The Lyerly Town Council met for their agenda planning meeting on Tuesday, August 6, 2019 at Lyerly Town Hall. Those in attendance were:

Jim Ferguson, Mayor

Juanita Baker

Gwen Fisher

Phil Brooks

Shirley Davis

August 6, 2019

Mayor Ferguson began the meeting at 7:00 p.m.

Mayor Ferguson said that everyone should have minutes to review and approve next week.

Mayor Ferguson said that we received two bids for the sanitation contract. Wright’s Sanitation bid $9.10 per customer and Arrow Disposal bid $14.95 per customer. Phil Brooks asked what about Santek. Mayor Ferguson said that they are the ones who brought up bidding out the contract and they didn’t turn in a bid. Mayor Ferguson said that the council won’t have to vote on it and we will just stay with Wright’s.

Mayor Ferguson said that the next thing he has is the bids for the new parking lot at Hammond Street and Highway 114. The guy that did the fence at the park, Caleb Whorton, turned in a bid of $52,000 and Sammy Lee with Sam’s Backhoe Service turned in a bid of $60,499. Shirley Davis asked if that includes paving the parking lot. Mayor Ferguson said no, this is just for it to be gravel. He then stated that we received two identical bids of $18,000 from Randy Patty & Delbert Patty. He said that he thinks that we should go with Randy. He said that he is so eager to do it, that he knows it will get done on time. Mayor Ferguson added that Randy verbally agreed to spread the gravel that we purchase from the county. Shirley Davis asked if they are going to chert and gravel it or just gravel it. Mayor Ferguson said that he will pull some top soil off, level it with chert and then top with gravel. Juanita Baker asked about the tree at the bridge of the sidewalk with the hole around it. Mayor Ferguson said that the tree will be removed. He added that he is compiling a list of trees to call the tree service about. He said that he was thinking that we may landscape around the big tree that we are keeping that has the plaque with it. He said that he is thinking of something that will stay green year round and doesn’t require a lot of water. Mayor Ferguson said that he is thinking that we should stake it off and they can work around it. Shirley Davis, Gwen Fisher, Juanita Baker and Kasia Ferguson tossed around ideas of things to plant around the tree.

Mayor Ferguson said that he would like to talk about the Downtown Development Authority (DDA). He said that he read the entire official code of Georgia referring to the DDA. He said that we need seven people, one of whom will be him. They have to own property or operate a business within the town limits and they have to live in Chattooga County. Shirley Davis asked if Kasia Ferguson was to qualify for council, can her dad, Dave Johnston, be on the DDA. Mayor Ferguson said that there is nothing in the law that states anything about the qualifications regarding relations. He thought that no one related to the mayor or council could serve on the DDA but he was mistaken. He called GMA and they said there are no rules about relations. Shirley Davis said that we need to consider people who are for the welfare of Lyerly. Mayor Ferguson agreed. He said that we need people who are interested in developing our downtown back to the way it used to be. Shirley Davis said that she would like to add Johnny Crawford to the list of people to consider. Mayor Ferguson said that he wants to make a rough list of names and go from there. He said that he already has Dave Johnston and Bo Anderson. Juanita Baker said that she would like to add Wayne Gilliland. Gwen Fisher mentioned Jan Pullen. Mayor Ferguson asked Sally Kerce who else they had discussed. Sally Kerce said she mentioned Susan Wyatt but she may not be interested. Kasia Ferguson suggested Duane Jackson or Scott Jackson. Juanita Baker asked about Tony Patel. Shirley Davis and Phil Brooks said no. Phil Brooks then asked if these names would be voted on. Mayor Ferguson said that the people for the DDA would be appointed by him but he wants the councils input. Shirley Davis said that she does not want Tony Patel on the list of people to consider. Phil Brooks said that he doesn’t either. Mayor Ferguson asked Gwen Fisher if she would be interested in being on the DDA if she didn’t run for council this time. Gwen Fisher said yes, if she was needed. Mayor Ferguson then asked about Chirag Patel that owns the liquor store. He said that he is a great guy and is the opposite of Tony Patel. Kasia Ferguson said that he is gung ho Lyerly. Shirley Davis asked if he is independent from Tony Patel. Mayor Ferguson said yes and that he thinks that he would do a great job. Mayor Ferguson went over the list again; Johnny Crawford, Dave Johnston, Bo Anderson, Susan Wyatt, Wayne Gilliland, Duane Jackson, Scott Jackson, Gwen Fisher and Chirag Patel. That is nine names. Juanita Baker said that we need another female. Gwen Fisher said that she mentioned Jan Pullen.

