

HAHIRA CITY COUNCIL
COUNCIL MEETING
AUGUST 4, 2005

Mayor and Council of the City of Hahira met in a regular session on Thursday, August 4, 2005, at 7:30 P.M. at the Courthouse.

PRESENT: Mayor Myron Crowe; Councilmen M. C. Nelson, Wayne Bullard, Temple Ogundu and Terry Benjamin; City Manager/ City Clerk, Janice Logue; Police Chief, Terry Davis; Five Chief, Dwight Bennett; City Attorney, Rob Plumb; Recorder, Marilyn Brady.

ABSENT: PWD, John Thursby

PUBLIC HEARING

Mayor Crowe stated that this was the second Public Hearing on the millage rate. The proposed millage rate would be 5.38 for 2005, which is the same millage rate as 2002, 2003 and 2004.

He asked for those in favor of the millage rate to speak. There was no response.

He asked for those opposed to the millage rate to speak. Mr. John Adams, 611 Hodges Street, asked Council to lower the millage rate.

Mayor Crowe stated that the information on the millage rate comes from the Tax Assessors office.

END OF PUBLIC HEARING

Mayor Crowe called the meeting to order. A quorum was established.

Mayor Crowe called on Police Chief, Terry Davis, to lead the assembly in the Pledge of Allegiance, followed with the invocation given by Councilman Benjamin.

Mayor Crowe welcomed everyone.

REVIEW/CORRECTION OF MINUTES: July 5th WORK SESSION, July 7th COUNCIL MEETING, July 18th SPECIAL MEETING

Mayor Crowe asked if there were any corrections to the minutes, Council Ogundu Stated corrections needed to be made on page 1, motion to postpone request for 30 days, stated that Councils Ogundu and Benjamin abstained, he wanted it changed to: Councils Ogundu and Benjamin voted no. Also on Page 6, Mayor (in Mayer of the City of Adel) was misspelled. **Council Benjamin made a motion to approve the minutes as written, with corrections as stated, seconded by Council Ogundu. Vote was unanimous.**

REVIEW OF BILLS

Mayor asked Council to review the bills.

PUBLIC HEARING

- (A) HA-2005-05 Variance to minimum front yard setback requirement for a R-6 (Single Family Residential) zoning district – Mulberry Place (City of Hahira)

City Manager/City Clerk, Janice Logue, stated that this was a variance request for the Hahira Subdivision Regulations, requested by the City of Hahira, which originated from a discrepancy between the Front Yard Setback on the recorded plat of the Mulberry Place Subdivision of 30 ft and the Front Yard Setback required by the City of Hahira Zoning Regulations of 35 ft. The Planning Staff found the variance request consistent with the Comprehensive Plan and recommended approval. The Planning Commission recommended approval of the variance request, although the request is not consistent with the Comprehensive Plan, it will rectify a permitting error that was made.

Mayor Crowe asked if there were any questions. Council Ogundu requested that all council members announce any potential conflicts. If any Council member has any potential conflict with this subdivision, please announce it, for the record.

Mayor Crowe asked for those in opposition of the request to speak.

Mr. John Adams, 611 Hodges Street, stated that this request should not be granted. He asked Council not to vote for the variance and be responsible for the citizens.

Mayor Crowe asked for those in favor of the request to speak. There was no response.

Council Bullard made a motion to accept the variance request, seconded by Council Nelson. Discussion followed. Councils Bullard and Nelson voted yes. Councils Benjamin and Ogundu voted no. Mayor Crowe broke the tie, voting yes. Motion passed.

- (B) ORDINANCE 05-03 Amend Code of Hahira regarding Occupational Tax and Regulatory Fee Schedule (Final Reading)

City Manager/City Clerk, Janice Logue, stated that this was the final reading of the ordinance. She read the ordinance.

Mayor Crowe asked for those in favor of the code to speak. There was no response.

Mayor Crowe asked for those in opposition to speak.

