

## ACTION ITEMS

### WALNUT GROVE CITY COUNCIL MEETING

THURSDAY, MARCH 10, 2016

1. Approval of Minutes from February 11, 2016 – Motion passed
2. Public Hearing to rezone – request rezone from A-1Ag to C-1 property located at 2561 Leone Avenue. Motion passed.
3. Replaced the Willow Tree that was cut down with three crepe myrtles of three different colors. Motion passed.
4. Financial Report accepted as submitted. Motion passed.
5. McWitt Creative Works asked for an additional \$10.00 per month for hosting the City's website. The cost to the City per month will go from \$50.00 to \$60.00 per month. Motion passed.
6. Request for the Mayor and City Clerk to sign a deed to transfer ownership of .731 acres. This was done to "clean up" a matter from 1989. Either there was never a deed drawn up or it was lost and never recorded at the Walton County Clerk of Superior Court office. Motion passed.

# WALNUT GROVE CITY COUNCIL

## MINUTES

THURSDAY MARCH 10, 2016

Present at Meeting: \_\_\_\_\_

Mayor Lamar Lee

Carol Witcher

Kathy Dimsdale

Wayne Dimsdale

- I. CALL TO ORDER  
Meeting called to Order by Mayor Lee
- II. INVOCATION  
Given by Joe Reitman
- III. PLEDGE OF ALLEGIANCE
- IV. AGENDA APPROVAL

Amended to add:

1. Anna Batchelor, Star Student WGHS
2. Deed Issue Robert Cody Living Trust

Motion made by Wayne Dimsdale, seconded by Carol Witcher, Motion passed

- V. PUBLIC COMMENT

At this time Walnut Grove's 2016 Star Student, Anna Batchelor, was recognized and presented with a certificate. Present were her mother and grandparents, Sean Callahan, Principal of Walnut Grove High School and her teacher Angie Head. A picture was taken to send to The Walton Tribune.

Mark Moore – Walnut Grove Lion's Club President spoke about their Club adopting the Parkway. This was approved at last month's meeting. He stated they are an all volunteer organization. They would like to have an upcoming community yard sale on April 23rd at the Pavilion at the City Park. They will sale hamburgers and rent table space to raise funds for our community. They would like to repeat what they did at the Heritage Festival, giving back to the community. Every dime that they don't spend on the event goes back into the community. He stated they would like to have help with rent for the pavilion. Sonya Cox let the Council know for the date in question, the Pavilion is available.

Joe Reitman - because Walnut Grove Lion's Club is a nonprofit organization and all the money raised would go back into helping with vision impaired as well as other help in the community we could drop the charges and let them have the pavilion free of charge. The Lion's Club's mission focuses on vision, and

helping children. Mark Moore stated last year for Christmas the Club adopted two families and provided meals and some of the members gave so they could provide Christmas gifts for the children. Mark Moore stated they would like to do more families this year.

Motion was made by Wayne Dimsdale to let the Lion's Club have the pavilion free of charge for the reasons stated, seconded by Carol Witcher, Motion Passed.

Wayne – While we are on this subject, just to make something clear, anytime we are giving something out like that we have to get something back, like advertising or something for the community. Joe Reitman – as long as it is quote "not a gratuity").

VI. MINUTES APPROVAL: FEBRUARY 11, 2016

Wayne Dimsdale made a motion the Minutes be approved as presented, Kathy Dimsdale seconded the motion, Motion Passed.

VII. PUBLIC HEARING: Rezone Request from A-1 Agricultural to C-1 Commercial

The meeting was turned over to Mr. Reitman for the Hearing. The property currently is zoned A-1 Ag the request is to rezone to C-1. We will allow 10 minutes for each side to give their comments pro or con. Just because you are given 10 minutes doesn't mean you have to use it all. Please state your name for the record. Don Cannon, 2440 Emerald Dr, Walnut Grove. I am the Broker with KW Commercial East in this situation. Dean Thompson, 2840 Atkinson Rd., Loganville, GA. I currently have a Papa John's Pizza in Walnut Grove and am a multi use commercial developer. I am looking to do a multi use commercial project. There is no spot zoning problem. Nothing nailed down at this time. Kathy Dimsdale - what is C-1. Joe Reitman - it is typical retail, mixed use. List of use for C-1 are office, restaurant, art galleries, a lodge, auto truck sales, a bakery, a church, a doc in a box, a studio, a fitness center an ice cream shop, real estate or a school. There is a list of 92 of them. Carol Witcher - do you have a specific intent for this property. Dean Thompson - not at this time. Joe Reitman - if anyone else had any comments. There were none. Joe Reitman - the public hearing is closed.

