

**MINUTES
COUNCIL MEETING
February 19, 2019
7:00 P.M.**

1. CALL TO ORDER:

Council Meeting was called to order by Mayor Robert Bridges at 7:02 p.m.

Members present were Council Members Perry Barton, Edward Jackson, Betty Lyle, Dwight McCormic and Hattie Thrasher. Also, in attendance was City Administrator, Mai Chang, Asst. City Clerk Gloria Giddens, Public Works Director Sam Powell, Police Chief Allan Johnston, and City Attorney Thomas Mitchell. Media was represented by Ron Bridgeman of the Barrow Journal.

2. APPROVAL OF MINUTES:

A. Council Meeting, January 15, 2019

Betty Lyle made a motion to approve the minutes of the January 15, 2019 Council meeting as written. Dwight McCormic seconded the motion, unanimous.

3. OLD BUSINESS:

A. Rolling Over Vacation Hours for City's Employees

Edward Jackson made a motion for this to be tabled until further review by Council. Perry Barton seconded, unanimous.

4. NEW BUSINESS:

A. Sewer Agreement-Pending provision for rates availability

City Administrator, Mai Chang, and City Attorney Thomas Mitchell explained the rates and length of the sewer agreement.

Edward Jackson made a motion to table until Barrow County approves the agreement with the provision on the rate increase to reflect the Consumer Price Index (CPI). Hattie Thrasher seconded, unanimous.

B. Amendment to Water Agreement

City Administrator, Mai Chang explained the water agreement addendum to amend the section on the rate increase to reflect the current Consumer Price Index (CPI) instead of just an increase. Also all county facilities inside Statham in included in the minimum charges.

Dwight McCormic made a motion to accept amendment to water. Perry Barton seconded, unanimous.

C. Appoint Council Members for Tree Replacement Committee

Perry Barton, made a motion to appoint Dwight McCormic and Edward Jackson to form the Replacement Tree Committee.

Betty Lyle seconded the motion. Motion passed with Hattie Thrasher, Betty Lyle and Perry Barton voting Yes. Dwight McCormic and Edward Jackson abstained from voting. 3/2

D. City Clean Up Week

City Administrator, Mai Chang and Council discussed the Dates and Times for clean up week. Dates specified are Friday, April 26, Saturday, April 27 8:00 am. til 6:00 pm. Sunday, April 28 12:00 noon til 5:00 pm. Dates and times to be published in City news letters.

Edward Jackson made a motion to approve the cleanup days. Betty Lyle seconded, unanimous.

E. Mayor & Council Members Pay Raises

Discussion among council members raised questions about how other surrounding Cities handled their pay raises for Mayor & Council.

Council ask councilman Dwight McCormic to find information from other Cities about such pay raises.

Perry Barton made a motion to table. Hattie Thrasher seconded, unanimous.

F. Patricia & Ken Bennett: Rezoning of 0 McCarty Rd. Parcel ST020 11B from PUD to C1

Current owner’s representative from Athens Land Trust spoke to council of the approval of Pat & Ken Bennett rezoning the said property. City Attorney, Thomas Mitchell explained that the current owner needed to be the one to rezone property unless owner signs an affidavit authorizing buyer to rezone.

Perry Barton made a motion to waive 1st read of rezoning change. Edward Jackson seconded, unanimous.

5. CITIZENS CONCERNS

Gonchikar Raya: Property Taxes on Business for 2014— (Absent)

George Warzecha: Code Enforcement

Mr Warzecha wanted to know Code enforcement procedures. He is concerned that an empty lot in the Lakewood Village subdivision has become a dump site from previous construction company. Multiple letters sent to the City Code Enforcement which city received, but no response.

Perry Barton suggested that, City Administrator, Mai Chang, Chief of Police, Allan Johnston and City Attorney, Thomas Mitchell do a follow-up every two weeks until situation in rectified, beginning immediately.

6. EXECUTIVE SESSION---DISPOSITION

At 7:44 p.m. a motion was made by Betty Lyle to go into an executive session. Hattie Thrasher seconded, unanimous.

At 8:00 p m a motion was made by Edward Jackson to adjourn executive session. Perry Barton seconded, unanimous.

City Attorney, Thomas Mitchell read Settlement Agreement as follows:

The Settlement Agreement Release and Covenant two pending Civil actions filed between Catherine Corkren vs City of Statham, Civil Action File No. 17-CV-000135-M, and Catherine Corkren vs City of Statham & Police Chief Allan Johnston. Civil Action File No. 17-CV-001778-B, both pending in Barrow County Supreme Court. Settlement Agreement would result in dismissal with one (1) week after payment of funds. Each party will be responsible for their own costs. Corkren will release claims regarding Open Records. Any claims she has open as of date of filing 17CV-001778B she is agreeing she will not be suing City and will release all parties, including various employees, of the City. Sole Remedy: Of any violated Open Records Act shall be filed with Attorney General of the State of Georgia. Nothing in this agreement constitutes an admission of wrong doing by the City.

Thomas reminded the Mayor and Councilmen that the Attorney General's office sent a letter to the City back in August 2018, saying they had reviewed City's actions and found no problem with them.

Statham release and waives any claims and costs in these actions. Agreement Voluntary: Corkren acknowledges and agrees that she has had counsel advising her. Governing Law: Agreement is subject to laws of State of Georgia. Sole Agreement: In this matter and result in a payment of \$5,000.00 to Ms Corkren in exchange for release of these Covenants.

Dwight McCormic made a motion to accept the settlement agreement. Edward Jackson seconded the motion, unanimous.

7. ADJOURN:

There being no further business before the Council, Perry Barton made a motion to adjourn. Betty Lyle seconded, unanimous.

Meeting adjourned at 8:03 p.m.