



February 26, 2015

REGULAR CITY COUNCIL MEETING

5:00 p.m.

TIFTON MUNICIPAL COURTROOM

130 E. 5TH STREET

CITY OF TIFTON
February 26, 2015
Tifton Municipal Courtroom
130 E. 5th Street
5:00 p.m.

CITY COUNCIL WORKSHOP/ CALLED MEETING

DISCUSSION ITEMS

1. Request by Mandy Young with Affordable Equity Partners to authorize the City Manager to execute a letter of support for their West Haven Project
2. Employee of the Month - Chief Buddy Dowdy
3. Resolution and Discussion of recommended FY2015 Budget Revisions – Lois Love
4. Ordinance updating the Retirement Plan regarding discontinuance of the 4% interest rate; clarification of the definition of compensation, and other matters – Carla Cooper
5. Ordinance updating the Retirement Plan regarding the makeup of the Retirement Board – Carla Cooper
6. Discussion of transfer of Alcoholic Beverage Licenses from one location to another under certain circumstances – Rona Martin
7. Use of Myon and other city venues – Robert Reid, Rona Martin
8. Resolution providing for City of Ethics Recertification – Larry Riner
9. Discussion of Ordinance providing for text amendments to the Land Development Code relating to right-of-way signage (Amending Chapter 6) (T15-000-001) – Bert Crowe
10. Discussion of Ordinance providing for text amendments to the Land Development Code relating to right-of-way signage (Amending Chapter 7) (T15-000-001) – Bert Crowe
11. Ordinance requesting a text amendment to the Land Development Code relating to distance between tattoo parlors and businesses with onsite alcohol consumption (T15-000-002) – Bert Crowe
12. Ordinance on building code violations as they relate to occupation tax certificates (T15-000-003) – Bert Crowe
13. Discussion of permit fees – Bert Crowe
14. Surplus of Equipment for the SWCD due to outsourcing – Ricky Hobby
15. Discussion of Georgia Cities Week – Rona Martin
16. Resolution providing for Alcoholic Beverage License for J's Convenience Store located at 1405 US Hwy. 41 N – Rona Martin

17. Resolution providing for Alcoholic Beverage License for Lil Pantry located at 1302 S. Central Avenue – Rona Martin
18. Resolution providing for Alcoholic Beverage License for SN Food Mart located at 127 Tifton Eldorado Road – Rona Martin
19. Resolution providing for Alcoholic Beverage License for Dick’s Wings & Grill located at 3310 W. US Hwy. 82 – Rona Martin
20. Resolution providing for Alcoholic Beverage License for Britanic Disco Rodeo located at 1101 S. Main Street – Rona Martin
21. Board Report – Rona Martin
22. Discussion of nomination for District 11 GMA Officers – Larry Riner

CALLED MEETING

23. Executive Session to discuss Personnel, Real Estate and/or Legal Matters
24. Resolution providing for Executive Session



TIFTON CITY COUNCIL AGENDA ITEM

TO: Tifton City Council
FROM: Larry Riner, City Manager
DATE: February 17, 2015
SUBJECT: GICH Support Letter Request for West Haven Housing Development

*DATE: February 17, 2015
Workshop Meeting (02/26/2015)
Regular Meeting
Called Meeting*

EXECUTIVE SUMMARY

Mandy Young w/ Affordable Equity Partners will be present to discuss the West Haven project and request council's support of the affordable housing development in the City of Tifton.

PROPOSED ACTION

Authorize the City Manager to execute a GICH support letter

SUPPORTING INFORMATION

Background Information

- Development would be an addition to the residences at West Haven located on EB Hamilton Drive.
- Second year application is being submitted for funding, application was not funded in 2014

Financial Implications

There is no funding commitment by the city.

Pros and/or Cons

This is an affordable housing project completed by investors to provide quality housing to low income families.

Implementation

City Manager will issue GICH letter of support once approved.

#2

Employee of the Month

Presentation by - Police Chief Buddy Dowdy



TIFTON CITY COUNCIL AGENDA ITEM

TO: Tifton City Council
FROM: Lois A. Love, Interim Finance Director
DATE: February 23, 2015
DEPARTMENT: Finance
SUBJECT: Recommended FY2015 Budget Revision

DATE: February 26, 2015
Workshop Meeting (X)
Regular Meeting ()
Called Meeting ()

EXECUTIVE SUMMARY

Various budget revisions, as set forth in Attachments A and B, are recommended for Fiscal Year 2015 to ensure a proper level of funding.

PROPOSED ACTION

Resolved that the recommended budget revisions for Fiscal Year 2015 shall be approved.

SUPPORTING INFORMATION

Background Information

The City adopted a balanced budget for Fiscal Year 2015 on June 26, 2014. Since the budget's adoption, ongoing reviews and discussions have been performed on operating and capital revenues and expenditures. Based on these reviews and discussions, the budget revisions in Attachments A and B are recommended to establish a proper level of funding to cover remaining operating and capital activities in Fiscal Year 2015.

Financial Implications

- See Attachments A and B.
- Is this a budgeted item ____ N/A _____. Current available budgeted amount ____ N/A _____.

Pros and/or Cons

The budget revision establishes a proper level of funding to cover remaining operating and capital activities for Fiscal Year 2015. This revision is based on prior year audited figures as well as six months of current year activity.

Implementation

Upon approval, the recommended budget revisions will be effective immediately. The Finance Director will be responsible for ensuring the implementation of the budget revisions.

**STATE OF GEORGIA
COUNTY OF TIFT
CITY OF TIFTON**

RESOLUTION NO. 2015-_____

BUDGET REVISIONS FOR FISCAL YEAR 2014-2015

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TIFTON, GEORGIA, APPROVING BUDGET REVISIONS FOR EACH FUND FOR THE FISCAL YEAR BEGINNING JULY 1, 2014 AND ENDING JUNE 30, 2015.

WHEREAS, on June 26, 2014, the City Council of Tifton adopted the Budget for Fiscal Year 2015; and

WHEREAS, the City Manager and Finance Department, in cooperation with all department heads, has performed a budget review on revenues and expenditures; and

WHEREAS, relevant variables and assumptions affecting the City's operating budget have been revisited; and

WHEREAS, a proposed budget revision for each of the various funds of the city has been presented to the Mayor and City Council; and

WHEREAS, the Mayor and the City council have reviewed the proposed budget revisions; and

WHEREAS, each of the funds has a balanced revised budget, such that anticipated funding sources equal or exceed proposed expenditures; and

WHEREAS, the Mayor and City council intend to approve the revised annual budget for the Fiscal Year 2015 as presented in Attachment A; and

WHEREAS, this resolution shall become effective immediately upon adoption.

NOW, THEREFORE, the Mayor and City council of the City of Tifton, pursuant to their authority, do hereby approve the recommended budget revisions for the Fiscal Year 2015, as reflected in Attachment A.

RESOLVED, by the City Council of the City of Tifton at a workshop meeting held on February 26, 2015.

J.G. "JAMIE" CATER, JR.
CITY MAYOR

ATTEST:

RONA MARTIN, CITY CLERK



TIFTON CITY COUNCIL AGENDA ITEM

TO: Tifton City Council
FROM: Carla D. Cooper, HR Director
DATE: 2/13/2015
DEPARTMENT: HR
SUBJECT: Retirement Plan

DATE: 2/26/2015
Workshop Meeting (X)
Regular Meeting ()
Called Meeting ()

EXECUTIVE SUMMARY

Updating the Retirement Plan to 1) discontinue the 4% interest on the 5% contributions made by employees after July 1, 2015, 2) to clarify the definition of compensation and take out the word "bonus", 3) to include the most recent outsourcing employees for vesting at 8 years, and 4) to accommodate outsourced employees who are vested and want to retire under the early retirement provision so as not to be penalized under the "actuarial equivalent" but would only be penalized the 2.5% per year prior to age 65.

PROPOSED ACTION

Approve the ordinance to amend the Retirement Plan for the employees of the City of Tifton, Georgia to update the plan as specified above.

SUPPORTING INFORMATION

Background Information

Financial Implications

- None

Pros and/or Cons

N/A

Implementation

- Ordinances will be sent Actuary to make plan amendments

CITY OF TIFTON
ORDINANCE NO. _____

An Ordinance of the City of Tifton, Georgia amending the Retirement Plan for the Employees of the City of Tifton, Georgia to (1) modify definition of Compensation to remove bonuses (2) provide for zero interest on employee contributions made on and after July 1, 2015, and (3) provide enhancements for outsourced employees.

I.

AMENDMENT OF CODE OF ORDINANCES

The City Council hereby authorizes the City Manager and his staff to amend the “Retirement Plan for the Employees of the City of Tifton, Georgia” (the “Retirement Plan”), to amend the Plan as follows:

1. The definition of Accumulated Contributions is hereby amended effective July 1, 2015, by revising Section 1.2 (A)(1) of the Plan to read as follows:

“(1) The term “Accumulated Contributions” as used herein shall mean, with respect to each Employee, the total of his Employee Contributions as of the determination date, without any interest after June 30, 2015. Prior to July 1, 2015, interest was credited on Employee Contributions made in Plan Years prior to the Plan Year that included the determination date at the rate of 4% per annum.

2. The definition of Compensation is hereby amended effective for Compensation paid on or after July 1, 2015, by revising Section 1.2 (A)(7)(f) and (g) of the Plan to exclude bonuses, and shall read as follows:

“(7) The term “Compensation” as used herein shall mean the basic salary or wage paid to the Employee by the Employer which is subject to withholding for purposes of federal income taxes plus elective contributions to any retirement plan sponsored by the City which are not subject to such withholding; provided, however, Compensation will not include:

- (a) wages paid for work in excess of the “standard work week” with respect to Employees other than Elected Officials;
- (b) overtime pay;
- (c) expense allowances;
- (d) both cash and non-cash fringe benefits;
- (e) moving expenses;
- (f) welfare benefits; nor

(g) bonuses and any other irregular or special compensation payments.”

3. Section 2.1(D) of the Plan, relating to the definition of Vested Percentage, is hereby amended to change subsection (4) to subsection (5) and to add a new subsection 4, to read as follows:

“(D) Vested Percentage means:

- (1) for Elected Officials who have earned at least three years of Covered Service, 100%;
- (2) for Employees of the City’s Telecommunications Department who were hired on or before December 20, 2000, 100%;
- (3) for Employees who have earned at least 10 years of Covered Service, 100%;
- (4) for those former Employees whose employment with the City of Tifton was terminated during the period July 1, 2012, through June 30, 2015, solely because their job was outsourced to a successor employer and who have earned at least 8 years of Covered Service, 100%; and
- (5) for all other Employees, 0%.

4. Section 3.2(B) “Amount of Early Retirement Income” is hereby amended to revise subsection (2) to read as follows:

(B) Amount of Early Retirement Income

The monthly Early Retirement Income of a Participant electing Early Retirement will be the amount of the Normal Retirement Income, as set forth in Subsection 3.1(B), to which the Participant would be entitled if he had attained his Normal Retirement Age when his Early Retirement Income first becomes payable, reduced by an Early Retirement Reduction Percentage for each month by which the Participant’s Early Retirement Date precedes his Normal Retirement Date to take into account the Participant’s younger age and the earlier commencement of Retirement Income payments. For purposes of this Subsection 3.2(B), the Early Retirement Reduction Percentage will be equal to:

- (1) 0% with respect to those Employees who are Elected Officials;
- (2) $\frac{1}{12}$ of 2.5% with respect to those former Employees whose employment with the City of Tifton is terminated during the period July 1, 2012, through June 30, 2015 solely because their job is

outsourced to a successor employer and for all other Employees who retire immediately from Covered Service and who originally entered full-time employment with the City prior to July 1, 2008; or

- (3) an Actuarially Equivalent percentage with respect to all other Employees who are entitled to an Early Retirement Income.

II.

GENERAL REPEALER

To the extent that any Ordinance, portion of an Ordinance or Resolution of the City of Tifton now in effect is inconsistent with the provisions hereof, the same are repealed.

III.

EFFECTIVE DATE

The effective date of this Ordinance shall be July 1, 2015.

Read and passed on first reading and adoption at a Regular Meeting of the City Council of the City of Tifton held on March 2, 2015.

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

Attest:

Rona Martin, City Clerk

Approved as to Form:

Rob Wilmot, City Attorney

TIFTON CITY COUNCIL AGENDA ITEM

TO: Tifton City Council
FROM: Carla D. Cooper, HR Director
DATE: 2/13/2015
DEPARTMENT: HR
SUBJECT: Retirement Plan



DATE: 2/26/2015
Workshop Meeting (X)
Regular Meeting ()
Called Meeting ()

EXECUTIVE SUMMARY

Updating the Retirement Plan to change the makeup of the retirement board due to the outsourcing of several departments

PROPOSED ACTION

Approve the ordinance to amend the Retirement Plan for the employees of the City of Tifton, Georgia to update the retirement board

SUPPORTING INFORMATION

Background Information

Financial Implications

- None

Pros and/or Cons

N/A

Implementation

- Ordinances will be sent Actuary to make plan amendments

**CITY OF TIFTON
ORDINANCE NO. 2015-_____**

[RETIREMENT PLAN]

An Ordinance of the City of Tifton, Georgia to amend its Retirement Plan; to provide for an effective date; and for other purposes.

The City Council of the City of Tifton hereby ordains that:

I.

In derogation of Section 2-5 of the Code of Ordinances of the City of Tifton, Georgia with regard to the City's Retirement Plan for its covered employees (i.e., Participants), the City Council takes the following action:

AMENDMENT TO CODE OF ORDINANCES

The retirement Plan ordinance of the City of Tifton is amended as follows The purpose of this amendment is to amend subsection 2 of Ordinance Number 84-13 by striking subsection 2 in its entirety and by substituting in lieu thereof the following:

Section 2.

A. The pension committee established by the Ordinance of November 5, 1984 is designated as the Trustees of the Retirement Plan for the City of Tifton (hereinafter "Board of Trustees"). The Board of Trustees is composed of the following persons: The Mayor, One (1) City Council member appointed by the Mayor, four (4) employees (who shall be actively employed by the City of Tifton and plan participants) elected by the employees, one member chosen by the other members of the Board of Trustees, the

City Manager, the Human Resources Director, and the Finance Director. The Human Resources Director will serve as chairperson. In the absence of the chairperson, the City Manager will be the presiding officer. The Board of Trustees shall designate a Secretary to take the official minutes.

- B. The Board of Trustees will hold an annual meeting in November of each year with the participants. Notices of the date and the place will be sent out by the Chairman or designees to the participants. The purpose of the annual meeting is:
- a. To emphasize the benefits under the Retirement Plan for the participants and what it means to each individual.
 - b. To give the participants an update on the Retirement Plan as to any amendments made to the plan during the previous year.
 - c. To inform the participants on the financial status of the Plan.
 - e. To stress the importance of keeping the secretary apprised of your current address, beneficiary, etc. and other pertinent information.
 - f. To give the participants an opportunity to have input into their Retirement Plan.

The term of each trustee will be three years, provided that the trustee continues to meet the qualification requirements for the position occupied. Terms shall be staggered so that no more than two seats subject to appointment or election are up for regular

election/appointment each year, so as to provide continuity to the Board.

