

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

February 10, 2009

**CALL TO ORDER:** Mayor Willie J. Larry called the meeting to order at 6:08 P.M.

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

**PRESENT:** Mayor Willie J. Larry; Council Members; Charles Glover, Frank Lester, Charles Ivey and James Trask; City Clerk, Joyce Hardy; Fire Chief, David Trussell, Police Chief, Eric Finch; Downtown Manager, Camille Bielby and City Attorney, Jon Coogle.

**ABSENT:** Council Members Cordel Jackson

**ACTIONS**

**MOTION #1** TO ACCEPT MINUTES OF REGULAR COUNCIL MEETING OF JANUARY 13, 2009 AS RECEIVED BY ALL MEMBERS.

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

**MOTION #2** TO APPROVE ALL ISSUES ON THE CONSENT AGENDA, AS FOLLOWS:

**ADOPT RESOLUTION #501 "IN CELEBRATION OF WOMEN"** A copy of Resolution #501 is attached & made a part of these Minutes Attachment #1

**AUTHORIZE PAYMENT OF \$4,426.00 TO WILSON ELECTRIC FOR EMERGENCY PUCHASE OF ELECTRIC CABLE FOR SCWRF.**

**AUTHORIZE PURCHASE OF TWO ACUATED VALVES FROM MACON SUPPLY AT A COST NOT TO EXCEED \$15,000.**

**ADOPT ORDINANCE #371 TO AMEND ORDINANCE #367 AS IT PERTAINS TO BOD SAMPLING REQUIREMENTS FOR INDUSTRY.** A copy of Ordinance #371 is attached to and made a part of these Minutes. Attachment #2.

**ADOPT RESOLUTION #502 SEEKING DESIGNATION AS A "PRESERVE AMERICA" COMMUNITY.** A copy of Resolution #502 is attached to and made a part of these Minutes. Attachment #3

**AUTHORIZE PURCHASE OF 50 90 GALLON GARBAGE CARTS FROM CONSOLIDATED DISPOSAL AT A TOTAL COST NOT TO EXCEED \$3,200.**

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

## **COMMITTEE REPORTS**

### **MAYOR'S REPORT**

Mayor Larry reported that he had received numerous calls recently thanking him for the outstanding leadership he provides the citizens and for the neat, clean way the City streets are being kept. He further stated that the City has always & will continue to follow the "Open Records" law. Any documents that exist at the time of request will be provided to the requester. Questions from the public will be forwarded to the Mayor and Mayor Pro tem to be distributed to proper Department for answering. Roberts Rules of Order will be followed in the conduct of all City meetings.

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

No Report

### **POLICE COMMITTEE – COUNCIL MEMBER IVEY**

No Report

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

No Report

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

No Report.

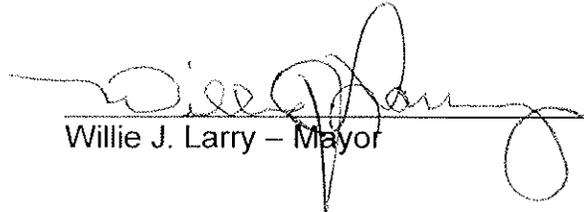
**FINANCE, PERSONNEL & BUDGET COMMITTEE – COUNCIL MEMBER LESTER**

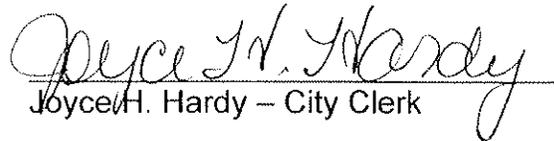
Council Member Lester announced that the City Clerk, City Attorney & himself would draft an Ordinance regarding Citizens Addressing Mayor and Council & bring back to Council at the March Council meeting for a vote. All agreed this would be a good idea.

**PUBLIC PROPERTIES COMMITTEE – COUNCIL MEMBER BARKER**

No Report

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

  
Willie J. Larry – Mayor

  
Joyce H. Hardy – City Clerk

**RESOLUTION NUMBER 501**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF MONTEZUMA, DESIGNATING THE PERIOD MARCH 8-11, 2009 "IN CELEBRATION OF WOMEN", CELEBRATING INTERNATIONAL WOMEN'S DAY (MARCH 8), HARRIET TUBMAN DAY (MARCH 10) AND BELOVED ELDERS DAY (MARCH 11)**

**Whereas**, equality for women remains the birthright of all women, work to maintain this spirit and reality is a constant struggle; thus, we salute Lilly Ledbetter for her work addressing inequitable pay and President Barack Obama for signing the celebrated Lilly Ledbetter Fair Pay Act into law; and

