

**CITY OF TIFTON
COUNCIL WORKSHOP MINUTES
OCTOBER 20, 2016
5:30 PM
TIFTON CITY HALL**

Attendees

Mayor Julie Smith

Vice Mayor Wes Ehlers

Council Member Jack Folk

Council Member Johnny Terrell

Council Member Frank Sayles

Hunter Walker, City Manager

Rob Wilmot, City Attorney

Jessica Jones, City Clerk

PUBLIC HEARING TO DISCUSS PROPOSED TEXT AMENDMENTS TO REMOVE DISTANCE REQUIREMENTS BETWEEN TATTOO PARLORS OR BODY PIERCING ESTABLISHMENTS TO RESIDENTIAL ZONING DISTRICTS

Mr. Wilmot opened the public hearing and reviewed with the public the proposed text amendment, which would remove the 1,000 foot distance requirements currently in place. Currently, the land development code requires that tattoo parlors and body piercing establishments cannot be within 1,000 feet of a residential parcel. Mr. Wilmot asked the Council Members the conflict questions as required for text amendments and all Council Members verified that they had no known conflicts. Mr. Houston Shultz, Environmental Management Director, reviewed the proposed changes and recommendation from the Planning and Zoning Committee. Mr. Shultz mentioned the proposed text amendment was reviewed by the Planning and Zoning Committee at their Meeting on October 10, 2016, and all members who were in attendance voted against the proposed changes.

Mr. Wilmot asked if anyone would like to speak in favor of the proposed changes. Mayor Smith asked to read an email she received from Jill Reade, Tift County Environmental Health Manager.

Email from Ms. Jill Reade, Tift County Health Department - Environmental Health Manager:

Mayor Smith, Thank you for taking the time to talk to me today at the Legislative Breakfast. Tift County Board of Health has been very excited about being able to regulate the body art facilities. The regulation of these facilities is so important to our community. It is important to be able to provide a location where body art facilities will be able to open within the city limits of Tifton. It is illegal to perform any types of body art outside a permitted facility. If there are no locations for these artists to open their business, they are forced to tattoo and pierce within their homes. When body art is conducted in an unregulated facility, there is no way to ensure disease is not being spread by reusing needles, sanitary precautions are being met like hand washing, handling of equipment, waste disposal, proper disposing of needles etc. By having such strict zoning ordinances, this in turn is pushing more artists to perform out of their homes. This is causing a larger threat on our community with the spread of communicable disease. Please consider having the zoning ordinance changed in the City of Tifton so the Tift County Board of Health will have the ability to regulate these facilities and help protect our community.

Mr. Wilmot asked if anyone would like to speak in opposition of the proposed changes.

Jan Wise and Julie Sharpe, Planning and Zoning Board Members: Ms. Wise mentioned members of the Planning and Zoning board reviewed the city zoning map in great detail during their meeting.

They looked at the potential impact this amendment would have on the residential neighborhoods and made the recommendation based on the protection for the neighborhoods and citizens living in the neighborhoods. Ms. Sharpe mentioned the recommendation was also viewed at a twenty year view of how we see our community in the next 20 years. Ms. Wise mentioned there is a fine line between encouraging business and protecting our neighborhoods and in this case they chose to protect the neighborhoods. Ms. Wise furthered that without families we do not have a need for business. Council Member Folk mentioned he didn't feel there was a difference between a tattoo parlor and a massage parlor. Ms. Sharpe mentioned they understand the location being proposed for the tattoo parlor was mainly in a business district located near residential units, but they reviewed the entire map and considered all areas that would be affected. Ms. Sharpe and Mayor Smith encouraged the council members to stop by Environmental Management and take some time to review the map and areas that would be affected by the amendment. Mayor Smith thanked Ms. Sharpe and Ms. Wise for their time and review of the proposed changes.

There being no further comments, the public hearing was closed.

Call To Order

Mayor Julie Smith called the meeting to order.

Proclamation Recognizing Go Light Up Your World Day

Mayor Julie Smith read aloud the proclamation in support of the Tift County Commission on Children and Youth's Event "Go Light Up Your World". Ms. Lillie McEntyre with TCCCY commented they are asking everyone to light luminaries across Tift County on October 26th to show encouragement to the youth to not get involved in gangs.

Drawing Winners For Natural Gas Surveys Completed

Pete Pyrzenski with ESG mentioned the Tifton Natural Gas Department recently sent out surveys encouraging customers and contractors to complete them and in return, they were entered in the drawing for a \$250 gift card. Mr. Pyrzenski asked Mayor Smith to draw the winners. The winners drawn for the gift cards were: John Doughtry with S & W Excavating and Grading and Ricky Battle.

