

City of New Ellenton
City Council Work Session
City Hall Council Chambers
Minutes

Tuesday, January 17, 2012

Welcome

Mayor Anthony Shaw welcomed everyone to the Work Session at 6:05 p.m.

Items Discussed

Councilman Crosby to Assistant City Clerk Moseley: “Did anyone tell you that they were not going to be here?”

Assistant City Clerk Moseley to Councilman Crosby: “No.”

Councilman Roy Shaw: “Councilman Braswell was supposed to be here”.

Assistant City Clerk Moseley: “I talked with him earlier”.

Mayor Pro Tem Nordeen: “I see copies of the bid package.”

Assistant City Clerk Moseley: “I spoke with Councilman Williams last week and he said he was going to be here but I have not spoken with Councilwoman Maddox. There is Councilman Williams now.”

Mayor Shaw: “One thing I was really upset at the last council meeting over voting on the bid package for the parking lot is all we had was a piece of paper with numbers scribbled down on it and I personally think that all the council members should have received a copy of the bids from the contractor where they could look over them and read them and discuss them amongst their selves. I do not like an engineer standing up in front of us telling us we ought to accept the bid from a contractor because it’s none of his business what contractor we use but he actually sit there and told us we need to accept the contract from Pave Way of Augusta, which it should be up to Council to decide where we accept the contract from. It shouldn’t be up to an engineer to tell us where we should accept the contract from. So I’ll leave it at that but that’s where I’m at with that. I really think that we should have, everybody should have seen a copy of the bids, been able to read them, been able to decide amongst their selves who we accepted the contract from. I don’t think the engineer had no business whatsoever telling us we should accept the bid from Pave Way of Augusta because actually it was none of his business who we accepted a bid from.”

Mayor Pro Tem Nordeen: “The engineer ran the bid for us to get the contract. He was the moderator.”

Mayor Shaw to Mayor Pro Tem Nordeen: “Before you go any further who asked him to do it?”

Mayor Pro Tem Nordeen to Mayor Shaw: “I did.”

Mayor Anthony Shaw: “Okay.”

Mayor Pro Tem Nordeen: “He has done three different jobs for us so far. He was voted on by council

before us to do the sewer system and the State gives certain regulations that you have to follow when you do a bid over a certain dollar amount for us and that's what he was doing was following... (Interrupted)"

Mayor Shaw: "He did stand up there and say that he felt like we should award the bid to Pave Way of Augusta."

Mayor Pro Tem Nordeen: "The lowest qualified bidder."

Mayor Shaw: "Yeah, but we never seen anything but a piece of paper with numbers scribbled on it."

Mayor Pro Tem Nordeen: "That was the numbers that were announced at the opening of the bids and yes that was my fault. My not getting it to anybody else."

Mayor Shaw: "Okay."

Mayor Pro Tem Nordeen: "Just to give everybody an update, the dedication ceremony for the new library is scheduled for Sunday, the 26, but we do not have a time scheduled yet."

Councilman Shaw: "I have a question regarding the library. Are they going to pave the parking lot?"

Mayor Pro Tem Nordeen: "Yes, sir."

Councilman Shaw: "About the curbs, all these years we've had just the asphalt kinda formed instead of a concrete curb. What is it going to be like when they go back? Is there going to be concrete curbs poured?"

Mayor Pro Tem Nordeen: "No, sir it will be the asphalt."

Mayor Shaw: "That was something I would have liked to look at on... (Interrupted)"

Councilman Roy Shaw: "That just tears up."

Mayor Shaw: "That was something I would have liked to have looked at that on the bids and we didn't get a chance to look at it because all we got was scribbled numbers on it."

Councilman Shaw: "It does make you wonder would the other company because you see that don't hold up. That's probably the only place I ever really seen that."

Mayor Shaw: "But we never got a – here's a copy of the bids now."

Mayor Pro Tem Nordeen: "Everybody got a copy."

Councilman Shaw: "I have a copy with me today."

Mayor Shaw: "We got a copy of the bids but we never got to look at those bids before it was voted on. All we got to look at was a piece of paper with numbers scribbled on it."

Councilman Shaw: "Is it too late to change that because that just ain't going to hold up. I've wondered about that since then."

Mayor Shaw to Councilman Shaw: "I've called Vernel. They've already told Pave Way that they've won

the bid so I guess we're actually screwed on that."

Councilman Shaw: "That was something we didn't know."

Mayor Shaw: "Well see if we had seen a copy of the bids we could have read it."

Councilman Shaw: "I'm just saying you can see that's been tore up for years and it needs, it just looks so much better with cement curbs."

Mayor Shaw: "There's something else too that I've heard people complain about they've come up here to come pay their bills and they don't have a place to park next to the building because the people that work here park in those parking places instead of the dedicated workers parking places."

Assistant City Clerk Moseley: "I park over there by the police department."

Councilman Braswell: "I don't know who they'd be talking about, it would be you and Vernel I know."

Assistant City Clerk Moseley: "We are the only people that work here, I mean, besides the police department."

Councilman Braswell: "Unless they mean like for the City or something."

Mayor Shaw: "Don't we have two parking places for employees?"

Councilman Braswell to Mayor Shaw: "Yeah but they're parking a pretty good ways away now."

Assistant City Clerk Moseley: "Yeah, but we usually park on the side though."

Mayor Shaw: "On the side but we have employees parking right here on the side. I think that's where the employees need to be parking at."

Assistant City Clerk Moseley: "Okay, well that's not a... (Interrupted)"

Councilman Braswell: "Is it going to put our folks any closer though?"

