



August 5, 2013

**CITY COUNCIL MEETING**

5:00 p.m.

130 E. 5<sup>TH</sup> STREET

Tifton Municipal Courtroom

TIFTON, GEORGIA

**CITY OF TIFTON**  
**August 5, 2013**  
**TIFTON MUNICIPAL COURTROOM**  
**Regular City Council Meeting**  
**5:00 p.m.**

**CALL TO ORDER**

**PRAYER AND PLEDGE**

**APPROVAL OF COUNCIL AGENDA**

**CITIZEN INPUT**

**APPROVAL OF MINUTES**

1. Approval of minutes of June 28, 2013 Special Called Meeting, July 1, 2013 Regular Meeting and the July 18, 2013 Workshop & Called Meeting

**CONSENT AGENDA**

2. Board Report

**RESOLUTIONS**

3. Resolution providing for placement of referendum questions relating to Sunday Alcohol Sales on the ballot for the November 5, 2013 election

**ORDINANCES**

4. Ordinance providing for amendments to Chapter 6, Alcoholic Beverages, of the City of Tifton Code of Ordinances

**EXECUTIVE SESSION**

5. Executive Session providing for Personnel, Real Estate, and/or Legal Matters (if needed)
6. Resolution providing for Executive Session

**CITY OF TIFTON**  
**Special Called City Council Meeting**  
**June 28, 2013**  
**5:00 p.m.**  
**Tifton Municipal Courtroom**  
**130 E. 5<sup>th</sup> Street**

**ATTENDEES**

J.G. "Jamie" Cater Jr., Mayor  
Johnny Terrell, Vice Mayor  
Marianna Keesee, Council Member  
Chris Parrott, Council Member  
Julie Smith, Council Member

Larry Riner, City Manager  
Rob Wilmot, City Attorney  
Rona Martin, City Clerk  
Lois Love, Finance Director

Mayor Jamie Cater called the meeting to order.

**PUBLIC HEARING PROVIDING FOR FY 2014 PROPOSED BUDGET**

Attorney Wilmot stated this will be the last public hearing for the proposed budget. He reviewed the process for taking public input. Mr. Riner provided a summary of the proposed 2014 budget. He informed the public of the additional homestead exemption for senior citizens and encouraged them to vote in November. He stated this is a \$37,000,000 budget and an increase of 9.8% or .3% increase in the general. He stated there is a 3 mill increase amounting to \$1,038,000. He stated discussion will be regarding general fund only. He explained the enterprise funds and how they operate. He stated there is a decrease in intergovernmental revenue, a decrease in use of the fund balance, funding for UGA Salary Study, unfreezing of the 2008 defined contribution retirement plan, funding for fully staffed Police Department, removal of bandwidth amortization cost, funding for fire and police capital improvements, debt for 8 equipped police cars and a fire truck, debt for public works equipment. He provided and overview of the general fund statement of revenues, expenditures and changes in fund balance. He discussed the deficits to the general fund and how those deficits were overcome via the use of transfers from the gas fund, service fund and hotel/motel fund. He discussed the revenue sources for the general fund. He discussed the expenses of the general fund which include Council, General Government, Municipal Court, Police & Fire Department, Public Works and others. He discussed the tax base for the past several years. He discussed local option sales tax collections. He discussed the transfers taken from the gas fund, stating there are no more funds available to transfer from this fund. He discussed additional measures that have been taken to avoid increased taxes which included cutting the majority of outside agencies, a reduction of 64 employees, frozen retirement plan, and other matters. He discussed the 2013 tax digest and five year history of levy. He discussed the history of the retirement fund. He discussed our workmen's compensation and liability insurances. He discussed the cost of fuels. He discussed the group health insurance costs to the City. He discussed the lack of pay raises for employees and use of temp agencies. He stated the City has cut \$2.1 million in salary costs and including salaries, amounts to \$3 million. He stated restoring the retirement plan will cost about \$721,000. He discussed the tax rates for surrounding cities. He discussed the millage rates since 1999. He explained the cost of a three mill increase to the taxpayer. He discussed cuts necessary if the millage rate is not approved such as depletion of the contingency fund, deletion of community cleanup/demo funds, unfilled code enforcement position, additional general fund cuts totaling \$336,000, and an additional \$300,000 in cuts. He discussed the vacancies in the Police Department. He stated this budget will maintain quality of the community, maintain the 18 positions in the Streets Department, enhance public safety via restoration of the retirement plan, better employment opportunities when trying to attract quality candidates. He discussed the loyalty of the employees.

Mr. Wilmot opened the floor for public input.

Terry Kiser, 2417 O'Neal Avenue, Police Officer, asked for support for the increase in the millage rate. He stated as a citizen the increase is needed to meet the needs of Tifton for a better future. He stated funds are needed to pay the bills. He stated the demands for better services will be met easier and attracts new businesses. He stated we must invest in ourselves. He stated as a homeowner and resident, I will not begrudge my city for a few extra dollars for a quality place to live. He stated he has been on a fixed income for the past six years. He stated the freeze on the retirement is affecting our ability to attract quality officers. He discussed the lack of pay and benefits.

Ralph Miller, 2448 Chula Brookfield Road, discussed his property tax on Old Tram Road. He stated the proposed additional taxes equate to 8.4% rate of inflation. He stated the school board is planning an increase next year. He stated his health care bill is going up year after year. He stated he cannot stand another tax increase on ten houses.

Gary Gentry, 418 Chestnut Avenue, stated he does financial counseling for Department of Defense contractors, and is hurting like everyone else. He stated the working class people are getting stiffed. He stated the taxes have stayed about the same on his property. He stated we have a great city here and is pleased with the City's work on sidewalks and infrastructure downtown. He stated his previous residence, the city and county invested in that county and it paid off in economic development, etc. He stated he wants to be prouder to live here and unfortunately that will cost money. He stated tax cuts have gotten the country nowhere, and he expects better than that here. He stated he is willing to pay for an investment in our local community.

Ezelle Ray, 1461 Old Ocilla Road, stated their income is based on rental property and very little social security and they cannot afford a tax increase. She stated this is very unfair. She stated the hospital is buying houses all over Tifton, which comes off of the tax rolls.

Marty Goff, 1440 N. Central Avenue asked what has happened to the crime suppression unit and how much money is set aside for the Theatre. He stated he appreciates the City's services.

Pete Garvey, 501 W. 28<sup>th</sup> Street, stated one of the things that bother him is that the landlords are being penalized. He stated he is glad CityNet has been refinanced. He stated the unfunded pension being unfrozen is good. He stated everything is tough right now. He stated the dollar is not worth as much as it used to be. He stated a 44.4% increase is big, and can it be phased in. He asked about Valdosta's 4% rate. Mr. Riner stated their budget is much larger and the ratio is 20%. He asked about the exempt properties and whether they have been sold. Mr. Riner stated some properties have been appraised and requests for proposals will be coming out in the next few weeks. Council Member Smith asked Mr. Riner to review the slide on millage rates in other communities. She stated the value of a mill in Valdosta is \$1.4 million vs. Tifton at \$346,000 per mill.

