

At the Regular Council Meeting held on the above date the following members were present:

Mayor: Matt Seale
City Council: Mona Paulk, Patrice Y.W. Manley, Lemora Moses,
Steven Hudson, and Claire Clayton-Stone
City Clerk: Lucile Middlebrooks
City Attorney Warren Mixon
Police Chief: Billy Hancock
Assistant Public Director: Recarter Edge
Assistant Public Director: Corneilus Hall
Fire Chief: Will Towson

- First: Mayor Matt Seale called the meeting to order and determined a quorum, invocation by City Attorney Warren Mixon, and then the Pledge of Allegiance to the Flag of the United States of America was pledged and spoken by everyone.
- Second: Motion by Councilwoman Mona Paulk and 2nd by Councilwoman Claire Clayton-Stone to adopt the Agenda for Tuesday, April 6, 2021.
All in favor say I – Voted 5 yes; Opposes none - Motion passed.
- Third: Motion by Councilwoman Mona Paulk and 2nd by Councilman Lemora Moses for the approval and adopting of the Minutes from the Regular Meeting of March 2, 2021.
All in favor say I -Voted 5 yes; Opposes none – Motion passed.
- Fourth: Noise Ordinance
Mayor Matt Seale deferred to Councilwoman Patrice Y.W. Manley. She read over the old Noise Ordinance with her requested changes. This is the second reading of the updated ordinance. City Attorney Warren Mixon is reviewing the Noise Ordinance. When he has completed his review, he will bring it back to the City Council. No vote at this time.
- Fifth: Broadband Ready Certification
Mayor Matt Seale read the Broadband Ready Certification Ordinance and briefly explained that this will benefit the City to have the capability to over additional broadband services within the City. This is the second reading of the Broadband Ready Certification Ordinance.

Mayor Matt Seale called for a motion
Motion by Councilman Lemora Moses and 2nd by Councilwoman Patrice Y.W.
Manley to adopt the Broadband Ready Certification Ordinance.
All in favor raise your hand – Voted 5 yes: Opposes none – Motion carries.

ORDINANCE FOR A BROADBAND READY COMMUNITY

As used in this ordinance, “broadband network project” means any deployment of broadband services.

As used in this ordinance, “political subdivision” means a county, municipal corporation, consolidated government, or local authority.

As used in this ordinance, “applicant” means a person applying for a permit for a broadband network project.

As used in this ordinance, “permit” means any local permit, license, certificate approval, registration, or similar form of approval required by policy, administrative rule, regulation, ordinance, or resolution with respect to a broadband network project.

(1) Single Point of Contact.

Ocilla, Georgia shall appoint a single point of contact for all matters related to a broadband network project:

- a) The single point of contact documentation shall include;
 - i. Mayor of the City of Ocilla, GA
 - ii. City of Ocilla, GA
 - iii. (229) 468-5141
 - iv. mayor@cityofocillaga.net
 - v. www.cityofocillaga.net
- b) The single point of contact shall be available for matters related to a broadband network project or a related liaison who may direct such inquiry in real time, with general scope and responsibilities to include permitting and right-of-way; and
- c) The single point of contact information must be current to maintain designation, by updating with such change in contact information on web pages and associated sources, within 15 calendar days of change.

(2) Application Completeness Review.

- a) Ocilla, Georgia shall determine whether an application is incomplete and notify the applicant, by email, of the determination by Ocilla, Georgia within 10 calendar days of receiving an application.
- b) If Ocilla, Georgia does not respond to the applicant on whether the application is incomplete, within 10 calendar days, the application shall be assumed to be complete on the 11th day.

(3) Notification of Incomplete Application.

- a) If Ocilla, Georgia determines that an application is not complete, the notification by email to the applicant shall specify all required components of the submitted application that were considered ‘incomplete’;
- b) The Ocilla, Georgia’s response shall include a checklist of sequenced items that resulted in the application being deemed ‘incomplete’ and the review timeline shall be as follows:

- i. The applicant has up to 40 calendar days from the date of notification of incompleteness to respond back with corrections; and
- ii. If the applicant does not respond back within 40 calendar days, the application is deemed canceled.
- c) If within 10 calendar days the Ocilla, Georgia does not respond to the applicant on whether the corrected application is incomplete, the application shall be assumed to be complete on the 11th day; and
- d) The City of Ocilla, Georgia shall require a new submission and reset the process and application fees, should an application be deemed incomplete a second time.

