



# CITY OF KINGSLAND, GEORGIA

## CITY COUNCIL

MINUTES • JUNE 8, 2015

Regular Meeting

City Council Chamber

6:00 PM

107 South Lee Street - City Hall, Kingsland, GA 31548

### **I. PUBLIC HEARING - STARTS AT 6:00PM**

Mayor Smith called the Public Hearing to order at 6:00 P.M.

#### **1. Zoning Text Public Hearing -**

The City of Kingsland Planning Commission has unanimously recommended a zoning text amendment to the Kingsland Land Development Ordinance. The amendment will update the regulations dealing with Home Office permits so as to allow for administrative approval.

No one came forward to speak regarding the Zoning Text amendment.

The Public Hearing was closed at 6:02 P.M.

### **II. CALL TO ORDER AND WELCOME GUESTS**

Mayor Smith called the regular scheduled meeting to order at 6:02 P.M.

### **III. INVOCATION AND PLEDGE TO THE FLAG**

Mayor Smith gave the Invocation and led the audience in the Pledge to the Flag.

### **IV. ROLL CALL**

Kenneth E Smith Sr

Alex Blount

Jim McClain

Charles Grayson Day Jr

Mayor

Mayor Pro Tem

City Councilman

City Councilman

### **V. CONSENT DOCKET**

Mayor Smith stated the Consent Docket would need to be amended; under New Business Item 11, add Agreement between City of Kingsland and Georgia Forestry, Rural Fire Defense Cooperative Lease Agreement and Memorandum of Understanding.

|                  |                                         |
|------------------|-----------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED AS AMENDED [UNANIMOUS]</b>  |
| <b>MOVER:</b>    | Alex Blount, Mayor Pro Tem              |
| <b>SECONDER:</b> | Charles Grayson Day Jr, City Councilman |
| <b>AYES:</b>     | Blount, McClain, Day Jr                 |

- A. Approve the Council Minutes of the last regular Council Meeting
- B. Approve the Agenda as Presented
- C. Approve the Payments of Accounts Payable as Due and Funds Available

## VI. PRESENTATION

1. Presentation - Smartlink, Verizon Wireless Cellular Facility Gross Road Water Tank -

Presentation was cancelled no one from Verizon Wireless came to Council Meeting.

## VII. GRANTING AUDIENCE TO THE PUBLIC

Mr. Roy Zeigler, 202 Fern Court, Kingsland addressed the Mayor and City Council. Mr. Zeigler stated he received a letter regarding the boat he has parked in his driveway. The letter stated the boat was in violation of Kingsland's ordinance. Mr. Zeigler inquired as to why this ordinance exists; and questioned if it was for neighborhood aesthetics or for safety reasons.

Mr. Ken Kessler, Planning and Zoning Director addressed the Mayor and City Council and stated that zoning ordinances are in all urban ordinances in Georgia. The city has not enforced many of these issues over the years, but lately the city has received a large amount of complaints. Mr. Kessler stated that Mr. Zeigler lives on a cul -de -sac and could have grounds for a variance.

Mayor Smith asked Mr. Kessler if Code Enforcement was being consistent with this through out the city. Mr. Kessler assured the Mayor that they are and most people remove the problem upon receiving the letter.

Councilman Day asked Mr. Kessler if given the make-up of Mr. Zeigler's lot is it possible to issue a variance. Mr. Kessler stated yes.

Mr. Zeigler questioned why we needed a law, could the city just use a common sense rule.

Councilman McClain stated that living in South Georgia some people can have more than one boat on their property and there has to be a line drawn somewhere.

## VIII. OLD BUSINESS

1. Adoption Of: Ordinance #2015-08 - Kingsland Code of Ethics - Mayor Pro Tem Alex Blount

Councilman Blount made a motion to bring these items back to the table. Councilman Day seconded the motion. The motion carried unanimously.

Councilman Blount stated the reason he was bringing a new Ethics Ordinance back was to repeal the old ordinance that should have been repealed in 2010.

