

CITY OF BROOKLET

104 CHURCH ST. BROOKLET, GA 30415 *(912) 842-2137 *FAX (912) 842-5877

Joe Grooms III, Mayor
Bradley Anderson, Mayor Pro-Term
Nicky Gwinnett, Councilman
Rebecca Kelly, Councilwoman
James Harrison, Councilman
Johnathan Graham, Councilman

City Attorney
Hugh Hunter

City Clerk
Lori Phillips

**PUBLIC HEARING
6:30 PM
AND
CITY COUNCIL
MEETING
JUNE 15, 2023
7:00 pm
MINUTES**

1. PUBLIC HEARING ITEMS:

a. Tentative FY24 Budget

The Tentative FY24 Budget was presented and everything is in balance.

Discussion from the Mayor and City Council.

No Discussion currently.

Discussion and questions from the Public who has requested to speak.

No discussion currently.

b. APPLICATION RZ2023-006:

G3 Ventures LLC., submitted an application to rezone from R-1 (Single-Family Residential) zoning district to C-2 (General Commercial) zoning district to allow for a cabinet business on the 0.65 acres. The property is located at 407 North Cromley Road. The Planning and Zoning Commission recommends approval of the zoning request. Councilman Gwinnett recused himself from the council due to this request being his own.

Discussion from the Mayor and City Council.

Mayor Pro-Tem was present via phone, he asked for Chairman Bill Griffith with Planning and Zoning to walk them through the thought process of the recommendation for approval made by the Planning and Zoning Commission. Chairman Griffith stated that the recommendation to approve the rezone request was based on the information they

had. He stated that they were under the understanding that grandfather clause had no limitation, but since the time of them voting on their recommendation for approval, they later found out that it is a one-year limitation. Councilwoman Kelly asked, "so, its really not Grandfathered in, is that what you are saying?" Chairman Griffith replied, "that's what I am hearing now." Councilwoman asked Attorney Hunter if that was correct. Per Attorney Hunter, "based on the facts I know, that is correct. At the time that the zoning ordinance was passed, or if the zoning had been changed, if there had been a use as a cabinet shop at that time, then it would become a non-conforming use and it could continue to be used, even though it was not zoned commercial, but once that use as been discontinued for a period of one year or more, its no longer a non-conforming use for those rights and you have to comply with the current zoning. Councilwoman asked, "so that will be called spot zoning?" Per Attorney Hunter, "that's a separate issue from spot zoning, regardless of what the zoning was, if you had a non-conforming use continue, you can continue using it for that, so, if at the time that the zoning ordinance was passed, if it was being used as a cabinet shop, regardless of what council zoned it, it could continue to be used as a non-conforming use, as long as it is not discontinued for a year or more, which he believes that has happened, if he understands. So then the issue becomes, is it proper to rezone it from R-1 to C-2, and after receiving the information of the request from Clerk Phillips, and after doing the research, and obviously, I am in an uncomfortable position as to this being a member of the council, however, I represent the entire mayor and council as a whole and I have to give my true opinion, all of the properties surrounding it, are zoned R-1, and so if you were to rezone this to C-2, it is my opinion, it would be a flagrant example of spot zoning and arguably would not be valid." Mayor Pro-Tem Anderson asked, "did the zoning committee debate that issue, did they know that this is spot zoning, because if I understand, the non-conforming use is a completely different item from the zoning question, did the actual group know and understand that it had or is a potential spot zoning, and they still recommended it?" Chairman Griffith stated, "with the information that was presented to us, it wouldn't have been spot zoning, because we were under the understanding, that for it to be grandfathered, there was no limit on the time line." Mayor Pro-Tem Anderson stated, "I would have hoped that you would have at least reached out to our attorney to make sure we were all clear, but I'll move beyond that." Per Attorney Hunter, "Councilman Gwinnett knows that, that is my legal opinion and he said he was going to talk with an attorney to see if they had any other ideas and was supposedly was going to hear something by tonight, but have not, but what he and I talked about, and Clerk Phillips confirms this, that the area would tend to be going in a commercial direction, you have Highway 80 that is close by, there is a fairly large piece of land owned by Wayne Carson, that has talked about having that rezoned commercial, your supposed to zone based on a comprehensive plan, not just pick what out a parcel and decide to zone one this away and this one over here, that away, its suppose to have some logical since to it, such as a comprehensive plan, so sometimes there will be an area that the character is changing on it and going in a commercial direction and you'll have fringe areas maybe that you consider rezoning, and this perhaps could be one of those if Mr. Carson or some of those folks wanted to go ahead and rezone their property commercial, but as it is presently presented, it would be rezoning a parcel a parcel right in the middle of R-1, surrounded by R-1, and to me, that is flagrant spot zoning." Councilwoman Kelly stated, "the concern I have is that we have a history of making errors and we need to be consistent with whatever we need to do and I don't think we can pick out one place and not do it for another, I don't have a strong opinion one way or the other and I'm not trying to hurt anybody, but we have to be consistent with what we do." Mayor Pro-Tem asked, "if this

