

December 27, 2021

The Eastman City Council met in a regular scheduled meeting on the above date at 6:00 p.m. Members present were Buddy Pittman, Ronnie Woodard, Raymond Mullis, Prince Dawson, and Sebrina Williams. Others present were City Manager Spencer Barron, Attorney Rita Llop, Deputy City Clerk April Sheffield, City Clerk Ivelyn Lampkin, Maya Clark, and Engineer Jesse Bearden. Others present from the City include Brandon Brisco, Chief Becky Sheffield, Assistant Chief Billy Cooper, Terry Davis, Whitney Rogers, Jaquavious Dixon, and Fire Chief Scotty Whitten. Former City employees in attendance were Bobbie Haley, Bill Torrance, John Reddock, Dan & Andrea McCranie, Katie Barrett, Bobby Slye, and Artiffany Stanley from GMA. Also present from the community were Mitchell and Susan Coffee, Wendy & Bethany Pittman, Commissioner Terry Niblett, County Manager Conner Bearden, Sarah Goolsby, Charles Williams, David Jr., Mark, Jill, Blake, Brayden, and Cayden Studstill, Randy & Linda Wilcox, Darlene Ashley, Charles Findley, and Silas Lucas.

The meeting was streamed via Facebook Live and the public was provided an opportunity to submit questions and/or comments via Facebook Live.

The meeting was called to order by Chairman Pittman.

Invocation was given by Council Member Dawson.

Pledge of Allegiance.

APPROVE AGENDA:

COUNCIL MEMBER PITTMAN: First item on the agenda is to approve the agenda. I don't think that we have anything extra to add to it. With that being said, I need a motion to approve the agenda as it stands.

COUNCIL MEMBER MULLIS: So moved.

COUNCIL MEMBER PITTMAN: Got a motion from Councilman Mullis to approve the agenda. Council, do you want to add anything? If not, I need a second.

COUNCIL MEMBER DAWSON: Second.

COUNCIL MEMBER PITTMAN: Have a second from Councilman Dawson. All in favor show of hands. Motion carried unanimous.

APPROVE THE MINUTES:

COUNCIL MEMBER PITTMAN: Now we will approve the minutes of the December 13 2021, regular meeting.

COUNCIL MEMBER MULLIS: So moved.

COUNCIL MEMBER PITTMAN: Got a motion from Councilman Mullis. Council, you have got those in your packets and all. Anything or any questions about them? If not, I need a second to approve the minutes.

COUNCIL MEMBER WOODARD: Second.

COUNCIL MEMBER PITTMAN: Have a second from Councilman Woodard. All in favor show of hands. Motion carried unanimous to approve the minutes.

NO UNFINISHED BUSINESS

NEW BUSINESS:

APPROVE MONTHLY BILLS:

COUNCIL MEMBER PITTMAN: Next is to approve the monthly bills for December 14, 2021 - December 27, 2021.

COUNCIL MEMBER MULLIS: So moved.

COUNCIL MEMBER PITTMAN: Have a motion to approve the monthly bills. Council, do y'all have any questions about any of them? If not, I need a second.

COUNCIL MEMBER WILLIAMS: Second.

COUNCIL MEMBER PITTMAN: Got a second from Councilman Williams. All in favor show of hands. Motion carried unanimous.

APPROVE 2022 BUDGET:

COUNCIL MEMBER PITTMAN: Next on the agenda is to approve the 2022 Budget.

COUNCIL MEMBER MULLIS: So moved.

COUNCIL MEMBER PITTMAN: Got a motion from Councilman Mullis to approve the budget. Y'all remember that we had the public hearing about it at the last meeting. Council, are y'all good with the budget still? If you are, I need a second to approve the 2022 Budget.

COUNCIL MEMBER WILLIAMS: Second.

COUNCIL MEMBER PITTMAN: Have a second from Councilwoman Williams. All in favor show of hands. The 2022 Budget is approved.

APPROVE ALCOHOL LICENSE:

COUNCIL MEMBER PITTMAN: Next on the agenda is to approve the alcohol license from Sunoco Food Mart with Eram Rayoni.

CITY MANAGER BARRON: Yes, all of the fees have been paid and the applications are in order. I would recommend that you approve it.

