

City of Maysville
Regular Council Meeting
Monday, October 12, 2009
7:00 P.M.

The Mayor and Council of the City of Maysville met on Monday, October 12, 2009, 7:00 p.m. at the Maysville Library.

PRESENT: Mayor Jerry Baker, Councilmember's Clay Dorsey, Rebecca McNeely, Stephan Lewis, City Clerk Barbara Thomas, City Attorney Julius Hulsey. Councilmember Lynn Villyard was not present.

INVOCATION AND PLEDGE:

Mayor Baker opened the meeting with the invocation and pledge of allegiance to the flag. The invocation was given by Councilmember Clay Dorsey.

APPROVE MINUTES:

The minutes of September 14, 2009, Regular Meeting and September 21, 2009, Special Called Meeting was approved as read upon a motion made by Councilmember Stephan Lewis, seconded by Clay Dorsey, Motion carried.

OLDS BUSINESS:

Attorney Julius Hulsey stated that the new Charter will have to undergo a referendum and be approved by the voters and the Justice Department. The following corrections were made to the Charter:

Section 2.20, pg 12-changed to state: Three councilmember's shall constitute a quorum and the majority vote rules.

Section 5.11, pg 21-Post No. 1,2,3,4 changed to Ward 1,2,3,4.

Section 5.11, pg 21-Staggered terms were discussed, but no changes were made.

Mayor, Ward 2 and Ward 4 shall be elected at the general election, November 11, 2011 and shall serve for terms of office which expires December 2015.

Ward 1 and 3 under the staggered election system shall be elected at the general election, November 2013 and serve for terms of office which expires December 2017.

The Resolution for the GEFA Loan Document was approved as present upon a motion made by Councilmember Clay Dorsey, seconded by Stephan Lewis. Motion carried.

The bid award for the Sanitary Sewer Rehabilitation project Contract No. 1 and 2 was discussed by Mr. Chip McGaughey of EMI . The lowest bidder for:

Contract 1- Townley Construction Company, Inc. bid of \$498,600.00.

Contract 2- Powers Construction Company, Inc., bid of \$86, 671.03.

A motion was made to accept the above bids for Contract 1 and 2 and authorize the Mayor and Clerk to sign the Resolution. The motion was made by Councilmember Stephan Lewis, seconded by Clay Dorsey. Motion carried.

NEW BUSINESS:

Dr. Gary Kinsey lease agreement between the City and Maysville Practice Center was discussed by the Council. Attorney Hulsey stated that the term of the lease cannot bind another Mayor and Council beyond their term in office and thinks the lease is defective due to that. In a letter from Orr, Brown, Johnson, LLP, dated September 30, 2009; (copy attached with minutes) states that Mr. Kinsey is interested in purchasing the leased premises from the City. Mr. Hulsey was advised to notify Mr. Kinsey and let him know that the city is not interested in selling the building but would like to re-negotiate the lease. This was approved by Councilmember Clay Dorsey, seconded by Rebecca McNeely, Motion carried.

A motion was made by Councilmember Clay Dorsey, seconded by Rebecca McNeely to approve \$2800.00 for building repairs to the Maysville Police Department Building due to rain and flooding. Motion carried.

The Council voted to re-appoint Kim Ledford and Jay O'Kelly to the Downtown Development Authority. This was approved upon a motion made by Councilmember Stephan Lewis, seconded by Clay Dorsey. Motion carried. Term will carry through June 2013.

The resignation of Kay Daniels, DDA Member was discussed. Mr. Hulsey was asked to review the DDA Bylaws and report back to the Mayor and Council with his decision on who can appoint members to the DDA.

The Council chose to participate in the 2009 Mayors' Christmas Motorcade, Thursday, December 10, 2009, East Central Regional Hospital in Augusta, GA. A box will be setup at city hall for donations. A list of items needed will be placed at city hall, library, and posted on the city's website at cityofmaysvillega.net. Councilmember Clay Dorsey and Chief Clarence Sullens agreed to carry the gifts to the hospital.

A Resolution was approved confirming the Service Delivery Strategy for Banks County and the cities of Alto, Baldwin, Gillsville, Homer, Lula, and Maysville. A motion to approve the resolution was made by Councilmember Stephan Lewis, seconded by Clay Dorsey. Motion carried.

REPORT FROM DDA:

No one present.

PUBLIC INPUT:

Jeff Sheffied, 953 W. Freeman Street spoke on the Poker Games and drug paraphernalia at the Short Stop. He would like these items removed from the store. Chief Sullens stated that the items were legal to have, but he would talk to the owner.

Mayor Baker reported that the transcripts had been received for the training in Savannah, GA... Everyone was given credit except Councilmember Rebecca McNeely. Mayor asked Ms. McNeely if she went to the training and she replied, "Yes I did". Mayor Baker gave Ms. McNeely 60 days to get a copy

of her transcript with credit given for the class, or she would have to repay the city. Mayor Baker said it is my job as Mayor to look out for the citizen's tax money and how it is spent.

McNeely said back when the beer/wine ordinance was being discussed, she knew that she would miss a meeting due to a previously scheduled trip. McNeely said she asked that a letter be read to everyone in attendance at the meeting explaining why she was absent, but the letter was never read.

McNeely had an issue with being presented an open records request form when she wanted to view city documents.

Mayor Baker said the issue had been discussed at one of the 16 out of 43 council meetings she had been absent from.

Meeting adjourned at 8:05 p.m. by a motion made by Councilmember Clay Dorsey, seconded by Stephan Lewis. Motion carried.

Barbara Thomas

November 2, 2009

Certified by: City Clerk

Date: