

City Council Meeting Minutes

City of Sylvester  
City Council Regular Meeting  
City Hall Council Chambers  
Tuesday, September 3, 2024  
Call to Order 6:00 p.m.

**Attendees:** Mayor Harold Proctor, Jr.  
Councilman Melvin Powell, Ward 1  
Mayor Pro-Tem Mark Giddens, Ward 3  
Councilman Earnest Carter, Jr., Ward 4  
City Manager Chris Davis  
City Clerk Markesha Bivens

**Absent:** Councilman Isaac Jackson, Jr., Ward 2  
City Attorney Lester Castellow

**Call to Order:** Mayor Harold Proctor, Jr.

**Invocation/Pledge:** Dr. Willie Mae Marlin

**Agenda Amendment/Approval**

Upon request to amend the agenda, by addition of item G: Discussion of Writ of Mandamus, concerning a liquor license, with a motion by Councilman Giddens, seconded by Councilman Carter, the agenda gained approval. Voting yes were Mayor Proctor, Councilmen Carter, Giddens, and Powell. The vote passed 4-0.

Additionally, requesting to add Executive Session for personnel, nominating Mr. Davis as Acting Clerk to capture minutes, Councilman Powell motioned to amend the agenda, seconded by Councilman Carter. Voting yes were Mayor Proctor, Councilmen Carter, Giddens, and Powell. The vote passed 4-0.

**Speakers Appearance: None**

**Unfinished Business**

**Quit Claim Deed Execution – Cherry Lane Abandonment**

Mr. Davis reminded the Mayor and Council that on July 15, 2024, a vote took place to close a portion of Cherry Lane at the request of Short & Paulk Supply, 1008 West Franklin Street. This agenda item gained approval at a previous council meeting. Staff informed of Mayor Proctor’s need to execute the Quick Claim Deed for this area.

Councilman Powell mentioned the removal of the trees at this location, leaving it visually unpleasant. He suggested placement of privacy fencing for the neighborhood, hiding the view of the commercial business, and creating a buffer for the residents. Staff will make the necessary contacts for this request.

## **New Business**

### **A. Resolution No. 2024-10: Authorizing 5311 Transit**

Mr. Richie Childers, Assistant City Manager, advised the Mayor and Council of the annual resolution to authorize the South West Regional Commission to apply for grants for the transit system. The Regional Commission provides an annual report for Sylvester-Worth County, highlighting the trips of the small buses seen around the city, transporting citizens to medical appointments and meetings and other places. Staff recommends approval of the resolution.

Upon motion by Councilman Carter, seconded by Councilman Giddens, Resolution No. 2024-10 gained approval. Voting yes were Mayor Proctor, Councilmen Carter, Giddens, and Powell. The vote passed 4-0.

### **B. Evergreen Solutions Broadband Consultants**

Mr. Davis presented to the Mayor and Council a proposal of the broadband consultants, Evergreen Solutions, in a previous meeting. This group submitted a proposal to conduct a broadband viability study for \$32,500. The City of Sylvester has worked with this company in the past, with the City of Bainbridge recently conducting a study. After further discussion, it was determined that this would be a benefit determining next steps with broadband service.

Upon motion from Councilman Carter, with second by Councilman Powell, the proposal for Evergreen Solutions for Broadband Consulting gained approval. Voting yes were Mayor Proctor, Councilmen Carter, Giddens, and Powell. The vote passed 4-0.

### **C. Charter Amendment 38-31: Municipal Judge**

Mr. Davis offered details concerning the need to amend the city charter, in relation to the Municipal Court Judge. A recent scheduling conflict resulted in the Judge's absence. After researching the city charter, staff felt it best to amend the charter for the Mayor and Council to appoint a Judge and Deputy Judge, annually versus presiding. In case of absence, disability of the Judge, or case of vacancy, the Deputy Judge shall preside. Staff will research, submit names for approval, and currently recommend an amendment to the city charter.

Upon motion by Councilman Giddens, with second by Councilman Carter, the Charter Amendment of Section 38-31 gained approval. Voting yes were Mayor Proctor, Councilmen Carter, Giddens, and Powell. The vote passed 4-0.

### **D. Surplus Property Discussion: 307 West Railroad Street**

Mr. Davis provided a map from Q-Public, illustrating a tract of land that an interested citizen presented to the city, regarding the property at 307 W. Railroad Street, the Old Shipp Funeral Home location. After further discussion, it was determined this parcel will need to be placed as surplus property and sold at auction or by sealed bid, due to acquiring by tax payer funds via Code Enforcement.

Upon motion by Councilman Carter, with second by Councilman Giddens, the motion to surplus the property at 307 West Railroad Street, and sell by option of sealed bid, gained approval. Voting yes were Mayor Proctor, Councilmen Carter, Giddens, and Powell. The vote passed 4-0.

