

## CHAPTER 30: ANIMALS

### Article 1: In General

#### 30-101 Definitions

For the purpose of this chapter the following words shall have the meanings indicated, unless the context clearly indicates a contrary meaning:

Animal Any living creature, domestic or wild.

Dangerous animal Any wild mammal, reptile, or fowl which is not naturally tame or gentle but is of a wild nature of disposition and which, because of its size, vicious nature, or other characteristics, would constitute a danger to human life or property if not kept or maintained in a safe manner or in secure quarters; and any domestic mammal, reptile, or fowl which, because of its size, vicious propensity, or other characteristic, would constitute a danger to human life or property if not kept or maintained in a safe manner or in secure quarters.

At large Off the premises of the owner and not under the control of the owner, a member of his immediate family, or some other person, either by leash, cord, chain, or some other holding device.

#### 30-102 Dangerous animals

It shall be unlawful for any person to permit any dangerous or vicious animal of any kind to run at large within the city.

The police officers of the city shall be authorized to use such force as is necessary to prevent any such dangerous or vicious animal from causing harm to any person or property.

It shall be unlawful for any person to permit any cattle, horses, swine, sheep, goats, or poultry to run at large in the city. If such animal is found to be running at large in any public place in the city, it shall be impounded in the manner provided in this chapter.

Impoundment of animals running at large.

It shall be the duty of every police officer to seize all animals running at large in violation of the provisions of this chapter and to impound such animals in the city pound or other suitable place. Upon receiving any such animal, the city poundkeeper shall enter upon the records of the pound--in a book to be kept by him for such purposes--the date of impounding, a description of the animal impounded, and a record as to whether or not such animal has been licensed or tagged.

1. Notice to the owner. Not later than three days after the impounding of any animal as hereinabove provided, the owner shall be notified or, if the owner of the animal is unknown, written notice shall be posted for 7 days at two or more conspicuous places in the city, which such notice shall describe the animal and indicate the place and time of taking.
2. Redemption of animals. The owner or owners of any animals impounded by the city poundkeeper may redeem the same by paying all the cost, charges, and penalties assessed, if any, and when the same are paid to said poundkeeper, it shall be his duty to release the animal to the owner.
3. Disposition of unclaimed or infected animals. It at the expiration of 3 days from the date of notice to the owner or the posting of notice any animal impounded as herein provided shall not have been

redeemed either by the owner or some other person, such animal may be disposed of in a humane manner. Any animal which appears to be suffering from rabies or affected with hydrophobia, mange, or any other infectious or dangerous disease shall not be released but may be destroyed as soon as such infection or disease is discovered.

## Article 2: Dogs

### 30-201 License and registration required

All dogs kept, harbored, or maintained by their owners in the City of McIntyre shall be required to be licensed and registered if over 6 months of age in the manner provided in this section.

1. Application. Application for a dog license shall be made to the city clerk upon forms provided for such purpose, and such application shall state the name and address of the owner and the name, breed, color, and sex of each dog sought to be registered.
2. License fee. Each application for a dog license shall be accompanied by a license fee of \$2 for each male or spayed female, and \$2 for each unsplayed female.
3. Tag and collar. Upon payment of the license fee, the city clerk shall issue to the owner a license certificate and a metallic tag for each dog so licensed. The shape of the tag shall be changed every year and shall have and shall have stamped thereon the year for which it was issued and the number corresponding with the number on the certificate. Every owner shall be required to provide each dog with a collar to which the license tag must be affixed, and shall see that the collar and tag are worn at all times.

In case a dog tag is lost or destroyed, a duplicate will be issued by the clerk upon presentation of a receipt showing the payment of the license fee for the current year, and the payment of a fee of \$1 for such duplicate.

Dog tags shall not be transferable from one dog to another, and no refunds shall be made on any dog license fee because of death of the dog or the owner's leaving the city before expiration of the license period. If ownership of a dog changes, a new tag must be purchased.

4. Exemptions. The provisions of this section shall not be construed to apply to dogs whose owners are non-residents temporarily within the city, nor to dogs brought into the city for the purpose of participating in any dog show, nor to "seeing-eye" dogs properly trained to assist blind persons for the purpose of aiding them in going from place to place.
5. Tags must be renewed yearly. Owner must furnish proof of current vaccination.

30-201 Running at large

It shall be unlawful for any person to permit any unlicensed dog to run at large at any time. If any such dog is found running at large in violation of this provision, it shall be taken up and impounded in the manner provided in section 30-104 of this code.

30-202 Confinement of certain dogs

Notwithstanding the provisions of the preceding sections, no dog of fierce, dangerous, or vicious propensities and no female dog in heat, whether licensed or not, shall be allowed to run at large or upon the premises of one other than the owner. If any such dog is found running

at large in violation of this provision, it shall be taken up and impounded in the manner provided in 30-104 of this code; provided, however, that if any dangerous, fierce, or vicious dog so found at large cannot be safely taken up and impounded, such animal may be destroyed in a humane manner.

30-203      Vaccination

It shall be unlawful for the owner of any dog to keep, maintain, or allow such dog to run at large unless it shall have been vaccinated by a licensed veterinary surgeon with anti-rabies vaccine, within one year preceding the date on which such dog is kept, maintained, or allowed to run at large.

30-204      Rabies

If a dog is believed to have rabies or has been bitten by a dog suspected of having rabies, such dog shall be confined by a leash or chain on the owner's premises and shall be placed under the observation of a veterinarian at the expense of the owner for a period of two weeks. The owner shall notify the poundkeeper of the fact that his dog has been exposed to rabies, and at his discretion the poundkeeper is empowered to have such dog removed from the owner's premises to a veterinary hospital and there placed under observation for a period of two weeks at the expense of the owner.

It shall be unlawful for any person knowing or suspecting a dog to have rabies to allow such dog to be taken off his premises or beyond the limits of the city without the written permission of the poundkeeper.

Whenever a dog is ascertained to be rabid, notification of same shall be made to the poundkeeper, who shall cause such dog to be removed to the city pound or summarily destroyed.

30-205 Dog bites

Whenever any dog bites a person, the owner of such dog shall immediately notify the poundkeeper who shall order the dog held on the owner's premises or shall have it impounded at the owner's expense in accordance with article 2, 4-8-20 of the Georgia Code. The dog shall be examined immediately after it has bitten anyone and again at the end of the impoundment period. If at the end of two weeks a veterinarian is convinced that the dog is then free from rabies, the dog shall be released from quarantine or from the pound as the case may be. If the dog should die in the interim, its body shall be sent to \_\_\_\_\_ for examination for rabies.

