City of Tifton
Regular Council Workshop/Called Meeting
April 16, 2015
5:00 p.m.
City Hall Council Chambers
130 E. 1st Street

ATTENDEES:

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

Larry Riner, City Manager
Emily Vowell, City Attorney
Rona Martin, City Clerk
Rob Wilmot, City Attorney via phone

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

Mr. Riner stated the requester of item #3 asked that their item be removed from the agenda this evening as they are unable to be in attendance.

Mr. Riner stated the city attorney will be joining us via telephone as he is out of state.

DISCUSSION OF TIFT THEATRE BOARD

Robert Reid Goodson provided a draft of a proposed ambassador program verses a 12 member board for the theatre. He reviewed roles, responsibilities and the mission of the proposed program. He stated the ambassador team would focus on advertising, volunteering and some type of financial responsibility; and briefly discussed those responsibilities. He stated this will be a hard working group of individuals who know the community and how to reach out in various areas. He stated there will be meetings of the group. He stated he would like six individuals who are willing to work and serve on the ambassador program. Mayor Cater suggested other folks in addition to the arts based group who will support and generate interest in the theatre. Council Member Ehlers asked how the group would be developed. Mr. Goodson stated there would be an application process along with guidelines. Mr. Riner stated the board policy has to be updated, with City Council making the appointments. He stated recommendations should come through the theatre staff. Mr. Goodson stated it should be open to anyone with strong ties to the arts and area. Council Member Ehlers discussed comments from board members regarding budget, various requests, etc. General discussion was held regarding those comments. Council Member Ehlers asked about actually calling them ambassadors vs. board members and the legality of that. Council Member Parrott asked about the terms of appointment. A discussion was held regarding this matter. Mr. Goodson gave an update on current happenings at the theatre.

APPROVAL OF THE TOP SCORING CONSULTANTS FOR FY 2015 CDBG PROJECT, AUTHORIZE CITY MANAGER TO ENTER INTO NEGOTIATIONS FOR PROFESSIONAL SERVICES FOR 2015 CDBG PROJECT

Jessica Jones stated this is for the drainage project behind the bowling alley at Town and Country Trailer Park. She stated proposals have been received for engineering and managing consultants. She stated staff recommends use of Bob Roberson & Associates for management of the grant and Watkins & Associates for engineering for these functions. Mayor Cater asked for a scope of the project.

REQUEST FOR APPEAL OF HPC CASE #H15-000-009 FROM WILMOT AND POWELL, LLC – REMOVAL OF DAMAGED CHIMNEYS ON THE HOUSE LOCATED AT 614 N. TIFT AVENUE

Removed from the agenda at the request of the petitioner.

JAMES E. DOVE SCHOLARSHIP AWARDS

Donna Pate stated the chosen applicants for this year are Lynsie M. Belan and Dylan R. Merritt. She discussed their qualifications. She stated the scholarships will be awarded at the May Council meeting.

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

Rob Wilmot recalled discussion at the last meeting regarding this matter. He stated we have to make sure that we treat secular organizations the same as religious organizations. He discussed previous concerns. He stated he is amending the definition of club or lodge, private. He then read the definition. He also discussed the amendment to Section 2.03.03, Table of Uses, which removes clubs and lodges, private as a permissible use in the commercial downtown zoning district. A discussion was held regarding buildings, building uses, regular assembly, meetings in restaurants and other concerns. Mr. Riner asked if clubs can have their meetings at restaurants monthly or weekly based on this. Mr. Wilmot stated yes they can, we are looking at the building. Discussion was held regarding building uses vs. buildings, regular uses, etc. Mr. Riner stated he will get back with Mr. Wilmot to revise the ordinance with the intent clearly defined and brought back for the May 4th meeting. Mr. Crowe discussed what the intent of the ordinance is to be based on uses.

HPC APPOINTMENTS

Rona Martin stated that Marx-Ann Myddelton and Mark Peterman wish to be reappointed and Erika Johnson does not wish to be reappointed. Mr. Riner stated all staff concerns have been addressed.

APPOINTMENT TO HOUSING AUTHORITY (CHERIE WRIGHT)

Rona Martin stated this is a mayoral appointment and as such, Mayor Cater appointed Cherie Wright to the Tifton Housing Authority. She stated Mrs. Wright will be sworn in at the May 4th meeting.

DISCUSSION OF SOLAR POWER GRANT FROM GEFA

Mr. Riner stated this is information only. He stated a pre-application was submitted six months ago and we were awarded a $570,000 energy grant for that. He stated the total cost is about $2.2 million. He stated ESG will look into this. He stated this is a very expensive project with long term financing, however, and it may not be prudent to do this at the present time. He stated they will look into the matter further.

