

## **Council Meeting**

July 1, 2004

The City Council of the City of Hahira met in regular session on Thursday, July 1, 2004, at 7:30 P.M. at the Courthouse with Mayor Crowe presiding.

PRESENT: Mayor Myron Crowe; Councilmen M. C. Nelson, Wayne Bullard, Temple Ogundu and Terry Benjamin; City Manager, Janice Logue; City Clerk, Marilyn Brady; PWD, John Thursby; Police Chief, Terry Davis; Fire Chief, Dwight Bennett; City Attorney, Rob Plumb.

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

Mayor Crowe called on Police Chief, Terry Davis, to lead the assembly in the Pledge of Allegiance, followed by the invocation by Mr. Wilmon Stanley.

Mayor Crowe welcomed visitors.

### REVIEW/CORRECTION OF JUNE 10, 2004 COUNCIL MINUTES

**Council Nelson made a motion to approve the minutes as written, seconded by Council Benjamin. Vote was unanimous.**

### REVIEW OF BILLS

Mayor Crowe asked Council to review the bills.

### **PUBLIC HEARING**

#### (A) HA-2004-12 Annexation/Rezoning Request – Myron Crowe

Mayor Crowe called on Mayor Pro-Tem, Ogundu, to preside during this request. Mayor Pro-Tem, Ogundu, stated that he would like to make a motion to postpone for the second time these and all future annexations and rezonings in the City of Hahira until such a time when we see one feasibility study from Stevenson and Palmer which would tell us what our capacity is. The City has paid last month, \$10,000.00 to Stevenson and Palmer to do a study as a result of the growth that we are having in Hahira to see if infrastructures we have at present are capable of carrying the 400 new units. There was no second to the motion.

Alan Sloan of the Lowndes County Planning Commission, stated that this was a request to annex and rezone 2.2 acres from Agriculture Use (A-U/County) to Single-Family Residential (R-6). The subject property is located on the east side of Hall Street in southern Hahira. The applicant is requesting rezoning so that the

property will be contiguous with the remaining portion of the property. The applicant intends to develop the property as a residential subdivision. The purpose of the request is to make the entire property consistent in order to develop a residential subdivision. The subject property is part of a larger 30-acre parcel, which is already within the City of Hahira and currently zoned R-6. The staff and the Planning Commission found it consistent with the remaining portion of the property and recommended approval.

Mayor Pro-Tem, Ogundu, asked if there was anyone in favor of the request? There was no response. He asked if there was anyone in opposition to speak. Ouida Lane, 210 Randall Street, asked Council to wait until the feasibility study is completed before adding on more houses to the present water and sewer system.

John Adams, 611 Hodges St., stated that he was opposed to the request and thought it should be studied more.

**Council Nelson made a motion that 2.2 acres of Agricultural Use (County) be annexed into the city and rezoned as R-6 Residential making it consistent with the rest of the part, seconded by Council Bullard.** Council Benjamin stated that it should be studied further, due to the expected growth and the impact on the water/sewer system. Mayor Pro-Tem, Ogundu, stated that the city had paid \$10,000.00 to Stevenson and Palmer Engineering last month to do a study in reference to a projected growth. The study will be completed within 90 days. It was his opinion, that the current infrastructure for water and sewer would be incapable of handling the 150 units that the council has already approved, also the 80 units for Dr. Ben Moye and an additional 20 approved last month. It would be too much for the system to handle. He believed that in order for annexation to come in, the houses must be an R-10 and there should be an additional request for rezoning. A couple of months ago the city did a 5-year strategic plan. At the time, he said that the growth should be 80% residential and 20% commercial. He did not want to create an increase in taxes. He said that the city should wait three months for the study to be completed or the city would definitely regret it. **Council Bullard and Nelson voted yes. Council Benjamin voted no. Motion passed.**

(B) HA-2004-09 Text Amendment – Hahira Zoning Ordinance  
(Section 10A "Wetlands Protection Districts") (Final Reading)

Alan Sloan of the Planning Commission reported that this was the final reading of this version. They are proposing to remove the Wetlands Protection Districts from the Zoning Ordinance and adopting this as a "stand alone" ordinance. There are no changes to the wording and language of the regulations except they would be enforced by an engineer that the city would choose at the time, as needed, instead of the zoning office. The Planning Commission recommended approval.

Mayor Crowe asked for those in favor to speak. There was no response.

Mayor Crowe asked for those in opposition to speak. There was no response.