To reflect the diversity of City employees, employee trustees shall be actively employed in the following areas: Police Department (1 trustee); Fire Department (1 trustee); all other areas (2 trustees)

To implement staggered terms, two sets shall expire each year. Seat expiration of incumbents shall be as follows:

Board appointed and one from all others areas– 2015
Police and Fire – 2016
One from all other areas – 2017

The Method of electing employees to the Board of Trustees shall be as follows:

At such times and using such forms designated by the Human Resources Director, employees may nominate a qualified employee, or themselves, for an upcoming term in their respective area of employment with the City of Tifton. The three nominees with the most nominations for a trustee position will then be voted on by participants in the areas of employment; each participant shall vote by secret ballot and turn his/her vote in to their department head or designee, who will forward all sealed ballots to the Human Resources Director. The votes shall be jointly opened and tabulated by the Human Resources Director, Finance Director and City Manager and the person receiving the highest plurality votes for a position shall be elected. To fill the position appointed by the Board of Trustees, nominations shall be taken from board members at the first meeting of the board following the expiration of the trustee's term at which a quorum is present. Votes shall then be by secret ballot. The person appointed by the Board of Trustees shall receive the majority of votes cast. If no nominee receives the

majority of the votes cast, the two nominees receiving the most votes shall be deemed renominated, and the voting process repeated until such time as a nominee receive a majority of votes cast.

II.

GENERAL REPEALER

To the extent that any other ordinance, portion of an ordinance or resolution of the City of Tifton now in effect is inconsistent with the provisions hereof, the same are repealed.

III.

EFFECTIVE DATE

The effective date of this ordinance shall be March 2, 2015.

Read and adopted in Regular Session of the City Council of the City of Tifton, Georgia, held on the 2nd day of March, 2015.

J. G. "JAMIE" CATER, JR.
Mayor

Attest:

Rona Martin
City Clerk

APPROVED as to Form:

Rob Wilmot
City Attorney



TIFTON CITY COUNCIL AGENDA ITEM

TO: Tifton City Council
FROM: Rona Martin, City Clerk
DATE: 02/24/2015
DEPARTMENT: Management

DATE: 02/26/2015
Workshop Meeting (X)
Regular Meeting ()
Called Meeting ()

SUBJECT: Transfer of Alcoholic Beverage License from One Location to Another

EXECUTIVE SUMMARY

At a recent Council workshop Mitch Williams posed the question of transferring an alcohol license from one location to another. The City of Tifton does provide for transfer of licenses under certain conditions as listed below.

PROPOSED ACTION

None, information only.

SUPPORTING INFORMATION

• **Sec. 6-83. - Transfer of licenses.**

(b)

Notwithstanding the provisions of subsection (a) of this section, **in the event of the death** of any person holding a license, or any interest therein, then upon application and approval by the city manager subject to the terms of this section, an alcoholic beverage license may be utilized by the administrator, executor or personal representative of such deceased person, or by the heirs at law of the deceased person, in the event that such administrator, executor, personal representative or heirs meet all of the qualifications contained in this chapter for the issuance of such alcoholic beverage license, with the license of such deceased person to be so utilized by the administrator, executor, personal representative, or heirs of such deceased person only for the time necessary to complete administration of the estate of such deceased person, but in no event longer than six months from the date of the death of such deceased person, with such license to lapse upon the earlier of such six-month period, completion of such administration, or December 31 of the year in which death shall occur.

(c)

Notwithstanding the provisions of subsection (a) of this section, in the event that the person to whom an alcoholic beverage license is issued certifies under oath in writing to the city manager **that the business served by such alcoholic beverage license is relocating** to another physical location within the city, the city manager may, upon payment to the city of an application amendment fee, provide for an amended license specific to the new location **if such new location meets all of the requirements of this chapter**. In no event shall any holder of an alcoholic beverage license operate under that license at more than one location at any time.

Financial Implications

None

Pros and/or Cons

Implementation

#7

Use of the Myon and other City Facilities

**CITY OF TIFTON, GEORGIA
RESOLUTION NO. 2015-_____**

[Continuation as a Certified City of Ethics Under the GMA Model Code of Ethics]

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TIFTON, GEORGIA,
COMPLYING WITH THE GMA CODE OF ETHICS.**

WHEREAS, the Board of Directors of the Georgia Municipal Association has established a Certified City of Ethics program; and

WHEREAS, the City of Tifton received its first City of Ethics certification in 2002 and was recertified under the GMA Model Program in 2010; and

WHEREAS, the GMA Model Program requires recertification every four years and as such the City of Tifton wishes to be recertified as a Certified City of Ethics for an additional four years under the GMA model program; and

WHEREAS, part of the certification process requires the Mayor and Council to subscribe to the ethics principles approved by the GMA Board.

NOW THEREFORE, BE IT RESOLVED by the governing authority of the City of Tifton, Georgia, that as a group and as individuals, the governing authority subscribes to the following ethics principles (as defined in GMA's "Model Code of Ethics for Georgia City Officials") and pledges to continue to conduct its affairs accordingly:

- Serve Others, Not Ourselves
- Use Resources with Efficiency and Economy
- Treat All People Fairly
- Use the Power of our Position for the Well-Being of our Constituents
- Create an Environment of Honesty, Openness and Integrity

BE IT FURTHER RESOLVED that all members of the City Council of the City of Tifton reaffirm, endorse and subscribe to the attached ordinance entitled "A Code of Ethics for City Officials" and do hereby make and pronounce this as the official policy of the City of Tifton.

RESOLVED this the _____ day of _____, 2015.

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

Johnny Terrell, Vice Mayor

Wes Ehlers, Councilmember

Christopher Parrott, Councilmember

Julie Smith, Councilmember

Rona Martin, City Clerk

CITY OF TIFTON, GEORGIA

RESOLUTION NO. 2010- 49

[CERTIFIED CITY OF ETHICS]

WHEREAS the Board of Directors of the Georgia Municipal Association has established a Certified City of Ethics program; and,

WHEREAS the City of Tifton is currently a Certified City of Ethics; and,

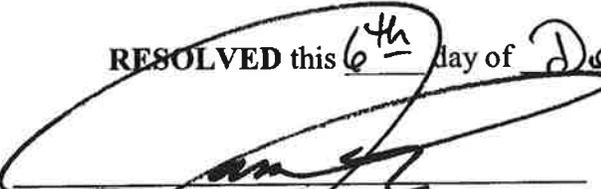
WHEREAS the City of Tifton, wishes to be certified as a Certified City of Ethics under the GMA Program and wishes to remain so under the new ethics guidelines promulgated by the GMA and set forth in the Code of Ethics Ordinance enacted contemporaneously herewith; and,

WHEREAS part of the certification process requires the Mayor and Council to subscribe to the ethics principles approved by the GMA Board;

NOW THEREFORE BE IT RESOLVED by the governing authority of the City of Tifton, Georgia, that as a group and as individuals, the governing authority subscribes to the following ethics principles and pledges to conduct its affairs accordingly:

- *Serve Others, Not Ourselves
- * Use Resources With Efficiency and Economy
- * Treat All People Fairly
- * Use The Power of Our Position For The Well-Being Of Our Constituents
- * Create An Environment Of Honesty, Openness And Integrity

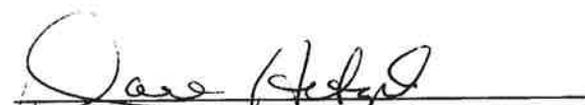
RESOLVED this 6th day of December, 2010.


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

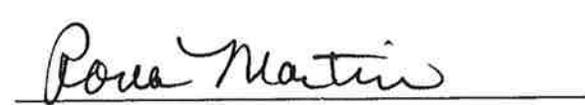

Johnny Terrell, Councilmember, District 3


Marianna Keese, Councilmember, District 1

absent
W. Joe Lewis, Councilmember, District 4
and Vice Mayor


David L. Hetzel, Councilmember, District 2

Attest:


Rona Martin, City Clerk

CITY OF TIFTON
STATE OF GEORGIA

ORDINANCE NO. 2010 - 18

[CODE OF ETHICS]

[AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF TIFTON, GEORGIA TO PROVIDE A NEW ARTICLE V TO CHAPTER 2 [CODE OF ETHICS]; TO PROVIDE FOR PENALTIES; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.]

WHEREAS, the duly elected governing authority of the City of Tifton, Georgia is authorized by O.C.G.A. § 36-35-3 to adopt ordinances relating to its property, affairs and local government; and

WHEREAS, the duly elected governing authority of the City of Tifton, Georgia is the Mayor and Council thereof; and

WHEREAS, the governing authority deems it essential to the proper operation of democratic government that the public officials be, and give the appearance of being, independent, impartial, and responsible to the people; that governmental decisions and policies be made in the proper channels of the governmental structure; and that public office not be used for personal gain; and

WHEREAS such measures are necessary to provide the public with confidence in the integrity of its government.

NOW THEREFORE it is the policy of the city that its officials, employees, appointees, and volunteers conducting official city business:

- Serve others and not themselves;
- Be independent, impartial and responsible;
- Use resources with efficiency and economy;
- Treat all people fairly;
- Use the power of their position for the well being of their constituents; and

Create an environment of honesty, openness and integrity.

NOW THEREFORE BE IT AND IT IS HEREBY ORDAINED:

Section I. AMENDMENT TO CODE OF ORDINANCES

That the Code of Ordinances of the City of Tifton, Georgia is hereby amended by deleting the current Code of Ethics [Article V of Chapter 2], sections 2-131 and

substituting therefore the following Code of Ethics sponsored and promulgated by the Georgia Municipal Association, which said sections read as follows:

“Sec. 2-131 PURPOSE

The purpose of this code of ethics is to:

- (a) Encourage high ethical standards in official conduct by city officials;
- (b) Establish guidelines for ethical standards of conduct for all such officials by setting forth those acts or actions that are incompatible with the interest of the city;
- (c) Require disclosure by such officials of private financial or other interest in matters affecting the city; and
- (d) Serve as a basis for disciplining those who refuse to abide by its terms.

Sec. 2-132 SCOPE

The provisions of this code of ethics shall be applicable to all elected or appointed city officials.

Notwithstanding anything herein to the contrary, state law and the charter of the city shall be controlling in the event of an actual conflict with the provisions of this code of ethics. This ordinance shall be interpreted to supplement, and not replace, said provisions of state law and the charter.

Sec. 2-133 DEFINITIONS

Solely for the purpose of this code of ethics:

- (a) *City official* or *official*, unless otherwise expressly defined does not include city employees but does mean the mayor, members of the city council, municipal court judges (including substitute judges), city manager, city clerk, city attorney, and all other persons holding positions designated by the city charter, as amended. The term “city official” also includes all individuals, including city employees, appointed by the mayor and/or city council as appropriate to city authorities, commissions, committees, boards, task forces, or other bodies which can or may vote or take formal action or make official recommendations to the mayor and/or city council.
- (b) *Decision* means any ordinance, resolution, contract, franchise, formal action or other matter voted on by the city council or other city board or commission, as well as the discussions or deliberations of the council, board, or commission which can or may lead to a vote or formal action by that body.
- (c) *Employee* means any person who is a full-time or part-time employee of the city.

- (d) *Immediate family* means the spouse, mother, father, grandparent, brother, sister, son or daughter of any city official related by blood, adoption or marriage. The relationship by marriage shall include in-laws.
- (e) *Incidental interest* means an interest in a person, entity or property which is not a substantial interest as defined herein and which has insignificant value.
- (f) *Remote interest* means an interest of a person or entity, including a city official, which would be affected in the same way as the general public. For example, the interest of an official in the property tax rate, general city fees, city utility charges or a comprehensive zoning ordinance or similar matters is deemed remote to the extent that the official would be affected in common with the general public.
- (g) *Substantial interest* means an interest, either directly or through a member of the immediate family, in another person or entity, where:
 - (1) the interest is ownership of five percent or more of the voting stock, shares or equity of the entity or ownership of \$5,000.00 or more of the equity or market value of the entity; or
 - (2) the funds received by the person from the other person or entity during the previous 12 months either equal or exceed (a) \$5,000.00 in salary, bonuses, commissions or professional fees, or \$5,000.00 in payment for goods, products or services, or (b) ten percent of the recipient's gross income during that period, whichever is less;
 - (3) the person serves as a corporate officer or member of the board of directors or other governing board of a for-profit entity other than a corporate entity owned or created by the city council; or
 - (4) the person is a creditor, debtor, or guarantor of the other person or entity in an amount of \$5,000.00 or more.

Sec. 2-134 PROHIBITIONS

- (a) No city official shall use such position to secure special privileges or exemptions for himself or herself or others, or to secure confidential information for any purpose other than official duties on behalf of the city.
- (b) No city official, in any matter before the council or other city body, relating to a person or entity in which the official has a substantial interest, shall fail to disclose for the record such interest prior to any discussion or vote or fail to recuse himself/herself from such discussion or vote as applicable.

- (c) No city official shall act as an agent or attorney for another in any matter before the city council or other city body.
- (d) No city official shall directly or indirectly receive, or agree to receive, any compensation, gift, reward, or gratuity in any matter or proceeding connected with, or related to, the duties of his office except as may be provided by law.
- (e) No city official shall enter into any contract with, or have any interest in, either directly or indirectly, the city except as authorized by state law.
 - (i) This prohibition shall not be applicable to the professional activities of the city attorney in his or her work as an independent contractor and legal advisor on behalf of the city.
 - (ii) This prohibition shall not be applicable to an otherwise valid employment contract between the city and a city official who is not elected (such as, by way of example, a city manager, city administrator or chief of police).
 - (iii) Any official who has a proprietary interest in an agency doing business with the city shall make that interest known in writing to the city council and the city clerk.
- (f) All public funds shall be used for the general welfare of the people and not for personal economic gain.
- (g) Public property shall be disposed of in accordance with state law.
- (h) No city official shall solicit or accept other employment to be performed, or compensation to be received, while still a city official if the employment or compensation could reasonably be expected to impair such official's judgment or performance of city duties.
- (i) If a city official accepts or is soliciting a promise of future employment from any person or entity who has a substantial interest in a person, entity or property which would be affected by any decision upon which the official might reasonably be expected to act, investigate, advise, or make a recommendation, the official shall disclose the fact to the city council and shall recuse himself/herself and take no further action on matters regarding the potential future employer.
- (j) No city official shall use city facilities, personnel, equipment or supplies for private purposes, except to the extent such are lawfully available to the public.
- (k) No city official shall grant or make available to any person any consideration, treatment, advantage or favor beyond that which it is the general practice to grant or make available to the public at large.

- (l) A city official shall not directly or indirectly make use of, or permit others to make use of, official information not made available to the general public for the purpose of furthering a private interest.
- (m) A city official shall not use his or her position in any way to coerce, or give the appearance of coercing, another person to provide any financial benefit to such official or persons within the official's immediate family, or those with whom the official has business or financial ties amounting to a substantial interest.
- (n) A city official shall not order any goods and services for the city without prior official authorization for such an expenditure. No city official shall attempt to obligate the city nor give the impression of obligating the city without proper prior authorization.
- (o) No city official shall draw travel funds or per diem from the city for attendance at meetings, seminars, training or other educational events and fail to attend such events without promptly reimbursing the city therefore.
- (p) No city official shall attempt to unduly influence the outcome of a case before the Municipal Court of the City of Tifton nor shall any city official engage in ex parte communication with a municipal court judge of the City of Tifton on any matter pending before the Municipal Court of the City of Tifton.

Sec. 2-135 CONFLICT OF INTEREST

- (a) A city official may not participate in a vote or decision on a matter affecting an immediate family member or any person, entity, or property in which the official has a substantial interest.
- (b) A city official who serves as a corporate officer or member of the board of directors of a nonprofit entity must disclose their interest in said entity to the mayor and council prior to participating in a vote or decision regarding funding of the entity by or through the city.
- (c) Where the interest of a city official in the subject matter of a vote or decision is remote or incidental, the city official may participate in the vote or decision and need not disclose the interest.

Sec. 2-136 MUNICIPAL COURT AS ARBITER OF COMPLAINTS

- (a) The Municipal Court of the City of Tifton shall hear and render decisions on all proper verified complaints filed under this ordinance.
- (b) Any Judge of the Municipal Court shall meet all legal qualifications established by Georgia law as well as the Charter and Code of Ordinances of the City of Tifton.

