

Council Meeting
December 16, 2019

Members Present: Mayor Buddy Duke, Terry McClain, Greg Paige, Vivian Sharpe and Jody Greene. Michael Purvis was absent.

Others Present: John Flythe, Rhonda Rowe, Tim Tanner, Chris Griffin and members of the public.

Invocation was given by Councilman McClain.

Pledge of Allegiance

Approval of Minutes: Councilman Paige made a motion to approve the minutes of December 2, 2019 as presented. Councilwoman Sharpe seconded with all in favor.

Public Hearing (Larry & Tiffany Watford - Watford Pools – Variance): Councilman Greene made a motion to enter into a public hearing to gain input on the variance request filed by Watford Pools. Councilman Paige seconded the motion. All were in favor. The application requests a variance for the window sign coverage from the allowable 25% per the ordinance of the City of Adel to an additional 25.68 sq. ft. A letter dated May 9, 2019 addressed to Mr. & Mrs. Watford from Jess Permenter, Building and Zoning Official, was presented to the council. The letter references discussions with the Watfords prior to their opening the business regarding requirements of the sign ordinance as well as violations and immediate actions that need to be taken. Those actions were the purchase of a sign permit and reduction in the square footage of the signs in order to comply with the required sign ordinance. Attorney Tim Tanner advised the council that Mr. Watford had been cited in municipal court and he supposedly knew the requirements of the sign ordinance. The Watfords brought evidence of numerous other signs that violated the code section. Based on this, they were asked to try the variance process. Mr. Watford was told he would have to take the signs down first but with all the other proposed signs in violation, this requirement was waived until the matter could be brought before the council for their direction. Mr. Tanner stated they are clearly in violation and others are as well. While it may have not been a good defense, he could see Mr. Watford's point. He stated that if the council denies the variance, they would have to recite under the statute and be fair to the others in violation as well. It all depends on the council's desire for enforcement. He advised that Mr. Watford had pictures of convenient stores, local auto parts store and others that would probably be in violation as well. Mr. Watford had put the window signs up although he knew he shouldn't. It was noted there are four different windows at Mr. Watford's business and each one exceeds the maximum allowed square footage by 6.42 sq. ft. This number x 4 is where the excess of 25% comes from. Mr. Tanner explained they could grant a variance for this particular sign if they chose. It would not be permanent in nature since he could easily change the signs, or the council could reject it all together. Mr. Watford is seeking approximately 44% of total square coverage instead of 25%. Sharon Harnage was in the audience and although she was not speaking either for or against the application she noted that you can see through the sign at night. Councilman McClain added that it was during the day time that you can't see. He further stated the purpose of the restrictions is to allow the police to be able to see inside for safety reasons. There was no one additional to speak either for or against the variance and the public hearing was declared closed.

Councilman McClain stated that he was not comfortable granting the variance. If the city marshal comes up with a list of stores not in compliance, and we start issuing variances, it could be a snow-ball effect. Mr. Tanner stated that in granting variances, you are limiting what you can consider. According to page 65, it is natural to consider others but each variance has to be done on a case by case basis. He added that the same variance applications could be brought back before the council for reconsideration, but only after completing the required waiting period. The council could waive that period, or if they are inclined to deny, could let it die and then bring back later. If the issue dies, we could canvas the area and bring back to the council for further direction. After a discussion, Councilman Paige made a motion to table this item for 6 months and bring back to the council in June. Councilman McClain seconded. All were in favor.

Council Resignation: A letter of resignation was received from Michael Purvis, council-at-large, effective December 16, 2019. Councilman Purvis has accepted a position as chief executive officer of the Candler County Hospital in Metter, Georgia and will be relocating.

Call for Special Election: Councilman Paige made a motion to respectfully request the county board of elections to hold a special election to fill the unexpired term of Michael Purvis. Councilwoman Sharpe seconded. There were no opposing votes.

Qualifying Fees: Councilman McClain made a motion to establish the qualifying fee for the special election seat at \$45.00, followed by a second from Councilman Paige. The decision was unanimous.

Insurance Discussion: City manager John Flythe advised the council that with the proposed health insurance cost increase, he was seeking their direction concerning dependent coverage. We are one of few employers that cover spouses of employees who can obtain coverage at their place of employment without imposing an additional surcharge. We substantially pay for dependent coverage and he was placing this item on the table for any discussion. He noted this would be considered a “qualifying event” so the spouse’s employer would be required to add them even though it may be outside the open enrollment period. He also mentioned considering allowing employees aged 65 or older the option to stay on our group policy or convert to Medicare; but we would have to check into the legality of this option. This was for informational purposes in the event the council wanted to take action tonight or consider at a later date. No action was taken.

Alcohol License Renewals: Renewal application were received from the following:

JIYA 445, Inc.
Eshal & Annaya, LLC
Alina Jian, LLC
DCOM Motorsports, Inc.
Jassoki 1 Corporation

Councilman Paige made a motion to approve the renewal applications. Councilman Greene seconded. The decision was unanimous.

Fire Chief Retirement: The council was advised that Jimmy Walker, fire chief, will be retiring at the end of the year after 47 years of service with the city. The fire department is hosting a retirement reception on December 30th at the Adel Church of God and the council is invited to attend. Mr. Flythe further stated that Richie Weeks, assistant fire chief, will be appointed as acting chief.

Execution Session: Councilman Greene made a motion to enter executive session at 6:05 pm for discussion of possible land purchase. Councilwoman Sharpe seconded. All were in favor.

Following executive session, the meeting was re-opened for regular session.

Adelphia Estates Request for Street Lights: The council was presented with a petition from residents of Adelphia Estates which contained 20 signatures requesting that the city allocate funds to purchase street lights for their community. The petition states they lack sufficient lighting on the streets which is a safety hazard for the residents and public. They asked for at least four electrical poles to be installed in the development which consists of Ettral Avenue, Josephine Lane and Patterson Street. Councilman Paige made a motion to obtain cost estimates. Councilman Greene seconded. All were in favor.

There was no further business and the meeting was adjourned.

Rhonda P. Rowe, City Clerk

Luther L. Duke III, Mayor
