City of Tifton
Regular Council Workshop/Called Meeting
March 19, 2015
5:00 p.m.
Tifton Municipal Courtroom
130 E. 5th Street

ATTENDEES:

J. G. "Jamie" Cater, Jr., Mayor
Johnny Terrell, Vice Mayor
Wes Ehlers, Council Member
Julie Smith, Council Member

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

Chris Parrott, Council Member (absent)

Mayor Cater called the meeting to order at approximately 5:00 p.m.

PUBLIC HEARING

- Request for Approval of T15-000-002, City of Tifton, Requesting a Text Amendment to the City of Tifton Land Development Code Relating to Tattoo Establishments in Relation to Alcoholic Licensed Establishments

City Attorney Rob Wilmot stated this amends 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 establishment. Mr. Wilmot asked the following conflict of interest statements of Council as follows: Have any of the applicants or opponents to the application contributed at least $250 to any of the campaigns for election during the past two years. Everyone stated no. Do you or any members of your family own property that would be impacted by the text amendment application whether it is a positive or negative impact? Mayor Cater asked about the property he has downtown. Mr. Wilmot stated this does not specifically affect his property and he is not in conflict. Everyone stated no. Do you or any members of your family own a business that would be impacted by this text amendment whether it is a positive or negative impact? Everyone stated no. All Council members were declared free from conflicts of interest.

Bert Crowe, Environmental Management Director reviewed the application. He stated this will allow tattoo parlors and restaurants to be in proximity of each other, however, bars and entertainment establishments would continue to fall under the restriction of at least 300 feet away from tattoo parlors.

Mr. Wilmot asked if there was anyone present to speak in favor of this application. Mr. Chris Parella of Dick's Wings & Grill spoke in favor of the application. He provided information regarding the business they will be opening. No one spoke against the request.

Mayor Cater closed the public hearing.

DISCUSSION OF ORDINANCE TO AMEND THE CHARTER BY HOME RULE (FISCAL YEAR)

Attorney Wilmot reviewed the history of this request where in 2002 an ordinance was adopted by City Council changing the fiscal year from October 1st to July 1st. He stated the ordinance was not executed by the Mayor or the City Clerk at that time. He stated we need to adopt the ordinance fixing our fiscal year to July 1st of each year. He stated the other matter is in the charter the requirement is that the budget be finalized by October 1st. He stated it needs to be amended to reflect the July 1st change. He

stated this ordinance also ratifies all of the action taken by Council that time. He stated this will be advertised and published for three weeks with the first reading in April and the second reading in May for the charter amendment with both adopted at that time.

DISCUSSION OF ORDINANCE PROVIDING FOR AMENDMENT TO THE FISCAL YEAR

Please see above comments.

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

Mr. Wilmot stated there is a federal law whereby you cannot discriminate against religious organizations and they have to be treated as other non-religious organizations. He stated we currently do not allow religious facilities in the downtown commercial areas. He stated downtown commercial currently could be used for clubs, lodges, and civic organizations. He stated because they are very similar to a religious organization and by not allowing a religious organization and in fact allowing clubs, etc., we are in violation of the law. He stated the text amendment will eliminate allowing clubs, lodges and civic organizations from being in commercial downtown, thereby treating those types of organizations the same as religious organizations, and as such, we will not be violating federal law. General discussion was held regarding the land development code. Mr. Wilmot stated this prohibits the religious facilities as defined in the LDC, what is prohibited is having a worship service. He stated it does not prohibit them from having a pageant, and with churches, they can have special functions downtown, but not a worship service. A general discussion was held regarding the types of functions that could be held.

RESOLUTION PROVIDING FOR ENTERPRISE ZONE APPLICATION FROM LON AND PAULA KEMENESS FOR A BUSINESS LOCATED AT 147 LOVE AVENUE

Council Member Smith recused herself from discussion as she represented the Kemeness' in their transaction on this property. Rona Martin reviewed the enterprise zone application submitted by Lon and Paul Kemeness and the incentives they are eligible for. She stated staff recommends approval of this request. She stated this will be on the April meeting agenda for consideration.

RESOLUTION PROVIDING FOR ENTERPRISE ZONE APPLICATION FROM MELISSA BURGESS FOR A BUSINESS LOCATED AT 319. S. MAIN STREET

Rona Martin reviewed the enterprise zone application submitted by Melissa Burgess of Active Real Estate and the incentives she is eligible for. She stated staff recommends approval of this request. She stated this will be on the April meeting agenda for consideration.

RESOLUTION PROVIDING FOR ALCOHOLIC BEVERAGE LICENSE FOR DICK'S WINGS LOCATED AT 3310 HWY. 82 W.

Ms. Martin stated Dicks' Wings is applying for an alcohol license for the sale of beer, wine and distilled spirits on site consumption retail. She stated a background check was done on Tyler Sylvester, manager, revealing no violations for the past five years. She stated staff recommends approval of the request.

REPORT ON PERMIT FEES

Council Member Ehlers reported for the committee of himself and Council Member Parrott as follows: the residential permit fees from $0-2,000 be at no cost; $2,001-10,000 be at $50.00; $10,001 – be at ½%. He stated commercial fees are as follows: $0-2,000 be at no cost; $2001-10,001 be at $100.00; and from $10,001 – up be a 1% fee. He stated this is a tier fee structure that is fair and promotes construction in

our community. Mr. Riner stated this will be on the April 6th meeting agenda with the new fees going into effect July 1st of the new fiscal year.

BOARD REPORT

Ms. Martin reviewed the board report stating the Historic Preservation Commission has Erika Johnson, Marx-Ann Myddelton and Mark Peterman whose terms are expiring 5/31/2015. Mr. Crowe stated Marx-Ann Myddelton may not wish to continue service. The City Clerk was directed to contact everyone to see of their pleasure in continuing to serve on the HPC.

CALLED MEETING

Mayor Cater called the meeting to order.

Mr. Riner asked that the agenda be amended to include item #6 from the workshop for approval pending approval of item #9. Council Member Smith moved, seconded by Council Member Terrell and unanimously carried to include item #6 in addition to item #9 on the called meeting agenda.

ORDINANCE PROVIDING FOR A TEXT AMENDMENT TO THE CITY OF TIFTON LAND DEVELOPMENT CODE RELATING TO TATTOO ESTABLISHMENTS IN RELATION TO ALCOHOLIC LICENSED ESTABLISHMENTS

Council Member Ehlers moved, seconded by Council Member Terrell and unanimously carried to adopt an ordinance providing for a text amendment to the City of Tifton Land Development Code Relating to Tattoo Establishments in relation to Alcoholic Licensed Establishments.

RESOLUTION PROVIDING FOR ALCOHOLIC BEVERAGE LICENSE FOR DICK'S WINGS LOCATED AT 3310 HWY. 82 W.

Council Member Smith moved, seconded by Council Member Ehlers and unanimously carried to adopt a resolution providing for alcoholic beverage license for Dick's Wings located at 3310 Hwy. 82 W.

There being to further business, the meeting was adjourned.

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

Rona Martin, City Clerk