



# CITY OF KINGSLAND, GEORGIA

## CITY COUNCIL

MINUTES • DECEMBER 28, 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

#### 1. ZONING TEXT AMENDMENT -Turkey Shoots -

**ZONING ORDINANCE TEXT AMENDMENT** - Amendment proposes to add 'Turkey Shoots' to list of special permit uses allowed in the C-2 General Commercial District. Mr. Casey stated that his emailed suggestions were found online from other jurisdictions. He gave a history of shooting range development on the site. He stated that the site is adjacent to residential and creates a noise problem. St Marys has allowance for turkey shoots, but has not granted any. Mr. Davis passed out a copy of a restraining order against Mr. Casey and challenged several of Mr. Casey's statements. After discussion the proposal was further limited as to only the fall season and only on Fridays and Saturdays. Planning Commission Recommends Approval.

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

Mr. Ben Casey, 403 Vacunna Road addressed the Mayor and City Council regarding turkey shoots.

Mr. Casey stated that in the amendment it said there was a restraining order against him and that is not true and he wants it struck from the records. Mr. Davis stated this is the fourth (4) time he has come before Council regarding this permit. Mr. Davis stated the city is in error again, no sign was posted regarding the text amendment. Mr. Davis reiterated again the noise is the problem and it does not stop at the property line and he will continue to oppose any and all gun shootings now and in the future. Mr. Casey finished with the statement that a special noise permit was not posted and this should be tabled.

Mr. Howard Davis, 5035 Clarke Bluff Road addressed the Mayor and City Council. Mr. Davis gave a hand out to the Mayor and Council showing the land area and how it would be used. Mr. Davis showed a copy of the legal organ (Tribune-Georgian) where the meeting was posted eighteen (18) days before each meeting. Mr. Davis does not think the noise is an issue, the turkey shoots will be held for eight (8) weeks, sixteen (16) days, fifty-six (56) hours.

No one else came forward to speak.

Mayor Smith closed the Public Hearing at 6:10 PM.

## II. CALL TO ORDER AND WELCOME GUESTS

Mayor Smith called the regular scheduled meeting to order at 6:10 PM.

## III. INVOCATION AND PLEDGE TO THE FLAG

Reverend Councilman Ham gave the Invocation and led the audience in the Pledge to the Flag.

## IV. ROLL CALL

|                        |                 |
|------------------------|-----------------|
| Kenneth E Smith Sr     | Mayor           |
| Charles Grayson Day Jr | City Councilman |
| James Ham              | City Councilman |
| Jim McClain            | City Councilman |
| Richard A. Winters     | City Councilman |

## V. CONSENT DOCKET

|                  |                                         |
|------------------|-----------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>             |
| <b>MOVER:</b>    | Charles Grayson Day Jr, City Councilman |
| <b>SECONDER:</b> | James Ham, City Councilman              |
| <b>AYES:</b>     | Day Jr, Ham, McClain, Winters           |

- 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. RECOGNITION

### 1. Service Awards -

Mayor Smith and the City Council recognized the following employees for their years of service:

Thirty Years - Ms. Patricia Graham  
Twenty Years - Mr. Lee Spell  
Fifteen Years - Ms. Edith Link, Ms. Jo Pearson  
Ten Years - Chief Darryl Griffis

The following employees were not present to receive their awards:

Fifteen Years - Reinaldo Nunez

Ten Years - Robert Avedisian, Charles Dubose, Karen Gaddy, Myron T. Hamilton, Jose Nunez and Cornell Spead

Five Years - Paul Furmage, Timothy Murray, Ronald Peeples, Donald Smith, Hartsel Stewart, Dustin Webb and Brandon White

## VII. GRANTING AUDIENCE TO THE PUBLIC

Mr. Ben Casey, 403 Vacunna Road addressed the Mayor and City Council. Mr. Casey stated that citizens should be notified of a meeting by newspaper and a posting on the affected property. Mr. Casey stated that the sign that was posted says nothing about a special use permit that was brought up tonight and that is why this item should be tabled.

## VIII. OLD BUSINESS

### 1. Approval Of: GEFA SRF Pre-Application -

Councilman Day made a motion to have this item brought back. Councilman Winters seconded the motion. The motion carried.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>         |
| <b>MOVER:</b>    | James Ham, City Councilman          |
| <b>SECONDER:</b> | Richard A. Winters, City Councilman |
| <b>AYES:</b>     | Day Jr, Ham, McClain, Winters       |

## IX. PLANNING AND ZONING

### 1. Adoption Of: Ordinance #2015-19 - an Ordinance to Amend Section 61.2.4 of Ordinance #2002-08 Titled "The Kingsland Zoning and Land Development Ordinance" and Add a Definition to Section 31 -

Mr. Ken Kessler, Director of Planning and Zoning started he would change the incorrect information in his minutes regarding the restraining order.

Mr. Kessler stated that the hearing tonight was to change the Text Amendment Ordinance and it is not specific to any property. The Text Amendment will set the guide-lines for any future turkey shoot; Mr. Davis has agreed that the shooting will be from 6:00 PM to 10:00 PM and he has agreed to shut down by 9:30 unless someone is in line, but it will not exceed 10:00 PM.

Councilman McClain stated he has not heard any other complaints and no one else is here tonight showing any concerns.