(4) Approval or Denial Notification.

If, on or before the 11th day as described in 2 (b), an application is deemed complete, the City of Ocilla, Georgia shall approve or deny an application within 10 calendar days unless a joint meeting between the applicant and the City of Ocilla, Georgia is deemed as necessary.

- a) If a joint meeting is deemed necessary, the joint meeting must occur within 15 calendar days of notification of completion and the joint meeting shall include:
 - i. Where applicant is going to conduct work,
 - ii. When the work will be conducted,
 - iii. What type of work will be done,
 - iv. Who the City of Ocilla, Georgia can contact for specific details or related questions, and
 - v. Any permit seeking approval under application.
 - vi. Following a joint meeting between the applicant and the City of Ocilla, Georgia, the City of Ocilla, Georgia shall deny or approve the application within 10 calendar days.
- b) Upon final approval, any required permit shall be deemed issued.

(5) Related Fees.

- a) Any fee imposed by City of Ocilla, Georgia to review an application, issue a permit, or perform any other activity related to a broadband network project shall be reasonable, cost based, and nondiscriminatory to all applicants.
- b) Any application fee that exceeds \$100.00 shall be considered unreasonable unless City of Ocilla, Georgia can provide documentation justifying such fee based on a specific cost.

(6) Other Information.

- a) **Double Fee:** No City or County shall require an application or permit(s) when already approved by an authorized state or federal jurisdiction. Provider shall notify and provide a copy of the approved permit to the single-point-of-contact at the City or County prior to access of right-of-way within the City or County jurisdiction.
- b) **Application Validity Timeline:** Any approved application shall be valid for six months from the date of approval. Should a provider not commence the service request qualified in the approved application within six months, the application shall expire, and it shall require a new permit approval and any associated fees, as applicable.
- c) **Single Service Drop:** A City or County shall not require a permit for a broadband service provider to perform an installation of broadband service at an individual customer's service

address as long as the facility being utilized only transverses a deminimis portion of the public right-of-way to reach the customer's property. The provider must still comply with the provisions of Chapter 9 of Title 25 of the O.C.G.A.

- (7) **The City of Ocilla, Georgia acknowledges:**
- a) A Georgia Certified Broadband Ready Community has an affirmative duty to notify the Georgia Department of Community Affairs of any changes to the information submitted as part of its application; and
 - b) Failure to notify Georgia Department of Community Affairs of changes may result in revocation of The City of Ocilla, Georgia's Broadband Ready Certification, should the certification be granted.
- (8) **This ordinance shall take effect immediately upon adoption by the governing body upon final reading.**

PASSED AND SO ORDERED, this ____ day of _____, 2021.

Mayor Matt Seale
Mayor
City of Ocilla, Georgia

Sixth: Sonny Patel – Ocilla Liquor Store at 514 N. Irwin Avenue
Mayor Matt Seale stated that Sonny Patel had put in his application to relocate his liquor store from 111 N. Elm Street to 514 N Irwin Avenue.
After a long discussion, Councilwoman Patrice Y.W. Manley motioned and 2nd by Councilman Lemora Moses to deny the request. When Mayor Seale called for a vote, City Attorney Warren Mixon spoke up and said that it would be illegal for the Council to tell a business owner that he can not relocate to another business zoned area; therefore, Councilman Lemora Moses rescinded his second and Councilwoman Patrice Y.W. Manley rescinded her motion. City Attorney Warren Mixon will research the request. This will be brought back to the Council at a later date. No vote was taken.

Seventh: Request for Garbage Service Bids
Mayor Matt Seale stated that Councilwoman Mona Paulk made a request to bid out the garbage service.
Mayor Matt Seale called for a motion.
Motion by Councilwoman Mona Paulk and 2nd by Councilman Lemora Moses to request bids for garbage service
All in favor raise your hands – Voted 5 yes; Opposes None – Motion carries.

