

TOWN OF BROOKLET
CITY COUNCIL MEETING
MARCH 18, 2010
MINUTES

- 1. CALL MEETING TO ORDER:** Mayor Grooms
The Members Present Were: Councilman Russell Davis, Councilman Rusty Smith, Councilman Randy Newman, Councilman Jim Orr, and Councilman Jim Stanoff.
- 2. INVOCATION:** Councilman Russell Davis
- 3. APPROVAL OF THE MINUTES FOR THE FEBRUARY 4TH CALLED MEETING:**
Councilman Stanoff made a motion to accept the Feb. 4th called meeting minutes as written; motion was second by Councilman Newman and passed with all ayes.
- 4. APPROVAL OF THE MINUTES FROM THE FEBRUARY 18TH COUNCIL MEETING:**
Councilman Orr made a motion to approve the Feb. 18th council meeting minutes as written; motion was seconded by Councilman Stanoff and passed with all ayes.
- 5. APPROVAL OF THE FEBRUARY FINANCIAL REPORTS:**
Councilman Newman made a motion to accept the February financial reports as written; motion was seconded by Councilman Orr and passed with all ayes.
- 6. RECOGNITION OF GUEST REQUESTING TO BE ON THE AGENDA.**

 - **BARNEY SINEATH**
Budget, Audit and Accountant:
Mr. Sineath stated that the audit confuses him as to what its purpose is; some of the figures seem to be unrealistic unless he just doesn't understand it. In 2009, the audit indicated the Sanitation Fund lost \$22,000.00 and he just can't comprehend how the town can charge \$12.00 for sanitation and \$8.00 for pick up and still lose \$22,000.00. He also realized that council will be considering the budget in the near future and making a decision on an accountant, he just doesn't know what the accountant's responsibilities are and if he/she is working as the accountant & the auditor, Mr. Sineath would question how he/she comes up with some of these figures because they are consistent from year to year.

7. REPORTS FROM COMMITTEE:

Councilman Davis:

- Councilman Davis would like to make the motion to adopt the S.O.P Manual as written, with the exception of any changes that need to be made; motion was seconded by Councilman Newman and passed with all ayes.
If anyone would like to review the S.O.P Manual, Chief Buchan has a hard disk copy that can be downloaded to a computer or they can go by his office and review the paper copy. The paper copy must be kept in the office of the P.D. Mr. Sineath would like to purchase a hard disk copy, he will need to get with Ms. Belle or Lori for the amount of the disk; the S.O.P Manual is open to the public.
- Mr. Sammy Glisson has turned in another proposal for the grass cutting & upkeep of the Brooklet Cemetery for \$375.00 every two weeks, spraying once a month up to four times for \$160.00 for each spraying, removing all old and loose flowers, limbs, reefs and other trash that may be present and weed eating the plots and ditches. Councilman Davis stated that Mr. Glisson has been cutting the ditch; the ditch belongs to the city and he is not required to cut it, the city is. Councilman Davis is asking if it would be okay to pay Mr. Glisson an extra \$20.00 a month. They feel that the city employees should cut the ditch; when Mr. Glisson comes to cut the cemetery Ms. Belle or Lori will have the guys come and cut the ditch on the same day.
Councilman Davis made a motion to accept the proposal from Mr. Glisson for \$375.00; motion was seconded by Councilman Newman and passed with all ayes.

Councilman Smith:

- No reports at this time.

Councilman Newman:

- Ellis Wood came and fixed Mrs. Bohlers driveway therefore, this matter has been taken care of.
- Councilman Newman presented three bids for a medium duty box blade for the tractor:

1. Blanchard John Deere:

Frontier 6' Box Blade = \$975.00

2. Farm Mart:

New Woods BSS72 Box Blade = \$950.00

New 6' United Box Blade = \$550.00

3. Agri Supply Co.:

6' Box Blade Midline = \$499.95

Councilman Orr made a motion to accept the bid from Agri Supply for \$499.95; motion was seconded by Councilman Stanoff and passed with all ayes.