Alice Dorminey, 2202 Emory Drive, stated she is on a fixed income and her household includes her son, daughter-in-law and grandchildren. She stated her money goes to taking care of them. She stated before the last election, many meeting were held, and no one ever mentioned the millage rate or taxes at all. She stated you had many ways to cut back. She stated Ms. Keesee had long list of cuts that could be made and no one else did. She stated the rest of Council should do their research and find ways to make cuts. She stated she does not want to pay anymore taxes to the City.

Raymond Drennon, 2814 Rosehill Drive, assistant police chief and city resident, stated he has firsthand knowledge of these problems. He stated the hiring process has been affected and recruitment is very difficult with the loss of retirement and benefits. He stated they are losing officers to small surrounding communities and that should not be happening because of these issues. He stated if this is not approved everyone will suffer for it because crime is much higher. He stated he hope they vote in this increase.

Dorminey McCrae, 63 Carpenter Road, police officer and resident stated Mr. Riner was appointed to do a job and has presented to you what it will take to get this City back on track. He stated if this rate does not go up we will no longer be a friendly city. He stated there is only one way to go, and that is up, and if it is an extra \$10 per month, so be it. He asked that they take Mr. Riner's recommendations into consideration.

Dave Hetzel, 2020 Murray Avenue, stated he recognizes that fact that our income does not equal the outgo and the only way to find the money is through property taxes. He stated they should be listed to, as they recognize that they like being where they are. He asked that they increase the millage rate now and have better management in the future.

Diane Lewis, 602 N. College Avenue, stated she is concerned about her family's future and a 44.4% increase. She asked that the 44% be cut more if possible. She stated she is not in favor of the city buying up real estate. She stated the city is doing a good job and asked to keep it up.

Mayor Cater closed the public hearing.

### **RESOLUTION PROVIDING FOR ADOPTION OF THE FY 2014 CITY OF TIFTON BUDGET**

Mayor Cater asked for a motion. No one spoke. Mayor Cater stated he needed a motion concerning this resolution. Mr. Wilmot stated there is a proposed budget to be voted on. Mayor Cater asked for a motion in order to have discussion. Council Member Smith asked Mayor Cater his opinion. Mr. Wilmot stated we have point of order. He stated at this point in time we're looking for resolution and adoption of the budget. He stated we need a motion for the proposed budget or some variation, and once there is a second every Council member can discuss it. Council Member Smith moved, seconded by Council Member Terrell that we adopt the FY 2014 City of Tifton Budget as presented by the City Manager. Discussion started with Mayor Cater saying he has been speaking with Merchant Capital and believes the economy is going to get better. Mayor Cater stated he wants to take care of his constituents and the employees. He stated this did not start overnight. He stated he has been speaking with the folks at Merchant Capital regarding bonds. He stated we cannot borrow our way out of debt, but we can use a tax anticipation note with very low interest rates to take care of the retirement and the UGA salary study, and the economy will improve in the near future. He stated this will work for everyone without a tax increase. He discussed what other entities are doing. Discussion was held regarding Tax Anticipation Notes. Mayor Cater asked Council Member Keesee for comments. She stated she had not heard a proposal for a bond until this time and it would be impossible to vote on something as this tonight. She stated the budget presented tonight is different in that it includes the retirement and salary study for employees. She was hoping for unfreezing of the retirement fund and raise millage 1%. She stated this is not possible. She stated this budget includes her suggestions for cutting except 2 items which are cutting the travel from Council and not filling three of the police positions. She stated the other matter she did not mention previously is the Tift Theatre. She stated in this newly proposed budget, general fund money going to the theatre has been removed; however, it is accommodated by \$116,000 of hotel/motel tax funds which she does not support. She also asked for further investigation of the tax exempt properties. She stated all of the previous transfers are no longer available from the various funds. She discussed the rising cost of fixed costs such as workman's compensation and health insurance. She discussed the previous actions that have taken place. She discussed the UGA Salary Study. Council Member Parrott stated he has spent considerable time on this budget with his goal being to unfreeze the retirement plan and provide a COLA for employees or the UGA Salary Study. He stated he does not want to punish the citizens or employees and would do so by additional cuts and not raise the millage rate. He stated we need big cuts to balance the budget. He stated he will not favor a 3% increase and maybe not 2%. He stated there is a list of cuts. He stated the employees need to be put first, not with additional employees, but unfreezing the retirement plan. He discussed the previous cuts that were made. He discussed capital improvements cuts that could

be made. He stated the money can be found within the budget and we will not need to raise taxes. Mr. Wilmot reminded everyone of the need to adopt the budget this evening. Council Member Terrell stated he is concerned about the employees, and police protection. He stated they need their retirement and we need a good police force. Council Member Smith thanked the Finance Department for all of their work. She discussed City functions. She discussed possible alternatives if we do not increase the millage rate such as cutting out the senior center, nutrition, and code enforcement. She discussed the effects of our investments on the entire community. She stated many cuts have been made. She discussed the future of the employees. She stated our town is special and her plea is to do the right thing and fix this. Mr. Riner reviewed a handout of possible millage increases at 1%, 2% or 3%. He stated the UGA study has been included and unfreezing the retirement plan. He stated this includes the previously requested cuts made by Council. He discussed a list of additional optional reductions if necessary. Lois Love discussed the 2 mill reduction sheet at the request of Council Member Keesee. Council Member Keesee asked for an amendment to the motion. She stated she wanted to amend the motion by moving to cut the following from the 3 mill increase request: 3 of the open police positions at \$135,000; defer ½ of Plan C of the UGA Salary Study to take effect in January at \$127,500; remove council training and 1/3 of travel; remove 4 police cars; and transfer \$33,719 from the Tift Theatre to the general fund (hotel/motel funds) in order to reduce the millage from 3 mills to 2 mills. She stated this equates to about a 1 mill reduction. Ms. Love stated this provides for a balanced budget. The amended motion died for lack of a second. Mr. Wilmot stated the original motion is again on the table which can be voted on or someone will need to make another motion for a proposed amendment. Council Member Smith stated this is not an easy decision, and that no one wants to do this. She stated everyone wants to do what is right. She encouraged everyone to work together to continue to work on this budget. She asked for monthly reports on the budget. She asked everyone to stick together on this. Mayor Cater stated one again, the bonds will work. Council Member Keesee asked Council Member Parrott what his suggestions are for cuts for a no mill increase and provide for the retirement fund. Mr. Parrott stated he has additional suggestions. Mayor Cater allowed time for him to review and present them. Council Member Parrott stated he has suggested additional cuts and turned the meeting over to Lois Love to explain. Ms. Love stated they are as follows: add \$165,297 in hotel/motel tax from Tift Theatre back into general fund; additional reductions: zero out contingency, remove debt of 4 equipped cars, remove debt on public works equipment, \$34,000 removed from public works equipment, reduce 2 public works positions, and 5 police positions. Mr. Parrott asked that we review the budget in six months for a mid-year review for possible addition back into the budget. Ms. Love continued with postponement of cemetery services, reduce the senior center by \$1,000, reduce Human Resources by \$5,000; take out UGA study totally (Mr. Parrott asked for a review in six months and possibly a COLA), furlough days of \$10,000 on the City Manager, with a continued shortage of \$13,150. He stated this could be operating costs that can be reduced in various departments miscellaneous expenditures. He stated this is without a millage rate increase and balances the budget. Mr. Riner clarified that the cemetery services reductions included the laying off of 4 employees/positions. Council Member Parrott moved to amend the initial motion to apply his recommended cuts to the budget, seconded by Mayor Cater, called for discussion and the vote, the vote failed 2/3 with Council Members Smith, Terrell and Keesee voting nay. Mr. Wilmot stated the original motion is still on the table until someone comes up with an amendment to the main motion to be voted on. Council Member Keesee asked to amend the main motion to accept the staff's proposal for the 2 mill increase on page 2. Mayor Cater asked for a second, which died for lack of a second. Mayor Cater called for the vote on the main motion which provided for a 3 mill increase and carried 3/2 with Mayor Cater and Council Member Parrott voting nay.

