



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

GEORGIA



## City Council Meeting

The regular meeting of Mayor and City Council was held **Monday, December 5, 2022** at 6:00 P.M. City Hall.

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

**Prayer of Invocation:** Brother Joe Bedgood, Dellwood Baptist Church

### Pledge of Allegiance

Councilperson Davis asked that the minutes on November 7<sup>th</sup> item #1 reflect who made the motion and the second. Councilperson Quarterman asked that on November 7<sup>th</sup> item #9 the vote count should reflect 4-2. Councilperson Stafford made a motion to accept the November 7<sup>th</sup> and November 15<sup>th</sup> minutes with the amendments.

**Motion by: Stafford**

**Seconded: Sconyers**

**Vote: 6-0**

### A. Old Business:

1. Mayor Bennett asked city attorney, Jon Levis, to address the changes that he requested on the BAK contracts. Levis stated that he received the finalized version of the BAK contracts on Friday. Levis stated that in his discussions with the mayor and clerk that they were looking at possible using ARPA funds to help fund one or both or part of these projects. Levis stated that the city would need to be in compliance with the federal ARPA requirements, procurement requirements, subcontractor requirements of the Davis Bacon Act as well Civil Rights Act. Levis stated that if we are using ARPA funds, we need to add all that in there. Levis stated that there is a general provision in the agreement that says that the contractor will be compliant to all federal state and applicable law. Levis stated that I want to make sure that that we provide notice in the contracts to the contractor that if the city is using ARPA funds that would be in compliance. Levis stated that those requirements need to be in there. Levis stated he sent a memo out today that gives an overview of his recommendations. Levis stated that the contracts themselves are substantially similar in that they are a standard AIA contracts. Levis stated that there are a couple differences, and those differences are related to specific project address, pricing, and all that. Levis stated that because the city is using ARPA funds the contracts cannot be a cost-plus contract so there has been a change in that to have specific profits. Levis stated that there are a couple of concerns he has related specifically to the contracts. Levis stated one is I typically recommend a retainer for 10% not 5%. Levis stated the contract as presented has a 5% retainage. Levis stated that the contract right now to net 15-day payment and I don't think that should be an issue but again I would recommend a net 30-day payment. Levis stated that there are timetables in there and those timetables include a four-month period of time in order to complete the front-end work; however, both contracts are silent or TBD as to the exact timeline of completion. Levis stated that I think the city needs to at least have an idea of where the timeline is because if the city is going to finish it this year versus not finishing this year it may have impact on whether the contract remains valid or not. Levis stated that there is also an issue with regards to when the original contract was written as a cost-plus contract so if they do x, it is x plus a percentage and now it is based on a standard rate which is potentially equivalent to that cost plus. Levis stated that this is an ARPA requirement that it is not a cost plus. Levis stated that we need to make sure that there is a goal post and that we know what we are paying silent as to and the breakup fees are at 10.5%. Levis stated that essentially, we would pay them for work services provided plus a 10.5% amount; however, I think that is a drafting error. Levis stated that this would have been inclusive of a cost plus so that needs to be changed. Levis stated there is interest and late payment penalties which is fine. Levis stated that if we don't pay on time like any other