Wayne Dimsdale made a motion to approve the re-zone to C-1, Carol Witcher seconded the motion, Motion Passed.

VIII. PUBLIC WORKS REPORT

By: Alan Barton, Public Works Director

We are almost finished with our little building. We were way under budget. It helps the appearance of that section over there. We have few more things we need to get done. We had a little vandalism in the round about. They sawed down the willow tree, cut out about 50' of chain and took down the new bird house and turned it around. I have to buy another tree to put in and put the chain back.

Kathy Dimsdale - do we get to pick the kind of tree. I want a Christmas tree or three Crepe Myrtles. Alan Barton - that is up to y'all to decide what goes in there. Carol Witcher - with Crepe Myrtle the bark is pretty when it comes off. Carol Witcher - I would be happy with Crepe Myrtles.

Kathy Dimsdale made a Motion that we have three crepe myrtles of three different colors, seconded by Carol Witcher, Motion Passed.

Everything else is on target. The sewer system is up and running. Last Thursday Precision Planning and I went over everything. Carol Witcher - have we tested it. Alan Barton - yes we just need customers. As soon as the weather dries up Leone will come back and spruce up everything. Mayor Lee - No one will get paid until it is right. It just needs cleaning up and fine tuning. Alan Barton - we still have to build a building over there. Jim Sunta and I measured everything and he is going to get back with me. We can put a metal building over there much more cost efficient than a stick built building. Wayne Dimsdale - will it be secure. Alan Barton - yes. It will be 30' X 40' probably. Everything will be in that building. We just have heat in there to keep everything from freezing. Wayne Dimsdale - is that funded. Mayor Lee - yes. Kevin Little already approved their half. Alan Barton - everything else is good. Trees cut back and ditches cleaned out. We've had vandalism at the park. We are getting a camera installed at the Park so we can catch these individuals. Wayne Dimsdale - someone got into the Church too didn't they? Alan Barton - yes. Alan Barton continued, I and my family would like to thank the Council for the flowers that were sent for my nephew.

IX. FINANCIAL REPORT

Given By: Katherine A. Glass, City Clerk

The financials are at the back of your book. I will be glad to answer any questions you may have. We have started working on the Heritage Festival. Sonya sent letters out asking for Sponsors. We are already getting checks in. Last year we were so late in sending out letters a lot of businesses told us they had already done their budget and didn't have any money to give. After all the money came in last year from sponsors and rental fees we only spend around \$500.00. Everything else was paid for. DCR provided the sound system and stage. Their sponsorship was "in kind" and they had their name on the t-shirt and signage. Mark Moore stated "we have already approved the Lion's Club to come and work the event again. Carol Witcher - Sonya ran her little legs off driving that bus back and forth. Applause for Sonya.

Wayne Dimsdale made a motion the financials be accepted as submitted, Carol Witcher seconded the motion, Motion Passed.

X. CLERK'S REPORT

Given by: Katherine A. Glass, City Clerk

There were fourteen citations issued in the City of Walnut Grove in February 2016. Thirteen citations were written by Walton County Sheriff's Office and one citation was written by Walton County Animal Control. There were six business licenses renewed and one electrical permit issued. The ball park had three reservations and the pavilion was reserved by three individuals. The rentals on the park and ball fields is picking up.

XI. CODE ENFORCEMENT REPORT

Given by: Brett Davis, Code Enforcement Officer - The code enforcement officer was not present at the meeting.

