

City of Warner Robins
Draft Pre-Council Agenda June 3, 2019
Council's Chamber

4:30 p m

Draft Council Agenda June 3, 2019
Council's Chamber
5:30 p m

Mayor Officially Opens Meeting

Opening Prayer Led by Councilman Lauritsen

Pledge of Allegiance by Councilman Curtis

Pre – Council Items:

Mayor Calls Meeting to Order

Adoption of the Agenda: Motion –
Second –

Proclamations/Awards/Presentations:

1. Approval of Minutes from Regular Meeting of May 20, 2019 – Lee
2. Formal Public Comments Pertaining to Current Agenda Items
3. Purchasing Bids – Thomas

Public Hearing: Proposed Budget for July 01, 2019 to June 30, 2020.

4. City Administrator Position (Discussion Only)- Lee
5. Ordinance – Code of Ethics – Curtis
6. Ordinance – Salary Increase Council/First Reading – Holmes
7. Resolution – Engineering Consultant/Forrest Walker Agreement – Lauritsen
8. Resolution – WODA Development Project – Thomas (Documents Pending)
9. Resolution – Surplus Property/Long Street – Lee

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Citizens Comments
Council Comments
Mayor's Comments
Adjourn

Formal Public Comment – Speaker Protocol

The City of Warner Robins has identified this portion of the meeting to allow individuals an opportunity to formally address specific item(s) on the agenda for this meeting. The Mayor will recognize the speaker at the appropriate time and ask him/her to come forward to the podium. The City Council members may ask the speaker questions and/or engage in dialogue if they choose, but the speaker should not have an expectation that a question and answer format will occur. During this public comment section, persons shall be permitted to speak for three (3) minutes. When that time period has expired, the mayor shall direct the person speaking to cease. A second request from the mayor to cease speaking shall be cause for the removal of the speaker. Any person making personal, impertinent, profane, or slanderous remarks, or who becomes boisterous while addressing the city council or who otherwise violates any of the above-mentioned rules while attending a council meeting shall be removed from the room at the direction of the mayor, and the person shall be barred from further audience before the council during that meeting. If the mayor fails to act, any member of the council may move to require the mayor to act. If so directed by the mayor or an affirmative vote of the majority of the council, the offending person shall be removed.

Informal Public Comment – City Council Agenda Protocol

The City of Warner Robins believes that any member of the general public should be afforded the opportunity to address the City Council provided that designated rules are followed by the speaker. Any member of the public who wishes to address the City Council and offer public comment may do so during the Informal Public Comment period of the meeting. These rules will govern; if silent, most recent edition of Robert's Rules of Order shall apply. Elected officials shall preserve order and decorum. City officials or employees shall not respond to questions posed during a meeting. Citizens shall conduct themselves with propriety and decorum. Unauthorized remarks from the audience, stamping of the feet, whistles, yells, and similar demonstrations shall not be permitted. Placards, banners, signs, pamphlets, flyers, or political materials shall not be permitted in the council chambers or conference room, general comments will be received. Persons are urged to limit comments to topics relevant to the operations or business of the City. During the public comment sections of a council meeting, persons shall be permitted to speak for three (3) minutes. When that time period has expired, the mayor shall direct the person speaking to cease. A second request from the mayor to cease speaking shall be cause for the removal of the speaker. Any person making personal, impertinent, profane, or slanderous remarks, or who becomes boisterous while addressing the city council or who otherwise violates any of the above-mentioned rules while attending a council meeting shall be removed from the room at the direction of the mayor, and the person shall be barred from further audience before the council during that meeting. If the mayor fails to act, any member of the council may move to require the mayor to act. If so directed by the mayor or an affirmative vote of the majority of the council, the offending person shall be removed.

Placement on the Agenda

Warner Robins requires that any person who wishes to place a subject on the agenda shall advise the City Clerk's Office and the specified subject matter which he or she desires to place on the agenda no later than 5:00 p.m. on the Wednesday prior to the council meeting. Every member of the public will be given an opportunity to be placed on the agenda once every six (6) months. The request can be done in person, regular mail, fax or e-mail. The request should state the name of the individual(s) desiring to be heard and the subject matter to be presented to City Council. Requests may be referred at the discretion of the City Clerk, to appropriate staff for mediation prior to being placed on the public agenda. Please be advised the request to be placed on the agenda does not entitle the speaker to be added to the agenda.

The City of Warner Robins is endeavoring to be in total compliance with the Americans with Disabilities Act. If you require assistance or auxiliary aids in order to participate at the council meeting please contact the ADA Coordinator, Sherri Windham, at (478) 302-5518 or swindham@wrqa.gov as far in advance of the council meeting as possible. Persons with hearing disabilities can contact the City through the Georgia Relay Service, at (TDD) 1-800-255-0056 or (Voice) 1-800-255-0135.



