

## REGULAR MEETING – CAIRO MAYOR & COUNCIL – OCTOBER 28, 2013

The October 28, 2013 Regular Meeting was called to order at 6:00 p.m. in the Council Room at 101-B North Broad Street with Mayor Richard VanLandingham presiding. Present were Mayor Pro Tem Ernest W. Cloud, Jr., Council Members James H. Douglas, Kermit V. Gilliard, Jr., Robert L. Gwaltney, and Lannis Thornton. 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 Mayor VanLandingham.

### **APPROVAL OF MINUTES:**

**Regular Meeting – October 14, 2013.** Motion to approve minutes as submitted was made by Councilman Cloud, seconded by Councilman Thornton, and approved unanimously by all Council Members.

### **DELEGATIONS:**

### **SPECIAL EVENTS:**

### **OLD BUSINESS:**

### **NEW BUSINESS:**

**Public Hearing – Conditional Use Request for a Church, Sec. 22-248, in I-1 (Light Industrial District) - 200 1st Avenue, N. E. – Tax Map C20, Parcel 103 - Randall Hines, Applicant - H. Lee Washington, Owner.** Mr. Hines stated that the location would be used for outreach programs, adding that he would be leasing the property for twelve months and had obtained signed permission from adjoining property owners Howard VanZant, Vernon Strickland, Lynette Holmes, and Melvin Horne to use their parking spaces during their off-business hours. Mayor VanLandingham estimated there were over 35 spaces that could be available for off-street parking in the area. Attorney Lehman questioned Mr. Hines, determining that 10 off-street spaces would probably be needed during weekdays, 9:00 a.m. to 5:00 p.m., and 25 spaces at other times. After comments, the Public Hearing was closed.

**Conditional Use Request for a Church, Sec. 22-248, in I-1 (Light Industrial District) - 200 1st Avenue, N. E. – Tax Map C20, Parcel 103 - Randall Hines, Applicant - H. Lee Washington, Owner.** (The Southwest Georgia Regional Commission had recommended denial of the permit based on the fact that the property did not meet the requirements of Section 22-63 of the Code of Ordinances with regard to off-street parking, building setbacks, and buffering along property lines. However, the Cairo Planning Commission had voted to recommend approval). After discussion, motion to approve the conditional use was made by Councilman Cloud and seconded by Councilman Thornton. Councilman Douglas amended the motion to include the condition that approval would be contingent upon Mr. Hines obtaining written permission that there would be 10 off-street spaces that could be used on weekdays from 9:00 a.m. to 5:00 p.m. and 25 spaces at other times. His motion was seconded by Councilman Thornton and passed unanimously by all Council Members. The first motion made by Councilman Cloud to approve the conditional use also passed unanimously by all Council Members.

**Public Hearing - Conditional Use Request for a Family Day Care Home, Sec. 22-93 (g), in R-1 (Single-Family Residential District)- 325 13th Avenue S. W. - Tax Map C16, Parcel 27 - Joyce Addison, Applicant.** Ms. Addison informed the Council that she had been in the childcare

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business for many years and would be assisted by her daughter and granddaughter. She had recently moved to a new location that was fenced in and was notified by the State that she would need a business license and a zoning verification letter. After comments, the Public Hearing was closed.

**Conditional Use Request for a Family Day Care Home, Sec. 22-93 (g), in R-1 (Single-Family Residential District) - 325 13<sup>th</sup> Avenue S. W. - Tax Map C16, Parcel 27 - Joyce Addison, Applicant.** (The Southwest Georgia Regional Commission, as well as the Cairo Planning Commission, had recommended approval of the request). After discussion, motion to approve the conditional use was made by Councilman Thornton, seconded by Councilman Gilliard, and unanimously approved by all Council Members.

**Public Hearing - Rezoning Request from C-1A (Neighborhood Commercial District) to R-1AA (Single-Family Residential District) for a Single-Family Residence - 1236 Hwy 84 West - Tax Map C22, Parcel 27 - Jackson E. Jones, Applicant.** Mr. Jones confirmed that he wished to change zoning classification for his property to the R-1AA zone for residential use. Attorney Lehman was concerned that the lot size would not meet the R-1AA classification and asked Mr. Jones if the R-1A class would be agreeable with him. Mr. Jones responded affirmatively. After comments, the Public Hearing was closed.

