**HAHIRA CITY COUNCIL**

**SPECIAL CALLED MEETING**

**DECEMBER 11, 2013**

**6:00 P.M.**

**COURTHOUSE**

Mayor and Council met for a Special Called Meeting December 11, 2013 at the Courthouse with Mayor Wayne Bullard presiding.

PRESENT: Mayor Wayne Bullard, Councils: Rose Adams, Ralph Clendenin, Kenneth Davis and Terry Benjamin. City Manager Jonathan Sumner, City Clerk Lisa Mashburn and PublicWorks Director Donnie Warren.

**CALL TO ORDER:** Mayor Wayne Bullard

**ESTABLISH QUORUM:** Mayor Wayne Bullard

**PLEDGE OF ALLEGIANCE:** Mayor Wayne Bullard

**INVOCATION:** City Manager Jonathan Sumner

**DISCUSSION:**

**CONSIDERATION OF CONTRACT FOR SANITATION SERVICES**

The Mayor said the purpose of this meeting is to discuss the contract for sanitation services. City Manager Sumner said that he forwarded the contract to them with the modifications discussed at the Council meeting. He said that all provisions are noted and the code of conduct included. Sumner said that he had a request from the Provider to make the contract a 5 year term but reminded Council that they always have the option to renegotiate. He said the contract would run from January 1, 2014 and would automatically renew each year. The provider request 5 years and that we are not bound over a year. Sumner then asked if anyone had any questions. Councilmember Adams asked that Sumner email contract revision to her; forward to Gmail account because she cannot get it. Councilmember Clendenin said that he is upset about the franchise fees of 5% taken out of contract. Councilmember Adams asked Todd Griffin of GWaste why he wanted to change to 5 years. Mr. Griffin said that the lenders like to have a contract on a 5 year term instead of a 3 year term. Councilmember Adams made a motion to go into contract which was seconded by Councilmember Benjamin. Councilmember Clendenin and Councilmember Davis voted against the motion. Councilmember Adams said that she would like to abstain from voting. Councilmember Clendenin said that all services pay a franchise fee, why would he not pay one. City Manager Sumner said that the 5% franchise fee was not in the RFP. No language in any contract contained 5% franchise fee. Councilmember Davis said that GWaste passed community involvement and that the franchise fee was considered in it. City Manager Sumner said that he disagrees with it; GWaste was the lowest bid. Councilmember Clendenin said that he talked with Advanced Disposal and that they would give us a 5% franchise fee. City Manager Sumner asked why it was not stated in fee. The representative from Advanced said that it was but it stated if 5% fee the rates could change accordingly. The Mayor said you cannot change everything after the RFP. He thinks they should just wait until the January meeting and decide on the contract. Councilmember Davis asked that the 5% be added in the new contract. Councilmember Davis made a motion to amend the new contract and include the 5% franchise fee which was seconded by Councilmember Clendenin. Councilmember Davis, Councilmember Clendenin, Councilmember Adams all voted to add to new contract. Councilmember Benjamin was opposed to the motion saying that you cannot change the terms of the RFP that was put out. City Manager Sumner said that the trash needs to be picked up and that he needs something in place before the New Year. Todd Griffin of GWaste said that he gave up the fuel surcharge, came down on price $1.00 and now you want a 5% franchise fee. Councilmember Benjamin said that we do not need to negotiate the contract. City Manager Sumner said that staff is requesting the trash will be picked up month to month under the current contract. Todd Griffin of GWaste said that he would do that, pick up until the contract issues are resolved. City Manager Sumner said it would be added to the January agenda.

**A motion was made by Councilmember Clendenin to adjourn which was seconded by Councilmember Davis. Councilmember Clendenin, Councilmember Davis, Councilmember Adams and Councilmember Benjamin made a motion to adjourn.**

The Meeting was adjourned at 7:00 p.m.

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**Mayor Wayne Bullard**

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**City Clerk Lisa Mashburn**