**Council Nelson made a motion to approve the Text Amendment, seconded by Council Benjamin. Vote was unanimous.**

C. HA-2004-13 Variance Request

Alan Sloan of the Planning Commission reported that the applicants (Jeff and Jan Rumminger) are requesting a variance to the front yard setback requirements. The subject property is currently zoned Single-Family Residential (R-15) and is located at the southeast corner of E. Coleman Drive and Fry Road in southeast Hahira. The applicants are requesting a variance in order to situate their proposed house facing the northwest corner of the property. Granting this variance would allow the applicants to situate their home site facing the northwest corner of the subject property. This request is not out of scale with the surrounding development. Staff and the Planning Commission recommended approval.

Mayor Crowe asked for those in favor of the request to speak. Mr. Jeff Rumminger, 203 S. Hagan Bridge Road, stated that because of the odd shape of the lot, they were trying to maximize the back yard potential because of the width of the yard. By situating the house in the corner, when the original drawings and the plat were laid out, Coleman Street was considered the front and given a 60 foot setback. The standard setback for the sideyard is 30 ft. From Fry Street side was 55 feet. He is requesting Fry and Coleman Streets to have 50 ft. setbacks, so that they are even and as they position the house on the lot they would like to be able to move the house further into the corner if they need to, so that they can maximize the back yard.

Mayor Crowe asked for those in opposition to speak. There was no response.

**Council Bullard made a motion to allow the variance, seconded by Council Nelson. Vote was unanimous.**

(D) HA-2004-14 Text Amendment – Hahira Subdivision Regulations (Sections 4-1.3 and 4-2 "Preliminary Plats and Final Plats")

Alan Sloan of the Planning Commission reported that the text amendment was prepared in order to address some issues that have been raised during the review of subdivision plats. First, when staff receives a plat for review, it is necessary for the reviewer to be able to locate the property within the GIS database. Second, many times a variance has been granted for the property being platted, which the reviewing staff is unaware of. If a variance has been granted, the applicant needs to supply that information when submitting a subdivision plat by placing a note denoting such variance on the plat. Third, the current zoning needs to be on the plat. Fourth, in recent years, non-conforming lots have been created by default when a subdivider would subdivide property by only showing the lot being

created and not showing any information on the parent tract. This is not in keeping with the spirit and intent of the local Zoning and Subdivision regulations. Staff has normally tried to check this using the GIS system, which is only a graphic depiction and the dimensions are not normally as accurate as surveyed information. Therefore, while surveying the tract is not necessary, information relating to size and remaining frontage of the property is necessary to prevent the parent tract from being reduced below the minimum size and frontage requirements. Finally, many plats that are submitted use as their point of reference to a corner of a land lot. Public rights of way and road or street centerlines are more accurate and more readily available and visible in the field. Using these would provide a more accurate point of reference, which the GIS system could use to better depict newly surveyed property. Staff recommended approval. The Planning Commission recommended postponing the request until the August meeting to allow for further study.

**Council Benjamin made a motion to table it until September's meeting, seconded by Councilman Ogundu. Vote was unanimous.**

### **End of Public Hearing**

#### **OTHER BUSINESS**

##### **A. ZONING ISSUES (R-6)**

Mayor Crowe asked Alan Sloan of the Planning Commission, to give a report on R-6 Zoning, as this was brought up by Councilman Ogundu at the Work Session.

Alan Sloan of the Planning Commission stated that the Comprehensive Plan provides for a variety of housing types for all income levels that would be convenient to employment, shopping and services. R-6 allows for the lower income level of affordability for houses, which should be available.

Mayor Crowe stated that, after talking to the City Attorney, there would be no vote at this time but may be discussed at another time.

#### **SPECIAL RECOGNITION**

Mayor Crowe called on John Franklin, City Employee, to come forward. He asked for a round of applause to honor Mr. Franklin for 45 years of dedicated service to the City of Hahira. He also presented him with a plaque and a check for \$4,500.00, which was for \$100.00 per year of service. Mayor Crowe congratulated Mr. Franklin on a job well done.

## DEPARTMENT REQUEST CONSENT AGENDA

(A) Approval to visit the City of Winder and the City of Americus to evaluate their Safety programs and Water/Sewer billing systems

City Manager, Janice Logue, asked for approval to visit the cities of Winder and Americus. She and Ramona Robison, John Thursby and Chief Terry Davis would travel to Winder. This would be an overnight stay. Cost would be \$57.00 per room. The trip to Americus would be for one day.

B. Approval for 10% increase for forfeitures and fines add-on fees

Police Chief, Terry Davis, asked for approval to increase the forfeitures and fines to 10%.

**Council Benjamin made a motion to approve the Department Request Consent Agenda, seconded by Council Ogundu. Vote was unanimous.**

## CONSENT AGENDA

A. Approve Expenditure for Employee

Mayor Crowe asked for approval for the expenditure for City Employee, John Franklin.