request does get approved, what is the outcome for council, what does it open the door to?" Per Attorney Hunter, "if the council truly considers its ordinance and the factors you are supposed to consider per your zoning ordinance, if y'all in good faith do that and vote it that way, that would be your prerogative, but in my view, it would be an invalid spot zoning, from a legal standpoint, if somebody was to challenge it in court, but does it affect you personally, I don't think so, as long as you in good faith go through those factors, but the city might get somebody challenging it." Councilwoman Kelly stated, "we pay you for your advice, and we are stupid if we do not follow your advice." Per Attorney Hunter, "well that's my opinion and so, y'all do with it what you will, but that's my opinion." Councilman Gwinnett asked if he could speak. Attorney Hunter replied, "I think you shouldn't Nicky, since you recused yourself." Mayor Grooms stated, "was this property at one time used for a cabinet shop at one time?" Becky Hodges, Councilman Gwinnett's sister, replied, "since 1969, yes." Sandy Gwinnett, Nicky's wife, asked, "can he not speak as the property owner, he recused himself from council?" Attorney Hunter replied, "I think under the ethics ordinance, you should not do that, that is my opinion, but y'all can speak for him." Mayor Grooms stated, "my next question is, I see a business license, a portion of this was in January of 1984, was this business license kept active up to this date, or has it been inactive or canceled at any time?" Sandy Gwinnett replied, "we have no idea, because we just found that and his mother lived in the house in front of the shop, his stepfather ran the shop, we don't know how long he ran it, the use has never changed on the property up until he died and then we used it for storage for the cabinet shop on Highway 80, so the use has never changed, its never been a residence, its never had a septic tank, its never had water, nor a bathroom." Mayor Grooms asked, "was it always zoned residential, has there been any changes?" Per Sandy Gwinnett, "that's the only zone, Fred Rich, with his magic marker marked it R-1, the owners were never consulted about what it should be zoned." Mayor Grooms asked, "how do you proceed past that?" Per Attorney Hunter, "well I guess the question is, has it been continuously used as a cabinet shop since it was zoned R-1 or has there been a lapse in time of a period of one year or greater, when it was not used as a cabinet shop?" Sandy Gwinnett replied, "I don't think so, because when Otha died, he used it up until he died and then Nicky used it for storage for the cabinet shop on Highway 80, so it's always been used, it's never been abandoned, the taxes have always been paid, the property has always been kept up, and the use has never changed from what it was." Attorney Hunter asked Ms. Gwinnett, "was it an active cabinet shop all during that time?" Ms. Gwinnett replied, "storage for cabinets." Attorney Hunter asked, "since 1984, it was an active cabinet shop?" Ms. Gwinnett replied, "up until Mr. Akins passed away and then it was used for cabinet storage." Ms. Hodges stated, "its my stepfather, he passed away in 1988, and I live in one of the houses right there." Ms. Gwinnett stated, "and the driveway for the shop, is right across the road from the En-market, which is commercial." Per Attorney Hunter, "well legally, there are two issues, one is whether or not it is a continuing non-conforming use, and that's a factorable question, you wouldn't have to rezone it anything, it could continue to be used under R-1 if it was a continuing non-conforming use since it has been zoned R-1 without a lapse of one year, so that's a factorial question." Councilwoman Kelly asked Attorney Hunter, "is storage a continued use as a cabinet shop?" Per Attorney Hunter, "here is what your non-conforming use ordinance states, under Sec. 9-3. - Nonconforming uses of structures - Nonconforming uses consisting of structures used at the earlier of the time of passage of this ordinance or any predecessor zoning ordinance, for purposes not permitted in the district in which they are located shall in addition to the other requirements of this ordinance be governed by the following restrictions:

