MINUTES OF SPECIAL CALLED REGULAR COMMISSION MEETING
MACON-BIBB COUNTY COMMISSION
December 9, 2014 – 6:00 P.M.
Government Center
(Commission Chamber)

The Special Called Regular Commission meeting of the Macon-Bibb County Commission was held on December 9, 2014 at 6:00 P.M. in the Commission Chamber at Government Center.

Commission Members Present:

Mayor Robert A.B. Reichert
Mayor Pro Tem Bert Bivins, III
Commissioner Gary Bechtel
Commissioner Larry Schlesinger
Commissioner Elaine Lucas
Commissioner Mallory Jones, III
Commissioner Ed DeFore
Commissioner Scotty Shepherd
Commissioner Al Tillman

Commission Members Absent:

Commissioner Virgil Watkins, Jr.

Staff Present:

Judd Drake – County Attorney
Crystal Jones – Sr. Asst. County Attorney
Opie Bowen – Asst. County Attorney
Reggie McClendon – Asst. County Attorney
Kevin Barrere – Public Affairs
Trae McCombs – Public Affairs
Chris Floore – Assistant to County Manager
Shelia Thurmond – Clerk of Commission
Steve Layson – Asst. Co. Mgr – Infrastructure
Jean S. Howard – Asst. Clerk of Commission
Janice Ross – Training & Events Coordinator
Shanta Gilmore, Archive Specialist, BOC

Guests in Attendance

Senator David Lucas
Martha Blue
Christopher Blue (son of Martha Blue)
Herbert Dennard, GA Informer
Pam Carswell, Keep Macon-Bibb Beautiful
Members of the Austin Center for Development – Village Green Community
Macon-Bibb County GCAPS Students:
   Kennedy McDuffie
   Chase McCard

News Media Present

Jim Gaines – The Telegraph
Ron Wildman – 58 WPGA
CALL TO ORDER

The meeting was called to order by Mayor Robert A. B. Reichert.

PRAYER

The prayer was rendered by Pastor Keith Watson of New City Church

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by GCAPS students Kennedy McDuffie of Mount de Sales Academy and Chase McCord of Howard High School.

APPROVAL OF MINUTES

A. Pre-Commission Meeting on November 18, 2014
B. Regular Commission Meeting on November 18, 2014
C. Special Called Meeting on December 1, 2014 (Re: TAD Bond Resolutions and Kumho Pilot Agreement)

ACTION:

On motion of Commissioner Ed DeFore, seconded by Commissioner Larry Schlesinger, and carried unanimously, the minutes of the Pre-Commission and Regular Commission meetings held on November 18, 2014 and the Special Called meeting held on December 1, 2014 were approved as presented.


INVITED GUESTS

Pastor Keith Watson of New City Church was invited to render the prayer for tonight’s Regular Commission Meeting.

Mr. Frank Austin, founder of the Austin Center for Development and current Village Green Shalom Zone leader, was presented a Proclamation by Mayor Reichert in recognition of the many educational, health, housing, crime prevention, and economic development services provided by the Austin Center to the Village Green community. The Austin Center for Development was also awarded the “Litter Prevention Award” by Keep Macon-Bibb Beautiful and nominated for the Keep America Beautiful National Iron Eye Code Award. Mr. Austin will receive the first place award for the State of Georgia “Keep Georgia Beautiful Litter Prevention” program on December 12, 2014 in Atlanta, Georgia.

Mrs. Martha Louise Knox Blue was presented a Resolution by Senator David Lucas, District 26, signed by Georgia Lieutenant Governor Casey Cagle, in recognition of her
fifty years of service to the Macon-Bibb County Department of Family and Children Services. She was also recognized for being the longest serving State of Georgia employee upon her retirement earlier this year. Mrs. Blue, who was accompanied by her son, Christopher Blue, stated she loved serving the citizens of Macon-Bibb County and the State of Georgia during her tenure and will continue to be an active member of the local community.