- Councilman Newman and Councilman Stanoff met with the Public Works employees and have installed the stop signs, speed limit signs, and street signs at Sugarland Subdivision. First Southern Bank has taken over the subdivision and has paid for all the materials. They also installed some children at play signs as well.
- Don Rawlins would also like to have some children at play signs installed in Winnie Brook Subdivision. Councilman Newman agreed to take a look at it.
- Mobile Home Ordinance; Councilman Newman recommends that we follow Bulloch Counties Ordinance so that we can be fairly consistent and he has asked for the Mayor and Council to look the ordinance over and bring it back for discussion for next month's meeting.
- Councilman Newman is still working on getting prices for a new leaf vacuum and hopes to have them by next month.

Councilman Stanoff:

- The old Exmark riding Lawnmower will not be advertised through Auction.gov; this is not a free website and will cost \$39.99 per month for one free listing. Councilman Stanoff recommends that we advertise it in the Statesboro Herald and ask for sealed bids, highest bid received as of, will be accepted or he can advertise it on Craig's List. Councilman Newman made a motion to advertise the lawnmower through the Statesboro Herald for the highest bid, any and all bids may be refused; motion was seconded by Councilman Davis and passed with all ayes.
- The Town of Brooklet has a street sweeper that is not being used. Councilman Newman made a motion to advertise the street sweeper on Auction.gov; motion was seconded by Councilman Orr and passed with all ayes.
- To have the code car repaired, it will cost \$467.00. Councilman Newman feels that the town does not need the car and feels that it should be sold. Councilman Newman made a motion to advertise the code car through the Statesboro Herald; motion was seconded by Councilman Stanoff and passed with all ayes.
- Councilman Stanoff has received two bids for the Brooklet city maintenance building electrical work; both bids include all fixtures, hardware, wiring and labor.
 1. **Jerry Brown Plumbing & Electrical** = \$450.00 if the ballast in the two bad fixtures needed replacement or \$400.00 if replacement is not required.
 2. **Neal's Electrical and Plumbing, Inc.** = \$641.23
Councilman Orr made the motion to accept the bid from Jerry Brown Plumbing & Electrical as presented; motion was seconded by Councilman Newman and passed with all ayes.

- The golf cart that the public works employees use to read meters each month needs a few repairs. Councilman Stanoff will get some quotes together for repairs to the golf cart.
- The mud hog that the public works employees use to pump the ditches out has had to have the pump rebuilt three times; Councilman Stanoff would like to go ahead and get some prices together for a new one by next month; council agreed.

Councilman Orr:

- The Town of Brooklet as received two franchise fee checks one from Georgia Power for \$59,834.02 and one from Northland Cable for \$4,687.60.
- Councilman Davis and Councilman Newman have had all the street lights fixed in Brooklet Plantation, they would also like to find a street light that is wasting electricity here in town and move it to the new intersection at Cromley and Parker. Councilman Orr made a motion that if Councilman Davis & Councilman Newman cannot find an extra streetlight, that we go ahead and place a new one there; motion was seconded by Councilman Davis and passed with all ayes.
- Councilman Orr has made arrangements to meet with each of the auditors to get a clear idea on exactly what they are going to do; he is unclear and feels that we need a clear definition on what we are going to get and what we are going to have. In an audit, every department should have a clear understanding of every department so you can see how the money is spent.
- Mr. Barney Sineath pointed out a clerical error in the February 18th Council meeting minutes; under New Business, review of bids from accounting firms, the bid for Thigpen, Lanier, Westerfield, and Deal was written as \$4,975.00 and needs to be corrected to \$7,975.00; Councilman Orr made a motion that we correct the February minutes; motion was seconded by Councilman Newman and passed with all ayes.

Chief Buchan:

- Chief Buchan gave the monthly police reports. Also, Officer Berry is doing very well and will soon be on the schedule alone. He would also like to get an opinion from council and would like to have two gum trees removed from the PD; Chief Buchan has spoke to Charles Walker with Walker Tree Service about the two trees. Councilman Stanoff made a motion to honor the Chief's request and allow him to have the trees removed; motion was seconded by Councilman Davis and passed with all ayes.

Attorney Hugh Hunter:

- Nothing under committee reports.

8. CONSENT AGENDA:

9. OLD BUSINESS:

- **Ordinance on Manufactured Homes.**

Councilman Newman handed out copies of the Bulloch County Ordinance for the council to review there will be a discussion at next month's meeting.

