

**MINUTES  
REGULAR MEETING OF THE MONTEZUMA  
CITY COUNCIL**

November 11, 2008

**CALL TO ORDER:** Mayor Willie J. Larry called the meeting to order at 6:00 P.M.

**INVOCATION:** The invocation was given by Council Member Barker

**PRESENT:** Mayor Willie J. Larry; Council Members; Frank Lester, Roy Barker, Cordel Jackson, Charles Glover, Jim Trask and Charles Ivey; City Clerk, Joyce Hardy; Downtown Manager, Camille Bielby; Police Chief Eric Finch; and City Attorney, Jon Coogle.

**ABSENT:** None

**ACTIONS**

**MOTION #1** TO ACCEPT MINUTES OF REGULAR COUNCIL MEETING OF OCTOBER 21, 2008 AS RECEIVED BY ALL MEMBERS.

MOTION BY: Mr. Lester  
SECOND BY: Mr. Glover  
VOTE: Unanimous in Favor Of

**MOTION #2** TO ADOPT RESOLUTION #498 AUTHORIZING MAYOR LARRY TO EXECUTE ALL DOCUMENTS PERTAINING TO GEFA'S OFFER TO REDUCE THE INTEREST RATE ON GEFA LOAN #3 TO 2%. A copy of Resolution #498 is attached to and made a part of these Minutes. Attachment # 1.

MOTION BY: Mr. Trask  
SECOND BY: Mr. Lester  
VOTE: All in Favor

**MOTION #3** TO ADOPT RESOLUTION #497 ADOPTING A PARTIAL UPDATE TO THE COMPREHENSIVE PLAN. A copy of Resolution #497 is attached to and made a part of these Minutes. Attachment # 2.

MOTION BY: Mr. Jackson  
SECOND BY: Mr. Ivey  
VOTE: All in Favor

**MOTION #4** **TO ADOPT ORDINANCE #369 TO ADOPT AND ENACT A NEW CODE FOR THE CITY OF MONTEZUMA. (Att. 2-A)**

MOTION BY: Mr. Glover  
SECOND BY: Mr. Lester  
VOTE: All in Favor

**MOTION #5** **TO AUTHORIZE MAYOR LARRY TO EXECUTE AN AGREEMENT BETWEEN THE CITY AND GOVDEALS, INC TO MARKET AND SELL CITY'S SURPLUS EQUIPMENT. A copy of this agreement is attached to and made a part of these Minutes. Attachment #3**

MOTION BY: Mr. Jackson  
SECOND BY: Mr. Glover  
VOTE: All in Favor

**MOTION #6** **TO PURCHASE COMPUTER EQUIPMENT FOR THE FIRE DEPARTMENT FROM DELL, INC PROVIDED SAME DOES NOT EXCEED BUDGETED AMOUNT OF \$3,400.**

MOTION BY: Mr. Jackson  
SECOND BY: Mr. Ivey  
VOTE: All in Favor

**MOTION #7** **TO PURCHASE LIME FEEDER FOR SPRING CREEK WRF FROM WATER TREATMENT & CONTROLS AND INSTALLATION OF SAME BY CITY WORK FORCE, AT A COST NOT TO EXCEED THE BUDGETED AMOUNT OF \$30,000.**

MOTION BY: Mr. Trask  
SECOND BY: Mr. Jackson  
VOTE: All in Favor

**MOTION #8** TO AUTHORIZE PAYMENT TO WILSON ELECTRIC TO REWIND 2 MOTORS AT SPRING CREEK WRF AT A COST OF \$3,270.

MOTION BY: Mr. Trask  
SECOND BY: Mr. Ivey  
VOTE: All in Favor

**MOTION #9** TO CONTRACT WITH SAM HALL & SONS TO INSTALL A CITY PROVIDED 4" WATER METER ON WATER LINE SERVING THE SPRING CREEK WATER RECLAMATION FACILITY AT A COST OF \$2,300.

MOTION BY: Mr. Barker  
SECOND BY: Mr. Jackson  
VOTE: All in Favor

**MOTION #10** TO ADOPT ORDINANCE #368 AMENDING CODE SECTIONS 94-266 AND 94-268 AS IT PERTAINS TO SEWAGE PRETREATMENT AND pH. A copy of Ordinance #368 is attached to and made a part of these Minutes. Attachment # 4.

