

# CITY OF STATHAM

## MINUTES

Statham City Hall

327 Jefferson Street, Statham, GA 30666



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WORK SESSION – August 4, 2022

6:30 P.M.

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**CALL TO ORDER** – Mayor Piper called the meeting to order at 6:30 p.m.

Roll Call

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

Also present: City Accountant April Stephens, Police Department Personnel, City Attorney Jody Campbell, and City Clerk Ashya Fambrough.

Call in: Councilmember Krause

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

## REPORTS

1. Finance Department
2. Police Department
3. Public Works Department

Mayor Piper provided a brief overview of all department reports.

## PUBLIC HEARING

Councilmember Venable made a motion to open the public hearing. Councilmember Patterson seconded, and the motion passed unanimously.

- 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.
  - Mayor Piper read the item and opened the floor to discussion.
  - Councilmember Patterson asked for an explanation.
  - City Accountant Stephens explained the calculations, and that overall, the rate is the same as the prior 2 years and will need to stay the same to generate the \$305,000 of tax revenue that was budgeted.
  - Councilmember Venable is comfortable with the proposed millage rate.
  - Councilmember Krause noted that it is driven by increased property values.

- City Accountant Stephens asked if any citizen had questions or concerns: there were none. She stated that she is available to review one on one and has previously held a Budget Class. Mayor Piper noted that the class is on the City's YouTube Channel.
- City Accountant Stephens was excused by Mayor Piper as she had another engagement.

**2. Alcohol License Application:** 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.

- Mayor Piper read the item and opened the floor to discussion.
- Amal Jose of Athens, GA was present as the current owner and applicant.
- City Attorney Campbell reviewed the ordinance that you must be a resident or have a resident representative to obtain an alcohol license.
- Mayor Piper recommended he stop by City Hall to provide that information and get any questions answered before the next Council meeting.
- Councilmember Venable pointed out that a box on page 4 of the application was checked "No" as to not fully understanding the attestation.
- City Attorney Campbell recommended that an appointment be scheduled for the following week to revise the application. He also noted that also this ordinance hasn't been followed to date with this location that it should be from this point forward and he will also research if a waiver could apply.

**3. Alcoholic Beverage License Distance Waiver Permit:** Fajita Mex Grill, applicant, has applied for a City of Statham alcoholic beverage license distance waiver permit for beer, wine and distilled spirits located at 1916 Railroad Street, Statham, GA 30666. This location has a current business license and alcoholic beverage license for beer, wine and distilled spirits by the drink.

- Mayor Piper read the item and opened the floor to discussion.
- Councilmember Patterson asked for further explanation.
- City Attorney Campbell explained the relevant ordinance and that the Church in the area has provided a letter in support of the waiver.
- Mayor Piper asked for any citizen input and there was none.

Councilmember Venable made a motion to close the public hearing. Councilmember Thrasher seconded, and the motion was approved unanimously.

## **DISCUSSION ITEMS**

**1. City of Statham Personnel Policy Change – Leave Type:** *Tabled from the July 19, 2022 Regular Meeting.* To approve a change to the City's Employee Benefits – Leave Type in the Personnel Policy Handbook and implement a new Paid Time Off (PTO) accrual system and cancel the current vacation time and sick time policy. This new policy will go into effect January 1, 2023. To minimize any benefit conversion loss from the former vacation policy to

this PTO policy, employees whose converted PTO balances are in excess of their new longevity cap on the effective date of this policy will be able to retain the excess amount and use down excess time through June 30, 2023. On July 1, 2023, any excess time will be paid to the employee. *To benefit those employees who did not abundantly use their accrued sick time:* Employees with accrued sick leave hours between a minimum 96 and maximum of 144 (96-144 hours) from the prior sick leave policy may covert those unused sick hours into PTO hours on the effective date of this policy. Employees will be able to retain the excess amount and use down this excess time through June 30, 2023. On July 1, 2023, all excess time will be paid directly to the employee. Should an employee terminate their employment for any reason prior to July 1, 2023, any converted excess sick time will be forfeited.

- Mayor Piper read the discussion item and opened the floor to discussion.
- Councilmember Venable asked if Holidays were included or separate. Mayor Piper stated that it is separate and that 3 or more consecutive days will require an excuse.
- Councilmember Patterson wanted to ensure that employees will not lose any time in the conversion and wanted Chief Underwood's input. Chief Underwood stated that he agrees with the change and has spoken to his tenured staff, and they fully understand what to expect.

**2. City of Statham Personnel Policy Change – Bereavement Leave:** *Tabled from the July 19, 2022 Regular Meeting.* To approve a change to the City's Bereavement Leave policy in the Personnel Policy Handbook on page 78. The new policy states full-time employees shall be eligible for bereavement leave after ninety (90) days of employment. A total of ten (10) days of paid bereavement leave shall be granted per calendar year to an employee in the event of a death of an employee's relative. This leave will be paid at the regular employee rate and will not count towards overtime and will not count towards deferred compensation. Relative is defined as Spouse, Parent or Stepparent, Child or Stepchild, Sibling (Brother, Sister, Stepbrother, Stepsister), Grandparent and Grandchildren. Bereavement hours that exceed ten (10) days are unpaid unless PTO is used by the employee. There is no accumulation of bereavement leave and no payment upon separation from City employment.

