

# CITY OF STATHAM

## MINUTES

Statham City Hall

327 Jefferson Street, Statham, GA 30666



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REGULAR MEETING – September 20, 2022

7:00 P.M.

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**CALL TO ORDER** - Mayor Piper called the meeting to order at 7:00 p.m.

Roll Call

Present: Mayor Piper, and Councilmembers Krause, Patterson, Penn, Thrasher, and Venable.

Also present: City Attorney Jody Campbell, City Clerk Ashya Fambrough, and Captain Nichols.

**PLEDGE OF ALLEGIANCE**- Mayor Piper led the Pledge of Allegiance and thanked all the veterans and their families for their service.

### VOTING ITEMS

- 1. Tax Year 2022 Millage Rate:** The City of Statham has tentatively adopted a millage rate which will require an increase in property taxes for the 2022 tax year. The City of Statham anticipates the property tax levies will be set at 4.003 mills, which is a \*19.92% increase from the proposed rollback rate of 3.338. A Tax Report from the City's Finance Department is available on the City's website or may be obtained by contacting Statham City Hall. \*Based on the County's updated and approved tax digest received from the County Tax Commissioner on August 18, 2022, the city's form PT 32.1 has changed, and the rollback rate is now 3.337 and tax increase 19.96%.

Councilmember Patterson made a motion to approve the millage rate. Councilmember Venable seconded the motion and the motion passed 4-1 with Councilmember Thrasher voting no.

- 2. Alcohol License Application:** *Tabled from the August 16, 2022 Regular Meeting.* Amaljose Enterprises, LLC, owner and applicant, Amal Jose, has applied for a City of Statham alcoholic beverage license for beer and wine retail package located at 2059 Atlanta Highway SE, Statham, GA 30666, Map and Parcel Number ST06A 099, also known as Statham Food Mart. This location has a current business and alcoholic beverage license for beer and wine; however, a change of ownership has prompted a new alcoholic beverage license application per the City's Alcohol Ordinance.

Councilmember Venable made a motion to approve the application. Councilmember Penn seconded the motion, and the motion passed 4-1 with Councilmember Thrasher voting no.

- 3. O-22-04 Wine Tasting Events Ordinance:** *Tabled from the August 16, 2022 Regular Meeting. Fourth reading.* To amend the Code of the City of Statham, Chapter 4, "Alcohol," Article VI "Retail Package Sales," to add Section 4-163.

Councilmember Venable made a motion to table this item until the November 3, 2022 Work Session. Councilmember Thrasher seconded the motion, and the motion passed unanimously.

4. **Barrow County Water Purchase Contract Proposal:** To approve an updated wholesale water purchase agreement with Barrow County. This update includes clarifying information and the costs associated with the agreement have not changed.

Councilmember Patterson made a motion to approve the contract. Councilmember Thrasher seconded and the motion passed unanimously.

5. **Audit Engagement Letter FY22:** To approve an engagement letter for auditing services with Bates Carter for the FY22 financial audit. The cost for the audit is \$18,000.

Councilmember Venable made a motion to approve the FY22 Audit Engagement Letter. Councilmember Krause seconded the motion and the motion passed unanimously.

6. **O-22-05 Ordinance Amending the FY21 Budget:** *Second reading.* To approve an FY21 Budget Amendment Ordinance; to maintain a balanced budget by department per Georgia law, the City is required to amend the following department budgets and their respectful line items to maintain a balanced department.

Councilmember Venable made a motion to approve the amendment. Councilmember Penn seconded the motion and the motion passed unanimously.

7. **Well Development, Additional Site(s) Exploration:** Tabled from the May 17, 2022 Regular Meeting. To approve the Statham Water Department to continue the well development project adhering to the goals of Mayor and Council of water independence. Due to Well No. 3 not being the most viable at this time and capping site No. 3 at Hillman-Rainwater, City staff requests \$60,000 with a 15% contingency for well exploration of a potential three sites to include surveying and drilling per detailed in the attached letter dated April 5, 2022 from the water department's operator Jordan McDaniel. This approval also includes the Mayor's signature on agreement(s) with Ground-Water Services, Inc., the firm assisting the City with well exploration and development, in order to keep the project moving while personnel, contractors and equipment are on-site.

Councilmember Trasher asked for clarification of the sites being considered. Councilmember Krause listed the sites as Springside Meadows, McDaniel, and Lyles, off Sunset Drive. Councilmember Patterson stated there are too many unknowns and made a motion to deny. Councilmember Thrasher seconded the motion to deny, and the motion passed unanimously.

8. **Fiscal Year 2021 Audit Acceptance**

Councilmember Venable made a motion to accept the FY21 Audit. Councilmember Krause seconded the motion and the motion passed unanimously.

- 9. Professional Services Agreement for Permits, Inspections:** To approve the Mayor to sign an updated agreement with Bureau Veritas for professional services to include permits, inspections, plan review and code enforcement. The previous professional services agreement with SAFEbuilt has been terminated.

Councilmember Krause asked for an explanation of the decision to terminate SAFEbuilt. Mayor Piper stated overall their model was not the best fit for the City and opened the floor for council to ask questions of Bureau Veritas representatives in attendance. There were no questions. City Attorney Campbell explained the fees are budgeted on an annual basis although they will be invoiced as occurred.

Councilmember Penn made a motion to approve the agreement. Councilmember Krause seconded the motion and the motion passed unanimously.

**EXECUTIVE SESSION:** Pursuant to the attorney-client privilege and as provided by Georgia Code section 50-14-2(1), a meeting otherwise required to be open was closed to the public in order to consult and meet with legal counsel pertaining to pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the agency or any officer or employee or in which the agency or any officer or employee may be directly involved and the matter discussed was **pending or potential litigation**.

Councilmember Krause made a motion to enter Executive Session. Councilmember Venable seconded and the motion passed unanimously. Executive session began at 7:19 p.m. and ended at 7:38 p.m. with Councilmember Thrasher making a motion exit. Councilmember Venable seconded and the motion passed unanimously.

City Attorney Campbell stated that all discussions held in Executive Session are protected as Attorney/Client Privilege and that no votes were conducted during the session.

#### **MINUTE APPROVAL**

1. September 8, 2022 Public Hearing & Work Session (submitted to Council on September 13, 2022).

Councilmember Patterson made a motion to approve the September 8, 2022 Public Hearing & Work Session Minutes. Councilmember Krause seconded, and the motion passed unanimously.

#### **ADJOURN**

At 7:39 p.m., Mayor Piper asked for a motion to adjourn the meeting. Councilmember Thrasher made a motion and Councilmember Venable seconded. The motion passed unanimously.