

## ACTION ITEMS

### WALNUT GROVE CITY COUNCIL MEETING

THURSDAY, JULY 13, 2017

1. Approval of the Agenda with amendment to include under New Business discussion of Ad Valorem Tax and to implement the Executive Session - Motion Passed
2. Approval of the Minutes from June 8, 2017 – Motion Passed
3. Financial Report – Accepted as given – Motion Passed.
4. Under Mayor’s Report – Motion made to add hiring an auditor for the year 2017 – 2018 to the Agenda was made and Motion Passed. Another motion made for the Mayor to sign the standard paperwork to hire the auditor, Motion Passed.
5. Second Reading of the Sewer Ordinance - Motion made to accept the second reading of the Sewer Ordinance, Motion Passed.
6. New Business  
Motion made to move forward with the first public hearing on Ad Valorem Taxes on August 10, then August 24 and the last hearing on September 14, 2017, Motion Passed.
7. Motion to Adjourn - Motion passed unanimously

**WALNUT GROVE CITY COUNCIL MEETING  
THURSDAY JULY 13, 2017  
MINUTES**

Present at Meeting:  
Mayor Lamar Lee  
Wayne Dimsdale  
Kathy Dimsdale  
Carol Witcher  
Katherine Glass, City Clerk  
Joe Reitman, City Attorney

**I. CALL TO ORDER**

Meeting called to order by Mayor Lamar Lee

**II. INVOCATION**

Invocation given by Joe Reitman

**III. PLEDGE OF ALLEGIANCE**

All stood for the Pledge of Allegiance

**IV. AGENDA APPROVAL**

Carol Witcher made a motion to amend the Agenda under New Business to include item for discussion (a) Ad Valorem Tax and to implement the Executive Session; Wayne Dimsdale seconded the motion, opportunity for discussion, motion passed, unanimous.

**V. PUBLIC COMMENT**

None

**VI. MINUTES APPROVAL: JUNE 8, 2017 CITY COUNCIL MEETING**

Wayne Dimsdale made a motion to approve the Minutes; Carol Witcher seconded the motion, opportunity for discussion, motion passed, unanimous.

**VII. PUBLIC WORKS REPORT**

Given by Alan Barton, Public Works Director

We have had rain, sun and lots of cutting grass. That is about all that is going on is cutting grass, keeping dirt out of the streets and picking up trash. Carol Witcher asked about the signs at the Methodist Church. She wanted to know if they should be there or if it was against our City Ordinance. Mr. Barton said he usually turns his head regarding the signs and considers them exempt. Joe Reitman -The way it works is there is something called RLUIPA and it is an acronym for Religious Land Use Institutionalized Persons Act. They may not be totally exempt but it means treat them with "kid gloves". If they have something that is a clear violation then I would talk with them and try to work through it. There was further discussion regarding the signs in the City. Mr. Reitman - I would encourage you to look at the City Ordinance and what it says about temporary signs. Look at this carefully before you talk to anybody. There was further discussion regarding the City Ordinance and whether the Sign

Ordinances have been updated. The City Clerk will research this issue especially regarding the temporary signs. Joe Reitman suggested the City Clerk look at the minutes to see exactly what was approved when Joe Walter, with Precision Planning helped the City update their ordinances. The City Clerk will look up the information and email all the Council members, Mayor and Mr. Reitman.

**VIII. FINANCIAL REPORT**

Katherine A. Glass, City Clerk directed the Council to their report in their notebooks. Wayne Dimsdale made a motion to approve the financials as submitted. Carol Witcher seconded the motion, opportunity for discussion, motion passed, unanimous.

**IX. CLERK'S REPORT**

Activity report given on all business licenses, citations, other permits and park reservations given by Katherine A. Glass. There was discussion about the permits issued.

**X. CODE ENFORCEMENT REPORT**

Given by Craig Ellington, Code Enforcement Officer

Since we last met I've been keeping an eye on neighborhoods and their grass. With the rain the grass has really been growing. I have given people a lot of leeway. I've only spoke to people that are really obvious and haven't cut their grass in a long time. I issued six notices of ordinance violation for grass cutting. All six are in compliance now. I have one notice I issued yesterday for an abandoned vehicle in Cambridge. Wayne Dimsdale asked about a resident on Park Street who looks like he is running a garage out of his residence. Mr. Ellington told him he would check on it. There was further discussion about other similar instances in other areas of the city.

