

## Minutes of Hahira Council Meetings for August, 2009

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**HAHIRA CITY COUNCIL  
WORK SESSION  
AUGUST 03, 2009  
6:30 P.M.  
COURTHOUSE**

Mayor and Council met for a Work Session August 3, 2009 at the Courthouse with Mayor Wayne Bullard presiding.

**PRESENT:**

Mayor Wayne Bullard, Councils: Mayor Pro Tem Adams, Terry Benjamin, Ralph Clendenin, City Manager Jonathan Sumner, Police Chief Terry Davis, Fire Chief Dwight Bennett, Director Donnie Warren, City Clerk Belinda Chappell.

**ABSENT:** Councilman Bruce Cain

**REVIEW/CORRECTION OF MINUTES:**

**A.) June 29, 2009 Work Session**

**B.) July 02, 2009 Council Meeting**

Mayor Bullard asked if there were any questions concerning the minutes. There were no questions regarding the minutes.

**PUBLIC HEARINGS:**

**A.) HA-2009-03 Application for Variance on Rear Yard Set Back from Norma Jean Mitchell (Anne-Marie Wolfe)**

City Manager Sumner stated Anne Marie Wolfe would be attending the Council Meeting on Thursday night to explain the variance in more detail. Sumner stated he had provided the information to Council from the Planning Commission regarding the application for variance. Sumner stated Mrs. Mitchell was requesting a variance of twenty-five feet from the Planning Commission. Sumner stated the application was denied by the planning staff and also by the Planning Commission. Councilman Benjamin stated he was concerned with the reason for denial by the Planning Commission. Sumner stated Anne Marie Wolfe would explain in detail, the reason for denial at the Council Meeting on Thursday night. Mayor Pro Tem Adams stated she was concerned if there had been any complaints from neighbors regarding this item on the agenda. City Manager Sumner stated he had received no complaints from neighbors or any other citizens. Mayor Pro Tem Adams stated she was concerned with the reason for adding on the addition. Mrs. Mitchell stated she has a daycare in her home and needed that extra space for a private bedroom. Mitchell stated the children would occupy the front of her house and the addition would be for her personal space. Sumner stated there would be more discussion on the variance on Thursday night by Anne Marie Wolfe at the Council Meeting.

**REVIEW OF BILLS/BUDGET OVERAGES:**

Mayor Bullard asked if there were any questions concerning the bills. There were no questions concerning the bills.

## **DISCUSSIONS:**

### **A.) Presentation of Draft FY08 Audit (Nick Valenti)**

Nick Valenti and Denise Rackley with Valenti/Rackley and Associates, LLC provided Mayor and Council with a lengthy presentation of the Draft FY08 Audit. Councilman Clendenin provided Council with a list of questions he would like to be answered by the auditor; these questions and responses are attached to the minutes.

### **B.) Street Lights and Water/Sewer Tap Rates (Gary Minchew)**

Gary Minchew stated to Mayor and Council he felt the City was being unfair by paying the street light bills for other subdivisions that were developed in the City of Hahira and not paying the street light bills for the subdivisions of Woodbridge and Lawson Farms that he had developed. Minchew stated he had spoken to the developers of Mulberry Place Subdivision as well as North Creek Subdivision and they stated they had not paid any street light bills since the development of the subdivisions. Minchew stated he had spoken to the developer of Audubon Heights and he had paid a portion of the street light bill but not the entirety of it. Minchew stated he would like to be treated the same as the City was treating the other developers. Minchew stated the water/sewer tap rates needed to be lowered back down to \$1500 dollars. Minchew stated it would make a difference in the number of houses being built and lots being sold, which would increase the revenue for the proprietary fund for the City of Hahira.

### **C.) Discussion on Possible Adult Entertainment Ordinance (Mayor Pro Tem Adams)**

Mayor Pro Tem Adams stated to Mayor and Council that she was reviewing the Adult Entertainment Ordinance that the City of Hahira already had in place and that it covered everything that the City of Valdosta's Ordinance covered. Sumner stated the only thing in question was if Council wanted to adopt the amended ordinance that the City of Valdosta was currently using for Adult Entertainment. Adams stated the amendment that was included in the ordinance was that adult entertainment establishments could not sell alcoholic beverages in the establishment. Sumner stated he would let the City Attorney review the ordinance and get it ready to be on the agenda for a Public Hearing.