Mayor Shaw: "No, it's going to put them."

Assistant City Clerk Moseley: "The customers don't park on the side."

Councilman Braswell: "What I'm saying is the customers aren't going to park on the side anyway. They wouldn't do it if it was there because it's too far. It's not any closer than the other."

Mayor Shaw: "I've seen employees vehicles parked out here. I mean it's beside the point. There's two signs out there that says employees parking. That's where employees need to park. We're going to get down to the nit picking we're going to start doing things the way it's supposed to be done. We're going to get to the nit picking. You know if we ain't going to do things right about us getting a copy of the bids on the paving contract the employees are going to park in the employees parking places. There's two of them right here. The two parking places right here. That's where the employees will park."

Assistant City Clerk Moseley: “If I could make a suggestion – if we could make some employee parking when we get those new spots on the side, because to be honest with you the parking out there is really not, well I don’t feel that it’s safe, especially when we’re taking the bank bag out with us in the evening... (Interrupted)”

Mayor Shaw: “I’m sorry that’s employee parking. I’m sorry about it.”

Assistant City Clerk Moseley: “I’m just asking... (Interrupted)”

Mayor Shaw: “No, well, we’ll discuss that at a later date once the...(Interrupted)”

Assistant City Clerk Moseley: “Can I finish? Can I finish? I was just asking if I could just make a suggestion because especially when it rains and stuff it is very inconvenient to have the parking over here on this side because there’s only... (Interrupted)”

Mayor Shaw: “Well, that’s police department parking over there.”

Assistant City Clerk Moseley: “There are only two officers on duty when we’re here.”

Mayor Shaw: “This is beside the point. That’s employees parking. There’s two parking places there. There’s two signs there. That’s where y’all will be parking from now on. I mean if y’all want to do it by the numbers we’re going to do it by the numbers. That’s the way we’re going to do it. After the place is paved and all that then we’ll discuss it again.”

Assistant City Clerk Moseley: “Yeah, that’s what I’m asking.”

Mayor Shaw: “After it’s paved we’ll discuss it again but from now on those first two parking places are employees parking because that’s... (Inaudible)”

Assistant City Clerk Moseley: “By the way the sign needs to be replaced out there because there’s actually not one there now.”

Mayor Shaw: “There’s one laying down but y’all know where the employees parking’s at.”

Assistant City Clerk Moseley: “Right but other people don’t.”

Mayor Shaw: “That’s okay but I don’t think nobody will be parking there in your place.”

Assistant City Clerk Moseley: “During court they do.”

Mayor Shaw: “Okay, well if you’re here on time in the morning when you’re supposed to go to work I doubt they’ll be in your parking place so if everybody comes to work on time and I’m getting tired of people complaining about whose down there working today. I can’t get in the doors so I think from now on we need to make sure that ya’ll work from opening to closing. You can take your lunch time. Ya’ll need to rotate off on lunch time. There needs to be somebody here all the time.”

Assistant City Clerk Moseley: “Yes, that is typically what we do.”

Mayor Shaw: “I think y’all need to be here from opening to closing.”

Assistant City Clerk Moseley: "Vernel works from 8:00 to 4:00 and I work 9:00 to 5:00."

Mayor Shaw: "Okay, we need to make sure that all that's done and I don't want to hear anybody complaining about there's nobody at City Hall anymore. So if there's an emergency that so if there's an emergency that somebody needs to leave somebody needs to call and let somebody know what's going on because, you know, if we're going to do it by the rules and by the book we're going to do it by the book. So we got employee parking. We know what the hours are. Everybody will be here and they'll be able to walk in the door any time of the day to pay their bills and they won't come down here and complain about why the doors are locked and nobody's there. I think that's pretty much the way it should be. Do y'all have any disagreement with that?"

Councilman Shaw: "No."

Mayor Shaw: "I think from now on taking off early because it's a holiday the next day and stuff like that I don't think they'll be any more of that. I think everybody should work their regular hours unless it's a paid holiday that the City has we don't need no more early take off time."

Councilman Crosby: "I have to take credit for that because a time or two that I've come down here where Courtney [inaudible] and its 3:30 or 4:00 or something and been dead that whole day and it's a holiday. If that's wrong I was wrong."

Mayor Shaw: "I could be partly to blame for that then."

Assistant City Clerk Moseley: "No, Rick that's not, yeah because any time that anybody had suggested that I always would clear that by Anthony or Rex."

Mayor Shaw: "I could be partially to blame for that because I tell them, I said well if it's slow take off but you know we're paying them to work so they ought to be here during the normal work hours every day."

Assistant City Clerk Moseley: "But if I could just clarify for everybody else who may not know, when those incidents do occur and we do get approval from Rex or Anthony we do take our vacation time. We do not take, you know, paid leave. So just so that's clear for everybody else."

Councilman Braswell: "Sure."

Mayor Shaw: "From now on we're not going to take any early days or anything like that. We'll work from open to close, get your normal holidays, vacation days, whatever you want to do but, you know, I think if everybody's got to jump and play by the book I think everybody's going to have to just fall in line."

Councilman Williams: "If they're using their vacation time and leave early they use their vacation time... (Interrupted)"

Mayor Shaw: "They have to ask somebody for vacation time and they have to ask them in advance if they want to take vacation time and it has to be approved in advance."

Councilman Braswell: "Okay."

Assistant City Clerk Moseley: "Yeah, that's never been an issue, not with me."

Mayor Shaw: "If y'all want to take vacation time it needs to be approved in advance."

