



CITY OF
Swainsboro
Crossroads of the Great South

GEORGIA



City Council Meeting

The regular meeting of Mayor and City Council was held on **Monday, May 6, 2024**, at 6:00 P.M. at the Fire Department located at 205 North Green Street.

Members Present: Mayor Bennett, Council member Quarterman, Council member Davis, Council member Foster, Council member Stafford, Council member Collins, and Council member Sconyers.

Prayer of Invocation: Mr. Donald Jenkins, Franklin Memorial Library Board Member

Pledge of Allegiance

Minutes from the special council meeting of April 01, 2024, were presented. Council member Davis made a motion to approve the minutes as presented.

Motion: Davis

Seconded by: Sconyers

Vote: 6 - 0

A. Old Business:

1. Council considered the Allgreens trash services request. Council member Stafford made a motion to approve increasing the residential poly cart rate by \$1 per month and the commercial rate \$1 per cubic yard per month effective July 1, 2024.

Motion: Stafford

Seconded by: Davis

Vote: 6 - 0

2. Council considered the alcohol application for Krishnaben Patel (Aadhya 0827 LLC) dba Naksh Food Mart located at 202 East Main Street. Council member Sconyers made a motion to approve the alcoholic beverage license application for Krishnaben Patel (Aadhya 0827 LLC) dba Naksh Food Mart located at 202 East Main Street.

Motion: Sconyers

Seconded by: Davis

Vote: 6 - 0

B. New Business:

1. Council heard from the Fire Chief. No Action

Council member Davis made a motion to amend the agenda.

Motion: Davis

Seconded by: Sconyers

Vote: 6 - 0

Council member Davis made a motion to change the June meeting to June 10th due to it being Emanuel County All Stars week.

Motion: Davis

Seconded by: Stafford

Vote: 6 – 0

2. Council considered the library board appointments. Council member Sconyers made a motion to reappoint David Morgan to the library board for a three-year term.

Motion: Sconyers

Seconded by: Stafford

Vote: 6 – 0

Council member Davis made a motion to appoint Ms. Syvetta Young to the library board for a three-year term.

Motion: Davis

Seconded by: Sconyers

Vote: 6 – 0

3. Council considered the selection of a city engineer. Council member Sconyers made a motion to select Turnipseed Engineering as the city engineer for a one-year term.

Motion: Sconyers

Seconded by: Stafford

Vote: 6 – 0

4. Council considered adopting the Main Street District as the Downtown District. Council member Stafford made a motion to adopt the revised Main Street District as the Downtown District.

Motion: Stafford

Seconded by: Sconyers

Vote: 5 – 1

For: Sconyers, Quarterman, Foster, Collins, Stafford

Abstain: Davis

C. Consent Agenda:

1. Council considered the amended pension ordinance.
2. Council considered replacing a metal door at the auditorium.
3. Council considered the NPDES Permit Renewal for the City of Swainsboro.
4. Council considered the game room license application from Loan Bui, dba 111 Game Room LLC for a license to operate coin operated machines located at 111 South Central Street.
5. Council considered adopting the Main Street District as the Downtown District.
Removed from the consent agenda and now item #4 under new business.
6. Council considered a new hire for the Fire Department.
7. Council considered entering into an agreement with Georgia Association of Chiefs of Police for the recruitment and hiring of a new Police Chief.
8. Council considered a local agreement between the Georgia Department of Transportation and the City of Swainsboro.

Council member Sconyers made a motion to approve the consent agenda as presented.

Motion: Sconyers

Seconded by: Quarterman

Vote: 6 – 0

Council member Davis made a motion to go into executive session.

Motion: Davis

Seconded by: Foster

Vote: 6 - 0

D. Committee Reports:

None

E. Executive Session:

1. Attorney-Client Privilege regarding pending litigation O.C.G.A. § 50-14-2(1)
2. Property negotiations pursuant to O.C.G.A. § 50-14-3(b)(1)(B)
3. Employment exception. O.C.G.A. § 50-14-3(b)(2)

CLOSING MEETING AFFIDAVIT

Personally appeared before the undersigned attesting officer, duly authorized to administer oaths, the undersigned, who, after being duly sworn, depose and on oath state the following:

- (1) The Mayor/ Mayor Pro Tem was the presiding officer of a meeting of the Swainsboro City Council held on the 6th day of May 2024.
- (2) That it is our understanding that O.C.G.A. § 50-14-2 provides as follows:

“This Chapter shall not be construed so as to repeal in any way:

(1) The attorney-client privilege recognized by state law to the extent that a meeting otherwise required to be open to the public under this chapter may be closed 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; provided, however, the meeting may not be closed for advice or consultation on whether to close a meeting; and

(2) Those tax matters which are otherwise made confidential by State law.”

