



CITY OF  
**Swainsboro**  
*Crossroads of the Great South*

GEORGIA



## City Council Meeting

The regular meeting of Mayor and City Council was held **Monday, February 13, 2023** at 6:00 P.M. City Hall.

**Members Present:** Sconyers, Stafford, Parker, Collins, Davis, & Quarterman

**Prayer of Invocation:** Rev. Mark Hardin, Poplar Springs Church

### Pledge of Allegiance

Councilperson Sconyers made a motion to accept the January 24, 2023, minutes.

**Motion by: Sconyers**

**Seconded: Stafford**

**Vote: 6-0**

### A. Old Business:

1. John McClellan with Turnipseed Engineers addressed the council regarding the status of the Elevated Tank Project. Mr. McClellan stated that the additional funds through the GEFA BIL funding was not awarded, and they cited that the city already had a loan with grant already in place. Mr. McClellan stated that the city already has a loan grant in place with GEFA in the amount of \$1,261,000.00 with \$630,500.00 of that being a forgiveness loan grant. Mr. McClellan stated that the contractor has agreed to keep the pricing from last October of 2022 thru the next GEFA board meeting in May of 2023 if the city would like to entertain getting additional GEFA loan funding. Mr. McClellan stated that there are no other grant opportunities out there right now. Mr. McClellan stated that the GEFA loan grant that we have right now is a 20-year loan at 1.13% for the \$630,000. Mr. McClellan stated that to get to the recommended award amount the city would need to be able to finance another \$1.619 million to get to the total project cost. Mr. McClellan stated that there is some contingency funds in there and the city may not have to use the \$238,000 but you do not want to go into the project without some contingency built into the project. Mr. McClellan stated that he was able to get a hold of GEFA today and the additional funds would be financed at 20 years at 1.89% on the \$1.6 million. Councilperson Parker asked if some of the ARPA monies could be used for this project. Mayor Bennett stated that council can decide how to fund the project at a later date but today we need to decide if we are going to move forward. Councilperson Parker made a motion to move forward with the Elevated Tank Project. Mr. McClellan stated that the next step is to reach out to GEFA and ask for additional funds.

**Motion by: Parker**

**Seconded: Davis**

**Vote: 6-0**

2. Council considered for approval the alcohol license for Dirghayu V Patel dba Sarvi Enterprise LLC located at 202 East Main Street. Motion was made by Councilperson Stafford to approve the license.

**Motion by: Stafford**

**Seconded: Parker**

**Vote: 6-0**

3. Chris Morton with Clearwater Solutions presented council with the Water Fluoridation Award to the city.

4. Chris Morton with Clearwater Solutions presented the council the 2022 Repairs and Maintenance account refund check for the unused R&M budget funds. Mr. Morton stated that the R& M budget is set aside to cover emergency expenses. Mr. Morton stated that the R&M data is sent over to the city clerk.

5. Chris Morton with Clearwater Solutions presented lease quotes for two backhoes. Mr. Morton stated that historical we have not had a plan put in place for heavy equipment and

vehicles. Mr. Morton stated that right now we have a leased backhoe that we are using to get the job done every day. Mr. Morton stated that they are spreading it out between departments just to get the job done. Mr. Morton stated that we have two backhoes that are beyond repair. Mr. Morton stated that we have several options as follows for two backhoes:

Yancy CAT	\$304,554.00
John Deere	\$233,200.00
JCB	\$230,049.62

Mr. Morton stated that Yancy CAT and JCB have lease options and John Deere does not have that option. Councilperson Parker made a motion to lease the two backhoes from JCB. City Attorney Levis stated that he would need to review the lease agreement. Mayor Bennett stated that contingent upon the attorneys review of the lease agreement he recommends the city go with the six-year lease plan and fund this out of SPLOST.

