

**CITY OF COMER REGULAR COUNCIL MEETING**  
**January 5, 2009 6PM**  
**MAYOR BURROUGHS PRESIDING**

**Council Members Present:** Council Member Melissa Yarbrough, Council Member Kevin Booth, Council Member Laquita Bridges, and Council Member Howard Threlkeld

**City Clerk:** Stephen H. Sorrells

**Assistant City Clerk:** Missy Queen

**Police Chief:** Brent Zellner

**Attorney:** Jim Roberts

Mayor Burroughs called the meeting to order.

**1. Minutes:** Motion by Council Member Threlkeld to approve the minutes of the December 8, 2008 City of Comer Regular Council Meeting, and the minutes of the December 23, 2008 City of Comer Called Council Meeting. Motion second by Council Member Kevin Booth. Motion approved by unanimous vote of Council.

**2. Rezone Application—Comer Baptist Church:** City Attorney Roberts advise that the application was in order.

Council Member Booth made a motion to go into a Public Hearing for the purpose of accepting public comment on a application by the Comer Baptist Church to rezone their lot at 2071 Madison Street from R1 to R2. Motion second by Council Member Threlkeld. Motion approved by unanimous vote.

Zoning Administrator Jim Baird addressed the Council stating that Comer Baptist Church purchased the house at 2071 Madison Street at the corner of Pine Ave and is requesting a rezone from R1 to R2. The property currently exists as a non-conforming use and he recommended Council approve this request.

Jimmy Legg and Jeremy Legg spoke in favor of the Rezone stating that the church has outgrown its current facilities and is asking for the rezone for church related use.

Thomas O'Steen, Robert Newcomb, and Jerry Brooks spoke in opposition to the rezone.

Council Member Booth made a motion to go out of the Public Hearing and back into the Regular Council Meeting. Motion second by Council Member Yarbrough. Motion approved by unanimous vote of Council.

Council Member Threlkeld made a motion to table a decision on the rezone application until the February Council Meeting. Motion second by Council Member Booth. Motion approved by unanimous vote of Council.

**3. Rezone Application—Barbara Bendzunas:** Motion by Council Member Threlkeld to go into Public Hearing for the purpose of accepting public comment on a rezone request by Barbara Bendzunas to rezone her lot at 11 Gholston Street from R1 to BR. Motion second by Council Member Yarbrough. Motion approved by unanimous vote of Council.

Zoning Administrator Jim Baird addressed Council stating that Ms. Bendzunas requested her lot at 11 Gholston Street be rezoned from R1 to BR to permit her to operate a business at the location. Mr. Baird recommends Council approve the rezone request.

No one spoke in favor or opposition to the rezone request.

Motion by Council Member Threlkeld to go out of Public Hearing and into Regular Council Meeting. Motion second by Council Member Booth. Motion approved by unanimous vote of Council.

Motion by Council Member Threlkeld to approve the rezone request by Barbara Bendzunas. Motion second by Council member Booth. Motion approved by unanimous vote of Council.

**4. Area Variance Application—Bentley Fitzpatrick:** Mr. Fitzpatrick withdrew his application.

**5. Royal Oaks Home Owners Association:** Ms. Beth McGraw addressed Council and expressed gratitude for newly erected "Stop" sign and "Children at Play" sign. Additional signage in the area was discussed. She stated that the

Royal Oaks Home Owners Association is creating a web site and would like to be informed of any special events that they could add to the web site calendar.

6. **Georgia Metal Finishing, Inc.**: Tim Holloway addressed Council requesting sewer service for his business on Hwy 172 at MADICO Park. Motion by Council Member Threlkeld to approve his request. Motion second by Council Member Booth. Motion approved by unanimous vote of Council.
7. **Well #3**: City Clerk Stephen Sorrells addressed Council on the current status of water production and potential concerns relating to Well # 3. Options were discussed.
8. **Appointment of City Officials**: Motion by Council Member Booth to re-appoint all city officials that were on staff as of December 31, 2008. Motion second by Council Member Yarbrough. Motion approved by unanimous vote of Council.
9. **Committee Assignments**: Mayor Burroughs made the following standing committee appointments:

Street and Sidewalks: Council Member Kevin Booth  
Parks and Sanitation: Council Member Melissa Yarbrough  
Water and Sewer : Council Member Howard Threlkeld  
Police : Council Member Laquita Bridges

10. **Mayor Pro Tem**: Motion by Council Member Threlkeld to select Council Member Kevin Booth as the 2009 City of Comer Mayor Pro Tem. Motion second by Council Member Bridges. Council Members Threlkeld, Bridges, and Yarbrough voted for the motion. Council Member Booth abstained. Motion approved.
11. **Election Qualifying Fees**: Motion by Council Member Booth to set the 2009 Election Qualifying fees at 3%. Motion Second by Council Member Yarbrough. Motion approved by unanimous vote of Council.
12. **Employee Evaluations**: Motion by Council Member Threlkeld to authorize a 3% pay raise for all full time employees. Motion second by Council Member Bridges. Motion approved by unanimous vote of Council.
13. **Executive Session**: Motion by Council Member Booth to go into Executive Session to discuss potential litigation with City Attorney Roberts. Motion second by Council Member Threlkeld. Motion approved by unanimous vote of Council.

Motion by Council Member Booth to go out of Executive Session and back in to Regular Council Meeting. Motion second by Council Member Threlkeld. Motion approved by unanimous vote of Council.

Motion by Council Member Booth to adjourn. Motion second by Council Member Threlkeld. Motion approved by unanimous vote of Council.

\_\_\_\_\_ William E. Burroughs, Mayor

\_\_\_\_\_ Stephen H. Sorrells, City Clerk

\_\_\_\_\_ Date Approved.