30-206 Muzzling

Whenever it becomes necessary to safeguard the public from the dangers of hydrophobia, the Mayor, if he deems it necessary, may issue a proclamation ordering every person owning or keeping a dog to confine it securely on his premises unless such dog shall have a muzzle of sufficient strength to prevent its biting any person. Any unmuzzled dog running at large during the time of the proclamation shall be seized and impounded in the manner provided in section 30-104 of this code, unless such dog shall be noticeably infected with rabies, in which case it shall be summarily disposed of.



## CHAPTER 31: GENERAL OFFENSES

### 31-101 Disorderly conduct

It shall be unlawful for any person in the city to engage in any violent, tumultous, obstreperous, or similar disorderly conduct tending to infringe on the peace and repose of the citizes of the city. Fighting between two or more persons in which physical contact is made, except that which occurs at boxing exhibitions duly authorized by the city; shall be deemed to be disorderly conduct within the meaning of this section. 26-2605 and 26-2607

### 31-102 Discharging firearms, air guns, etc.

It shall be unlawful for any person in the city to discharge any gun, pistol, or other firearm within 300 yards of any street, alley, or building, or at any point upon the land of another person without the express consent of the owner or occupant thereof; or to discharge at any time, any air gun, BB gun, or toy gun which projects lead or any other missile.

This section shall not be construed to prohibit any officer of the law from discharging a firearm in the performance of his duty; nor to any citizen from discharging a firearm when lawfully defending person or property. 26-2909

### 31-103 Report of treatment of wounds

All physicians and all hospitals superintendents in the city are hereby required to report to the police department of the city all patients treated by physicians or diagnosed or known to be suffering from wounds

inflicted by a dangerous or deadly weapon of any kind. Such report may be made in writing or by telephone, giving the name of the reporting person and the patient and any other pertinent data requested by the police department. All reports shall be made within 24 hours after treatment by a physician or after admission to the hospital.

31-104 Throwing of missiles

It shall be unlawful for any person in the city to throw any stone, rock or other missile upon or at any vehicle, building, tree, or other public or private property, or upon or at any person in any public or private way or place.

31-105 Ballplaying

It shall be unlawful for any person to play ball by throwing, catching, pitching, or batting a ball on any public street, alley, or sidewalk of the city.

31-106 Bonfires

It shall be unlawful for any person, during a holiday or at any other time, to build a bonfire of any description within the city limits, except at places approved and designated by the chief of the fire department.

31-107 Drinking in public

It shall be unlawful for any person to consume any spirituous malt or alcoholic beverage in or upon any street, alley, sidewalk, or other public way or place in the city, or within any public building.



It shall be unlawful for any owner or resident of any property in the city other than a person who is a licensed junk dealer to permit to accumulate on such property any "junk", including any discarded, dismantled, wrecked, scrapped, ruined, or junk motor vehicles, or parts thereof.

1. Definition of "junk" old iron, steel, brass, copper, tin, lead, or other base metals; old cordage, ropes, rags, fibers, or fabrics; old rubber; old bottles or other glass; bones; wastepaper and other waste or discarded material which might be prepared to be used again in some form; motor vehicles, no longer used as such, to be used for scrap metal or stripping of parts; but "junk" shall not include materials or objects accumulated by a person as by-products, waste, or scraps from the operation of his own business, or materials or objects held and used by a manufacturer as an integral part of his own manufacturing processes.

2. Notice to remove. It shall be the duty of the chief of police to notify, in writing, the owner or occupant of any premises upon which junk is permitted to accumulate in violation of the provisions of this section that such material must be removed within 10 days from the date of such notice.

Notice shall be by registered mail, addressed to said owner or occupant, at his last known address.

3. Action upon non-compliance. Upon the failure, neglect, or refusal of any owner or occupant so notified to remove such junk within the designated time period, the director of public works is authorized and empowered to arrange the removal of such material by the city or by a private individual or firm through contract with the city.
- 23-33

31-109 Abandonment of motor vehicles

It shall unlawful for any person to abandon or to leave unattended for a period in excess of 10 days any motor vehicle on any street, road, alley, or other public way in the City of McIntyre. 68-23

Readings of revisions made to 2-302, 2-403, 2-404, 7-103, 7-104, 7-104.1, 7-112, 30-201, and 30-205.

1. 11/2/93
2. 12/7/93
3. 2/1/94

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF MCINTYRE  
GEORGIA, ADOPTING A REVISION AND CODIFICATION OF  
THE CITY ENTITLED, "THE CODE OF THE CITY OF MCINTYRE  
GEORGIA, 1979," PROVIDING FOR THE REPEAL OF CERTAIN  
ORDINANCES NOT INCLUDED THEREIN, AND FOR OTHER PURPOSES:

Be it ordained by the Mayor and City Council of the City of McIntyre,  
Georgia, and it is hereby ordained by the authority of the same as follows:

Section 1. There is hereby adopted by the mayor and city council that certain Code entitled, "The Code of the City of McIntyre, Georgia, 1979," containing certain ordinances of a general and permanent nature as compiled, consolidated, codified, and indexed, of which Code not less than 5 copies have been and are now filed in the offices of the city clerk, authenticated by the signatures of the mayor, city clerk, and the city attorney, and by the seal of the Mayor and Council of the City of McIntyre, said Code being hereto attached and made part hereof.

Section 2. The provisions of said Code shall be in force and effect on and after August 7, 1979, and all ordinances of a general and permanent nature in force on such date and not contained in such Code are hereby repealed from and after such date, except as hereinafter provided.

Section 3. The repeal provided for in the preceding section of this ordinance shall not affect any offence or act committed or done or any penalty or forfeiture incurred or any contract or right established or accruing before August 7, 1979; nor shall such repeal affect any ordinance or resolution promising or guaranteeing the payment of money for the city or authorizing the issue of any bonds, including revenue certificates.

of said city or any evidence of the city's indebtedness or any contract or obligation assumed by the city; nor shall such repeal affect the administrative ordinances or resolutions of the council not in conflict or inconsistent with the provisions of such Code; nor shall it affect any right or franchise conferred by any ordinance or resolution of the city on any person or corporation; nor shall it affect any prosecution, suit, or other proceeding pending or any judgment rendered on or prior to August 7, 1979.