**E. Road Closure Discussion: Portions of Davis and Brooks Streets**

Mr. Davis presented another map from Q-Public, highlighting the property with a request that a portion of Davis Street and Brooks Street both be abandoned. There was discussion of no usage, overgrowth of trees, not being open streets, with no passage through the area, and no utility services. The interested citizens were present for questions. Staff ensured there are no services at this location; however, the request to table was made, to ensure no utilities are in the area. There was no action on this agenda item, and it will be tabled until the next meeting.

**F. HB641: Community Development Fee Schedule Changes**

Mr. Davis spoke before the Mayor and Council on the Community Development Fee Schedule Changes approved by the state. Pricing was provided to the panel, illustrating proposed amounts for the Community Development Department. Staff informed this is not a Mayor and Council fee schedule, but a state-wide increase, that could affect funding if municipalities do not adapt.

Upon motion by Councilman Carter and second by Councilman Giddens, the new Community Development Fee Schedule Changes gained approval. Voting yes were Mayor Proctor, Councilmen Carter, Giddens, and Powell. The vote passed 4-0.

**G. Discussion of Writ of Mandamus**

Mr. Davis informed of the Mayor and Council of a late email containing a writ of mandamus received from Worth County Superior Court, regarding Mr. Matthew Souter and his application for package liquor license. The court order is to issue an alcohol license, immediately. Attorney Castellow sent a legal opinion advising the city to proceed with the process of issuing the license. A mention of a requirement of a drive-thru for each location was made, but the ordinance will be reviewed for accuracy. City Manager Davis will ensure all requirements are in place prior to the license being issued.

Upon motion by Councilman Powell, seconded by Councilman Carter, the directive to proceed with issuing Mr. Souter's package store license, as ordered by the Worth County Supreme Court, gained approval. Voting yes were Mayor Proctor, Councilmen Carter, Giddens, and Powell. The vote passed 4-0.

**Reports/Remarks**

Councilman Melvin Powell, Ward 1 – Councilman Powell suggested the new fees from the state for Code Enforcement Department and the Regional Commission Transit System details be shared on social media and the city website to inform citizens.

Councilman Isaac Jackson, Jr., Ward 2 – Councilman Jackson was not present.

Councilman J. Mark Giddens, Ward 3 – Councilman Giddens had no report.

Councilman Earnest Carter Jr., Ward 4 – Councilman Carter had no report.

City Attorney Lester Castellow – Attorney Castellow was not present.

Mayor Harold Proctor, Jr. – Mayor Proctor spoke on events that occurred this past weekend. There were concerns of violent activity around 2:30 a.m. advised by the Sylvester Police Department; outside of the operating hours by Ordinance 2024-04 passed August 19, 2024. A letter should be sent to business owners advising of the execution of the new ordinance. Public safety is a priority, and owners need to be held accountable. Parking tickets, issuing loitering citations, and police presence have all been mentioned.

City Manager Chris Davis – Mr. Davis had no report.

### **Executive Session**

Councilman Giddens moved to convene an Executive Session to discuss personnel, seconded by Councilman Carter. Voting yes were Mayor Proctor, Councilmen Carter, Giddens, and Powell. The vote passed 4-0.

### **Executive Session: 6:39 p.m.**

### **Regular Session Reconvened: 6:58 p.m.**

Councilman Carter and Giddens simultaneously motioned to accept the minutes, as read, in Executive Session, seconded by Councilman Carter. Voting yes were Mayor Proctor, Councilmen Carter, Giddens, and Powell. The vote passed 4-0.

Upon return from Executive Session, Councilman Giddens motioned to reconvene the regular meeting, with a second by Councilman Carter. Voting yes were Mayor Proctor, Councilmen Carter, Giddens, and Powell. The vote passed 4-0.

### **Announcements:**

Mr. Davis informed of the bill insert mailed in error to citizens with misinformation advising of the reconnect fee on the cut-off list and not disconnected, which was also posted to social media in August incorrectly. This error was at no fault of the Mayor and Council or city staff, and the misunderstanding came from our third party billing company, Incode. Cycles 1 and 2 were affected by this mix-up, and the Customer Service Team will reach out to citizens affected by this, with a statement posted to the social media and website.

**Adjournment**

With all agenda items covered, Councilman Carter motioned to adjourn, with a second by Councilman Giddens. Voting yes were Mayor Proctor, Councilmen Carter, Giddens, and Powell. The vote passed 4-0.

Mayor Proctor duly adjourned the meeting at 7:01 p.m.

CITY COUNCIL  
SYLVESTER, GEORGIA

HAROLD PROCTOR, JR., MAYOR

ATTEST:

MARKESHA BIVENS, CITY CLERK

APPROVED