

CITY OF BROOKLET

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

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

City Attorney  
Hugh Hunter

City Clerk  
Lori Phillips

CALLED MEETING

MINUTES

JULY 6, 2022

6:00 PM

Member present: Mayor Joe Grooms, III, Councilmembers Jonathan Graham, Brad Anderson, Rebecca Kelly, and James Harrison. Councilman Nicky Gwinnett was absent. City Clerk Lori Phillips was absent.

*Before the Called meeting was called to order, the Council phoned Attorney Hugh Hunter, to allow Wesley Parker to ask him questions for clarification pertaining to the sidewalk ordinance. The way Wesley understood it was that it was an incentive to encourage development in the City of Brooklet and if you decided to develop inside the City of Brooklet, the sidewalk ordinance requirement was basically being waived. He asked Attorney Hunter, "Is that how it was written?" Attorney Hunter replied, "yes basically and it expired in 2024 and one of the ordinances that the Council is doing tonight, is going to repeal it." Wesley asked, "I guess the question is, we can't require them to do sidewalks unless you make that part of the agreement allowing them to do inverted crowns, but I don't know if that was part of their deal to start with." Attorney Hunter replied, "no that was another thing." Wesley stated, "the original deal was the water system." Attorney Hunter agreed and stated that was the deal on that one and if they don't agree to do inverted crowns then that ordinance may not be worth fooling with but the other one, the city would have an argument, it was written in there that they had to submit their final plat and that incentive and none of these people have submitted a final plat yet, so, there would be an argument at least and Brooklet could repeal that before they submit a final plat which is what they were going to do at the next meeting, and so if they do that, then argumentatively, the city could make them put in sidewalks. Wesley replied, "their counter argument to that is that they bought the property thinking they weren't going to have to do that." Attorney Hunter replied, "well they bought but in the ordinance the trigger point was submitting a final plat but yes they would argue that, you're right, that they should have a vested right from the time that they at least began the process to become a subdivision, maybe not when they bought the property but when they began the process to begin the subdivision, but I think there is a decent argument because that it shouldn't be vested because in the ordinance itself it said that it would not be until they submitted the final plat and that hadn't been done but it could create litigation but I*

*think the situation that the other ordinance, if they are not going to agree to not do inverted crowns, then it probably won't d any good to pass that particular ordinance where Brooklet was going to pay for the water system." Councilman Anderson asked, "Mr. Hunter, one of the other questions that came into play, they countered with wanting to, I think our current tap-fee is \$1,400.00 is what our current fee is and what they have proposed is in terms of charging them \$600.00; question is, can that be done considered you have an established water tap fee?" Attorney Hunter stated, "that was one of the incentives that Brooklet had maybe a year ago or so, but to your point of having a consistent policy, it certainly is not having a consistent policy throughout, depending on what developer comes and offer incentives. Is it legally defensively? I think it is if you provide a window that any other developer would qualify for it which is what we have been doing. Is it good policy? That's for the council to decide. Is it legally defensible? I think it is legally defensible. Could y'all do that in this case? Yea you could do it, other incentives to allow for a water tap fee and that would be in return for not doing inverted crowns?" Councilman Anderson replied, "I think that's really the hundred-thousand-dollar question tonight, as to rather if is it or is it not, but my concern n was that since it is an established fee, in terms of in this setting, can you go and do that, but what I heard you say is that if you do that, your going to have to pass an ordinance, an incentive to do that, you cannot do it verbally," Attorney Hunter agreed.*

1. **CALL TO ORDER:** Mayor Joe Grooms, III

2. **INOVATION:** Mayor Joe Grooms, III

3. **PLEDGE OF ALLIGANCE**

4. **APPROVAL OF MEETING AGENDA**

MOTION: Brad Anderson

SECOND: James Harrison

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

NAYES: None

Motion carried 4-0

5. **DISCUSSION**

5.1. First Reading: AN ORDINANCE TO REQUIRE CURBS AND GUTTERS WITHIN SUBDIVISIONS IN THE CITY OF BROOKLET.

MOTION: Brad Anderson

SECOND: Rebecca Kelly

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

NAYES: None

Motion carried 4-0

5.2. First Reading: AN ORDINANCE TO REQUIRE CONCRETE CULVERTS FOR ACCESS DRIVEWAYS WITHIN PUBLIC RIGHTS-OF-WAY OF MUNICIPAL STREETS WITHIN THE CITY OF BROOKLET.