**Motion by: Parker                      Seconded: Stafford                      Vote: 6-0**

6. Jacqueline Brantley addressed the council regarding the depilated house next door to her home. Ms. Brantley stated that nothing has transpired with the property. Councilperson Stafford asked could they amend the agenda to rescind the motion regarding the halt of the Accumulation of Junk Ordinance. Councilperson Parker asked if Bruce had contacted the owner. City Clerk Kirby stated that the building inspector had contacted the owner by phone. Councilperson Davis stated that an individual had made contract regarding buying the property and he had sent them to Ms. Kirby and Angie. City Clerk Kirby stated that they had spoken with the individual and gave them the contact information for the property owner but had not heard anything from that. Councilperson Stafford asked how we need to proceed. City Attorney Jon Levis stated that the council needs to do two different things 1. amend the agenda so you can rescind the halt of the nuisance provision and you have already done that. 2. The building inspector or if the city wants me to do that the city needs to have the inspector contact him. Levis stated that we need to start the process of nuisance and/or blight whatever qualifies on that property and in my opinion its not just on that property but all properties. Levis stated that the blight statute is designed as a double-edged shield. Basically, when property becomes blight and which cannot apply to residential property the city has the right to increase the ad valorem tax on that, and what that is designed to do is to provide revenue to the city to cover the cost of the remediation. Levis stated that if the city remediates it under the nuisance or blight statute the city can put a lien on the property. Levis stated that if the property is not worth the lien amount, then the city can foreclose on the property and resale the property, but the city will not recoup all of the monies and in certain circumstances that may not be what the city needs to be doing and we need to look at that. Levis stated that also under the blight statute we have the right to enter into an agreement which will lower the property tax; however, that has to be substance to a remediation plan in which they are in compliance with. Levis stated that this can put the cost onto the owner but the owner is then required to do certain steps. Levis stated that it is a process that you must go through municipal court to do this, but it is not overly complicated, and it just needs to be done right. Levis stated in the nuisance statute that is different, in that the city does not have the right to increase the tax revenue, but we do have an issue if it is deemed a nuisance under the municipal court. Levis stated then we have the right to go forward and remediate that. Levis stated that it was his understanding that the property next to Ms. Brantley’s was not the only property in the city that this needs to be done. Levis stated that we need to be evaluating all the properties and deciding what process we need to be going through and then move forward. Levis stated that there was a hiccup with the nuisance, and we need to get that back to being enforceable so we need to amend the agenda so council can vote on that and move forward. Levis stated that we need to put a process in place whether it is through the inspector’s office, the police department, administration, or if you would like me to do it or a combination of that so that we can go ahead and get it done. Levis stated that is the process that needs to be done at this time. Levis stated that there are two issues he is aware of at this time 1. Being a structural issue and it has been brought to my attention that the property has been recently tested and there is asbestos on that property. 2. Levis stated that there is an issue with lawncare and those are different nuisance issues in my opinion. Levis stated that one of the things the city can be addressing lawncare while we are moving the process along on the other issue.

7. Councilperson Stafford made a motion to amend the agenda to discuss rescinding the halt of the Accumulation of Junk Ordinance.  
**Motion by: Stafford                      Seconded: Parker                      Vote: 5-0**  
**Abstained: Collins**
  
8. Councilperson Parker made a motion to withdraw the lack of enforcement of the Accumulation of Junk Ordinance.  
**Motion by: Parker                      Seconded: Stafford                      Vote: 5-1**  
**For: Parker, Stafford, Davis, Quarterman                      Against: Collins**
  
9. Matthew Bright addressed the council regarding the drainage issues on Brown Street. Mr. Bright asked council what they had decided to do about the issue. Mr. Bright also stated that nothing had been cleaned up. Mr. Bright stated that he has even more water and his home is sinking. Mr. Bright stated that what he wants the city to do for his property and the property in that area is to clean the ditch, fix the drainage where it drains properly, and jack my house back up. Mr. Bright stated there is drainage issues everywhere. Mr. Bright asked council what they plan on doing. Mayor Bennett stated that it has been turned over to insurance. City Clerk Kirby stated that the city has not received a response regarding the claim as of today. Mayor Bennett stated that the city will contact Mr. Bright when they receive a response from the insurance company.
  
