

Milledgeville City Council  
City Hall – Council Chambers  
119 East Hancock Street  
June 12, 2018  
6:30 PM

Milledgeville City Council met in regular session on Tuesday, June 12, 2018 at 6:30 PM in the Council Chambers of City Hall with Mayor Pro Tempore M. Stephen Chambers presiding. Members of Council present were Collinda J. Lee, Jeanette H. Walden, Denese R. Shinholster, Walter Reynolds, Richard Mullins and Steve Chambers. Mayor Parham-Copelan was absent due to illness.

Others present were Barry Jarrett, Jimmy Jordan, Bo Danuser, Melba Hilson-Butts, Mervin Graham, Hank Griffeth, Chiquita Danzy, Brenda Josey, Felicia Cummings, Billy Hobbs, Will Slayton and members of the public.

Mayor Pro Tempore Steve Chambers called the meeting to order at 6:30 PM.

The Clerk called roll and a quorum of members of Council was declared present. Mayor Pro Tempore announced that Mayor Copelan was under the weather and asked everyone to keep her in their thoughts and prayers.

He asked for a moment of silence to think about world peace, an end to hunger and starvation and an end to divisiveness; he then led the Pledge of Allegiance.

Motion Dr. Lee, second Ms. Shinholster to adopt the May 22, 2018 Council meeting minutes as official.

On vote aye: Dr. Lee, Mrs. Walden, Ms. Shinholster, Mr. Reynolds, Mr. Mullins and Mr. Chambers. The motion passed and the minutes were approved.

Mayor Pro Tempore Chambers moved to old business stating that there were two public hearings to conduct; he described each of the ordinances making the amendments and then gave the procedure for conducting the public hearings.

Mayor Pro Tempore Chambers stated that the first public hearing was to consider Ordinance O-1805-005 that amended the Land Development Code to allow a special use of 1075 North Columbia Street.

Mayor Pro Tempore Chambers asked if the public hearing had been properly posted and advertised. The Clerk responded that it had been.

The Clerk read Ordinance O-0805-005 by caption stating that this was an ordinance amending the ordinance passed and adopted on the 10<sup>th</sup> day of December 2002 known as the Land Development of the City of Milledgeville, Georgia. The ordinance grants a

special use for the property located at 1075 North Columbia Street. The special use is for automobile sales.

The ordinance was presented as follows:

### **ORDINANCE O-1805-005**

AN ORDINANCE AMENDING THE ORDINANCE PASSED AND ADOPTED ON THE 10TH DAY OF DECEMBER 2002, KNOWN AS "THE LAND DEVELOPMENT CODE OF THE CITY OF MILLEDGEVILLE, GEORGIA." ORDINANCE GRANTS A SPECIAL USE FOR THE PROPERTY LOCATED AT 1075 N. COLUMBIA STREET. THE SPECIAL USE IS FOR AUTOMOBILE SALES.

WHEREAS, Tim Thomas, of Milledgeville, Georgia did submit to the Milledgeville Planning and Zoning Commission for review and recommendation, a request that a Special Use for Automobile Sales be granted in the use district designation of the property hereinafter described as CC;

WHEREAS, the Milledgeville Planning and Zoning Commission, in session duly called and assembled, considered said request by Tim Thomas, and said Commission approved said request and thereafter notified The Mayor and Aldermen of the City of Milledgeville of its decision thereof; and

WHEREAS, more than fifteen days prior to the date set for said public hearing, the Building Inspector of the City of Milledgeville, caused to be erected on the hereinafter described land, public notice signs, of at least six square feet each, and in conspicuous places upon said property, upon which was printed the information as to the proposed change and the date and time of the public hearing before the Mayor and Aldermen of the City of Milledgeville, all as shown by the affidavit of said Zoning Secretary attached to the original petition filed in this matter; and

WHEREAS, notice of the time and place of said hearing was duly published in The Union Recorder, a newspaper having general circulation in the City of Milledgeville, on the 18th day of May, 2018, all as is set forth in an affidavit of Keith Barlow, Publisher of said newspaper, and attached to the original petition filed in this matter; and,

WHEREAS, The Mayor and Aldermen of the City of Milledgeville held a public hearing on said proposed request on the 12th day of June 2018 at 6:30 P.M., at the City Hall.