COUNCIL MEMBER PITTMAN: With that being said and everything in order, I need a motion to approve the alcohol license for Sunoco Food Mart.

COUNCIL MEMBER MULLIS: So moved.

COUNCIL MEMBER PITTMAN: Got a motion from Councilman Mullis. I need a second to approve it.

COUNCIL MEMBER WOODARD: Second.

COUNCIL MEMBER PITTMAN: Got a second from Councilman Woodard. All in favor show of hands. Motion carried unanimous.

RECOGNITION FOR PRINCE DAWSON:

COUNCIL MEMBER PITTMAN: Next on the agenda is recognition for Councilman Prince Dawson. Please stand Sir. Councilman Dawson has been on the Council now for a total of 8 years. He has put in 8 years of service to the City of Eastman and the citizens thereof. This year he didn't run for re-election and is calling it quits. At this time, we want to present Mr. Prince with a plaque in recognition of his 8 years of service and I will read it to you. It says, *Presented to Prince A. Dawson in appreciation for your years of dedication and commitment, Eastman City Council District 5, 8/22/2013 – 12/31/2021.* Mr. Prince, thank you Sir for all of your service and time, for your wisdom and thoughts, and we appreciate everything that you have done for us.

COUNCIL MEMBER DAWSON: Thank you Sir. I just want to say thank you.

COUNCIL MEMBER PITTMAN: I want to thank you again Sir for all of your time and service that you have put in on this council.

RECOGNITION OF IVELYN LAMPKIN:

COUNCIL MEMBER PITTMAN: Next on the agenda is Ms. Artiffany Stanley from the Georgia Municipal Association to present another award.

ARTIFFANY STANLEY: Hi and good afternoon. Thank you for giving me the opportunity to attend your Council meeting tonight to honor a very special person. I am Artiffany Stanley with Georgia Municipal Association. I am your member services consultant for district 9. Several years ago, the GMA Board wanted to honor elected officials, city clerks, city managers and city attorneys, who upon leaving office or retiring, and had given 35 years or more of service to local government. They created the Lifetime Service Award as a way to show appreciation for the years of service dedicated to public service. Your city clerk Ivelyn Lampkin far exceeds these qualifications with 43 years of service and at this time I would like to invite Ivelyn to join me as I continue to recognize her. Ivelyn started her career in Eastman in 1978 serving as a general clerk. She served under 7 city managers and held every position at the City Hall except for City Manager. Ivelyn maintains a wealth of knowledge and goes out of her way to help the citizens of Eastman. She is a respected and trusted servant and has been involved in countless projects throughout her career. At this time, I would like to present Ivelyn with the GMA Lifetime Service Award which reads *Ivelyn Lampkin, in grateful appreciation for 43 years of dedicated service to the City of Eastman, 1978-2021*. Let's all congratulate Ivelyn for her long public service to Eastman and wish her all the best in her retirement.

CITY CLERK LAMPKIN: I guess I need to say something. I don't know what to say. Thank y'all so much. It has been a pleasure working with the city. I have made a lot of friends over the years. I tried to do my best in everything that I did. I have always tried to treat people the way that I want to be treated. I have enjoyed. I appreciate your trust in me and it has been a pleasure. And I am going to miss you all. But it is time to go. It is time for the next chapter.

JESSE BEARDEN: Conner said the next chapter can be at the county.

COUNCIL MEMBER PITTMAN: Ms. Ivelyn, on behalf of the City Council, 43 years of service. Jeez. That's a long time. I remember being here what seems like a hundred years ago working at the fire department and everything else. Thank you for all you have done. Like you said, you have probably done everything out there that there is to do. We certainly will miss your wealth of knowledge and your remembrance of what we did 30 years ago and let me go find it and put my hands on it. We certainly are going to miss you. I told you about that email that I got today, lol, and we can do this again in about 6 more years.

CITY CLERK LAMPKIN: I just want to say that my 2nd City Manager, I am so proud that he came to see me. And my 3rd City Manager, Mr. Torrance, came all of the way from Vidalia. It was a pleasant surprise.

JOHN REDDOCK: Anybody that can work with 7 different city managers deserves a lot.

CITY MANAGER BARRON: I think the Council has a few little things right here for you. How would you like me to do this?

CITY CLERK LAMPKIN: I will open it.

