

**CITY COUNCIL SPECIAL CALLED MEETING
February 16, 2023
5:00 PM, Temple Senior Center
MINUTES**

Call to Order: The meeting was called to order at 5:00PM by Mayor Michael Johnson
Council Members Present: Howard Walden, Casey Russom, Tom Wallace
*Hiley Miller arrived at approximately 5:05PM (was not present to vote on approving the agenda)
Council Members Absent: Richard Bracknell

Invocation and Pledge of Allegiance: Led by Mayor Michael Johnson

Approve the published agenda of this date's City Council meeting, as presented: There was a motion by Council Member Walden to approve the published agenda, second by Council Member Wallace. Vote 3-0.

1. Updated reports concerning: (a) the three existing railroad crossings located within the City of Temple and the options which have been identified by Norfolk Southern and the City of Temple to improve safety and vehicular movement at these current crossings, (b) the temporary closing of the Sage Street crossing while certain "truck deterrent" measures are installed, and (c) a staff recommendation for the development of a coordinated plan to eliminate the two current unsafe railroad crossings and to plan and construct a new crossing which could accommodate large trucks; discussions.

City Administrator Bill Osborne explained that several days ago, Connor Poe of Norfolk Southern, said that we might just need to close the Sage Street railroad crossing due to the number of trains getting stuck on the tracks. Present at the meeting was Mr. Will Miller, Norfolk Southern's Public Safety Director. Mr. Osborne said that tonight we will be focusing on the Sage Street crossing, although there are other issues that need to be looked at. Chief Lee has been in discussion with Mr. Miller regarding getting signage for the Sage Street crossing to help alleviate this problem. This could be a temporary solution until another more permanent solution is in place. Mr. Miller stated that he appreciated working with Chief Lee and that Norfolk Southern will support the idea of installing poles and signage at the Sage Street Crossing. He stated that in the last few months there have been 20 trucks stuck at this crossing, and that this crossing is the 3rd worst in the country out of about 23,000 crossings, for stuck trucks. He said there will need to be a license agreement with the City for the City to have the ability to put the poles and signage on their property. He said this would not be an issue and there would be no charge. Mr. Miller stated that they want to work with the City on a long term solution and he discussed federal grant money that is available to aid the City with this. He will keep us updated with information on these grant opportunities as they become available. Most grants require the City to pay ten percent of the funding.

Chief Lee explained for the temporary solution of the poles and signage, the cost should be approximately \$7,000. He is working on trying to get some free poles, which typically cost about \$2,000. He stated that once all of the materials are received, it should take approximately 2-3 days for the installation.

2. Consider adoption of a resolution to authorize the temporary closing of the north end of Sage Street at a point approximately 300 feet south of this street's grade-level crossing of the Norfolk Southern railroad tracks, while safety warning signage is erected and operating.

There was a motion by Council Member Russom to adopt the resolution to authorize the temporary closing of the north end of Sage Street while safety warning signage is erected by the railroad crossing, second by Council Member Walden. Vote 4-0.

3. Report on HB 189 currently being considered by the Georgia House of Representatives, including the anticipated impact on Georgia roads and streets if this bill passes and thus raises the variance on truck weight limits so commercial vehicles could transport cargo weighing up to 90,000 pounds.

City Administrator Bill Osborne explained that HB-189 has gotten more traction than GDOT thought that it would and they are in a battle of preventing this legislation passing. GMA is asking cities to take a stance against this proposed legislation; they are trying to get opposition before it goes to the house.

4. Consider adoption of a resolution to oppose passage of HB 189, because of the anticipated damage to State and local highways due to the significantly heavier load limits and the increased danger to the traveling public.

There was a motion by Council Member Wallace to adopt a resolution to oppose passage of HB 189 because of the anticipated damage to State and local highways, second by Council Member Walden. Vote 4-0.

5. Consider approval of a new dance program to the City of Temple's recreation program, to be provided by the Majestic Dance Group.

There was a motion by Council Member Miller to approve a new dance program to the City's recreation program to be provided by the Majesty Dance Group, second by Council Member Walden. Vote 4-0.

6. Report on the planned interim operation of the City of Temple's Public Works Department during the interval between director Hal Burch's departure this week for a new job with another local government and Temple's recruitment and employment of a new Public Works Director; discussion.