10. Debbie Dubberly addressed the council regarding the drainage issue behind Durden-Hudson Funeral Home. Ms. Dubberly asked the status of her drainage issue. Mayor Bennett stated that the insurance company had denied her claim. Ms. Dubberly asked what happened to putting in the pipe. Mayor Bennett stated that there was a disagreement with how wide the easement needed to be. Ms. Dubberly asked what happened to the easement that was supposed to drafted by the city attorney. City attorney Levis stated that as he has informed the council, in order to do the easement, he needs a plat and I need to know the size of the required easement. Levis stated that he has not received the plat and has not received anything on the easement. Ms. Dubberly stated that she present council a plat. Levis stated that he has asked council for an updated plat so that we can make sure that the easement is properly identified on the plat. Ms. Dubberly asked how long that usually takes. Levis stated that it usually doesn't take that long. Levis stated that he has addressed the council and have indicated that they need to decide on the size of the easement so that I can draft it up properly. Levis stated that then we need to talk to all the property owners so that we can move forward on that. Ms. Dubberly stated that she has sent the city papers for the last year for what I have paid for offsite storage requesting a reimbursement. Ms. Dubberly stated that her property is falling off in a ditch at the neglect of the city. Mayor Bennett stated that the city does not have an easement. Councilperson Sconyers stated that Donaldson had done a survey and asked City Clerk Kirby if we had received the survey. Kirby stated that we have not received the survey due to a discrepancy on the width of the easement. Mayor Bennett stated that it was his understanding that if there was a 50-foot easement which is what they are requiring then Ms. Dubberly would not be able to put the building back where it was previously at. Mayor Bennett asked city attorney Levis what he thought the city was liable for. Levis stated that he doesn't have all the evidence to make a decision and at this point in time. Levis stated that the insurance has denied the claim and I would say we rely on the insurance's recommendation. Levis stated that as to easement as I have indicated in my email, I need to know the size of the easement and I need the plat to get it drafted up. Councilperson Parker asked who Levis had requested the information from. Levis stated that he talked with Clearwater originally about the easement and he indicated that we needed to know the size of the easement to get in there with their equipment. Levis stated that he notified the council that Clearwater wanted a 50-foot easement and there was a dispute over whether that was going to be acceptable. Levis stated that we need to decide what the easement amount is because council did not give any direction on that. Ms. Dubberly asked if the city's stance on this was that they are not responsible, and they are not going to fix it? Mayor Bennett stated that the city does not have an easement. Mayor Bennett appointed Councilperson Stafford and Councilperson Sconyers to come up with a recommendation for council. Mayor Bennett asked Chris Morton how big of an easement that the city needs. Mr. Morton stated that he recommends a workshop so that they can discuss this with council. Councilperson Parker asked if this workshop would be open to the public or for council only. City Clerk Kirby

**Motion by: Sconyers                      Seconded: Parker                      Vote: 6-0**

1. Council considered for advertisement the game room application for Urvano Bustamante dba MI Reyna Tienda Mexicana located at 230 West Moring Street. Councilperson Stafford made a motion to advertise for the game room license. Motion was seconded by Councilperson Sconyers. Council discussed the location of the request and decided to postpone the item until the applicant was in attendance.

2. Council considered for advertisement the alcohol license application for Ashley Brewer Youmans dba The Liquor Vault LLC located at 403 North Coleman Street. Motion was made by Councilperson Stafford.

3. Council considered for advertisement the alcohol license application for Niranjana A Patel dba Mojo's Wine and Spirits located at 546 South Main Street. Motion was made by Councilperson Sconyers. Mayor Bennett recused himself due to conflict of interest and Mayor Pro-Tem Collins carried the vote.

4. Councilperson Parker made a motion to amend the agenda to consider for advertisement the alcohol beverage application for Denise Miles dba Lounge 2020 located at 406 Rentz Street.

5. Council considered for advertisement the alcohol license application for Denise Miles dba Lounge 2020 located at 406 Rentz Street. Motion was made by Councilperson Parker.

6. Deanna Ryan addressed the council on behalf of Keep Emanuel Beautiful regarding upcoming cleaning projects. Ms. Ryan requested that the city designate a person who is aware of areas around town that need to be picked up. Ms. Ryan stated that they are going to be affiliated with the Keep Georgia Beautiful program and the county has agreed to pay all of the fees associated with this membership. Ms. Ryan stated what their plans were for Earth Day, they are going to have a project on April 22<sup>nd</sup> called "Operation Clean Sweep". Ms. Ryan stated that this is going to be an annual event. Ms. Ryan requested that the city nominate one person to be present at all meetings and who is aware of areas in need. Councilperson Stafford nominated Chris Morton. Ms. Ryan requested that a community member be nominated also for this committee. Ms. Ryan present council will a tier sheet for membership. Ms. Ryan stated that there is no membership fee, and they are just looking for members willing to commit on an annually basis. Ms. Ryan stated that their next meeting is February 16<sup>th</sup> at 5:30pm.

