

The Lyerly Town Council met for their regular monthly meeting on Thursday, June 16, 2022 at Lyerly Town Hall. Those in attendance were:

Mayor James Ferguson
Phil Brooks
Shirley Davis
Jim Gilliland

June 16, 2022

The meeting was called to order by Mayor Ferguson at 7:00pm.

4th of July – Mayor Ferguson said that for some reason, we have only had two or three vendors sign-up for 4th of July in the park. He said that he doesn't think it's worth doing. Shirley Davis said that it's too hot. Mayor Ferguson said that the few that come won't make any money and that will reflect poorly next time.

Atrium Health – Mayor Ferguson said that Atrium Health got in touch with him and they want to put an ambulance in town; a permanent one. Jim Gilliland said that it sounds good. He knows a place they can put it. Mayor Ferguson asked where that is. Jim Gilliland said across the street. Mayor Ferguson said that he thinks that may be a waste of that space, depending on the kind of money they want to invest. Jim Gilliland asked him what his idea was. Mayor Ferguson checked to make sure that Jim Gilliland was talking about the Ragland building. Jim Gilliland said yes. Mayor Ferguson said that we might be able to make more money in the long run doing something else with that building. Jim Gilliland said which is what. It has been sitting there for a long time and it's time to move on it. Mayor Ferguson said that it just depends on how much Atrium is expecting from us and how much they are willing to give to keep an ambulance here. Shirley Davis said we need to find out what it's going to cost us. Mayor Ferguson said yes. If they are willing to pay rent for a certain number of years then.... Jim Gilliland asked if they would want to put their own building up. Mayor Ferguson said that the way they sounded, they want to find something that is already here that requires as little input as possible. He said in West Rome, they use a house. Jim Gilliland asked if there is anything on the main drag here that's empty. Mayor Ferguson said that the small building that is attached to the community center is coming out of probate in a few months so that may be an option. Shirley Davis asked where they would park. Mayor Ferguson said there is room behind it. Shirley Davis said that it's fenced back there. Sally Kerce said that they could park at the community center. Mayor Ferguson said that they can park out front. Jim Gilliland asked if they are talking about the old office of Tanner's. Mayor Ferguson said yes. He said that he will meet with Atrium in a month or so and get an idea of what they want from us if anything and may go around and look at places. Jim Gilliland asked if he thinks that they may be able to lease that building. Mayor Ferguson said maybe. Depends on how much they want to spend. They will need office space, sleeping space and a kitchen. Shirley Davis asked how long it will be before that comes out of probate. Mayor Ferguson said that he was told it would be a couple of months. Jim Gilliland said that he thinks that we need to do something with the Ragland building. Shirley Davis said that we have already voted on that. Jim Gilliland said excuse me Shirley..... if you know the senator from Texas with the patch over his eye, he is saying that governments aren't using this money. Let's take it back and send it to Ukraine. Mayor Ferguson said that we are using it. Jim Gilliland said for what. Mayor Ferguson said for everything we are working on; the Ragland building and the work out back. Jim Gilliland asked if we are moving on doing something with the Ragland building. Mayor Ferguson said that the windows were ordered today. Jim Gilliland said good. He asked if we will have roughly \$85,000 to spend on it. Mayor Ferguson said yes, if

we choose to spend that much. Jim Gilliland said that it's going to take a good bit. Sally Kerce said that she got an email saying that we should receive the second part of the funds in July. Mayor Ferguson said that we can use that money as we go. Shirley Davis said that she thought we had already voted to fix the Ragland building and it would be six months before it got started. Mayor Ferguson said yes. It will be 16 weeks before the windows come in. Jim Gilliland asked the mayor what he said about today; did he say that the information on the windows came in today. Mayor Ferguson said that he ordered the windows today. He said that the contractor came and gave him a couple of options. One was \$11,000 and one was \$17,000. The difference was a ten week wait so he opted for the ten week wait and bought the less expensive windows. Jim Gilliland said that we waited this long, it won't hurt. Mayor Ferguson added that the concrete has been poured out back and now we will bid out the walls and insulation. Shirley Davis said that we do need to spend it if we can. Jim Gilliland asked if there is anything else. Mayor Ferguson said that he doesn't have anything and then asked the council.

Mayor Ferguson opened the floor to the public at 7:08pm.