A. An existing nonconforming use of a structure may not be changed to another nonconforming use;

B. A nonconforming use of a structure shall not be extended or enlarged except into portions of the structure which at the time the use became nonconforming were already erected and arranged or designed for such nonconforming use. No structural alterations shall be made in any structure occupied by a nonconforming use, which would in any way increase the floor space, area, or volume of space occupied by the use; and,

C. When any nonconforming use of a structure is discontinued for a period in excess of one year, any future use of the structure shall be limited to those uses permitted in that district under the provisions of this ordinance. Vacancy and/or non-use of the building, regardless of the intent of the owner or tenant, shall constitute discontinuance under this provision. So, it is a factual question, I guess for y'all to decide." Councilman Harrison asked Ms. Gwinnett, "so you said that the taxes have always been paid, it's always been upkept, was the taxes paid through the cabinet business as a part of that cabinet business?" Ms. Gwinnett replied, "the taxes were paid up until his mother passed away by her, Nicky inherited it, after that, he paid the taxes." Councilman Harrison asked, "as part of the cabinet business?" Ms. Gwinnett replied, "right, okay when he had it separated from the house, it was resurveyed and the Town of Brooklet signed off on the survey, there has been an electrical inspection, there's been a building permit issued, there's been a lot of money sunk into it." Councilman Harrison stated, "I think that's what I'm trying to get to, if its been operated and used as a cabinet business, where there's been worked performed or as a warehouse, it's still part of the business, it contains part of the business, and its been operated as part of the business, so technically, it's never been abandoned on the use and I think the question at hand is, has it been abandoned or not used within a year, from what it sounds like, its been used the entire time as part as the cabinet business." Mayor Pro-Tem asked Attorney Hunter, "how does that work? For example, if I have an automotive business and I have a residential lot that I am parking vehicles on, is that connected to my business, that is maybe three miles, ten miles away, you know that parts irrelevant, it is not on the same property, is that the same?" Per Attorney Hunter, "are you talking about an adjacent part of the property?" Per Mayor Pro-Tem Anderson, "not an adjacent, my property is completely separated, does it fall under the same active use, say I am selling cars at this one property and I have five cars stored on another piece of property, is both properties treated the same? I do not think legally that makes since." Per Attorney Hunter, "so, I guess what you are saying, is storing items for a cabinet business the same as actively being engaged in a cabinet business?" Ms. Gwinnett replied, "storing the cabinets is part of the business." Attorney Hunter asked, "what was it being used for in 1984, was it an active cabinet business or a storage business?" Per Ms. Hodges, "a cabinet business." Attorney Hunter asked, "when is the last time it has had a business license for a cabinet shop? Has it been more than a year?" Clerk Phillips stated that the one from 1984 appears to be the last one, there are no current records of an active business in that building since then. Per Attorney Hunter, "so the question is, is cabinet storage the same use as an active cabinet shop for a non-conforming use?" Councilman Harrison replied, "if you think about a manufacturing plant, they manufacture and they sale within the same building, or they could have holding warehouses outside of that building, its still part of that same business." Attorney Hunter replied, "well you may be getting into some grey areas and that would be for y'all to decide." Councilman Harrison stated, "I just want to be fair and I don't want to say no, based on one rule of it not operating for a year, technically, its still has been operating." Per Attorney Hunter, "well, on the zoning question, you do not have to rezone it and I do not think you should rezone it, that is my