Swearing in Brooke Sanders to the Historic Preservation Committee

Mayor Smith administered the Oath of Office and sworn in Ms. Brooke Sanders to the Historic Preservation Committee.

Swearing in Jared Ross to the Downtown Development Authority

Mayor Smith administered the Oath of Office and sworn in Mr. Jared Ross to the Downtown Development Authority.

Update from Tift County Superior Court on New DUI and Drug Accountability Court

Judge Bill Reinhardt, Judge Melanie Cross, and Charleston Carter were all present to discuss with council the new alcohol and drug program being implemented in the court circuit. Mr. Charleston Carter mentioned in order to implement the program they must first have the necessary logistics in place for the program such as treatment providers, daily reporting center, transportation, and long-term partnerships. Judge Reinhardt mentioned the drug problem is very active in Tifton and the new program will use treatment as an alternative to jail time. The funding for the program will mostly come from grants with a small cost to the court system. Reinhardt mentioned the offenders will go through an intensive treatment program to encourage them to not turn back to drugs, become law-

abiding citizens, and will integrate the offenders back into the community with vocational training. They mentioned the program has been successful across the state and hopes that will also improve our community. Judge Reinhardt mentioned they have recently looked at an office space which is owned by the Downtown Development Authority. He mentioned the location is perfect since it is near the Tifton Municipal Court Building which could be used to hold the court hearings. Judge Reinhardt mentioned these are just a few examples of how the city could assist in partnering with the program and they would appreciate any support. Mayor Smith thanked them for attending and mentioned the city would be considering ways they could offer assistance.

Roger Dill – Update on Local GDOT Funded Projects

Mr. Dill was present to ask the city for funding to support local road improvements on EB Hamilton Drive and Moore Highway. Mr. Dill mentioned GDOT has earmarked funding for the projects, but local support will be needed to complete the projects. GDOT has allotted \$600,000 for construction cost on Moore Highway and \$2 million dollars for construction costs on EB Hamilton Road. He mentioned the City, County, ABAC, and possibly Tourism will jointly fund the projects. Mr. Dill presented a construction cost for the projects which totaled \$856,287 for Moore Highway and \$3,073,015 for EB Hamilton Road. Mr. Dill mentioned there would also be additional costs for engineering, surveying, design, environmental studies, etc. Mr. Dill asked the council to consider providing additional funding for the projects so the money won't go back to the state, and could be used here locally.

DISCUSSION ITEMS

Request from Jonathan Jones of Edgemont Properties, LLC to Discuss the Deceleration Lane and Traffic Signal Approved in PUO 2006-06 and Amended PUO 2015-18

Mr. Houston Shultz mentioned at the last meeting council requested Mr. Jones be present to discuss with council his request for deceleration lane and traffic signal termination in the PUO. Mr. Jones mentioned the original development request for this property was very a perspective proposal because during the time they did not have any definite development plans in place. Mr. Jones mentioned because of the unknowing of the actual development certain transportation items were included. Mr. Jones mentioned he was open to moving forward with the deceleration lane but would like for council to reconsider the traffic light being installed. Mr. Jones mentioned he commissioned a traffic study as required and the study was completed based on current traffic counts for 20th Street and the potential assumptions for growth. Mr. Jones mentioned the traffic study did not warrant the need for a traffic light and the traffic light would be a large expense for the developer. Council Member Folk questioned and Mr. Jones confirmed that the deceleration lane cost was assumed for the VA Clinic development, but not the traffic light. Mr. Shultz presented the staff recommendation in which he described numerous reasons which warrant the need for the deceleration lane and traffic signal, furthered this is in the best interest of the City of Tifton and its residents. Staff believes the current traffic study does not adequately consider all developments within the PUO and if these items are not enforced the City of Tifton will incur the cost at a later date. Mayor Smith questioned the distance between the traffic light at Murray Avenue and the proposed light location, and Mr. Shultz confirmed that the distance is 970 feet. Council held a discussion with Mr. Shultz and Mr. Jones, and Mr. Jones mentioned he would be willing to update the traffic study to provide more recent data. Mayor Smith mentioned the VA Clinic is an incredible asset to our community, but council also has an obligation to ensure the safety of our citizens and she thanked Mr. Jones for continuing discussions of the topic. Mr. Jones stated he would get an updated study and submit the current findings to the city once complete.