#### **RESOLUTION PROVIDING FOR REFINANCING OF THE FIRST COMMUNITY BANK TELECOMJUNICATIONS LOAN**

Council Member Keesee moved, seconded by Council Member Parrott and unanimously carried to adopt a resolution providing for refinancing of the First Community Bank Telecommunications Loan.

**RESOLUTION UTILIZING EXISTING CASH TO PAY OFF THE REMAINING UNFUNDED RETIREMENT LIABILITY IN FY 2013**

Council member Parrott moved seconded by Council Member Terrell and unanimously carried to adopt a resolution utilizing existing cash to pay off the remaining unfunded retirement liability in FY 2013.

**RESOLUTION COMMITTING FUND BALANCE IN ACCORDANCE WITH GASB 54**

Council Member Smith moved, seconded by Council Member Parrott and unanimously carried to adopt a resolution committing fund balance in accordance with GASB 54.

**RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A NON DISCRIMINATION AGREEMENT WITH THE GEORGIA DEPARTMENT OF TRANSPORTATION, TITLE VI COMPLIANCE & ASSURANCES**

Councilmember Smith moved, seconded by Council Member Terrell and unanimously carried to adopt a resolution authorizing the Mayor to enter into a Non Discrimination Agreement with the Georgia Department of Transportation, Title VI Compliance & Assurances.

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J.G. "Jamie" Cater, Jr., Mayor

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Rona Martin, City Clerk



COUNCIL MEETINGS

CITIZEN INPUT SIGN IN SHEET

(If you wish to address the Council and are not on the Agenda, please sign in)

DATE: 6/28/13

NAME	ADDRESS	TOPIC
TERRY L. KISER Sr Rahul Milk	2417 Oneal Ave Tifton GA 2448 chula Brookline	Support of Increase
GARRY Gentry	418 Chestnut Ave 31794	Taxes
Ezelle Ray	<del>1461</del> 1461 Old Occil Mark	Taxes
Marty Goff	1440 N. Central	Mil for the city no special TASK FORCE
Pete Garvey	501 W 78th	Millage Rate increase
Alice Dorminey	2202 Emory Dr	"
Raymond Drennon	2814 Rose Hill Dr	Support of Increase
Dorminey McEae	63 Carpenter Rd	" "
DAVE HETZEL	2020 Myrtle Ave	RE. Millage ↑
Diane Lewis	602 N College Av	re:

**City of Tifton**  
**Regular Council Meeting**  
**July 1, 2013**  
**5:00 PM**  
**Municipal Courtroom**

**ATTENDEES**

J.G. “Jamie” Cater, Jr. Mayor  
Johnny Terrell, Vice Mayor  
Marianna Keesee, Council Member  
Chris Parrott, Council Member  
Julie Smith, Council Member

Larry Riner, City Manager  
Rona Martin, City Clerk  
Rob Wilmot, City Attorney

**PUBLIC HEARING FOR BLANKET REZONING IN CONJUNCTION WITH THE CURRENT LAND DEVELOPMENT CODE (ZA13-000-003)**

Rob Wilmot, City Attorney, mentioned the Public Hearing was being held to receive public input for the proposed map amendments and rezoning in conjunction with the Land Development Code. Bert Crowe mentioned the city developed and approved the new Land Development Code in 2012. Bert mentioned because of the changes in the Land Development Code some areas of the city needed to be rezoned to classify the properties in the correct zone for their use. Bert mentioned this would be the second blanket rezone since the Land Development Code was adopted and the proposed map amendments were approved unanimously by the Planning and Zoning Board. Rob Wilmot opened the hearing up for the public to speak on the map amendments. No one spoke. Public hearing was closed.

**CALL TO ORDER**

Mayor Cater called the meeting to order at approximately 5: 04 pm

**PRAYER AND PLEDGE**

Mayor Cater led the prayer and pledge

**APPROVAL OF AGENDA**

Council Member Parrott made the first motion for approval of the agenda, seconded by Council Member Terrell, and unanimously carried by all members present.

**BILL MARSH OF COLONY BANK REGARDING PROJECT AT 2<sup>ND</sup> & CENTRAL**

Bill Marsh, President of Colony Bank in Tifton came before the council to ask for support of their project to build a new branch office on the property where the old ice house currently stands, at the corner of 2<sup>nd</sup> Street and Central Avenue. Mayor Cater mentioned Mr. Marsh had received a letter from the Department of Natural Resources – Historical Preservation Commission denying their plans to demo the current building because it is listed on the National Historic Register. Mr. Marsh mentioned that there is an appeal process they have to go through because their plans have been determined to have an adverse affect on the property and building. Mr. Marsh mentioned he did not feel tearing down the structure would have an adverse affect on the property. He mentioned if the project doesn’t move forward the property will remain in its current condition and vacant. Mr. Marsh stated the appeal process requires a letter or resolution from the governing body in support of the project and plans for the property. Council Member Julie Smith made the first motion to adopt a resolution supporting Colony Bank’s plans for the Ice House Property in consideration of the HPC’s approval of their COA. Council Member Parrott seconded the motion, and unanimously carried by all members present.

### **EMPLOYEE OF THE MONTH PRESENTATION – JUDY DORMINEY**

Mayor Cater and Bert Crowe, Environmental Management Director, presented Judy Dorminey with a certificate honoring her as Employee of the Month for June 2013. Bert Crowe mentioned Judy was very instrumental in getting his department up and going, which started from scratch just over a year ago. Bert also stated that Ms. Judy Dorminey is a very dedicated employee, works great with the public as well as co-workers, and is an asset to his department.

### **CITIZEN INPUT**

Hayward Fowler: Mr. Fowler commended the council for their recent teamwork in coming together to adopt the budget and millage rate. Mr. Fowler stated he knew it was a tough decision, but he felt the council made the right decision. Mr. Fowler mentioned he was very proud of all the council members and wanted to give them a pat on the back for a job well done.

