



# City of Statham

## COUNCIL MEETING

APRIL 21, 2020

7:00 P.M.

STATHAM COMMUNITY CENTER

336 JEFFERSON STREET, STATHAM, GA 30666

### 1. CALL TO ORDER:

The regular business meeting of the City of Statham City Council was called to order by Mayor Joe Piper at 7:00 p.m.

Members present were Mayor Joe Piper and Council Members Tammy Crawley, Betty Lyle, Dwight McCormic, Hattie Thrasher, and Gary Venable. Also in attendance was attorney Jody Campbell, City Clerk Susan Gabriel, and Public Works Director Sam Powell.

Mayor Piper opened the meeting with the Pledge of Allegiance.

### 2. APPROVAL OF MINUTES:

**A. COUNCIL MEETING, MARCH 17, 2020**

**B. EMERGENCY COUNCIL MEETING, MARCH 24, 2020**

**C. EMERGENCY COUNCIL MEETING, APRIL 1, 2020**

**D. SPECIAL CALLED COUNCIL MEETING, APRIL 9, 2020**

**E. WORK SESSION, APRIL 9, 2020**

Gary Venable said a correction should be made to the March 17 minutes. Page 3, New Business item 3 states that Gary Venable made a motion to adopt the Pandemic Policy and *Purchasing* Policy. It should read "Gary Venable made a motion to adopt the Pandemic Policy and *Credit Card* Policy."

Gary Venable made a motion to approve all of the minutes with the correction to the March 17 minutes. Tammy Crawley seconded the motion, unanimous.

Mayor Piper asked to amend the agenda to move New Business item C. City Attorney to number 3.

Tammy Crawley made a motion to amend the agenda. Gary Venable seconded the motion, unanimous.

**3. CITY ATTORNEY**

Mayor Piper asked the council for their support to name Jody Campbell as the new City Attorney.

Tammy Crawley made a motion to hire Jody Campbell as Statham's City Attorney. Betty Lyle seconded the motion, unanimous.

City Attorney Jody Campbell was sworn in by Mayor Piper.

**4. OLD BUSINESS:**

**A. A RESOLUTION AUTHORIZING THE TRANSMITTAL OF A PROPOSED COMPREHENSIVE PLAN AMENDMENT TO THE NORTHEAST GEORGIA REGIONAL COMMISSION AND REQUESTING ITS FAVORABLE CONSIDERATION**

Gary Venable pointed out that the Council is just transmitting the future land use map to the Regional Commission and is not adopting the map. Corrections can still be made before adopting the comprehensive plan amendment, which includes the future land use map.

Dwight McCormic made a motion to adopt the resolution to transmit the proposed Comprehensive Plan Amendment to the Northeast Georgia Regional Commission. Gary Venable seconded the motion, unanimous.

**5. NEW BUSINESS:**

**A. CLEAN UP DAYS, MAY 15-16, 8 A.M. – 6 P.M.**

There was discussion about the American Legion's Ride for the Fallen on the same day as the proposed clean up days. Dwight McCormic suggested using Casto's lot for clean up instead of Railroad Street. Mayor Piper said he would ask the Casto's about using their lot.

Dwight McCormic made a motion to approve the May 15-16 clean up days. Betty Lyle seconded the motion, unanimous.

**B. SET DATE FOR BUDGET WORKSHOP**

Mayor Piper said City Accountant April Plank has made progress and should have raw numbers soon. Discussion followed.

Hattie Thrasher made a motion to have a budget workshop on May 4 at 6:30 p.m. Gary Venable seconded the motion, unanimous.

**C. CITY ATTORNEY**

**6. EXECUTIVE SESSION:**

Tammy Crawley made a motion to go into executive session for the purpose of discussing pending litigation. Hattie Thrasher seconded the motion, unanimous. The council went into executive session at 7:56 p.m.

Betty Lyle made a motion to come out of executive session. Hattie Thrasher seconded the motion, unanimous. The council came out of executive session at 8:29 p.m.

City Attorney Jody Campbell made the following statement: "On April 21, 2020, the Mayor and City Council of the City of Statham entered into a closed, executive session to allow for protected attorney-client discussions related to pending litigation involving the City. No votes or actions were taken during this closed session. A copy of the Resolution signed by the Mayor and City Council as well as the Affidavit signed by the Mayor attesting to these facts will be included with the minutes."