- **Yard trash, tree and shrubbery trimmings.**

There was some discussion on yard trash, tree and shrubbery trimmings at the March workshop meeting about what the city employees can and cannot pick up. Councilman Davis has handed out copies of the ordinance from Statesboro and would like for the council to read over them and consider using their ordinance as a rough draft to figure out how we want to write ours for the Town of Brooklet Ordinance. This will be open for discussion at next month's meeting.

10. NEW BUSINESS:

- **Notice of Appeal from Mr. Barney Sineath
V-22-057 Feb. 9th, 2010 Mr. Hendry**

At the last Planning & Zoning Commission meeting, the committee approved a lot reduction size. Basically, this was two lots that had been combined at one point in time and the original purchaser built a house and put a driveway on the lots. Mr. Sineath believes the purchaser had intentions at that time of combining those two lots and believes the Planning Commission gave the gentlemen permission to reduce the size of one of the lots; Lot size reductions are prohibited by Section 13-8-A of the Zoning Ordinance.

Attorney Hugh Hunter stated that Mr. Sineath is correct, this was not a legal action by the Planning & Zoning Commission to do what they did and this is a public service that Mr. Sineath has brought to our attention and the city will need to correct it. Attorney Hugh Hunter stated that when the city delegates its' zoning authority to another body such as the Planning & Zoning Commission, the Planning & Zoning Commission absolutely has to follow the ordinance that the council passed and to the extent it does not do that then there is decisions that are contrary to the law, the legal term is their ultra vires and they have no legal affect.

Section 3-17.1 Adjoining lots. When two or more adjoining lots with continuous frontage are in one ownership at any time after the adoption of this ordinance and such lots individually are less than the minimum square footage and/or have less than minimum width required in the district of which they are located, than such groups of lots shall be considered as a single lot provided, however, that when such combination of lots would create a single lot having a width and area $1\frac{3}{4}$ times or more than that

width and area required by this ordinance, than such lot may be divided into two lots of equal width and equal area and said lots used as conforming lots.

These two lots come up to 1.278; this would not be enough and does not meet this particular requirement, therefore, Mr. Hendry is okay having his driveway over the old lot line because it is considered one lot, but what is not okay is for the Planning & Zoning to move the lot-line and allow the second lot to be used as a second lot to be built on. Attorney Hugh Hunter's recommendation for the city would be for someone to write a letter to the individual that was granted the variance and indicate that it was not a legally done variance and also, Planning & Zoning should correct the minutes and indicate that this action is not proper and is not effective. The council has the authority to change this ordinance, it would be a change to the zoning ordinance and they would have to go through that procedure to do that.

Councilman Orr made the motion to refer this matter back to the Planning & Zoning Commission to review the matter and to notify the individual; motion was seconded by Councilman Newman and passed with all ayes.

Councilman Newman made a motion that we reimburse the individual for the application fee because it should have not been taken from him to begin with; motion was seconded by Councilman Stanoff and passed with all ayes.

Mrs. Belle would like for Attorney Hugh Hunter to write a legal opinion and send it to her before she writes the letter to the individual.

- **Notice of Appeal from Mr. Barney Sineath
RZ-22-056 Feb. 18, 2010**

Mr. Sineath would like to appeal the decision of the City Council of Brooklet that was made on February 2010 refusing the request to rezone Wayne Carson's property on Hwy. 80 East. The required legal advertisement was not provided and the required public hearing was not held.

Attorney Hugh Hunter stated that the state minimum requirements have to be followed when your voting or in the procedure of the zoning chapters, which is the posting of the property, the proper advertisement being run and the public hearing being held; If you don't follow the minimum requirements then there can be a challenge to the action being taken.

Councilman Newman made a motion to send Wayne Carson a letter and refund his money back for the application fee; motion was seconded by Councilman Stanoff and passed with all ayes.

11. Southeast Tire Service (water) overhead water sprinkler system:

- At this time, Mrs. Belle has written a letter for the Attorney to read; Attorney Hugh Hunter will review the letter and get back to Mrs. Belle with more information. There will be more discussion at next month's meeting.

12. PUBLIC PARTICIPATION ON AGENDA ITEMS.

These comments should be limited to the subject that is being debated. Members of the public may speak for five minutes and may speak only once. Anyone wishing to speak at any meeting must be recognized by the Mayor before addressing the board.

13. ADJOURNMENT.

Mayor Grooms asked for a motion to adjourn.

Councilman Newman made a motion to adjourn; motion was seconded by Councilman Stanoff and passed with all ayes.