And that O.C.G.A. § 50-14-3 (a) provides as follows:

“This chapter shall not apply to the following:

- (1) Staff meetings held for investigative purposes under duties or responsibilities imposed by law.
- (2) The deliberations and voting of the State Board of Pardons and Paroles; and in addition, such board may close a meeting held for the purpose of receiving information or evidence for or against clemency or in revocation proceedings if it determines that the receipt of such information or evidence in open meeting would present a substantial risk of harm or injury to a witness;

- (3) Meetings of the Georgia Bureau of Investigation or any other law enforcement or prosecutorial agency in the state, including grand jury meetings.
- (4) Adoptions and proceedings related thereto.
- (5) Gatherings involving an agency and one or more neutral third parties in mediation of a dispute between the agency and any other party. In such a gathering, the neutral party may caucus jointly or independently with the parties to the mediation to facilitate a resolution to the conflict, and any such caucus shall not be subject to the requirements of this chapter. Any decision or resolution agreed to by an agency at any such caucus shall not become effective until ratified in a public meeting and the terms of any such decision or resolution are disclosed to the public. Any final settlement agreement, memorandum of agreement, memorandum of understanding, or other similar document, however denominated, in which an agency has formally resolved a claim or dispute shall be subject to the provisions of Article 4 of Chapter 18 of this title.
- (6) Meetings:
 - (A) Of any medical staff committee of a public hospital.
 - (B) Of the governing authority of a public hospital or any committee thereof when performing a peer review or medical review function as set forth in Code Section 31-7-15, Articles 6 and 6A of Chapter 7 of Title 31, or under any other applicable federal or state statute or regulation; and
 - (C) Of the governing authority of a public hospital or any committee thereof in which the granting, restriction, or revocation of staff privileges or the granting of abortions under state or federal law is discussed, considered, or voted upon.
- (7) Incidental conversation unrelated to the business of the agency; or
- (8) E-mail communications among members of an agency; provided, however, that such communications shall be subject to disclosure pursuant to Article 4 of Chapter 18 of this title.”
- (3) Close Executive Sessions are permitted pursuant O.C.G.A. § 50-14-3(b) for:

“(1) Meetings when any agency is discussing or voting to:

- (A) Authorize the settlement of any matter which may be properly discussed in executive session in accordance with paragraph (1) of Code Section 50-14-2;
- (B) Authorize negotiations to purchase, dispose of, or lease property.
- (C) Authorize the ordering of an appraisal related to the acquisition or disposal of real estate.
- (D) Enter into a contract to purchase, dispose of, or lease property subject to approval in a subsequent public vote; or
- (E) Enter into an option to purchase, dispose of, or lease real estate subject to approval in subsequent public vote.

No vote in executive session to acquire, dispose of, or lease real estate, or to settle litigation, claims, or administrative proceedings, shall be binding on an agency until a subsequent vote is taken in an open meeting where the identity of the property and the terms of the acquisition, disposal, or lease are disclosed before the vote or where the parties and principal settlement terms are disclosed before the vote.

(2) Meetings when discussing or deliberating upon the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer or employee or interviewing applicants for the position of the executive head of an agency. This exception shall not apply to the receipt of evidence or when hearing argument on personnel matters, including whether to impose disciplinary action or dismiss a public officer or employee or when considering or discussing matters of policy regarding the employment or hiring practices of the agency. The vote on any matter covered by this paragraph shall be taken in public and minutes of the meeting as provided in this chapter shall be made available. Meetings by an agency to discuss or take action on the filling of a vacancy in the membership of the agency itself shall at all times be open to the public as provided in this chapter;

