

HAHIRA CITY COUNCIL

COUNCIL MEETING

MAY 3, 2018

6:00 P.M.

COURTHOUSE

The Mayor and Council met for a Council meeting May 3, 2018 with Mayor Bruce Cain presiding.

PRESENT: Mayor Bruce Cain, Councils: Patrick Warren, Terry Benjamin and Kenneth Davis. City Manager Jonathan Sumner, City Clerk Lisa Mashburn, Fire Chief Dwight Bennett, Police Chief Terry Davis and PWD Donnie Warren. Mayor Pro Tem Mason Barfield was not present.

CALL TO ORDER: Mayor Bruce Cain

ESTABLISH QUORUM: Mayor Bruce Cain

PLEDGE OF ALLEGIANCE: Mayor Bruce Cain

INVOCATION: Pastor Mike Wells

REVIEW/CORRECTION OF MEETING MINTUES:

- A. APRIL 3, 2018 WORK SESSION**
- B. APRIL 5, 2018 COUNCIL MEETING**

Councilman Terry Benjamin made a motion to approve the minutes with correction to the April 5, 2018 minutes regarding the Public Hearing which was seconded by Councilman Davis. Councilman Benjamin, Councilman Davis and Councilman Warren all voted in favor of the motion.

PUBLIC HEARING:

- A. HA-2018-01 ZONING ORDINANCE TEXT AMENDMENT-FOOD TRUCKS AND NON-FESTIVAL TEMPORARY VENDORS (PLANNING AND ZONING ADMINISTRATOR)**

Matt Martin Planning and Zoning Administrator stated that we have had many meetings regarding the amendment to the zoning ordinance. The Planning Commission reviewed the amendment and came back with denial of 7-0 with no recommendations for change.

Councilman Benjamin said the time frames are the main issue, what is the comparison. Martin stated they had it 60 days on and 60 days off in 2009 and then it changed to 30 days after much debate. Councilman Warren said so the language is similar to Valdosta, just the time frame is different. Councilman Davis asked if Matt Martin was aware of any trend with this, how often they use the space during the time frame. Martin stated that they have not tracked the trend, we do not have that many. The Honeybee Festival is different, if you have food trucks at an event that is different, there is a public property exemption. Councilman Warren asked if there are exceptions in the paperwork. City Attorney Plumb stated that there **are several that** will be

grandfathered in, it is just a courtesy to notify the people. The Mayor stated that this has all been discussed with the ones that are grandfathered in.

The Mayor asked if anyone wished to speak against the Text Amendment to the Ordinance. Vicki Rountree of 108 E Lawson Street stated that she is on the Lowndes County Planning Commission, she stated that she had 6 recommendations but did not make the recommendations. I am a first timer and I learned a lesson. The Citizens of Hahira have two major issues. The position of the Mayor and Council from the retreat was the intent to position food trucks for the future, this is a non- traditional business. City Attorney Rob Plumb stated at the retreat, I understand you do not want to attract food vendors. I think the main issue with all is the time frame, I think it should be one or two days per week.

Megan Crawford of 109 E Lawson Street stated she wanted to speak in favor. We use Keith the Produce man and he is a part of this beautiful town. He is like family. We support having Keith as part of Hahira.

Jennifer Dean of 604 S Nelson Street said that she has lived here for about 18 months and has a non- traditional business. She has a boutique in a mobile unit that is set up and she would like to rent a lot for a day. This limits my ability to do that, I think you need to make business friendlier.

Tim Coombs OF 8880 Gordon Road Hahira and business owner of Coombs Heating and Air stated that he suggest we need to wait on this and let the new Downtown person coming in give ideas and her options.

Mayor Cain then asked if anyone wished to speak in favor of the text amendment.

Barry Robinson of the Huddle House stated that he has been there the whole time the Mayor and Council have been working on the Ordinance. I do not feel it is against the brick and mortar businesses, but coming into the town for 12-84 days a year can hurt if you are not paying taxes, no water/sewer/trash or no contribution back to the City. This has been mistaken as a fight, restaurants owners against others. I just want reasonable regulations, I know this ordinance will not be perfect the first time, I just want it subject to legal regulations.

Kenneth Smith of 300 W Main Street stated that he has been in business for the past two years. When we came to town we put up banners and were asked to take them down because of regulations, we complied with the rules. Every City has ordinances in place, this has turned the town against each other. We are not against food trucks but we would like to see all vendors come together and support everyone.

