



CITY OF WALNUT GROVE
October 12th, 2023
1021 PARK STREET MUNICIPAL BUILDING
MAYOR AND COUNCIL

Council Session Meeting Minutes

ELECTED OFFICIALS PRESENT:

Mayor - Mark Moore
Mayor Pro Tem - Stephanie Moncrief
Council Members-
Linda Pilgrim
Erica Miles

STAFF PRESENT:

City Clerk – Kimberly Whitlow
Public Works - Brian Pilgrim
City Attorney - Tony Powell
Asst. City Attorney- Jay Crowley
P&Z Administrator- Joe Walter

I. CALL TO ORDER - Mayor Mark Moore

II. INVOCATION - Tony Powell

III. PLEDGE OF ALLEGIANCE - All Participated

IV. ROLL CALL – All present

V. AGENDA APPROVAL – Mayor Moore- We have 3 items to adjust. First item is the August 1st minutes. There are some questions on those so we will resubmit them at the next council meeting. We are going to remove August 1st minutes. Also, on the financials, the budget vs. actual summary. The financial are correct but the summary is not correct so we want to disregard that and only approve the actual financials. The last thing, is item #1 under old business—Sewer Plant Expansion Engineering Services from Turnipseed. It was made known to me by the City Attorney that the contract needs to be modified so we are not able to submit it to the council in the required 3 days so we are going to remove it. Is there a motion to approve? Erica Miles- I make a motion to approve the consent agenda and removing all the minutes from the consent agenda—including August 1st, August 10th, August 31st. Removing the summary financials as well as the Sewer Plant Expansion. Mayor Moore- So you're looking at removing all 3 minutes? Is there a second? Stephanie Moncrief- I second. Mayor Moore- Any further discussion? Stephanie Moncrief- I'd like to keep the Sewer Plant expansion on there. I'd like to put Emerald Cove on there like I requested on the agenda. Mayor- As far as the Emerald Cove we don't have any further documentation as I mentioned earlier to the council. I have an engineering service looking at a proposal and I will submit that the council at the next work session. Stephanie Moncrief- I motion to overall the chairs ruling and put it to vote. Mayor- Per our ordinance it still has to have documentation. *Mayor and Stephanie Moncrief speaking at the same time, not able to record what was said* Tony Powell- So the motion on the floor is concerning the approval of the agenda. There was a motion, then there is a discussion over adding a second item. The motion hasn't been seconded so it's more of a question on the floor. The agenda can be amended. Whether or not it's appropriate to take up the item based on documentation – I can't read that right this second. So, I think, Mrs. Moncrief was trying to change/amend the motion. Somebody is going to have to second the amendment and then second the motion. The issue that was

before the council was an overruling. The chairs refusing to allow that to occur. That's a procedural motion which the legislative body can overrule the chair if they disagree by vote but it's by majority. I think that's what's on the floor – a motion to override the chair on amending the agenda. And that requires a second and a vote. Mayor- Is there a second on Mrs. Moncrief's motion to override the chair. Erica Miles- I second. Mayor- Any further discussion? All in favor? All- I Erica Miles- Can I amend my motion? Mayor- Yes, amend your motion to add the sewer plant and adding Emerald Cove paving. Erica Miles- I will amend my motion for the consent agenda to remove the minutes, remove the summary financials, keep old business as is and add Emerald Cove. Mayo Moore- Is there a second? Stephanie Moncrief- I second. Mayor- Any further discussion? All in favor. All-I. Mayor- Approved. Is there a motion to approve the consent agenda as amended? Stephanie Moncrief- So moved. Erica Miles- I second. Mayor Moore- Any further discussion? All in favor? All- I.

Community Involvement Committee- Linda Pilgrim- We have closed out our market season this year. We had a pretty good year. We learned some things and see what we can do next year. Our Christmas Tree lighting is coming up November 17th from 3-7 so we are looking forward to that. There is more information to come.

