

CITY OF COMER REGULAR COUNCIL MEETING
November 6, 2007 7PM
MAYOR BURROUGHS PRESIDING

Council Members Present: Council Member Kevin Booth, Council Member Laquita Bridges, Council Member Howard Threlkeld, and Council Member Johnny Bridges

City Clerk: Stephen Sorrells

Police Chief: Brent Zellner

Attorney: Victor Johnson

Mayor Burroughs called the meeting to order.

- 1. Minutes:** Motion by Council Member Johnny Bridges to approve the minutes of the October 9, 2007 City of Comer Regular Council Meeting with corrections to Item 3, 8, 9, & 10 changing "November 7" to "November 6". Motion second by Council Member Threlkeld. Motion approved by unanimous vote of Council.

Motion by Council Member Johnny Bridges to approve the minutes of the October 17, 2007 and November 3, 2007 City of Comer Called Council Meeting. Motion second by Council Member Booth. Motion approved by unanimous vote of Council.

- 2. City of Comer Subdivision Regulations:** Attorney Johnson presented a draft of proposed amendments to the City of Comer Subdivision Regulations. Motion by Council Member Booth to adopt the amendments as presented. Motion second by Council Member Johnny Bridges. Motion approved by unanimous vote of Council.

- 3. City of Comer Zoning Ordinances:** Motion by Council Member Booth to open a public hearing for the purpose of accepting public comments on proposed amendments to the City of Comer Zoning Ordinances. Motion second by Council Member Johnny Bridges. Motion approved by unanimous vote of Council.

Attorney Johnson presented s draft of proposed amendments to the City of Comer Zoning Ordinances. No one spoke in favor of or in opposition to the proposed amendments.

Motion by Council Member Booth to close the public hearing. Motion second by Council Member Johnny Bridges. Motion approved by unanimous vote of Council.

Motion by Council Member Johnny Bridges to approve the amendments to the City of Comer Zoning Ordinances as presented. Motion second by Council Member Booth. Motion approved by unanimous vote of Council.

- 4. Rezone Request-Kevin Booth:** Council reviewed the minutes of the April 3, 2007 City of Comer Regular Council Meeting in which a public hearing was held to accept public comments on a zoning change request by Kevin Booth requesting that a 1.67 acres parcel designated on the Madison County Tax Map as parcel 097 006 lots 1,2, & 5 zoning classification be changed from R2 to RM. Motion by Council Member Johnny Brides to approve the zoning change request. Motion second by Council Member Threlkeld. Council Members Johnny Bridges, Laquita Bridges, and Threlkeld voted for the motion. Council Member Booth abstained. Motion approved.

- 5. Rezone Request-George Brett:** Council reviewed the minutes of the October 9, 2007 City of Comer Regular Council Meeting in which a public hearing was held to accept public comments on a zoning change request by George Brett requesting that his 2.28 acre parcel designated on the Madison County Tax Map as parcel 0084 036 zoning classification be changed from R1 to C2. Motion by Council Member Threlkeld to approve a zoning change from R1 to BR. Motion second by Council Member Booth. Motion approved by unanimous vote of Council.

- 6. Subdivision Approval Moratorium:** Motion by Council Member Johnny Bridges to amend the agenda to include consideration of the Subdivision Approval Moratorium. Motion second by Council Member Booth. Motion approved by unanimous vote of Council.

Motion by Council Member Johnny Bridges to lift the Subdivision Approval Moratorium. Motion second by Council Member Booth. Motion approved by unanimous vote of Council.