XII. MAYOR'S REPORT

Everything has been covered. Walton County Sheriff's Office will give us extra patrol here in the park. We've got the church that got vandalized at the same time as the roundabout. Walton County Sheriff's Office will be on that too. The Waste Water Plant is completed. Alan Barton - probably will be June before the spray fields are sprigged. We have one zone we can go ahead and tap on now. There are five zones. We really have two zones we can use now.

XIII. OLD BUSINESS

A. Discussion of Water Odyssey Splash Pad – No new information – Tabled it for a month Carol Witcher made a motion to table this matter until the April Council Meeting; Wayne Dimsdale seconded the motion, Motion Passed.

B. Contract with McWit Creative Works – Maxine McClanahan asked for an additional \$10.00 per month for hosting the City's website making it \$60.00 per month. The contract is an open ended contract.

Wayne Dimsdale made a motion we pay the sixty (\$60.00) per month, Kathy Dimsdale seconded the motion, Carol Witcher abstained, Motion Passed.

XIV. NEW BUSINESS

Joe Reitman - Well this first one is just the guy who wants to plant sweet potatoes down in ag zone land. Is that right? I don't see the need for a permit at all. Is that the right one? I don't see you need a permit at all.

A. Special Use permit – Morris Smith – According to the zone ordinance if it is an Ag zoned property you have to have a special use permit from the mayor and council. Let me asked you this are you commercial farming or commercial hobby. Probably a little of both. What is predominately? I want to sell a little in sweet potatoes and some sweet corn. There are only 5 acres down there. What I don't use myself I hope to sell. Home many acres will be used for this purpose? Half of it 2/3 of it all of it? It will probably depend on the market. Right now I can tell you I will not put animals on it, I'm not going to put cows, pigs, chicken houses. I had enough of that growing up. Joe Reitman - Here is my inclination if it is more of the personal consumption with incidental sales then we don't have to have a formal vote on it. If it is going to be full-fledged commercial operation then we will need to advertise and have a hearing on it. I don't think we advertised it right now we are in a position of just either go forward for personal consumption and incidental sales. Morris Smith – I wanted to do commercial in case I want to commercial. Joe Reitman- then we need to run an ad for next month and make it commercial. But I don't want to slow you down on planting so right now it is mostly personal just incidental with sales out of the back of the truck or sales from your front porch or whatever, Morris Smith – I used to have a fruit stand next to the Nut House. Joe Reitman – Vaguely I recall. Morris Smith - We sold a little produce I grew over on my farm. I am not planning on building a building. The worse case scenario, Paul Jones who's bought the corner property from me that ya'll just rezoned and he would kinda like to keep that building. He is looking at some other property across the road and all like that. He mentioned me moving that little house to my farm. I'm looking at moving the "nut house" down to this property temporarily. The most I would like to do is operate a

nut cracking business or sell produce from this stand just like we have done since the early 70's except it will be down here instead of up on the corner. I would possibly move it back down there. Other thing would be sell produce. And by produce I mean sweet potatoes, sweet corn, tomatoes, & pepper. Joe Reitman - well I double checked the ordinance and section 900 includes a conditional use for farming which in my mind is a commercial endeavor as opposed to personal hobby/ personal consumption. Morris Smith - well I read the zoning and it said I had to have a special use permit. Joe Reitman - well here's the rub we've got to have an advertised public hearing before we can review a conditional use permit. So as of right now your fine to start plowing and getting it prepped up for personal use but if you want to go the commercial route just come on back next month. You've already done the paperwork it is just a matter of getting the ad in the newspaper. You are half way there but we need to formalize and have it in the paper. Morris Smith - do I need to fill something else out with Kathy? Kathy Glass - No you filled out the application I just wasn't aware it had to run. Joe Reitman - Yea it's not a big deal. We can put together an ad. You can go ahead and start your plowing now, start your planting now. Right now it is personal consumption and incidental off the back of the truck sales but next month after the hearing once you get approved you can go full board. Morris Smith - I just didn't want to step on anybody's toes. Joe Reitman - no you are doing the right thing. Morris Smith - I know Lamar pretty good you know. We talk periodically. Joe Reitman - That's fine. We'll get the ad run. Come on back next month and we'll go deeper into detail with a public hearing just like we did a little while ago. We will have a public hearing and then you can go the commercial route. Morris Smith - ok. Joe Reitman - next month we will formalize it and make it a commercial endeavor. You can start plowing and planting and we will consider it personal consumption until next month we will formalize it and make it a commercial endeavor. We are good for tonight, no vote, no hearing. We will take it up again next month.