legal opinion, you shouldn't rezone it, rather you find it's a continuing a non-conforming use that's about another matter, you can argue it both ways, I guess, but if you did that, it would not be spot zoning." Mayor Pro-Tem Anderson replied, "so ultimately Mr. Hunter, the issue is the zoning piece, is that what I hear you saying?" Councilwoman Kelly replied, "no, it's the Grandfathering in piece, what the attorney said was he would not recommend rezoning it, but what you have to decide is whether or not you consider that being grandfathered in and is that a continuing use or not, that's what we have to decide, is storage a continued use of the cabinet shop?" Mayor Pro-Tem Anderson replied, "well, that makes sense, but I would assume Councilman Gwinnett could provide the canceled tax checks showing where he paid it from the cabinet business which would then possibly establish that, such as the power bill and such. I think if you do that, it makes it a clear path and it shows that it was an active business, could we postpone it to allow time for him to produce those documents?" Mayor Grooms replied, "I think that would be a good idea." Mayor Pro-Tem Anderson asked, "whenever the property changed hands, at what time did it fall under, did it change hands during the current zoning of it?" "Does that affect it or does it not affect it?" Per Attorney Hunter, "for a non-conforming use, that can be transferred to the next owner if that use is a continuous use, for a vested rights, its similar but somewhat different, that can not be, a vested rights argument is where you spent money in reliance of the current zoning and that's peculiar only to the one that spent the money and changed the position based on the zoning, a non-conforming use is not the same thing and that is transferable, so if y'all found that this is a continuing use for a cabinet shop under these facts, then that would be transferable to Councilman Gwinnett, even though it was his grandfathers." Per Mayor Pro-Tem Anderson, "I would think that a reasonable set of documents to establish that claim would be packing slips indicating that delivery address, other transport documents indicating the cabinet shop and that address listed (Brinson, Williams and Grooms insurance along with Lee Hill and Johnston Insurers both indicated that sub-addresses being insured must be noted in the policy for the policy to cover items at that location), insurance documents identifying that address as being insured with contents, tax records showing the parcel number or address being paid with a company check, power/water/or other utility being paid out of the business indicating that as a service address or anything else you all think of that would be reasonable with establishing that claim." Per Councilman Harrison, "so is it safe to say that it needs to go back to Planning and Zoning?" Councilwoman Kelly replied, "no." Attorney Hunter stated, "their only question is rather or not to rezone it, and the way it is currently presented without the adjoining property being rezoned, it is spot zoning." Ms. Gwinnett stated, "there is no change of ownership, its inheritance." Per Attorney Hunter, "well that is still a change of ownership, but it doesn't matter without a conforming use, that's irrelevant."

Discussion and questions from the Public who has requested to speak.

No Public requested to speak.

c. APPLICATION SE2023-007:

Deborah Allen and Robert Whitaker submitted an application for a special exception to allow 33,100 square feet of metal self-storage buildings (6); Phase 1 = 15,150 sq. ft. (2 buildings) on 2.41 acres. The property is zoned C-2 (General Commercial) and is located at 434 U.S. Highway 80 East.

The Planning and Zoning Commission recommends approval of the special exception request.

Present at the hearing was Robert L. Whitaker (agent) and Deborah Allen (property owner). Mr. Whitaker stated that this is the property next to the Dollar General Store. They will start with phase one which will be 15,150 square feet, with two buildings. They will begin with no pavement, they will start off with the foundation, the galvanized steel building, they will be non-climate control, exterior door entrances, and they will be 10x10. In the future they may plan on doing RV storage but that is later down the road. The entrance will be off U.S. Highway 80, before you turn at the Dollar General, once they get the recommendation, they will be in contact with G.D.O.T. to discuss the established entrance of the property. They have plans to reach out to Dollar General about sharing their entrance which would help a great deal. The property will not be fenced in but they will use other safety measurements in place.

