

TOWN OF BROOKLET
CITY COUNCIL MEETING
AUGUST 17, 2006

- 1) CALL MEETING TO ORDER: MAYOR GROOMS
Members present: Russell Davis, William Hendrix, Randy Newman, Sylvia Prosser, Annette Wilson, and Attorney Hugh Hunter.
- 2) INVOCATION: COUNCILMAN HENDRIX
- 3) APPROVAL OF JULY MINUTES: Councilwoman Prosser made a motion to accept the minutes as presented. Motion seconded by Councilman Davis and passed with all ayes.
- 4) APPROVAL OF JULY FINANCIAL STATEMENTS: Councilman Hendrix made a motion to accept the financial statements as presented. Motion seconded by Councilman Davis and passed with all ayes.
- 5) RECOGNITION OF GUEST:
 - 1) MS. ANNE BENNETT PUBLIC HEARING #1-Requesting a variance to allow her to bring a nine year old trailer into Waters Trailer Park, 130 Brown Street. Ms. Bennett was asked to present her application to Council. Mr. Waters, the owner of the lot gave her written approval to move her mobile home to his lot. She gave reference to Section 6-4 Manufactured Home being occupied by one family and owner must furnish written proof of permission being granted. She then mentioned the county ordinance is anything manufactured after 1976. She feels the seven year limit in the City of Brooklet is a little tough and it limits her choice of space but limits Mr. Waters' income from his property. Section 2.38 Manufactured Home states that no home/building meeting the above description manufactured more than 7 years prior to the date of the requested placement on a particular lot shall be allowed to be placed in Brooklet. Mr. Bill DeChristopher was asked to speak for the Zoning Committee. He had contacted Mr. Waters concerning the condition of the trailer and Mr. Waters felt the only changes he would recommend would be to replace the skirting. The Zoning Committee has raised questions about this request and we have other requests that may come up. So whatever is done tonight we need to make sure we make the right decision to protect us on the upcoming cases. The recommendation from Zoning was to deny the request, but not sure which person should have applied: The owner of the trailer or the owner of the lot the trailer was to be placed. Mr. DeChristopher feels it would be the trailer owner. Councilwoman Prosser asked if she would replace the skirting. Ms. Bennett replied yes. Councilwoman Prosser does not want to make decision against the Zoning Committee because they do a lot of work.

Attorney Hunter offered his opinion of when a city passes an ordinance they have to follow their ordinance and this City's ordinance passed by Council is not having a trailer over seven years old brought into Brooklet. The Zoning Committee properly denied the request. A variance request is not a hardship because of personal circumstances of the individual. Council has the ability to change their ordinances and if they feel the ordinance needs to be changed, it could be rewritten. But you have to follow what you have now until it is changed. You could have legal problems if you make exceptions for one person and not another.

Barney Sineath asked to sign in and speak. He feels it was improper for Ms. Bennett to apply for the variance. Attorney Hunter advised the ordinance does not specify which person should apply. Mr. Sineath thinks she should have the opportunity to withdrawal the application. He was advised that Ms. Bennett could appeal the decision within 30 days otherwise it is final.

Councilman Davis made a motion to deny the request at this time and possibly think about changing the ordinance. Motion was seconded by Councilman Newman and passed with all ayes.

- 2) MS.SANDRA MCCORKLE PUBLIC HEARING #2- Requesting property of 106.27 acres on Buie Road to be annexed into the City of Brooklet. The City proposes after the annexation, the property be zoned R-1, Single Family Dwelling with 30,000 sq. ft. lots. Also Council will have a reading of an ordinance concerning the annexation. Mayor Grooms requested Attorney Hunter to summarize the proposed ordinance. Sandra McCorkle has sought to have 106.27 acres annexed into the city limits. When the property comes into the city limits it is proposed to be R-1 with 30,000 sq. ft. lots. As drafted it would become effective the first day of October 2006. Hopefully we will have Justice Department approval by this time. The City Clerk sends out reports and a letter of intent to add the annexed area to census maps during the next survey and the map will be completed and returned to the Census Bureau, Department of Community Affairs, and Governing Authority of Bulloch County within 30 days after the effective date. Councilman Hendrix made a motion to annex the property on Buie Road. Motion was seconded by Councilman Newman and passed with all ayes. The ordinance will be adopted on September 21, 2006.
- 3) MR. WILLIAM HOWELL-Requesting signatures of Mayor and Council on a resolution to abandon a portion of College Street. Attorney Hunter instructed Mayor and Council they need to adopt a resolution which states "there exists a portion of an old road know as College Street which is no longer used by the general public" and so on, which he is requesting Brooklet to abandon. This resolution also authorizes Mayor and Council to execute a quit claim deed to this

road- one half to Billie Jo Ann Tyson and Raymond A. Tyson and the other half to William H. Howell, SR.

