

**WALNUT GROVE CITY COUNCIL MINUTES**  
**THURSDAY, MAY 10, 2018**  
**7:00 P.M.**

**Present at Meeting:**

**Mayor Lamar Lee**

**Mark Moore**

**Linda Pilgrim**

**Carol Witcher**

**Mike Malcom, City Attorney**

**I. CALL TO ORDER**

Meeting called to order by Mayor Lamar Lee

**II. INVOCATION**

Given by Carol Witcher

**III. PLEDGE OF ALLEGIANCE**

All stood for the Pledge of Allegiance.

**IV. AGENDA APPROVAL**

Kathy Glass, City Clerk asked for the agenda to be amended to add approval under New Business Heat Pump for City Hall. Mark Moore made a motion we add Heat Pump for City Hall under New Business, Linda Pilgrim seconded the motion, opportunity for discussion, motion passed.

**V. PUBLIC HEARING**

a. Rezone for Jon Dial Property

72.28 Acres zoned A-1 Agricultural to PUD (Planned Unit Development District)

17.77 acres zoned A-1 Agricultural to C-2 Commercial

Mike Malcom, City Attorney – for purposes of procedure going by the zoning procedures law we will allow the applicant or their representative to speak for 10 minutes on behalf of the rezone then we will take any who is opposed anyone who wants to speak on behalf of the rezone in addition to the applicant will get 5 minutes. We will have to stick to those time limits because we have other business as well tonight. Anyone who wants to speak against the rezone will also have 5 minutes to speak. Then we will open it up for the council to ask questions of the applicant. Andrea Gray, attorney for the applicant, spoke on his behalf. She thanked the Council for the opportunity to speak to them at a work session on Tuesday and for the opportunity to speak to them tonight regarding The Enclave at Dial Farm. Thank you for your time and effort and working with us your engineering and legal staff has been great to work with. She described the property they are asking to be rezoned and what the rezone would be and how it would be developed. At your work session on Tuesday it was said this development is bigger in size and scope than anything you have ever seen before. This development meets the goals of your 2017 comprehensive plan. She further described the size of the homes and lots and the individuals who these homes would appeal to. She passed out flyers that described the homes they intend to build. She also gave the City a reservation of constitutional rights letter in the case their rezone request were not approved. They received the conditions Precision Planning suggested be a part of the rezone and her client does agree with all 18 of the conditions on the residential and the 7 conditions on the commercial portion. She respectfully requested the City approve the rezoning as submitted.

Mike Malcom – Is anyone else interested in speaking on behalf of the rezone? Is there anyone who signed in and wants to speak in favor of the rezone? None. Is there anyone who signed in who wishes to speak against the rezone? Mr. Malcom asked Jimmy Parker to stand and read out the 18 conditions PPI recommended be included in the rezone

application should it be granted. The conditions were read out loud. Mike Malcom – Does the Council have any questions of the applicant? Mark Moore – the only question I have #9 about the sidewalks – Our current zoning is three feet for internal residential with a two foot buffer but it doesn't mention a four foot going down Forrester Cemetery and Hwy 138 to match our current zoning requirements. Is that included? Jimmy Parker – It is not included in the current conditions. So, we don't allow any sidewalks going down Forrester Cemetery or Hwy 138? Jimmy Parker - The Council could ask for that condition it is just not included in the conditions presented. Mark Moore – Well I make a motion we add the four foot sidewalk going down Forrester Cemetery – Mike Malcom – you probably need to ask the applicant if they are willing to do that. Mark Moore – Are you willing to do that? Andrea Gray – the applicant is willing to accommodate your request. Mike Malcom – Are there any other questions from the Council? At that point the re zone is on the table for the Council's consideration. Carol Witcher – I make a motion we accept Sun Dial Enterprises request from Agricultural to P.U.D with all 18 of the recommended conditions by our City Engineers along with the additional condition of four foot sidewalks on Forrester Cemetery Rd. and Hwy 138. Mark Moore seconded the motion, opportunity for discussion, motion passed. Mark Moore made a motion to approve the request from Sun Dial Enterprises to rezone the 17.77 acres from Agricultural to C-2 along with the 7 conditions recommended by the City's Engineers. Motion seconded by Carol Witcher, opportunity for discussion, motion passed.

