



Blakely City Council Minutes

January 5, 2016

City Hall

6:00 P.M.

I) Swearing in of New Officials

After the City Clerk opened the meeting the Probate Judge, Robin Altman swore in Anthony Howard as Mayor, Frank Thornton as Councilman and James Crozier as Councilman

II) Public Hearing Zone Change 27 Redbud from R1 to PUD

The public hearing for the rezoning of Redbud from R1 to PUD opened at 6:15. Meredith Whitehead, owner of the property, reminded the Council and public that she has been trying to rezone the property at Redbud since 2012. She stated that the property had gone from AG to R1 previously. She briefly explained why she is requesting the PUD zoning. She brought up a question made at a previous meeting with the Mayor and Councilman Hutchins asking whether if there was any other property in Blakely for this project, to which the buyer stated that there wasn't. She stated that she feels that this is a black/white issue because of past zoning dealings. The buyer, Ms. Barr, spoke of why she is still interested in the property. She stated that she knew why some of the issues exist. She stated that in all the times before the Council there has not been a legitimate reason for denials. She asked the Council to carefully consider their decision.

Mr. Jimmy Everson, residing on McDowell, addressed the Council stating that he felt congestion would be an issue. He feels that being within walking distance of the school would be an issue regarding cut through on others people's property. He also spoke of water/sewer issues and street issues. He spoke of the water pressure issues on Westview. He then stated that his main concern was the congestion.

Ms. Linda Skipper, residing on Church St., spoke regarding the water/sewer issues in her area and feels that this item should be addressed first and this is why it was not a black/white issue. She also stated it would create tax issues.

Mr. Jack Sanders, residing on Freeman Rd. stated that he sympathizes with the Whitehead's but that a lot of these types of projects to into projects. He then stated that he feels that with the project his taxes would increase and his property values would decrease.

Ms. Whitehead readdressed the Council about the tax issues. She reminded everyone that Ms. Barr was willing to help with infrastructure issues but that no dollar amount had been set.

With no other comments the public hearing closed at 6:28.

III) Call To Order, Roll Call, Invocation, Pledge Of Allegiance

Let the record show that the Mayor, Anthony Howard, Councilman Al Hutchins, Councilman Charles Middleton, Councilman Frank Thornton and Councilman James Crozier were present. Pastor Powell gave the invocation. The Mayor led the Council and public in the Pledge of Allegiance. Let the record show that the City Attorney, Tommy Coleman and the City Clerk, Melinda Crook were also present.

IV) Approve Minutes

A motion was made by Councilman Hutchins and Councilman Crozier to approve the four sets of minutes from the month of December. The motion carried unanimously by Councilman present

V) Citizens And Delegations

Willie Charles Anthony – Parking Big Truck in His Yard

Mr. Anthony addressed the Council regarding a citation for parking a semi in his yard. He stated he didn't know he wasn't supposed to park a semi in his yard. He stated that the citation could cost him his job. The Mayor read the Ordinance then stated that there was a list of streets attached on which it was permissible to park semi trucks. Mr. Anthony stated that his parking was not causing problems in the neighborhood. The Mayor stated that Mr. Anthony could ask the Council to amend the Ordinance but that is all that can be done at this time. Mr. Anthony then stated that he used to park at Sears. He was asked if Sears had an issue with him parking there, to which he stated "No", but then stated that Public Safety had told him that he couldn't park there.

Randy Crook – Hydrilla Grass at George T Bagby

Mr. Crook addressed the Council regarding the issue of hydrilla grass in the George T. Bagby lake. He stated that the lake was being overrun. He stated that this grass was affecting the low income. He informed the Council that the "Save the Lake" committee was checking into options on what could be done about the grass. He then asked the Council if they were willing to draft a letter of support to send to their Congressman. A motion was made by Councilman Middleton and seconded by Councilman Crozier to draft a letter of support for the "Save the Lake" committee. The motion carried unanimously by Councilman present

Brenda Mitchell – Speed Bumps on Lancelot

Ms. Mitchell addressed the Council regarding a speeding issue on Lancelot Street. She stated that she represented citizens on this street that would like the City to install a speed bump. The Mayor informed Ms. Mitchell that the Street Department had been instructed to construct a speed bump on Lancelot like had been done on Victoria St.

