

CITY OF JACKSON, GEORGIA

**CITY COUNCIL MEETING
April 19, 2016**

MINUTES

Present: Mayor Kay Pippin, Councilors Theodore Patterson, Lewis Sims, Ricky Johnson, Don Cook and Beth Weaver

Others Present: City Clerk Jeanette Riley and City Attorney Byrd Garland

The City Council of Jackson met in regular session on Tuesday, April 19 2016, in the Municipal Court Building located at 132 S. Mulberry St., Jackson, Ga., the same being open to the public. Meeting was called to order at 7:00 p.m. by Mayor Kay Pippin.

The invocation was given by Councilor Theodore Patterson.

Pledge of Allegiance.

Mayor welcomed all present.

Approval of Agenda

Motion: Cook/Johnson (Failed 3-2)

Voting yea- Ricky Johnson and Don Cook

Voting nay- Theodore Patterson, Lewis Sims and Beth Weaver

To approve the amended agenda removing 9G (A copy of the agenda is attached hereto as Exhibit A and made a part of the file copy of these minutes.)

The agenda as submitted was approved by consensus.

Public Comments- (Agenda Items)

None

Consent Agenda

Motion: Cook/Johnson (passed 4-0- 1)

Voting yea- Lewis Sims, Ricky Johnson, Don Cook and Beth Weaver

Voting nay-none

Abstaining- Councilor Theodore Patterson

To approve the consent agenda containing regular council minutes of the meeting held on April 5, 2016. (A copy of the regular council meeting minutes is attached hereto as Exhibit B and made a part of the file copy of these minutes.)

Reports and Presentations

A proclamation entitled "Paint the Town Purple" was presented to members of the Relay for Life Committee. (A copy of the proclamation is attached hereto as Exhibit C and made a part of the file copy of these minutes.) Mayor Pippin thanked volunteers for all their hard work on behalf of this important cause.

Public Hearing

None

Unfinished Business

None

New Business

Motion: Weaver/Patterson (passed 5 -0)

Voting yea- Theodore Patterson, Lewis Sims, Ricky Johnson, Don Cook and Beth Weaver

Voting nay-none

To acknowledge receipt of Monthly Budget Report March 2016 (A copy of the Monthly Budget Report March 2016 is attached hereto as Exhibit D and made a part of the file copy of these minutes.)

Motion: Patterson/Weaver (passed 5 -0)

Voting yea- Theodore Patterson, Lewis Sims, Ricky Johnson, Don Cook and Beth Weaver

Voting nay-none

To acknowledge receipt of MEAG Municipal Competitive Trust Report March 2016 (A copy of the MEAG Municipal Competitive Trust Report March 2016 is attached hereto as Exhibit E and made a part of the file copy of these minutes.)

Motion: Cook/Patterson (passed 5 -0)

Voting yea- Theodore Patterson, Lewis Sims, Ricky Johnson, Don Cook and Beth Weaver

Voting nay-none

To acknowledge receipt of City Department Reports- February & March 2016.

Motion: Cook/Johnson (passed 5-0)

Voting yea- Theodore Patterson, Lewis Sims, Ricky Johnson, Don Cook and Beth Weaver

Voting nay- none.

To approve a Filming Procedures Policy for the City of Jackson as presented (A copy of the Filming Procedures Policy is attached hereto as Exhibit F and made a part of the file copy of these minutes.)

Motion: Cook/Patterson (passed 5-0)

Voting yea- Theodore Patterson, Lewis Sims, Ricky Johnson, Don Cook and Beth Weaver

Voting nay-none

To approve Amendments to City of Jackson Parades & Demonstrations Ordinance. (A copy of Amendments to City of Jackson Parades & Demonstrations Ordinance is attached hereto as Exhibit G and made a part of the file copy of these minutes.)

Motion: Patterson/Cook (passed 5-0)

Voting yea- Theodore Patterson, Lewis Sims, Ricky Johnson, Don Cook and Beth Weaver

Voting nay-none

To approve Amendments to City of Jackson Collection & Disposal Ordinance. (A copy of Amendments to City of Jackson Collection & Disposal Ordinance is attached hereto as Exhibit H and made a part of the file copy of these minutes.)

Mayor Pippin noted receipt of a recommendation from the director of the Butts County Water & Sewer Authority to re-appoint Jimmy White to the BCWS Authority Board. Mayor Pippin recommended the appointment of Mr. Zach Sowell as the city's representative on the BCWS Authority Board. Noting that Mr. White has served as the city's representative for the last sixteen years, and sure he has done a good job, but she feels we are in need of the development of new, young leadership in the City of Jackson. Mayor Pippin noted Mr. Sowell is a well-educated, experienced banker/business leader who lives in the city and who is in the process of building what he hopes to be his family's "forever" home within the city limits. She explained that her recommendation would require a motion from the council which she feels she is not going to get, but she expressed her desire to get her recommendation on record in an effort "to start practicing what we are preaching, which is giving the opportunity for bright young leaders to rise to the top, and it is for that reason I am recommending Zach Sowell, a resident of the city, to represent the city on the Butts County Water & Sewer Authority Board."

