

City of Warner Robins
Draft Pre-Council Agenda October 21, 2019
Council's Chamber
5:30 p m

Mayor Officially Opens Meeting

Opening Prayer Led by Councilman – **Holmes**

Pledge of Allegiance by Councilman – **Thomas**

Mayor Calls Meeting to Order

Adoption of the Agenda: Motion –
Second –

Proclamations/Awards/Presentations:

- ◆ National Family Promise Week
- ◆ Sharon Emory
- ◆ Adrianna Haynes

1. Approval of Minutes from Regular Meeting of October 17, 2019 - **Curtis**
2. Purchasing Bids – **Lauritsen**
3. Discussion – Road Striping / Sidewalks on Peach Blossom Road - **Lee**
4. Resolution - Tuition Reimbursement Program Policy - **Holmes**
5. Home Occupation Permits - **Thomas**
6. Special Exception – Houston County Association of Exceptional Citizens/Myrtle Street (Falcon Park Phase II) - **Curtis**
7. Rezoning Petition – Emmanuel Okorafor requests the rezoning of 108 Marshall Avenue from the zoning of C-3[Concentrated Commercial District] to the zoning of C-2[General Commercial] - **Lauritsen**
8. Rezoning Petition – Mary Lee Carter requests the rezoning of Lot 6 a 1.94 Acre parcel at 470 S Houston Lake from zoning of C-1[Neighborhood Commercial][City] to C-2[General Commercial][City] - **Lee**
9. Rezoning Petition – Haimnarine Doobay requests the rezoning of 713 Watson Boulevard, zoned C-3[Concentrated Commercial District], and 715 A Watson Boulevard, zoned R-3[General Residential District], to the zoning of C-2[General Commercial District] (Denied by P&Z) – **Holmes**
10. Resolution - Appointment administrative law judges - **Curtis**
11. Discussion – Cleaning of Stormwater Drainage on the North side of town – **Lee**
12. Ordinance – Mobile Food Vendors – **Thomas**

The City of Warner Robins is endeavoring to be in total compliance with the Americans with Disabilities Act. If you require assistance or auxiliary aids in order to participate at the council meeting please contact the ADA Coordinator, Sherri Windham, at (478) 302-5518 or swindham@wrqa.gov as far in advance of the council meeting as possible. Persons with hearing disabilities can contact the City through the Georgia Relay Service, at (TDD) 1-800-255-0056 or (Voice) 1-800-255-0135.

City of Warner Robins
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13. Resolution - Fees for the operation of the Mobile Food Vendor - Thomas

Citizens Comments
Council Comments
Mayor's Comments
Adjourn

Formal Public Comment – Speaker Protocol

The City of Warner Robins has identified this portion of the meeting to allow individuals an opportunity to formally address specific item(s) on the agenda for this meeting. The Mayor will recognize the speaker at the appropriate time and ask him/her to come forward to the podium. The City Council members may ask the speaker questions and/or engage in dialogue if they choose, but the speaker should not have an expectation that a question and answer format will occur. During this public comment section, persons shall be permitted to speak for three (3) minutes. When that time period has expired, the mayor shall direct the person speaking to cease. A second request from the mayor to cease speaking shall be cause for the removal of the speaker. Any person making personal, impertinent, profane, or slanderous remarks, or who becomes boisterous while addressing the city council or who otherwise violates any of the above-mentioned rules while attending a council meeting shall be removed from the room at the direction of the mayor, and the person shall be barred from further audience before the council during that meeting. If the mayor fails to act, any member of the council may move to require the mayor to act. If so directed by the mayor or an affirmative vote of the majority of the council, the offending person shall be removed.

Informal Public Comment – City Council Agenda Protocol

The City of Warner Robins believes that any member of the general public should be afforded the opportunity to address the City Council provided that designated rules are followed by the speaker. Any member of the public who wishes to address the City Council and offer public comment may do so during the Informal Public Comment period of the meeting. These rules will govern; if silent, most recent edition of Robert's Rules of Order shall apply. Elected officials shall preserve order and decorum. City officials or employees shall not respond to questions posed during a meeting. Citizens shall conduct themselves with propriety and decorum. Unauthorized remarks from the audience, stamping of the feet, whistles, yells, and similar demonstrations shall not be permitted. Placards, banners, signs, pamphlets, flyers, or political materials shall not be permitted in the council chambers or conference room, general comments will be received. Persons are urged to limit comments to topics relevant to the operations or business of the City. During the public comment sections of a council meeting, persons shall be permitted to speak for three (3) minutes. When that time period has expired, the mayor shall direct the person speaking to cease. A second request from the mayor to cease speaking shall be cause for the removal of the speaker. Any person making personal, impertinent, profane, or slanderous remarks, or who becomes boisterous while addressing the city council or who otherwise violates any of the above-mentioned rules while attending a council meeting shall be removed from the room at the direction of the mayor, and the person shall be barred from further audience before the council during that meeting. If the mayor fails to act, any member of the council may move to require the mayor to act. If so directed by the mayor or an affirmative vote of the majority of the council, the offending person shall be removed.

Placement on the Agenda

Warner Robins requires that any person who wishes to place a subject on the agenda shall advise the City Clerk's Office and the specified subject matter which he or she desires to place on the agenda no later than 5:00 p.m. on the Wednesday prior to the council meeting. Every member of the public will be given an opportunity to be placed on the agenda once every six (6) months. The request can be done in person, regular mail, fax or e-mail. The request should state the name of the individual(s) desiring to be heard and the subject matter to be presented to City Council. Requests may be referred at the discretion of the City Clerk, to appropriate staff for mediation prior to being placed on the public agenda. Please be advised the request to be placed on the agenda does not entitle the speaker to be added to the agenda.

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City of Warner Robins City Council Meeting Minutes

Monday, October 07, 2019

5:30 PM

Council Chambers

Regular Meeting of Warner Robins City Council

Presiding: Mayor Randy Toms

City Officials Present:

Councilman Daron Lee

Councilman Keith Lauritsen

Councilman Tim Thomas

Councilman Clifford Holmes

Councilman Larry Curtis

City Officials Absent: Councilwoman Carolyn Robbins, passed away September 30, 2019. She will be missed.

Opening Prayer: Councilman Curtis

Pledge of Allegiance: Councilman Lauritsen

Call to Order: 5:32 p.m.

Adoption of the Agenda: Councilman Holmes moved to adopt the agenda as presented. Councilman Lauritsen seconds the motion. Councilmen Lee, Lauritsen, Thomas, Holmes and Curtis voted for adoption of the agenda.

Presentation of Proclamations/Awards:

Action Items:

Action Item 1 Presentation of Minutes

The minutes of the regular meeting of September 16, 2019 were presented for approval.

Motion:	Councilman Lee moved for the approval of the minutes for regular meeting of the Monday, September 16, 2019.
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Second:	Councilman Lauritsen.
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Outcome:	Councilmen Lee, Lauritsen, Thomas, Holmes and Curtis voted for approval of the minutes.
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Action Item 2 Purchasing Bids

Purchasing Bid List items, attached hereto, were presented for approval.

Motion:	Councilman Holmes presented and moved for the approval of the bid list. Items one through fifteen.
Second:	Councilman Thomas.
Outcome:	Councilmen Lee, Lauritsen, Thomas, Holmes and Curtis voted for approval of the bid list.

Action Item 3 Food Trucks (Discussion Only)

Council Thomas stated the need to start up the food truck program and he had talked to Ms. Sherri Windham – Community Development Director about this program. Mayor Toms stated that this program is already been in the works and should be ready to start in the very near future.

Motion:	N/A
Second:	N/A
Outcome:	N/A

Action Item 4 Motion - Sale of property; 255 Ward Street

A motion was made to proceed with advertisement and solicitation of bids for the sale of property located at 255 Ward Street

Motion:	Councilman Curtis moved for the approval of the motion.
Second:	Councilman Holmes.
Outcome:	Councilmen Lee, Lauritsen, Thomas, Holmes and Curtis voted for approval.

Action Item 5 Motion – FY 2020 CDBG Review Board Committee appointments

The Community Development Department has recommended the following representatives to serve on the FY2020 CDBG Review Board Committee, and requests that the Mayor and Council of the City of Warner Robins approve of these appointments:

- 1) Nancy Newell
- 2) Kathy Hart
- 3) Carolyn Mitchell
- 4) Lydia Humphrey
- 5) Cathy Silengo

Motion:	Councilman Lee moved for the approval this motion.
Second:	Councilman Curtis.
Outcome:	Councilmen Lee then withdrew his motion after stating there were no men on the committee and he had an issue with particularly selected to be on the committee. Motion was dismissed with no vote.

Action Item 6	Resolution – Appointment of Precinct Managers for City’s 2019 Elections	
<p>A Resolution of the Mayor and Council of the City of Warner Robins to appoint Gladys Carol Mead as the City's absentee ballot clerk for the 2019 and subsequent elections according to the Official Code of Georgia Annotated § 21-2-380.1. The Official Code of Georgia Annotated § 21-2-90 provides for the appointment of chief managers and assistant managers by the governing authority for municipal elections, The City’s election superintendent recommend appointment of the following individuals:</p>		
<u>Second Baptist Church</u>		
Manager	Stephanie Dixon	507 Grand Ave, Bonaire, GA 31005
Assistant	Deanna Avery	167 Talton Rd, Kathleen, GA 31047
Assistant	Jenna Harter	119 Belmont Dr, Warner Robins, GA 31088
<u>Annex</u>		
Manager	Tyler Johnson	213 Wild Azalea Dr, Perry, GA 31069
Assistant	Jonathon Manzullo	108 Magnum Way, Perry, GA 31069
Assistant	Bernard J. Thompson	201 Marion Way, Warner Robins, GA 31098
<u>Feagin Mill Middle</u>		
Manager	Tishie Williams	251 Piney Grove Cir, Kathleen, GA 31047
Assistant	Mykayla Williams	251 Piney Grove Cir, Kathleen, GA 31047
Assistant	Susan Hall	113 Sonja Dr, Warner Robins, GA 31088
<u>Recreation Department</u>		
Manager	Dwan Johnson	206 Palm Dr, Warner Robins, GA 31088
Assistant	Marlee Blackshear	102 King Ct, Warner Robins, GA 31093
Assistant	Daphanie Verdier	121 Rolling Woods Cir, Warner Robins, GA 31088
<u>Houston Healthcare Pavilion Conference Center</u>		
Manager	Rosalie Sugrue	103 Calle Verde Dr, Warner Robins, GA 31088
Assistant	Bernadette Arroyo-Kemp	112 Falcon Crest, Warner Robins, GA 31088
Assistant	Glenda Moore	106 Quail Run Dr, Warner Robins, GA 31088
<u>Advance Voting</u>		
Manager	Judy P Britt	105 Arthur St, Warner Robins, GA 31088
Assistant	Nancy B Slaphey	120 Covey Dr, Warner Robins, GA 31088
Assistant	Virginia C Liles	100 Spring Valley Dr, Warner Robins, GA 31088
Motion:	Councilman Lauritsen moved for the approval of this Resolution.	
Second:	Councilman Lee.	
Outcome:	Councilmen Lee, Lauritsen, Thomas, Holmes and Curtis voted for approval.	

Action Item 7	Resolution – JAG Grant Award
<p>A resolution authorizing Mayor Randy Toms to execute a Grant Award agreement with the United States Department of Justice/Edward Byrne Memorial Justice Assistance Grant (JAG) in order to receive a grant award in the amount of \$36,884; and, per a Memorandum of Understanding between the City of Warner Robins Police Department and the Houston County Sherriff's Office to split the grant award amount equally (\$18,442.00) with the City of Warner Robins acting as the fiscal agent.</p>	
Motion:	Councilman Holmes moved for the approval of this Resolution.
Second:	Councilman Curtis.
Outcome:	Councilmen Lee, Lauritsen, Thomas, Holmes and Curtis voted for approval.

Action Item 8	Resolution – 2019 Bulletproof Vest Partnership Grant Award
<p>A resolution authorizing Mayor Randy Toms to execute a Grant Award agreement with the United State Department of Justice/Bureau of Justice Assistance in order to receive a grant award in the amount of \$14,647.25 to reimburse 50% of the cost of bulletproof vests purchased by the City of Warner Robins Police Department in accordance with purposes outlined in the grant application.</p>	
Motion:	Councilman Thomas moved for the approval of this Resolution.
Second:	Councilman Curtis.
Outcome:	Councilmen Lee, Lauritsen, Thomas, Holmes and Curtis voted for approval.

Action Item 9	Resolution – Governor's Office of Highway Safety Grant Award / FY20 WRPD Operation Safe Streets
<p>A resolution authorizing Mayor Randy Toms to execute a Grant Award agreement with the Georgia Governor's Office of Highway Safety in order to receive a grant award in the amount of \$21,740; to update the WRPD's breath alcohol testing (BAT) mobile unit and to conduct highly visible and highly publicized traffic enforcement strategies and public education in order to reduce traffic crashes, injuries, and fatalities by the City of Warner Robins Police Department in accordance with purposes outlined in the grant application.</p>	
Motion:	Councilman Curtis moved for the approval this motion.
Second:	Councilman Holmes.
Outcome:	Councilmen Lee, Lauritsen, Thomas, Holmes and Curtis voted for approval of the minutes.

