



Mayor and Council Meeting Business Session Minutes November 26, 2012 7PM

The Riverdale Mayor and City Council met on November 26, 2012 at 7:18PM 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. Mayor Dixon apologized to the audience for starting the meeting late. She said there members of the governing body held an executive session and it lasted longer than expected.

Call to Order and Welcome

With a quorum present, Mayor Evelyn Wynn-Dixon called the meeting to order at 7:18PM.

ROLL CALL:

All members of the governing body were present at the meeting at 7:18PM, except Councilmember Kenneth Ruffin.

INVOCATION/PLEDGE OF ALLEGIANCE:

Invocation & Pledge was led by Pastor Riley, Lakewin Christian Center.

OFFICER IN ARMS TO READ RULES OF CONDUCT:

Rules of Conduct read by Officer Barnes.

APPROVAL OF AGENDA WITH ANY ADDITIONS/DELETIONS:

The following amendments were made to the agenda:

Addition(s): Discussion about the appointment to the Clayton County Municipal Association.

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 3/0.

PRESENTATION(S):

Financial Report by Lolita Grant, Director of Finance

See exhibit A: 2nd Quarter Financial Update PowerPoint Presentation.

CONSENT AGENDA:

Adoption of the November 2, 2012 Special Called Work Session Minutes.

Adoption of the November 13, 2012 Special Called Meeting Minutes.

Motion: Council Member Wanda Wallace moved the Consent Agenda for approval. Council Member An'cel Davis moved to second the motion. The measure was approved unanimously by a vote of 4/0.

PUBLIC COMMENT:

Mr. and Mrs. Calloway, residing at 925 North Cumberland Cir., Riverdale, GA 30274, spoke on behalf of five other individuals. The Calloways requested a privacy fence placed around their yard. Their property sits two feet from the Riverdale Regional Park and he requested a noise barrier for him and his neighbors.

RESOLUTION(S):

RESOLUTION NO. 60-11-2012 Certificate of Compliance for Certificates of Participation by Lolita Grant, Finance Director.

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

Lolita Grant presented Resolution No. 60-11-2012. She asked for permission to submit the Certificate of Compliance on behalf of the governing body. Ms. Grant reminded the Board that the City of Riverdale entered into an agreement with the Georgia Department of Community Affairs (DCA) for the issuance of Certificates of Participation (COPS) for the construction of the public buildings in the Riverdale Town Center. She further reminded them that Wells Fargo Bank, N.A. serves as the underwriter. She said the underwriter for the aforementioned bonds are now 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.

Mayor Dixon called for questions and concerns from members of the governing body.

Councilwoman Wallace asked if the certificate of compliance established that payments were made on time and in compliance with the terms of the agreement.

Ms. Grant responded that the City is making required payments as per the lease and is in compliance with its payment terms.

Councilwoman Wallace indicated that she had reviewed the information provided and understood that a certificate of compliance needed to be filed annually. She asked Ms. Grant if a certificate had been filed since 2010 when the project was completed.

Ms. Grant said as far as she was aware, a certificate of compliance should be filed annually. She further stated that she could not account for what occurred when she was not serving in her current capacity as finance director.

Councilwoman Wallace asked Ms. Grant if she had asked Wells Fargo why this was the first time a certificate of compliance had been filed since the completion of the project.

Ms Grant said no.

Councilwoman Wallace called Ms. Jessie to the podium. She asked Ms. Jessie why the City was just now being asked to file the document if there is an annual requirement to file one. She said she is not comfortable filing the document until the bank can explain they have not required a certificate of compliance until now.

Ms. Jessie said there is still money available in the COPS fund; however, since the construction has been completed, the city needs to file a certificate of compliance to close the bonds out. She said the City can still use the remainder of the money to pay for eligible expenses.

Councilwoman Wallace communicated that she was well aware of the process. She said she did not have the confidence to move forward with approving the item until certificates of compliance were provided for the previous years or until the bank could explain why they are just now requesting the documents. She said if there is an annual requirement, the documents should have been filed annually.

Motion: Council Member Wanda Wallace moved to postpone Resolution No. 60-11-2012 until the next scheduled meeting. Council Member An'cel Davis moved to second the motion. The measure was postponed by a vote of 3/1. Council Member Ruffin dissented.