- (c) Should the Judge of the Municipal Court be disqualified for any reason from hearing the verified complaint, then a substitute Judge shall be appointed for such hearing and decision. Any such substitute Judge of the Municipal Court of the City of Tifton shall likewise meet all requirements referenced in subsection (b) of this code section.

Sec. 2-137 RECEIPT OF COMPLAINTS

- (a) All complaints against city officials shall be filed with the clerk of the Municipal Court of the City of Tifton. Upon receipt of a complaint in proper form, the municipal court clerk shall forward a copy of the complaint to the city official or officials charged in the complaint within no more than seven (7) calendar days.
- (b) All complaints shall be submitted and signed under oath, shall be legibly drawn and shall clearly address matters within the scope of this ordinance.
- (c) Upon receipt of a complaint in proper form, the Municipal Court shall review it to determine whether the complaint is unjustified, frivolous, patently unfounded or fails to state facts sufficient to invoke the disciplinary jurisdiction of the City Council. The Municipal Court is empowered to dismiss in writing complaints that it determines are unjustified, frivolous, patently unfounded or fail to state facts sufficient to invoke the disciplinary jurisdiction of the City Council; provided, however, that a rejection of such complaint by the Municipal Court shall not deprive the complaining party of any action such party might otherwise have at law or in equity against the city official. For complaints that are not dismissed, the Municipal Court is empowered to collect evidence and information concerning any complaint and add the findings and results of its investigations to the file containing such complaint.
- (d) Upon completion of its investigation of a complaint, the Municipal Court is empowered to dismiss in writing those complaints which it determines are unjustified, frivolous, patently unfounded or which fail to state facts sufficient to invoke the disciplinary jurisdiction of the City Council; provided, however, that a rejection of such complaint by the Municipal Court shall not deprive the complaining party of any action such party might otherwise have at law or in equity against the city official.
- (e) The Municipal Court is empowered to conduct investigations, to take evidence, and to hold hearings to address the subject matter of a complaint.
- (f) The Municipal Court is empowered to adopt forms for formal complaints, notices, and any other necessary or desirable documents within its jurisdiction where the city council has not prescribed such forms.
- (g) Findings of the Municipal Court shall be submitted to the City Council for

action.

- (h) To discourage the filing of ethics complaints solely for political purposes, complaints will not be accepted against a person seeking election as a city official, whether currently serving as a city official or not, from the date qualifying opens for the elected office at issue through the date the election results for that office are certified. The time for filing complaints will not run during this period. Properly filed complaints will be accepted and processed after the election results have been certified.

Sec. 2-138 SERVICE OF COMPLAINT

The Clerk of Municipal Court shall cause the complaint to be served on the city official charged as soon as practicable but in no event later than seven (7) calendar days after receipt of a proper, verified complaint. Service may be by personal service, by certified mail, return receipt requested or by statutory overnight delivery. A hearing shall be held within sixty (60) calendar days after filing of the complaint. The Municipal Court shall conduct hearings in accordance with the procedures and regulations it establishes but, in all circumstances, at least one hearing shall include the Municipal Court shall be rendered to Mayor and Council within seven (7) calendar days after completion of the final hearing. At any hearing held by the Municipal Court, the city official who is the subject of inquiry shall have the right to written notice of the hearing and the allegations at least seven (7) calendar days before the first hearing, to be represented by counsel, to hear and examine the evidence and witnesses and, to oppose or try to mitigate the allegations. The city official subject to the inquiry shall have also have the right but not the obligation of submitting evidence and calling witnesses. Failure to comply with any of time deadlines in this section of the ordinance shall not invalidate any otherwise valid complaint or in any way affect the power or jurisdiction of the Municipal Court or the city council to act upon any complaint.

Sec. 2-139 RIGHT TO APPEAL

- (a) Any city official or complainant adversely affected by the findings or recommendations of the Municipal Court may obtain judicial review of such decision as provided in this Section.
- (b) An action for judicial review may be commenced by filing an application for a writ of certiorari in the Superior Court of Tift County within thirty (30) days after the decision of the Municipal Court. The filing of such application shall act as supersede as.

Sec. 2-140 PENALTY

Any person violating any provision of this article is subject to:

- (a) Public reprimand or censure by the city council; or
- (b) Request for resignation by the city council.”

Section II.

The sections, subsections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any section, subsection, paragraph, sentence, clause or phrase shall be declared illegal by the valid judgment or decree of any court of competent jurisdiction, such illegality shall not affect any of the remaining section, subsections, paragraphs, sentences, clauses and phrases of this ordinance.

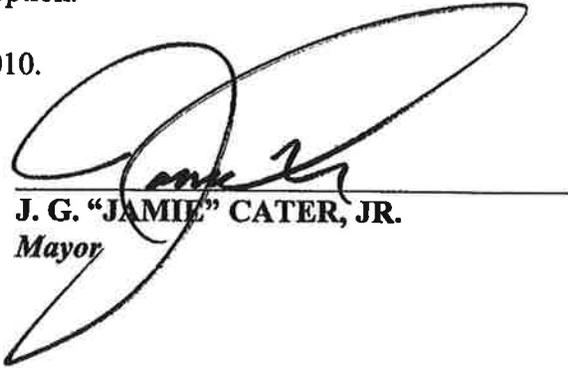
Section III.

All ordinances and parts of ordinances in conflict herewith are expressly repealed.

Section IV.

The adoption date of this ordinance is December 6, 2010 and the effective date of this ordinance shall be the date of adoption.

ORDAINED this 6th day of December, 2010.



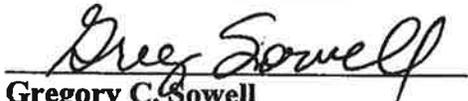
J. G. "JAMIE" CATER, JR.
Mayor

Attest:



Rona Martin
City Clerk

APPROVED as to Form:



Gregory C. Sowell
City Attorney



President
Ken Steele
Mayor, Fayetteville

First Vice President
Billy Trapnell
Mayor, Metter

Second Vice President
John Reid
Mayor, Eatonton

Third Vice President
Beth English
Councilmember, Vienna

Immediate Past President
Bill Floyd
Mayor, Decatur

Executive Director
Jim E. Higdon

October 6, 2010

MEMORANDUM

TO: Certified City of Ethics; Mayor, City Clerk and City Attorney
FROM: Susan Moore, General Counsel 
SUBJECT: Certified City of Ethics Recertification Schedule

We apologize for the miscommunication in last week's letter regarding the due date to submit materials for recertification as a Georgia Certified City of Ethics. For cities with a recertification date of January 2011, the required materials are due at GMA by December 15, 2010. These cities are:

Acworth	Flovilla	Madison	Ray City
Albany	Garden City	Midway	Ringgold
Alma	Grayson	Milner	Sandersville
Arcade	Hapeville	Monroe	Sugar Hill
Avondale Estates	Hartwell	Moultrie	Swainsboro
Baxley	Hinesville	Newnan	Tifton
Bloomington	Hiram	Patterson	Vienna
Cairo	Holly Springs	Pembroke	Villa Rica
Canton	Homeland	Perry	
Eatonton	Jesup	Powder Springs	

The following cities have a recertification date of June 2011 and their materials are due at GMA by May 20, 2011. These cities are:

Buford	Dillard	Nashville	Suwanee
Clarkston	Fayetteville	Nicholson	Thomson
Cleveland	Flemington	Sale City	Turin
Colquitt	Gordon	Sandy Springs	Union City
Darien	Milton	Statesboro	

If you have any questions, please contact me at (678) 686-6211 or smoore@gmanet.com.

Certified Cities of Ethics

<u>Name</u>	<u>Date Certified</u>	<u>Recertification Date</u>
Bowden	January 2000	June 2009
Geneva	January 2000	
Homerville	January 2000	
Jackson	January 2000	
Marietta	January 2000	
Montezuma	January 2000	
Pine Lake	January 2000	
Rockmart	January 2000	
Roswell	January 2000	
Snellville	January 2000	
Valdosta	January 2000	
Woodbury	January 2000	
Woodstock	January 2000	
Augusta	June 2000	January 2010
Bainbridge	June 2000	
Bryon	June 2000	
Calhoun	June 2000	
Carl	June 2000	
Cartersville	June 2000	
Cuthbert	June 2000	
Decatur	June 2000	
Douglasville	June 2000	
Dublin	June 2000	
Forsyth	June 2000	
Fort Valley	June 2000	
Griffin	June 2000	
Grovetown	June 2000	
Hawkinsville	June 2000	
Kingsland	June 2000	
Lavonia	June 2000	
Monticello	June 2000	
Morrow	June 2000	
Peachtree City	June 2000	
Screven	June 2000	
Sylvania	June 2000	
Warm Springs	June 2000	
Winterville	June 2000	

Ray City October 2001
Ringgold October 2001

Acworth January 2002
Arcade January 2002
Madison January 2002
Moultrie January 2002
Tifton January 2002
Cartersville Downtown
Development
Authority January 2002

January 2011

Aragon June 2002
Canton June 2002
Cave Spring June 2002
Flovilla June 2002
Holly Springs June 2002
Jefferson June 2002
Newnan June 2002

January 2011

Bloomington October 2002
Garden City October 2002
Hapeville October 2002
Hiram October 2002
Midway October 2002
Vienna October 2002
Villa Rica October 2002

January 2011

Avondale Estates January 2003
Pembroke January 2003
Powder Springs January 2003
Swainsboro January 2003
South Georgia
Regional
Development Center January 2003

January 2011

Clarkston June 2003
Colquitt June 2003
Gordon June 2003
Statesboro June 2003
Thomson June 2003
Turin June 2003
Waleska June 2003

June 2011

Euharlee June 2005
 Flowery Branch June 2005
 Greensboro June 2005
 Helen June 2005
 McDonough June 2005
 Saint Marys June 2005
 Savannah June 2005
 Waycross June 2005

Brooklet January 2006
 Folkston January 2006
 Hahira January 2006

January 2010

Ailey June 2006
 Alpharetta June 2006
 Barnesville June 2006
 Blakely June 2006
 Clayton June 2006
 Covington June 2006
 Good Hope June 2006
 Hampton June 2006
 Haralson June 2006
 Jonesboro June 2006
 Lakeland June 2006
 Luthersville June 2006
 Maysville June 2006
 Mount Vernon June 2006
 Nelson June 2006
 Portal June 2006
 Roberta June 2006
 Royston June 2006
 Stone Mountain June 2006
 Temple June 2006
 Vidalia June 2006

June 2010

Eatonton January 2007
 Milner January 2007

January 2011

Buford June 2007
 Cleveland June 2007
 Danielsville June 2007
 Darien June 2007
 Dillard June 2007
 Fayetteville June 2007
 Flemington June 2007

June 2011

CITY OF TIFTON, GEORGIA

RESOLUTION NO. 2001- 056

[Declaration to Comply with GMA Model Code of Ethics]

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TIFTON, GEORGIA,
COMPLYING WITH THE GMA CODE OF ETHICS.**

WHEREAS, the Board of Directors of the Georgia Municipal Association has established a Certified City of Ethics program; and

WHEREAS, the City of Tifton wishes to be certified as a Certified City of Ethics under the GMA program; and

WHEREAS, part of the certification process requires the Mayor and Council to subscribe to the ethics principles approved by the GMA Board.

NOW THEREFORE, BE IT RESOLVED by the governing authority of the City of Tifton, Georgia, that as a group and as individuals, the governing authority subscribes to the following ethics principles (as defined in GMA's "Model Code of Ethics for Georgia City Officials" dated September 1999) and pledges to conduct its affairs accordingly:

- Serve Others, Not Ourselves
- Use Resources with Efficiency and Economy
- Treat All People Fairly
- Use the Power of our Position for the Well-Being of our Constituents
- Create an Environment of Honesty, Openness and Integrity

BE IT FURTHER RESOLVED that all members of the City Council of the City of Tifton adopt, endorse and subscribe to the attached document entitled "A Code of Ethics for City Officials" and do hereby make and pronounce this as the official policy of the City of Tifton.

RESOLVED this the 3rd day of December, 2001.


W. Joe Lewis
Vice Mayor, City of Tifton


Carla D. Cooper
City Clerk



2/23 -
RONA - WE WILL NEED
TO RECERTIFY IN
2011.
Thanks
W

President
Kenneth E. Smith, Sr.
Mayor, Kingsland

MEMORANDUM

First Vice President
Bill Floyd
Mayor, Decatur

TO : All Mayors, Certified City of Ethics

Second Vice President
Ken Steele
Mayor, Fayetteville

FROM : Mr. Jim Higdon, Executive Director, Georgia Municipal Association

Third Vice President
Billy Trapnell
Mayor, Metter

DATE : February 17, 2009

SUBJECT : Certified City of Ethics - RECERTIFICATION

Immediate Past President
Shirley Franklin
Mayor, Atlanta

Executive Director
Jim E. Higdon

Based on recommendations from the Ethics Task Force, the GMA Board of Directors recently approved a new requirement for GMA's Certified City of Ethics program that cities participating in the program be recertified every four years. The purpose of this requirement is to make sure that the importance of ethical conduct in public service and the requirements of the city's ethics ordinance are brought to the attention of newly elected officials and regularly reinforced for incumbent officials. Additionally, recertification will provide the GMA Ethics Certification Committee with an opportunity to ensure that any changes to the city's ordinance since the original certification preserve the key elements necessary for participation in the program.

To remain a Certified City of Ethics, cities will submit to GMA for review a copy of any changes to the city's ethics ordinance since certification and a resolution signed by a majority of the governing body re-adopting the five ethics principles. Cities that have been certified within the past four years must submit those materials no later than four years after being certified. Cities that have been certified for more than four years will be required to re-certify based on the enclosed schedule and thereafter they will be required to re-certify every four years.

Other recommendations of the Ethics Task Force that are being implemented include an increased focus on the GMA Certified City of Ethics Program during the ethics portion of the Newly Elected Officials Institute, the production of a short video on the program, and the publication of a model ethics ordinance that includes appropriate alternative language to accommodate cities of differing sizes wishing to join the program or update their ordinance.

Please review the enclosed schedule and timely submit your city's recertification materials to the GMA Legal Department. Cities that have been certified for more than four years may submit their information earlier than listed on the enclosed schedule if they so desire. The recertification dates listed are spread out to avoid overwhelming the Ethics Certification Committee.

Additionally, please visit GMA's website, www.gmanet.com, to see the updated program requirements and sample ordinance and view the GMA publication "Ethics in Government: Charting the Right Course." We appreciate your participation in this program.



September 29, 2010

President
Ken Steele
Mayor, Fayetteville

First Vice President
Billy Trapnell
Mayor, Metter

Second Vice President
John Reid
Mayor, Eatonton

Third Vice President
Beth English
Councilmember, Vienna

Immediate Past President
Bill Floyd
Mayor, Decatur

Executive Director
Jim E. Higdon

Mayor Jamie Cater
City of Tifton
PO Box 229
Tifton, GA 31793-0229

Dear Mayor Cater:

The deadline for your city to be re-certified as a Georgia Certified City of Ethics is approaching. In February 2009 GMA notified the mayor of each city recognized as a Georgia Certified City of Ethics that their city would have to be re-certified every four years to retain that designation. A schedule of re-certification dates was enclosed with the memorandum. To avoid overwhelming the Ethics Certification Committee, cities that had been certified for more than four years were assigned a re-certification date ranging from January 2009 through January 2012.

Your city is scheduled to recertify in January 2011. To remain a Georgia Certified City of Ethics, the city must submit to GMA for review a copy of any changes to the city's ethics ordinance since initial certification and a resolution signed by a majority of the governing body re-adopting the five ethics principles. To continue participating in the Georgia Certified City of Ethics program, these materials must be received by GMA no later than December 15, 2010. To continue participating in the Georgia Certified City of Ethics program, these materials must be received by GMA no later than May 20, 2011. If the city chooses not to recertify in a timely fashion, GMA will remove the city's name from the list of Georgia Certified Cities of Ethics and ask the city to stop using the "City of Ethics" logo on materials such as city stationary and signs.

