

**MINUTES
CITY COMMISSION REGULAR MEETING
June 21, 2022**

The Regular Meeting of the Cordele City Commission was held on June 21st, 5:30 p.m., Cordele City Hall Courtroom, 501 North 7th Street, Cordele, Georgia with the following present:

Joshua Deriso, Commission Chair	Vesta Beal-Shephard, Commissioner
Wesley Rainey, Commissioner	Isaac Owens, Commissioner
Angela Redding, City Manager	Janice Mumphery, Recording Secretary
Tommy Coleman, City Attorney	

Staff present: Capt. Jalon Heard - Police Chief, Irene Cantrell – HUD Director, Fire Chief Augusta Telfair, Debra Perry – City Clerk, Lin Mercer - Codes, David Wade – Human Resource Director, Steve Fulford – Asst. City Manager/Public Works Director, Debbie Wright – UT&C Director, Cathy Mygrant – Asst. Financial Director, Kimberly Jackson – Detective Administrative Assistant, Elaine Kent – Financial Consultant, Bobby Stennett – Information Technology.

Others present: Charles Hardeman, Don Cole, Dr. Ruby Jackson, Carol Johnson, Kathy Wood, Charlie Butts, Ronald Michael, Fannie Deriso, Comeshia Battle, Michael Waters, Charles & Carmen Brown, A. Lockett, Rosie Watkins.

Media present: Ricky Smarr - South GA TV; Cordele Dispatch – Neil McGaHee.

Call to Order: Commission Chair Joshua Deriso called the meeting to order at 5:30 p.m.

Invocation: There was a moment of silent prayer.

Pledge Allegiance to the United States Flag: The Pledge of Allegiance was led by Commissioner Rainey.

Roll Call: A quorum was established.

Attendee's Name	Title	Absent	Present
Joshua Deriso	Commission Chairman		✓
Vesta Beal-Shephard	Commissioner Ward 1		✓
Isaac Owens	Commissioner Ward 3		✓
Wesley Rainey	Commissioner Ward 4		✓

Approval of Agenda – June 21, 2022: Commissioner Owens moved to approve the Agenda for June 21, 2022; seconded by Commissioner Rainey; the motion was approved by the Commission.

Approval of Regular Meeting Minutes – June 7, 2022: Commissioner Rainey moved to approve minutes for June 7, 2022; seconded by Commissioner Owens; the minutes were approved by the Commission.

SPEAKERS APPEARANCES: No requests.

SPEAKERS ON A SPECIFIC AGENDA ITEM:
Ronald Michael, 101 East 13th Avenue, Suite A, Cordele, GA 31015.

Mr. Michael shared his concerns on item #6 on the agenda.

Item #6: Reconsider the request from the Chairman for: a) an administrative assistant, b) parking space, and c) office space for the Commission Chairman to efficiently and effectively carry out duties per Section 2.32 (Powers and Duties of Chairman). Per request of Commission Chairman Joshua Deriso.

DEPARTMENT HEADS GOALS AND ACCOMPLISHMENTS:

1. Finance Director – Elaine Kent, Financial Consultant

No Report.

2. Fire Chief – Chief Augusta Telfair Reported.

Goals

- Cordele Fire Department Main Goal is to continue protecting life and property of our Citizens and Visitors of the City of Cordele.
- To purchase or lease a new ladder truck.
- To purchase a battery powered extrication tool for quicker MVA rescue.

Accomplishments

- Being able to locate a company to hydrostatic test 21 of the 88 breathing air cylinders that would have been out of compliance the end of June 2022.
- With grant funding we received from Fire House Sub we were able to replace all of the fire nozzles on all the fire trucks with new nozzles.

3. Housing and Urban Development – Irene Cantrell Reported.

- Start and complete the ground installation of sewer pumps and sewer line improvements / activities within the McCleod subdivision for the (48) forty- eight households....and complete the final improvements prior to the end of 2022.

DCA has approved the lowest responsible bidder for the project. We are moving forward with the sewer improvements project.

- Start and complete the home improvements work to at least three (3) of four (4) homes with the chip 2018 grant funds. be prepared to start the application process for additional chip funds in the next funding year.

Certified Housing Rehab Contractors are preparing updated Bids due to the spike in the prices of building materials

- Work with the EDRLF Committee to develop a plan to better serve the loan recipients to arrange for timely monthly payments. Loans \$82,200.00

The last meeting of the EDRLF Committee was 7/28/2021, and a meeting is scheduled for 7/28/2022, Thursday @ 10:00 a.m., to study, to consider interest rates and an improved Loan payment plan.

- Make all updates to the official city map and get the Cordele City Commission to accept and approve before the end of 2022.

Working on the city's official map to include current annexations and current zoning amendments.

