



Mayor and Council Meeting Business Session Minutes December 10, 2012 7PM

The Riverdale Mayor and City Council met on December 10, 2012 at 7:06PM for the purpose of conducting a Business Session. The meeting was held in the Council Chambers at City Hall located at 7200 Church Street, Riverdale, Georgia 30274.

Call to Order and Welcome

With a quorum present, Mayor Evelyn Wynn-Dixon called the meeting to order at 7:06PM.

ROLL CALL:

All members of the governing body were present at the meeting.

INVOCATION/PLEDGE OF ALLEGIANCE:

Invocation & Pledge was led by Chief Samuel L. Patterson, Public Safety Director.

OFFICER IN ARMS TO READ RULES OF CONDUCT:

Rules of Conduct read by Officer V. Barnes.

APPROVAL OF AGENDA WITH ANY ADDITIONS/DELETIONS:

The following amendments were made to the agenda:

Addition(s): None.

Deletion(s): None.

Tabled: None.

Postponed: None.

Motion: Council Member Wanda Wallace moved to approve the agenda as published. Council Member An'cel Davis moved to second the motion. The measure was approved unanimously by a vote of 4/0.

CONSENT AGENDA:

Adoption of the November 26, 2012 Official Meeting Minutes.

Request to Advertise Nominations for vacancies on city advisory boards.

Motion: Council Member An'cel Davis moved the Consent Agenda for approval with amendments to the meeting minutes per the recommendation of Councilman

Kenny Ruffin. Corrections will be provided via email by Councilman Kenny Ruffin. Council Member Wanda Wallace moved to second the motion. The measure was approved unanimously by a vote of 4/0.

PUBLIC COMMENT: *No Comments Made*

OLD BUSINESS:

Resolution 58-11-2012-Authorization to enter into an Agreement with Trans-Comm by the Riverdale Police Department.

A RESOLUTION OF THE RIVERDALE MAYOR AND COUNCIL ENTERING INTO A CONTRACT WITH TRANS-COMM SERVICES; TO AUTHORIZE THE CITY MANAGER TO EXECUTE THE CONTRACT ON BEHALF OF THE CITY; TO PROVIDE FOR OTHER LAWFUL PURPOSES; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR AN EFFECTIVE DATE.

Director of Public Service, Chief Samuel Patterson, advised that the City of Riverdale Charter authorize the Mayor and Council to enter into contracts for necessary services. He said that the City of Riverdale Communications, Fire and Police Departments have equipment that requires maintenance, repair, and programming services for Motorola radios as well as other makes and models. He stated that although the company has provided services over a number of years, it was based on the initial service agreement that currently rolls over from year to year. He further stated that it was the pleasure of the Board to ensure that a contractual agreement was in place. Therefore, the department has moved forward accordingly.

Chief Patterson asked that the Mayor and Council to authorize the City Manager to enter of a contract with Trans-Comm Services.

Mayor Dixon called for questions and concerns.

Councilwoman Wanda Wallace asked if the attorney's concerns had been addressed. She reminded the board that the measure had been postponed during a previous meeting because of concerns that the city attorney had. She asked the city attorney to share his concerns with the public audience.

David Johnson, City Attorney, explained that there was not a contract in place; therefore a suitable contract was developed and disseminated to the governing body for consideration.

Councilwoman Wallace asked Chief Patterson to clarify the effective and expiration dates.

Chief Patterson said that the initial service agreement was scheduled to start October 1, 2012 through March 3, 2013. He said the department requests to extend the contract for one (1) year. He said the propose contract will expire on September 30, 2013.

Ms. Wallace said it has been an ongoing concern that contractual agreements have not always been in place. She said this is not a viable way for the City to conduct business.

Attorney Johnson responded that many of the business relationships have been in place for years so as the department discovers that there is not a contract, legal is then engaged. He continued that the legal department determines whether a contract is warranted. He further said once the determination is made, legal drafts an appropriate contract and presents it to the governing body for consideration.

Councilwoman Wallace opined that a contract should be in place any time services are rendered and/or products are exchanged.

Attorney Johnson said that is generally the case.

Chief Patterson said the department would continue to work with legal to identify the vendors/contractors that require contracts. He said he would keep the governing body abreast of any developments that require their attention.

Councilwoman Stamps-Jones provided a brief overview of the item. She asked Chief Patterson to confirm if she was accurate in her explanation of the item and of the action the Board was requested to take.

Chief Patterson said yes.

Motion: Council Member Wanda Wallace moved Resolution No. 58-11-2012 for adoption. Council Member Cynthia Stamps-Jones moved to second the motion. The measure was adopted unanimously by a vote of 4/0.

Mayor Dixon thanked the department for being diligent about the management of their contracts.

Resolution 60-11-2012 Certificate of Compliance for Certificates of Participation by Lolita Grant, Finance Director.

A RESOLUTION OF THE MAYOR & CITY COUNCIL OF THE CITY OF RIVERDALE, GEORIGIA, APPROVING THE CERTIFICATES OF COMPLIANCE WITH SECTION 17.11 OF THE GEORGIA MUNICIPAL ASSOCIATES MASTER LEASE AGREEMENT AND PROVIDE FOR AN EFFECTIVE DATE.

