

**City Council Meeting
October 06, 2008**



The regular meeting of the Mayor and City Council, held Monday,
October 06, 2008, at 6:00 P.M. at Swainsboro City Hall

Members Present: Stroud, Collins, Stafford & Faulkner,

Members Absent: Parker, Edenfield

Prayer of Invocation: Councilperson Faulkner

Motion to accept previous minutes as presented.

Motion : by Stafford Seconded : by Stroud Passed : 4-0

Mayor Schwabe presented a proclamation declaring October 2008 Breast Cancer Awareness Month in the City of Swainsboro. Miss Raven Hall, 2009 Miss Emanuel County, was present to accept the Proclamation and shared with council other plans to bring attention to Breast Cancer Awareness Month. She explained that pink ribbons would be placed around town at businesses to bring attention to this campaign. Motion to ratify the action was made.

Motion : by Faulkner Seconded : by Stroud Passed : 4-0

A. New Business

1. Council heard the alcoholic beverage request, for advertisement only, of Ashok Patel dba Andy's Quick Stop #9 208 North Main St. for beer and wine package only. Motion was made to advertise the license.

Motion : by Stafford Seconded : by Stroud Passed : 4-0

2. Council heard the alcoholic beverage request, for advertisement only, of Sarah Hackle dba 114 West Main St. Located at 114 West Main St. for liquor, beer and wine consumption on the premises. Administrator Lawson stated that she had requested because it was to late in the year that she could only purchase the beer and wine consumption on the premises in 2008 and purchase the full license in 2009. Adm. Lawson informed council if they approved the full license she would not be upgrading in January but purchasing the original licenses that was requested. Motion was made to advertise the license.

Motion : by Stroud Seconded : by Faulkner Passed : 4-0

3. Mr Tim Goodman representing the Swainsboro Kiwanis Club addressed council with a request for a grant of \$250 in support of the Trick or Treating night the Kiwanis have on the Boneyard. This is an annual event and will held on October 31, 2008. Motion was made to approve the grant request and amend the 2009 budget to include this expense in the 2009 budget.

Motion : by Stroud Seconded : by Faulkner Passed : 4-0

4. Mayor Schwabe read a grant request from the Ladies' Golf Association in support of the annual golf tournament. The money raised will support Breast Cancer Awareness and Research. The request was for \$500 and is a budgeted item.

Motion : by Faulkner Seconded : by Stroud Passed : 4-0

5. Council considered speed bumps on East Hill St. but no action was taken.

6. Mrs. Shari Watt and Mrs. Betty Gambrell presented an animal cruelty ordinance for the council's consideration. They presented pictures and stated cases of animal cruelty going on in the city. They were supported with many other citizens from the Human Society. The ordinance presented read as follows;

CITY OF SWAINSBORO

Animal Cruelty Ordinance

Chapter 10

Article III. Animal Cruelty

Sec. 10-50. Purpose

The purpose of this ordinance is to provide a method of prosecuting animal cruelty cases in the Municipal

Sec. 10-51. Explanation

No owner or custodian of any domesticated animal shall fail to provide the animal with humane care; adequate food and water; adequate shelter which has appropriate and adequate ventilation and adequate shelter from inclement weather including extreme heat.

Sec. 10-52 Description of acts

The following are specifically found to be acts of animal cruelty and prohibited by this ordinance:

- (1) chaining animals to a stationary location with a chain less than twelve (12) feet in length.
- (2) use of chains which are a gauge so heavy as to cause pain and/or discomfort.
- (3) chaining animals without the use of a properly sized collar.
- (4) abandoning animals on public or private property which includes the owner or custodian vacating the property where the animal is located.
- (5) organized dog fighting.
- (6) failure to inoculate the animal for rabies.
- (7) any intentional act or omission which causes physical injury or extreme discomfort to the animal except in the rendering of medical care by a licensed veterinarian or the rendering of a course of treatment prescribed by a licensed veterinarian.

Sec. 10-53 Enforcement

The Swainsboro Police Department or it's appointees shall be responsible for investigating claims of animal cruelty under the terms of this ordinance and the prosecution of same. Prosecution shall be initiated by service upon the owner or custodian on the animal a citation describing the manner it is contented this ordinance has been violated and ordering such owner or custodian to appear at a time and date certain in the Municipal Court of the City of Swainsboro then and there to face charges.