DDA Report- Erica Miles- The DDA met and voted. We are getting a letter of intent for the GA Economic Placemaking collaboration for 2024. The letter is due October 21st. The full application is due December 1st. *Audio could not be heard*

Education Involvement Committee – Stephanie Moncrief- The schools are on break this week. Well deserved break for everybody. I wanted to share something. I went to a meeting the other day and it's a program for the high school and middle school in all of the 3 different clusters. It's called CTNE. What the state is trying to do is create a workforce that comes out of high school that is ready to work with some type of school. Right now, there are 20+ different pathways that students can take. This allows students to go into different fields and internships. They have them at the hospital, they have them with caterpillar. Actually, they have them with Precision Planning. I'm excited to present something at the next work session to council about a collaboration between Precision Planning, us and the school. The reason I'm bringing it up is because if you know any companies that are willing to hire any students at this point, the schools are always looking for more companies who want to get involved.

Planning and Zoning Commission- Megan Ragan- At our last minute when I was elected chair the committee also elected Donnie Tudor as the vice chair. We do not have much to report on this month. We have one active rezoning for Forrest Glen. The commission is working on that with Joe Walter. Currently, Joe is drafting options for that rezoning to present to us at the next commission meeting. We anticipate more cases coming up over the next few months regarding the new developments in the City and I look forward to working with the council and the citizens. Thank you.

PUBLIC COMMENT

Dominic Digrado- I'm here this evening to make known some concerns that citizens have about an ongoing project in the city. The project of concern is Emerald Cove subdivision. I think all of can agree on a few things. The company that repaved these road did a substandard job and something needs to be done about it. Secondly, this work standard is not acceptable. Third, are the safety concerns of the heigh of the pavement a the driveway

entrance to each home. Lastly, there is a concern on this may affect property value. My understanding is that there are 3 options on the table. Option 1, the most cost-effective way are to feather the edges of the road, filling in the gutter with 2 inches of asphalt. Estimated cost \$80,000. Downtown Monroe has done this. Option 2- Grind down the edges of the road. This option can cause issues and the estimated cost is around \$260,000. Option 3 and the most costly is to tear up the entire road and repave. Estimated Cost \$520,000. I feel like we need to take a lot of things into consideration. We as a city do not have unlimited funds and have many other things that need to be done. We have other roads in other neighborhoods that still need repaving. We need speed humps to slow down traffic in neighborhoods. We also need caution lights at the school. The list goes on and on. This project is using tax money that all of our city residents have contributed to. While we feel that a repair is definitely needed I feel that it's not in the best interest of everyone to use a large portion of our general fund/splost money to completely redo the project from scratch. We should try to find the most cost effective solution to resolve the problem. The fine people of Walnut Grove should be able to trust the council to have the city's best interest in mind. However, after reviewing minutes from past council meetings and hearing council members concerned about their own property values and finding out about the unadvertised closed-door meetings held about repaving these neighborhoods I've come to conclusion *recording can't be heard* Two of these council members live in the neighborhood in question and have interest in their own property values. Can they really make an unbiased decision? For these reason listed we believe it's a conflict of interest on this project and Miles and Moncrief should recuse themselves on all discussions on the matter.

Taylor Parrell- I'm at 2060 Emerald Drive. I would just like to make a comment to the council and the Mayor. We all understand the issue and that Emerald Cove was not paved right. The other thing comes down to that we want to do it the right and the cost-effective way and we want it to last so the City doesn't have to go back and do it in a couple of years. In regards to the subject of the gutter. I happen to be the 7th house down the street, where the water is flowing down. If you pave up to the gutter it is going to block that gutter. That would cause water to run all the way into my driveway and my yard. Therefore, I have a great chance of getting flooded. I'm not thrilled over this gutter thought process. If it does happen, the city will be sued to me. I'm just making it very clear that I'm not going to accept, willingly, that the city chooses to go with the gutter option. I'd like the council to take that into consideration.

Ty Arnold- Ty Arnold 2480 Emerald Drive. I want to read some documentation. One took place in April about an employee pay increase. Ty read off the minutes from April's council meeting about the employee pay increase. Stephanie Moncrief- I'd like to respond. Do you know that the salaries for the employees were raised beyond 6% and it was brought to motion by myself and Mrs. Miles? And the correction was made to incorrect salary increase for our municipal court person. The Mayor had put down an amount and it was incorrect and I brought forward the correct amount. Were you aware of that? Ty Arnold- No. Mayor- Is there anything else you would like to add? Ty Arnold- Yes, the part where Mrs. Linda Pilgrim was expected to recuse herself on a certain situation but with the situation that Dominic just brought up, the attorney said that wasn't a conflict of interest. My concern with that is- I have paperwork showing that the attorney was paid by our HOA board which to me is a concern as a citizen and a concern because I had no idea we were even paying an attorney. So to me that's a conflict of interest. Stephanie Moncrief- I object to consideration of this matter. Mayor Moore- This is a public statement but you're out of time but is there any questions? Stephanie Moncrief-There is Roberts Rule of Order. If I object it can go to vote and that's Roberts rule of order. Mayor- We can't do Roberts Rules of Order on Public