Discussion from the Mayor and City Council.

Mayor Pro-Tem Anderson asked, "why would this request require a special exception?" Clerk Phillips stated that in the city ordinance, under the permitted uses, it is listed as other storage, which requires a special exception.

Discussion and questions from the Public who has requested to speak.

Ms. Oma Lee Robertson is a resident of Brooklet and she lives adjacent to the property where they are wanting to put the storage buildings, and she feels like this would be an eye sore to the community. She thinks it would be nice if someone was to put something there that would uplift the community, that would be beautification to the city. Councilman Graham stated, "I understand where you are coming from, but everything down that way on Highway 80 is commercial, and I understand you live behind the property, but the store front is commercial, and a business owner is going to want to capitalize that traffic that is coming down Highway 80, so who are we to stop them as far as what they want to put there, especially when it comes before council, it's a storage facility, not anything like a sports club or something like that, and you can't fault the people who own the property and then everything on that front side is commercial, that's just me." Gilbert Howard, a resident of Brooklet, asked about placing a vegetation buffer around the property to keep it from being an eye sore. Clerk Phillips stated that per the city ordinance, in a C-1 or C-2 district where a lot abuts any residential district, a ten-foot-wide buffer shall be provided with screening. Councilwoman Kelly thinks that a buffer is a good idea, so that it works for everyone. Councilman Harrison asked, "are there any kind of specs, like color wise, and what it's going to look like?" Mr. Whitaker stated, "it will be galvanized steel, that will be the major makeup of the building, color wise the majority will be white, the doors, my preference is that the color is going to be a blue color, I am trying to match SEB colors because that tends to be how we market things, as we go around different communities, we like to work with the local schools and do the signs out in the baseball field type things. I did not recognize the buffer piece to this, before the two of us really want to commit to anything we want to go back and spend a little time, if that is going to be a requirement of it, we obviously want to be mindful of the residents on the backside of us, recognizing that there is a road, we could and would want, maybe in time, add some fencing, but I do not know that fencing is going to give the residents what they want as it relates to a buffer. When you think of the back of the Dollar General, there is no buffer, there is no buffer between them other than the road and so we would be

treated as little bit differently where we are required to put up some kind of a buffer wall, when Dollar General does not have that, so as you continue to grow, is that going to be the expectations? We are obviously very aware that have people behind us that are in residential but the piece to that is, is that road, it creates that buffer. Per Mayor Grooms, "one concern I have is if the storage units are not being used, will they be locked and secure? What I do not want to see is someone come onto the property and get into one of the storage units, like a child, or someone just put stuff in there." Mr. Whitaker stated, "we also want to protect our property and if a storage unit is not being used, it will be locked."

Estella Robertson, the daughter in law of Mr. and Mrs. Robertson stated that they own five properties in the area and their concern about keeping the community at its natural beauty, of the area, that it already has, so they are not against what they are proposing to do, its just that they already have a couple of properties in that area that are eye sores. So, they are requesting a that a natural buffer, like a vegetation so that it looks more appealing to those residents that are there, so on their behalf, to make it a little more clearer, is, they are older and they have been here for a long period of time and when they see someone coming in, they just worry they will make everything look more business, so you can understand why they will be a little bit upset about it.

Councilman Graham stated that growth is happening and we cannot and will not try to stop it, because everything around us is growing, therefore we must grow with it, and he is asking council that we all stay consistent with the decisions we make now and in the future.

d. APPLICATION TA2023-008:

The City of Brooklet submitted the following proposed text amendment. AN ORDINANCE TO AMEND CERTAIN PORTIONS OF THE ZONING ORDINANCE OF THE CITY OF BROOKLET TO COMPLY WITH THE REVISIONS TO "THE ZONING PROCEDURES LAW" REQUIRED BY HOUSE BILL 1405 PASSED DURING THE 2022 REGULAR SESSION OF THE GEORGIA GENERAL ASSEMBLY, AND OTHER REQUIREMENTS OF SAID BILL.