Mr Lee Spell stated that the ordinance was reviewed and approved by the City's Attorney, Mr. James Coppage.

Councilman McClain stated his uneasiness with this Ordinance is there is no longer a gatekeeper as in the past and he feels the board is subjecting themselves to unfounded complaints and could put them in a potentially dangerous situation. Councilman McClain stated it could become very expensive for the city and he does not feel this ordinance is necessary for a small city.

Councilman Blount stated that in theory the city has two (2) ordinances, the one that was approved in 2010 did not repeal the 2000 ordinance. Councilman Blount said that the Ethic's Board would have one member with a legal background; and the Mayor has indicated he is not happy about doing the "gatekeeper's" job and it could put the Mayor in an awkward position. Councilman Blount stated that there needs to be a Code of Ethics in place.

Councilman Day stated that at any point government should have consideration when answering to the public. The city should not be in the position of "gatekeeper". Councilman Day felt that appointing six (6) members to the Ethics Board would make it more diverse and would get away from a "group think". Councilman Day stated that the current ordinance does not meet the need that the public expects.

Councilman McClain felt the board needed to study it.

Councilman Blount made a motion to postpone this item until the meeting on June 22, 2015. Councilman Day seconded the motion.

The motion carried unanimously.

2. Approval Of: FY 2014/15 Mid-Year Budget Revisions -

|                  |                              |
|------------------|------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>  |
| <b>MOVER:</b>    | Jim McClain, City Councilman |
| <b>SECONDER:</b> | Alex Blount, Mayor Pro Tem   |
| <b>AYES:</b>     | Blount, McClain, Day Jr      |

## IX. PLANNING AND ZONING

1. Zoning Text Amendment - Home Office Approval Procedure -

**APPLICATION FOR ZONING TEXT AMENDMENT- City of Kingsland** is proposing an amendment to Section 110 of the Zoning Ordinance to allow Home Offices to be approved administratively with approval of City Manager. Planning Commission recommends approval.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Alex Blount, Mayor Pro Tem  
**SECONDER:** Charles Grayson Day Jr, City Councilman  
**AYES:** Blount, McClain, Day Jr

2. Ordinance 2015 - 09 an Ordinance to Amend Articles XI of Ordinance # 2002-08 Titled "The Kingsland Zoning and Land Development Ordinance" -

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Jim McClain, City Councilman  
**SECONDER:** Alex Blount, Mayor Pro Tem  
**AYES:** Blount, McClain, Day Jr

3. APPLICATION FOR HOME OFFICE – Danielle Henry -

**Danielle Henry**, 95 Mango St is requesting a Home Office Permit for "Mommy On A Budget" performing home cleaning, yard service and fund raising. Zoning is R-5. Planning Commission recommends approval without the fund raising included.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Alex Blount, Mayor Pro Tem  
**SECONDER:** Jim McClain, City Councilman  
**AYES:** Blount, McClain, Day Jr

4. APPLICATION FOR HOME OFFICE – Adrian E. Meeks -

**Adrian E. Meeks**, 113 Kathryn Bailey Dr is requesting a Home Office Permit for "Meeks Appraisals". Zoning is PD/R-1. Planning Commission Recommends Approval.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Jim McClain, City Councilman  
**SECONDER:** Charles Grayson Day Jr, City Councilman  
**AYES:** Blount, McClain, Day Jr

5. APPLICATION FOR HOME OFFICE – Robert Roberts -

**Robert Roberts**, 116 Camellia Dr is requesting a Home Office Permit for “On The Move Advertising” an automotive mobile advertising business. Zoning is PD/R-1. All business is done by phone and internet. Planning Commission recommends approval.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Charles Grayson Day Jr, City Councilman  
**SECONDER:** Jim McClain, City Councilman  
**AYES:** Blount, McClain, Day Jr

