

GENEVA CITY COUNCIL
REGULAR MEETING &
PUBLIC HEARING
OCTOBER 2, 2023
6:00 P.M.

MINUTES

The Geneva City Council met in regular session on October 2, 2023, at 6:00 p.m. in the Council room at City Hall. Members present were Mayor David Hayes and Council Members Rufus Lee, Freddy McCoy, Kim Gillespie, Ryan Tidwell, Rich Bixby, Mike Fountain and Daniel L. Coleman. None were absent. Also present were City Clerk/Treasurer Lisa Johnson, City Attorney Jeff Gray, and various department heads and employees.

Mayor Hayes called the meeting to order.

Council Member Lee gave the invocation and Mayor Hayes led the Pledge of Allegiance.

Council Member Coleman moved to dispense with the reading and approve the minutes of September 18, 2023. The motion was seconded by Council Member Bixby. The motion was approved by a four (4) to zero (0) vote with Mayor Hayes and Council Members Lee, Gillespie and Tidwell abstaining.

Ms. Gail Whitehead appeared before Council to register her concerns regarding a vagrant individual continually coming onto her property.

Ms. Tina Miller appeared before Council and read a letter from her Attorney Letta Dillard Gorman outlining a claim against the City and requested it be entered upon the record. No action was taken to enter the letter into the minutes.

Ms. Tina Miller also addressed her request for a liquor license, presented a list of measures or operation she stated she would put in place if a license was granted. Ms. Miller asked that her right to a consideration before a final vote be waived and that Council proceed immediately for a vote to issue a license to sell alcohol for QB'S Sports Bar and Grill with the applicant through Adams Bar Inc.

Mayor Hayes called for the vote for approval of a license. Council Member Lee voted to grant the license. Council Members McCoy, Gillespie, Fountain and Coleman voted against the motion. Mayor Hayes and Council Members Tidwell and Bixby abstained from the vote. Mayor Hayes stated the request for a liquor license was denied based on a four (4) to one (1) vote.

Members of the Greater Geneva Area Chamber of Commerce appeared before Council and gave a live presentation of their new website.

Mr. James Carpenter appeared before Council and presented a letter of intent to purchase and repair the house located at 502 S. Clark Street if the Council would not proceed with abatement of the property under the nuisance ordinance. Attorney Gray explained to Mr. Carpenter he would be responsible for paying for all expenses incurred to-date relating to abatement proceedings and

when he applies for a permit he would have to pay anything owed to the City before receiving a permit. Council Member Tidwell moved to accept Mr. Carpenter's letter of intent and allow him to purchase and repair the property contingent upon him paying all fees due to the City. The motion was seconded by Council Member Bixby and was approved by a seven (7) to zero (0) vote with Mayor Hayes abstaining.

Mayor Hayes presented a report from the Geneva City Planning Commission recommending an amendment to the City's zoning ordinance with regard to allowable uses of M Zones. Council Member Coleman moved to accept the Planning Commission's report and authorize the City Attorney to prepare an amended ordinance. The motion was seconded by Council Member Fountain and was approved by a seven (7) to zero (0) vote with Mayor Hayes abstaining.

Council Member Tidwell moved to approve a permit to hold a Veteran's Day parade to the Chamber of Commerce on November 11th. The motion was seconded by Council Member Bixby and was approved by a seven (7) to zero (0) vote with Mayor Hayes abstaining.

Council Member Lee moved to adopt a resolution authorizing a loan through BankPlus for the funding of the City Hall project. The motion was seconded by Council Member Bixby and was approved by a seven (7) to zero (0) vote with Mayor Hayes abstaining.

Council Member Tidwell moved to adopt a resolution declaring the City Hall project an eligible capital improvement project for the use of Municipal Capital Improvement Funds and authorize the expenditure of current and future funds for the project. The motion was seconded by Council Member Gillespie and was approved by a seven (7) to zero (0) vote with Mayor Hayes abstaining.

Council Member Tidwell moved to adopt a resolution authorizing the opening of a bank account for the deposit and expenditure of loan funds for the City Hall project. The motion was seconded by Council Member Lee and was approved by a seven (7) to zero (0) vote with Mayor Hayes abstaining.

City Attorney Gray declared that an executive session was in order to discuss the job performance of an employee that could reflect on name and character. He explained that the classification of the employee being discussed was not a position in which the open meetings act restricted such from being done in executive session. He further stated the executive session was estimated to take 10 minutes and there could be an announcement after the meeting.

Council Member Bixby moved to go into executive session for the purpose of discussing job performance of an employee. The motion was seconded by Council Member Fountain. Mayor Hayes called for the vote to go into executive session. The vote was as follows:

Ayes:

Mayor Hayes

Council Member Lee

Council Member McCoy

Council Member Gillespie

Nays: None

Council Member Tidwell
Council Member Bixby
Council Member Fountain
Council Member Coleman

Mayor Hayes declared the vote to go into executive session carried unanimously. Executive session began at 6:54 p.m. All Council Members, City Attorney Gray and City Clerk Johnson remained in attendance for executive session.

