

**Minutes of Regular Meeting
Mayor and Council
City of Fitzgerald, Georgia
September 11, 2023
6:00 p.m.**

A Public Hearing was held to receive citizens input on the **2023 tax levy** for the City of Fitzgerald. With there being no one to speak, the public hearing was closed.

Mayor and Council met on Monday, September 11, 2023, at 6:00 p.m. at the City Hall Council Chamber, located at 302 East Central Avenue, with Mayor Jason L. Holt presiding and with Council members Brown, Clemons, D. Jefferson, S. Jefferson, J. Johnson, K. Johnson, Roberts and Webb being present.

Mayor Holt welcomed everyone and apologized for the warm, cozy environment.

Mayor Holt brought to the attention to the fact we need to amend the agenda as the date for the minutes was incorrect. The minutes were dated for July 24, 2023, and it should have been August 14, 2023. A **motion** was made by J. Johnson to accept the amendment to the agenda and **seconded** by Roberts. With there being no discussion, **Roll Call Vote: 8 Yes, 0 No. All in favor, motion approved.**

Minutes of previous meeting August 14, 2023, Regular Council meeting were presented. Mayor Holt entertained a motion for approval. Council member J. Johnson made a motion to approve minutes, seconded by Council member Roberts. With there being no additions or corrections, Mayor Holt called for a **Roll Call Vote: 8 Yes, 0 No. All in favor, motion approved.**

Under hearing from citizens or visitors, Mayor Holt called on Walter Barineau. Mr. Barineau is the real estate director for the new Waffle House that will be coming to Fitzgerald. Mayor Holt thanked him for investing in our community.

Under **reports of city officers**, Mayor Holt called attention to the Administrative Report, sharing some highlights from each department.

Reports of **standing committees** were given by their respective chairpersons.

City Attorney, Kyle Cook, presented **Ordinance # 23-1596**, an Ordinance levying a tax to meet the ordinary, current and extraordinary expenses of the City of Fitzgerald, Georgia, for the Year 2023, to repeal inconsistent ordinances and parts of ordinances; and other purposes.

Motion to dispense with full reading: Roberts **Second:** J. Johnson
With no discussion, **Roll Call Vote: 8 Yes, 0 No. All in favor, motion approved.**

Mayor Holt asked for approval of **Ordinance 23-1596.**

Motion to approve Ordinance 23-1596: Webb, Second: Brown.
With no discussion, **Roll Call Vote: 8 Yes, 0 No. All in favor, motion approved.**

City Attorney, Kyle Cook, presented **Ordinance 23-1597:** An ordinance to amend Chapter 4, “alcoholic beverages” of the code of ordinances of the City of Fitzgerald, Georgia, specifically section 4-246 “sales to underage persons prohibited” thereof;

Motion to dispense with full reading: Roberts **Second:** Clemons
With no discussion, **Roll Call Vote: 8 Yes, 0 No. All in favor, motion approved.**

Mayor Holt asked for approval of **Ordinance 23-1597.**

Motion to approve Ordinance 23-1597: Roberts, Second: Brown.
With no discussion, **Roll Call Vote: 8 Yes, 0 No. All in favor, motion approved.**

City Attorney, Kyle Cook, presented **Ordinance 23-1598:** An Ordinance to amend Article IV, “liquor by the drink” of Chapter 4, “alcoholic beverages” of the Code of Ordinances of the City of Fitzgerald, Georgia, specifically section 4-202, “Violations; Penalty” thereof;

Motion to dispense with full reading: Roberts **Second:** Clemons
With no discussion, **Roll Call Vote: 8 Yes, 0 No. All in favor, motion approved.**

Mayor Holt asked for approval of **Ordinance 23-1598**

Motion to approve Ordinance 23-1598: Roberts, **Second:** Brown.
With no discussion, **Roll Call Vote: 8 Yes, 0 No. All in favor, motion approved**

City Attorney, Kyle Cook, presented **Ordinance 23-1599** An Ordinance to amend Chapter 18, “offenses and miscellaneous provisions” of the Code of Ordinances for the City of Fitzgerald, Georgia, specifically Article III “Miscellaneous” regarding the relation of the sale of tobacco to under age persons;

Motion to dispense with full reading: Roberts **Second:** Clemons
With no discussion, **Roll Call Vote: 8 Yes, 0 No. All in favor, motion approved.**

Mayor Holt asked for approval of **Ordinance 23-1599**

Motion to approve Ordinance 23-1599: Webb, **Second:** Brown.
With no discussion, **Roll Call Vote: 8 Yes, 0 No. All in favor, motion approved.**

City Attorney, Kyle Cook, presented **Ordinance 23-1600:** An Ordinance to amend Chapter 4, “alcoholic beverages” of the code of ordinances of the City of Fitzgerald, Georgia, specifically section 4-54.1 “penalties for sale to minors” thereof;

Motion to dispense with full reading: K. Johnson **Second:** J. Johnson
With no discussion, **Roll Call Vote: 8 Yes, 0 No. All in favor, motion approved.**

Mayor Holt asked for approval of **Ordinance 23-1600**

Motion to approve Ordinance 23-1600: Roberts, **Second:** Brown.
With no discussion, **Roll Call Vote: 8 Yes, 0 No. All in favor, motion approved.**