### **APPROVAL OF MINUTES**

Approval of the minutes from: June 3<sup>rd</sup> Regular Meeting, June 13<sup>th</sup> Budget Presentation, June 19<sup>th</sup> Workshop, June 20<sup>th</sup> Noon Public Hearing, June 20<sup>th</sup>, 5:00 pm Public Hearing, Regular Workshop and 6:30 pm Public Hearing, and the June 26<sup>th</sup> Called Workshop. Council Member Smith made the first motion for approval of the minutes as presented, seconded by Council Member Keesee, and unanimously carried by all members present.

### **CONSENT AGENDA**

Council Member Keesee moved, seconded by Council Member Parrott, and unanimously carried to approve the consent agenda as follows:

2. Award of Bid for Myon Rehabilitation Project to Anderson Construction Company
3. Resolution providing for Policies & Procedures for CDBG Property Easement Acquisition
4. Resolution providing for Notice of Election
5. Resolution providing for Alcoholic Beverage License for A-1 Food Mart located at 1005 E. 12<sup>th</sup> Street
6. Resolution providing for Alcoholic Beverage License for Taqueria “Del Sol” Restaurant located at 728 E. 5<sup>th</sup> Street
7. Resolution providing for Alcoholic Beverage License for Sam’s Grocery & Grill located at 1405 Hwy 41 North
8. Resolution providing for Alcoholic Beverage License for Verona’s Italian Restaurant & Pizzeria located at 212 Main Street
9. Ordinance providing for use of Motorized Carts

### **ORDINANCE ESTABLISHING POLICIES & PROCEDURES FOR UNSAFE DWELLINGS, BUILDINGS, STRUCTURES, OR PROPERTIES**

City Attorney Rob Wilmot mentioned that the proposed ordinance is updating the procedures for hearings and establishment of tax liens on properties which are considered unsafe or unsanitary. Mr. Wilmot stated the new procedural hearing will be heard by the Municipal Court Judge instead of the City Manager. He further mentioned that the state law has changed since the previous ordinance was adopted and this ordinance brings our code up to date with state law. Council Member Keesee made the first motion to adopt the ordinance, Council Member Parrott second, motion passed unanimously by all members present.

**ORDINANCE PROVIDING FOR MAP AMENDMENTS IN KEEPING WITH THE LAND DEVELOPMENT CODE**

Council Member Marianna Keesee made the first motion to adopt the ordinance, seconded by Council Member Parrott, and unanimously carried by all members present.

There being no further business to discuss, meeting was adjourned.

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J.G. "Jamie" Cater, Jr., Mayor

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Jessica Jones, Deputy Clerk

**CITY OF TIFTON**  
**Regular City Council Workshop/Called Meeting Minutes**  
**July 18, 2013**  
**Tifton Municipal Courtroom, 130 E. 5<sup>th</sup> Street**  
**5:00 pm**

**ATTENDEES**

J.G. "Jamie" Cater Jr., Mayor  
Johnny Terrell, Vice Mayor  
Marianna Keesee, Council Member  
Chris Parrott, Council Member  
Julie Smith, Council Member

Larry Riner, City Manager  
Rob Wilmot, City Attorney  
Rona Martin, City Clerk

Mayor Jamie Cater called the meeting to order.

**PUBLIC HEARING**

**VERTICAL EXPANSION OF THE TIFTON-TIFT COUNTY LANDFILL**

Ricky Hobby, Solid Waste Director, stated this is for a vertical expansion of the landfill. He stated we now have a terrace and will be converting to a vertical by filling in the sides of the slope. He introduced Michael Stubbs of HHNT who was to present the public notice about the proposed expansion. Mr. Stubbs stated this application is currently before EPD at this time. He stated this public hearing is required for taking public comments and must be submitted to the EPD along with a typed transcript along with the application. He stated this is for a 30 foot height increase adding about 900,000 of airspace and 10 years of increase life at the facility. Mr. Wilmot invited public comments regarding this subject. Council Member Keesee asked what would be done at the end of 10 years as far as closure. Mr. Stubbs stated a synthetic liner along with a soil on top will close out the site. There were no other comments. Mayor Cater closed the public hearing.

**REGULAR COUNCIL WORKSHOP**

**COMMITTEE REPORT BY JEFFREY DANIEL ON HPC DESIGN GUIDELINES AND BUSINESS SIGNAGE REQUIREMENTS**

Jeffrey Daniel representing a committee of local business people presented proposed changes to the LDC. He asked that the HPC manual be referred to in the LDC as a cross reference when making changes. Mr. Wilmot stated this information was provided to everyone in a recent email. He stated he met with Jeff and Kim Colwell regarding what is being discussed today. Mr. Daniel stated they would like to see temporary signage allowed in the historic district with certain requirements. He stated they would like the signage map reevaluated every five year. Mr. Wilmot reminded everyone that they were to look at the entire Chapter 7 and has also provided information from other areas. He stated we are still obtaining input and need input from everyone on Chapter 7. Mr. Daniel asked that the makeup of the HPC include business owners for representation. Council Member Keesee stated additional changes that need to be made regarding political and temporary signs. General discussion was held regarding various suggested changes including permanent and non-permanent signs. Illumination of signs was also discussed. Council Member Keesee asked what the state requirements are concerning brightness and speed of changing on electronic signage. Mayor Cater asked about adopting the committee's recommendations. Council Member Smith discussed the proposed boundary changes, specifically Park Avenue's residential area.

Mr. Wilmot stated any changes will have to be presented to the Planning and Zoning Commission after which they will present their recommendation to the City Council. Mr. Wilmot asked that everyone come back together with next month's workshop as a deadline for presentation to City Council.

### **APPEAL OF REVOCATION OF OCCUPATION TAX CERTIFICATE**

Rona Martin, City Clerk, provided an explanation as to why Paul C. Johnson, The Roofing Man, Inc's occupation tax certificate was recently revoked stating our code of ordinances requires that he appeal the revocation to City Council for reconsideration. Mr. Johnson stated he thought the Beech Street area was in the County and did not apply for a permit. He was informed by Code Enforcement that he did not have a permit. Mr. Johnson stated he pled guilty and paid a fine of \$216.00. He stated he was first informed that his license had been revoked on June 10<sup>th</sup>. He stated this was a minor offense and revocation of his license was not warranted. He stated his work schedule has been affected and his employees have lost two days of work. He asked to have his license reinstated. Council Member Keesee asked that the procedure be explained. Discussion was held regarding the current requirements. Council Member Keesee moved, seconded by Council Member Parrott and unanimously carried to reinstate the occupation tax certificate of The Roofing Man, Inc., Paul C. Johnson, effective immediately.