Action Item 10 Resolution – Easement of Abandonment; 304 Angus Blvd

A resolution authorizing Mayor Randy Toms to execute a quit claim deed releasing and abandoning the City's interest in drainage and utility easement, being known as "All that tract or parcel of land situate, lying and being in Land Lot 169 of the Fifth (5th) Land District of Houston County, Georgia, being known and designated as a 15' drainage and utility easement on Lot 9, Block H, Section 1, of Willow Bend Estates Subdivision, according to a plat of survey being of record in Plat Book 17, Page 13, Clerk's Office, Houston Superior Court. "304 Angus Blvd." Said plat is hereby made a part of this description by reference for all purposes. The drainage and utility easement has ceased to be used by the public to the extent that no substantial public purpose is served by it.

Motion:	Councilman Lee moved for the approval this motion.
Second:	Councilman Thomas.
Outcome:	Councilmen Lee, Lauritsen, Thomas, Holmes and Curtis voted for approval.

Action Item 11 Resolution – Tax Consultant / Shana Moss Agreement

A resolution authorizing Mayor Randy Toms to execute an agreement with Shana Moss to perform the duties of temporary part time tax consultant for the City during the tax season.

Motion:	Councilman Lauritsen moved for the approval of this motion with a pay rate of up to \$35.00 an hour – 4 days a week.
Second:	Councilman Holmes.
Outcome:	Councilmen Lee, Lauritsen, Holmes and Curtis voted for approval. Councilman Thomas abstained.

Action Item 12 Resolution Employee Promotions

The following employee was recommended for promotion by their respective department:

- **Mark Polk**, promoted from Utilities Locator, Job Class #962, Grade 14, Utility Department, to Compliance Training Officer, Job Class #971, Grade 17, Utility Department, to be effective October 7, 2019.
- **Darrall Mays**, promoted from Rodder Operator (Sewer), Job Class #950, Grade 11, Utility Department, to Utilities Locator, Job Class #962, Grade 14, Utility Department, to be effective October 7, 2019.
- **Roderick Lofton**, promoted from Meter Reader, Job Class #940, Grade #9, Utility Department, to Utilities Locator, Job Class #962, Grade 14, Utility Department, to be effective October 7, 2019.
- **Aaron Squires**, promoted from Equipment Operator, Job Class #461, Grade #10, Public Works Department, to Heavy Equipment Operator (Stormwater), Job Class #492, Grade 12, Public Works Department, to be effective October 7, 2019.

Motion:	Councilman Curtis moved for the approval the Resolution.
Second:	Councilman Holmes.
Outcome:	Councilmen Lee, Lauritsen, Thomas, Holmes and Curtis voted for approval.

Pre-Council Comments regarding agenda items: No Comments

Closed Session: During the Pre-Council meeting, Mayor Toms requested a motion to enter into an executive session to discuss real estate. Councilman Holmes moved for an executive session to discuss real estate; Councilman Curtis seconded the motion. Councilmen Lee, Lauritsen, Thomas, Holmes and Curtis voted for the approval of the motion. The Pre-Council meeting closed at 4:41 p.m.; the closed session opened at 4:45 p.m. and ended at 4:55 p.m., City Clerk is in possession of closed session minutes.

Citizen Comments: Rita Simon.

Adjournment: 6:16 p.m.

Next Regular Council Meeting: Monday, October 21, 2019

Kim A. Demoonie
Acting City Clerk

CITY OF WARNER ROBINS, GEORGIA

COUNCIL DATE: October 7, 2019

WRITTEN REQUESTS HAVE BEEN SUBMITTED BY THE CITY DEPARTMENTS FOR THE FOLLOWING ITEMS. THE PURCHASING DEPARTMENT RECOMMENDS THE FOLLOWING ITEMS BE ACQUIRED. BY APPROVAL, AUTHORITY IS GIVEN FOR SUPPORTING CONTRACTS TO BE EXECUTED IN ACCORDANCE WITH APPLICABLE PROVISIONS OF THE CITY CODE. (Bid tabulations are attached)

BID NUMBER / ITEMS	VENDOR	COST	ACCOUNT NO. / BUDGET	COMMENTS
1) Sonicwall Network Firewall Bid No. #: IS-4252	Gov Connection Inc. Woburn, MA	\$7,684.29 Attachment #1	1535 54125 / \$60,507.76 Remaining INFORMATION SYSTEMS – Computer Equipment	Contract Period: October 15, 2019 – October 14, 2021
2) Stalker Motorcycle Radars Bid No.: P-4258	Applied Concepts, Inc. Richardson, TX	\$6,833.00 Attachment #2	1401 53100 / \$427,739.40 Remaining POLICE / Condemned Funds – State	Recommendation of Police Dept.
3) Executive Desk & Hutches for Public Works (3) Each	Phillips Furniture Warner Robins, GA	\$6,234.00	61 52144 / \$29,836.00 Remaining PUBLIC WORKS / Storm Water	
4) Panasonic Toughbook Computers for Motorcycles Omnia Partners #: 4400006644	Insight Public Sector Tempe, AZ	\$10,374.64	3220 54128 POLICE – J.A.G Grant Equipment	Mobile Citation Equipment
5) Digital Billboard Advertisements Byron Exit @ I-75 F/N & WR Exit @ I-75 F/S ANNUAL CONTRACT	Outdoor Media Solutions Macon, GA SOLE SOURCE	\$ 845.00 (Ea.) Monthly \$10,140.00 (Ea.) Annually \$20,280.00 Total	18 052321 / \$45,598.95 Remaining CVB – Advertising / City Promotions	Contract Period: October 01, 2019 – September 30, 2020

BID NUMBER / ITEMS	VENDOR	COST	ACCOUNT NO. / BUDGET	COMMENTS
6) Digital Billboard Advertisements Byron Exit @ I-75 F/N & WR Exit @ I-75 F/S ANNUAL CONTRACT	Outdoor Media Solutions Macon, GA SOLE SOURCE	\$5,670.00 Total	18 52321 / \$45,598.95 Remaining CVB - Advertising / City Promotions	July, August & September invoices Were \$945.00 (Ea.) The Contract was Renegotiated
7) Tax Bills Printing & Set-Up Fees	Diversified Companies, LLC Chattanooga, TN	\$6,500.00 Estimate	1514 52331 / \$4,269.93 TAX ADMINISTRATION / Professional Service	Money to be transferred within budget
8) GMP for North Houston Park Building Construction Phase II Bid No.: R-3915	Parrish Construction Group Perry, GA	\$17,027,733.00	3509 54128 / 2018 SPLOST RECREATION – Sports Complex	
9) Remainder GMP for North Houston Park Architectural Services	JMA Architecture, Inc. Perry, GA PROFESSIONAL SERVICE	\$603,000.00	3509 54128 / 2018 SPLOST RECREATION – Sports Complex	
10) Police K9 & Patrol Vehicle's Equipment (i.e. Lights, Sirens, Cages etc. .) Bid No.: P-4242	Dana Safety Supply, Inc.	\$237,063.90 Attachment #: 3 - 3c	3220 54123 / \$710,000.00 Remaining POLICE – Vehicles	
11) Toshiba e-Studio 5518a Digital Imaging Systems (2 Ea.)	MBG Office Systems Macon, GA	\$12,710.00 Total	3220 54121 / \$31,892.00 Remaining POLICE / Machinery & Equipment 1401 53100 / \$427,739.40 Remaining POLICE / Condemned Funds – State	This vendor is on contract for all the City's Copiers. \$6,355.00 (Ea.)

BID NUMBER / ITEMS	VENDOR	COST	ACCOUNT NO. / BUDGET	COMMENTS
12) Propper Men's I.C.E. Performance Polo Shirts for the WRPD (275 Ea.) Bid No.: P-4256	The Ink Spot Warner Robins, GA	\$8,662.50 Attachment #: 4	1401 53100 / \$427,739.40 Remaining POLICE / Condemned Funds – State	
13) Ford F-250 Crew Cab 4x4 Diesel Pick-Up Truck Bid No.: F-4242	Wade Ford, Inc. Smyrna, GA	\$40,439.00 Attachment #: 5	3520 54123 / \$36500.00 Remaining FIRE SUPPERSSION – Vehicles	WRF424304
14) Platform Aerial Apparatus Fire Truck Bid No.: F-4226	Sutphen Corporation Dublin, OH	\$1,050,000.00 1.33 % Contingency Pre-Construction 10-year Lease @ 2.69% Estimated Payment approx. \$120,000.00 Attachment #: 6 – 6e	3520 58104 / \$110,000.00 Remaining FIRE – Lease Payments Fire Trucks	**NOTE: The Fire Dept Committee & Sutphen worked diligently under the guidance of the Purchasing Office to negotiate getting everything needed on the Fire Apparatus Truck at a price both parties could agree to. GREAT JOB.
15) Fire Uniforms ANNUAL CONTRACT Bid No.: F-4241	T & T Uniforms, Inc. Smyrna, GA	Attachment #7 & 7a for Cost Breakdown Ordered on as needed basis throughout year.	3520 53010 / \$52,663.30 Remaining FIRE – Uniforms & Clothing	Contract Period: November 1, 2019 – October 31, 2020

**CITY OF WARNER ROBINS
STATE OF GEORGIA**

RESOLUTION

WHEREAS, Section 18-1(c) of the City Code provides the Director of General Administrative Services draft the personnel rules and regulations for the City; and

WHEREAS, the Mayor and Council have determined that it is in the City's best interest to encourage its employees to seek greater educational credentials and occupational skills to enhance their careers and job performance as City employees; and

WHEREAS, the current tuition reimbursement policy was adopted by Mayor and Council on February 22, 2011 and last amended on June 16, 2014, and City staff recommends further amendment.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Warner Robins hereby adopt this updated Tuition Reimbursement Program Policy to be effective upon date of adoption.

This ____ day of _____, 2019.

CITY OF WARNER ROBINS

By: _____
Randy Toms, Mayor

Attest:

Kim Demoonie
Interim City Clerk

Tuition Reimbursement Program Procedures & Responsibilities

1. Classified Service Employees must complete and submit a "Continuing Education Approval and Refund Application (CEARA)" form to their Department Director for approval prior to enrolling in courses.
2. Department Directors and other Appointed Employees wishing to participate in the City's Tuition Reimbursement Program should complete and submit a CEARA form to the Mayor for approval.
3. Department Director (or Mayor, if applicable) will review the request and will either approve or deny the request in writing and forward the form indicating his decision to the Human Resources Office.
4. In the event a request is denied, the Department Director (or Mayor, if applicable) will state his/her reasons for denying the request on the CEARA form and provide a copy to the employee and forward the original form to the Human Resources office.
5. The Human Resources Manager (HRM) will review the application for completeness and compliance with the policy. If the HRM determines the application is incomplete or does not comply with policy, the Department Director will be informed of the deficiencies and the application will be returned to the Department for correction.
6. The Human Resources office will notify the Finance office in writing of all approved applications.
7. All completed applications for the Tuition Reimbursement Program will be retained in the employee's personnel file.
8. Upon satisfactory completion of approved courses, employee will submit evidence of satisfactory completion and proof of payment with his reimbursement request to the Human Resources office. Evidence of payment will include a document from the educational institution confirming paid tuition along with either a copy of the front and back of cancelled check used to make payment, a copy of a credit card statement in the employee's name showing payment to the educational institution, or documentation of the employee's financial commitment to the institution to pay tuition. Reimbursement requests should be submitted no later than 30 days after completion of the courses.
9. The Human Resources office will review the reimbursement request and the evidence of payment for completeness before forwarding to Accounts Payable for processing.
10. The Finance office will forward copies of checks issued for tuition reimbursement to Human Resources for retention in personnel files and or use in review of future requests.
11. If the application is denied by the Department Director, the employee may appeal to the HRM in writing. The appeal should be submitted within 10 business days of receiving the decision.
12. If an employee voluntarily leaves employment or is dismissed for cause prior to meeting the program's continuing service requirements, the city will be authorized by the employee to collect any amounts due, either directly from the employee or by payroll deduction out of employee's final paycheck.
13. If the employee fails to fully reimburse the City what it is owed, the employee agrees that he or she will indemnify the City for all costs and attorney's fees associated with the collection of the amount due if the City deems it necessary to institute legal action.

CITY OF WARNER ROBINS
GEORGIA'S INTERNATIONAL CITY - CHARTERED 1943
"A CITY OF CHARACTER"
MEMORANDUM

TO: KIM DEMOONIE
FROM: SHERRI WINDHAM – DIRECTOR, COMMUNITY DEVELOPMENT
DATE: OCTOBER 9, 2019
SUBJECT: AGENDA FOR MAYOR AND COUNCIL MEETING

MAYOR
Randy Toms
MEMBERS OF COUNCIL
Post 1
Daron Lee
Post 2
Carolyn Robbins
Post 3
Keith Lauritsen
Post 4
Tim Thomas
Post 5
Clifford Holmes, Jr.
Post 6
Larry Curtis, Jr.

