

## REGULAR MEETING – CAIRO MAYOR & COUNCIL – JULY 13, 2015

The July 13, 2015 Regular Meeting was called to order at 6:00 p.m. in the Council Room at 101-B North Broad Street by Mayor Robert B. Burns, Sr. Present were Mayor Pro Tem Kermit V. Gilliard, Jr., Council Members Ernest W. Cloud, Jr., James H. Douglas, Robert L. Gwaltney, and Lannis Thornton. Staff Member in attendance was City Clerk Carolyn Lee. City Manager Chris Addleton was out of town, and City Attorney Thomas L. Lehman joined the meeting at 6:05 p.m. Cairo Messenger Reporter Mesha Wind and Times Enterprise Reporter Karen Murphy were also in attendance.

**INVOCATION:** The Invocation was given by Councilman Douglas.

### **APPROVAL OF MINUTES:**

**Regular Council Meeting – June 22, 2015.** Motion to approve minutes as submitted was made by Councilman Cloud, seconded by Councilman Gilliard, and unanimously approved by all Council Members.

### **DELEGATIONS:**

### **SPECIAL EVENTS:**

**1.) Consider Special Event Permit for Saving Grace – Stepping Out Against Domestic Violence Walk to be held on October 29, 2015 from 4:30 p.m. to 6:30 p.m. - Noni Hunter, Applicant.** After review, motion to approve the permit was made by Councilman Cloud, seconded by Councilman Thornton, and unanimously approved by all Council Members.

**2.) Consider Special Event Permit for Chamber of Commerce, Cairo Christmas Parade to be held on December 3, 2015 at 7:00 p.m. - Jenny Law, Applicant.** After review, motion to approve the permit was made by Councilman Cloud, seconded by Councilman Douglas, and unanimously approved by all Council Members.

### **OLD BUSINESS:**

**Proposed Revision to Code Section 4-37(n) Distilled Spirits, Package Liquor – Eliminating the Limitations on Number of Package Liquor Licenses to be issued.** Councilman Douglas left the dais at this time and did not take part in the discussion or voting on this matter due to a potential conflict. (At the previous meeting, Councilman Cloud had made motion to leave the ordinance in place as it was, but the motion failed due to lack of a second. Councilman Gilliard then made a motion to abolish the restrictive code section, and motion was seconded by Councilman Thornton. Voting in favor of the motion were Council Members Gilliard and Thornton, with Councilman Cloud opposing. Due to Councilman Gwaltney being absent, Councilman Douglas abstaining, and Councilman Cloud voting in opposition to the motion, there were only two votes in favor. However, three votes were needed for an ordinance amendment, so the matter was to be placed on the agenda when all Council Members could be present). Councilman Cloud made motion to deny the proposed change in the ordinance to eliminate the limitation on the number of package store licenses. Motion was seconded by Councilman Gwaltney. Voting in favor of the motion to deny changing the ordinance were Council Members Cloud and Gwaltney. Voting against the motion to deny the change were Council Members Thornton and Gilliard. Due to a tie vote, Mayor Burns voted against the motion to deny the change in ordinance, so the motion to deny failed. Attorney Lehman had just arrived at the meeting and was asked if another vote was needed to take action on approval of the ordinance change that was to be introduced. He advised at the end of the meeting that the ordinance had been introduced, and the vote on whether or not to adopt the ordinance at the next meeting would determine the outcome.

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### NEW BUSINESS:

**Consider Introduction of Ordinance to Amend Division II Entitled “Special Provisions” of Article II Entitled “Operation Regulations” of Chapter 4 Entitled "Alcoholic Beverages" of the Code of Ordinances of the City of Cairo, Georgia; To Eliminate the Limitation of the Number of Package Liquor Store Licenses to be Issued; To Establish The Effective Date of This Ordinance; To Repeal Ordinances or Parts of Ordinances in Conflict Herewith; And for Other Purposes.** Ordinance was introduced and will be considered for adoption at the next meeting.

**Resolution for the Adoption of Policies and Procedures and Program Design for Community Home Investment Program (CHIP) Grant.** After review, motion to approve the resolution was made by Councilman Thornton, seconded by Councilman Gwaltney, and unanimously approved by all Council Members.

**Resolution for the Adoption of Chip Grant Homeowners Eligibility Requirements for Community Home Investment Program (CHIP) Grant.** After review, motion to approve the resolution was made by Councilman Cloud, seconded by Councilman Douglas, and unanimously approved by all Council Members.

**Water Conservation Plan/Drought Contingency Plan.** After review, motion to approve the plan was made by Councilman Douglas, seconded by Councilman Cloud, and unanimously approved by all Council Members.

**Credit Card Policy.** Councilman Douglas made motion to table this item until City Manager Adleton returned. Councilman Thornton seconded the motion which was unanimously approved by all Council Members.

