

Regular Council Meeting  
September 27, 2007

Mayor Marse called to order the regular scheduled meeting of September 27, 2007 at 7:00 pm.

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

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

Councilwoman Arrant motioned to accept the minutes of the regular council meeting of August 14, Councilman Jackson seconded. There was no public or council discussion, the motion carried 4-0. Councilman Jackson motioned to accept the minutes of the regular council meeting of September 11, 2007, Councilman King seconded. There was no public or council discussion, the motion carried 4-0. Councilman King motioned to accept the minutes of the council workshop of August 21, 2007, Councilwoman Arrant seconded. There was no public or council discussion, the motion carried 4-0.

Ms. Henninger presented the following items:

Requested approval of the final as-built plat for Palms of Freeport Townhomes. Mayor Marse stated that he had had problems with the development, but it turned out good. Councilman Jackson motioned to approve the final as-built plat as presented, Councilman Helton seconded. There was no public or council discussion, the motion carried 4-0.

Requested approval of the final as-built plat for Thurman Industrial Plaza subject to the final punch list items being completed. Councilman King motioned to approve the final as-built plat for Thurman Industrial Plaza, subject to the final punch list items being completed, Councilwoman Arrant seconded. There was no public or council discussion, the motion carried 4-0.

Requested approval of the final plat for Hammock Bay Pod 11 Subdivision (Schooner Landing @ Hammock Bay), subject to the final engineering punch list being completed. Councilwoman Arrant motioned to approve the final plat for Hammock Bay Pod 11, subject to the engineering punch list being completed, Councilman Jackson seconded. There was no public discussion, the motion carried 4-0.

Requested approval of the final plat for Hammock Bay Pod 13 Subdivision (Haven @ Hammock Bay), subject to the final engineering punch list being completed. Councilman King motioned to approve the final plat for Hammock Bay Pod 13, subject to the engineering punch list being completed, Councilman Jackson seconded. There was no public or council discussion, the motion carried 4-0.

Requested approval of the final plat for Hammock Bay Pod 14 Subdivision (Bay Cove @ Hammock Bay), subject to the final engineering punch list being completed. Councilman Jackson motioned to approve the final plat for Hammock Bay Pod 14, subject to the engineering punch list being completed, Councilman Helton seconded. There was no public or council discussion, the motion carried 4-0.

Requested approval of the final plat for Hammock Bay Pod 23 Subdivision (Horseshoe Bend @ Hammock Bay), subject to the final engineering punch list being completed. Councilwoman Arrant motioned to approve the final plat for Hammock Bay Pod 23, subject to the engineering punch list being completed, Councilman Jackson seconded. There was no public or council discussion, the motion carried 4-0.

Requested approval for a re-zoning application submitted by Scotty Lewis. The property is 2.48 acres located on parcel #15-1S-19-23000-001-0000. The current designation is General Commercial (C-1) and the requested change is to high density

residential (R-3) for a townhome development. Mayor Marse asked if there was a problem with approving the density but capping it at eight units per acre instead of ten. Mr. Ed Stanford, representing Mr. Lewis, stated that he didn't see it as a problem since the proposed development would be for twenty townhomes. Two residents in the area of the proposed re-zoning spoke. One stated that he appreciated the Mayor's recommendation, since most of the homes in the area were single family residences. The other stated that she was not opposed and that council should let the re-zoning occur with no cap restrictions. Councilman King motioned to approve the re-zoning application with the units capped at ten per acre, and allow the planning department to proceed with advertising for 1<sup>st</sup> reading of the proposed ordinance at the regular council meeting of October 25, and the 2<sup>nd</sup> reading and adoption on November 13, Councilman Jackson seconded. There was no public or council discussion, the motion carried 4-0.