INTERIM CITY CLERK
Kim Demoonie
CITY ATTORNEY
Fred Graham
OF COUNSEL
James E. Elliott, Jr.

Please place the following items on the agenda for the next Mayor and Council Meeting:

The Planning & Zoning Board recommends approval the following applications as submitted:

1. Shirley J. Durden – 103 Xavier Edwards Drive – request permission to operate a trucking business as a home occupation.
2. Alethia Edmondson – 100 Georgia Dean Street – request permission to operate a consulting business as a home occupation.
3. Ralph D’Haiti – 111 Alanwood Court – request permission to operate a valet trash service business as a home occupation
4. Anita Evelyn Graddick – 112 Santangelo Court – request permission to operate a property management business as a home occupation.
5. Tamika Davis – 72 Glen Arbor Lane – request permission to operate a hookah service business as a home occupation.
6. Christopher Tyler Martucci – 405 Todd Circle – request permission to operate a cleaning service as a home occupation.
7. Greg Havener – 201 Pebblebrook East – request permission to operate a home repairs business as a home occupation.
8. Santresa Brooks – 101 Capitol Avenue, Apt. 11 – request permission to operate a cleaning business as a home occupation.
9. Dalton Alday – 102 Dry Brook Court – request permission to operate a pressure washing business as a home occupation.
10. SPECIAL EXCEPTION – Houston County Association for Exceptional Citizens requests a special exception at Myrtle Street, North of Young Avenue and South of Duke Avenue to allow for the construction of Group Homes in an R-4[Multi Family Residential District]

[continued]

11. REZONING – Emmanuel Okorafor requests the rezoning of 108 Marshall Avenue from the zoning of C-3[Concentrated Commercial District] to the zoning of C-2[General Commercial]

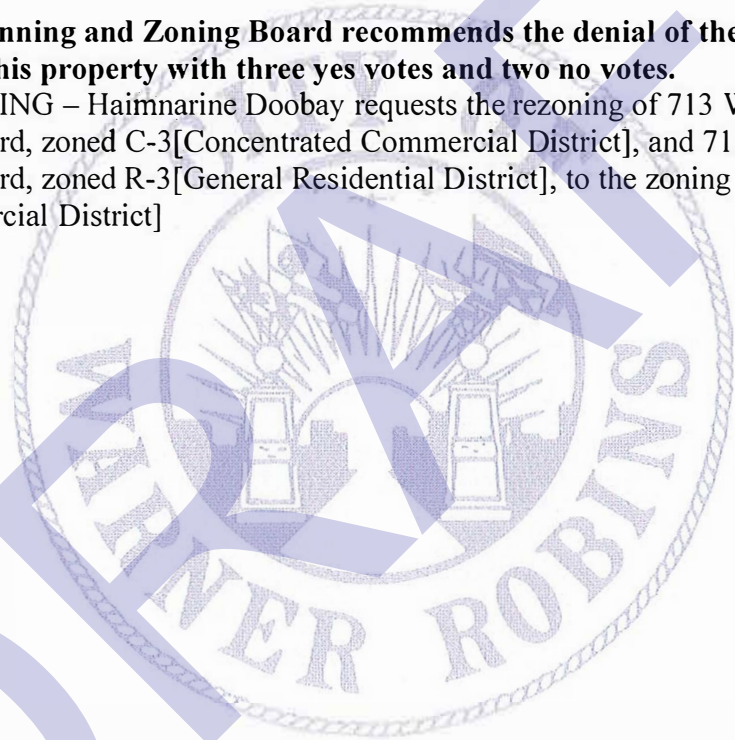
The Planning and Zoning Board makes a unanimous recommendation to approve the request to annex. A recommendation to deny the rezoning was made with three yes votes, and two no votes.

NOTICE: PETITION AMENDED – SEE ATTACHED, “EXHIBIT A”

12. ANNEXATION/REZONING – Lois, F. Warren, Charles, and Mary Lee Carter request the annexation and rezoning of properties, together totaling 12.96 acres located at 100 & 104 S Amanda Place and 470 S Houston Lake Road; 100 & 104 S Amanda from the zonings of R-1[Single Family Residential][County] and C-1[Neighborhood Commercial][City] to C-2[General Commercial][City]

The Planning and Zoning Board recommends the denial of the request to annex this property with three yes votes and two no votes.

13. REZONING – Haimnarine Doobay requests the rezoning of 713 Watson Boulevard, zoned C-3[Concentrated Commercial District], and 715 A Watson Boulevard, zoned R-3[General Residential District], to the zoning of C-2[General Commercial District]



CITY OF WARNER ROBINS
GEORGIA'S INTERNATIONAL CITY - CHARTERED 1943
"A CITY OF CHARACTER"

October 16, 2019

MAYOR
Randy Toms

**MEMBERS OF
COUNCIL**

Post 1
Daron Lee
Post 2
Carolyn Robbins
Post 3
Keith Lauritsen
Post 4
Tim Thomas
Post 5
Clifford Holmes, Jr.
Post 6
Mike Davis

CITY CLERK
Kathy Opitz
Interim

CITY ATTORNEY
James E. Elliott

Houston County Association for Exceptional Citizens
ATTN: Stan Blaxton
202 N Davis Drive PMB 164
Warner Robins, GA 31093

RE: SPECIAL EXCEPTION – GROUP HOME –request for a special exception at Myrtle Street (Falcon Park Phase 2) to allow for the construction and operation of a Group Home from a property zoned R-4[Multi - Family Residential]

Dear Mr. Blaxton,

On October 8, 2019, the Planning and Zoning Commission for the City of Warner Robins unanimously recommended the approval of the requested special exception for the above referenced property. The Board's recommendation will be forwarded to Mayor and Council for final action. To verify the date and time your petition will be heard, please contact the City Clerk's Office at 478-293-1099.

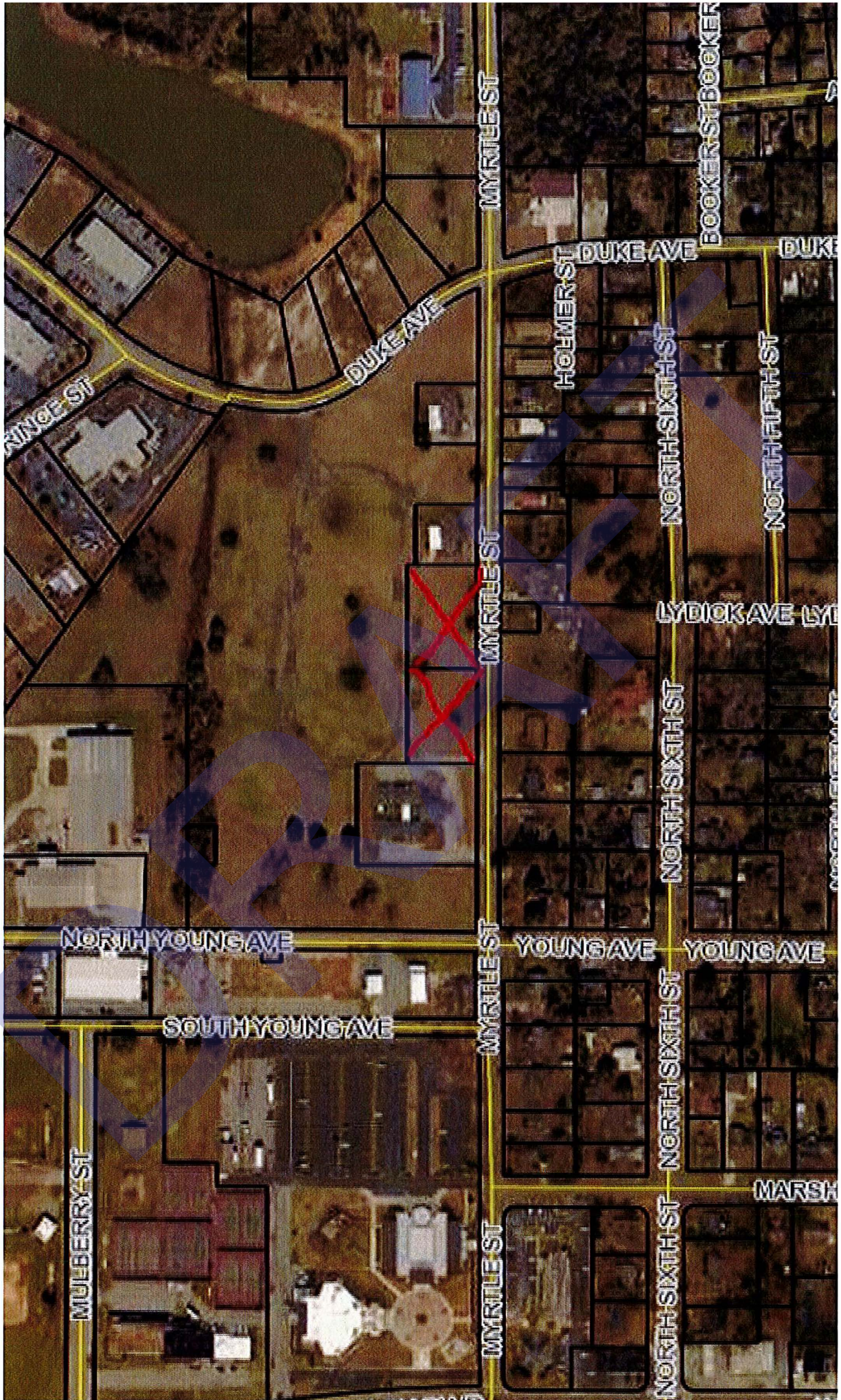
If you have any questions or need additional information regarding this matter, please feel free to call me at (478) 302-5522.

Best regards,



Darin Curtis, Zoning Assistant
Community Development

cc: File





CITY OF WARNER ROBINS SPECIAL EXCEPTION APPLICATION

APPLICANT INFORMATION

NAME: Houston County Association for Exceptional Citizens

ADDRESS: 202 N Davis Dr PMB #164

CITY: Warner Robins STATE: GA ZIP: 31093

PHONE: 478-929-6613 EMAIL: SBLAXTON@HCAEC.COM

OWNER INFORMATION

NAME: Houston County Association for Exceptional Citizens

ADDRESS: 202 N Davis Dr PMB #164

CITY: Warner Robins STATE: GA ZIP: 31093

PHONE: 478-929-6613 EMAIL: SBLAXTON@HCAEC.COM

ATTORNEY/AGENT INFORMATION

NAME: Stan Blaxton

ADDRESS: 202 N Davis Dr PMB #164

CITY: Warner Robins STATE: GA ZIP: 31093

PHONE: 478-929-6613 EMAIL: SBLAXTON@HCAEC.COM

CONTACT PERSON: Stan Blaxton

PHONE NUMBER: 478-929-6613

EMAIL ADDRESS: SBLAXTON@HCAEC.COM

IF THE OWNER IS FILING THE APPLICATION, ONLY THIS CERTIFICATION MUST BE COMPLETED. IF A CONTRACTOR, PURCHASER, DEVELOPER, AGENT OR ATTORNEY IS FILING THIS APPLICATION FOR THE OWNER, BOTH OF THE CERTIFICATIONS MUST BE COMPLETED.

PROPERTY OWNER'S CERTIFICATION

THE UNDERSIGNED BELOW IS THE OWNER OF SAID PROPERTY AND IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE PLANNING AND ZONING COMMISSION AND/OR MAYOR AND COUNCIL. (§114.2.17)

Stan Blaxton

Type or Print Name

202 N Davis Dr PMB #164, Warner Robins, GA 31093

Mailing Address



Signature

8/22/19

Date

478-929-6613

Business and/or Cellphone number

Personally appeared before me:

who swears the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Notary Public

STATEMENTS FROM ADJACENT AFFECTED PROPERTY OWNERS: Action Item #: 6

I, _____, owner of property located at _____, am aware of the attached petition.

Signed : *Myra S. Boyd* Phone # 929-6614 (478)

I, _____, owner of property located at _____, am aware of the attached petition.

Signed : *Myra S. Boyd* Phone # 929-6614 (478)

I, _____, owner of property located at _____, am aware of the attached petition.

Signed : _____ Phone # _____

I, _____, owner of property located at _____, am aware of the attached petition.

Signed : _____ Phone # _____

I, _____, owner of property located at _____, am aware of the attached petition.

Signed : _____ Phone # _____

I, _____, owner of property located at _____, am aware of the attached petition.

Signed : _____ Phone # _____

CERTIFICATIONS

SURVEYOR CERTIFICATION

AS REQUIRED BY SUBSECTION 66 OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS THEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE COMPARED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

Michael L. Clarke 1/08/05
MICHAEL L. CLARKE No. 2865 DATE

PLANNING AND ZONING CERTIFICATION

I CERTIFY THAT ALL THE REQUIREMENTS FOR FINAL APPROVAL OF THIS PLAT HAVE BEEN FULFILLED IN ACCORDANCE WITH THE REGULATIONS OF THE COUNTY OF HOUSTON, GEORGIA, AND THE REQUIREMENTS OF THE WARNER ROBINS PLANNING AND ZONING COMMISSION.

