City of Tifton
Regular Council Meeting
April 6, 2015
5:00 PM
Tifton City Council Chambers
130 E. 1st Street

ATTENDEES

Jamie Cater, Mayor
Johnny Terrell, Vice Mayor
Wes Ehlers, Council Member
Chris Parrott, Council Member
Julie Smith, Council Member

Larry Riner, City Manager
Rona Martin, City Clerk
Rob Wilmot, City Attorney

PUBLIC HEARINGS

- Community Development Block Grant Project Completion 10p-x-137-2-5252 – Southwest Tifton Sewer System Improvements Benefitting 595 People

Jessica Jones, Executive Assistant to the Mayor and City Manager, spoke to the hearing for the CDBG Project Completion 10p-x-137-2-5252. She stated this was for a CDBG grant that was received in 2010 for a southside sewer project. She stated this project is complete and $500,000 was received from the Georgia Department of Community Affairs for the project. She asked for comments, with no one responding. She stated this will close out the project and funding.

- Amendment to the Land Development Code to Remove Clubs and Lodges, private, as a Permissible use in the Downtown Commercial Zoning District

Attorney Wilmot stated this application number is T15-000-004 with the City of Tifton being the applicant. He reviewed the city's public hearing procedures. He stated the matter under consideration is to amend Section 2.03.03 Table of Uses, of the Land Development Code by removing clubs and lodges, private as a permissible use in the commercial downtown zoning district.

Attorney Wilmot asked Council questions to determine any conflicts of interest as follows: Have any of the applicants or opponents to the application contributed at least $250 to any of the campaigns for election during the past two years. Everyone stated no. Do you or any members of your family own property that would be impacted by the classification application whether it is a positive or negative impact? Everyone stated no. Do you or any members of your family own a business that would be impacted by this whether it is a positive or negative impact? Everyone stated no. All Council members were declared free from conflicts of interest.

Bert Crowe, Environmental Management Director, stated this is to take out clubs and lodges as a requirement in order to disallow the use of religious facilities in the downtown commercial district which is currently in the code, due to federal changes in the RILUPA act. He stated clubs and lodges must also be disallowed in the district if religious facilities are to continue to be disallowed in the downtown district.

Mr. Wilmot asked if anyone wanted to speak in favor or against the application. No one spoke for or against the request.

Mayor Cater closed the public hearings.

CALL TO ORDER

Mayor Jamie Cater called the meeting to order at 5:05 p.m.

PRAYER AND PLEDGE

Vice Mayor Johnny Terrell led in the prayer and pledge.

SPECIAL PRESENTATION BY KAYCEE BROWN AND FAMILY OF FULWOOD PARK PAINTING

Kaycee Brown representing her family presented and donated a painting of the stone arch at Fulwood Park to the City of Tifton. She gave a history of the arch which was constructed by her grandfather, W. P. Brown, Sr., in 1934. She stated this is in memory of her grandfather and in honor of her father, W. P. "Squire" Brown, Jr. former Mayor of Tifton.

PRESENTATION OF PROCLAMATION FOR TIFT COUNTY COUNCIL ON CHILD ABUSE

Mayor Cater read and presented a proclamation designating the month of April as Child Abuse Prevention month to Kelly Shaunacher representing the Tift County Commission on Child Abuse.

PROCLAMATION FOR GEORGIA CITIES WEEK

Mayor Cater read a proclamation designating the week of April 19-25, 2015 as Georgia Cities Week. Jessica Jones reviewed the activities taking place for Georgia Cities Week.

ANNOUNCEMENT REGARDING LIBRARY DONATION TO BOOK NOOK

Mayor Cater announced that the Library has graciously donated books to restock the "Book Nook." He thanked the library and the work of former Council Member Marianna Keesee as a member of the Library Board.

APPROVAL OF THE COUNCIL AGENDA

Council Member Parrott moved, seconded by Council Member Terrell and unanimously carried to approve the Council agenda.

CITIZEN INPUT

Hal Baxley, 73 Eagle Drive, stated there are a lot of good things going on in the downtown area. He stated there will be new loft apartments going in his building near the courthouse and the Bowen Building as well as a return of the Tifton Drugs to the Bowen Building and other activity by various business owners. He stated he has received a lot of input about what is needed downtown. He stated they need public restrooms and asked Council to consider placement of public restrooms and picnic tables possibly at the Gateway. He stated some of the façades will be spruced up as well. He asked them to consider this request as they work to revitalize downtown Tifton. Mayor Cater asked him to attend the next DDA meeting.

APPROVAL OF MINUTES

Council Member Smith moved, seconded by Council Member Parrott and unanimously carried to approve the minutes of the February 26, 2015 Workshop/Called Meeting; March 2, 2015 Regular Meeting; March 19, 2015 Workshop/Called Meeting; March 30, 2015 Called Meeting.