Motion: Patterson/Weaver (passed 4-0-1)

Voting yea-Theodore Patterson, Lewis Sims, Don Cook and Beth Weaver

Voting nay-none

Abstaining- Councilor Ricky Johnson

To re-appoint Jimmy White to the Butts County Water & Sewer Authority Board for a 3 year term ending May, 2019.

Motion: Cook/Johnson (passed 5-0)

Voting yea- Theodore Patterson, Lewis Sims, Ricky Johnson, Don Cook and Beth Weaver

Voting nay-none

To approve Long-Term Financial Analysis-Contract with UGA Carl Vinson Institute in the amount of \$7,500. (A copy of the Long-Term Financial Analysis-Contract with UGA Carl Vinson Institute attached hereto as Exhibit I and made a part of the file copy of these minutes.)

Motion: Cook/Patterson (passed 5-0)

Voting yea- Theodore Patterson, Lewis Sims, Ricky Johnson, Don Cook and Beth Weaver

Voting nay-none

To approve Trident Insurance Services in the amount of \$72,692 plus \$507 for Acts of Terrorism coverage for the City of Jackson Property & Casualty Insurance Company with James Henderson of BB & T Insurance Services as the agent. (A copy of the Property & Casualty Insurance bid is attached hereto as Exhibit J and made a part of the file copy of these minutes.)

Mayor & Council Reports/Comments:

Mayor Pippin updated the council on the following;

- Cities Week- State of the City address will be presented in the Jackson Progress Argus this week
- Fine Arts Festival , May 7 Theme is "A Small Town With Big Art"
- Bell Ringing at the Flovilla School House on Saturday, April 30 at 10:30 am

Councilor Beth Weaver stated "I have a comment but this may be more for Mr. Garland, during the last week or so when we have been dealing with the water authority thing. With all due respect Mayor, I am confused as to how a recommendation can come from the mayor when the charter specifically says the

mayor has to remain impartial. I know there are things you can make recommendations on and appointments, but not outside authorities that I can find. Am I wrong?

Mayor Pippin noted question was directed to Attorney Garland.

Attorney Garland asked to repeat the question.

Mayor Pippin stated “the question is has the mayor over-stepped her bounds by making a recommendation on the water authority appointment?”

Councilor Weaver said “Or any other authority, that’s not made by the city or set up by the city.”

Attorney Garland stated “Under the Charter, I am on that page, it just says authority of the city, and you are 100% correct.

Councilor Weaver stated “this is not an authority of the city.”

Attorney Garland, “that’s right, the water authority is not an authority of the city, therefore under this and under other procedures, depending on how it has happened in the past. I don’t know how it was done in the past

Councilor Weaver stated “I do. What now?”

Mayor Pippin stated “he’s talking about precedence.”

Attorney Garland stated “yes, how things were done in the past; this section says appointment is made by the council period. This is not under the city, therefore it is how it has been handled in the past; I don’t know how it was handled, I assume by the previous mayors.”

Councilor Weaver stated “the reason this bothers me is that if this is a tie vote, you (mayor) would have to break the tie vote.”

Mayor Pippin stated “correct.”

Councilor Weaver stated “it states you must remain impartial.”

Mayor Pippin stated “where does it say that I should remain impartial?”

Councilor Weaver stated, “Chapter 2- Administration “Section 2:84. – Mayor. The mayor shall serve as the chief executive officer of the city. The mayor is responsible for the orderly conduct of the meeting. In order to fulfill this duty, the mayor must enforce the rules of the procedures that are adopted by the councilmembers. The mayor shall be impartial and conduct the meetings in a fair manner. The mayor only votes in case of a tie.

Mayor Pippin stated “There has never been an appointment made in the 2 ½ years that I have served that didn’t come through me as mayor; I recommended for the transportation board, housing authority board, and every other board. I can assure you that with the hours I spend and energy I put into this position, I will always be involved, in every appointment, and I will state that on behalf of the city, I think

it is time for the old regime and all of Butts County to wake up and realize that if you really want young leadership and you really want a future for this city, folks are going to have to step aside and share the wealth of decision making with these young leaders. The only way they are ever going to get involved is when they have the opportunity to do so. I appreciate your public chastising, but it has had no impact. I will continue to operate and be impartial as I exercised tonight, but I will continue to be an influence as long as I hold this office.

Councilor Weaver stated “we appreciate your input, but the recommendation was not according to the charter.