Councilman Williams to Mayor Shaw: “What if they have an emergency?”

Mayor Shaw to Councilman Williams: “If they had an emergency they could take, you know, they need to let somebody know if they have an emergency Terence.”

Councilman Williams: “I was just asking.”

Mayor Shaw: “I just feel like I want to do everything by the book. We’re going to do it by the book from now on.”

Councilman Shaw: “If the parking lot, if there was any way we could, if we say we decide we want concrete pavers we can renegotiate that contract? That’s done all the time isn’t it?”

Mayor Shaw: “It’s a contract.”

Councilman Shaw: “Contracts are renegotiated all the time. I mean they’ve ever had complications to it.”

Mayor Shaw: “First off Roy we didn’t even get to look at a copy of none of the bids so we just... (Interrupted)”

Councilman Braswell: “Are you talking about they sent in?”

Councilman Shaw: “They’re going to go back with the asphalt just like has been tore up for years.”

Mayor Shaw: “They’re going to put asphalt curbs out there and... (Interrupted)”

Councilman Braswell: “Instead of the cement?”

Councilman Shaw: “Yes”

Mayor Shaw: “Instead of the cement. We never seen a copy of the bids. All we seen was a piece of paper with numbers scribbled on it. I voted against it, everybody knows that and they know my reasoning.”

Councilman Shaw: “Based on that they didn’t provide us with enough... (Interrupted)”

Mayor Shaw: “Everybody else voted for it so but it’s not me it’s between everybody else to decide what ya’ll want to do on that because I voted against it to start with.”

Councilman Shaw: “If there was any legal way I say we ought to see about renegotiate or redo it because we’re not going to be happy with that. I mean we had it tore up all these years.”

Mayor Shaw: “Answer me another question Roy, wouldn’t you have liked to have seen a copy of the bid before you voted or not?”

Councilman Shaw to Mayor Shaw: “Well, yeah, I’m looking at stuff here now.”

Mayor Shaw: “Seeing now we voted on it off of a piece of paper that had numbers scribbled on it and I don’t know who actually scribbled those numbers down and handed us a piece of paper.”

Councilman Shaw: "I'm sure there is some way it can be redone."

Mayor Shaw: "Then we had the engineer sit there and tell us he felt like Pave Way of Augusta ought to get the contract when it's none of his business who should get the contract."

Councilman Shaw: "Why can't we just cancel that? I mean, they haven't started yet."

Councilman Williams: "We can't cancel it but what we can do is renegotiate, we can ask them what would it cost."

Councilman Braswell: "We can ask them if they'd do cement."

Councilman Williams: "Ask them what would it cost to do it and see how much it would be."

Mayor Shaw: "No, what we need to do is we need to do something and put it up for bid again because it's going to go up so much here... (Interrupted)"

Councilman Shaw: "I'm saying they haven't even come set foot here yet. I mean they're not out of no money and we're not, I mean, are we?"

Mayor Shaw: "No, we done told them it was okay. I called Vernel the other morning."

Councilman Shaw: "So I guess legally we have to go with them."

Mayor Shaw: "I voted against it. Y'all voted for it."

Councilman Williams: "It's been voted on and it's been voted so I mean we... (Interrupted)"

Councilman Shaw: "But all we can do is negotiate with them. I know it will be a little extra but negotiate instead of the asphalt getting the cement curbs."

Councilman Braswell: "Do you want to ask them about cement curbs?"

Mayor Shaw: "Don't y'all think the next time before we vote on anything we should see a copy of the bids?"

Councilman Crosby: "I got something to say. I usually don't run my mouth too much but I think we've all learned something in the last few weeks or last couple months and whereas Anthony doesn't like the communication or whatever it is. We're supposed to be a team from Courtney all the way around to Terence and the only way we can be a team and the only way we can improve this city and the only way we can do things good for the people that we were elected to do good for is [inaudible]. I'm going to disagree with Rex and I'll disagree with Daniel and Anthony but we got to sit down and figure out ways to talk it out and work it out. That's my beef. I mean if I, Rick, does something or Roy does something there's nothing wrong with calling and say can you meet me down here, I want to talk to you about something? But what we put out to the public is going to go out there. It's going to go out there just like on a TV station or a radio station they are having, you know, trouble and we don't want that. We all ran, I know me, Roy, Tommy, and all them ran. We wanted to have a one-team thing. Now I understand meetings getting upset and I understand I agree with Anthony about not getting communicated to the right way but we got to work as a team and I'm here to back all of ya'll. I'll back Anthony all of ya'll and he's right. There is things we need to stand firm to and work harder on if we're going to keep this city in line like it's supposed to be."

Mayor Shaw: “The thing about it and what you’re saying is everybody needs to be informed. We’re missing, we’re not getting informed on stuff that’s going on.”

Councilman Shaw: “Well here’s something right here. Each one of these bids has got a scope of work and obviously the engineer’s the one who gave this scope of work.”

Mayor Shaw: “The engineer is actually the one that told us we ought to use Pave Way of Augusta.”

Mayor Pro Tem Nordeen to Councilman Shaw: “I did it.”

Councilman Shaw: “Okay. I’m just saying we didn’t know. It would be nice if we could... (Interrupted)”

Mayor Pro Tem Nordeen: “I did the scope of work with the engineer.”

Councilman Shaw: “Because that was one thing I would have spoke up about, the asphalt curb. So this goes back to we all need to be kept well-informed and like Debbie said the other night I’m a lot of times I come down here and all this stuff is happening. I ain’t got a clue.”