Section 4. It is hereby declared to be the intention of the Mayor and Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance and the Code hereby adopted are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance or of the Code hereby adopted shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance or of the Code hereby adopted.

ADOPTED this 7th day of August, 1979.

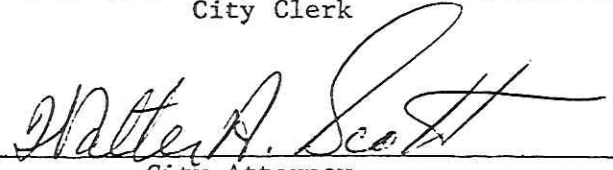
/s/

\_\_\_\_\_  
Mayor

/s/

\_\_\_\_\_  
City Clerk

/s/

  
\_\_\_\_\_  
City Attorney

# City of McIntyre

MAIN STREET

McIntyre, Georgia 31054

Hall

2) 946-2037

John I. Crutchfield  
Mayor

Police Department  
(912) 946-5540


Cindy H. Daniels  
City clerk


IT IS HEREBY DECLARED TO BE THE INTENTION OF THE MAYOR AND COUNCIL THAT THE FOLLOWING PROPOSED CHANGE BE MADE TO THE CITY OF MCINTYRE WATER SERVICE ORDINANCE:

## SECTION 7-104 RATES AND BILLING

FOR BILLS NOT PAID BY THE 15TH OF EACH MONTH THERE WILL BE A \$5.00 PENALTY CHARGE.

IF THE CUSTOMER WANTS WATER SERVICE REINSTATED, THAT CUSTOMER MUST PAY ALL DUE WATER BILLS IN FULL AND PAY A \$35 RE-CONNECT CHARGE FOR INSIDE CITY LIMITS AND A \$40 RE-CONNECT CHARGE FOR OUTSIDE CITY LIMIT SERVICE.

  
MAYOR

  
DATE

READ: 1. 12-11-95  
2. 12-96  
3. 2-6-96



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It is hereby declared to be the intention of the Mayor and Council that the following changes are made to the City of McIntyre Water Service Ordinance beginning on February 1, 2014:

Rates Effective February 1, <sup>2014</sup> 2014

Residential minimum is set as: \$17.50 – up to 2000 gallons  
Residential over 2000 \$ 2.20 per 1000 gallons

Commercial minimum is set as: \$22.50 – up to 2000 gallons  
Commercial over 2000 \$ 2.20 – per 1000 gallons

  
Mayor

  
Attest

Changes were approved during January 6, 2014 council meeting:

Making Motion was Council Member Eugene Moore, seconded by Council Member Katherine Scott, no opposition, motion carried.

\*\*\*Minutes from the January 6, 2014 accompany this amendment, but are incorrectly dated as January 6, 2013.\*\*\*

City of McIntyre

Council Meeting

January 6, ~~2013~~ 2014

Page 1

Meeting was called to order by Mayor Vicki Horne, led in prayer by Council member Eugene Moore.

Present were: Mayor Vicki Horne, Council members, Eugene Moore, Katherine Scott, and Rico Myrick, absent was John Carswell, and Vickie Mixon arrived at 5:30pm, also present were Chief Wayne Amerson, Clerk Pamela Roberts, and City Attorney David McRee.

Motion to approve minutes as stated was made by Myrick, seconded by Scott, no opposition, motion carried.

Moore, Scott, Myrick nor Amerson had reports.

McRee stated that the rest of the survey drawings from Mr. Farmer got delivered to him right around Christmas, saying that Meg had gotten him the initial drafts of the easement agreements last Thursday and was working through those and hoped to have those finished by next Monday, hoping to have them reviewed by the weekend and back to Meg so they can finalize them and get them back to the city, so they could begin getting them signed.

Myrick questioned One Call, Clerk said that council never made a decision, Mayor Horne said that they would go back to the drawing board with that.

Mayor Horne said that she did not know what the outcome was going to be with Vickie as far as her being here, and that she hated to make a decision about putting someone over Administrative without talking with first, stating that she had some health issues going on, and eventually the Mayor was going to have to make a decision, but that she would talk with Mixon this week, and that she was probably going to put Scott over the department for accountability.

Mayor Horne addressed the 2014 Budget. Roberts said that she had replaced pages 2, 3 and 8, to include the \$800 Mayor Horne wanted in for Drug Testing. Roberts said that she had gone back and done the corrections that were talked about at the last meeting saying that she had put the library back at \$15,000, and had added the \$2,000 for groundbreaking, and had pulled the monies from capital from the Fire Department for the truck and put it at \$5,000, and had reduced the salary from the park from \$12,000 to \$8,000 and had included a 2014 proposed budget summary page, noting the revenues from the general and water fund. Roberts addressed the issue of increasing the water rates with council.

Mayor Horne asked what would the increases be, Roberts explained that the increase would be for the minimum bill of \$17.00 that it would go to \$17.50 and the \$1.80 per 1,000 would go to \$2.20 for

residential and that commercial would be \$22.50 for 2,000 and \$2.20 per 1,000. Moore asked if the price increase had to be run in the paper, Clerk said that she didn't believe so, but asked McRee, McRee said that it did not, but that council had to do it separately from the budget, and had to have a motion to increase it from this rate to that rate, and be passed like an ordinance. Mayor Horne said that she wanted to let the citizens know, Roberts said that they could send out a letter this week. Roberts said that it wouldn't go into effect until the February billing. Moore questioned the minimum for residential as \$17.50 for the first 2,000 and for commercial \$22.50, Roberts said yes if you do the increase. Myrick asked where that rate come from, Roberts said that she increased everyone's rate by .50. Roberts said that most of the over 2,000 was going to come from your commercial, Myrick asked what was Gordon's rates, Roberts said that she did not know. Myrick asked why not increase the commercial instead of the residential, Roberts said that you could do it any way you wanted. Moore asked how many commercial accounts did the city have; Roberts said including Church's you probably had about 50. McRee said that eventually USDA was going to make the city's rate get to a certain level, and if it's not at that level yet, then you may be better off doing it this way, in stages. Moore said that you would have to increase commercial quite a bit to make up the difference, Roberts said yes, because you have more residential than you had commercial.