SECRETARY OF THE HOUSTON COUNTY PLANNING AND ZONING COMMISSION DATE

OWNER CERTIFICATION

STATE OF GEORGIA, COUNTY OF HOUSTON, THE UNDERSIGNED CERTIFIES THAT HE IS THE OWNER OF SAID LAND SHOWN ON THIS PLAT AND ACKNOWLEDGES THIS PLAT AND ALLOTMENT TO BE HIS FREE ACT AND DEED AND DEDICATES TO PUBLIC USE FOREVER ALL AREAS SHOWN OR INDICATED ON THIS PLAT AS STREETS, ALLEYS, EASEMENTS OR PARKS.

Michael L. Clarke 1/08/05
DATE

SURVEY DATA

SURVEY AREA: 1.30 ACRES
CLOSURE ERROR:
FIELD DATA: 20,000
PLAT DATA: INFINITY
ANGLE: 0° PER ANGLE POINT
ADJUSTMENT BY: CRANDALL RULE
EQUIPMENT USED: CARLSON GPS 702-GG
CARLSON CRS TOTAL STATION
REFERENCES: PB 56 PG. 152
PB 42 PG. 195



STORY CLARKE & Associates
SURVEYORS • PLANNERS
LANDSCAPE ARCHITECTURE

253 CARL VINSON PARKWAY
WARNER ROBINS, GA 31088
OFFICE: 478.922.7724
STOCLA.COM

THIS DOCUMENT, AS AN INSTRUMENT OF SERVICE, IS THE PROPERTY OF STORY CLARKE & ASSOCIATES AND IN NO PART THEREOF MAY BE USED OR REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN PERMISSION, COPYRIGHT AS DATED STORY CLARKE & ASSOCIATES.



GSWCC L2 Design Professional Certification No. 416

5th DISTRICT
WARNER ROBINS, GEORGIA

Resubdivision For:
**GROUP HOMES
FALCON PARK III AND X**
OF:
PARCEL A-1

PN: 19006
DN: 19-076
DRAWN BY: SMB
FIELD DATA BY: JMR
FIELD DATE: 18.10.18
REVIEW BY: MLC
DATE: 19.08.05
SCALE: 1"=30'

REVISIONS	DATE	COMMENTS

1 OF 1
RESUBDIVISION

PT PARCEL A-1
14.44 ACRES

PT PARCEL A
FALCON PARK III INC
PB.56 PG.152

PT PARCEL 6
0.66 ACRES

PT PARCEL 5
0.72 ACRES

PT PARCEL 4
FALCON PARK III INC
PB.42 PG.195

MYRTLE STREET
50' R/W



GRID NORTH (WEST ZONE)



GRAPHIC SCALE IN FEET
SCALE: 1"=30'

LEGEND

- IPS = PROPERTY CORNER SET (REBAR)
- IPP = PROPERTY CORNER FOUND
- CMT = CONCRETE MONUMENT FOUND
- CMS = CONCRETE MONUMENT SET
- ▲--- S = SURVEY CONTROL POINT
- X--- 'X' = CHISELED 'X'
- LL--- LLL = LAND LOT LINE
- BSL--- BSL = BUILDING SETBACK LINE
- SSE--- SSE = SANITARY SEWER EASEMENT
- UE--- UE = UTILITY EASEMENT
- DE--- DE = DRAINAGE EASEMENT
- DUE--- DUE = DRAINAGE & UTILITY EASEMENT
- LL--- LL = LAND LOT
- POB--- POB = POINT OF BEGINNING

THIS DOCUMENT IS APPROVED FOR THE CARES OF SUPERIOR COURT

CITY OF WARNER ROBINS
GEORGIA'S INTERNATIONAL CITY - CHARTERED 1943
"A CITY OF CHARACTER"

October 16, 2019

MAYOR
Randy Toms

Emmanuel Okorafor
520 MLK Jr Blvd Apt 237
Macon, GA 31201

**MEMBERS OF
COUNCIL**

Post 1
Daron Lee
Post 2
Carolyn Robbins
Post 3
Keith Lauritsen
Post 4
Tim Thomas
Post 5
Clifford Holmes, Jr.
Post 6
Larry Curtis, Jr.

RE: REZONING – rezoning of 108 Marshall Avenue from the zoning of C-3[Concentrated Commercial District] to the zoning of C-2[General Commercial]

Dear Mr. Okorafor:

On October 8, 2019, the Planning and Zoning Commission for the City of Warner Robins approved your petition for the rezoning of the above-described property. The Planning and Zoning Commission's recommendation will be forwarded to Mayor and Council for final approval. To verify the date and time your petition will be heard by Council, **please contact the City Clerk's office at 478-293-1000.**

**INTERIM
CITY CLERK**
Kim Deroonie

If you have any questions or need additional information regarding this matter, please feel free to call me at (478) 302-5522.

CITY ATTORNEY
Fred Graham

OF COUNSEL
James E. Elliott, Jr.

Sincerely,


Darin Curtis
Zoning Assistant
Dept. of Community Development

cc: File

STAFF REPORT

MEETING DATE: October 8, 2019

PETITIONER: Emmanuel Okorafor

REPRESENTATIVE: Same

RE: Zoning change of Tax parcel #0W002G 002000 totaling 0.23 acres located at 108 Marshall Avenue

PRESENT ZONING: C-3[Concentrated Commercial District]

REQUESTED ZONING: C-2 [General Commercial District]

EXISTING DEVELOPMENT PATTERNS: According to the 2017 Joint Comprehensive Plan, the existing land use and development pattern for this area is characterized as Downtown Redevelopment Area. The Downtown Redevelopment Area lacks a defined downtown area because of the rapid development of Warner Robins that followed traditional suburban patterns of growth. The city never had the opportunity to develop a commercial retail area around the historic central business district. Watson Boulevard is the central thoroughfare through the traditional downtown area and has mainly developed in the same strip pattern as many of the other in-town corridors through Houston County, resulting in a city center that has struggled to attract night life and cultural activities.

SUGGESTED DEVELOPMENT PATTERNS:

- Addition of neighborhood commercial centers on appropriate infill sites.
- Traditional downtown areas developed and maintained as a focal point of the community.
- Facilities for bicycles, including bikeways and bike lanes.
- Developments that have easy access to nearby transit, shopping, schools, and other facilities.
- Structures located near street front with parking in rear of buildings.
- Traffic calming measures, such as narrower street widths and raised pedestrian crossings.
- Residential development with a healthy mix of uses within easy walking distance.
- Addition of new uses to single-use sites.
- Availability of on-street parking.
- Greyfield redevelopment that converts vacant or under-utilized commercial strips to mixed-use.
- Infill development on vacant or under-utilized sites.

SUGGESTED LAND USE DESIGNATIONS:

- Mixed Use
- Commercial
- Residential
- Public/Institutional

SUGGESTED IMPLEMENTATION MEASURES:

- Strategies for re-use of greyfields.
- Housing assessments and inventories.
- Density bonuses.
- Infill development program.
- Mixed-use zoning.
- Shared parking.
- Overlay districts.
- Walkability audit.
- Promotion of walkability.
- Maximum setback requirements.
- Establishment of a tax allocation district.
- Establishment of an Urban Redevelopment Area.
- Adaptive re-use of structures.
- Crime prevention through environmental design.
- Land assembly for redevelopment.
- Education and marketing campaign.

Items highlighted in yellow have been implemented and being enforced.

STAFF INFORMATION: The petitioned property is a 0.23 acre parcel fronted on three sides by N. Fourth Street, Marshall Avenue and N. Third Street. The property is developed as commercial with a metal type industrial building with bay doors that front Marshall Avenue. The prior use of the property was for as service repair garage, but the license to operate this type of business has not been active for over one year which disqualified the prior use from being grandfathered. The request to downzone this property from C-3 to C-2 is to allow for the property to be used for an Automobile Mechanic/Automobile Sales and Rental business. A description of the contiguous properties are as follows: North of the petitioned property and across Marshall Avenue is a 0.25 acre parcel located within the city limits and developed with a single-family residential dwelling built in 1948, that is located in a M-1 [Light Industrial] zoned district. Property located to the east and across N. Third Street is owned by the City of Warner Robins and zoned C-2 [General Commercial]. This parcel is undeveloped, but is being utilized as storage by the Warner Robins Police Department. The property located to the south of the petitioned property is owned by Brooks Auto Supply Inc., totals 0.3 acres and is zoned C-3[Concentrated Commercial]. This parcel is currently undeveloped, but is being used for storage by the owner. And the property located to the west totals 0.25 acres, developed with a single-family residential dwelling that was built in 1953, and is currently zoned C-3.

The City of Warner Robins and Economic Development are taking steps to develop a downtown area and see the need to embrace the concept of mixed-use zoning and developments throughout the potential downtown area. It is their desire to redevelop this area for mixed-use buildings and developments which provide amenities that are more likely to be found in urban environments. These amenities include the ability to easily walk and bike downtown between an individual's home

and where they work and shop. Also, a denser area of development can make the provision of transit services more economically feasible by concentrating a greater number of potential users and destinations in one location. The Joint Comprehensive Plan suggests several implementation measures to assist with the City's desire to successfully accomplish this type of development for the downtown area. The items highlighted above in yellow are measures currently established by the City to help accomplish this type of redevelopment in this area. Economic Development was successful in creating a Tax Allocation District and an Overlay Zoning regulation to help stimulate investment and guide redevelopment efforts to prevent strip development from taking hold again. In 2014, the City updated the Zoning Regulations and revised Section 72.3 [C-3] to create a *Concentrated Commercial District* in order to establish a more intense use of land for both commercial and residential uses in an area that is adjacent and complementary to the central business district of the City. The specific purposes of the district are to:

- (1) Accommodate mixed-use buildings with neighborhood-serving retail, service, and other uses on the ground floor and residential units above the nonresidential space;
- (2) Encourage development that exhibits the physical design characteristics of pedestrian-oriented, storefront-style shopping streets; and
- (3) Promote the health and well-being of residents by encouraging physical activity, alternative transportation, and greater social interaction.

Although the speculative use of the property as commercial is compatible with the Suggested *Land Use Designations* of the Joint Comprehensive plan, the type of requested commercial use is not desirable to the recommended development patterns as suggested in the plan for the Downtown Redevelopment Area. The recommended development patterns as suggested in the plan for the Downtown Redevelopment category include higher density commercial development to include mixed-use zoning and developments with amenities such as the ability to easily walk and bike between an individual's home and where they work and shop. Staff recommends that future developments in this Character Area enhance walkability and bikeability with the community at-large in order to enhance the quality of life within the Downtown Redevelopment area.

In conclusion, although the request to downzone the property to C-2 to allow an Auto Mechanic/Auto Sales and Rental business is not consistent with the Joint Comprehensive Plan or the City's desire to embrace the concept of mixed-use zoning and developments throughout the Downtown Redevelopment area, Staff does comprehend the potential to rezone the property as requested due to its distance from the main thoroughfare, Watson Boulevard, and the current development of the property. Therefore, consideration should be made to rezone the property to C-2, which meets the requirements adopted by City Council under Article VII: *Use Requirements by Districts*; §72.2.3 C-2 *General Commercial District- Permitted Uses* to operate as an Automobile Mechanic/Automobile Sales and Rental business.