**RESULT:**       **APPROVED [UNANIMOUS]**  
**MOVER:**       Jim McClain, City Councilman  
**SECONDER:**   Richard A. Winters, City Councilman  
**AYES:**        Day Jr, Ham, McClain, Winters

2. APPLICATION FOR SPECIAL USE – Howard Davis -

**Howard Davis**, 130 Scrubby Bluff Rd is requesting a Special Use Permit to operate turkey shoots for the Thanksgiving season. Zoning is C-2. Mr. Wheeler made a **motion to approve** seconded by Mr. Benton. **Motion carried unanimously.**

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

3. Quit Claim and Resolution on Meadows Phase III Infrastructure, Resolution # 2015-15 -

Quit Claim from Citizens Bank and resolution accepting infrastructure on The Meadows Phases IIIA and IIIB and hiking and drainage strips.

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

## X. NEW BUSINESS

1. Approval for Staff to Renegotiate TDS VoIP and Increased Bandwidth Contract -

Councilman Day made a motion for discussion. Councilman Winters seconded the motion. The motion carried.

Councilman Day stated he is having a difficult time with the fact that TDS says if we don't sign the contract to renew it will cost us more money and we have been a customer of TDS for over twenty (20) years. Councilman Day stated we need to look at other companies.

Mr. Lee Spell, City Manager stated that the city lost the contractual discount two (2) years ago when the city did not sign a contract with TDS. This amounted to \$3,360.00 a month. Mr. Spell stated that they have looked at other companies and have dealt with the local cable consultant and they have all backed out because they do not have the infrastructure in the ground to do the job the city needs.

Councilman Ham asked how many companies. Ms. Filiz Morrow, Finance Director stated eight (8) companies.

Mayor Smith stated that the board has been going back and forth on this. He said he would like a local company, but there is no one else that can give the city the service they need and the cost is high because we did not sign the contract. Mayor Smith stated the city is caught in a situation where no one else is available.

Councilman McClain voiced his concern over a ten thousand dollar (\$10,000) bill the city was responsible for because TDS choose to execute a job that was not permitted and according to code it was their responsibility to know where the lines are.

Mr. Lee Spell stated according to two legal opinions (our council and the Utility Protection Source's legal council) the city was responsible to identify those lines to TDS.

Councilman Ham asked Mr. Spell what was the best deal from TDS. Mr. Spell stated the bill would be lower than what we are paying now and they would increase our bandwidth.

Councilman McClain stated that Alma is laying fiber lines now. Mr. Spell stated he spoke with Alma and the lines are running just to the hospital and after looking at that option it was too expensive.

Mr. Bill Carreira, IT Director stated it took his department over a year to design a system to be the most cost effective, he stated he reached out to engineers for phone services and network pricing. Mr. Carreira stated we already own the lines in the walls of the buildings and to split the phone service from the network service would require two sets of wires and that would be astronomically high.

Councilman Winters voiced concern that the city is already getting a good deal with TDS and they will pay for the hardware and software at the service level. Councilman Winters stressed that he has real concerns if we start messing around with things.

Councilman McClain stated he wanted more bids sent out and he did not want them designed to suit any one company.

Mayor Smith stated the RFP needs to be designed by what the staff needs and this has been going on for too long.

Councilman Ham made a motion to send out RFP's and have a time frame of the quickest time possible. Councilman Day seconded the motion with the date of February 22, 2016. Councilman McClain amended the motion to include the wording

to insure that the RFP is balanced and not in favor of any one company. The motion carried.

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|------------------|-----------------------------------------|--------------------------------|
| <b>RESULT:</b>   | <b>POSTPONED [UNANIMOUS]</b>            | <b>Next: 2/22/2016 6:00 PM</b> |
| <b>MOVER:</b>    | James Ham, City Councilman              |                                |
| <b>SECONDER:</b> | Charles Grayson Day Jr, City Councilman |                                |
| <b>AYES:</b>     | Day Jr, Ham, McClain, Winters           |                                |

2. Bid Award: Repair & Paint Stucco Fire Station #3 -

Staff recommends low bid from Murrell Construction for \$9,620.

Councilman Day made a motion to award the bid to Murrell Construction.

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| <b>RESULT:</b>   | <b>APPROVED [3 TO 0]</b>                |
| <b>MOVER:</b>    | Charles Grayson Day Jr, City Councilman |
| <b>SECONDER:</b> | James Ham, City Councilman              |
| <b>AYES:</b>     | Day Jr, Ham, Winters                    |
| <b>ABSTAIN:</b>  | McClain                                 |

3. Bid Award: Purchase of Two Pick-Up Trucks, One 2-Wheel Drive & One 4 Wheel Drive -

Staff recommends low bid from Wade Ford, Smyrna, GA for one Ford F-150 two-wheel drive at \$22,629 and one Ford F-150 four-wheel drive at \$25,2238.

Councilman Day made a motion to award the bid to the low bidder, Wade Ford, Smyrna, Georgia.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>             |
| <b>MOVER:</b>    | Charles Grayson Day Jr, City Councilman |
| <b>SECONDER:</b> | Richard A. Winters, City Councilman     |
| <b>AYES:</b>     | Day Jr, Ham, McClain, Winters           |

4. Approval Of: Planning and Zoning Appointments -

Councilman Ham stated he would like until January 11, 2016 meeting to speak with Mr. Benton.

Councilman McClain stated he would like until January 11, 2016 to get an answer from Mr. Davis.

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|----------------|----------------------------------------|
| <b>RESULT:</b> | <b>APPROVED AS AMENDED [UNANIMOUS]</b> |
| <b>AYES:</b>   | Day Jr, Ham, McClain, Winters          |

## XI. MAYOR AND COUNCIL ANNOUNCEMENT

Councilman Ham introduced his son-in-law who was visiting for the holidays.

Councilman Winters wished everyone a safe and Happy New Year.

## **XII. ADJOURNED**

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

The meeting was adjourned at 7:19 PM.

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Kenneth E. Smith, Sr., Mayor

ATTEST:

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Linda M. O'Shaughnessy, City Clerk