Michelle Still – Animal Shelter

Ms. Still spoke to the Council regarding the things that were going on at the Blakely Animal Shelter. She informed the Council of a FaceBook page, "Friends of the Blakely Animal Shelter," that had been created by concerned citizens to help save as many animals as possible. She stated that she was coming before the Council to ask for their approval and support. She stated that they realize that all the animals could not be saved. She stated that they would like to help work with the shelter to get animals adopted or transported out to rescue sites. She stated that she works with shelters in the North to rescue animals. She then informed the Council that they had helped 19 animals get adopted and rescued in December. She then informed the Council that they would be

helping with donations and supplies if the Council approved. The Mayor stated that the Council appreciated what was being done and that they were willing to work with the “Friends of the Blakely Animal Shelter” as much as possible.

VI) Administrative Committee Reports

Alcohol License – Priscilla Ricks, Tha Zone, 11510 Columbia Hwy (Old Bobcat Restaurant Building) - The Building Official, Kenneth Jones, informed the Council that this business was located in the Station West shopping center. He stated that the electric was turned on to work on the building. He then stated that the Sheriff had initially approved the application but after an incident on December 26th the Sheriff then changed his approval to a denial.

(a) Violations At 11510 Columbia Hwy

Ms. Ricks came before the Council to explain the incident and stated that they were not open for business. She stated that there was no admission at the door but that tickets had been given out two weeks in advance. She then stated that they did not have intentions of opening until March. The Mayor then questioned if this item could be table until the business was closer to opening. A motion was made by Councilman Middleton and seconded by Councilman Hutchins to table the alcohol license for Priscilla Ricks until a future date closer to the business opening. The motion carried unanimously by the Councilman present.

Request For Conditional Use To Construct A Church

The Building Official, Kenneth Jones, stated that there were issues about a drainage problem that arose in the Planning Commission meeting the previous night. He stated that there was a possibility that an engineer or architect might need to look at the area according to procedures. Pastor Powell was asked if she knew of these procedures. Pastor Powell addressed the Council stating that the property was not a flood zone. She stated that they would follow codes and standards. She asked the Council for consideration regarding this property. The Mayor stated that as long as she followed process he felt that there would not be any issues with the Council. A motion was made by Councilman Crozier and seconded by Councilman Middleton to table the conditional use until the church was ready for this stage of the process. The motion carried unanimously by Councilman present.

Alcohol License Heenaben Patel – BJ’s Express

The Building Official, Kenneth Jones, informed the Council that this application was only due to a name change on the business. He informed the Council that the Sheriff had approved the application. A motion was made by Councilman Middleton and seconded by Councilman Crozier to approve the alcohol license for Heenaben Patel (BJ Express.) The motion carried unanimously by Councilman present.

VII) City Attorney’s Report

Second Reading And Adoption Of Ordinance Amending The Event Center License - The City Attorney briefly went back over the Ordinance which provides for additional security if more than 100 people are at a function. He then stated that it also provides that applications be submitted 30 days in advance and that a State alcohol license be gotten as well. A motion was made by Councilman Middleton and seconded by Councilman Hutchins to adopt the Ordinance Amending the Event Center License. The motion carried unanimously by Councilman present.

Second Reading And Adoption Of Ordinance Providing Security For On Premise Consumption - The City Attorney briefly went back over the Ordinance

which provides for additional security if more than 100 people are at a function. He also restated that included in this Ordinance is the exception for those businesses that recognize 50% of their income from the sale of food and that no license shall be granted to any applicant for a location within 300ft of any other location where a license for the sale of alcohol has been granted. The Mayor reminded the Council that they could adopt the Ordinance as it stands or could make adjustments to it as they saw fit. A motion was made by Councilman Middleton and seconded by Councilman Crozier to adopt the Ordinance providing security for on premise consumption as it stands. The motion carried unanimously by Councilman present.

Renew Contract For Sheriff Services - A motion was made by Councilman Middleton and seconded by Councilman Hutchins to renew the contract for Sheriff services changing the monthly dollar amount to \$2,3. The motion carried unanimously by Councilman present.

