

MINUTES

CITY OF LOGANVILLE Regular Council Meeting Thursday, September 10, 2020 6:30pm Council Chambers

The City of Loganville Mayor and Council met for their regularly scheduled Council Meeting on Thursday, September 10, 2020 at 6:30pm in the Council Chambers. Mayor Rey Martinez and Council Members Jay Boland, Linda Dodd, Bill DuVall, Danny Ford, Anne Huntsinger and Lisa Newberry were all present.

Mayor Rey Martinez called the meeting to order at 6:30 pm.

Joseph Manu from FBC Loganville gave the invocation and the pledge was led.

Council Member Anne Huntsinger made a motion to amend the agenda to add a report from City Attorney Robyn Webb regarding an investigation to the agenda and approve the agenda with this amendment. Council Member Danny Ford seconded the motion. Motion carried 6-0.

Council Member Linda Dodd made a motion to approve the Consent Agenda as follows:

- Last Month's Minutes
- Last Month's Financial Report
- MCCI / Laserfische – Renewal Invoice - \$8,667.00 (Budgeted)
- 01/01/2020 Retirement Valuation OPEB - \$10,975
- Duty Weapon Replacement - \$19,880 (Federal Drug Forfeiture Account)
- Vehicle Purchase and Reassignment of CID Vehicles to SRO - \$74,410.30 (2019 Walton Count SPLOST)
- Award of 2020 CDBG Pecan Street Project Award - \$391,371.25 (Budgeted)
- Digester Replacement Pump - \$18,840.00 (Budgeted)

Council Member Danny Ford seconded the motion. Motion carried 6-0.

Mayor Rey Martinez presented a Proclamation in support of Latino Businesses. Mayor Rey Martinez also made a presentation to retiring WQC Director Chris Yancey for his years of service to the City of Loganville.

Planning and Zoning Case #R20-006 was presented to the Council. Merritt Properties, LLC has requested to rezone 2.48 acres located at 76 Bay Creek Road from CH to LI for the purpose of renovating warehouse space. There was no opposition to this case. Council Member Lisa Newberry made a motion to approve the rezone as presented. Council Member Danny Ford seconded the motion. Motion carried 6-0.

Planning & Zoning Case #V20-007 was presented to the Council. Brad Cooper on behalf of Blue River Development has requested a reduction in the lot width from 100' to 93.10 for the construction of three single family homes on property located at 344 Covington Street. There was no opposition to this case.

Council Member Lisa Newberry made a motion to approve the variance as presented. Council Member Linda Dodd seconded the motion. Motion carried 6-0.

Council Member Lisa Newberry stated that the Planning & Development Committee had met to interview applicants to fill vacant positions on the Planning Commission. She explained that it was the recommendation of the committee to recommend Amanda Soesbe, Brian Linkous and Alma Thomas to fill the vacant positions.

Council Member Linda Dodd made a motion to appoint Amanda Sosebe to the Planning Commission. Council Member Bill DuVall seconded the motion. Motion carried 5-1 with Council Member Jay Boland voting in opposition.

Council Member Lisa Newberry made a motion to appoint Alma Thomas to the Planning Commission. Council Member Danny Ford seconded the motion. Motion carried 6-0.

Council Member Danny Ford made a motion to appoint Brian Linkous to the Planning Commission. Council Member Linda Dodd seconded the motion. Motion carried 5-1 with Council Member Lisa Newberry voting in opposition.

Planning & Development Director Tim Prater gave an update on Code Enforcement. He reported that since January 180 citations have been written, 147 of those cases have been closed and 11 have been scheduled for court.

Council Member Anne Huntsinger made a motion to set the 2020 Millage Rate 11.838 mills. Council Member Linda Dodd seconded the motion. Motion carried 6-0.

Council Member Anne Huntsinger made a motion to approve the Walton Cares Act Budget Amendment for \$359,874.64 (FY2021). Council Member Lisa Newberry seconded the motion. Motion carried 6-0.

Council Member Bill DuVall presented the consulting contract for Chris Yancey. He explained that the purpose of this contract was to allow Mr. Yancey to assist the City in the completion of several projects that began under his leadership. Council Member Bill DuVall made a motion to approve contract as presented. Council Member Anne Huntsinger seconded the motion. Motion carried 6-0.

Council Member Bill DuVall the change order for the Monroe Waterline Project. He asked Chris Yancey to explain the reason for the change order. Mr. Yancey stated that the contract between Loganville and Monroe was approved by the Council in 2018. He explained that Monroe controlled the engineering for many reasons but one was the fact that they had previously completed a gas line bore under the river and had not encountered rock. He further explained that based on this previous bore they felt like a 32 inch bore would be sufficient. Unfortunately, they did hit rock and it has required additional expense. Mr. Yancey explained the options that were discussed to avoid having to drill through the rock under the river that ultimately were not viable solutions. He stated that while this was unexpected it will definitely pay off for the City once the line is open and we can close the Gwinnett valve. Mr. Yancey stated that this is definitely the final stages and anticipated connection no later than the first of the year. Mr. Yancey also explained that this project and negotiation between the City of Loganville and City of Monroe was an agreement that took many years of work to finalize. He stated

that this was not a project or plan that wasn't carefully and thoughtfully planned out over many years and he took great offense to the idea that this /project was not done properly or in the best interest of the City of Loganville. Council Member Bill DuVall made a motion to approve the change order for \$438,659.33 to be paid from reserve funding. Council Member Linda Dodd seconded the motion. Motion carried 6-0.

Council Member Bill DuVall made a motion to approve the ARC Study Contract. Council Member Jay Boland seconded the motion. Motion carried 6-0.

