

MONTICELLO CITY COUNCIL

Work Session

Tuesday, February 2, 2021

MINUTES

6:00 P.M.

Members Present – Mayor Pro Tem Gail Harrell, Councilmembers David Wease, Cynthia Miller, Jenny Murphy, and Larry Thurman. Attorney Joe Reitman was present.

Staff Present – City Manager Angela Redding and City Clerk Karen Pennamon

Media Present – None

Work Session – Mayor Pro Tem Gail Harrell called the meeting to order. The Invocation was given by Councilmember David Wease, followed by the Pledge of Allegiance. City Clerk, Karen Pennamon, called the roll.

Agenda Approval- Motion by Mayor Pro Tem Harrell to add item 5a. Executive Session – Discussion of Legal Matters to the agenda. Motion by Mayor Pro Tem Harrell to approve the amended agenda, seconded by Councilmember Thurman. Voting for the motion was unanimous.

Agenda Items

5. Code Enforcement – City Attorney Reitman and City Council discussed options for code enforcement in the City of Monticello. Attorney Reitman stated the available options are:
 - New City Charter
 - Eliminate City Code Enforcement Ordinances and adopt Jasper County Code Enforcement Ordinances.
 - Adopt the Blighted Tax Ordinance
 - Environmental Court

Mayor Pro Tem Harrell stated if the City abolished its code enforcement ordinances and went under the Jasper County code ordinances, it would entail adding and funding a person to work within the County. They do not have personnel available to handle City code enforcement for the City. City Manager Redding noted that the City had budgeted \$100,000 for code enforcement, including landfill charges. Mayor Pro Tem Harrell said she understood that the City would have to share in the cost of Municipal Court fees. Attorney Reitman said he recalls them saying they were handling the cases and collecting the fees.

City of Monticello
123 West Washington Street
Post Office Box 269
Monticello, GA 31064

Phone 706-468-6062

Fax 706-468-1041

Mayor Pro Tem Harrell asked if the blighted tax ordinance only included uninhabited buildings. Attorney Reitman responded yes. Councilmember Murphy asked what if it is uninhabitable and someone is occupying it. Mike Benton, Jasper County Manager, commented that their code could shut it down if it is dangerous and a safety issue. Councilmember Wease asked if Jasper County can do blighted tax also. Attorney Reitman replied yes, but the City would need a resolution to accept Jasper County's Blighted Tax Ordinances. Councilmember Miller asked if they adopt the Jasper County codes would it affect the city codes. Attorney Reitman replied they would not lose anything. Councilmember Miller asked if they City did an Intergovernmental Agreement (IGA) could they put a time limit on it in case the City wants to change it in the future. Attorney Reitman replied you could do a one or two-year agreement. Councilmember Miller noted if they do an IGA, they will have to plan what areas to address. Attorney Reitman stated they could do the worst first, by proximity with downtown being first, or by zones. He added that the City Manager Redding's initial concept is that the dedicated employee would work shoulder to shoulder with the County. They would find unfit homes, write them up, prep up the report and citation to present to the County code enforcement, and run it through the judicial process. Attorney Reitman stated another option is to adopt the Blighted Tax Ordinance which does not require the intervention of a court and see how it does for one year. Councilmember Wease stated you could give them credit for repairing a blighted property. City Manager Redding noted that on page 4 of the Blighted Tax Ordinance it says that after the property has been brought into compliance, the decrease of the tax break is ½ the millage rate. It also states that cost expended for remediation, with every \$10,000 or portion thereof equaling one year of tax reduction; provided, however, no property shall be entitled to reduction in City ad valorem taxes more than four successive years. Councilmember Miller asked how they would handle code enforcement for abandoned cars and yards issues. Attorney Reitman replied that some of these issues are addressed in the blighted tax ordinance. He said if the City decides to abolish their code enforcement ordinances and adopt the County ordinances, they do not have to go back to the General Assembly.

- 5a. Executive Session for Personnel, Litigation, Real Estate, and Legal Matters –Motion by Councilmember Miller to enter executive session at 6:55 p.m. to consult legal counsel about threatened litigation, seconded by Councilmember Wease. Voting for the motion was unanimous. Motion to exit executive session at 7:04 p.m. and enter regular session made by Councilmember Wease, seconded by Councilmember Miller. No action was taken in Executive Session.

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City Manager Redding informed Council that Mayor Standifer requested that they schedule a work session on Mine Lake. City Council consensus is for a work session on February 15, 2021, at 6:00 p.m. City Manager Redding informed Council that she is setting up a conference call to speak to the representative responsible for the water quality test at the Mine Lake property.

11. Comments by the Governing Body
 - Mayor Pro Tem Harrell** had no comments.
 - Councilmember Wease** had no comments.
 - Councilmember Miller** had no comments.
 - Councilmember Murphy** had no comments.
 - Councilmember Thurman** had no comments.
12. Adjournment - Meeting Adjourned at 7:30 p.m.

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