

CITY OF FORT VALLEY
MARCH 13, 2018
WORKSESSION MEETING

The Mayor and Council of the City of Fort Valley held a Work Session Meeting on Tuesday, March 13, 2018, at 6:00p.m. at City Hall.

Mayor Barbara Williams presided.

Council members in attendance: Juanita Bryant, Jimmy Barnes, Alonzo Allen, Marvin Crafter, LeMario Brown and Carla Gowen.

City Attorney William Jerles, Jr. was present.

City Administrator Karin D. Vinson was present.

Public Safety Director Chief Spurgeon was present.

Public Works Director Ben Carpenter was present.

Office Assistant Scakajawea Wright served as recorder.

- I. Call to Order-** 6:05 p.m.
- II. Invocation-** Mayor Williams
- III. Persons to Address the Council**
 1. Alvin Williams- Citizens for Better Government
 2. Sara Dusenberry- Regional Commissions Representative
 - i. Language Access Plan- add to agenda
- IV. Approval of Agenda**
 1. **Motion to Amend the agenda, add, and subtract the following items to be discussed.**
 - i. Motion- Brown
 - ii. Seconded- Allen
 1. Items to be added:
 - a. Festival Park
 - b. Truck Stop Development
 - c. Hotel Contract Negotiation

Juanita Bryant would like to add a Memorial for the Fire Chiefs of Fort Valley to the agenda.

City Administrator asked for item number 5, Resolution to approve pay increase for Capt. Antonio Woodard, to be removed from the agenda.

2. **Motion to add Utility Commissions letter to the agenda.**
 - i. Motion- Bryant
 - ii. Seconded- Allen

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iii. All in Favor

Add to the agenda an adoption of Language Access Plan and develop it.

V. New Business

1. Resolution approving the amendment of Charter Section 15. Recorder's Court
 - i. Add to regular meeting agenda
2. Resolution to execute agreement with the Georgia Peach Festival
 - i. Add to regular meeting agenda
3. Resolution rejecting Ice House bid
 - i. Add to regular meeting agenda
4. Resolution to add Chapter 62.12 of the Fort Valley Code
 - i. Add to regular meeting agenda
5. Removed item from the agenda.
6. Resolution to Implement Restrictive Covenant for former Peach County Hospital Site
 - i. Add to regular meeting agenda

City Attorney discussed the Resolution to Implement a Restrictive Covenant for former Peach County Site. He stated the covenant runs with the land so if the land is transferred to anybody else, they are bound by those covenants. He doesn't know about putting the resolution on the agenda as early as Thursday because the contract has a couple of other issues that may come up. They were made aware that Mr. Harris put two wrong addresses in his bid. It has to be corrected and is something that could be corrected.

Councilwoman Bryant stated the address issue had been corrected.

City Attorney mentioned another issue, which may require a change order. They need to know whether or not he is using a subcontractor. It is something Greg talked about today. If Mr. Harris is using a subcontractor, it changes some of the terminology of the contract. If he is not using a subcontractor then it's fine. These issues may come back up.

Councilman Crafter asked if it can be rectified with the difference between a W2-Form and 1099.

Mayor Williams reported the Department of Community Affairs wants a certain number of low income people had to be hired. It also dealt with cultures. If the people are supplied with a W2-Form and have been verified as low-income workers. She isn't sure what that means/intel's.

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City Attorney stated it was fine and the analogy points out the difference in the legal status and if payroll taxes are paid, employer taxes are paid, and they are treated like employees; a subcontract is not needed because it is not a subcontract situation.

Councilman Crafter asked if there was a need to change the language in the contract that would rectify that.

City Attorney replied by saying it depends on the statues of the individual and any other people or companies that are working underneath Mr. Harris. He stated he did not know the answer to those facts. There was a reference in Mr. Harris bid to some type of subcontracting. It has been questioned. The Department of Community Affairs has some changes in the language that's required if it is subcontracting verses employees.

Councilman Crafter asked if what they said about the W2's would suffice that and the language that's being talked about is taken out.

City Attorney response was if everybody are employees, nothing will change and that's fine. If a subcontractor is being used, they would have to do a change order under the contract.

Councilman Crafter asked if there is an existing procedure that we use to rectify that.

City Attorney said yes and it's going to ultimately end up just being an inquiry.

Councilman Crafter asked the City Attorney, "What is the proper thing for them to do"?

City Attorney responded at this point in time nothing. The inquiry has to be made with Mr. Harris on how the people will be treated. If nothing changes, nothing must be done.

7. Discussion of Storm Water rate

- i. Add to regular meeting agenda

8. Festival Park

- i. Do not add to regular meeting agenda

9. Resolution to ask for technical assistance to apply for RDBG Grant

- i. Add to regular meeting agenda

VI. Motion to go into Executive Session for a discussion involving Attorney-Client privilege information.

1. Motion- Gowen
2. Seconded- Allen
3. All in Favor- Unanimous

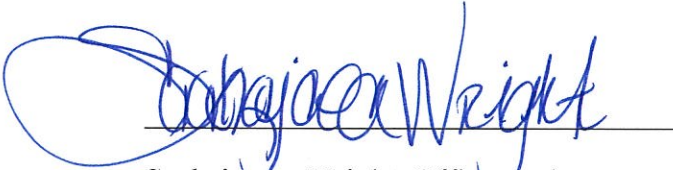
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VII. Motion to exit Executive Session.

1. Motion- Crafter
2. Seconded- Bryant
3. All in Favor- Unanimous


Adjournment-8:41pm

- Motion – Bryant
- Seconded- Barnes
- All in Favor- Unanimous



Scakajawea Wright, Office Assistant

Reviewed & Revised by:



Karin D. Vinson, City Administrator