Information obtained from the following:

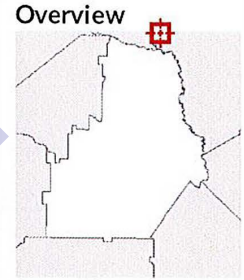
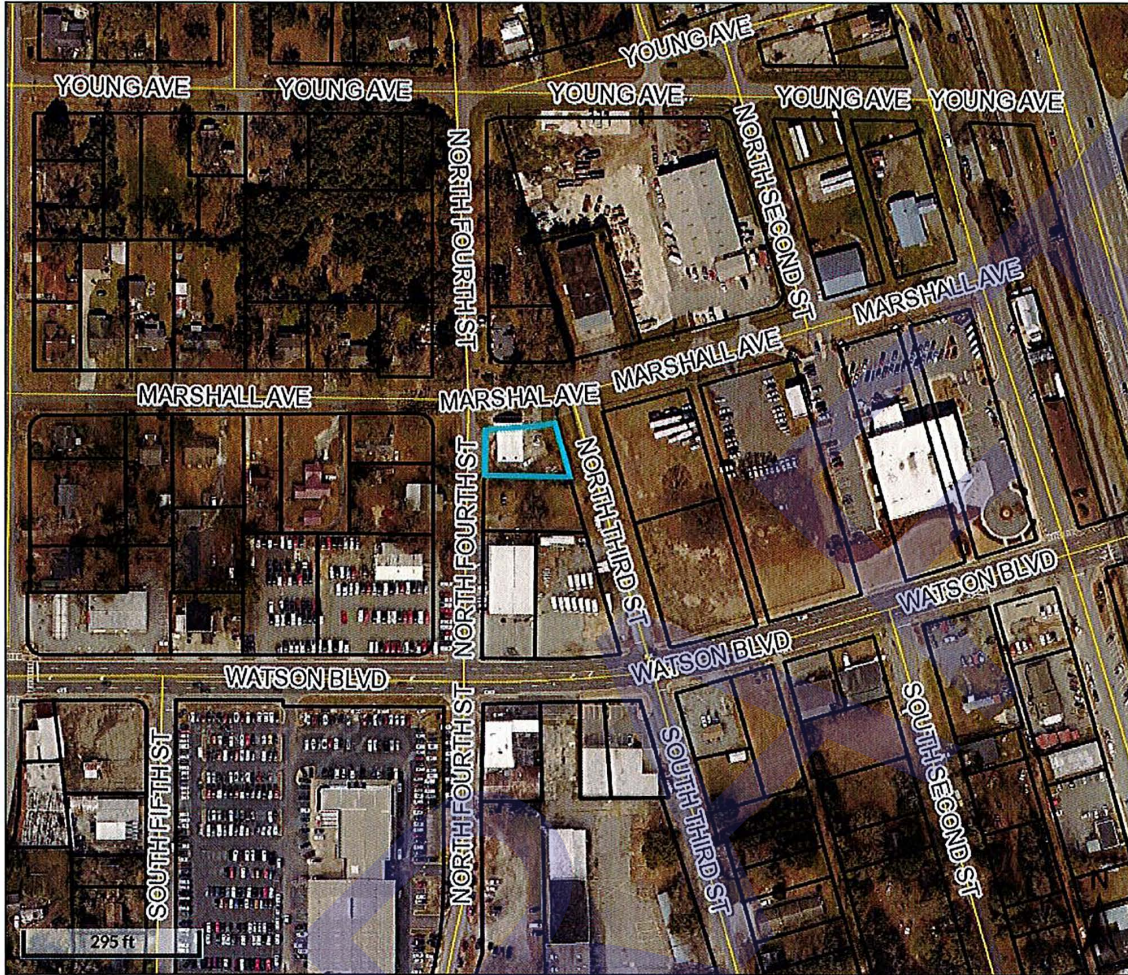
2017 Joint Comprehensive Plan, page(s)#34 & 36

2017 Zoning Ordinance – Appendix C, page(s)#36-#39

Houston County Tax Assessor's website:

<https://qpublic.schneidercorp.com/Application.aspx?AppID=671&LayerID=11356&PageTypeID=1&KeyValue=0W002G%20%20%20%20002000>

DRAFT



Legend
 Parcels
 Roads

<p>Parcel ID 0W002G 002000</p> <p>Class Code Commercial</p> <p>Taxing District Warner Robins Tax Allocation</p> <p>Acres 0.23</p>	<p>Owner OKORAFOR EMMANUEL</p> <p> 103 JONNIE CT</p> <p> BONAIRE GA 31005</p> <p>Physical Address 108 MARSHALL AVE</p> <p>Assessed Value Value \$95700</p> <p>Land Value Value \$25200</p> <p>Improvement Value Value \$70500</p> <p>Accessory Value</p>	<p>Last 2 Sales</p> <table border="0"> <thead> <tr> <th>Date</th> <th>Price</th> <th>Reason</th> <th>Qual</th> </tr> </thead> <tbody> <tr> <td>6/5/2018</td> <td>\$150000</td> <td>15</td> <td>U</td> </tr> <tr> <td>4/1/2002</td> <td>\$125000</td> <td>17</td> <td>U</td> </tr> </tbody> </table>	Date	Price	Reason	Qual	6/5/2018	\$150000	15	U	4/1/2002	\$125000	17	U
Date	Price	Reason	Qual											
6/5/2018	\$150000	15	U											
4/1/2002	\$125000	17	U											

(Note: Not to be used on legal documents)

Date created: 9/18/2019
 Last Data Uploaded: 9/18/2019 6:03:56 AM

Developed by  **Schneider**
 GEOSPATIAL

APPLICATION

Property Owner(s) Name: Emmanuel Okorafor Cellphone: 478 978 0141

Company Name (if applicable): Bond Logistics LLC Office Phone: 478 216 8988

Property Owner(s) Address: 520 MLK JR BLVD APT 237 Macon GA 31201

Applicant's Name: EMMANUEL OKORAFOR Cellphone: 478 978 0141

Company Name (if applicable): Bond Logistics LLC Office Phone: 478 216 8988

Applicant's Address: 520 MLK JR BLVD APT 237 Macon GA -31201

Property Information

PROPERTY OWNER IS REQUESTING THE ANNEXATION/REZONING PURSUANT TO OCGA § 36-36-21, OF:

ADDRESS/LOCATION: 108 Marshall Ave Warner Robins GA-31093

Tract#: _____ Parcel#: _____ Land Lot(s): 226 Land District#: 5

County: _____ Tax Parcel#: 0W0026 002000 Total Acres: .23

Survey Prepared by: _____ Dated _____

Recorded in Plat Book#: _____ Page#: _____

Present Zoning: C-3 Requested Zoning: C-2

The property owner makes application in order to: (Describe in "detail" the reason for annex/rezone):

Infrastructure Information:

Is water available to this site? Yes ___ No Jurisdiction: City of Warner Robins

Is sewer service available? Yes ___ No Jurisdiction: City of Warner Robins

Authorization:

Upon receipt of the completed application package, the Community Development Department shall notify the Owner/Applicant of scheduled date, times, and locations of the public meetings/hearings. The Owner/Applicant or a representative must be present to answer any questions that may be asked. In the event that an application is not complete, the case may be delayed or postponed at the discretion of the department.

This form is to be executed under oath. I, Emmanuel Okorafor, do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in this Application for Public Hearing is true and correct and contains no misleading information.

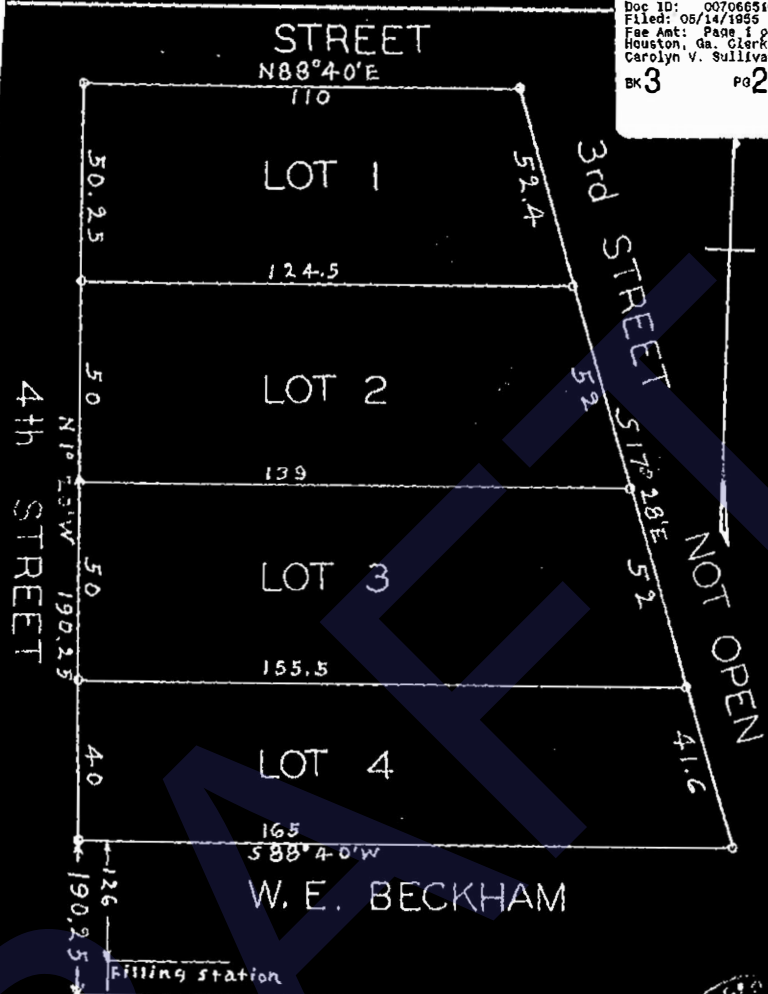
This 1 day of August 2019

Owner/Applicant Signature [Signature]

Print Name EMMANUEL OKORAFOR

STAMP DATE RECEIVED:

Doc ID: 007066510001 Type: PLA
 Filed: 05/14/1955 at 03:44:09 PM
 Fee Amt: Page 1 of 1
 Houston, Ga. Clerk Superior Court
 Carolyn V. Sullivan Clerk
 BK-3 PG-255



W. E. BECKHAM

WATSON BOULEVARD

SUBDIVISION OF
 NORTH END OF LOT 147, BLOCK 21,
 according to survey of 1888
 (WELLSTON), now WARNER ROBINS, Ga.
 Scale - 1 - inch = 30 feet. May 28, 1954.

—○— = Concrete Numbered Corners.
 Rhodes Sewell,
 State Surveyor No. 160



EXHIBIT A

Planning and Zoning received a written request from the authorized agent on behalf of the property owners to modify this request as follows:

- [Attachments]
- Letter of Intent
- Preliminary Plat

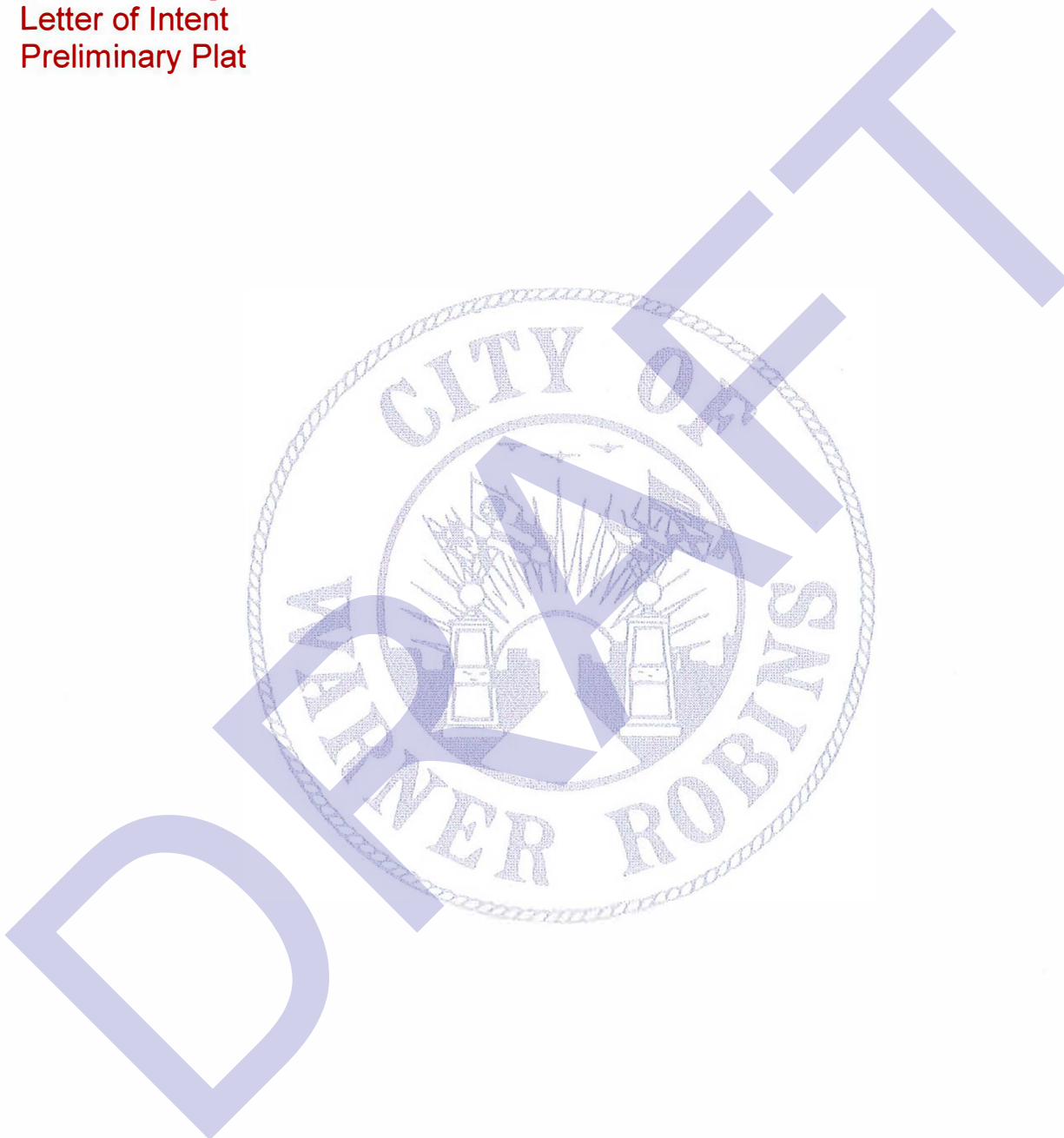


Exhibit A

Darin Curtis

From: Chad Bryant <chad@bryantengllc.com>
Sent: Tuesday, October 15, 2019 1:44 PM
To: Darin Curtis
Cc: 'Derek Foster'; cleve@cunningham-pe.com
Subject: Request Modification With Annexation Amendment

Darin,

Please see attached a Preliminary Plat which depicts a proposed lot layout for Amanda Place Subdivision. As you are aware, Planning and Zoning denied our request to rezone the larger parcel from C-1 to C-2. It was requested by the surrounding residents that we submit rezoning applications on a case by case basis rather than trying to rezone the entire parcel at one time. Therefore, it is our intention to modify the requested Zoning from C-1 to C-2 for Lot #6 only at this time. The remaining parcel are speculative at this time. C-1 Zoning allows many of the same uses as the requested zoning, however is very limited in the size buildings allowed compared to C-2 Zoning. As shown, Lot #6 is 1.94 acres in size and is located on the south end of the tract adjacent to a parcel that is currently zoned C-2. We also request that the Annexation of 100 and 104 S Amanda be pulled as we do not wish to Annex at this time. Please contact me with any questions or if you need additional information.

