



CITY OF KINGSLAND, GEORGIA

CITY COUNCIL

MINUTES • MARCH 12, 2018

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 PM.

1. Notice of Public Hearing -

Notice is hereby given that on March 12, 2018, a public hearing as required by section 147(f) of the Internal Revenue Code of 1986 will be held by the City of Kingsland (the "CITY") with respect to the proposed plan of finance for the issuance by the Housing Authority of Macon-Bibb County of its revenue bonds in an aggregate principal amount not expected to exceed \$65,000,000 (the "Bonds").

The proceeds of the Bonds will be lent to Hallmark-GA GP LLC (the "Borrower") and its affiliates, to be used for the purpose of providing funds to: (a) make certain improvements to the Borrower's multifamily housing communities located throughout the State of Georgia, (b) fund certain reserves, and (c) pay certain costs associated with the issuance of the Bonds.

Two of the facilities being financed by a portion of the proceeds of the Bonds are (1) Hilltop Terrace I, a 55- unit residential rental housing community, located at 4059 Martin Luther King Jr. Boulevard in Kingsland, Georgia and (2) Hilltop Terrace II a 55-unit residential rental housing community, located at 4059 Martin Luther King Jr. Boulevard in Kingsland, Georgia. The facilities will be owned and operated by the Borrower or one of its affiliates.

THE BONDS SHALL NOT EVER REPRESENT OR CONSTITUTE A DEBT OR PLEDGE OF THE FAITH AND CREDIT OR THE TAXING POWER OF THE CITY OR ANY OTHER POLITICAL SUBDIVISION AND SHALL SOLELY BE SECURED AND PAYABLE FROM COLLATERAL PROVIDED BY THE BORROWER.

The hearing will commence at 6:00 PM or as soon thereafter as the matter can be heard and will be held at 107 S. Lee Street, Kingsland, Georgia 31548. Interested persons wishing to express their views on the issuance of the Bonds or on the nature or location of the facility may attend the public hearing or, prior to the time of the hearing, submit written comments to the City Clerk at P.O. Box 250, Kingsland, Georgia 31548

No one came forward to ask any questions regarding the revenue bond.

The Public Hearing was closed at 6:02 PM.

II. CALL TO ORDER AND WELCOME GUESTS

Mayor Smith called the meeting to order at 6:02 PM and welcomed guests.

III. INVOCATION AND PLEDGE TO THE FLAG

Investigator Donald Belcher, Kingsland Police Department gave the Invocation.

1. Cub Scout Pack 118 -
2. Girl Scout Troop 30544 -

The Girl Scouts and Cub Scouts led the audience in the pledge to the flag.

IV. ROLL CALL

Jim McClain	Councilman
Kenneth E Smith Sr	Mayor
James McClain	Mayor Pro Tem
Charles Grayson Day Jr.	Councilman
James W Galloway	Councilman
Michael J McClain	Councilman

V. CONSENT DOCKET

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Charles Grayson Day Jr., Councilman
SECONDER:	James W Galloway, Councilman
AYES:	McClain, McClain, Day Jr., Galloway, McClain

- 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. Life Saving Medal Award - Officer Victor Reed - Police Chief Darryl Griffis

Chief Griffis awarded Officer Victor Reed the Life Saving Medal for his heroic acts in stopping a running car and saving the lives of it's two occupants.

VII. PRESENTATION

1. Mr. Paulo Albuquerque, Georgia Power Company -

Mr. Pauo Albuquerque with Georgia Power Company presented the City of Kingsland a \$500,000.00 check for franchise fees.

VIII. GRANTING AUDIENCE TO THE PUBLIC

No one came forward to speak.

IX. OLD BUSINESS

Councilman Day made a motion to bring this item back to the floor. Councilman Galloway seconded the motion. The motion carried.

Councilman Day stated he would like to open this item up for discussion.

Councilman Day asked Ms. Filiz Morrow, Finance Director what the bond attorney said regarding this item. Ms. Morrow stated, reading from Attorney's letter that he did not advise the city to create a separate class. Ms. Morrow stated that the State of Georgia has created these classes where hotel/motels, B& B's and RV Parks are all classified as lodging. Ms. Morrow stated if we change the rate for one person and not allow the motels and hotels to change their rates it could create a problem.

