

PRE-COMMISSION ACTING AS COMMITTEE OF THE WHOLE

MINUTES

March 1, 2022

The Pre-Commission meeting acting as a Committee of the Whole was called to order by Mayor Lester M. Miller.

COMMISSIONERS PRESENT:

Mayor Lester M. Miller
Mayor Pro Tem Seth Clark (by phone)
Commissioner Valerie Wynn
Commissioner Paul Bronson
Commissioner Mallory Jones
Commissioner Elaine Lucas
Commissioner Raymond Wilder
Commissioner Bill Howell
Commissioner Virgil Watkins
Commissioner Al Tillman

OTHERS PRESENT:

Duke Groover, Interim County Attorney
Michael McNeill, Sr. Assistant County Attorney
Adrianna Beavers, Assistant County Attorney
Frank Howard, Assistant County Attorney
Sara Davis, Assistant County Attorney
Keith Moffett, County Manager
Janice Ross, Clerk of Commission
Julie Moore, Budget and Strategic Planning
Dr. Henry Ficklin
Chris Floore, Public Affairs

GUESTS:

Erin Keller
Jonathan Barton

Olivia Walter, Communications
Edna Ruiz, Communications
Wanzina Jackson, Director, Economic & Community Dev.
Chief Shane Edwards

1. APPROVAL OF MINUTES

A. Minutes of the Pre – Commission acting as Committee of the Whole from February 1, 2022

On motion of Mayor Miller, seconded by Commissioner Bronson and carried unanimously, the minutes of February 1, 2022 was approved.

2. ANNOUNCEMENTS

Mayor Miller stated that there were no announcements

3. APPOINTMENTS / REAPPOINTMENTS TO AUTHORITIES, BOARDS, COMMITTEES

A. A Resolution appointing Erin Keller to serve as a member of the Friends of Rosa Parks Square Board (Sponsored by Mayor Pro Tem Seth Clark)

On motion of Mayor Pro Tem Clark, seconded by Commissioner Bronson and carried unanimously, the appointment of Erin Keller to the Friends of Rosa Parks Square Board was approved.

B. A Resolution appointing Clarence Thomas to serve as a member of the Friends of Rosa Parks Square Board (Sponsored by Mayor Pro Tem Seth Clark)

On motion of Mayor Pro Tem Clark, seconded by Commissioner Bronson and carried unanimously, the appointment of Clarence Thomas to the Friends of Rosa Parks Square Board was approved.

- C. A Resolution appointing Jonathan Barton to serve as a member of the Friends of Rosa Parks Square Board (Sponsored by Mayor Pro Tem Seth Clark)

On motion of Mayor Pro Tem Clark, seconded by Commissioner Bronson and carried unanimously, the appointment of Jonathan Barton to the Friends of Rosa Parks Square Board was approved.

- D. A Resolution reappointing Eric P. Manson and Joann T. Fowler to serve on the Macon Housing Authority Board of Commissioners (Sponsored by Mayor Lester M. Miller)

On motion of Commissioner Bronson, seconded by Commissioner Wynn and carried unanimously, the re-appointment of Eric P. Manson and Joann T Flower to the Macon Housing Authority was approved.

4. NEW ALCOHOL BEVERAGE LICENSES

- A. A. New Alcohol Beverage License for Dollar General Store located at 3824 Pio Nono Avenue, Macon, GA

Commissioner Watkins arrived at this time.

On motion of Commissioner Jones, seconded by Commissioner Wynn and carried unanimously, the New Alcohol Beverage License was denied due to Pursuant to Code, no new small box retail store may acquire a new alcohol license within 2,00 feet of a vice mart. Applicant is operating a small box retail store 1,210 feet away from JOI's Pick and Scratch which is a vice mart located at 3691 Spencer Circle.

- B. New Alcohol Beverage License for Market Place located at 5631 Houston Road, Macon, GA

On motion of Commissioner Lucas, seconded by Commissioner Wynn and carried seven to two with Commissioners Wynn, Lucas, Jones, Wilder Howell, Watkins and Tillman casting the affirmative votes and Commissioners Bronson and Clark casting the dissenting votes, , the New Alcohol Beverage License for Market Place was approved.

- C. New Alcohol Beverage License for Thomaston 2021 LLC d.b.a. Shell Food Mart located at 6369 Thomaston Road, Macon, GA 31220

On motion of Commissioner Lucas, seconded by Commissioner Wynn and carried unanimously, the New Alcohol Beverage License for Thomaston 2021 was approved.

5. WOMEN'S HISTORY MONTH

- A. . A Resolution to recognize the month of March 2022 as Women's History Month (Sponsored by Commissioner Elaine Lucas and Commissioner Wynn)

On motion on Commissioner Lucas, seconded by Commissioner Wynn and carried unanimously, the Resolution recognizing March as Women's History Month was approved.

