

TOWN OF BROOKLET  
COUNCIL MEETING  
JULY 20, 2006

- 1) CALL MEETING TO ORDER: MAYOR GROOMS  
Members present: Russell Davis, William Hendrix, Randy Newman, Sylvia Prosser, Annette Wilson, and Attorney Hunter.
- 2) INVOCATION: SYLVIA PROSSER
- 3) APPROVAL OF JUNE MINUTES: Motion made to accept the June minutes as written by Councilwoman Prosser, seconded by Councilman Newman, and passed with all ayes.
- 4) APPROVAL OF JUNE FINANCIAL STATEMENTS: Motion to accept the June Financial Statements as presented made by Councilman Hendrix, seconded by Councilman Davis, and passed with all ayes.
- 5) RECOGNITION OF GUESTS:
  - a) MR WILLIAM HOWELL: SEEKING LEGAL DECISION REGARDING THE ADDRESS AND ROAD OF PROPOSED BUILDING SITE ON COLLEGE STREET. Mr. Howell advised his attorney is prepared to make up a deed but needs to know the exact distance of College Street going to Mr. Howell. The surveying of the property has not been completed as of yet. Mr. Howell has spoken to Mr. Tyson and neither party has problems with the *division of the driveway*. Attorney Hunter is in agreement that once the survey is complete then property can be deeded and legal description will be given for Council to adopt resolution. Council to decide which street his property's address will be. Since College Street will be done away with then Mr. Howell's property address will be Lewis Street. Councilman Newman advised there is no ordinance stating a house must face a certain direction but there does have to be a 60' offset that must be maintained. Mr. Howell agrees to that. Mr. Howell to get with Belle for physical address number. Attorney Hunter advised that no motion needs to be made until resolution is prepared which is expected by the next Council meeting. Attorney Hunter sees no problem with Mr. Howell obtaining building permit at this time.
  - b) CHARLIE HOWELL, CHAIRMAN OF PLANNING & ZONING COMMISSION: SEEKING GUIDANCE FROM COUNCIL ON RE-EVAL OF CURRENT ORDINANCES. Mr. Howell advised that much discussion was had at the last P&Z meeting regarding their purpose for ordinances and what is Council's intent. Mr. Howell briefly reviewed key issues found on the leader page of the Zoning Ordinance asking if those issues are P&Z's purpose. Councilman Newman advised that we are in the process of Municode to look at the current ordinances, when that starts any questions or concerns will be discussed by Council and P&Z will be included in that. Mr. Howell asked when Municode does start reviewing

aren't they looking for conflict/compliance with the state and county ordinances which supersede what we would like or we need to compliment them? P&Z requests guidance about what the Council's intentions are regarding growth of Brooklet. Is the plan to control growth or grow aggressively? Mr. Howell feels if the intent is to control growth then a lot of answers on rezoning issues will be no; If growing aggressively then answers on rezone issues will be sure and bring help. How would Council like the ordinances applied? Councilman Newman feels Brooklet should be in the middle not to the extreme. Mr. Howell advised P&Z isn't looking for concrete answers tonight; they are proposing questions for Council to discuss options in detail about these issues and come up with answers. He suggests in the meantime apply a middle stand while things are being discussed. Ordinances do not give help as to which type of growth is favored for Brooklet- residential or commercial especially long term. From this point on should ordinances be adhered to strictly as written or interpret meaning from Council. Councilwoman Prosser feels that Council needs to be more business friendly and people friendly, so people will want to come to Brooklet and stay. Councilwoman Wilson agrees that the mobile home ordinance does need to be worked on. Mr. Howell questions the past situation of a variance request for a mobile home coming into Brooklet. Is variance for the lot of land (real property) or the mobile home (personal property); who is the proper person to request the variance also? The ordinances were not clear or helpful on this issue. Councilwoman Wilson advised the ordinances are more of guidance and not in stone. That is why these ordinances are being worked on. P&Z is requesting guidance from Council now just to have something to work with. Councilman Newman advised of how the county determines variance on mobile homes. The variance is given to the mobile home not the lot and it is the mobile home owner who requests the variance. Council agrees that P&Z could review the ordinances and give their input on what concerns they have with the situations that are currently arising. Council was invited to meet with P&Z August 8<sup>th</sup> at 7 pm to discuss issues. Mayor Grooms advised that if P&Z has questions to bring back to Council the two people for that would be Ms. Belle and Mr. DeChristopher and they could discuss with Attorney Hunter to be sure proper procedures are followed. Mr. Charles Mallard feels Attorney Hunter should be present at all the P&Z meetings incase issues or questions come up. Councilman Newman advised the county does have their attorney at Zoning meetings. P&Z doesn't hold meetings every month and Mr. Howell thinks Attorney Hunter would only be needed when "sticky" issues come up. Attorney Hunter would be given about 3 week's notice of the request for his attendance. Attorney Hunter agreed. Mr. Mallard asked Attorney Hunter who should request a variance for a mobile home owned by an individual going into a mobile home park. Attorney Hunter could not answer without