XV. DISCUSSION ITEM

Joe Reitman - I received an email from attorney Scott Willis, I alluded to earlier. At my request he wrote this earlier to summarize this situation and this is what he said. And I believe it to be accurate. Mayor, Clerk and I have reviewed the file in advance and it is what he says it is. Mr. Robert Cody purchased .731 acres shown on the plat which I reviewed earlier on October 11, 1989. I have documentation in the file of \$4,386.00 paid by Robert Cody as per this receipt. So it looks like everything was handled except that the deed was not put together. There is a deed done back in 1986 for a companion parcel next door but not for this one. So it is just a housekeeping thing as I alluded to earlier and it is a little time sensitive. They are trying to get this thing closed. Mr. Mayor I got the word that we need to try to get this fixed for them so they can move forward. Mayor Lee - that's right. Kathy Dimsdale - are you saying we paid him a check? Mayor Lee - no he paid. Joe Reitman - No we gave him a receipt because he gave us \$4,386.00 and it has been held by his family since 1999. It has been on the tax rolls that it has belonged to the family trust all these years, for the last 17 years. It is kind of a formality but if we dug deep enough in the minutes we would probably find approval back in 1989. I don't want to leave any loose ends. It is my suggestion is to vote to approve this conveyance which is .731 acres as discussed and to authorize the Mayor and the City Clerk to go ahead and get that approved, sign the deed. Wayne Dimsdale - Let me ask you a question. In the past could it be that there might be something wrong with the title, the property and that might be the reason it was not issued? Joe Reitman - I don't know. I think it was just an oversight based

on what I'm seeing here it was pure oversight. It may have been the City signed the deed and it got misplaced. But I feel like the right thing to do and I have discussed this with the Mayor, Obviously the intent was there and just go ahead and move forward. Authorize the Mayor and Clerk to sign the deed and get this fixed and do what should have been done in 1989.

Wayne Dimsdale – I make a motion that we do that and sign the warranty deed. Seconded by Carol Witcher, Motion passed.

Mayor Lee – All right that kind of wraps this up.

#### XVI. COUNCIL COMMENTS

Kathy Dimsdale: None

Wayne Dimsdale: None

Mayor Lamar Lee - None

Carol Witcher: I was moved that we have a lovely young lady and I was there when she received the Star Student Award from Walnut Grove High School. Let me tell you something she made us proud. She is hysterical when she does her speeches. She definitely stood out among the other scholars and her personality is just delightful. I think this High School is moving us in a direction of pride. People are moving here to this area because of that situation. It's a good educational situation all the way around. I am very grateful we have teachers who care and we have a principal that is just as gung hoe about this community. And it is showing by the way people are moving into the community. I applaud the Lion's Club for the work you are doing with us. It is a long time coming. We do appreciate the fact that we have a service club that will look out for us. Sorry Kevin isn't with us. He is probably being a soldier so we have to applaud that as well. Lamar Lee- he is in Mississippi. He's in Mississippi? Mayor Lee – He has been there for a month and says he will be there for another month. He called me Monday.

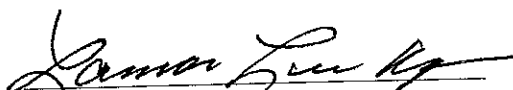
Joe Reitman: None

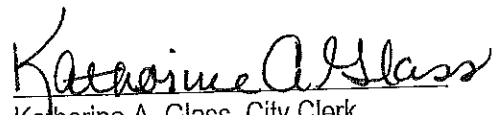
#### ADJOURN

Wayne Dimsdale made a motion we adjourn, Seconded by Carol Witcher, Motion Passed.

Time: 7:59 p.m.

Approved by the Mayor and Council this 14<sup>th</sup> day of April 2016.

  
Mayor Lamar Lee

  
Katherine A. Glass, City Clerk