**Resolution to Authorize City Manager to Abate Nuisance (Overgrowth) at Vacant Lot C3-32, Corner of 14<sup>th</sup> Street, SW & Clay Avenue, SW - Sylvia Smith, owner.** After review, motion to authorize the abatement was made by Councilman Thornton, seconded by Councilman Douglas, and unanimously approved by all Council Members.

**Resolution to Authorize City Manager to Abate Nuisance (Overgrowth) at 69 22<sup>nd</sup> Street NE, Jamie G Pickel, owner.** After review, motion to authorize the abatement was made by Councilman Douglas, seconded by Councilman Gilliard, and unanimously approved by all Council Members.

**Adoption of Ordinance to Amend Section 22-53 of Article II of the Code of Ordinances, City of Cairo, Ga. and the Zoning Maps of Said City. Rezoning Request from I-1 (Light Industrial District) to I-2 (Heavy Industrial District) – 1593 6<sup>th</sup> Avenue N.W. – Tax Map 53, Parcel 11 – Applicant, City of Cairo (Cairo Landfill).** After review, motion to adopt the ordinance was made by Councilman Cloud, seconded by Councilman Douglas, and unanimously approved by all Council Members.

**Adoption of Ordinance to Amend Section 22-53 of Article II of the Code of Ordinances, City of Cairo, Ga. and the Zoning Maps of Said City. Rezoning Request from R-1 (Single-Family Residential District) to I-2 (Heavy Industrial District) - East of Cairo Landfill and North of 6<sup>th</sup> Ave., N. W. – Tax Map C2, Parcels 1.3, 1, 1.1, 1.2, 2 and 2.1; and Tax Map C3, Parcel 4, 3.2, 3 and 3.1 –Applicant, City of Cairo (Cairo Landfill).** After review, motion to adopt the ordinance was made by Councilman Cloud, seconded by Councilman Douglas, and unanimously approved by all Council Members.

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**Adoption of Ordinance to Amend Section 22-53 of Article II of the Code of Ordinances, City of Cairo, Ga. and the Zoning Maps of Said City. Rezoning Request R-3 (Multiple-Family Residential District) to I-2 (Heavy Industrial District). East of Cairo Landfill and South of 6<sup>th</sup> Ave., N. W. – Tax Map C-3, Parcels 5 and 10 –Applicant, City of Cairo (Cairo Landfill).** After review, motion to adopt the ordinance was made by Councilman Cloud, seconded by Councilman Douglas, and unanimously approved by all Council Members.

### **OTHER BUSINESS:**

#### **Reports:**

**1.) Departmental Reports for the Month of June 2015:** Council reviewed the reports, noting that the Police Department overtime had been reduced considerably over the last few months.

#### **2.) City Manager:**

#### **3.) Reports from Mayor and Council:**

- Mayor Burns reported that the sidewalk repair crew was back in town doing more repairs.
- Councilman Gwaltney reported an overgrown lot at 115 8<sup>th</sup> Ave., SE.
- Councilman Thornton reported on yard clippings at Platt Ave. and Maxwell Dr. that needed to be picked up.

### **EXECUTIVE SESSION:**

At 6:15 p.m. during the Regular Session, Councilman Cloud made motion to enter into Executive Session to meet with Attorney Lehman to discuss a pending or potential lawsuit, settlement, claim, administrative proceeding or other judicial action brought against or by the City, or any officer or employee of the City, or in which the City or any officer or employee may be directly involved; (O.C.G.A. § 50-14-2(1)). Motion was seconded by Councilman Gilliard and passed unanimously by all Council Members.

Present for the session were Mayor Burns; Council Members Douglas, Cloud, Gilliard, Gwaltney, and Thornton; City Attorney Lehman; and City Clerk Lee.

At 6:25 p.m., motion was made by Councilman Douglas to end the Executive Session, seconded by Councilman Cloud, and passed unanimously by all Council Members.

#### **Action taken as a result of the Executive Session:**

Attorney Lehman had updated the Council on a lawsuit filed by T. W. Green, Jr. against the City, Red Hills Probation, LLC, and Margaret Crutchfield in which the City's insurance company had reached a settlement agreement.

A mutual satisfaction and release agreement had been prepared between the City and Red Hills Community Probation/Margaret Crutchfield to indemnify each party from any and all liability as a result of the Green lawsuit. Motion was made by Councilman Douglas to authorize the City Manager to sign, on behalf of the City as its authorized representative, the Mutual Satisfaction and Release Agreement. Motion was seconded by Councilman Gwaltney and passed unanimously by all Council Members.

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**ADJOURN:** There being no further business, the meeting was adjourned.

**APPROVED:**

**ATTEST:**

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**ROBERT B. BURNS, SR., MAYOR**

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**CAROLYN B. LEE, CITY CLERK**