

MINUTES
REGULAR COUNCIL MEETING
Monday, January 8, 2018

Members Present:

Mayor John Weaver
Jim Looney
Tony Fountain
John Foust
Anne Sneve
Dr. Sonny Proctor

Staff:

Lisa Hoyle
Steve Roper
Greg Lovell
Sonny Underwood
Lonnie Waters
David Hall
City staff from
all departments

Guests in Attendance:

Mari Livsey
Gerry Nechvatal
Don Ware Jr.
Thomas Clayton
Steve Miller
Doug & Leah Patterson
Richard Jordan

Members Absent:

None

Legal Counsel:

Bill Pickett

Press:

Angela Reinhardt

Mayor Weaver called the meeting to order promptly at 6:00 p.m. He requested Councilmember John Foust give the invocation. Councilmember Anne Sneve led in the recital of the Pledge of Allegiance.

Mayor Weaver asked that the agenda be reviewed and approved by Council. Councilmember Jim Looney made a motion to approve the agenda. Councilmember Anne Sneve seconded the motion. Motion carried unanimously.

City Clerk Lisa Hoyle read the minutes of the December 4, 2017 regular meeting. Councilmember Anne Sneve made a motion to adopt the minutes as read. Councilmember Jim Looney seconded the motion. Motion carried unanimously.

Item A under Organization Meeting, Mayor Weaver opened the floor for nominations for mayor pro tem. Councilmember Anne Sneve nominated Councilmember John Foust to serve in that capacity for 2018. Councilmember Sonny Proctor seconded the nomination. Nomination passed with four votes in favor. Councilmember John Foust abstained from voting.

Item B under Organization Meeting, Mayor Weaver turned the meeting over to Mayor Pro Tem John Foust. Mr. Foust opened the floor for nominations for city manager for 2018. Councilmember Sonny Proctor nominated Councilmember Jim Looney to serve in that capacity and Councilmember Anne Sneve seconded the nomination. Councilmember Tony Fountain made a motion to nominate Mayor John Weaver to serve as City Manager. Mayor Pro Tem Foust called for a vote on Councilmember Looney's nomination. There were 2 votes for (Councilmembers Anne Sneve and Sonny Proctor voted for). Councilmember Foust then called for a vote for Mayor John Weaver's nomination. There was one vote for (Councilmember Tony Fountain voted for). Councilmember Looney made a motion to go into executive session to discuss a personnel issue. Mayor Weaver closed the meeting.

Mayor Weaver brought the meeting out of executive session and reopened the meeting.

Following executive session, Mayor Weaver recognized Councilmember Jim Looney and council to set his conditions of employment. Mr. Looney stated during the closed session he had set the conditions of the city manager job and at this time he is calling for a motion. Mayor Weaver stated that he would like those conditions to be made public. City Attorney Bill Pickett stated that Mr. Looney needed to itemize the conditions. Mr. Looney stated that his conditions were \$84,000 annual salary. Mr. Looney stated that it would be his position until another city manager could be obtained, giving the city time to set a job description and interview candidates. Mr. Looney also stated since there is a question whether he could continue as council member, that he would like an opinion whether from the city attorney on whether he would have to resign from city council. He also stated that he anticipated he would be an employee of the City for a six to nine month period. Mr. Pickett asked Mr. Looney if he is asking for a contract. Mr. Pickett told Mr. Looney that he would be an employee at will, just like the Mayor serving as city manager. He also stated that his employment could end tomorrow so that his condition of employment for a six to nine month period has no meaning, so basically what you are saying is that you are asking for \$84,000 per year salary to become employed tonight based upon your appointment and that salary would continue until at such time you are no longer city manager. Mr. Looney stated yes. Mayor Weaver added that also Mr. Looney would have to resign his position from city council. Mr. Pickett stated that he had already given his opinion that Mr. Looney would have to resign and that he didn't mind putting it in writing. Councilmember Looney stated that he has an obligation to his current