City of Warner Robins
City Council Meeting
Minutes

Monday, May 20, 2019

5:30 PM

Council Chamber Room

Regular Meeting of the Warner Robins City Council

Presiding: Mayor Randy Toms

City Officials Present:

Councilwoman Carolyn Robbins
Councilman Clifford Holmes
Councilman Daron Lee

Councilman Larry Curtis
Councilman Keith Lauritsen
Councilman Tim Thomas

Opening Prayer: Councilman Lee

Pledge of Allegiance: Councilman Holmes

Call to Order: 5:30 pm

Adoption of the Agenda: Councilman Lauritsen moved to adopt the agenda with the correction of **Action Item 8** to change from a Resolution to a Motion. Also, the addition of **Action Item 17** a Motion to appoint Ms. Joyce Phillips to the Planning and Zoning Board. Councilman Holmes seconded the motion. Councilwoman Robbins, Councilmen Curtis, Holmes, Lee, Lauritsen, and Thomas voted for adoption of the agenda.

Proclamations, Awards and Presentations:

- Mayor Toms presented service awards to Sgt. Brett Rozier (WRPD) for 15 years of service and Firefighter, Joe Boyst (WRFD) for 25 years of service.
- Chris McGuire and Beth Tabor presented the Annual Audit

Action Items:

Action Item 1	Presentation of Minutes
The minutes of the regular meeting of May 6, 2019 were presented for approval.	
Motion:	Councilman Lauritsen moved to approve the minutes of the regular meeting of May 6, 2019.
Second:	Councilwoman Robbins.
Outcome:	Councilwoman Robbins, Councilmen Curtis, Holmes, Lauritsen, Lee, and Thomas voted for approval of the minutes.

Action Item 2	Purchasing Bids
Purchasing Bid List items, attached hereto, were presented for approval.	
Motion:	Councilman Curtis presented and moved to approve the bid list items one through eight.
Second:	Councilman Holmes
Outcome:	Councilwoman Robbins, Councilmen Curtis, Holmes, Lauritsen, Lee, and Thomas voted for approval of the bid list.

Action Item 3	Ordinance – Annual Salary of Councilmembers/Second Reading
An Ordinance of the Mayor and Council of the City of Warner Robins, amending Chapter 2 of the Code of Ordinances regarding Administration. Section 2-28 (a) shall be amended to increase the annual salary of Councilmembers from \$5,000.00 to \$10,000.00, effective January 1, 2020.	
Motion:	Councilman Holmes presented the second reading of this Ordinance.
Second:	Councilwoman Robbins
Outcome:	Councilwoman Robbins, Holmes, Lee, voted for approval. Councilman Curtis, Thomas and Lauritsen were opposed.

Action Item 4	Ordinance – Annexation/Carlton H. Ella O’Neal Sledge Farm, Inc/SE Corner of Russell Pkwy and I-75/19.602 Acres
Ordinance #09-19 of the Mayor and City Council, annexing Land Lot 39 of the 5th Land District and Land Lots 32 and 33 of the 10th Land District of Peach County, Georgia, totaling 19.06 acres, as shown on a plat of survey drawn by Lowery & Associates Land Surveying, LLC, dated April 2, 2019, Job No. 192541 and as referenced in Deed book 321, Page 342, Clerk’s Office, Peach Superior Court. The property is located at the Southeast corner of the Russell Pkwy Extension and I-75, Warner Robins, Georgia. A zoning request for same property C-2 [General Commercial District] City.	
Motion:	Councilman Lee moved for the adoption of Ordinance #09-19, moved to waive the second reading of Ordinance #09-19.
Second:	Councilman Lauritsen
Outcome:	Councilwoman Robbins, Councilmen Curtis, Lauritsen, Lee, and Thomas voted for approval and Councilman Holmes abstained.

Motion:	Councilman Lee moved to approve the zoning request C-2 [General Commercial District] City.
Second:	Councilman Thomas
Outcome:	Councilwoman Robbins, Councilmen Curtis, Holmes, Lauritsen, Lee, and Thomas voted for approval.

Action Item 5	Ordinance – Annexation/McGee Family Limited Partnership/NW Corner of Cohen Walker Drive and Karl Drive/4.52 Acres
Ordinance #10-19 of the Mayor and City Council, annexing Land Lot 133 of the 10th Land District of Houston County, Georgia, and being known and designated as that certain 4.52 acres, more or less, as shown on a "Preliminary Concept, Concept Plan 4, for Self-Service Storage Development, drawn by Contineo Group, dated March 11, 2019, job no. 19-118". The property is located at the northwest corner of Cohen Walker Drive and Karl Drive, Warner Robins, Georgia. A zoning request for same property C-2 [General Commercial District] City.	
Motion:	Councilman Curtis moved for the adoption of Ordinance #10-19, moved to waive the second reading of Ordinance #10-19.
Second:	Councilman Thomas
Outcome:	Councilwoman Robbins, Councilmen Curtis, Holmes, Lauritsen, Lee, and Thomas voted for approval.
Motion:	Councilman Curtis moved to approve the zoning request C-2 [General Commercial District] City.
Second:	Councilman Lee
Outcome:	Councilwoman Robbins, Councilmen Curtis, Holmes, Lauritsen, Lee, and Thomas voted for approval.

Action Item 6	Ordinance – Annexation/Museum of Aviation Foundation/200 Hwy 247/4.73 Acres
Ordinance #11-19 of the Mayor and City Council, annexing Land Lot 242 of the 5th Land District of Houston County, Georgia, and being known and designated as that certain 4.734 acres, more or less, as shown on a "Property Survey for Museum of Aviation at Robins Air Force Base, Georgia Foundation, Inc.", prepared by Theodore W. Waddle, Georgia Registered Land Surveyor No. 924, dated April 1, 1999, a copy of which is recorded in Plat Book 54, Page 32, Clerk's Office, Houston Superior Court. A zoning request for same property C-2 [General Commercial District] City.	