Mayor Ferguson said that since we don’t have a media audience tonight, he wants to throw something out. He said that he would like to let the security guard go. Shirley Davis said that she thought we had already decided to do that. Mayor Ferguson said that we don’t have anyone to replace him at the moment. We had talked about off duty cops but we don’t have them lined up as of yet but the security car has pretty much died and he doesn’t want to buy another one. The security guard has been using his personal truck. Shirley Davis said that we don’t have any security anyway. She said that we may be able to try a neighborhood watch. Everyone keep an eye out and call 9-1-1 if you see anything. Sally Kerce said that the sheriff’s Department had dropped a “Night Eyes” sheet in the drop box to let us know that they came by and checked on things. Shirley Davis said that we could ask everyone to watch around where they live. Juanita Baker said that we could even put that on the water bills because people aren’t going to come to the meetings. Mayor Ferguson said that he would still like to see an off duty deputy here at least a couple nights a week.

Mayor Ferguson said that he also wanted to bring up the row of buildings across the road from the community center that the Tanner’s own. He said that he would like for the town to buy that from the Tanner’s so that we can control how they end up. Juanita Baker said that it would take $100,000 to fix them up. Shirley Davis said that we could tear them down. Mayor Ferguson said that if we wanted to offer them as space, we could just gut them, which would be cheap, if they are structurally sound. If not, we could tear them down. Juanita Baker said that she understood that Cindy Tanner wanted to give them to the town but the family wouldn’t let her. Shirley Davis said that we always need more parking for the community center so we could tear them down and make parking. Mayor Ferguson said that would make a huge parking lot for the community center and the Ragland building. Shirley Davis said that if we ever decide to do something with the Ragland building, it would be more parking for both places. Mayor Ferguson said that he hopes that someone appointed to the DDA will have a great idea for the Ragland building. Juanita Baker said that she just wishes that someone would paint a giant United States flag on the front of the Ragland Building because it is going to cost too much to do anything with it. Juanita Baker asked if the old concrete houses connected to the back of those building go with them. Mayor Ferguson said they do. He added that we can’t do it this year but he would like to consider it. Shirley Davis said that we should consider purchasing the building behind the community center as well. Mayor Ferguson said that it is tied up in probate. The family can’t agree what to do with it. Shirley Davis said that if it becomes available, we should consider it. Mayor Ferguson agreed.

Gwen Fisher said that Trion has told her that their farmer’s market is going great. They are using the pavilion at the park. They are providing cover which is more than we offer. Mayor Ferguson said that he honestly thinks that people don’t believe that they will make any money here. Gwen Fisher said that if we offer them more, it will draw them here. Juanita Baker asked why we don’t try to have yard sales on that lot too and see if that draws more people. Mayor Ferguson said that would be fine with him. He then said that the farmer’s market would be more attractive in the park. Juanita Baker asked if they have a farmer’s market at the Ag building. No one knew. Shirley Davis said that the fair at the Ag center would be a good place to advertise for Down Home Day. Sally Kerce said that we did donate $250 to the fair, the same as last year. Shirley Davis said that since we made a donation, we should have a place to put a sign.

Mayor Ferguson asked if anyone had anymore names to add to the list for DDA before we move on. Sally Kerce said that if we need another female, she thinks that Kimberly Carnes Brown would do a good job. Shirley Davis said that her or her husband Eric either one would be good.

