

REGULAR MEETING – CAIRO MAYOR & COUNCIL – SEPTEMBER 22, 2008

The regular meeting was called to order at 6:00 p.m. on September 22, 2008 in the Council Room at City Hall with Mayor Richard VanLandingham presiding. Present were Mayor Pro Tem James H. Douglas, Council Members Ernest W. Cloud, Jr., Kermit V. Gilliard, Jr., Robert L. Gwaltney, and Lannis Thornton. Staff members in attendance were City Manager Chris Addleton, City Attorney Thomas L. Lehman, City Clerk Carolyn Lee, Executive Asst. Donna Young, and Fire Chief Donald Towne. Cairo Messenger Editor, Randy Wind, was also in attendance.

INVOCATION: Mayor VanLandingham gave the Invocation.

APPROVAL OF MINUTES – Minutes of the September 8, 2008 Regular Meeting were approved as submitted upon motion by Councilman Cloud, seconded by Councilman Douglas, with all Council Members voting in favor of approval.

DELEGATIONS: Shane Kelsey – Southwest Georgia Regional Development Center. City Manager Addleton introduced Mr. Kelsey who had been invited to offer some insight into the method for preparing recommendations for rezoning and conditional use permits. This was in part due to a recent RDC evaluation that presented favorable criteria for rezoning, but the recommendation had been to deny the change. Mr. Kelsey referred to the criteria used in preparing evaluations, noting that one recent memorandum had contained an error in the recommendation portion of the memo. He added that there are some gray areas with regard to conditional use and variance, and that rezoning is most drastic and requires more scrutiny. He noted that there may sometimes be negative points noted; but the positives may outweigh the negatives, resulting in a favorable recommendation. Mayor and Council Members thanked Mr. Kelsey for his input, while expressing their desire to fully understand the evaluations and noted that in some cases there may need to be a more in-depth explanation, especially if a denial is recommended.

SPECIAL EVENT:

John Paul Hasick & Tim VanLandingham – Grady County Baptist Association – Request for use of Davis Park to provide dinner for First Responders (200 participants) on September 27th at 6:30 p.m. – 8:00 p.m. Rev. VanLandingham informed Council of plans to provide the dinner under tents at Davis Park after the showing of the movie “Fireproof” at the Zebulon. They would be providing portable toilets and would take care of the cleanup on the 27th and 28th. After discussion, motion was made by Councilman Thornton to approve the event. Motion was seconded by Councilman Gilliard and passed unanimously by all Council Members.

OLD BUSINESS: None

NEW BUSINESS:

Public Hearing – Conditional Use Permit for Auto Repair Shop at 390 5th St., SE – Tax Map C27, Parcel 101 – Brenda Thatcher, Applicant. Mrs. Thatcher, 3188 Ga. Highway 188, stated that she and her husband would like to have an auto repair shop and possibly sell gas at some point in the future. There were no other comments, and the Public Hearing was closed.

Conditional Use Permit for Auto Repair Shop at 390 5th St., SE – Tax Map C27, Parcel 101 – Brenda Thatcher, Applicant (Lee Oil Company, Property Owner). Both the Cairo Planning Commission and the SOWEGA RDC had recommended approval of the permit. After review, motion was made by Councilman Douglas to approve the conditional use permit. Motion was seconded by Councilman Cloud and passed unanimously by all Council Members.

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Public Hearing – Conditional Use Permit for Personal Care Home at 1218 Pine Circle, SW – Tax Map C16, Parcel 58 – Teresa Washington, Property Owner/Applicant. Ms. Washington, 1218 Pine Circle, SW, was present for the hearing. There were no comments, and the Public Hearing was closed.

Conditional Use Permit for Personal Care Home at 1218 Pine Circle, SW – Tax Map C16, Parcel 58 – Teresa Washington, Property Owner/Applicant. Both the Cairo Planning Commission and the SOWEGA RDC had recommended approval of the permit. After review, motion was made by Councilman Cloud to approve the conditional use permit. Motion was seconded by Councilman Thornton and passed unanimously by all Council Members.

Public Hearing – Rezoning Application from R-1A (Single Family Residential) to R-PUD (Residential Planned Unit Development) District – 501 4th St., NE – Tax Map C26, Parcel 98 – Cal Lauder, Applicant. The applicant was not present for the hearing. There were no comments, and the Public Hearing was closed.

Rezoning Application from R-1A (Single Family Residential) to R-PUD (Residential Planned Unit Development) District – 501 4th St., NE – Tax Map C26, Parcel 98 – Cal Lauder, Applicant. The SOWEGA RDC recommended denial of the rezoning due to the .42 acre lot not meeting the minimum lot size requirement of two acres. Upon learning this at the Planning Commission meeting, Mr. Lauder had requested that the property be considered for the R-3 (Multi-Family District). The Cairo Planning Commission had recommended approval of rezoning to the R-3 zone. (RDC was not requested to submit an evaluation on the R-3 request). After discussion, motion was made by Councilman Gwaltney to approve the rezoning to the **R-3** zone as requested by Mr. Lauder. Motion was seconded by Councilman Thornton and passed unanimously by all Council Members.