6. PARK FOR MAJOR COLE HOGAN

- A. An Ordinance to authorize the development of a new park to be known as the Major Cole Hogan Memorial Park and appropriating an amount not to exceed \$500.00 from Fund

Balance to the Parks and Beautification Budget for the purpose of purchasing and installing signage honoring Major Cole Hogan (Sponsored by Commissioner Mallory C. Jones, III)

On motion of Commissioner Jones, seconded by Commissioner Howell and carried unanimously, the Ordinance to authorize a park known as Major Cole Hogan Memorial Park was approved.

7. ACCEPTANCE OF GRANTS

- A. A Resolution authorizing the acceptance of a Health promotion & Wellbeing Grant from the ACCG Group Health Benefits Program in the amount of \$15,000 with no local match, to develop or expand employee health promotion activities (Sponsored by Mayor Lester M. Miller)

On motion of Mayor Miller, seconded by Commissioner Howell and carried unanimously, the grant from ACCG for health promotion was approved.

- B. A Resolution authorizing the Mayor to execute an agreement with the Macon-Bibb County Economic Opportunity Council, Inc. (EOC) granting a Community Development Block Grant (CDBG) in the amount of \$10,000 for the provision of transportation services for the Homeless Community (Sponsored by Mayor Lester M. Miller)

On motion of Mayor Miller, seconded by Commissioner Bronson and carried by a vote of eight to one with Commissioners Bronson, Lucas, Jones, Clark, Wilder, Howell, Watkins and Tillman casting the affirmative votes and Commissioner Wynn casting the dissenting vote the Grant with the EOC for transportation services for the Homeless Community was approved.

- C. A Resolution authorizing the acceptance of a FY2020 Homeland Security Grant from the Georgia Emergency Management and Homeland Security Agency (GEMA/HS) in the amount of \$12,000 with no local match required, to be used by the Macon-Bibb County Fire Department for personal protective equipment (Sponsored by Mayor Lester M. Miller)

On motion of Commissioner Bronson, seconded by Commissioner Wilder and carried unanimously, the Grant from the Georgia Emergency Management Agency to be used by the Macon-Bibb County Fire Department was approved.

- D. A Resolution authorizing the acceptance of a Summer 2022 Georgia County Internship Program (GCIP) Grant from the ACCG Civic Affairs Foundation in the amount of \$2,439.60 with a \$168.00 local match to be paid from the Sponsored Projects Budget, for the Superior Court Clerk's Summer Internship Program (Sponsored by Mayor Lester M. Miller)

On motion of Mayor Miller, seconded by Commissioner Lucas and carried unanimously the Grant from ACCG for a Summer Internship for the Superior Court Clerk was approved.

- E. A Resolution authorizing the acceptance of a summer 2022 Georgia County Internship Program (GCIP) Grant from the ACCG Civic Affairs Foundation in the amount of \$2,439.60 with a local match of \$168.00 to be paid from the Sponsored Projects budget for the Macon Judicial Circuit Public Defender Summer Internship Program (Sponsored by Mayor Lester M. Miller)

On motion of Mayor Miller, seconded by Commissioner Lucas and carried unanimously the Grant from ACCG for a Summer Internship for the Circuit Public Defender was approved.

8. CONTRACTS FOR IMPLEMENTATION OR RENEWAL

- A. A Resolution authorizing the Mayor to execute a Commercial Solid Waste Franchise Agreement with Amwaste of Georgia, LLC for the collection of commercial solid waste in Macon-Bibb County for a franchise fee of 5% of the monthly billing collected by the contractors to be paid to Macon-Bibb County (Sponsored by Mayor Lester M. Miller)

On motion of Mayor Miller, seconded by Commissioner Jones and carried unanimously, the Agreement with AmWaste for commercial solid waste collections with a franchise fee of 5% was approved.

- B. A Resolution authorizing the Mayor to execute a Professional Services Agreement with the Macon Judicial Circuit Accountability Court Programs, to be paid from the Judicial Council of Georgia American Rescue Plan Act Grant (sponsored by Mayor Lester M. Miller)

On motion of Commissioner Jones, seconded by Commissioner Wilder and carried unanimously, the agreement with the Macon Judicial Circuit Accountability Court Program was approved.

- C. A Resolution Of The Macon-Bibb County Commission Authorizing The Mayor To Enter Into A Contract For Construction With Pellicano Co., Inc. For The Renovation Of The Bloomfield Athletic Complex, In The Amount Of \$2,897,700.00, To Be Paid With 2018 SPLOST Fund, Recreation, Bloomfield/Gilead, Property Line Item (Sponsored by Mayor Lester M. Miller)

On motion of Mayor Miller, seconded by Commissioner Bronson and carried unanimously, the Agreement with Pellicano for the renovations of the Bloomfield Athletic Complex was approved.