Motion:	Councilman Lauritsen moved for the adoption of Ordinance #11-19, moved to waive the second reading of Ordinance #11-19.
Second:	Councilman Lee
Outcome:	Councilwoman Robbins, Councilmen Curtis, Holmes, Lauritsen, Lee, and Thomas voted for approval.
Motion:	Councilman Lauritsen moved to approve the zoning request C-2 [General Commercial District] City.
Second:	Councilman Lee
Outcome:	Councilwoman Robbins, Councilmen Curtis, Holmes, Lauritsen, Lee, and Thomas voted for approval.

Action Item 7	Petition - Rezoning – Warner Robins Housing Authority/Vickie Dr. & N. Davis/2.41 Acres from zoning of R-4 [Multi-Family Residential] to the zoning of PDR [Planned development-Residential]
Warner Robins Housing Authority requests the rezoning of property totaling 2.41 acres located at Vickie Drive from the zoning of R-4 [Multi-Family Residential] to the zoning of PDR [Planned development-Residential]. The Planning and Zoning Commission approved this request and its recommendation forwarded to the Mayor and Council of the City of Warner Robins for final approval.	
Motion:	Councilman Holmes moved to approve the Petition to Rezone.
Second:	Councilman Thomas.
Outcome:	Councilwoman Robbins, Councilmen Curtis, Holmes, Lauritsen, Lee, and Thomas voted for approval.

Action Item 8	Jointly Owned Creation of Commission
A motion was made to proceed with the creation of the Jointly Owned Natural Gas Commission.	
Motion:	Councilman Lauritsen moved to create the Commission.
Second:	Councilwoman Robbins.
Outcome:	Mayor Toms, Councilwoman Robbins, Councilman Lee and Lauritsen voted for approval. Councilman Thomas, Holmes and Curtis were opposed.

Action Item 9	Resolution – Fire Works Contract for 2019 IDC
A Resolution authorizing Mayor Randy Toms to execute an agreement with East Coast Pyrotechnics, Inc., for the fireworks display at the City's 2019 Independence Day Celebration. This expenditure shall be charged to account 020 018 07540 52322 City Promotions/4 th of July Celebration.	
Motion:	Councilman Lee moved to approve the Resolution.
Second:	Councilwoman Thomas.
Outcome:	Councilwoman Robbins, Councilmen Curtis, Holmes, Lauritsen, Lee, and Thomas voted for approval.

Action Item 10	Resolution – Board of Elections/State-Owned Voting Equipment
A Resolution authorizing Mayor Randy Toms to execute an agreement with the Board of Elections to use equipment on the City's behalf for the 2019 local election.	
Motion:	Councilman Lee moved to approve the Resolution.
Second:	Councilman Lauritsen.
Outcome:	Councilwoman Robbins, Councilmen Curtis, Holmes, Lauritsen, Lee, and Thomas voted for approval.

Action Item 11

Resolution – Resolution – Surplus Property Sale

A Resolution of the Mayor and Council of the City of Warner Robins recommending that the following vehicles are no longer needed for public use or has become unusable for the purpose intended and it is in the best interest of the City of Warner Robins that said items be declared surplus property, and that said property shall be sold in accordance with the laws of the State of Georgia.

Vehicle #	Description	VIN #	Mileage
	2006 Land Rover LR3, 4-DR SUV	SALAD25446A385509	197175
2	1999 Ford F-250 SD, XL Crew Cab	IFTNW21L3XED73149	174687
17	2005 Ford E-350 Cargo Van	1FTSS34SX5HB40548	290773
18	2007 Ford Crown Victoria	2FAFP71WG7X14017	170929

36	1999 Ford Crown Victoria	2FAFP71WiXXi30002	212866
38	1999 Ford Crown Victoria	2FAFP71W5XX129998	166477
51	2002 Ford Crown Victoria	2FAFP71W02X113717	157598
M114	1995 Ford Crown Victoria	2FALP71WXSX201807	
145	1999 Ford Crown Victoria	2FAFP71W4XX238842	84204
146	1999 Ford Crown Victoria	2FAFP71W8XX238844	167023
151	1999 Ford Crown Victoria	2FAFP71W1XX126807	102648
159	1999 Ford Crown Victoria	2FAFP71W4XX126820	171477
165	1999 Ford Crown Victoria	2FAFP71W8XX126822	213521
167	1999 Ford Crown Victoria	2FAFP71W4XX126817	171318
176	1999 Ford Crown Victoria	2FAFP71WXXX129978	178666
189	1999 Ford Crown Victoria	2FAFP71W6XX129993	173663
194	1999 Ford Crown Victoria	2FAFP71WXXX129995	177300
218	2006 Ford Crown Victoria	2FAFP71W46X117579	145994
225	2006 Ford Crown Victoria	2FAFP71W56X117574	
228	2006 Ford Crown Victoria	2FAFP71W26X117578	180813
236	2008 Ford Crown Victoria	2FAFP71V18X138593	
239	2008 Ford Crown Victoria	2FAFP71V18X138609	
610	1998 Ford F-150 Pick-Up Truck	1FTZ18W4WNB15393	
368	2001 Ford F-150 Pick-Up Truck	1FTZF17291NA45302	
413	1996 Ford F-350 Flat Bed Truck	1FTJW35H9TEA56383	
Motion:		Councilman Holmes moved to approve the Resolution.	
Second:		Councilman Curtis	
Outcome:		Councilwoman Robbins, Councilmen Curtis, Holmes, Lauritsen, Lee, and Thomas voted for approval.	