individual, we should not be relieved of paying interest on that; however, the interest is silent as to whether that it is per annum or per month. Levis stated that we need to qualify that as per annum payment of 5%. Levis also stated that I would want proof of insurance prior to starting the job which is standard and then there are other terms. Levis stated that if there is a reduction in fees in conjunction of awarding both projects that would need to be in there also. Levis stated that he would have provided revised contracts; however, the contract he has is a non-editable PDF so I would recommend the contracts subject to those changes of course. Levis stated that if we are not using ARPA funds for this contract that would significantly change the add on documents that needed be included in this contract. Councilperson Parker asked when this came up was it not that one project could use the ARPA funds and one could only use a portion of that Madam clerk? The clerk referred the question to the city attorney, Levis. Levis stated that the ARPA funds could be utilized in a situation in which is standard business or community centers which both of these falls into that category. Levis stated that I would advise if we can find other uses of ARPA to free up cash for the city's operating cash to pay this that would be my advice. Levis stated that would take a lot of requirements away and allows an ease of process and it is an easier reporting processes for clerks; however, that is up to council. Levis stated that in my opinion also long as they are both community centers and it is only a portion of the funds, I would say that as long as the contracts comply with the compliance with federal requirements and procurement requirements that would be sufficient. Councilperson Parker stated with that being said we could go ahead with using ARPA funds you just have to make sure that you dot all your i's and cross all your t's is that correct Sir. Levis stated yes and if you make a mistake in that process, they could also audit it and you would have to refund the money that is why I still recommend it for a process. Levis stated I think the mayor has looked at funding these projects through various means and may want to speak as to that. Mayor Bennett stated that there are certain things we could do after tonight's meeting but at tonight's meeting we need to approve these projects based on the revisions Levis has recommended. The contractor would need to approve these revisions also. Mayor Bennett stated that the contractor was going to do a 10.5% cost plus; however, the city cannot do that since we are using ARPA funds and the requirements are a fixed cost. Mayor Bennett stated the breakdown of the funding as follows: Theater project will be about \$1.5 million which will be funded by Hotel/Motel funds, other government agencies, private donations, ARPA funds, and county SPLOST funds. The Gumlog Gym project will be about \$555,000 which will be funded by ARPA. Councilperson Parker asked if we knew exactly what it would cost to finish the building. Mayor Bennett stated that this is only construction cost and does not include any furnishing or equipment. Councilperson Parker asked about the furnishings and equipment of the projects. Mayor Bennett stated that this is only for construction and that council would have to sit back down to discuss the furnishing and equipment at a later date. Councilperson Sconyers stated that we have discussed how we are going to operate the theater, but we have not discussed how we are going to operate the gym. Mayor Bennett stated that we have talked to the group that wants to lease it and we will have to sit down with them again and go over the requirements to lease it. Councilperson Parker asked who was going to operate the theater. Mayor Bennett stated that the DDA would. Councilperson Parker stated that if the DDA was going to operate the theater that he was under the impression that the recreation department would oversee the Gumlog gym. Councilperson Parker asked if this group would have to cut all the grass and trim all the hedges? Mayor Bennett stated that if the recreation department oversaw it, they would dictate the hours of operation and this group would not want that to happen. Councilperson Sconyers asked what if we get to the end and the group does not want to fund the operation of this building and we have all this money tied up in the renovation of the building? Mayor Bennett stated that we have had two or three meetings with the group to establish a budget for when it is finished. Councilperson Sconyers stated that he had seen their budget and it would not cover the operations of this building. Mayor Bennett stated that the group said they are going to get donations. Councilperson Parker made a motion to proceed with both projects and upon completion of the construction that council come back to the table to discuss the various items needed to get these projects up and going at a later date. Councilperson Sconyers stated that he felt like the projects should be voted on separately. Levis asked for Councilperson Parker to clarify that the motion is with his recommended changes to the contracts. Councilperson Parker stated that the motion was with Levis' recommended changes. Mayor Bennett stated that the contract

price is based on the award of both projects. Councilperson Quarterman seconded the motion.

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

2. Fire Chief Strobridge addressed the council regarding the roof issues. Chief Strobridge asked the clerk to go over the details of where we are at with the roof issue. The clerk stated that the contractor that was previously awarded the bid requested an increase in the contract due to the city's insurance requirements. Council was presented four updated quotes and all, but one company had provided the proper insurance documentation. The clerk stated that one of the bidders are using a different type of material. Chief Strobridge stated that this bidder was highly recommended by Ken Warnock and that they had recently made repairs to the Airport hangars. The bids were as follows:

WDS - Roof and interior repairs. No warranty stated. Insurance to be provided prior to start date of job. Bid amount \$30,500.

Roof U.S. – Roof repairs only. 2-year workmanship warranty. 40 years manufacture warranty. Insurance certificate provided. Bid amount \$41,000.

Justice & Son, LLC- Roof and interior repairs. Option #1 10 (NDL) year workmanship and material warranty. Insurance certificate provided. Bid amount \$35,915.

Option #2 Roof and interior repairs. 20 (NDL) year workmanship and material warranty. Bid amount \$43,330.

Councilperson Parker made a motion to go with Justice & Son, LLC option #2 at a cost of \$43,330 to be paid out of SPLOST.

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

3. Council considered the bid for the airport apron rehabilitation project from Sikes Brothers in the amount of \$1,188,493.50. Mayor Bennett stated that this was the only bid we had received. Mayor Bennett stated that we have a DOT grant, and the city and county would split the local matching funds in the amount of \$267,762.44.

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

4. Council considered the resolution for the creation of the airport authority. Councilperson Parker made a motion. Councilperson Davis asked if anything had changed. City attorney, Jon Levis, stated that he has provided a copy of the statue. Levis stated that the committee will be six members and one member will be required to be a member of council, one could be a city or council member and one member must be a non-member of the city or council and the same thing for the county. Levis stated that the resolution is only putting the act to our representatives to get it passed by legislative counsel by local legislation during this session. Levis stated that his recommendation is this document is sufficient. Motion was seconded by Councilperson Davis.