b. Budget 2018/2019

Mike Malcom – We will follow the same format for the Budget Hearing. Each person who wishes to speak will be give five minutes each. Is there anyone who would like to speak in favor of the budget at this time? State your name. Guy Hall. Guy Hall – I'm one of the trustees with the public library and a couple of months ago we had a discussion about the funding of the library. I think with new patrons moving to the area we would like to go back to the 49,000 per year. That is my argument for that. I do have a question about what just happened here. You approved this qualification about the sidewalks. Was this just passed? Was this presented at a previous meeting? Mike Malcom – Four meetings. Mr. Hall but not the last meeting? Mike Malcom – No they withdrew their application. Mr. Hall – So they were asking for apartments but withdrew their application and resubmitted it with residential housing. Obviously with this development there will be a need for a street light. Could the City advocate for this light? Mike Malcom – Hwy 138 is a state highway and they would have to do a traffic study and determine if they would put in a light there. Mr. Don Cannon – Mr. Mayor and Council I will be very brief. I have provided you the needs of the Walnut Grove Library. I asked as you deliberate on this budget that you will look at the needs we have. The desire we have to go back to 44 hours of open time for the citizens of Walnut Grove and the surrounding area. And we really implore you to look at that and reinstate the budget next year back to the \$49,900 level so we can at least regain some ground we lost with respect to this year's budget. Carol Witcher – Mr. Cannon can I ask you a question please? What are the benefits the library receives from Uncle Remus? Mr. Cannon – Well Uncle Remus is the organization under which we operate. It was through Uncle Remus we petitioned the State to get the funds to build the library. They manage the library they provide the books. I could spend the next 45 minutes with the help of others here giving you a long litany of things they do. Carol Witcher – How do they support you financially? Mr. Cannon – they do not support us financially We are financed by the City of Walnut Grove and our County. We also get funding through the State library for books and other things such as technical support. Uncle Remus does not provide financial aid. They provide assistance in handling our finances. Carol Witcher- Do you receive any financial aid from Friends of the Library? Don Cannon – Yes, we do. Mike Malcom – Any other questions? Anyone else? I am Michele Ramey and I have been a resident here for 18 years. I'm here on behalf of the library. She explained how she has used the library and brings her granddaughter and how much it has benefited her. With the budget cut they have to visit another library. Sarah Weaver – also stated the benefits her granddaughter gets from the Walnut Grove Library. Mike Malcom – Anyone else wish to speak on the budget? Hearing none the Budget Hearing is closed. The Clerk explained the budget would be voted on in June at the City Council Meeting.

**VI. PUBLIC COMMENT**

Don Cannon – I am excited to introduce the new Director of the Uncle Remus Library System. Ms. Stacy Brown. She replaces Ben Carter who effective May 1 took a position as a deputy state librarian. We are very pleased to have Stacy come and fill this leadership role. She has extensive experience. She comes from the Conyers Rockdale Library System of which she was the director. We will be inviting you to a reception soon to get to know her better.

Stephanie Moncrief–I'm here on behalf of Emerald Cove. I've had complaints there was a sign put in front of our neighborhood saying there was work to be done and they have left big ruts and dirt. It needs to be repaired and I was wondering who we needed to address that to? It is the company putting in the gas line. Mayor Lee – Come look at my front yard. They removed the sign and there has been no indication that they intend to repair it. Mayor Lee – It will be repaired before they get through. Mike Malcom – Any other public comment? See none the meeting was turned back over to Mayor Lee.

**VII. MINUTES APPROVAL – MARCH 8, 2018, APRIL 15, 2018 APRIL 17, 2018**

Mark Moore made a motion the minutes be approved as presented, Linda Pilgrim seconded the motion, opportunity for discussion, motion passed.