### **PRESENTATION BY ESG OPERATIONS – DAN GROSELLE**

Larry Riner, City Manager, stated ESG has done a phenomenal job of managing the operations at the wastewater treatment facility and water production wells since the transfer of management last year. He stated we have asked that they consider taking over our distribution system and they have provided a proposal for such as well. He stated it was presented to the SDCC this afternoon, and the recommendation from the SDCC to City and County officials is to move forward with the taking over of the distribution system. Dan Groselle and Scott Murphy presented recent accomplishments under the current agreement. They discussed various highlights relevant to the success of the transition which took place November 1, 2012. They discussed system improvements that have been made as well as increased revenue. Mr. Murphy discussed the staff training that has taken place and those employees that have been in Tifton looking at various aspects of the plant. He discussed the cost savings, which is projected at \$450,000 in the first year, via in-house repair work, companywide purchasing network, engineering solutions, operational efficiencies, preventative maintenance, etc. He discussed repairs to the digester, influent controller and influent pump. He discussed the employee's participation in a recent river clean up. He discussed the composition of the water/wastewater utility system. Mr. Murphy discussed the proposal for management of the collections and distribution system. He stated they will develop a comprehensive utility management plan, and focus on immediate challenges such as Inflow & Infiltration, THM's and water audit. Mr. Groselle stated they propose to expand their relationship with the City to incorporate the collection and distribution system into their management program. He stated they will work with the existing staff taking a proactive approach to the needs of the system. He stated they expect to save \$60,000 in operations and maintenance annually with additional savings on system upgrades. Mr. Riner stated staff is recommending acceptance of the proposal and authorization of modifications to the present contract to provide for the management of the collections and distribution system by ESG Operations, Inc. Council Member Terrell thanked them for doing a great job.

**RESOLUTION PROVIDING FOR PLACEMENT OF REFERENDUM QUESTIONS RELATING TO SUNDAY ALCOHOL SALES ON THE BALLOT FOR THE NOVEMBER 5, 2013 ELECTION**

Attorney Wilmot stated we are proposing as part of the amendment to the alcohol ordinance is Sunday sales. He stated we are seeking a referendum for vote on Sunday sales as to consumption on site from 12:30 p.m. until 12:00 p.m. midnight and package sales for beer and wine from 12:30 p.m. until 11:30 p.m. He introduced Katie Jones of the Georgia Restaurant Association representing area restaurants. She stated they are in support of the proposed referendum as it will support the local economy and increase sales for restaurants as well as jobs for local citizens. She provided some comparisons to other areas who have adopted Sunday sales and the revenues that will be generated.

**RESOLUTION APPROVING THE CALENDAR YEAR 2013 TAX DIGEST AND M&O LEVY AND SETTING THE MILLAGE RATE BASED ON THE FINAL 2013 TAX DIGEST – LOIS LOVE**

Mayor Cater reminded Council that he did not approve the increase in the millage rate. Mr. Wilmot stated this actually approves the millage rate as it is reflected based upon the certified tax digest, and all one is voting on is that the rate is consistent with the M&O. Council Member Keesee asked the Mayor would do without passage of this resolution. Mayor Cater stated it has to be approved, but he would not vote to approve it. She asked what would happen if it was not approved. Mayor Cater stated he will vote for it if he has to, rather than let it fail. Mr. Wilmot again explained what the vote was about.

**RESOLUTION PROVIDING FOR FINANCING OF THE RENOVATION OF THE HISTORIC MYON BUILDING – LOIS LOVE**

Mr. Riner stated this has been brought back to Council as requested to provide for the financing of the Myon building. Mr. Riner stated the funding of the project will come from the following: Downtown Development Authority \$500,000; City of Tifton \$400,000 leaving about \$1,400,000 to be financed. He stated we will use the GMA lease pool with equipment as collateral. He stated we are under a deadline at this time. He stated payment of the loan will be coming from the five operating funds with the City, water, sewer, gas, solid waste, and general fund. He stated this equates to about \$56,000 per fund and only the general fund coming from the tax payers. He stated outsourcing of the solid waste function will not affect that funds payment on the loan nor the citizens' rates on solid waste. Mr. Riner stated the bids for the renovation are good only thru 7/22/13, which can be extended at an additional cost of \$16,000. He stated the DDA consensus was to move forward with the project. Council Member Keesee expressed concern that the public has not heard about this and asked that audience be allowed to make a comment. Mayor Cater asked the audience for comments. Mr. Charles Styer, 410 N. Park Avenue, stated he has a save the Myon facebook page and strongly supports doing this as the Myon is so important to downtown. He recalled the previous renovation and its' importance to downtown.

**RESOLUTION REQUESTING APPROVAL OF EXTENSION OF CONTRACT WITH MAULDIN & JENKINS CPA TO PROVIDE AUDITING SERVICES FOR FISCAL YEARS ENDING JUNE 30, 2013 & 2014**

Ms. Love asked that the contract with Mauldin and Jenkins be extended an additional two years in order to begin the 2013 audit. She stated the original audit was expensive because it was their first time doing the City's audit, thus requiring additional documentation, etc. She stated the audit for the next two years would be \$40,000 per year. Mayor Cater asked about using local auditing firms. Mr. Riner asked that Council seriously consider continuing with Mauldin & Jenkins to assure that our financial books are in order for the next two years and then go out for bids if needed. Ms. Love stated any new auditor will be more expensive. She explained the process a new firm goes through in the initial stages. Council Member Parrott stated he thought it was for one year and asked that it be put out for consideration. Mr. Riner stated staff recommendation is to stay with Mauldin & Jenkins in order to get everything worked out. Ms. Love stated we've only touched the surface and there are new guidelines coming out with processes that need to be set up. Mr. Riner stated we need to make sure that the City's books are correct before we turn them over to another auditor. Council Member Parrott asked how much clean up has been done. Ms. Love updated them on what has been done so far and what needs to be done. She recommended going with two years, with the FY2013 audit beginning immediately. Council Member Smith stated we should follow the recommendation. Eloise Styer, 410 N. Park Avenue, stated based on her experience, she highly supports and recommends an outside auditor.

#### **ORDINANCE PROVIDING FOR AMENDMENT TO CHAPTER 6, ALCOHOL PROVISIONS OF THE CODE OF ORDINANCES**

Attorney Wilmot stated an advertisement was placed in the Gazette inviting folks to talk about Sunday Sales tonight and at the meeting on August 5, 2013. Mr. Mitch Williams, The Locker Room Sports Bar, stated he would like to see Sunday sales. He stated the word is out and everyone who has a restaurant here would like to have Sunday sales. Mr. Williams favored use of armbands. He asked about time for use of armbands. Mr. Wilmot stated the only people who can sell alcohol on Sunday must have at least 50% food sales annually as required by the State of Georgia. Mr. Bubba Harrison asked about the catering permit requirement of a criminal background on the host or caterer. Discussion was held regarding "host". It was decided to take out the word "host". Ms. Martin asked that the ordinance take effect 30 days after the adoption date to make any needed procedural changes. Discussion was held regarding alcohol regulations at the UGA Conference Center. Council Member Smith asked if the ordinance allows for special events downtown such as a First Friday event and in the park. Ms. Martin stated yes, as long as it is a City of Tifton sponsored event. Ms. Martin explained the proposed changes to the catering event permits. Mr. Wilmot asked about the 18 year old option and the current requirements. He gave an overview of the proposed option vs. the current requirements. He discussed entertainment establishments. Discussion was held regarding the use of armbands. After further discussion it was the consensus of Council that the 18 year old option should be included in the updated ordinance. He discussed semi private parking areas. Discussion was held regarding Sunday sales and the time frame for the referendum. Mr. Wilmot explained the process.