Renew Chamber Of Commerce - A motion was made by Councilman Hutchins and seconded by Councilman Middleton to renew the Chamber of Commerce agreement. The motion carried unanimously by Councilman present.

Renew Court Square Development - The City Attorney briefly explained that this agreement was for a percentage of Hotel/Motel monies collected be turned over to the Court Square Development for tourism. A motion was made by Councilman Middleton and seconded by Councilman Hutchins to renew the Court Square Development agreement. The motion carried unanimously by Councilman present.

VIII) City Clerk's Report

The City Clerk presented the Council with financial reports. She also updated the Council on the current projects. She updated the new meters on the wells, the ECG mapping project, the Tantalus/Pre-paid metering project, the playground equipment and asked for a date for a ribbon cutting, the methane monitoring at the landfill, the installation of the 12" water line and the 6" water line on Ft. Gaines St.

Budget Adjustments And Amendments - The Clerk submitted budget adjustments to the Council for 2015 and informed the Council that these adjustments are inter-departmental and that these are not the final adjustments. A motion was made by Councilman Middleton and seconded by Councilman Crozier to approve the budget adjustments as submitted. The motion carried unanimously by Councilman present.

IX) Executive Session – Legal Matter

A motion was made by Councilman Hutchins and seconded by Councilman Middleton to enter Executive Session for legal matter. The motion carried unanimously by Councilman present.

Upon returning to regular session a motion was made by Councilman Crozier and seconded to Councilman Thornton to table the rezoning of Redbud to review preliminary site plans and to consider complaints from both sides. The motion carried unanimously by Councilman present.

Ms. Whitehead asked for an explanation of what had just taken place. The City Attorney explained that with this zoning a site plan is required to be presented, that there are some issues brought up regarding infrastructure that both sides

spoke of that need to be addressed and that there are two new Councilmember's that need to be fully informed as to the history of this issue.

X) New Items Proposed By Mayor And City Council

Increase Of Customer Deposits - The Mayor asked the Clerk to inform the Council about the increase of customer deposits. The clerk stated that with the new metering system a credit check system was also put into place. The Clerk explained that this system works on a credit rating of Green Light, Yellow Light, Red Light and that she had been asked to review and recommend an increase of customer deposits for new accounts/transfers based on these ratings. She informed the Council of the current deposit structure (\$100 for Electric, \$50 for Water and \$75 for Gas.) She then informed the Council of the proposed increases which would be; Green Light – no deposit, Yellow light (\$175 for Electric, \$75 for Water and \$100 for Gas) and those who get a Red Light (\$275 for Electric, \$100 for Water and \$125 for Gas). She stated that these are just suggestions based on some previous final bills. The Mayor stated that if a customer could not come up with these deposits the alternatives would be a pre-paid meter. There was then some discussion between the Clerk and Council. The Mayor then asked the Council for suggestions. The Mayor suggested that the Red Light amount be reduced by \$75 overall. He then quoted if this was quoted in the Ordinance and the City Attorney stated that he felt they were at the pleasure of the Council. A motion was made by Councilman Middleton and seconded by Councilman Thornton to approve the increase in customer deposits as presented with Green Light at no deposit and lowering the Red Light deposit by \$75 overall. The motion carried unanimously by Councilman Present.

Reappointment Of Council Representative To Public Safety Board

A motion was made by Councilman Crozier and seconded by Councilman Hutchins to nominate Councilman Thornton and Councilman Middleton as the Council representatives to the Public Safety Board. The motion carried unanimously by Councilman present.

Mayor Pro Tem - Councilman Hutchins nominated Councilman Thornton as Mayor Pro-tem. A motion was made by Councilman Middleton and seconded by Councilman Hutchins to close the nomination for Mayor Pro-tem. The motion carried unanimously by Councilman present. A motion was then made by Councilman Hutchins and seconded by Councilman Crozier to approve the nomination of Councilman Thornton as Mayor Pro-tem. The motion carried unanimously by Councilman present.