- Eighth: Reappointments to the Zoning Board of Appeals
Reappointment of Mr. Vernon Wells (2021- 2023) and Mr. Rusty Hickey (2021-2023) to the Zoning Board of Appeals. The Council decided to approve of the reappointments to the Zoning Board of Appeals along with the reappointments to the Ocilla/Irwin County Planning Advisory Commission.
- Ninth: Reappointments to the Ocilla/Irwin County Planning Advisory Commission
Reappointment of Mr. Alan Smith (2021-2023), Mr. Phil Croft (2021-2023), Mrs. DeDee Arnold (2021-2023), and Mr. Melvin Harper (2021-2023) to the Ocilla/Irwin County Planning Advisory Commission.
Mayor Matt Seale called for a motion.
Motion by Councilwoman Patrice Y.W. Manley and 2nd by Councilman Lemora Moses to reappoint Mr. Vernon Wells (2021- 2023) and Mr. Rusty Hickey (2021-2023) to the Zoning Board of Appeals and to reappoint Mr. Alan Smith (2021-2023), Mr. Phil Croft (2021-2023), Mrs. DeDee Arnold (2021-2023), and Mr. Melvin Harper (2021-2023) to the Ocilla/Irwin County Planning Advisory Commission.
All in favor raise your hand – Voted 5 Yes; Opposes None – Motion carries.
- Tenth: Appointment to the Historic Preservation Commission Board
Mayor Matt Seale stated that the Historic Preservation Commission Board recommends Mr. Alonzo Abel replace Mrs. Kaye Clayton on the board.
Motion by Councilwoman Mona Paulk and 2nd by Councilwoman Patrice Y.W. Manley to appoint Mr. Alonzo Abel to the Historic Preservation Commission Board.
All in favor raise your hand – Voted 5 Yes; Opposes None – Motion carries.
- Eleventh: 2021 CDBG Potential Conflicts of Interest
Mayor Matt Seale discussed the proposed FY2021 CDBG project area and stated that we must state for the minutes that Councilman Lemora Moses lives and owns property in the proposed project area. Councilman Moses’ brother and ex-wife have property in the same area.
- Twelfth: 2021 CDBG Submittal Resolution
Mayor Matt Seale read the 2021 CDBG Submittal Resolution and the Council decided to go with the project area which Councilman Lemora Moses lives.
Mayor Seale called for a motion.
Motion by Councilwoman Mona Paulk and 2nd by Councilwoman Claire Clayton-Stone to adopt the 2021 CDBG Submittal Resolution
All in favor raise your hand – Voted 3 yes; Opposes One (Councilwoman Patrice Y.W. Manley) – Motion carries. Councilman Lemora Moses could not vote due to Conflict of Interest.

Thirteenth: Historic Preservation Commission Ordinance
The Historic Preservation Commission Ordinance designates the Ocilla Historic District. This is the first reading of this ordinance. No vote at this time.

ORDINANCE

AN ORDINANCE TO DESIGNATE A HISTORIC DISTRICT WITHIN THE CITY OF OCILLA TO PRESCRIBE THE BOUNDARIES OF SUCH HISTORIC DISTRICT, TO LIST EACH PROPERTY IN THE HISTORIC DISTRICT; TO REQUIRE A CERTIFICATE OF APPROPRIATENESS FROM THE CITY HISTORIC PRESERVATION COMMISSION PRIOR TO ANY MATERIAL CHANGE IN APPEARANCE OF PROPERTY WITHIN THE HISTORIC DISTRICT BE SHOWN ON THE OFFICIAL ZONING MAP OF THE CITY AND FOR OTHER PURPOSES.

