

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

L.W. (Nicky) Gwinnett, Jr. Mayor
Rebecca Kelly, Mayor Pro-Tem
Bradley Anderson, Councilman
Hubert Keith Roughton, Councilman
James Harrison, Councilman
Sheila Wentz, Councilwoman

Carter Crawford, City Manager
Lori Phillips, City Clerk
Melissa Pevey, Assistant Clerk
Ben Perkins, City Attorney

**JUNE 20, 2024
PUBLIC HEARING
&
CITY COUNCIL
MEETING
7:00 PM
MINUTES**

1. **Call to order and welcome** – Mayor L.W. (Nicky) Gwinnett, Jr.
 - a. **Invocation** – Mayor Gwinnett
2. **Pledge of Allegiance to the United States Flag** – James Harrison
3. **Consideration of a Motion to Approve the Agenda**
Motion to Amend the agenda to remove the wording (the first reading) from Item# 6.
Motion: Brad Anderson
Second: James Harrison
Ayes: Rebecca Kelly, Sheila Wentz, Brad Anderson, James Harrison, and Keith Roughton
Nays: None
Motion carried 5-0
4. **Public Hearing Item(s):**
 - a. **FY2025 Budget Review**
 - **Discussion and questions from the Mayor and City Council**
Councilman Bradley Anderson said that last year's budget was \$1.486 million and that tax collection was overestimated; only 90% of estimated collections have been received. Regarding the water fund, 20% more was collected than estimated last year. The proposed FY25 budget is a 3% increase from last year, totaling \$1.54 million.

"We have a balanced budget," said Anderson.

Year to date, Brooklet has collected over \$1.587 million with the help of dedicated grants, which while they cannot be spent in the general budget, contribute to total collections. Brooklet has spent \$1.3 million YTD.

Anderson estimates that the city will receive \$835,000 in taxes and various permits in the next year. From water and sanitation, the city will receive \$557,000, fines and forfeitures will generate \$59,000, investment income will generate around \$2,000, and miscellaneous items will generate about \$1,500. Expenditures will include administrative costs of \$308,000, Police department at \$460,000, street maintenance at \$146,000, community center operations at \$11,500, cemetery operations at \$15,000, water fund of \$451,000, and sanitation will cost \$146,000; this totals \$1.54 million, and the city maintains a reserve fund of around \$300,000. Mayor Gwinnett mentioned that the Kiwanis Club stepped up to help maintain the cemetery. Anderson commented that there is no plan for a tax increase, and the city intends to accept the millage rollback rate when the county sets the digest.

- **Discussion and questions from the Public who have requested to speak**
No Public Discussion

b. APPLICATION: TA2024-019:

An amendment to the code of ordinances of the City of Brooklet to require that members appointed to the Planning Commission be residents of the City of Brooklet; to define cause for removal of a Planning Commission member; and to utilize compensation for Planning Commission members.

- **Discussion and questions from the Mayor and City Council**
Mayor Pro-Tem Rebecca Kelly asked if the city can set verbiage that allows for committee members who would like to receive compensation to receive it but also enables members to decline payment.

Councilman Harrison said that compensation is an incentive for the hard work of planning and zoning committee members. Councilman Anderson says it is a small expression of appreciation for the time and service they provide.

- **Discussion and questions from the Public who have requested to speak**

Debra Alexander, chair of the planning and zoning committee, said that members took their positions as volunteers to the city and that citizens have expressed that they want to keep these positions as volunteer services. She furthers that this money could be used better.

David Bircher, commissioner, believes the public could perceive this money as a relationship with the council that would make their decisions appear dependent; volunteering shows people that committee members have no obligation to the council.

c. **APPLICATION RZ2024-016:**

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.

- **Discussion and questions from the Mayor and City Council**

Councilman Harrison asked Attorney Hunter about his opinion of the ongoing zoning issue regarding Mayor Nicky Gwinnett's property and business.

Hunter says the problem is an issue of spot zoning because if this request is approved, anything that is allowed in C2 zoning (gas station, grocery store, etc.) could appear in this lot. Further, he said that as the ordinance is written, C2 zoning does not permit a cabinet shop and, therefore, would not alleviate Gwinnett's zoning issue. He said that a special use order could be permitted.

Councilman Roughton asked why C2 was requested, and Sandra Gwinnett responded that three other cabinet shops in Brooklet are in C2 zoning.