Mayor Pro Tem Nordeen: “Every time that we discussed, and I hung the drawing out there, nobody at any time as many times as we’ve talked about repaving the parking lot nobody brought up concrete curbs.”

Mayor Shaw: “But nobody was even given a copy of bids on it where we could look at it and say hey we need to do this. We, actually it was voted on and we should have been... (Interrupted)”

Councilman Shaw: “We should have been talking to that drawing.”

Mayor Shaw: “The engineer should have come in here... (Interrupted)”

Mayor Pro Tem Nordeen: “You were talking to the drawing.”

Councilman Shaw: “Yeah the engineer.”

Mayor Shaw: “The engineer should have come in with the drawing and told us what was going on. We paid him \$2,000.00, which I think was ridiculous.”

Mayor Pro Tem Nordeen: “Which is half of what you would have paid any other engineer.”

Mayor Shaw: “Well, the thing about it he should have come in here with the drawing and told us here’s what we’re looking for on the work and this is what we’re going to do.”

Mayor Pro Tem Nordeen: “I brought the drawing in, set it right up here.”

Councilman Shaw: “There again, does it, and I haven’t looked that close at it. Maybe I’m at fault. Does it give that level of detail?”

Councilman Braswell: “I don’t think we ever asked anybody for that kind of curb.”

Councilman Shaw: “That’s been on my mind for years before I ever got on City Council thinking how bad that looks out there.”

Mayor Shaw: “What I’m saying is first off is the engineer should have been come before City Council and explained to us what we were looking for before we even put it out for bids. He did not. The engineer should have come before City Council and say okay this is what we’re looking for. Do y’all agree with this and he should have explained it? We should have voted on it yes this is what we agreed to. Now let’s put it out for bids. That is not the way it happened. Now how many agree with that?”

Councilman Shaw: “Not all of us are engineering folks so you need an engineer to explain it.”

Mayor Shaw: “He should have come to us and told us this is what we’re looking for. This is what we plan on doing. We should have voted on that said okay now let’s put it out for bids. We shouldn’t have put it out for bids just on a whim.”

Mayor Pro Tem Nordeen: “There was a lot of work that went into it and a lot of time spent.”

Mayor Shaw: “I agree, Rex. There was a lot of work that went into it but... (Interrupted)”

Mayor Pro Tem Nordeen: “The picture, the drawing sat right there in front of Council with the list.”

Mayor Shaw: “It’s like Roy said, we’re not engineers. I mean the drawing set there but...(Interrupted)”

Councilman Shaw: “It may have gave that level of detail. Maybe I should have went and studied it like I would a drawing at the site.”

Mayor Shaw: “We should have had the engineer come in and explain to us exactly what was going on. We’re not, just like Roy said, we’re not engineers. It should have been explained to us what we were looking for and then we should have said okay no we don’t want it that way, we’d rather have this before we put it out for bids. Now I don’t know how many of y’all agree with me and how many of you don’t but that’s where I’m at because I voted against it anyway.”

Councilman Shaw: “I will say last week, I mean, last time all I knew was the prices. I didn’t know anything about the type of work.”

Mayor Shaw: “No, because we didn’t have nothing to look at but some scribbling on a piece of paper. So what I’m saying is I think we’ve really... (Interrupted)”

Mayor Pro Tem Nordeen: “Well, the only thing you can do now if you are set against it is to come back, say that the funding’s not there, vote against canceling and then you’ll have to wait at least a year before you can come back and do anything with it.”

Mayor Shaw: “Okay well, whose fault is that?”

Mayor Pro Tem Nordeen: “Whose fault’s what?”

Mayor Shaw: “That.”

Councilman Shaw: “Why do you have to wait a year?”

Mayor Shaw: “Because we didn’t get to have a chance to look at it.”

Councilman Braswell: “Because that’s part of the contract.”

Mayor Pro Tem Nordeen: "Because if you come back with it before the year is up the contractor who was the lowest qualified bidder can sue you and still get the either the job or the money and that's State law."

Mayor Shaw: "Okay but we didn't get who did not give us all the information on the bids though. The engineer did not come in and explain it to us."

Mayor Pro Tem Nordeen: "For each one of the bids I didn't think that we needed to bring it to him. The list of money you got was the list you got was doing the bid contract when the bids were opened and it was written down what the bids were."

Mayor Shaw: "But just like Roy said, I mean, just because we had a picture sitting over there don't mean we understood everything. I mean we could have seen curbing on the picture but if it didn't say concrete or asphalt we wouldn't have knew what it was would we?"

Councilman Shaw: "I'm sorry say that... (Interrupted)"

Mayor Shaw: "If there had been a picture sitting over there that showed curbing if it.... (Interrupted)"

Councilman Shaw: "It would have to specify concrete or asphalt. I don't know if it did or not. Do we have that drawing around here?"

Mayor Shaw: "where is the drawing now?"

Mayor Pro Tem Nordeen: "Yeah, it's hanging out in the hallway."

Councilman Shaw: "Let's get it and bring it in here."

Mayor Pro Tem Nordeen: "It's in the hallway."

Mayor Shaw: "But how come the engineer did not come in here and explain everything to us before we voted on it?"

Councilman Braswell: "We didn't ask him to."

Councilman Shaw: "Should we have?"

Mayor Pro Tem Nordeen: "We didn't ask him to."

Mayor Shaw: "We should have because we paid him \$2,000.00."