Statement. I'm not going to limit freedom of speech in a public comment. Is there anything else? Ty- No. Mayor- Thank you.

Maxine McClanahan- 4081 Habersham Circle and because of what was just brought up I would like to mention the salaries for council and Mayor because that is something that I've been fighting for long before any of you came on board because I felt like we were being unfair to pay them such a low stipend. I just want to clarify that it did not just come from council, but it came from citizens and the council members that are currently here are the ones who took it under consideration based on it being brought forth by the citizens. Thank you.

OLD BUSINESS

Sewer Plant Expansion- Mayor- As I stated earlier, I submitted to council that's apart of your agenda packet a contract the allow Turnipseed to investigate an MBR sewer plant expansion that better fits our needs. The contract was under conflict by our City Attorney so that is still being reviewed so that is why we are pulling this from the agenda. Mrs. Moncrief asked for it to be put back so if there is any discussion as far as this sewer plant expansion, please make your comments. Council Member Moncrief, I'll let you go first. Stephanie Moncrief- I would like to make a motion to move forward with getting bid on the LAS system with Precision Planning that has been in the works for some time now. Mayor- You're out of order. I have no contracts in front of me which is required. We have no documentation or contract set before me or approved by the city attorney. Stephanie Moncrief- I rule to overrule the chairs ruling. We do have paperwork and we've had it for months. We are ready and permits are ready to go. Precision is ready to send it out for bid. It's all documented and I'd like to make a motion move forward with the LAS system with Precision Planning to send out to bid for construction. Mayor- This is out of order with Roberts rules and our ordinances. I'd love for you to share the logic of why we would want to spend 2 million dollars--- *audio can not be heard. People talking over each other* Mayor- Is there a second to Mrs. Moncrief's motion? Erica Miles-I second. Mayor- This is out of order because I have no contracts. This is against our ordinance. This is not open for consideration. Tony Powell- The contract needs to be approved by the Mayor and City attorney. I think the process here is direction and for council to give us a direction on which one they want to go with. We can't go both directions. Mayor- I disagree with that. Our charter states I am the CEO of this City. I approve and look at all options and then I submit it to council. At this time I do not approve spending 2 million dollars on a plant that does absolutely nothing for our growth. That's where I stand on it. For her to bring up documents that haven't been approved is inappropriate. Stephanie Moncrief- Why did we spend over \$68,000 on engineering costs if this wasn't going to be valid option? Mayor- In 2021 it was a viable option. Stephanie Moncrief- This says May 2023. Mayor- Back in 2021 that was a viable option but right now we have two contractors at 60,000 gallons a piece that is in demand. The advance to city 50,000 does the city absolutely no good. It does not make logical sense. Stephanie Moncrief- Can I amend my motion? I would like to make a motion to move towards the LAS sewer expansion and bring it to the next work session for further discussion. Mayor Moore- That I will do. Erica Miles- I'll make a second. Stephanie Moncrief- I would like to make a motion to move towards the LAS expansion for the sewer expansion. Mayor- Any further discussion? All in favor? All- I.