**VIII. PUBLIC WORKS REPORT –**

Mr. Barton is out of town. About the only thing he would want to report on is we've got to fertilize and spray the sewer plant field. We will get into that later on. They say we've got to vote on this tonight. Kathy Glass – the fertilizer has to be put on the spray fields. It was mentioned at the March meeting and we didn't have a quorum for the April meeting so we haven't had an opportunity to talk about it again. Time is getting away from us and the fertilizer is between 1500 and 2,000 dollars. That needs to be voted on so it can be put on the fields. Linda Pilgrim – Why does it need to be fertilized? Kathy Glass – to keep the Bermuda grass alive. That is what EPD required us to plant and that is what is there. I am speaking out of turn because I'm not sure. But that is what I was told. That is what EPD required us to plant so we don't want anything to happen to it. Linda Pilgrim – but what does happen to it? The hay? Isn't that what grows over there? Kathy Glass – Well what did we put on it to kill the Linda Pilgrim – the pre-emergent Kathy Glass – that killed off what was growing in with the Bermuda Linda Pilgrim – the crab grass or whatever. Kathy Glass – I don't know enough to talk about it. I was just told we need to vote on the fertilizer because it needed to be done. Mayor Lee – well that is some place I don't know anything about. Maxine McClanahan – having sat on the sewage board when we met and planned the sewage system part of what took place in our plan, was what happens to the hay, what happens to the field, who maintains it. It was agreed by the sewage board at that time that we would make arrangements to have someone take care of the hay, mow it and we are required. Linda Pilgrim – who mows it? Who cuts it? Kathy Glass – Alan Barton – Maxine McClanahan – ok I was going to say I don't know the answer to that but I know it was agreed that whoever cut the hay it was an agreement that they would receive that hay if they wanted because they would not be charging us anything to cut it. That is standard procedure in a lot of places. I do believe the meeting later right after the sprinkler system was in the Council, prior to this Council, discussed it at one of the meetings I attended and part of the discussion was who should cut it and at that meeting it was decided Alan would cut it because of the sprinkler heads and the damage that could happen. It was my understanding we had someone substitute when Alan was out with Shoulder injury and some of the sprinkler heads were broken at that time by whoever cut it. It is important that whoever cuts it is aware and can maintain. It isn't as simple as cutting a hay field. Linda Pilgrim – well what happens to the hay after it is cut. Maxine McClanahan – whatever they want to do with it. That is their choice they are cutting it at their expense. Whoever, the council chooses that was what was in agreement with the sewage board at the time. I don't know for certain that is the whole process but that was what was discussed at the time the sewage board met. Whoever cut the hay could do what they wanted with it. They could take it home, they could sell it but they do have to pick it up. Linda Pilgrim – there was an agreement that it could be cut and sold? Maxine Yes L. Pilgrim – but didn't the hay belong to the City? The spray field belongs to the City. Maxine McClanahan - well you have two choices you can pay someone to come cut it and keep the hay or the hay can be the payment for