Action Item 12	Resolution – Employee Promotion
The following employee was recommended for promotions by her respective department:	
•Crystal Noll, promoted from Administrative Assistant (Rec), Job Class #737, Grade 12, Recreation Department, to Recreation Support Worker, Job Class #733, Grade 14, Recreation Department, to be effective July 1, 2019.	
Motion:	Councilman Lee moved to approve the motion.
Second:	Councilman Lauritsen
Outcome:	Councilwoman Robbins, Councilmen Curtis, Holmes, Lauritsen, Lee, and Thomas voted for approval.

Action Item 13	Resolution – Georgia Interlocal Risk Management Agency (GIRMA)/Cyber Security Coverage
A Resolution authorizing Mayor Randy Toms to execute a coverage agreement GIRMA for enhanced cyber security coverage.	
Motion:	Councilman Curtis moved to approve the Resolution.
Second:	Councilman Thomas
Outcome:	Councilwoman Robbins, Councilmen Curtis, Holmes, Lauritsen, Lee, and Thomas voted for approval.

Action Item 14	Resolution – 21st Century Partnership
A Resolution authorizing a contribution to the 21st Century Partnership as budgeted for in FY 2019 in the amount of fifty-three thousand thirty-six and 38/100 dollars (\$53,036.38) and this item shall be charged to budget line item 10.01.01595.52351, Dues & Memberships.	
Motion:	Councilman Lauritsen moved to approve the Resolution.
Second:	Councilwoman Robbins
Outcome:	Councilwoman Robbins, Councilmen Curtis, Holmes, Lauritsen, Lee, and Thomas voted for approval.

Action Item 15	Appointment to Warner Robins Convention & Visitors Bureau
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The following names were recommended for appointment to the Warner Robins Convention and Visitors Bureau

1. Marsha Buzzell (Tourism)
 2. Mike Patel (La Quina Hotel, Hospitality, 2022) (*New*)
 3. Councilwoman Carolyn Robbins/Councilman Larry Curtis (*New*)
 4. Trinette Rosales (Jersey Mike's Sub's, Restaurant Hospitality, 2021) (*New*)
 5. Jen Colvin (SE Little League Sports, Hospitality, 2021)
 6. Ron Weigle (Financial Industry, 2022) (*New*)
 7. Ron Jones (Pine Oaks at RAFB, Hospitality, 2021)
 8. Keith Daniels (Rigby's Entertainment, Hospitality, 2022) (*New*)
 9. Glen Starlnecker (Courtyard by Marriott, Hospitality, 2021)
 10. Dianne McMichael (GA Artisan Center, Arts Culture, 2022)
 11. Slayten Carter (8th Congressional District Austin Scott, 2021)
 12. Jennie Lacey (Flint Energies, 2022) (*New*)
 13. Col. Katrina Stephens (Military, 2021) (*New*)
 14. Dr. Wendy Wells-O'Rear (Education, 2022) (*New*)
 15. Paul Shealy (WR Development Authority, 2021) (*New*)
 16. Jade Morley, MPA (Economic Developer, 2022) (*New*)
- EO: April Bragg: Robins Region Chamber of Commerce
EO: Museum of Aviation

Motion:	Councilman Holmes moved to approve the Appointments.
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Second:	Councilman Thomas
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Outcome:	Councilwoman Robbins, Councilmen Curtis, Holmes, Lauritsen, Lee, and Thomas voted for approval.
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Action Item 16	Home Occupation Approvals
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The following Home Occupation Permits are recommended for approval by the Planning and Zoning Board:

- Brittany Cato – 226 Randy Circle – requests permission to operate a cleaning business.
- Jennifer Poissant – 102 Sonja Drive – requests permission to operate a candle sales business.
- Merquis Ross – 527 Arrie Drive – requests permission to operate an organist for hire business.
- Alisha Brown – 6080 Lakeview Road, Apt. 307 – request permission to operate a counseling business...
- James E. Jamerson – 312 Haywood Drive – request permission to operate a program manager business.
- Michael Mays – 105 Kim Way – request permission to operate a water emergency leaks mitigation business.
- Tomika Prouty – 111 Newton Lane – request permission to operate an internet sales business.
- Le'Trece Hill – 109 Latham Drive – request permission to operate an online clothing business.
- Isidro Renteria-Silva – 105 Dalton Court – request permission to operate a photography business.
- Angelica Watson – 321 Forest Hill Drive – request permission to operate a home inspection business.
- Sandra Watson – 121 Deerwood Circle – request permission to operate a pool cleaning service business.
- Kristie Coney – 115 Malachi Drive – request permission to operate a book publishing business.
- Shenell Stansbury – 204 Donna Drive – request permission to operate an online sales business.