Renewal Of Alcohol Licenses - The Building Official, Kenneth Jones, addressed the Council regarding the renewal of all the alcohol licenses for 2016. Mr. Jones informed the Council that Club 229, who has a Brown Bagging license, had be left off the list. He then stated that the club Blue Diamond had closed and that Event Centers did not have to get alcohol licenses. He informed the Council that he had requested information regarding any issues with those holding alcohol license, from Public Safety, and that he had been informed that any issues had previously been presented. He also informed the Council that he has previously and would continue to make visits to those holding alcohol licenses to make sure that they are posted. A motion was made by Councilman Middleton and seconded by Councilman Hutchins to approve the renewal of alcohol licenses for 2016, which included Club 229. The motion carried unanimously by Councilman present.

The Clerk informed the Council that GEC had made recommendations on a venting system for the high off site readings of methane due to the closure of the inert pit. She stated that the Council would need to approve for these recommendations to be submitted to EPD by Polyengineering and that if approved by EPD it was felt that the City could complete the venting recommendations. A motion was made by Councilman Middleton and seconded by Councilman Hutchins to approve submitting the recommendations from GEC to EPD and move forward if approved by EPD. The motion carried unanimously by Councilman Present.

The Clerk informed the Council that the addition of the \$500,000 for Telecommunication in the budget was the MCT trust credits that are due to be received this year. She then informed the Council that approval was needed to divert these funds into the Short Term Flexible Operating Account and that the funds would then be wired into a new bank account set up specifically for SGRITA expenditures. A motion was made by Councilman Middleton and seconded by Councilman Crozier to approve the change of depositing the MCT trust credits into the Short Term Flexible Operating Account instead of the Extended Maturity Flexible Operating Account. The motion carried unanimously by Councilman present.

The Mayor brought to the Council the amended Inter-governmental Agreement with the County moving James Crozier from a City employee to a County employee for Economic Development. He informed the Council that the agreement had approved by the County at their meeting the previous night. A motion was made by Councilman Middleton and seconded by Councilman Hutchins to approve the Inter-Governmental Agreement. The motion carried with Councilman Middleton, Councilman Hutchins and Councilman Thornton voting "YEH."

A motion was made by Councilman Middleton and seconded by Councilman Hutchins to formally accept the donated property from Dr. Brooks for the new lift station. The motion carried unanimously by Councilman present.

Councilman Hutchins questioned the Brown Bagging Alcohol License. The Mayor briefly explained the conception of the Brown Bagging License and questioned why this license was still needed. Councilman Middleton stated that he felt it was no longer needed due to the pouring license now in effect. Councilman Thornton stated that he felt it was no longer needed and explained why he felt this way. The Mayor questioned when the renewals were sent out and how many Brown Bagging license where on the list. There was discussion between the Council but no action was taken.

XI) Public Comments

Linda Skipper addressed the Council to express her thanks to Kenneth Jones for the job he is doing.

Tracy Robinson addressed the Council questioning the new structure of the customer deposits. He questioned that if he came to check his credit and was Green Lighted would he get his deposit back. The Mayor stated that he would. Mr. Robinson then questioned the \$2.00 charge on the bill for yard debris and the housing authority, Tanglewood and Country Lane. The Mayor informed Mr. Robinson of the difficulty of separating areas out and that this was done uniformly but that other options could be looked at. He then questioned if the City had a licensed pesticide person regarding mosquito spraying. The Mayor

informed Mr. Robinson that the City did have a licensed person. He also questioned the methods of meeting notifications and suggested it be placed on FaceBook.

Adonis Pittman questioned the Ordinance adopted regarding the alcohol license and previous business in a location. He stated this was due to an opportunity he has to rent a building on Church St. The City Attorney clarified the Ordinance and that he would not be able to receive an alcohol license if it is within 300ft. of another licensed establishment. The Mayor suggested he sit down with Mr. Jones regarding this matter.

Ms. Shirley Harris addressed the Council regarding the difference between the pouring license and the Brown Bagging license. The City Attorney explained this to her. She then questioned if there is a nice Event Center place to go and drink and stay open after 12:00p.m. She was informed that she could come to City Hall to receive a list of all places that have an Event Center License.

XII) Adjournment

The Mayor informed the Public that he appreciated the public, their participation and even if they did not get the answers they wanted this is the due process. A motion was made by Councilman Middleton and seconded by Councilman Crozier to adjourn the January 5th City Councilman Meeting. The motion carried unanimously by the Councilman present.

Anthony Howard, Mayor