

REGULAR MEETING – CAIRO MAYOR & COUNCIL – AUGUST 28, 2017

The August 28, 2017 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 Ernest W. Cloud, Jr., Council Members James H. Douglas, Jerry L. Cox, and Lannis Thornton. Councilman Robert L. Gwaltney was out of town. Staff Members in attendance were City Manager Chris Addleton, City Attorney Thomas L. Lehman, and City Clerk Carolyn Lee. Cairo Messenger Editor, Randy Wind, was also in attendance.

INVOCATION: The Invocation was given by Councilman Cox.

APPROVAL OF AGENDA: Motion to approve the agenda was made by Councilman Cloud, seconded by Councilman Cox, and unanimously approved by all Council Members.

APPROVAL OF MINUTES:

1. Regular Council Meeting – August 14, 2017. Motion to approve minutes as submitted was made by Councilman Cloud, seconded by Councilman Thornton, and unanimously approved by all Council Members present.

2. Special Called Meeting - August 17, 2017 (To set tentative millage rate). Motion to approve minutes as submitted was made by Councilman Cloud, seconded by Councilman Douglas and unanimously approved by all Council Members present.

DELEGATIONS:

Mr. Clifton Brown, 800 Madison Circle, was present and addressed the Council about a problem he was having with an adjoining neighbor who would not trim the hedge growing between her lot and his. He had already spoken to several City personnel, but they were unable to help with the matter. He stated that he was not concerned with the height as much as the width of the hedge overhanging on his property. Mayor Burns informed him that he could cut the part overhanging onto his lot, but that it was a private matter between him and his neighbor. Mr. Brown stated that the neighbor's father had recently trimmed the hedge, but the grass would also become overgrown. Atty. Lehman advised that the City could only become involved if there was a health or safety concern, and the only thing in the code that might be addressed was a high grass situation.

SPECIAL EVENTS:

1. Special Event Permit for Friendship House of Prayer, Praise in the Park, (Davis Park) on September 23, 2017, from 4:00 p.m. to 9:00 p.m. - Chanta Jones, Applicant. Motion to approve the permit was made by Councilman Cloud, seconded by Councilman Thornton, and unanimously approved by all Council Members present.

2. Special Event Permit for FUMC Youth, 5k Fun Run Fundraiser on October 14, 2017, from 9:00 a.m. to 11:00 a.m. - Kyle Parker, Applicant. The applicant was not present, and there were some unanswered questions regarding the route and need for Police assistance. Therefore, motion to table the request was made by Councilman Cloud, seconded by Councilman Douglas, and unanimously approved by all Council Members present.

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3. Special Event Permit for Destiny Fellowship International Church, Family and Friends Day (Davis Park) on October 7, 2017, from 12:00 to 6:00 p.m. - Nancy Conyers, Applicant. Motion to approve the permit was made by Councilman Douglas, seconded by Councilman Cloud, and unanimously approved by all Council Members present.

OLD BUSINESS:

Revised City Vehicle Use Policy and Seat Belt Usage and Disciplinary Action Policy. City Manager Addleton had revised two areas of the Vehicle Policy. Regarding the prohibition of transporting non-city personnel in City vehicles, Councilman Cox asked if anything should be added to cover emergency situations. It was noted that those situations could be decided under the “Approval” section of the policy. After discussion, motion to approve the Vehicle Policy as presented was made by Councilman Douglas, seconded by Councilman Cox, and unanimously approved by all Council Members present. Motion was also made by Councilman Douglas to approve the Seat Belt Usage and Disciplinary Action Policy, seconded by Councilman Cloud, and unanimously approved by all Council Members present.

NEW BUSINESS:

Public Hearing - Rezoning Request from C-1 (Neighborhood Commercial District) to C-2 (Highway Commercial District) at the location of 890 MLK Jr. Avenue S.W.; identified as County Tax Map C7, Parcel 245 and adjoining lots 13 & 14 identified as County Tax Map C7, Parcel 244. Garry L. Grant – Applicant/Owner of Parcel 244; Sonja Daniels Simmons – Owner of Parcel 245. There were no public comments offered, and the hearing was closed.

Rezoning Request from C-1 (Neighborhood Commercial District) to C-2 (Highway Commercial District) at the location of 890 MLK Jr. Avenue S.W.; identified as County Tax Map C7, Parcel 245 and adjoining lots 13 & 14 identified as County Tax Map C7, Parcel 244. Garry L. Grant – Applicant/Owner of Parcel 244; Sonja Daniels Simmons – Owner of Parcel 245. Mr. Grant was present for the meeting. Both the Cairo Planning Commission and the SWGRC recommended approval of rezoning subject to a limited use condition that the property could only be used as a Sports Bar and Grille; and if the business closed, the zoning should revert back to C-1. Councilman Douglas asked about parking and Councilman Cox referred to the sketch presented. Mr. Grant stated that he met the parking requirements and that he was trying to renovate the building to bring it up to Code requirements. After discussion, motion to approve the rezoning with a limited use condition on the property that it could only be used as a Sports Bar and Grille was made by Councilman Thornton. Motion was seconded by Councilman Douglas. Councilman Cloud asked if the distance from the Church had been measured to see if it complied with the Code, with City Manager replying that it did comply. Motion to approve the rezoning passed unanimously by all Council Members.