Mayor Pro Tem Nordeen: "I brought the drawing in the meeting before. I had the drawing sitting here and explained it to Council on what was to be done."

Councilman Braswell: "I'll share I was okay with it since we're all saying we can agree to disagree and listen to everybody so I reckon y'all will listen. We'll find out. The reason I voted for it was because I saw the drawing. Just asked, I don't know a couple or three questions to Rex, who I knew did all the leg work on it, and... (Interrupted)"

Mayor Shaw to Councilman Shaw: "Does it say anything about what they... (Interrupted)"

Councilman Shaw to Mayor Shaw: “I was looking. I was trying to find curbs. I’m probably overlooking it but.”

Councilman Braswell: “So what I did was I said well, they’re going to get the parking lot paved – good. I understood the process of the bidding. Got the lowest bidder. I was good to go voting on it to get this project going.”

Councilman Shaw: “It says end DNR, which is disowner removing existing asphalt curb. Begin DNR existing asphalt curb. End DNR asphalt curb and I want to find where it talks about what they’re going back with.”

Mayor Pro Tem Nordeen to Councilman Shaw: “Under your thumb at the top in the writing what is that writing?”

Councilman Shaw to Mayor Pro Tem Nordeen: “Notes and nothing about asphalt.”

Mayor Shaw: “I think we ought to have voted for... (Interrupted)”

Councilman Shaw: “In fact I don’t see on there where it talks about what kind of curb they’re going to go back with. Maybe they’re not going to put any curbs back.”

Mayor Pro Tem Nordeen: “It will be in the detailed plan or the detailed bids.”

Councilman Shaw: “All I saw was DNR on that. I didn’t see anything about ... (Interrupted)”

Mayor Shaw: “If we voted on something and there’s not a detailed bid what the hell did we even vote on?”

Mayor Pro Tem Nordeen: “There was a detailed bid.”

Mayor Shaw: “Where’s the detailed bit at?”

Mayor Pro Tem Nordeen: “I will have to get Vernel to pull it and get a copy of it.”

Councilman Shaw: “If it don’t specify tell them that’s what we want.”

Mayor Shaw: “I wanted a copy of the bid. I asked for a copy of the bids on the new pavement and on the parking lot, well if that ain’t a detailed bid then I wonder how come Vernel didn’t get me a copy of it when I asked for it? Courtney, can you get a copy of the detailed bid for us?”

Assistant City Clerk Moseley: “No, I don’t have it.”

Mayor Shaw to Assistant City Clerk Moseley: “You don’t have it?”

Assistant City Clerk Moseley to Mayor Shaw: “I don’t.”

Councilman Shaw to Assistant City Clerk Moseley: “Where would it be?”

Assistant City Clerk Moseley to Councilman Shaw: “I guess Vernel has it in her office.”

Mayor Shaw to Assistant City Clerk Moseley: “Well, you work for the City. You don’t have access to her

office to go get it?”

Assistant City Clerk Moseley to Mayor Shaw: “Yes, but I don’t know where everything is in her office. We do two different jobs.”

Mayor Shaw: “See I asked for a copy of the bid.”

Assistant City Clerk Moseley: “I made copies of what I was given.”

Mayor Shaw: “Okay, I’m not satisfied with that then.”

Assistant City Clerk Moseley: “I’m sorry, but Vernel will be here tomorrow.”

Mayor Shaw: “You can tell Vernel I want a copy of the detailed bid.”

Assistant City Clerk Moseley: “That is no problem.”

Mayor Shaw: “Because I am not satisfied with what we have voted with what was voted on about this parking lot.”

Councilman Shaw: “I see the DNR but I’m trying to see does it talk about the new curbs. Maybe they’re not going to be any.”

Mayor Pro Tem Nordeen: “Those are not, that’s not the detailed drawings. There’s another... (Interrupted)”

Mayor Shaw to Assistant City Clerk Moseley: “Call Vernel and ask her where the detailed bids are.”

Assistant City Clerk Moseley to Mayor Shaw: “She’s in class. She’s not available. She’s not here.”

Mayor Shaw: “Well, I mean she works for the City.”

Assistant City Clerk Moseley: “She’s not on salary. She’s not here.”

Mayor Shaw: “That’s okay. I want a copy of the detailed bids.”

Assistant City Clerk Moseley: “Well, I’m sorry you’ll have to wait until tomorrow when she’s here for you to get it from her.”

Mayor Shaw: “Okay, well, good.”

Councilman Shaw: “Does anybody have a key to her office?”

Assistant City Clerk Moseley: “I have a key to her office. I’m not going to go plundering. I don’t know where it is.”

Mayor Shaw: “I guess it’s probably hid somewhere in there.”

Assistant City Clerk Moseley: “I seriously doubt it’s hid. I just don’t know where it is.”

Councilman Shaw: “We might can just find it you know.”

Mayor Shaw: “Why don’t we get a key and go in there and dig around.”

Assistant City Clerk Moseley: “Sure, if you want you can go dig in her office, because this is totally nuts. Do you want to do that? Roy? Anthony? Anybody else? Because I have a key.”

Councilman Shaw: “We’re not going to dig. We’re going to look around.”

Assistant City Clerk Moseley: “I have no problem letting you guys in there. I have no idea where it is but I will be happy to let you in if that’s what you want.”

Mayor Pro Tem Nordeen: [inaudible] extended a concrete walkway and the grading to match.”

Councilman Shaw: “It’s pretty big.”

Councilman Braswell: “In other words that’s going to be, that’s just more of a walkway. Extended the walkway.”