Thank you,

Chad Bryant
 President



906 Ball Street, Suite A, Perry, Georgia 31069
 Office: 478-224-7070, Cell: 478-714-1594
 Bryantengllc.com

From: Darin Curtis [<mailto:dcurtis@wrga.gov>]
Sent: Friday, October 11, 2019 2:38 PM
To: Chad Bryant (chad@bryantengllc.com) <chad@bryantengllc.com>
Cc: Derek Foster <dfoster@thesummitgroupmacon.com>; cleve@cunningham-pe.com
Subject: Request Modification

Good Afternoon,

I had been asked about potentially modifying the request to rezone the Houston Lake property before council, and I spoke with Derek Foster, and to Cleve Cunningham about what we require. Please be advised that if we are to make a modification of any sort, I need an updated boundary drawing and a very detailed letter of intent explaining the request to modify. As I explained to Derek and Cleve, I will have to collect it before the close of business today from the authorized agent. Be aware that the modification will still be sent to Mayor and Council with the recommendation to deny, but in the letter of intent it should reference the reason behind the decision to modify after the time it was voted on. Just wanted to make sure everyone is on the same page. If anyone needs anything further from me, feel free to contact me. Thanks!

Best regards,

Darin Curtis
Zoning Assistant
City of Warner Robins
Dept. of Community Development
P.O. Box 8629 Warner Robins, GA 31095
(478) 302-5522
www.wrga.gov
dcurtis@wrga.gov

Notice: Georgia has a very broad open records law. Most written communications to or from state and local officials regarding government business are public records available to the public and media upon request. Your email communications may be subject to public disclosure, including your email address.

DRAFT



NOT FOR FINAL RECORDING



CHAD R. BRYANT, P.E.
 GEORGIA LEVEL
 DESIGN PROFESSIONAL
 CERTIFICATION # 24706

BRYANT
ENGINEERING
 908 Bluff Street, Suite A
 Peachtree City, Georgia 31069
 Phone: (404) 224-7070
 Fax: (404) 224-7072

NO.	DATE	DESCRIPTION

PRELIMINARY PLAN FOR:
HOUSTON LAKE ROAD & SOUTH AMANDA PLACE
 WARMER HEIGHTS GEORGIA

NO.	DATE	DESCRIPTION

C-1.1

P:\19 - BUSINESS\0178 - SUMMIT\2019\6/20/2017 LAND PLAN FOR 100, 104, & 104 S. AMANDA PLACE AND 470 S. HOUSTON LAKE ROAD2 PRELIMINARY PLANNING CONCEPTS PER 2017 CONCEPTS

CITY OF WARNER ROBINS
GEORGIA'S INTERNATIONAL CITY - CHARTERED 1943
"A CITY OF CHARACTER"

October 16, 2019

MAYOR
Randy Toms

Haimnarine Doobay
2928 McQueen Road
Apopka, FL 32703

MEMBERS OF COUNCIL

- Post 1**
Daron Lee
- Post 2**
Carolyn Robbins
- Post 3**
Keith Lauritsen
- Post 4**
Tim Thomas
- Post 5**
Clifford Holmes, Jr.
- Post 6**
Larry Curtis, Jr.

RE: REZONING – 713 Watson Boulevard, zoned C-3[Concentrated Commercial District], and 715 A Watson Boulevard, zoned R-3[General Residential District], to the zoning of C-2[General Commercial District]

Dear Mr. Doobay:

On October 8, 2019, the Planning and Zoning Commission for the City of Warner Robins recommended the denial of your petition for the rezoning of the above-described property. The Planning and Zoning Commission's recommendation will be forwarded to Mayor and Council for final action. To verify the date and time your petition will be heard by Council, **please contact the City Clerk's office at 478-293-1000.**

INTERIM CITY CLERK
Kim Demoonie

CITY ATTORNEY
Fred Graham

If you have any questions or need additional information regarding this matter, please feel free to call me at (478) 302-5522.

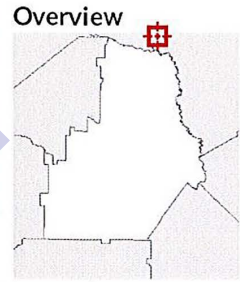
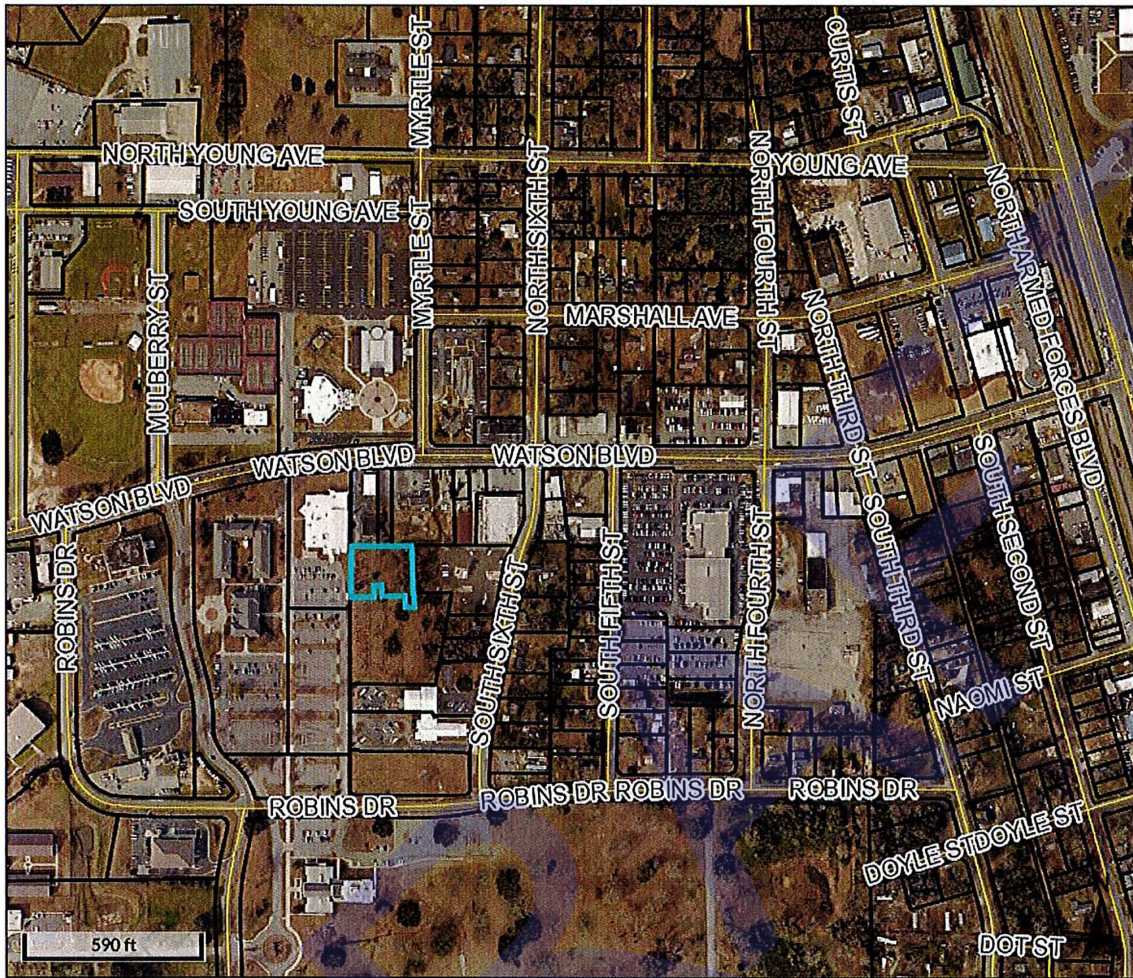
OF COUNSEL
James E. Elliott, Jr.


Sincerely,



Darin Curtis
Zoning Assistant
Dept. of Community Development

cc: File



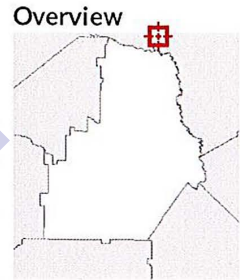
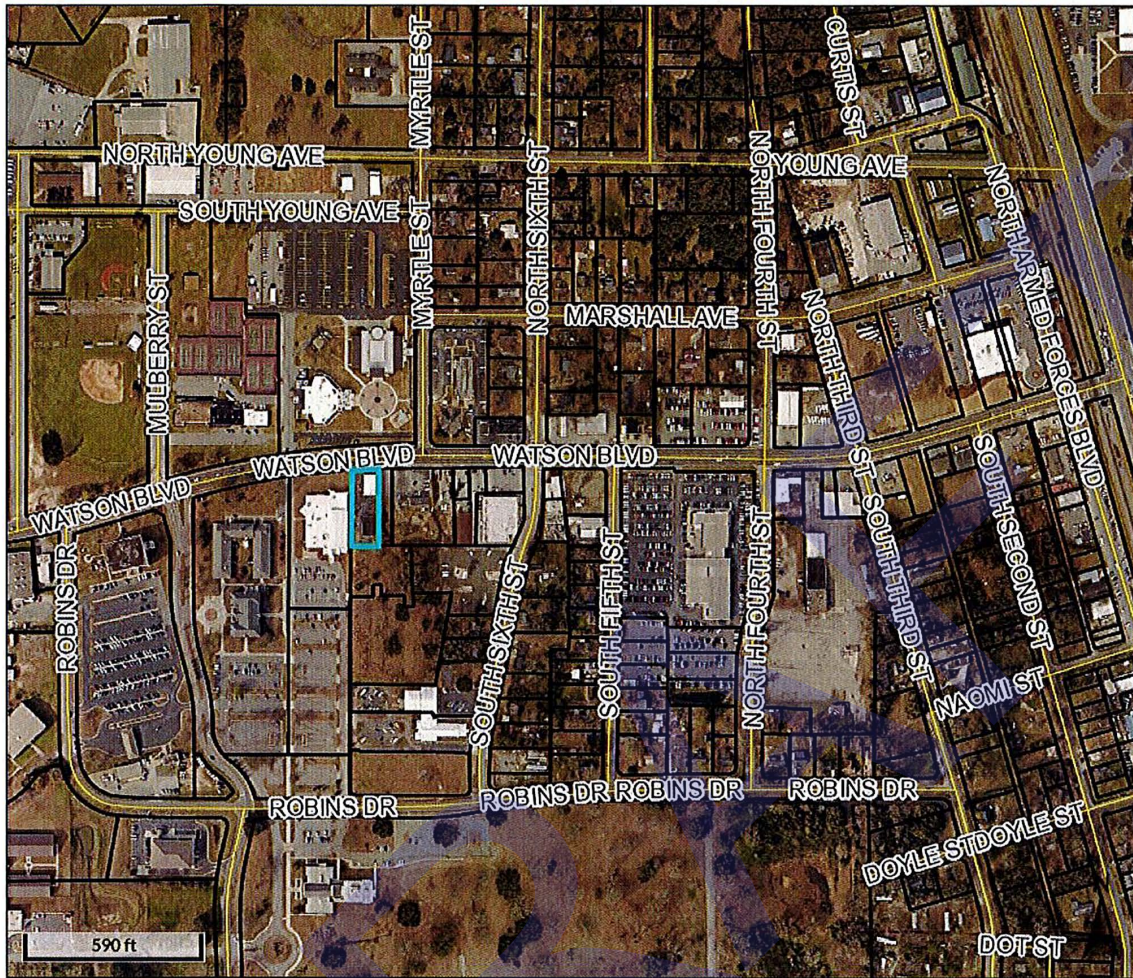
Legend
 Parcels
 Roads

Parcel ID	0W013C09A000	Owner	DOOBAY HAIMNARINE	Last 2 Sales			
Class Code	Residential		2928 MCQUEEN RD	Date	Price	Reason	Qual
Taxing District	Warner Robins Tax Allocation		APOPKA FL 32703	1/15/2014	\$15200	LM	Q
	Warner Robins Tax Allocation	Physical Address	715 A WATSON BLVD	12/31/1996		36	U
Acres	0.73	Assessed Value	Value \$13100				
		Land Value	Value \$13100				
		Improvement Value					
		Accessory Value					

(Note: Not to be used on legal documents)

Date created: 9/18/2019
 Last Data Uploaded: 9/18/2019 6:03:56 AM

Developed by  **Schneider**
 GEOSPATIAL



Legend
 Parcels
 Roads

Parcel ID	0W013C 007000	Owner	DOOBAY HAIMNARINE	Last 2 Sales		
Class Code	Commercial		2928 MCQUEEN RD	Date	Price	Reason Qual
Taxing District	Warner Robins Tax Allocation		APOPKA FL 32703	8/5/2009	\$112000	03 U
	Warner Robins Tax Allocation	Physical Address	713 WATSON BLVD	1/6/2009		04 U
Acres	0.5	Assessed Value	Value \$156100			
		Land Value	Value \$50000			
		Improvement Value	Value \$102900			
		Accessory Value	Value \$3200			

(Note: Not to be used on legal documents)

Date created: 9/18/2019
 Last Data Uploaded: 9/18/2019 6:03:56 AM

Developed by  **Schneider**
 GEOSPATIAL

STAFF REPORT

MEETING DATE: October 8, 2019

PETITIONER: Haimnarine Doobay

REPRESENTATIVE: Same

RE: Zoning change of Tax parcel #0W013C 007000 totaling 0.5 acres located at 713 Watson Blvd., zoned C-3 and Tax parcel #0W013C 09A000 totaling 0.73 acres located at 715A Watson Blvd. zoned R-3.