Motion:	Councilman Lee moved to approve.
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Second:	Councilman Lauritsen
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Outcome:	Councilwoman Robbins, Councilmen Curtis, Holmes, Lauritsen, Lee, and Thomas voted for approval.
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Action Item 17	Appointment to Planning and Zoning Board
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The following name was recommended for appointment to the Warner Robins Planning and Zoning Board

- Joyce Phillips

Motion:	Councilman Thomas moved to approve the appointment
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Second:	Councilwoman Lauritsen
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Outcome:	Councilwoman Robbins, Councilmen Curtis, Holmes, Lauritsen, Lee, and Thomas voted for approval.
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Closed Session: During the regular meeting, Councilman Lee requested a motion to enter into an executive session regarding personnel and real estate. Councilman Lauritsen seconded the motion.

Councilwoman Robbins, Councilmen Curtis, Holmes, Lauritsen, Lee, and Thomas voted for approval of the motion. Jim Elliott, City Attorney is in possession of closed session minutes.

Citizen Comments: Aaron Hufstetler, Shirlyn Granville, Ansel Peck, Krissy Miner, Karen Sisk, Cynthia Statham, Sister Dina Wiggins, Rita Simon, Bishop B, Josh Kirvin, James Ermychezk.

Adjournment: 6:55 p.m.

Next Regular Council Meeting: Monday June 3, 2019.

Mandy Stella
Executive Assistant to Mayor Randy Toms

Draft

NO. _____
CITY OF WARNER ROBINS
STATE OF GEORGIA

ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF WARNER ROBINS, GEORGIA, ADOPTING A CODE OF ETHICS, AND FOR OTHER PURPOSES.

BE IT ORDAINED by the Mayor and Council of the City of Warner Robins that the City Code is hereby amended to include the following:

“ETHICS

Sec. 1. **PURPOSE.**

The purpose of this code of ethics is to:

- (1) Encourage high ethical standards in official conduct by city officials;
- (2) Establish guidelines for ethical standards of conduct for all such officials by setting forth those acts or actions that are incompatible with the interest of the City;
- (3) Require disclosure by such officials of private financial or other interest in matters affecting the City; and
- (4) Serve as a basis for disciplining those who refuse to abide by its terms.

Sec. 2. **SCOPE.**

The provisions of this code of ethics shall be applicable to all elected or appointed city officials.

Notwithstanding anything herein to the contrary, state law and the charter of the City shall be controlling in the event of an actual conflict with the provisions of this code of ethics. This chapter shall be interpreted to supplement, and not replace, said provisions of state law and the charter.

Sec. 3. **DEFINITIONS.**

Solely for the purpose of this code of ethics:

City official or official s, unless otherwise expressly defined, generally does not include City employees but does mean the mayor, members of the city council, department directors, municipal court judges (including substitute judges), city clerk, city attorney, and all other persons holding positions designated by the city charter, as amended, as elected or appointed. The term "city official" also includes all individuals, including city employees, appointed by the mayor and/or city council as appropriate to City authorities, commissions, committees, boards, task forces, or other bodies which can or may vote or take formal action or make official recommendations to the mayor and council.

Decision means any ordinance, resolution, contract, franchise, formal action or other matter voted on by the city council or other City board or commission, as well as the discussions or

deliberations of the council, board, or commission which can or may lead to a vote or formal action by that body.

Employee means any person who is a full-time, part-time, permanent or temporary employee of the City.

Immediate family means the spouse, mother, father, grandparent, brother, sister, son or daughter of any city official related by blood, adoption or marriage. The relationship by marriage shall include in-laws.

Incidental interest means an interest of a person, entity or property which is not a substantial interest as defined herein and which has insignificant value.

Remote interest means an interest of a person or entity, including a City official, which would be affected in the same way as the general public. For example, the interest of an official in the property tax rate, general City fees, City utility charges, or a comprehensive zoning ordinance or similar matters is deemed remote to the extent that the official would be affected in common with the general public.

Substantial interest means an interest, either directly or through a member of the immediate family, in another person or entity, where:

- (1) The interest is ownership of five (5) percent or more of the voting stock, shares or equity of the entity or ownership of five thousand dollars (\$5,000.00) or more of the equity or market value of the entity; or
- (2) The funds received by the person from the other person or entity during the previous twelve (12) months either equal or exceed: (a) five thousand dollars (\$5,000.00) in salary, bonuses, commissions or professional fees, or five thousand dollars (\$5,000.00) in payment for goods, products or services, or (b) ten (10) percent of the recipient's gross income during that period, whichever is less;
- (3) The person serves as a corporate officer or member of the board of directors or other governing board of a for-profit entity other than a corporate entity owned or created by the mayor and council; or
- (4) The person is a creditor, debtor, or guarantor of the other person or entity in an amount of five thousand dollars (\$5,000.00) or more.

Sec. 4. PROHIBITIONS.

(a) No City official shall use such position to secure special privileges or exemptions for himself or herself or others, or to secure confidential information for any propose other than official duties on behalf of the City.

(b) No City official, in any matter before the mayor and council or any other City body relating to a person or entity in which the official has a substantial interest, shall fail to disclose for the record such interest prior to any discussion or vote or fail to recuse himself/herself from such discussion or vote as applicable.