Michael Haake asked how much it would take to put a fresh coat of gravel on the Ragland building parking lot. Mayor Ferguson said that he doesn't know but could get Michael to find out. Mr. Haake said that it needs touched up. Mayor Ferguson said that he doesn't think the whole thing needs gravel, just places. Jim Gilliland said that paving would be about \$20,000. Mr. Haake asked if we are looking toward paving it. Mayor Ferguson said no. Shirley Davis said that the only way would be if someone uses the building. Jim Gilliland asked if paving it has ever been brought up. Mayor Ferguson said no. Mayor Ferguson asked if anyone else has anything.

Donna Hampton said that she would like to address the farmer's market that has always been across the street. She said that her family has been setting up there for years and would like permission for that to continue, not only for her but for other vendors and other farmers in the area. Mayor Ferguson said like they talked about, she has another option. She can set up at the gravel parking lot at the park. There is about 400 yards difference. Donna Hampton asked why is it that she has to move there just because someone else doesn't like her in the original place. She said McDonald's is next to Jack's but they aren't fighting and arguing. Her family set up there a long time before anyone else did. We have always set up there and that's where people know they will be set up. Mayor Ferguson said to the council "a little context for ya'll", there is the building where they sell produce year round. Donna Hampton came and set up in front of them and they got upset about it. It was not handled in a civil way and he isn't pointing any fingers at anyone. He said that he doesn't care whose fault it was; bottom line, it was not handled in a civil manner. Whether you started or she did or you continued it or she did is irrelevant. He said that the only thing that he can do is separate them. Donna said that she went across the street. Mayor Ferguson said that's great. Donna said that they made her move because of them. Mayor Ferguson said that is between her and the people who gave her permission to set up. As far as the town is concerned, the only fair thing that he can figure is to shut the parking lot to everyone that is selling anything and have all of you move to the gravel parking lot at the park. It's close by and there is very little difference geographically and you're still on the highway because he can't ask them to jack their building up and move it. Donna said that she isn't asking them to jack up their building and move; that was a farmer's market. That is where they started out also. She said she has every right to set up there as a local farmer in this community without being abused. Shirley Davis asked how many years has it been since she has set up there. Donna said they didn't set up the last two years because of COVID. Shirley Davis said that we didn't put it back out as a farmer's market. It hasn't been set up this year to be a farmer's market. Jim Gilliland asked if we have to do it every year. Shirley Davis said that the farmer's market sign isn't up over there; we took it down. Sally Kerce said that we moved the sign because it kept falling over but... Shirley Davis said that the land has been there and Donna was the only one that set up there for a long

time. Mayor Ferguson said that he doesn't dispute any of that but he can't cherry pick who sets up over there and who doesn't. He also can't referee personal disputes between you and someone else over there. He said he isn't saying whose fault it was; the problem is that it continued every single day that Donna was set up and he can't do anything to prevent it. He isn't the police. Donna said that she didn't tell her to rent the building right there. Shirley Davis said that is their business. Donna said that it's her business also to set up over there and sell. Mayor Ferguson said that he isn't preventing her from setting up and selling. Donna said she has a lawyer that says she can set up anywhere and not have a peddler's license. They set up there and she never said anything to them. She said she moved down to the Ragland building because they said she was too close to them. Mayor Ferguson said yeah, but you moved right back. Donna said yeah because that weekend she came down and everyone was setting up in front of her building but she can't set up in the middle of the parking lot but everyone else can set up and block her building. Mayor Ferguson said to solve the problem; everyone is to go to the gravel parking lot at the park. Donna said so you are saying no farmer's can set up there. Junior Jones can't set up and sell watermelons like he always has. Mayor Ferguson said no one. Donna asked if that doesn't have to be voted on by the council. She said that she's asking because she has Albert Palmour on the phone telling her to ask. Mayor Ferguson said that is the only thing that is fair. And he isn't denying her a place; he is just changing it by about 400 yards. It is still town property and she has permission to set up there as often as she wants, anytime she wants. Donna said that she just doesn't condone bad behavior and she thinks that what he is doing. She apologized if that sounds rude but that's exactly what you are doing. You are letting someone bully me out of setting up where they have always set up at and the freedom to sell their local produce. Mayor Ferguson said that he isn't denying her the freedom to sell her produce; I'm changing the place for you to sell your produce. Donna said because someone wants to grip about it when they should stay in their business and run their business. They can bring their tables out there and set up too. Its right across from the dollar store, its right next to the BBQ place. There is more traffic in that area than there is down here. Mayor Ferguson said that it is still public property. Donna said it is public property but it's only a thing because she has a problem with me selling produce. Jim Gilliland said that maybe it does need to be voted on. Donna said that she (the other lady) started in that parking lot just like we did. Mayor Ferguson said that he had just as many people telling him that Donna was problem as he did have telling him that she was the problem. Donna said that she never said a word to her until she cussed in front of her grandson. I told her not to cuss me in front of my grandson. Then her husband cussed me and threatened to make me disappear and I didn't do anything to him. Mayor Ferguson said, like he said, it's mutual and he isn't taking sides. Donna said yes you are because you're making me move because they are gripping. Mayor Ferguson said you are portable, they are not. Shirley Davis said that they pay rent and have a business license from the town. Donna said she asked if she could pay rent and was told no. Shirley Davis said that their business is year round and yours is just seasonal. Donna said that their business hasn't been open for two days and she was told that is just a hobby. She said that her family makes a living doing this. Mayor Ferguson asked Donna doesn't she sell at her farm. Donna said they sell at the farm, at farmer's markets, trade day, out here and we've never had a problem with other vendors. Mayor Ferguson said that this isn't the only avenue to sell your produce. He isn't denying you the ability to do it, he's just changing the place. Donna said that it is punishing the tubers and everyone that was setting up there all because they want to grip about their building being blocked when she didn't block it. She said to the mayor that she moved three times for him. She didn't call and grip at him. Mayor Ferguson said that she moved once. Donna said that she has text messages where she was asked to move three times. Mayor Ferguson said that is because you were asked repeatedly to move and you didn't. Donna said that she moved every time she was asked to except the last time because she was already set up. She said that she will not be discriminated against because other vendors can set up there and she can't. Mayor Ferguson said that other vendors can't either. Donna said that they were allowed to and nothing was said to them until I went back and set up in my original place that I have always set up at. I move from there and go across