- Mayor Piper read the discussion item and opened the floor to discussion. No comments.

**3. Barrow County Water Purchase Contract Proposal:** *Tabled from the July 19, 2022 Regular Meeting.* To approve a wholesale water purchase agreement with Barrow County.

- Mayor Piper read the discussion item and referred Council to review the EMI report that was received earlier that day also covers multiple opens for the City to produce its own water supply partially or fully and opened the floor to discussion.
- Councilmember Patterson stated that the revised agreement is much improved.
- Councilmember Krause asked that EMI come in to do a presentation of the report to council.
- Mayor Piper asked that they read and review it first and if it is necessary then they can discuss later due the report costing \$4,970.

**4. O-22-04 Wine Tasting Events Ordinance:** *First reading.* To amend the Code of the City of Statham, Chapter 4, “Alcohol,” Article VI “Retail Package Sales,” to add Section 4-163.

- Mayor Piper read the discussion item and opened the floor to discussion. This is the first reading of this item. Prompted by Niko’s who uses this business model in their Snellville location.
- Attorney Campbell discussed that under the current ordinances no package store can pour. This ordinance will allow for sampling but not create a loophole for a full bar. The ordinances of Lawrenceville, Duluth, and Athens were reviewed.
- Council wanted to know if there was a time frame the city needed to approve the item by, and City Attorney Campbell stated that there is not.
- Councilmember Krause stated that Turtle Creek in Winder, Ga does tastings also.

**5. Police Department Lease Agreement:** To approve a lease agreement with Casto Brothers, LLC for the lease of the Statham Police Department located at 1910-C Railroad Street, Statham. The new lease agreement shows an increase in lease amount from \$1,600 per month to \$1,850 per month with an increase beginning October 1, 2022 through June 30, 2023. This increase may require a budget amendment.

- Mayor Piper read the discussion item and opened the floor to discussion.
- City Attorney Campbell reviewed the changes he made such as limiting the annual increase amount and a longer notification of change period to allow it to be approved before the budget is approved.

## **CITIZEN INPUT**

Betty Lyle spoke about the Sunflower Festival. She is concerned that she may need to cancel the event due to a letter she received from Mayor Piper. She has met with the police department and was given an estimate of \$10,000. She discussed how the revenue from the festival is disbursed and that she is not willing to go through government red tape to access the funds. She stated her concerns that the Lion’s Club nor Spring Fest are held to the same standard and that she has handled the finances of the event for 20 + years. She requested a moratorium of any changes until the next year.

- Councilmember Venable wanted a break down on the \$10,000 estimate. Chief Underwood and Officer Hood explained that it was the overtime rates of 11 police officers, Public Works staff, and porta potties all paid currently by the City.
- Councilmember Venable wanted to know if July 4<sup>th</sup> event was reimbursed the City. Mayor Piper stated that they did not. He also stated that it’s not his intention that any events be cancelled but for auditing and reporting compliance the monies need to be in City accounts.
- Councilmember Krause wanted to know if there were any contracts between the City and any of the events. City Attorney Campbell stated that there are not any contracts but advised that there should be.
- Councilmember Venable wanted an explanation of who appoints and makes committee decisions. City Attorney Campbell explained that according to the Charter and City Codes, the Mayor is the only person. He also stressed that written partnership agreements are necessary.

- Councilmembers Patterson and Penn stated that they feel changes need to be made at a later date.

Cheryl Venable stated her concerns that personal agendas are driving changes in the Events Committees. She stated that she does not consider Halloween to be a city event but a National Holiday and as such the city would naturally increase patrols and block of roads. She feels that the Charter needs to be revised.

Kurt Bogenrieder made a formal request for Mayor Piper to be recalled or resign his position.

Dwight McCormic requested that the changes to the events committees discussed in the email Mayor Piper sent to all committee members be placed on moratorium at least to the first of the year or up to 16 months.

Various citizens voiced their displeasure of the changes to the Events Committees from the audience.

Councilmember Venable asked what the outcome of the events discussions will be. Mayor Piper stated that things can remain as-is and he will need to know who to refer auditors to from each event. Councilmember Venable stated that an email out of the blue is unacceptable and wanted assurances that Police and Porta Potties will be at all upcoming events. Mayor Piper agreed to Police and Porta Potties.

## **MINUTE APPROVAL**

1. July 19, 2022 Regular Meeting (submitted to Council on July 20, 2022).

Councilmember Thrasher made a motion to approve the July 19, 2022 Regular Meeting Minutes. Councilmember Venable seconded the motion, and the motion passed unanimously.

## **ADJOURN**

At 8:12 p.m., Mayor Piper asked for a motion to adjourn the meeting. Councilmember Venable made a motion to adjourn. Councilmember Thrasher seconded the motion, and the motion passed unanimously.