NOW THEREFORE BE IT ORDAINED by the Mayor and Aldermen of the City of Milledgeville, and it is ordained by authority thereof:

**SECTION I.** That a Special Use in the CC District allowing Automobile Sales be granted as set forth in the findings and recommendations of the Planning and Zoning Commission. That said property be developed and constructed pursuant to the detailing set forth in testimony and findings of the City of Milledgeville Planning and Zoning Commission and the hereinafter described land designated as CC be used upon the expressed condition that said areas will be used for purposes permitted as special use authorized under the CC District, and said land being described as follows:

**Legal Description**

Property is described as addressed as 1075 N. Columbia Street, Baldwin County Tax Map 56 Parcel 011 and more particularly described in Exhibit A attached hereto.

**SECTION II.** All provisions of said Ordinance passed and adopted on the 10th day of December 2002, known as "The Land Development Code of the City of Milledgeville, Georgia", not in conflict herewith are hereby reaffirmed.

PASSED AND ADOPTED this 12th day of June, 2018.

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M. Stephen Chambers,  
Mayor Pro Tempore

ATTEST:

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Bo Danuser, Clerk

**EXHIBIT A**  
**ORDINANCE O-1805-005**

**All that tract or parcel of land together with the permanent improvements attached thereto lying and being in Land Lot 295, 1st Land District, 320th GMD, City of Milledgeville, Baldwin County, Georgia, designated as Lot Number One (1) Block "E", Penndale Subdivision, containing 0.353 acres, more or less, and being more particularly described by that certain Property and As-Built Survey for Tommie Earl & Perrie W. Holt, prepared by James E. Smityh, Jr., GRLS, dated June 25, 2002, recorded in Plat Book 23, Page 92, Baldwin County Land Records. Said lot being also shown and depicted by that certain subdivision plat of survey recorded in Deed Book 29, Page 319, said land records. Said plats of survey and record thereof are by reference made a part hereof for a more accurate description of said property.**

**The above described property is the same as was last conveyed by right of survivorship deed from Stephen B. Chapple to Tommie Earl Holt and Perrie W. Holt, dated November 6, 2003, recorded in Deed Book 614, Page 109, said land records.**

Property is further described as being addressed as 1075 N. Columbia Street, Baldwin County Tax Map M56 Parcel 011.

Mayor Pro Tempore Chambers recognized the Planning and Zoning Administrator for a report to include the advisory decision of the Planning and Zoning Commission. Mervin Graham stated that this amendment was unanimously approved for use as a car lot.

Mayor Pro Tempore Chambers asked if the applicant or his presentative would like to speak in favor of the amendment.

Tim Thomas of 1898 Timberlane Road spoke in favor of the amendment. He asked that two of his summer interns be allowed to make statements on his behalf. There were no objections. Ms. Aliya Taylor of 129 Pine drive NE, Milledgeville stated she was an upcoming senior at Baldwin High School and was an intern for Mr. Thomas at Otis Thomas Construction and Mr. Bryce Thomas from St. Mary's Georgia would be attending West Minster College studying architecture introduced themselves and gave a presentation describing the use of the Council. Ms. Taylor and Mr. Thomas stated that they were there on behalf of Davis Homes Development at 1075 North Columbia Street and on behalf of Tony Havior and Havior Automotive and gave a presentation on Mr. Havior's proposed use of the lot for a car lot.

Councilwoman Shinholster asked Mr. Havior about the placement of the cars on the lot. Mr. Havior responded referenced a map and showed where the cars for sale would be located.

Mayor Pro Tempore Chambers asked if anyone present would like to speak in opposition to the amendment. There was no one who spoke.

Mayor Pro Tempore Chambers asked if there were additional questions from Council.

Ms. Shinholster stated to Ms. Taylor and Mr. Thomas that they did an excellent job with their presentation.

Mayor Pro Tempore Chambers stated that this concluded the presentation of evidence.

Motion Mr. Reynolds, second Ms. Shinholster to accept the findings of the Planning and Zoning Commission and approve the rezoning.

On vote aye: Dr. Lee, Mrs. Walden, Ms. Shinholster, Mr. Reynolds and Mr. Chambers. Mr. Mullins abstained because he was related to one of the owners. The motion carried and the ordinance was adopted as official.