Recommendation on Zoning Changes for Tattoo Parlors

Mr. Houston Shultz mentioned the public hearing on the proposed text amendment was held at the beginning to the meeting on this proposal. Currently, the land development code requires that tattoo parlors and body piercing establishments cannot be within 1,000 feet of a residential parcel, and council asked Planning and Zoning to consider eliminating the requirement. Mr. Shultz stated the proposed changes were opposed by the planning and zoning board. Mr. Shultz asked for council to allow staff and the city attorney time to find a more appropriate solution which would not adversely affect the residential areas. After discussion, Mayor Smith requested staff bring back a recommendation to consider which would be more appropriate for the businesses and residential areas. Mayor Smith encouraged Council Members to take a look at the zoning map and see exactly where the tattoo parlors are allowed.

Recommendation on Declaring Certain Alleys Surplus

Mr. Hunter Walker, Interim City Manager, mentioned the presented alleys have been reviewed by staff and staff has recommended the alleys be deemed surplus. Maps identifying the alleys were included in the council packet for review. The City will offer the adjacent property owners the opportunity to purchase the alley property at fair market value. The alleys being recommended for surplus are:

- Unnamed Alley Between Victor Drive and East 14th Street Surplus
- Unnamed Alley Between Harlan Avenue and South Park Avenue Surplus
- Declaring a Portion of Tift Lane, South of 20th Street Surplus

Recommendation to Surplus Property Between Davis Avenue and Belmont Avenue

Mr. Walker mentioned the property being presented is a portion of a drainage ditch which has been surveyed to exclude a portion where a sewer line is currently located on the property. Mr. Walker stated staff has reviewed the proposed property and recommends the surplus of the property.

Recommendation to Surplus Landfill Equipment

Mr. Walker mentioned the city has three trucks which need to be surplus and were acquired through the landfill fund, which is a joint fund with the county. Mr. Walker mentioned ESG is currently using two of these vehicles on a daily basis and in doing so the General Fund should reimburse the Landfill Fund at a fair market price for the vehicles. Mr. Walker mentioned he would contact the county manager and get the necessary approvals to move forward and bring back to council.

Review of Bids Received for Wheel Loader at Landfill

Mr. Ricky Hobby, Landfill Director, presented the bid proposals submitted for the purchase of a new wheel loader for the landfill. Mr. Hobby mentioned the equipment purchase is a budgeted item and four (4) vendors met the required specifications. The bid includes a 5 year buy back period, 5 year warranty, and 5 year preventative maintenance agreement. Staff recommends awarding the proposal to ASC Construction Equipment for \$125,291 for the equipment and \$27,166 for the 5 year warranty and preventative maintenance agreement. The qualified bids received were:

<u>Company</u>	<u>Location</u>	<u>Amount</u>
ASC Construction Equipment	Buford, GA	\$125,291.00
(5 Year Buy Back)		- \$89,641.00
Net Bid		\$ 35,650.00

Yancey Bros. (5 Year Buy Back) Net Bid	Albany, GA	\$133,796.00 - \$62,921.00 \$ 70,875.00
Rental Inc. (5 Year Buy Back) Net Bid	Tallahassee, FL	\$130,000.00 - \$50,000.00 \$ 80,000.00
Flint Equipment Company (5 Year Buy Back) Net Bid	Albany, GA	\$135,464.57 - \$55,000.00 \$ 80,464.57

Mr. Hobby mentioned there is a significant difference in the buy back price from the lowest bidder and the other bidders, but he has spoken to ASC about the bid and they are willing to sign the buyback agreement. Mr. Allen Laken w/ Yancey Brothers mentioned to council that one of the requirements of the bid package was to offer a service location or be able to provide service within 50 miles of Tifton and ASC Construction Equipment has technicians that travel to the area, but they do not have a service facility within the 50 miles. Mr. Laken mentioned Yancey Brothers as well as a number of the other bidders are local and have service facilities and technicians which can keep the equipment running at all times.

Consider Resolution Providing for Alcoholic Beverage License for Lil Pantry located at 1302 S. Central Avenue: Ms. Jessica Jones mentioned staff has completed the background investigation on the applicant and is recommending approval of the license to be effective for 2017. Council reviewed the resolution and application but did not have any comments.

Consider Resolution Providing for Alcoholic Beverage License for DNS Convenience, Inc. Located at 1820 US Hwy 41 North: Ms. Jessica Jones mentioned staff has completed the background investigation on the applicant and is recommending approval of the license to be effective for 2017. Council reviewed the resolution and application but did not have any comments.

Consider Resolution Accepting 2016 Community Development Block Grant in the Amount of \$500,000 for Drainage Improvements: Ms. Jessica Jones stated the resolution being presented is needed in order to accept the CDBG award received from the Georgia Department of Community Affairs for the Magnolia Drainage Project. Ms. Jones mentioned the funding will be used to pipe a large drainage ditch near the Town & County Mobile Home Park.