Resolution No. 61-11-2012 Request to Circulate RFP for Municipal Legal Services by Riverdale City Council

A RESOLUTION OF THE RIVERDALE MAYOR AND CITY COUNCIL CIRCULATING A REQUEST FOR PROPOSAL ("RFP") FOR PROFESSIONAL MUNICIPAL LEGAL SERVICES FOR THE CITY OF RIVERDALE, GEORGIA; TO PROVIDE FOR AN EFFECTIVE DATE; TO PROVIDE FOR SEVERABILITY; AND FOR OTHER LAWFUL PURPOSES.

David Johnson presented Resolution No. 61-11-2012. He asked for permission to circulate an RFP for Legal Services. He explained that an RFP had not been issued since 2004.

Mayor Dixon called for questions and concerns.

Councilman Ruffin stated that he had reviewed the information and opined that there was not sufficient time to interview, evaluate and appoint a new attorney by January. He said the deadline to accept proposals is December 21st. He asked the Mayor and City Council Member where the sate originated from.

There was no response.

Councilman Ruffin said if the Board had concerns about the city attorney earlier in the year, they should have taken action then. He reiterated that December is not the appropriate time to circulate an RFP for legal services.

Councilwoman Stamps-Jones asked for permission to approach the floor.
Mayor Dixon granted her request.

Councilwoman Stamps-Jones clarified that the purpose of circulating the RFP was not to replace anyone.

Councilwoman Wallace indicated that the city needed to circulate the RFP in an effort to remain competitive since one had not been circulated since October 2004.

Councilwoman Wallace asked Mr. Ruffin what would be his suggestion to handle the matter.

Councilman Ruffin said he is fine with circulating the RFP; however, he would have preferred to do it in a more timely manner.

Councilwoman Wallace said the dates of the RFP could be amended. She reiterated that the purpose of the RFP was not to replace the current city attorney but for competitive purposes. She asked Councilman Ruffin if he was okay with moving forward.

Councilman Ruffin said yes.

Motion: Council Member Wanda Wallace moved to adopt Resolution No. 61-11-2012. Council Member An'cel Davis seconded the motion. The measure was adopted unanimously by a vote of 3/1; Council Member Ruffin dissented.

Resolution No. 62-11-2012 Repealing the Daily Oversight of the City Clerk Policy by David Johnson, City Attorney.

A RESOLUTION OF THE RIVERDALE MAYOR AND CITY COUNCIL TO REPLACING AND REPEALING A CERTAIN RESOLUTION ADOPTED ON JANUARY 23, 2006 TO AUTHORIZE THE CITY MANAGER TO PROVIDE DAILY OVERSIGHT OF THE CITY CLERK; TO PROVIDE FOR AN EFFECTIVE DATE; TO PROVIDE FOR SEVERABILITY; AND FOR OTHER LAWFUL PURPOSES.

David Johnson presented Resolution No. 62-11-2012. He reminded the members of the governing body that the Board had taken action in early 2006 to grant the city manager the authority to provide daily oversight of the city clerk. He explained that a policy was developed and he did not know the reason the policy was enacted; however, it was the pleasure of the governing body to repeal it.

Mayor Dixon called for questions and concerns.

There were none.

Motion: Council Member Wanda Wallace moved 62-11-2012 for approval. Council Member Cynthia Stamps-Jones moved to second the motion. The measure was adopted unanimously by a vote of 4/0.

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 Spelling Bee.

Council Member An'cel Davis

Council Member Davis thanked everyone for coming to the meeting.

Council Member Wanda Wallace

Council Member Wanda Wallace thanked everyone for attending the meeting and for attending the recent Spelling Bee.

Council Member Kenneth Ruffin

Council Member Ruffin advised that there were two more weeks left to register for the youth basketball camp.

Mayor Evelyn Wynn Dixon

Mayor Dixon thanked everyone for attending the meeting. She also told the audience about the upcoming citywide neighborhood watch meeting and the pulmonary functions studies that were available free of charge. She then encouraged everyone to participate in the current Toys for Tots drive sponsored by the Department of Fire Services.

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 8:42PM.