee, *City Clerk*; Ralph Catlett, *Fire Chief*;
Scott Allison, *Director of Planning & Zoning*; Randy Dykes, *Asst. Planning & Zoning*; Charlie
Heino, *EOM*; Mark Long, *Code Enforcement*; Harvey Lashley, *Park & Tree Director*; Ray Smith,
City Attorney

Visitors: Jamie Parker, Ted O'Neil, Ron Elliott, Brian Felder, Karen Krupp, Lisa & Julien
Delontaine, Tim Proffitt, Doug Martin, Mike Sisco, Jim Gardner, Trace Palmer, Bonnie Proctor,
Sandra Elliott, Danaesha Johnson, Don Montgomery, Michelle Henderson, Robert O'Brien,
Dallas Daniel, Billy Albritton

Mayor Fowler called the meeting to order at 7:30 P.M. Councilmember Carpenter gave the invocation. The Pledge of Allegiance was led by Chief Catlett.

Mayor Fowler recognized Bryan County's newly elected Solicitor General, Mr. Don Montgomery, and Bryan County Board of Education Vice-Chairman Mrs. Karen Krupp.

1. Approval of Minutes of meeting **July 19, 2016**

Councilmember Murphy made a motion to approve the July 19, 2016 City Council Minutes. The motion was seconded by Councilmember Carpenter. Motion carried in the affirmative by Councilmembers Carpenter, Fesperman, Bass and Murphy.

DEPARTMENTAL REPORTS:

Administration and Personnel: Ursula Lee

Mrs. Lee told Council the new City of Richmond Hill Mobile App was now available. Mrs. Lee explained that residents could download and use to pay bills, get notice of emergencies, city events, etc.

Mayor Fowler noted that Congressman Buddy Carter was having a Town Hall Meeting, Wednesday August 3rd at 10:00 a.m. at the Bryan County Administration Building.

City Manager Lovell stated he would like to congratulate City Attorney for being appointed to the State Court Judge. Mayor and Council congratulated Mr. Smith.

Public Safety:

Police Department: Chief Billy Reynolds

Nothing to report.

Fire Department: Ralph Catlett

Nothing to report

Public Works: Charles Heino, Enviroworx

Nothing to report

Parks, Recreation and Culture: Harvey Lashley

Nothing to report

Planning, Zoning and Code Enforcement: Scott Allison

1. Approval/Disapproval of a petition filed by **Danaisha Johnson for Joberson's Day Spa** requesting a conditional use permit to allow a massage therapy clinic in a C-1 Neighborhood Commercial zoning district. The property location for this request is 9390 Ford Avenue. Map 0461, Parcel 065-02. Mr. Allison stated in Council's packet they had Minutes from the Planning Commission as well as the application. Mr. Allison noted the property is directly across the street from the Fish Hatchery; in same building as Kelly Chiropractic. A Public Hearing was held with no one in opposition. Mr. Allison noted Ms. Johnson was present if Council had any questions.

Councilmember Murphy made a motion to approve the petition filed by Danaisha Johnson for Joberson's Day Spa requesting a conditional use permit to allow a massage therapy clinic in a C-1 Neighborhood Commercial zoning district. The property location for this request is 9390 Ford Avenue. Map 0461, Parcel 065-02. The motion was seconded by Councilmember Bass. Motion carried in the affirmative by Councilmembers Carpenter, Fesperman, Bass and Murphy.

2. Approval/Disapproval of the building elevations for **Richmond Hill United Methodist Church Ministry Center** to be located at 9050 Ford Avenue.

Mayor Fowler checked with City Attorney Ray Smith if he and Councilmember Fesperman needed to recuse their selves because they are both members of the Methodist Church. Mr. Smith stated only if they deal with Finances of the church. Mayor Fowler noted they did not.

Mr. Allison stated Council had in their packet the application, with revision plans since it was first presented to Planning Commission. Mr. Allison noted this is in the Gateway Overlay District.

Mr. Brian Felder stated he was the architect for the Ministry Center. Mr. Felder stated they met with the ARB last week and they gave them some recommendations. One was keeping a little more wood, they did approve using red brick that matches existing buildings, and the roof will be gray in color.

Councilmember Fesperman made a motion to approve the building elevations for Richmond Hill United Methodist Church Ministry Center to be located at 9050 Ford Avenue. The motion was seconded by Councilmember Bass. Motion carried in the affirmative by Councilmembers Carpenter, Fesperman, Bass and Murphy.

3. Code Enforcement Monthly Report was submitted.

Finance Department: Bob Whitmarsh

1. Approve/Disapprove June, 2016 Financial Report. Mr. Whitmarsh stated the city is progressing well. The SPLOST revenues are coming in a little bit lower than what we anticipated due to gas prices being down so low. The other revenues are coming in as expected. It's a good report for June; we will use this report for our 2017 budget preparations.

