

**CITY OF TEMPLE MINUTES  
TEMPLE CITY COUNCIL  
MONDAY, DECEMBER 9<sup>TH</sup>, 2013 @ 6:30 PM  
TEMPLE CITY HALL**

**CALL TO ORDER:**

Mayor Rick Ford called the regular scheduled Council Meeting to order at 6:35pm with the following members present constituting a quorum: Council Member Hiley Miller; Council Member Larry Mann; Council Member Richard Bracknell; Council Member Terron Bivins and Council Member William Simmons

**INVOCATION:** The invocation was given by Council Member Richard Bracknell

**CITIZENS COMMENTS:**

Mayor Rick Ford opened the floor for citizen's comments: There were none

**COMMITTEE MEETING REPORTS:**

**Public Safety:** Agenda Item

**Community Development:** Agenda Item

**Recreation:** Agenda Item

**Personnel:** Agenda Item

**Senior Center:** No Report

**Financial:** Agenda Item

**Public Works:** Agenda Item

**CONSENT AGENDA:** Minutes approval, Budget, Community Development, Public Safety, Recreation, Senior Center and Financial: Council Member Terron Bivins requested to remove Item #2 (Resolution to establish the position of Assistant City Administrator, found under New Business) from the consent agenda. Council member Hiley Miller motioned to approve the consent agenda with the removal of Item #2 under New Business; seconded by Council Member Richard Bracknell. Motion carried 5-0

**OLD BUSINESS:**

- 1.) Approval of Juvenile Curfew Ordinance:** 2<sup>nd</sup> read – After discussion Council Member Hiley Miller motioned to approve; seconded by Council Member Larry Mann. Motion carried 5-0.

- 2.) **Occupational Tax Ordinance:** 2<sup>nd</sup> read-City Administrator Kim Pope stated that we have currently taken in a little over \$20000.00 for business licenses for 2014. She asked that if the City of Temple adopts the new Occupational Tax Ordinance, would we then need to refund the businesses that fall under this tax ordinance that have already paid the current fee of \$125.00 instead of \$75. City attorney Cynthia Daley stated that we would need to issue a refund to those businesses that this applies to. Council Member Richard Bracknell motioned to approve the Occupational Tax Ordinance; seconded by Council Member Terron Bivins. Motion carried 5-0.

**NEW BUSINESS:**

- 1.) **Approval of Bid for Field Maintenance Contract:** There was one bid from Riverbottom Farms of \$8598.00 yearly with an addendum to add \$375.00. Council Member Richard Bracknell motioned to approve the Approval of Bid for Field Maintenance Contract; seconded by Council Member William Simmons. Motion carried 5-0.
- 2.) **Approval of Bid for Storage Building at Recreation Department:** There was one bid from Ty Dyer Construction in the amount of \$25500.00 for the construction of the whole facility. There was a bid from Mid-Georgia Garage Doors in the amount of \$1598.00. This was for the doors only. Council Member Richard Bracknell stated that his recommendation would be to use Ty Dyer Construction. City Attorney Cynthia Daley asked where the money needs to come from to fund it. City Administrator Kim Pope said we would have to move money into a line item. Council Member Richard Bracknell motioned to table the Approval of Bid for Storage Building at Recreation Department for further discussion; seconded by Council Member Terron Bivins. Motion carried 5-0. This will be discussed further at a Special Called Council Meeting.
- 3.) **Approval of Contract for the Firing Range:** City Attorney Cynthia Daley stated there is an agreement between the City of Temple and the City of Villa Rica. The City of Temple will obtain ownership of the range. The term is 10 years with a renewal, but can be terminated at any time. The City of Villa Rica will be contributing \$25000.00 to go towards the construction and implementation of the firing range. Villa Rica will be entitled to use of the firing range at such times and dates as are mutually agreed upon between the two police departments. The days of use will be scheduled at least 30 days in advance when possible. Any requests made less than 30 days before will be accommodated when they can. The City of Temple will always have first priority of the use of the range. If there are any disagreements, Villa Rica will be entitled to no less than 24 hours use of the range. City of Temple will continue to do the maintenance and keep the premises in good repair, except for any damages that arise caused by the City of Villa Rica. In that case, Villa Rica will be responsible for paying for those. Villa Rica will maintain equivalent insurance to take care of any claims that may take place while they are using the range. Villa Rica will indemnify and hold the City of Temple harmless for any negligence caused on their part when using the range. Temple will do the same for Villa Rica when they are using it. Both parties will require a Post-certified firearms instructor to be present at all times during use of the range. If for any reason the City of Temple chooses to divest itself of the firing range, Villa Rica will have the first option and opportunity to purchase it. Council Member Terron Bivins

motioned to approve the Contract for the Firing Range; seconded by Council Member William Simmons. Motion carried 5-0.