#### **UPDATE ON TOURISM COMMUNICATIONS – COUNCIL MEMBERS JULIE SMITH, CHRISTOPHER PARROTT**

Council Member Smith stated the group that met wants to know if the contract with the Tourism Association is a viable, valid contract, and finds that it is. She stated she will contact Georgia Department of Economic Development and the Department of Community Affairs to visit Tifton to work with the

Tourism Association and the committee to present the information to discuss the differences between a visitor and convention bureau and our current tourism association or any combination thereof. She stated the OMG committee talked about creating a true welcome center in Tifton, a Georgia artisan's center, hiring a PR/Marketing for creating an identity cohesive with the tourism efforts of the tourism association. She stated there is a lot of work going on. She stated they needed more time to complete the plans. Council Member Parrott stated this is moving along and looks forward to DCA visiting and providing the input. Mr. Wilmot explained the changes to the existing contract. He stated this contract renews annually and also a 60 day termination clause.

#### **BOARD REPORT – RONA MARTIN**

Rona Martin stated there is an application from Jeffrey Daniel for appointment to the Historic Preservation Commission. She stated William Kelley is also up for reappointment to the Library Board. She stated these will be on the agenda for August 5, 2103. Discussion was held about HPC training requirements.

#### **CALLED MEETING**

#### **RESOLUTION APPROVING THE CALENDAR YEAR 2013 TAX DIGEST AND M&O LEVY AND SETTING THE MILLAGE RATE**

Council Member Terrell moved, seconded by Council Member Smith and carried 4/1 to adopt a Resolution approving the Calendar Year 2013 Tax Digest and M&O Levy & setting the Millage Rate. Mayor Cater abstained from the vote.

#### **RESOLUTION PROVIDING FOR FINANCING OF THE RENOVATION OF THE HISTORIC MYON BUILDING – LARRY RINER, LOIS LOVE**

Council Member Smith moved, seconded by Council Member Parrott and unanimously carried to adopt a Resolution providing for financing of the renovation of the Historic Myon Building.

#### **RESOLUTION REQUESTING APPROVAL OF EXTENSION OF CONTRACT WITH MAULDIN & JENKINS CPA TO PROVIDE AUDITING SERVICES FOR FISCAL YEARS ENDING JUNE 30, 2013 AND 2014**

Council Member Smith moved, seconded by Council Member Terrell and unanimously carried to approve a Resolution requesting approval of extension of contract with Mauldin & Jenkins CPA to provide auditing services for fiscal years ending June 30, 2013 and 2014.

#### **CONSIDER DATE CHANGE FOR SEPTEMBER MEETING ORIGINALLY SET FOR 9/2/2013 (SUGGESTED CHANGES ARE 9/3 OR 9/9)**

Council Member Keesee moved, seconded by Council Member Parrott and unanimously carried to change the regular September meeting to 9/9/2013 and the August workshop to 8/22/2013.

Mayor Cater passed out draft forms for the evaluation of the City Manager. He asked the comments be returned as soon as possible. He stated he will do the actual evaluation, but wants Council's input.

There being no further business, the meeting was adjourned.

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J.G. "Jamie" Cater, Jr., Mayor

---

Rona Martin, City Clerk



**TIFTON CITY COUNCIL AGENDA ITEM**

**TO:** Tifton City Council  
**FROM:** Rona Martin, City Clerk  
**DATE:** 08/02/2013  
**DEPARTMENT:** City Clerk’s Office  
**SUBJECT:** Board Report

DATE: 08/05/2013  
Workshop Meeting ( )  
Regular Meeting (X)  
Called Meeting ( )

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**EXECUTIVE SUMMARY**

There is currently a vacancy on the Historic Preservation Commission. There is also a board member whose term on the Tifton-Tift County Library Board has expired. An application has been received from Jeffrey Daniel for the HPC. Per telephone conversation with Bill Kelley, he is interested in continuing to serve on the Library Board.

Staff recommends as follows:

Jeffrey Daniel – appointment to the Historic Preservation Commission replacing Tom Call who resigned. He will be filling an unexpired term. (8/5/13-5/31/14)  
Bill Kelley – reappointment to the Tifton-Tift County Library Board (7/1/13-6/30/16)

**PROPOSED ACTION**

Approval of appointments

**SUPPORTING INFORMATION**

See attached.

**Background Information**

**Financial Implications**

- None.

**Pros and/or Cons**

- We currently have a shortage of applications.

**Implementation**



204 N. Ridge Avenue  
Post Office Box 229  
Tifton, Georgia 31793

<http://www.tifton.net>

### BOARD MEMBER APPOINTMENT APPLICATION

The Tifton City Council appoints individuals from the community to serve on various boards or commissions. Completing this application will indicate your availability and interest in serving the City in this capacity.

**ELECTED OFFICIALS:**

G. "JAMIE" CATER, JR.  
MAYOR

JOHNNY TERRELL, JR.  
VICE-MAYOR  
DISTRICT 3

MARIANNA KEESEE  
DISTRICT 1

CHRISTOPHER PARROTT  
DISTRICT 2

JULIE B. SMITH  
DISTRICT 4

NAME Jeffrey Daniel DATE 6/25/13  
ADDRESS (HOME) 1000 Forrest Ave Tifton  
PHONE (DAY): 229 392 4295 (NIGHT): SAME  
EMAIL ADDRESS jeffreydaniel2@hotmail.com  
OCCUPATION IT professional / Business Owner

List one or more boards you are willing to serve on as a board member:

Historical Preservation Committee

List any talents, abilities, or interests that you possess that would benefit the board(s) indicated above.

I Live in the Historical District + Own a business in the historic District

List any education, training, or experience you have received that would benefit the board(s) indicated above.

15 years + in Construction.



**TIFTON CITY COUNCIL AGENDA ITEM**



TO: Tifton City Council  
FROM: Rona Martin, City Clerk  
DATE: 08/02/2013  
DEPARTMENT: City Attorney, Rob Wilmot  
SUBJECT: Resolution Calling for Referendum Election --  
Sunday Alcohol Sales

DATE: 08/05/2013  
Workshop Meeting ( )  
Regular Meeting (X)  
Called Meeting ( )

---

**EXECUTIVE SUMMARY**

This resolution calls for a referendum election regarding Sunday Alcohol Sales On November 5, 2013 as part of the City of Tifton's Regular Election. Local area restaurants, represented by the Georgia Restaurant Association, have requested that the City of Tifton consider the possibility of allowing alcohol sales on Sundays and as such, in addition to other matters, two questions regarding Sunday Alcohol Sales will be included to: (1) Authorize the city to permit and regulate Malt/Wine Package Sales on Sundays, (2) Authorize the City to permit and regulate sales of distilled spirits and alcoholic beverages on premises by the drink on Sundays.

