

CITY OF ARNOLDSVILLE CITY COUNCIL MEETING

November 16, 2017 – 7:00 PM

Present: Mayor George Spearing, IV; Council Members: Greg Banks, Danny Morcom, Jack Norman, Norma Craddock; Lee Norman; Water Superintendent, George Spearing, III; City Attorney, Danny Love; City Clerk, Debbie Love (Lynn Shedd, Code Enforcement Officer absent due to illness)

Observers: H. Baker, M. Fleming, M. Nouri, F. Patman, R. Patman, B. Seagraves, D. Sniff

Media: Jessica Colquitt

7:00 PM

Minutes

On a motion by Greg Banks, seconded by Norma Craddock, the minutes for the October 19, 2017 meeting were approved as submitted. 5 – 0

General Fund Financials

On a motion by Norma Craddock seconded by Lee Norman, the October General Fund Financial Report was approved as submitted. 5 - 0

Water

Water Superintendent George L. Spearing, III reported that everything was running smoothly. The tank located at Hargrove Crossing is being renovated and will be empty for the next month or so. Mr. Spearing stated that the pressure for this tank would not be affected by the renovation.

Water Fund Financials

On a motion from Jack Norman with a second from Danny Morcom, the October Water Fund Financial Report was approved as submitted. Vote 5 - 0

Fire Department

Fire Chief Heath Baker reported that the recent fundraiser went great. They are planning an event for some time in the upcoming spring. The fire dept. recently had the yearly pump test and that is good for another year. Baker also reported that the State Agency, Standards & Training, had checked the records for the fire dept. and everything was okay. The discussion then turned to the current situation regarding the required cancer insurance for volunteer fire depts. Baker

stated that the 50/50 Grant Application process would be open through 12/31/2017 and they hope to apply for a grant to aid in paying for the insurance. The insurance will cost more than originally thought. The amount will be \$350 per person totaling \$4,200.00 that will be due from Arnoldsville Fire Department. OC Board of Commissioners Chairman, Billy Pittard suggested that all fire departments delay submitting their premium until the 40 day grace period was over hoping that the legislature would revise the requirement and offer lower premiums etc. Baker said that he didn't think any of the fire departments would agree to this because they don't want to take a chance on losing their current ISO rating. Oglethorpe County may help financially if needed. There is a possibility of a countywide fundraiser as well that will benefit all 14 volunteer fire depts.

7:20 PM – Mayor Spearing asked to go into EXECUTIVE SESSION to discuss a personnel matter.

On a motion from Norma Craddock and second from Danny Morcom, the council entered into an Executive Session. Vote 5 - 0

7:38 PM – Motion from Norma Craddock with a second from Lee Norman to come out of Executive Session. Vote 5 - 0

LMIG 2018

Mayor Spearing reported that he had recently met with the contractor that is handling the 2018 project for replacing and installing city signs. The mayor also reported that he had discovered that the county had recently installed new signs along the Arnoldsville-Winterville Rd. This was part of a leftover OSS Project from 2015 for the county which is now in progress. The city has 22 sign locations that will be installed which should be completed in 10 days.

Other Business

Frank & Randy Patman of PRP Properties LLC were present to dispute information presented regarding the parking, ownership, and use of the street property in front of No. 3 Railroad, a business currently owned by Mary Hawkins Nouri. The Patmans stated that the the street is "our" property. They went on to say that there is no easement or right of way for Railroad St. They were informed by their insurance agent and attorney that they would be liable for anything that happened on the property. Frank Patman stated that "they didn't want to be liable" for any damages etc. that might result from BYOB events advertised by No. 3 Railroad/Nouri. They do not want anyone parking on property owned by PRP Properties LLC. Next Patman said that the street is not lined and it is 14' wide. He further stated that it is a "public thoroughfare" but on private property. Mr. Patman offered Ms. Nouri a lease for \$150 a month to be able to park on the property in front of her business, but the offer was withdrawn at 5:00 p.m. as of today, November 16, 2017.

Patman stated that PRP Properties may have to go before the Superior Court Judge to get a declaratory judgment to settle the matter. Mayor Spearing then asked Mr. Patman if he was saying that the street was his property. Patman answered yes. At that time, City Attorney Danny Love stated that Railroad St. is a public street that has been open for years. Council member Jack Norman stated that it had always been a street.

Council member Greg Banks then asked, "What are you trying to stop?" Patman responded, "Stop parking off of the public thoroughfare." The mayor asked for any discussion from the council on the situation. Council member Jack Norman suggested that the parties involved needed to come to a neighborly agreement.

City Attorney Love wanted it officially entered into the record that he strongly disagreed with what the Patmans had presented. He stated that they are wrong and that the city is the owner of Railroad St. Love does not agree legally with what was said by the Patmans. All streets are by prescription in most cities. Mayor Spearing asked if the city had paved the street to which Love replied yes. Council member Norma Craddock asked if the DOT might have any insight into the matter. She asked about a consultation with the DOT on how to lay it out. Greg Banks suggested that maybe the city should contact the DOT to get information on the width of the street. The portion that was paved is 16 feet. Mayor Spearing will contact the District II DOT office to get any information they have available. Council Lee Norman stated that the city needs to hear from the DOT.

Next, Mary Nouri announced that No. 3 Railroad Street would be providing a Thanksgiving meal on Thanksgiving Day starting at 2:00 PM for anyone that would like to come. It will be donation based. She will also be delivering some meals to people who are not able to come out.

8:29 PM - On a motion from Greg Banks with a second from Danny Morcom, the council voted 5-0 to go into EXECUTIVE SESSION to discuss possible litigation.

8:50 PM - Motion by Greg Banks to adjourn the Executive Session followed by a second from Norma Craddock. Vote 5 - 0 to adjourn the session.


Mayor _____ Date 12/14/17

Minutes prepared and submitted by Clerk, Debbie Love, December 14, 2017