Councilwoman Prosser made a motion to adopt this resolution to abandon that portion of College Street. Motion seconded by Councilman Newman and passed with all ayes. Councilman Newman made a motion to quit claim deed the property to the two mentioned property owners. Motion seconded by Councilman Davis and passed with all ayes. (The ten dollars was paid by Mr. Howell)

- 4) CLEVELAND ODOM –Questions concerning the sale of Brooklet First Baptist Church. Mr. Odom asked what interest the City has in this property. Councilman Newman advised him, the Bulloch County Recreation Dept. is building a bike path from Statesboro thru Brooklet which they have designated a rest stop on the railroad R.O.W. Mr. Odom asked how this would effect the sale of the property. A clear title can not be obtained at this time. Mayor Grooms advised him that a corner of that church sits on City property. Ms. Gay had information copied for Mr. Odom concerning the property.
- 5) BARNEY SINEATH- Water line easement for Brooklet Crossing and Certificate of Occupancy. Sherwood R.R. Right of Way. New City Hall expenses. Voting Rights Act. Zoning Ordinances in general. Future land use map update. Reports from members who attended G.M.A. classes. Are private wells allowed in Brooklet? Open Meeting Violation training. His property at 320 Railroad Street. Mr. Sineath talked about Brooklet Crossing getting a portion of the Old Shearwood Railroad Right of Way which was past of the road sued to get to the city dump. A water line was installed for Brooklet Crossing which should be on City property but Mr. Sineath feels it belongs to Brooklet Crossing because no easement to the Town Of Brooklet has been filed at the court house. Councilman Hendrix advised there was a trade off from the town to use an entrance off of North Parker behind the tire store to get to the city dump. Mr. Sineath understands a Certificate of Occupancy has been issued and only one building permit was issued. A report was given by Ms. Gay that a building permit was issued for the total square footage of the shopping center. The only Certificate of Occupancy was to suite 200 which is the Subway restaurant. Each suite will be issued a Certificate of Occupancy when necessary. He asked if the city plans to maintain the property by the brick fence. His next question was the total expenditures on the New City Hall. SPLOST money was received in the amount of \$320,8758.28 for the building, furnishings, parking lot, landscaping, cabinets, fire alarm system, sound system, and flag pole. Mr. Sineath brought up the Voters Rights Act. Mr. Hunter advised it was his understanding there was no change in voting procedures from the old charter to the new, but he will review this further. Mr. Sineath gave a brief history of Brooklet's elections and terms of office.

The land use plan map shows the majority of the property on Railroad Street is multi family. Councilman Newman advised Mr. Sineath that they are still looking at some changes for the future land use plan. Mr. Sineath's next concern was about the Council members who attended classes at the GMA convention in June and if they had turned in their report. Councilwoman Prosser asked him if he required this and his answer was no but it was included in the travel policy. Mr. Hendrix did not attend this class. Mr. Sineath asked if private wells are allowed in Brooklet. A well is allowed for irrigation purposes; not to be connected to a dwelling. It is his intention to put his property at 320 Railroad Street to some use.

MAYOR GROOMS INTRODUCED AUSTIN, a member of the local Boy Scout group who has made 3 benches for the Town of Brooklet as a project. He needs 3 concrete slabs poured for the benches. The project needs to be completed and presented to the Town of Brooklet before September 2, 2006. Councilman Newman will take care of this next week.

6) COMMITTEE REPORTS:

COUNCILMAN DAVIS gave a report on the new Cemetery account. He would like to get a C.D. for \$30,000.00 with a good rate and leave the balance in the checking account for expenses. Mayor Grooms reports we can get more interest than what was quoted to Councilman Davis. Councilman Davis plans to get bids on some curbing to prevent water from running off the City Hall parking lot on to the cemetery.

COUNCILWOMAN WILSON gave bank balances from the financial statements.

COUNCILMAN NEWMAN asked Mike Buchan about placing pine straw or pine bark around City Hall. Cost for pine straw is \$380.00 cost for pine bark is \$650.00. Council agreed on the pine straw.

COUNCILWOMAN PROSSER- No report

COUNCILMAN HENDRIX reported that the pump from well #1 had to be replaced.

BILL DECHRISTOPHER reported that we have at least two more over aged trailer requests coming up. Planning and Zoning is looking at a long range plan and wants to do what City Council wants the town to look like. Mayor Grooms liked what Attorney Hunter said about the ordinances we have. We should follow the ordinances pretty close.

CHIEF MINCEY reported that preparations are in the works for the Peanut Festival.

7) CONSENT AGENDA:

- 1) Motion to announce a Public Hearing to adopt the millage rate for the 20063 Property Taxes. The rate for 2004 & 2005 was 7.692%. Councilman Newman made a motion we have a Public Hearing to set the

millage rate for 2006 Taxes on September 21, 2006. Motion seconded by Councilwoman Prosser and passed with all ayes.

8) OLD BUSINESS: None

9) NEW BUSINESS: Bids on dead oak trees on Baker Street. Chief Mincey had a bid on the one on Baker and Dixie Streets which is on the property line of Mr. Minick's lot. Walker Tree Service is \$600.00, Prince and Son Tree Specialists is \$1,000.00, and Lewis is \$750.00. Mr. Minick agreed to pay half the price of the removal of this tree. Councilman Newman made a motion to go with the bid from Walker for \$600.00 with Mr. Minick paying half. Motion seconded by Councilman Hendrix and passed with all ayes. The second tree is on the west end of Baker Street and Walker's bid is \$600.00, Prince's is \$1,000.00, and Lewis' is \$1,000.00. Councilman Davis made a motion to take Walker's bid of \$600.00. Motion seconded by Councilwoman Prosser and passed with all ayes.

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