

MINUTES

CITY OF BAINBRIDGE, GEORGIA

COUNCIL CHAMBERS OF CITY HALL

TUESDAY, APRIL 19, 2005

6:30 P.M.

PRESENT: MAYOR B. K REYNOLDS, PRESIDING
MAYOR PRO TEM JOE SWEET

ALDERMEN: ROSLYN PALMER, GREG WADDELL, MARK HARRELL,
AND LUTHER H. CONYERS, JR

OTHERS: CITY MANAGER CHRIS HOBBY, DIRECTOR OF GENERAL
ADMINISTRATION / CITY CLERK STEVE A. MCKOWN,
DIRECTOR OF UTILITIES RONNIE PARISH

GUESTS: ABE VARNER, ALICIA MESSERSMITH, AMY CARTER,
AVA CONGER, BECKY FLOYD, BETHANY PARKER,
BEVERLY ALLEN, BO LADNER, BRENDA AKINS, BRENT
AKINS, BRITTANY CLARK, BRITTANY HAWTHORNE,
BRUCE BROCK, CANDICE MCGRUFF, DANIEL HOCK, DIA
LANE, DOLISHA EMANUEL, DOMINIQUE HAUGABOOK,
EBONY SPEAR, EDDIE GORDON, ERICA HUMPHREY,
GRACE COOPER, HEATHER MACKY, HOMETTA CARTER,
JAMES CHANEY, JEFF ELLIS, JENNIFER DEPAPPA,
JESSICA DANIEL, JESSICA GOODMAN, JORDAN VAY,

KACIE GORDON, KATIE JO GREEN, KESHA PARISH,
KRISTA BAILEY, LATASHA JONES, LONNIE WATSON,
MARVIN VAN THOMAS, MIKE CONDOR, MIKE COX,
MONROE GODWIN, NICOLE GRIFFIN, NIKITA KING, NINA
DOBBS, QUINTON EVANS, RICH MESSERSMITH, ROBERT
KLINE, ROBIN MORGAN, ROMONA KLINE, SHANIQUA
PORTER, SHELIA ELLIS, TERRY ELLIS, AND VERONICA
STUBBS

ABSENT: ALDERMAN ROLFE HUNT

INVOCATION AND PLEDGE TO THE FLAG

Robin Morgan, winner of the “If I Were Mayor” essay contest, called the meeting to order at 6:30 p.m. After the call to order, Mayor Reynolds gave the invocation and all those assembled pledged allegiance to the flag of the United States of America.

APPROVAL OF MINUTES FOR REGULAR SESSION—APRIL 05, 2005

City Manager Hobby pointed out a typographical error on the street closure for the Cathy Cox for Governor event. The date should have been “April 19, 2005” instead of “April 9, 2005.” Upon motion by Alderman Harrell, seconded by Mayor Pro Tem Sweet, and unanimously carried, the Council approved the minutes of the regular session held April 05, 2005.

VISITORS

Black Men United – James Lodman

James Lodman, president of Black Men United, was before the Mayor and Council seeking the use of the Earle May Boat Basin for their annual event to be held on Sunday, May 29th of the Memorial Day weekend. City Manager Hobby stated the only problem last year was that it was reported that people were being charged for parking. City Manager Hobby offered a friendly reminder against that action. Upon motion by Alderman Harrell, seconded by Alderman Waddell and unanimously carried, the Council approved the request for Black Men United to use the city park for their event.

Lisa Bowden

Lisa Bowden was before the Mayor and Council seeking the removal of rotten trees behind her residency. City Manager Hobby explained that this was one of the cases that City Attorney Conger opined that the City had no ownership nor had ever accepted the alleyway; therefore, the ownership and responsibility remained with the property owners, not the City.

ACTION ON PLANNING COMMISSION RECOMMENDATIONS

Before consideration of any Planning Commission recommendations, Mayor Reynolds spoke very intently against “spot zoning” and explained how such measures would invalidate our zoning laws.

Zoning Change Request – 1219 Tallahassee Road

Rayetta Leigh submitted a zoning change request for her property (Tax Map B51, Parcel 64) located at 1219 Tallahassee Road from R-1 (Single-Family Residential) to C (Highway Commercial). The Planning Commission recommended the denial of the request. City Planner Barnett recommended the denial of the request. Upon motion by Alderman Conyers, seconded by Alderman Harrell and unanimously carried, the Council denied the request.