Please visit GMA's website, www.gmanet.com, to see the updated program requirements and sample ordinance and view the GMA publication "Ethics in Government: Charting the Right Course." If you have any additional questions about the program, please contact GMA General Counsel Susan Moore at (678) 686-6211. We appreciate your participation in this program.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Higdon', written over a circular scribble.

Jim Higdon
Executive Director

C: City Clerk
City Attorney

JH:SM



TIFTON CITY COUNCIL AGENDA ITEM

TO: Tifton City Council
FROM: Bert D. Crowe, Director COT-EDM
DATE: February 5, 2015
DEPARTMENT: Environmental Management
SUBJECT: Request for approval of T15-000-001 submitted by the City of Tifton requesting a multiple of text amendments to the City of Tifton Land Development Code relating to right of way signage.

DATE: February 19, 2015 and
March 2, 2015
Workshop Meeting (x)
Regular Meeting (x)

EXECUTIVE SUMMARY

The applicant is requesting text amendments to the Land Development Code as follows:

- [1] Amend Chapter 6 to correct the inconsistency between the language of the text contained in Section 6.01.05 (C) and the "Visibility at Intersections" diagram.

PROPOSED ACTION

Approval by City Council of the requested Text Amendment T15-000-001.

SUPPORTING INFORMATION

Background Information

The applicant is requesting these text amendments to the LDC:

- [1] In order to correct an error located in the diagram relating to Section 6.01.05(C) referred to as "Visibility at Intersections", create consistence within the Land Development Code and generate clarity for the public, it is the determination of staff that this correction should be made.

Financial Implications

Approval and implementation of the above listed text amendments would not generate any additional expense of Tifton.

Pros and/or Cons

- Pros (1) - Approval would create consistency within the LDC relating to Mitered corners within our City. This amendment would help to prevent future confusion for both staff and the public.
- Cons (1) - None

Implementation

Implementation of the above listed Text Amendments found in T15-000-001 would be immediate upon the approval of City of Tifton Council.

CITY OF TIFTON

ORDINANCE NO. 2015-_____

AN ORDINANCE OF THE CITY OF TIFTON, GEORGIA TO AMEND CHAPTER 6 OF THE CITY OF TIFTON LAND DEVELOPMENT CODE TO AMEND THE DIAGRAM "VISABILITY AT INTERSECTIONS" TO BE CONSISTENT WITH TEXT CONTAINED IN SECTION 6.01.05 (C) RELATED TO VERTICAL DIMENSIONS OF SIGHT AREAS

WHEREAS, the City of Tifton Land Development Code was adopted on July 2, 2012 which, in part, regulates land uses and site development standards; and

WHEREAS, there exists an inconsistency with between the text contained in Section 6.01.05 (C) and the "Visibility at Intersections" diagram contained in the LDC;

WHEREAS, it is the desire of the Mayor and City Council to correct the inconsistency and that the language of the text be consistent with the "Visibility at Intersections" diagram.

NOW THEREFORE, having reviewed the record before it and after applying all applicable ordinances;

Be it ordained by the City Council of the City of Tifton that the "Visibility at Intersections" diagram contained in Chapter 6 titled " Visibility at Intersections" will be as depicted on Exhibit A, attached hereto and incorporated herein by reference.

REPEALER

To the extent that any other ordinance, portion of an ordinance, or resolution of the City of Tifton now in effect is inconsistent with the provisions hereof, the same is repealed.

EFFECTIVE DATE

The effective date of this Ordinance shall be the date of adoption hereof.

Read, passed and adopted at a Regular Meeting of the City Council of the City of Tifton held on the ____ day of March, 2015.

Jamie Cater
Mayor, City of Tifton

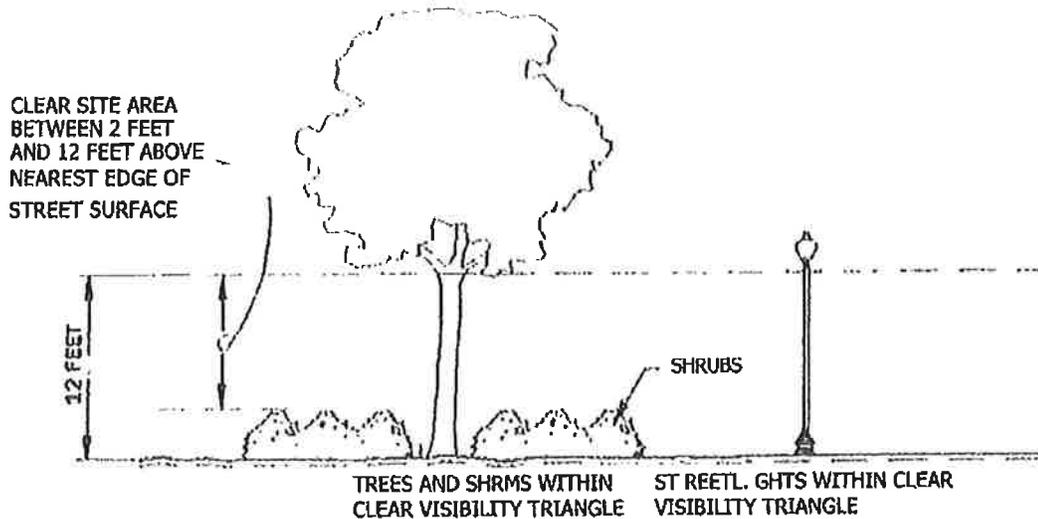
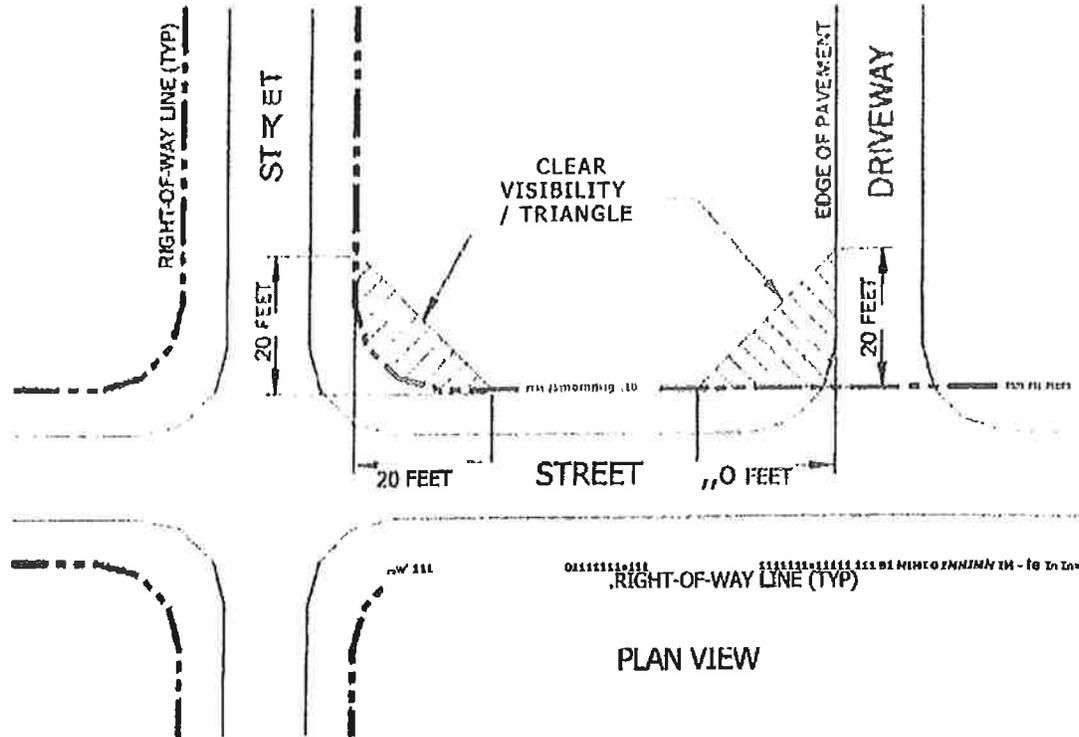
APPROVED as to Form:

Attest:

Robert C. Wilmot
City Attorney

Rona Martin

EXHIBIT A



WITHIN THE CLEAR VISIBILITY TRIANGLE AREA NO FENCE, WALL, SIGN, STRUCTURE, SLOPE OR EMBANKMENT, PARKED VEHICLE, HEDGE, FOLIAGE OR OTHER PLANTING, AND OTHER OBJECT OR STRUCTURE SHALL BE PLACED, ERECTED, OR MAINTAINED WHICH WILL OBSTRUCT VISIBILITY

SECTION VIEW

VISIBILITY AT INTERSECTIONS

EXHIBIT A

TIFTON CITY COUNCIL AGENDA ITEM



TO: Tifton City Council
FROM: Bert D. Crowe, Director COT-EDM
DATE: February 5, 2015
DEPARTMENT: Environmental Management

DATE: February 19, 2015 and
March 2, 2015
Workshop Meeting (x)
Regular Meeting (x)

SUBJECT: Request for approval of T15-000-001 submitted by the City of Tifton requesting a multiple of text amendments to the City of Tifton Land Development Code relating to right of way signage.

EXECUTIVE SUMMARY

The applicant is requesting text amendments to the Land Development Code as follows:

- [1] Amend Chapter 7 to add a new section 7.09.01 to be titled "Permitted signs in the Right of Way" to permit directional real estate signs at certain locations within the City of Tifton Right of Way.

PROPOSED ACTION

Approval by City Council of the requested Text Amendment T15-000-001.

SUPPORTING INFORMATION

Background Information

The applicant is requesting these text amendments to the LDC:

- [2] In order to allow designated real estate directional signage in the mitered corners of designated streets to better direct potential customers to properties. This request was generated by the recommendations of the Council Committee on real estate signage.

Financial Implications

Approval and implementation of the above listed text amendments would not generate any additional expense of Tifton.

Pros and/or Cons

- Pros (2) – Approval would allow designated signage in the right of way as requested by City of Tifton Council Committee.
- Cons (2) – Approval would generate increased signage within our City including residential areas of our City. There could be a potential increase of unsafe conditions relating to the placement of such signage and the attempts of motorist to read said signage while traveling on city streets.

TIFTON CITY COUNCIL AGENDA ITEM

Implementation

Implementation of the above listed Text Amendments found in T15-000-001 would be immediate upon the approval of City of Tifton Council.

CITY OF TIFTON

ORDINANCE NO. 2015-_____

AN ORDINANCE OF THE CITY OF TIFTON, GEORGIA TO AMEND THE CITY OF TIFTON LAND DEVELOPMENT CODE TO ADD A NEW SECTION 7.09.01 TO CHAPTER 7 TO PERMIT REAL ESTAE SIGNS WITHIN THE CITY RIGHT OF WAY; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES

WHEREAS, the City of Tifton Land Development Code was adopted on July 2, 2012 which, in part, regulates land uses and sign regulation; and

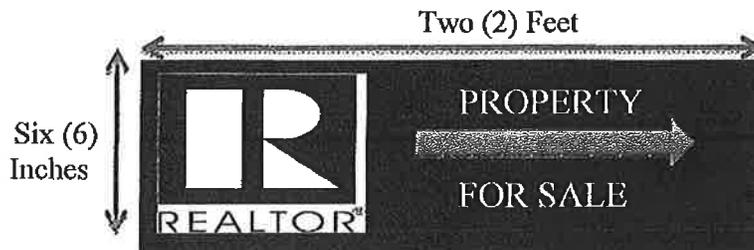
WHEREAS, it is the desire of the Mayor and City Council that directional real estate signs be permitted at certain locations within the City Right of Way.

NOW THEREFORE, having reviewed the record before it and after applying all applicable ordinances;

Be it ordained by the City Council of the City of Tifton that Chapter 7 of the City of Tifton Land Development Code is hereby amended to add a new Section 7.09.01 to be titled "Permitted Signs in Right of Way" said section to read as follows:

Sec. 7.09.00 – Permitted signs in Right of Ways.

- A. Real estate directional signs to identify the location of real estate for sale shall be permitted and shall be in the form as depicted below.



- B. The dimensions of the directional sign shall be no more than twenty-four (24) inches wide, six (6) inches in height and shall extend no higher than two (2) feet from ground level.
- C. Only one directional real estate sign shall be permitted on the left or right mitered corners on arterial or connector streets identified on Exhibit "A" attached hereto and incorporated herein.

- D. In the event more than one directional sign is located on any mitered corner, or two directional signs are located on the same side of the right of way, both directional signs will be removed and may be reclaimed in accordance with Section

REPEALER

To the extent that any other ordinance, portion of an ordinance, or resolution of the City of Tifton now in effect is inconsistent with the provisions hereof, the same is repealed.

EFFECTIVE DATE

The effective date of this Ordinance shall be the date of adoption hereof.

Read, passed and adopted at a Regular Meeting of the City Council of the City of Tifton held on the ____ day of March, 2015.

Jamie Cater
Mayor, City of Tifton

APPROVED as to Form:

Attest:

Robert C. Wilmot
City Attorney

Rona Martin

EXHIBIT A

ARTERIAL

2nd Street E
2nd Street W
4th Street E
7th Street W
8TH Street E
8th Street W
20th Street W
Carpenter Rd N
Carpenter Rd S
Central Ave S
Ferry Lake Road
Tift Ave N
Tift Ave S
Tifton-Eldorado Rd
U S Hwy 319
U S Hwy 41 N
U S 82
Whiddon Mill Rd
Magnolia Drive N
Main Street N
Main Street S

COLLECTOR

4th Street W
12th Street E
13th Street W
17th Street W
20th Street E
28th Street E
28th Street W
Baldwin Drive
Bellevue Ave
Central Ave N
Davis Road
Fletcher Road
Forrest Ave
Fulwood Blvd
Fulwood Road
Virginia Ave N
Virginia Ave S
Kennedy Road
Lake Drive
Magnolia Drive S
Murray Ave
Old Ocilla Rd
Old Omega Rd
Rainwater Road
Ridge Ave S

PUBLIC NOTICE

**The City of Tifton Planning and Zoning Commission
Meeting, 130 East 5th Street, Municipal Court Room,
Tifton, Georgia**

February 5, 2015, 6:00 PM

Meeting is Open to the Public

The City of Tifton Planning and Zoning Commission will consider Text Amendments to the City of Tifton Land Development Code as follows:

- [1] Amend Chapter 6 to correct the inconsistency between the language of the text contained in Section 6.01.05 (C) and the "Visibility at Intersections" diagram.
- [2] Amend Chapter 7 to add a new Section 7.09.01 to be titled "Permitted Signs in Right of Way" to permit directional real estate signs at certain locations within the City Right of Way.

NOTICE OF PUBLIC HEARING

**The City of Tifton Council will hold a Public Hearing March 2, 2015, at
5:00 PM at 130 East 5th Street, Municipal Court Room, Tifton, Georgia**

The Mayor and City Council for the City of Tifton proposes Text Amendments to the City of Tifton Land Development Code as follows:

- [1] Amend Chapter 6 to correct the inconsistency between the language of the text contained in Section 6.01.05 (C) and the "Visibility at Intersections" diagram.
- [2] Amend Chapter 7 to add a new Section 7.09.01 to be titled "Permitted Signs in Right of Way" to permit directional real estate signs at certain locations within the City Right of Way.