Finance Director, Lolita Grant, came before the Board and advised that the City of Riverdale entered into an agreement with the Georgia Department of Community Affairs for the issuance of Certificates of Participation (COPS) for the construction of the public buildings in the Riverdale Town Center. She reminded Board that Wells Fargo Bank, N.A. serves as the underwriter. She explained that as the underwriter for these bonds they are requesting certification that the City of Riverdale is complying with the Section 17.11 of terms of the Master Lease Agreement dated February 9, 2009.

Ms. Grant advised that she provided Section 17.11 of the Master Lea, 2010 and 2011 Audit Reports, the State of Georgia Audit Department Reports and the amortization schedule for proof of on time payments.

Ms. Grant went on to explain Section 17.11 of the Master Lease Agreement Section, which requires the Council of the City of Riverdale to provide a certificate of compliance which sets forth that Riverdale has satisfied the terms and conditions of the Master Lease Agreement. Ms. Grant said that the City of Riverdale has approved a budget for FY 2013 prior to the beginning of the fiscal year in compliance with Section 17.11 said Master Lease Agreement. Also, annual audited financial statements were prepared by an independent certified accountant within one hundred and twenty (120) days of the completion of the fiscal year in compliance with Section 17.11 said Master Lease Agreement.

Ms. Grant advised that prior to issuing additional debt, any disclosure document or financing agreement pertaining to such additional debt, the disclosure document or financing agreement included, without limitation, the applicable maturity schedule, interest rate or rates, and redemption and security provisions pertaining to such additional debt is in compliance with Section 17.11of said Master Lease Agreement. She said that within thirty (30) days following any litigation or investigation that may have had a material adverse effect on the financial position of Riverdale, notice of such litigation or investigation was provided in compliance with Section 17.11 of said Master Lease Agreement. She then advised that immediate notice of any Event of Non-appropriation was provided in compliance with Section 17.11 of said Master Lease Agreement. She said there is nothing that will have an adverse impact on the Georgia Municipal Association (GMA).

In response to a question that was posed during the November 26, 2012 Mayor and City Council meeting regarding failure to comply, Ms. Grant said that Section 16.01(d) says that failure by the Lessee (City) to observe and perform any covenant, conditions or agreement on its part means that the City would be in default.

Mayor Dixon called for questions and concerns.

Councilwoman Stamps-Jones requested a copy of Article XIV: Events of Default/Remedies. She went on to thank Ms. Grant for her presentation. She said she appreciated her for taking the time to explain each condition that the City was obligated to meet. She asked Ms. Grant to interpret the amortization schedule.

Ms. Grant was given permission to approach the dais to demonstrate how the schedules are read.

Councilman An'cel Davis asked Ms. Grant why Section 16 had not been provided to the Mayor and Council when the item was initially presented.

Ms. Grant said that she did not think there were going to be questions nor did she anticipate that the document would not be signed; therefore, she did not properly prepare. She further explained that when she realized there were concerns, she researched the information so that she could respond accordingly.

Councilman Davis asked her if she thought it would have been prudent to provide the Mayor and Council with the information in advance so they could be prepared to make the best decision possible. He said that the Board should not be given bits and pieces of information when they have to make such important decisions. He added that it empowers the Board when they are prepared and informed.

Ms. Grant reiterated that had she anticipated there being any problems she would have given more information. She said in the future she will give more attention to preparing agenda items.

Councilwoman Wallace reminded Ms. Grant of an email that she sent to the city manager on Wednesday requesting an explanation of what the consequences would be if the city fails to file the certificate.

Ms. Grant responded that Ms. Wallace' question was not posed in an email last Wednesday; it was posed during the November 26, 2012 meeting.

Ms. Wallace retorted that it does not matter when the question was posed in that it was not answered until just now. She said she had also asked why the certificate had not been requested or issued in 2010 or in 2011. She further stated that the Mayor and Council expects to receive responses to inquiries and information in a timely manner.

Ms. Wallace indicated that the Board is putting Staff on notice so they can put more effort into preparing agenda items. She said she completely understands that Ms. Grant did not expect Mayor and Council to have questions; however, things have changed and questions will be asked. Councilwoman Wallace communicated that question must be asked if good decisions are to be made. She thanked Ms. Grant for her presentation.

Ms. Grant reiterated that she did not anticipate the kinds of questions that were posed. She added that in the future, she will do more research and attempt to identify areas that she feels would be of concern to the Board.

Councilwoman Wallace thanked Ms. Grant for the information and strongly communicated the need for the Mayor and Council to be well informed before the meetings. She asked Ms. Grant why she could not explain what the consequences would have been when she initially introduced the item.

Ms. Grant responded that there are two enormous books that she had to research in order to get the answer.

Councilman Davis, Board Parliamentarian, advised Mayor Dixon to direct Councilwoman Wallace to refrain warning Staff that they are "*being put on notice*". She said staff members report to the city manager and not the Mayor and Council; therefore, only the city manager can issue directives to them. She advised Councilwoman Wallace to make suggestions instead.

