

Council Meeting

May 1, 2003

The City Council of the City of Hahira met in regular session on Thursday, May 1, 2003 at 7:30 P.M. at the Courthouse with Mayor Crowe presiding.

PRESENT: Mayor Myron Crowe; Councilmen Wayne Bullard, Terry Benjamin, M. C. Nelson and Joel Hunnicutt; City Manager, Bonnie Tindall; Clerk, Marilyn Brady; Public Works Director, John Thursby; Police Chief, Terry Davis; City Attorney, Pope Langdale.

Mayor Crowe called the meeting to order. A quorum was established.

Mayor Crowe called on Councilman Bullard to lead the assembly in the Pledge of Allegiance followed by the invocation by Rev. David Gordon, of the Hahira First Baptist Church. Visitors were welcomed.

DISTRICT 2 COUNCIL REPRESENTATION

Mayor Crowe reported that last Thursday, the City officials were informed to check on a situation concerning the voting districts. They researched the matter and found out that Terry Benjamin in District 1 currently resides in District 2. Mayor Crowe contacted the Board of Elections at that time. They conferred back several times concerning the matter. He talked to Pope Langdale, Interim City Attorney, for legal advice. It was a mistake between several persons and the Election Board for not picking it up. Mr. Benjamin followed all of the guidelines and did everything that he knew to do, and was approved. We have the documents that the Board of Elections signed for him to run. Mayor Crowe presented a map showing the lines for the Districts and pointed out Council Benjamin's home located on S Hall Street. He stated that Mr. Langdale had done extensive research, talking with other cities that had the same situation, the Board of Elections, GMA and a number of people. Mayor Crowe asked Mr. Benjamin not to vote on anything on the agenda tonight. There will be a session to discuss the matter and what avenues to take. He stated he was sorry that this had happened.

Council Benjamin stated that he thought it was wrong for him not to be able to vote, since he was elected to represent the people in District 1. By him not being able to participate in the meeting, he would be silencing their voice.

Mayor Crowe again asked Mr. Benjamin not to vote.

REVIEW/CORRECTION OF APRIL 3, 2003 COUNCIL MINUTES

Mayor Crowe called on a motion to approve the April 3, 2003 Council Minutes. Council Nelson made a

Motion to approve the minutes as written, seconded by Council Bullard Vote was unanimous.

REVIEW OF BILLS

Mayor Crowe asked Council to review the bills.

APPOINTMENT OF INTERIM CITY ATTORNEY

Mayor Crowe called for a motion to appoint Pope Langdale as Interim City Attorney. Council Bullard made a motion to accept Mr. Langdale as Interim City Attorney, seconded by Council Nelson. Vote was unanimous.

PUBLIC HEARING – CITY OF HAHIRA ZONING ORDINANCES

- A. HA-2003-04 Variance Request from CMA for First Baptist Church-City of Hahira Zoning Ordinance – R15/R-P Zoning District

Sherry Davidson, Current Planner, reported that the Hahira First Baptist Church is requesting three variances to the Hahira Zoning Ordinance as it pertains to setback requirements and to the acreage requirement in a Single-Family residential (R-15) zoning district. The subject property is located on the northwest corner of North Church Street and West Lawson Street and is currently vacant. The property contains 1.504 acres. The front yard set back is 70 feet from the centerline of the right-of-way and the applicant needs a 25-foot variance. The rear yard set back is 50 feet and they need a 40 foot 8 inch variance. A church is required to have a lot size of 2 acres in R-15 zoning districts and they are asking for a .496 variance. The Planning Staff found the request consistent with the surrounding uses and recommended approval. The Planning Commission also recommended approval.

Mayor Crowe called for those in favor of the request to speak.

Mr. Jimmy Cone, 1804 Plum Street, Valdosta, GA, stated that he was the architect working on the project .

He presented a map and explained the project.

Ms. Karen Boggs, 104 W. Lawson Street, stated she was not against it, but wanted to know what would be done about a drainage problem and who would be responsible.

Mayor Crowe called for those in opposition of the request to speak. There was no response.

Council Nelson made a motion to accept the variance request from the First Baptist Church, seconded by Council Bullard. Discussion followed. The drainage problem was discussed. Vote was unanimous.

- B. HA-2003-03 Variance Request from Myron Crowe - City of Hahira Zoning Ordinance – Sections 3-15 – Sherry Davidson

Mayor Crowe called on Mayor Pro-Tem, Wayne Bullard, to preside at this time, due to a conflict of interest. Mayor Pro-Tem Bullard called Ms. Sherry Davidson of the Planning Commission to brief Council on the variance request from Myron Crowe. Ms. Davidson reported that Myron Crowe is requesting a variance to the Hahira Zoning Ordinance for the mobile home park property which fronts E Stanfill Street. The ordinance requires all property lines of a mobile home park, which abuts any zoning district other than MHP district, shall be screened (Section 9-4.9) as described per Section 3-15. The request pertains to the screening requirements as per Section 3-15 of the ordinance. The property was a nonconforming mobile home park for many years in a Single-Family Residential (R-10) district. The park was rezoned in November 2002 to Mobile Home Park (MHP) for the purpose of expanding the park. Expansion of the park has triggered the development requirements to be met. The surrounding area is residential and undeveloped land. Upon the rezoning and expansion of the property the development standards for mobile home parks were triggered (Sections 9-4.9 and 3-15). The undeveloped portion of the park is screened to the north by thick mature trees and natural vegetation. The west side of the property is undeveloped and heavily wooded with natural vegetation and large mature trees. To the east is the Georgia Power substation, which also has large trees and natural vegetation. The property to the South has some fencing and vegetation and is the front of the park, which there has been no change in years. The front of the park abuts a church and a residential house. The Planning

Commission reviewed this at their April meeting and recommended approval of the variance request with the following conditions: Applicant will plant sufficient buffering on the front portion of the mobile home park behind the church that fronts on E. Stanfill Street. The other three sides will remain undisturbed with the trees and vegetation being on the mobile home park property.