For Additional Information please call 229-391-3950



204 North Ridge
Post Office Box 229
Tifton, Georgia 31793

<http://www.tifton.net>

ELECTED OFFICIALS:

J. G. "JAMIE" CATER, JR.
MAYOR

JOHNNY TERRELL, JR.
VICE MAYOR
DISTRICT 3

WES ELMERS
DISTRICT 1

CHRISTOPHER PARROTT
DISTRICT 2

JULIE B. SMITH
DISTRICT 4



ENVIRONMENTAL MANAGEMENT

Bert D. Crowe, Director
PH: 229.391.3950 * FAX: 229-556-7419 * e-mail: bcrowe@tifton.net

Location: City of Tifton Municipal Court Room
130 East 5th Street
Tifton, GA 31794

Date: January 27, 2015

Agenda

Meeting of the City of Tifton Planning and Zoning Commission

A meeting of the City of Tifton Planning and Zoning Commission is to be held Thursday, February 5, 2015 at 6:00 pm at the City of Tifton Municipal Court Room located at 130 East 5th Street Tifton, Georgia. The entrance to the Municipal Court Room is located inside the Municipal Court entrance to the Law Enforcement Center.

- 1) Call meeting to order.
- 2) Application # T15-000-001 from The City of Tifton requesting text amendments to the City of Tifton Land Development Code as follows:
 - a) Amend Chapter 6 to correct the inconsistency between the language of the text contained in Section 6.01.05 (C) and the "Visibility at Intersections" diagram.
 - b) Amend Chapter 7 to add a new Section 7.09.01 to be titled "Permitted Signs in Right of Way" to permit directional real estate signs at certain locations within the City Right of Way.

- 3) Citizen's Comments
- 4) Approval of Minutes from the November 6, 2014 Regular Meeting.
- 5) Old Business
- 6) New Business
- 7) Adjournment

City of Tifton Planning and Zoning Commission Meeting

Date: February 5, 2015

Meeting Place: City of Tifton Municipal Court Room

These minutes are not official until approved by the City of Tifton Planning and Zoning Commission. The meeting was called to order at 6:00 PM by Mr. Tommy Nalls. Also present at the meeting was Mrs. Jan Wise, and Mr. Major Battle. Ms Julie Sharpe and Ms. Bobbie Robinson were absent. Also present at the meeting was Bert D, Crowe, Director of COT-EMD. There were no citizens present at the meeting.

Applications were discussed and voted as follows:

- 1) Application # T15-000-001 from The City of Tifton requesting text amendments to the City of Tifton Land Development Code as follows:
 - a) Amend Chapter 6 to correct the inconsistency between the language of the text contained in Section 6.01.05 (C) and the "Visibility at Intersections" diagram.
 - b) Amend Chapter 7 to add a new Section 7.09.01 to be titled "Permitted Signs in Right of Way" to permit directional real estate signs at certain locations within the City Right of Way.

Both requests were discussed and vote was taken on each part of the request individually. Both votes were approved unanimously.

- 2) The minutes from the November 6, 2014 meeting were approved unanimously.
- 3) There was no old business
- 4) There was new business relating the election of officers for the upcoming year. This item was tabled until the next meeting..
- 5) The meeting was adjourned by unanimous voted at approximately 6:20 pm.

Please note that these executive minutes are unofficial until they are approved by the City of Tifton Planning and Zoning Commission. An audio copy of the entire meeting is available upon request from the City of Tifton Environmental Management Department.

gpn13

PUBLIC NOTICE

The City of Tifton Planning and Zoning Commission Meeting, 130 East 5th Street, Municipal Court Room, Tifton, Georgia
February 5, 2015, 6:00 PM
Meeting is Open to the Public

The City of Tifton Planning and Zoning Commission will consider Text Amendments to the City of Tifton Land Development Code as follows:

- [1] Amend Chapter 6 to correct the inconsistency between the language of the text contained in Section 6.01.05 (C) and the Visibility at Intersections diagram.
- [2] Amend Chapter 7 to add a new Section 7.09.01 to be titled Permitted Signs in Right of Way to permit directional real estate signs at certain locations within the City Right of Way.

NOTICE OF PUBLIC HEARING

The City of Tifton Council will hold a Public Hearing March 2, 2015, at 5:00 PM at 130 East 5th Street, Municipal Court Room, Tifton, Georgia

The Mayor and City Council for the City of Tifton proposes Text Amendments to the City of Tifton Land Development Code as follows:

- [1] Amend Chapter 6 to correct the inconsistency between the language of the text contained in Section 6.01.05 (C) and the Visibility at Intersections diagram.
- [2] Amend Chapter 7 to add a new Section 7.09.01 to be titled Permitted Signs in Right of Way to permit directional real estate signs at certain locations within the City Right of Way.

For Additional Information please call 229-391-3950

00083902
1/30/15

City of Tifton Planning and Zoning Commission Meeting

Date: November 6, 2014

Meeting Place: City of Tifton Municipal Court Room

These minutes are not official until approved by the City of Tifton Planning and Zoning Commission. The meeting was called to order at 6:00 PM by Mr. Tommy Nalls. Also present at the meeting was Mrs. Jan Wise, Mrs. Bobbie Robinson and Mr. Major Battle. Ms Julie Sharpe was absent. Also present at the meeting was Bert D, Crowe, Director of COT-EMD. There were no citizens present at the meeting.

Applications were discussed and voted as follows:

- 1) Application # X14-000-004 from Hunt Road, LLC for the annexation of 2.192 acres consisting of the western portion of Parcel # 0047C 022. Property is located adjacent to Hunt Road. There was discussion from the commission, a vote, and the application was approved unanimously.
- 2) Applications # Z14-000-005 from Hunt Road LLC for the reclassification in conjunction with annexation of 2.192 acres consisting of the western portion of Parcel # 0047C 002. The current zoning characteristic for the property is Tift County General Business and the new zoning characteristic will be City of Tifton General Business. There was discussion from the commission, a vote, and the application was approved unanimously.
- 3) Application # Z14-000-006 from Morrow Retail Ventures for the reclassification of Parcel # 0046 006A consisting of 56.56 acres and Parcel # 0047C 026 in the amount of 0.98 acres. Also included in this application is a request for reclassification of the undeveloped western portion of Hunt Road consisting of 0.207 acres. The current zoning characteristic for all these properties is City of Tifton Wholesale Light Industrial and the new zoning characteristic will be City of Tifton General Business. There was discussion from the commission, a vote, and the application was approved unanimously.
- 4) There was no old business
- 5) There was no new business.
- 6) The meeting was adjourned by unanimous voted at approximately 7:00 pm.

Please note that these executive minutes are unofficial until they are approved by the City of Tifton Planning and Zoning Commission. An audio copy of the entire meeting is available upon request from the City of Tifton Environmental Management Department.

Bert Crowe

From: Tifton Legals [Tifton.Legals@gafnews.com]
Sent: Monday, January 26, 2015 8:45 AM
To: Bert Crowe
Subject: Your legal has been received. Once it is entered you will receive the cost and ad number.

Your legal has been received. Once it is entered you will receive the cost and ad number.

Jan Marie Guanzon
Group Legal Clerk
South Georgia Media Group

229-256-2128
800-600-4838 ext 1281

P.O. Box 968
Valdosta, GA 31603
Fax 229-244-4479

Jan.Guanzon@gafnews.com

TIFTON CITY COUNCIL AGENDA ITEM



TO: Tifton City Council
FROM: Bert D. Crowe, Director COT-EDM
DATE: February 12, 2015
DEPARTMENT: Environmental Management

*DATE: February 19, 2015 and
March 19, 2015
Workshop Meeting (x)
Called Meeting (x)*

SUBJECT: Request for approval of T15-000-002 submitted by the City of Tifton requesting a text amendment to the City of Tifton Land Development Code relating to tattoo establishment in relation to alcohol licensed establishments.

EXECUTIVE SUMMARY

The applicant is requesting text amendments to the Land Development Code as follows:

To amend Chapter 4, Section 4.03.31(e) of the City of Tifton Land Development Code so as to allow the location of tattoo parlors and body piercing establishments within 300 feet of a restaurant and to prohibit the location of a tattoo parlor or body piercing establishment within 300 feet of a bar or entertainment.

PROPOSED ACTION

Approval by City Council of the requested Text Amendment T15-000-002.

SUPPORTING INFORMATION

Background Information

The current section states that a tattoo parlor cannot be within 300 feet of any establishment that holds an alcohol license. It is requested that the only restriction for tattoo parlors in relation to an alcohol sales establishment should be with relation to a bar or entertainment establishment as defined in the alcohol ordinance. This will allow a restaurant selling alcohol to be located without restrictions next to a tattoo parlor.

Financial Implications

Approval and implementation of the above listed text amendments would not generate any additional expense of Tifton. City of Tifton staff is recommending this text amendment change.

Pros and/or Cons

- Pros (1) – Allow for the placement of businesses selling alcohol other than bars adjacent to a tattoo establishment. This is more conducive to creating a larger business base for the City of Tifton.
- Cons (1) - None

TIFTON CITY COUNCIL AGENDA ITEM

Implementation

Implementation of the above listed Text Amendment found in T15-000-002 would be immediate upon the approval of City of Tifton Council.



204 North Ridge
Post Office Box 229
Tifton, Georgia 31793

<http://www.tifton.net>

ENVIRONMENTAL MANAGEMENT

Bert D. Crowe, Director
PH: 229.391.3950 * FAX: 229-556-7419 * e-mail: bcrowe@tifton.net

Location: City of Tifton Municipal Court Room
130 East 5th Street
Tifton, GA 31794

Date: February 12, 2015

Agenda

Meeting of the City of Tifton Planning and Zoning Commission

A meeting of the City of Tifton Planning and Zoning Commission is to be held Thursday, March 5, 2015 at 6:00 pm at the City of Tifton Municipal Court Room located at 130 East 5th Street Tifton, Georgia. The entrance to the Municipal Court Room is located inside the Municipal Court entrance to the Law Enforcement Center.

ELECTED OFFICIALS:

J. G. "JAMIE" CATER, JR.
MAYOR

JOHNNY TERRELL, JR.
VICE MAYOR
DISTRICT 3

WES ELMERS
DISTRICT 1

CHRISTOPHER PARROTT
DISTRICT 2

JULIE B. SMITH
DISTRICT 4

- 1) Call meeting to order.
- 2) Application # T15-000-002 from The City of Tifton requesting text amendments to the City of Tifton Land Development Code as follows:
 - a) To amend Chapter 4, Section 4.03.31(e) of the City of Tifton Land Development Code so as to allow the location of tattoo parlors and body piercing establishments within 300 feet of a restaurant and to prohibit the location of a tattoo parlor or body piercing establishment within 300 feet of a bar or entertainment.
- 3) Citizen's Comments
- 4) Approval of Minutes from the February 5, 2015 Regular Meeting.
- 5) Old Business
- 6) New Business: Discussion and election of officers for HPC.
- 7) Adjournment



PUBLIC NOTICE

**The City of Tifton Planning and Zoning Commission
Meeting, 130 East 5th Street, Municipal Court Room,
Tifton, Georgia**

March 5, 2015, 6:00 PM

Meeting is Open to the Public

The City of Tifton Planning and Zoning Commission will consider a Text Amendment to the City of Tifton Land Development Code as follows:

To amend Chapter 4, Section 4.03.31(e) of the City of Tifton Land Development Code so as to allow the location of tattoo parlors and body piercing establishments within 300 feet of a restaurant and to prohibit the location of a tattoo parlor or body piercing establishment within 300 feet of a bar or entertainment.

NOTICE OF PUBLIC HEARING

**The City of Tifton Council will hold a Public Hearing March 19, 2015, at
5:00 PM at 130 East 5th Street, Municipal Court Room, Tifton, Georgia**

The Mayor and City Council for the City of Tifton proposes a Text Amendment to the City of Tifton Land Development Code as follows:

To amend Chapter 4, Section 4.03.31(e) of the City of Tifton Land Development Code so as to allow the location of tattoo parlors and body piercing establishments within 300 feet of a restaurant and to prohibit the location of a tattoo parlor or body piercing establishment within 300 feet of a bar or entertainment.

For Additional Information please call 229-391-3950

CITY OF TIFTON

ORDINANCE NO. 2015-_____

AN ORDINANCE OF THE CITY OF TIFTON, GEORGIA TO AMEND CHAPTER 4, SECTION 4.03.31(E) OF THE CITY OF TIFTON LAND DEVELOPMENT CODE TO AMEND THE LOCATION OF TATTOO PARLORS AND BODY PIERCING ESTABLISHMENTS; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES

WHEREAS, the City of Tifton Land Development Code was adopted on July 2, 2012 which, in part, regulates land uses and site development standards; and

WHEREAS, it is the desire of the Mayor and City Council that Chapter 4, Section 4.03.31(E) of the City of Tifton Land Development Code be amended so as to allow the location of tattoo parlors and body piercing establishments within 300 feet of a restaurant and to prohibit the location of a tattoo parlor or body piercing establishment within 300 feet of a bar or entertainment establishment.

NOW THEREFORE, having reviewed the record before it and after applying all applicable ordinances.

Be it ordained by the City Council of the City of Tifton that Chapter 4, Section 4.03.31(E) is hereby amended amended to read as follows:

Tattoo Parlors or Body Piercing Establishments shall not be located within 300 feet of any parcel of land upon which is located a bar or entertainment establishment as defined in Chapter 6, Article 1 of the Code of Ordinances for the City of Tifton.

REPEALER

To the extent that any other ordinance, portion of an ordinance, or resolution of the City of Tifton now in effect is inconsistent with the provisions hereof, the same is repealed.

EFFECTIVE DATE

The effective date of this Ordinance shall be the date of adoption hereof.

Read, passed and adopted at a Regular Meeting of the City Council of the City of Tifton held on the ___day of March, 2015.

Jamie Cater
Mayor, City of Tifton

APPROVED as to Form:

Attest:

Robert C. Wilmot
City Attorney

Rona Martin

City of Tifton Planning and Zoning Commission Meeting

Date: February 5, 2015

Meeting Place: City of Tifton Municipal Court Room

These minutes are not official until approved by the City of Tifton Planning and Zoning Commission. The meeting was called to order at 6:00 PM by Mr. Tommy Nalls. Also present at the meeting was Mrs. Jan Wise, and Mr. Major Battle. Ms Julie Sharpe and Ms. Bobbie Robinson were absent. Also present at the meeting was Bert D, Crowe, Director of COT-EMD. There were no citizens present at the meeting.

Applications were discussed and voted as follows:

- 1) Application # T15-000-001 from The City of Tifton requesting text amendments to the City of Tifton Land Development Code as follows:
 - a) Amend Chapter 6 to correct the inconsistency between the language of the text contained in Section 6.01.05 (C) and the "Visibility at Intersections" diagram.
 - b) Amend Chapter 7 to add a new Section 7.09.01 to be titled "Permitted Signs in Right of Way" to permit directional real estate signs at certain locations within the City Right of Way.

Both requests were discussed and vote was taken on each part of the request individually. Both votes were approved unanimously.

- 2) The minutes from the November 6, 2014 meeting were approved unanimously.
- 3) There was no old business
- 4) There was new business relating the election of officers for the upcoming year. This item was tabled until the next meeting..
- 5) The meeting was adjourned by unanimous voted at approximately 6:20 pm.

Please note that these executive minutes are unofficial until they are approved by the City of Tifton Planning and Zoning Commission. An audio copy of the entire meeting is available upon request from the City of Tifton Environmental Management Department.

Bert Crowe

From: Microsoft Outlook
To: Tifton Legals
Sent: Friday, February 13, 2015 11:22 AM
Subject: Relayed: Legal ad for Tifton Gazette

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

[Tifton Legals \(Tifton.Legals@gafnews.com\)](mailto:Tifton.Legals@gafnews.com)

Subject: Legal ad for Tifton Gazette

Bert Crowe

From: Tifton Legals [Tifton.Legals@gafnews.com]
Sent: Friday, February 13, 2015 11:22 AM
To: Bert Crowe
Subject: Your legal has been received. Once it is entered you will receive the cost and ad number.

Your legal has been received. Once it is entered you will receive the cost and ad number.