UPCOMING GMA LISTENING SESSION

Mr. Riner stated the upcoming GMA Listening Session is 4/24/15. He stated if anyone wants to attend we can carpool, to please notify him by tomorrow.

DISCUSSION OF ORDINANCE PROVIDING FOR AMENDMENT TO DISTANCE REQUIREMENTS FOR ESTABLISHMENTS HOLDING AN ALCOHOLIC BEVERAGE LICENSE IN PROXIMITY TO CHURCHES, SCHOOL BUILDINGS, SCHOOL GROUNDS, OR COLLEGE CAMPUSES

Mr. Wilmot gave an overview of this matter. He stated this is to define more clearly distance requirements for the sale of alcohol to certain school buildings, educational buildings, school grounds, college campuses and churches. He stated this is a revision to Section 6.65 which addresses distances and location. He reviewed Section 6.65 (a)(1). He stated this is basically state law and the minimum requirements we have to comply with. He stated the distances can be greater. He said state law does not

regulate distance requirements for the retail sale of wine and malt beverage purchases. He stated you can be more restrictive than state law. He discussed a recent conversation with Michael Sard, a trainer on alcohol licensing, who participated at the Georgia Association of Business Tax Officials spring conference. He stated Mr. Sard's opinion is that since the State of Georgia does not prohibit the sale of malt beverages and wine in proximity to a church, then the city can define a church building in any way we wish, and regulate the sale of malt and wine beverages in proximity to a church. He stated he has defined a church building as a stand-alone building where regular worship services are performed, meaning where they hold church on Sunday and worship. He discussed distance measurements in section (d)(1) of the ordinance. He mentioned the other portions of the ordinance such as housing authority, distance requirements in the commercial downtown; and all other areas as stated in Section 6.65(g)(2) which the measurements shall be a minimum of 100 yards as measured in a straight line from the front door of the premises from which on-site consumption of alcoholic beverages is furnished and consumed to the front door of the building of a church, school or college. He discussed revisions to 6-64. Brief discussion was held regarding entertainment establishments and possible changes to the state law age requirements. Council Member Ehlers asked if we can create a distance requirement for church property that is contiguous to a church building. Mr. Wilmot stated he is trying to accomplish something where the measurement is from the front door of the seller to the front door of the church. Discussion was held regarding possible restriction considerations. Discussion was held regarding church buildings. Mr. Wilmot stated it is up to Council if you want to make further restrictions. Mr. Wilmot asked Council their thoughts on allowing the sale of malt and wine beverages in proximity to a church and if they had any distance requirements in mind.

CALLED MEETING

EXECUTIVE SESSION TO DISCUSS PERSONNEL, REAL ESTATE AND/OR LEGAL MATTERS

Council Member Ehlers moved, seconded by Council Member Smith and unanimously carried to enter into Executive Session to discuss Real Estate and Legal Matters.

Council Member Smith moved, seconded by Council Member Terrell and unanimously carried to come out of Executive Session.

RESOLUTION PROVIDING FOR EXECUTIVE SESSION

Council Member Parrott moved, seconded by Council Member Terrell and unanimously carried to adopt a Resolution providing for Executive Session.

There being to further business, the meeting was adjourned.

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

Rona Martin, City Clerk

AT A MEETING OF THE
CITY COUNCIL OF THE CITY OF TIFTON
HELD ON 4/16, 2015
A MOTION TO ENTER INTO EXECUTIVE SESSION

Council member Ehlers 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 Smith seconds the motion.

Motion Approved

Those voting in favor of the motion for closure:

Council Members:
Mayor Jamie Carter
Council Members Johnny Terrell, Wes Ehlers, Chris Parrott, Julie Smith
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:

Present	Absent	
✓		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 16th day of April, 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 16th day of April, 2015, which was closed for the purpose(s) of :

✓ Legal Matters

__ Personnel Matters

✓ Real Estate Matters

As allowed by O.C.G.A., Title 50, Chapter 14, was devoted to matters within those exceptions and as provided by law.

4. This affidavit is being executed for the purpose of complying with the mandate of O.C.G.A. Section 50-14-4(b) that such an affidavit be executed.

5. This affidavit is likewise executed by the following members of the City Council present at such executive session in support of open and honest government and in compliance with City of Tifton Resolution 99-66.

This 16th day of April, 2015.

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

Wes Ehlers
Councilman, District 1

Christopher Parrott
Councilman, District 2

Johnny Terrell
Councilman, District 3

Julie Smith
Councilwoman, District 4

Sworn to and subscribed before me
By all City Council members
on this 16th day of
April, 2015.

Rona Martin
Notary Public

RONA MARTIN
NOTARY PUBLIC
GEORGIA
EXPIRES
JAN. 29, 2017
TIFT COUNTY