**PROPOSED ACTION**

Staff requests approval of the resolution in order to afford the public the opportunity to vote on whether to allow Sunday sales.

**SUPPORTING INFORMATION**

Attached.

**Background Information**

- Attached.

**Financial Implications**

- Possible increase in excise tax revenue for the City of Tifton. Increased revenue for all establishments holding an alcohol license meeting the requirements for Sunday Sales.

**Pros and/or Cons**

**Implementation**

None

**CITY OF TIFTON**

**RESOLUTION NO. 2013 - \_\_\_\_\_**

**[RESOLUTION CALLING FOR REFERENDUM ELECTION]**

**A RESOLUTION OF THE CITY OF TIFTON, GEORGIA, CALLING FOR A REFERENDUM ELECTION FOR THE PURPOSE TO DETERMINE WHETHER OR NOT THE CITY OF TIFTON SHALL AUTHORIZE THE SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ONLY ON THE PREMISES ON SUNDAY BETWEEN THE HOURS OF 12:30 P.M. AND 12:00 MIDNIGHT AND AUTHORIZE PACKAGE SALES BY RETAILERS OF MALT BEVERAGES AND WINE ON SUNDAY BETWEEN THE HOURS OF 12:30 P.M. AND 11:30 P.M. UNDER THE AUTHORITY OF O.C.G.A §3-3-7.**

**WHEREAS**, the City of Tifton (the “City”) is a municipal corporation created by an act of the General Assembly of Georgia resulting in the issuance of a Charter to the City which provides that the City shall be governed by a City Council; and

**WHEREAS**, the City Council of the City has amended Chapter 6 of its Code of Ordinances regulating alcoholic beverages on August 5, 2013 so as to authorize the sale of alcoholic beverages for consumption only on the premises on Sunday between the hours of 12:30 p.m. and 12:00 midnight and authorize package sales by retailers of malt beverages and wine on Sunday between the hours of 12:30 p.m. and 11:30 p.m. under the Authority of O.C.G.A. §3-3-7; and

**WHEREAS**, pursuant to O.C.G.A. §3-3-7(j) and O.C.G.A. §3-3-7(p) the City must to submit to the citizens of the City of Tifton the question as to whether the City shall authorize the sale of alcoholic beverages for consumption only on the premises on Sunday between the hours of 12:30 p.m. and 12:00 midnight and authorize package sales by retailers of malt beverages and wine on Sunday between the hours of 12:30 p.m. and 11:30 p.m. for the provisions relative to the sale of alcohol on Sundays to be; and

**WHEREAS**, the exercise of the powers to issue such permits can be implemented only after the approval of the registered voters of the City of Tifton through a referendum election for the purpose of determining whether or not such powers shall be exercised; and

**WHEREAS**, the statute anticipates and requires that the City Council shall notify the Election Superintendent of the referendum by forwarding to the Superintendent a copy of a resolution of the City Council calling for such a referendum election.

**NOW THEREFORE IT IS HEREBY RESOLVED** that the question of whether or not the City of Tifton shall have the authority to issue permits for the sale of alcohol on Sundays for consumption only on the premises where sold between the hours of 12:30 p.m. and 12:00 midnight and the retail sale of malt beverages and wine on

Sunday between the hours of 12:30 p.m. and 11:30 p.m. shall be submitted to the voters of the City of Tifton for approval or disapproval by a referendum election with the ballot stating as follows;

- YES      Shall the governing authority of the City of Tifton be authorized to permit and regulate Sunday sales of distilled spirits or alcoholic beverages for beverage purposes by the drink?"
- NO

and;

- YES      Shall the governing authority of the City of Tifton be authorized to permit and regulate package sales by retailers of both malt beverages and wine on Sundays between the hours of 12:30 P.M. and 11:30 P.M.?"
- NO

**IT IS FURTHER RESOLVED** that the City Manager forward to the Election Superintendent a copy of this resolution (1) calling for a referendum election, (2) requesting the Election Superintendent to issue the call and set the date for such referendum (and as a general election is to be held in November 2013 to set the date so as to present the questions to voters of the City of Tifton at the time of the general election), and (3) take such further action as is required under O.C.G.A. §3-3-7(j) and O.C.G.A. §3-3-7(p) and other applicable provisions of the laws of the State of Georgia.

**IT IS FURTHER RESOLVED** that the effective date of those provisions of Chapter 6 of the City of Tifton Code of Ordinances relative to the sale of alcoholic beverages on Sunday shall be effective upon the affirmative vote of the majority of the electors in the aforementioned referendum.

**RESOLVED** at a meeting of the City Council of the City of Tifton on the \_\_\_ day of August, 2013.

\_\_\_\_\_  
J. G. "Jamie" Cater, Jr.  
Mayor, City of Tifton

Attest:

\_\_\_\_\_  
Rona Martin  
City Clerk

Approved as to form:

---

Robert C. Wilmot  
*City Attorney*



**TIFTON CITY COUNCIL AGENDA ITEM**

TO: Tifton City Council  
FROM: Rona Martin  
DATE: 08/02/2013  
DEPARTMENT: Management  
SUBJECT: Ordinance amending Chapter 6, Alcohol

DATE:  
Workshop Meeting ( )  
Regular Meeting (X)  
Called Meeting ( )

**EXECUTIVE SUMMARY**

City Council has requested additional time to review the comprehensive changes to the alcohol ordinance and as such this ordinance will address only 1) hours relative to sales and 2) Sunday Sales. The balance of the changes will be brought back to Council at the 8/22/13 workshop. In the interim, staff will be inviting all stakeholders to a meeting to discuss the other changes.

**PROPOSED ACTION**

Approval of amendment to Chapter 6, Alcohol Regulations.

**SUPPORTING INFORMATION**

Attached.

**Background Information**

Currently the ordinance states that those businesses located within 300 feet of a residential area must discontinue serving at 1:00 a.m. unless the property faces a state or federal highway. All other businesses discontinue serving at 2:00 a.m. The Police Department has requested that the hours for sale of alcohol be consistent for every day of the week in order to allow for better enforcement. This ordinance provides such.

Sunday alcohol sales is included as part of the requirement for placing the question on the November 5<sup>th</sup> ballot.

**Financial Implications**

None

**Pros and/or Cons**

**Implementation**

The portion of the ordinance related to hours of sale will be effective upon passage. The portion related to Sunday sales will take effect after the November 5<sup>th</sup> election.