The Mayor stated that we have been accused of being unfair and that we are trying to ban food trucks all together. Read the ordinance, you can be here for 7 days a week and then wait 30 days and reapply. I think we have been more than fair with this ordinance, we have discussed it for the last 6 months with Mr. Martin and legal Council working on it. This cost us money, I do not see how we are being too restrictive. We only have Main Street, we are not like the bigger

Cities that have more space to support food trucks. Everyone says that food trucks make our City grow, we gain nothing, we charge a \$50.00 fee each year for a license, and I do not see it helping. I took an oath to protect citizens of Hahira, this ordinance is not too strict. Councilman Davis said I love food trucks, I want to see them but I am in support of the ordinance. We have talked about it at the Retreat, we then looked at what Valdosta has and put this together. The Ordinance is designed to bring order to caouse, it is nature to add structure and this is what we are after. I don't understand the unanimous vote of the Planning Commission with no recommendations. We have talked about this the last 6 months and put it in writing the last 3 months. This is the first time I have heard of negative thoughts. Thank you but it is too late, you do not deny and not give guidance or recommendations. I am for the version of the ordinance that we have here, we mirrored this after an ordinance that has worked for many years.

Councilman Benjamin said that he concurs with what Councilman Davis has said, we had to come up with something that was fair for the businesses and the food trucks. This will not be fair for every citizen but the intent is to correct it later if it is not right.

Councilman Warren said that he is a practicing attorney, I do not right the laws. We have no loser's tonight only winners. We as a Council will make this right if we find later that it is wrong. We have nothing in place at this time. I came in with different perspective of safety, there has to be safety. The Planning Commission voted no on the time frame but my District is indifferent, I did not get any strong feedback, there is an exemption for City events. We may not get it right the first time, I know there are reservations about the frequency but my goal is safety first.

Councilman Davis made a motion to approve the language of the Ordinance Text Amendment for the Food Trucks and Non-Festival Temporary Vendors which was seconded by Councilman Benjamin. Councilman Davis, Councilman Warren and Councilman Benjamin all voted in favor of the motion.

CITIZENS TO BE HEARD:

Garrett Giddens owner of Hibachi Highway Food Truck said that he feels the language of the Ordinance is too restrictive at 7 days. I do not see the reasoning behind this, it is not profitable for any business like this.

REVIEW OF BILLS/BUDGET OVERAGES:

The Mayor asked if anyone had any questions or concerns regarding paying the bills. None noted.

Councilman Warren made a motion to pay the bills as presented which was seconded by Councilman Benjamin. Councilman Warren, Councilman Benjamin and Councilman Davis all voted in favor of the motion.

DISCUSSIONS:

A. IT SERVICES (CITY MANAGER)

City Manager Sumner stated that we received a presentation from Virtual World on Tuesday night at the Work Session. Mr. Bellflowers stated that it is time to renew the contract and he gave us a good price cut. I contacted SGRDC on recommendation of some of the staff but they declined to come tonight. Do you have any questions? None noted. **Councilman Benjamin**

made a motion to use Virtual World as IT Services which was seconded by Councilman Davis. Councilman Benjamin, Councilman Davis and Councilman Warren all voted in favor of the motion.

CONSENT AGENDA:

- A. SURPLUS PROPERTY**
- B. WATER TANK CONTRACT-AMERICAN TANK COMPANY**
- C. BUDGET ADOPTIONS-DDA & DRUG SEIZED FUNDS: FY17 & FY18**
- D. APPOINTMENT TO TREE BOARD-SCOTT MILLER**
- E. EXTRA WORK ON INTERCHANGE PROJECT NOT COVERED BY GDOT-SPLOST VII**

Councilman Warren made a motion to approve the Consent agenda as presented which was seconded by Councilman Davis. Councilman Warren, Councilman Davis and Councilman Benjamin all voted in favor of the motion.

REPORTS:

Councilman Davis said thank you for coming tonight. We had a lot of good comments and I thank you for supporting your community, please do it again.

Councilman Warren said that he appreciates everyone coming out tonight. We started with no regulations and that was unacceptable, now we have regulations and they can be changed. This is a good Council, we work hard and we get there. I appreciate the opportunity to serve.

Councilman Benjamin thanked everyone for the opportunity to serve District I. I appreciate everyone expressing their views, it is the democratic process. This is a working Council and we all work together to do the job.

City Manager Sumner thanked everyone for the opportunity to serve, thank you to the department heads. We have construction on all sides, sidewalks, the Villages on Park and the Main lift station #2. We are starting the dredging of the pond and our new Main Street Director starts on June 1, 2018. We are getting things done. Thank you.

The Mayor thanked everyone for coming out tonight, this has been a stressful time for Council. Thank you to Matt Martin and Rob Plumb for the work they do. Thank you to all the department heads for all they do day in and day out. Thank you to Lisa we appreciate the work and to the City Manager we cannot say enough to you. We have a new business at the Industrial Park, Metal Benders, they opened and they are a 1.5 million business. They will start with 20 employees and Paula Stone that worked for the City is an employee there. They hope to soon have 50 employees and have 5 million invested so please welcome them with open arms.

A motion was made by Councilman Warren to adjourn which was seconded by Councilman Davis. Councilman Warren, Councilman Davis and Councilman Benjamin all voted in favor of the motion.

THE MEETING WAS ADJOURNED AT 7:20 P.M.

MAYOR BRUCE CAIN

CITY CLERK LISA MASHBURN