Mayor Pro Tempore Chambers stated that the second public hearing was to consider Ordinance O-1804-003 making a text amendment to the Land Development Code imposing a temporary moratorium suspending all application for multi-family residential

and planned development rezoning and temporarily suspending all applications for fraternity, sorority and group residence overlays.

The Clerk read the ordinance by Caption stating that this ordinance amended the ordinance passed and adopted on the 10<sup>th</sup> day of December, 2002 known as the Land Development Code of the City of Milledgeville, GA for the purpose of imposing a moratorium temporality suspending all applications for multi-family residential rezoning and planned development rezoning within the City of Milledgeville and temporarily suspending all applications for fraternity, sorority, group residence overlays and group residence special exceptions within the City of Milledgeville's historic district for a period of six months; and for other purposes.

The ordinance was presented as follows:

**ORDINANCE O-1804-003**

AN ORDINANCE AMENDING THE ORDINANCE PASSED AND ADOPTED ON THE 10TH DAY OF DECEMBER, 2002, KNOWN AS "THE LAND DEVELOPMENT CODE OF THE CITY OF MILLEDGEVILLE, GEORGIA", FOR THE PURPOSE OF IMPOSING A MORATORIUM TEMPORARILY SUSPENDING ALL APPLICATIONS FOR MULTI-FAMILY RESIDENTIAL (MR1 AND MR2) REZONING AND PLANNED DEVELOPMENT (PD) REZONING WITHIN THE CITY OF MILLEDGEVILLE AND TEMPORARILY SUSPENDING ALL APPLICATIONS FOR FRATERNITY/SORORITY/GROUP RESIDENCE OVERLAY AND GROUP RESIDENCE SPECIAL EXCEPTION (SECTION 4.1.28 OF THE LAND DEVELOPMENT CODE) WITHIN THE CITY OF MILLEDGEVILLE'S HISTORIC DISTRICT FOR A PERIOD OF SIX (6) MONTHS; AND FOR OTHER PURPOSES.

WHEREAS, The Mayor and Aldermen of the City of Milledgeville desire to amend the "Land Development Code of the City of Milledgeville, Georgia" (the "Land Development Code") to provide for a six (6) month moratorium, beginning on the date of adoption of this amendment, for the purpose of temporarily suspending all applications for Multi-Family Residential (MR1 and MR2) rezoning and Planned Development (PD) rezoning within the City of Milledgeville; and temporarily suspending all applications for fraternity/sorority/group residence overlay and group residence special exception (Section 4.1.28 of the Land Development Code) within the City of Milledgeville's Historic District; and

WHEREAS, the City of Milledgeville has experienced substantial growth in Multi-Family Housing (MR1 and MR2) and Planned Development (PD), particularly with respect to the construction of Multi-Family Housing units marketed to students attending higher education institutions located in Milledgeville, which if allowed to continue at the current pace may adversely impact the health, prosperity and general welfare of its citizens and affect the stability and future growth of other land uses and classifications; and

WHEREAS, comparatively dense developments such as multi-family housing, including student housing, have a disproportionate impact on City resources and services

(such as water and sewer demands, traffic impacts, public safety demands, etc.) than other forms of residential development; and

WHEREAS, the City of Milledgeville has experienced within its designated Historic District (Chapter 58 of the Code of Ordinances of the City of Milledgeville, Georgia and as delineated on the Official Zoning Map of the City of Milledgeville, Georgia) significant expansion of the Fraternity/Sorority/Group Residence Overlay and Group Residence Special Exception (Section 4.1.28 of Land Development Code); and

WHEREAS, the City's designated Historic District is a valuable resource that is an integral part of the economic well-being of the community and the continued expansion of the Fraternity/Sorority/Group Residence Overlay and Group Residence Special Exception (Section 4.1.28 of Land Development Code) may be adversely impacting the intrinsic neighborhood characteristics, economic stability and future growth of other land uses and classifications within the Historic District; and

WHEREAS, the Mayor and Aldermen are concerned that the health and well-being of the citizens of the City could be negatively impacted by uncontrolled development of multifamily housing; and

