

**CITY OF TIFTON  
COUNCIL WORKSHOP  
February 1, 2021  
5:30 PM  
TIFTON CITY HALL**

**Attendees**

Mayor Julie Smith  
Vice Mayor Wes Ehlers  
Council Member Jack Folk  
Council Member M. Jay Hall  
Council Member Johnny Terrell

Pete Pyrzenski, City Manager  
Rob Wilmot, City Attorney  
Jessica White, City Clerk

**Public Hearing on Zoning Application PP20-0059, Requiring to Rezone 0.85 Acres, Located at 80 Oak Point Avenue, from General Business (GB) to Multi-Residential (MR) Submitted by Todd Buckner of Tifton Apartments, LLC (Map & Parcel #0032E 210)**

Mr. Wilmot reviewed the application, reviewed the zoning procedures, and asked the Council the following conflict questions to determine their eligibility in participating in the hearing.

1. Have any of the applicants or opponents to applications contributed at least \$250 to any of the campaigns for election during the past two years? Everyone stated no.
2. Do you or any members of your family own property that would be impacted by these classification applications whether that be a positive impact or a negative impact? Everyone stated no.
3. Do you or any members of your family have an interest in a business that would be impacted by these classification applications whether that be a positive impact or a negative impact? Everyone stated no.

Mr. Wilmot asked that the record reflect that the Council Members present did not have any conflicts of interest and eligible to participate in the hearing.

Ms. Crystal Gaillard presented the application requesting rezoning of the property from General Business (GB) to Multi-Residential (MR). Ms. Gaillard mentioned the owner is requesting the rezone to construct residential duplexes. She mentioned the duplexes will be consistent with the surrounding developments. The hearing opened up to public comments, but no one spoke. The hearing closed.

**Public Hearing on Zoning Application PP20-0058, Proposing Amendments to the City's Land Development Code, Section 5.02.08: Mobile Food Units**

Ms. Crystal Gaillard opened the public hearing and reviewed the application. She mentioned staff has reviewed the current ordinance and is recommending to remove the parking requirements and distance from brick & mortar restaurants for food trucks in Commercial Downtown. Ms. Gaillard mentioned the proposed ordinance changes are consistent with other standards in downtown and were recommended by staff. The recommendation and application were also presented to the Planning and Zoning Board on January 11, 2021, and approved. The hearing opened to public

comments, but no one spoke. Council discussed the ordinance changes to get clarification on the proposed changes. The hearing closed following discussion.

## **COUNCIL WORKSHOP**

### **Call to Order**

Mayor Julie Smith called the meeting to order.

### **Approval of the Agenda**

Council Member Folk made the first motion for approval of the agenda, seconded by Hall, and unanimously approved.

### **Consider Request to Support Tift Magnolia Villas, LP's 2021 Low Income Housing Tax Credit Application for a Senior Housing Development on EB Hamilton Drive**

Ms. Jessica White presented a request seeking the City's support of the Tift Magnolia Villas 2021 LIHTC Application for developing Senior Housing Apartments on EB Hamilton Drive.

The proposed plan intends to construct a new complex with forty-four (44) - 1 & 2 bedroom apartments. A copy of the conceptual site plan was included in the council packet for review. Ms. White mentioned the property is currently located in the County, but the development plans to annex into the City if the application is approved. Ms. White mentioned this is the only request the City has received this year seeking the City's support for LIHTC. Council reviewed the development plan and briefly discussed the application and support being contingent upon annexation.

### **Request to Surplus 1998 Caterpillar 516C Dirt Pan**

Mr. Ricky Hobby presented the item and mentioned the dirt pan is currently not operational and has not been in service for quite some time. He mentioned he has received interest from others wanting to purchase the equipment and is requesting to surplus the equipment and offer it for bid. Council reviewed the information presented.

### **Resolution Granting Enterprise Zone Incentives to The Faws Properties, LLC for Property Located at 331 Commerce Way**

Ms. Jessica White presented the Enterprise Zone Application submitted. She mentioned the owner's plan to convert the 7,500 sq ft space into 6 – 2br/2bath apartments. Based upon the information supplied by Mr. Faws the rehab investment is estimated at \$400,000 and construction is expected to be completed by year-end. Staff recommended awarding an incentive package valued at \$12,076. Council reviewed the information provided.

### **Resolution Providing for a New Alcohol Beverage License at Save A Lot located at 121 S. Virginia Avenue**

Ms. Jessica White mentioned Save-A-Lot has changed ownership and submitted a new application for selling beer and wine. She mentioned staff has reviewed the application submitted by the owner and manager and recommends approval. Council reviewed the information provided.

### **Review of Proposed Amendments to the Code of Ordinance, Chapter 34-Emergency Services as it relates to False Alarms**

Chief Bennett reviewed the ordinance and stated the amendments are being proposed to address alarm owners who are negligent and have repeat false alarm calls. Chief Bennett stated the fire department responded to 88 false alarm calls last year and those calls are costly. The proposed ordinance would assess fines after the fourth occurrence of the fire department being called to a false alarm. Council reviewed the ordinance and discussed the fines proposed.