(3) Meetings of the board of trustees or the investment committee of any public retirement system created by or subject to Title 47 when such board or committee is discussing matters pertaining to investment securities trading or investment portfolio positions and composition;

(4) Portions of meetings during which that portion of a record made exempt from public inspection or disclosure pursuant to Article 4 of Chapter 18 of this title is to be considered by an agency and there are no reasonable means by which the agency can consider the record without disclosing the exempt portions if the meeting were not closed; and

(5) Meetings when discussing or deliberating upon cybersecurity plans, procedures, and contracts regarding the provision of cybersecurity services. No vote in executive session to enter into a cybersecurity contract shall be binding on an agency until a subsequent vote is taken in an open meeting where the identity of the contractor and the terms of the agreement that are not subject to paragraph (25) of subsection (a) of Code Section 50-18-72 are disclosed before the vote.”

- (4) The subject matter of the closed meeting or closed portion of the meeting held on the 6th day of May 2024, which was closed for the purpose of:

 X **ATTORNEY-CLEINT PRIVILEGE REGARDING PENDING LITIGATION**
O.C.G.A. § 50-14-2(1)

 TAX MATTERS PURSUANT TO O.C.G.A. §50-14-2(2)

 STAFF MEETING HELD FOR INVESTIGATION PURSUANT TO O.C.G.A. §50-14-3(a)(1)

 DELIBERATION AND VOTING OF THE STATE BOARD OF PARDONS AND PAROLE
PURSUANT TO O.C.G.A. §50-14-3(a)(2)

 LAW ENFORCEMENT AGENCY OR PROSECUTIONSL AGENCY O.C.G.A. §50-14-
3(a)(3)

 MEDIATION EXCEPTION PURSUANT TO O.C.G.A. § 50-14-3(a)(5)

 HOSPITAL MEETINGS EXCEPTION PURSUANT TO O.C.G.A. § 50-14-3(a)(6)

_____ **INCIDENTIAL CONVERSATION EXCEPTION PURSUANT TO O.C.G.A. § 50-14-3(a)(7)**

_____ **SETTLEMENT EXCEPTION PURSUANT TO O.C.G.A. § 50-14-3(b)(1)(A)**

 X **PROPERTY NEGOTIATIONS PURSUANT TO O.C.G.A. § 50-14-3(b)(1)(B)**

_____ **APPRAISAL EXCEPTION PURSUANT TO O.C.G.A. § 50-14-3(b)(1)(C)**

_____ **CONTRACT EXCEPTION PURSUANT TO O.C.G.A. § 50-14-3(b)(1)(D)**

 X **EMPLOYMENT EXCEPTION PURSUANT O.C.G.A. § 50-14-3(b)(2)**

_____ **PUBLIC RETIREMENT SYSTEM PURSUANT TO O.C.G.A. §50-14-3(b)(3)**

_____ **PROTECTION OF EXEMPTION PORTIONS OF RECORD PURSUANT TO O.C.G.A. § 50-14-3(b)(4)**

_____ **CYBERSECURITY EXCEPTION PURSUANT TO O.C.G.A. § 50-14-3(b)(4).**

- (5) This affidavit is being executed for the purpose of complying with the mandate of O.C.G.A. 50-14-4(b) that such an affidavit be executed.
This 6th day of May 2024.

Greg Bennett, Mayor

Julian Sconyers – Council member

Johnny Ray Stafford – Council member

Bobbie Collins – Council member / Mayor Pro Tem

Quantavius Foster – Council member

Gregory Quarterman – Council member

D. J. Davis – Council member

Sworn to and subscribed before me this
6th day of May 2024.

NOTARY PUBLIC

My commission expires: _____

Council member Davis made a motion to come out of executive session.

Motion: Davis

Seconded by: Sconyers

Vote: 6 – 0

Council member Davis made a motion to deny liability in an assertive personal injury claim.

Motion: Davis

Seconded by: Sconyers

Vote: 6 – 0

Council member Davis made a motion authorizing the city administrator to engage an architect about moderately renovating city hall.

Motion: Davis

Seconded by: Sconyers

Vote: 6 – 0

Council member Stafford made a motion to adjourn.

Motion: Stafford

Seconded by: Sconyers

Vote: 6 - 0

Submitted: ***Herman Middlebrooks***, City Administrator