PUBLIC COMMENTS ON AGENDA ITEMS

None

REPORTS FROM COMMITTEES AND DEPARTMENTS

Operations and Finance Committee

Committee Chairman Gary Bechtel reported that the Operations and Finance Committee met on Tuesday, November 25, 2014 and considered and/or approved the following:

- An Ordinance to revise Chapter 26, Article V imposing license fees and taxes on insurance and premiums.

- A Resolution to adopt the 2nd Amendment to the Bibb County Pension plan of 1968 so as to establish the Pension Trustee Board to designate the composition of the Board and to grant the newly designated Board those powers formerly granted to the Macon-Bibb County Commission under Section 13.03 as amended.

- A Resolution to amend the Master Statement of Investment Policy to allow for immediate termination of under-performing investment managers.

- A Resolution to authorize and approve the purchase of residential garbage carts and recycling carts for the Solid Waste Department in the amount of $84,989.89.

- A Resolution authorizing the Mayor to execute an agreement with Due South Investments, LLC for office space in the BB&T building to be occupied by the Public Defender’s Office.

- A Resolution in support of Senate Bill 2891 and House Bill 4726 of the 113th Congress, jointly known as the Innovation in Surface Transportation Act of 2014; authorizing the Mayor and Commission to execute a Letter of Support to the Congressional Delegation.

- Mayor Reichert was authorized to write a letter to the Legislative Delegation reiterating the feelings of the Commission that were voiced during the discussion held on the budget reduction requirement.

- An Ordinance authorizing a one-time suspension of the Holiday Pay Schedule as designated in Section 5.04 of the Macon-Bibb County Government Policies and Procedures Manual regarding the 2014 Christmas Holiday and amending the date of
recognition for Christmas Eve. The holiday will be on Thursday, December 25, 2014, and Friday, December 26, 2014.

- The following grant requests/acceptance were approved:
  
  The Resolution authorizing the acceptance of the Tourism Product Development Grant in the amount of $4,645 awarded to the Mayor’s Office.
  
  The Resolution authorizing the acceptance of the Christmas with a Deputy Grant in the amount of $2,500 awarded to the Sheriff’s Department.
  
  The Resolution authorizing the Mayor to apply for the Georgia Recreational Trails Program Grant application for $100,000 from the Georgia Department of Natural Resources to construct a portion of the Connector Trail between Amerson Waterworks Park and the Ocmulgee Heritage Trail as amended.
  
  The Resolution in support of the Macon Arts Alliance efforts to seek grant funding via the National Endowment for the Arts in support of an Arts Village in East Macon.

**Economic and Community Development Committee**

Committee Chairman Larry Schlesinger reported that the Economic and Community Development Committee met on Tuesday, November 25, 2014 and considered and/or approved the following:

- The appointment of Dominique Johnson and the Superintendent of the Board of Education or his/her designee to the Dr. Martin Luther King, Jr. Commission.
  
- The reappointments of Mike Gardner and Reverend Evan Brown to the Dr. Martin Luther King, Jr. Commission.
  
- The Committee received updates on the Riverside Drive Project, Senior Citizens’ Center, and the Freedom Park swimming pool. These projects continue to move forward with more information to be presented at the December 9, 2014 Committee Meeting.

**Public Safety Committee**

Committee Chairman Scotty Shepherd reported the Public Safety Committee met on Tuesday, November 25, 2014 and considered and/or approved the following:

- The Resolution confirming Mayor Reichert’s appointment of Mary Hicks Wimberly to the Fire Civil Service Board.
  
- The Resolution authorizing the Sheriff to complete the required Department of Public Safety application to continue to utilize speed detection devices in Macon-Bibb County for law enforcement purposes.
• The Committee heard an update on the repair of the bridge on College Street over the railroad tracks. Negotiations are continuing with Norfolk Southern and a resolution is close.