WHEREAS, the Mayor and Aldermen consider it paramount that land use regulation continue in the most orderly and predictable fashion with the least amount of disturbance to landowners and to the citizens of the City; and

WHEREAS, the Mayor and Aldermen have always had a strong interest in growth management so as to promote the traditional police power goals of health, safety, morals, aesthetics, and the general welfare of the community; and

WHEREAS, the Mayor and Aldermen also believe that "general welfare" includes the valid public objectives of aesthetics, conservation of the value of existing lands and buildings within the City, making the most appropriate use of resources, preserving neighborhood characteristics, enhancing and protecting the economic well-being of the community, facilitating adequate provision of public services, and the preservation of the resources of the City; and

WHEREAS, the Mayor and Aldermen are, and have been interested in, developing a cohesive and coherent policy regarding certain land uses in the City and seek to promote community development through stability, predictability and balanced growth which will further the prosperity of the City as a whole; and

WHEREAS, this amendment to the City's Land Development Code would maintain the status quo for six (6) months thereby allowing the necessary time needed for the City to complete its fact finding, research, and study in order for the City Manager and staff to

make formal recommendations to the Mayor and Aldermen regarding future amendment(s) to the City's Land Development Code and possible amendment(s) to sections of the City's Code of Ordinances to address the findings and issues identified as adversely impacting the City's residential areas, including the Historic District, as well as the City as a whole; and

NOW THEREFORE BE IT ORDAINED by the Mayor and Aldermen of the City of Milledgeville, and it is ordained by authority thereof:

#### SECTION I.

That the Land Development Code passed and adopted on the 10th day of December, 2002, known as the "Land Development Code of the City of Milledgeville, Georgia", be and the same is hereby amended by adding a Section 2.15 to Article 2 of the Land Development Code entitled "TEMPORARY MORATORIUM FOR ZONING CHANGE APPLICATIONS FOR MULTI-FAMILY HOUSING (MR1 AND MR2) AND PLANNED DEVELOPMENT (PD)", to read as follows:

#### 2.15. TEMPORARY MORATORIUM FOR ZONING CHANGE APPLICATIONS FOR MULTI-FAMILY HOUSING (MR1 AND MR2) AND PLANNED DEVELOPMENT (PD)

There is hereby established a moratorium temporarily suspending all applications for Multi-Family Housing (MR1 and MR2) and Planned Development (PD) Zoning Change within the City of Milledgeville for a period of six (6) months from the date of adoption of this Section by the Governing Body. During the pendency of this temporary moratorium the City of Milledgeville Building Official and Zoning Administrator shall not accept or process any Zoning Change applications for Multi-Family Housing (MR1 and MR2) and Planned Development (PD). Without further action by the Governing Body this Section 2.15 shall become null and void and of no further force and effect on December 27, 2018.

#### SECTION II.

That the Land Development Code passed and adopted on the 10th day of December, 2002, known as the "Land Development Code of the City of Milledgeville, Georgia", be and the same is hereby amended by adding a Section 2.16 to Article 2 of the Land Development Code entitled "TEMPORARY MORATORIUM FOR ZONING CHANGE APPLICATIONS FOR EXPANSION OF THE FRATERNITY/SORORITY/GROUP RESIDENCE OVERLAY AND GROUP RESIDENCE SPECIAL EXCEPTION (SECTION 4.1.28 OF LAND DEVELOPMENT CODE) FOR PROPERTIES LOCATED WITHIN THE CITY OF MILLEDGEVILLE'S DESIGNATED HISTORIC DISTRICT", to read as follows:

#### 2.16. TEMPORARY MORATORIUM FOR ZONING CHANGE APPLICATIONS FOR EXPANSION OF THE FRATERNITY/SORORITY/GROUP RESIDENCE OVERLAY AND GROUP RESIDENCE SPECIAL EXCEPTION (SECTION 4.1.28 OF LAND DEVELOPMENT

CODE) FOR PROPERTIES LOCATED WITHIN THE CITY OF MILLEDGEVILLE'S  
DESIGNATED HISTORIC DISTRICT

There is hereby established a moratorium temporarily suspending all applications for expansion of the Fraternity/Sorority/Group Residence Overlay and Group Residence Special Exception (Section 4.1.28 of Land Development Code) for properties located within the City of Milledgeville's designated Historic District for a period of six (6) months from the date of adoption of this Section by the Governing Body. During the pendency of this temporary moratorium the City of Milledgeville Building Official and Zoning Administrator shall not accept or process any Zoning Change applications for expansion of the Fraternity/Sorority/Group Residence Overlay and Group Residence Special Exception (Section 4.1.28 of Land Development Code) for properties located within the City of Milledgeville's designated Historic District. Without further action by the Governing Body this Section 2.16 shall become null and void and of no further force and effect on December 27, 2018.

