



City of Warner Robins City Council Meeting Minutes

Monday, July 31, 2023

1:00 PM

Southside Baptist Church

Presiding: Mayor LaRhonda W. Patrick

City Officials Present:

Councilman Kevin Lashley
Councilman Larry Curtis
Councilman Keith Lauritsen

Councilman Charlie Bibb
Councilman Derek Mack

City Officials Absent:

Councilman Clifford Holmes

Regular Meeting of Warner Robins City Council

Call to Order: 1:03 p.m.

Adoption of the Agenda: Councilman Lauritsen moved to adopt the agenda with the revision of the coversheet (as presented). Councilman Bibb seconded the motion. Councilmen Mack, Bibb, Lauritsen, Lashley and Curtis voted for adoption of the agenda.

Opening Prayer: Pastor Matt Walls; Southside Baptist Church

Pledge of Allegiance: Caden Clark; Grandson to Councilman Charlie Bibb

Announcements:

Mayor Patrick passed on words of encouragement from Mr. Holmes as he was unable to attend due to an appointment.

Proclamations/Awards/Presentations:

- City of Civility – Mayor Patrick
- Council Presentations
- Mayor Presentation

Action Items:

Action Item 1

Presentation of Minutes from the Regular Meeting of July 17, 2023.

The minutes of the Regular Meeting of July 17, 2023 were presented for approval.	
Motion:	Councilman Lashley moved for the approval of the minutes for regular meeting of Tuesday, June 20, 2023.
Second:	Councilman Curtis
Outcome:	Councilmen Mack, Bibb, Lauritsen, Lashley and Curtis voted for approval.

Action Item 2	Formal Public Comments Pertaining to Current Agenda Items
Motion:	N/A
Second:	N/A
Outcome:	N/A

Action Item 3	Motion – Purchasing Coversheet
Five items presented	
Motion:	Councilman Mack moved for the approval of the coversheet.
Second:	Councilman Bibb
Outcome:	Councilmen Mack, Bibb, Lauritsen, Lashley and Curtis voted for approval.

Action Item 4	Ordinance #25-23 – Blight Task Force
Ordinance #25-23 of the Governing Authority hereby creates:	
BLIGHT TASK FORCE	
Sec. ____ - Created; purpose.	
The Blight Task Force is hereby created for the purpose of developing a blight removal strategy that leverages all existing City of Warner Robins resources and introduces new recommendations to create efficient, scalable, cost effective and environmentally safe responses to blight.	

Sec. _____. - Membership.

- (a) The Blight Task Force shall be composed of an advisory body of nine (9) members appointed by Mayor. Participation in the Blight Task Force will be open to the public at large.
- (b) All members shall generally be nominated for one-year terms. Members may be invited to serve more than one term.
- (c) No member of the Blight Task Force may hold elective office in the City of Warner Robins.
- (d) Any vacancy on the Blight Task Force shall be filled through appointment by the Mayor for the unexpired term.
- (e) All Blight Task Force members serve at-will and may be removed at any time.

Sec. _____. - Conduct of business.

- (a) The Blight Task Force shall report findings and make recommendation to Mayor and Council, but shall have no power to take action or to obligate City resources absent Mayor and Council approval and action.

Motion:	Councilman Bibb moved for the approval of Ordinance #25-23 and to waive the second reading.
Second:	Councilman Mack
Outcome:	Councilmen Mack, Bibb, Lauritsen, Lashley and Curtis voted for approval.

Action Item 5	Ordinance #26-23 – Clergy Task Force
<p>Ordinance #26-23 of the Governing Authority hereby creates:</p> <p>CLERGY TASK FORCE</p> <p>Sec. _____. - Created; purpose.</p> <p>The Clergy Task Force is hereby created for the purpose of bringing together religious leaders from varied religious practices and backgrounds to discuss and provide solutions to current issues in the City of Warner Robins.</p> <p>Sec. _____. - Membership.</p> <p>(a) The Clergy Task Force shall be composed of an advisory body of nine (9) members appointed by Mayor. Participation in the Clergy Task Force will be open to the public at large.</p>	

- (b) All members shall generally be nominated for one-year terms. Members may be invited to serve more than one term.
- (d) No member of the Clergy Task Force may hold elective office in the City of Warner Robins.
- (e) Any vacancy on the Clergy Task Force shall be filled through appointment by the Mayor for the unexpired term.
- (f) All Clergy Task Force members serve at-will and may be removed at any time.