Mayor Shaw to Assistant City Clerk Moseley: “You know what’s bad we can’t get copies of what we need when we need them. Evidently Vernel needs to keep you more informed so we can get what we need.”

Councilman Shaw to Assistant City Clerk Moseley: “Y’all both need to be on the same page with everything you do.”

Mayor Shaw to Assistant City Clerk Moseley: “Because I’m getting fed up with this. You know if Vernel is keeping stuff hid from you or you’re keeping stuff hid from... (Interrupted)”

Assistant City Clerk Moseley to Mayor Shaw: “Oh my goodness. No, I don’t know where it is. I mean it’s as simple as that.”

Councilman Shaw: “Rex, are they big drawings like this? We probably can spot them pretty easily.”

Assistant City Clerk Moseley: “Rex, would you be able to spot them if we went in there?”

Mayor Pro Tem Nordeen: “I can go look.”

Councilman Shaw: “Let’s go look.”

Assistant City Clerk Moseley: “Okay.”

Mayor Shaw: “I ain’t going to look. I would have liked to have seen it before I voted, before it was voted on.”

Councilman Williams: “[inaudible] is not going to change the voting.”

Mayor Shaw to Councilman Williams: “It ain’t going to change the vote but it’s going to change.”

Councilman Williams to Mayor Shaw: “Change what? What’s it going to change?”

Mayor Shaw: “I don’t know Terence, why don’t you figure it out because we’re voting on something we

don't know a whole lot about.”

Councilman Williams: “What are we doing? Why are we going through all of this?”

Mayor Shaw: “Because we did not get a copy of the bid before we voted on it. All we got was a piece of paper with numbers scribbled on it, Terence.”

Councilman Williams: “And you voted against it. You abstained from voting and everybody else voted for it so okay you made your... (Interrupted)”

Mayor Shaw: “And then they decided, some of them decided they wasn't really satisfied with it after the fact.”

Councilman Williams: “But they already voted on it.”

Mayor Shaw: “Yeah. That's beside the point. I think that it's not up to Rex to decide what goes on in New Ellenton.”

Councilman Williams: “It's not.”

Councilman Braswell: “I agree.”

Councilman Williams: “I agree one hundred percent but I commend what you're doing, something that nobody else seemed to have the nerve the gumption to get up and do.”

Mayor Shaw: “No but nobody else even got informed about it, Terence.”

Councilman Williams: “Well, you knew the library was being built.”

Mayor Shaw: “Nobody told me about the paving. I never even met with them.”

Councilman Williams: “But you already know what's going on. You should know ... (Interrupted)”

Mayor Shaw: “No, I had no idea.”

Councilman Williams: “That library has to be built. Everything has to be done. You have to put yourself in a position to absorb some of the information. Nobody has to come to you just because you're the mayor and give you word for word information. You should come to some meetings... (Interrupted)”

Mayor Shaw: “They need to come to me and tell me what we're going to do. They need to come to me and tell me that we're going to do some paving and we need to discuss it, Terence, is what I'm trying to say.”

Councilman Williams: “I seen it two months ago.”

Mayor Shaw: “Well maybe you should have stepped up then.”

Councilman Williams: “I did I voted on it.”

Mayor Shaw: “I know you did. You didn't have a clue what you voted on.”

Councilman Williams: "I voted on the paving."

Councilman Braswell: "If anybody on this council runs with a project and puts the leg work in it I pretty much trust you. I'm going to back you until somebody gives me a reason that I shouldn't."

Councilman Williams: "All of a sudden now we're (inaudible)"

Councilman Braswell: "I'd do the same thing for anybody else if they did the leg work."

Mayor Shaw: "I have to do something I don't want to."

Councilman Braswell: "All right."

Councilman Williams to Mayor Shaw: "That's a problem too. You need to grow up."

Mayor Shaw to Councilman Williams: "You need to grow up. You need to shut the f*** up."

Councilman Williams to Mayor Shaw: "You can't tell me what to do."

Mayor Shaw to Councilman Williams: "I can shut you're a** up."

Councilman Williams to Mayor Shaw: "You can't."

[MAYOR SHAW LEAVING THE ROOM].

Councilman Williams: "Something's got to be done about this. Something's got to be done. Having tantrums. Fussing, cussing, insulting people. Something's got to be done. This just ain't professional at all. If you can't have your way if things don't if you don't get information you just can't get all out of whack because you don't hear..if I want to know something I'll call up here and ask a question. Call Rex and find out."

Councilman Braswell: "We better be glad we got a guy who's got the time."

Councilman Williams: "To do it. To do the job."

Councilman Braswell: "And it don't bother me and I'm going to give him the glory for it you know because Rex [inaudible]."

Councilman Williams: "I'm not going to sit here and be insulted."

Councilman Braswell: "You and I are kinda the same we're just not in a place. I don't come up here a lot."

Councilman Williams: "And I try to call and I call Vernel or Courtney what's going on? What do I need? What do I need to know? What's going on that I need to be informed of?"

Councilman Braswell: "That's what I do."

Councilman Williams: "What's wrong about this?"

Councilman Braswell: "If we sit here like this, nothing."

Councilman Williams: “You have to be, you have to have enough respect for one another to disagree though. If I don’t agree with you I don’t have to call you names. I don’t have to insult you because I disagree with you. I don’t have to threaten you because I disagree with you. It’s all about respect. The office holds a certain amount of honor, dignity, and respect and if you honor if you represent this city you should have more honor and respect for the people that voted for you to act a certain way. You know people put you in a position to represent this city and you’re supposed to do so. That’s what we all have been voted on and the people say okay I’ve got enough trust in you to represent me for the City of New Ellenton and it’s just ridiculous.”