Discussion from the Mayor and City Council.

Per Attorney Hunter, "the Georgia Gen. assembly has made certain changes to the Zoning Procedures Law set forth at OCGA § 36-66-1 et seq., the primary changes were to require similar procedures to variances and special exceptions that were required for rezoning matters, and to provide for certain requirements with respect to appeals to Superior Court from the final decision in rezoning matters, variances, and special exceptions."

Discussion and questions from the Public who has requested to speak.

Chairman Bill Griffith would like for the council to consider looking into the zoning ordinance or having a group investigate it, he believes it is out of date and needs to be renewed, with all the growth that is going on and the counties around us, we need to have this updated for the betterment of Brooklet. He also suggested that a moratorium be put in place, because when the people find out that we are going to update the zoning ordinance, then everyone is going to make a mad run to have their request submitted before these changes are made.

We will have someone investigate this and have more information at the July work session.

2. **Motion to Close the Public Hearing and go into the Regular Session.**
Motion to Approve
MOTION: Rebecca Kelly
SECOND: Johnathan Graham
AYES: Rebecca Kelly, Brad Anderson, James Harrison, and Johnathan Graham
NAYES: None
Motion carried 4-0
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1. **Call to order and welcome - Mayor Grooms, III**
 - a. Invocation
2. **Pledge of Allegiance to the United States Flag - Mayor Grooms, III**
3. **Consideration of a Motion to Approve or Amend the Agenda**
Motion to Approve
MOTION: Nicky Gwinnett
SECOND: Rebecca Kelly
AYES: Rebecca Kelly, Brad Anderson, James Harrison, Nicky Gwinnett, and Johnathan Graham
NAYES: None
Motion carried 5-0
4. **Consideration of a Motion to Approve the Consent Agenda**
 - a. Goforth Williamson, Inc. Quote for \$3,210.00, to repair the septic system located on Goodman Street.
 - b. Whitaker Lab & Engineering Invoice for \$1,642.50 for testing for the 2022 Brooklet LMIG Project (PE22111)
 - c. Core & Main Invoice for \$102,264.63 for Water Materials for the Orchard Subdivision to be paid out of the Water Capital Improvement Fund.**Motion to Approve**
MOTION: Johnathan Graham
SECOND: James Harrison
AYES: Rebecca Kelly, Brad Anderson, James Harrison, Nicky Gwinnett, and Johnathan Graham
NAYES: None
Motion carried 5-0
5. **Consideration of a Motion to Approve the Minutes of the following City Council Meetings:**
 - a. May 11, 2023 Work Session
 - b. May 18, 2023 City Council Meeting
 - c. May 25, 2023 Called Meeting**Motion to Approve**
MOTION: Johnathan Graham
SECOND: James Harrison
AYES: Rebecca Kelly, Brad Anderson, James Harrison, Nicky Gwinnett, and Johnathan Graham

NAYES: None
Motion carried 5-0

**6. Consideration of a Motion to Approve the May Financial Reports as presented
Motion to Approve**

MOTION: James Harrison

SECOND: Rebecca Kelly

AYES: Rebecca Kelly, Brad Anderson, James Harrison, Nicky Gwinnett, and
Johnathan Graham

NAYES: None

Motion carried 5-0

7. Recognition of guest

a. Report from City Engineer, Wesley Parker – Projects Update

- Mr. Parker was unable to attend the meeting but gave the following update via email: He received an email from EPD stating that they will review Brooklet's project by the end of the month. He has a call into GDOT to follow up on allowing the money spent on Cromley be allowed to count towards the matching funds on the Cromley TAP Sidewalk Project. Bulloch County's engineer has been sharing their sidewalk plans with us so we know where we can place the force main.