Ms. Rose Adams, 611 Hodges Street, stated that she was against the increase. She stated that the Hahira businesses needed the city to look out for them and encourage new businesses to locate here. Making it

more costly to operate business in Hahira will not promote growth. She asked them not to raise the rates.

Mr. John Adams, 611 Hodges Street, stated that he was against it. The city would gain a lot to leave it as it is and enforce it. There are people doing work in the building of homes who do not have licenses. Enforce it and you will get more money than you will by doing an increase on the people that pay it every year.

Mr. D. K. Hollis, 101 N. Hagan Bridge Road, asked City Manager if she stated 1/4th of 1 per cent of gross revenues? He said that it couldn't be gross revenues. City Manager will check on this.

Mayor Crowe called on a vote from Council.

Council Bullard made a motion to approve the ordinance, seconded by Council Nelson. Discussion followed. Vote was unanimous.

END OF PUBLIC HEARING

CITIZENS TO BE HEARD

Ms. Rose Adams, 611 Hodges Street, stated that she was opposed to closing Lawson Street railroad crossing. She said that this has been proposed many times in the past. She stated that she would be qualifying for District 4 Council seat in September.

Mr. Fred Wetherington, Hahira Tobacco Warehouses, asked for Council's consideration when they make a decision on closing Lawson Street railroad crossing He is the owner of the warehouse, but not the land where it is located. The warehouse has been in business since the 1930's and is still being used.

Mr. John Adams, 611 Hodges Street, stated that he was familiar with railroad crossings being closed. He said that he was here when the railroad crossing at Coleman Street was closed, which was a mistake. He asked Council not to close the railroad crossing.

Mr. Freeman Rivers, 201 S. Hall Street, asked Mayor and Council to encourage citizens to buy a yellow ribbon and put it on their mail boxes to honor the military. He asked the city not to close the railroad crossing.

UNION ROAD SUBDIVISION REQUEST

City Manager/City Clerk, Janice Logue, stated that she had received a letter requesting 28 sewer taps. She informed them of the city's policy which allows builders to have only 3 taps at a time.

Council Bullard made a motion to stay with the policy, seconded by Council Benjamin. Vote was unanimous.

DEPARTMENT REQUEST CONSENT AGENDA

- (A) Approve additional fire inspector position

Mayor Crowe stated that this would be removed from the agenda.

- (B) Approve new uniforms

Police Chief, Terry Davis, requested approval to purchase new uniforms. Cost would be \$3,000.00. This is a budgeted item.

- (C) Approve purchase of used patrol car

Police Chief, Terry Davis, requested approval to purchase a 2004 Crown Vic for the Police Department.

- (D) Approve training classes

City Manager/City Clerk, Janice Logue, made a request for PWD, John Thursby, to send two men for training in an inspection class and two men for Class. Total would be \$560.00 plus lodging.

- (E) Approve LARP listing

City Manager/City Clerk, Janice Logue, requested Council's approval of the LARP list. This will be sent to D.O.T.

- (F) Approve clerk training

City Manager/City Clerk, Janice Logue, requested approval to attend a clerk's training session in Athens. Cost for registration would be \$250.00. This would be for 2 ½ days and 3 nights at \$69.00 per night lodging.

- (G) Approve Fixed Asset Policy

City Manager/City Clerk, Janice Logue, asked Council to approve the Fixed Asset Policy.

Mayor Crowe called for a motion to approve items B through G of the Department Request Consent Agenda.

Council Ogundu made a motion to approve the Department Request Consent Agenda items B through G, seconded by Council Bullard. Vote was unanimous.

CONSENT AGENDA

- (A) Approve Hahira Lion's Club request to place signs at the City limits subsequent to approval from all appropriate agencies (D.O.T., etc)

City Manager/City Clerk, Janice Logue, asked for Council's approval of a request from the Hahira Lion's Club president, John Adams, to place signs

at the City limits, which would have to be approved from all appropriate agencies (D.O.T., etc.)

Council Bullard made a motion to approve the request, seconded by Council Ogundu. Vote was unanimous.