reviewing ordinance and stated he would look at it. Mr. Mallard advised Council should look into it because they will be voting on it.

- c) DON RAWLINGS: REQUEST REGARDING PROPOSED EXTENTSION OF WINNE WAY TO BE DIVIDED. Mr. Rawlings is out of town and has asked Councilman Newman to present his request. Mr. Rawlings has purchased property at the Proposed Extension of Winnie Way and plans to build his home on an area of property outside of city limits and would like the area of the proposed extension to be divided between himself and the Sikes to be used for a driveway entrance to his home. Attorney Hunter suggest letting the land owners pay the fees for surveying and legal fees to divert it. The road for the *proposed extension of Winnie Way* goes out to swamp land and the Winnie Lowe Estate property has right of way off Winnie Way closer to Lee with access from Lee St. Mr. Rawlings' lawyer should look at the title of that property to determine if the City has interest in it and that from a legal stand point there should be no problem with the town declaring that it be abandoned and divert it between the two land owners. If a house is actually built in the county with access in city would the drive way need to be paved? Attorney Hunter will look at *provision* to determine if the ordinance would apply to the portion of the drive in the city limit.

6) COMMITTEE REPORTS:

COUNCILMAN DAVIS- No report

COUNCILWOMAN WILSON presented bank account balances from Water Fund and General Fund.

COUNCILMAN NEWMAN presented appraisals for the 2 properties on Julius Circle. J. Smith market value to be \$9.75 recommended compensation of \$25.00. N. Tillman market value to be \$229.00 recommended compensation of \$250.00. Attorney Hunter advised that paperwork is pretty much prepared for condemnation on these properties but have not been filed. N. Tillman's information and petition is ready but J. Smith is not- awaiting some addresses that are needed. No motion can be made until the judge rules on what the compensation amount will be. Council can pre approve up to a certain amount but judge will rule. Once addresses are obtained then proper notice will be given-at least reasonable effort to obtain addresses for proper notice has to be tried before proceeding.

Councilman Newman presented a copy of Bulloch County Tax Assessors Land Use Plan for Brooklet. Council is to look over proposal and if any questions or concerns bring up to Councilman Newman. He also discussed improvements on South Cromley Road and plans for North end of Cromley Road. He was made aware of complaints that drivers can not see the stop signs at the intersections of Cromley and Lee and Cromley and Lane. Streets Department is already working on new signs with proper height for better visibility.

A bid was presented for striping the remaining part of Cromley, a little over ½ mile to Highway 80 with double yellow lines, white lines on each side, and stop bars in bright white at each of the intersections including at Highway 80. Estimate is for 3300 ft of striping and 9 stop bars from Southeast Striping for \$1200-\$1400. Councilman Newman feels this will help improve drivers seeing those stop signs. Motion made by Councilman Newman to accept Southeast Striping's estimate to finish Cromley Road. Motion seconded by Councilman Hendrix, and passed with all ayes.

COUNCILWOMAN PROSSER- No report

COUNCILMAN HENDRIX- No report

BILL DeCHRISTOPHER reported he has been in contact with the Health Department regarding issues we're facing and hopes to have some solutions in the next week or so.

CHIEF MINCEY presented Police Department activity report for the past month. Discussed improvements made with assistance from DOT at intersection of HWY 80 and Parker Av. To make intersection safer for drivers especially with the opening of the new Subway and it's traffic. Officer Hagan began Police Academy on July 11<sup>th</sup> and is doing extremely well. He will graduate about September 22.