Councilmember Carpenter made a motion to approve the June, 2016 Financial Report. The motion was seconded by Councilmember Fesperman. Motion carried in the affirmative by Councilmembers Carpenter, Fesperman, Bass and Murphy.

Mayor Fowler asked Chamber representatives to come forward at this time to make their presentation.

Mr. Jim Gardner stated he was Chairman of the Richmond Hill/Bryan County Chamber of Commerce. Mr. Gardner introduced all the members of the Board that were present. Mr. Gardner stated they are gearing up for this year's Seafood Festival, which will be the 18th Annual Seafood Festival. This event has grown from 8,000 up to 35,000 people. We have help and support from 350 to 500 local volunteers, over the last 3 years we have provided over \$12,000 to Youth Scholarship Programs. The Seafood Festival is an important part to our local Chamber and value to social and local businesses. As we look to expand the offerings of the festival we would like to offer to the city assistance in the funding of the re-purposing improvements to the amphitheater area of the park by prepaying the next 5 years in the amount of \$75,000 to provide immediate funds to the city for its use in expanding the capabilities of the park for future events. The Chamber Board voted unanimously to make these funds available immediately; it is my pleasure to make this offer to the city on behalf of the Chamber of Commerce.

Mayor Fowler and Council thanked Mr. Gardner.

2. Approve/Disapprove SPLOST expenditure for J. F. Gregory Park improvements. City Manager Lovell stated this item has to do with what Mr. Gardner was just talking about. Mr. Lovell stated we need to get the park ready for the Seafood Festival so we are going to use SPLOST Funds to get this project moving. As soon as City

Attorney Ray Smith and Mr. Jim Gardner of the Chamber get the details hammered out we will get the money back.

Councilmember Carpenter made a motion to approve the SPLOST expenditure for J. F. Gregory Park improvements. The motion was seconded by Councilmember Fesperman. Motion carried in the affirmative by Councilmembers Carpenter, Fesperman, Bass and Murphy.

3. Approve/Disapprove agreement with Chamber of Commerce for J. F. Gregory Park improvements. City Manager Lovell stated this item needs to be tabled because there is no agreement in place.
4. Approve/Disapprove SPLOST expenditure for 187 acre park development. Councilmember Russ Carpenter stated the city had purchased the land a few years ago with the intent of it becoming a passive park. In order to utilize the land we had to wait until the new W/S Plant was complete. It is now complete so we're moving ahead with the plans. We put together an excellent committee to come up with the 3 phases for the park. Phase 1 will include mountain bike and running trails, there are some trails that are going to be pulled in. There is a six acre lake on the property that we're going to clear and clean to have fishing there. Later on down the road there will be more amenities added including a campground, community garden, and picnic pavilion.

Mayor Fowler noted this would be a great place to hold a family reunion and other family events. Councilmember Carpenter noted this would add to the city's recreational space. J F Gregory stays booked and busy with events and citizens functions. This is to provide our citizens with more recreation space.

Mayor Fowler noted this would add into our old wastewater treatment plant where people go in and watch birds and animals. This would tie in and the manmade wetlands would be used and utilized. Councilmember Carpenter added that they were going to be very cautious not to add traffic to Sterling Creek Drive. Councilmember Carpenter noted that after the wastewater lines are installed there is another access that would be utilized and that decision would be made at that time. Councilmember Carpenter stated again we will monitor and make sure Sterling Creek Drive will not be overly burdened.

Councilmember Bass made a motion to approve the SPLOST expenditure of \$50,000.00 for the 187 acre park development. The motion was seconded by Councilmember Murphy. Motion carried in the affirmative by Councilmembers Carpenter, Fesperman, Bass and Murphy.

5. Approve/Disapprove millage rate for 2017. Mayor Fowler stated a Public Hearing was held at 7:00 this evening with no comments. Mr. Whitmarsh stated they are asking Council to approve the rate for 2017 at 4.152 which is a decrease from last year. Mayor Fowler noted that since he has been on Council since 1999 and to his

knowledge there has not been an increase on the millage rate. That's been over twenty years and this year we have reduced it.

Councilmember Carpenter made a motion to approve the millage rate of 4.152 for 2016. The motion was seconded by Councilmember Murphy. Motion carried in the affirmative by Councilmembers Carpenter, Fesperman, Bass and Murphy.

UNFINISHED BUSINESS:

CITY MANAGER TOPICS: Chris Lovell

Mr. Lovell stated the first thing he had was an update on the roadwork. At last meeting we approved Pine Crest and Rice Gate. The next two we have coming up are Ellis Drive and the street behind Fire Station #1. Those dollar amounts are \$60,000 each to complete. Nothing to approve, contract has already been approved. In the future the next ones would be Constitution, Linwood, Maple, and maybe Dogwood.