VOTE TO ACCEPT/REJECT COURTHOUSE FLOOR BID

City Manager/City Clerk, Janice Logue, reported on the bid. Total cost would be \$7,000.00. This was the only bid that was received. She stated that Council needed to vote on this tonight.

Council Ogundu made a motion to table the bid, seconded by Council Benjamin. Vote was unanimous.

APPROVE SOLICITATION OF RFQ FOR IMPACT FEE CONSULTANT

City Manager/City Clerk, Janice Logue, asked Council to approve soliciting for the impact fee consultant.

Council Benjamin made a motion to approve bids for a consultant, seconded by Council Nelson. Vote was unanimous.

APPROVE CITY ATTORNEY'S VERSION OF CITY OF ETHICS ORDINANCE & RESOLUTION

Council Ogundu asked that section 1-8 be added to the ordinance, which states: A Council member shall not make false statements on which the Council, the city staff or other agencies rely to establish a policy or make important decisions. A Council member violates this rule if he or she knows it is untrue or the person has knowledge that would lead a responsible person of ordinary prudence to conclude that the statement is untrue. He stated that the reason he is asking that this statement be included in the Ethics is that, in the past, he and Council Benjamin have been given false information.

Council Nelson made a motion to accept the City Attorney's version and to add the section Council Ogundu read, seconded by Council Ogundu. Vote was unanimous.

REPORTS

(A) Council

Council Benjamin stated that since there was a large audience here and many businessmen present, he would like to allow them to speak on the railroad situation.

Mayor Crowe agreed to open a Public Hearing. No action will be taken tonight.

PUBLIC HEARING

Mr. John Adams, 611 Hodges Street, asked everyone who did not want the railroad crossing closed to stand up. There was a large response.

Ms. Ouida Lane, 210 Randall Street, stated that she did not want Lawson Street railroad crossing closed.

Ms. Mary Turner, 201 N. Hall Street, stated that the Mayor or Council should come and talk to the people to see how they feel.

Mr. Ralph Clendenin, 202 Hagan Bridge Road, wanted to know why the city wanted to close the crossing and why did the city want to buy land?

Ms. Karen Camion, 405 W. Stanfill Street, stated that before the city closes the street they should contact the citizens. She stated that she was against the closing of Lawson Street railroad crossing.

Mr Freeman Rivers, 201 S. Hall Street, stated that the railroad crossing was going to be discussed, but according to the paper when somebody is doing an investigation and time needed to do more investigation, it gets pulled off. So the only time you get to talk about it, you open a public hearing, or citizens wishing to be heard make a statement, but it was scheduled to be talked about, but you haven't advertised a public hearing.

Mr. D. K. Hollis, 101 N. Hagan Bridge Road, stated that, as he said at the last council meeting, he thought it was wrong. The city is growing and we need more crossings. He asked if there was a signed document stating that the city could purchase the property from the Lawson's? Do you have a resolution from the Board of Directors of the railroad stating that they would be willing to donate the property? Without a resolution, nobody else can pass the title of the property to the city. He asked that these be brought under consideration.

END OF PUBLIC HEARING

Council Benjamin stated that he appreciated the citizens input and expressing their opinions.

Council Ogundu thanked everyone for coming to the meeting. He also stated that several citizens were complaining about their water bills. He asked the City Manager, to please look into it. There are many citizens on fixed incomes.

Council Bullard had no report.

Council Nelson asked citizens to be careful where there are children going to school.

(B) City Manager

City Manager/City Clerk, Janice Logue, stated that if citizens have problems with their water they should report it to the city. The city will do a 3-day reading on the water used. If there is a problem, the city will adjust the bill, if the citizen will bring in a bill showing that it was fixed.

(C) Mayor

Mayor Crowe had no report.

**Council Benjamin made a motion to adjourn, seconded by Council Ogundu.
Vote was unanimous.**

There being no further business to discuss, meeting adjourned at 9:00 P.M.

Myron Crowe
Mayor

Janice Logue
City Manager/City Clerk

Marilyn Brady
Recorder