



CITY OF KINGSLAND, GEORGIA

CITY COUNCIL

MINUTES • OCTOBER 23, 2017

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 opened the Public Hearing at 6:00 PM.

1. ZONING TEXT AMENDMENT – Commercial – Large Planned Multi-Use District -

Amendment adds a new zoning district and provides uses and regulations therefor. Permitted uses include, but are not limited to Amusement Centers, Sports Centers, and other amusement, entertainment, and recreational uses.

Ms. Yolanda Ramsey, 94 Honeysuckle Road addressed the Mayor and City Council. Ms. Ramsey expressed concerns about the drainage issues if and when this multi-use district is approved. Ms. Ramsey questioned how this would affect the drainage issue that the city already has. Ms. Ramsey stated it would be a big mistake to allow this plan to go forth.

Ms. Kylee Seymour, 129 Hydrangea Road asked how much or what would the margin of profit be for the City of Kingsland? Ms. Seymour questioned how much the City of Kingsland would profit from this multi-use district; and asked if any bonds were needed for this project.

Mayor Smith stated that there are no numbers on how the city would profit. Mayor Smith said there would be bonds, but not city bonds for this project; and the taxpayers would not be responsible for this project at all.

Ms. Seymour stated she was also concerned about the effect this project would have on the drainage problems.

No one else came forward to speak.

Mayor Smith closed the Public Hearing at 6:05 PM.

II. CALL TO ORDER AND WELCOME GUESTS

Mayor Smith called the regular scheduled meeting to order at 6:05 PM.

A. Invocation and Pledge to the Flag

1. Invocation: Pastor Al Crumpton, King of Peace Episcopal Church, American Heritage Girls, Pledge to the Flag -

Pastor Crumpton, King of Peace Episcopal Church gave the Invocation and led the audience in the Pledge to the Flag.

III. ROLL CALL

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

IV. CONSENT DOCKET

Mayor Smith stated the Consent Docket would need to be amended. Item's #1 and #2 under New Business needed to be removed from this evening's Agenda.

RESULT:	APPROVED AS AMENDED [UNANIMOUS]
MOVER:	Charles Grayson Day Jr., Mayor Pro Tem
SECONDER:	Richard A. Winters, City Councilman
AYES:	Day Jr., Ham, McClain, Winters

- A. Approve the Council Minutes of the last regular Council Meeting
 - 1. City Council - Special Called Meeting - Oct 2, 2017 6:00 PM -
- B. Approve the Agenda as Presented
- C. Approve the Payments of Accounts Payable as Due and Funds Available

V. PRESENTATION

- 1. Storm Drainage System Update - Mr. Robbie Cheek, Thomas and Hutton Engineering -

Mr. Cheek will present Mayor and Council with an update on the City drainage system and related improvement plan.

Mr. Robbie Cheek, Engineer, Thomas & Hutton Engineering addressed the Mayor and City Council with an update on the storm drainage system. Mr. Cheek said they are currently working on three or four different issues to try and see what and where the problems are. Mr. Cheek reported that a 1997 study is still being used at present time.

Mr. Kevin Smith, Thomas & Hutton Engineering gave a power point presentation to the Mayor and City Council on the different grants for disaster funding which the City of Kingsland can apply for. Mr. Smith stated it may take time, but the funding is

there and because the city has been declared a disaster area there are three different funds that the city could apply for.

- 1.) Hazard Mitigation Grant - city can apply for this now.
- 2.) Pre-Disaster Mitigation Grant - based on congressional appropriation per year.
- 3.) Flood Mitigation Assistance - very similar to Pre-Disaster Mitigation Grant.

Mr. Smith stated there is Public Assistance, categories A-G, with some funding available right now for certain city infrastructure.

Mayor Smith asked if there was anyway to cut through some of the paperwork when applying for these programs. Mr. Smith advised it may take up to six months to be selected and a shovel cannot be put in the ground until that grant has been awarded to the city.

Councilman Day asked if the grant funds could be used to purchase property for drainage. Mr. Smith stated if it is wrapped into competitive losses then, yes.

Councilman Ham stated that while we are waiting for funds to become available we need to form a list of priorities to give to the citizens.

Councilman McClain asked if the city has any drainage trucks that are not designed for the type of event that the city encountered. Councilman McClain inquired if any of these funds would be available to upgrade, repair or retrofit these vehicles for the size of this kind of an event. Councilman McClain also inquired how the Public Works Department was doing on the debris pickup. Mr. Lee Spell, City Manager stated they have hired ten workers with a grant through Work Source, Georgia to help with the clean-up and administrative assistance.

2. Pastor Brian Parker, First Baptist Church - Closing of Chester Street -

Pastor Parker will present Mayor and Council with their plan for the 200 Block of East Chester Avenue if council approves the requested abandonment.

Pastor Brian Parker, First Baptist Church presented to the Mayor and Council their plans for the 200 block of East Chester Avenue. Pastor Parker is requesting the closing of Chester Street.