City Attorney, Kyle Cook, presented the following Ordinance Captions:

1. An Ordinance to amend Article I “in General,” Article II “Burial of Veterans,” and Article III “Evergreen Cemetery” of Chapter 7, “cemeteries” of the Code of Ordinances of the City of Fitzgerald, Georgia
2. An Ordinance to amend the City of Fitzgerald zoning district map with respect to two acres (2.00), more or less, in five-acre tract 1083 in land lot number 301, in the fourth land district of Ben Hill County, Georgia, in the City of Fitzgerald, Ben Hill County, Georgia: to rezone said property from W-L-I (City) to MHP (City)
3. An Ordinance to amend the City of Fitzgerald zoning district map with respect to 0.831 acre, more or less, in land lot number 91, in the third land district of Ben Hill County, Georgia, said property having a physical address of 129 Ocilla Highway, Fitzgerald, Georgia, and the public road right of way adjacent thereto; to annex said property to the existing corporate limits of the city of Fitzgerald, Georgia; to rezone said property from GB(County) to GB (City):
4. An Ordinance to amend the City of Fitzgerald zoning district map with respect to a tract containing 0.50 acre, more or less, in land lot number 91, in the third land district of Ben Hill County, Georgia, in the City of Fitzgerald, Ben Hill County, Georgia: to rezone said property from R-6 (City) to GB (City)
5. An Ordinance to close to vehicular traffic that portion of the public alley between city lots 12 and 13 in square 6, block 12, in the City of Fitzgerald, Georgia; to sell and convey the right of way of said alley to the adjoining landowner, subject to the reservation of an easement with respect to the maintenance, repair and replacement of all utilities located over, upon or under said portion of said alley;
6. An Ordinance to amend the City of Fitzgerald zoning district map with respect to a tract containing 0.44 acre, more or less, being a portion of five acre tract number 908 as shown by the plat of the Colony Domain of The American Tribune Soldiers Colony Company of file in the office of the Clerk of The Superior Court of Irwin County, Georgia, located in land lot number 122, in the third land district of Ben Hill county, Georgia, in the city of Fitzgerald, Ben Hill County, Georgia, having a physical address of 514 N. Merrimac Drive, Fitzgerald, Georgia, 31750; to rezone said property from M-R (City) to C-C (City);
7. An Ordinance to amend the City of Fitzgerald zoning district map with respect to a tract containing 0.95 acre, more or less, in land lot number 300, in the Third Land District of Ben Hill County, Georgia, in the City of Fitzgerald, Ben Hill County, Georgia, located on Bowens Mill Highway, Fitzgerald, Georgia 31750; to rezone said property from R-6-M (City) to G-B (City);
8. An Ordinance to amend the City of Fitzgerald zoning district map with respect to 0.95 acre, more or less, in five acre tract number 964 as shown by the plat of the Colony Domain of the American Tribune Soldiers Colony Company of file in the office of the Clerk of the Superior Court of Irwin county, Georgia, in land lot number 300, in the fourth land district of Ben Hill County, Georgia, located on Bowen Mill Highway, Fitzgerald, GA, 31750, and the public road right of way adjacent thereto; to annex said property to the existing corporate limits of the City of Fitzgerald, Georgia; to rezone said property from GB (County) to G-B (City)

9. An Ordinance to amend the zoning Ordinance of the City of Fitzgerald, Georgia, as adopted February 13, 1989 and readopted by Ordinance Number 1122 on April 10, 1989, specifically subsection 8-2 "nonconforming uses of land" and subsection 8-3 'nonconforming uses of Structures" of section 8 "nonconformances" thereof

City Attorney, Kyle Cook, presented **Resolution R23-013**: A Resolution of the Mayor and Council requesting sales tax information from the Georgia Department of Revenue pursuant to O.C.G.A 48-2-15(d.1) and naming a designated officer for all related purposes.

Motion to dispense with full reading: J. Johnson **Second:** Brown
With no discussion, Roll Call Vote: 8 Yes, 0 No. All in favor, motion approved.

Mayor Holt asked for approval of **Resolution R23-013**

Motion to approve Resolution R23-013: J. Johnson, **Second:** Webb.
With no discussion, Roll Call Vote: 8 Yes, 0 No. All in favor, motion approved

Mayor Holt called for consideration for the reappointment of Jessica Griner to the Library Board.

Motion to accept the reappointment: Clemons; **Second** Roberts
With no discussion: Roll Call Vote: 8 Yes, 0 No. All in favor, motion approved.

Under new business:

Council Person S. Jefferson asked about vendor permits for the fall festival. She was directed to the tourism office or can call 229-423-5033.


Mayor Holt called on Thomas Holt to come and make a presentation. Thomas Holt spoke about the 22nd Anniversary of 9-11. He is a junior at Tift Area Academy and the 23-24 State Board President for the 4-H Club. He saw in the community a lack of civic engagement so he and many volunteers lined Main Street this year with 1,040 American Flags to help commemorate 9-11 and show patriotism and unity.

With there being no further business, this meeting was adjourned.



ATTEST:



APPROVED:


MAYOR