DEPUTY CLERK SHEFFIELD: Spence read it and present it to her.

CITY MANAGER BARRON: *Presented to Ms. Ivelyn Lampkin for her 43 years of commitment and dedication to the City of Eastman from 1978-2021.* Here you are. You earned it.

CITY CLERK LAMPKIN: And Becky has been here 6 months longer than I have.

COUNCIL MEMBER PITTMAN: Ivelyn thank you again so much.

CITY CLERK LAMPKIN: Thank you all.

COUNCIL MEMBER PITTMAN: And Becky that makes you..

CHIEF SHEFFIELD: The monarch.

CITY CLERK LAMPKIN: Yep, you the monarch.

COUNCIL MEMBER PITTMAN: And we appreciate all of the time and service that you always put in with the city.

CITY MANAGER HAS NOTHING TO REPORT

OTHER BUSINESS FROM COUNCIL:

COUNCIL MEMBER WILLIAMS: I just want to wish Ms. Ivelyn the best in her next chapter. And you too Mr. Prince.

COUNCIL MEMBER WOODARD: I just want to say Congratulations. Me and you had the discussion the other day that you might want to come back after you have been home for a while. I got the right answer.

COUNCIL MEMBER DAWSON: I just want to say thank you. I have enjoyed the time that I have served with the city and served the citizens thereof. I just think that it is time now, as Ivelyn says, the next chapter. Thank you.

COUNCIL MEMBER MULLIS: Well, I know that I have been with you 16 years, and you have, well she has took care of me. In other words, if I needed to know what time I have got to be here, she is going to call me. Now I have got me another one that she is training for that very reason, to help me out. But Ivelyn, I want you to know that I love you. You too Mr. Prince.

COUNCIL MEMBER PITTMAN: For me, I will just say it again for about the 5th time. Mr. Prince, thank you, for your service and time. And Ms. Ivelyn, thank you so much. Enjoy. Enjoy Sir.

PUBLIC COMMENTS:

BLAKE STUDSTILL: Hi, my name is Blake Studstill, I am with Graham & Studstill General Contractors. At the last meeting, the yard and limb debris was awarded. A lot of things said during that meeting against our company doing that job currently is just not true. There was stuff said that we are doing a poor performance, and that currently we were late. That we won't be able to finish it on time currently. I just have full belief that that is completely wrong. But I have full confidence that we will finish it now. Even after we heard all of that happened at the meeting, the next morning we went and met with Spence and Brandon and just kind of talk about it. Just because that is the first time that we had heard that we had done a poor performance on that job. Just kind of wanted to talk and say exactly what was going on? Why was that said last meeting? It was talked about, and items were talked about but really by the end of the discussion, the things that we hadn't been doing was not part of the contract. So, we still feel very confident that we are doing things correctly and whatnot. You know it hurt to see those comments said about you and it directly affected not getting awarded the job, which the job was awarded to Dwayne Conley. You know, it was just a mix of emotions when you see all of that happen. You are working hard on a project right now and then things were said like that, misrepresented and whatnot. I was just really baffled by the fact that the highest bidder got awarded on that job. An extra \$35,000 was awarded to that next person. I ain't going to say that it was based off lies but it wasn't the truth and it kind of affected the decision. I was just kind of curious as to the fact that not only as Graham & Studstill but I kind of wanted to say those comments. Just to stand up for ourselves because we wasn't here to say it that day. But we wanted to make sure that it was said today. Really, as a taxpayer, that extra \$35,000 being spent just awarded to the highest bidder just really kind of confused me. I was hoping to get a little bit of feedback from you guys as far as kind of how that happened in a sense. Is that something that I could be? It's just crazy to think. That is a lot of money that could be spent on other things. I want to get y'all's opinion on that.

JOHN REDDOCK: I would like to hear some responses too.

COUNCIL MEMBER MULLIS: Alright, the reason that I made the motion, the lowest bid could have been all 3 of them.

BLAKE STUDSTILL: I also want to say this. When we were writing out everything and putting together our numbers for it, we turned it in based off of the fact that the 4 quarters was going to be awarded. And we were told that, going into it. The additional event, that just wasn't going to be the deciding factor. It is even presented in the sense of that Dwayne Conley I believe was \$70,000. We were \$35,000 for the whole year. It is presented as 4 quarters for the year. You are not even awarding for that 5th event. The catastrophic event in a sense. I guess I am a little confused when you say..