Mr. Gwinnett's Attorney, George Rountree, said the building has been used for half a century as a cabinet shop, and the neighbors have given affidavits of support. He said they are seeking C2 zoning rather than industrial because the other cabinet shops are operating under this zoning and because commercial is more fitting than industrial in this residential area. Rountree says that the use of the site as a cabinet shop is a vested right as it has been in operation for many decades, and the building was originally constructed without any zoning in place.

Attorney Perkins added that one solution could be "conditional approval" to allow for rezoning under limited purpose conditions just for a cabinet shop. He cautions, though, that this permit could pose problems with those conditions' years on, with small notations on zoning maps being forgotten.

- **Discussion and questions from the Public who have requested to speak**

Melissa Bircher said she would like to maintain North Cromley Road as long as she can and does not want to see continuous rezoning of residential areas. Her home is not directly adjacent to the property but is near. Dave Bircher suggests that self-proprietorship could offer a potential solution. He furthers that this road is too small for the growth that is taking place as it stands.

Barney "JB" Sineath who owns property but is not a resident of Brooklet, says that zoning in the 90's was inappropriately allocated and asks if council has confidence in zoning ordinance and map. Annette Wilson says this property goes back to Mayor Gwinnett's grandma and grandpa, and she has lived next door since 1963, back then zoning was not a worry and the particulars were not fussed over.

Mayor Gwinnett commented after the meeting adjourned that he initiated the efforts to properly rezone the property, and it has become an expensive and drawn-out ordeal as the council has been unable to decide.

5. Motion to come out of the Public Hearing and go into the City Council Meeting.

Motion to Approve

Motion: Brad Anderson

Second: Rebecca Kelly

Ayes: Rebecca Kelly, Sheila Wentz, Brad Anderson, James Harrison, and Keith Roughton

Nays: None

Motion carried 5-0

City Council Meeting Item(s):

6. Consideration of the recommendation from the Planning & Zoning Commission and possible motion to approve Application RZ2024-016. *On April 9, 2024, the Planning Commission recommended not to approve the rezoning request for Application RZ2024-016.*

Motion to Approve

Motion: James Harrison

Councilwoman Sheila Wentz said that a community member has expressed disapproval, and she cannot give her complete support.

Councilman Anderson says that C2 zoning would not be appropriate.

There was no second of this motion, and the motion died.

Councilman Roughton motioned to table the item, which the council will discuss at the next work session and vote on in the July meeting.

7. Motion to approve the FY2025 Budget.

Motion to Approve

Motion: Brad Anderson

Second: James Harrison

Ayes: Rebecca Kelly, Sheila Wentz, Brad Anderson, James Harrison, and Keith Roughton

Nays: None

Motion carried 5-0

8. Consideration and possible motion to approve the Planning & Zoning Commission recommendation for TA2024-019. *On May 16, 2024, the Planning Commission made the recommendation to approve, with modifications, Section 1 and Section 2 and not to approve Section 3.*

Motion to Approve with Modifications

Motion: Brad Anderson

Second: Rebecca Kelly

Ayes: Rebecca Kelly, Sheila Wentz, Brad Anderson, James Harrison, and Keith Roughton
Nayes: None
Motion carried 5-0

9. (WOODS EDGE)

Motion to approve the first reading of an ordinance to amend the zoning map of the City of Brooklet to rezone property located on the Northside of Old Leefield Road, the tract to be rezoned containing 19.28 acres, more or less, and being designated as parcel 135 000022A000, Bulloch County Tax Assessors Office. *The property was R-1 and has been rezoned to R-3.*

Motion to Approve

Motion: Brad Anderson
Second: James Harrison
Ayes: Rebecca Kelly, Sheila Wentz, Brad Anderson, James Harrison, and Keith Roughton
Nayes: None
Motion carried 5-0

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

Motion to Approve

Motion: Brad Anderson
Second: Keith Roughton
Ayes: Rebecca Kelly, Sheila Wentz, Brad Anderson, James Harrison, and Keith Roughton
Nayes: None
Motion carried 5-0

11. Discussion and possible motion to raise the ATC (aid to construction) fee and the WCIF (water capital improvement fund) fee and make any other changes in the Water/Sewer Ordinance for the sewer project, new developments, and allocations of capacity. City Engineer Wesley Parker with Parker Engineering, LLC, and City Consultant Matthew Morris will be present to make the presentation.