B. Execute Drinking Water Contract

City Manager, Janice Logue, reported that this was a 3-year contract. Cost would be \$3,825.00 per year for the three year period (July 1, 2004-June 30, 2007).

C. Execute Landfill Agreements

City Manager, Janice Logue, reported that the agreement would be with Onyx Pecan Row Landfill. The cost per ton of garbage would be \$22.10.

D. Approve Lion's Club use of Recreation Center one night per month

Mayor Crowe stated that he had received a letter from Tommy Stalvey, of the Lion's Club, asking for approval to use the Recreation Center every third Tuesday in the month for their meetings. Their present location is not large enough, as their membership is growing.

E. Execute Intergovernmental Agreement for Zoning Administration Services

City Attorney, Rob Plumb, briefed council on the Intergovernmental Agreement. The basic intent of the agreement is for the cost of zoning services to be more fairly

distributed among the parties based on how much of the service they use and the amount of fees they generate.

F. Execute Abandonment of Six Groundwater Monitoring Wells proposal

City Manager, Janice Logue, reported that GEO Sciences has been monitoring 7 wells. They recommended no further action from City Hall. EPD recommended no further action is required for the referenced release and requested a submittal of a Completion Report and Certification, documenting that the monitoring wells have been properly abandoned by July 23, 2004. One of the wells is located across the street from City Hall. This well is still being monitored and EPIC will oversee its abandonment when notified to do so by the Georgia EPD. Cost for abandoning six groundwater monitoring wells and documenting their findings would be \$1,851.40.

A. Approve acceptance of the donation of old Smith Hospital

Mayor Crowe reported that the owners of the old Smith Hospital have proposed to donate the property to the City of Hahira. They have a 60-day window in which they will have to get approval from the city to accept the donation. This will start the process of accepting the property and then the City Attorney would work out the details of the agreement.

B. Street Closure on July 3<sup>rd</sup> for Wedding

Council Terry Benjamin, reported on a request to close a part of Wright Street on July 3<sup>rd</sup> for a wedding.

C. Approve expenditure for GMA Conference

Mayor Crowe reported that the expenditures for the GMA Conference would need to be approved.

**Council Bullard made a motion to approve the Consent Agenda, seconded by Council Ogundu. Vote was unanimous.**

OTHER BUSINESS

A. Approve purchase of two additional generators for lift stations

Mayor Crowe reported on the generators. These will be paid for by SPLOST funds.

**Council Bullard made a motion to approve, seconded by Council Nelson. Discussion followed. Vote was unanimous.**

B. Building Inspection Program

Mayor Crowe stated that this was to give information on the inspections program. Council will not make a decision at this time. He asked that this be tabled until the next meeting.

Council Ogundu stated that he had questions. His question was the issue on liability. If one person is responsible for structural, electrical, mechanical, plumbing, air conditioning and substandard housing inspections, there will be room for undue influence and failure. He is still researching the issue.

Mayor Crowe asked if anyone wanted to speak. Mr. John Bailey, 5561 Sumner Road, Hahira, Ga., stated that he would like to see the inspections in Hahira.

Mr. John Adams, 611 Hodges St., Hahira, Ga., stated that the city adopted the Southern Building Code and would be responsible.

Mr. Scott Purvis, 410 N. Church St., Hahira, GA., stated that he was opposed to this. He hoped the city would continue to use the City of Valdosta inspections.

Councilman Ogundu stated that he would like to see a copy of the resume.

Mr. Wilmon Stanley, 308 Washington St., Hahira, GA., stated that he agreed with Scott Purvis. He thought that one person would not be able to handle all of the different jobs.

**Council Bullard made a motion to table it, seconded by Council Nelson. Vote was unanimous.**

CITIZENS TO BE HEARD (None)

REPORTS

A. Council

Council Benjamin stated that he was glad to see everyone here. He reported that the GMA Conference which Mayor and Council attended recently was very informative. He stated that there was much talk about the Hahira website.

Council Ogundu congratulated John Franklin on 45 years of service to the city. He commended the Public Works Department for a job well done on 415 Judy Ann Drive. He also commended former Mayor, John Adams, as webmaster of the Hahira website.

Council Nelson had no report.

Council Bullard commended John Franklin for his 45 years of service to the City. He also said that the city was progressing and he appreciated the work that the Public Works Department does.

B. City Manager

City Manager, Janice Logue, also mentioned the recognition of the Hahira website and commended John Adams. She also commended John Franklin for his 45 years with the city.

C. Mayor

Mayor Crowe reported that he did not see the water and sewer as a problem, but as an opportunity for growth.

**Council Bullard made a motion to adjourn, seconded by Council Nelson. Vote was unanimous.**

Meeting ended at 8:30 P.M.

Myron Crowe  
Marilyn Brady  
Mayor  
City Clerk