SECTION III.

Any and all provisions of the Land Development Code in conflict with this Ordinance shall be temporarily suspended and of no force and effect during the six (6) month period of the moratoriums established pursuant to Sections 2.15 and 2.16 of the Land Development Code as set forth in Sections I and II of this Ordinance.

SECTION IV.

A determination of the invalidity or unconstitutionality by a court of competent jurisdiction of any clause, sentence, paragraph, subsection or part of this ordinance shall not affect the validity of the remaining parts of this ordinance.

PASSED AND ADOPTED this 12<sup>th</sup> day of June, 2018.

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M. Stephen Chambers,  
Mayor Pro Tempore

ATTEST:

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Bo Danuser, Clerk

Mayor Pro Tempore Chambers asked if this public hearing had been properly posted and advertised. The clerk responded that it had been.

Mayor Pro Tempore Chambers reminded everyone that speakers would be addressing Council and asked that comments be directed toward Council. He also asked that there be no comments or discussion in the audience.

Mayor Pro Tempore Chambers recognized Mervin Graham for a report from the Zoning Administrator. Ms. Graham stated that this passed the Planning and Zoning Commission with a 4 to 2 vote.

Mayor Pro Tempore Chambers asked if anyone present would like to speak in favor of the amendment.

John Alton of 211 South Liberty Street spoke thanking Council for bringing this issue to the table. He stated that Milledgeville had grown significantly in both unit housing and student housing. It was time for Council to be given the opportunity to relook at the codes to see where we were going and to see how other communities with large college populations handled problems. Council needed time to evaluate the issues and reevaluate and update the current code. He stated this moratorium was only temporary; it allowed council to overlook the overall essence of the code to find if they were on the right track. There had been a lot of building in the city and were at the saturation point. He stated that this didn't address individual properties but instead the code and in particular residential. He asked that Council take the time to come up with a product that satisfied the residents, the realtors, the developers and the community.

Virginia Knapp of 517 West Hancock Street spoke in favor to the amendment stating that She was in favor of taking the time to find out where they wanted to go as a city, as a downtown and as a historic city. She had owned the property for 10 years and seen significant changes and seen neighbor's after neighbor's properties being turned into college housing. It would be a good thing to take the time to see how things are, since the current code dated to 2002, and to reevaluate and to consider their citizens and the people who live in the area. She asked that Council enforce what they had or to rewrite what they had.

Mayor Pro Tempore Chambers asked if anyone would like to speak in opposition to the amendment.

Matt Roessing of 2171 Flat Rock Road in Watkinsville Georgia stated the he was representing Richard Sims and was speaking in opposition to only the second part of the moratorium dealing with group use in the historic district. He gave a power point presentation where he discussed the legal standard for passing a moratorium as set up by the Supreme Court of Georgia. He stated that it had to be in the interest of the general public and not to please a small group of people. Secondly, they had to establish the purpose of the moratorium and the means had to reflect the purpose. Mr. Roessing showed photos of Mr. Sim's previous restorations stating that his work had been immaculate; he discussed previous renovations. He further stated that his client was the only one that would be affected by the second part of the moratorium dealing with group residences. He showed the group residence amendment that Council had already approved for Mr. Sims. Mr. Roessing discussed the stringent requirements placed on special use designation that solved three problems that people were complaining about. He stated that special use permits were the solution to the problem of historic homes being lost to neglect, the bulldozer and to fire. Mr. Roessing discussed the study done by

the City Planner. He stated that the justification for the moratorium was that there were complaints and that the complaints were made by a small group of people and unrelated to Mr. Sim's properties. He discussed the cost of renovating the historic homes. He discussed Georgia College Students presence in the historic district. He requested that special use permits be kept in place, to amend the proposed moratorium to exclude section 2 or at the very least allow Mr. Sims to continue with his applications that were stopped.