7. Kayla Williams, the children's coordinator at Franklin Memorial Library addressed the council regarding "National Take a Walk in The Park Day" on March 30<sup>th</sup>. Ms. Williams stated that they thought it would be a wonderful day for our community to come together to take a stroll in the park. Ms. Williams requested that tables be put out so that the elderly and children could stop. Ms. Williams stated that the children could stop and journal while they walk. Ms. Williams stated that they are not requesting any monies just the city's support. Ms. Williams requested that the Police and Fire Department participate in this event. Ms. Williams asked for the city's recommendation as to which park to hold



**Motion by: Stafford                      Seconded: Sconyers                      Vote: 6-0**

- Motion by: Sconyers                      Seconded: Stafford                      Vote: 6-0**

- Motion by: Davis**                      **Seconded: Stafford**                      **Vote: 6-0**

- Motion by: Davis                      Seconded: Quarterman                      Vote: 6-0**

- Motion by: Stafford                      Seconded: Sconyers                      Vote: 6-0**

- Motion by: Stafford                      Seconded: Sconyers                      Vote: 6-0**

- Motion by: Parker                      Seconded: Stafford                      Vote: 6-0**

- Motion by: Sconyers                      Seconded: Stafford                      Vote: 6-0**

15. Councilperson Parker presented council a petition to ask DOT to move Norwood Ave. up in the list to be paved. City Clerk Kirby stated that she would submit the request to DOT, but that decision would ultimately be up to DOT.
16. Councilperson Parker stated he would like to request that a caution light be installed at Hwy 56 and Pine Street. Mayor Bennett stated that the city clerk has already contacted DOT on how to submit the request. Council discussed the intersection at Walmart and Mable Avenue. Mayor Bennett requested that the city reach out to DOT about installing round-a-bouts at both locations.  
**Motion by: Parker                      Seconded: Stafford                      Vote: 6-0**
17. Councilperson Parker requested that the parttime pay be removed from the agenda and postponed so that council can discuss it in workshop session before the next council meeting. Motion made by Councilperson Parker.  
**Motion by: Parker                      Seconded: Davis                      Vote: 6-0**
18. Mayor Bennett discussed having a workshop session to discuss the fleet plan by Enterprise. Mayor Bennett stated that City Clerk Kirby, Chris Morton and the Police Chief Randy Ellison meet with the Enterprise agent to discuss leasing vehicles through Enterprise. Mayor Bennett stated that this program would cut down on repair cost and the city could cycle through all of the vehicles every 6 years.
19. Council considered the “Re-Statement of Work Week and Work Period for Non-Exempt City Employees; Overtime Hours”. City Attorney, Jon Levis, stated that this is just a Re-Statement of a policy that the city has been following. Levis stated that it has come to his attention while working with city employees that there is no written policy. Levis stated that this doesn’t change anything, but this is simply just a statement or re-statement of a policy that has been in effect for years. Levis stated this is just putting it in writing so that if anybody looks at it; it is there for them. Motion made by Councilperson Davis to approve the resolution.  
**Motion by: Davis                      Seconded: Sconyers                      Vote: 6-0**

**C. Committee Reports:**

1. None

**D. Executive Session:**

Councilperson Davis made a motion to go into executive session to discuss employment exception pursuant to O.C.G.A. 50-14-3(b)(2).  
**Motion by: Davis                      Seconded: Quarterman                      Vote: 6-0**

**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 13<sup>th</sup> day of February, 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 13<sup>th</sup> day of February 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)**

\_\_\_\_\_ **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)**

\_\_\_\_\_ **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 13<sup>th</sup> day of February 2023.