MOTION: Brad Anderson

SECOND: James Harrison

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

NAYES: None

Motion carried 4-0

**MOTION TO DISCUSS ITEM 5.3.**

**MOTION:** Rebecca Kelly

**SECOND:**

**AYES:**

**NAYES:**

*Motion carried*

*Motion died on the floor.*

Councilman Anderson stated, "one of his biggest concerns is with streets, currently, we don't have the money to maintain our broken down streets and obviously we have two subdivisions that were sort of bad taste in our mouth, that are relatively new subdivisions that have drainage problems and streets already that we're going to spend thousands of dollars to repair and I know that curb and gutters are important to me and I have no problem doing the swap for water pipes and materials in terms of exchange for curbs and gutters, that's brads opinion, I do have issues with the tap fee simply because I don't want us to keep going back and forth making changes, it makes us look stupid." Councilwoman Kelly stated, "I speak for being on Planning and Zoning before I was on City Council and it irritated me more than you could possibly know that every time we had a new development, we got these ordinances so that we could meet those developers, so what we been trying to do is come up with a set of ordinances and we can live with them for the next two or three years, that is the way it's going to be and so it's a problem for me to, to say that we are going to make exceptions and stuff because that's the same thing we were doing before and we want to stop doing that, we want you to know upfront, this is what we are going to live with and you know what the ordinances are when you want to build in our town and go with what it is to begin with and you're not going to get anything different." Mayor grooms stated, "everything has doubled in cost, by the time we put in a meter, do the taps at the box, and put the reader on it, we were actually losing money, now, needless to say, we would definitely be losing more money. The \$1,400.00 that we agreed on, that actually, when you get finished with everything that we have to buy, that is getting meters, that's another headache that we are dealing with, we only end up clearing around \$250.00 per tap, that may be hard to believe, but once you start getting into brass and everything that goes along with it, and the workers have to go out, by the time all of that is put together, it's actually not bad out of line and that's one thing that might have been something in the past that was talked of but as council, I want y'all to be able to build and make money because this is the whole idea of it. I mean there's no other reason to build houses if you're not going to make money but Brooklet has in the past had to take inverted roads, we have three subdivisions right now that's going to have to be repaved, so that's one reason why we are getting away from the inverted crowns. We can't continue to tap a water system and it costing the city more money so that's the biggest part, that's why when we sat down, that was something we looked at across the board." Councilman Anderson stated, "in terms of me personally speaking the no sidewalks, I understand that and in terms that was an incentive and I'm okay honoring that, I think you make a valid point and I think most subdivisions are out of town and not necessarily in town so I can live with that. I think, in terms of, I'm almost certain, I don't know this to be a fact, but we have time before they start building to make that right, I think the permits could be, if they are not, we could review them, but I think our permit practices



are not necessarily in the ordinance, which means that we can change those and that's very simply done if that becomes an issue. I think if you are willing to do curb and gutter, we provide materials, I don't mind, I think they wanted some level of assurance, the attorney can draft, in terms that if that becomes an agreement, that way it is in writing in terms of the materials and what it includes and make sure its legit. The actual no sidewalks, building fees, that takes care of that, so it's really dealing with the \$1,400.00 tap and curb and gutter, but no sidewalks, building permit fees will match, it looks like we come close to matching what you are asking." Someone in the audience, speaking for Woods Edge Subdivision stated, "I think we can live with what you just described, which is curb and gutter, the city paying for all the water materials completely, sticking with the \$1,400.00 tap in fees, no sidewalks, and keeping the building permit fees the same." Councilman Anderson stated, "let's make sure that it reads, so that we can amend it so that it's right.

- 5.3. Consideration of a motion to approve the preliminary plat review for Woods Edge Subdivision located on Old Leefield Road. JAB Construction recommendation from Planning and Zoning Commission. The Planning and Zoning recommendation to the City Council is to approve the preliminary plat review with the following conditions no inverted crown, ~~all the water mains need to be the same,~~ *as an incentive to install curb and gutter, the city of Brooklet will provide all water system materials inside the city right-of-way,* easement access onto private property to maintain drainage, ~~developer installed sidewalks not to be poured over waterlines,~~ and the cul-de-sacs need to be increased, as requested, *and building permit fees will be comparable to Bulloch County.*

**MOTION TO APPROVE**

MOTION: Brad Anderson

SECOND: Rebecca Kelly

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

NAYES: None

Motion carried 4-0

- 5.4. Consideration of motion to approve the preliminary plat review for the Orchard Subdivision located on Old Leefield Road, recommendation from Planning and Zoning. The Planning and Zoning recommendation to the City Council is to approve the preliminary plat review with the following conditions, no inverted crown, provide easement access for drainage areas, to protect as many trees as possible, ~~developer install sidewalks not to be poured over water lines and,~~ the agricultural well must be closed (sealed off) properly, *and building permit fees will be comparable to Bulloch County, as an incentive to install curb and gutter, the city of Brooklet will provide all water system materials inside the city right-of-way,.*

**6. MOTION TO ADJOURN**

MOTION TO APPROVE

MOTION: Brad Anderson

SECOND: Johnathan Graham

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

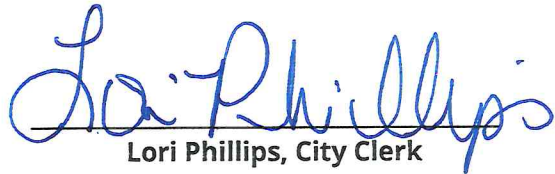
NAYES: None

Motion carried 4-0

Approved this 15 day of September 2022.



Joe A. Grooms, III, Mayor



Lori Phillips, City Clerk