OTHER BUSINESS:

1. Unlimited Sports MX Events - Request to Purchase approximately 250 acres of the LAS property on Wight Road. Mr. Wyn Kern, promoter of motocross sports events, along with Ms. Colleen Millsaps and Mr. Bryan Johnson, explained that he would like to acquire approximately 250 acres of the site to hold the 47th Annual Thor Winter Olympics during the week of Thanksgiving and also for two or three 3-day events, for a total of 12-15 days per year.

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Also present were Mr. Charles Renaud and County Commissioners T. D. David and Keith Moyer. Mr. Kern stated that the impact would be very minimal compared to the amount of economic impact that it would bring to the community. They had leased property for the event in Florida for the past 15 years, but had been unable to come to terms with one of the property owners during the renewal and needed a new location as soon as possible. He wished to have the site prepared and RV hookups installed. The 33 miles of piping in place on the site was also discussed which did not appear to present a problem for what he wanted to do. Ms. Millsaps added that this would not be a training facility that would be occupied all day, but it would bring people from all over the world who would stay in area hotels, eat at restaurants, and make purchases. Mr. Charles Renaud stated that an appraisal could be obtained rather quickly for the potential \$1M per day impact, asking if the City could afford to turn down the opportunity; and adding that, if it was up to him, he would give them the land. Atty. Lehman spoke up stating that it would be illegal to do so. He read information regarding the requirements for advertising and accepting bids for disposal of City property, adding that a private development created a problem. He thought that a lease might initially be the way to go. It was noted that, since the property was in the County, the Commissioners would have to determine if the use would be proper and deal with that depending on the City's decision. Commissioner David stated that an unofficial poll of five County Commissioners showed their favor in granting a variance for the use if the property was leased or sold. Atty. Lehman advised that the advertisement for bids would have to be done 15 days before bid opening. Councilman Cox stated that he was not opposed to the purchase of land but was thinking of what would happen in the future. It was suggested that the City could move toward disposition of the property and allow Atty. Lehman to work on it as long as it was within the law. At that point, it could be determined if the price was acceptable by bid or public auction. Mr. Renaud asked if the City could deed the property to the County, with Atty. Lehman advising that he did not see an exception to allow that; but the City could exchange property with the County as long as it had the same value. Mr. Renaud asked if the City could deed the property to the JDA since the same rules did not apply to them. Councilman Cox asked Mr. Kern what the last day would be for him to be able to meet his deadline, with Mr. Kern needing to know right away. Councilman Cox asked if the earliest possible date for the City to approve a bid was September 25th, could he work with that. Councilman Douglas added that the City could start the advertising phase and proceed on. Mr. Renaud asked if they could go ahead and start some work on the property, with Atty. Lehman responding that inspection, surveying, and planning could be started, but no mowing. They could remove impediments as necessary to facilitate planning. City Manager Addleton was concerned with liability to the City and Mr. Kern was asked to sign a hold harmless agreement and provide liability insurance. City Manager Addleton added that the City could mow the roads. Motion was made by Councilman Douglas to start the process to permit the sale of the property. Councilman Cloud asked about a survey, with Atty. Lehman stating that one would be needed for a deed; and that could be handled through the contract specifications. Councilman Cloud seconded the motion, and it was unanimously approved by all Council Members present.

2. Reports:

1.) City Manager:

- Reported that an Amnesty week had been advertised and had started last Saturday and would continue through Friday, September 1st.
- Had met with Taylor Waste regarding the waste collection and disposal transition to begin September 1st.

2.) Reports from Mayor and Council:

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- Councilman Thornton asked that ditches be cleaned out on 15th St., SW between Clay Ave. and 2nd Ave., SW.
- Councilman Douglas asked that the Fire Chief be made aware of hydrants getting covered up by grass.
- Atty. Lehman re-confirmed that the bid process for the sale of land discussed earlier in the meeting be done by “sealed” bid.

Mr. Bryan Johnson came back into the meeting to ask if anything could be done to speed up the advertising process for the sealed bids, but the Council was adjourning.

ADJOURN: Motion was made by Councilman Douglas to adjourn, seconded by Councilman Cox, and unanimously approved by all Council Members.

ATTEST:

APPROVED:

CAROLYN B. LEE, CITY CLERK

ROBERT B. BURNS, SR., MAYOR