COUNCIL MEMBER MULLIS: The way the global warning is. Do you know what is happening in the United States this year? It has been one of the worst years in the United States for hurricanes, tornadoes, and all. If a hurricane or tornado comes in here and makes a mess, then what y'all bid is going to go way over what it is supposed to be.

BLAKE STUDSTILL: I agree, and I know what you are saying in a sense. We did \$5,000 for an additional event. We were just told when submitting the bid that that wasn't how the bid was going to be determined. And then you know it was awarded based off of that. I guess I am still kind of confused about that. In the sense of we were at \$35,000 and \$5,000 for each additional event. That is 7 catastrophic events that would have to occur for it to break even with the highest bidder. It could happen but I just have concerns from that sense too.

COUNCIL MEMBER MULLIS: Well, you said one word. Then. Could. That's the reason I made the bid for that. That is the way that I made the motion, because of that.

BLAKE STUDSTILL: Let me ask also this, what about the 2nd highest bidder? The 2nd bidder, we are looking at \$49-\$50,000? Was that not taken into consideration either?

COUNCIL MEMBER MULLIS: Well, it was the same way that the other was. That was the reason that I made that motion. Because of the things that could happen, that has been happening in the United States this year.

BLAKE STUDSTILL: You made the decision based off of...

COUNCIL MEMBER MULLIS: Yes, I did. That is the way that I made my decision.

ATTORNEY LLOP: That second bid also had the additional amount for the unforeseen events.

COUNCIL MEMBER MULLIS: Yeah, it had it in there. Do you remember how much it was going to cost every time we had one?

COUNCIL MEMBER PITTMAN: Right at \$10,000.

COUNCIL MEMBER MULLIS: Yeah, right at \$10,000. So, at 3 things, we would be right at the same. 4 things would be more. 5 would even be a lot more. And that is the reason that I made the motion.

BLAKE STUDSTILL: But if an event doesn't happen, that is an extra \$35,000 that was spent.

COUNCIL MEMBER MULLIS: Well, it's like rolling the dice.

BLAKE STUDSTILL: Yeah, well. We have something that we wanted to present. (Hands out a paper to each council member.) This is Dwayne Conley's. This is what I got from an open records request. I mean this is the bid that was submitted on that day. The way I read that is the additional event is actually \$70,000 that was presented instead of the value of zero. I wasn't there. I know that Daddy was there, and Spence was there.

CITY MANAGER BARRON: And your Daddy will tell you that I asked him, what does that mean? And he said the total was \$70,000.

BLAKE STUDSTILL: But Dwayne, I reckon I just want to bring this up that you know, he has even got his signature on there of \$70,000. I don't know what that means but I reckon you just have a bid summary and awarded different than what was turned in.

CITY MANAGER BARRON: Based on what he told us; the total amount was \$70,000. And that is what he said that night too.

BLAKE STUDSTILL: Well, I guess it kind of concerns me with the fact that you are opening up a bid and then you see that well that is really a zero even though I have signed it and turned it in as \$70,000, after it has been opened up by everybody.

CITY MANAGER BARRON: The attorney can correct me, but I think that we are allowed to ask questions for clarification.

ATTORNEY LLOP: At the time, the way I understood it, was that there was some question about Mr. Dwayne Conley's bid. And so, the bid sheet itself says that the city can accept or reject or waive any technical deficiencies. So, I understand that at the bid meeting, everyone was in agreement that there was clarification made on the bid and it was finalized and accepted. All bids.

MARK STUDSTILL: We only saw the tabulation at that time. We didn't see the other bid forms.

CITY MANAGER BARRON: But you heard the conversation. You heard the question.

MARK STUDSTILL: We heard the conversation, but we needed to see the bid forms to verify that the conversation matched his proposal. In essence, he was given the opportunity to make a verbal modification to his bid, after it was opened. Now, in my opinion, you have either got to accept his bid as it was submitted on his form or not accept it. You cannot allow it to be modified. Y'all have the bid form right in front of you. I didn't see that until Tuesday morning. So that Saturday when we viewed the tabulation, all I saw was April's tabulation.