MOTION BY: Mr. Trask  
SECOND BY: Mr. Jackson  
VOTE: All in Favor

**MOTION #11** TO AUTHORIZE PAYMENT TO THE FOLLOWING VENDORS FOR EMERGENCY REPAIRS TO CITY VEHICLES: \$1,280.06 TO BRANNEN MOTOR CO TO REPLACE TIMING CHAINS ON VEHICLE #87 AND \$1,450.00 TO GEARMASTER TRANSMISSION TO REBUILD TRANSMISSION IS VEHICLE #01.

MOTION BY: Mr. Jackson  
SECOND BY: Mr. Ivey  
VOTE: All in Favor

## **COMMITTEE REPORTS**

### **MAYOR'S REPORT**

Mayor Larry reported on plans for Christmas decorations in the downtown area and discussion was held on the possibility about planting live trees near the downtown clock to use year after year.

**FIRE & EMERGENCY SERVICES COMMITTEE – COUNCIL MEMBER JACKSON**

No further report

**POLICE COMMITTEE – COUNCIL MEMBER IVEY**

No further report

**WATER & SEWER UTILITIES COMMITTEE – COUNCIL MEMBER TRASK**

No further report.

**STREETS, SANITATION, CEMETERY & PARKS COMMITTEE – COUNCIL MEMBER GLOVER**

Council Member Glover stated that the Public Works crews are doing a tremendous job all over town. He also asked Mayor Larry to check into a sinking problem on Green St.

**FINANCE, PERSONNEL & BUDGET COMMITTEE – COUNCIL MEMBER LESTER**

Council Member Lester commended Department Heads on the fuel savings report given by the City Clerk at last night's work session.

**PUBLIC PROPERTIES COMMITTEE – COUNCIL MEMBER BARKER**

Council Member Barker thanked Chief Finch and Librarian, L'Wanna Journey for the recent Halloween carnival.

**MOTION #12**

**TO ADD TO TONIGHTS AGENDA, A DISCUSSION AND VOTE ON THE CITY'S INVOLVEMENT WITH THE DEVELOPMENT AUTHORITY OF MACON COUNTY ALSO KNOWN AS THE MACON COUNTY DEVELOPMENT AUTHORITY.**

MOTION BY:  
SECOND BY:

Mr. Jackson  
Mr. Lester

VOTE: All in Favor

**MOTION #13** TO CANCEL ANY AND ALL AGREEMENTS THAT THE CITY MAY HAVE WITH THE DEVELOPMENT AUTHORITY OF MACON COUNTY; RESCIND ALL FUNDING CITY PRESENTLY PROVIDES TO THE DEVELOPMENT AUTHORITY; AND DIRECT THAT THE DEVELOPMENT AUTHORITY NOT ACT ON CITY'S BEHALF IN ANY FUTURE MATTERS.

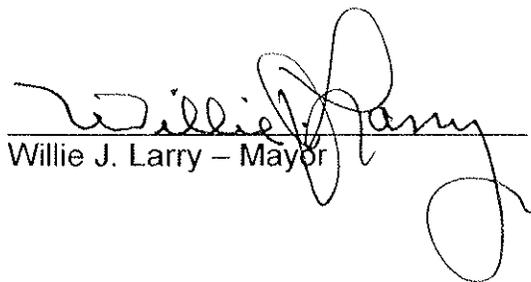
MOTION BY: Mr. Jackson  
SECOND BY: Mr. Glover

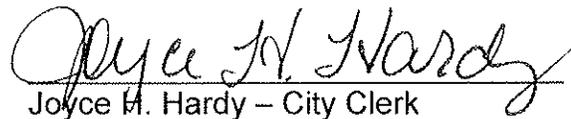
Discussion prior to vote: Mr. Trask stated that he would like the City to work together to solve any differences with the Development Authority and not show a divided front. He further stated that "We are a small City and should be able to work out any differences."

Mayor Larry's comments are written and attached to and made a part of these Minutes. Attachment #5

VOTE: Motion carried with all voting FOR except Mr. Trask who voted "AGAINST"

**ADJOURN:** With no further business, the meeting was adjourned.

  
\_\_\_\_\_  
Willie J. Larry – Mayor

  
\_\_\_\_\_  
Joyce M. Hardy – City Clerk

EXTRACT OF MINUTES  
RESOLUTION OF GOVERNING BODY

Recipient: City of Montezuma

Loan Number: 2004-L25WQ

At a duly called meeting of the governing body of the Borrower identified above (the "Borrower") held on the 11th day of NOV, 2008, the following resolution was introduced and adopted.

