

REGULAR MEETING – CAIRO MAYOR & COUNCIL – MAY 28, 2009

The May 28, 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 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 B. Lee. Cairo Messenger Editor, Randy Wind, was also in attendance.

INVOCATION: The Invocation was given by Mayor VanLandingham.

APPROVAL OF MINUTES:

a.) **May 11, 2009 Regular Meeting.** Motion to approve was made by Councilman Gwaltney, seconded by Councilman Thornton, and unanimously approved by all Council Members.

b.) **May 21, 2009 Budget Workshop Meeting.** Motion to approve was made by Councilman Gwaltney, seconded by Councilman Thornton, and unanimously approved by all Council Members.

DELEGATIONS:

a.) **Mr. Scott Higginbotham.** Mr. Higginbotham, representing the Downtown Development Authority, was present to request that unused FY 2008-09 façade funds be used to pay off existing debt for the Cultural Center and the Zebulon. It was noted that the Cultural Center was owned by the City, but the Zebulon was not. After discussion, motion was made by Councilman Douglas to pay off Cultural Center debt with the balance of the façade funds as of June 28th. Motion was seconded by Councilman Cloud and passed unanimously by all Council Members.

b.) **Recognition of Sixth-Grader, Jarrett Woods, Winner of the “If I Were Mayor, I Would...” Contest.** Jarrett, along with his parents David and Heidi Woods, were present. Mayor VanLandingham congratulated him and presented him with a certificate and a \$50 Savings Bond.

SPECIAL EVENT: None.

OLD BUSINESS:

Adoption of Ordinance to Close and Abandon 15th Ave., NW from U. S. Highway 84 West to 6th St., NW. (Ordinance was introduced at the May 11th meeting). After review, motion was made by Councilman Gilliard to adopt the ordinance. Motion was seconded by Councilman Douglas and passed unanimously by all Council Members.

NEW BUSINESS:

Public Hearing to obtain Citizen Input Regarding the 2009 Community Development Block Grant (CDBG) Stimulus Application to the Department of Community Affairs (DCA). (6th Ave., NW Stormwater Drainage Improvements). There were no public comments. The Public Hearing was closed.

Resolution for 2009 Community Development Block Grant (CDBG) Stimulus Application to the Georgia Department of Community Affairs (DCA). After review, motion was made by Councilman Douglas to approve the resolution. Motion was seconded by Councilman Gwaltney and passed unanimously by all Council Members.

REGULAR MEETING – CAIRO MAYOR & COUNCIL – MAY 28, 2009

Public Hearing for a Conditional Use Request for a Family Personal Care Home at 631 4th St. NW – R-1 (Single-Family Residential District) – Tax Map C-12, Parcel 72 – Earnestine Yates, Applicant, and Richard Jordan, Property Owner. The applicant was not present, and there were no public comments. The Public Hearing was closed.

Conditional Use Permit for a Family Personal Home at 631 4th St., NW – R-1 (Single-Family Residential District) – Tax Map C-12, Parcel 72 – Earnestine Yates, Applicant, and Richard Jordan, Property Owner. The SOWEGA RDC had recommended approval of the request if certain conditions were met (addition of permanent masonry skirting and removal of undercarriage). The Cairo Planning Commission Members that were present at their hearing voted unanimously to recommend denial of the permit, citing location and safety concerns. Councilman Douglas made motion to deny the request, seconded by Councilman Gwaltney, and passed unanimously by all Council Members. Councilman Douglas noted the frequency of requests for personal care homes and asked that a moratorium be issued until the zoning ordinance could be reviewed. He added that recently another type of conditional use that was denied was opposed by area residents due to a business of this type in their area. Councilman Thornton noted that the State tried to put people who needed to be in personal care homes in residential areas. He added that most of the people were mobile, but the problems that occurred were because of the people who monitored them. City Manager Addleton advised that these businesses were regulated and inspected by the State. Mrs. Clarcia Avery, Grady County Environmental Health Dept., was present and stated that there were only three or four inspectors in the whole state for this type business. Attorney Lehman advised that if the zoning was changed, those people already operating these businesses would be grandfathered in unless they happened not to comply with all the conditions surrounding the permit. Council Members requested to learn how much control the City had over these homes and what would be required to change the City's zoning regulations. After discussion, motion was made by Councilman Douglas to place a moratorium on personal care home applications for 60 days. Motion was seconded by Councilman Gwaltney and passed unanimously by all Council Members.

Assign Authority to the Grady County Environmental Health Dept. to Issue Permits and Perform Inspections with Regard to "Temporary Food Service." Mrs. Clarcia Avery, Grady County Environmental Health Specialist, was present and had also appeared at the May 11th meeting advising that "Temporary Food Service" Regulation had been removed from Public Health several years ago. However, she was concerned that temporary food vendors were not always familiar with proper food-handling processes and sanitary precautions. Since there was no one in the City responsible for regulating and inspecting this type of service, she requested that the City give this authority to her department so that she could see that people in temporary food service would meet the necessary standards. This would apply to temporary profit and non-profit food sales and service. Her department charged a \$25.00 permit fee for profit vendors, but non-profit functions were exempt from the fee. She concluded her request by stating that her main interest was to see that people did not get sick. After discussion, motion was made by Councilman Cloud to approve the request to give the Health Dept. the authority to permit and inspect temporary food services. Motion was seconded by Councilman Douglas and passed unanimously by all Council Members.