employer to work a two-week notice. Mr. Pickett stated that either you are agreeing to take the job tonight or sometime in the future. Mr. Looney stated he was agreeing to sometime in the future, being two weeks from tomorrow. Councilmember Tony Fountain asked who would be the city manager for that two weeks. Mr. Fountain stated that this city cannot function for two weeks without a city manager. Mr. Pickett stated that the city has a city manager until at such time that city manager position is filled and that the position is not filled with Mr. Looney requesting not to come to work for two weeks. Councilmember Proctor stated that earlier council had talked about not having a requirement to have a city manager position and that now he is hearing that there is a requirement to have one. Mr. Pickett stated that Mr. Proctor didn't hear that from him. Mayor Weaver asked Mr. Pickett to explain. Mr. Pickett stated that what he said was that Mr. Looney is requesting \$84,000 per year to be paid to him to be city manager during the time that he is city manager and that is all. Mayor Weaver asked Mr. Pickett if council could vote on Mr. Looney's position tonight with his resignation as council. Mr. Pickett stated yes. Mayor Weaver said to Mr. Looney that we need his resignation. Mr. Pickett stated that in his opinion Mr. Looney could not become city manager until such time the city receives his resignation. Mr. Looney again brought up that he could not serve as city manager for two weeks. Mr. Pickett stated that council did not have to give him that period if they don't want to. Mayor Weaver stated or that they can. Councilmember Fountain again posed the question to council who would serve as city manager during the two-week period. Mayor Weaver stated that if Mr. Looney would give his resignation tonight, he would continue to serve as City Manager until Mr. Looney's two-week notice has been satisfied. Councilmember Tony Fountain stated to the Mayor – so you are going to agree to serve as city manager after this council voted to replace you. Mayor Weaver stated that as he stated before calling everyone back in that the city comes first, so that would be his intent. Mayor Weaver entertained a motion. Councilmember Anne Sneve made a motion that Mayor Weaver serve as City Manager until the next regular council meeting at the appointment of Mr. Looney contingent upon Mr. Looney's resignation as council. Councilmember Proctor seconded the motion. Motion carried by three votes for. Mr. Looney abstained. Councilmember Tony Fountain voted against.

Item C under New Business, Mayor Weaver presented his appointments for 2018. For the Planning and Zoning Commission, Mayor Weaver recommended that Martha Pool be appointed for a three-year term. Councilmember Jim Looney made a motion to accept the appointment, and Councilmember Anne Sneve seconded the motion. Motion carried by unanimous vote. For the Planning and Zoning Board of Appeals, Mayor Weaver recommended that Jeff Dobson be appointed for a three-year term. Councilmember Jim Looney made a motion to accept the appointment and Councilmember Anne Sneve seconded the motion. Motion carried by unanimous vote. For the Downtown Development Authority, Mayor Weaver recommended that Marty Callahan and Chuck Payne be reappointed to serve a six-year term. Mayor Weaver noted that this board will serve as the board for all three development authorities registered for the City (also Jasper Development Authority and Industrial Development Authority). Councilmember Anne Sneve made a motion to accept the appointments and Councilmember Jim Looney seconded the motion. Motion carried by unanimous vote. For the City of Jasper Tree Board, Mayor Weaver recommended that Martha Pool and Chuck Payne be reappointed to serve a four-year term. Councilmember Jim Looney made a motion to accept the appointments and Councilmember Anne Sneve seconded the motion. Motion carried by unanimous vote. For the Jasper Housing Authority, Mayor Weaver recommended that Mary Perkins be reappointed for a five-year year term. Councilmember Anne Sneve made a motion to accept the recommendation and Councilmember Jim Looney seconded the motion. Motion carried by unanimous vote. Mayor Weaver read the following recommendations for the Council Committees:

Finance Committee	Jim Looney John Foust
Personnel Committee	Anne Sneve Sonny Proctor
Water Committee	Tony Fountain
Public Safety	Sonny Proctor
Streets	Anne Sneve
Parks	John Foust Anne Sneve
JYSA Liason	John Foust
Blight Committee	John Foust Anne Sneve
Perrow/Roper/Pool	
Property	Jim Looney Sonny Proctor

Councilmember Jim Looney made a motion to accept the Mayor's recommendations for the Council Committees. Councilmember Anne Sneve seconded the motion. Motion carried by unanimous vote.

Item A under Old Business, Mayor Weaver recognized Sonny Underwood, Planning and Zoning Director, to present an alcohol license application to Council for approval. He informed Council that Anar Gafarzada, the owner of I Love NY Pizza of Jasper, LLC, located at 50 Depot Street had completed the application process and the required advertising had been met. The owner is now requesting that the application for a license to sell alcohol (Beer/Wine) by the drink be approved. Councilmember Jim Looney made a motion to approve the license. Councilmember Anne Sneve seconded the motion. Motion carried unanimously.