**Rezoning Request from C-1A (Neighborhood Commercial District) to R-1AA (Single-Family Residential District) for a Single-Family Residence - 1236 Hwy 84 West - Tax Map C22, Parcel 27 - Jackson E. Jones, Applicant.** (The Southwest Georgia Regional Commission, as well as the Cairo Planning Commission, had recommended approval of the request). After discussion, motion to approve rezoning to the R-1A class, rather than to R-1AA, was made by Councilman Cloud, seconded by Councilman Douglas, and unanimously approved by all Council Members.

**Request from County for Financial Assistance with Barber Park Safety Improvement Project.** County Administrator Carlos Tobar, Commissioner T. D. David, and Recreation Director Becky Bracewell were present regarding the request. Administrator Tobar informed the Council that the Board of Commissioners was seeking a matching \$100,000 grant for next fiscal year to replace old lighting and poles at the eastern side of the park. \$75,000 had been authorized from County funds, and the Board was requesting a \$25,000 contribution from the City, in addition to other private donations and some in-kind installation assistance from Grady EMC. They also requested that the City widen 17<sup>th</sup> Ave., NE as part of the safety project, with Watkins Engineering having been asked to provide a cost estimate. Mayor VanLandingham noted that the City is also part of the County and expressed his desire to see the County be more willing to work with the City, adding that the county benefited from improvements made by the City. He agreed to make a personal donation if the Council agreed to contribute. Mr. Tobar noted various contributions that the County had made to agencies, adding that a proposal for CNS internet and phone service was currently being considered. He wished to partner with the City on the Long Branch Road improvements by way of in-kind County services and had also wanted research to be done for the City to provide water and wastewater services to the Tired Creek area. Councilman Douglas stated that city taxpayers were already paying a portion through taxes. Councilman Cloud stated that state law prohibited duplication of payment for services, and that recreation had been turned over to the County many years ago. Mr. Tobar added that the requested funds would be placed in a capital account for the project, adding that road right-of-way could be costly for Long Branch Road and, since the County owned the property on the north side, it would be easier and less costly to obtain the easements. Mrs. Bracewell advised that the lighting was over 30 years old and needed to be replaced. She stated that her job was taking care of the people who used the park, and the lighting improvements would increase the department's eligibility for tournaments. When City Manager Addleton asked how competitive the grant was, Mr. Tobar responded that there was one million dollars available, and the partnerships would benefit their chances. If the City approved, a

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resolution would be needed. Councilman Douglas noted that it was a very good project, but the City should not use City taxpayer money for it. After discussion was completed, Councilman Douglas made motion to deny the request to contribute \$25,000. Motion was seconded by Councilman Cloud and passed unanimously by all Council Members. Mayor VanLandingham informed the County representatives that he wished to personally contribute \$10,000 to the project.

**Application for Alcohol Beverage License - Wine, Retail Consumption on Premises – Modern Nails – 307 8<sup>th</sup> Avenue N.E. - Vivian Hong Lien Le, Applicant.** After discussion, motion to approve the application was made by Councilman Douglas, seconded by Councilman Thornton, and unanimously approved by all Council Members.

**Adoption of Ordinance to Re-zone Parcel Located on 2<sup>nd</sup> Ave. NW (Tax Map C20, Parcel 58 from I-1 (Light Industrial District) to C-1 (Neighborhood Commercial District).** (Ordinance was introduced at the October 14<sup>th</sup> meeting). After discussion, motion to adopt the ordinance was made by Councilman Douglas, seconded by Councilman Cloud, and unanimously approved by all Council Members.

**Adoption of Ordinance to Re-zone Parcel Located on Loblolly Lane (Tax Map C40, Part of Parcel 53.1 (Shop Building) from R-3 (Multiple-Family Residential District) to C-2 (Highway Commercial District).** (Ordinance was introduced at the October 14<sup>th</sup> meeting). After discussion, motion to adopt the ordinance was made by Councilman Thornton, seconded by Councilman Gwaltney, and unanimously approved by all Council Members.

**Resolution for SFY 2014 Community Home Investment Program (CHIP) Public Notification.** After review, motion to approve the resolution was made by Councilman Douglas, seconded by Councilman Gilliard, and unanimously approved by all Council Members.

**LAS Timber Management - Advertise for Bid to Cut Approximately 100 acres on the East Side of the Site.** City Manager Addleton reported that he had requested Russell Fowler of Flint River Timber to help develop a plan to manage and improve the timber at the LAS site. He requested approval to advertise for bids for cutting timber in the hatched areas shown on a site plan presented. He proposed putting the money from the sale into a restricted account to purchase equipment to move dirt, with Councilman Douglas stating that he would rather that it be used to pay on debt. After discussion, motion to approve the advertisement for bid was made by Councilman Cloud, seconded by Councilman Thornton, and unanimously approved by all Council Members.