Sec. 10-54 Penalty for violation of article.

Violations of this article upon conviction before the municipal judge of the City of Swainsboro, are punishable by a fine of up to \$1,000 per violation and imprisonment in the Emanuel County Jail for a period not to exceed twelve (12) months for each violation •

Motion was made to consider this as a first reading of the ordinance. A second reading and public hearing will follow.

Motion : by Stroud Seconded : by Collins Passed : 4-0

7. Council heard the reading of a Resolution accepting the \$100,000 from the Georgia Department of Natural Resources for the Nature Park on West Main. Motion was made to accept the grant and proceed.

Motion : by Stafford Seconded : by Faulkner Passed : 4-0

B. Old Business

1. Council heard the alcoholic beverage request of Piysh Patel dba K T's Package Store 636 North Main St for liquor, beer and wine package only. Mayor schwabe announced this was a Public hearing on the request and asked if anyone was there to speak for or against the license request. No one was present to oppose. Motion was made to grant the license.

**Motion : by Stafford Seconded : by Stroud Passed : 3-1
Opposed - Faulkner**

C. Committee Reports

Police: Councilperson Stafford presented the Police Report. He stated that there will be an open house at the new Police Station on October 22, 2008 from 3:00 to 5:00pm with a ribbon cutting at 4:30pm.

Councilperson Stafford reported the Police Personnel Committee hade met and recommended to hire Shelia Scott for the new reception position at the Police Department. No one objected.

Building and Safety: Councilperson Faulkner had no report .

Mayor Schwabe gave council an update on five houses that are targeted to be removed and cleared.

Executive: No Report

Public Works: Councilperson Collins reported everything routine.

Recycle: Councilperson Collins reported operations normal .

Fire : No report

Recreation: Councilperson Stroud reported everything routine.

Airport: Mayor Schwabe asked council to consider the approval of the fencing project at the airport. Mayor Schwabe informed council that the project would be paid for with a grant from the Georgia Dot Airport Division. Motion was made to accept the low bid, with the stipulation that the low bidder met all the qualifications, and award the project.

Motion : by Stroud Seconded : by Faulkner Passed : 4-0

Water & WW: No Report

Downtown Development - Anthony Faris no report.

Administrative: Administrator Lawson reported that the Building Department had received a rate for the next five years. It has received a Class 5 Residential rating and a Class 5 Commercial rating. Adm Lawson expressed this is due to the hard work of the personnel in the Building Department.

Mayor: Mayor Schwabe reappointed Mr Ralph Foskey to the Swainsboro Housing Authority Board. His term will run from October 1, 2008 until September 30, 2012.

Mayor Schwabe presented a letter from the Planning and Zoning Commission asking the council to consider the annexing of some areas adjacent to the by-pass. Mayor Schwabe thanked the Planning and Zoning Commission for their letter and forward thinking. He stated the council would consider their options at the appropriate time.

An Executive Session for the purpose of discussion with legal council was requested by Mayor Charles Schwabe.

Motion : by Faulkner Seconded : by Stafford Roll Call vote all in Favor

AFFIDAVIT

Personally appeared before the undersigned attesting officer, duly authorized to administer oaths, Charles Schwabe, who, after being duly sworn, deposes and on oath states the following:

I was the presiding officer of a meeting of the Swainsboro City Council held on the 6th day of October, 2008.

That it is my understanding that O.C.G.A §50-14-4(b) provides as follows:

When any meeting of an agency is closed to the public pursuant to subsection (a) of this Code section, the chairperson or other person presiding over such meeting shall execute and file with the official minutes of the meeting a notarized affidavit stating under oath that the subject matter of the meeting or the closed portion thereof was devoted to matters within the exceptions provided by law and identifying the specific relevant exception.

The subject matter of the closed meeting or closed portion of the meeting held on the 6th day of October, 2008, which was closed for the purpose of legal advisement requested by Mayor Charles Schwabe as allowed by O.C.G.A., Title 50, Chapter 14, was devoted to matters within those exceptions and as provided by law.

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 October, 2008

MAYOR / CITY OF SWAINSBORO

Council re-enter regular session

A motion was made to give Swainsboro Technical College a portion of the road known as High St for it's use.

Motion : by Faulkner Seconded : by Stafford Passed : 4-0

Council Adjourned

Submitted: *Al L Lawson* , City Administrator