Discussion of Lease Purchase Agreement with Rosetta Daniels-Duggins for Residential Property Located at 811 Armour Road: Mr. Hunter Walker mentioned in 2001, Ms. Rosetta Daniels-Duggins and her late husband Mr. Daniels received housing rehabilitation assistance in the amount of \$20,000 for their residence located at 811 Armour Road. The city financed the home through the CDBG Revolving Loan Fund and intended to settle the payment through a lease agreement with Ms. Duggins. Mr. Wilmot mentioned after he reviewed the file the lease agreement was for a period of one year, but based on the amortization schedule in the file the intent was for a

lease purchase. Ms. Duggins has made timely payments and has fully repaid the debt and it is recommended to recognize payment of the debt and authorize quitclaim deed on the property.

Council Member Terrell left the meeting.

Discussion of Amended Soil Erosion and Sedimentation Ordinance

Mr. Rob Wilmot, City Attorney, mentioned the state has amended their soil erosion and sedimentation standards and since the city is a local issuing authority the city must also update its ordinance to reflect the changes. Mr. Wilmot stated the model ordinance was provided by the state and also removes the duplication of the ordinance in the code of ordinances. Mr. Wilmot stated the proposed ordinance will become a part of the Land Development Code.

Discussion of Development Additional Criteria for Enterprise Zone Incentives

Mr. Wilmot mentioned the city has been discussing possible options for the Enterprise Zone Incentives and he has researched if they can be modified. He mentioned he has spoken with DCA and Bruce Green about the legislation and has found an ordinance from College Park which adds requirements for both employment and property improvements. The example ordinance from College Park also only gives incentives based on the improvement value and not the total property value. Mr. Wilmot stated there is not a lot of guidance from the state on Enterprise Zones, but suggested the city look at correlating the incentive with the respective improvement/economic stimulus. Mr. Wilmot asked Council for additional time for staff to do more research and come back with a recommendation on structuring criteria for incentives. Mayor Smith stated she would also like to see this as a tool to be used for the Matt Wilson Redevelopment Project.

Enterprise Zone Application for Pediatric Dental Center of Georgia for Property Located at

820 Love Avenue: Mr. Hunter Walker reviewed the application with council, and mentioned the qualifying business will be retaining 10 jobs and adding 5 additional jobs once open. Mr. Walker mentioned the applicant will not be eligible for property tax abatements since they are not the owners of the property. Mr. Wilmot mentioned the property owner would only be entitled to tax abatements if they meet the 5 to 1 investment ratio. Discussion was held on the application and will be considered at the Council Meeting.

Ordinance Amending Prohibited Businesses

Mr. Wilmot mentioned he reviewed the prohibited business ordinance and determined there was no longer a need for prohibiting the current businesses listed, which included: Merchandise from temporary structures, tents or stands upon streets or alleys, lunchstands, fireworks, fortune tellers and spiritual advisors, and pornography shops. Mr. Wilmot mentioned fireworks are currently legal under state law, and the other items are either already established in Tifton or are regulated in other parts of the code of ordinances.

Discussion of Noise Ordinance

Mr. Wilmot stated when the noise ordinance was revised staff thought using meters to measure the level the sound would be effective, but it has not been effective. Mr. Wilmot mentioned at a distance the noise meter does not pick up the music, and the police department is unable to take any action. Mr. Wilmot mentioned he has reviewed other cities ordinances and they reference the term plainly audible. Mr. Wilmot suggested updating the city's ordinance to include "plainly audible" since the loud music is continuing to create a nuisance in the neighboring residential area.

Discussion was held on the agenda item and Mr. Wilmot will bring back a proposed amendment to be considered by City Council.

Discussion of Hometown Connection Meeting: Mayor Smith mentioned she has asked Becky to schedule a Hometown Connection with the State Legislators and the tentatively date available would be the last week in November. Mayor Smith mentioned this would be a good time to discuss with the legislatures the challenges we face, assistance we may need, and continue to build a relationship which each of them.

EXECUTIVE SESSION TO DISCUSS LEGAL AND PERSONNEL MATTERS

Council Member Jack Folk made the first motion to go into executive session for Personnel and Legal Matters, seconded by Sayles, and unanimously approved by Mayor Smith and Vice Mayor Ehlers. Meeting closed to executive session.

Council Member Jack Folk made the first motion to go out of executive session, seconded by Sayles, and unanimously approved by Mayor Smith and Vice Mayor Ehlers. Meeting opened back to regular session.

There being no further business to discuss, meeting adjourned.

Mayor Julie Smith

Jessica Jones, City Clerk