Mayor Ferguson said that next we have the audit. Everyone should have a bound copy. He said that if council will turn to exhibit C2, it is the simplest explanation. It’s on page 8. It shows the net profit for General, Water and SPLOST. Basically we ran a $75,000 profit in Water, $35,000 profit in General and we had $40,000 left over in SPLOST at the beginning of 2019. Juanita Baker asked what the Mayor had found about the loan for the sewer project. Mayor Ferguson said that the last he heard, it has been approved.

Mayor Ferguson said that they were talking about security earlier. He really thinks we need to start considering the security camera system for everything. It would be for City Hall, fire hall, the park, the community center, the sewer pond and probably a couple up and down highway 114. He said that he thinks everything should cost about $25,000. Something that expansive would have to run off of the internet so each camera would have to be connected wirelessly. Shirley Davis asked where the feed to the cameras will be located so we can see what’s going on. Mayor Ferguson said it would be here at city hall. Shirley Davis said that there wouldn’t be anyone here to watch them. Mayor Ferguson said that everything would be recorded. If something happens, we can go back and watch the recorded footage. Shirley Davis asked if the businesses want cameras, are they responsible for their own. Mayor Ferguson said yes. Shirley Davis then asked if we have the money in the budget for the parking lot and cameras. Mayor Ferguson said that we do. The cameras won’t be purchased now; it will probably be November or December. He said that we may bid it out in October and ask that the work be done in December. Kasia Ferguson added that we will also be asking businesses for more donations for the parking lot. We still have four major businesses to ask. Gwen Fisher asked if we are moving the playground. Mayor Ferguson said that we are not moving it this year. Hopefully we can in 2020. Playground equipment is so expensive. Phil Brooks asked if the Mayor has spoken with any security people about the cameras yet. Mayor Ferguson said that we got a price from someone for cameras at city hall and the fire hall and it was about $5,000. That’s where he got the $25,000 estimated cost from.

Mayor Ferguson said that we need to discuss the millage rate. The rollback for 2019 is 10.072%. The 2018 millage rate was 10.151%. Mayor Ferguson said that he suggests that we do not go to the rollback and we either leave it at 10.151% or even go up a little. Juanita Baker said that she agrees. Sally Kerce said that if they decide to go with any millage rate other than the rollback, we have to have three public hearing. Juanita Baker asked how much the taxes would go up if we went with 10.151%. Mayor Ferguson said that property taxes would probably stay about the same as last year. Shirley Davis asked if they would stay the same even if the property values went up. Mayor Ferguson said that the tax amounts will fluctuate based upon the values but you are not going to guarantee any more revenue leaving the millage rate the same as last year. Juanita Baker said that she thinks that we need to leave it the same. Phil Brooks asked how much flack we would get if we went to 10.2%. Mayor Ferguson said that he thinks that we may take some but he doesn’t think that it would be any worse than when we raised water rates. Phil Brooks asked where we would be compared to Trion and Menlo. Mayor Ferguson said that Trion’s millage rate is 6.2%. Juanita Baker said that Trion has that big factory in their town limits. Mayor Ferguson said that Menlo’s millage rate is 5.0%. Juanita Baker said that they have a large factory too. Mayor Ferguson said that Chattooga County’s is 8.65%. The county separates the school millage rate which is 12.68% so you have to add that in there for the county. Also, Trion has a separate millage rate for the school which is 5.7%. Based on that, theirs is higher than ours. Gwen Fisher asked what Summerville’s millage rate is. Sally Kerce said that the City of Summerville does not have a city property tax. Mayor Ferguson said that if you want to compare ours to Menlo, yes, we are a good bit higher but they have SHOWA. He added that he thinks that we should leave it at 10.151%. He said that if the SPLOST hadn’t passed, we would be looking at raising the millage rate for sure. Shirley Davis asked if the stuff that SPLOST is paying for now is coming out of what we had left over from 2018 or the new SPLOST. Sally Kerce said that the new SPLOST doesn’t start until January 2020. Mayor Ferguson said that we had $40,000 left over from 2018 and we have received $60,000 this year so far and out of that, we have built the concession stand, built the fence and we will be doing the parking lot. He added that almost 100% of our SPLOST money has gone in to the park. We haven’t had to use SPLOST for operating expense at all. Mayor Ferguson said that in conclusion to all of the money talk, he believes that we are doing really well.