the street to the dollar store and she calls the district manager and has her moved again. Donna said that she has jumped through hoops for her, never cussed her and never been ugly to her. She said that she sent her customers. Mayor Ferguson said that he thinks it's ridiculous. Donna said that it's crazy. Mayor Ferguson thinks that there is a genuine opportunity for you to supplement each other's business and it would have worked out for the both of you but they couldn't make that work so she now has to move down to the gravel parking lot at the park. Donna said she would set up at Lucky's. Jim Gilliland said so you're saying...Mayor Ferguson said ok; that'll work too. Jim Gilliland said excuse me. Can I make a statement here, since I am on the council? Mayor Ferguson said settle down, go ahead. Jim Gilliland said wrong one. Mayor Ferguson said go ahead Jim. Jim Gilliland said that you are saying that only other produce peddler cannot go there. Donna said yes, that's what he's saying. Mayor Ferguson said in that parking lot, no one can sell anything. Jim Gilliland said that what he wanted to know. Donna said to tell them why. Mayor Ferguson said that he just did. Donna said that she set up there as a farmer's daughter like she has always set up and she (The other lady) had a problem with me selling produce. I don't have a problem with her; she has a problem with me. I have done everything I was asked to do, even though she has every right to set up there; she had permission to. You gave it to me. I was not the one blowing your phone up. Shirley Davis asked if she had permission this year. Sally Kerce said that she did give her permission this year because honestly she didn't think there would be an issue. She asked if she could set up where she always has and I said go ahead. Shirley Davis said that this lady has a business there and she is paying rent on a building. Part of her rent comes from selling produce. Donna said she is never open. Shirley Davis told Donna that when she set up that week, she understand that that lady lost almost \$1,000 because she bought produce and it went bad because she couldn't sell it because you were setting there. Donna said she hasn't had any customers hardly. I set there for almost a week and she barley had any customers. I don't know how she lost \$1,000 worth of produce. Shirley Davis said because you were setting there selling produce. Donna said it wouldn't matter if she set up across the street or at her farm; she's going to have a problem with it, period. Shirley Davis said well, that's her business. Donna said that she didn't set up there to hurt her business. And if she told you she lost \$1,000 worth of stuff, I'd like to see those receipts. Shirley Davis said she'll show them to you. Jim Gilliland asked the mayor if he would like to designate the gravel parking lot at the park for vendors. Mayor Ferguson said yes. Shirley Davis said no yard sales. Mayor Ferguson said no. All of the people that were usually out here will now go down there. Shirley Davis said that they aren't saying no one can set up in Lyerly; we have them a place. Donna said that she has set up all over Lyerly and been ran off because of her. Mayor Ferguson said or owners can let whoever they want set up in their parking lot. Mayor Ferguson asked the council if they have anything else. No one did.

Shirley Davis made the motion to adjourn. Phil Brooks seconded. All in favor.

Meeting was adjourned at 7:23 pm.

Mayor

Town Clerk