Requested approval for Portofino Park, a mixed use development consisting of 15,000 sq ft of office/retail/restaurant (shopping center) and 30 condominium units above the commercial area on 3.6 acres located on parcel #15-1S-19-23000-30-0030. Ms. Henninger stated that the paperwork had condos, but it should read as apartments. The planning board had approved this project with the following conditions: 1) variance allowing apartments over the commercial site, as allowed in the land development code, 2) buy-out of the sidewalks at \$5,120.00, 3) acceptance of the "shared parking" analysis as approved by Peters Municipal and 4) offer of a triangular piece of property on the south side of Highway 20 for the council to use as they see fit. Attorney Adkinson advised that the property not be considered as a condition of the project. After some discussion between Ed Stanford, representing the project, and the council, regarding the variance, the height of the building (42 feet) and the shared parking, Attorney Adkinson suggested council vote on each individual condition. Councilman King motioned to approve the variance allowing apartments above the commercial structure, Councilman Jackson seconded. There was no public or council discussion, the motion carried 4-0. Councilman King motioned to deny the sidewalk buy-out and require the developer to construct the sidewalk on Highway 20, Councilman Jackson seconded. There was no public or council discussion, the motion carried 4-0. Councilwoman Arrant motioned to authorize the shared parking agreement, Councilman Jackson seconded. There was no public or council discussion, the motion carried 4-0. Councilman Jackson motioned to require the developer to fence the playground facility, Councilman Helton seconded. There was no public or council discussion, the motion carried 4-0. Councilwoman Arrant motioned to accept the .3 acre parcel of property on the south side of Highway 20, Councilman King seconded. There was no public or council discussion, the motion carried 4-0.

Ms. Henninger advised the council of some upcoming meetings and hearings:

October 9, 3:00 pm, School concurrency workgroup presentation to local governments

School concurrency hearings:

Planning Board October 3

City Council 1<sup>st</sup> Hearing October 25

Transmittal Hearing TBA

EAR Hearings:

Planning Board October 3

City Council Hearing October 9

Transmittal Hearing October 25

Attorney Adkinson presented a proposed resolution restricting the time from City Council approval to issuance of the development order. Council King motioned to approve the proposed resolution, Councilman Helton seconded. There was no public or council discussion, the motion carried 4-0. Resolution #07-13 was adopted.

Mr. Tonny Peters updated the council on the following items:

Requested a bid opening date for the activity center building of November 8, 2007. Councilman King motioned to set the bid opening for the activity center building on November 8, Councilman Jackson seconded. There was no public or council discussion, the motion carried 4-0.

Presented a sketch of some plans for construction of practice ballfields to be constructed on property owned by the City at the sewer plant. Developer Jay Odom offered fill dirt for the construction. Councilwoman Arrant motioned to proceed with the plans for construction of the practice ballfields, Councilman Jackson seconded. There was no public or council discussion, the motion carried 4-0.

Requested a bid opening date for the second contract of the wastewater re-use project, second phase. This part of the plans consists of filters, pumps, etc. Councilwoman Arrant motioned to set the bid opening date of the second contract for the wastewater re-use on November 8, Councilman King seconded. There was no public or council discussion, the motion carried 4-0.

Informed council that the master lift station is operational.

Old Business:

No old business items were listed on the agenda.

New Business:

Clerk Haynes requested approval of a proposed resolution establishing section 504 procedures as required by the CDBG grant administration. Councilman King motioned to approve the proposed procedures and resolution as presented, Councilman Jackson seconded. There was no public or council discussion, the motion carried 4-0.

Ms. Doris Cooper, resident on Bourbon Street, addressed the council with issues as presented on the drawings provided by the developer of Cross Creek Estates. She told the council that she had been told by the developer that she would have access to her garage, but the drawings show a median across the entrance. She would have to go down the street to u-turn back to her property. Resident Angela Shaw also stated that in addition to the medians in the road, a fire hydrant had been placed on her property obstructing the gate on her fence. Mr. Bob Brown, representing Cross Creek, stated that his construction has been completed as designed by his engineers and approved by the city council. He stated that he was not opposed to changing the medians, or moving the fire hydrant, as long as both his and the city's engineers are in agreement that it can be done without causing other problems. Councilwoman Arrant also mentioned that she had spoken to the developer in the past regarding the construction clean-up in the area. After some discussion, Mayor Marse instructed the city engineers to meet with the representatives for the developers and try to get the issues resolved. Council agreed that it would be better to remove the medians completely.

Councilman Helton motioned to pay all bills in order, Councilman Jackson seconded. There was no public or council discussion, the motion carried 4-0.

Mayor Marse added an item to the agenda: to surplus an old fire truck that is sitting at well number 3. It's a 1986 model truck that hasn't run in several years. Councilwoman Arrant motioned to surplus the truck and advertise for bids, Councilman Helton seconded. There was no public or council discussion, the motion carried 4-0.

Mr. Jay Odom told the council that the ballfields are almost complete and construction has started on the buildings at the Freeport Park.

With no other business, Councilman Helton motioned to adjourn at 8:30 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