Mayor Ferguson said that if no one has any suggestions for a code enforcer that leaves him soliciting for it out in the open to whoever may apply. That also means instead of having someone part time for $15,000 or $20,000 it may cost more like $40,000. Sally Kerce asked if he was talking about looking for someone who is already certified. Mayor Ferguson said yes; someone who is certified and looking for a part time job. The other down side is that it will probably be someone that we don’t know. If we turn them loose with the Georgia codes, they can enforce anything. Shirley Davis asked if we have a code enforcer, what backbone would we have to enforce the codes. Mayor Ferguson said that we would have court. Shirley Davis then asked what we would do in court. Mayor Ferguson said that we can fine them and if they refuse to pay the fine then we can have them incrassated. Shirley Davis asked who would pay for all of that. Mayor Ferguson said that the town would or we could seize their property. Shirley Davis then asked if all of these people who have campers against the ordinance, could we get rid of them. Sally Kerce said that they would have 30 days to get in compliance or we could place a lien on their property. Shirley Davis then asked if that would be for the owner of the property or the owner of the camper. Sally Kerce said that it would be a lien for the property holder. He is the one letting it happen. Phil Brooks said that we need to really look at it and make sure that we wouldn’t be better off just to look away rather than to install this enforcement mechanism because it is going to be expensive and we will never re coop the investment. Mayor Ferguson said that any kind of enforcement, law enforcement or code enforcement is cost negative. Shirley Davis then asked if we wouldn’t be better off just to let people do what they want to. Mayor Ferguson said that if we are talking about money only, then yes but if we are talking about quality of life improvements then you have to consider the cost verses the improvement in everyone’s quality of life if people aren’t allowed to live in a camper in someone’s back yard. Shirley Davis said that in her opinion, we can make the prettiest down town Main Street but from Main Street on, it could be a slum and that’s what it is turning into. Mayor Ferguson asked if what he is hearing from Shirley is that it would be worth the money and the return of the quality of life if all of these codes were enforced. Also, he thinks that in the end, if you consider the fact that if you make the town a place where people want to live, because it’s clean and pretty, then people will want to move here which will encourage people to open businesses here which will increase the tax base which in the end we may end up making more money. Shirley Davis said that if we do enforce the codes, she doesn’t think that we should put anyone in jail because we will just have pay for the housing but if we do decide to do this, we should put a lien on their property if they don’t get in compliance, instead of coming out of town’s pocket. Mayor Ferguson said that in the short term, it is going to be expensive and regarding the personality of the enforcer that we get, we could get someone who goes around nit picking about every little thing and then we will have a lot of people with torches and pitch forks out for us. Mayor Ferguson said that there will be a lot of hurt feelings and a lot of people showing up to our meeting mad but on the other hand, we have to take into consideration the person who owns their house and keeps it nice and neat and their neighbor looks like Sanford and Son. That makes their house worthless even though it is nice. Mayor Ferguson said that he has already spoken to the Magistrate Judge Tracey Maddux and he said that he would be happy to come every quarter and we could have court four times a year. Mayor Ferguson said that we may be able to get by with someone who holds a general contractors license and would come and enforce just our codes as far as cleanliness and things like that. That is what he would like to have. He added that if someone came and was upset about us putting a lien on their property and say that we didn’t go about it the right way and they are going to sue us, then we may be in trouble. Shirley Davis said that we just want everyone to have respect for Lyerly and be comfortable and have their homes look nice. Juanita Baker said that since we are now a renter’s community, people don’t care like when the home owners lived here. Mayor Ferguson said that he would look into this and keep the council posted.

There being no further business or discussion, the meeting ended at 8:14 p.m.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Mayor Town Clerk