CITY MANAGER BARRON: But you did hear me ask him what he..

MARK STUDSTILL: Yeah, but that is still a verbal modification to his bid.

CITY MANAGER BARRON: To me that is not a modification. It's a clarification.

MARK STUDSTILL: That is a modification. Because he is saying now that his per extra event is zero, but his bid form says \$70,000.

COUNCIL MEMBER PITTMAN: I reckon I'll ask this question because I am gonna be like Blake. Mark, if you were there, and Reg was there, and Dwayne was there, why was this question not brought up that day?

MARK STUDSTILL: Reg agrees with me.

BLAKE STUDSTILL: Well, we just didn't realize.

COUNCIL MEMBER PITTMAN: Well Blake, you said you weren't there.

MARK STUDSTILL: We didn't see it. All we saw was the tabulation that didn't include the \$70,000 per event.

CITY MANAGER BARRON: April was writing it down on the tabulation sheet. She was sitting here, and I took it to them. So yeah.

MARK STUDSTILL: All we saw was the tabulation.

CITY MANAGER BARRON: Was that how you remember it April?

DEPUTY CLERK SHEFFIELD: Yes.

COUNCIL MEMBER PITTMAN: But that wasn't brought up?

MARK STUDSTILL: We didn't bring it up because we didn't see the bid form.

COUNCIL MEMBER PITTMAN: But, when Spence asked for clarification, *is this \$70,000 per? ...*

CITY MANAGER BARRON: Yeah, I would have expected you to object then and say that you can't ask him that.

COUNCIL MEMBER PITTMAN: I reckon that is my question. Why was it not brought up that day?

MARK STUDSTILL: Why would I have brought it up?

CITY MANAGER BARRON: Because you heard the same confusion that I did with April and Brandon trying to decipher what Dwayne had written down. And honestly, I will tell anybody that Dwayne has troubles with his reading and writing but, that is why I asked the question.

MARK STUDSTILL: The only question that I had was why would he do an additional catastrophic event for so much. Mr. Prince was questioning why our bid was so low the other day when his was zero for

the whole event. There is so many irregularities over these bid forms. Whether we accept it or not. If you go by his bid form, with all 4 quarters and a catastrophic event, you are going to owe Mr. Conley \$140,000. If he does 2, you are going to owe him \$210,000.

CITY MANAGER BARRON: But we are not bound by that bid form. That is what I am saying. He gave us a statement in an open council meeting, and he told me and you and Reg that that is not what he meant. That is something that lawyers can hash out. And I don't care. They can award it to whoever they want.

DAVID STUDSTILL: May I say one thing? My name is David Studstill. I don't own property in Eastman, GA. But I was chief engineer for Georgia DOT for 2007 and 2008, and I have signed hundreds of contracts. It is what is in writing is what counts. What is said, if you get to a court and you are standing in front of a man wearing a robe, verbal don't count. I have been in over a dozen lawsuits about that. What is in writing is what counts.

BLAKE STUDSTILL: I guess my question would be, would that be looked into anymore or is that just going to be?

CITY MANAGER BARRON: Oh, it definitely can be.

COUNCIL MEMBER PITTMAN: At this time, we could sit here for the next 4 hours. We will take all of this and have some discussion about it, and we will see what we do from there.

BLAKE STUDSTILL: Okay.

COUNCIL MEMBER PITTMAN: I mean, I am not trying to be ugly to you and you ain't up here being ugly and fussing at me.

BLAKE STUDSTILL: Well, the 2 things we wanted to talk about was really the things that were said about it. We just really wanted to stand up for ourselves and say that we do really good work and that we are proud of what we do, in our work and things like that. But also, just from the taxpayers point of view. Like I said, just that extra \$35,000. It just kind of confuses me in that sense too. You make a decision of course. You can pick and choose who you want, but with spending that extra money. As a taxpayer, I have a lot of concern with that.