Judy Sanders of 300 Cold Branch Road, Eatonton Georgia spoke in opposition to the amendment. She stated that she was a realtor representing a property owner at the corner of Irwin and Montgomery and that they had been trying to sell the property for five years; she had an offer on the property but was contingent on it being rezoned to multi-family. There was a discussion about the location of the property. She stated that it was not in the historic district and was next to apartments. She asked for an exception or special use. She asked if there was some way to not have the moratorium for a couple of days so she could get an application in.

Brenda Deal of 120 Car Station Road spoke in opposition. She stated that she was the owner of the property that Ms. Sanders spoke of. She stated the property had been listed for five years and this is the first offer she had. She discussed the property and previous uses including a service station. She stated that she had spent a lot of money on the property including, at the City's request, tearing the building down and clearing the property. She would like to sell the property.

Ms. Shinholster asked how long the rezoning process took. Ms. Graham responded that it took about two to three months depending on when the application is given. If the applicant had to get an overly it could be six months. She briefly discussed the process.

Mr. Chambers asked if anyone would like to rebut.

John Alton rebutted stating that the betterment of the historic district was a concern to the entire city, one that is good for financial ends was key to the city. He stated that many of the houses on Liberty Street were purchased before they went on the market. Two properties were approved for sororities in the overlay area so the question was how many more before it take over the entire overlay area. Council identified a specific area for fraternities, sororities and multi-family use. Single families could and did live in these historic houses. He further stated that the picture shown of the house on fire was an illegal sorority. He stated that there were complaints to the police department and some to the code office. He discussed the need to put teeth into the code and to enforce them. He stated that no one hated students, what they didn't like were disrespectful students.

Virginia Knapp rebutted stating that the real estate agent was from Eatonton and the attorney was from Watkinsville, but she lived there and invited Council to her 5,000 square foot house they were renovating and paid their electricity on and paid their taxes on. She stated that she had complained to the code office and repeatedly complained to the campus police and the Milledgeville police. She stated that section 2 of this moratorium sounded like Ordinance 1305-006 that just needs to be enforced. She stated that as a governing body Council could adopt this moratorium. She further stated that that small group of people that lived here, paid their taxes, cared about their kids that live here, cared about their neighbors, were not transients and cared about this city.

Councilman Mullins asked the City Attorney if this would affect people applying to the Department of Community Affairs for affordable housing. Mr. Jordan responded that it would affect them from being able to rezone to MR2.

Councilman Reynolds asked if anyone had data or reflect their diligence in observing and correcting issues in the district. Mr. Jordan responded that the City Planner had put together information. The next step would be to consider hiring a firm to conduct a study.

City Planner Hank Griffeth handed out information regarding multi-family moratorium activities to date.

Mayor Pro Tempore Chambers stated that they could lift the moratorium prior the six months. He stated that he had looked at each property on an individual basis and it was not until he stopped long enough to look at numbers and looking at the whole picture and where they were going with this. Planning was a good thing and sticking to that plan was a better thing.

Mayor Pro Tem Chambers asked if there were any additional questions or comments. There were none.

Mr. Chambers stated that this concluded the presentation of evident and asked for a motion.

Motion Mr. Reynolds, second Mr. Mullins to disapprove the amendment.

On vote aye: Mr. Reynolds and Mr. Mullins. On vote no: Dr. Lee, Mrs. Walden, Ms. Shinholster and Mr. Chambers. The motion failed.

Motion Ms. Shinholster, second Mrs. Walden to accept the findings of the Planning and Zoning Board and approve the request.

On vote aye: Dr. Lee, Mrs. Walden, Ms. Shinholster and Mr. Chambers. On vote no: Mr. Reynolds and Mr. Mullins. The motion carried and the ordinance was adopted as official.

Mr. Chambers stated that the next item was to consider Ordinance O-1805-004 adopting the 2019 annual operating budget. He asked if the adoption of this ordinance had been properly advertised. The Clerk responded that it had been.