- Prepare for the year 2023 CDBG Application – Housing Rehabilitation on the Northwest Section of City of Cordele.

Consulting with the grant administrator.

staffing, and salary issues.

- **Moral:** During the summer, we will be having cookouts on Fridays. The first is just for Police Department staff and will be held on June 17. We plan to extend the offer to the Fire Department and city hall employees.
- **Staffing/salary:** In the new budget I have proposed a plan to increase the starting pay and address our compression issue (pay separation between ranks).
- I have reworked our evaluation form and will present it to the command staff during our next meeting to gather their thoughts. I anticipate evaluations will be agreed upon and completed by the end of next month.

Accomplishments:

- “Cordele Summer Fest”, sponsored by the Cordele Police and Fire Departments will be held on August 1st from 5-8 at the Community Clubhouse. There will be games, music, prizes, activities, and food. Come join us.
- We currently have (1) certified officer who is scheduled to be interviewed for a patrol position. (2) in the hiring process, (1) to be a Sergeant.

Public Relations: Officers have continued to issue out our new case cards which provide information and bring awareness to current crime trends. Lt Pheil has made several Facebook posts concerning the extreme heat, entering autos, church burglaries and other general posts to communicate with the community and to keep them informed of what we are doing.

7. Public Works – Steve Fulford Reported

Griffin Grading and Concrete Asphalt – Mr. Fulford stated the contractors have been contacted to get started on this project.

8. UC&T – Debbie Wright Reported.

- a. The 48” Main Trunk Line into the WWTP is FINISHED. This has been a major undertaking! Mrs. Wright stated she has a picture that gives a true prospective of the enormity of this CIPP Project.
- b. Penia Well has been pulled and the problem assessed. They have put in a test pump to run an 8-hour pump test to see what the well will produce after the rehab so far. We are awaiting that report.
- c. Water restrictions are still in place since 2011. You cannot irrigate/water your property with City water from 10 am till 4 pm. This applies to residential and commercial property. If you have an automatic irrigation system, make sure your timer is set properly.
- d. The work on Digester #1 should begin the week of July 10th. Most of the fabrication of the metal pipes are finished. They will be bringing it in and a crane will set it in place.
- e. We completed the annual WET Test. This is an annual toxicity test of the WWTP effluent that is required by EPD. We have not received the results yet.

9. Information Technology Update – Bobby Stennett Reported

No Report.

AGENDA ITEMS

1. Consider Second Reading of an Ordinance to the Code of Ordinances of the City of Cordele, Georgia, providing a Per Diem for the Reimbursement of Actually and Necessarily Incurred Expenses by Members of the City Commission; Repealing all Ordinances in Conflict Herewith; and for Other Purposes. Commissioner Rainey moved to approve the Second Reading of an Ordinance; seconded by Commissioner Owens; the motion was approved by the Commission.
2. Consider an Application for a Demonstration Permit, June 23 – 24, 2022 at 11:00 AM. Organizer is Davontae Hunt, proposed demonstration will be at the corner of Southwest GA United Building and the Board of Education, 123 South 7th Street, Cordele, Georgia. Approved by Police Chief Jalon Heard on June 7, 2022. Commissioner Owens moved to approve the Demonstration Permit; seconded by Commissioner Rainey; the motion was approved with a 3/1 vote. Commission Chair Deriso – aye, Commissioners Rainey and Owens – aye; Commissioner Shephard – nay.
3. Consider a Conditional Use Permit request for a variance from the property owner, Bennie Bynes, Jr., on behalf of a family member (Mary Bynes Appling) to locate 1995 Single wide manufactured homes (14' x 70') at 707 West 12th Avenue, Block 109, Lot 6, Cordele, Georgia. The Board of Zoning and Appeals (BZA) met on June 9, 2022, and approved Mr. Bennie Bynes request. Commissioner Shephard moved to approve a Conditional Use Permit for a variance from the property owner; seconded by Commissioner Owens; the motion was approved by the Commission.
4. Discussion – Confederate Statue.
Commission Chair Joshua Deriso stated, this is the verbiage for item #4; “Per request of the City Manager a discussion to rescind the motion of a 3/1 vote, to remove or relocate the confederate statue at the Community Clubhouse.”
City Manager Angela Redding stated, “A clarification, I did not request a motion for the Commission to rescind their vote.”
Commission Chair Deriso asked if there is a motion to rescind the vote? There was not a motion to rescind the 3/1 vote from February 1st on the Confederate Statue.
5. Discussion – Consider request from Chairman Deriso to create a new Commission named the “Nonprofit Westside Alliance” with the purpose to carry out planning and coordination of community and civil work and events to improve the Westside of Cordele. Commissioner Owens moved to discuss this item; the motion failed for the lack of a second. Commission Owens moved to have a discussion to create a new Commission named the “Nonprofit Westside Alliance”. The motion failed for the lack of a second.
6. Reconsider the request from the Chairman for: a) an administrative assistant, b) parking space, and c) office space for the Commission Chairman to efficiently and effectively carry out duties per Section 2.32 (Powers and Duties of Chairman). Per request of Commission Chairman Joshua Deriso. Commissioner Owens moved to consider the request for the parking and office space, and some consideration of an Administrative Assistant in the future; the motion failed for the lack of a second.