COUNCIL MEMBER PITTMAN: And it's, I don't think, well it's like when I talked to your daddy, I don't think. The city did a lot, lot of business with y'all this last year. And probably the year before that, and the year before, and the year before. Like I told him, don't be surprised if your phone rings at 10:00 tonight if something happens. I don't think that the conversations was bashing y'all or look to put a bad picture on y'all. Like I said, y'all do a lot of work for the city, a heap of, heap of work. The plans were not to change and stuff and all. I don't know where or what happened Monday night after the meeting. This is hearsay, she said, and he said, but I think the texts started firing Monday after the meeting. The folks coming down here and accusing folks of bribery and taking money under the table, illegal bid things and all of this kind of stuff. And in my perspective, it got pretty out of hand. All of the slanders and libel accusations and things and everything. Which it calmed down after a while. Like I said, we can be here all night, saying the same thing over and over and over. But we can take this and have some more discussion on it. I can't and don't make any promises on it tonight and all. I reckon I am on the speaker and on that recording. Graham & Studstill, there is nothing bad about y'all. Like I said, we depend on y'all and y'all do a lot of work for us. And we look forward to continuing to doing a lot of work with y'all.

BLAKE STUDSTILL: Well, it is good to hear that. I mean it's like I said, when you hear so much from the previous meeting, when I do hear that, I really appreciate that.

MARK STUDSTILL: I want to elaborate just a little bit. I know everybody is ready to eat 'cause I like to eat too. But the 2 points that Blake tried to bring out early on was the comments that were made: we didn't do a good job and we didn't finish on time. What I am going to refer to first is the bid sheet that we submitted on January 8th, for the 3rd time by the way. The disposal of the first event was not 30 days,

it was as soon as possible. The bid form said ASAP. So, to imply that we didn't finish on time, there is no parameter to say when we are supposed to start and when we are supposed to finish. Y'all didn't approve the contract until January 11th. And on March 19th, we invoiced the city for the first phase of the work which was the debris that was left over from 2020. Y'all can do the math and y'all can do the number of days but it sounds to me like that was pretty as soon as possible. The next phase, which was the first quarter, was supposed to be done in 30 days. I am assuming that means at the end of the quarter which would be March 31 or whatever the last day of the quarter is. We completed that and invoiced the city on April 12. Which means that we finished it 12 days after the beginning of the month following the end of that quarter. We completed it within the 30-day time period. The 2nd quarter which ended on the end of June. We invoiced the city of July 20, which was 20 days after the beginning of the month following that quarter, which was well within the 30 days completion. I guess what I am getting at is to imply and I guess if the City Council used that as a basis for their decision, I just want to make sure the Council is for the record, fully informed. The third quarter which ended at the end of September, we invoiced the city on October 13. We did that in 13 days. Every event that we completed out there was well within the established time frames. To say that we didn't do a good job, every one of those invoices were approved and signed off on by some city representative that said we had completed everything that we were supposed to do to cover that invoice. I just wanted the Council to realize that we did do a good job and that we did finish on time. And I, like Blake, do not like spending an extra \$35,000 of my taxpaying money. I know some people in this room paid some last week and I did too. Becky could buy cars or Scotty could buy fire trucks. There is a lot of things that we could do. And to say that the City Council has the right to accept or reject any and all bids is 100% correct. Counsel will guide y'all down that road all day long, I am sure. But the purpose of that is to remove those bids that are prepared or submitted erroneously or by mistake or incorrectly. It is not to give the Council, correct me if I am wrong David, the authority just to pick and choose whichever one they want to select. I heard some comments from the public that night that Graham & Studstill already makes a lot of money from the city. Or the city gives Graham & Studstill a lot of money. These guys earn it. None of them came tonight but we got 3 or 4 of them that was standing in raw sewage as late as 4 weeks ago, fixing the city's pipes. And they earned every penny of the money. And to say that we just go out there and the city just gives us the money is just not correct. For 52 years, our family has been serving the people of this community and we will do it for another 52 years, I hope. I won't be around. But we do appreciate the city and we look forward to getting those responses. Thank you.

COUNCIL MEMBER PITTMAN: Thank you Sir.

VIA FACEBOOK:

ROY GRENADE: Congratulations Ms. Ivelyn!

SHARON SHEFFIELD: Congratulations!

BRAD FRANSEN: As a tax payer we want to see the final decision and the winning bid on a live feed.

CAMRYN S. EVANS: I agree! The employees at Graham and Studstill earn every penny that they have worked for!

On a motion from Councilman Mullis and a second from Councilman Woodard, the meeting was adjourned.