

## REGULAR COUNCIL MEETING

April 11, 2016  
MINUTES

**MEMBERS PRESENT:** RONNIE DIXON, RAYMOND TURNER, CECIL THOMPSON, KAILEY DEES, LISA CHESSER, AND EDDIE TYSON

**NON-MEMBERS PRESENT:** BILL TORRANCE – CITY MANAGER, BILL BEDINGFIELD, FINANCE DIRECTOR/CITY CLERK, MELISSA MOORE - ADMIN ASSISTANT, REID THRELKELD – CITY ATTORNEY, FRANK WAITS –VPD, ZACK FOWLER- VIDALIA COMMUNICATION, KATHY HILT – THE ADVANCE, JAMES O’NEAL – ESG, BEN ALLEN –ASSISTANT FIRE CHIEF, NICK OVERSTREET – ASSISTANT CITY MANAGER

MAYOR DIXON BROUGHT THE MEETING TO ORDER AT 6:00p.m.

**PUBLIC COMMENTS:** - Gloria Thompson addressed the Council concerning property she owns that abuts the Sixth Street Park. She stated that some of the adjoining property was so unkempt that the buzzards were nesting there and creating a problem. Mr. Torrance stated that he would research the property owners involved and get the City Marshals to notify the owners and see what could be done. He explained that requiring an owner to clear land just for the sake of clearing it was not something that can be easily done. He did state that as far as trash and other dumping the City could require the owners to clean up their property. Mr. Torrance also reported on the issue of the buzzards and the City’s ongoing attempt to have them removed. He informed Ms. Thompson that he would call her on Tuesday and set up a time to meet and look at the property in question.

**DVA:** - Paula brought the Council up to date on activities of the Main Street Program.

**VCVB** – Alexa Britton gave an update of the activities of the Vidalia Convention and Visitors Bureau. She informed the Council that the Fox Theatre Tour would be on May 14, 2016 beginning at 6:00 p.m. The headlining act would be the Packway Handle Band. The plan is to have this event in front of the Pal Theatre on Church Street. She requested that the street between Hwy 280 and Meadows Street be closed at 4:00 p.m. on the 14<sup>th</sup>. Councilwoman Chesser made a motion to approve the closing. The motion was seconded by Councilman Tyson. The vote was unanimous.

**ONION FESTIVAL** – Dustin Booth brought the Council up to date on activities of the Onion Festival Committee. He presented the Onion Festival street closing request to the Council for their approval. (See Attached) A motion was made by Councilman Tyson to approve the closings. The motion was seconded by Councilman Turner. The vote was unanimous.

**TOOMBS MONTGOMERY CHAMBER OF COMMERCE** – Bill Mitchell brought the Council up to date on activities of the Chamber. He stated that the Leadership Toombs program is up and running this term, and has some very good events planned.

**FINANCIAL REPORT - BILL BEDINGFIELD** - Mr. Bedingfield gave the financial report for the month of March. A motion was made by Councilwoman Chesser to approve the report. The motion was seconded by Councilman Thompson. The vote was unanimous.

**APPROVAL OF MINUTES** -A motion was made by Councilman Turner to approve the minutes from the March 14, 2016 meeting. Councilman Tyson seconded the motion. The vote was unanimous.