Zoning Change Request – Hwy. 27 South between Peoples Bank and Days Inn

Mike Conder submitted a zoning change request for property (Tax Map B79, Deed Book F-9, pd. 495) located at on Highway 27 South between Peoples Bank and Days Inn from C (Highway Commercial) to C-PUD (Commercial Planned Unit Development) on behalf of M J Investment Group, LLC. The Planning Commission recommended the approval of the request. City Planner Barnett recommended the approval of the request. Upon motion by Alderman Waddell, seconded by Mayor Pro Tem Sweet and unanimously carried, the Council approved the request.

Special Permission Request – 801 Hawk Street

Shaniqua Porter, with the consent of property owner Charles Green, submitted a special permission request to operate an internet based company from her home. The subject property is located at 801 Hawk Street (Tax Map B13, Parcel 110) and is currently zoned R-2 (Multi-Family Residential). The applicant agreed that no traffic associated with the

business would be generated. The Planning Commission recommended the approval of the special permission. City Planner Barnett recommended the approval of the request. Upon motion by Alderman Conyers, seconded by Alderman Harrell and unanimously carried, the Council approved the request.

Preliminary/Final Subdivision Approval Request

Junction of Edgewood Avenue and West Street

Mack Brock requested preliminary/final subdivision approval for his development located at the junction of Edgewood Avenue and West Street (Tax Map B39, Parcel 16). The Planning Commission recommended the approval of the request. City Planner Barnett recommended the approval of the request. Upon motion by Alderman Harrell, seconded by Alderman Palmer and unanimously carried, the Council approved the request.

Zoning Change Request – 429 E. Water Street &

Zoning Change Request – 206 Clay Street

Monroe Godwin submitted a zoning change request for his property (Tax Map B33, Parcels 60, 61, 62, and 63) located at 429 E. Water Street from CBD (Central Business District) to I-1 (Light Industrial). The Planning Commission recommended the approval of the request. City Planner Barnett recommended the denial of the request. Secondly, Bobby Cook submitted a zoning change request for his property (Tax Map B33, Parcel 58) located at 206 Clay Street from CBD (Central Business District) to I-1 (Light Industrial). The Planning Commission recommended the approval of the request. City

Planner Barnett recommended the denial of the request. Mr. Godwin asked about the possibility of purchasing Mr. Cook's property and re-plating the parcels and having the City Manager administratively extend the zoning designation of light commercial. City Manager Hobby read from the code that non-conforming uses could not be expanded. Upon motion by Alderman Palmer, seconded by Alderman Harrell, and carried in a 5-0 decision, the Council denied the request. Alderman Waddell abstained from the discussion and vote due to family relation.

Change of Zoning Condition Request – Hubert Dollar Drive

Terry Ellis, on behalf of Taylor Ridge Development, LTD, submitted a change in zoning condition request for the property (Tax Map B42, LL 320) located on Hubert Dollar Drive. The Planning Commission recommended the approval of the request. City Planner Barnett recommended the approval of the request. Upon motion by Alderman Waddell, seconded by Alderman Conyers and unanimously carried, the Council approved the request.

CONSIDERATION OF CONTRACT WITH CHAMBER OF COMMERCE – COMMUNITY EVENT

Mayor Reynolds explained that the City and the Chamber needed to execute a contract for the \$3,000.00 transfer for Rivertown Days. Upon motion by Alderman Waddell, seconded by Alderman Harrell and unanimously carried, the Council approved the contract and authorized its execution.

CONSIDERATION OF FEE ADJUSTMENT FOR WRECKER SERVICES

The City Manager reported that his studies of the wrecker fees reveal two facts. First, both City Attorney Conger and GMA Council Susan Pruett concur that the city is not regulating wrecker companies. Rather, as a condition for the wrecker company's participation in the City's rotation, the wrecker companies are agreeing to a maximum charge. Second, City Manager Hobby reported that the fees for these services vary dramatically from city to city with absolutely no uniformity. Several wrecker operators were present and explained their rising costs. Upon motion by Alderman Waddell, seconded by Sweet and unanimously carried, the Council implemented the following rates which were requested by the wrecker operators: standard vehicle is \$150.00, large wrecker fee is \$300.00 per hour, and the storage fee is \$20.00 per day.

APPROVAL OF CHANGE ORDER #1 – TENNIS COMPLEX

PDC Construction, Inc. submitted Change Order #1 for \$6,154.80 for the structure at the Tennis Complex, which brings the contract from \$360,000.00 to \$366,154.80. City Manager Hobby stated this would be the only change order for this portion of the project, and the City had already budgeted for contingencies for the project. Upon motion by Alderman Palmer, seconded by Alderman Conyers and unanimously carried, the Council approved the Change Order.

