



CITY OF
Swainsboro
Crossroads of the Great South



City Council Meeting

January 10, 2011

The regular meeting of the Mayor and City Council, held Monday, January 10, 2011, at 6:00 P.M. at Swainsboro City Hall.

Members Present: Collins, Edenfield, Stroud, Parker, Stafford & Faulkner

Members Absent: None

Prayer of Invocation: Councilperson Edenfield

Mayor Schwabe presented the “Our Home Town Hero” Award. He explained that the city would be giving this award each month to a citizen who displays an extra effort to make our town better. Mayor Schwabe presented the January Home Town Hero to a couple for the first time. He stated that they complement each other and share in a lot of the projects in the community. George and Missy Elder head up a lot of efforts to make our community a better place. They play a key role in our Historic Society. For their love of their community they are the perfect “Home Town Hero”.

Motion to accept minutes from the previous meeting was made.

Motion: by Stafford Seconded: by Stroud 6-0

A. Consensus Business

None

B. New Business

1. Council heard the request for an alcoholic beverage application (for advertisement only) from Ajitkumur M Mehta dba Dolly Food Mart located at 202 East Main St. for beer and wine package only.

Motion to advertise was made.

Motion: by Stroud Seconded: by Collins 6-0

2. Council heard a request, presented by Councilperson Collins, for speed bumps to be installed on North Green St. from Martin Luther King Boulevard to Carver St. She presented a letter signed by citizens in that area making the request. Motion was made to install the requested speed bumps.

Motion: by Stafford Seconded: by Parker 6-0

3. Council heard a reading of a proposal to amend the Charter of the City of Swainsboro to read as follows:

AN ORDINANCE TO BE ENTITLED AN ORDINANCE TO AMEND THE MUNICIPAL CHARTER OF THE CITY OF SWAINSBORO PURSUANT TO THE AUTHORITY GRANTED MUNICIPALITIES UNDER GEORGIA STATE LAW AS SET FORTH IN SECTION 36-35-3 AND THE SUBSECTIONS THERETO OF THE OFFICIAL CODE OF GEORGIA ENTITLED “HOME RULE FOR MUNICIPALITIES”.

WHEREAS, Article IV, Courts and Criminal Procedure, Section 101 of the Charter of the City of Swainsboro, entitled “Maximum punishment of law violators.”, which reads as follows:

“Sec. 101. Maximum punishment of law violators.

The recorder (municipal judge) or any authorized presiding officer of the recorder’s (municipal) court may punish for any violation of a city ordinance or law by fine (set by the city council; by imprisonment not to exceed 90 days; work in the workgang on public streets, or such other public works as the authorities may employ the workgang, not to exceed 30 days; or by any one or more of these punishments in the discretion of the recorder (municipal judge) or presiding officer of said court.”

And,

WHEREAS, it has been brought to the attention of the City Council of the City of Swainsboro that this provision has become antiquated and outdated, and is in need of revision as allowed by Section 36-35-6 of the Georgia Code Annotated, and

WHEREAS, after due consideration and study, the City Council of the City of Swainsboro deems it appropriate to amend the Charter of the City of Swainsboro so as to adopt the provisions allowed by law relative to maximum punishment of law violators;

NOW THEREFORE, BE IT ORDAINED that the **ARTICLE IV**, entitled "**COURTS AND CRIMINAL PROCEDURE**", **Section 101**, entitled "**Maximum punishment of law violators**" be amended, so that Section 101 of said Article shall henceforth read as follows:

"Sec. 101. Maximum punishment of law violators.

The recorder (municipal judge) or any authorized presiding officer of the recorder's (municipal) court may punish for any violation of a city ordinance or law by fine or forfeiture not exceeding \$1,000.00 or by confinement not to exceed six (6) months; work in community service on public streets, or such other public works as the authorities may employ community service workers, not to exceed 30 days; or by any one or more of these punishments in the discretion of the recorder (municipal judge) or presiding officer of said court."

Motion was made to accept the amendment and hear it as a first reading.