**Whereas**, Harriet Tubman Day is celebrated annually on March 10th as a day to honor all achievements by women worldwide; and

**Whereas**, the Colored Females' Produce Society, founded in Pennsylvania in 1831, was dedicated to supplying its members with goods that had not been produced by the labor of enslaved women, men and children; and,

**Whereas**, the campaign of International Women's Day (IWD)( grew from a focus to unite European women worldwide around political and economic welfare of paid work, it was first celebrated in the United States in 1911; and

**Whereas**, in 1920, women in the United States won a hard-fought battle with the inclusion of the Nineteenth (19<sup>th</sup>) Amendment into the U. S. Constitution, a victory fulfilling citizenship rights of white women; and

**Whereas**, we celebrate the lives of women, especially, honoring among us those who are our elders. Women, men and children throughout the world have reason to know and celebrate women's achievements; and

**Whereas**, since 1995, IWD again took on added charge as a focal point each year to assess progress and challenges to the advancement of all women and girls; and

**Whereas**, continued violence towards women, practiced color casting as "inferior" and "superior", gender positioning and other arbitrary biases affect access to educational equity, citizen participation, economic security and salary; and

**Therefore**, be it resolved and proclaimed by the Mayor and Council of the City of Montezuma that the period March 8-11, 2009, is designated "In Celebration of Women". International Women's Day is March 8; and Harriet Tubman Day is March 10; and the Birthday of Ola Mae Terry is March 11.

**CITY OF MONTEZUMA, GEORGIA**

By: Willie J. Larry  
Willie J. Larry, Mayor

Attest: Joyce H. Hardy  
Joyce H. Hardy, City Clerk

## ORDINANCE #371

AN ORDINANCE OF THE MAYOR & COUNCIL OF THE CITY OF MONTEZUMA, GEORGIA TO AMEND CODE SECTIONS 94-296 BY ELIMINATING THIS SECTION ENTIRELY & SUBSTITUTING THE FOLLOWING NEW SECTION.

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 94-296 in its entirety and inserting a new Section 94.296, as follows;

### Existing section to be deleted:

#### **Sec. 94-296 Surcharge for heavier concentrations of pollutants**

~~When the Five-Day Biochemical Oxygen Demand (BOD), Total Suspended Solids (TSS), Fats, Oil and Grease (FOG), or any other pollutant concentrations from a user are greater than the range of concentration of these pollutants in normal domestic sewage, a surcharge may be levied as follows:~~

- ~~(1) A base surcharge of \$250.00 per month for exceeding the pollutant limitations~~
- ~~(2) When the five-day BOD exceeds two hundred fifty (250) parts per million, a surcharge of ten cents (\$0.10) per pound of excess BOD shall apply.~~
- ~~(3) When the total suspended solids concentration exceeds two hundred fifty (250) parts per million, a surcharge of one cent (\$0.01) per pound of excess suspended solids shall apply.~~
- ~~(4) When the fats, oil and grease concentration exceeds one hundred (100) parts per million, a surcharge of ten cents (\$0.10) per pound excess fats, oil and grease shall apply.~~

~~The monthly surcharge for each pollutant shall be computed as follows for any day of the month that limits are exceeded:~~

$$\text{Surcharge} = 8.34 \times (Q \div 1,000,000) \times (X - C) \times R$$

~~Where~~ ~~\_\_\_\_\_~~ R = Surcharge Rate in Dollars  
~~\_\_\_\_\_~~ X = Actual concentration of pollutant (BOD, TSS, FOG, etc.)  
~~\_\_\_\_\_~~ C = Base concentration of pollutant (BOD, TSS, FOG, etc.)  
~~\_\_\_\_\_~~ X = Total flow from user per month (in gallons)

~~The total surcharge shall be the base monthly charge (\$250.00) plus the daily surcharges for each pollutant that exceeds the base concentration.~~

~~Sampling frequency, analysis and responsibilities will be as follows:~~

- ~~(1) The user will be required to provide the City with a composite sample as well as the volume discharged for any 24-hour period discharge occurred. Composite samples will consist of at least five flow proportional samples over an eight (8)~~

- hour period, automated samplers are preferred, and discharge flow will be measured with acceptable metering equipment.
- (2) Sample analysis will be performed by and EPA approved laboratory at City expense.
  - (3) The user will provide the City with a discharge schedule.
  - (4) The City will have access to samplers to monitor and collect samples from the user the day following discharge.
  - (5) The City will have access to flow metering equipment to record daily totals.
  - (6) Annual calibration is required for flow measuring equipment.