The Ocilla Mayor and Council have established the Historic Preservation Commission in and for the city by its Ordinance of August 7, 2018;

Pursuant to its purposes under said Ordinance establishing the Historic Preservation Commission, the Commission has recommended to the Mayor and Council the establishment of a historic district in the City of Ocilla;

The Commission's recommendation to the Mayor and council for such number of historic districts comes after the Commission's conducting of a survey of local historic resources and a study of historic characteristics of the area recommended for designation;

The Historic Preservation Commission has prepared a report setting forth the physical description of the proposed historic district; a statement of the historical, cultural, architectural and/or aesthetic significance of this area; a map showing the district boundaries and classification of individual properties therein; a statement justifying the district;

The Mayor and Council upon consideration of the recommendation and report of the Historic Preservation Commission find that the proposed historic district is a geographically definable area containing buildings, structures, sites, objects, landscape features and works of art or a combination thereof which have special historic and aesthetic value or interest in representing one or more periods, styles or types of architecture typical of one or more eras in the history of the city, the county, the state or the region in which the city is located and cause such area, by reason of such factors, to constitute a visibly perceptible section of the municipality of the city;

The City Council and by the authority of the same it is hereby ordained as follows:

SECTION ONE

Purpose

In support and furtherance of its findings and determination that the historical, cultural, and aesthetic heritage of the city is among its most valued and important assets and that the preservation of this heritage is essential to the promotion of the health, prosperity, and general welfare of the people; and

In order to stimulate revitalization of the business districts and historic neighborhoods and to protect and stimulate business districts and historic neighborhoods and to protect and enhance local historical and aesthetic attractions to tourists and thereby promote and stimulate business; and

In accordance with the ordinance to establish a Historic Preservation Commission in the city; to provide for the designation of historic properties of historic districts; to provide for issuance of certificates of appropriateness; to provide for an appeals procedure; to repeal conflicting ordinances; and for other purposes;

The city council hereby declares it to be the purpose and intent of this ordinance to designate a historic district in a geographically definable area containing buildings, structures, sites, objects, landscape features and works of art or a combination thereof which have special historic and aesthetic value or interest in representing one or more periods, styles, or types of architecture typical of one or more eras in the history of the city, the county, or the state.

SECTION II
Designation of Historic District and Boundary Description

There is hereby created and designated in and for the city the Historic District with boundaries as follows:

Sixth Street on the north to Oak Street on the East to First Street on the South and Ash Street on the West.

SECTION III
List of Property in the Historic District and Ownership Thereof

The attached list of properties is located within the Historic District as created in Section One hereof and the owner thereof is set forth beside the name of each property.

SECTION IV
Historic District boundaries on the Official Zoning Map

Upon designation the Historic District shall be shown on the Official Zoning Map of the city and kept as a public record to provide notice of such designation.

SECTION V
Certificate of Appropriateness

Upon the effective date of this Ordinance no material change in the appearance of any structure, site, object, or work of art within the designated Historic district shall be made or be permitted to be made by the owner of occupant thereof, unless or until the application for a Certificate of Appropriateness has been submitted to and approved by the city's Historic Preservation Commission.

SECTION VI

This Ordinance shall become effective upon a first reading, publication, and second reading, which shall be certified by the Clerk of the City.

So ordained this day of _____, 20__.

Date of Implementation: _____ day of _____, 20__.

APPROVED:
CITY COUNCIL

BY:

Mayor Matt Seale

ATTEST:

Lucile Middlebrooks

Fourteenth: Report from Committees

Councilwoman Mona Paulk reported that the Public Works Committee met and the City needs to hire at least 2 more people. Assistant Public Works Director Corneilus Hall will pursue the Water Certification.

Councilwoman Patrice Y.W. Manley reported that the Public Safety Committee met with Fire Chief Will Towson last week.

Councilman Lemora Moses reported that the Cemetery Committee met and he would like Ms. Ruth Burch to give the report.

Ms. Ruth stated that the Cemetery Committee met March 20th They have a repair estimate of \$475.00 per slab.

The committee removed dead flowers from graves.

The Cemetery Committee requests a resolution recognizing the late Mr. Bobby Williams for his service and that resolution should be presented his wife with a plaque.

Councilwoman Claire Clayton reported that the DDA met and the next Prater Music Fest meeting will be next Thursday April 15th at 5:30 p.m.
The Prater Music Fest is May 7th and 8th

Fifteenth: Mayor Matt Seale called for a motion to adjourn.
Motion by Councilwoman Mona Paulk and 2nd by Councilman Lemora Moses to adjourn the meeting.
All in favor say I – Voted 5 yes; Opposes None – Motion carries.

MEETING ADJOURNED:

MAYOR MATT SEALE

CITY CLERK LUCILE MIDDLEBROOKS