### **D.) Water/Sewer Bills (Councilman Cain)**

City Manager Sumner stated Councilman Cain was absent and wanted to discuss this with Council. Sumner stated a news letter would be sent out to the citizens of Hahira answering frequently asked questions regarding water bills and water usage. Sumner stated the news letter would explain how much water it takes to irrigate a lawn or wash a load of clothes. Sumner stated there would be several answers to questions regarding how much a household uses in water each month.

### **E.) State FY10 LARP Submission (City Manager)**

City Manager Sumner stated to Mayor and Council the LARP had been completed and submitted to the state. Sumner stated the deadline was August 01, 2009. Sumner stated the City of Hahira submitted the list that was approved last year and added one additional priority to the LARP list.

### **F.) Downtown Development Signs (Mayor Pro Tem Adams)**

Mayor Pro Tem Adams stated to Mayor and Council the City needed to refurbish or replace the sign in front of the caboose. Adams stated she would like the sign removed and a new sign maybe placed in the spot of the old sign. Adams stated Emily Newkirk had signs for Third Thursdays to be used for those events and was also researching the option of having a banner made for the Third Thursday event. Mayor Pro Tem Adams also suggested to Council on purchasing a new sign for the Courthouse.

## **DEPARTMENT REQUESTS:**

### **A.) Knox Leadership Conference (Mayor Bullard)**

Mayor Bullard stated to Council he would like to attend the conference in Athens Georgia. Mayor Stated the class was a four day class that was required and would help him work toward the 120 hours that was needed for Circle of Excellence Certification through GMA.

### **B.) TAC Coordinator Conference (Chief Davis)**

Chief Davis stated to Mayor and Council this was a conference that was required for users of GCIC. Davis stated Bobbie Dumas would like to attend the conference this year in Savannah Georgia from August 17 through August 21, 2009. Davis stated this was a budgeted item for the Police Department.

### **C.) Sewer Pump Backup Generators (PWD Warren)**

Director Warren stated the City needed to purchase backup generators for the lift stations. Warren stated there were six different lift stations that did not have backup generators. City Manager Sumner stated the generators could be purchased out of SPLOST money.

### **D.) South Hall Street Rehab Project (City Manager)**

City Manager Sumner stated to Mayor and Council the low bid for the project came in at \$273,996.80 from Reames and Sons Construction. Sumner stated Reames were a \$1000 less than Scruggs Concrete. Sumner stated the addition of the sidewalk ranged in cost from \$38,000 to \$100,000 dollars. Sumner stated another additional cost would be the movement of the fence. Sumner stated there were several quotes for the movement of the fence and that Becton Fencing was the company who put up the fence and they quoted \$6000 dollars to move the fence back several feet for the Hall Street project. Sumner stated the project would be paid for out of Splost V, which was voted on by Council.

### **E.) NIMS Resolution (Chief Bennett)**

City Manager Sumner stated the NIMS Resolution was a resolution that maintained the City's compliance with the required training that is needed in the case of a natural disaster. Chief Davis stated if the City did not have the training; the City would not get reimbursed for hours worked during a storm or natural disaster.

### **F.)FY09 Cost of Living Increase (City Manager)**

City Manager Sumner stated to Mayor and Council a 3% Cost of Living Increase was budgeted in the FY09 budget. Mayor Pro Tem Adams stated she was concerned with how much the 3% increase total would cost the City. Sumner stated the cost would be around \$25,000 dollars and part of that would come out of the FY09 budget and part out of the FY10 budget, this is due to the cost of living is normally awarded to the employees in the month of July. Mayor and Council decided to table this agenda item until the September Council meeting.

There being no further business to discuss, the meeting adjourned at 9:00 P.M.

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Mayor, Wayne Bullard

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City Clerk, Belinda Chappell

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**CITY OF HAHIRA  
COUNCIL MEETING  
AUGUST 6, 2009  
7:30 P.M.  
COURTHOUSE**

Mayor and Council met for a Council Meeting August 6, 2009 at the Courthouse with Mayor Wayne Bullard presiding.