Sec. ____ - Conduct of business.

(a) The Clergy Task Force shall report findings and make recommendation to Mayor and Council, but shall have no power to take action or to obligate City resources absent Mayor and Council approval and action.

Motion:	Councilman Curtis moved for the approval of Ordinance #26-23 and to waive the second reading.
Second:	Councilman Lauritsen
Outcome:	Councilmen Mack, Bibb, Lauritsen, Lashley and Curtis voted for approval.

Action Item 6	Ordinance #27-23 – Parks and Recreation Advisory Board
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Ordinance #27-23 of the Governing Authority hereby creates:

PARKS AND RECREATION ADVISORY BOARD

Sec. ____ - Created; purpose.

The Parks and Recreation Advisory Board is hereby created for the purpose of advising on the operation of the City’s public recreation facilities and advancing the pursuit of leisure time activities for all citizens.

Sec. ____ - Membership.

(a) The Parks and Recreation Advisory Board shall be composed of a board of nine (9) members appointed by Mayor and City Council.

(b) All members shall generally be nominated for three-year staggered terms. Members may be invited to serve more than one term.

(c) No member shall assume office until that person has executed and filed with the clerk of the city an oath obligating himself or herself to faithfully and impartially perform the duties of that member’s office. The oath shall read as follows and be administered by the Mayor.

I do solemnly swear or affirm that I will faithfully and impartially perform the duties of member of Parks and Recreation Advisory Board and that I will support and defend the Charter of the City of Warner Robins as well as the Constitution and laws of the State of Georgia and of the United States of America. I will not knowingly receive, directly or indirectly, any money or other valuable thing, for the performance or nonperformance of any act or duty pertaining to my office, other than the compensation allowed by law. I further swear or affirm that I will faithfully discharge my duties as a Member of the Parks and Recreation Advisory Board to the best of my ability.

(d) No member of the Parks and Recreation Advisory Board may hold elective office in the City of Warner Robins.

(e) Any vacancy on the Parks and Recreation Advisory Board shall be filled through appointment by the Mayor for the unexpired term.

(f) All Parks and Recreation Advisory Board members serve at-will and may be removed at any time by majority vote of city council unless otherwise provided by law.

Sec. ____ - Conduct of business.

(a) Except as otherwise provided by the City of Warner Robins Charter or by law, the Parks and Recreation Advisory Board shall elect from its membership a chair and vice-chair and may elect as its secretary one of its members.

(b) The Parks and Recreation Advisory Board may establish such bylaws, rules, and regulations, not inconsistent with the City of Warner Robins Charter, ordinances of the City of Warner Robins, or state law, as it deems appropriate and necessary for the fulfillment of its duties or the conduct of its affairs.

(c) The Parks and Recreation Advisory Board shall report findings and make recommendation to Mayor and Council, but shall have no power to take action or to obligate City resources absent Mayor and Council approval and action.

Motion:	Councilman Lauritsen moved for the approval of Ordinance #27-23 and to waive the second reading.
Second:	Councilman Bibb
Outcome:	Councilmen Mack, Bibb, Lauritsen, Lashley and Curtis voted for approval.

Action Item 7	Ordinance #28-23 – Mobile Food Vendor Amendment
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AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF WARNER ROBINS, GEORGIA, AMENDING CHAPTER 10 OF THE CITY CODE REGARDING LICENSES, OCCUPATION TAX, TAXATION AND MISCELLANEOUS REGULATIONS.