Parliamentary Procedure Veto—Is there any questions? I have vetoed this for the following reasons: This is a direct conflict of our charter. This had many items that are in direct conflict with our charter. With that being said I'm giving the council the right to override my veto. Is there a motion to override my veto? Stephanie Moncrief- I actually had a question. We haven't seen the complete document. Do you have the ordinance with the two date stamps on it from

the clerk and back from you to the clerk? According to our charter. Mayor- This was submitted to me in the time frame to the clerk. Stephanie Moncrief- I'm not questioning the time frame, but we need to see the ordinance with the date stamps on them stating when the clerk gave it to you and when you handed it back to her making it the final decision according to the charter. Mayor Moore- I don't know what you're referring to. I don't have the ordinance. Stephanie Moncrief- Do you have an ordinance with two date stamps on it? Clerk- No. Stephanie Moncrief- Ok, well I guess, I don't know what to do in that case. Let me ask you a further question. In section D of the charter when it comes to veto. Are you vetoing the ordinance in its entirety or minus these options? Mayor- To answer your question, I do have the right to override certain sections of the ordinance. I'm overriding the whole ordinance until it's rewritten. Stephanie Moncrief- In the case where it's not done. Do we consider it vetoed, not vetoed? I don't know if Kimberly was aware of needing to date stamp. Can we move forward even though it wasn't date stamped with having an inexperienced clerk that hasn't learned that yet. Tony Powell- I think it's fine to move forward. I don't think we've done this before. Mayor- I had already called for a motion. Is there a motion to override my veto? Linda Pilgrim- I make a motion that the veto stands. Mayor Moore- Is there a second? I'll second it. Any further discussion? I can second a motion. All in favor? Linda Pilgrim- I. Opposed? Motion dies. My veto stands.

Emerald Cove Paving- Mayor- Mrs. Moncrief, I'm going to give you the floor since you wanted to add it. Stephanie Moncrief- I think we are going to go through the same thing we just went through. I would like to make a motion to bring in several engineers from Falcon, LNCO and Allied to talk with the council about the paving issue. My motion was going to be something else but I know what would occur. Mayor- You can make a motion; I'll be more than happy to look at it. We've beat this thing to death. Let's talk about the Emerald Cove Paving. Since you brought it up... *people talking over each other* Now we are in a debate. Stephanie Moncrief- I'm going to give you my recommendation. Stephanie Moncrief- I'd like to ask you to remove yourself from the chair and let the Mayor Pro Tem get there because if you're going to weigh in on something, you need to remove yourself from the chair position. Mayor Moore- No. Because I have the right to input my own decisions. Stephanie Moncrief- Point of clarification from our attorney please. Tony Powell- The Mayor does have the right to speak after a motion, The rules are once the chair becomes an advocate, they surrender the chair. Mayor Moore- That's only if I made the motion. Remember something before you go down that path. If the Mayor Pro Tem takes over the meeting then she loses her right to vote. Mayor- We are in a mess here. Let's concede this and I will hold my statement. I will bring in the recommendations to the council. I'm telling you right now they're going to say exactly the same thing as I stated earlier. I want to get this thing fixed because I promised it almost 10 months ago and all we've done is beat this thing to death. The city just does not have the money to spend. Erica- I think it's a great idea to bring the engineers into a work session so we can all hear first hand what they have to say. It would be nice to hear what they have to say on the record. Stephanie- It's been motioned and seconded. Mayor- I agree with that. I'll tell you what we will do. I want to get 3 RFP's for each option and we send it off for bid. We send it off for gutter paving, grinding of edges and for the whole road and we will submit those in front of council so you all can see exactly what we are talking about. That way there isn't going to be this back and forth. Stephanie Moncrief- There's a motion on the floor and a second. Mayor- Any further discussion? All in favor? All-I Mayor- Having Mrs. Moncrief and Mrs. Miles a part of the decision making process is a conflict of interest clarified by the last council meeting that Mrs. Miles made a statement that it's going to effect all of our property values and that's on the record. That is a clear conflict of interest. I thought I could create a paving committee with these two council members and they would see exactly all the options I actually thought they would come up with the same conclusion as I did. Not only did this committee meet in private

against our open record law but they did not advertise and notify the whole City of Walnut Grove. It's not an Emerald Cove issues, it's a City of Walnut Grove issue. Tony Powell- In the statement you just made *audio can't be heard* When two members go out to do investigatory work, they can't vote on it and approve anything. It has to come back to his body in an advertised meeting for action to be taken. It's the taking of action that the open meeting act is really designed focus on. Mayor- I'm going to make the statement that in the second paragraph, the definition of meetings it says any committee or special committee appointed by a legislative authority. Tony Powell- The difference is, there is not creation of a committee of Emerald Cove, there is an appointment by the Mayor of two members to act. Erica Miles- I would also like to state on record that you said that I made a statement that's on record in the last meeting. There's no way possible I made a statement that is on record since the minutes haven't been approved.