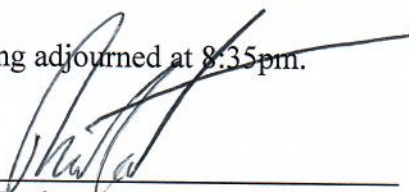
City Attorney Robyn Webb addressed concerns raised by Patti Wolfe in an email that was sent to the Council earlier this week regarding City Manager Danny Roberts. Ms. Webb stated that the email sent by Ms. Wolfe contained a lot of serious allegations against City Manager Danny Roberts. She stated that because the allegations involved the City Manager, Mayor Martinez felt it was important to investigate these allegations. The first thing that was addressed was that Ms. Wolfe accused Mr. Roberts of dereliction of duties when it comes to the water contract (Loganville / Monroe Waterline) that was discussed previously in this meeting and she felt like this has already been covered by Mr. DuVall, Mr. Yancey and Mr. Roberts. The next item she questioned was the notes on the last two years of audit. Ms. Webb explained that the City has had the same auditor since 2007 and presented the audits to the City Council and did not note anything wrong with the audit or note any concerns. However, since this has been raised the auditor has agreed to come to the City and go through everything again just to make sure that there are no irregularities however it will come as an additional expense to the City. She explained that this will require an additional engagement letter between the City and the auditor at a cost to be determined and will be presented to the Council at a later date. Next, Ms. Webb addressed Ms. Wolfe's concern that the City was using an auditor out of Macon instead of Atlanta. Ms. Webb asked the auditor for a list of their experience and qualifications in doing this for municipalities. Ms. Webb read a statement from Clifton, Lipton, Hardison and Parker and their over 60 years of experience specializing in this field. The next item Ms. Wolfe raised was regarding the money that was spent but not authorized in regards to what she refers to as the Precision Planning incident. Ms. Webb stated that this has been discussed at multiple meetings that she has attended in public and has explained it to everyone and does not know how else to explain it. However she did state that she did go back and review everything about Precision Planning and the money spent. She did not find anything out of the ordinary or any action taking by the City Manager that violated any city ordinance or law. The amounts mentioned by Ms. Wolfe were within the City Manager's spending authority. The next item addressed by Ms. Wolfe, related to the previous issue, is an entry of \$85,000 under building maintenance. She claimed that the City Manager can only move amounts or change a budgeted amount without City Council approval if those amounts are moved or changed within the same department. Ms. Webb spoke with Finance Director Natalie Warnack and City Manager Danny Roberts today and specifically questioned this move of this \$85,000. She stated that she can assure the Mayor and Council and the citizens of the City of Loganville that this money was moved within the same budget, the same account in the executive department. She further explained that this is exactly what Danny and Natalie and the people that work with them are allowed and permitted to do. Ms. Webb stated that Ms. Wolfe questioned specifically why the \$85,000 in building maintenance was so much more than the previous two years. She further stated that this same \$85,000 has been addressed/explained in previous meetings. Ms. Webb stated that she reviewed this all again today with her own eyes to make sure that she fulfilled the Mayor's charge and can assure you that \$85,000 was legally and lawfully moved within Danny Roberts budget and was put there to cover possible schematics for the Downtown Development which everyone is familiar. Further,

everyone is also aware that the Mayor and Council did not elect to go forward with that project and that \$85,000 is still sitting in that account. It has not been spent. She therefore, stated that there has been no dereliction of duty or duties or other unlawful, unethical behavior regarding City Manager Danny Roberts with that money. Ms. Webb also explained that Ms. Wolfe claimed that she has filed 10 complaints with the Attorney General's Office about Open Records and Open Meetings compliance by the City of Loganville. Ms. Webb stated that she has heard from the Attorney General's Office last week in which they forwarded her a complaint from Ms. Wolfe. It is the only complaint that they have received from her. This complaint concerns the citizen's advisory group that the Mayor and Council are not conducting this group in accordance with the Open Meetings Law. The AG's Office disagreed and said that group is conducted in accordance with the law. She also explained that the Mayor had previously called in the Attorney General's Office when Ms. Wolfe began making this complaint because he wanted to make sure that the city wasn't doing anything wrong and they confirmed that the city was complying with the law. Ms. Wolfe complained again and again the AG's office has informed Ms. Webb that the city is in compliance. She has also now said that since the Mayor and Council have stated that they have Danny's back she is going to file a complaint with the County Commission. Ms. Webb stated that she just wanted to save her some time because the County does not have any authority over the City. She has also stated that she is going to file a complaint with the State Auditor, which she is welcome to do but that would be against the auditor and not against the City. Again, she has stated that she is going to complain to the AG's office which again she is welcome to do and they can opine again that the City is doing everything correctly. Ms. Webb stated that if the City ever got an opinion that we are not, we would be the first to acknowledge that and move on to fix the situation but so everyone is aware we have done all of our due diligence. Ms. Webb concluded that this was her initial findings. She did not make those findings based on anything in the past but went through everything — anew today which will cost the city money to do that but the Mayor felt like this was important to address the issues head-on and hopefully put them to rest so we can move on. She explained once she hears from the auditor she will relay those costs to the council so they can approve an agreement with the auditor to perform that work.

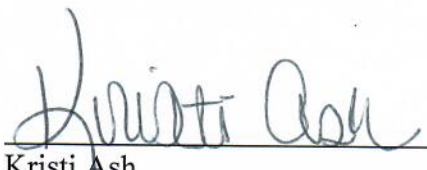
At this time, there were numerous comments from citizens, elected officials and employees regarding these allegations and their support of the City and City Manager Danny Roberts.

With no further discussion, Council Member Anne Huntsinger made a motion to adjourn. Council Member Danny Ford seconded the motion. Motion carried 6-0.

Meeting adjourned at 8:35pm.



Rey Martinez
Mayor



Kristi Ash
Deputy Clerk