Motion: by Stafford Seconded: by Edenfield 6-0

4. Council considered a resolution to award the bids for the renovations of the water tanks and the installation of the new water tank funded by GEFA. Resolutions as follows:

Resolution #1

WHEREAS bids were received by the City of Swainsboro October 14, 2010 for water system improvements, and

WHEREAS the low, responsible, responsive bidder for the project is Caldwell Tanks, Inc. with a bid in the amount of \$779,000.00, and

WHEREAS the low bidder, Caldwell Tanks, Inc. appears to have the necessary financial and technical ability to complete the project,

BE IT THEREFORE resolved the Mayor and Council hereby makes tentative contract award of the construction of a new 400,000 gallon elevated water tank to Caldwell Tanks, Inc. in the amount of \$779,000.00. This award is subject to the bidder meeting GEFA/DWSRF requirements.

THIS RESOLUTION was passed by a vote of 6-0 at regular meeting of the Mayor and Council on January 10, 2011

Resolution #2

WHEREAS bids were received by the City of Swainsboro October 14, 2010 for water system improvements, and

WHEREAS the low, responsible, responsive bidder for the project is Utility Service Company, Inc. with a bid in the amount of \$449,500.00, and

WHEREAS the low bidder, Utility Service Company, Inc. appears to have the necessary financial and technical ability to complete the project, and

WHEREAS the City at this time only wants to complete the work at the Northside Tank in the total amount of \$151,500.00, and

WHEREAS if lead is not present in the tank and the City requests that containment not be used during the project the low bidder proposes a credit of \$49,300.

BE IT THEREFORE resolved the Mayor and Council makes tentative contract award of the construction contract for the tank repair and painting for the Northside Tank to Utility Service Company, Inc. in the amount of \$151,500.00. This contract award is subject to the approval of GEFA/DWSRF funds being approved for use on the project and the bidder meeting GEFA/DWSRF requirements. If lead is not present a change order will be prepared reducing the contract amount by \$49,300.

THIS RESOLUTION was passed by a vote of 6 to 0 at the regular meeting of the Mayor and Council on January 10, 2011.

Motion was made to adopt the resolutions as presented.

Motion: by Faulkner Seconded: by Stroud 6-0

5. Council considered a resolution to award the bids for the renovations of the waste water treatment plant and the upgrading of the sewage system funded by the USDA. Mr. Ben Turnipseed with Turnipseed Engineers was present to make the presentation of the bids and answer any question the council has. He stated that bids were taken on these projects and the bids had come in under budget and the city had the money with the loan and grant from the

USDA to do the project. Mayor Schwabe stated that the city has been under a consent order from EPD for four years and these projects must be done. Resolutions as follows:

Resolution #1

WHEREAS bids were received by the City of Swainsboro December 16, 2010, for Sewerage System Improvements, and

WHEREAS the low, responsible, responsive Division One bidder is Gary's Grading & Pipeline Co., Inc. of Monroe, Georgia with a bid of \$1,083,436.30 with Alternate One, and

WHEREAS the Division One low bidder, Gary's Grading & Pipeline Co., Inc. of Monroe, Georgia appears to have the necessary financial and technical ability to complete the project,

WHEREAS the low, responsible, responsive Division Two bidder is Gary's Grading & Pipeline Co., Inc. of Monroe, Georgia with a bid of \$753,529.25 including a \$5,000 deduction for award of all parts, and

WHEREAS the Division Two low bidder, Gary's Grading & Pipeline Co., Inc. of Monroe, Georgia appears to have the necessary financial and technical ability to complete the project,

WHEREAS the low, responsible, responsive Division Three bidder is Tega EC, LLC of Warner Robbins, Georgia with a bid of \$2,439,795.00 including a \$5,000 deduction for award of all parts, and

WHEREAS the Division Three low bidder, Tega EC, LLC of Warner Robbins, Georgia appears to have the necessary financial and technical ability to complete the project,

WHEREAS the low, responsible, responsive Division Four bidder is W. F. Floyd Construction, Inc. of Decatur, Georgia with a bid of \$1,198,720.00 with Alternate Two and a deduction of \$70,000 if awarded all parts, and

WHEREAS the Division Four low bidder, W. F. Floyd Construction, Inc. of Decatur, Georgia appears to have the necessary financial and technical ability to complete the project,