Item B under Old Business, Mayor Weaver recognized Don Ware, Jr. and his company representatives to present to council a planned funeral home with a crematory to be located on Noah Drive. He explained that this would be a full service funeral home with a crematory on site. He stated that the funeral home would have all the state requirements of a funeral home and that the state would have to approve the facility before it was opened. He stated that the name of the funeral home would be called In Their Honor. Mayor Weaver entertained a motion. No action taken.

Item C under Old Business, Mayor Weaver recognized Councilmember Jim Looney to give an update on the Perrow/Roper/Pool property. Mr. Looney stated that the inspection report had been received and there are several issues with the foundation as well as other issues with the buildings. He stated that his intent was to meet with the development authority and with his committee to decide how best to move forward with the use of this property.

Item A under New Business, Mayor Weaver recognized Water and Sewer Superintendent David Hall to present to council the purchase of a replacement pump at Liberty Lane. Mr. Hall stated that the pump would be purchased from Flygt due to the fact that it would be compatible with the panel and the existing pump at that location. He stated that this purchase was approved at \$40,000 in the 2018 budget and the price came in at \$38,525.40. Councilmember John Foust made a motion to approve the purchase. Councilmember Jim Looney seconded the motion. Motion carried unanimously.

Item B under New Business, Mr. Hall presented to council the purchase of a return sludge pump for the wastewater plant. Mr. Hall stated that the pump would also be purchased from Flygt. He stated that this purchase was approved at \$6,500 in the 2018 budget and the price came in at \$4,454.08. Councilmember Jim Looney made a motion to approve the purchase. Councilmember Sonny Proctor seconded the motion. Motion carried unanimously.

Item C under New Business, Mayor Weaver recognized Sonny Underwood, Planning and Zoning Director, to present three 2018 alcohol license renewal applications. Mr. Underwood stated that the owners of Tariz Food Mart BP (for sale of beer/wine), Madeline's Café and Bakery (for sale of beer/wine and caterer's license) and the owners of Woodbridge Inn Restaurant (for sale of beer/wine) wish to renew their licenses. Councilmember Jim Looney made a motion to approve the license renewal requests and Councilmember Anne Sneve seconded the motion. Motion carried by unanimous vote.

Item D under New Business, Mr. Underwood presented an application for selling alcohol (Beer/ Wine) by the package from Shawna Coleman, manager of Fred's store located at 970 E Church Street. Mr. Underwood stated that the background check had been received and there is nothing that would prevent him from obtaining an alcohol license. He is requesting approval to continue the application process. Councilmember Jim Looney made a motion to approve the continuance of the license application. Councilmember Tony Fountain seconded the motion. Motion carried by unanimous vote.

Item E under New Business, Mayor Weaver recognized Finance Director Lisa Hoyle to present to council the 2017 audit engagement letter from Rushton & Company, CPA's. Ms. Hoyle stated that the auditors had agreed not to increase the price 2016 through 2018 at \$17,290 and \$5,000 for a single audit (if necessary). Mayor Weaver entertained a motion to allow the city to move forward with the engagement letter and the audit for the year ended 2017. Councilmember Jim Looney made such motion. Councilmember Anne Sneve seconded the motion. Motion passed unanimously.

Economic Developer Gerry Nechvatal gave a report to the City.

Finance Director Lisa Hoyle gave the financial report for the month of December 2017.

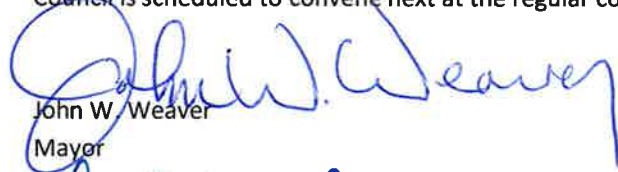
Lonnie Waters updated Council on water line breaks.

Chief Greg Lovell gave a report of police activities for the month of December 2017

Chief Steve Roper gave a report of fire activities for the month of December 2017.

Councilmember John Foust gave an update on JYSA activities.

Being no other business to come before Council, Councilmember Jim Looney made a motion to adjourn the meeting.
Council is scheduled to convene next at the regular council meeting to be held February 5, 2018.