Resolution for the Appointment of the City's Voting Delegate and Alternate Delegate for the 2009 MEAG Power Annual Election Committee. City Manager Addleton advised that he would be attending the meeting and was listed as the Election Committee Delegate and Mayor VanLandingham as Alternate, as of May 15, 2009. After discussion, motion was made by Councilman Cloud to approve the resolution, seconded by Councilman Gwaltney, and passed unanimously by all Council Members. (Submittal of the resolution would not be required, as delegates remained the same).

REGULAR MEETING – CAIRO MAYOR & COUNCIL – MAY 28, 2009

Revised 2009-2010 Budget Calendar. City Manager Addleton explained that some dates had to be changed on the calendar in order to comply with State law as well as the City's ordinance. After discussion, motion was made by Councilman Cloud to approve the revised calendar, seconded by Councilman Douglas, and passed unanimously by all Council Members. Councilman Douglas suggested that the City's ordinance be amended to reflect the same requirements as the State.

Purchase of Two Toyota Forklifts. City Manager Addleton informed Council Members that one of the City's forklifts needed new batteries that would cost between \$8,000 and \$10,000. In November 2008, the Joint Development Authority had taken possession of three 2008 Toyota Forklifts from Strategic Concepts for past due money owed to the Joint Development Authority (JDA). At the December 16, 2008 meeting, the JDA entered into a lease agreement with the City of Cairo for use of the equipment. Subsequently, it was determined that there was a lien on the forklifts from a leasing company. Attorney Lehman had been in negotiations with the leasing company for purchase of the three forklifts, and the offer of \$35,000 had been accepted. The Green Book value for used forklifts assigned a value of \$18,200 for each 2008 Toyota Forklift, which had been used less than 30 hours. City Manager Addleton stated that the City was in need of two forklifts and recommended the purchase of two of the 2008 Toyota Forklifts for a total of \$23,333, with the third to be purchased by another party. Current uses for forklifts were at the Electric transformer staging area, the warehouse and wire room, and at Heritage Industrial Complex for Public Works inventory. Regarding the funding, he added that he was trying to wait until closer to the end of the fiscal year to make the purchase. After discussion, motion was made by Councilman Thornton to approve the purchase of the two forklifts, seconded by Councilman Cloud, and passed unanimously by all Council Members.

Award of Bid for Airport Tree Clearing Project. City Manager Addleton reported that seven bids had been received ranging from \$78,784.00 to \$160,435.00, with the lowest from Folsom Construction Co. of Cordele, Ga. The engineers, D. A. Jones Engineering, had estimated the work at over \$100,000; and after reviewing the bids, recommended that the bid be awarded to Folsom Construction contingent upon FAA and State grants. After discussion, motion was made by Councilman Douglas to award the bid to Folsom Construction in the amount of \$78,784.00 contingent upon FAA and State grants. Motion was seconded by Councilman Cloud and passed unanimously by all Council Members. Councilman Douglas pointed out that there were no costs listed for silt fencing and maintenance of the construction exit.

CITY MANAGER'S REPORT:

1.) City Manager Addleton informed Council Members that the Grady County Commission had requested the possible deeding of Davis Park to the County should they choose it as a site for the new County aquatic center. Council Members discussed, noting concerns with the small size of the area and the City's possible plans to construct a stormwater drainage pond there. After discussion, Council Members agreed to hear the County's request and look at their plans and to discuss these concerns.

2.) Reported that the tenant occupying the old Higdon building had recently moved out owing the JDA around \$50,000, and Attorney Lehman had filed an attachment on equipment in the building as collateral for collection of the debt. This process required a bond around \$100,000 with the City as bond person for the JDA. After discussion, motion was made by Councilman Douglas to approve the City standing good for the bond, seconded by Councilman Gilliard, and passed unanimously by all Council Members.

3.) Reported that the City's loan contribution to the Vogtle Project had been placed in the Short-Term Portfolio. Interest had been earned in the amount of \$25,784.

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OTHER BUSINESS: None.

REPORTS FROM MAYOR & COUNCIL:

Councilman Cloud inquired regarding what was to be done on 4th Ave., SW on the dirt shoulders of the street. City Manager Addleton advised that box gutters were being built, but there were no plans for curbing, as the area would be hydro-seeded. Councilman Cloud did not understand how the water would run into the culverts, so he and City Manager Addleton planned to meet the following Monday to look at the project.

EXECUTIVE SESSION: None.

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

APPROVED:

**RICHARD VANLANDINGHAM
MAYOR**

ATTEST:

**CAROLYN B. LEE
CITY CLERK**