**7. ADJOURN:**

There being no further business before the Council, Dwight McCormic made a motion to adjourn. Tammy Crawley seconded the motion, unanimous. The regular business meeting of the City of Statham City Council adjourned at 8:30 p.m.

Respectfully submitted, Susan Gabriel, City Clerk

**MOTION TO ENTER INTO A CLOSED MEETING OF A CITY COUNCIL**

Council Member Jammy Crawley makes the following motion.  
Council Member Hattie Shasher seconded the motion.

- (1) That this Mayor and Council now into closed session as allowed by O.C.G.A. §50-14-4 and pursuant to advice by the City Attorney, for the purpose of discussing the following:

pending litigation

---

---

- (2) That this body, in open session, adopt a resolution authorizing and directing the mayor or presiding officer to execute an affidavit in compliance with O.C.G.A. §50-14-4, and that this body ratify the actions of the council taken in closed session and confirm that the subject matters of the closed session were within exceptions permitted by the open meetings law, said resolution to be in the form as attached hereto.

**Motion approved**

Those voting in **favor** of the motion for closure: Council Members: Dwight McCarver  
Jammy Crawley - Hattie Shasher  
Doug Tyle

---

---

Those voting **against** the motion for closure: Council Members: \_\_\_\_\_

---

---

---

**AFFIDAVIT**

Personally appeared before the undersigned attesting officer, duly authorized to administer oaths, Mayor Joe Piper, who, after being duly sworn, deposes and on oath states the following:

(1) I was the presiding officer of a meeting of the Statham City Council held on the 21st day of April, 2020.

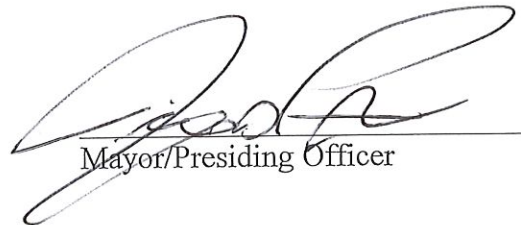
(2) That it is my understanding that O.C.G.A. §50-14-4(b) provides as follows:

When any meeting of an agency is closed to the public pursuant to subsection (a) of this Code section, the chairperson or other person presiding over such meeting shall execute and file with the official minutes of the meeting a notarized affidavit stating under oath that the subject matter of the meeting or the closed portion thereof was devoted to matters within the exceptions provided by law and identifying the specific relevant exception.

(3) The subject matter of the closed meeting or closed portion of the meeting held on the 21st of April, 2020, which was closed for the purpose(s) of pending litigation as allowed by O.C.G.A., Title 50, Chapter 14, was devoted to matters within those exceptions and as provided by law.

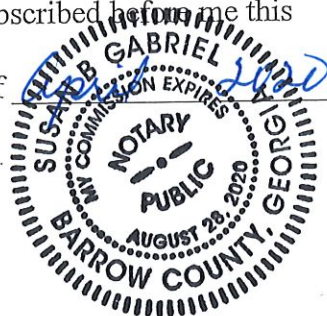
(4) This affidavit is being executed for the purpose of complying with the mandate of O.C.G.A. §50-14-4(b) that such an affidavit be executed.

This 21st day of April, 2020.

  
\_\_\_\_\_  
Mayor/Presiding Officer

Sworn to and subscribed before me this

21st day of April, 2020.



  
\_\_\_\_\_  
Notary Public



**RESOLUTION OF THE STATHAM CITY COUNCIL**

BE IT RESOLVED by the Statham City Council as follows: At the meeting held on the 21st day of April, 2020, the Council entered into closed session for the purpose of discussing pending litigation. At the close of the discussions, the Council did vote to re-enter into open session and herewith takes the following action in open session:

(1) The actions of the council and the discussions of the same regarding the matter set forth for closed session purposes are hereby ratified.

(2) Each member of this body does hereby confirm that to the best of his or her knowledge, based upon the advice of the City Attorney, the said subject matter of the meeting and of the closed session portion was devoted to matters within the specific relevant exception(s) as set forth above.

(3) The Mayor, or the presiding officer, is hereby authorized and directed to execute an affidavit, with full support of this Council, in order to comply with O.C.G.A. §50-14-4(b).

(4) The affidavit shall be included and filed with the official minutes of the meeting and shall be in a form as required by the statute.

Approved this 21st day of April, 2020.

Attest: Susan Gabriel  
City Clerk

[Signature]  
Mayor