6. APPLICATION FOR RESIDENTIAL BUSINESS – James Caplins -

**James Caplins**, 101 Willow Lake Dr is requesting a Residential Business Permit for “Caplins Firearms” providing gunsmithing services, but no sales. Zoning is R-1. Planning Commission Recommends Approval.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Jim McClain, City Councilman  
**SECONDER:** Alex Blount, Mayor Pro Tem  
**AYES:** Blount, McClain, Day Jr

7. APPLICATION FOR FINAL PLAT – Bennett Surveying -

**Bennett Surveying**, requests consideration for a final plat consisting of 79 lots and 2 tracts on 32.61 acres on Daniel Trent Way (Settler’s Hammock Phase 1C). Zoning is PD/R-1. Planning Commission Recommends Approval.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Charles Grayson Day Jr, City Councilman  
**SECONDER:** Jim McClain, City Councilman  
**AYES:** Blount, McClain, Day Jr

## X. NEW BUSINESS

1. Mutual Aid Agreement - Kingsbay, GA Fire Department -

Mutual Aid Agreement between Commanding Officer, Naval Submarine Base Kings Bay and City of Kingsland, Georgia for the provision of fire fighting assistance.

**RESULT:**       **APPROVED [UNANIMOUS]**  
**MOVER:**       Alex Blount, Mayor Pro Tem  
**SECONDER:**   Jim McClain, City Councilman  
**AYES:**        Blount, McClain, Day Jr

2. Approval - Leave Bank Policy - Mayor Pro Tem Alex Blount

Councilman Blount asked Mr. Lee Spell, City Manager to amend a few items on the policy.

The first item, explain how an existing employee can join the leave bank.

The second item, under Administration remove Item #10.

The third item, Under Administration Item #3 add subject to new documentation being offered.

The last item, an employee must be a sick leave bank participant in order to use the leave bank.

**RESULT:**       **ADOPTED AS AMENDED [UNANIMOUS]**  
**MOVER:**       Alex Blount, Mayor Pro Tem  
**SECONDER:**   Charles Grayson Day Jr, City Councilman  
**AYES:**        Blount, McClain, Day Jr

3. Approval - Watershed Monitoring Service Contract, Nutter & Associates -

A discussion ensued regarding the costs and the history of the monitoring contract.

Mr. Lee Spell, City Manager stated that these are all compliance items and are mandated, yet unfunded from the EPD.

Councilman McClain asked Mr. Chris Bray, Waste Water Plant Superintendent if the testing was too complex and inquired as to whether we can test in our own lab. Mr. Bray explained to Councilman McClain that the city does not have the expertise to do all of the testing.

Councilman Blount asked Mr. Bray if the city owned the plan and he was told that the city does.

**RESULT:**       **APPROVED [UNANIMOUS]**  
**MOVER:**       Alex Blount, Mayor Pro Tem  
**SECONDER:**   Jim McClain, City Councilman  
**AYES:**        Blount, McClain, Day Jr

4. Approval - Addendum to Fleet Management Services MOU -

Addendum to allow for compensation for providing administrative support for the County's fleet services department.

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Alex Blount, Mayor Pro Tem  
**SECONDER:** Charles Grayson Day Jr, City Councilman  
**AYES:** Blount, McClain, Day Jr

5. Bid Award: Sheffield Force Main Relocation -

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Alex Blount, Mayor Pro Tem  
**SECONDER:** Jim McClain, City Councilman  
**AYES:** Blount, McClain, Day Jr

6. Bid Award: Repair of (2) 100' High Mast Lights-Exit 3 -

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Alex Blount, Mayor Pro Tem  
**SECONDER:** Charles Grayson Day Jr, City Councilman  
**AYES:** Blount, McClain, Day Jr

7. Bid Award: Purchase of Five Police Pursuit Sedans -

Councilman Blount made a motion to approve the purchase with the staff recommendation. (Dodge Charger)

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Alex Blount, Mayor Pro Tem  
**SECONDER:** Jim McClain, City Councilman  
**AYES:** Blount, McClain, Day Jr

8. Discussion On: SPLOST List - Mayor Pro Tem Alex Blount

Councilman Blount stated that he asked to have this item put on the Agenda for discussion. Councilman Blount said he would like to discuss prioritization of future SPLOST projects.

