

CITY OF STATHAM

MINUTES

Statham City Hall

327 Jefferson Street, Statham, GA 30666



PUBLIC HEARING & WORK SESSION – April 12, 2023

6:30 P.M.

CALL TO ORDER -Mayor Piper called the meeting to order at 6:33 p.m.

Roll Call

Present: Mayor Piper and Councilmembers Krause, Patterson, Penn, Thrasher, and Venable.

Also Present: City Attorney Jody Campbell, City Clerk Ashya Fambrough, and PD Personnel.

PLEDGE OF ALLEGIANCE- Mayor Piper led the Pledge of Allegiance and thanked all the Veterans and their families for their service.

At 6:34 p.m., Councilmember Patterson made a motion to open the Public Hearing. Councilmember Venable seconded the motion and the motion passed unanimously.

PUBLIC HEARING

1. **V-23-01, Variance Request:** Victor M. Ramirez, applicant and property owner, seeks a variance from the requirement of the Statham unified development code, Article 3, “Specific Use Regulations,” Section 3-034, “Fence or Wall,” to increase the maximum height of a fence/wall in the front yard of a residential (SR-1, Suburban Residential) zoning district from 4 feet to 6 feet with a 7.5-foot tall entrance gate for approximately 1 acre (Map/Parcel ST02/046A) fronting on the northwest side of (447) Price Street approximately 510 feet south of its intersection with McCarty Road.

The Ramirez family noted their proximity to Hwy 316 and the need for the fence for safety. They have shared their plans with their neighbors and there were no objections. Councilmember Venable asked if they planned on painting or applying stucco. They plan on covering it with stucco. There were no comments from the audience.

At 6:39 p.m., Councilmember Venable made a motion to close the Public Hearing. Councilmember Patterson seconded the motion and the motion passed unanimously.

WORK SESSION

MINUTE APPROVAL

1. March 20, 2023 Special Called Meeting (Provided to Council March 23, 2023)
2. March 21, 2023 Regular Meeting Minutes (Provided to Council March 24, 2023)
3. March 31, 2023 Special Called Meeting (Provided to Council April 3, 2023)

Councilmember Krause made a motion to approve the March 20, 2023 Special Called Meeting Minutes, the March 21, 2023 Regular Meeting Minutes, and the March 31, 2023 Special Called Meeting Minutes with the correction of the year to 2023 on the March 31st minutes. Councilmember Venable seconded the motion and the motion passed unanimously.

REPORTS

1. Finance Department
2. Police Department
3. Public Works Department

Mayor Piper noted that the Finance Report will be provided with the Budget Amendment Hearing on April 13, 2023. The council noted that there was an overall decrease in the Police Report for arrests and citations. Captain Nichols noted that the focus is nights when there is more activity overall. Night shift Officers Alexander and Borders were present also. Mayor Piper briefly reviewed the Water Department Report and noted that speed strips had been put out along Railroad St. and Price St. Also, Barrow County did a hot tar patch on Dooley Town Road.

UNFINISHED BUSINESS

None

Mayor Piper asked for a motion to amend the agenda to add Statham Elementary 5K as New Business Item 2 and to move Citizen Input after New Business. Councilmember Venable made a motion to amend the agenda to add Statham Elementary 5K as New Business Item 2 and to move Citizen Input after New Business. Councilmember Patterson seconded the motion and the motion passed unanimously.

NEW BUSINESS

1. Steering Committee

Mayor Piper stated that he plans to walk and talk to businesses tomorrow (March 13th). Councilmembers Krause, Patterson and Penn are willing to be on the committee. Councilmember Penn recommended Renee Lord for consideration.

2. Statham Elementary 5K

Councilmember Venable asked for confirmation on the date and that it will be after the Regular Meeting. City Clerk Ashya Fambrough confirmed that the date of the event is after the Regular Meeting.

CITIZEN INPUT

- Gary Venable spoke on behalf of the councilmembers and stated that April Stephens last day of employment was March 10th, Council was informed of her departure on March 13th around 3:30 p.m., they became aware of a severance on March 16th, on March 17th they were informed that City Attorney Jody Campbell did not review the agreement prior to it being signed and it is therefore not a binding contract. Due to this all concerns should be directed to the mayor.
- Cheryl Venable spoke in response to a letter from April Stephens dated March 10, 2023. She only spoke concerning the portion that referenced her. She has 17 years of government experience and assisted with the 2017 audit and was asked to join the committee by Mayor Piper. She stated that she was taunted and therefore did comment that April was rude.

- Rudy Krause gave his appreciation to the police department. He spoke on the veiled threats towards the Tree Committee over \$18 mulch, David Huth and his business license status, and the new threat of a lawsuit against the City.
- Tim Terilli spoke on the need for the Charter to be changed and encouraged everyone to vote in the upcoming election.
- Christine Bogenrieder spoke on the Tree Committee which she has served on for 3 years. Monies were allocated and donated for playground equipment, banners, basketball court repairs, and 2 employees. These things have not been done.
- Kurt Bogenrieder spoke on the lack of transparency that has been a 15 year issue and that the Charter needs to be changed. He stated that the Mayor ran stating that the council needs more power and is therefore calling for the Mayor's resignation.
- Claire Maki spoke on her open records requests that have not been completed with the first being filed on March 15th. After reviewing parts of the records she is bringing attention to an ACH from the PD forfeiture account and the Shop with a Cop account both to the General Fund account on April 29, 2022 which is a federal offense. Also, Chief Underwood is not listed on any police department bank accounts. She also noted that the police department is having to bring toilet paper from home.
- Dwight McCormic stated that he does not agree with the severance being paid out while the Tree Committee is questioned about \$16 mulch. Former city employees have legitimate claims against the city such as Connie, Andy, John Davis, Sandra, John Epps, and Tracie Pollard. Lastly, he asked Mayor Piper to step down.
- Eddie Jackson stated that there needs to be an internal and external audit before a new person is hired and asked if there was any further discussion regarding the water report.

EXECUTIVE SESSION

1. Meeting to discuss or deliberate upon the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer or employee as provided in Georgia Code section 50-14-3(b)(2).

At 7:17 p.m., Councilmember Patterson made a motion to enter into Executive Session to discuss personnel. Councilmember Krause seconded the motion and the motion passed unanimously. The Executive Session ended at 7:47 p.m. with Councilmember Krause making the motion to exit. Councilmember Venable seconded the motion and the motion passed unanimously.

City Attorney Campbell stated that all discussion held in Executive Session are protected as Attorney/Client Privilege and that no votes were conducted during the session.

ADJOURN

At 7:47 p.m. Mayor Piper asked for a motion to adjourn the meeting. Councilmember Venable made a motion to adjourn. Councilmember Patterson seconded the motion and the motion passed unanimously.