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

5. Council considered the intergovernmental agreement for the airport. Councilperson Parker made a motion to approve the intergovernmental agreement. Levis stated that when we were here last time, we passed a memorandum of understanding. The memorandum of understanding addressed three issues: 1. Creating an airport authority, 2. The city de-annexing through local legislation, 3. Entering an intergovernmental agreement. Levis stated that intergovernmental agreement addresses the establishment of the airport authority, the de-annexation, and requiring us both to push this through the 2023 local legislation. Levis stated that in the event that either one doesn't pass, either the county or city has an opt out provision. Levis stated that it also provides dissolution of the airport advisory committee upon the effective date. Levis stated that it also prepares for the tax year following the passing of local legislation for us to implement the new tax policies and utilization of funds. Levis stated that it has a requirement that the airport provides us a copy of the budget that is approved and that it indicates if or when we must put any allocation of funds if so and that the city budgets 120% of any allocation of funds in there so we have no cost overruns. Levis stated that county has not seen the intergovernmental agreement and it would be subject to their approval. Levis stated that there is a termination

provision that the city can terminate in the next calendar year, there are budgetary requirements that must be provided to the council, and one to two people from the council will be on the authority to oversee it. Levis stated in his opinion there are enough safeguards to protect the city and an exit strategy for the city and county in the event that this does not work out.

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

6. Council discussed proceeding with the de-annexation of the airport property. Councilperson Parker made a motion to proceed.

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

7. Council considered the adoption of the 2023 budget. Councilperson Stafford made a motion to adopt the 2023 budget. Seconded by Councilperson Sconyers. Councilperson Parker asked about the capital improvement budget. The city clerk stated that the capital improvement items would need to be funded out of ARPA and/or SPLOST funds. The clerk stated that these were only request from the department heads for capital improvement projects for 2023.

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

**B. New Business:**

1. John Tapley stated that he wanted to thank the mayor, council, police chief, fire chief, recreation director and everyone involved in cemeteries. Mr. Tapley stated that they had put out seven hundred flags this past weekend. Mr. Tapley stated that the flags are placed so that they would know where to place the wreaths. Mr. Tapley stated that he was a veteran and he they started this program to recognize the veterans that have died. Mr. Tapley stated that a lot of veterans are in our cemeteries. Mr. Tapley requested that the city make sure that the cemeteries and memorial park are maintained. Mr. Tapley presented a petition to rename the Pinebrook Park to Veterans and First Responders Memorial Park. Councilperson Parker made a motion to rename the park. Councilperson Parker requested that the signage and lights be installed.

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

2. Council considered for advertisement a game room license for Dirghayu V. Patel dba Sarvi Enterprise LLC located at 202 East Main Street. Councilperson Parker made a motion to advertise.

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

3. Council discussed the electrical issues in the downtown area. Chris Morton with Clearwater Solutions stated that the lamp post has GFI receptacles with no in use covers. Mr. Morton stated that the receptacles and covers need to be replaced. Mr. Morton stated that when the led bulbs were installed in the lamppost there were two components in the lamppost that needed to be changed out that were not. Mr. Morton stated that this is causing the lights to burn out because the lights are staying on all the time. Mr. Morton stated that there are also issues where the concrete was poured on wiring that was not installed in conduit. Mr. Morton stated that the sidewalk would need to be cut in order to correct this problem. Councilperson Parker asked if we had a price. Mayor Bennett stated that Ponce was called to make emergency repairs to get the lighting going prior to the Christmas parade. Council requested prices for the necessary repairs. Councilperson Sconyers made a motion to get quotes for the repairs.

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

4. Fire Chief Strobridge presented a quote for turn out gear for the two new fire fighters from NAFECO in the amount of \$8,782. Councilperson Davis made a motion to purchase the turn out gear using SPLOST funds.

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



5. Police Chief Ellison presented council a quote from West Chatham Warning Devices for equipment for the new police unit in the amount of \$5,937.78. Councilperson Parker made a motion to purchase the equipment using SPLOST funds.  
**Motion by: Parker                      Seconded: Quarterman                      Vote: 6-0**
6. Building Inspector Bruce Kirby presented quotes for a new and used trucks as follows:  
Fordville  
New- F150    \$52,255  
Used –2019 F150 with 43,826 miles                      \$40,000  
  
Daniels  
New- Chevrolet    \$53,130 discounted to \$46,000  
Used- 2017 Chevrolet with 21,428 miles                      \$32,488  
  
Brothers Auction  
Used 2016 Chevrolet with 122k miles                      \$14,000  
  