PRESENT ZONING: C-3[Concentrated Commercial District]
R-3[General Residential District]

REQUESTED ZONING: C-2 [General Commercial District]

EXISTING DEVELOPMENT PATTERNS: According to the 2017 Joint Comprehensive Plan, the existing land use and development pattern for this area is characterized as Downtown Redevelopment Area. The Downtown Redevelopment Area lacks a defined downtown area because of the rapid development of Warner Robins that followed traditional suburban patterns of growth. The city never had the opportunity to develop a commercial retail area around the historic central business district. Watson Boulevard is the central thoroughfare through the traditional downtown area and has mainly developed in the same strip pattern as many of the other in-town corridors through Houston County, resulting in a city center that has struggled to attract night life and cultural activities.

SUGGESTED DEVELOPMENT PATTERNS:

- Addition of neighborhood commercial centers on appropriate infill sites.
- Traditional downtown areas developed and maintained as a focal point of the community.
- Facilities for bicycles, including bikeways and bike lanes.
- Developments that have easy access to nearby transit, shopping, schools, and other facilities.
- Structures located near street front with parking in rear of buildings.
- Traffic calming measures, such as narrower street widths and raised pedestrian crossings.
- Residential development with a healthy mix of uses within easy walking distance.
- Addition of new uses to single-use sites.
- Availability of on-street parking.
- Greyfield redevelopment that converts vacant or under-utilized commercial strips to mixed-use.
- Infill development on vacant or under-utilized sites.

SUGGESTED LAND USE DESIGNATIONS:

- Mixed Use
- Commercial

- Residential
- Public/Institutional

SUGGESTED IMPLEMENTATION MEASURES:

- Strategies for re-use of greyfields.
- Housing assessments and inventories.
- Density bonuses.
- Infill development program.
- Mixed-use zoning.
- Shared parking.
- Overlay districts.
- Walkability audit.
- Promotion of walkability.
- Maximum setback requirements.
- Establishment of a tax allocation district.
- Establishment of an Urban Redevelopment Area.
- Adaptive re-use of structures.
- Crime prevention through environmental design.
- Land assembly for redevelopment.
- Education and marketing campaign.

Items highlighted in yellow have been implemented and being enforced.

STAFF INFORMATION: The petitioned property consists of two separate contiguous parcels which total 1.23 acres. The first parcel [713] fronts Watson Boulevard and the second parcel [715A] is located directly behind the first parcel, but does not have road frontage. 713 Watson Boulevard is developed with two commercial structures. One structure's prior use was as a restaurant and the second structure for storage. The request to downzone this property from C-3 to C-2 is to allow for one of the buildings located on the property to be used as an office for a 24-hour Tire Repair Shop, new and used, and Road Assistance. 715A Watson Boulevard is undeveloped, and the request to rezone the property from R-3 to C-2 is for the future use as a 24-hour Tire Repair Shop and Road Assistance business. Descriptions of the contiguous properties are as follows: Starting with the first petitioned parcel located at 713 Watson Blvd., the property to the north and across Watson Blvd. is owned by the City of Warner Robins and developed as the City's government complex. The property to the east is a 0.26 acre parcel zoned C-3 and undeveloped. To the south is the second petitioned parcel which is vacant and undeveloped. And to the west is a 1.99 acre parcel zoned C-3 that is developed as the Nola Brantley Memorial Library. North of 715A Watson Blvd., the second petitioned parcel is the first petitioned parcel that is presently developed with two commercial structures, but both are unoccupied. To the east is a 1.77 acre vacant parcel zoned C-3 and owned by Triple C Real Estate, LLC. This property adjoins Chuck's Pawn Shop, and is being used to store trailer inventory. The property located to the south is a 1.82 acre undeveloped parcel owned by Angela Bigham and C. L. Williams, Jr., which is zoned C-3. And the property to the west is the Nola Brantley Memorial Library.

The City of Warner Robins and Economic Development are taking steps to develop a downtown area and see the need to embrace the concept of mixed-use zoning and developments throughout the potential downtown area. It is their desire to redevelop this area for mixed-use buildings and developments which provide amenities that are more likely to be found in urban environments. These amenities include the ability to easily walk and bike downtown between an individual's home and where they work and shop. Also, a denser area of development can make the provision of transit services more economically feasible by concentrating a greater number of potential users and destinations in one location. The Joint Comprehensive Plan suggests several implementation measures to assist with the City's desire to successfully accomplish this type of development for the downtown area. The items highlighted above in yellow are measures currently established by the City to help accomplish this type of redevelopment in this area. Economic Development was successful in creating a Tax Allocation District and an Overlay Zoning regulation to help stimulate investment and guide redevelopment efforts to prevent strip development from taking hold again. In 2014, the City updated the Zoning Regulations and revised Section 72.3 [C-3] to create a *Concentrated Commercial District* in order to establish a more intense use of land for both commercial and residential uses in an area that is adjacent and complementary to the central business district of the City. The specific purposes of the district are to:

- (1) Accommodate mixed-use buildings with neighborhood-serving retail, service, and other uses on the ground floor and residential units above the nonresidential space;
- (2) Encourage development that exhibits the physical design characteristics of pedestrian-oriented, storefront-style shopping streets; and
- (3) Promote the health and well-being of residents by encouraging physical activity, alternative transportation, and greater social interaction.

Although the speculative use of the property as commercial is compatible with the Suggested *Land Use Designations* of the Joint Comprehensive plan, the type of requested commercial use is not desirable to the recommended development patterns as suggested in the plan for the Downtown Redevelopment Area. The recommended development patterns as suggested in the plan for the Downtown Redevelopment category include higher density commercial development to include mixed-use zoning and developments with amenities such as the ability to easily walk and bike between an individual's home and where they work and shop. Staff recommends that future developments in this Character Area enhance walkability and bikeability with the community at-large in order to enhance the quality of life within the Downtown Redevelopment area.

In conclusion, although the request to change the zoning of the properties to C-2 to allow the properties to operate as a 25-hour Tire Repair Shop and Road Assistance business, the proposed use is not consistent with the Joint Comprehensive Plan or the City's desire to embrace the concept of mixed-use zoning and developments to create a Downtown Redevelopment area. Therefore, staff recommends that this petition to rezone these properties be denied.

Information obtained from the following:

2017 Joint Comprehensive Plan, page(s)#34 & 36

2017 Zoning Ordinance – Appendix C, page(s)#39-#45

Houston County Tax Assessor's website:

<https://qpublic.schneidercorp.com/Application.aspx?AppID=671&LayerID=11356&PageTypeID=1&KeyValue=0W013C%20%20%20%20007000>

DRAFT

75/200

Doc ID: 0130250001 Type: PLT
 Recorded: 01/07/2014 at 02:38:10 PM
 Fee Amt: \$0.00 Page 1 of 1
 Recorder: Dr. Clark Superior Court
 Operator: V. Sullivan Clerk
 P# 75 PG 200

WATSON BOULEVARD (S.R. 247 CONNECTOR)
 80' R/W

SOUTH SIXTH STREET

(REFERENCE)
 PB 73 PG. 180

TRIPLE C REAL ESTATE, LLC
 DB 5928 PG. 76
 PB 27 PG. 25

SAULE ANNIE M. FEAGIN
 DB 965 PG. 727
 PB 2 PG. 217 & 332

IRENE D. BATTLE
 DB 78 PG. 318

C.L. WILLIAMS III, ETAL
 DB 1398 PG. 584

HOUSING AUTHORITY FOR THE
 CITY OF WARNER ROBINS
 PB 73 PG. 180

WESLEY R. VEREEN
 MARY P. VEREEN
 DB 1398 PG. 584

WILLIAMS JR, VASSAS, BIGHAM
 PB 3 PG. 254

DOOBAY HAIMNARINE
 DB 3019 PG. 42
 PB 26 PG. 16

0.725 AC.
 DB 217 PG. 184

CITY OF WARNER ROBINS
 HOUSTON COUNTY LIBRARY
 DB 442 PG. 510

RECEIVED
 JAN 0 8 2014
 ENGINEERING
 CITY OF WARNER ROBINS

OWNER'S CERTIFICATIONS:
 STATE OF GEORGIA, CITY OF WARNER ROBINS.
 THE UNDERSIGNED CERTIFIES THAT HE IS THE OWNER OF
 THE LAND SHOWN ON THIS PLAT AND ACKNOWLEDGES THIS
 PLAT AND ALLOTMENT TO BE HIS FREE ACT AND DEED,
 AND INDICATES TO PUBLIC USE FOREVER ALL AREAS
 SHOWN OR INDICATED ON THIS PLAT AS STREETS, ALLEYS,
 EASEMENTS, OR PARKS.
 1/10/14
 DATE: _____
 OWNER'S SIGNATURE: _____

I CERTIFY ALL THE REQUIREMENTS FOR FINAL APPROVAL OF THIS PLAT
 HAVE BEEN FULFILLED IN ACCORDANCE WITH THE REGULATIONS OF THE
 CITY OF WARNER ROBINS, GEORGIA, AND THE REQUIREMENTS OF THE
 WARNER ROBINS PLANNING AND ZONING COMMISSION.
 NAME: _____ SECRETARY OF THE WARNER ROBINS
 PLANNING & ZONING COMMISSION
 DATE: 1/10/14

- LEGEND
- OVE --- OVERHEAD ELECTRIC
 - ⊕ POWER POLE
 - IPF ● IRON PIN FOUND
 - IPS ⊃ IRON PIN SET (1/2" REBAR W/ PINK CAP)
 - MNS ○ MAGNETIC NAIL SET
 - X- CHAIN-LINK FENCE
 - P.O.R. POINT OF REFERENCE

FIELD WORK COMPLETED DECEMBER 24, 2013
 1" = 60'
 50 0 50 120
 SCALE FEET

LINEAR LOT DATA

No.	DISTANCE	BEARING
L1	6.20'	N 89°18'00" W
L2	02'49"11"	W
L3	25'36"28"	W
L4	08'23"32"	W
L5	49'23"28"	W
L6	02'23"36"	C
L7	25'36"28"	W
L8	02'49"11"	W
L9	25'36"28"	W

BEARINGS SHOWN ARE CALCULATED FROM ANGLES
 TURNED AND ALL LINEAR DISTANCES ARE
 HORIZONTALLY CALCULATED FROM FIELD DATA USING
 A TOPCON GPT 3005W.

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS
 BASED HAS A CLOSURE PRECISION OF ONE FOOT IN
 (RAD) FEET AND AN ANGULAR ERROR OF (RAD)
 SECONDS PER ANGLE POINT, AND WAS ADJUSTED
 USING THE NADNE RULE.

THIS MAP HAS BEEN CALCULATED FOR CLOSURE AND
 IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 91,162 FEET.

THIS SURVEY WAS PREPARED IN CONFORMITY
 WITH THE TECHNICAL STANDARDS FOR PROPERTY
 SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER
 180-7 OF THE RULES OF THE GEORGIA BOARD
 OF REGISTRATION FOR PROFESSIONAL ENGINEERS
 AND LAND SURVEYORS AND AS SET FORTH IN
 THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.

Christoph A. Brannon
 REG. LAND SURVEYOR



BOUNDARY SURVEY
 FOR
DOOBAY HAIMNARINE

IN LAND LOT 218
 HOUSTON COUNTY
 JANUARY 06, 2014

FIFTH DISTRICT
 WARNER ROBINS, GEORGIA
 SCALE: 1" = 60'

WADDLE & COMPANY
 104 WOODBRIDGE DR.
 BUS (478) 923-2763
 COA # LSF001005

WARNER ROBINS, GA 31093
 (478) 923-7144
 WADLECO@AOL.COM

**STATE OF GEORGIA
CITY OF WARNER ROBINS**

RESOLUTION

WHEREAS, City Code Section 18-43 provides for hearings for employees who have a right of appeal under section 18-42 (a) shall be conducted by an administrative law judge appointed by the Mayor and Council; and

WHEREAS, it is necessary that the Mayor and Council appoint a panel of Administrative Law Judges to be utilized by Human Resources in scheduling such hearings.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Warner Robins hereby appoint T. Rabb Wilkerson, Special Assistant Law Judge for Georgia, and Lawrence E. O'Neal, Jr., Administrative Law Judge in the Georgia Tax Tribunal Court as Administrative Law Judges for purposes of Section 18-43 et seq of the City Code. Other judges previously appointed shall remain in effect.