John W. Weaver
Mayor



Lisa J. Hoyle
City Clerk/Finance Director

AFFIDAVIT RE: CLOSURE OF OPEN MEETINGS

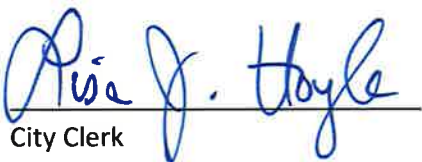
Personally appeared before the undersigned officer, duly authorized under the laws of the State of Georgia to administer oaths, John W. Weaver, who in his/her capacity of Mayor or the person presiding over the meeting of the Council of the City of Jasper, Georgia, and after being first duly sworn, certifies under oath and states to the best of his or her knowledge and belief the following:

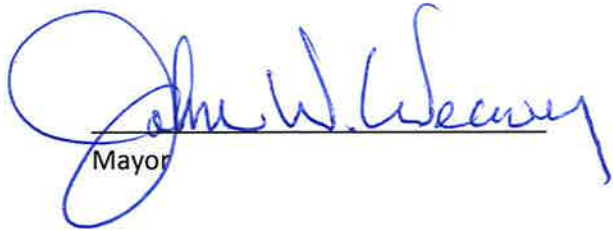
At its meeting held on January 8, 2018, the Council voted to go into closed session and exclude the public from all or a portion of its meeting. The legal exceptions applicable to the exempt matters addressed during such closed meeting are as follows:

(check or initial as appropriate)

- Discussing or deliberating upon the appointment, employment, compensation, hiring, disciplinary action, dismissal, periodic evaluation, or rating of a government officer or employee.
- Privileged consultation with legal counsel pertaining to pending or threatened litigation, claims, administrative proceedings or settlements. [OCGA 50-14-2]
- Discussing the future acquisition of real estate. [OCGA 50-14-3(4)]
- Staff meetings for investigative purposes under duties or responsibilities imposed by law. [OCGA 50-14-3(1)]
- Tax matters made confidential by state law. [OCGA 50-14-2]
- Inspection of facilities under jurisdiction of the City. [OCGA 50-14-1(a)(2)]
- Meeting with a governing body, officer, agent or employee of another agency at a location outside the geographical jurisdiction of the City or such other agency and at which no final action is taken. [OCGA 50-14-1(a)(2)]
- Other. (Explanation required.)

I certify that the subject matter of the closed meeting or the closed portion of this meeting was devoted to the matters of official business or policy within the exceptions provided by law as set forth above.


City Clerk


Mayor

(seal)

Sworn to and subscribed before me this 25 day of January, 2018.


Notary Public
Pickens County, State of Georgia

My Commission Expires: _____
MY COMMISSION EXPIRES
FEBRUARY 10, 2018

STATE OF GEORGIA
COUNTY OF PICKENS
CITY OF JASPER

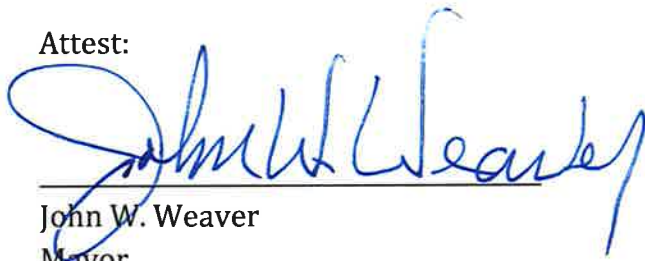
**OATH OF OFFICE
COUNCILMEMBER**

I, Anne Sneve, do solemnly swear that I will well and truly perform the duties of council member of the City of Jasper and that I will support and defend the charter thereof as well as the Constitution and laws of the State of Georgia and of the United States of America, so help me God.




Anne Sneve
Councilmember

Attest:



John W. Weaver
Mayor



William Hayes Pickett
City Attorney



Lisa J. Hoyle
Finance Director/City Clerk

STATE OF GEORGIA
COUNTY OF PICKENS
CITY OF JASPER

**OATH OF OFFICE
COUNCILMEMBER**

I, Dr. Folsom C. Proctor, III, do solemnly swear that I will well and truly perform the duties of council member of the City of Jasper and that I will support and defend the charter thereof as well as the Constitution and laws of the State of Georgia and of the United States of America, so help me God.



Folsom C. Proctor, III
Councilmember

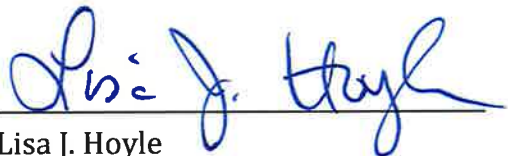
Attest:



John W. Weaver
Mayor



William Hayes Pickett
City Attorney



Lisa J. Hoyle
Finance Director/City Clerk