

Council Meeting

December 4, 2003

The City Council of the City of Hahira met in regular session on Thursday, December 4, 2003, at 7:30 P.M. at the Courthouse with Mayor Crowe presiding.

PRESENT: Mayor Myron Crowe; Councilmen Wayne Bullard, M. C. Nelson and Terry Benjamin; Clerk, Marilyn Brady; Public Works Director, John Thursby; Police Chief, Terry Davis; Interim City Attorney, Rob Plumb.

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 by the invocation by Mr. Wilmon Stanley

Mayor Crowe welcomed visitors.

REVIEW/CORRECTION OF NOVEMBER 6, 2003 COUNCIL MINUTES

Council Bullard made a motion to approve the minutes as written, seconded by Council Benjamin. Vote was unanimous.

REVIEW OF BILLS

Mayor Crowe asked Council to review the bills.

PUBLIC HEARING

A. Rezoning Request by Edwin Shiver

Sherry Davidson of the Planning Commission, introduced Anne-Marie Wolff, Current Planner, who will be presenting a Text Amendment following the rezoning request.

Ms. Davidson reported that Mr. Shiver is requesting to rezone .84 acres from Single-Family Residential (R-10) to Light Manufacturing (M-1). The property is located at 308 W. Lawson Street at the northeast intersection of Hall and Lawson Streets. A large commercial warehouse is currently situated on the property. The applicant is proposing the continued use of the property for storage or small manufacturing use. Mayor and Council received a Letter of Intent. The applicant's Letter of Intent stated the property has been used continuously for commercial use since approximately 1960 and the current warehouse was constructed in 1961.

The subject property is located within the Urban Service Area (USA) of the Comprehensive Plan and depicted as Industrial on the Future Land Use Map. Staff found the request consistent with the Comprehensive Plan and recommended approval. The Planning Commission found it "inconsistent with the Comprehensive Plan" and recommended denial of M-1 Zoning.

Council Benjamin asked what was the Planning Commission's reason for denial. Ms. Davidson stated that there was a mixture of commercial and residential in the area. Residents of the area said it could be donated and used as a park.

Mayor Crowe called for those in favor of the request to speak.

Mr. Jimmy Shiver, representing his father Edwin Shiver, asked for approval to continue the use of the property as M-1 zoning.

Mr. Jimmy Brigman of Brigman Cabinets stated that they would like to purchase the property from Mr. Shiver if it is zoned Commercial.

Council Bullard asked Mr. Brigman how many were employed at the Cabinet Shop. Mr. Brigman stated approximately 47.

Council Benjamin asked Mr. Brigman if he purchased the property, what would the warehouse be used for. Mr. Brigman stated that it would be used for a warehouse, parking and storage.

Mayor Crowe asked if there were plans to build anything on the property. Mr. Brigman stated that he had no plans to build at this time but would continue to use the building that is there.

Mayor Crowe called for those against the request to speak.

Mary Turner, 201 N. Hall St., stated that the same property had been denied twice. If the property is zoned Commercial they can do what they want to do. She stated that the odors were bad and traffic was also bad in the area. She stated that she would fight it to the end.

Karen Camion spoke against the request. She mentioned the odor in the area and several area residents had heart trouble.

Freeman Rivers, 201 S. Hall St., stated that it was denied last year and in 1999. He stated that the Council has the chance to do it again tonight.

Grover Chandler also spoke against the request and said it should remain Residential zoning.

Ouida McKinney, 210 Randall Street, spoke against the request. She stated that she was raised in that neighborhood.

Mayor Crowe asked if there were any other questions. Council Benjamin stated that they needed to check with the Zoning Administrator because with the property zoned Residential, someone should have been notified about the property as far as trailers being placed on it. It was his understanding that a letter was to be written but he has not heard anything about it since then. He thought it was unfair to everyone else who has been fined for whatever reason and not to do anything at the last request is a blatant disregard for our ordinance and he did not think it was right. The Planning Commission denied it. They found it inconsistent with the Comprehensive Plan. He did not think that Council should approve it.

Mayor Crowe asked for Council's decision. Council Nelson made a motion to request approval of the zoning to M-1 from R-10, also to stipulate that all exits would come out on Lawson Street, and another feature is to add a buffer of red tips or another plant from 5 to 6 ft. high. He wants the property to remain clean at all times and no trailers or such on the property. Motion was seconded by Council Bullard. Discussion followed. Councils Bullard and Nelson voted yes. Council Benjamin voted no. Motion passed.

B. GLPC – Text Amendment Request – City of Hahira Zoning Ordinance Sections 2, 4-1, 5-1, 6-1, 9-4 and 9-11; Manufactured Homes

Andrea Wolff of the Planning Commission stated that this amendment would accomplish two goals. First, it will cause the Zoning Ordinance to properly reflect the legal definitions of manufactured and mobile homes as defined by the State of Georgia. Second, it will codify regulations that include industry standard

recommendations and other items that will serve to enhance the aesthetic quality of the home. Staff recommended approval of the amendment. The Planning Commission also recommended approval.