UTILITIES DIVISION PRESENTATION

Utilities Director Ronnie Parish, and his department heads and supervisors James Chaney, Bo Ladner, David Peacock, and Lonnie Watson were before the Mayor and

Council to give a presentation on the accomplishments of the Utilities Division. Mayor Reynolds thanked them for all they do for the City.

CONSENT AGENDA

The Mayor and Council considered the following bids and bills:

Bids:

- | | | |
|----|--|-------------|
| 1. | CLARK MOSQUITO CONTROL
ROSELLE, IL
MOSQUITO CONTROL | \$ 2,411.20 |
| 2. | CONSOLIDATED PIPE & SUPPLY
ALBANY, GA
SUPPLIES FOR WATER DEPARTMENT | \$ 1,193.55 |
| 3. | FLINT EQUIPMENT COMPANY
TALLAHASSEE, FL
PARTS FOR JOHN DEERE EXCAVATOR | \$ 1,521.64 |
| 4. | LACAL EQUIPMENT INC.
JACKSON CENTER, OH
PARTS FOR PETERBILT SIDE REFUSE LOADER | \$ 3,015.41 |

Bills:

- | | | |
|----|--|--------------|
| 1. | GIRMA
ATLANTA, GA
RENEWAL OF PROPERTY & LIABILITY COVERAGE | \$214,979.00 |
| 2. | SPM GROUP, Ltd.
ATLANTA, GA
CONSULTING SERVICES | \$ 3,690.00 |
| 3. | WTVY
DOTHAN, AL
LYNYRD SKYNYRD ADVERTISING | \$ 1,195.00 |
| 4. | RCS PRODUCTIONS
FAYETTEVILLE, GA
PRODUCTION CONCERT CONTRACT | \$16,390.00 |

5.	RCS PRODUCTIONS FAYETTEVILLE, GA BALANCE OF CONCERT CONTRACT	\$50,000.00
6.	DECATUR COUNTY COMMISSIONERS BAINBRIDGE, GA LANDFILL CHARGES	\$50,196.00
7.	TAILORED BUSINESS SYSTEMS STATESBORO, GA BILLING CARDS	\$ 1,318.73
8.	IRWIN & MAHAFFEY CONSTRUCTION CO. WATKINSVILLE, GA AQUATIC CENTER REPAIRS	\$ 5,786.00
9.	B. THOMAS CONGER BAINBRIDGE, GA LEGAL SERVICES RENDERED - EASEMENT LEGAL SERVICES RENDERED – ALLEYS	\$ 1,230.00 \$ 1,585.00
10.	LAKE BLACKSHEAR RESORT & GOLF CLUB CORDELE, GA COUNCIL RETREAT EXPENSES	\$ 1,876.69
11.	CARL VINSON INSTITUTE OF GOVERNMENT ATHENS, GA COUNCIL RETREAT EXPENSES	\$ 1,671.00
12.	SOUTHWEST GEORGIA RDC CAMILLA, GA DUE ASSESSMENT FOR JUNE 30, 2005 QUARTER	\$ 2,637.45
13.	YORK & ASSOCIATES ENGINEERING, INC. BAINBRIDGE, GA INVOICE #: 127 INVOICE #: 126 INVOICE #: 125 INVOICE #: 124 INVOICE #: 122 INVOICE #: 121	\$ 2,970.00 \$ 70.00 \$ 1,720.00 \$ 2,500.00 \$15,000.00 \$19,035.00
14.	BOB ROBERSON & ASSOCIATES, INC. MOULTRIE, GA CDBG 03p-x-043-2-2861	\$ 1,500.00

Alderman Palmer requested Bill #12 to be pulled out and considered separately. Upon motion by Alderman Palmer, seconded by Mayor Pro Tem Sweet, and carried by Council approved all the bids and agreed to pay all the bills except #12. Upon motion by Alderman Conyers, seconded by Alderman Sweet and carried in a 5-1 decision, the Council agreed to pay Bill #12. Alderman Palmer dissented.

ADJOURNMENT

With there being no further business, Mayor Reynolds adjourned the meeting.

BY: _____
B. K. REYNOLDS, MAYOR

ATTEST: _____
STEVE A. McKOWN, CITY CLERK