



# City of Statham

**MINUTES  
COUNCIL MEETING  
MAY 19, 2020  
7:00 P.M.**

**1. CALL TO ORDER**

The regular business meeting of the City of Statham City Council was called to order by Mayor Joe Piper at 7:00p.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 City Attorney Jody Campbell and City Clerk Susan Gabriel.

Mayor Piper opened the meeting with the Pledge of Allegiance.

**2. APPROVAL OF MINUTES:**

**A. COUNCIL MEETING, APRIL 21, 2020**

Dwight McCormic made a motion to approve the minutes as written. Gary Venable seconded the motion, unanimous.

**3. OLD BUSINESS:**

**A. RESOLUTION – LAKES OF STATHAM CASH BOND AGREEMENTS AMENDMENT**

City Attorney Jody Campbell explained that there were two changes to the cash bond agreements. One was the change of City Attorney. The other replaced City Administrator with City Clerk.

Dwight McCormic made a motion to adopt the Lakes of Statham Cash Bond Agreements Amendment. Hattie Thrasher seconded the motion, unanimous.

**B. LAKES OF STATHAM FINAL PLAT WITH CONTINGENCIES**

Gary Venable made a motion to postpone the vote on Lakes of Statham Final Plat until the June 16 council meeting. Tammy Crawley seconded the motion, unanimous.

**4. NEW BUSINESS:****A. MARVIN TARVER – WINDER LIONS LEASE FOR USING BASEBALL FIELDS**

Mr. Tarver requested the use of the ball fields at Robert Bridges Park and at the Hillman-Rainwater Park. He said he has 300+ kids who want to play baseball. He also said he will maintain the fields and is asking for no money from the City. Dwight McCormic thanked Mr. Tarver for bringing kids to Statham to play ball.

Gary Venable made a motion to approve the lease. Hattie Thrasher seconded the motion, unanimous.

**B. ORDINANCE FOR BUILDING PERMIT FEE SCHEDULE**

Mayor Piper stated that the city's fees are very low. The new fee schedule will bring us in line with other nearby cities.

Dwight McCormic made a motion to amend the fee schedule as written. Gary Venable seconded the motion, unanimous.

**C. AUDIT FY17 UPDATE**

Tammy Crawley said we have completed the fiscal year 2017 audit, and the city will be in a better position to get grant funds. She said the audit report will be available for public review after the Mayor and Council Members receive it. She thanked the citizens for their patience while we were getting it done.

**D. CONTRACT WITH AUDITING FIRM BATES & CARTER FOR FY 2018 AND FY 2019**

Mayor Piper said he would like to continue with the same auditing firm, Bates & Carter, for fiscal years 2018 and 2019 audits, which they will work on concurrently. He said it is in the best interest of the city that they do the audits at the same time. As soon as the audits are accepted by the state, the city will be taken off the ineligible list for grants.

Gary Venable made a motion to approve the contract with Bates & Carter for fiscal years 2018 and 2019 at \$13,500 for each year. Tammy Crawley seconded the motion, unanimous.

**5. EXECUTIVE SESSION (PENDING LITIGATION)**

Tammy Crawley made a motion to go into executive session for pending litigation. Betty Lyle seconded the motion, unanimous. The council went into executive session at 7:30 p.m.

Dwight McCormic made a motion to come out of executive session. Hattie Thrasher seconded the motion, unanimous. The council came out of executive session at 7:45 p.m.

City Attorney Jody Campbell made the following statement: "On May 19, 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."

**6. ADJOURN**

There being no further business before the Council, Hattie Thrasher made a motion to adjourn. Dwight McCormic seconded the motion, unanimous. The regular business meeting of the City of Statham City Council adjourned at 7:48 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 Betty Lyle 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

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- (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: Wattie Sheshe  
Jammy Crawley Betty Lyle  
Garry Hunt Dyde McLean

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

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AFFIDAVIT

Personally appeared before the undersigned attesting officer, duly authorized to administer oaths, Joe D 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 19th day of May, 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 19th of May, 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 19th day of May, 2020.

[Signature]  
Mayor/Presiding Officer

Sworn to and subscribed before me this

19th day of May



Susan B Gabriel  
Notary Public



**RESOLUTION OF THE STATHAM CITY COUNCIL**

BE IT RESOLVED by the Statham City Council as follows: At the meeting held on the 19th day of May, 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 19th day of May, 2020.

Attest: Susan Gabriel  
City Clerk

[Signature]  
Mayor