**WHEREAS**, the Borrower has borrowed \$2,269,428.50 from the Georgia Environmental Facilities Authority (the "Lender"), pursuant to the terms of a Contract for Financing Environmental Facilities and for Other Services (the "Loan Agreement"), dated January 6, 2005, between the Borrower and the Lender; and

**WHEREAS**, the Borrower's obligation to repay the loan made pursuant to the Loan Agreement is evidenced by a Promissory Note (the "Note"), dated December 7, 2004, of the Borrower; and

**WHEREAS**, the Borrower and the Lender have determined to amend and modify the Note, pursuant to the terms of a Modification of Promissory Note (the "Modification") between the Borrower and the Lender, the form of which has been presented to this meeting;

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Borrower that the form, terms, and conditions and the execution, delivery, and performance of the Modification are hereby approved and authorized.

**BE IT FURTHER RESOLVED** by the governing body of the Borrower that the terms of the Modification are in the best interests of the Borrower, and the governing body of the Borrower designates and authorizes the following persons to execute and deliver, and to attest, respectively, the Modification, and any related documents necessary to the consummation of the transactions contemplated by the Modification.

Willie J. Larry  
(Name of Person to Execute Documents)  
Joyce H. Hardy  
(Name of Person to Attest Documents)

Mayor  
(Title)  
City Clerk  
(Title)

The undersigned further certifies that the above resolution has not been repealed or amended and remains in full force and effect.

Date: 11-12-08

Joyce H. Hardy  
Secretary/Clerk

(SEAL)

Resolution #497

ADOPTING RESOLUTION  
PARTIAL UPDATE 2009-2011  
GREATER MACON COMPREHENSIVE PLAN

WHEREAS; the City of Montezuma prepared and, in August, 1992, adopted the City of Montezuma Comprehensive Plan 1993-2013 in compliance with state-mandated "Standards and Procedures for Local Comprehensive Planning", and

WHEREAS; "Standards and Procedures for Local Comprehensive Planning" were revised by the state, effective May 1, 2005, and supplemented with "Requirements for a Partial Update to the Local Government Comprehensive Plan" effective March, 2007, and

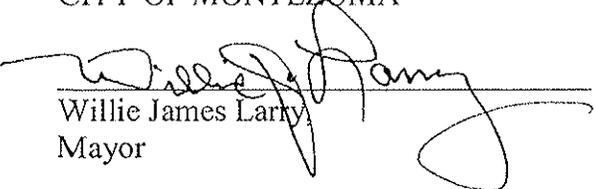
WHEREAS; the City of Montezuma has worked jointly with Macon County and the Cities of Ideal, Marshallville and Oglethorpe to prepare the Partial Update 2009-2011 in compliance with currently applicable local comprehensive planning requirements, and

WHEREAS; the Partial Update 2009-2011 has been deemed by appropriate regional and state review agencies to be in compliance with current "Standards and Procedures for Local Comprehensive Planning" and "Requirements for a Partial Update to the Local Government Comprehensive Plan".

NOW, BE IT THEREFORE RESOLVED; that the Montezuma City Council hereby adopts the Partial Update 2009-2011 to the Greater Macon Comprehensive Plan.

Approved this 11th day of November, 2008

CITY OF MONTEZUMA

  
\_\_\_\_\_  
Willie James Larky,  
Mayor

  
\_\_\_\_\_  
Joyce H. Hardy,  
City Clerk

ORDINANCE NO. 369

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE CITY OF MONTEZUMA, GEORGIA; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

BE IT ORDAINED BY THE CITY COUNCIL:

Section 1. The Code entitled "Code of the City of Montezuma, Georgia," published by Municipal Code Corporation, consisting of chapters 1 through 102, each inclusive, is adopted.

Section 2. All ordinances of a general and permanent nature enacted on or before October 21, 2008, and not included in the Code or recognized and continued in force by reference therein, are repealed.

Section 3. The repeal provided for in section 2 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.

Section 4. Unless another penalty is expressly provided, every person convicted of a violation of any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by a fine not to exceed \$1,000.00. Each act of violation and each day upon which any such violation shall continue or occur shall constitute a separate offense. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Code section, whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the City may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.