PRESENT: Mayor Wayne Bullard, Councils: Mayor Pro Tem Adams, Terry Benjamin, Bruce Cain, Ralph Clendenin, City Manager Jonathan Sumner, Police Chief Terry Davis, Fire Chief Dwight Bennett, Director Donnie Warren, City Attorney Rob Plumb, City Clerk Belinda Chappell.

CALL TO ORDER: Mayor Wayne Bullard

ESTABLISH QUORUM: Mayor Wayne Bullard

PLEDGE OF ALLEGIANCE: Mayor Wayne Bullard

INVOCATION: City Manager Jonathan Sumner

## REVIEW/CORRECTION OF MINUTES:

A.) June 29, 2009 Work Session

B.) July 02, 2009 Council Meeting

Mayor Bullard asked if there were any questions concerning the minutes. There were no questions concerning the minutes. Mayor Bullard asked for a motion. Councilman Clendenin made a motion, seconded by Councilman Cain, vote was unanimous.

## Public Hearings

A.) HA-2009-03 Application for Variance on Rear-Yard Setback from Norman Jean Mitchell (Anne-Marie Wolfe)

Mrs. Anne-Marie Wolfe with the Valdosta Planning Commission stated to Mayor and Council that Mrs. Mitchell was requesting a variance to the set back of a principle building. Wolfe stated that Mitchell initially received a permit for an accessory building and did not receive a permit for a principle building structure, which was what was built on the property. Wolfe stated the set-backs were different for each structure. Wolfe stated an accessory structure set-back was 10 feet from the property line and a principle structure set-back was 30 feet from the property line. Wolfe stated Mitchell was requesting a rear yard set-back variance of 25 feet for a principle structure. Wolfe stated the principle structure was already being constructed and a stop work order was issued for the structure, at that time Mitchell requested the rear yard set-back variance of 25 feet. Wolfe stated the lot was a small lot and did not have much room for any additions, especially in the back yard. Wolfe stated that the Planning Staff found the request inconsistent with the Comprehensive Plan and had to recommend denial. Wolfe stated that the Planning Commission reviewed the request and due to the inconsistency with the criteria for granting variances set forth in the Hahira Zoning Ordinance of the Comprehensive Plan the Planning Commission had to recommend denial for the variance on the rear yard set-back. Wolfe stated she would entertain any questions from Council. Councilman Cain stated he was concerned if any inspections were performed on the structure. Wolfe responded there had been no inspections done on the structure. Councilman Cain requested that Mitchell see if she could purchase an additional 25 feet from her neighbor, if he was willing to sell her any property, and also have the required inspections done on the structure. Mayor Bullard asked for a motion. Councilman Cain made a motion to table the item so Mitchell could have time to purchase additional property and present a letter from the inspections department, seconded by Councilman Benjamin, vote was unanimous.

B.) Adult Entertainment Ordinance (First Reading-City Attorney)

City Manager stated this was the Adult Entertainment Ordinance that was passed by the City of Valdosta and this would replace the code that was adopted back in December of 1992 by the City of Hahira. City Attorney Plumb stated to Mayor and Council the only addition he would add would be the distance requirements in the ordinance. Plumb stated the ordinance was word for word that the City of Valdosta adopted for an Adult Entertainment Ordinance. Mayor Pro Tem Adams stated she was concerned if the ordinance would prevent any adult entertainment establishment from selling alcoholic beverages. City Attorney Plumb responded that was stated in the ordinance. Mayor Bullard asked if there was anyone wishing to speak against. There was no one wishing to speak against. Mayor Bullard asked if there was anyone wishing to speak in favor. There was no one wishing to speak in favor. Mayor Bullard asked for a motion. Mayor Pro Tem Adams made a motion, seconded by Councilman Cain, vote was unanimous.

## REVIEW OF BILLS/BUDGET OVERAGES:

Mayor Bullard asked if there were any questions concerning the bills. There were no questions concerning the bills. Mayor Bullard asked for a motion. Councilman Benjamin made a motion, seconded by Councilman Cain, vote was unanimous.