City consultant Matthew Morris stated that raising the ATC fee to \$9,000 based on a projected installation of 850 city taps will meet bond payment goals. 125 new taps in years 1 and 2 and 50 new taps all the way to year 14 would allow the city to meet the bond payment, and after year 14, the bond payment would be subsidized out of the fund balance. There is no ordinance to raise the fee for the first reading; it will be drafted and heard in July and then adopted in August. The July meeting will have a bond resolution. Morris comments that there is more than \$1 million in "wobble room" to complete the first three phases of the project. Currently, Brooklet is losing money in the sewer agreement with Statesboro and new tiered rates will need to be defined for a more positive outlook. Increases will mostly impact "big users." An ordinance to confirm the new rates will be presented to the council next month.

Motion to Table to July Work Session

Motion: Brad Anderson
Second: Keith Roughton

Ayes: Rebecca Kelly, Sheila Wentz, Brad Anderson, James Harrison, and Keith Roughton
Nayes: None
Motion carried 5-0

12. Recognition of guests who have requested to be added to the agenda

- a. Aaron Carter – Coastal Georgia Regional Commission, Planning Director**
Carpenter previously spoke with Mayor Pro-Tem Kelly about creating a new Master Plan for Brooklet, and he has come to the meeting to discuss this and answer any questions. He works for a state-established regional planning agency that he described as a “qazi-governmental.” He says they are available to the city not just for the master plan but as advisors for future planning services. The master planning process with a complete rezone would have to consider Bulloch’s comprehensive plan, find issues and development pressures, come up with public engagement strategies, assess data, make educated decisions about issues, and work on a draft plan. The fee structure is based on specific services provided by the commission, and Carpenter says that the costs are subsidized where possible.
- b. Love Tiffany – Tiffany Guerrero**
Guerrero previously presented a Brooklet main street makeover concept to the council, which included new boulder signage, landscaping and walkway painting/cleanup, benches/seating throughout downtown, and efforts to host a “paint the town” mural event.
- c. Barney Sineath**
Barney “JB” Sineath has been following the council since 1999 and finds that it has been divided immensely for two years. He also suggests that called meetings have become a problem regarding open meeting laws.

13. Recognition of guests who have signed up to speak

14. Motion to Approve the Consent Agenda from June 13, 2024 Work Session:

- 14.1.** A Resolution to be signed for the Smart Bulloch 2045 (A Joint Comprehensive Plan for a Better Tomorrow Resolution & Plan)
- 14.2.** Terry Mikell Concrete, LLC. Invoice difference of \$1,070.00; on April 18, 2024, the following quote for the repair work to tear out and place the concrete was approved via email for \$4,270.00:
-WEST LEE: 7x8= 56sq ft
-WEST LEE ST.: 12x11=132
-CORNER OF WEST LEE ST.
& N CRONLEY ST: 5x7= 35sq ft
-JOINER RD.: 4x21= 48sq ft
-BROOKLET I.G.A :7x12=84
-WEST LANE ST.: 21x4= 84sq ft (sidewalk)
-Pour back 6in deep with concrete with fiber.
Total \$4,270.00
They did not pour 715 West Lane Street, so they took off \$400.00, which brought the total to \$3,870.00. Then, on 05/21/2024, they poured 715 West Lee Street and charged \$1,470.00 for concrete and labor, which brought the total invoice to \$5,340.00.

- 14.3.** Review of a quote from Terry Mikell Concrete, LLC. for repairs to the sidewalks due to safety concerns 209 West Lane, 204 North Parker, Baker, and Parker across from Bank on West Lane, between 115-117 West Lee at the rear of Bank on West Lane, to remove the sidewalk and haul material off and pour back concrete; Concrete and Labor Total \$3,620.00

Motion to Approve

Motion: Brad Anderson

Second: Keith Roughton

Ayes: Rebecca Kelly, Sheila Wentz, Brad Anderson, James Harrison, and Keith Roughton

Nays: None

Motion carried 5-0

15. Reports from committee members

- a. **Mayor Pro-Tem Rebecca Kelly** - Mayor Pro-Tem Rebecca Kelly expressed gratitude towards senators who are currently working on securing funds for the sewer project.
- b. **Councilman Brad Anderson** - Had no further comment.
- c. **Councilman James Harrison** - Councilman James Harrison commended that Council members' joint efforts to reach out about these grants and securing funding are appreciated.
- d. **Councilman Keith Roughton**—Councilman Keith Roughton commented on the large number of work orders related to water issues and said that this is his reasoning for pushing for increased funding for water capitalization.
- e. **Councilwoman Sheila Wentz** - Had no further comment.