Moore made motion to increase each one by .50 like Pam has, \$17.50 minimum for residential, and \$22.50 minimum for commercial, Mayor Horne asked if that was going to get the city where it needed to be, Roberts said that if she did the figures correctly, it was going to get the city real close if not a little over, Roberts asked Moore if his motion included the increase for over 2000, Moore said yes. Myrick asked the Mayor what she was thinking, Mayor Horne said that she was hoping that we wouldn't have to do it again next year, and that in about 2 ½ years the city would have sewage, and that her question was, what was the approximate gallons used per house hold, and what was the average cost. Roberts said that it was hard to say, that some people may use around 3,000 gallons, some less, but that Rindt-McDuff had it figured on an average usage per household at 5,000 gallons, but that you had some people that didn't even use 1,000. Mayor Horned questioned the average bill, Roberts said that most paid around \$25, but some came in with \$30-35, but then you had some that come in with \$40, but not too many, noting that her personal bill averaged around \$25.00 and she used about 7,000 gallons a month, but that you had several elderly people that only used 1,700, 1,900 or 900 gallons a month. Myrick asked how, if the city got a housing development, they would be rated, would it be on a separate meter or like Brewers Apts. Roberts said no, that those were grandfathered in, that the housing would be per unit. Roberts explained that Brewer paid a minimum for each apartment but paid the usage on one meter. Mayor Horne reiterated that the citizens needed to be informed of an increase. Myrick asked that when the sewage came what would the average bill look like, \$50.00. Roberts said that yes, because the minimum for sewage was going to be around \$30.00, and add the water, that yes you were probably looking at a fifty something bill, but the thing about it was, after the first year and you have



generated some income, you could go back and decrease your rates, noting that this was not set in stone for the next hundred years. Mayor Horne said that the city was hoping that the Court house and jail would tie into it. Scott seconded motion, no opposition, motion carried.

It was agreed to run the budget in the paper, and the public hearing was set for 4:30 on February 3, 2014.

Motion to cancel January 20<sup>th</sup>, 2014 meeting was made by Moore, seconded by Myrick, no opposition, motion carried.

Mayor Horne asked about the raise for Linda Sanders, Roberts said that she had included the increase for Linda, Mayor Horne asked how much was it for, Roberts said it was for a dollar.

Motion to increase Linda Sanders pay by a dollar per hour was made by Scott, seconded by Myrick, no opposition, motion carried.

Myrick asked about training for Linda, Mayor Horne said that Linda wasn't interested in a whole lot of training, but that she would do it if it was local, that she didn't like driving long distance. Roberts said that she had begun working with Linda on training. Roberts said that they would be putting a mock quickbook program on Linda's computer to help in training.

Roberts informed council that she would be out of town for January 16, 17 and 18<sup>th</sup> for IIMC training in Albany.

Mayor Horne questioned the rehiring of employees. Roberts and McRee stepped out of the meeting to read portions of the charter, and came back to report that it read about the re-appointment of Attorney, Chief of Police, Fire Chief and Clerk.

Moore asked if the new charter had been signed by the governor yet. Mayor Horne said that she thought they had approved it, but didn't know who had signed it. Moore said that it didn't repel any part of it, that the only change he could remember was the creation of the department of recreation.

Mayor Horne said that she knew that they had gone from page to page reviewing and making changes to the charter, and that RDC had sent it in, and was suppose to update the charter. Moore said that Bubber Epps had told him that it was approved.

Moore said that council had table the discussion on the computers for the police department, and asked Wayne if he had found a place in his budget for it. Amerson said that he had \$2,500 in capital outlay that

would almost cover it, but he had planned on purchasing a new lap top, because his was no good. Mayor Horne asked if you could use SPLOST for the computers. Amerson said that yes you could but he was talking about monies for the maintenance fees. Mayor Horne said that couldn't you purchase even the lap top. McRee said that you could if it was for public safety. Amerson said that if you could do that then he could move up the capital to computers to cover the cost of the maintenance fees.

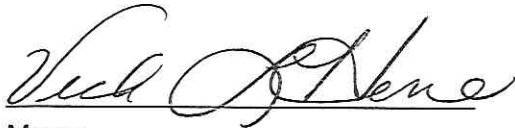
Mayor Horne asked if they could see how it runs, and if it worked for the city, and was feasible to pay year after year. Amerson said that if he saw where it wasn't working for them, that he would discontinue the service. Myrick asked if it was the same equipment that Chapman uses at the county, Amerson said that it was similar, but not exact. Myrick asked if there was a way they could come and hook one up, so that they could see how it run for awhile to see how it worked, and the reasoning for the questions, was that they had just purchased some cameras for the buses and they were not working correctly. Amerson asked Sgt. Hughes about a demo. Hughes said that he had talked with her Friday but that he would call her again tomorrow. Hughes said that he knew that Chatham County had the same computers and also the Atlanta PD. Amerson asked if they were wanting to see if what they do, then he could get the county down and show how it works. Sgt Hughes said that he could get the woman down here and show a demonstration, several members of council said that they would like to see it. It was agreed to pay for Wayne's new lap top out of SPLOST.

Mayor said that she had talked with Mixon about putting Scott over the Administrative Department, and was in agreement with it.

Mayor Horne asked Mixon if she had anything, Mixon said that she did not.

Mayor Horne reappointed everybody back to their positions.

Motion for adjournment was made by Myrick, seconded by Scott, no opposition, motion carried.



Mayor



Attest

Feb 3 20 14



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It is hereby declared to be the intention of the Mayor and Council that the following changes are made to the City of McIntyre Water Service Ordinance beginning on January 1, 2015

Section 7-105

There with the approval of Mayor and Council, will be an additional charges added to the Water Bills of every customer on the McIntyre's water system in the amount of \$2.10 for Operational and Maintenance for the McIntyre Water System.

It is also voted that bills are due by the 15<sup>th</sup> with cut off on the 28<sup>th</sup> of each month.

  
Mayor

  
Attest

Changes were approved during November 17, 2014 council meeting:

Making motion that council vote on the \$2.10 charge for operating cost was made by Council Member Katherine Scott, Seconded by Myrick, voting for motion were Hallman, Myrick and Scott, opposing the motion was Moore and abstaining was Carswell, motion carried.