Councilman Day asked Ms. Morrow to do a rate comparison if the motels and hotels decide they want their rates changed and we are challenged and we would see a loss of \$321,412.32 in loss revenue, this is not trivial.

Councilman Jim McClain stated that he did not agree with the language of the letter from the bond attorney; and he is having a hard time not helping a B&B business to be more profitable. He felt that the city changed the rates when they revised her B&B rate down to two bedrooms and stated that effectively he felt that was a class change. He stated he would like to see more B&B's in Kingsland.

Councilman Mike McClain stated he would like to specify a class for B&B's.

Councilman Day stated there are a couple of components he would like to address; first the idea to incentive more B&B's in Kingsland, where? The second is the classification is how the state and other cities do it and our Bond Attorney gave his legal opinion.

Councilman McClain expressed concern regarding an incentive to have businesses come to Kingsland.

Mr. Lee Spell cautioned about the gratuities clause and would look into it.

The Mayor asked that the item be put on hold until more information comes from the bond attorney, he stated the city needs to be very careful. The item was put on hold.

1. Water and Sewer Ordinance -

Implement new Water Rate Class for Bed & Breakfast establishments

Item was put on hold pending Legal Decision.

X. PLANNING AND ZONING

1. Approval Of: Final Plat Laurel Landing Phase 5E, Preliminary Plat Approved August 8, 2005 -

Planning Commission recommends approval.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Michael J McClain, Councilman
SECONDER:	Charles Grayson Day Jr., Councilman
AYES:	Mcclain, McClain, Day Jr., Galloway, McClain

XI. NEW BUSINESS

1. Adoption Of: Resolution #2018-06 - a Resolution Authorizing the Housing Authority of Macon-Bibb County to Issue Bonds to Finance Facilities Located in the City of Kingsland -

Staff and legal counsel recommend approval.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jim McClain, Councilman
SECONDER:	James W Galloway, Councilman
AYES:	Mcclain, McClain, Day Jr., Galloway, McClain

2. Approval Of: Bid Award to Replace Two (2) AC Units at Waste Water Treatment Plant. -

Staff Recommends low bid, AC Service Center for total price of \$21,755.24. Price includes upstairs duck work and coil coating for two 7.5 ton units.

Councilman Day made a motion to award the bid to AC Service Center. Councilman McClain seconded the motion. The motion carried.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Charles Grayson Day Jr., Councilman
SECONDER:	Michael J McClain, Councilman
AYES:	Mcclain, McClain, Day Jr., Galloway, McClain

3. Discussion: RV Water Sewer Rates - Councilman Charles Grayson Day Jr.

Councilman Day stated he asked to have this put back on the agenda. Councilman Day stated that the January 8, 2018 City Council meeting he asked the right question, but of the wrong person and therefore he received the wrong information on the RV water and sewer rates. He stated that the Council made an error and the city cannot sustain the loss. Councilman Day stated with information he has now he would like the Council to put the RV Parks back under Motel/Hotel category in the water ordinance.

Councilman Galloway stated that RV Parks used to be under the Hotel/Motel classification in Kingsland and he stated an attorney should have been consulted before any change was made.

Councilman Mike McClain stated that if the definition of a motel/hotel is a multi-night stay how do we define truck stops, should they be reclassified?

Councilman Day stated that the state created the definition of what they consider lodging and we ended up creating a new one with the RV Park and he now feels it is not right or legal.

Councilman Jim McClain stated that a prior administration agreed to removing RV parks from the water/sewer rate under hotel/motels. He stated that he did not want this industry to be impacted so severely and he feels a RV park is not a hotel and should not be treated as a hotel.

Councilman Day stated that the city has received this information from our bond attorney and he feels that Council does not get to make that decision after the attorney, a legal scholar has spelt out the classification. Councilman Day stated that the intricacies of the cities water/sewer bond compels the Council to comply and change this back.

Mayor Smith stated he wanted Mr. Spell, City Manager to have the bond attorney come to Council and find out what is legal and right.

The Mayor and Council agreed upon this next step.

XII. MAYOR AND COUNCIL ANNOUNCEMENT

None

XIII. ADJOURNED

Councilman Day made a motion to adjourn. Councilman Galloway seconded the motion.

The meeting adjourned at 7:14 PM.

Kenneth E. Smith, Sr., Mayor

ATTEST:

Linda M. O'Shaughnessy, City Clerk