**Settlement Agreement for Regional Properties vs. City of Cairo Regarding Group Home to locate at 35 14<sup>th</sup> Ave., NW.** After review, motion was made by Councilman Douglas to accept the settlement, satisfaction, and release agreement, seconded by Councilman Cloud, and unanimously approved by all Council Members.

### OTHER BUSINESS:

**Resolution Authorizing Hedging Natural Gas through Municipal Gas Authority of Georgia (MGAG) – (Option 2 - Choose Not to Hedge).** After review, motion to approve the agreement was made by Councilman Cloud, seconded by Councilman Gwaltney, and unanimously approved by all Council Members.

### REPORTS:

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**1.) Finance Report for the Month of September 2013.** Councilman Douglas reported that figures were close to budgeted amounts, with water and sewer revenue being down which needed to be tracked and monitored closely. Electric revenue was up but costs were also up. After review, motion to approve the report was made by Councilman Douglas, seconded by Councilman Cloud, and unanimously approved by all Council Members.

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

- Met with DCA Main Street representative earlier in the day and toured the downtown area. He was very optimistic about the City's grant application and would know if the City was chosen next week.
- "Boo on Broad" was set for Oct. 31<sup>st</sup> from 3:00 p.m. to 5:00 p.m.
- Working with Energy Services Director Prince to look at options for after-hours coverage procedures and the setting up of one locate crew, in order to provide more cost-effective services. They would be presenting proposals when completed.

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

- Councilman Gwaltney requested that gas and sewer line improvements be made on 3<sup>rd</sup> Ave., SW, if needed, before it is paved in 2015.
- Councilman Gilliard asked that high grass on the lot at the corner of 12<sup>th</sup> Ave., and 2<sup>nd</sup> St., NE be checked, as it had not been mowed all season.
- Councilman Douglas inquired about a recent sewage spill at the new lift station, with City Manager Addleton explaining what had happened. A breaker had tripped and gone out, and he had learned from Wiedeman and Singleton that their electrical people had not installed a call-back control that would alert someone in the event of a failure. It was a deficiency in the system design, but a phone line run into the control panel would be the fix, with the hope that the system could eventually be added to the SCADA system. The task of checking the stations had been assigned to another person when a former employee had resigned, and Director Stokes had since instituted a procedure to require the employee to go back and double check the system.
- Mayor VanLandingham brought up the need for improvements in the industrial and commercial areas. He had asked Atty. Lehman to see what could be done, with Atty. Lehman responding that he had talked with Building Official Hayes; and the same procedure could be followed as with residential property. Councilman Douglas suggested that a list be made of nuisances in these areas as had been done in the abatement process for residential properties.
- Mayor VanLandingham reported that he had received requests from three people to open back up two-way traffic on 10<sup>th</sup> Ave., NW near the Chamber of Commerce which was not a part of the original request from the School Board. Councilman Gilliard left the dais during this discussion due to his affiliation with the School Board. Mayor VanLandingham added that there were people still turning left from the south off Highway 84 onto 10<sup>th</sup> Ave., NW. It was noted that making the left turn was illegal even prior to the change to one-way. He had spoken with Supt. Bailey who had agreed that the hours for one-way traffic might be changed from 7:00 a.m. to 4:00 p.m. to the school zone hours in the morning and afternoon which would not affect the Chamber of Commerce as much. Atty. Lehman stated that a cut-off could not be made in the middle of the block. Councilman Douglas suggested giving the change more time as he had noticed that traffic at that intersection was currently a lot safer than before. It was a general consensus of the Council to not make any changes at the current time.

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**EXECUTIVE SESSION:**

At 7:10 p.m., motion was made by Councilman Douglas to enter into Executive Session to discuss a pending or potential lawsuit (O.C.G.A. § 50-14-2(1)), seconded by Councilman Thornton, and passed unanimously by all Council Members. Present for the session were Mayor VanLandingham, Mayor Pro Tem Cloud, Council Members Douglas, Gilliard, Gwaltney, and Thornton. Staff Members in attendance were City Manager Addleton, City Attorney Lehman, and City Clerk Lee.

At 7:15 p.m., motion was made by Councilman Cloud to end the Executive Session, seconded by Councilman Douglas, and passed unanimously by all Council Members.

There was action taken during the session which will be made public at a later date.

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

**APPROVED:**

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**RICHARD VANLANDINGHAM  
MAYOR**

**ATTEST:**

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**CAROLYN B. LEE  
CITY CLERK**