#### CITIZENS TO BE HEARD:

Avery Waldin and Matt Martin with Next-Step Development addressed Mayor and Council with the information on the last Pick-In to be held the first weekend in November. Waldin and Martin stated the new Harvey's would be coming in and they felt it would be great to have one last pick-in before the construction started. Waldin and Martin stated there would be live bands from 10am through 10pm all day as well as camping spots for anyone interested.

Amy Sisco residing at 835 Kristen Lane Hahira 31632. Mrs. Sisco stated to Mayor and Council she had a daycare in her home and her water bills have become outrageous in the past couple of months.

Chris McNemar residing at 515 Stagecoach Trail Hahira 31632. Mr. McNemar stated to Mayor and Council his water bill had increased to an outrageous amount in the last couple of months.

Carol Jacobs residing at 402 E. Stanfill Street Hahira 31632. Mrs. Jacobs stated to Mayor and Council that she was requesting permission to have the annual Honeybee Festival again this year. Mayor asked for a motion to amend the agenda and place this item on the consent agenda. Councilman Benjamin made a motion, seconded by Mayor Pro Tem Adams, vote was unanimous.

Clayton Milligan residing at 623 Lafayette Street Hahira 31632. Mr. Milligan stated to Mayor and Council that he had several questions and concerns regarding his water bill being increased. Milligan stated he had a new meter put in but still had concerns.

Kathy Werner residing at 616 E. Coleman Street Hahira 31632. Mrs. Werner stated to Mayor and Council she had the same questions and concerns as other residents on her water bill being elevated.

#### DISCUSSIONS:

##### A.) Consideration of FY08 Audit (Mayor Bullard)

Mayor Bullard stated the City had contracted with Valenti/Rackley and Associates for conducting the FY08 audit and that they have completed the audit for the City of Hahira. Mayor Bullard asked if there were any questions. Councilman Clendenin stated he was concerned with why the trial balance sheet does not agree with the audit. Clendenin stated he needed the balance sheet to agree for FY08. Sumner stated that this was in process. Mayor Bullard asked if there were any more questions. Mayor Pro Tem Adams stated she was concerned if the audit goes to the state for approval. Mayor Bullard responded the auditors send the audit to the state for approval. Mayor Bullard asked for a motion. Mayor Pro Tem Adams made a motion, seconded by Councilman Benjamin, Mayor Pro Tem Adams, Councilman Cain and Councilman Benjamin were in favor, Councilman Clendenin was opposed. Motion was carried.

##### B.) Street Lights and Water/Sewer Tap Rates(Gary Minchew)

Gary Minchew, developer of Lawson Farms and Woodbridge subdivisions in Hahira. Minchew stated to Mayor and Council he would like the City to take over the street light payments of his subdivisions. Minchew stated the City was being unfair by paying the other street light bills and not paying for his subdivision street lights. Minchew stated the water/sewer tap fees needed to be lowered to \$1000 and that would increase the number of houses being built and lots sold in Hahira. Minchew stated he would cut the price of his lots if the City would cut the price of the tap fees. Mayor Bullard asked if there were any questions. Councilman Clendenin stated he was concerned with the average cost of a water/sewer