(c) No City official shall act as an agent or attorney for another in any matter before the City council or other City body.

(d) No City official shall directly or indirectly receive, or agree to receive, any compensation, gift, reward, or gratuity in any matter or proceeding connected with, or related to, the duties of his office in excess of a value of \$150 except as may be provided by law.

(e) No City official shall enter into any contract with, or have any interest in, either directly or indirectly, the City except as authorized by state law.

- (1) This prohibition shall not be applicable to an otherwise valid employment contract between the City and a city official who is not elected .
 - (2) Any official who has a proprietary interest in an agency doing business with the City shall make that interest known in writing to the mayor and council and the city clerk.
- (f) All public funds shall be used for the general welfare of the people and not for personal economic gain.
 - (g) Public property shall be disposed of in accordance with state law.
 - (h) No City official shall solicit or accept other employment to be performed, or compensation to be received, while still a City official if the employment or compensation could reasonably be expected to impair such official 's judgment or performance of City duties.
 - (i) If a city official accepts or is soliciting a promise of future employment from any person or entity who has a substantial interest in a person, entity or property which would be affected by any decision upon which the official might reasonably be expected to act, investigate, advise, or make a recommendation, the official shall disclose the fact to the City council and shall recuse himself/herself and take no further action on matters regarding the potential future employer.
 - (j) No city official shall use City facilities, personnel, equipment or supplies for private purposes, except to the extent such are lawfully available to the public.
 - (k) No city official shall grant or make available to any person any consideration, treatment, advantage or favor beyond that which it is the general practice to grant or make available to the public at large.
 - (l) A city official shall not directly or indirectly make use of, or permit others to make use of, official information not made available to the general public for the purpose of furthering a private interest.
 - (m) A city official shall not use his or her position in any way to coerce, or give the appearance of coercing, another person to provide any financial benefit to such official or persons within the official's immediate family, or those with whom the official has business or financial ties amounting to a substantial interest.
 - (n) A city official shall not order any goods and services for the City without prior official authorization for such an expenditure. No City official shall attempt to obligate the City nor give the impression of obligating the City without proper prior authorization.
 - (o) No city official shall draw travel funds or per diem from the City for attendance at meetings, seminars, training or other educational events and fail to attend such events without promptly reimbursing the City therefore.
 - (p) No city official shall attempt to unduly influence the outcome of a case before the Municipal Court of the City of Warner Robins nor shall any City official engage in ex parte communication with a municipal court judge of the City of Warner Robins on any matter pending before the Municipal Court of the City of Warner Robins.
 - (q) No city official shall disclose the substance of any matter discussed or reviewed in a closed session duly authorized by state law.
 - (r) No city official shall withhold from any other official relevant information about any item placed upon a meeting agenda.

Sec. 5. CONFLICT OF INTEREST.

(a) A city official may not participate in a vote or decision on a matter affecting an immediate family member or any person, entity, or property in which the official has a substantial interest.

(b) A city official who serves as a corporate officer or member of the board of directors of a nonprofit entity must disclose their interest in said entity to the mayor and council prior to participating in a vote or decision regarding funding of the entity by or through the City.

(c) Where the interest of a city official in the subject matter of a vote or decision is remote or incidental, the city official may participate in the above or decision and need not disclose the interest.

(d) All city officials shall fully comply with the requirements of all state conflicts of interest statutes.

Sec. 6. RECEIPT OF COMPLAINTS.

(a) All complaints against City officials shall be filed with the city clerk's office. Upon receipt of a complaint in proper form, the city clerk shall immediately forward a copy of the complaint to the City official or officials charged in the complaint within no more than seven (7) calendar days.

(b) All complaints shall be submitted and signed under oath, shall be legibly drawn and shall clearly address matters within the scope of this chapter.

(c) All complaints filed hereunder shall be heard before a hearing officer who: (1) shall be an attorney at law, in good standing with the State Bar of Georgia; (2) shall have at least five years' experience in the practice of law, and (3) shall not maintain an office within _____ of the City of Warner Robins. The city clerk shall maintain a listing of no less than five qualified attorneys willing to serve as a hearing officer pursuant to this section.

(d) Within two business days of the receipt of any properly filed complaint, the city clerk shall draw names randomly from the listing of qualified hearing officers and appoint the first one who is available to serve in the matter. Once a hearing officer is appointed, no City official shall communicate with or otherwise contact the hearing officer, except as authorized herein; unless such official is the complainant, or the official charged in the complaint; provided, however, no party to a complaint shall engage in ex parte communications with the hearing officer.

(e) In all proceedings under this section, the burden of proof shall be on the complaining party. Further, the quantum of proof required to establish a violation under this ordinance shall be beyond a reasonable doubt.

Sec. 7. HEARING.

(a) The City official charged in the complaint shall have 15 business days to file an answer to the complaint. Response to a complaint, however, is not mandatory.

(b) Upon the expiration of the 15 business day answer period, the hearing officer shall review the complaint and answer, if any, to determine: (1) whether the complaint is in conformity of the requirements of section 6(b) above, (2) whether, upon consideration of the complaint and answer, the complaint is unjustified, frivolous, patently unfounded; or (3)

whether, upon consideration of the complaint and answer, the complaint demonstrates facts sufficient to invoke disciplinary jurisdiction as set forth in this ordinance.