cutting it. Mark Moore – and who is responsible for the damage in the process of collecting the hay to the current sprinkler heads. Maxine McClanahan - that I don't what has been said on that. But my guess would be unless you can prove who cut the hay and di the damage it would still fall to the city. Unless someone saw someone else do it would fall to the City. unknown person is Alan an employee of the City? Maxine – he is. Last I heard he was cutting it on weekends Mark Moore - and do we know if he is.... Mike Malcom –Hold on Hold on ... madam would you like to speak? **Speaking over each other** Come up to the podium. Kathy Glass – I need your name if you are going to comment. Lisa Whitehead – He is an employee of the City. He is getting paid to cut the grass and then you allow him to do whatever with the hay he wants? Kathy Glass – He cuts the grass on his off time, at night or on the weekend. So, is he using his own equipment or the city's? Kathy Glass – he uses his own tractor. Lisa Whitehead – but why doesn't the City cut it? And then y'all profit from it and ya'll do what you want it sounds ridiculous. Kathy Glass – that is up to the Council. Jon Dial – You got \$50,000 to put in to the equipment? Lisa Whitehead – Ya'll have enough equipment do you not? Mayor Lee - No, Carol Witcher – No. Mark Moore – I don't think the City of Walnut Grove needs to get into the hay selling business. I personally don't have an issue with either contracting it out to a third party to come in and cut that field if they are profiting from the hay so be it so long as we are not paying them to cut that field. Now if we are paying them to cut that field we are talking about a different story. But if they are willing to do that on the profit of what ever clippings they receive from it all the better. Kathy Glass – the hay won't be good for anything after the sewer plant is up and running. After all of that is sprayed out over the field it can't be used for animal consumption it can only be used for landscaping purposes. It is limited to what you can use it for after you start the plant up and running. Mark Moore – and I wouldn't mind in the future if we had another party that would like to take bids in cutting that field for the hay and giving us a return that would be fine. Up until this point my understanding is we don't have anybody willing to do so. The way I look at it this is a benefit to the City to be able to have that field cut without us paying for it. So long as they are responsible enough not to do damage to our fields or our sprinkler heads and any equipment on there. Carol Witcher – Ma'am Alan has been out there since day one with that spray field. He knows it like the back of his hands. He is well equipped to run the tractor. Thank you for your time. Mayor Lee – come on. Come to the podium. My name is Brian Pilgrim and I work for the City of Walnut Grove. Course ya'll know that. Just letting ya'll know. Alan did not cut that hay on the weekend. He cut it during the week. I saw him do it. I sat there and weed eated around the spray heads for two days straight. Kathy Glass – Are you saying he did it during his time working? Brian Pilgrim – on the clock for the City. Unknown person - Amen I know he is salaried. I done heard that before and I can't hold it in anymore. Mayor Lee – but he cut it... Brian Pilgrim – It is not right to do that. Carol Witcher – What? Brian Pilgrim – It is not right to do that. I think all y'all would agree with me. Carol Witcher – there are probably a lot of things we would agree to in different ways. But I don't think I understand your reason for saying that. Brian Pilgrim – because.... Carol Witcher – has that been a bug in your saddle for a long time? Brian Pilgrim – I don't think it is the correct way to doing things. Cut hay, give hay, sell hay. Carol Witcher – the hay is not going to be used for any animal. It can't be. What do you think he is going to be using it for? Brian when the sewer plant is up and running it won't be any good. It is not up and running. It is attached to one person that is Silt Saver. Carol Witcher - And what about the preemergent and the fertilizer? If you are a livestock person you are not going to put that kind if stuff in your horse and cow's mouth. There are certain ways to fertilize those fields for that kind of hay. Brian Pilgrim - what about last year? Carol Witcher – what about last year. Brian Pilgrim - the sewer plant is not up and running right now. Carol Witcher - the hay has to be cut and there was an agreement with Alan to do so. Brian Pilgrim - I just think that is wrong. Wrong procedure. He is an employee he shouldn't do that. If he can do it on the weekend. And if you cut hay you know you can't do it on two days. That's my argument. I just had to say it. CLAPPING. Mayor Lee – yes ma'am. Stephanie Moncrief – I am having a very difficult time right now trying to understand why you don't understand why this is wrong. He works for the City. He is benefiting from his position as a City employee. It is unethical, it is illegal, it is wrong. What do we not understand about that. I am very curious to hear. Thank you. Mumbling.... I don't care. I'll go to the paper..... Mayor Lee – Was you finished? Maxine McClanahan – I would just simply say to everyone I'm kind of at a loss here. I spoke what I knew from being on the sewage board. The first time I heard it going on. What I knew was set up. My first question would be I don't know where Brian has spoken or who he has spoken to about this and he hasn't answered that now. This doesn't sound like something that needs to be discussed at City Council This sounds like an employee issue or a contractor issue and that should fall to his boss

people whether that is the full council or the Mayor to address and find out whether or not he has been doing this during his work time. And if not then or if he has then address it. I agree it is not appropriate for him to do it during work time. But it seems to me there are a lot of people saying things that I have nothing in here to show me that this is actually what is going on or not going on. So that is all I would ask of the Council. Take a look at it outside of here. Mike Malcom – Mr. Mayor maybe we should table this issue until Alan can be here. Mayor Lee – that is what I was going to say. We are going to table this. Is there a motion to table it? Mark Moore – I make a motion that we table this discussion until we talk to Alan Barton, seconded by Carol Witcher, motion passed.