Making Motion to have water bills to be paid by the 15<sup>th</sup>, with cut off on the 28<sup>th</sup> was Council member Katherine Scott, , seconded by Council Member Jeffrey Hallman, there was no opposition, motion carried.

Mayor Horne called meeting to order, led in prayer by Council Member Eugene Moore.

Present were: Mayor Vicki Horne, Council Members, Eugene Moore, Katherine Scott, and Rico Myrick, John Carswell entered the meeting at 5:49pm, also present were City Attorney David McRee, Chief of Police Wayne Amerson and Clerk Pamela Roberts

Mayor Horne swore in Jeffery Hallman as council member to fill the vacant position of Vickie Mixon.

Mayor Horne took a small recess to give Council Member Hallman time to read the minutes from the November 3<sup>rd</sup> 2014 meeting.

Motion to accept minutes from the November 3<sup>rd</sup>, 2014 council meeting was made by Scott, seconded by Myrick, no opposition, motion carried.

Agenda presented no new business:

Agenda presented old business as:

- a. Tabled Discussion of Park Usage Fees
- b. Tabled Discussion of Personnel Manual

Mayor Horne said that since John was not here, they would skip the park usage fees, and Mayor Horne asked if anyone wanted to discuss the personnel manual, Moore said no not really. Clerk Roberts said that she had a couple of things she needed council to decide on with the personnel manual, one being the section that referred to the annual time being carried over saying that employees were only allowed to carry over sick time but no vacation time. Roberts also noted that in the section with the sick leave it read that employees were only allowed to carry over 240 hours, but that employees were allowed now to carry over 60 days which would be 480 hours. Mayor Horne said that there were changes that needed to be made, Roberts said yes,

Mayor Horne said to get a copy for Hallman so that he could be up to speed on it. Mayor Horne asked if there were any more changes or concerns. Moore said that he was concerned about the mileage, where it had been changed to a \$1.00 a mile which the city was already doing, and that he didn't like that, and thought it should be left as it is now in the policy manual at the IRS allotment, saying the change in the new manual was to a \$1.00 a mile, and that he didn't agree with the \$1.00 a mile, saying that the old policy read IRS rate, but knew that council changed it years ago, but he didn't like it, saying he had done a lot of driving for the chalk companies, and he never received anything over the IRS allotment.

Mayor Horne asked when was council's next meeting; Roberts said that it would be December 1, 2014.

Mayor asked if Roberts could get the changes to the RC, Roberts said that she would and could have them by the 1<sup>st</sup> meeting in December. Myrick asked what changes, Mayor Horne said those about the time, saying the one about the mileage would have to be voted on.

#### Reports:

Moore said that he didn't have anything. Mayor Horne asked about the road, Moore said that Smith guaranteed his work and that he would be back to patch those spots. Mayor Horne asked if Smith had to cut those spots out. Moore said that he didn't, Mayor Horne asked about the stuff that he had put down over the top, Moore said that he didn't put a tack coat on it. Scott asked if Smith knew it wasn't right, Moore said that he did.

Scott had no report.

Myrick asked McRee if he would give Hallman his job duties and explain to him what it entitled. McRee said that Hallman would get a better understanding when he attended the Newly Elected training and asked Roberts when it would be. Roberts said that it would be March 12<sup>th</sup> and 13<sup>th</sup>, in Macon and that she had given Hallman the website of GMA where he could go and read the handbook.



McRee said that basically Hallman would answer to the citizens of McIntyre, noting Hallman would be receiving phone calls and visits from people who would want him to look into things, saying the two things that Hallman needed to familiarize himself with right now was the City Charter and a copy of the Code of Ordinances, saying that those were the two documents that legally bind the responsibility of the Mayor and Council, saying that it tells members what they can do and what they cannot do, noting that things come up to be voted on, saying each one had the right to vote, and that items had to have a majority vote, saying that the city had to have three council members to have a quorum. Mayor Horne asked McRee to explain the Sunshine Law, McRee said that the city was required under the Sunshine Law Open Meetings and Open Records to conduct open meetings saying that council meetings are open to the public and anyone can come in and sit and listen, and they can get on the agenda, noting that there are certain times the council may need to go into executive session, saying that it can only be done for specific reasons, and that it could be done to discuss possible land acquisitions, and the reason behind that was keep others from buying potential property the city was looking at and driving the price up to sell it to the city at a higher price, also any potential litigation are discussed in executive session and personnel issues mainly disciplinary actions against an employee, saying that anything discussed in executive session stays in executive session, noting that no one is allowed to discuss any issues in the public with friends or family members.

McRee explained about open records, noting that the clerk dealt with those more than the members of council.

McRee also informed Hallman that city business could not be discussed outside of council meetings if there is a quorum, giving an example of three council members riding in a car to a meeting and they are discussing the Georgia Auburn game from last night, saying they would be ok, but if they started talking about the sewage project, then that would be a violation of the Open Meetings law, and milling around after meetings are adjourned and discuss business that would be a violation, and it would have to stop.

McRee introduced himself to Hallman and informed him that should Hallman need him, Roberts had all his contact information.

Mayor Horne led introductions to Hallman. Hallman introduced himself, saying that he has lived in McIntyre pretty much all his life, moved off for a little while attending college, saying that he works at BASF, and that his wife worked in Macon, and had two kids age 10 and 13, and they were very involved with softball.

Myrick asked Moore what come of the Davis Cemetery Road, Moore said that the street department hasn't done anything yet, Myrick asked if the trucks were still going out through the other end. Moore said no that they never stopped coming through there, Amerson said that they were through now. Moore said that they finished about a week ago, but the spot was pretty bad, noting that it would have to be dug up and back filled with crush and run, and get the soft spot out of it and redo it.

McRee said that one of the requirements that Kathy Ross wanted the city to do was the User Agreement to be presented to those outside the city limits that were tied onto the water system of McIntyre, getting them to tie onto the sewage system when it was operational, saying that he had given Roberts a copy and that she would be sending it to Kathy Ross and upon approval from Ross council would need to contact those they needed the agreements from.

McRee said that he had a little addition to his office right now, saying that his daughter was sworn in as a lawyer last week and that she would be working with him for a while, that she may be coming to some meetings with him, and would be available to attend during any absence he may have.

Moore asked if the water department got the tank controls repaired, Myrick said that he hasn't spoken to either one.