Councilman Braswell: “Hey, Mike.”

Chief Mike Kellems: “How’s everybody?”

Councilman Williams: “He called the Chief yesterday cursing her out.”

Councilman Braswell: “Really?”

Councilman Williams: “Yeah, it’s got stop. I’m serious [inaudible].”

Councilman Braswell: “I’ll sign it right now. I ain’t going to fight with nobody.”

Councilman Shaw entered the room: “Rex is still looking. We found it’s the same thing.”

Mayor Shaw: “It’s the same ole crap that’s over here. Makes me wonder what’s going on in town when you can’t find the paperwork.”

Councilman Braswell: “That’s your stuff?”

Councilman Shaw: “Yeah.”

Councilman Shaw: “How do y’all get a – I guess I’m not supposed to talk right now.”

Councilman Braswell: “It’s on I think.”

Mayor Shaw: “It don’t matter.”

Councilman Shaw: “Did all of y’all get a thing last month or so I brought up the question about it you had a business that you did a lot of your work outside the city and I already found...”

Councilman Braswell: “A copy of our ordinance?”

Councilman Shaw: “Yeah, I had already found this with the State and it’s just my information because I’m just trying to figure it out. There is a what they call a ... (Interrupted)”

Mayor Shaw: “Well I’ll tell you that Kelly’s already had a lawyer look into it and he’s not going to be paying very much in city taxes anymore I mean business license because he does most of his work in Aiken so he’s going to pay his business license in Aiken and he also said if the City needed help with anything they could forget about that too.”

Councilman Shaw: "What I'm trying to find out is this came from, in fact she gave me part of it, this is State Handbook and every city in New Ellenton I researched does the same way. If your business address is in the city and work in another city anything out of that they count it and that comes from this guy from what is what?"

Councilman Braswell: "MASC?"

Councilman Shaw: "Yeah, yeah. I don't know if it's a guy. What I'm getting at is they had a couple Supreme Court cases here where a city was upheld. In other words somebody tried to get out of it and they went to Supreme Court, but what I'm trying to find out is this State law or is it just a guide? What I'm getting at if it's just a guide do cities have to follow it?"

Mayor Shaw: "Well see the biggest problem with New Ellenton Roy is Vernel and Courtney decide what they want to do up front on their own without asking anybody."

Councilman Shaw: "I think I've lost one the papers that actually told with the handbook."

Mayor Shaw: "They decide what wants to go on."

Councilman Shaw: "I'm not finding it now at all. Mixed up in the rest of this stuff. Well, this is it here."

Councilman Braswell: "It won't count though if it's paid to like... (Interrupted)"

Councilman Shaw: "Oh, another city, yeah. I'm just trying to find out is that a guide or is that a law? That's my only question. In other words with Federal government don't it trump State government?"

Mayor Shaw: "Federal government trumps..Federal government overtakes State government."

Councilman Shaw: "I'm trying to find out on State I guess what I'm trying to say is that a law or is that a guide? That's just for my information. I'm just trying to figure out."

Mayor Shaw: "Figure out about your business license?"

Councilman Shaw: "aAnd then I ask the question okay what if your address is up there at Duke's Barbeque? What if that's your address? I guess any work you do in the county you don't have to pay it then right? If we're all back I don't want to keep all that. Go ahead and talk about this other. That's just something I'm trying to find out. I guess the recorder's been on the whole time anyway.

Mayor Shaw: "It don't really make no difference."

Mayor Pro Tem Nordeen: "It's Work Session."

Councilman Shaw: "Did y'all find anything or Rex did you find anything in there?"

Mayor Pro Tem Nordeen: "No."

Mayor Shaw: "I don't know if Vernel would even know where it's at."

Councilman Braswell: "Did you already talk about the backhoe?"

Mayor Shaw: “The backhoe broke. We bought a backhoe to use with the Streets and Roads and it’s broke and the City’s broke so we can’t fix it now. How much is it going to cost to fix it Daniel?”

Councilman Braswell: “I think roughly it will be at least a few thousand dollars three or four something like that.”

Mayor Shaw: “He told me it was going to be six is what he said.”

Councilman Shaw: “What’s wrong with it? Do they have any idea what it is?”

Mayor Shaw: “The injector is leaking. Leaking diesel into the oil.”

Councilman Braswell: “My number might be wrong. I can’t remember. It was a pretty good chunk.”

Mayor Shaw: “We purchased a backhoe that we can’t even keep up. I mean what sense did we have even buying it? Maybe we ought to auction it off.”

Councilman Shaw: “Do we need it ever?”

Mayor Shaw: “Oh yeah. We’ve had to have the commission of public works use their backhoe to help us out. We got a backhoe but we don’t need it if we can’t keep it up. There’s no sense having it.”

Councilman Crosby: “Was there some reason that made it go down?”

Mayor Shaw: “No it was just ...I’ve asked for maintenance records. Daniel is on Streets & Roads. Did you ever get any maintenance records?”

Councilman Braswell: “No.”

Mayor Shaw: “Did you ask for any?”

Councilman Braswell: “I never asked for any.”

Mayor Shaw: “Okay so there we go again. We don’t even know if it’s been maintained. Will you ask them for some?”

Councilman Braswell: “I’ll ask how he maintains it and all. I’ve talked to him a lot.”

Mayor Shaw: “I would like to see a copy of the maintenance records. There should be a copy of a maintenance record on every vehicle in the city.”