## AGENDA

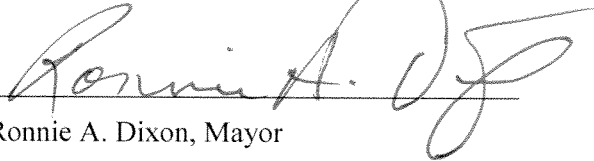
1. **License and Permits Meeting 3/23/2016** – Councilwoman Chesser presented the minutes from the License and Permits meeting held on 3/23/16. (See attached) Ms. Chesser presented an ordinance addition that addresses the C1 residential issue. The Committee is recommending that the attached change be approved by the Council. A Motion was made by Councilman Tyson to approve the change. The motion was seconded by Councilman Thompson. The vote was unanimous. Ms. Chesser then reported on the other items discussed and informed the Council that the Committee would be bringing back some recommendations at a later date.
2. **School Bond Resolution** – Mr. Torrance presented a resolution request from the Vidalia School Board that would assure compliance with the Constitution of the State of Georgia by assessing and providing for the collection of a direct annual tax sufficient to pay the principal of and interest on general obligation bonds to be issued by the School District in the aggregate principal amount of \$19,085,000.00, as authorized at an election held on November 3, 2015, pursuant to and in conformity with the Constitution and Statutes of the State of Georgia. A motion was made by Councilman Tyson to approve the resolution. The motion was seconded by Councilwoman Dees. The vote was unanimous. Councilwoman Chesser abstained citing business reasons.
3. **Swimming Pool Site Plan** – Mr. Torrance presented the results of the site work done on Airport Road concerning the possible construction of a new swimming pool. He stated that the site was suitable for a pool, and that he needed approval from the Council to move forward. He asked Nick Overstreet to address the Council concerning developing a Committee to work on putting together an RFP that would address the needs of building new pool for the City. Mr. Overstreet recommended that he and Tommy Sasser and a Council member along with a Recreation Committee member be appointed by the Mayor to begin the development process. A motion was made by Councilwoman Dees to approve the site and the development of the Committee. The motion was seconded by Councilman Tyson. The vote was unanimous. Mayor Dixon stated that he would appoint the Committee members by next week.
4. **Pal Theatre Report** – Mr. Torrance gave a brief overview of a meeting that was held today with the Architect and Pal Theatre Committee. He reported that some very good initial drawings were being developed based on Committee and Architect input. He hoped to have some designs ready soon for the Council to see.
5. **Airport Hangar Repair** – Mr. Torrance presented a request to have the hangar, which is occupied by Bob Moore, repaired. He showed pictures of the left front corner where corrosion had destroyed the metal, which had caused the building wall to pull away from the foundation. The bid is from Johnsons Custom Fab for \$7750.00. Two other companies refused to bid based on inability to do the work in a timely fashion. A motion was made by Cecil Thompson to approve the bid. The motion was seconded by Councilman Tyson. The vote was unanimous. The money would come from fund balance in the general fund.
6. **AD for Onion Festival Advance Insert** – Mr. Torrance presented a request from the Advance Newspaper to have the City place a ½ page ad in their Onion Festival edition of the paper. The ad would cost \$475.00, and is the same as last year. A motion was made by Councilman Tyson to approve the request and use Legislative capital to pay for the ad. The motion was seconded by Councilman Tyson. The vote was unanimous.

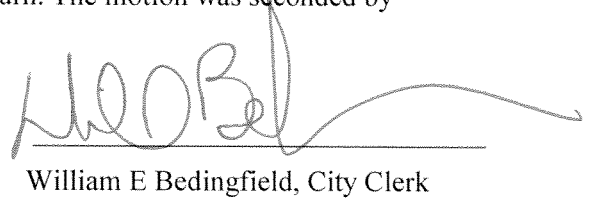
**CITY MANAGERS REPORT** – No Report

A motion was made by Councilman Turner to adjourn and enter executive session for the periodic evaluation of employees. The motion was seconded by Councilwoman Chesser. The vote was unanimous.

A motion was made by Councilman Turner to adjourn from executive session and enter open session. The motion was seconded by Councilwoman Chesser. The vote was unanimous.

A motion was made by Councilman Thompson to adjourn. The motion was seconded by Councilman Tyson. The vote was unanimous.

  
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Ronnie A. Dixon, Mayor

  
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William E Bedingfield, City Clerk

# LICENSE AND PERMITS MEETING

March 23, 2016

10:00 A.M.