Facilities and Engineering Committee

Committee Chairman Al Tillman reported the Facilities and Engineering Committee met on November 25, 2014 and considered and/or approved the following:

• The Mayor was authorized to execute an agreement with LaKay Enterprises, Inc. to provide services on a water distribution system near Level Acres Drive.

• The Mayor was authorized to accept the donation of greenspace between East Buford Road and West Buford Road to create a passive park known as Randall Heights Park.

• The Mayor was authorized to execute a Letter of Agreement with the Georgia Department of Transportation for the installation of a roundabout at the intersection of State Route 11/49 and US 41 at Liberty Church Road.

CONSENT AGENDA

A. New Alcoholic Beverage License for the following establishments:

1. Haddock Properties, LLC d/b/a as 20’s Pub & Sub - located at 3076 Riverside Drive, Suite 1200.

ACTION:

On motion of Commissioner Ed DeFore, seconded by Commissioner Larry Schlesinger, and carried unanimously, the Alcoholic Beverage License Application was approved as presented.


OLD BUSINESS

A. 2ND READING – Ordinance to amend Charter Appendix II, Division A of the Macon-Bibb County Pensions and Retirement System (1972 GA. Laws, Page 3152) of the Code of Ordinances, Macon-Bibb County, Georgia so as to comply with IRS Notice 2014-19, relating to the Supreme Court Decision in the Windsor Case overturning the Defense of Marriage Act (DOMA)

• Clerk read by caption: An Ordinance of the Macon-Bibb County Commission to amend Charter Appendix II, Division A of the Macon-Bibb County Pensions and Retirement System (1972 GA. Laws, Page 3152) of the Code of Ordinances, Macon-Bibb County, Georgia so as to comply with IRS Notice 2014-19, relating to the Supreme Court Decision in the Windsor Case overturning the Defense of
Marriage Act (“DOMA”); and for other lawful purposes.

ACTION:


B. 2ND READING – Ordinance to amend Charter Appendix III, Macon Fire and Police Employees Retirement System (1969 GA. Laws, Page 2801) of the Code of Ordinances, Macon-Bibb County, Georgia so as to comply with IRS Notice 2014-19, relating to the Supreme Court Decision in the Windsor Case overturning the Defense of Marriage Act (DOMA)

- Clerk read by caption: An Ordinance of the Macon-Bibb County Commission to amend Charter Appendix III, Macon Fire and Police Employees Retirement System (1969 GA. Laws, Page 2801) of the Code of Ordinances, Macon-Bibb County, Georgia so as to comply with IRS Notice 2014-19, relating to the Supreme Court Decision in the Windsor Case overturning the Defense of Marriage Act (“DOMA”); and for other lawful purposes.

ACTION:


C. Ordinance to revise Chapter 26, Article V imposing license fees and taxes on insurance and premiums

- Clerk read by caption: An Ordinance of the Macon-Bibb County Commission to revise Chapter 26, Article V, of the Code of Ordinances, Macon-Bibb County imposing license fees and taxes on insurance and premiums; to provide an adoption and effective date; and to provide for other lawful purposes.

ACTION:


D. Resolution to adopt the Fourth Amendment of the Bibb County Pension Plan of 1968 so as to establish the Pension Trustee Board, to designate the composition of the Board and to grant the newly designated Board those powers formerly granted to the Macon-Bibb County Commission under Section 13.03; repealing Section 13.04

- Clerk read by caption: A Resolution of the Macon-Bibb County Commission to adopt the Fourth Amendment to the Bibb County Pension Plan of 1968 so as to establish the Pension Trustee Board, to designate the composition of the Board and to grant the newly designated Board those powers formerly granted
to the Macon-Bibb County Commission under Section 13.03; repealing Section 13.04; and for other lawful purposes.