Section 5. Additions or amendments to the Code when passed in such form as to indicate the intention of the City to make the same a part of the Code shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

Section 6. Ordinances adopted after October 21, 2008, that amend or refer to ordinances that have been codified in the Code shall be construed as if they amend or refer to like provisions of the Code.

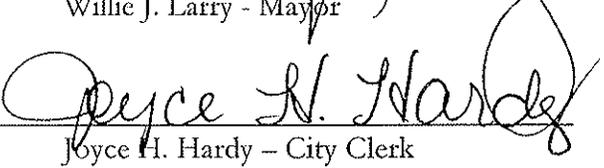
Section 7. This ordinance shall become effective upon its passage.

Passed and adopted by the 11<sup>th</sup> day of November, 2008.

By;

  
Willie J. Larry - Mayor

ATTEST:

  
Joyce H. Hardy - City Clerk

ORDINANCE #368

AN ORDINANCE OF THE MAYOR & COUNCIL OF THE CITY OF MONTEZUMA, GEORGIA TO AMEND CODE SECTIONS 94-266 (7) AND 94-268 (4) BY ELIMINATING THESE SECTIONS ENTIRELY & SUBSTITUTING THE FOLLOWING NEW SECTIONS.

BE IT ORDAINED by the Mayor and Council of the City of Montezuma, Georgia and it is hereby ordained by authority of same that the Code of Ordinances of the City of Montezuma, Georgia, be, and the same is hereby amended by deleting Section 94-266 subsection (7) and Section 94-268 subsection (4) in their entirety and inserting a new Sub-sections , as follows:

Existing sections to be deleted:

Sec. 94.266 Prohibited discharges.

~~(7) Any waters or wastes having a pH lower than 5.5 or higher than 9.0, or having any corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.~~

Sec. 94-268 Discharges requiring preliminary treatment.

~~(4) An average daily flow greater than five percent of the average daily sewage flow of the city shall be subject to the review and approval of the superintendent. Where necessary, in the opinion of the superintendent, the owner shall provide at his expense, such preliminary treatment as may be necessary to reduce the biochemical oxygen demand to 250 parts per million and the suspended solids to 250 parts per million, reduce objectionable characteristics or constituents to within the maximum limits provided for in section 94-266, or control the quantities and rate of discharge of such waters or wastes. Plans, specifications and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the superintendent and no construction of such facilities shall be commenced until such approval is obtained in writing,~~

New sections to be inserted:

Sec. 94.266 Prohibited discharges.

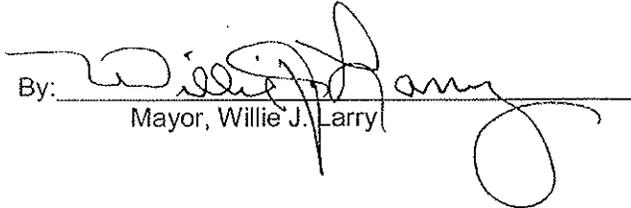
(7) Any waters or wastes having a pH lower than 5.5 or higher than 9.0, except upon approval of the Superintendent but not to exceed 12.5, or having any corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.

Sec. 94-268 Discharges requiring preliminary treatment.

(4) An average daily flow greater than five percent of the average daily sewage flow of the city shall be subject to the review and approval of the superintendent. The owner shall either (1) provide at his expense, such preliminary treatment as may be necessary to reduce the biochemical oxygen demand to 250 parts per million and the suspended solids to 250 parts per million, reduce objectionable characteristics or constituents to within the maximum limits provided for in section 94-266, or (2) shall pay surcharges as set forth in Sec. 94-296. Plans, specifications and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the superintendent and no construction of such facilities shall be commenced until such approval is obtained in writing

**SO ORDAINED**, this 11th day of November, 2008.

**CITY OF MONTEZUMA, GEORGIA**

By:   
Mayor, Willie J. Larry

(SEAL)