SO RESOLVED this 21st day of October, 2019.

CITY OF WARNER ROBINS, GEORGIA

BY: _____
RANDY TOMS, MAYOR

ATTEST:

KIM DEMOONIE, INTERIM CITY CLERK

No. _____
CITY OF WARNER ROBINS
STATE OF GEORGIA

ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF WARNER ROBINS, GEORGIA, ADOPTING AN NEW ORDINANCE TO AMEND CHAPTER 10 OF THE CODE OF ORDINANCES AND REGULATE MOBILE FOOD VENDORS IN THE CITY, AND FOR OTHER PURPOSES.

BE IT ORDAINED that the Mayor and Council of the City of Warner Robins hereby adopt the following regulatory ordinance:

-1-

Sec. 1. Mobile Food Vendor ordinance adopted.

The provisions of this ordinance shall apply to the use of mobile food vendors within the City of Warner Robins 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 Warner Robins, Georgia 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.

Sec. 2. 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.

Sec. 3. License Required.

- a) It shall be unlawful for any person to sell, or offer for sale, food of any type from a commissary, mobile retail food establishment vendor, ice cream truck, pushcart or temporary food establishment without a license first having been granted under this section. Additionally, a permit shall be required for each event occurring within the city limits of Warner Robins, Georgia.
- b) An application for a license or a permit hereunder shall be submitted to the clerk setting forth all information required hereunder and incompliance with this article. The clerk shall develop an appropriate application form(s) for the purpose of compliance with this article.
- c) The following information shall be provided with each application for a mobile food vendor vehicle, or push car permit:
 - 1) Name of the mobile food vendor;
 - 2) Make, model, and license plate number of vending vehicle;
 - 3) Owner's contact information;
 - 4) Operator's contact information;
 - 5) Type of vendor (street vending unit or sidewalk vending unit);
 - 6) Copy of approved permit from the county health department;
 - 7) List of operating locations and times;
 - 8) Signatures from property owners indicating consent for the use of their property, if parked on private property.
 - 9) Signature of applicant indicating agreement to the listed requirements.
- d) The following information shall be provided with each application for an ice cream truck permit:
 - 1) Name of the mobile food vendor;
 - 2) Owner's contact information;

- 3) Operator's contact information'
- 4) Type of vendor (street vending unit or sidewalk vending unit);
- 5) Copy of approved permit from the state department of agriculture;
- 6) Signatures from property owners indicating consent for the use of their property, if applicable;
- 7) Signature of applicant indicating agreement to the listed requirements.

- e) Every license issued under the provisions of this article shall expire on December 31 each year.

Sec. 4. Prohibited conduct and requirements.

- a) Operation on public property. 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) Through a contract with the clerk; or
- 3) When parked in a city-designated mobile food vendor vehicle parking space within the assigned dates and times.
- 4) 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. A minimum of two (2) calendar days must transpire between operating periods on any given parking space.

- b) 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, no more than two (2) mobile food vendors may operate on any single property at any one (1) time.
- 4) 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.

- 5) 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.
- 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) 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.
 - e) The license under which a mobile food vendor vehicle, ice cream truck, or push cart is operating must be firmly attached and visible on the vehicle or pushcart at all times.
 - f) Any driver of a mobile food vendor vehicle or ice cream truck must possess a valid state driver's license.
 - g) 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.
 - h) Liquid waste and grease shall only be disposed of in a container approved for such substances as required by the Georgia Department of Health.
 - i) 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.
 - j) 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.

- k) 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. If an eating establishment opens within the two hundred fifty-foot zone after the mobile food vendor is licensed, the mobile food vendor may remain in that location until the following annual permit is due.
- l) 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.
- m) 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.
- n) 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 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 licensee.
- o) The mobile food vendor shall comply with all state, federal and local health and safety regulations and requirements and shall obtain
- p) Except as otherwise allowed and described within this section, a mobile food vendor must operate from a motorized, wheeled vehicle that may lawfully be driven upon streets and roadways within the state.
 - 1) The owner of a licensed restaurant located within the city may, with a valid city mobile food vendor permit, engage in mobile food vending from a wheeled mobile trailer, pushcart, or motorized vehicle as an ancillary location of said restaurant, provided that all other provisions of this article are met and adhered to.
 - 2) As allowed by a city-issued special event permit, a mobile food vendor that holds a valid city mobile food vendor permit may operate from a wheeled mobile trailer, pushcart, or motorized vehicle.
- 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.
- (r) The mobile food vendor may sell food and non-alcoholic beverage items only. 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.

Sec. 5. Indemnity.

As part of the permitting process set forth herein, any person or entity receiving a 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.

Sec. 6 Revocation and suspension.

- (a) The clerk shall have the right to suspend or revoke a mobile food vendor license under the conditions set forth in this section. In the event the clerk seeks to suspend or to revoke a license, the clerk shall give written notification to the licensee of such action and such notice shall contain a specification of the violation or violations for which cause the action is being taken.
- (b) The clerk shall be authorized to suspend or revoke a license in the event of any one (1) or more of the following:
- 1) A licensee gave false or misleading information in the original application or renewal process;
 - 2) A licensee has knowingly allowed a violation of this mobile food vendor ordinance to occur or did not make a reasonable effort to prevent any such occurrence;
 - 3) A licensee fails to pay any fee, license fee, or other amount of money due to the city under this article or any other licensing ordinance of the city.
- (c) In the event that the clerk determines that a license violation has occurred, such license shall be suspended for thirty (30) days for the first violation. For a second violation occurring within any consecutive twelve-month period, the license shall

be suspended for ninety (90) days. Any license that has been suspended two (2) times within any consecutive twelve-month period that is determined to have committed a subsequent license violation with twenty-four (24) months of the second suspension shall be revoked. Provided, however, that the licensee shall be authorized to continue its business operations until the date of the hearing scheduled in accordance with subsection (e) hereafter. Should a license be revoked the owner and/or operator shall not be eligible to apply for a mobile food vendor license for a period of three (3) years from the date of revocation.

- (d) In the event of a revocation by the clerk, the licensee may appeal the decision of the clerk to the city clerk by filing a written notice of appeal with the clerk within ten (10) business days from the date of the written notice issued to licensee in accordance with subsection (a) of this section. The notice of appeal shall be accompanied by a written document fully stating the grounds for such appeal and all arguments in support thereof. The clerk may submit a memorandum in response to the document filed by the licensee an appeal to the city clerk. The clerk's decision shall be final unless an appeal is timely filed. An appeal shall stay the clerk's decision until the appeal is heard or withdrawn.
- (e) When an appeal is received, the city clerk shall, within ten (10) business days from the date on which the notice of appeal is received by the clerk take either of the following actions:
 - 1) Set a hearing date before the city clerk and instruct the clerk to give such notice of hearing as may be required by law; or
 - 2) Appoint a hearing officer and fix the time and place oh hearing.
The clerk shall assume responsibility for such publication of notice as may be required by law.

In either event, the hearing shall be held within thirty (30) calendar days of the date the appeal is filed, unless a continuance of such date is agreed to by the licensee and the clerk.
- (f) The city clerk or assigned hearing officer may sustain, overrule, or modify the action of the clerk. The decision of the city clerk or hearing officer shall be final.

Sec. 7. Fees.

The fee for every application for license under this section shall be set by resolution of city council.

If any ordinance, or part thereof, of the City of Warner Robins is in conflict herewith, this ordinance shall have preference. If any provisions of this ordinance are held invalid, such invalidity shall not affect any of the other provisions which can be given effect without the invalid provision, and, to this end, the provisions of this ordinance are declared to be severable.

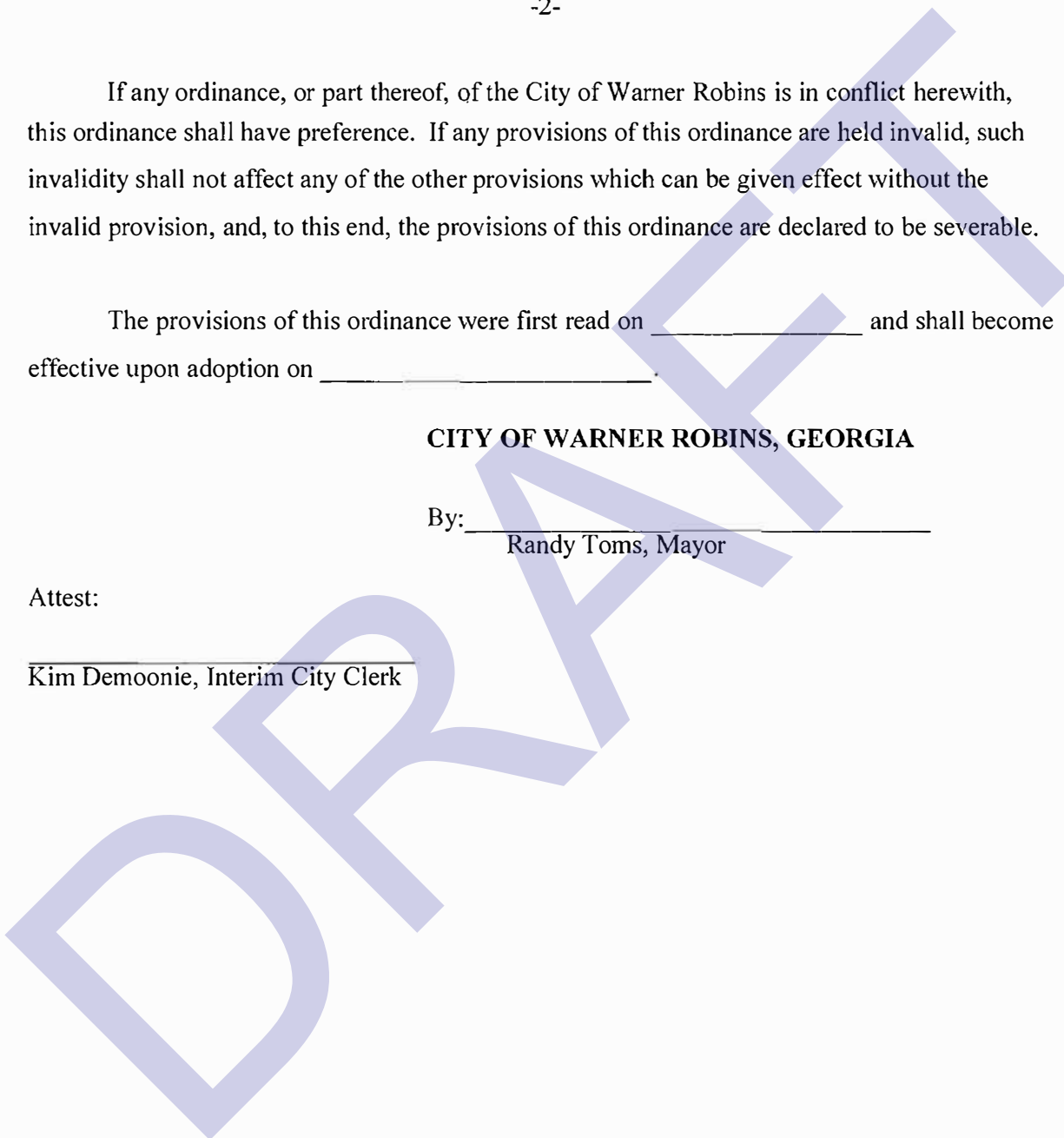
The provisions of this ordinance were first read on _____ and shall become effective upon adoption on _____.

CITY OF WARNER ROBINS, GEORGIA

By: _____
Randy Toms, Mayor

Attest:

Kim Demoone, Interim City Clerk



**STATE OF GEORGIA
CITY OF WARNER ROBINS**

RESOLUTION

WHEREAS, City Code Section 10 Article 4 provides for fees of costs for business licenses, and all like fees charged to operate businesses inside the City of Warner Robins, Georgia; and

WHEREAS, a Mobile Food Vendor section has been added as a business operation within the city; and

WHEREAS, the City Clerk will collect such fees for the operation of the Mobile Food Vendor; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Warner Robins hereby sets the Mobile Food Vendor Business License Fee for a one (1) year period at \$150.00. Furthermore, the fee for a Mobile Food Vendor Permit for each event within the City of Warner Robins shall be \$25.00 for each Mobile Food Vendor Vehicle. Said fees shall be waived for non-profit organizations such as schools, churches, etc., who hold an IRS Non-Profit title.

SO RESOLVED this 21st day of October, 2019.

CITY OF WARNER ROBINS, GEORGIA

BY: _____
RANDY TOMS, MAYOR

ATTEST:

KIM DEMOONIE, INTERIM CITY CLERK