(c) If the complaint fails based upon the requirements of the foregoing subsections (b)(2) or (b)(3), the complaint shall be dismissed, the Hearing Officer shall issue a written opinion, stating the basis for the dismissal.

(d) If the dismissal is based upon the failure to comply with section 6, the complainant shall have 15 business days to re-file the complaint, and correct the defect. If the corrected complaint is not filed within 15 business days, the provisions of the foregoing subsection (b) shall apply to the complaint. If the complaint otherwise fails, the provisions of subsection (b) shall apply to the complaint.

(e) Upon a determination that the complaint should not be dismissed pursuant to subsection (b), the Hearing Officer shall be empowered to collect evidence and information concerning any complaint and to add the findings and results of its investigations to the file containing such complaint. In furtherance of this investigation, the hearing officer may:

1. First, seek such further information from the complainant or the City official charged through inquiry or written questions, provided, however the official charged shall have no obligation to answer any inquiries; and make a further determination as to whether the complaint demonstrates facts sufficient to invoke disciplinary jurisdiction of this Chapter. If it is determined that the complaint should not be dismissed pursuant to this subsection, then the provisions of section (e)(2) below shall apply; or

2. Conduct a hearing in accordance with the administrative hearing procedures, as adopted by resolution of Mayor and Council, regarding the allegations set forth in the complaint. At any hearing, the official who is the subject of inquiry shall have the right: (1) to representation by counsel at all stages of these proceedings, (2) to written notice of the hearing at least ten calendar days before the first hearing, (3) to hear and examine the evidence and witnesses, (4) to not testify; and (5) to submit evidence and call witnesses to oppose or mitigate the allegations. In all hearings held under this section, the rules of evidence applicable in civil cases shall apply.

(f) All investigations under this section shall be completed within 45 business days of the filing of the complaint. Should the investigation not be completed within that time period, the complaint will be deemed dismissed for failure to state facts sufficient to invoke the disciplinary jurisdiction of the mayor and council.

(g) Within seven business days of the completion of the investigation, the hearing officer shall:

1. Dismiss the complaint on the grounds that it is unjustified, frivolous, patently unfounded, or that it fails to state facts sufficient to invoke the disciplinary jurisdiction of the mayor and council, or

2. Prepare a report of findings and recommendations to the mayor and council.

3. Should the hearing officer determine to submit a report in the matter, the report shall consist of: (1) a written finding of facts; (2) a determination that the complaint establishes beyond a reasonable doubt that a violation has been committed, and if so, the specific violation and evidence supporting the same, and (3) a recommendation regarding the punishment for such violation.

4. Any person violating any provision of this article is subject to: (1) public or private reprimand or censure by the mayor and council; (2) request for resignation by the mayor and council; or (3) removal from office in accordance with all applicable state and local laws.

5. The hearing officer's written determination of findings and recommendations shall be delivered to the city clerk who shall provide a copy to the mayor and council and the city attorney. The city clerk shall serve a copy on the complainant and City official charged by personal service, by certified mail, return receipt requested or by statutory overnight delivery. Such findings shall not be final until approved by vote of the mayor and council.

(h) To discourage the filing of ethics complaints solely for political purposes, complaints will not be accepted against a person seeking election as a City official, whether currently serving as a City official or not, from the date qualifying opens for the elected office at issue through the date the election results have been certified.

Sec. 8. **RIGHT TO APPEAL.**

(a) Any city official or complainant adversely affected by the findings or recommendations of the hearing officer may obtain judicial review of such decisions as provided in this chapter.

(b) An action for judicial review may be commenced by filing an application for a writ of certiorari in the Superior Court of Houston County within thirty (30) days after the decision of the municipal court. The filing of such application shall act as supersedeas.

Sec. 9. **PENALTY.**

Any person violating any provision of this chapter is subject to:

- (1) Public reprimand or censure by the mayor and council; or
- (2) Request for resignation by the mayor and council.

CITY OF WARNER ROBINS, GEORGIA

By: _____
Mayor

Attest:

City Clerk

No. _____
CITY OF WARNER ROBINS
STATE OF GEORGIA

ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF WARNER ROBINS, GEORGIA, AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES REGARDING ADMINISTRATION, AND FOR OTHER PURPOSES.

WHEREAS, notice of a proposed salary increase for members of the Warner Robins city council was duly advertised in the Houston Home Journal, the official organ of Houston County and of the City of Warner Robins, on May 1, 8, and 15, 2019 as required by Official Code of Georgia Annotated § 36-35-4(a).

NOW, THEREFORE, BE IT ORDAINED that the Mayor and Council of the City of Warner Robins amend Chapter 2 of the Warner Robins city code as follows:

-1-

Section 2-28(a) shall be amended to ~~increase the annual salary of~~ councilmembers from \$5,000.00 to \$10,000.00.

-2-

If any ordinance, or part thereof, of the City of Warner Robins is in conflict herewith, this ordinance shall have preference. If any provisions of this ordinance are held invalid, such invalidity shall not affect any of the other provisions which can be given effect without ~~the invalid provision~~, and, to this end, the provisions of this ordinance are declared to be severable.