**XI. MAYOR'S REPORT**

- EPD did their final inspection on the Sewer Plant yesterday. We will have our permit and be ready to go. The EPD representative liked what he saw and was impressed with our plant.
- The Council Members, Mayor and City Clerk went to the GMA Conference in Savannah.
- The footings have been poured and they are coming out of the ground on the new Fire / EMS Building.
- The Walnut Grove First United Methodist Church will have their annual 5K run on Saturday July 22nd from 7:00 a.m. till 8:30 a.m.

Joe Reitman -- Mayor while we are under your report, I guess you have an engagement letter with your auditor each year. It is a state requirement you do an annual audit. Mr. Reitman advised the Council they need to authorize the Mayor to sign an engagement letter with the auditor for the year 2017-2018.

We probably need to put this as a formal motion to add to the agenda to hire an auditor for 2017-2018. Wayne Dimsdale - so moved, Carol Witcher seconded the motion, opportunity for discussion, motion passed, unanimous. Joe Reitman -- Now the Council can vote to authorize the Mayor to sign the standard paperwork to hire the auditor. Wayne Dimsdale -- so moved, Carol Witcher seconded the motion, opportunity for discussion, motion passed, unanimous.

## XII. OLD BUSINESS

### a. Second Reading of the Sewer Ordinance

Joe Reitman – Mr. Abney was here last month in my absence. The purpose of the Sewer Ordinance is to regulate the use of the sewer and protect the plant. It does a myriad of things including limiting industrial inputs into the sewer. You need a solid steady flow of permitted sewage not prohibited sewage that could damage the system and cause the City to go out of compliance. Also provides for hook ups to the sewer. The question was asked about whether we would require residents to hook up to the sewer. The way the ordinance reads is if you are within 300 feet and you are new construction or your existing system fails you will be required to hook on. But if you are grandfathered you use your system until it fails or until you want to hook on. Here is the other practical consideration, if you ever want to get more GEFA money or refinance with GEFA or get US Rural Development money or private bank money they will insist that you have an ordinance in place that requires all new construction hook on to the system. Otherwise how will you finance it? There was further discussion about the requirement to hook on to the system. For the minutes I want to site the specific provision that is set forth therein. Section 20E, at such time as the public sewer becomes available to property served by a private sewer the must be in compliance within 60 days. This is standard language I use in all my ordinances. Once the sewage is available then within 60 days they hook up.

Joe Reitman – I would like to get the second reading approval and then let me talk to Jim Woodward about this provision of sixty days to hook up to the system. He is the guru. Jim Woodward is my go-to bond attorney. He has been helping with the GEFA refinance here in Walnut Grove and we will discuss that a little later in the meeting. If he says keep in the language "hook up within 60 days" to meet GEFA USDA we probably should do that. If there is flexibility where they can maintain their system for a time we can revisit that at a later time. I would really like to do it that way. Paragraph 18 D says connect the facilities directly with the property public sewer according to the section if public sewer or proposed sewer is within 300 feet of the property line. There was further discussion about other large facilities i.e. a hospital or housing development comes in would they be required to hook on to the sewer plant. Only if we have the capacity would they be required to hook on. On Item 20C at such time as a public sewer becomes available to a property served by a private sewage disposal a direct connection shall be made to the public sewer within 60 days. This is the one I want to ask Jim Woodard about. Wayne Dimsdale – I don't think we can force people to do that. Joe Reitman – Actually under the Public Health Safety Welfare you can. Otherwise how is your system going to be viable? I know you don't want to force people with existing systems to hook on but it can be changed to 180 days or if they have system failure. We need to pass the ordinance and then we can change it. At this point I would like a motion to accept the reading of the second reading please. Wayne Dimsdale made a motion to accept the second reading of the Sewer Ordinance, Carol Witcher seconded the motion, opportunity for discussion, motion passed, unanimous.