**PRESENT:** Lisa Chesser, Kailey Dees and Eddie Tyson, Non-members present: Bill Bedingfield, Nick Overstreet, and Shaun Oliver

## AGENDA

1. **Residential Dwellings in C1 Zone** – Councilwoman Chesser brought the committee up to date on the recently declared moratorium on residential development in the C1 zone. She presented an ordinance from Dublin that addresses the issue. After some discussion the committee is suggesting that the Dublin ordinance, with some additions, be sent to Reid Threlkeld for review, and then brought back to this committee for approval. The Committee plans to have this ordinance ready to present to the Council at the April meeting. The committee also discussed making an addition to Section 12 – 03 Appendix (a), which would address the building facades of future development in the historic C1 district. The Committee will revisit this issue after some additional review.
2. **Peddler's Ordinance** – Councilwoman Chesser presented the ordinance concerning peddlers in the City. The current ordinance does not address a much needed time frame limit for selling goods in the City, and also provides no prorated fee structure. The current fee of \$65.00 is good for a year, and does not protect the brick and mortar businesses in the City. Ms. Chesser presented a sample ordinance from Alma that addresses these issues and protects both the Peddler and the local business owners. The Committee instructed Mr. Overstreet and Mr. Bedingfield to take the Alma ordinance and develop an ordinance for the City that will address the fee, time frame and citizen protection issue and bring it back to the committee for review.
3. **City Leash Law** – Ms. Chesser informed the Committee that she had had some calls about dogs running free and wanted to review the leash law as stated in our ordinance. She reported that the Animal Control Department had informed a citizen that the underground invisible fence did not meet the requirement of Section 5-21 (a) 2 of the ordinance concerning the restraining of dogs to the owners property. After some discussion the Committee determined that it did meet the requirement, but did recommend that the ordinance be amended by adding (i.e. invisible fencing) to Section 5-21 (a) 2. They also requested that the Animal Control Department be advised of the determination.

Being no further business Councilwoman Chesser adjourned the meeting.

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF VIDALIA TO ASSURE COMPLIANCE WITH THE CONSTITUTION OF THE STATE OF GEORGIA BY ASSESSING AND PROVIDING FOR THE COLLECTION OF A DIRECT ANNUAL TAX SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON GENERAL OBLIGATION BONDS TO BE ISSUED BY THE SCHOOL DISTRICT OF THE CITY OF VIDALIA IN THE AGGREGATE PRINCIPAL AMOUNT OF \$19,085,000, AS AUTHORIZED AT AN ELECTION HELD FOR THAT PURPOSE ON NOVEMBER 3, 2015, PURSUANT TO AND IN CONFORMITY WITH THE CONSTITUTION AND STATUTES OF THE STATE OF GEORGIA, AND FOR OTHER PURPOSES.

WHEREAS, at an election duly called and held on November 3, 2015 (the "Election"), in the City of Vidalia (the "City"), constituting the School District of the City of Vidalia (the "School District"), a political subdivision of the State of Georgia, after notice thereof had been given to the qualified voters of the School District for the time and in the manner required by law, a majority of the qualified voters of the School District voting in the Election voted in favor of the issuance of general obligation bonds by the School District, as described in a resolution adopted on August 27, 2015, by the Board of Education of the City of Vidalia (the "Board of Education"), as the controlling and managing body of the School District, by the terms of which resolution the Election was held; and

WHEREAS, pursuant to the results of the Election and the provisions of a bond resolution adopted by the Board of Education on March 24, 2016 (the "Bond Resolution"), the Board of Education has authorized the issuance of \$19,085,000 in aggregate principal amount of SCHOOL DISTRICT OF THE CITY OF VIDALIA GENERAL OBLIGATION BONDS, SERIES 2016 (the "Bonds"); and

WHEREAS, the Bonds shall constitute debt of the School District within the meaning of Article IX, Section V, Paragraph I of the Constitution of the State of Georgia; and

WHEREAS, Article IX, Section V, Paragraph VI of the Constitution of the State of Georgia provides that, at or before the time of incurring bonded indebtedness, provision must be made for the assessment and collection of an annual tax in an amount sufficient to pay the principal of and interest on said debt within 30 years from incurring such bonded indebtedness; and