tap for the City. City Manager Sumner stated there were several different factors that make up the cost of the tap fee. Mayor Pro Tem Adams stated she was concerned if the City of Hahira was in compliance of the subdivision regulations. Sumner responded the City was in compliance. Mayor Bullard asked Gary Minchew how many lots were left in Woodbridge subdivision. Minchew stated he had around twelve lots left to build on. Mayor Bullard asked how many lots total were in the subdivision to begin with. Minchew stated there were over forty lots when the subdivision was developed. Mayor Bullard asked how many lots were in Lawson Farms subdivision and Minchew stated there were originally around fifty lots and that about twenty-five were sold. Councilman Cain stated he was concerned if the City of Hahira was making street light payments on other subdivisions that were not 100% build-out. City Manager Sumner stated the City was making payments on Mulberry Subdivision and he thought it had a few lots left that were not built on and the City was also making payments on North Creek Subdivision that had a few lots left. Sumner stated as each phase was completed for Audubon Heights, the City would pay the street light bill when completed. Mayor Bullard asked Mr. Minchew if the City was paying any of the street lights in his subdivision. Minchew stated the City was not paying any of his street light bills. Mayor Pro Tem Adams stated she would like to know if each phase of the subdivisions in question had been inspected by the City Engineer. Mayor Bullard stated the subdivisions had been inspected before the City took over the streets of the subdivisions. Councilman Cain stated the engineer should have signed off on the plat for the subdivisions before any of the infrastructure or streets were accepted by the City. City Attorney Rob Plumb stated the subdivision regulations had separate requirements regarding the payments on the street lights and the acceptance on the infrastructure of a subdivision. Plumb stated the ordinance read that the City takes over payments for energy usage once a subdivision achieves build-out of houses. Plumb stated the ordinance read there was no reference of build-out regarding infrastructure in a subdivision. Plumb stated it was up to Council if they would like to adjust the requirements in the ordinance. Mayor Bullard asked for a motion to accept the street lights in Woodbridge Subdivision. Councilman Clendenin made a motion, seconded by Councilman Cain. Councilman Clendenin and Councilman Cain were in favor, Mayor Pro Tem Adams was opposed and Councilman Benjamin abstained from voting. Motion was carried.

**C.) Moved to 6B**

**D.) Removed**

E.) Removed

F.) Removed

**DEPARTMENT REQUEST:**

A-E. (Moved to Consent Agenda)

F. (Postponed)

Myrna Ballard with the Lowndes County Chamber of Commerce gave a lengthy presentation on the status of the local Chamber and thanked the City of Hahira for supporting the Lowndes County Chamber of Commerce.

**CONSENT AGENDA:**

A.) Knox Leadership Conference (Mayor Bullard)

B.) TAC Coordinator Conference (Court Clerk)

C.) Purchase of Main Generator, Movement of Old Main to Fry Street, Purchase of Claudia Street Generator from Cowart Electric (SPLOST VI)

D.) Purchase of Flow Meter from Calibration Controls (SPLOST VI)

E.) South Hall Rehab –Award of Low Bid to Reames; Movement of Fence to Becton (SPLOST V)

F.) Honeybee Festival

Mayor Bullard asked for a motion to accept the consent agenda. Councilman Clendenin made a motion, seconded by Councilman Cain, vote was unanimous.

#### REPORTS:

Mayor Pro Tem Adams thanked Lemodis Lawrence for working hard and going beyond the call of duty. Adams expressed that she wished the City had more funds available to employees for more than a 3% cost of living increase. Adams stated she was thankful for the City employees, fellow Council members, the City Manager, the office staff and the Mayor, for making the City what it is today.

Councilman Benjamin thanked everyone for coming to the meeting. Benjamin would like to track down the water bill issues and give the customers some satisfaction. Benjamin thanked all departments for doing a great job, day in and day out and keeping the City running smoothly.

Councilman Cain thanked the citizens for coming to the meeting and expressing their concerns with the water bills. Cain stated hopefully we can find the problem and get it straightened out for the citizens. Cain thanked all the departments for continuing to do a great job. Councilman Cain thanked the City Manager, Finance Clerk, and City Clerk for praying for family issues.

Councilman Clendenin stated the City needed to revisit the Ordinance for the golf carts. Clendenin stated the update needed to include S. Church Street. Clendenin thanked all the citizens for coming to the meeting and stating their concerns with the water bills. Clendenin thanked all the departments for doing a great job.

City Manager Sumner thanked Mayor and Council for the opportunity to serve. Sumner thanked the Police Department for the securing the school zones and making it safe for kids to start back to school. Sumner thanked all the departments for continuing to do a great job for the City. Sumner stated the City was working on getting the water bill issues solved and thanked the citizens for their concerns.

Mayor Bullard thanked everyone for coming to the meeting. Bullard thanked all the department heads for doing great job for the City. Mayor Bullard thanked Myrna Ballard for attending the meeting and giving the update on the Chamber.

There being no further business to discuss. Mayor Bullard asked for a motion to adjourn. Councilman Benjamin made a motion, seconded by Councilman Cain, vote was unanimous.

Meeting was adjourned at 9:00 P.M.

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Mayor, Wayne Bullard

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City Clerk, Belinda Chappell

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