- 7. Minor Subdivision Request-Dean Adams:** Motion by Council Member Threlkeld to approve the final plat of a minor subdivision for Dean Adams. Motion second by Council Member Johnny Bridges. Motion approved by unanimous vote of Council.
- 8. Minor Subdivision Request-Phillip Fortson:** Motion by Council Member Booth to table a decision on a minor subdivision request for Phillip Fortson until the December 4, 2007 City of Comer Regular Council Meeting. Motion second by Council Member Threlkeld. Motion approved by unanimous vote of Council.
- 9. 2008 Budget:** Motion by Council Member Booth to table a decision on the 2008 Budget until the December 4, 2007 City of Comer Regular Council Meeting. Motion approved by unanimous vote of Council.
- 10. 2008 Beer and Wine License Application-Minti Patel, NIKHAR, Inc.:** Motion by Council Member Booth to grant a 2008 license to sell beer and wine to Minti Patel, NIKHAR, Inc, DBA Comer BP. Motion second by Council Member Johnny Bridges. Motion approved by unanimous vote of Council.

11. Sewer Collection System Cleaning: Discussed.

12. 2008 Special Purpose Local Option Sales Tax (SPLOST): Attorney Johnson reported that the Madison County Board of Commissioners (BOC) would consider a SPLOST Intergovernmental Agreement between the BOC and Madison County Municipalities at a called meeting on November 7, 2007 at 5:30PM. Motion by Council Member Threlkeld to approve a SPLOST Intergovernmental Agreement between the City of Comer and the Madison BOC. Motion second by Council Member Johnny Bridges. Motion approved by unanimous vote of Council.

Motion by Council Member Threlkeld to have Attorney Johnson attend the Madison County BOC meeting on November 7, 2007 at 5:30PM. Motion second by Council Member Booth. Motion approved by unanimous vote of Council.

13. Columbia Farms Request for Water Service: Motion by Council Member Johnny Bridges to continue a feasibility study to determine the possibilities of the City of Comer providing water to the proposed Columbia Farms facility near the intersection of Hwy 72 E and Cooper Road. Motion second by Council Member Booth. Motion approved by unanimous vote of Council.

14. Business Use in Residential District: Council considered the need to investigate the possibility that businesses are operating in residential districts.

15. EPD Water System Production Reduction Requirements: Council reviewed the recent requirement from the Georgia EPD requiring all water systems within the State of Georgia to reduce water production.

16. Executive Session: Motion by Council Member Johnny Bridges to go into an executive session to consider pending litigation. Motion second by Council Member Booth. Motion approved by unanimous vote of Council.

Motion by Council Member Booth to adjourn executive session. Motion second by Council Member Johnny Bridges. Motion approved by unanimous vote of Council.

17. Injunction Decision Appeal: Motion by Council Member Booth to appeal a recent court decision denying an injunction in the case of City of Comer vs. Tim Seymour. Motion second by Council Member Johnny Bridges. Motion approved by unanimous vote of Council.

18. Appeal of Zoning Administrator's Decision: Motion by Council Member Booth to uphold a recent decision of the City of Comer Zoning Administrator in which he determined on October 11, 2007 that a business at 268 Gholston Street was in violation of the City of Comer's Zoning Ordinance. Motion second by Council Member Threlkeld. Motion approved by unanimous vote of Council.

19. Proposed Zoning Ordinance Amendments: Motion by Council Member Johnny Bridges to propose a zoning ordinance amendment that would change commercial parking space requirements to five (5) spaces per 1000 sq ft of retail area. Motion second by Council Member Booth. Motion approved by unanimous vote of Council.

20. Comer/Carlton Agreement: Motion by Council Member Booth to terminate on December 31, 2007 an agreement dated September 14, 2005 between the cities of Comer and Carlton stipulating that the City of Comer would provide

building inspection and emergency water system repairs to the City of Carlton. Motion second by Council Member Johnny Bridges. Motion approved by unanimous vote of Council.

21. Traffic Control at Elementary School: Police chief instructed to insure an officer is available to direct traffic during the times that the Comer Elementary School in taking in and letting out. Options to relieve traffic congestion during these times were discussed.

22. Employment Application: Mrs. Missy Queen spoke to Council concerning current City of Comer employees and the affect her job application with the City of Comer had on her former employment.

23. Called Meeting to Discuss Personnel: Motion by Council Member Booth to have a called meeting in the near future to consider personnel. 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.