**CITY OF TIFTON GEORGIA  
ORDINANCE NO. 2013 - \_\_**

**AN ORDINANCE OF THE CITY OF TIFTON, GEORGIA TO AMEND CHAPTER 6 OF THE CODE OF ORDINANCES TO PROVIDE FOR HOURS DURING WHICH THE SALE OF ALCOHOL IS PROHIBITED; TO AUTHORIZE THE SALE OF ALCOHOL ON SUNDAYS; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

The City Council of the City of Tifton hereby ordains that:

**I.**

**AMENDMENT TO CODE OF ORDINANCES**

Chapter 6 Article IV of the Code of Ordinances shall be amended by deleting the current Section 6-121 and substituting in lieu thereof the following:

**Sec. 6-121. - Hours during which sales prohibited.**

- (1) Except as otherwise provided in paragraph (2), the sale of any alcoholic beverage by the holder of any alcoholic beverage license, including package beer and/or wine, or by any employee of any business in which such license is utilized, is prohibited during the following periods of time:

From 2:00 a.m., prevailing time, on Sunday until 7:00 a.m. prevailing time on Monday; from 2:00 a.m., prevailing time Tuesday, Wednesday, Thursday, Friday and Saturday until 7:00 a.m., prevailing time, of that same day.

(2) Sunday Sales Authorized

- (i) The sale of alcoholic beverages is hereby authorized for consumption on-premises in restaurants, as defined Article I Section 6-1, on Sundays between the hours of 12:30 p.m. and 12:00 midnight.
- (ii) Package sales of malt beverages and wine by retailers on Sundays are authorized between the hours of 12:30 p.m. and 11:30 p.m.

II.

**GENERAL REPEALER**

To the extent that any other ordinance, portion of an ordinance or resolution of the City of Tifton now in effect is inconsistent with the provisions hereof, the same are repealed.

III.

**EFFECTIVE DATE**

The effective date of this ordinance shall be the date of adoption hereof except those provisions contained in 6-121(2) related to sale of alcohol on Sunday which shall be effective upon a majority vote of the electorate at a referendum to be held on November 5, 2013.

Read and passed on first reading and adopted at a meeting of the City Council of the City of Tifton held on the 5<sup>th</sup> \_ day of August, 2013.

\_\_\_\_\_  
J.G. "Jamie" Cater, JR.  
*Mayor*

Approved as to Form:

Attest:

\_\_\_\_\_  
Robert C. Wilmot  
*City Attorney*

\_\_\_\_\_  
Rona Martin  
*City Clerk*

**AT A MEETING O THE  
CITY COUNCIL OF THE CITY OF TIFTON  
HELD ON \_\_\_\_\_, 2013  
A MOTION TO ENTER INTO EXECUTIVE SESSION**

Council member \_\_\_\_\_ makes the following motion:

1. That City Council now enters into executive session as allowed by O.C.G.A. Section 50-14-4 and pursuant to advice by the City Attorney, for the purpose of discussing the following:

(check all that apply)

Legal Matters.

Personnel Matters.

Real Estate Matters.

That each member of this body, in open session, at the conclusion of such executive session, and consistent with the provisions of City of Tifton Resolution No. 99-66, either:

1. Execute the Affidavit, the form of which having been previously approved; or
2. Vote upon the Resolution, the form of which having been previously approved, to be followed by the execution of the above-referenced Affidavit by so many members of this Council that so desire,

all of which is in compliance with O.C.G.A. Section 50-14-4; thereby this body, by appropriate form of either Affidavit or Resolution/Affidavit, ratifying the actions of the Council taken in executive session and confirming that the subject matters of the closed session were within exceptions permitted by the Open Meetings law.

Council member \_\_\_\_\_ seconds the motion.

**Motion Approved**

Those voting in favor of the motion for closure:

**Council Members:**

Those voting against the motion for closure:

**Council Members:**

**AFFIDAVIT**

Personally appeared before the undersigned attesting officer, duly authorized to administer oaths in the State of Georgia:

Present

Absent

\_\_\_\_\_

\_\_\_\_\_

J. G. "Jamie" Cater, Jr.

\_\_\_\_\_

\_\_\_\_\_

Marianna G. Keesee

\_\_\_\_\_

\_\_\_\_\_

Christopher Parrott

\_\_\_\_\_

\_\_\_\_\_

Johnny Terrell

\_\_\_\_\_

\_\_\_\_\_

Julie Smith

Who, after being duly sworn, deposes and on oath states the following:

1. I am a member of the Tifton City Council and I was present at a meeting of the City Council held on the \_\_\_\_\_ day of \_\_\_\_\_, 2013.

2. That it was my understanding that O.C.G.A. Section 50-14-4(b) provides as follows:

When any meeting of an agency is closed to the public pursuant to subsection (a) Of this Code section, the chairperson or other person presiding over such meeting shall execute and file with the official minutes of the meeting a notarized affidavit stating under oath that the subject matter of the meeting or the closed portion thereof was devoted to matters within the exceptions provided by law and identifying the specific relevant exception.

3. The subject matter of the closed meeting or closed portion of the meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2013, which was closed for the purpose(s) of :

- \_\_\_ Legal Matters
- \_\_\_ Personnel Matters
- \_\_\_ Real Estate Matters

As allowed by O.C.G.A., Title 50, Chapter 14, was devoted to matters within those exceptions and as provided by law.

4. This affidavit is being executed for the purpose of complying with the mandate of O.C.G.A. Section 50-14-4(b) that such an affidavit be executed.
5. This affidavit is likewise executed by the following members of the City Council present at such executive session in support of open and honest government and in compliance with City of Tifton Resolution 99-66.

This \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
 J. G. "Jamie" Cater, Jr.  
 Mayor, City of Tifton

\_\_\_\_\_  
 Marianna G. Keesee  
 Councilwoman, District 1

\_\_\_\_\_  
 Christopher Parrott  
 Councilman, District 2

\_\_\_\_\_  
 Johnny Terrell  
 Councilman, District 3

\_\_\_\_\_  
 Julie Smith  
 Councilwoman, District 4

Sworn to and subscribed before me  
 By all City Council members  
 on this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
 Notary Public

**EXECUTIVE SESSION RESOLUTION  
OF THE CITY COUNCIL OF THE CITY OF TIFTON  
2013-\_\_\_\_\_**

**BE IT RESOLVED** by the Tifton City Council as follows: at the meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2012, the Council entered into executive session for the purpose of discussing:

\_\_\_\_ Legal Matters.

\_\_\_\_ Personnel Matters.

\_\_\_\_ Real Estate Matters.

At the close of the discussions upon such subject(s), the Council did vote to re-enter into open session and herewith takes the following action in open session:

1. The actions of the Council and the discussion of the same regarding the matter set forth for closed session purposes are hereby ratified.
2. This body does hereby confirm that to the best of the knowledge of the body, based upon the advice of the City Attorney, the said subject matter of the meeting, and of the closed session portion was devoted to matters within the specific relevant exception(s) as set forth above.
3. The affidavit, together with this Resolution, shall be included and filed with the official minutes of the meeting and shall be in a form as required by the statute.

**Approved** this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
J. G. "Jamie" Cater, Jr.  
Mayor, City of Tifton

ATTEST:

\_\_\_\_\_  
Rona Martin  
City Clerk