Mr. Crowe presented pictures that were taken from different areas of the park.

Mayor Pro-Tem, Bullard, asked for those in favor to speak. There was no response.

He asked for those against the request to speak. Scott Purvis, 410 N. Church St., in reference to Dr. Moye's property, he asked what would happen to the natural vegetation on the west side when the apartments are built? Ms. Davidson stated that at the Planning Commission meeting, Dr. Moye was present. It was determined that there was sufficient buffering in the area. Mr. Purvis stated that he was against it. A variance should be granted by the Council when there is a zoning or land use problem. It increases a hardship on the property owner. He stated that he did not see it in this case and he also said it was a bad precedence for future developments.

Council Nelson made a motion that no added fence or shrub screening is needed and should not be added to the Beeline Trailer Park on Stanfill Street, seconded by Council Hunnicutt. Discussion followed. Motion was amended to request 45 days for Mr. Crowe to comply and let him get his permits and go ahead and rent his trailer, seconded by Council Hunnicutt. Vote was unanimous.

PUBLIC HEARING – CITY OF HAHIRA LICENSE APPLICATION

- A. Application for Beer and Wine License from Barbara O'Donnell for Exprezit Convenience Store #312-205 S Church St.

Mayor Crowe called on Chief Terry Davis for his investigation report. Chief Davis reported that after investigating the applicant, he recommended approval. Council Bullard made a motion to grant the license, seconded by Council Hunnicutt. Vote was unanimous.

Request from Jeff Stubbs, Georgia Department of Industry, Trade and Tourism Regional Representative – Use of City Hall Office for Regional Office

City Manager, Bonnie Tindall, reported that Mr. Stubbs had requested the use of the office at City Hall. The City would benefit from this, as well as the Post Office, which Mr. Stubbs would be using. Council Bullard made a motion to allow Mr. Stubbs to use the upstairs office, seconded by Council Nelson. Discussion followed. Vote was unanimous.

Execution of Real Estate Sales Contract to Purchase Property for use for City Hall/Fire Department

Mayor Crowe reported that the property is currently owned by Corky Jordan. The lot is approximately 55'X100'. The price of the property would be \$35,000.00, which the City could purchase with SPLOST V funds. Council Bullard made a motion to purchase the property, seconded by Council Nelson. Discussion followed. Vote was unanimous.

Proclamation for Memorial Day

City Manager, Bonnie Tindall, read the Proclamation, with Mayor Crowe reading the last paragraph.

Courthouse Floors

Mayor Crowe stated that they had been discussing the courthouse floors for several months. Council Nelson made a motion to retable the decision until discussion at a later date, seconded by Council Bullard. Vote was unanimous.

CONSENT AGENDA

A. Approval of SPLOST V Request for LARP for GDOT

Mayor Crowe reported that this was something the City had to do for state funding for projects.

B. Execution of GIRMA Annual Renewal of Property and Liability Coverage

Mayor Crowe reported on the GMA Property & Liability Self-Insurance Program.

C. Permission to Submit Paperwork for New Contract for Home Delivered Meals

City Manager reported that the contract would be up on June 30th.

D. Adoption of Resolution to Adopt the Short Term Work Program Update Amendment of the South Georgia Multi-Jurisdictional Solid Waste Management Plan for 2003-2006.

City Manager, Bonnie Tindall, read the resolution.

E. Appreciation Luncheon for Hahira Elementary and Middle School Teachers – May 29 – 11:45 a.m. – Hahira First Baptist Church

Mayor Crowe reported that they had a luncheon last year for the teachers and wanted to do it again this year.

REPORTS

COUNCIL

Council Benjamin reported that the banners looked good. Other than keeping up with the grass, he had no other reports.

Council Hunnicutt had no report.

Council Bullard reported that the shelter beside the caboose was looking good. We need to continue working on the ditches. The downtown area looks good and he urged everyone to keep up the good work.

Council Nelson reported that new homes are being built in Edgewater subdivision and Audubon Heights. We will have the fire truck running soon.

CITY MANAGER

City Manager, Bonnie Tindall, stated that everything was going well and she appreciated everything that Public Works Director, John Thursby, and Chief, Terry Davis, as Interim Fire Chief have done. Visitors to our city have reported favorably on the downtown area. One of our Golf Cart tags went to Atlanta and is the envy of the area at GMA.

MAYOR

Mayor Crowe thanked Pope Langdale as Interim City Attorney.

Council Bullard made a motion to enter into an Executive Session, seconded by Council Nelson. Vote was unanimous.

Meeting adjourned at 8:30 P.M.

Myron Crowe, Mayor

Marilyn Brady, City Clerk