## New sections to be inserted:

### Sec. 94.296 Surcharge for heavier concentrations of pollutants

(a) When the Five-Day Biochemical Oxygen Demand (BOD), Total Suspended Solids (TSS), Fats, Oil and Grease (FOG), or any other pollutant concentrations from a user are greater than the range of concentration of these pollutants in normal domestic sewage, a surcharge may be levied as follows:

- (1) A base surcharge of \$250.00 per month for exceeding the pollutant limitations
- (2) When the five-day BOD exceeds two hundred fifty (250) parts per million, a surcharge of ten cents (\$0.10) per pound of excess BOD shall apply.
- (3) When the total suspended solids concentration exceeds two hundred fifty (250) parts per million, a surcharge of one-cent (\$0.01) per pound of excess suspended solids shall apply.
- (4) When the fats, oil and grease concentration exceeds one hundred (100) parts per million, a surcharge of ten cents (\$0.10) per pound excess fats, oil and grease shall apply.

(b) The monthly surcharge for each pollutant shall be computed as follows:

$$\text{Surcharge} = 8.34 \times (Q \div 1,000,000) \times \{X - C\} \times R$$

Where

- R = Surcharge Rate in Dollars
- X = Actual concentration of pollutant (BOD, TSS, FOG, etc.)
- C = Base concentration of pollutant (BOD, TSS, FOG, etc.)
- Q = Total flow from user per month (in gallons)

The surcharge for each pollutant shall be based on a monthly average of each pollutant or a combined daily poundage calculation for the month. The method of a monthly average or a daily calculation of poundage shall be determined by the frequency and strength of the waste. The total surcharge shall be the base monthly charge (\$250.00) plus the surcharges for each pollutant that exceeds the base concentration for that month.

(c) Sampling Requirements:

- (1) The flow metering and sample point shall be located between the users last unit process and before entering the collection system.
- (2) The user shall meter the discharge daily with acceptable metering equipment and report totals to the City by the fifth day of the following month.
- (3) The City shall have access to flow metering equipment.

- (4) Annual calibration is required for flow measuring equipment.
- (5) Sampling frequency shall be determined by the amount, frequency and strength of the discharge. If the user is required to monitor pollutant concentrations under an existing Industrial Pretreatment Permit then the user will supply a copy of the monthly results to the City. These results may be used or more testing may be required. If more testing is required it shall be performed at the Cities expense and the user shall be required to provide the City with a composite sample on a weekly schedule to be determined by the frequency and strength of discharge. Composite samples shall consist of at least five flow proportional samples over an eight (8) hour period, automated samplers are preferred. Sample analysis shall be performed by an EPA approved laboratory.
- (6) The user shall provide the City with a discharge schedule.
- (7) The City shall have access to the users samplers to monitor and collect samples.

**SO ORDAINED**, this 10th day of February, 2009.

**CITY OF MONTEZUMA, GEORGIA**

By: \_\_\_\_\_  
Mayor, Willie J. Larry

(SEAL)

Attest: Joyce N. Hardy  
City Clerk, Joyce Hardy

Resolution #502

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF MONTEZUMA, GEORGIA TO SEEK DESIGNATION AS A "PRESERVE AMERICA" COMMUNITY.

WHEREAS, *Preserve America* is a White House initiative developed in cooperation with the Advisory Council on Historic Preservation, the U.S. Department of the Interior, and the U.S. Department of Commerce; and

WHEREAS, the goals of this initiative include a greater shared knowledge about our Nation's past, strengthened regional identities and local pride, increased local participation in preserving the country's irreplaceable cultural and natural heritage assets, and support for the economic vitality of communities; and

WHEREAS, this initiative is compatible with our community's interests and goals related to historic preservation; and

WHEREAS, designation as a *Preserve America* Community will improve our community's ability to protect and promote its historical resources; now therefore be it

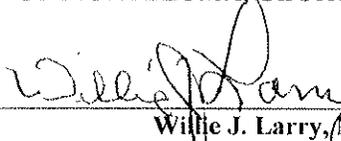
RESOLVED, that the Montezuma City Council will apply for the designation of Montezuma as a *Preserve America* Community; and be it further

RESOLVED, that Montezuma City Council will protect and celebrate our heritage, use our historic assets for economic development and community revitalization, and encourage people to experience and appreciate local historic resources through education and heritage tourism programs.

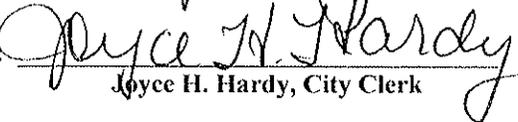
SO RESOLVED, this 10<sup>th</sup> day of February, 2009.

CITY OF MONTEZUMA, GEORGIA

By:

  
\_\_\_\_\_  
Willie J. Larry, Mayor

Attest:

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