Public Works Report- Brian Pilgrim- We are working hard to keep the properties in good shape and the grass cut. We are getting a few more work orders knocked out and behind us. Also we cut pines out of the City park. We used Safeco Tree Service for that. They were dead trees that had to be removed. We've had 3 streetlights installed in front of the high school in the crosswalk light upgraded to the biggest light we can get. We installed our fall decorations a city hall and we are working on our pollinator garden at the roundabout. Mayor Moore- Can you give an update on the sidewalks? We had a few questions on that. Brian- Yes, we have work orders that have been created on that and we are working on getting the tools together and all the material to get that fixed within I would say at least a week.

City Clerk- 13 ballpark rentals, 5 pavilion rentals, 37 state patrol tickets, 6 county tickets.

Mayors Report- Like I said I'm working hard on Emerald Cove and I need to get that fixed. We aren't talking about taking the asphalt to the top of the curb line. We are only simply doing 2 inches from the bottom to make it level. Paving 2 inches over concrete is something that happens all the time. It's a proper procedure. If it had been feathered when they actually did the paving, we wouldn't be here today. We didn't know, like I said, last meeting. Walton County did inform us they didn't have that capability. We are happy about the pollinator garden. We are looking at engineering to do the sidewalks in front of the school with council approval. Sewer Plant expansion is moving forward if yall were able to come to the last presentation which is for an MBR system and it's amazing. The type of expansion that we are trying to do will greatly reduce if not eliminate any odors that could possibly happen. Last but not least as I stated earlier 50,000 gallons is not going to us any good. 250,000 gallons will. Doubling the price gives up 5x the amount capacity. As far as our Master Plan and our Downtown Concept, it's all on the website if yall would like to review that. It's a wonderful document. That's all I have to say at this particular point in time. We are in the process of our audit process from 2022-2023. I'm going to state that our audit for the last few years has been perfect. That's everything that I got. Now before I go further is the Town Hall.

Council Comments-

Erica Miles- I understood Mrs. Pams, Mrs Tina's statement about her driveway earlier and I feel like when you, when the Mayor talked about paving it was not understood clearly. From my understanding the concern from the citizen is that if we pave the gutter and start at the road and you're saying to go to the driveway so it eliminates all bumps that is the issue that will create the problem for the citizens. If the gutter is level with the driveway the water will

run into the driveway down into the yard and potentially cause a flood for that citizen. I just wanted to clarify that. And then, I also wanted to make clear the citizens that I have recused myself from issues before as well that I represented someone in a real estate transaction when they came to rezone their property, I recuse myself from that issue. I do feel like as a member of council it is my responsibility to protect everyone's property values and when I say our I mean that I'm a citizen in the community too, so I'm included in everybody's property value. I just wanted to make that clear. I don't care if it's in Magnolia, I don't care if it's on Park Street, I don't care if it's in Forrest Glenn, I don't care where it is. The citizens of Walnut Grove deserve their property value to be protected and that is all I have.

Linda Pilgrim- No comments

Stephanie Moncrief- I don't want to go too long. I promised Kimberly we would get out of here. But I'd like the citizens of Walnut Grove to know that while I live in Emerald Cove and my street is bad, I am also a council member and I have a responsibility to everybody whether it's my street, Magnolia, Cambridge Chase, Enclave, whatever the case may be and if your road looked like this you could count on me to be doing the same thing. To me this is not a personal issue. I don't make them personal issues. This is an issue about a street that was done incorrectly, I've taken responsibility for it here, I've taken responsibility for it at my HOA meeting. There's nothing else I can say to convince anybody and if you choose to think differently then that is your choice and that's okay. You have that choice. That's it. Thanks for coming guys.

ADJOURN- Mayor- Is there a motion to adjourn? **Stephanie Moncrief-** So moved. **Mayor-** Second? **Erica Miles-** I second. **Mayor-** All in favor? All-I

ADJOURN

Kimberly Whitlow, City Clerk DATE

Steve Mark Moore, Mayor DATE

Tony Powell, City Attorney DATE

COUNCIL MEMBERS:

Erica Miles DATE

Linda Pilgrim DATE

Stephanie Moncrief DATE
