



CITY OF KINGSLAND, GEORGIA

CITY COUNCIL

MINUTES • OCTOBER 27, 2014

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 Amendment - Turkey Shoots -

Amendment proposes to add 'Turkey Shoots' to list of special permit uses allowed in the C-2 General Commercial District.

Mr. J.C. Arnett, East Bay Avenue addressed the Mayor and City Council. Mr. Arnett stated he feels raising money for a church is a good idea, however he is uncomfortable with a blanket permit; he would like the Council to consider what is seasonal and not seasonal and specify dates and time. Mr. Arnett would also like to have anyone reapply each year for a permit.

Mr. Ben Casey, 403 Vacuuna Road addressed the Mayor and City Council. Mr. Casey stated that by ignoring their own law the ordinance was allowed to pass. Mr. Casey stated he does not trust the intentions of Oakwell Armory and he reported that the County had rejected this in 2012.

Mr. Davis felt that the Public Hearing was not properly advertised and he did not feel this would hold up to a legal challenge.

Mr. James Casey, Vacunna Road addressed the Mayor and City Council. Mr. Casey stated that he fought this battle before with the County and he hears the noise in his home. Mr. Casey stated he is against this and should not have to sit in his home and listen to it.

2. ZONING ORDINANCE TEXT AMENDMENT - Mobile Home Parks -

Amendment proposes to add 'Travel Trailers and Recreational Vehicles' to list of special permit uses allowed in the R-5 Mobile Home Park District.

No one came forward to speak.

The Public Hearing was closed at 6:09 PM.

II. CALL TO ORDER AND WELCOME GUESTS

Mayor Smith called the City Council Meeting to order at 6:10 PM.

III. INVOCATION AND PLEDGE TO THE FLAG

Bishop Verdell Griffin, Jr. Gave the Invocation and led the audience in the Pledge to the Flag.

IV. ROLL CALL

Alex Blount	Mayor Pro Tem
Jim McClain	City Councilman
Daniel Minckler	City Councilman
Charles Grayson Day Jr	City Councilman
Kenneth E Smith Sr	Mayor

V. CONSENT DOCKET

Councilman McClain made a motion to amend the Consent Docket to add Roberts Rules discussion under New Business, Item #6.

Councilman Blount made a motion to approve. Councilman Minckler seconded the motion. The motion carried unanimously.

RESULT: APPROVED AS AMENDED

- 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. GRANTING AUDIENCE TO THE PUBLIC

No one came forward to speak.

VII. OLD BUSINESS

1. Lease Agreement - Two Advanced Life Support Ambulances -

Mayor Smith asked for a motion to bring this item back to the table.

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

Mayor Smith stated he would like to ask to have this item reconsidered and would like a discussion along with clarification on opposing this item.

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

Councilman Blount stated that there has been one big conversation on this issue, this is a temporary lease and would allow the county the time to receive the ambulances they ordered to cover the fourth zone. Councilman Blount also stated that it would allow Council to explore medics and a long term plan.

Councilman Day stated he would personally like to see a modification to the lease which stated the city would remove the life support equipment including the cardiac monitors.

Councilman McClain stated he liked the idea of the cardiac monitors because the county cannot use them anyway. Councilman McClain stated that Council is discussing an issue that was defeated in the last session. Councilman McClain stated that forty percent of the calls into the emergency system are non-emergency and he would like an opportunity to discuss a little more because nothing has changed from the agreement.

Councilman Minckler stated that they are looking at the exact same agreement and it would be difficult for him to change his vote and when the new zone comes on the county will need the exact same equipment. Councilman Minckler stated the semantics of this document have not changed.

Mayor Smith stated he does not have a problem with this agreement since it is not a permanent arrangement.

Councilman McClain asked if the City Attorney had signed off on it.

Councilman Blount made a motion to approve the Lease Agreement with an amendment that the two (2) heart monitors be removed from the ambulances. Councilman Day seconded the motion. The vote was: Councilman Blount - yes, Councilman McClain - no, Councilman Minckler - no, Councilman Day - yes, Mayor Smith voted yes to break the tie. Lease Agreement approved as amended.

Mayor Smith stated that the media has reproached the Council regarding the action taken and he stated the city is trying to do the best it can to work with everyone. Mayor Smith stated that the board deserves a lot of support for working with the community.

RESULT:	ADOPTED AS AMENDED [2 TO 2]
MOVER:	Alex Blount, Mayor Pro Tem
SECONDER:	Charles Grayson Day Jr, City Councilman
AYES:	Blount, Day Jr
NAYS:	McClain, Minckler

VIII. PLANNING AND ZONING

1. Adoption Of: Ordinance 2014-06 -

Councilman Blount asked Mr. Ken Kessler, Director of Planning and Zoning if his department had received any feed back regarding the Ordinance. Mr. Kessler stated he had received phone calls and a visit.

Councilman Blount stated his single issue is the ending time at 10:00 PM; Councilman Blount asked Mr. Davis if he would like the option to amend to a close time of 9:00 PM. Mr. Davis said it would be a deal breaker.

Councilman McClain stated he would like to make a motion to amend the Ordinance to put a date and time range on it to the first weekend in October through the weekend before Thanksgiving in November. Hours will be 6:00 PM to 10:00 PM. Councilman Minckler seconded the motion.

Councilman Day asked Mr. Davis if he would consider 9:30 PM as a closing time. Mr. Davis respectively declined.