ACTION:

- **Unanimous approval by Commissioners Bert Bivins, III, Gary Bechtel, Larry Schlesinger, Elaine Lucas, Mallory Jones, III, Ed DeFore, Scotty Shepherd, and Al Tillman.**

E. Resolution to amend the Master Statement of Investment Policy to allow for immediate termination of under-performing investment managers

- **Clerk read by caption: A Resolution of the Macon-Bibb County Commission as the Administrator and Trustee for the Macon-Bibb County Pension Plan, to amend the Master Statement of Investment Policy to allow for immediate termination of under-performing investment managers; and for other purposes.**

ACTION:

- **Unanimous approval by Commissioners Bert Bivins, III, Gary Bechtel, Larry Schlesinger, Elaine Lucas, Mallory Jones, III, Ed DeFore, Scotty Shepherd, and Al Tillman.**

F. Resolution to authorize and approve the purchase of residential garbage carts and recycling carts for the Solid Waste Department in the amount of $84,989.89 from Toter, Inc.

- **Clerk read by caption: A Resolution of the Macon-Bibb County Commission to authorize and approve the purchase of residential garbage carts and recycling carts for the Solid Waste Department in the amount of eighty four thousand nine hundred eighty-nine and 89/100 dollars ($84,989.89) from Toter, Inc.; and for other purposes.**

ACTION:

- **Unanimous approval by Commissioners Bert Bivins, III, Gary Bechtel, Larry Schlesinger, Elaine Lucas, Mallory Jones, III, Ed DeFore, Scotty Shepherd, and Al Tillman.**

G. Resolution authorizing the Mayor to execute an agreement with Due South Investments, LLC for office space in the BB&T Building to be occupied by the Public Defender’s Office

- **Clerk read by caption: A Resolution of the Macon-Bibb County Commission authorizing the Mayor to execute an agreement with Due South Investments, LLC for office space at the BB&T Building to be occupied by the Public Defender’s Office for the Macon Judicial Circuit; and for other purposes.**

ACTION:
• **Unanimous approval by Commissioners Bert Bivins, III, Gary Bechtel, Larry Schlesinger, Elaine Lucas, Mallory Jones, III, Ed DeFore, Scotty Shepherd, and Al Tillman.**

H. Resolution in support of Senate Bill 2891 and House Bill 4726 of the 113th Congress, jointly known as the Innovation in Surface Transportation Act of 2014; authorizing the Mayor and Commission to execute a Letter of Support to the Congressional Delegation

• **Clerk read by caption:** A Resolution of the Macon-Bibb County Commission in support of Senate Bill 2891 (2014) and House Bill 4726 (2014) of the 113th Congress, jointly known as the Innovation in Surface Transportation Act of 2014; authorizing the Mayor and Macon-Bibb County Commission to execute a Letter of Support to the Congressional Delegation; and for other purposes.

**ACTION:**

• **Unanimous approval by Commissioners Bert Bivins, III, Gary Bechtel, Larry Schlesinger, Elaine Lucas, Mallory Jones, III, Ed DeFore, Scotty Shepherd, and Al Tillman.**

I. Resolution requesting that the Local Legislative Delegation introduce Legislation during the 2015 Session of the Georgia General Assembly for the purpose of amending Section 23 of the Charter to reduce the total budget reduction required by Fiscal Year 2019 be reduced from a total of 20% to 10% of the Fiscal Year 2014 Operating Budget

• **Clerk read by caption:** A Resolution of the Macon-Bibb County Commission requesting the Local Legislative Delegation introduce Legislation during the 2015 Session of the Georgia General Assembly for the purpose of amending Section 23 of the Charter of Macon-Bibb County to reduce the total budget reduction required by Fiscal Year 2019 be reduced from a total of twenty percent (20%) to a total of ten percent (10%) of the Fiscal Year 2014 Operating Budget; and for other purposes.