### **Review of Proposed Amendments to the Alcohol Ordinance for Home Delivery**

Mr. Wilmot presented the information in reference to the delivery of alcohol. Mr. Wilmot mentioned in 2020 the state legislature passed HB 879 and the bill allowed for the delivery of beer and wine by package goods retailers and restaurants. He explained retailers and third-party providers can begin delivery upon meeting the training and ordering system requirements established by the state. The bill also allows local governments to restrict alcohol delivery within their jurisdiction or establish additional licensing requirements for the delivery of alcohol. Mr. Wilmot presented ordinances for prohibiting the delivery of alcohol and one which would allow it inside the City and requested Council's direction on the matter. Staff recommended allowing alcohol delivery as regulated by state law and recommended allowing restaurants to deliver under their current pour license upon submittal of a letter of intent to the City. Council discussed the ordinances presented and voiced concerns with alcohol delivery and minor access. Following discussion, Council proposed bringing forward the ordinance for allowing delivery.

### **Ordinance Rezoning 0.85 Acres, Located at 80 Oak Point Avenue, Map & Parcel 032E 210, from General Business (GB) to Multi-Residential (MR) Submitted by Todd Buckner of Tifton Apartments, LLC – Application PP20- 0059**

The ordinance was reviewed. Discussion of the item was held during the public hearing.

### **Ordinance Amending Section 5.02.08 of the Land Development Code (Mobile Food Units) - Application PP20-0058**

The proposed ordinance was presented which would modify Section 5.02.08(D)(4)(c) to remove the 15-parking space requirement in the Commercial Downtown Zoning District, and modify Section 5.02.08(D)(4)(d) to remove the distance to brick and mortar restaurants in downtown. The item was discussed during the public hearing.

### **City Manager Report**

Mr. Pete Pyrzenski discussed the new public information videos created, including the Chief Chat segment. He also proposed having Ryland present at an upcoming meeting to follow-up on the initial garbage collection changes. Mayor Smith asked that Council Member Folk and Council Member Ehlers be a part of the committee to review the contract and current level of service. Lastly, Mr. Pyrzenski provided Council will a review of the 2020 goals completed and suggested the Council schedule a retreat soon to review and plan for the current year.

### **Council Comments**

Council Member Folk commented on golf cart safety and a number of negative public comments on the changes in garbage service.

Council Member Terrell requested staff look into solutions for cleaning up the Collins Quarters area.

Council Member Ehlers commented on concerns with the delivery of alcohol and asked to include a limit on the amount of alcohol that could be delivered.

**Executive Session**

Council Member Hall made the motion to go into executive session to discuss legal and personnel matters. Motion seconded by Terrell and unanimously approved. Meeting closed to executive session.

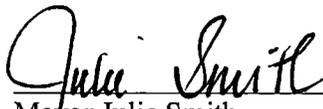
Council Member Hall made the motion to go out of executive session and back into regular session. Motion seconded by Terrell and unanimously approved. Meeting opened to regular session.

**Resolution Providing for Executive Session**

Council Member Hall motioned for approval of the resolution, motion seconded by Terrell, and unanimously approved.

There being no further business to discuss, the meeting adjourned.

Respectively Submitted,

  
\_\_\_\_\_  
Mayor Julie Smith

  
\_\_\_\_\_  
Jessica White, City Clerk

AT A MEETING OF THE  
CITY COUNCIL OF THE CITY OF TIFTON  
HELD ON Feb 1, 2021  
A MOTION TO ENTER INTO EXECUTIVE SESSION

Council member M. Jay Hall 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 Johnny Terrell seconds the motion.

**Motion Approved**

Those voting in favor of the motion for closure:

Council Members: Mayor Julie Smith  
Council member Wes Ehlers  
Council member Jack Folk

Those voting against the motion for closure:

Council Members: None

**AFFIDAVIT**

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

<u>Present</u>	<u>Absent</u>	
<u>✓</u>	_____	Julie B. Smith
<u>✓</u>	_____	Wes Ehlers
<u>✓</u>	_____	Jack Folk
<u>✓</u>	_____	Johnny Terrell
<u>✓</u>	_____	M. Jay Hall

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 1<sup>st</sup> day of February, 2021.

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 1<sup>st</sup> day of February, 2021, 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 1<sup>st</sup> day of February, 2021.

*Julie Smith*

Julie Smith  
Mayor, City of Tifton

*Wes Ehlers*

Wes Ehlers  
Councilman, District 1

*Jack Folk*

Jack Folk  
Councilman, District 2

*Johnny Terrell*

Johnny Terrell  
Councilman, District 3

*M. Jay Hall*

M. Jay Hall  
Councilman, District 4

Sworn to and subscribed before me  
By all City Council members  
on this 1<sup>st</sup> day of  
February, 2021.

*Jessica White*  
Notary Public