Councilperson Parker made a motion to purchase the new Chevrolet for \$46,000 using ARPA funds. City attorney, Jon Levis, recommended that if the city could hold off for 6 months that the prices should come down.  
**Motion by: Parker                      Seconded: Davis                      Vote: 4-2**  
**For: Parker, Davis, Quarterman, Collins                      Against: Sconyers, Stafford**
7. Council discussed the inert debris at the inert landfill. Chris Morton stated that council was presented a maintenance quote back in July and council decided to postpone signing maintenance contract at that time. Mr. Morton stated that the piles that they have now accumulated since July. Mr. Morton stated that this quote from MW Collins Inc. is for the pile that is currently there in the amount of \$49,500. Mr. Morton stated that if the city signs up for the maintenance contract, they will come every 6 months and grind for \$23 per ton with a 1,000-ton minimum. Chief Ellison stated that they have a facility out there and they have caught individuals out there dumping. Chief Ellison recommended installing a keypad gate at the facility. Council discussed ways to further secure the premises in order to prevent private individuals from dumping. Councilperson Davis made a motion to get quotes on a keypad gate.  
**Motion by: Davis                      Seconded: Sconyers                      Vote: 6-0**  
  
Council discussed how to fund the grinding at the inert landfill. The clerk stated that there is \$50,000 in the budget for grinding this year. Councilperson Collins made a motion to accept the bid for \$49,500.  
**Motion by: Collins                      Seconded: Quarterman                      Vote: 6-0**
8. Council considered a quote from Ponce Electric, Inc. for the electrical repairs at the airport in the amount of \$16,812.24. The clerk stated that the county will reimburse the city for ½ of these expenditures.  
**Motion by: Collins                      Seconded: Sconyers                      Vote: 6-0**
9. Council considered advertising an increase in council fees to take effect in 2024 after the new council is sworn into office. Mayor Bennett recommended council advertise to increase council fees to \$550 based on the salary survey that was conducted. Councilperson Davis made a motion to advertise an increase council fee to \$800 per month to take effect in 2024 after the new council is sworn into office. No change to the mayor’s fee.  
**Motion by: Davis                      Seconded: Parker                      Vote: 5-0**  
**Abstained: Collins**
10. Councilperson Sconyers made a motion to amend the agenda to discussed January’s meeting.  
**Motion by: Sconyers                      Seconded: Davis                      Vote: 6-0**

11. Council considered moving the meeting scheduled January 9<sup>th</sup> to January 10<sup>th</sup>. Councilperson Sconyers made a motion.  
**Motion by: Sconyers                      Seconded: Stafford                      Vote: 5-1**  
**For: Sconyers, Stafford, Davis, Collins, Quarterman                      Against: Parker**
12. Councilperson Sconyers made a motion to amend the agenda to discuss the Green Street issues. Council postponed this amended to be heard at the next meeting and requested that the building inspector be present to discuss the progress.
13. Councilperson Stafford made a motion to amend the agenda to discuss the Junk ordinance.  
**Motion by: Stafford                      Seconded: Sconyers                      Vote: 4-2**  
**For: Stafford, Sconyers, Davis, Collins                      Against: Parker, Quarterman**
14. Councilperson Stafford made a motion to go back to enforcing the Junk ordinance. Councilperson Stafford stated that the issue he had was the amount of the fines, but Chief Ellison stated that he did have not any control over the fines. Councilperson Parker questioned why there are residential areas that have not been cleaned up. Mayor Bennett asked that this issue be postponed until the next meeting to discuss with Chief Ellison. City attorney Levis requested that council read the information that was provided to them prior to the next meeting and reach out to him if they have any questions regarding this information.

#### **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: Stafford                      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 5<sup>th</sup> day of December, 2022.

- (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 5<sup>th</sup> day of December 2022, 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 5<sup>th</sup> day of December, 2022.

\_\_\_\_\_  
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

5<sup>th</sup> day of December 2022.

\_\_\_\_\_  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_

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

Councilperson Stafford made a motion to re-hire Jon Levis as the city attorney for 2023.  
**Motion by: Stafford                      Seconded: Davis                      Vote: 6-0**

Councilperson Davis made a motion to back pay for any back wages or any unpaid wages at the contractual rate approved at the council meeting on February 7, 2022.  
**Motion by: Davis                      Seconded: Parker                      Vote: 6-0**

Councilperson Parker made a motion to advertise for the city clerk position.  
**Motion by: Parker                      Seconded: Davis                      Vote: 6-0**

Councilperson Davis made a motion to recommend to the DDA the hiring of Melissa Kirby as the DDA Director at the DDA rate of pay. Ms. Kirby will also serve as the Assistant City Clerk and the difference in the rate of pay of the Assistant City Clerk position will be funded out of the administrative budget. Ms. Kirby has agreed to provide on call and emergency assistance to the City Clerk as needed.  
**Motion by: Davis                      Seconded: Collins                      Vote: 6-0**

Councilperson Parker made a motion to hire Melissa Kirby as the Interim City Administrator at the new administrator rate until the position is filled.

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

Councilperson Parker made a motion to adjourn.

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

Submitted: ***Melissa Kirby***, City Administrator