WHEREAS, the Bonds and the issuance thereof have been confirmed and validated by judgment of the Superior Court of Toombs County, Georgia, which judgment has ordered and adjudged that the Board of Education was and is authorized and empowered to recommend to the Mayor and Council of the City of Vidalia (the "Mayor and Council") the assessment and collection of a continuing direct annual tax to be levied on all the taxable property located within the boundaries of the School District, which constitutes all of the City, in an amount sufficient to pay the principal of and the interest on the Bonds in accordance with the terms thereof; and

WHEREAS, in order to provide for the assessment and collection of a continuing direct annual tax to be levied on all the taxable property subject to taxation for bond purposes located

within the boundaries of School District in an amount sufficient to pay the principal of and the interest on the Bonds as the same shall mature and become due, the Board of Education, by resolution adopted on March 24, 2016, a certified copy of which resolution has been received by the Mayor and Council, has recommended to the Mayor and Council that such tax be assessed and collected in the appropriate years, sufficient in amount to produce the sums required to pay the principal of and interest on the Bonds, and that the funds provided by said tax shall be pledged irrevocably to and appropriated for the payment of the principal of and the interest on the Bonds.

NOW, THEREFORE, be it resolved by the Mayor and Council of the City of Vidalia, in meeting assembled, that:

SECTION 1. Tax Assessment for Payment of Bonds. For the purpose of providing funds for the payment of the principal of and interest on all of the Bonds on the dates on which such principal and interest shall become due and be payable, there shall be and hereby is assessed and collected and there hereafter shall be collected in the appropriate years, beginning in the year 2016, a continuing direct annual tax upon all the taxable property within the boundaries of the School District, sufficient in amount to produce the sums required to pay the principal on the Bonds coming due on August 1, and to pay the interest coming due on the Bonds on February 1 and August 1 in each of the years set forth on Exhibit A attached hereto and incorporated herein, through August 1, 2037.

SECTION 2. Funds Pledged for Payment of the Bonds. The funds provided by said tax shall be and hereby are irrevocably pledged to and appropriated for the payment of the principal of and interest on the Bonds, and provisions to meet the requirements hereof shall be made hereafter in due time and manner in the annual appropriation measure in each year, so that all of the Bonds, as to principal and interest, shall be fully paid as the same shall mature and become due.

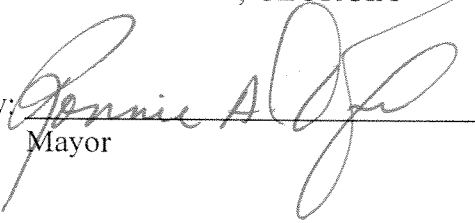
SECTION 3. Publication of Tax Rate. The Mayor and Council, as levying authority, together with the Board of Education, as recommending authority, shall comply with the provisions of O.C.G.A. § 48-5-32, and all other statutory requirements as may exist from time to time relating to the publication of any reports or notices required prior to establishing millage rates each year for educational purposes, and shall take such other actions as may be required for the assessment and collection of taxes to provide funds in the years and amounts set forth in this resolution. The Mayor and Council and the Board of Education shall cause a report to be published in a newspaper of general circulation throughout the City at least two weeks prior to the establishment of the millage rates for *ad valorem* taxes for educational purposes during the current calendar year, in accordance with O.C.G.A. § 48-5-32.

SECTION 4. Compliance with Constitution. This resolution is adopted in order to assure compliance with Article IX, Section V, Paragraph VI of the Constitution of the State of Georgia. The Mayor and Council will take no action to establish a millage levy for the payment of any portion of the principal of and interest on the Bonds from *ad valorem* taxes until the Board of Education certifies to it any millage required for such purposes.

SECTION 5. Conflicting Provisions Repealed. Any and all resolutions or parts of resolutions, if any, in conflict herewith shall be and the same are repealed by the passage of this resolution.

RESOLUTION APPROVED AND ADOPTED, April 11, 2016.