VI. GRANTING AUDIENCE TO THE PUBLIC

Ms. Donna Sutton Couch, 123 Bryce Range Circle addressed the Mayor and City Council. Ms. Couch stated she is against the closure of Chester Street which has a lot of sentimental value to her.

Ms. Janet Rainer, 143 Austin Ryan Drive addressed the Mayor and City Council regarding Laurel Link Subdivision. Ms. Rainer stated she is not opposed to the new or second road, however, she is opposed to the Home Owners Association paying for it. Ms. Rainer stated this decision was made behind the homeowner's backs.

Ms. Micki Billion, 271 Laurel Landing Boulevard addressed the Mayor and City Council. Ms. Billion stated that the homeowners were never notified about this entrance and does not want to be responsible for a debt that could be tens of thousands of dollars. Ms. Billion stated she is in favor of the road, but not at the expense of the homeowners.

Ms. Kim Lett, 319 E. Chester Street addressed the Mayor and City Council. Ms. Lett stated that she is a member of First Baptist Church and a property owner at corner of Chester and May Street and she is opposed to the closing of Chester Street.

Ms. Jan Bickmore a resident of Kingsland stated that she is in favor of the closure of Chester Street.

Ms. Gwendolyn Edenfield, 237 Edenfield Gate addressed the Mayor and City Council and stated that she is no longer a resident of Kingsland, however, she owns the city block south of First Baptist Church and she is opposed to closing Chester Street or any street in Kingsland.

Ms. Carol Chambliss, 120 E. King Avenue, owner of The Prince Swimming House addressed the Mayor and City Council regarding the hotel/motel Ordinance concerning the water-sewerage billing. Ms. Chambliss' question was, Why is there an additional fee applied to commercial properties outside of the actual usage for water? Ms. Chambliss stated that after starting her business she was told there was an additional fee and it is not for the actual water usage. Ms. Chambliss explained that there is a single meter for her property and she is not being billed according to the actual usage of the meter. Mayor Smith asked Mr. Lee Spell, City Manager to meet with Ms. Chambliss to explain what has taken place.

Mr. John Wojcik, 247 Peeples Road addressed the Mayor and City Council regarding the elimination of beavers to go to the Department of Natural Resources. Mr. Wojcik also wanted it noted that he is against the closure of Chester Street.

Ms. Yolanda Ramsey, 94 Honeysuckle Road addressed the Mayor and City Council. Ms. Ramsey spoke on the drainage issue and requested an open records report from Councilman Day on all emails prior to the storm until the end of the year with Mr. Cheek and the City Council.

Ms. Kylee Seymour, 129 Hydrangea Road made a complaint that the open records request that she made about two weeks ago had 18 copies of the same page. She also requested work orders to show that the drainage had properly been taken care of in her neighborhood (Lake Vine) all copies had nothing to do with her neighborhood.

Councilman Ham offered sand bags as a temporary fix while the drainage solution is being resolved.

Councilman Day asked Ms. Seymour to email the Council every single day if you see drainage issues.

Mayor Smith asked that pictures be emailed to him.

Mr. John Macik, 478 Sheffield Road, Woodbine, Georgia addressed the Mayor and City Council. Mr. Macik stated he is a member of First Baptist Church and he is in favor of Chester Street closure because of the church growth.

Ms. Paula Burrows, 141 Miller Court addressed the Mayor and City Council. Ms. Burrows stated she is in favor of closing Chester Street.

Ms. Cathy Passarella, 126 Wolf Bay Circle addressed the Mayor and City Council. Ms. Passarella stated she is against the closure of Chester Street and hates to see that beautiful chapel torn down. Ms. Passarella also expressed her concerns regarding the flooding.

Mr. Dale Williams, 105 River Cove Court, Mush Bluff stated he is in favor of Chester Street closure.

Mr. Jerry Roney, 216 W. Pine Avenue stated he is in favor of closing Chester Street.

Mr. John Whitters, 118 Wolf Bay Circle addressed the Mayor and City Council. Mr. Whitters stated he has addressed the Council many times regarding the flooding in his house; and has spoken with Mr. Spell and provided pictures of the flooding on his property.

Mayor Smith reiterated the fact that they are trying to resolve these issues as soon as possible. The city is doing whatever it has to to make this happen.

Mr. Hector Gonzalez, 114 Wolf Bay Circle expressed deep concerns about the on-going drainage problems out at Wolf Bay Subdivision. Mr. Gonzalez also mentioned that the machine that was picking up the garbage left pick holes when picking stuff up in front of his house.

Mr. James Payne, Pastor of Zion Sisters M.B.C. made positive comments and appreciated the Mayor and Council for their hard work and stated how the Mayor, Council and citizens need to come together as a community.

Mr. Bill Maxwell, 212 Cardinal West Street, St. Marys, Georgia addressed the Mayor and City Council. Mr. Maxwell said he was a member of the First Baptist Church and was in favor of the closure of Chester Street.