CONSENT AGENDA

Council Member Smith stated she would need to recuse herself for item #2 as she was involved in that real estate transaction. Items #3 & 4 were considered first in order to allow Council Member Smith to participate in the action taken on those matters. Council Member Parrott moved, seconded by Council Member Smith and unanimously carried to approve items 3 & 4 as listed below on the consent agenda.

3. Resolution providing for Enterprise Zone Application from Melissa Burgess for a business to be located at 319 S. Main Street

4. Approval of COT-EMD Fee Schedule – Implementation Date 7/1/2015

Council Member Smith recused herself from participation on item #2 and left the room.

Council Member Ehlers moved, seconded by Council Member Parrott and unanimously carried (4-0) to approve item #2 as listed below:

2. Resolution providing for Enterprise Zone Application from Lon and Paula Kemeness

Council Member Smith then rejoined the meeting.

ORDINANCE PROVIDING FOR AMENDMENT TO THE LAND DEVELOPMENT CODE TO REMOVE CLUBS AND LODGES, PRIVATE, AS A PERMISSIBLE USE IN THE DOWNTOWN COMMERCIAL ZONING DISTRICT

Council Member Smith moved, seconded by Council Member Terrell, with Mayor Cater calling for discussion. Council Member Ehlers stated he has discussed this with Larry Riner and Rob Wilmot. He then read information he found through the Department of Justice on religious land use. Discussion was held regarding religious facilities, jurisdictions, land uses, etc. Mr. Wilmot stated we have to treat religious organizations equally and when looking at our ordinance, found that we are currently not doing so. He stated this ordinance will correct that, wherein private clubs and lodges will not be allowed downtown. Mr. Wilmot stated this is for the commercial downtown zoning district. Mr. Wilmot stated jurisdiction is the area of one's power over a location. Council Member Ehlers asked about the ability of the Rotary Club to meet at a downtown restaurant if they wish. Mr. Wilmot stated, yes they could meet, as the building land use is a restaurant. He later stated this would be problematic. Mayor Cater questioned the ability of a religious meeting at the theatre. Considerable discussion was held regarding the definitions of religious facilities, and clubs and lodges and land uses. Council Member Parrott asked that this be further considered at a workshop. Discussion was held regarding non-profit organizations. Mr. Crowe discussed parking as part of the problem. After further discussion Council Member Ehlers moved, seconded by Council Member Parrott and unanimously carried to table this matter to the workshop on April 16, 2015 and the regular meeting on May 4, 2015.

FIRST READING OF AN ORDINANCE AMENDING THE CHARTER TO PROVIDE FOR A CHANGE TO THE FISCAL YEAR

Council Member Ehlers moved, seconded by Council Member Parrott and unanimously carried to place on first reading an ordinance amending the Charter to provide for a change to the fiscal year.

ORDINANCE REAFFIRMING AND RATIFYING ALL ACTS OF THE CITY TAKEN IN CONNECTION TO THE CHANGE IN THE FISCAL YEAR

Council Member Ehlers moved, seconded by Council Member Parrott and unanimously carried to adopt an ordinance reaffirming and ratifying all acts of the City taken in connection to the change in the fiscal year.

OTHER BUSINESS

DISCUSSION AND APPROVAL TO BEGIN THE BID PROCESS FOR A LANDFILL COMPACTOR

Ricky Hobby, Landfill Director, stated this is being presented due to the lengthy time in completing the bid process. He stated this is actually budgeted for FY2016. He stated this is part of our 5 year capital improvement plan. He stated this is budgeted at $700,000. Council Member Parrott moved, seconded by Council Member Terrell and unanimously carried to begin the bid process for a landfill compactor.

DISCUSSION AND POSSIBLE ACTION ON THE TIFT THEATRE EASEMENT

Mayor Cater recused himself from discussion and left the room. Mr. Riner presented the easement agreement. He stated the annual cost is at $30. Council Member Ehlers moved, seconded by Council Member Parrott and unanimously carried (4-0) to approve the easement agreement.

Mayor Cater then rejoined the meeting.

CONSIDER HPC BOARD APPOINTMENTS/REAPPOINTMENTS

Discussion was held regarding this matter. Mr. Riner stated the staff recommendation is to table this matter as there are some concerns. Council Member Parrott moved, seconded by Council Member Terrell and unanimously carried to table this matter to the April 16, 2015 workshop.

ANNOUNCEMENT ON LIBRARY DONATION OF BOOKS FOR THE BOOK NOOK

This announcement was made early on the agenda.

There being no further business, the meeting was adjourned at approximately 6:08 p.m.

J.G. "Jamie" Cater, Jr., Mayor

Rona Martin

Rona Martin, City Clerk