**ACTION:**

• **Unanimous approval by Commissioners Bert Bivins, III, Gary Bechtel, Larry Schlesinger, Elaine Lucas, Mallory Jones, III, Ed DeFore, Scotty Shepherd, and Al Tillman.**

J. Ratification of vested retirement of Marilyn Morris for eleven (11) years and three (3) months service

**ACTION:**

• **Unanimous approval by Commissioners Bert Bivins, III, Gary Bechtel, Larry Schlesinger, Elaine Lucas, Mallory Jones, III, Ed DeFore, Scotty Shepherd, and Al Tillman.**

K. Resolution authorizing the acceptance of the Tourism Product Development Grant in the amount of $4,645 awarded to the Mayor’s Office
Clerk read by caption: A Resolution of the Macon-Bibb County Commission authorizing the acceptance of the Tourism Product Development Grant in the amount of $4,645 awarded to the Mayor’s Office; and for other purposes.

ACTION:


L. Resolution authorizing the acceptance of The Christmas with a Deputy Grant in the amount of $2,500 awarded to the Sheriff’s Department

Clerk read by caption: A Resolution of the Macon-Bibb County Commission authorizing the acceptance of the Christmas with a Deputy Grant in the amount of $2,500 awarded to the Sheriff’s Department; and for other purposes.

ACTION:


M. Resolution authorizing the Mayor to apply for the Georgia Recreational Trails Program Grant for $100,000 from the Georgia Department of Natural Resources to construct a portion of the Connector Trail between Amerson Waterworks and the Ocmulgee Heritage Trail

Clerk read by caption: A Resolution of the Macon-Bibb County Commission authorizing the Mayor to apply for the Georgia Recreational Trails Program Grant for $100,000 from the Georgia Department of Natural Resources to construct a portion of the Connector Trail between Amerson Waterworks and the Ocmulgee Heritage Trail; and for other purposes.

ACTION:


N. Resolution in support of the Macon Arts Alliance’s efforts to seek grant funding via the National Endowment for the Arts in support of an Arts Village in East Macon

Clerk read by caption: A Resolution of the Commission in support of the Macon Arts Alliance’s efforts to seek grant funding via the National Endowment for the Arts in Support of an Arts Village in East Macon; and for other lawful purposes.

ACTION:
• **Unanimous approval by Commissioners Bert Bivins, III, Gary Bechtel, Larry Schlesinger, Elaine Lucas, Mallory Jones, III, Ed DeFore, Scotty Shepherd, and Al Tillman.**

O. Ordinance authorizing a one-time suspension of the Holiday Pay Schedule as designated in Section 5.04 of the Macon-Bibb County Government Policies and Procedures Manual regarding the 2014 Christmas Holiday and amending the date of recognition for Christmas Eve

• **Clerk read by caption:** An Ordinance of the Macon-Bibb County Commission authorizing a one-time suspension of the Holiday Pay Schedule as designated in Section 5.04 of the Macon-Bibb County Government Policies and Procedures Manual regarding the 2014 Christmas Holiday and amending the date of recognition for Christmas Eve; and for other lawful purposes.

**ACTION:**

• **Unanimous approval by Commissioners Bert Bivins, III, Gary Bechtel, Larry Schlesinger, Elaine Lucas, Mallory Jones, III, Ed DeFore, Scotty Shepherd, and Al Tillman.**

P. Resolution to appoint Dominique Johnson to fill a vacant seat on the Dr. Martin Luther King, Jr. Commission

• **Clerk read by caption:** A Resolution of the Macon-Bibb County Commission to appoint Dominique Johnson to fill a vacant seat on the Dr. Martin Luther King, Jr. Commission; and for other purposes.

**ACTION:**

• **Unanimous approval by Commissioners Bert Bivins, III, Gary Bechtel, Larry Schlesinger, Elaine Lucas, Mallory Jones, III, Ed DeFore, Scotty Shepherd, and Al Tillman.**

Q. Resolution to appoint the Superintendent of Bibb County Board of Education or his/her designee to serve on the Dr. Martin Luther King, Jr. Commission

• **Clerk read by caption:** A Resolution of the Macon-Bibb County Commission to appoint the Superintendent of Bibb County Board of Education, or his/her designee, to serve on the Dr. Martin Luther King, Jr. Commission; and for other purposes.