b. Report from City Consultant, Matthew Morris – Water/Sewer Project

- Mr. Morris was unable to attend the meeting but gave the following update via email: Recently, Hugh, Nicky and myself met with representatives of Statesboro. We discussed the IGA and presented the requests on behalf of Brooklet. This was an excellent meeting and I believe we will see changes as proposed below:
 - 1) Aid to construction fee to be pain in phases.
 - 2) rate structure to reflect a lower rate per 1,000 gallons. This should come out at \$4.50 per thousand.
 - 3) rate increase will only occur when Statesboro raises rates on their citizens. This way Brooklet cannot be singled out for an increase.
- The finalized IGA will be ready for presentation in July.

8. Recognition of guest that signed in to speak on regular agenda items.

9. Reports from committee members

a. Mayor Pro-Tem Anderson

- We are in the middle of the month of June, in terms of purchases, we need to make sure we limit purchase orders between now and June 30th, due to us closing out this fiscal year, but the biggest thing is, if you are not going to be able to get it and receive it by July 1st, just remember it will be coming out of the next fiscal years money, so I would encourage us not to spend money if we do not have to spend money just because you may not be able to receive the items and the money will count towards next year, not this year's money.

b. Councilman Gwinnett

- We cleaned out the ditch on Lee Street from the city limits back towards Denmark's pond, hopefully that will help with the drainage and we will continue to work on the ditches as we can find it or as people call things in, as always, if

anyone sees anything that needs to be addressed, please call in a work order if you can.

- They went out to Leefield Preserve to look at the ditch that Patrick Couch made a complaint about and we do not have any equipment that can go down in there, so I do not know what we are going to do, so we can either rent a piece of equipment to clean it up, or it can stay the way it is. Its not as bad as the guy made it out to be and there is a few pieces of fence silk that got left, but they are so far down in the woods, you can not see them unless you go down into the woods where you can't see anybody and nobody can see you and the grass does need to be cut in there but we do not have a tractor or a bush hog that has the ability to go down in there to do that because it is all in a wet area, it will take a four wheel drive tractor with a big mower, so if the guy says anymore, we did look and we have no ability to do anything with it.

c. Councilwoman Kelly

- We have doors in the PD, we are missing one due to it needing to be special made.
- Chief and I are going to take a day next week to finish up any touch ups and will be moving forward with the move in.
- I weeded today in the flower beds in front of city hall.

d. Councilman Harrison

- No Report

e. Councilman Graham

- No Report

10. Report from Police Chief

a. Gary M. Roberts

- Gave the monthly PD report
- Code Enforcement letters have been sent out to properties that need to be brought up to code, so hopefully we can get some resolution on that and get them cleaned up.
- The mayor has nothing but great reports about the officers, they are friendly and help the best they can, they are prominent, and they do the best for the city and he wants to thank them and the Chief for that.

11. Report from Safety Coordinator

a. Jim Stanoff

- Absent

12. New Business

a. Motion to Approve the FY2024 Budget.

Motion to Approve

MOTION: Johnathan Graham

SECOND: Nicky Gwinnett

AYES: Rebecca Kelly, Brad Anderson, James Harrison, Nicky Gwinnett, and Johnathan Graham

