

REGULAR MEETING - CAIRO MAYOR & COUNCIL - NOVEMBER 9, 2009

The November 9, 2009 Regular Meeting was called to order at 6:00 p.m. in the Council Room at City Hall with Mayor Richard VanLandingham presiding. Present were Council Members James H. Douglas, Kermit V. Gilliard, Jr., Robert L. Gwaltney, and Lannis Thornton. Mayor Pro Tem Ernest W. Cloud, Jr. was unable to attend due to illness. Staff Members in attendance were City Manager Chris Addleton, City Attorney Thomas L. Lehman, and City Clerk Carolyn B. Lee. Cairo Messenger Editor, Randy Wind, was also in attendance.

INVOCATION: The Invocation was given by Councilman Douglas.

APPROVAL OF MINUTES:

October 26, 2009 Regular Meeting. Motion to approve minutes as submitted was made by Councilman Thornton, seconded by Councilman Gwaltney, and unanimously approved by all Council Members present.

DELEGATIONS:

SPECIAL EVENTS:

1.) American Red Cross, Georgia Wiregrass Chapter Fundraiser – Request for Temporary Permit to Operate a Christmas Tree Lot at 328 Highway 84 East from December 3rd through December 23, 2009 (Porta-Potty to be provided at the site). After discussion, motion was made by Councilman Thornton to approve the request, seconded by Councilman Douglas, and passed unanimously by all Council Members present.

2.) Walking By Faith Ministries – Rev. James B. Carter, Sr. - Request for Block Party (Jamming for Jesus) on December 5, 2009 from 12:00 Noon to 5:30 p.m. with Blocking of 4th St., SE from the Intersection at 393 2nd Ave., SE up to the Side (west) Entrance of Dollar General. After discussion regarding blocking of the street and police patrol, motion was made by Councilman Thornton to approve the request contingent upon compliance with all requirements set by City Manager Addleton and Police Chief Sandefur. Motion was seconded by Councilman Gwaltney, and passed unanimously by all Council Members present.

OLD BUSINESS: None

NEW BUSINESS:

Public Hearing – Conditional Use Application for Bar within the Bar-B-Q Barn located at 2201 Highway 84 East - John & Holly Hammond, Applicants. Mr. and Mrs. Hammond were present for the hearing, as well as Mr. Burk Mobley who owned property across the street from the restaurant. Mr. Hammond stated that he planned to have a bar in the back of the restaurant for adults, adding a couple of pool tables, a juke box, and TVs. Mr. Mobley stated that he did not have a problem with it unless liquor was being served. Mr. Hammond stated that that was not his plan at the present time, adding that he currently had 20 parking spaces and that Mr. Harrison had verbally agreed to allow him to use part of his adjoining property in back for parking.

Conditional Use Application for Bar within the Bar-B-Q Barn located at 2201 Highway 84 East - John & Holly Hammond, Applicants. Council Members reviewed the Planning Commission minutes, with Councilman Douglas pointing out that Chairman Steve Holt had stated that adding pool tables would create a “game room” which was permitted in the ordinance, but not with alcohol consumption. Attorney Lehman reviewed the ordinance noting that approval of

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conditional use would be required to serve alcohol if the business was considered a game room. When asked what the negative issue was for a game room, he responded that it might possibly be construed to be associated with gambling. Both the Planning Commission and the Southwest Georgia Regional Commission recommended approval of the conditional use. After discussion, motion was made by Councilman Gilliard to approve the permit, seconded by Councilman Thornton, and passed unanimously by all Council Members present.

Replacement of City Representative on the Roddenbery Memorial Library Board of Trustees. Mr. Larry Rawlins' second term on the Board was set to expire on December 31, 2009, and library staff had recommended that Attorney Thomas Lehman be appointed to replace Mr. Rawlins, with the new term expiring on December 31, 2014. Attorney Lehman advised that if the Council felt there might be a potential problem with regard to funding for the library, he would not consider the appointment. He added that he would not speak regarding the City's funding; and when asked if he thought there might be a problem, he stated that he would have nothing to do with any decision made regarding the Mayor and Council. After discussion, motion was made by Councilman Thornton to approve the appointment of Mr. Lehman, seconded by Councilman Gilliard, and passed unanimously by all Council Members present.

Finance Reports for June, July, and August, 2009. After discussion, motion was made by Councilman Douglas to approve all three reports, seconded by Councilman Gwaltney, and passed unanimously by all Council Members present. Mayor VanLandingham announced that it had been requested that electric sales and costs be reviewed to remain aware of any trend changes.

CITY MANAGER'S REPORT:

- 1.) Announced that the Governor's Office of Highway Safety had awarded a \$15,000 grant to the Police Department.
- 2.) Reported that the Governor had certified stimulus funding for the 17th Ave., NW resurfacing project, and the bid should go out in December. With regard to the widening of 17th Ave., he stated that the engineer was requested to start moving on the project. It was also noted that the roadbed where potholes existed would need proper preparation to eliminate the formation of future potholes.
- 3.) The City's fuel provider had compared fuel cost and usage figures showing that usage was down by 6.39% and costs were down by 51% over the first three quarters of 2009 as compared to the same period in 2008, resulting in a cost difference of \$139,000.
- 4.) Reminded Council of the joint JDA/City/County meeting on November 10th.
- 5.) Advised that City Departments were all preparing for the upcoming predicted storm.
- 6.) Reported that the advertisement for a member to serve on the Cairo Planning Commission had resulted in several persons showing an interest and requested that the Council consider nominations at the next regular meeting. Mayor VanLandingham stated that he would like to see some compensation paid to members, possibly \$25.00 per meeting, and asked that it be voted on at that same meeting.
- 7.) Reminded the Council of the benefit for Donna Young on November 12th.
- 8.) Reminded the Council of a Special Meeting to be held on November 16th at 5:00 p.m. to set the final ad valorem tax millage rate.
- 9.) Reported that he had received a fax the previous Friday and a letter earlier in the day from the insurance company handling the claims for the crop duster accident that had occurred several weeks earlier. They had agreed to pay the \$2,031.38 claim submitted by the City for costs (labor) with regard to response to the accident, contingent upon the signing of a release of claims.

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Release of Claim: Regarding the above release of claim, motion was made by Councilman Gwaltney to accept the claim payment and authorize City Manager Addleton to sign the release, seconded by Councilman Douglas, and passed unanimously by all Council Members present.

OTHER REPORTS:

Code Enforcement Reports:

- a.) October 2009 Permits & Fees Report
- b.) 2009 Year-to-Date Permits & Fees Report
- c.) October 2009 Utility Inspection Report
- d.) 2009 Citation/Warning Report – Council discussed the report and requested follow-up on a few items on which the warning period had expired.

REPORTS FROM MAYOR & COUNCIL:

Councilman Thornton advised of a water leak on Clay Ave., SW and also requested that the crepe myrtles at 4th & 4th, NW be trimmed.

Councilman Gilliard referred to an email that he received regarding a bad odor on Crescent Circle, with City Manager Addleton responding that he was checking on the timeline for sealing the manhole there.

EXECUTIVE SESSION: None

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

Approved:

Richard VanLandingham
Mayor

Attest:

Carolyn B. Lee
City Clerk