Jan Marie Guanzon
Group Legal Clerk
South Georgia Media Group

229-256-2128
800-600-4838 ext 1281

P.O. Box 968
Valdosta, GA 31603
Fax 229-244-4479

Jan.Guanzon@gafnews.com



TIFTON CITY COUNCIL AGENDA ITEM

TO: Tifton City Council
FROM: Bert D. Crowe, Director COT-EDM
DATE: February 19, 2015
DEPARTMENT: Environmental Management

DATE: February 26, 2015 and
March 2, 2015
Workshop Meeting (x)
Called Meeting (x)

SUBJECT: Request for approval of T15-000-003 submitted by the City of Tifton requesting the repeal of section 18-34 and creation of a text amendment to the City of Tifton Land Development Code relating to revocation of business license for the violation of the building codes.

EXECUTIVE SUMMARY

The applicant is requesting text amendments to the City of Tifton Code of Ordinance as follows:

The current section 18-34 of the Code of Ordinances requires that upon conviction of a violation of the building codes the business license is automatically revoked and may only be re-instated by City Council "upon good cause shown". Subsection (b) of this section will be repealed and a new section 10.06.03 will be added to the LDC.

The revocation of a license requires a fair hearing or fundamental due process. Although the license holder will have an opportunity to present evidence and cross-examine witnesses at the hearing on the ordinance violation, the safest route would be to afford a hearing before the license is suspended or revoked. Additionally, not every violation of the building code should be grounds for revocation or suspension.

The proposed revision to Chapter 10 of the LDC is fashioned after Title 43, Chapter 41 Professions and Businesses, Residential and General Contractors, which sets out circumstances where a contractor or applicants state license can be suspended, revoked or denied. Additionally, the procedural provisions for revocation, suspension or denial of a permit proposed in the revision, is fashioned after the procedures for revocation of alcohol license in our Code. However, the hearing would be before the City Manager with rights of appeal to the Zoning Board of Appeals. This leaves City Council out of the process which is the main goal we were looking to achieve.

This process will allow for the Director of Environmental Management to make the initial determination whether action against a contractor's license should be initiated in the first place even though a citation has issued or a conviction has occurred in Municipal Court. After recommendation from Environmental Management, the city manager can make his determination if grounds exist to take action. If a hearing is held, the city manager has numerous options to enforce compliance with the LDC short of a revocation.

Lastly, by having the ability to deny a building permit, the City will have the ability to control out of town contractors who do not have a business license with the City. For example, if Code has evidence that an

TIFTON CITY COUNCIL AGENDA ITEM

out of town contractor has habitually violated the LDC, the city manager could suspend the contractor's ability to apply for a permit for a specified period of time.

PROPOSED ACTION

Approval by City Council of the requested Text Amendment T15-000-003.

SUPPORTING INFORMATION

Background Information

Request was made by the City of Tifton Council to revise this portion of ordinance. It was determined by staff with the assistance of the City Attorney to base the review process on the State of Georgia guidelines. This would allow the City Manager to make the decision for revocation after hearing evidence presented. It would also allow for an appeal process for the license holder through the City of Tifton Zoning Board of Appeals.

Financial Implications

Approval and implementation of the above listed text amendments would not generate any additional expense of Tifton. City of Tifton staff is recommending this text amendment change.

Pros and/or Cons

- Pros (1) – Allows for due process and appeal process in cases involving violation of the building codes by business license holders in the City of Tifton.
- Cons (1) - None

Implementation

Implementation of the above listed Text Amendment found in T15-000-002 would be immediate upon the approval of City of Tifton Council.

CITY OF TIFTON

ORDINANCE NO. 2015-_____

AN ORDINANCE OF THE CITY OF TIFTON, GEORGIA TO AMEND CHAPTER 10 OF THE CITY OF TIFTON LAND DEVELOPMENT CODE TO PROVIDE FOR PROCEDURES FOR THE SUSPENSION OR REVOCATION OF CONSTRUCTION LICENSES AND PERMITS; TO REPEAL LAWS IN CONFLICT THEREWITH; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES

WHEREAS, the City of Tifton Land Development Code was adopted on July 2, 2012 which, in part, regulates land uses and site development standards; and

WHEREAS, it is the desire of the Mayor and City Council that procedures be established to suspend or revoke licenses or permits for individuals and companies in the construction business for violations of Title 43, Chapter 41 of the Official Code of Georgia, the City of Tifton Code of Ordinances or the City of Tifton Land Development Code;

NOW THEREFORE, having reviewed the record before it and after applying all applicable ordinances.

Be it ordained by the City Council of the City of Tifton that Chapter 10 of the City of Tifton Land Development Code be amended to add a new section 10.06.03 to read as follows:

10.06.03 Revocation and Suspension of License/Denial of Permit

A. In addition to other remedies and/or penalties provided herein, upon recommendation of the Director of Environmental Management, the city manager shall conduct a hearing to determine whether or not a licensee's license should be revoked or suspended or the denial of a permit.

B. The City Manager shall have the authority to suspend or revoke the license of a person, to discipline a licensed person or deny the issuance of a permit upon a finding that the licensee or applicant has committed any one of the following acts:

(1) Obtaining a license or permit by fraud or misrepresentation or otherwise knowingly giving false or forged evidence;

(2) Being convicted or found guilty of or entering a plea of guilty or nolo contendere to a criminal act constituting a felony in any jurisdiction which directly relates to the practice of residential or general contracting or the ability to practice contracting;

(3) Performing any act that assists a person or entity in the prohibited unlicensed practice of contracting if the licensee or applicant knows or has reasonable grounds to know that the person or entity is unlicensed;

(4) Knowingly combining or conspiring with an unlicensed person by allowing his or her license to be used with the intent to evade the requirements of Title 43, Chapter 41 of the Official Code of Georgia, the City of Tifton Code of Ordinances or this LDC;

(5) Failing in any material respect to comply with the provisions of Title 43, Chapter 41 of the Official Code of Georgia or violating any rule, regulation or order of the State Licensing Board for Residential and General Contractors, the City of Tifton Code of Ordinances or this LDC. A conviction or plea of nolo contendere to a violation of the City of Tifton Code of Ordinances or this LDC shall be prima facie evidence that the license or permit holder has violated this subsection;

(6) Abandoning a construction project in which the contractor who is the individual license holder or a business organization or permit holder for whom the license holder is a qualifying agent is engaged or under contract as a residential or general contractor. A project may be presumed abandoned after 90 days if the contractor has ceased work on or terminated performance on the project without just cause and without proper notification to the owner, including the reason for the termination, cessation, or abandonment;

(7) Signing a statement with respect to a project or contract falsely indicating that the work is bonded; knowingly and falsely indicating by written statement issued to the owner that payment has been made for all subcontracted work, labor, and materials and for all materials furnished and installed which statement is reasonably relied upon and actually results in a financial loss to the owner; or falsely indicating that workers' compensation and general liability insurance are provided;

(8) Committing fraud or deceit in the practice of contracting, including falsely advertising, representing, or holding himself or herself or an affiliated business organization out as having a valid and current license or permit;

(9) Committing gross negligence, repeated or persistent negligence, negligence resulting in a significant danger to life or property or repeated violations of Title 43, Chapter 41 of the Official Code of Georgia or violating any rule, regulation or order of the State Licensing Board for Residential and General Contractors, the City of Tifton Code of Ordinances or this LDC;

(10) Proceeding on any job without obtaining applicable permits and inspections;

(11) Using or attempting to use a license that has expired or has been suspended or revoked;

(12) Knowingly, intentionally or negligently engaging any subcontractor to perform work within the scope of the general or residential construction contract which requires a license under Title 43, Chapter 14 of the Official Code of Georgia who does not possess a current and valid license for such work; or

(13) Failing to satisfy within a reasonable time the terms of a final civil judgment obtained against the licensee or permit holder.

C. Upon consideration of the recommendation of the Director of Environmental Management and a finding by the city manager that ground or grounds may exist for the suspension or revocation of a license pursuant to the provisions of this chapter or the denial of a permit, then the city manager shall cause a written notice to be issued to the holder of such license or applicant, requiring such holder or applicant to show cause why the holder's license should not be revoked or suspended or permit denied. The notice shall specify the date, time and place of the hearing which shall not be less than five days nor more than 30 days from the date of service of the notice. The notice may be served by certified mail, statutory overnight delivery or by personal service on the licensee or applicant. The written notice shall state the alleged violations that may authorize possible suspension or revocation of such license or the denial of the permit.

D. At such hearing the holder of the license or applicant shall have the opportunity to show cause why the license should not be suspended or revoked or permit denied and shall be entitled to the opportunity to present evidence, to present witnesses, to cross examine witnesses presenting evidence in favor of suspension or revocation, to be represented by an attorney, and to have the proceeding transcribed or recorded at the license holder's or applicant's expense.

E. Following the conclusion of such hearing the city manager shall, within 30 days of the date of such hearing, render his decision. The City Manager may take any one or more of the following actions against any license holder or applicant found to have committed any one or more of the acts listed in subsection (B) of this section:

(1) Place the license holder or applicant on probation or reprimand the license holder or applicant; or

(2) Revoke a license, including the license of a person as an individual as well as that of a qualifying agent of a business organization together with the interest of the business organization qualified thereby in such license; suspend such a license for a stated period of time not exceeding

one year; or deny the issuance or renewal of the license;

(3) Suspend the ability of the applicant to apply for a permit for a specified period of time;

(4) Require financial restitution to a consumer for financial harm directly related to a violation of a provision of this chapter;

(5) Require continuing education; or

(6) Assess costs associated with the investigation and prosecution.

The city manager shall determine whether the license in issue should be suspended or revoked and, if suspended, then the duration of such suspension. The fee for reinstatement of the license shall be \$250.00.

F. Upon the suspension or revocation of such license or denial of a permit then the city manager shall cause the license holder or applicant to be notified in writing within ten days of such decision of the nature of such decision and the grounds therefor and thereupon the license shall immediately become suspended or terminated or permit denied in accordance with such decision. In the event a license is suspended or revoked, the license holder shall immediately upon receipt of such notice cease and desist from all activity authorized under such license in accordance with such decision and physically surrender such license to the finance director.

G. If the city manager determines that grounds do not exist to deny a permit or to suspend or terminate such license, or decides to not deny the issuance of a permit or suspend or terminate such license notwithstanding the existence of grounds therefor, then the city manager shall promptly notify the license holder or applicant thereof.

H. An appeal from the decision of the City Manager shall be taken to the Zoning Board of Appeals as provided in Section 10.05.00 of this Chapter. However, an appeal to the Zoning Board of Appeals shall not stay the decision of the city manager due to the inherent risk to cause imminent peril to life and/or property.

REPEALER

It is further ordained that Section 18-34(b) of the City of Tifton Code of Ordinances is hereby repealed being in conflict herewith. To the extent that any other ordinance, portion of an ordinance, or resolution of the City of Tifton now in

effect is inconsistent with the provisions hereof, the same is repealed.

EFFECTIVE DATE

The effective date of this Ordinance shall be the date of adoption hereof.

Read, passed and adopted at a Regular Meeting of the City Council of the City of Tifton held on the ___ day of March, 2015.

Jamie Cater
Mayor, City of Tifton

APPROVED as to Form:

Attest:

Robert C. Wilmot
City Attorney

Rona Martin

#13

Discussion of Permit Fees



TIFTON CITY COUNCIL AGENDA ITEM

TO: Tifton City Council
FROM: Ricky Hobby, SWCD Director
DATE: 02/20/2015
DEPARTMENT: SWCD
SUBJECT: Equipment Surplus

DATE: 02/20/15
Workshop Meeting (X)
Regular Meeting ()
Called Meeting ()

EXECUTIVE SUMMARY

Surplus all Sanitation and Recycling collection equipment due to the outsourcing of services to Golden Environmental.

PROPOSED ACTION

Discuss any questions and seek approval at Council meeting

SUPPORTING INFORMATION

Background Information

- Surplus all collection equipment due to the outsourcing of collection services to Golden Environmental
- See attachment

Financial Implications

- Required for all agenda submissions requesting an action involving financial implications.
- If the item has no financial implications, please indicate this by stating there are no financial implications. NO FINANCIAL IMPLICATIONS
- Is this a budgeted item ____yes or ____no. How much is budgeted N/A .

Pros and/or Cons

- Value of assets to be used toward landfill closure-post closure

Implementation

- Equipment to be advertised and posted on GOV DEALS.com by mid-March if approved.
- Implemented by Ricky Hobby

SANITATION

WHOLESALE-as RETAIL- as is no
is no repairs repairs

800	San	1995	Ford F-150	PU Truck	Gas	5.0 L Ford	Ford	1FTEF15N6SNB44575	bad rear end, motor fair condition, body poor	scrap	scrap
803	San	2003	GMC Duramax 7500	w/ PAC-MAC knuckle boom and dump trailer	Diesel	6.6 L Dura	GMC Auto	1GDM7E1333F520984	good condition	\$7,500.00	\$9,375.00
806	San	1995	Chevrolet Kodiak	Sway Lift Truck	Diesel	Cat 3116	5 spd Man	1GBE56H1J8TJ102899	fair running condition	\$1,500.00	\$1,875.00
807	San	2002	Peterbilt 320	Dempster Front Load Garbage	Diesel	Cat	Allison Auto	1NPZL10X81D713034	poor condition, bad motor	\$7,800.00	\$9,750.00
809	San	2005	Peterbilt 320	McNeilus Front Load Garbage	Diesel	Cummins	Allison Auto	1NPZL00X26D716503	fair running condition	\$29,000.00	\$36,250.00
810	San	2002	Peterbilt 320	Leach Rear Load Garbage	Diesel	Cummins	Allison Auto	1NPZL00X72D713865	fair running condition	\$25,000.00	\$31,250.00
811	San	1999	Chevrolet	Peterson Grapple Truck	Diesel	Cat 3106	7 spd Spicer Man	1GBM7H1C1XJ106342	fair running condition	\$3,500.00	\$4,375.00
812	San	1994	Ford	(Trailers)	Diesel	5.9 L	Manual	1FDNF80C3SVA19494	parts only	SCRAP	
813	San	2007	Mack	Mammoth Front Load Garbage	Diesel	Mack	Mack Auto	1M2K189C07M034438	fair running condition-if pre-emission	\$75,000.00	\$93,750.00
817	San	2000	Peterbilt 320	Wayne CT Automated Garbage	Diesel	Cummins	Allison Auto	1NPZL00X71D713086	scrap only-some body parts		KINGSLAND
818	San	2004	Peterbilt 320	Wayne CT Automated Garbage	Diesel	Cummins	Allison Auto	1NPZL00X15D715681	fair running condition	\$15,000.00	\$18,750.00
819	San	2000	Ford	Crown Victoria	Gas	302 Ford	Ford	2FAFP71W6YX208730	good condition		
831	San	2004	Leaf Loader	Leaf Machine	Diesel	John Deere		M221208448P01	fair running condition	\$2,500.00	\$3,125.00
836	San	2008	Peterbilt	PAC MAC Grapple Truck	Diesel	Cum. Pack Auto		2NPLHM7X69M772043	good condition	\$45,000.00	\$56,250.00
840	San	2010	Pike	Dumpster Hauler				1F9BC122LA6246089	good condition	\$750.00	\$938.00
845	San	2002	Peterbilt 320	Wayne CT Automated Garbage	Diesel	Cat	Allison Auto	1NPZL10X63D714900	cab burnt, scrap only-some body parts		
847	San	1999	Ford	Crown Victoria	Gas	302 CI For	Ford Auto	2FAFP71W2XX177989	fair running condition		
801-93	San	1993	Ford F-150	PU Truck	Gas	Straight 6	Ford	1FTDF15Y2PNB27835	fair running condition		
805-08	San	2008	Peterbilt 320	Mammoth Front Load Garbage	Diesel	Cummins	Allison Auto	3BDZL00X08F718527	fair running condition	\$63,000.00	\$78,750.00
808-97	San	1997	Ford	Areostar Van	Gas		Ford Auto	1FMCA1103VZA31100	fair running condition		
815-07	San	2008	Sterling Acterra	E-Zpack Rearloader	Diesel	ICS-Cummi	Allison Auto	25ZHCBS18AY54425	good running condition	\$35,000.00	\$43,750.00
816-12	San	2012	Mack LEU613	Wayne CT Automated Garbage	Diesel	Mack	Allison Auto	1M2AU02C5DM007360	excellent condition	\$125,000.00	\$143,750.00
817-08	San	2008	Peterbilt 320	Wayne CT Automated Garbage	Diesel	ISM Cummi	Allison Auto	3BPZL00XX8F717885	fair running condition	\$57,000.00	\$65,550.00
845-10	San	2010	Peterbilt 320	NewWay Automated Garbage	Diesel	Cummins	Allison Auto	3BPZL00X4BF114793	excellent condition needs motor repairs	\$62,000.00	\$77,500.00
1029	Lan	2002	Peterbilt	Galbreath Roll Off	Diesel	Cummins	Allison Auto	1NPZL00X92D714290	bad motor otherwise good condition	\$15,000.00	\$17,250.00
1030	LF	2006	Peterbilt	Galbreath Roll Off	Diesel	Cummins	Allison Auto	1NPZL00X46D716504	needs rear end chunk otherwise good condition	\$28,000.00	\$35,000.00
	LF			Fire Truck (transferred to LF)	Diesel			11VVB648JA000016	poor condition	\$5,000.00	

THESE NUMBERS ARE ESTIMATES BASED ON CURRENT MARKET CONDITIONS, UNSEEN AND BASED ON THE INFORMATION ABOVE. THESE NUMBERS DO NOT TAKE IN CONSIDERATION MILES, HOURS, TIRE CONDITION, AND A DETAILED INSPECTION OF EACH UNIT.