Councilman Braswell: “I know I’ve gone down there and talked to him when he does do his maintenance and sometimes he’s used his own tools and stuff to do it. He’ll bring them up here and work on them sometimes.”

Mayor Shaw: “Shouldn’t we have a maintenance record on every vehicle in the city when they were maintained? Me and Rick asked for that a long time ago I think. We asked for maintenance records on all the vehicles that they ought to have maintenance records on them.”

Councilman Crosby: “Police vehicles too.”

Mayor Shaw: "Police vehicles too and I guarantee you they can't show us the maintenance records on them either. If you don't have maintenance records how do you know the vehicles are being maintained?"

Mayor Pro Tem Nordeen: "Mr. Rick was just going through some of his papers. November 21, 2011 a copy of the drawings, along with the advertisement for bid that was sent out, was given to all the council members."

Councilman Braswell: "That's when we voted on it, on November 21st."

Mayor Pro Tem Nordeen: "On November 21st is when we put it in the paper to send it out for bids and then December was when we put into the Special Meeting."

Councilman Shaw: "Is that what the different vendors looked at to make their bids?"

Mayor Pro Tem Nordeen: "Yes, sir."

Mayor Shaw: "That was at Edenfield's... (Interrupted)"

Councilman Shaw: "What I'm saying how do they know, getting back to these curbs, how do they know what to go back with or were they just...because I don't see any details as far as curbs going in."

Mayor Pro Tem Nordeen: "There was a walk-down done, a pre-job mandatory walk-down done with all of the folks. It was a mandatory meeting before they could bid."

Mayor Shaw: "Who done the walk-down with them and showed them what we wanted?"

Mayor Pro Tem Nordeen: "Myself and Edenfield."

Mayor Shaw: "Were curbs mentioned?"

Mayor Pro Tem Nordeen: "Yes, sir because they talked about repairing some of the curbs that we already have."

Mayor Shaw: "So we pretty much figured out there now we're getting asphalt curbs."

Councilman Shaw: "I see a lot of DNR on there. Are they going to take some of them down or they're not going back with some or are they?"

Mayor Pro Tem Nordeen: "Yes, they're going to go back. All the road will have curbs."

Councilman Shaw: "Is it also going to have that little place where the trees used to be or is it going to be solid now?"

Mayor Pro Tem Nordeen: "It's going to be solid. The section in front of the library where we have the concrete right up to the edge of the parking lot will remain. There will be a setback so that the bumpers won't go up on the sidewalk."

Councilman Crosby: "Do we need to go over this other stuff?"

Councilman Shaw: "That's what I was thinking about too."

[Everyone speaking at once]

Mayor Shaw: "That's about it I guess."

Councilman Shaw: "Just wondering does anybody know the answer I was asking?"

Councilman Braswell: "No. Is that law or is that just a guide?"

Mayor Shaw: "Let me see that paper you was looking at."

Councilman Shaw: "It's clear as mud."

Mayor Pro Tem Nordeen: "That was a copy of the ordinance."

Councilman Shaw: "I'm just trying to find is it a law or a guide, that's all I want to know."

Councilman Braswell: "They just listing case laws about other towns."

Councilman Shaw: "That could be where a town, where somebody tried to get out of it so it went to the Supreme Court but I'm just saying is it mandatory that the cities do that or can they adopt their own ordinance, see what I'm saying, to where it's only work that you do in the city? I just wondered."

Mayor Shaw: "Were council members supposed to sign this? It's got six spots that empty. All we got is a Mayor's signature and City Clerk signature."

Mayor Pro Tem Nordeen: "If it's voted on by council they don't have to sign it. It is recommended that they sign it but it's not the Mayor is the only signature if it's voted that's required."

Councilman Shaw: "That lawyer that the City's got he don't get ...it cost to get him to look into it and answer that question wouldn't it?"

Mayor Pro Tem Nordeen: "\$150.00 an hour."

Councilman Shaw: "Okay. Maybe we can get our neighbor, maybe we can get Ms. Austin's son, who is a lawyer now. Maybe he can find out for me."

Mayor Shaw: "I'll talk to him because he's my neighbor [inaudible] I found that out."

Councilman Crosby: "I have something to say kinda on a positive note. Saturday night they had a pretty bad fire down on North Street and that was the night the Fire Department was supposed to have their awards dinner and stuff and about the time I think they sat down the alarm went off and they were there until 12:30 Sunday morning and it kinda put the whammy on their dinner the family dinner and the awards and everything from what I understand. Right Mike?"

Chief Kellems: "We went back and ate cold dinner."

Councilman Crosby: "I went up there and I just wanted to tell him and the Fire Department I mean I know that's their job they're supposed to split and take off when it's time to go and all that stuff but they did an awesome job. They had other people there behind them and they did a very good job. I didn't know they

had went back and ate the cold dinner. It was catered but they didn't have a whole lot of choice but they just did an excellent job. I saw them work it Saturday night and it was very good and I appreciate it."

Chief Kellems: "It was kind of a [inaudible] because it had a pretty good start on it."

Councilman Crosby: "It was not an easy place to get in and out of. The truck could have got stuck and they worked it out where they could get the water up there to the place."

Mayor Shaw: "Does anybody else hav anything else for the Work Session?"

Councilman Braswell: "No."

Mayor Shaw: "Work Session is concluded. No decision was made."

No Action Taken on any of the Items Discussed. Work Session over.

Mayor's Signature

Date

Municipal Clerk Signature

Date