Introduction of Ordinance to Amend Section 22-53 of the Code of Ordinances by Rezoning from R-1A (Single Family Residential) to R-3 (Multi-Family District) - 501 4th St., NE – Tax Map C26, Parcel 98 – Cal Lauder, Applicant. The ordinance to change zoning to the **R-3** district was introduced and will be considered for adoption at the October 13th regular meeting.

Request from Cook Brothers, Inc. on Behalf of Family Worship Center to Waive the Installation of all Water and Sewer Lines to Within Five (5) Feet of each Unit. Rev. Johnny Moore, accompanied by IDA Director Rick McCaskill, Mr. Richard Powell, and Mr. Finley Cook, reported that the project was going well; and that they should close with HUD in October. He had requested that a waiver be granted for the installation of water and sewer lines to within five feet of each unit. (That would include a six-inch water line and a four-inch sewer line, a total of approximately 975 feet in length, the cost of which had not been calculated). Mayor VanLandingham wished him success with the project and pointed out that there had been other similar projects for which the City had not provided this same service. He felt that doing so now would be setting a precedent. Rev. Moore asked if the City should decide not to grant the request, if City crews could provide the installation rather than them having to use a private contractor. He stated that the cost figures would be needed this week, but the work could be performed in the next three or four months. Mayor VanLandingham explained that crews were behind schedule due to the recent storm, and that City projects would have to take precedence. Council discussed and agreed to provide cost estimates for the work but would make no commitment. It was suggested that it might be more cost effective to use a private contractor. After discussion, motion was made by Councilman Douglas to deny the request to waive the installation to within five feet of each unit. Motion was seconded by Councilman Gwaltney and passed unanimously by all Council Members.

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Non-exclusive, Perpetual Access Easement Agreement between City of Cairo and Kirby Creek Apartments, LP. City Manager Addleton advised that the purpose of the easement was to give the City access to the lift station in order to maintain it. Attorney Lehman stated that he had reviewed the document. After discussion, motion was made by Councilman Cloud to approve the easement agreement. Motion was seconded by Councilman Douglas and passed unanimously by all Council Members.

Purchase of Rescue Equipment that was awarded to the Cairo Fire Department through the Department of Homeland Security Assistance to Firefighters Grant Program. Chief Towne had applied for and was approved for a grant to purchase the Jaws of Life equipment. Three quotes were obtained with the lowest being for \$30,000 received from FireLine, Inc. with the Federal share to pay \$28,500 and the City's cost to be \$1,500. Chief Towne planned to use funds from supplies and materials that had been budgeted for a hose tester and place that back in next year's budget requests. Councilman Douglas noted that the expenditure would be a capital outlay item. After discussion, motion was made by Councilman Douglas to approve the purchase of the rescue equipment. Motion was seconded by Councilman Gwaltney and passed unanimously by all Council Members.

Resolution to Authorize City Manager to Abate Nuisance at 70 23rd St., NE (C38-25) – John Hardwick/LASAC, Inc. – Dead Trees. After review, motion was made by Councilman Douglas to approve the resolution to abate the nuisance. Motion was seconded by Councilman Cloud and passed unanimously by all Council Members.

Resolution to Authorize City Manager to Abate Nuisance at 1420 5th St., NW (C11-27) – Michael Wilson /Select Portfolio SVC, Inc. – Overgrowth. Upon review of the pictures, Councilman Gwaltney noted that many other previous nuisances looked much worse than this one. After discussion, motion was made by Councilman Douglas to approve the resolution to abate the nuisance. Motion was seconded by Councilman Gwaltney and passed unanimously by all Council Members.

REPORTS:

a.) Cairo Police Department – August 2008

b.) Cairo Fire Department – August 2008

Councilman Douglas commented that there were still a number of medical assist calls on the report, with City Manager Addleton and Chief Towne noting that the number had decreased.

CITY MANAGER'S REPORT:

- 1.) 11th Ave., NW pipe repair project had been delayed one week due to the gas situation but had now been started.
- 2.) Quotes had been received for the Buchanan Street repair project for either aluminum arches, or a concrete bridge, and would be presented at the special called meeting on September 25th.
- 3.) Auditors (Bowen, Phillips, and Carmichael) will be at City Hall to begin work on Monday, September 29th.

OTHER BUSINESS:

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City Manager Addleton and Councilman Thornton were requested to set up a meeting with the flood victims who were affected by the recent tropical storm to update them on the stormwater plan..

REPORTS FROM MAYOR & COUNCIL:

Councilman Cloud reported a water leak at 1st St., SW and 6th Ave., SW.

Councilman Douglas inquired as to the status of the nuisance abatement for the property on Highway 111 South (One Convenient Stop), with Councilman Cloud reporting that the utilities had been removed from the building completing the City's part of the project. He added that the owner of the store did not want the security lights that had been installed to be charged on his utility bill. City Manager Addleton reported that the contractor had been delayed in starting the work due to the recent storm.

EXECUTIVE SESSION: None

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

APPROVED:

**RICHARD VANLANDINGHAM
MAYOR**

ATTEST:

**CAROLYN B. LEE
CITY CLERK**