The ~~provisions~~ of this ordinance were first read on June 3, 2019, adopted on June 17, 2019, and ~~shall become effective~~ on January 1, 2020.

CITY OF WARNER ROBINS, GEORGIA

By: _____
Randy Toms, Mayor

Attest:

Kathy Opitz, Assistant City Clerk

**CITY OF WARNER ROBINS
STATE OF GEORGIA**

RESOLUTION

BE IT RESOLVED that Mayor and Council of the City of Warner Robins hereby authorize Mayor Toms to execute an agreement with Forrest Walker to perform the duties of an engineering consultant for the City.

This 3rd day of June, 2019.

CITY OF WARNER ROBINS, GEORGIA

By: _____
Randy Toms, Mayor

Attest:

Kathy Opitz, Assistant City Clerk

STATE OF GEORGIA
CITY OF WARNER ROBINS

CONTRACT

This contract entered into the ____ day of June, 2019, between Forrest Walker (hereinafter referred to as "Mr. Walker") and the City of Warner Robins, Georgia (hereinafter referred to as "City") regarding the performance of engineering planning services for the City on a contract basis after Mr. Walker's resignation from the City, as follows:

1.

The term of this Contract shall commence on the date executed and continue until January 1, 2020. Such term may not be extended except through execution of a new contract.

2.

Mr. Walker agrees to perform the duties of consultant for the City under the direction of the Mayor or Assistant Public Works Director on matters to include, but not limited to the following:

- Training and support for successor City Engineer
- LMIG Grant Administrator
- Houston County SPLOST projects
- Subdivision Regulation revisions
- Site Development Regulation revisions
- Advice to City Departments as needed
- Creation of Engineering Department structure, staffing, job descriptions, proposed pay ranges
- Oversee Local Issuing Authority activities until a City Engineer has been hired
- Oversee National Flood Insurance Program activities until a NFIP certified staff member is trained/hired
- Other duties as prescribed

Mr. Walker shall work on a part-time basis not to exceed Sixteen (16) hours per week. Any hours in excess of Sixteen (16) hours per week must have the prior approval of the Mayor or Assistant Public Works Director. Mr. Walker agrees to invoice the City for his time to be paid on a bi-weekly basis.

3.

The City will compensate Mr. Walker for business travel on behalf of the City at his hourly rate. Mr. Walker agrees to respond to e-mail and phone calls when not on site at no cost to the City if the request can be handled quickly and without research.

4.

The City will compensate Mr. Walker at the rate of \$60.00 (sixty and 00/100) dollars per hour for compensable time under this contract. Further, the City shall pay mileage at the appropriate City rate for all travel outside the City on behalf of the City, said amount being calculated to and from Warner Robins annex building.

5.

The City also agrees to provide all office supplies materials and equipment necessary for Mr. Walker to complete his work under this contract at the office. Equipment shall include computer, monitor, printer, and associated software.

6.

Either party may terminate this contract with five (5) business days written notice to the other party. After the notice period, invoicing shall be finalized with no additional payments beyond the final invoice.

7.

This contract represents the entire agreement between the parties and all prior representations whether verbal or written are void if not contained herein.

8.

The terms of this contract are severable and if a court of competent jurisdiction declares any party of the Contract unlawful, the remaining parts shall be deemed to stay in full force and effect.

9.

This contract shall be governed by the law of the State of Georgia.

10.

This contract is personal to Mr. Walker, and he acknowledges that it is not assignable. Mr. Walker further agrees and acknowledges that he is a consultant and not an employee and not entitled to any City benefits during the term of this agreement or any extension thereof; specifically, Mr. Walker acknowledges that he will not be covered by the City's workers' compensation plan for any on-the-job injuries which may occur during the term of this contract. By his execution of this document, Mr. Walker knowingly and voluntarily waives any claim to any benefits under the City's workers' compensation plan.

Witness the hands of the parties on the date written above.

CITY OF WARNER ROBINS

By: _____
Randy Toms, Mayor

Attest: _____
Kathy Opitz, Assistant City Clerk

Witness

Forrest Walker

Witness

Draft

**CITY OF WARNER ROBINS
STATE OF GEORGIA**

RESOLUTION

IN RE:

All that tract or parcel of land situate, lying and being in Land Lot 187 of the Fifth (5th) Land District of Houston County, Georgia, being known and designated as Parcel A, .029 acre, as shown on a plat of survey titled "The City of Warner Robins", prepared by Robert L. Story, Georgia Registered Surveyor No. 1853, dated May 8, 2019, which is of record in Plat Book 80, Page 334, Clerk's Office, Houston Superior Court. Said plat and the recorded copy thereof are hereby made a part of this description by reference thereto for all purposes.

WHEREAS, the City is the owner of the above-described tract which is not needed for public purposes; and

WHEREAS, it is in the best interest of the City that said property be sold in the manner provided by Georgia law.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Warner Robins find that the referenced real property is no longer needed by the City for public use, that it is in the best interest of the City that it be conveyed, and that the value of said property is more than \$500.

BE IT FURTHER RESOLVED that said property be advertised for sale as prescribed by state law.

This 3rd day of June, 2019.

CITY OF WARNER ROBINS, GEORGIA

By: _____
Randy Toms, Mayor

Attest:

Kathy Opitz, Assistant City Clerk