Motion: Council Member Cynthia Stamps-Jones moved Resolution No. 60-11-2012 for approval. Council Member Wanda Wallace moved to second the motion. The measure was adopted unanimously by a vote of 4/0.

RESOLUTION(S):

RESOLUTION NO. 63-12-2012 Request to Dispose of Reserve Fire Engine by FF Don Cole.

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF RIVERDALE, GEORGIA, DECLARING CERTAIN ITEMS TO BE SURPLUS PROPERTY AND AUTHORIZING THE DISPOSAL OF SAID ITEMS BY THE RIVERDALE FIRE DEPARTMENT; TO PROVIDE FOR AN EFFECTIVE DATE; TO PROVIDE FOR OTHER LAWFUL PURPOSES.

FF Cole came before the Board to request for authorization to dispose of the reserve fire engine. He advised that upon receipt of the new Quint Fire Apparatus, the Riverdale Fire Services will no longer need one of the reserve fire engines. Fire Services is therefore requesting permission to sell the 1997 Ferrara Fire Apparatus, the CPAT Trailer and equipment.

FF Cole advised that the financial impact to the city would be that funds received from the sell of the engine would be put back into the General Fund.

Council Member Stamps-Jones asked if the proceeds could be used to purchase a bus for fire safety education. She inquired about the whereabouts of the old fire bus. Ms. Jessie advised that the Board did not approve that in the original 2013 budget under the Capital Improvements Budget. She said there was no way to estimate how much the

City will acquire in the sale of the engine. She said the department can conduct research on how much a new/used truck will cost.

In response to Councilwoman Stamps-Jones' question about old fire bus, Ms. Jessie said that the bus had been sold.

There were no additional comments made by Mayor/Council.

Motion: Council Member Wanda Wallace moved Resolution No. 63-12-2012 for approval. Council Member An'cel Davis moved to second the motion. The measure was adopted unanimously by a vote of 4/0.

Mayor Dixon thanked the Fire Department employees for their regular attendance at the Council Meetings and City events. She publicly commended them for their support and service.

MAYOR AND COUNCIL COMMENT(S):

Council Member Cynthia Stamps-Jones

Council Member Stamps-Jones thanked everyone for attending. She also thanked them for the success of the recent Christmas Gala and wished everyone a blessed Christmas and a safe and happy New Year.

Council Member An'cel Davis

Council Member Davis thanked everyone for coming to the meeting and for the success of the Christmas Gala. He acknowledged the Riverdale Youth Council and the Riverdale Jr. Explorers, volunteers and Mayor Dixon on their efforts in making the gala a success. He asked everyone to pray for the athletes that had been in the news recently regarding their tragic losses. He wished everyone a safe and happy holiday season.

Councilman Davis thanked the Mayor & Council, citizens and Councilman Ruffin for their support of him during the first year of his term. He especially thanked Councilman Ruffin for advising him to take advantage of the training that is offered by GMA and the National League of Cities.

Councilman Davis asked the public audience to pray for Chief Willis.

Council Member Wanda Wallace

Council Member Wanda Wallace thanked everyone for attending the meeting and for the success of the Christmas Gala. She publically thanked Mayor Dixon, Councilwoman Stamps-Jones, Councilman Davis (Jean Davis), Stephanie Thomas, Philip Whatley and the Community Affairs Department for being essential parts of the planning, marketing and ticket sales of the Christmas Gala. She especially thanked Mayor Dixon for pulling the Council together as a team. She said Dr. Henry of Henry Vision, Tom Jones and

Willie Watkins attended and they committed to participating in the planning of the next gala.

Councilwoman Wallace said that she had received good feedback about the gala and will use it to plan for the 2013 Gala. She said she was excited about the educational component because it showed the City's support of local educators.

Council Member Kenneth Ruffin

Council Member Ruffin thanked everyone for attending the meeting. He read an article from the Clayton News Daily discussing the factors citizens named as problematic to the county's progress. He said that focus must be placed on improving the educational system because it directly impacts economic development. He said that there needed to be programs implemented to increase test scores and graduation rates. He said the Riverdale Youth Council will begin tutoring students in the near future.

Councilman Ruffin shared the story of Wes Moore. He said there were two boys from the same neighborhood who had the same name but two different fates. One grew up to be a Rhodes Scholar, decorated combat veteran, White House Fellow, and business leader. He said the other is serving a life sentence in prison for felony murder.

Mayor Evelyn Wynn Dixon

Mayor Dixon thanked everyone for attending the meeting. She commended the Board on the success of the Christmas Gala. She made remarks about the Volunteer of the Year, Mr. Jessie Morris, thanking him for his service to the City. She also acknowledged the passing of former Police Chief Knox (ret.). She remarked the achievements of Chief Knox as the first African American and woman to serve as police chief of Riverdale, along with her extensive reach into the community of law enforcement personnel who eventually achieved leadership positions. Mayor Dixon remarked that life should be lived to the fullest. She then wished everyone a safe and happy holiday.

ADJOURNMENT:

Motion to adjourn by Council Member Wanda Wallace; second offered by Council Member An'cel Davis, and after a unanimous vote, the meeting adjourned at 7:59PM.