**ACTION:**

• **Unanimous approval by Commissioners Bert Bivins, III, Gary Bechtel, Larry Schlesinger, Elaine Lucas, Mallory Jones, III, Ed DeFore, Scotty Shepherd, and Al Tillman.**
R. Resolution reappointing Mike Gardner and Reverend Evans Brown to the Dr. Martin Luther King, Jr. Commission

- **Clerk read by caption:** A Resolution of the Macon-Bibb County Commission reappointing Mike Gardner and Reverend Evans Brown to the Dr. Martin Luther King, Jr. Commission; and for other purposes.

**ACTION:**


S. Resolution to confirm Mayor Reichert’s appointment of Mary Hicks Wimberly to Macon-Bibb County Fire Civil Service Board

- **Clerk read by caption:** A Resolution of the Macon-Bibb County Commission to confirm Mayor Robert A. B. Reichert’s appointment of Mary Hicks Wimberly to the Macon-Bibb County Fire Civil Service Board; and for other purposes.

**ACTION:**


T. Resolution authorizing the Sheriff to complete the required Department of Public Safety Application to continue to utilize the speed detection devices in Macon-Bibb County for law enforcement purposes

- **Clerk read by caption:** A Resolution of the Macon-Bibb County Commission authorizing the Sheriff to complete the required Department of Public Safety Application to continue to utilize speed detection devices in Macon-Bibb County for law enforcement purposes; and for other purposes.

**ACTION:**


U. Resolution authorizing the Mayor to execute an agreement with LaKay Enterprises, Inc. to provide services on a water distribution system near Level Acres Drive

- **Clerk read by caption:** A Resolution of the Macon-Bibb County Commission authorizing the Mayor to execute an agreement with LaKay Enterprises, Inc. to provide services on a water distribution system near Level Acres Drive in substantially the same form as attached hereto as Exhibit A; and for other purposes.
ACTION:


V. Resolution to authorize the Mayor to accept the donation of Greenspace between East Buford Road and West Buford Road to create a Passive Park known as Randall Heights Park

- Clerk read by caption: A Resolution of the Macon-Bibb County Commission to authorize the Mayor to accept the donation of Greenspace between East Buford Road and West Buford Road to create a Passive Park known as Randall Heights Park; to authorize the Mayor to execute any necessary documents; and for other purposes.

ACTION:


W. Resolution authorizing the Mayor to execute a Letter of Agreement with the Georgia Department of Transportation for the installation of a Roundabout at the intersection of State Route 11/49 and US 41 at Liberty Church Road

- Clerk read by caption: A Resolution of the Macon-Bibb County Commission authorizing the Mayor to execute a Letter of Agreement with the Georgia Department of Transportation for the installation of a Roundabout at the intersection of State Route 11/49 and US 41 at Liberty Church Road in substantially the same form as attached hereto as Exhibit “A”; and for other purposes.

ACTION:


NEW BUSINESS

None

GENERAL PUBLIC COMMENTS

Marshall Burkett, spoke on the need for the handicap ramp at the corner of College Street and Forsyth Street to be reviewed and evaluated as it creates a safety hazard for wheelchair users as the ramp ended in the roadway.
Mayor Reichert stated he would have the County Engineer review the intersection and thanked Mr. Burkett for referring the matter.

Marvin Losey also spoke on the College Street at Forsyth Street wheelchair ramp safety issue.

Terry McGee spoke on the budget process of the Consolidated Government and stated the budget should be based on sustainability. He also spoke on the boxing gym and the need for a pool at Freedom Park.

Robert Curry, Jr. spoke on the need for a new senior citizens center and long delay in starting and completing the Filmore Thomas Recreation Center. He further emphasized the new center should be inclusive of all citizens of Macon-Bibb County.

ADJOURNMENT

There being no further business, and on motion duly made, seconded, and carried unanimously, the meeting was adjourned at 6:45 P.M.


____________________  ______________
Shelia Thurmond, CCC  Clerk of Commission