



CITY OF
Swainsboro
Crossroads of the Great South

GEORGIA



City Council Agenda

The regular meeting of Mayor and City Council was held on **Monday, November 6, 2023**, at 6:00 P.M. City Hall

Members Present: Mayor Bennett, Councilperson Collins, Councilperson Quarterman, Councilperson Parker, Councilperson Sconyers, Councilperson Davis
Councilperson Stafford

Prayer of Invocation: Bishop Bertha Jones of Williams Grove Church

Pledge of Allegiance

Minutes of Special Council Meeting of October 10, 2023, was presented. Councilperson Davis made motion to adopt the minutes.

Motion: Davis

Seconded by: Stafford

Vote: 6 - 0

A. Old Business:

1. Council considered the approval of the proposed 2024 budget. Councilperson Sconyers made the motion to approve the 2024 budget as presented.

Motion: Sconyers

Seconded by: Davis

Vote: 6 - 0

2. Council considered setting the millage rate. Councilperson Parker made the motion to approve the 2023 millage rate as presented.

Motion: Parker

Seconded by: Sconyers

Vote: 6 - 0

3. Council considered the construction management contract for the multipurpose building. Councilperson Parker made the motion to approve BAK for the Construction Management services for the Multipurpose building to be located at 615 Gumlog Road.

Motion: Quarterman

Seconded by: Parker

Vote: 5 - 1

For: Quarterman, Stafford, Parker, Davis, Collins

Against: Sconyers

4. Council heard from Mrs. Jacqueline Brantley of 331 South Green Street regarding the dilapidated property next door. Mrs. Brantley states that the entire front of the next door blighted property looks brand new. Mrs. Brantley thanked the council.

B. New Business:

1. Council heard from Diana Wedincamp regarding Harmon Park and the Hotel Motel tax. Mrs. Wedincamp asked council if in the future they would think about having a citizens' focus group for Harmon Park for the design or anything going forward with Harmon Park. She stated that this was very successful in Statesboro. When you bring all the citizens in and they have input in the design or what we are going to do with it, it makes things go a lot smoother and citizens actually have a voice of what they want to see out there. Just let me know if you want me to spearhead it. I will be glad to get citizens together and go over some designs without spending a fortune on a landscape architect. Councilperson Davis stated if you would like to spearhead this by all means move forward with that. Mrs. Wedincamp stated that they would like to see something a little bigger like citizen wise for them to have a little input in some of the designs or some of the things that could give that extra touch. Also, we were wanting clarity on what the hotel motel money is spent on. Is there a separate budget for that, Councilperson Stafford answered yes. It is spent on tourism like the theater. Mrs. Wednicamp stated that it would

2. Council considered the request to rent an excavator to complete work on North Racetrack Street. Councilperson Davis made the motion to approve the month-long excavator rental from Yancey Rentals.

Vote: 6 - 0

- Vote: 3 – 2**

Abstain: Collins

- Vote: 6 – 0**

- Vote: 5 – 1**

Against: Collins

Vote: 5 – 1

Against: Collins

- Vote: 6 – 0**

Vote: 6 – 0

Vote: 6 – 0

Councilperson Parker made a motion to amend the agenda to add Men helping Men. No Seconded.

2. Council considered advertising the alcoholic beverage application for Edward Hill Daniels DBA The Liquor Vault located at 403 North Coleman Street. Councilperson Sconyers made a motion to approve the advertisement for the alcoholic beverage application for Edward Hill Daniels DBA The Liquor Vault located at 403 North Coleman Street.

Motion: Sconyers Seconded by: Parker Vote: 6 – 0

3. Council considered the fee waiver request from the Police Department to use the Vann Community House for their annual employee appreciation. Councilperson Davis made a motion to approve the fee waiver request from the Police Department to use the Vann Community House for their annual employee appreciation.

Motion: Davis Seconded by: Stafford Vote: 5 – 1
For: Davis, Parker, Stafford, Collins, Sconyers Against: Quarterman

4. Council considered the fee waiver request from the Fire Department to use the Vann Community House for their annual employee appreciation. Councilperson Sconyers made a motion to approve the fee waiver request from the Police Department to use the Vann Community House for their annual employee appreciation.

Motion: Sconyers Seconded by: Davis Vote: 5 – 1
For: Davis, Parker, Stafford, Collins, Sconyers Against: Quarterman

Councilperson Davis made a motion to go into executive session for employment matters.

Motion: Davis Seconded by: Stafford Vote: 6 – 0

D. Committee Reports:

None

E. Executive Session:

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 November, 2023.

- (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 November, 2023, which was closed for the purpose of:

_____ 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)

_____ INCIDENTAL 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)

_____ 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 November 2023.

Greg Bennett, Mayor

Julian Sconyers - Council Person

Johnny Ray Stafford – Council Person

Bobbie Collins – Council Person

John E. Parker – Council Person

Gregory Quarterman – Council Person

D. J. Davis III – Council Person

Sworn to and subscribed before me this.

6th day of November 2023.

NOTARY PUBLIC

My commission expires: _____

Councilperson Davis made a motion to go back into the meeting.
Motion: Davis Seconded by: Quarterman Vote: 6 – 0

Councilperson made a motion to allow the Mayor to negotiate with the city administrator.
Motion: Davis Seconded by: Parker Vote: 6 – 0

Councilperson Davis made a motion to adjourn.
Motion: Davis Seconded by: Quarterman Vote: 6 – 0

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