Attest:   
City Clerk, Joyce Hardy

- The City of Montezuma has been doing everything possible to retain Allens Inc. as an employer by finding alternatives to pay the sewer plant construction debt on their behalf.
- During this process, the DA Leadership has worked to undermine the City's efforts and has undertaken subversive activities in an attempt to influence the management of Montezuma's water and sewer department, public works department and administrative office.
  - The DA Leadership has had unauthorized contact with Rick Allen on behalf of the City and provided inaccurate reports on the content and outcomes of City meetings which DA Leadership did not attend. These attempts to represent the City in matters in which the DA Leadership is uninformed has fostered the corporation's mistrust of the intentions of official efforts to provide the assistance they demanded to reduce local operating costs.
  - The DA Leadership has continued to present a false impression to Allens' owner and management team that they are knowledgeable of City business transactions and is representing Mayor and Council in communications regarding efforts to establish an equitable water and sewer rate for municipal customers.
  - The City attempted to work with the Development Authority to find funding to offset the debt payments to relieve Allens of this burden and trusted the DA Leadership to build local support for a community wide solution due to the corporation's economic impact beyond the Montezuma city limits and Macon County boundary.
- The DA Leadership has utilized gossip, innuendo and the release of misleading versions of the efforts of City staff in attempt to discredit elected officials and create an unfavorable representation of the competence of Montezuma's professional management team.; attempted to direct City staff in the setting of council agendas and held secretive meetings to influence the vote of elected officials and to advise a council member to overturn previous council approval votes on a budgeted equipment purchase.
- City has provided numerous opportunities to the DA Leadership to build support and cooperation for collaborative solutions to industry retention and recruitment, but the DA Leadership has elected to pursue an alternative agenda that has created mistrust of the City's intentions to provide support for employers.

## MAYOR WILLIE JAMES LARRY



### BIOGRAPHICAL NARRATIVE

Willie James Larry modest individual successes came personally because he sought education as a means of enhancing his natural abilities and his military career. His education came from hard work and the assistance of others---his family, his teacher's and even his platoon sergeant.

Without an education he knew that he would not have escaped poverty and he never would have been able to overcome racial barriers to his success. Other crucial factors were the virtues that he observed and learned from his mother, grandmother, family and his social environment enabled him to appreciate the value of an education so he could apply himself. As a result, he has acquired what is called "*human capital*"---an accumulation of formal and informal learning, education, and training that gives him value as a citizen.

He is a Montezuma native, who received his early education in the public schools of Macon County. After being drafted into the United States Army in 1956, he received his high school diploma from Anne Arundel County High School in Laurel, Maryland while stationed at Fort Meade. From 1972-1975, Larry received post-secondary education at Northwestern State University in Natchitoches, Louisiana on the U.S. Army Boot Strap Program.

With over 27 years of active service, Larry is a retired First Sergeant (1SG-E8) from the U. S. Army Armored Corp. Following this career, he worked 16 ½ years in Civil Service and retired from Robins Air Force Base in March, 1999. He served eleven years on Montezuma City Council, four years as the first Chairman of Macon County Planning Commission, and three years on the Board of Directors at South Georgia Technical College. He is the Past Master of Herman Lodge #51. While serving as Worshipful Master, he founded a scholarship fund that has awarded over \$40,500 to outstanding graduates of *Macon County Public School System*. Larry is a member of the Kiwanis Club, The Chamber of the Commerce, *Middle Georgia 21<sup>st</sup> Century Partnership...enhancing the mission effectiveness and future of Robins Air Force Base* and a former member of Macon County Development Authority Board of Directors. He is a member of Union Baptist Church where he serves as Vice-Chairman of the Board of Deacons.

In 1983, Larry organized the Community Youth Leadership Development League to *provide recreational, educational, cultural activities for youths during the summer months*. Since June 1984, this program sends fifty *at-risk* Macon County children ages 6-17 to annual summer camp at Camp John Hope. Larry is committed to improving the quality of life for all citizens and is working with the leadership of the community to help stop the violence, save our schools and save our children's future. His goal is to prepare our children for the challenges of today and leadership for tomorrow.

In December, 1999, Larry was installed as the first Black American mayor in the 150 year history of The City of Montezuma. He was re-elected to another four-year term in November 2003 and reelected to a third Four-Year term without opposition in November 2007. He has worked successfully with Macon County Development Authority to bring three industries with over 500 jobs to Montezuma/Macon County. Since he has been Mayor, the City of Montezuma has received over \$4.5 million dollars in economic development grants and \$960,000 in Airport upgrade grants.

Larry and his wife, Elizabeth Anne, have been married 50 years. They are the proud parents of four sons: James, Geoffrey, Ronald, and George, thirteen grandchildren and four great-grandchildren.