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

He called for those against the request to speak. There was no response.

Council Bullard made a motion to approve, seconded by Council Nelson. Vote was unanimous.

C. Application to sell Beer, Wine and Liquor by Remi P. Tessier DBA/Country Line Package

Mayor Crowe reported on the application. Advertising and a police investigation has been done. He called for those in favor of the request to speak. There was no response.

Mayor Crowe called for those against the request to speak. There was no response.

Council Bullard made a motion to approve, seconded by Council Nelson. Vote was unanimous.

PUBLIC HEARING CLOSED

DEPARTMENT REQUEST

A. Attendance of Police Chief's Winter Conference

Mayor Crowe asked for approval for Chief Davis to attend the Winter Conference. This is a budgeted item. Council Benjamin made a motion to approve, seconded by Council Nelson. Vote was unanimous.

CONSENT AGENDA

A. Resolution for repayment of GEFA loan

Mayor Crowe reported that the resolution would allow the city to do electronic debit for transactions to make payments. The first payment will be due in August.

B. Hahira Fire Dept. Volunteers – Training Reimbursement pay \$2,715.00

Mayor Crowe reported that this is paid every year.

C. Attendance of Mayor and Council at GMA Mayor's Day Conference – January 24-26, 2004

Mayor Crowe reported on the Conference. We will need to call for reservations.

D. Lowndes County Board of Elections Agreement to handle March Special Municipal Election of City of Hahira

Mayor Crowe stated that the city could have an election in March. This would be to approve Lowndes County Elections Board handling the election.

E. Criminal Justice Coordination Council-Sub grant Award-for purchase of 2 patrol car video cameras

Mayor Crowe reported that Police Chief, Davis, received a grant for \$8,800.00. The city's portion is \$931.00.

F. Payment of City Employee Christmas Bonuses, Excess Sick Leave and Mayor/Council Salaries

Mayor Crowe reported that Council had an itemized list on this.

Council Benjamin made a motion to approve the Consent Agenda, seconded by Council Bullard. Vote was unanimous.

Citizens To Be Heard - Discussion

Mayor Crowe reported that Citizens Wishing to be Heard should be put on the Agenda, with guidelines;

1. Group or individual citizens requests will be handled under Citizens To Be Heard, and the Mayor will charge citizens that no vote will be taken on any subject brought up under this heading. Citizens will state their name and address for the record.

1. Citizens Wishing to Be Heard will be placed on the Agenda at each Council Meeting. Mayor will determine placement on each Agenda.
2. If a citizen's complaint can be referred to a Department Head or the City Manager, the Mayor will so direct this complaint in order to expedite a solution.
3. During this session, citizens may talk to the Council as a whole. Individual attacks or cross-examinations of Councilmembers or City Employees will be ruled out of order. Abusive language will not be tolerated.
4. Matters pertaining to personnel procedures and personnel grievances will not be heard under the Citizens To Be Heard section of the Agenda. These matters will be referred to the City Manager as outlined in the City Personnel Policy.
5. Citizens are requested to keep their comments limited to 3 minutes or less so that all who wish to be heard have adequate time. Mayor may grant additional time, if needed. If several wish to speak on the same subject, let one speak and others express their support. Do not repeat subject matter.
6. Citizens Wishing to Be Heard is not a time for questions and dialogue between Council. It is time for citizens to express their views and concerns, whether positive or negative.

Mayor Crowe stated that this would start in January 2004.

Council Benjamin made a motion to start in January, seconded by Council Bullard. Councils Benjamin and Bullard voted yes. Council Nelson voted no. Motion passed.

REPORTS

COUNCIL

Council Benjamin stated that he was glad to see Councilman Nelson doing well after his recent knee surgery. He commented on the Christmas wreath decorations on the lamp posts.

Council Bullard stated that it had been another 4 good years and it goes by fast. He enjoyed being on Council.

Council Nelson stated that he hoped that next year would be more fruitful. He said that a new councilmember would be coming in January and hoped he would have a lot to give to the Council.

He hated to see Councilman Bullard leaving, as they have worked together for a long time. He wished him well in his endeavors.

MAYOR

Mayor Crowe reported that he would also miss Councilman Bullard.

He stated that Albert O. Rogers, who served on Council from January 1988 through April 1996, had passed away yesterday.

Mayor Crowe stated that there was no further business to discuss and asked for a motion to adjourn and Council would enter into an Executive Session. Council Nelson made a motion to adjourn and to enter into an Executive Session, seconded by Council Benjamin. Vote was unanimous.

Meeting ended at 8:30 P.M.

Myron Crowe, Mayor

Marilyn Brady, City Clerk