7. CITY MANAGER'S REPORT – Angela Redding Reported:

- a) EJB Family Youth Outreach Services held their first Annual Juneteenth Jubilee Award Presentation on Saturday, June 18, 2022. Mr. Waters made presentations to the City Commission and City Manager.
- b) Watermelon Days Kickoff – Walmart and Coc Cola sponsored a kickoff on Saturday, June 18, 2022; the event included a DJ, food truck and a hamburger and hot dog meal with proceeds benefitting Children's Miracle Network. They would like to make this an annual event.
- c) Landbank Summit – Commissioner Rainey, Clarke Harrell -County Administrator and City Manager Angela Redding attended the Landbank Summit in Macon, GA, on June 9-10, 2022. City Manager Redding stated that they received valuable information to assist the Landbank. The next step is to schedule a Landbank Meeting.
- d) Board Appointments – The following Boards need bord members; Board of Zoning and Appeals, Community Clubhouse Coordination Board, and the DDA.
- e) Solar Ordinance – City Manager Angela Redding stated that she has additional comments and reviews that are being made to the Ordinance and then it will the go to the City Attorney for his review.
- f) FY2023 Budget – The budget is continued to be worked on.

Upcoming Event

- a) Annual Watermelon Parade – The parade is scheduled for Saturday, June 25, 2022.

City Manager Angela Redding stated, "since she is in her report, she would like to make one clarification regarding the Confederate Statue; that is that I did not ask the City Commission to rescind their vote on the Confederate Statue."

Proposal to the City Commission – To incorporate hearing from some of the City Committees and Boards because there are various Committees and Boards that are meeting, but the Commission does not get a chance to hear from them.

City Commission Chair Deriso stated that he thinks one reason for the goals and accomplishments were the percentage in what stage the goals were being completed. Even though, it is month to month, it was progress tracking. It is a progress report to alert the Public of what is happening. Commission Chair Deriso stated he is for the Committees coming to speak, but also it is important for the Public to hear from the progress from the Department Heads.

Commissioner Owens suggested spot lighting two or three Committees and the Commission would still have a chance to report on their goals and accomplishments.

City Manager Angela Redding stated, it can be worked out; the goals and accomplishments can be rolled into their regular report and highlights from the Boards and Committees that are meeting can make a report to the Commission.

Work Session on the Master Plan – City Manager Angela Redding stated that she reached out to ASD, Inc. for brochures on the company; she did not receive brochures. Mrs. Redding stated that she was referred to ASD, Inc. website; the three locations are in Austin, San Antonio and Dallas Texas. Mrs. Redding stated that she is attempted to connect between the contract that is being presented and the scope of work, but some of the things that are mentioned, i.e., plan review

– we already have staff and there are others that the City of Cordele staff is doing. Mrs. Redding stated that the next step would be for the Commission to meet and answer those questions, so the City will have a road map going forward as to the services that we are looking for when it comes to the consultants and putting together a Master Plan.

Clarification, in reference to, the Confederate Statue - Commission Chair Joshua Deriso stated, “to clarify the background of the Confederate Statute, we were asked in an email to move forward with the Confederate Statue by “yes” or “no”, in which by definition is a vote given the legal issue that we will be presented with. Our City Attorney presented us, when we originally took the vote that we will most likely will have a lawsuit and our City Attorney, by email, also relayed that his office is ready to fight those lawsuits. We were asked in an email for a “yes” or “no” vote, and the only way this Commission can handle that is, if we make affirmative votes, when people are asking, what is going on with things, do not hear anything from affirmative votes that were taken, it signifies to the public that the Commission will rescind that particular vote. If this does not happen, we are leaving it out there, but the people deserve an answer, it is their government. So, if we do not want to move forward, it needs to come back before the people and let the people understand and know, what is going on with their government. So, we are not going to take a vote through email. If we want to do it, it is still on the table, if we do not want to do it, it needs to come back before the Commission, so we can properly deal with it in front of the public and let the information be known.

Commissioner Shephard stated her reason for changing her vote is the Whipple Trust. The Community Clubhouse was deeded over to the City under a trust and there is a fund that takes care of the Community Clubhouse. If the Whipple Family decided to cancel the deed, then the City would not have anything to do with the statue or grounds. So, I am trying to figure out where we stand legally with the Whipple Trust and Brannen Funds, which takes care of the Community Clubhouse. If the trust agreement is lost with the Whipple Family, where would we go from there?