BE IT THEREFORE resolved the Mayor and Council hereby make tentative award of the construction contract for Division One to Gary's Grading & Pipeline Co., Inc. of Monroe, Georgia in the amount of \$1,083,436.30 with Alternate One, the construction contract for Division Two to Gary's Grading & Pipeline Co., Inc. of Monroe, Georgia in the amount of \$753,529.25, construction contract for Division Three to Tega EC, LLC of Warner Robbins, Georgia in the amount of \$1,587,055.60 for Parts A, C, D and E and the construction contract for Division Four to W. F. Floyd Construction, Inc. in the amount of \$1,198,720.00 with Alternate Two. This award is subject to the approval of U.S.D.A. Rural Development

RESOLUTION # 2

WHEREAS bids were received by the City of Swainsboro December 16, 2010, for Sewerage System Improvements, Additions to Existing Water Pollution Control Plant and

WHEREAS the low, responsible, responsive bidder is BRW Construction Group, LLC of Savannah, Georgia with a bid of \$6,061,560.60, and

WHEREAS the low bidder also bid \$88,019.40 for A-1, \$10,854.00 for A-2 and A-3 in the amount of \$95 per cubic yard, and

WHEREAS the low bidder, BRW Construction Group, LLC of Savannah, Georgia appears to have the necessary financial and technical ability to complete the project,

BE IT THEREFORE resolved the Mayor and Council hereby make tentative award of the construction contract to BRW Construction Group, LLC of Savannah, Georgia in the amount of \$6,160,434.00 with Additions A-1, A-2 and A-3. This award is subject to the approval of U.S.D.A. Rural Development.

Motion to adopt resolutions as presented.

Motion: by Edenfield Secoded: by Parker 6-0

Mr. Turnipseed then informed the council that it must pass the User Rate Ordinance that would adjust the sewage rates as stated in the USDA contract. Councilperson Edenfield explained that in order to get the grant the city had to increase the sewage rate to pay back the loan portion of the grant. He suggested that the increase be implemented in two phases with a \$2.80 increase starting in December 2011 and additional \$2.80 increase starting in 2012. This would satisfy the USDA requirement. Motion was made to adopt the User Rate Ordinance to fulfill the USDA funding requirement.

Motion: by Faulkner Secoded: by Stafford 6-0

C. Old Business

1. Council heard the request for an alcoholic beverage application from Virendra Patel dba Emanuel Discount located at Central St. for beer and wine package only.

Motion to grant application was made.

Motion: by Faulkner Seconded: by Stroud 6-0

2. Council heard the request for an alcoholic beverage application from Felicia Andrea Foster dba Starblazer Club located at 406 Rentz St. for beer and wine consumption on the premises.

Motion to grant application was made.

Motion: by Parker Seconded: by Faulkner 6-0

D. Committee Reports

Police: Councilperson Stafford presented the Police Report.

Councilperson Stafford recommended that the council hire Dennis Mason as a new Police Officer to fulfill the COPS Grant slot that the city received. Officer Mason had been a part-time officer with the Police Department for the last 6 months. Motion was made to hire Mr. Mason.

Motion: by Stafford Seconded: by Edenfield 5-1

Parker Objected

Executive: No Report

Public Works: Councilperson Collins reported everything routine.

Recycle: Councilperson Collins had no report.

Fire : Councilperson Parker reported the Fire Dept Personnel Committee had met and interviewed for a new Fire Fighter position to replace Steve Jones who is retiring. The recommendation from the committee was to hire Jamie Riner. Motion was made to hire Jamie Riner.

Motion: by Edenfield Seconded: by Parker 6-0

Councilperson Parker also reported that the Fire Department has been accepting applications for Training Position as the Fire Department. He stated the committee was recommending Spenser Wood for that position. Motion was made to hire Spenser Wood as the new Training Officer for the Fire Department.

Motion: by Collins Seconded: by Faulkner 6-0

Recreation: Councilperson Stroud reported everything routine.

Airport: Mayor Schwabe had no report.

Water & WW: Councilperson Edenfield reported everything routine.

Downtown Development: Lynn had no report.

Administrative: Adm. Lawson had no report.

Mayor : Mayor Schwabe asked the council to reelect a new Mayor Pro Tem and he opened the floor for nominations. One nomination was offered; Bobbie Collins. The vote was called for and Mayor Pro Tem Bobbie Collins was elected for 2011. Vote 6-0

Mayor Schwabe commended the Moose Lodge of Swainsboro on recently receiving an award from the National Moose Lodge Society.

Council Adjourned

Submitted: A I L Lawson, City Administrator