Mayor Smith stated he has concerns that this would cause some of the citizens of Kingsland to feel their comfort would be jeopardized by listening to rounds being fired.

Councilman Blount stated he is in favor of the Turkey Shoot, however 10:00 PM is too late. The vote was Councilman Blount - no, Councilman McClain -yes, Councilman Minckler - yes, Councilman Day - no, Mayor Smith broke the tie by voting no. Ordinance denied.

RESULT:	DENIED [2 TO 2]
MOVER:	Jim McClain, City Councilman
SECONDER:	Daniel Minckler, City Councilman
AYES:	McClain, Minckler
NAYS:	Blount, Day Jr

2. Application for Special Use – Howard Davis -

Howard Davis, 103 Scrubby Bluff Rd is requesting a Special Use Permit to operate seasonal turkey shoots. Zoning is C-2. Application was actually made by First Methodist - St Marys who will operate and benefit from the shoots.

No action taken due to vote on Ordinance 2014-06.

3. Adoption Of: Ordinance 2014-08: Amendment Proposes to Add "Travel Trailers and Recreational Vehicles" to List of Special Permit Uses Allowed in the R-5 Mobile Home Parks District -

Councilman McClain stated he has a problem with traveling RV's coexisting with other mobile homes, it concerns him to mix the two and how long they would be

parked in a residential environment. Councilman McClain stated there are concerns with how they handle hotel/motel taxes and meet safety and health standards.

Mr. Ken Kessler, Director of Planning and Zoning stated he felt the city could put aside a small section use set back at the mobile home park. Mr. Kessler stated that water and sewer would need to be there.

Councilman McClain made a motion to table until they have more information. Councilman Day seconded the motion. The motion carried unanimously.,

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

IX. NEW BUSINESS

1. Discussion - Invoice for Legal Services 09/02/2014 - 10/14/2014 -

Councilman Blount stated he had concerns regarding the invoice from the City Attorney regarding charging the city for asking a question from a city employee than charging the city for this. Councilman Blount stated that they needed to discuss the invoice and then Administration would take care of the invoice.

Councilman McClain stated he thought it was a good idea that they all looked at the invoice and he feels the City Attorney has a rationale for his bill. Councilman McClain stated he supports the City Attorney and feels he is doing his best to direct the city.

2. 1187 : Discussion - Procedure for Authorizing Legal Fees - Mayor Pro Tem Alex Blount

Councilman Blount stated that he asked to have this put on the Agenda for discussion. Councilman Blount stated that the board has taken steps in the past to help make sure that everyone is informed of what the attorney is doing. Councilman Blount said that it was agreed upon that anything that was directed to the City Attorney everyone would be informed. Councilman Blount stated that legal fees can add up in a very short period of time and the majority should want research done.

Councilman Day stated he feels this is a wise idea, it adds another layer of oversight from Council.

Councilman McClain stated he comes from an era where there was very tight control going through one person. Councilman McClain stated he feels it is his right to use the City Attorney as his guide on city business and he did not want to be handcuffed. Councilman McClain cited Attorney/Client privilege.

Councilman Minckler stated that this is similar to the discussion regarding travel policy. Councilman Minckler stated it creates a better level of transparency and allows the public to be aware of what the Council is doing. Councilman Minckler stated this is a good conversation and would like to formulate something.

Mayor Smith stated that since this is for discussion he would like the board to bring back what would be acceptable and have something in place by the next meeting.

3. 1186 : Amendment to Employee Handbook - Law Enforcement Shift Differential Pay -

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

4. BID AWARD: Citywide VoIP Internet & Phone Services -

Councilman Blount stated that the city had one bid. He would like to take the time to regroup and consider bringing in someone who has experience in bundling packages. Councilman Blount this should not be a sole source item.

Councilman Day stated that after going out to bid the numbers were greater that what it was prior to the bid; he suggested going back out to bid and look at the standards.

Councilman McClain stated that perhaps the Bid Award was too complex and he felt the city cannot rely on one company to control this.

City Council instructed the City Manager, Mr. Lee Spell to look at third parties.

RESULT:	DENIED [UNANIMOUS]
MOVER:	Daniel Minckler, City Councilman
SECONDER:	Charles Grayson Day Jr, City Councilman
AYES:	Blount, McClain, Minckler, Day Jr

5. Appointment - Police Review Board - City Councilman Jim McClain

Councilman McClain stated he would like a little more time to look at appointments.

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

6. Robert's Rules of Order - City Councilman Jim McClain

Councilman McClain stated there was some confusion in the last meeting and he clarified an issue that came up. Councilman McClain stated that the City Attorney informed him that Roberts Rules were adopted by Council in the 1960's and it might not be the best idea. Councilman McClain stated that in the future if a Council Member makes a motion and it is seconded, during the discussion another Council Member can make a motion to amend and it must be seconded. This amended motion needs to be satisfied before the Council can vote on the first motion.

Mayor Smith stated that the city needs to look at streamlining Robert Rules.

*Clerk's note: the amended motion is called a Secondary Motion.

X. MAYOR AND COUNCIL ANNOUNCEMENT

None

XI. ADJOURNED

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

The meeting adjourned at 7:25 PM.

Kenneth E. Smith, Sr., Mayor

ATTEST:

Linda M. O'Shaughnessy, City Clerk