

The Lyerly Town Council met for their regular monthly meeting on Thursday, June 13, 2024 at Lyerly Community Center. Those in attendance were:

James Ferguson
Phil Brooks
Shirley Davis
Juanita Baker
Gwen Fisher

June 13, 2024

The meeting was called to order by Mayor Pro-Tem Phil Brooks at 7:00pm.

Complaints about 283 Mill Village Road – The resident at 287 Mill Village Road was in attendance and asked the council if he paid to have the property surveyed, could he please put up a fence in front of his house, on the right of way to block having to see all of the junk next door and across the road from him. He said that he has a fence up between him and his neighbor at 283 Millage Village Road but would like one in the front of his property as well. He said that he is asking for permission to do this and he would grant the town access to his property if anything came up. In the middle of this discussion, Gwen Fisher came in and Mayor Pro Tem explained to her what was being discussed. The gentleman then added that the junk problem has been gradually progressing. There is an older man living in a RV that is on the corner of his property and also on the neighbor on the other side's property. He has junk on the property that doesn't belong to him. Michael Cabe stated that he isn't sure of the right of way on Mill Village Road. We would have to find that out along with the survey. Shirley Davis told him that since the mayor isn't here, could he come to the next meeting which would be the 2nd Tuesday in July at 7:00. He said that he will be out of town but could call during the meeting. Mayor Pro Tem then told him that we do have an ordinance against having junk in your yard but we don't have an enforcement mechanism. Shirley Davis asked him to put his request in writing, everything that he wants to do and bring it to Sally and then we would bring it up to the mayor and talk about it at the next meeting. Mayor Pro Tem Phil Brooks said that we can also contact EPD and DNR.

Shirley Davis said that at the last meeting, we were talking about trees on the right of way and the church in front of Pentecostal Power Ministries; she doesn't believe that tree is on our right of way. Michael Cabe said that it probably is. He can measure and see but our right of way is 30ft from the center of the road on both roads. He said that he will measure it.

City of Ethics – Sally Kerce explained that we were a City of Ethics with the Georgia Municipal Association but when it was renewal time, she missed it so in order to become a City of Ethics again, we need to adopt a City of Ethics ordinance and Resolution again. Mayor Pro Tem Phil Brooks asked how much does it cost. Sally Kerce said that it cost \$85 for the initial application but there is no charge if it is renewed every four years. Shirley Davis made a motion to adopt the ordinance and resolution to become a City of Ethics again with GMA. Gwen Fisher seconded. All in favor.

Railroad Avenue Well House – Sally Kerce said that this is on the agenda just to inform everyone that we had some work done at the well house and we still have to replace the roof. If you have any questions, ask Michael. Mayor Pro Tem asked Michael if everything is ok. Michael Cabe said that it was in disrepair but we have everything back up how it needs to be and have an inspection scheduled for Tuesday.

Tree Fell at Becky Sims – Sally Kerce printed pictures to show the council. She explained that a tree fell across the road and landed on a car, a golf cart, a shed and its contents. The guys went to clean it out of the road and the residents asked them to go ahead and help clean the rest of it up so they did. Now the residents want to know who is liable for the damage. Shirley Davis said that it belongs to the people on the hill, right? Mayor Pro Tem Phil Brooks said that it depends on where the center of the base of the tree is to the center of the road. Michael Cabe said that no one can tell us the right of way of that road. Sally Kerce said that she has a surveyor scheduled to come and determine the right of way. Shirley Davis asked if we have insurance in case the tree is on the right of way. Sally Kerce said yes. Mayor Pro Tem Phil Brooks said that he knows that Michael has a lot on him but we do need to try and get a count and location of trees that are on the right of ways. Michael Cabe said that he thinks the majority of the trees are on the right of ways and if we cut them all, we won't have any trees. Michael Cabe said that there was no notation that this tree was in danger of falling.

Juanita Baker walked in and Mayor Pro Tem explained to her everything that had been discussed. He also told her that we are going to go back to having regular monthly meeting on the 2nd Tuesday of each month, starting in July.

Complaints about Foster Street beside 8 Chattooga Avenue – Sally Kerce said that we have had a few complaints about a camper being parked on the right of way on Foster Street and it is blocking access to a property. Michael Cabe said that we may be able to include Foster Street in when the surveyor comes. Juanita Baker asked whose property is it on. Sally Kerce said it is on the right of way. Juanita Baker asked whose property is it supposed to be on. Sally Kerce said Alvin Edgeworth's. Michael Cabe said that Alvin rents the property so we may be able to contact the property owner.

Phil Brooks asked if anyone had anything else.

Shirley Davis said that the lady with the produce stand has opened back up. She wants to clarify that if anyone wants to set up for any reason, they have to do so at the new parking lot by the park. Mayor Pro Tem Phil Brooks said that was agreed upon last year.

Mayor Jim Ferguson came in. Mayor Pro Tem Phil Brooks explained everything that has been discussed and approved. Mayor Ferguson said that our attorney should have the clean it or lean it ordinance to him on Monday. This will allow us to place a lien on the properties in violation of the junk ordinance. There is more than one offender. We need to establish a reasonable amount of junk that is not allowed.

There have been several complaints about the utility crew that is doing work in Lyerly. They are not putting a road closed sign at the end of the road. People are getting all the way to where they are working and then having to back up the road and turn around in people's driveways and yards. Phil Brooks asked them to please give more advance notice that the road is closed.

Mayor Ferguson brought up that the Baptist Church has asked if the town would be interested in taking over the cemetery, since Michael is the one who sells the lots and lays them off since Harold Ragland passed away. There is probably room to lay off about 200 more graves. The upkeep, as far as mowing and weed eating, is about \$6,600 per year according to Juanita Baker. Cost for each grave right now is \$400. The Baptist church has a cemetery account with \$80,000 in it. He said that we could maybe get \$30,000 of that and open a separate account just for the cemetery. It would be used for money from sold lots, donations and cost as far as damages and upkeep. Shirley Davis said that we should get half of what the church has in the account. Mayor Ferguson said that if we do take over the cemetery, we may

could purchase the property between the cemetery and Mohawk and have room for more lots. He said that he would also have a stipulation that anything that is done at the cemetery would be contracted out. He said that he thinks it makes sense for the town to take care of the town cemetery. Juanita Baker said that Mr. Dillard that mows it now is very reasonable. Mayor Ferguson said that he is talking about continuing to use them. Phil Brooks made a motion that we give the mayor permission to negotiate with the church about the cemetery and if we do start taking care of it, he has permission to try to purchase the lot between the cemetery and Mohawk. Juanita Baker seconded. All in favor.

Phil Brooks made the motion to adjourn. Juanita Baker seconded. All in favor.
Meeting was adjourned at 8:32 pm.

Mayor

Town Clerk