

Regular Council Meeting  
March 13, 2007

Mayor Marse called to order the regular scheduled meeting of March 13, 2007 at 7:00 pm.

Members Present: Mayor J.M. Marse, Council members Jean Arrant, Mike Helton, Earl King and Ray Jackson, and Charlie Simmons. Also present: City Attorney Clay Adkinson, City Planner Latilda Henninger and City Clerk Robin Haynes.

Councilman Helton gave the invocation and the Pledge of Allegiance was recited.

Councilman Jackson motioned to approve the minutes of the council workshops of February 15 and February 20, 2007, Councilman Helton seconded. There was no public or council discussion, the motion carried 5-0.

Ms. Henninger presented the following planning items:

Presented a map showing two annexation applications on file located on County Highway 83A West. These two parcels do not touch current City property and therefore are not eligible for annexation at this time.

Presented a list of twelve annexation applications on file in the Highway 331 quadrant and requested direction of how to proceed. After discussion with Ms. Henninger and Mr. Adkinson regarding possible enclaves, Councilman King motioned to approve the attorney to begin review of the annexation applications for the properties owned by P. Watson, JLAB, Creekwood Lands, RAMPAR, F. Watson, Marr-Connart, and Ramsey Creek, Councilman Simmons seconded. The properties owned by Chambers, Walters, Reed, Shortridge, and Robbins are to be excluded at this time. There was no additional public or council discussion, the motion carried 5-0.

Attorney Adkinson presented a resolution revising the planning department fee schedule as requested at the council meeting of January 25, 2007. Councilman King motioned to approve and adopt the proposed resolution revising the planning department fees, Councilman Jackson seconded. There was no public or council discussion, the motion carried 5-0. Resolution #07-03 was adopted.

Mr. Peters updated the council on the following items:

- The drawings for the water department building have been completed and are ready to advertise for bids. Bid opening will be scheduled for the Monday before the second regular council meeting in April.
- Reminded council about a scheduled workshop for March 15, 2007 regarding construction issues with development projects.

Old Business:

Mayor Marse informed the council that he requested Billy Bearden with Walton County Building Department to look at the old Blount House and provide a letter with his suggestions. The house would have to be brought up to code. Mayor Marse also requested Bob Jones discuss the Blount House with the Department of Community Affairs regarding the outstanding CDBG grant. As long as the money is spent on a building with the same purposes as the original, DCA has no objections to removing the building and starting a new one. Councilman Helton motioned to approve the Mayor contact the Town Planters and proceed with removing the old house and building a new structure, Councilman Jackson seconded. There was no public or council discussion, the motion carried 5-0.

New Business:

Ms. Dara Dobson was originally on the agenda to discuss recent comments regarding palm trees, but did not attend the meeting. Mayor Marse allowed Mr. Lonnie Infinger to address council in her absence. Mr. Infinger sells palm trees and requested council protect the oak trees prior to them being removed rather than banning the palm trees.

Mayor Marse began discussion regarding palm trees. He clarified his understanding of Councilman King's previous comments regarding palm trees as an attempt to keep developers from cutting down the existing trees and replacing their inches with large diameter palm trees. Mayor Marse asked if the City needed to adopt an ordinance to that affect. Attorney Adkinson suggested that the council could either adopt the change in the land development code, or roll it into the existing ordinance regarding protected trees. He recommended the council revise the land development code to reflect the restriction so developers had all the requirements in one location. City Planner Henninger agreed with Attorney Adkinson, but reminded council that the land development code revision was still a few months out. Ms. Henninger recommended council draft a resolution for clarification to staff that hardwood trees could not be replaced with palm trees. Councilman King expressed that his intent was for palms not to be used in the perimeter buffers or parking lots, but they could be used within the developments as accents. Mr. Buell Cobb, representing Owl's Head, stated that they do not disagree with the sentiment of using primarily native trees but as a developer, they would like to have the flexibility to use the palms within a confined area, or a specialty entertainment area, such as a pool or water park in an attempt to make it look different from the rest of the development. Mayor Marse told the council that he had received several calls and that all but two had been positive. Attorney Adkinson recommended council request legal to draft a resolution expressing council's sentiments regarding the use of palms in the future planning of the city, specifically requesting they not be used to replace existing trees and the use be limited within the developments. The resolution would eventually be used as the intent behind the amendment to the land development code. Councilwoman Arrant motioned to direct the city attorney to prepare a draft resolution regarding the use of palms for planning purposes, Councilman King seconded. There was no additional public or council discussion, the motion carried 5-0.

City Clerk Haynes presented the completed audit for fiscal year ending September 30, 2006. Councilwoman Arrant motioned to accept the annual financial audit for 2006, Councilman Jackson seconded. There was no public or council discussion, the motion carried 5-0.

Councilman Helton motioned to pay all bills in order, Councilman Simmons seconded. There was no public or council discussion, the motion carried 5-0.

Under other council business not on the agenda, Councilman King requested Ms. Henninger replace Diane Riley on the public notices with Robin Haynes. He then asked Attorney Adkinson if the City was covered if the public notice is regarding a meeting being held on the date prior to the newspaper date of publication. Attorney Adkinson explained that legal was looking into that, but he felt comfortable that the City was advertising as required by statute. He did acknowledge that it could create a problem for the public, so he was researching it to make sure it didn't happen again.

Councilman Jackson informed council that he had received complaints regarding parking in the right of ways. He has referred the complaints to the sheriff's department, but was informed that they could not write tickets because the City doesn't have an ordinance or resolution defining the parking fines. Attorney Adkinson recommended advertising it as an agenda item for discussion at the next regular council meeting.

With no other business, Councilman Helton motioned to adjourn at 7:45 p.m.

ATTEST:

APPROVED:

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J.M. Marse, Mayor

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Robin Haynes, City Clerk

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Earl King, President of Council