16. Report from Police Chief

- a. Gary M. Roberts—Chief Roberts says crime numbers are relatively unchanged, but more summertime foot traffic calls for watchful eyes in the community; recently, an 11- and 12-year-old were found walking the streets in the dead of night. He also commented that the owl is being released after rehydration.

17. Report from the Safety Coordinator

- a. **Jim Stanoff** – Absent

Mayor Gwinnett commented that he is 99% sure that Stanoff received the generator grant after many years of work.

18. DISCUSSION ITEMS:

- 18.1. Discussion and motion to approve the status change for Officer Nicki Garman from part-time to full-time and Officer Richard Coleman from full-time to part-time, effective May 2, 2024.**

Motion to Approve

Motion: Brad Anderson

Second: James Harrison

Ayes: Rebecca Kelly, Sheila Wentz, Brad Anderson, James Harrison, and Keith Roughton

Nayes: None

Motion carried 5-0

18.2. Discussion and possible motion to appoint Joey Williams as the Public Defender for the Brooklet Municipal Court, to be paid \$225.00 per court session.

Motion to Approve

Motion: Keith Roughton

Second: Rebecca Kelly

Ayes: Rebecca Kelly, Sheila Wentz, Brad Anderson, James Harrison, and Keith Roughton

Nayes: None

Motion carried 5-0

18.3. Brooklet Food Truck Ordinance Discussion and Possible Motion.

Hunter explained that council wanted food trucks to be able to apply for annual licenses at either the Newman center or festival grounds. Issues arose as organizers were not able to charge fees under “special events” and Hunter proposed that an amendment to the ordinance include special events. Mayor Gwinnett suggested tabling the item to the next work session.

Motion to Table

Motion: Brad Anderson

Second: Keith Roughton

Ayes: Rebecca Kelly, Sheila Wentz, Brad Anderson, James Harrison, and Keith Roughton

Nayes: None

Motion carried 5-0

18.4. Change Order #1 - 2024 Brooklet Street Improvements (PE24133)

The amount of this contract before this change order was \$221,695.80; the amount of the contract will increase by the sum of \$149,128.80, and the contract total , including this and previous change orders, will be \$370,824.60.

Motion to Approve

Motion: Brad Anderson

Second: Keith Roughton

Ayes: Rebecca Kelly, Sheila Wentz, Brad Anderson, James Harrison, and Keith Roughton

Nayes: None

Motion carried 5-0

18.5. Discussion and possible motion to approve the Combined Brooklet-Pembroke UDC Proposal - Caleb P. Racicot – TSW.

Motion to Not to Approve

Motion: Keith Roughton

There was no second of this motion, and the motion died.

18.6. Discussion and possible motion to approve Tucker Utilities, LLC Invoice for \$46,675.00.

Motion to Approve

Motion: Keith Roughton

Second: James Harrison

Ayes: James Harrison and Keith Roughton

Nayes: Rebecca Kelly

Abstained: Brad Anderson and Sheila Wentz

Council votes were recorded: 2 yes, 1 no -2 abstentions.

19. Presentation for Retiring City Attorney Hugh Hunter (April 2006 – June 2024)

Hugh Hunter joyfully accepted a card and a handshake from Mayor Gwinnett, who congratulated him on his retirement. Hunter will receive a commemorative plaque later. "I have enjoyed my tenure at Brooklet...I think you're getting a very good new city attorney, and I think you'll be in good hands with Ben Perkins," said Hunter. "Thank you for the opportunity, and thank you for your service."

20. Consideration of a Motion to Adjourn

Motion to Approve

Motion: Brad Anderson

Second: James Harrison


Ayes: Rebecca Kelly, Sheila Wentz, Brad Anderson, James Harrison, and Keith Roughton

Nayes: None

Motion carried 5-0

Approved this 19th day of December, 2024.


L.W. (Nicky) Gwinnett, Jr., Mayor


Lori Phillips, City Clerk