Myrick asked Moore to correct him if he were wrong, but that Willie had told him that when Macon Road up where Moore lived was connected to Irwinton water all they used was a valve, Moore asked for another explanation, Myrick said that there was just a valve that separated Irwinton from McIntyre, Moore said that there was a valve up there that can join the two together at the top of the hill. Mayor Horne asked how the city was going to approach that, did



anyone need to go to a meeting, McRee said that it may be a good idea if Mayor Horne spoke with Mayor Langston. McRee also noted that in Irwinton at the last council meeting it was brought up that the City of Irwinton was very interested in tying into McIntyre's sewage system when it is complete and had begun seeking engineers to help them with getting it started.

Moore asked about all the homes up on Macon Road, the Hogans, if they were on separate meters or was all of them on the same meter, including Morris Hogan. Moore asked about all those houses from Macon Road to the Church, were they on McIntyre Road, Myrick said yes, they were all on separate meters.

Mayor Horne said that she had spoken with Roberts about starting at the beginning the year getting information to the public that each month everyone will have to pay their bills.

Roberts said that she had given information to them concerning cost for services, but that she had spoken with Kathy Ross about it and that the \$1.35 for testing sounded to her like operating cost. Roberts said that instead of increasing the water rates, because it is so hard to say what the average usage is. Roberts suggested doing a \$2.10 charge each month to each account calling it operating and maintenance fee, saying that it would cover the cost of the items listed and wouldn't have to be separated out each time. Roberts said that the extra .75 cents would generate enough revenue to cover those cost, such as the replacement of a valve, etc, instead of doing every charge when something happens, saying that each bill would show the water, garbage charge and a \$2.10 charge for operating cost, saying it would cover the cost of testing and anything else, that it would generate around \$7,000 in the year. Myrick asked who else charged these, asking if Gordon did it, Roberts said they did not, Mayor Horne said that Irwinton did, and Moore said that Irwinton did charge for testing and it was on the water bills. Roberts said that she was trying to look at different areas, instead of just another price increase. Moore said that Irwinton charged \$25.00 for re-reads, whereas Roberts had \$15.00. Roberts asked council to think about it and decide so that if they did want to do the \$2.10 and the one month, her office could get the information out, Roberts said that she felt this may be the fairest route for everybody. Moore asked Roberts why she thought it was fair to do it, if no one had to come to his house and did anything, why would it be fair for him to pay \$2.10?

Mayor Horne said that it would be operating cost, Scott said that it would be \$15.00 to re-read fee. Ms. Martin from the gallery asked if it would be part of the fee, Mayor Horne said yes,

Scott asked if everyone that paid the \$2.10, would they have to pay the \$15.00 for the re-read, Roberts said no, that it would be part of the .75 cent maintenance fee. Roberts explained the .75 cent would cover the cost of the re-reads, replace the valves, any maintenance to the meter, saying what the water department had talked about charging for the placement of a cut-off valve, because right now some customers just will not get a cut off valve, so they strip out the valves, Moore said so you are going charge him \$2.10 to replace someone else's valve. Myrick said that he didn't believe it was the valves, that he thought it was the seals in the faucets. Roberts said that she would do whatever council wanted them to do, if they wanted a price increase then she would do it, but she couldn't say it wouldn't be more than the .75 cents, but there had to be something done, because with Kathy looking over everything now, the city would have to do something.

McRee said that they were looking at doing the same thing in Baldwin County, that it was on the agenda for a work session Tuesday afternoon to talk about instead of increasing the rates to add some additional fees on the bill each month to bring in a guaranteed amount of revenue for the water department, and that he thought more cities and counties were going to this instead of increasing the water rates, this was a guaranteed way of receiving the revenue instead of guessing on how much you would received with a water rate increase.

Moore said that you would probably have about 80% that you wouldn't have to go out and do anything to, then you got certain ones that just want you to come back out and re-read the meters, so you're going to make everyone pay. Scott said that you were going to pay anyway, if the city goes up on the rates you would still have to pay, so either way you were going to pay. Mayor Horne said that the city had the lowest rates now, and knew something had to be done. Roberts said that she would work up anything council wanted her to. Hallman asked if the \$2.10 was in addition to the services listed on the information, Roberts said no, that the \$1.35 in the \$2.10 was for the testing so the city could get their money back for the testing, which is \$4,400 per year, so she had divided that by the number of customers and it came out to \$1.34 and such and such cent, so she rounded it up to \$1.35 and then tacked on the .75 cent so that money would be like McRee said guaranteed money. Roberts also explained that when the city raises the rates people have a tendency to use less water, they figure out how to keep the water bill down, saying like last month they may have used 3,000 and the city increases the



rates they figure out ways to decrease the usage, then the city is back in the same boat. Myrick said that he agreed with the \$2.10.

Martin said that she had noticed that her water usage had been increasing slightly the last several of months, several suggestions were made to Ms. Martins of where the leaks may be, but Roberts explained that it may be the age of the meter, whereas if there is a small leak some where the meter may not register that leak in a way that is noticeable by looking at the meter, saying that Kathy Ross had said that the city may need to look at replacing meters if they are old. McRee said that he had this discussion and was told that older meters that didn't work properly usually favored the home owner.

Mayor Horne asked council if they wanted to vote for it, because the city needed to give the citizens the information as soon as possible.

Scott made a motion that council vote on the \$2.10 charge for operating cost, seconded by Myrick, voting for the motion were Hallman, Myrick and Scott opposing the motion was Moore and abstaining from vote was Carswell, motion carried.

Mayor Horne asked about the month thing. Roberts asked council if they understood what Mayor Horne was talking about. Roberts explained that now customers have 60 days to pay a water bill, but with this they would only have 30 days, that it would be eliminating the 60 day pay frame. Carswell asked if Roberts's office would be sending out any letters with this information, Roberts said that she would be sending them out with December's bill.

Motion to have water bills to be paid by the 15<sup>th</sup> with cut off on the 28<sup>th</sup> was made by Scott, seconded by Hallman, no opposition, motion carried.