RECYCLE

1801 Rec		TRAILER 6X10 UTILITY	6'x10'	208716		\$	200	
1802 Rec		RECYCLING TRAILER RED	90"x23'	L268		\$	500	
1803 Rec		SWAY CAR TRAILER GOOSENECK	91"x21'	L300		\$	1,500	
1805 Rec		RECYCLING TRAILER RED	90"x23'	L281		\$	500	
1806 Rec		RECYCLING TRAILER RED	96"x16'	none		\$	500	
1807 Rec		RECYCLING TRAILER GREEN	90"x23'	L265		\$	500	
1811 Rec		RECYCLING TRAILER RED	90"x20'	T243247		\$	500	
1813 Rec		RECYCLING TRAILER RED	94"x23'	L277		\$	500	
1816 Rec		RECYCLING TRAILER GREEN	90"x20'	none		\$	500	
1818 Rec		RECYCLING TRAILER RED	90"x20'	L279		\$	500	
1819 Rec		RECYCLING TRAILER RED	94"x20'	L278		\$	500	
1820 Rec		RECYCLING TRAILER RED	96"x16'	T243244		\$	500	
1821 Rec	in back	RECYCLING TRAILER RED	90"x23'	L-690		\$	500	
1826 Rec		TRAILER, 4 X 8	4x8	N/A		\$	200	
1838 Rec	in back	TRAILER, PARK BUILT (War Wagon)	90"x20'	T326052		\$	500	
1840 Rec		RECYCLING TRAILER RED	90"x20'	T326054	38949 145	\$	500	
1841 Rec		RECYCLING TRAILER RED-TALL DIVIDED	90"x20'	T326055	38948 146	\$	500	
1842 Rec		RECYCLING TRAILER RED-TALL DIVIDED	90"x20'	T326056	38947 147	\$	500	
1843 Rec		RECYCLING TRAILER BLUE-TALL DIVIDED	92"x16'	T326057	38946 148	\$	500	
1844 Rec		RECYCLING TRAILER RED	90"x20'	T326058	38945 149	\$	500	
1845 Rec		TRAILER, 20' SWA CAR (DUAL Axel)	92"x20'	NONE		\$	500	
1846 Rec		RECYCLING TRAILER RED-TALL DIVIDED	90"x20'	T326060	38943 151	\$	500	
1850 Rec		RECYCLING TRAILER RED-TALL DIVIDED	90"x20'	T326064	38939 155	\$	500	
1817 Rec	2008 Sterling Acterra	NewWay Rear Loader	Diesel	2FZACFDT68AZ60414		\$	32,500	
TOTAL							\$	44,400

#15

Discussion of Georgia Cities Week

TIFTON CITY COUNCIL AGENDA ITEM



TO: Tifton City Council
FROM: Rona Martin, City Clerk
DATE: 02/24/2015
DEPARTMENT: City Clerk's Office
SUBJECT: Alcoholic Beverage License
J's Convenience Store

DATE: 02/26/2015
Workshop Meeting (X)
Regular Meeting ()
Called Meeting ()

EXECUTIVE SUMMARY

J's Convenience Store, located at 1405 US Hwy. 41 N, is requesting a malt beverage package retail license for the sale of malt beverages. A background check was done on Jose Hernandez, Owner and Manager, which revealed no violations during the past five years.

PROPOSED ACTION

Staff recommends approval of the alcoholic beverage license.

SUPPORTING INFORMATION

Background Information

See attached

Financial Implications

Cost of the new application fee and license is \$600.

Pros and/or Cons

n/a

Implementation

License will be issued after council approval.

CITY OF TIFTON, GEORGIA
RESOLUTION NO. 2015-_____
[Issuance of New Alcoholic Beverage License]

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TIFTON, GEORGIA, WITH RESPECT TO ISSUANCE OF AN ALCOHOLIC BEVERAGE LICENSE BY THE CITY OF TIFTON, GEORGIA, TO **J'S CONVENIENCE STORE** [APPLICANT] FOR PREMISES LOCATED AT **1405 U.S. HWY. 41 N.**

WHEREAS, it appears that the above referenced applicant has submitted a new application for the following described alcoholic beverage license for the above referenced location; and

WHEREAS, it appears to the satisfaction of the City Council, based upon said application and the investigation of city officials relative thereto, that the said applicant and location meet the requirements for the issuance of the alcoholic beverage license applied for, subject to compliance by said applicant with the provisions of Chapter 6 of the Code of Ordinances of the City of Tifton.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TIFTON, GEORGIA, THAT:

-1-

The following described alcoholic beverage license application be and the same hereby is, granted [subject to the provisions of Chapter 6 of the Code of Ordinances of the City of Tifton and subject to compliance by the applicant as of the time of issuance thereof, as well as subsequent thereto, in all respects with the provisions, conditions, and requirements of Chapter 6 of the Code of Ordinances of the City of Tifton, Georgia]:

Alcoholic Beverage License Application No. (05806)
Applicant Name: J'S CONVENIENCE STORE
Business Location: 1405 U.S. HWY. 41 N.
Type of License: MALT BEVERAGE PACKAGE RETAIL

Time Period of License: **2015**

-2-

The City Clerk issue to said applicant, upon compliance by said applicant with the provisions of Chapter 6 of the Code of Ordinances of the City of Tifton and the payment of all fees relative thereto, an alcoholic beverage license as applied for in the Code of Ordinances of the City of Tifton.

Read and passed at a meeting of the City Council of the City of Tifton, Georgia, held on March 2, 2015.

Attest:

Rona Martin,
Clerk of the City of Tifton

J.G. "Jamie" Cater Jr.,
Mayor of the City of Tifton



TIFTON



City Clerk's Office - Business Licensing Division
 130 E. 1st. Street - P.O. Box 229- Tifton, GA 31793-0229
 (229) 382-6231 -Fax (229) 391-3990
 Website: <http://www.tifton.net> Email: cityclerk@tifton.net

ALCOHOLIC BEVERAGE INFORMATION SHEET

Application: New () Renewal ()

Amended: _____ Reason: _____

Business Name: J's Convenience Store

Licensee Name: Jose Hernandez

Business Location: 1405 U.S. Hwy 41 N

Owner/Manager's Name: Jose Hernandez

Type of License

- Malt Beverage Package Retail Wine Package Retail
 Malt Beverage Consumption Retail Wine Consumption Retail
 Distilled Spirits Consumption Retail

Business Mailing Address: 531 E 16th St

City Tifton State Ga Zip Code 31794

Telephone Number 029 392-0842

This Information Sheet is on:

Signature: [Signature] Date _____
 Owner () Manager ()

CITY USE ONLY		
Criminal History Record	No Record ()	See Attachment ()
The information submitted in the application has been investigated and/or reviewed by me and I recommend:		
Reasons For Denial: _____		
Signatures For Approval		
Chief of Police <u>[Signature]</u>	Approval (<input checked="" type="checkbox"/>) Denied ()	Date <u>FEB 16 2015</u>
City Clerk <u>[Signature]</u>	Approval (<input checked="" type="checkbox"/>) Denied ()	Date <u>2/16/15</u>
City Manager <u>[Signature]</u>	Approval (<input checked="" type="checkbox"/>) Denied ()	Date <u>2-16-15</u>



City of Tifton, Georgia
Criminal History Record
Consent Form

I hereby give the City of Tifton CONTINUING permission and authority to receive any criminal history record information pertaining to me, which may be in the files of the City, Tift County, the State of Georgia, or of the United States. [See Section 6-66, Paragraph 17, Subsections (2) (3) and (4) of the Code of Ordinances.]

In the event of the termination of my association with the business with which this document is part of, my consent will automatically be rescinded.

J's Convenience Store
Business Name

Jose Hernandez
Full Name Printed

531 E 16th St
Home Address

Tifton Ga 31794
City State Zip

229-392-0842
Home Telephone Number
cell

M
Sex

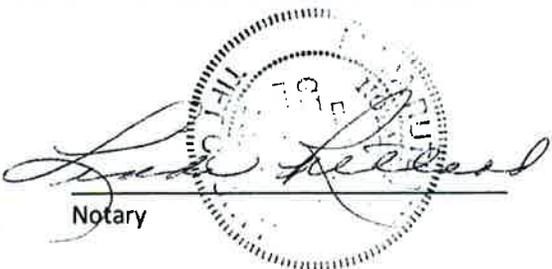
W
Race

4-5-84
DOB

260-47-0692
SSN

Jose Hernandez
Signature

1-31-15
Date



130 E. 1st Street, P.O. Box 229, Tifton, GA 31794 fax 229-391-3990

Please See Attached **CERTIFIED COPY OF THE TIFTON POLICE DEPARTMENT** Feb 13, 2015 Cathy Tiff



TIFTON CITY COUNCIL AGENDA ITEM

TO: Tifton City Council
FROM: Rona Martin, City Clerk
DATE: 02/24/2015
DEPARTMENT: City Clerk's Office
SUBJECT: Alcoholic Beverage License
Lil Pantry

DATE: 02/26/2015
Workshop Meeting (X)
Regular Meeting ()
Called Meeting ()

EXECUTIVE SUMMARY

Lil Pantry, located at 1302 S. Central Avenue is under new ownership, and is requesting a malt and wine beverage package retail license. A background check was done in October on Mrs. Jeta Patel as owner/manager of J & J Food Mart (which has since been sold) which revealed no violations.

PROPOSED ACTION

Staff recommends approval of the alcoholic beverage license.

SUPPORTING INFORMATION

Background Information

See attached

Financial Implications

Cost of the new application fee and license is \$1100.

Pros and/or Cons

n/a

Implementation

License will be issued after council approval.

CITY OF TIFTON, GEORGIA
RESOLUTION NO. 2015-_____
[Issuance of New Alcoholic Beverage License]

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TIFTON, GEORGIA, WITH RESPECT TO ISSUANCE OF AN ALCOHOLIC BEVERAGE LICENSE BY THE CITY OF TIFTON, GEORGIA, TO **LIL PANTRY** [APPLICANT] FOR PREMISES LOCATED AT **1302 S. CENTRAL AVENUE**.

WHEREAS, it appears that the above referenced applicant has submitted a new application for the following described alcoholic beverage license for the above referenced location; and

WHEREAS, it appears to the satisfaction of the City Council, based upon said application and the investigation of city officials relative thereto, that the said applicant and location meet the requirements for the issuance of the alcoholic beverage license applied for, subject to compliance by said applicant with the provisions of Chapter 6 of the Code of Ordinances of the City of Tifton.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TIFTON, GEORGIA, THAT:

-1-

The following described alcoholic beverage license application be and the same hereby is, granted [subject to the provisions of Chapter 6 of the Code of Ordinances of the City of Tifton and subject to compliance by the applicant as of the time of issuance thereof, as well as subsequent thereto, in all respects with the provisions, conditions, and requirements of Chapter 6 of the Code of Ordinances of the City of Tifton, Georgia]:

Alcoholic Beverage License Application No. (05810)
Applicant Name: LIL PANTRY
Business Location: 1302 S. CENTRAL AVENUE
Type of License: MALT BEVERAGE PACKAGE RETAIL
Type of License: WINE BEVERAGE PACKAGE RETAIL

Time Period of License: **2015**

-2-

The City Clerk issue to said applicant, upon compliance by said applicant with the provisions of Chapter 6 of the Code of Ordinances of the City of Tifton and the payment of all fees relative thereto, an alcoholic beverage license as applied for in the Code of Ordinances of the City of Tifton.

Read and passed at a meeting of the City Council of the City of Tifton, Georgia, held on March 2, 2015.

Attest:

Rona Martin,
Clerk of the City of Tifton

J.G. "Jamie" Cater Jr.,
Mayor of the City of Tifton

TIFTON CITY COUNCIL AGENDA ITEM



TO: Tifton City Council
FROM: Rona Martin, City Clerk
DATE: 02/24/2015
DEPARTMENT: City Clerk's Office
SUBJECT: Alcoholic Beverage License
SN FOOD MART

DATE: 02/26/2015
Workshop Meeting (X)
Regular Meeting ()
Called Meeting ()

EXECUTIVE SUMMARY

SN Food Mart, located at 127 Tifton Eldorado Road is under new ownership, is requesting a malt and wine beverage package retail license. A background check was done on Pragna Patel, Owner and Manager, which revealed no violations.

PROPOSED ACTION

Staff recommends approval of the alcoholic beverage license.

SUPPORTING INFORMATION

Background Information

See attached

Financial Implications

Cost of the new application fee and license is \$1100.

Pros and/or Cons

n/a

Implementation

License will be issued after council approval.

CITY OF TIFTON, GEORGIA
RESOLUTION NO. 2015-_____
[Issuance of New Alcoholic Beverage License]

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TIFTON, GEORGIA, WITH RESPECT TO ISSUANCE OF AN ALCOHOLIC BEVERAGE LICENSE BY THE CITY OF TIFTON, GEORGIA, TO **SN FOOD MART** [APPLICANT] FOR PREMISES LOCATED AT **127 TIFTON ELDORADO ROAD**.

WHEREAS, it appears that the above referenced applicant has submitted a new application for the following described alcoholic beverage license for the above referenced location; and

WHEREAS, it appears to the satisfaction of the City Council, based upon said application and the investigation of city officials relative thereto, that the said applicant and location meet the requirements for the issuance of the alcoholic beverage license applied for, subject to compliance by said applicant with the provisions of Chapter 6 of the Code of Ordinances of the City of Tifton.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TIFTON, GEORGIA, THAT:

-1-

The following described alcoholic beverage license application be and the same hereby is, granted [subject to the provisions of Chapter 6 of the Code of Ordinances of the City of Tifton and subject to compliance by the applicant as of the time of issuance thereof, as well as subsequent thereto, in all respects with the provisions, conditions, and requirements of Chapter 6 of the Code of Ordinances of the City of Tifton, Georgia]:

Alcoholic Beverage License Application No. (05807)
Applicant Name: SN FOOD MART
Business Location: 127 TIFTON ELDORADO ROAD
Type of License: MALT BEVERAGE PACKAGE RETAIL
Type of License: WINE BEVERAGE PACKAGE RETAIL

Time Period of License: **2015**

-2-

The City Clerk issue to said applicant, upon compliance by said applicant with the provisions of Chapter 6 of the Code of Ordinances of the City of Tifton and the payment of all fees relative thereto, an alcoholic beverage license as applied for in the Code of Ordinances of the City of Tifton.