Mayor Pippin stated “the charter does not speak to many things that the mayor recommends and that is very clear with many recommendations the mayor must make and you know that. The charter clearly says under Section 3:16, or whatever the correct number is, boards and authorities of the city. This is not an authority of the city and secondly, in reference to the council shall name. Other sections of the charter state the mayor is not an exempt party of the council. I am a member of this council and as you pointed out, I vote in case of a tie, and there will be times, albeit rare, but if you fail to show up at a meeting where a tie takes place, you better believe I will cast a vote. To do otherwise would be a spineless leader for this city and I don’t think this city at this point in history needs a spineless mayor.

Councilor Weaver stated “I agree, it worries me and it should everybody that if the letters have already been put out that this is who you want it has to be voted on, that there is no impartiality.

Mayor Pippin stated, “Any executive director (wrote letter requesting re-appointment of J. B. White) would be an absolute idiot to send out a letter that says don’t re-appoint this person if that person is going to determine the salary and benefits of the executive director. I assure you, if my boss was up for reappointment and that person had my total life in their control, I would be the first one to say, vote for my boss because in turn they can do good things for me. Now, I do not think the individual involved based their recommendation on this, but the letter that was sent is the same letter sent for the last 16 years they have served. It is a stock letter that comes out of the file... please reappoint and we have followed through. I respect that board, but ladies and gentlemen, until someone else starts stepping up and offering new leadership, and we don’t nurture young leaders that are well educated, articulate, solid citizens, you are going to be seeing the same faces with grayer hair and a few more pounds for the next 30 years in every capacity. I believe the future depends upon fresh leadership. I will continue to follow through with this process of thinking as long as I am a resident of this city.

Councilor Theodore Patterson stated “I have one statement, I can truly identify with both concerns we have here tonight. The way I see it, the council is the backbone of the decision making. Rather the mayor has the authority to appoint or not appoint and it is up to the council to make the deciding factor, a lot of stuff has gone on with this appointment and I try to be open minded and fair to everybody and everything but I dislike people trying to influence my closest friends to call me and try to persuade me to change my opinion or my thought process of the way I should I vote. If you have something to say to me be man enough to call me yourself or come speak to me in person. I am not a bad person. I very seldom raise my voice or get upset in this council meeting so you have no reason to fear me, if you are such a coward that you have to put someone else up to your dirty work, than to call me to try and influence me. It irritates the heck out of me. I deserve more respect than to have my best friends try to persuade me, bottom line is I don’t care what mayor does, this council up here has the deciding factor. We have the deciding vote and we are elected by people to do the right thing and I resent anybody challenging my integrity and challenge my knowledge, my sincerity as a council member to say I should do this or I

should do that. Bottom line is I don't mind suggestions but when I tell you no, I mean no, don't keep coming to me over and over sending this person and that person to try to get me to change my mind. To me that is disrespectful and I am not going to be disrespected. I will not be disrespectful to you and I do not want you to be disrespectful to me. The mayor has a job she has to do, it is outlined in the charter by the guidelines and that is the Bible that is how the city operates. Whatever she does, her powers are her powers and our powers are our powers. Correct, she only votes in the event of a tie, other than that, keep in mind we have one vote, we have thoughts and concerns, but we have only one vote. That is your vote and you have done everything that is required by law. And where the chips fall that is where they fall, sometimes we win, sometimes we lose, but when you have voted your one vote, you have done everything that you have been required to do. I don't know if the press is here, but I am not going to call by name but they know who they are and I hope the words gets out if you something to say to me come to me in person, don't send my friends at me to try to persuade me.

Mayor Pippin stated "ladies and gentlemen, you have heard the comments, I will tell you that I did not ask anybody to call you, but obviously there are strong feelings of a need for change in the community. But I did get calls from both sides. You might have been on the receiving end of just one side, but I assure you, Mr. White did the same kind of campaigning as well. It almost makes you think...gee whiz, why is it so valuable to serve on the Water Authority Board?"

Councilor Patterson stated, "good question, maybe I need to serve on the water authority board."

Mayor Pippin stated, "maybe I need to resign as mayor and ask to be on the water authority board, this has reached such a level of seriousness. Councilor Patterson, you are absolutely right, the charter was followed, you made a motion, it was acknowledged and voted on, and I appreciate your comments, the council has prevailed and that is exactly how it is set up to work. Councilor Weaver, I suggest that if you are so concerned about how the mayor should operate, maybe you should run for mayor."

Public Comments

None

Executive Session:

None

Adjournment:

Motion: Johnson/Weaver (passed 5-0)

Voting yea – Theodore Patterson, Lewis Sims, Ricky Johnson, Don Cook and Beth Weaver

Voting nay- none

To adjourn the meeting @ 7:47 p.m.

Kay Pippin, Mayor

ATTEST:

Jeanette Riley, City Clerk