CITY OF VIDALIA, GEORGIA

By:  \_\_\_\_\_  
Mayor

ORDINANCE \_\_\_\_\_

CENTRAL BUSINESS DISTRICT RESIDENTIAL

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF VIDALIA, GEORGIA, BY AMENDING ARTICLE XII SECTION 1201 TO ALLOW RESIDENTIAL DWELLINGS IN COMMERCIAL BUILDINGS

WHEREAS there is a growing trend to allow mixed use properties in downtown areas; and

WHEREAS it would benefit all the citizens of the Vidalia area to allow people to live downtown; and

WHEREAS, downtown Vidalia has many buildings with vacant upper floors which could be converted to residential use; and

WHEREAS several people have expressed an interest in rehabilitating downtown buildings to include upper-story apartments;

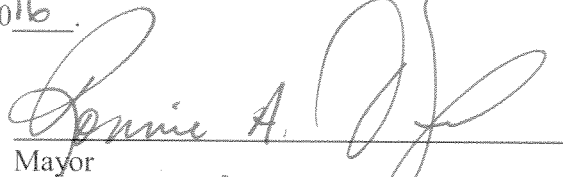
THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Mayor and City Council of the City of Vidalia, Georgia, as follows:


Section 1201 of Article XII of Appendix A, Zoning, of the Code of Ordinances of the City of Vidalia is hereby amended by adding thereto a new subsection “(13)” which shall read as follows:

“(13) Residential dwellings, but only on the second story and above, or in the basement level of a structure. At least 50 percent of the ground floor of the building shall be leaseable commercial space not used for parking or self-service storage. All residential units shall have a minimum of 800 square feet, and shall contain their own full bathroom with a sink, toilet and tub or shower, and separate kitchen area with a sink, stove and refrigerator. Each unit must have at least one off-street parking space. Each residential dwelling plan submitted is required to include a map detailing the location of the off-street parking space which may be in any of the City public parking areas and must be approved by the City.”

It is the intention of the governing body, and it is hereby ordained, that the provisions of this ordinance shall become and be made part of the code of Ordinances, City of Vidalia, Georgia, and the sections of this ordinance may be renumbered to accomplish such intention.

Approved this 11<sup>th</sup> day of April, 2016.

  
\_\_\_\_\_  
Mayor

Attest:   
\_\_\_\_\_  
City Clerk



**CITY OF VIDALIA**  
**AFFIDAVIT AS TO OPEN MEETING LAW**

The undersigned chair or presiding officer, under oath, certifies that a meeting of the Mayor and Council held on the date identified below being the date of this document, the Board closed its meeting as permitted by the Open Meetings Act of Georgia. The only matters considered or discussed during the closed portion or executive session of its meetings is as checked below:

- Staff meetings held for investigative purposes under duties or responsibilities imposed by law.  
[O.C.G.A. §50-14-3]
- Meetings when discussing or deliberating upon the appointment, employment, compensation, hiring disciplinary action or dismissal or periodic evaluation or rating of a city official or an employee. (Note: The final vote if made is open to the public.)  
[O.C.G.A. §50-14-3 (6)]
- To consult and meet with legal counsel pertaining to pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the City or an officer or employee or in which the officer or employee may be directly involved;  
[O.C.G.A. §50-14-2]
- To discuss the future acquisition of real estate;  
[O.C.G.A. §50-14-3 (4)]

This the 11<sup>th</sup> day of April, 2016

CITY OF VIDALIA  
By: *Donnie A. [Signature]*  
Mayor or Presiding Officer

Sworn to and signed before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2016, at \_\_\_\_\_, Georgia.  
Notary Public  
Commission \_\_\_\_\_



(Although the same is not necessary, the following participants concur with the accuracy of this Affidavit.)

*[Signature]* \_\_\_\_\_

*[Signature]* \_\_\_\_\_

*Kylee [Signature]* \_\_\_\_\_

\_\_\_\_\_

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Note: This form is to be used on all meetings of the City of Vidalia when four (4) or more council members are present.