VII. OLD BUSINESS

1. Approval Of: Consideration of the 2017 Millage Rate -

Consideration by council to remove the 5-year sunset provision on the 1 mill tax increase to fund public safety operations.

Councilman Ham made a motion to bring this item back to the floor. Councilman Winters seconded the motion. Councilman Ham stated he would like to have this item tabled until council received more legal information. Councilman Day seconded Councilman Ham's statement. Mayor Smith stated that a motion is still on the floor with no vote taken. A discussion ensued without a vote being taken. The discussion was about the 1 mill tax increase to sunset after 5 years. Ms. Filiz Morrow, Finance Director had clarified through an email that the sunset millage cannot be used for recurring expenses, such as salary increases or new positions, unless another ongoing revenue stream replaces the 1 mill after it sunsets. The 1 mill is going toward public safety operations and council members have discussed funding salary increases.

Councilman Day stated he would like legal clarification as requested by another one of our council members.

Further discussions took place and Councilman McClain asked Councilman Ham to restate his motion. Councilman Ham made a motion to table the decision, which Councilman Day had already seconded. The vote was: Winters - yes, McClain -no, Ham -no, Day - yes. Mayor Smith stated well I guess we will table the decision. This caused some confusion when Mayor Smith did not realize he had voted to break the tie. Kingsland Attorney James Coppage stated that the vote was two for and two against, the Mayor broke the tie by stating I guess we will table it. Attorney Coppage asked the Mayor to clarify. Mayor Smith asked the City Council to go forward with bringing the decision back to council. Councilman Winters made a motion to approve the millage rate and remove the sunset clause. Councilman Ham seconded the motion. Before a vote was taken another discussion ensued.

Councilman Day stated he was concerned for the state of the Council and the ability to follow Robert's Rules. Councilman Day stated he has never seen a motion to overturn a request by one of our Council to seek legal opinion. Mayor Smith stated that the Council was aware of Councilman Day's opinion on the issue of raises for Police and Fire Department. Councilman Day stated he is absolutely in favor of a raise for the police officers and firemen, however he is against raising the millage rate when it is not needed.

A vote was taken on Councilman Winters motion, the vote was: Winters - yes, McClain - yes, Ham - yes, Day - no. The motion passed to remove the sunset clause and approve the millage at 8.5 mills.

VIII. PLANNING AND ZONING

1. ZONING TEXT AMENDMENT – Commercial – Large Planned Multi-Use District -

Ordinance to make zoning text amendments to Sections 40, 54.1.8, and 120.13.2 and the addition of Sections 61.7.7 and 70.2.7 of the Kingsland zoning ordinance dealing with the addition of a new zoning district for large planned commercial multi-use projects. Permitted uses include, but are not limited to Amusement Centers, Sports Centers, and other amusement, entertainment, and recreational uses.

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

IX. NEW BUSINESS

1. 1973 : Adoption Of: Ordinance #2017-10 to Amend Section 15-49 to Allow for Abatement of Nuisance Beavers -

Amendment to the current ordinance prohibiting the discharge of fire arms in the City limits. To allow, under certain circumstances and upon issuance of a permit, firearms to be used for the purpose of nuisance beaver abatement.

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

It was decided to give the city attorney a chance to get with the Department of Natural Resources for further clarification.

Councilman Winters made a motion to table this item. Councilman McClain seconded the motion. The motion carried.

RESULT:	REMOVED [UNANIMOUS]	Next: 11/13/2017 6:00 PM
MOVER:	Richard A. Winters, City Councilman	
SECONDER:	Jim McClain, City Councilman	
AYES:	Day Jr., Ham, McClain, Winters	

2. Approval Of: Resolution #2017 - a Resolution to Provide Funding for KDA Loan -

For the purpose of providing funds for the payment of the principal and interest borrowed under Kingsland Development Authority term loan, there shall be and hereby is assessed and levied, and there shall hereafter be collected, a direct tax upon all real and personal property now or hereafter subject to taxation by the City of Kingsland, the net proceeds of which will be sufficient in amount to produce the aforesaid sums required to pay the principal and interest thereon.

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

X. EXECUTIVE SESSION

At 9:21 PM a motion was made by Councilman Day to enter into executive session on pending litigation. Councilman Winters seconded the motion. The motion carried unanimously.

At 9:53 PM a motion was made by Councilman McClain to reconvene from executive session. Councilman Day seconded the motion. The motion carried unanimously.

Mayor Smith stated the session was regarding pending litigation and no votes were taken.

1. Executive Session - Pending Litigation -

XI. MAYOR AND COUNCIL ANNOUNCEMENT

None

XII. ADJOURNED

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

The meeting adjourned at 9:55 PM.

Kenneth E. Smith, Sr., Mayor

ATTEST:

Selina Bell, Deputy City Clerk