\_\_\_\_\_  
Greg Bennett, Mayor

\_\_\_\_\_  
Julian Sconyers - Council Person

\_\_\_\_\_  
Johnny Ray Stafford – Council Person

\_\_\_\_\_  
Bobbie Collins – Council Person

\_\_\_\_\_  
John E. Parker – Council Person

\_\_\_\_\_  
D. J. Davis – Council Person

\_\_\_\_\_  
Gregory Quarterman– Council Person

Sworn to and subscribed before me this  
13<sup>th</sup> day of February, 2023.

\_\_\_\_\_  
NOTARY PUBLIC  
My commission expires: \_\_\_\_\_

Councilperson Parker made a motion to return to regular session.  
**Motion by: Parker                      Seconded: Davis                      Vote: 6-0**

Councilperson Parker made a motion to hire Herman Middlebrooks for the City Clerk position. Councilperson Collins had some issues with the salary and benefit package that Mr. Middlebrooks is requesting. Mayor Bennett stated the administrative committee could reach out to Mr. Middlebrooks and make a counter offer. Mayor Bennett stated that we could vote to hire Mr. Middlebrooks contingent upon final agreement of the contract by council. Levis suggested that if council makes a motion that it includes 1. The approval of the person 2. The approval is subject to mutually agreeable terms 3. The committee negotiates those terms and brings them back to the council for approval. Councilperson Sconyers stated there is a motion on the floor. Mayor Bennett asked Councilperson Parker if he would like to amend his motion. Councilperson Parker stated that when we interviewed we were tasked with coming back tonight to make the decision so that we could move Swainsboro forward. Councilperson Parker stated but we sit here, and my spirit

says it is not about the qualifications of the man; that is not what it’s about. Councilperson Parker stated that its time that Swainsboro moves forward and moves forward at this particular time. Councilperson Parker stated that my motion is still to offer the job with negotiations, but I would request that the lawyer sit in because he is going to have to do the legal jargon to do that. Mayor Bennett stated to make a motion to hire Mr. Middlebrooks. Councilperson Davis stated that there is a motion on the floor. City attorney Levis stated that there is a motion on the floor and council needs to conclude that. Council voted as regards to the motion on the floor.

**Motion by: Parker                      Seconded: Quarterman                      Vote: 2-3**  
**For: Parker, Quarterman                      Against: Sconyers, Stafford, Davis**  
**Abstained: Collins**

Councilperson Davis made a motion to hire Chu Lin Ooi. Mayor Bennett stated with no contingencies? Councilperson Davis stated that with contingencies; he has his contingencies out here it’s pretty simple. Councilperson Sconyers seconded the motion.

**Motion by: Davis                      Seconded: Sconyers                      Vote: 3-2**  
**For: Davis, Sconyers, Stafford                      Against: Parker, Quarterman**  
**Abstained: Collins**

Councilperson Stafford made a motion to hire nobody tonight and get clarifications on what Mr. Middlebrooks will work for. Councilperson Parker stated that anytime someone wants to apply for a job he or she tells you what they want. Councilperson Parker stated just like when Melissa, she came and said what she would work for and we hired her. Councilperson Parker stated that the vote was 4-2. Councilperson Parker stated that now you have a person who has a master’s degree, that’s qualified, and has done the same job and we can’t get the majority. Councilperson Parker stated that we can’t even get a 3-3 to say to hire and asked what is the reason? Councilperson Parker stated people want say the underlying issue. Mayor Bennett asked Councilperson Stafford to clarify his motion. City attorney Levis stated that the motion on the table was to negotiate with Mr. Middlebrooks. Councilperson Sconyers requested that the minutes reflect that Councilperson Quarterman is related to Mr. Middlebrooks. Mayor Bennett stated that we have already established that he is not. Councilperson Sconyers stated Mr. Middlebrooks is related to his family. Councilperson Quarterman stated that I want it to go on the record that this is not about Herman Middlebrooks’ professionalism or what he can do. Councilperson Quarterman stated he is black, and he is my cousin by marriage.

**Motion by: Stafford                      Seconded: Parker                      Vote: 4-2**  
**For: Stafford, Parker, Quarterman, Collins                      Against: Sconyers, Davis**

Councilperson Parker made a motion to adjourn.

**Motion by: Parker                      Seconded: Davis                      Vote: 6-0**

Submitted: *Melissa Kirby*, City Administrator