Roberts said that she needed council's approval to send a letter, saying that everyone knew that Michael Brewer operates the laundry mat and the building supply and the apartments, and that he had a new business added to the meter for the laundry mat. Roberts said that she knew that council had made houses get separate meters, and wanted to know if Chandra's "Sew" What needed to get their own meter, saying that they are two separate businesses, separated by a wall and two separate entrance. Carswell said that if it is operating as two separate

business then they each have a meter, noting that is what you would with a house. Mayor Horne asked about the apartments having separate meters, Roberts said no, that was grandfathered in under one meter. Mayor Horne asked if council needed to vote to have them separate, McRee said they needed it to be a motion. Hallman said that when Petie had it, it operated under one business. It was advised to check to make sure that there was water in the part Chandra was using for her business.

Carswell said that Jonathan Connell with the Regional Commission called him today, but that he had missed the call, saying that he was calling to inform Carswell where the city was at with the grants for doing the soccer fields at the park, noting that he had made several attempts of contacting Mr. Connell but was unable to reach him, but that he would try again this week, and hopefully have some new information for the next meeting.

Amerson had no report.

Mayor Horne asked Tommy Brown with the Fire Department if he wanted to discuss his budget, Brown said that he wanted to be there in case anyone had any questions. Brown said that he believed last years budget was around \$57,000 but believed they had trimmed it down to around \$44,000.00, reducing it by around \$13,000.00. Mayor Horne asked about the \$10,000 for equipment. Brown said that was for the replacement of equipment if necessary. Mayor Horne said the only thing she had was the money for a new truck saying that she had discussed with him that the city wouldn't have the money for it. Brown said yes but he wanted to let council know that if they did buy the truck, that the fire department wouldn't take possession of it for 9 months and it would be another year before the first payment was due. Mayor Horne said that the city couldn't afford it, Brown said he knew that, but if you didn't ask you didn't know. Mayor Horne said that she felt like the City of McIntyre had some of the best equipment around, Brown said that he wasn't saying that they didn't but the old brush trucks that goes off road was on up in age, and the tank may need to be restored or replaced. Mayor Horne said that yes, that maybe the city could find a good used truck, because the future was unsure right now, especially with BASF, noting that maybe Jeffery had some information.



Hallman reported that he hadn't really heard much concerning, but figured there would be some cuts, and that perhaps 50% of Toddville and 30% of Daveyville, but no one knew what was going to happen, no one in McIntyre anyway.

Mayor Horne said that she was shook up, that she knew that the City basically operated off the franchise fees and if BASF stops using a certain amount of electricity over there it was going to affect McIntyre, possibly terribly, noting that there was going to have to be some major changes, with public safety being the last, but there may be some positions cut, and some changes made, saying that right now a new truck was out, but if they found a nice used one, they may discuss it.

Moore asked about putting it on another chassis, if the body and tank were ok, Brown said that was the problem the tank was going bad, that it was leaking, and if they could put it on a new chassis, or redo the tank, there was no guarantee that the motor or transmission wouldn't go out, and then you've put all that money in it. Myrick said yes, but a new motor and transmission would cost \$291,000. Brown said that he didn't know much about it, but didn't know if there was some type of agreement with the forestry since they gave the city the truck, if the city could do any changes to the truck or what. Hallman said he didn't know much either but had heard Jr. talked about the truck being donated partially by the forestry. Brown said that he didn't know if the city owned the truck to do what they wanted or if the forestry still owned it, so they would have to find out from them, but he knew that the forestry would not give them any money to repair it, saying that if the forestry was okay with it they may be able to take that tank apart or put a liner in it, but didn't know what it would cost or anyone who could do it. Carswell gave Brown contact information for American Tank, Chris Boyd saying that he knew they worked on them.

Martin said that she thought that typically when council went into executive session it was at the end of the meeting, Mayor Horne said not necessary. Martin said that she thought that was the way it was suppose to be done, and then brought back to adjourn. McRee said that legally it could be done at the beginning, the middle or end, just whenever they decided to go into it.

Martin also commented on the mileage rate that she thought that was absorbent, and then she asked that if everyone rode together did they all get the mileage, Mayor Horne confirmed by shaking her head, Martin asked why, if the mileage was for the car, why would everyone get it,




Mayor Horne said no Ms. Martin, and Ms. Martin said ok, but that the Mayor was shaking her head. Moore said if that was the case why did Mark and Willie get separate checks when they went to training, saying that both of them were paid, Roberts said that she didn't know, that she didn't know who rode together. Martin said that they shouldn't have turned it in, Moore said that they should have to turn in a mileage report. Mayor Horne said that everything is fixable, but that it was up to council to decided on the mileage fee, Mayor Horne said that she understood that if someone didn't want the mileage and wanted the IRS rate, they could take that, McRee said yes, that they didn't have to take it at all if they didn't want to. Martin said that if the customers had to pay \$2.10 more on their water bills, then that needs to be discussed, and that if two ride together and both receive mileage, that really needed to be discussed, because if you say it is the citizens money, then she had the right to voice her opinion. Mayor Horne said that every council member lived in the city also and that they try to do what they can, that they don't raise the millage rate because of the effect and has lost money on that, Martin asked if it could be looked at, Mayor Horne said that it could.

Motion to go into executive session to discuss the purchase of property was made by Moore, seconded by Carswell, no opposition, motion carried.

Mayor Horne called meeting back to order, noting that council had entered into executive to discuss land acquisition, no motion nor vote was taken while in executive session.

Motion to adjourn with no further business was made by Carswell, second by Scott, no opposition, motion carried.

  
Mayor

  
Attest

12-1- 2014

# City of McIntyre

MAIN STREET

McIntyre, Georgia 31054

Police Department  
(912) 946-5540

Cindy H. Daniels  
City Clerk

## MINUTES OF CITY COUNCIL MEETING HELD TUESDAY, DECEMBER 2, 1997 AT 7:00 P.M.

Meeting held with Mayor Jack Bache and Councilmen Vicki Horne, Jerry Shinholster, Fred Greene and Max Davey present. Debra Kennedy was absent.

Mayor called the meeting to order.

Mayor called upon Shinholster for prayer.

Mayor asked for approval of the minutes for the November 4, 1997 regular meeting. Shinholster motioned to approve minutes. Davey seconded. Motion passed unanimous.

Mayor asked for comments from the Gallery.

Chris Martin asked about renting the old City Hall. Martin wants to rent building in his name, not Bug House, and rent the whole building including access to the fenced in back area. Daniels stated that the railroad had sent a document to be signed regarding the renting of the area. The railroad has no problem with this. Discussion ensued regarding renting to an individual. Concerns about what would be put there. Greene stated he had no problem leasing to Martin, he just wanted to know what would be there. Mayor asked that Martin make Council a formal proposal stating what he intends to put there and for how long he would like the lease.