Chief Mincey is requesting some guidance on what he can and cannot do. Situation with a police car that needed a new engine and that put the department down 1 car leaving only 2 cars to patrol the streets full time. The budget that was approved in June had allowance for a new police car plus equipment for that car, total allowance of \$34,000.00. Chief Mincey had an opportunity to try out a used vehicle totally equipped to consider purchasing. That car was shown to and discussed with all Council, except Councilwoman Wilson whom he could not find that day, and feed back was that the decision was left up to whatever he felt was best for the community, department, and the town. The used vehicle was purchased for \$7500.00 totally equipped with low miles. Chief Mincey wants guidance on if he is working within the budget restraints of his department should it still be brought to Council for vote. Councilman Newman advised that in the past big ticket items were brought to Council. Councilwoman Prosser feels that the budget had a new car allowance but maybe could have a called meeting with that much money involved. Motion made for approval of \$7500.00 purchase of used vehicle for Police Department, \$4500.00 to replace motor in other police car, and \$600.00 for repairs to purchased used vehicle by Councilman Hendrix. Motion seconded by Councilman Davis and passed with all ayes.

Motion made by Councilwoman Prosser to paint purchased vehicle, seconded by Councilman Newman, and passed with all ayes.

ATTORNEY HUNTER reported that Sandra McCorkle is requesting annexation of 106.27 acres to residential subdivision. Tonight Council needs to accept her petition for this annexation which was previously discussed that will trigger a process where letters prepared will notify the commissioners of the annexation and the proposed zoning of R1 for that particular property and the County, though no one expects them to, has the right to object the annexation. Assuming they do not, Council should consider the ordinance to annex the property at the next meeting. There has to be an ad run in the paper advising a Public Hearing on the zoning and annexation request. Motion made to accept Ms. McCorkle's petition for annexation of the 106.27 acres and initial zone request of R1 by Councilman Newman. Motion seconded by Councilwoman Prosser and passed with all ayes.

7) CONSENT AGENDA: MOTION TO ADOPT A RESOLUTION TO AMMEND THE ADOPTED BUDGET FOR FISCAL YEAR ENDING 2006 (RECOMMENDATION FROM RICHARD DEAL). Councilwoman Prosser needs clarification on where the extra money comes from. Ms. Gay advised that it's from revenues of water, taxes, and several other items. Those revenues were higher than budgeted for and it has to be made to equal out and balance. Councilwoman Wilson suggests that the overage be put in a special fund but it was explained that the amended budget shows that the overage was spent and keeps the town from going over budget for the Fiscal Year 2006. Motion made by Councilman Newman to accept the resolution as written. Motion seconded by Councilman Davis and the vote was 3 ayes and 2 oppose. Councilman Newman, Councilman Davis, and Councilman Hendrix were for the motion. Councilwoman Prosser and Councilwoman Wilson were against the motion. Some discussion on how the overage was dispersed from Mr. Deal's recommendation to help clarify the amended budget resolution. Resolution adopted.

8) OLD BUSINESS: PROPOSAL FROM MUNICIPAL CODE CORPORTATION FOR PROFESSIONAL SERVICES; RECODIFICATION OF THE ORDINANCES. Motion had already been made to go with them. Mr. Sineath had questions regarding the process and if they assume all responsibility. Council advised that Municode will read through the ordinances and cross references with State and County laws and recommends recodifications.

9) NEW BUSINESS: None

10)PUBLIC PARTICIPATION:

- a) MR. SINEATH- questions regarding the building of William Howell's residence and where the paved drive will be off of. Also questions on the Mobile Home variance and the 10 year land use plan.
- b) WARREN MALLARD- comments regarding the FY2006 Amended Budget Resolution. Suggests the town get a new CPA and do audits.
- c) MS. LINDA GRIFFITH- comments regarding the cat nuisance in Brooklet. She is finding dead birds and animals in yard, cat hair and fur all around, cats use her sandbox, and she is highly allergic to cats. Made suggestions such as registration fee imposed by the town for each cat and dog.

Chief Mincey advised her that they are discussing the situation with county animal control and they are in the process of getting traps to catch stray cats and if the town takes those cats up to the animal shelter then there is *no cost to the town but if animal control comes out and picks up strays then it is \$20 per animal which could get quite expensive for the town.*

11)ADJOURNMENT: Motion to adjourn made by Councilman Davis, seconded by Councilman Hendrix, and passed with all ayes.