9. CHANGE TO THE CODE

- A. An Ordinance To Adopt A New Section 26-51 Of Chapter 26 Of The Macon-Bibb County Code Of Ordinances To Require Applicants For Privileges From The Macon-Bibb County Government To Certify Their Good Standing With Respect To The Payment Of Ad Valorem Property Taxes; To Add Cross-Reference Sections Throughout The Code;

Mayor Miller discussed the purpose of adopting the new section of Chapter 26. There are many people who owe hundred of thousand of dollars in taxes while still purchasing properties in another name to avoid the fact that they owe taxes. Mayor Miller continued that this is unfair to all tax payers when some citizens do not pay taxes while citizens in the County pay their taxes. He stated that it affects our millage rate when these people do not pay their property taxes.

Commissioner Lucas was concerned that the Ordinance did not include a payment plan. Mr. McNeill addressed that the phase that read an approved payment plan. Mr. Duke Groover stated that there was a provision in the Ordinance that "the Mayor or his designee shall have the authority to waive any requirement imposed under this Section upon making a written determination that enforcing the requirement would wok an undue hardship on the applicant or on Macon-Bibb County." Mayor Miller stated that this does not stop them for getting their business license renewed but stops them from getting a license for a new business.

Commissioner Tillman stated that there were lots of people in Macon-Bibb County who had a reason to fail in their business. He continued that he was afraid that it would hurt the little man who had failed.

Commissioner Watkins asked if the delinquency in taxes gotten worse or what is the tax rate. Mayor Miller stated that he thought the tax rate was good but if these people paid their taxes an additional \$500,000 could be applied to Mental Health or Public Safety. The ordinance has been model by another county. Citizens need to feel that they are being treated the same.

Mr. McNeill reviewed the Ordinance in detail.

Commissioner Tillman moved to amend the Ordinance stating that they owed less than 51% of the tax bill.

Commissioner Watkins stated that he thought some of the items were overreaching, such as removing people from Boards, Committees or Authorities.

Commissioner Jones stated that business licenses taxes was a different in that the Business Office did not send out notices and once the notices were received, Wade McCord stated that 10 of 1,000s of dollars came in. He continued that this requires people to pay their taxes as they are required to do.

Mayor Pro Tem asked to the Mayor's or Mr. McNeill if anyone in any of the positions in Macon-Bibb County listed on the form were not in good standing. Mayor Miller stated that there were several of them. Mayor Pro Tem then asked if the intent was to get around paying the taxes. Mayor Miller responded that he did not know what their intent was. Mayor Pro Tem asked if they were COAM operators. Mayor Miller responded that several of them were. Mayor Pro Tem asked if they owned commercial blight. Mayor Miller responded yes. Mayor Pro Tem stated his support of the Ordinance and stated that it is almost an ethics violation and he appreciated the work of the Administration to bring the Ordinance forward.

Commissioner Lucas stated that she knew of no one who fitted the description and by the way she does not own any taxes. She stated that the oath states that you are not the holder of any funds not unaccounted for. She stated that means that means you could have a payment plan. She stated that she would like to see the words an acceptable payment plan.

On motion of Commissioner Lucas, seconded by Commissioner Watkins an amendment was offered to add "are in compliance with a legally approved plan for payment of any delinquent ad valorem taxes.". The motion failed by a vote of five to four with Commissioners Wynn, Jones, Clark, Wilder and Howell casting the dissenting votes and Commissioners Bronson, Lucas, Watkins and Tillman casting the affirmative votes.

Commissioner Watkins moved to strike (b) (1) obtaining or renewing any building permit, plat approval, building inspection report, certificate of occupancy. He stated for both commercial and residential. Commissioner Lucas seconded the motion. The motion failed on a vote of five to four with Commissioners Wynn, Jones, Clark, Wilder and Howell casting the dissenting votes and Commissioners Bronson, Lucas, Watkins and Tillman casting the affirmative votes.

Commissioner Watkins moved to strike (b) (1) obtaining or renewing any building permit, plat approval, building inspection report, certificate of occupancy as it relates to property with homestead exemption. Commissioner Lucas seconded the motion. The motion failed on a vote of five to four with Commissioners Wynn, Jones, Clark, Wilder and Howell casting the dissenting votes and Commissioners Bronson, Lucas, Watkins and Tillman casting the affirmative votes.

On motion of Mayor Pro Tem Clark, seconded by Commissioner Jones and carried six to three with Commissioners Wynn, Jones, Clark, Wilder, Howell and Tillman casing the affirmative votes and Commissioners Bronson, Lucas and Watkins casting the dissenting vote the Ordinance to adopt a new Section 26-51 of the Code was approved.

10. EXECUTIVE SESSION

- A. Consultation with the county attorney or other legal counsel to discuss pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against Macon-Bibb County or any officer or employee or in which the county or any officer or employee may be directly involved as provided in O.C.G.A. § 50-14-2(1); Entering into an option to purchase, dispose of, or lease property as provided in O.C.G.A. § 50-14-3(b)(1)(E); and Discussion or deliberation on the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a county officer or employee as provided in O.C.G.A. §50-14-3(b)(2);

On motion of Commissioner Wynn, seconded by Commissioner Bronson and caried unanimously, the meeting went into Executive Session.

Respectfully submitted:

Janice S. Ross, CMC
Clerk of the Macon-Bibb County Commission