Mayor called upon Horne. No Comment.

Mayor called upon Greene. Greene stated we have not heard from the DOT or Sloope regarding water lines on 441. Daniels stated that the Council needs to make a decision by January about what water rate to go with, \$11/City or \$14/County, because of the new law stating that there is to be only one rate per water system. Discussion regarding current water situation ensued. Shinholster motioned to set water rates at \$14 for base for City and County. Greene seconded. Motion passed unanimous.

Discussion ensued regarding the charge for putting in new meters. It was decided to wait until Daniels can get a price before changing this charge.

Mayor called upon Davey. Potholes have been done except for the one at Evans Clay. They will have that one done this week.

Mayor called upon Shinholster. No Comment.

# City Of McIntyre

MAIN STREET

McIntyre, Georgia 31054

IT IS HEREBY DECLARED TO BE THE INTENTION OF THE MAYOR AND COUNCIL THAT THE FOLLOWING PROPOSED CHANGE BE MADE TO THE CITY OF MCINTYRE WATER SERVICE ORDINANCE:

## SECTION 7-104 RATES AND BILLING

WATER METERS WILL BE READ MONTHLY BY CITY EMPLOYEES, STARTING ON THE 20TH OF THE MONTH SO THAT WATER BILLS CAN BE SENT OUT CLOSE TO THE FIRST OF THE FOLLOWING MONTH.


THE MONTHLY RATES FOR WATER USE ARE AS FOLLOWS:

### INSIDE CITY LIMITS:

\$11.00 MINIMUM FOR 2,000 GALLONS AND LESS. 2,001 GALLONS AND OVER WILL BE .80 FOR EVERY 1,000 GALLONS.

### OUTSIDE CITY LIMITS:

\$14.00 MINIMUM FOR 2,000 GALLONS AND LESS, 2,001 GALLONS AND OVER WILL BE .80 FOR EVERY 1,000 GALLONS.

  
MAYOR

7-9-96  
DATE

READ: 1. 5-7-96  
2. 6-4-96  
3. 7-9-96



PROPOSED ORDINANCE, SECTION 7-104.1

Pursuant to resolution of counsel of January 5, 1993, the following is proposed by Robert P. Westin, City Attorney, pursuant to Section 3-207(9)(c)(1), McIntyre Codes and Ordinances, to become Section 7-104.1 of the McIntyre Codes and Ordinances:

7-104.1           The governing authority of the City has deemed it necessary to increase rates and service fees to water customers whose service is supplied outside of the City limits. Fees and monthly rates to water customers whose service is supplied outside of the City limits are as follows:

- \$200.00 for a meter installation and a \$60.00 cut-on fee;
- \$12.00 for water consumption from 0-5,000 gallons as the minimum rate;
- \$0.77 per 1,000 gallons (or \$0.08 per 100 gallons) for consumption from 5,001 to 10,000 gallons;
- \$0.55 per 1,000 gallons (or \$0.06 per 100 gallons) for consumption over 10,000 gallons.

For bills not paid within ten (10) days of billing date there will be a \$1.00 penalty charge.

Ten days after the second billing, water service will be discontinued by locking out the meter valve.

Should the customer wish service reinstated, that customer must pay all due water bills in full and pay a \$60.00 penalty to reimburse the City for added costs, and only when these sums are paid will water service be reinstated.

Readings pursuant to Section 3-207(9)(c)(3), Codes and Ordinances:

1. 2/02/93  
2. 2/23/93  
3. 3/02/93

Adopted: \_\_\_\_\_

\* Upon adoption, the same is hereby added by Amendment to the McIntyre Codes and Ordinances.



## ORDINANCE

An Ordinance to amend Code Section 3-204 of the Code of Ordinances of the City of McIntyre, Georgia, to govern the rules for meeting dates and times for City Council meetings.


BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF  
McINTYRE, GEORGIA,

THAT Code Section 3-204 is deleted in its entirety and inserted in lieu thereof is the following language: "The City Council shall hold regular meetings on the first Monday of each month at 5:30 p.m., unless otherwise ordered by the Council; provided that the Mayor may convene the Council whenever in his or her opinion the public business requires it, and he or she shall do so upon the application of three members of the City Council. In the event that a meeting cannot be held on the first Monday of a month, the City Council shall meet on the third Monday of the month at 5:30 p.m. Reasons for the cancellation of a meeting on the first Monday shall consist of, but not be limited to, the following reasons: Legal holiday, lack of a quorum, the death of a family member of the Mayor or a Council Member and weather/act of God. All meetings at which official actions are to be taken shall be open to the public. It shall be the duty of each member of the City Council to attend each meeting of the City Council, unless he or she is prevented by some unavoidable circumstance."

All ordinances or parts of ordinances in conflict with this Ordinance are, to the extent of such conflict hereby repealed.

SO ORDAINED this 15 day of March, 2021.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
City Clerk

# City of McIntyre

MAIN STREET

McIntyre, Georgia 31054

City Hall  
(912) 946-2037

Jack Bache  
Mayor

Police Department  
(912) 946-5540

Cindy H. Daniels  
City Clerk

## AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, FOR THE CITY OF MCINTYRE.

Now, therefore, be it ordained and it is hereby ordained by the Mayor and Councilmen of the City of McIntyre as follows:

That Section 3-204 of the Code of Ordinances, for the City of McIntyre, Georgia, 1979, is hereby amended to read as follows:

### Meetings

The City Council shall hold regular meetings on the 1st and 3rd Tuesday of each month at 7:00 p.m., unless otherwise ordered by the Council; provided that the Mayor may convene the Council whenever in his opinion the public business requires it, and he shall do so upon the application of (3) members of the City Council. All meetings at which official actions are to be taken shall be open to the public. 50-14-1.

Duty to attend. It shall be the duty of each member of the City Council to attend each meeting of the City Council, unless he is prevented by some unavoidable circumstances.

READ:

9.7.99	1 <sup>st</sup>
9.7.99	2 <sup>nd</sup>
10.5.99	3 <sup>rd</sup>

ADOPTED THIS 5<sup>th</sup> DAY OF October, 1999.