The Clerk read Ordinance O-1805-004 by caption stating that this was an ordinance to adopt the Fiscal Year 2019 Annual Operating Budget beginning on July 1, 2018 and ending on June 30, 2019; To adopt the five-year capital improvements program; to make the budget available for inspection; to outline the budget adoption schedule and for other purposes.

The ordinance was presented as follows:

### **ORDINANCE O-1805-004**

An Ordinance to Adopt the FY 2019 Annual Operating Budget Beginning on July 1, 2018 and ending on June 30, 2019; To Adopt the Five-Year Capital Improvements Program; To Make the Budget Available for Inspection; To Outline the Adoption Schedule; and for Other Purposes

BE IT ORDAINED by the Mayor and Aldermen of the City of Milledgeville and hereby establishes the following:

SECTION 1. The Annual Operating Budget for the 12-month Fiscal Year 2018 – 2019 beginning July 1, 2018 and ending June 30, 2019, and the Five-Year Capital Improvements Program for Fiscal Years 2019 – 2023, is hereby adopted and attached hereto. Appropriation is hereby made of those revenues and expenditures for all funds and programs shown in the fiscal year 2019 annual operating budget.

SECTION 2. An official copy of said budget shall at all times be on file in the office of the City Manager of the City of Milledgeville, and by reference hereto shall be adopted in its entirety and be a part of this ordinance and the public record of the City of Milledgeville as is fully set out in length herein.

SECTION 3. This ordinance shall become effective at 12:01 AM on July 1, 2018.

First Reading	May 8, 2018
Public Hearing	May 8, 2018
Final Reading and Adoption	June 12, 2018

PASSED AND ADOPTED this 12<sup>th</sup> day of June, 2018.

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M. Stephen Chambers,  
Mayor Pro Tempore

ATTEST:

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Bo Danuser, Clerk

Motion Mrs. Walden, second Dr. Lee to adopt the ordinance as presented.

On vote aye: Dr. Lee, Mrs. Walden, Ms. Shinholster, Mr. Reynolds, Mr. Mullins and Mr. Chambers. The motion carried and the ordinance was adopted as official.

Mayor Pro Tempore Chambers moved to new business.

The Clerk read Resolution R-1806-024 by caption stating that this resolution rescheduled the June 26, 2018 City Council meeting to June 28<sup>th</sup> at 6:30 PM in the Council Chambers of City Hall due to the Georgia Municipal Association Annual Convention.

The resolution was presented as follows:

**RESOLUTION R-1806-024**

A Resolution to Reschedule the June 26, 2018 City Council Meeting for Thursday, June 28<sup>th</sup> at 6:30 PM in the Council Chambers of City Hall Due to Georgia Municipal Association Annual Convention

WHEREAS, the Mayor and Aldermen of the City of Milledgeville will be attending the Georgia Municipal Association Annual Convention during the second regularly scheduled Council meeting in June, and

WHEREAS, it is highly likely that city business will require action before the end of the fiscal year on June 31<sup>st</sup>.

NOW THEREFORE BE IT RESOLVED by the Mayor and Aldermen of the City of Milledgeville, meeting in formal session, that the June 26, 2018 regularly scheduled Council meeting is hereby moved to Thursday, June 28, 2018 at 6:30 PM in the Council Chambers of City Hall located at 119 East Hancock Street.

PASSED AND ADOPTED this 12<sup>th</sup> day of June, 2018.

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M. Stephen Chambers  
Mayor Pro Tempore

ATTEST:

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Bo Danuser, Clerk

Motion Ms. Shinholster, second Mrs. Walden to adopt the resolution as presented.

On vote aye: Dr. Lee, Mrs. Walden, Ms. Shinholster, Mr. Reynolds, Mr. Mullins and Mr. Chambers. The motion carried and the resolution was adopted as official.

Mayor Chambers stated there were no alcohol license applications and there were no appointments to make.

Mayor Pro Tempore Chambers stated that they needed to amend the agenda to add Resolution R-1806-026 extending the deadline of the Service Delivery Strategy.

Motion Dr. Lee, second Mr. Reynold to amend the agenda to add Resolution R-1806-026.

On vote aye: Dr. Lee, Mrs. Walden, Ms. Shinholster, Mr. Reynolds, Mr. Mullins and Mr. Chambers. The motion carried and the agenda was amended.