Commission Chair Deriso, asked does the City own the statue? Commissioner Shephard answered, “no”, and the City does not own the land either. Commission Chair Deriso stated that 15-3-1, which prevents Cities from one legal argument that can be made, since we do not own it, that law (15-3-1) does not apply anyway.

Commissioner Shephard asked, if the Whipple Trust recant the City as provider of the services of the Community Clubhouse and appoint the County Administration over this facility, what will we have then? Commission Chair Deriso stated, this is irrelevant because this is a City issue, the statue sits on something that the City has; now what is going to happen if it is turned over to the County, that will be a trap for us, so I do not want to entertain that.

Commissioner Owens inquired about the rescinding of the vote that made on February 1st; when three Commissioners decided to take the statue down. Commissioner Owens also recalled a vote that was made to postpone going forward with removal of the statue. Commissioner Owens stated, his point is, on February 1st, the Commission voted to remove the statue and it has not properly been rescinded; Commission Owens stated, as far as, he is concern, the statue is still supposed to be removed.

Commissioner Shephard stated that, in the event this is correct, say we did pass on February 1st, we did not specify if we are going to do it in 2022 or 2029 or 2035, we did not specify a period of

time or year. Commissioner Owens stated, we did not specify a period of time, but we agreed that we wanted it to be removed.

Commissioner Shephard asked, "it we need to make an addendum that we move it in 2050?" Commission Chair Deriso stated, "to make sure you put all this in the minutes because this has been the situation of prior Commissions, they have been sitting on stuff, being seat warmers and getting the City's money, isn't being doing nothing. When Commissioner Owens and I came in, one of the things that we did, we picked up a lot of stuff that was just left on the table, and if it was left up to Commissioner Shephard, it wouldn't be settled until 2050 because all she has been doing up here, is sitting up and getting the people's money, have not been effective."

Commissioner Rainey stated, "the way I remember it, we made a motion for it to be removed and then at the next meeting, we asked to have an update from the City Attorney; and at that time the City Attorney informed u of the court case. It was under his advisement that we wait pending the court case in the Supreme Court, before we proceed with the removal. The Motion was also made, if it is removed, to be removed to a as viewable or more viewable location in compliance with the law. But it was under the City's Attorney advisement that we wait and that where we have been." Commission Chair Joshua Deriso stated, "however, the last email that we received, the City Attorney said, they are ready, if we shall go forward with it for the lawsuit. So that means, that they are ready, if we are to face lawsuits and there is also a hand full of advocacy groups that will probably pay for the lawsuit on the City's behalf, which has happened in other Cities. So, the last thing I heard from the City Attorney on it, in writing, the email said, that they are ready. So, the only question is, are we ready to have some political courage to do what our people asked us to do? And it does not seem like we have that up here. But I just want to be on the record for the people to understand that and let them know, who changed what votes and why it is not happening. But it is going to come back before this Commission, so people will understand exactly what happened. When I do these meetings, that's what I am going to so, if something doesn't happen it's going to come back, so the public will understand exactly why it does not happen. So, it is not going to happen in email behind closed doors, it is going to happen and it is going to be explained to the people what's going on and why it is not happening, so we van make an argument that Henry County has a lawsuit pending before the Supreme Court, but there are other Cities that have moved forward with theirs, giving different legal positions. So, the only question is, does this City Commission have the political courage to do it and face what we are going to face, like other Cities have had the political courage to do it."

Commission Rainey asked the City Attorney, "if it is dedeed as a park, it that under our jurisdiction or is it not under our jurisdiction? Seeing the Intergovernmental Agreement that we have with the County."

City Attorney Tommy Coleman answered, "I believe it is your property, yes."

Commission Chair Joshua Deriso, stated, "any Intergovernmental Agreement is their agreement, we can decide not to agree to that when we want to, we do not have to stay static, if we have an agreement with somebody, we can say, we do not want to continue that agreement."

Commissioner Shephard inquired about the status of the Old Boys and Girls Club. City Manager Angela Redding responded, the City is still waiting for the quotes from the structural engineer for the gym. In terms of the 212 building, DCA has approved the use of the facility for EJB.

8. CITY ATTORNEY'S REPORT – No Report.

9. EXECUTIVE SESSION: (For Personnel, Litigation, Real Estate and Legal Matters).
The Commission did not go into Executive Session.

10. ADJOURNMENT: Commissioner Owens moved to adjourn the meeting at 6:53 p.m.; seconded by Commissioner Shephard; the motion was carried by the Commission.

APPROVAL OF MINUTES: Commissioner Rainey moved to approve the minutes from June 21, 2022; seconded by Commissioner Owens; the minutes were approved by the Commission.