Assistant City Administrator Lisa Jacobson explained that the Public Works Director job has been posted. There has been discussion with engineering about a possible interim Public Works Director. Ms. Jacobson explained that she will be at Public Works each morning for their team meetings and she will be taking care of any administrative paperwork. She said calls will be taken at City Hall during the day and forwarded to the Crew Chief at night.

7. Receive an updated report concerning the additional work to be done by the City Council in modifying the recently approved new boundary lines for Temple's five City Council wards, in response to feedback received from the Georgia General Assembly's Legislative and Congressional Reapportionment Office after its review of the new map approved by the City Council on October 3, 2022; discussion.

City Administrator Bill Osborne explained that the State made many changes to the proposed ward map that the City submitted. The changes have to be done in Census blocks and the State sent an alternate map back to the City. Mr. Osborne stated that he wanted everyone to look at this proposed map and for everyone to zero in on any changes that might need to be made. He said this will be discussed further at the committees meeting on February 27th and we will deal it at the Council Meeting on March 6th. We have to make changes so that there is less population disparity amongst the wards.

Mayor Johnson stated that it appears that Lakeland Park is not included on the map and that could affect the numbers in ward 3. Council Member Russom stated that by Trestle Creek there are some

homes that got left out and that a big portion of Azalea Hills is also not represented on the map. Council Member Walden said that all of phase 2 in Azalea Hills is missing. Mayor Johnson pointed out that the left side of Ringer, that those houses are not included in the colored area. Council Member Russom suggested that we have the State make sure they have updated the City boundaries and then re-run their calculations.

8. Reports concerning the City of Temple's 2021 Annual Financial Report prepared by Finance Director Ken Abidde, the work of the City's financial consultant Rick Hartley, and the 2021 Audit prepared by the CPA firm of Mauldin & Jenkins, including the schedule of findings.

Christopher McKellar, partner with Mauldin and Jenkins, was present at the meeting. He was the lead engagement partner for the audit ending 12/31/21. He stated that as of right now, the statements are still in draft form; he is waiting on the City's management to know if there are questions or comments before they put it through the review process and get it issued. He said the financial statements are the responsibility of management, and it is the responsibility of Mauldin and Jenkins, as external auditors, to express an opinion on the fair presentation of the financial statements. He gave a brief overview of the audit and findings.

The first material weakness was segregation of duties. It was explained that this can be a common issue in smaller cities. Due to the limited number of finance staff, it makes it difficult to have segregation of duties. It was noted that the City is working on this and looking at different procedures to help with this and to have Finance Director Mr. Abidde and Finance Consultant Mr. Hartley to look at different things. The next weakness is timely financial reporting; he said that this boils down to they didn't get the majority of the information needed for the audit for the fiscal year ended 12/31/21 until June of 2022. He said that a lot of the schedules were not provided until January 2023. Another weakness was "material non compliance"; the City did not adopt a balanced budget for the ARPA funds which is a separate special revenue fund and it is required to have a budget for it. This will be corrected going forward. He said that there was a significant decrease in the number of findings from the previous year. The only journal entry finding was related to capital assets and that was just an oversight. It was definitely better than the last two years.

Mr. McKellar explained that he wasn't going to go through all of the management recommendations, but he wanted to point out a couple of things. There are a few interfund balances where one fund owes another fund money that have been on the books for several years. There should be a plan in place to get those paid off if at all possible sooner than later. Right now they are showing as loans between the funds. Finance Director Kenneth Abidde explained that the Council had approved a plan that every year, \$200,000 is transferred from the water fund to the general fund. As of 12/31/21 SPLOST fund owed the general fund, \$362,000, water fund owed the general fund 1,028,000, and the SPLOST fund owed water fund 415,000. Council Member Walden stated that we are also transferring \$150,000 from the water fund to the general fund for payroll related expenses of employees who are also doing water functions. Rick Hartley stated that at this point there is a lot of money sitting in the water fund, and we should possibly look at just paying this off. Mr. Abidde stated that he would have to look and see how this would affect the City's debt service ratio.

Mr. McKellar explained that the last recommendation he wanted to point out was regarding the SPLOST accounts. We have two different referendums from 2015 and 2021 and from the outside looking in it is hard for them to segregate the two. They recommend that the City splits out the cash and expenditures and everything related to the two different SPLOST accounts. They can still be reported in the same fund and financial statements but have them separated in the accounting records. Mr. Abidde stated they are

different. Mr. McKellar explained that some expenditures were paid out of the 2015 SPLOST that were for the 2021 referendum. As an example, Mr. Hartley said a payment for the City Hall expansion project was paid out of 2021 SPLOST; there is nothing in that referendum related to renovation projects.