The Clerk read Resolution R-1806-026 by caption stating that this resolution was to approve an extension of the deadline to review and revise the existing Service Delivery Strategy until September 30, 2018.

The resolution was presented as follows:

### **RESOLUTION R-1806-026\***

**A RESOLUTION TO APPROVE AN EXTENSION OF THE DEADLINE TO REVIEW AND REVISE THE EXISTING SERVICE DELIVERY STRATEGY UNTIL SEPTEMBER 30, 2018**

WHEREAS, the Service Delivery Act requires all counties and cities throughout Georgia to adopt, approve, and implement a Service Delivery Strategy (“SDS”) that specifies the manner in which all governmental services will be provided and funded within the particular county; and,

WHEREAS, Baldwin County (the “County”) and the City of Milledgeville (the “City”) previously adopted, approved, and implemented a SDS in April 2008 (the “Existing SDS”); and,

WHEREAS, the County and City are required to periodically review and revise, if necessary, an Existing SDS; and,

WHEREAS, the Georgia Department of Community Affairs (“DCA”) has notified the County and City that the deadline for them to complete the review and revision, if necessary, of the Existing SDS is June 30, 2018; and,

WHEREAS, the County and City have engaged in the process to review and revise the Existing SDS for Baldwin County; and,

WHEREAS, the process to review and revise, if necessary, the Existing SDS for Baldwin County has not yet been completed between the County and City; and,

WHEREAS, the County and City will be subject to the imposition of sanctions by DCA as provided for in O.C.G.A. § 36-70-27, which will result in the local governments being ineligible to receive any state administered financial assistance or grants, loans, or permits, if a new SDS is not provided to the DCA by February 28, 2018; and,

WHEREAS, the City wishes to continue deliberations between it and the County regarding the review and revision, if necessary, of the Existing SDS to adopt, approve, and implement a revised SDS that complies with Georgia law; and,

WHEREAS, an extension is necessary to prevent the imposition of sanctions by DCA after June 30, 2018; and

WHEREAS, the City believes that an extension until **September 30, 2018\***, would be sufficient to conclude the deliberations to review and revise, if necessary, the Existing SDS; and,

WHEREAS, such extension would be in the best interests of the public so that no sanctions will be imposed on the local governments while the deliberations to review and revise, if necessary, are completed.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Mayor and Aldermen of the City of Milledgeville as follows: that the above preamble is incorporated here.

- 1.) Extension of Deadline to Complete SDS Deliberations. The Mayor of The City of Milledgeville and City Clerk are authorized to sign this Resolution and the attached Form 5 required to effectuate the extension necessary to avoid the imposition of sanctions while the deliberations to review and revise, if necessary, the Existing SDS is completed.

- 2.) Transmission to County. The Mayor is hereby authorized to transmit an executed copy of the DCA Form 5 to the County.
- 3.) Transmission to DCA. Upon adoption, approval, and execution of said DCA Form 5, the County is authorized to transmit same to the DCA.
- 4.) All Things Necessary and Convenient. The Mayor, City Clerk, and City Attorney are authorized to do all things necessary and convenient to carry out the purposes of this resolution.
- 5.) Repeal and Effectiveness. All resolutions, or parts of resolutions, in conflict herewith are repealed. This resolution shall take effect immediately upon its execution.

BE IT SO RESOLVED this 12th day of June, 2018.

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M. Stephen Chambers,  
Mayor Pro Tempore  
City of Milledgeville

ATTEST:

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Bo Danuser, Clerk

Motion Mr. Reynolds, second Ms. Shinholster to adopt the resolution as presented.

On vote aye: Dr. Lee, Mrs. Walden, Ms. Shinholster, Mr. Reynolds, Mr. Mullins and Mr. Chambers. The motion carried and the resolution was adopted as official.\*

Mayor Pro Tempore Chambers asked of there was any further business. Hearing none he adjourned the meeting at 7:41 PM.



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M. Stephen Chambers,  
Mayor Pro Tempore

ATTEST:



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Bo Danuser, Clerk

\* Resolution R-1806-026 had the incorrect extension date as was succeeded by Resolution R-1806-027 adopted during the June 28<sup>th</sup> Council meeting with the correct deadline extension date of October 31, 2018.