Council Member Bixby moved to adjourn executive session. The motion was seconded by Council Member Tidwell and was unanimously approved. Executive session adjourned and regular session resumed at 7:09 p.m.

Following executive session, it was announced the Council would vote on disciplinary action of an employee taking into consideration a review and report by a Due Process Committee.

Council Member Gillespie moved to uphold the findings of the majority of the Due Process Committee and not terminate the employment of an employee. The motion was seconded by Council Member Bixby and was approved by a six (6) to zero (0) vote. Those voting in favor of the motion were Council Members Gillespie, Bixby, Lee, Tidwell, Fountain and Coleman. Council Member McCoy voted against the motion and Mayor Hayes abstained.

Mayor Hayes gave the following report:

1. Update on the number of structures that have been abated or brought into compliance under the unsafe structure ordinance
2. Soccer project close out and cost saving to the City
(Council Member Tidwell stated that since completion of the project a tournament has been scheduled)
3. Equipment for the splash pad has shipped
4. Plans to start the entrance façade for the new park
5. Update on City Hall project
6. Housing needs area wide
7. City music festival

Council Member Fountain inquired about the sign for the airport.

Council Member Bixby presented an application for a permit for a parade for homecoming from the high school. He moved to authorize a permit. The motion was seconded by Council Member Tidwell and was approved by a seven (7) to zero (0) vote with Mayor Hayes abstaining.

Council Member Bixby reported on the upcoming Geneva Sports Hall of Fame and invited Council to attend. He suggested hiring a company to redesign the City's website.

Council Member Lee expressed concerns regarding the Fire Department's recent response to a fire. Fire Chief Latimer was in attendance and Council Member Lee asked questions about the incident.

Council Member McCoy asked if anything could be done or was going to be done with the cars on Park Avenue. He also asked that something be done with someone living in a structure off of Ward Street without sanitary utility services.

Council Member Gillespie reported potholes on Woodland and next to the Christian Mission. She reported the yield sign in the triangle at Water and Live Oak Street is missing and asked about what can be done about the grass not being cut on the lot where the house was abated at the same intersection.

Council Member Gillespie stated that it was her understanding that in Senior Center Director Robbie Owens' absence, the office assistant will have to fill in and perform the Director's duties. She asked about compensating the assistant for filling in as interim Director. Council Member Gillespie moved to authorize \$20.00 per hour interim pay for the assistant, while she is performing the Director's duties during her leave of absence. The motion was seconded by Council Member Fountain and was approved by a seven (7) to zero (0) vote with Mayor Hayes abstaining.

Council Member Gillespie reported the City has been awarded \$20,000.00 from Wiregrass RC&D for the pier project. She explained these funds were left over funds from another project that have been transferred and that they need to be spent immediately as they are from a previous year's budget and RC&D needs to close out old project funding.

Council Member McCoy asked about reducing the speed on Pea River Bridge.

Council Member Coleman stated he has received complaints on the condition of Register Avenue and if it can't be patched, it needs to be resurfaced. He asked any Council Member wanting to attend the Sports Hall of Fame to let Sirena Fleming know. Council Member Coleman reported he has had questions regarding the pond at the Junction being dry.

City Clerk Johnson reported on the upcoming 2nd Congressional Dinner and the CDBG project. She and Council Member Gillespie updated Council on the updated pricing for additional cans and the process for billing the City and notifying customers of the change in service.

City Attorney Gray reported on court and moving the date due to the upcoming holiday. He stated he will draft an amendment for the garbage ordinance.

Council Member Coleman inquired about the time for trick-or-treat. The time was set from 5:30 p.m. until 8:00 p.m.

Recreation Director Adams reported on the soccer program and tournaments, the volleyball program and the first Rec Night.

Street and Sanitation Superintendent Brewer reported that the number of City cans in use need to be reduced to cut down on billing with the new company starting to provide service. He reported on park preparations for upcoming holidays and events.

Fire Chief Latimer reported on fire prevention week.

Police Chief Mock gave an activity report for the month of September. He reported on: a fun run involving soldiers from Ft. Rucker, preparing for trick-or-treat and the event at the Junction, Homecoming and speaking with students about safety, the department's annual fundraiser, the *Too Good for Drugs and Violence Program*, and grant funds for law enforcement training classes. Chief Mock addressed a proposed article or letter to the editor, that he has been informed will be printed and that he is mentioned in.

Mayor Hayes stated he has received complaints that bike license are not being enforced.

Council Member Tidwell moved to adjourn. The motion was seconded by Council Member Bixby and was unanimously approved. Council adjourned at 8:15 p.m.