9. Discussion of the City of Temple's 2021 Audit with representatives from the Mauldin & Jenkins CPA firm and with consultant Rick Hartley, including any additional action needing to be taken by the City of Temple before the 2021 Audit is submitted to the State of Georgia Department of Audits and Accounting.

Council Member Walden had a question under the findings regarding cash transactions; he wanted to know why that is a finding because we have two employees that review the transactions. Mr. McKellar said that they can go back and ask the question and get documentation to support this. He said they typically provide internal control questionnaires asking these types of questions and apparently we answered no that this wasn't in place. He said that they would follow this up with "walk throughs" where they ask for further documentation so that we can see that things are being reviewed. Mr. Abidde also pointed out the second bullet in this finding and the findings are not accurate; we have two employees who count out and confirm the cash drawer at the end of the day. Mr. McKellar stated if they could provide the documentation regarding this the finding can be adjusted.

Council Member Walden stated that it looks like there were findings in the 2020 audit that we have corrected and it's not reflected in the 2021 audit. Mr. McKellar stated that this is all in draft form and we will have to look at the individual cases that have been mentioned. Mr. Hartley stated that once these finding issues are resolved and Mr. Abidde finishes his review, then Mauldin and Jenkins will be ready to print it and they can ship it to the state. It was stated that the ARPA fund budget would be acted upon in March.

City Administrator Bill Osborne wanted to discuss the time frame for accepting the audit; the next regular voting meeting is on Monday, March 6th and the committees meeting is Monday, February 27th, with the potential for a special called meeting on the same date. He asked if we would be able to wrap everything up by March 6th. Mr. McKellar said they are setting on ready and as soon as Mr. Abidde resolves the issues that were mentioned, they are ready. He said that the final review does not take a significant amount of time. Mr. Osborne asked if we could wrap things up at a Special Called meeting on February 27th because we currently have a hold for funding for two state programs because the audit is not complete. It was clarified that the Council does not approve the audit, they vote to receive the audit.

10. Review of the City of Temple's current contract with GFL Environmental for residential and commercial garbage collection and disposal services, including the procedure for terminating the current contract before it ends on June 30, 2024; discussion of the City's options starting July 1.

City Administrator Bill Osborne explained that the current GFL contract ends on June 30th and GFL is offering to extend the contract at a higher rate of \$16 per garbage can. Public Works Director Hal Burch said that if we put this out to bid, they will come back at a higher rate and that \$16 is a reasonable price. Mayor Johnson clarified that \$16 would be what the City would pay GFL, currently the upcharge is 4%, which would make the cost to the customer \$16.64 a month.

11. Brief updated report concerning the requirement for the City of Temple to do a five-year update of its Comprehensive Plan, as required by the State of Georgia; discussion.

City Administrator Bill Osborne explained that updating the comprehensive plan is the requirement of the state and we are in the process of getting the committee together for this. Community Development

Technician Deidra Walker said that we currently have about ten people who have committed to participate and we need more suggestions. She said that if you have anyone in mind, she is happy to give them a call. She said that Leigh Shirley said she will participate. Council Member Wallace stated that Patsy Allgood said she would participate.

12. Consider making additional appointments to the 2023 Comprehensive Plan Steering Committee, which is scheduled to hold its first meeting by mid-March.

There was a motion by Council Member Walden to approve these appointments to the 2023 Comprehensive Plan Steering Committee: Patsy Allgood, Matt Rhoden, Kaylin Thomas, Raj Joshi, Ingrid McKinley and Rick Scott, second by Council Member Miller. Vote 4-0.

Closing Comments

Lisa Jacobson- There is information about the AMI change order in the book. It will be discussed at the Special Called Meeting on February 27th.

Mayor Johnson- This is our final meeting where Public Works Director Hal Burch will be a City employee. It is with sadness that I accept this, but I am glad for him and the opportunity presented to him. As much as we have valued him in his position, we may not know the full value until he is gone. He has left Temple better than how he found it and we commend him for that.

Executive Session, if needed- N/A

Adjournment: There was a motion to adjourn by Council Member Walden, second by Council Member Russom. Vote 4-0. The meeting adjourned at 7:03PM.



Mayor Johnson



City Clerk