



City of Demorest
City Council Work Session, Special Called Meeting, & Public Hearing
Regular Session Minutes
Demorest Municipal Building
Tuesday, October 27, 2020, 6:00 P.M.

PRESENT

Sean Moore, *Councilman*
Nathan Davis, *Councilman*
John Hendrix, *Councilman*
Rick Austin, PhD, *Mayor*
Kim Simonds, *City Clerk*
Joey Homans, *City Attorney*

ABSENT

1 Council Seat Vacant (formerly Bruce Harkness)

A **POLITICAL FORUM** was held immediately prior to the meeting giving all candidates for the office of Demorest City Council an opportunity to speak.

The Public Hearing regarding the millage rate pursuant to the requirements of O.C.G.A 48-5-32 was convened at 6:39 p.m. When no one appeared to be heard, the hearing was closed at 6:40 p.m.

The October 27, 2020 Demorest City Council Work Session and Special Called Meeting was held in the Demorest Municipal Building located at 125 Ivy Street.

AGENDA ITEM I: INVOCATION AND PLEDGE TO THE FLAG

Councilman Moore led with the invocation and pledge to the flag.

AGENDA ITEM II: CALL TO ORDER

Mayor Austin called the meeting to order at 6:42 p.m.

AGENDA ITEM III: APPROVAL OF THE AGENDA

Mayor Austin asked if there were amendments or changes to be made to the agenda. When none were voiced, Mayor Austin called for a motion to approve the agenda as presented. Such a motion was made by Councilman Moore and seconded by Councilman Hendrix.

ACTION: The motion to approve the agenda as presented was unanimously approved (3-0).

AGENDA ITEM IV: APPEARANCE AND PUBLIC COMMENTS

Mayor Austin read questions from the *Concerned Citizens of Demorest*. Amanda Mason asked about the damaged flag at the City Cemetery. Ms. Simonds said that a new flag was being ordered.

AGENDA ITEM V(1): OLD BUSINESS – MILLAGE RATE

Last year’s millage rate was 6.16 and the hearing was held prior to the meeting for a rollback rate of 6.06. Mayor Austin called for a motion to set the millage rate at 6.06. Such a motion was made by Councilman Moore and was seconded by Councilman Hendrix.

ACTION: The motion to rollback the millage rate to 6.06 was unanimously approved (3-0).

Attorney Homans said that a motion would also need to be made to set the due date for the tax bills. February 3, 2021 was suggested. Such a motion was made by Councilman Moore and was seconded by Councilman Hendrix.

ACTION: The motion to set the due date for the tax bills as February 3, 2021 was unanimously approved (0-3).

AGENDA ITEM V(2): PURCHASE OF GENERATORS

Per the request at the Work Session, Ms. Simonds asked that Council approve the purchase of two generators with funds from the FEMA grant. The total expenditure from the City would be \$39,690. Such a motion was made by Councilman Davis and was seconded by Councilman Hendrix.

ACTION: The motion to purchase generators with the FEMA grant money at a total expenditure from the City of \$39,690 was unanimously approved (3-0).

AGENDA ITEM V(3): RESOLUTION FOR GRANT APPLICATION

Ms. Simonds asked that Council approve a resolution approving the pre-application for funding from the Land and Water Conservation Fund. Such a motion was made by Councilman Hendrix and was seconded by Councilman Moore.

ACTION: The motion to approve the resolution approving the pre-application for funding from the Land and Water Conservation Fund was unanimously approved (3-0).

AGENDA ITEM V(4A): HABERSHAM MEDICAL CENTER SECURITY CONTRACT – VOTE TO TERMINATE 2017 CONTRACT

Tyler Williams with Habersham Medical Center was in attendance and spoke to support the security contract. There was a discussion about the liabilities of the contract and about the validity of the termination of the contract by Ms. Simonds. A motion was made by Councilman Davis and was seconded by Councilman Hendrix to terminate the 2017 contract.

ACTION: The motion to terminate the 2017 Hospital Security contract was defeated (Hendrix & Davis voting for termination; Moore voting against termination).

It was noted at that point that Mayor Austin raised his hand in an apparent vote against termination. Abe Sharony, an attorney representing Councilman Hendrix, spoke to say that Mayor Austin’s vote was illegal and should not count.

AGENDA ITEM V(4B): HABERSHAM MEDICAL CENTER SECURITY CONTRACT – CONSIDERATION OF NEW CONTRACT

After much discussion of the liabilities and costs of a new contract, a motion was made by Councilman Moore to approve the new contract. That motion died for lack of a second. A motion was then made by Councilman Hendrix to table consideration of the new contract until after the two new Council members are elected and installed. This motion was seconded by Councilman Davis.

ACTION: The motion to table the consideration of the new Hospital Security contract until after new Councilmen are elected and installed was unanimously approved (3-0).

AGENDA ITEM VI(1): AWARD OF LMIG CONTRACT

Bidding for the LMIG contract had previously been opened with the winner being Garrett Paving at \$54,869. Ms. Simonds asked that Council ratify that award. Such a motion was made by Councilman Moore and was seconded by Councilman Davis.

ACTION: The motion to officially award the LMIG contract to Garrett Paving was unanimously approved (3-0).

AGENDA ITEM VI(2): APPRAISAL CONTRACT PROPOSAL/365 BORE

Attorney Homans said that appraisals for nine parcels were needed for the 365 bore. David Griffin had offered a price to the City of \$8,000 for all nine properties. Councilman Davis made a motion to approve the contract with Griffin and the motion was seconded by Councilman Hendrix.

ACTION: The motion to contract with David Griffin for the nine appraisals needed for the 365 bore at a price of \$8,000 was unanimously approved (3-0).

AGENDA ITEM IX: CONSIDERATION OF MOTION TO ENTER INTO EXECUTIVE SESSION

There was no business requiring adjournment into Executive Session.

AGENDA ITEM X: MOTION TO ADJOURN

With no other business, a motion to adjourn was made by Councilman Moore and was seconded by Councilman Davis and was unanimously approved (3-0). The meeting adjourned at 7:22 p.m.

Rick Austin, Mayor of Demorest

Kim Simonds, City Clerk