IT IS HEREBY ORDAINED by the governing authority of the City of Warner Robins amend Chapter 10 of the city code as follows:

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City code SECTION 10 ARTICLE XX shall be deleted in its entirety and the following inserted in lieu thereof:

ARTICLE XX. - MOBILE FOOD VENDORS

Sec. 10-521. - Mobile food vendor ordinance adopted.

The provisions of this article shall apply to the use of mobile food vendors within the city and shall be coordinated and enforced by city clerk. The general purpose of this article is to promote the health, safety, and general welfare of the citizens of the city by requiring that new and existing mobile food vendors provide residents and customers with a level of cleanliness, quality, and safety.

It is also the intent of this article to establish reasonable guidelines and restrictions for mobile food vendors in relationship to established restaurant businesses and ensure the safe and convenient use of the public rights-of-way.

(Ord. No. 26-19, § 1(1.), 10-21-19)

Sec. 10-522. - Definitions.

Clerk means the city clerk, or its designee.

Commissary means an approved catering establishment, restaurant, or other approved place in which food, containers or supplies are kept, handled, prepared, packaged or stored.

Ice cream truck means a motor vehicle in which pre-packaged ice cream, popsicles, ice sherbets or other frozen desserts of any kind are carried for the purpose of retail sale on the streets of the city. For the purpose of this article, the term "ice cream truck" shall not include vendors who prepare ice cream, popsicles, ice sherbets or other frozen desserts of any kind, nor shall it include vendors who serve ice cream products as part of a menu of other foods, i.e., pie a la mode.

Mobile food vendor means any person selling food from a mobile food vendor vehicle.

Mobile food vendor vehicle means a retail food establishment that reports to and operates from a commissary and is readily moveable, is a motorized wheeled vehicle, or a towed wheeled vehicle designed and equipped to prepare and serve food.

Pushcart means a non-self-propelled vehicle limited to serving commissary prepared or prepackaged food and non-potentially hazardous food, unless the equipment is commercially designed and approved to handle food preparation and service. Pushcarts shall not be required to comply with mobile vehicular safety requirements.

Restaurant means an establishment where food and drink are prepared, served, and consumed primarily within the principal building.

Temporary food establishment means a retail food establishment, other than a licensed mobile food vendor or pushcart, that is not intended to be permanent and that operates at a fixed location for a period of time of not more than fourteen (14) consecutive days in conjunction with a single event or celebration.

(Ord. No. 26-19, § 1(2.), 10-21-19)

Sec. 10-523. – Operation on public property.

(a) Except for ice cream trucks, no mobile food vendor vehicle shall conduct business or operate on any street, sidewalk, alley, trail or other right-of-way or on any city-owned property, including plazas and parks, except:

- (1) As part of a city-sponsored or city-sanctioned special event;
- (2) When parked in a city-designated mobile food vendor vehicle parking space within the assigned dates and times; or
- (3) Except as may be allowed as part of a city-issued special event permit or by contract with the clerk's office, mobile food vendors are permitted in a city-designated mobile food vendor vehicle parking space no more than five (5) days in any calendar month.

Sec. 10-524.-Operation on private property.

- (1) A mobile food vendor shall not operate on any private property without the prior written consent of the property owner.
- (2) Except as may be allowed as part of a city-issued special event permit, mobile food vendors are permitted on a given property no more than five (5) days in any calendar month. A minimum of two (2) calendar days must transpire between operating periods on any given property. A special exception may be made by the clerk.
- (3) Except as may be allowed as part of a city-issued special event permit, mobile food vendors may occupy no more than ten (10) percent of the designated parking spaces on a given property, and at no time shall the operation of a mobile food vendor reduce the number of parking spaces on a property below the minimum required by City Code or ordinance.
- (4) Vending structures shall not be left unattended or stored at any time on the open vending site when vending is not taking place or during restricted hours of operation.

Sec. 10-525. Requirements and Prohibited Conduct.