City Manager Lovell asked Mayor Fowler if he would like to move the item under New Business up before going into Closed Session.

1. Approve/Disapprove request from Robin Parfitt to serve beer and wine only at an event in the Wetlands Center at J. F. Gregory Park on August 12, 2016.

Councilmember Murphy made a motion to approve the request from Robin Parfitt to serve beer and wine only at an event in the Wetlands Center at J. F. Gregory Park on August 12, 2016. The motion was seconded by Councilmember Murphy. Motion carried in the affirmative by Councilmembers Carpenter, Fesperman, Bass and Murphy.

1. Closed Session to discuss Personnel Issue:

Motion to Enter Into a Closed Meeting of a City Council

Council member Bass makes the following motion:

(1) That this Mayor and Council now enter into closed session as allowed by O.C.G.A. §50-14-4 and pursuant to advice by the City Attorney, for the purpose of discussing the following: Personnel Matter

(2) That this body, in open session, adopt a resolution authorizing and directing the mayor or presiding officer to execute an affidavit in compliance with O.C.G.A. §50-14-4, and that this body ratify the actions of the council taken in closed session and confirm that the subject matters of the closed session were within exceptions permitted by the open meetings law, said resolution to be in the form as attached hereto.

Motion seconded by Councilmember Carpenter.

Those voting in favor of the motion for closure: Council Members Carpenter, Murphy, Bass, and Fesperman.

Councilmember Murphy made a motion to go back into Open Session. The motion was seconded by Councilmember Bass. Motion carried in the affirmative by Councilmembers Carpenter, Fesperman, Bass and Murphy.

Resolution of the Richmond Hill City Council

BE IT RESOLVED by the Richmond Hill City Council as follows: At the meeting held on the 2nd day of August, 2016, the Council entered into closed session for the purpose of discussing Personnel Matter. At the close of the discussions upon this subject, the Council did vote to re-enter into open session and herewith takes the following action in open session:

(1) The actions of the Council and the discussions of the same regarding the matter set forth for closed session purposes are hereby ratified.

(2) Each member of this body does hereby confirm that to the best of his or her knowledge, based upon the advice of the City Attorney, the said subject matter of the meeting and of the closed session portion was devoted to matters within the specific relevant exception(s) as set forth above.

(3) The Mayor, or presiding officer, is hereby authorized and directed to execute an affidavit, with full support of the members of this Council, in order to comply with O.C.G.A. §50-14-4(b).

(4) The affidavit shall be included and filed with the official minutes of the meeting and shall be in a form as required by the statute, which shall be substantially as follows:

Approved this 2nd day of August, 2016.

Councilmember Bass made a motion to approve the Resolution. The motion was seconded by Councilmember Fesperman. Motion carried in the affirmative by Councilmembers Carpenter, Fesperman, Bass and Murphy.

Affidavit

Personally appeared before the undersigned-attesting officer, duly authorized to administer oaths, E. Harold Fowler, who, after being duly sworn, deposes and on oath states the following:

(1) I was presiding officer of a meeting of the Richmond Hill City Council held on the 2nd day of August, 2016

(2) That it is my understanding that O.C.G.A §50-14-4(b) provides as follows:

When any meeting of an agency is closed to the public pursuant to subsection (a) of this Code section, the chairperson or other person presiding over such meeting shall execute and file with the official minutes of the meeting a notarized affidavit stating under oath that the subject matter of the meeting or the closed portion thereof was devoted to matters within the exceptions provided by law and identifying the specific relevant exceptions.

(3) The subject matter of the closed meeting or closed portion of the meeting held on the 2nd of August, 2016, which was closed for the purpose(s) of discussion of Personnel Matter as allowed by O.C.G.A, Title 50, Chapter 14, was devoted to matters within those exceptions and as provided by law.

(4) This affidavit is being executed for the purpose of complying with the mandate of O.C.G.A. §50-14-4(b) that such an affidavit be executed.

This 2nd day of August, 2016.

Councilmember Carpenter made a motion to approve the Affidavit and approve Mayor Fowler to sign Affidavit. The motion was seconded by Councilmember Fesperman. Motion carried in the affirmative by Councilmembers Carpenter, Fesperman, Bass and Murphy.

Mayor Fowler stated no action was taken. Council was instructed by City Attorney Ray

Smith to explore further into the matter.

COMMUNICATIONS

PUBLIC COMMENTS

Councilmember Carpenter made a motion to take a recess for refreshments only. The motion was seconded by Councilmember Murphy. Motion carried in the affirmative by Councilmembers Murphy, Carpenter, Bass and Fesperman.

There being no further business, the meeting adjourned at 8:23 P. M. in a motion by Councilmember Murphy. Motion was seconded by Councilmember Bass. Motion carried in the affirmative by Councilmembers Fesperman, Carpenter, Bass and Murphy.

Respectfully submitted,

Ursula Lee
City Clerk