NAYES: None

Motion carried 5-0

- b. Motion to Approve Application RZ2023-006.
Motion to Table the rezone request to the July Council Meeting.
MOTION: Johnathan Graham
SECOND: James Harrison
AYES: Rebecca Kelly, Brad Anderson, James Harrison, and Johnathan Graham
NAYES: None
RECUSED: Nicky Gwinnett
Motion carried 4-0
- c. Discussion and Consideration of a Motion to Authorize City Attorney Hunter to prepare an Ordinance to Amend the Zoning Map of the City of Brooklet to Rezone Property at 407 North Cromley Road of 0.65 Acres from R-1 (Single-Family Residential) Zoning District to C-2 (General Commercial) Zoning District, Application RZ2023-006.
Motion to Table to the July Council Meeting.
MOTION: Johnathan Graham
SECOND: James Harrison
AYES: Rebecca Kelly, Brad Anderson, James Harrison, and Johnathan Graham
NAYES: None
RECUSED: Nicky Gwinnett
Motion carried 4-0
- d. Motion to Approve Application SE2023-007 for a special exception to include the vegetation buffer as required by the ordinance.
Motion to Approve
MOTION: Johnathan Graham
SECOND: Nicky Gwinnett
AYES: Rebecca Kelly, Brad Anderson, James Harrison, Nicky Gwinnett, and Johnathan Graham
NAYES: None
Motion carried 5-0
- e. Discussion and Consideration of a Motion to purchase four back tires for the Hydro Dig. Three quotes were presented as follows:
1. Pete's Tire Barn = \$1,865.06
2. SOS Radial Tire Service = \$1,187.32 (truck tires)
3. Low Country Machinery = \$4,038.04
Motion to Approve the quote from Pete's Tire Barn in the amount of \$1,865.06
MOTION: Johnathan Graham
SECOND: Nicky Gwinnett
AYES: Rebecca Kelly, Brad Anderson, James Harrison, Nicky Gwinnett, and Johnathan Graham
NAYES: None
Motion carried 5-0

13. Old Business

- a. Second Reading and a Motion to Approve TA2023-008:
AN ORDINANCE TO AMEND CERTAIN PORTIONS OF THE ZONING ORDINANCE OF THE CITY OF BROOKLET TO COMPLY WITH THE REVISIONS TO "THE ZONING PROCEDURES LAW" REQUIRED BY HOUSE BILL 1405 PASSED DURING THE 2022 REGULAR SESSION OF THE GEORGIA GENERAL ASSEMBLY, AND OTHER REQUIREMENTS OF SAID BILL
Motion to Approve
MOTION: Johnathan Graham
SECOND: Nicky Gwinnett
AYES: Rebecca Kelly, Brad Anderson, James Harrison, Nicky Gwinnett, and Johnathan Graham
NAYES: None
Motion carried 5-0
- b. Discussion and Consideration of a Motion to approve a quote to purchase Planning and Zoning signs.
Two quotes were presented as follows:
1. Action Signs = \$2,500.00 (50 ct.)
2. Whitfield Signs = \$3,285.00 (50 ct.)
Motion to Approve the quote from Action Signs in the amount of \$2,500.00
MOTION: Johnathan Graham
SECOND: James Harrison
AYES: Rebecca Kelly, Brad Anderson, James Harrison, Nicky Gwinnett, and Johnathan Graham
NAYES: None
Motion carried 5-0
- c. Discussion and Consideration of a Motion to approve a quote to purchase street signs and sign post that are needed.
Two quotes were presented and they are as follows:
1. Econo Signs = \$2,231.96
2. Georgia Correctional Industry = \$1,402.16
Motion to Approve the quote from the Georgia Correctional Industry in the amount of \$1,402.16
MOTION: Johnathan Graham
SECOND: James Harrison
AYES: Rebecca Kelly, Brad Anderson, James Harrison, Nicky Gwinnett, and Johnathan Graham
NAYES: None
Motion carried 5-0

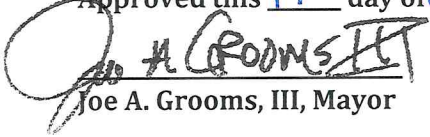
14. Consideration of a Motion to adjourn

Motion to Approve

- MOTION:** Rebecca Kelly
SECOND: Johnathan Graham
AYES: Rebecca Kelly, Brad Anderson, James Harrison, Nicky Gwinnett, and Johnathan Graham

NAYES: None
Motion carried 5-0

Approved this 17th day of AUGUST, 2023.


Joe A. Grooms, III, Mayor


Lori Phillips, City Clerk