- (a) The food service permit under which a mobile food vendor vehicle, ice cream truck, or pushcart is operating must be firmly attached and visible on the vehicle or pushcart at all times. If the mobile food vendor is licensed to sell alcohol, the license from the Department of Revenue and the Alcohol Catering Permit from the City of Warner Robins must be firmly attached and visible on the vehicle or pushcart at all times.
- (b) The mobile food vendor shall comply with all state, federal and local health and safety regulations and requirements and shall obtain and maintain any and all licenses required by any other health organization or governmental organization having jurisdiction over this subject matter.
- (c) A mobile food vendor who prepares food shall maintain a one million dollar (\$1,000,000.00) liability insurance policy. Proof of current liability insurance, issued by an insurance company licensed to do business in the state, protecting the mobile food vendor and the public from all claims for damage to property and bodily injury, including death, which may arise from operation under or in connection with the permit. Such insurance shall provide that the policy shall not terminate or be canceled prior to the expiration date without thirty (30) days' advanced written notice to the city.
- (d) Any driver of a mobile food vendor vehicle or ice cream truck must possess a valid state driver's license.
- (e) All mobile food vendors, ice cream trucks, or pushcarts must have a valid business license. If the mobile food vendors, ice cream trucks, or pushcarts which have their base of operations in the City of Warner Robins must obtain a business license consistent with City Code Section 10-65 *et seq.*
- (f) No sale or offer for sale of ice cream, frozen milk, frozen dairy or ice confection products shall be made from a mobile food vendor, ice cream truck or pushcart unless each side of the vehicle is marked, in letters and numbers at least three (3) inches in height, with the name and address of the mobile food vendor, ice cream truck or pushcart.
- (g) The mobile food vendor may sell food and non-alcoholic beverage items only, unless licensed by the Department of Revenue and permitted by the City of Warner Robins with an alcohol catering permit consistent with City Code Section 4-77. The sale of nonfood and drink items shall be limited to merchandise displaying the mobile food vendor company logo and/or branding. No items shall be displayed outside of the vehicle.
- (h) Each licensed mobile food vendor must maintain for patrons' use, a litter receptacle of sufficient size to accept the litter being generated by the sales from the vendor's vehicle at the point of sales. City receptacles shall not be utilized for the purpose. Each vendor shall pick up litter which is associated with the vendor's sales in the vicinity of the vendor's place of business prior to departing the sales location. A pattern of leaving excessive litter shall be a basis for suspension or revocation of the license.
- (i) Liquid waste and grease shall only be disposed of in a container approved for such substances as required by the state department of health.

(j) Except for ice cream trucks, mobile food vendors are allowed only in C-1, C-2, C-3, M-1 and M-2 zoning districts, except as part of a special event sponsored by the city, a homeowners association or similar official neighborhood organization.

(k) Mobile food vendors shall not operate within twenty-five (25) feet of any street intersection, pedestrian crosswalk or driveway except as part of a city-sponsored or sanctioned special event.

(l) Mobile food vendors shall not operate within two hundred fifty (250) feet of the door of a lawfully established eating establishment that is actively open for business serving customers, unless the mobile food vendor provided documentation, which is signed by the eating establishment owner, that the eating establishment owner interposes no objection to a closer proximity.

(m) Mobile food vendors shall not be located within one thousand (1,000) feet of any city-sponsored or sanctioned special event unless that food vendor has been permitted to be at the event.

(n) Hours of operation shall not be limited, except as part of a city-sponsored event permit or by contract with the clerk's office. When operating in the C-3 central business district, and not part of a city-sponsored event, a mobile food vendor may operate only between the hours of 7:00 a.m. and 10:00 p.m. At the end of each business day's operation, the vendor shall remove from the premises the mobile food vendor vehicle and all materials associated with the business.

(o) Except for ice cream trucks, a mobile food vendor shall not make sounds or announcements to call attention to the mobile food vehicle either while traveling on the public rights-of-way or when stationary. At all times said mobile food vendor, ice cream truck or push cart shall be in compliance with the city noise ordinance.

(p) A mobile food vendor must operate from a wheeled vehicle that may lawfully be driven upon streets and roadways within the state.