## XIII. NEW BUSINES

### a. Ad Valorem Taxes

Joe Reitman -- I have handed you all a four page memo that summarizes the law and it is way beyond question that you are expressly authorized to do so. I think it is beyond question that if one spends even half an hour looking at the City books and the budget there is no way that y'all will survive into the next couple of years without a property tax. It is just not going to happen. It was a real challenge getting a balanced budget proposed for this coming year. I don't think it takes into consideration a single element such as the monthly expenses such as the GEFA loan and the sewer plant. The monthly expenses are something like \$14,000.00. There is no way you can move forward past 6 - 8 months without property tax I am going to hit the briefest of highlights. In the handout page one talks about needs: you have extensive street work needs and sewer plant costs. We are trying to get the note refinanced. You have building maintenance, municipal court, buildings and vehicles. You have got to have a reasonable reserve. You should have 15% --20% of annual expenditures in reserve. Right now I am sure you don't have much in reserve. Continuing the list - park expenses, at some point you might want to have an enhanced level of service with the Sheriff's Department. Code enforcement, Library is an annual expense of approximately \$50,000, sidewalks and sidewalk repair, grass cutting, zoning will start and continue to grow, garbage pickup. Kathy and I have worked on a hard numbers list of what all these things cost. We will want this to hand out to citizens. My recommendation is to have all this on hand when you are ready to move forward. And I think the time is now. State law says the local government shall adopt and operate under a balanced budget. It will not be balanced next year if you do not have property taxes. There are possible hearing dates in your handout of August 10, August 28 and the last September 14. I said 6 mills but you will have to crunch numbers. Derry Boyd can help you do that. When we met here and had the work session we talked about 6 mills. Walton County is 11 so this would be about half. Good Hope and Between do not have property taxes at this time. They might be interested and all these cities could do it at the same time. My recommendation to you would be to do a motion basically to go on and schedule authorizing the Mayor, the City Clerk, the City Attorney with the help of Bill or whoever to move forward towards public hearings on August 10, August 24 and September 14. You need to have 3 meetings.

Mayor Lee told the Council he and Bill Jones had lunch today with Derry Boyd the Tax Commissioner. Mr. Boyd suggested if all the other small cities were interested in a property tax they do it all together at the same time. We need to have this in place before January 1 so we can collect tax for next year. Bill Jones suggested it would be prudent for Mayor Lee to contact the other Mayors and have a meeting with them and Derry Boyd. The meetings should be at the same time and have the legal ads run at the same time too. They can probably share the costs of the ads. There is no choice but to do it but it is really important to educate the public. Carol Witcher suggested Joe Reitman do a power point at the public hearings and present to the public all the information supporting a property tax. The City Clerk will complete and send back the document with all the data to Mr. Reitman for his power point presentation. Carol asked Wayne and Kathy Dimsdale if they support having Mr. Reitman do the presentation. Wayne said he told the public for 20 years he wouldn't support a property tax. But he also said it would be worse if the City folds up. It will be hard for me to do this. There was discussion about the situation the City would be in if we do not get the revenue from property taxes. Joe Reitman explained we would becoming an unincorporated township with no city services. You had no idea how things would change with the traffic in your city and the largest High School in the county with all the traffic that brings. At this point we need a motion to authorize the Mayor, the City Clerk and the City Attorney with the

assistance of Bill Jones or whoever we need to move forward and have the first public hearing on August 10, then the 24<sup>th</sup> of August and the last one on September 14<sup>th</sup>. Carol Witcher, so moved, seconded by Wayne Dimsdale, Kathy Dimsdale abstained. If the Mayor had to vote it would be in favor. There was further discussion about the pros and cons of having a property tax and other Cities in Walton County that might be interested in discussing the possibility of implementing a property tax at the same time as Walnut Grove.

XIV. DISCUSSION ITEM

XV. COUNCIL COMMENTS

Kathy Dimsdale – None

Wayne Dimsdale – None

Carol Witcher – I appreciate the opportunity to be sitting here and we cannot as individuals sit here and make a decision based on what the people elected us expect us to do. They expect us to be prudent with money and I think we have been more than prudent. Like I said earlier, we have robbed Peter to pay Paul and like I said sooner Paul will be yelling "I don't have it either". It is a tough decision to make but as elected officials we have to make the tough decisions. It doesn't have anything to do with me with any personal agenda. My agenda as I look at it tonight is on that piece of paper. I don't have a personal agenda.

XVI. EXECUTIVE SESSION

Mayor Lee opened Executive Session at 8:14 p.m.

Joe Reitman – There are three things all of which are intertwined, personnel issues, potential real estate acquisition and some potential litigation elements. I would like to invite Bill Jones to stay. I need a motion to enter into Executive Session to address these three issues. Carol Witcher, so moved, seconded by Wayne Dimsdale, opportunity for discussion, motion passed, unanimous.

Motion to adjourn Council Meeting made by Carol Witcher, Seconded by Wayne Dimsdale, opportunity for discussion, motion passed, unanimous.

Meeting adjourned at 9:15 p.m.

Approved by the Mayor and Council this 10<sup>th</sup> day of August, 2017.

  
\_\_\_\_\_  
Mayor Lamar Lee

  
\_\_\_\_\_  
Katherine A. Glass, City Clerk