Mr. Lee Spell, City Manager outlined the list of projects currently on the SPLOST list and stated that SPLOST VII by a referendum vote is for water and sewer infrastructure work.

9. Discussion - Elected Officials Travel Policy - Mayor Pro Tem Alex Blount

Councilman Blount stated he asked to have this put on the Agenda. Councilman Blount reported that he first raised the issue in August of 2014 when he was trying to figure out a budget for group spending. Councilman Blount stated that there were a handful of expenditures questioned and he followed this up in September. Councilman Blount said he thought this issue had been corrected when he saw the Auditors' report that said city policy wasn't being followed and Credit Card charges

for the Mayor were made without establishing any documentation, no itemized receipts, nothing that supports any expense whatsoever. Councilman Blount stated he sent emails to the Mayor and there was no response; and he felt this was beyond disappointing.

Councilman Blount reported that House Bill 192 has been passed and there are procedures and penalties for credit cards for elected officials beginning in July, 2015.

Councilman Blount said that nobody is accusing anyone, but wondered why the paper work was not submitted to explain to the taxpayers where their money is going. Councilman Blount said he is open to any opinions and stated that maybe the best way to handle the issue was to revoke credit cards to elected officials.

Councilman Day stated that we need to spend money wisely, we are spending public money not our own; and after viewing the Mayor's expenses with no receipts he questioned how they could continue to allow this.

Councilman McClain agreed with the idea of the elected officials turning in their credit cards.

Councilman McClain made a motion to get rid of the city credit cards for elected officials. Councilman Blount seconded the motion. The motion carried unanimously.

#### 10. Downtown Code Enforcement -

Mr. Troy Hoper, Chairman of the Downtown Development Authority addressed the Mayor and City Council with his concerns regarding the downtown area. Mr. Hoper stated that it is hurting businesses and they were hoping to get some of Highway 17 cleaned up. Mr. Hoper stated he would like to see Code Enforcement working on this area.

Councilman Blount stated that in the past the businesses have been cited and when they go to court it gets thrown out.

Councilman McClain stated that the Highway 17 Corridor looks dangerous and it gives people a sense of concern.

Mr. James George, Code Enforcement Officer addressed the Mayor and Council. Mr. George stated he covers the entire city and does building inspection and he is doing as much as he can. He reported that he has cited these people that are a concern to the Council, however, he needs to give these businesses a fourteen (14) day waiting period to respond to his citation.

Councilman Blount asked Mr. George if these companies were the property owners or if they were leasing. Mr. George thought most of them were leased. Councilman Blount suggested to the Downtown Development Authority that they notify the owners to see if we can have some action that way and then offer guidance to Mr. Lee Spell, City Manager.

Councilman Day agreed that action needed to be taken in the downtown area.

11. Approval Of: Agreement Between City of Kingsland and Georgia Forestry Rural Fire Defense Cooperative Lease Agreement and Memorandum of Understanding

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**RESULT:**       **APPROVED [UNANIMOUS]**

**MOVER:**        Alex Blount, Mayor Pro Tem

**SECONDER:**   Jim McClain, City Councilman

**AYES:**         Blount, McClain, Day Jr

## **XI.   MAYOR AND COUNCIL ANNOUNCEMENT**

Councilman Blount reminded everyone of the Special Election on Tuesday, June 16, 2015 for the open City Council seat.

## **XII.  ADJOURNED**

Councilman Blount made a motion to adjourn. Councilman Day seconded the motion. The motion carried unanimously.

The meeting adjourned at 7:54 P.M.

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Kenneth E. Smith, Sr., Mayor

ATTEST:

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Linda M. O'Shaughnessy, City Clerk