(q) The following safety regulations shall apply to any and all vehicles operating under this article or used for mobile retail food establishments:

(1) Every self-propelled vehicle shall be equipped with a reverse gear signal alarm with a sound distinguishable from the surrounding noise level.

(2) Every self-propelled vehicle shall be equipped with two (2) rear-vision mirrors, one (1) at each side, firmly attached to the outside of the motor vehicle, and so located as to reflect to the driver a view of the highway to the rear, along both sides of the vehicle.

(Ord. No. 26-19, § 1(4.), 10-21-19)

Sec. 10-526. - Indemnity.

Any person or entity receiving an alcohol catering permit set forth herein agrees to indemnify the city and hold the city harmless from any and all claims, demands, actions, damages, liability and expenses in connection with loss of life, personal injury and/or damage to property arising from or out of any occurrence in, upon, or on

any property in the city, and occasioned wholly or in part by any act or omission of vendor or those acting or failing to act in the right of the vendor.

(Ord. No. 26-19, § 1(5.), 10-21-19)

Motion:	Councilman Lashley moved for the approval of Ordinance #28-23 and to waive the second reading.
Second:	Councilman Curtis
Outcome:	Councilmen Mack, Bibb, Lauritsen, Lashley and Curtis voted for approval.

Action Item 8	Resolution – ESG Amendment
<p>A resolution of the City of Warner Robins to hereby authorize Mayor LaRhonda W. Patrick hereby authorize Mayor LaRhonda W. Patrick to execute Amendment No. 15 to the Agreement between INFRAMARK, LLC d/b/a ESG Operations and Warner Robins, Georgia for Operations, Maintenance and Management Services originally adopted on July 1, 2008.</p>	
Motion:	Councilman Mack moved for the approval.
Second:	Councilman Bibb
Outcome:	Councilmen Mack, Bibb, Lauritsen, Lashley and Curtis voted for approval.

Action Item 9	Resolution – SPLOST 2024 IGA
<p>A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WARNER ROBINS, GEORGIA APPROVING AND AUTHORIZING EXECUTION, BY THE MAYOR OF THE CITY OF WARNER ROBINS, OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE COUNTY AND CERTAIN MUNICIPALITIES OF HOUSTON COUNTY CONCERNING A COUNTY ONE PERCENT SPECIAL PURPOSE LOCAL OPTION SALES AND USE TAX ENACTED PURSANT TO O.C.G.A. § 48-8-110 ET SEQ.; REPEALING PRIOR RESOLUTIONS IN CONFLICT; AND FOR OTHER PURPOSES.</p>	
Motion:	Councilman Bibb moved for the approval.
Second:	Councilman Mack
Outcome:	Councilmen Mack, Bibb, Lauritsen, Lashley and Curtis voted for approval.

Action Item 10	Resolution – City of Warner Robins Pay Scale
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WHEREAS, the Mayor has made known her desire to correct salary deficiencies of the past and make the City a competitive employer in our area.

WHEREAS, the Mayor is making a recommendation to the Council for changes in the form of a pay adjustment for full time employees and for the adjustment to be applied to the pay scales for full time City employees, beginning on the first full pay period after the resolution is adopted, and,

WHEREAS, the Mayor and Council deem it in the best interest of the City of Warner Robins to officially adopt these pay increases.

NOW, THEREFORE, BE IT RESOLVED that Mayor and Council of the City of Warner Robins adopt the employee salary adjustments and pay scales for full time City employees.

Motion:	Councilman Curtis moved for the approval.
Second:	Councilman Bibb
Outcome:	Councilmen Mack, Bibb, Lauritsen, Lashley and Curtis voted for approval.

Citizen Comments: Mike Hatcher, Mark Polk, Randy Jackson, Carol Dozier, Brenda Shekhar, Tracey Veal, Kent Jordan, Krag Woodyard.

Adjournment: 2:29 pm

Next Regular Council Meeting: Monday, August 7, 2023

Mandy Stella
City Clerk