- 4.) **Occupational Tax Ordinance:** 2<sup>nd</sup> Read-Council Member Hiley Miller motioned to move the Occupational Tax Ordinance: 2<sup>nd</sup> Read to Old Business; seconded by Council Member Richard Bracknell. Motion carried 5-0
  
- 5.) **Approval of Resolution for Budget Amendments 2013:** Council Member Terron Bivins stated that this amendment is to bring the budget back up because the city went a little over the budget. She stated we need to bring the total revenues from \$2,553,530.00 to \$2,582,530.00. Council Member Hiley Miller motioned to approve the Resolution for Budget Amendments 2013; seconded by Council Member Richard Bracknell. Motion carried 5-0.
  
- 6.) **Approval of LMIG Recommendations:** Council Member Hiley Miller stated this was the annual agreement with a list of roads that were discussed at the committee meeting. Council Member Hiley Miller motioned to approve the LMIG Recommendations; seconded of Council Member Richard Bracknell. Motion carried 5-0.
  
- 7.) **Approval of right of way at Oak Shade Road:** City Attorney Cynthia Daley stated that this was part of a paving project with Carroll County. Carroll County will be paving that section of Oak Shade Road upon receiving the right of way from the City of Temple. Council Member Hiley Miller motioned to approve the right of way at Oak Shade Road; seconded by Council Member Richard Bracknell. Motion carried 5-0.
  
- 8.) **Approval of Agent of Record for insurance:** Council Member Terron Bivins requested for record change to go from Carroll Realty to Leigh Shirley Insurance Agency on renewal and Leigh Shirley agreed. Council Member Terron Bivins motioned to approve the Agent of Record for insurance; seconded by Council Member Richard Bracknell. Motion carried 4-0. Council Member Larry Mann abstained.
  
- 9.) **Change dates for Committee Meeting for December 2013:** It was decided to leave the date for the Committee Meeting for December 2013 on December 30, 2013. No action required.
  
- 10.) **Change dates for Council Meeting for January 2014:** It was decided to leave the date for the Council Meeting for January 2014 on January 6, 2014. No action required.
  
- 11.) **Adopt 2014 Budget:** There is one change. Council Member Terron Bivins stated that the Senior Center wants to add \$10000.00 to their budget for a walk-in freezer. This would increase their budget to \$26771.39. Council Member Terron Bivins motioned to add this to the senior center budget and go from there. Council Member Terron Bivins motioned to

approve to Adopt 2014 Budget; seconded by Council Member Richard Bracknell. Motion carried 5-0.

**12.) Ratification of employment: Deputy Court Clerk/Admin. Assistant @ Police Department:** City Administrator Kim Pope stated that Chief Court Clerk Tina Duncan made a recommendation to Chief Tim Shaw, and he made a recommendation to her (Kim Pope) to hire this employee. Council Member Hiley Miller motioned to approve Ratification of employment for a Deputy Court Clerk/Admin. Assistant @ the Police Department; seconded by Council Member Richard Bracknell. Motion carried 5-0.

### **MAYOR AND COUNCIL CLOSING COMMENTS:**

Mayor Rick Ford: He has thoroughly enjoyed his 8-year mayor term for the City of Temple. He thanks the citizens of Temple for placing their trust in him, and he honestly tried to do what was best for all of the citizens. He tried to do what was right and what was best for all of the citizens. Again, he thanked the citizens of Temple. He said it has been an honor and a privilege to serve in this capacity.

The strip center by Yazoo has changed hands and they are in the process of getting tenants in the building.

He was hoping to have an announcement from a national company. There will still be an announcement, but it will be later on in the week and made by the Chamber of Commerce.

He announced that District Commissioner Tommy Lee has decided to use discretionary funds to make the current City Hall into a library once we have moved into the new administrative complex.

He said that the City of Temple has the best employees by far.

Council Member Terron Bivins: She has enjoyed her 4 years as a council member and wished the incoming council members all the best.

Council Member Larry Mann: The past 11 months have been a pleasure. He thanked the citizens for 20+ years and said he thinks that we have the best staff we've had as far as employees.

Council Member Hiley Miller: No comment.

Council Member William Simmons: No comment.

Council Member Richard Bracknell: Congratulated Frank Winfrey on the Christmas Parade and festivities. He made speeches and presented plaques to the outgoing police chief, Tim Shaw, the outgoing city administrator, Kim Pope, the outgoing council members, Terron Bivins and Larry Mann, and the outgoing mayor, Rick Ford. He also thanked them for their service to the city and wished them all the best of luck.

**EXECUTIVE SESSION:** Council Member Richard Bracknell motioned to go into executive session at 7:08pm for the purpose of discussing legal, real estate and personnel; seconded by Council Member Larry Mann. Motion carried 5-0.

**RETURN TO REGULAR SESSION:** Council Member Richard Bracknell motioned to return to regular session at 7:44pm; seconded by Council Member Hiley Miller. Motion carried 5-0.

**ADJOURNMENT:** With no further business to discuss, Council Member Richard Bracknell motioned to adjourn at 7:44pm; seconded by Council Member Larry Mann. Motion carried 5-0

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Rick Ford - Mayor

Attest:

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Lynn Nixon, Interim Asst. City Clerk