#### FINANCIAL REPORT

Clerk, Katherine Glass, directed Council to the financials in their book. Mark Moore made a motion the financial report be accepted as presented, Linda Pilgrim seconded the motion, opportunity for discussion, motion passed. Mark Moore - Mr. Mayor I would like to request this budget be given to us at least 2 days prior to the meeting to save time. Kathy Glass – you mean the financials? I can email those to you along with the agenda.

#### CLERK'S REPORT

Activity report given for March and April.

#### CODE ENFORCEMENT REPORT

Code enforcement officer was not present – no report

#### MAYOR'S REPORT

We had Arbor Day Celebration. Mr. Beryl Budd with the Forestry Department announced Walnut Grove had met all the conditions to become a Tree City. If you will notice there a couple of signs to signify that here in the City. On June 7<sup>th</sup> at 10:00 the new Walton County Fire/EMS building will be open and up and running. They will cut the ribbon on it. We would like to have everyone attend that. This will be something we will be proud of. Also, let me make this little comment here about the sewer, they will be the first ones to flush it. The Fire Department.

#### OLD BUSINESS

None

#### NEW BUSINESS

Bids on a new heat pump for City Hall. The three quotes were #1 Wayne Dimsdale a Goodman three-ton 14Seer Heat Pump with a five-year warranty on the unit and 1 year on the labor for \$4,200.00, #2 Mayfield Pool Heating & Air from Social Circle quoted a Rheem 3.5 ton package There price was \$5,690.00. They offered a ten-year warranty on the unit and 1 year on the labor. #3 Top Notch Mechanical from Covington quoted a Goodman 3.5 ton system with a ten-year warranty on the unit and a 1 year warranty on the labor for \$4,688.00. There was discussion on the three quotes. Mark Moore - I make a motion we go with Top Notch Mechanical with a ten-year warranty for \$4,688.00 because I would rather have the extra five-year warranty. Mayor Lee – Mike do we have to take the lowest bid. Mike Malcom – he has made a motion we need a second. Mayor Lee – do we have a second? Linda Pilgrim seconded the motion, opportunity for discussion, motion passed.

#### DISCUSSION ITEMS

None

#### COUNCIL COMMENTS:

Mark Moore – I want to appreciate everyone who came and the comments about the library. It gives me a lot of thought. I'd like to get some more information on it. And also, the comments about the hay. It was something that was brought to me and it didn't seem like as big an ordeal as I thought. But I want to make sure that we as a City Council are transparent in everything that we do. And Make sure the City and our citizens are aware of what we do. If you have an issue please continue to come and say so we can look into it. I'm here for y'all. Thank you. The library is important.

Linda Pilgrim – I agree with what mark said about being transparent. Everyone needs to know what everyone else is doing. That we are doing it honestly and openly. And I want to say the library is important and I will try hard to get the funds and put it back where it belongs.

Carol Witcher -I just find the whole thing very intriguing. I know the importance of the library and I understand the reasons to have it for children. I have fought for libraries my whole life and I haven't quit. And I haven't said this is going to be a dead in the water situation. I know that somewhere down the road as we increase our housing and population and get new blood on council as all of us fade away I expect that library to be twice in size what it is today. She continued with what she envisioned in the future in Walnut Grove. She encouraged the audience to continue to attend council meetings. In situations of personnel that issue should come to the Mayor and allow the Mayor who is the personnel manager of the City to make those decisions and discuss it. I don't know that it is appropriate in a situation like this to have done that. Especially since the young man that spoke is the child of the woman who brought it up. That bothers me. For a multitude of reasons, if something isn't done adequately or done the right way we will stay as ethically as we possible can. I guarantee you because I don't want to see the Ethic s Commission eye to eye and toes to toes. We will do the best we can for this City under every circumstance. If I don't do the best I personally will get up and walk out the door. I feel very strong about keeping this City above board, clean, growing, people being able to speak to each other in new restaurants here.

Linda Pilgrim – I would like to say something right quick. It is good to see Andy Byrd out and about again tonight. I know he has been out for awhile but he is a long-time servant of Walnut Grove. Him his mom and dad have served the City. It is good to see you. Mark Moore – I agree with that.

Motion to adjourn made by Carol Witcher, seconded by Mark Moore, motion passed.