Read and passed at a meeting of the City Council of the City of Tifton, Georgia, held on March 2, 2015.

Attest:

Rona Martin,
Clerk of the City of Tifton

J.G. "Jamie" Cater Jr.,
Mayor of the City of Tifton



TIFTON



City Clerk's Office - Business Licensing Division
 130 E. 1st Street - P.O. Box 229- Tifton, GA 31793-0229
 (229) 382-6231 - Fax (229) 391-3990
 Website: <http://www.tifton.net> Email: cityclerk@tifton.net

ALCOHOLIC BEVERAGE INFORMATION SHEET

Application: New (X) Renewal ()

Amended: _____ Reason: _____

Business Name: HASVRESH KAUPA LLC dba

Licensee Name: Pragna N Patel

Business Location: 127 Tifton Eldorado Rd Tifton GA 31794

Owner/Manager's Name: Pragna Patel

Type of License

- Malt Beverage Package Retail
- Malt Beverage Consumption Retail
- Distilled Spirits Consumption Retail
- Wine Package Retail
- Wine Consumption Retail

Business Mailing Address: 127 Tifton Eldorado Rd
 City Tifton State GA Zip Code 31794

Telephone Number () _____

This Information Sheet is on:

Signature: Pragna N. Patel Date 2/6/15
 Owner (X) Manager ()

CITY USE ONLY		
Criminal History Record	No Record ()	See Attachment ()
The information submitted in the application has been investigated and/or reviewed by me and I recommend:		
Reasons For Denial: _____		
Signatures For Approval		
Chief of Police	Approval () Denied ()	Date <u>FEB 25 2015</u>
City Clerk	Approval (X) Denied ()	Date <u>2/25/15</u>
City Manager	Approval (X) Denied ()	Date <u>2-25-15</u>



City of Tifton, Georgia
Criminal History Record
Consent Form

I hereby give the City of Tifton CONTINUING permission and authority to receive any criminal history record information pertaining to me, which may be in the files of the City, Tift County, the State of Georgia, or of the United States. [See Section 6-66, Paragraph 17, Subsections (2) (3) and (4) of the Code of Ordinances.]

In the event of the termination of my association with the business with which this document is part of, my consent will automatically be rescinded.

Hasuresh Krupa LLC dba SN Food Mart
Business Name

Pragna N PATEL
Full Name Printed

411 N Virginia Ave Apt E4
Home Address

Tifton GA 31794
City State Zip

Home Telephone Number

Female Asian
Sex Race

8-30-1978 675-40-9130
DOB SSN

Rena Hart
Notary

Pragna N Patel
Signature

2/10/15
Date

CERTIFIED COPY OF
THE TIFTON POLICE DEPARTMENT
2-25-15 Records
Dep. Carla Hince
"No Record"



TIFTON CITY COUNCIL AGENDA ITEM

TO: Tifton City Council
FROM: Rona Martin, City Clerk
DATE: 02/24/2015
DEPARTMENT: City Clerk's Office
SUBJECT: Alcoholic Beverage License
DWG Acquisitions, LLC dba Dicks Wings & Grill

DATE: 02/26/2015
Workshop Meeting (X)
Regular Meeting ()
Called Meeting ()

EXECUTIVE SUMMARY

Dicks Wings & Grill, located at 3310 W. US Hwy 82, is requesting a malt, wine, and distilled spirits onsite consumption retail license. A background check is still pending on the manager. This will be completed before taking any action on this request.

PROPOSED ACTION

Staff recommends approval of the alcoholic beverage license.

SUPPORTING INFORMATION

Background Information

See attached

Financial Implications

Cost of the new application fee and license is \$4100.

Pros and/or Cons

n/a

Implementation

License will be issued after council approval.

CITY OF TIFTON, GEORGIA
RESOLUTION NO. 2015-_____
[Issuance of New Alcoholic Beverage License]

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TIFTON, GEORGIA, WITH RESPECT TO ISSUANCE OF AN ALCOHOLIC BEVERAGE LICENSE BY THE CITY OF TIFTON, GEORGIA, TO **DWG ACQUISITIONS LLC, DBA DICKS WINGS & GRILL** [APPLICANT] FOR PREMISES LOCATED AT **3310 US HWY 82 W**.

WHEREAS, it appears that the above referenced applicant has submitted a new application for the following described alcoholic beverage license for the above referenced location; and

WHEREAS, it appears to the satisfaction of the City Council, based upon said application and the investigation of city officials relative thereto, that the said applicant and location meet the requirements for the issuance of the alcoholic beverage license applied for, subject to compliance by said applicant with the provisions of Chapter 6 of the Code of Ordinances of the City of Tifton.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TIFTON, GEORGIA, THAT:

-1-

The following described alcoholic beverage license application be and the same hereby is, granted [subject to the provisions of Chapter 6 of the Code of Ordinances of the City of Tifton and subject to compliance by the applicant as of the time of issuance thereof, as well as subsequent thereto, in all respects with the provisions, conditions, and requirements of Chapter 6 of the Code of Ordinances of the City of Tifton, Georgia]:

Alcoholic Beverage License Application No. (05794)
Applicant Name: DICK'S WINGS & GRILL
Business Location: 3310 US HWY. 82 W.
Type of License: MALT BEVERAGE CONSUMPTION RETAIL
Type of License: WINE BEVERAGE CONSUMPTION RETAIL
Type of License: DISTILLED SPIRITS CONSUMPTION RETAIL

Time Period of License: **2015**

-2-

The City Clerk issue to said applicant, upon compliance by said applicant with the provisions of Chapter 6 of the Code of Ordinances of the City of Tifton and the payment of all fees relative thereto, an alcoholic beverage license as applied for in the Code of Ordinances of the City of Tifton.

Read and passed at a meeting of the City Council of the City of Tifton, Georgia, held on March 2, 2015.

Attest:

Rona Martin,
Clerk of the City of Tifton

J.G. "Jamie" Cater Jr.,
Mayor of the City of Tifton

TIFTON CITY COUNCIL AGENDA ITEM

TO: Tifton City Council
FROM: Rona Martin, City Clerk
DATE: 02/24/2015
DEPARTMENT: City Clerk's Office
SUBJECT: Alcoholic Beverage License
 Britanic Disco Rodeo



DATE: 02/26/2015
Workshop Meeting (X)
Regular Meeting ()
Called Meeting ()

EXECUTIVE SUMMARY

Britanic Disco Rodeo, located at 1101 S. Main Street, is requesting a malt beverage consumption retail license for the sale of malt beverages. A background check was done on Rebecca Zuniga, Owner and Manager, which revealed no violations.

PROPOSED ACTION

Staff recommends approval of the alcoholic beverage license.

SUPPORTING INFORMATION

Background Information

See attached

Financial Implications

Cost of the new application fee and license is \$600.

Pros and/or Cons

n/a

Implementation

License will be issued after council approval.

CITY OF TIFTON, GEORGIA
RESOLUTION NO. 2015-_____
[Issuance of New Alcoholic Beverage License]

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TIFTON, GEORGIA, WITH RESPECT TO ISSUANCE OF AN ALCOHOLIC BEVERAGE LICENSE BY THE CITY OF TIFTON, GEORGIA, TO **BRITANIC DISCO RODEO** [APPLICANT] FOR PREMISES LOCATED AT **1101 S. MAIN STREET**.

WHEREAS, it appears that the above referenced applicant has submitted a new application for the following described alcoholic beverage license for the above referenced location; and

WHEREAS, it appears to the satisfaction of the City Council, based upon said application and the investigation of city officials relative thereto, that the said applicant and location meet the requirements for the issuance of the alcoholic beverage license applied for, subject to compliance by said applicant with the provisions of Chapter 6 of the Code of Ordinances of the City of Tifton.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TIFTON, GEORGIA, THAT:

-1-

The following described alcoholic beverage license application be and the same hereby is, granted [subject to the provisions of Chapter 6 of the Code of Ordinances of the City of Tifton and subject to compliance by the applicant as of the time of issuance thereof, as well as subsequent thereto, in all respects with the provisions, conditions, and requirements of Chapter 6 of the Code of Ordinances of the City of Tifton, Georgia]:

Alcoholic Beverage License Application No. (05763)
Applicant Name: BRITANIC DISCO RODEO
Business Location: 1101 S. MAIN STREET
Type of License: MALT BEVERAGE CONSUMPTION RETAIL

Time Period of License: **2015**

-2-

The City Clerk issue to said applicant, upon compliance by said applicant with the provisions of Chapter 6 of the Code of Ordinances of the City of Tifton and the payment of all fees relative thereto, an alcoholic beverage license as applied for in the Code of Ordinances of the City of Tifton.

Read and passed at a meeting of the City Council of the City of Tifton, Georgia, held on March 2, 2015.

Attest:

Rona Martin,
Clerk of the City of Tifton

J.G. "Jamie" Cater Jr.,
Mayor of the City of Tifton



TIFTON
The Friendly City



City Clerk's Office - Business Licensing Division
204 N. Ridge Avenue - P.O. Box 229 - Tifton, GA 31793-0229
(229) 382-8231 - Fax (229) 391-3990
Website: <http://www.tifton.net> Email: cityclerk@tifton.net

ALCOHOLIC BEVERAGE INFORMATION SHEET

Application: New (✓) Renewal ()

Amended: _____ Reason: _____
Business Name: Rebecca R. Zuniga dba Britanic Disco Padeo
Licensee Name: Rebecca R. Zuniga
Business Location: 1101 S Main St, Tifton, GA 31794
Owner/Manager's Name: Rebecca R. Zuniga

Type of License

- Malt Beverage Package Retail
- Malt Beverage Consumption Retail
- Distilled Spirits Consumption Retail
- Wine Package Retail
- Wine Consumption Retail

Business Mailing Address P. O. Box 641
City Omega State GA Zip Code 31775
Telephone Number (229) 520-8178

This Information Sheet is on:

* Signature Rebecca R. Zuniga * Date 11/7/15
Owner (✓) Manager (✓)

CITY USE ONLY

Criminal History Record No Record () See Attachment ()

The information submitted in the application has been investigated and/or reviewed by me and I recommend:

Reasons For Denial: _____

Signatures For Approval

Chief of Police [Signature] Approval (✓) Denied () Date 1-26-15

Rona Martin
City Clerk Rona Martin Approval (✓) Denied () Date 2/4/15

City Manager [Signature] Approval (✓) Denied () Date 2-4-15

**CERTIFIED COPY OF
THE TIFTON POLICE DEPARTMENT**

"No record in Georgia"

1-22-2015

SM



City of Tifton, Georgia
Criminal History Record
Consent Form

I hereby give the City of Tifton CONTINUING permission and authority to receive any criminal history record information pertaining to me, which may be in the files of the City, Tift County, the State of Georgia, or of the United States. [See Section 6-66, Paragraph 17, Subsections (2) (3) and (4) of the Code of Ordinances.]

In the event of the termination of my association with the business with which this document is part of, my consent will automatically be rescinded.

Rebecca R. Zuriga dba
Britanic Disco Rodeo

Business Name

Rebecca Reyes Zuniga

Full Name Printed

36 Flat Ford Rd, W- Lots 1

Home Address

Omega

City

GA

State

31715

Zip

(229)- 520-8778

Home Telephone Number

F

Sex

Hispanic

Race

01/06/82

DOB

254-41-0647

SSN

X Rebecca R. Zuriga
Signature

X Mayra Delgado

Notary

X 1/7/15

Date



MAYRA DELGADO, Ridge Avenue, P.O. Box 229, Tifton, GA 31794 fax 229-391-3990
NOTARY PUBLIC
TIFT COUNTY, GEORGIA
My Commission Expires Feb. 5, 2018

FEBRUARY WORKSHOP/MARCH MEETING

BOARD REPORT

FEBRUARY WORKSHOP/MARCH MEETING

Tifton Tree Board (expiration 03/31/2015)

Brenda Douce

Al Potts

Vacancy

Tifton Housing Authority (expiration 03/31/2015)

Luz Marti

#22

Discussion of Nominations for GMA District 11 Officers

**AT A MEETING OF THE
CITY COUNCIL OF THE CITY OF TIFTON
HELD ON _____, 2015
A MOTION TO ENTER INTO EXECUTIVE SESSION**

Council member _____ makes the following motion:

1. That City Council now enters into executive session as allowed by O.C.G.A. Section 50-14-4 and pursuant to advice by the City Attorney, for the purpose of discussing the following:

(check all that apply)

- Legal Matters.
- Personnel Matters.
- Real Estate Matters.

That each member of this body, in open session, at the conclusion of such executive session, and consistent with the provisions of City of Tifton Resolution No. 99-66, either:

1. Execute the Affidavit, the form of which having been previously approved; or
2. Vote upon the Resolution, the form of which having been previously approved, to be followed by the execution of the above-referenced Affidavit by so many members of this Council that so desire,

all of which is in compliance with O.C.G.A. Section 50-14-4; thereby this body, by appropriate form of either Affidavit or Resolution/Affidavit, ratifying the actions of the Council taken in executive session and confirming that the subject matters of the closed session were within exceptions permitted by the Open Meetings law.

Council member _____ seconds the motion.

Motion Approved

Those voting in favor of the motion for closure:

Council Members:

Those voting against the motion for closure:

Council Members:

AFFIDAVIT

Personally appeared before the undersigned attesting officer, duly authorized to administer oaths in the State of Georgia:

<u>Present</u>	<u>Absent</u>	
_____	_____	J. G. "Jamie" Cater, Jr.
_____	_____	Wes Ehlers
_____	_____	Christopher Parrott
_____	_____	Johnny Terrell
_____	_____	Julie Smith

Who, after being duly sworn, deposes and on oath states the following:

1. I am a member of the Tifton City Council and I was present at a meeting of the City Council held on the _____ day of _____, 2015.

2. That it was my understanding that O.C.G.A. Section 50-14-4(b) provides as follows:

When any meeting of an agency is closed to the public pursuant to subsection (a) Of this Code section, the chairperson or other person presiding over such meeting shall execute and file with the official minutes of the meeting a notarized affidavit stating under oath that the subject matter of the meeting or the closed portion thereof was devoted to matters within the exceptions provided by law and identifying the specific relevant exception.

3. The subject matter of the closed meeting or closed portion of the meeting held on the _____ day of _____, 2015, which was closed for the purpose(s) of :

**EXECUTIVE SESSION RESOLUTION
OF THE CITY COUNCIL OF THE CITY OF TIFTON
2015-_____**

BE IT RESOLVED by the Tifton City Council as follows: at the meeting held on the _____ day of _____, 2015, the Council entered into executive session for the purpose of discussing:

_____ Legal Matters.

_____ Personnel Matters.

_____ Real Estate Matters.

At the close of the discussions upon such subject(s), the Council did vote to re-enter into open session and herewith takes the following action in open session:

1. The actions of the Council and the discussion of the same regarding the matter set forth for closed session purposes are hereby ratified.
2. This body does hereby confirm that to the best of the knowledge of the body, based upon the advice of the City Attorney, the said subject matter of the meeting, and of the closed session portion was devoted to matters within the specific relevant exception(s) as set forth above.
3. The affidavit, together with this Resolution, shall be included and filed with the official minutes of the meeting and shall be in a form as required by the statute.

Approved this _____ day of _____, 2015.

J. G. "Jamie" Cater, Jr.
Mayor, City of Tifton

ATTEST:

Rona Martin
City Clerk