



*Agenda*  
*City of Bainbridge, Georgia*  
*Regular Session - Mayor and City Council*  
*February 21, 2023, 6:30 p.m. - City Council Chambers*



- I. INVOCATION and PLEDGE TO THE FLAG
- II. APPROVAL OF MINUTES OF REGULAR SESSION – January 17, 2023
- III. APPROVAL OF MINUTES OF SPECIAL CALLED MEETING – January 27, 2023
- IV. RECOGNIZE VISITORS AND DELEGATIONS
- V. SPECIAL PRESENTATION – STEVE DICKMAN
- VI. CONSIDERATION OF PROPOSAL – WATER MAIN EXTENSION
- VII. INTRODUCTION OF DEMOLITION ORDINANCE
- VIII. CONSIDERATION OF ONE DAY ALCOHOL BEVERAGE LICENSE APPLICATION
- IX. CONSIDERATION OF ALCOHOLIC BEVERAGE LICENSE APPLICATIONS
- X. CONSIDERATION OF CONTRACT – ANIMAL SHELTER
- XI. CONSIDERATION OF PLANNING COMMISSION RECOMMENDATIONS
- XII. QUARTERLY FINANCIALS

*Bids:*

1. Goforth Williamson, Inc.  
Submersible Solids Handling Pumps  
Griffin, GA \$31,840.00

**MINUTES**  
**CITY OF BAINBRIDGE, GEORGIA**  
**TUESDAY, JANUARY 17, 2023**  
**6:30 P.M.**

PRESENT: MAYOR EDWARD REYNOLDS, PRESIDING

COUNCIL MEMBERS: KREGG CLOSE, DON WHALEY, GLENNIE BENCH,  
ROSLYN PALMER, PHIL LONG, AND SYLVIA  
WASHINGTON

CITY STAFF: ASSISTANT CITY MANAGER ROY OLIVER, ALLIE  
GODWIN, STEVE O'NEIL, LISA TAYLOR, AMANDA  
GLOVER, CRYSTAL HINES, RANDEE EUBANKS, AL  
KELLEY, DAVID HOWER, GABE MENENDEZ, FRANK  
GREEN, REDELL WALTON, AND RYAN WIMBERLEY

GUESTS: SUSAN STEER, LAUREN TURNER, BRUCE KIRBO JR,  
CLARE POWELL, ANNE SANSON, ANN GRIFFIN, SANDRA  
HARRELL, ZADIE PETERS, BROWNE MOSLEY, STEVE  
BROCK, JENNIFER LAMBERT, CHIP HALL, BILLY  
POPPELL, STEVE BENCH, HARSIMRAN SINGH, AND  
EDITH MILLER.

ABSENT: NONE

**INVOCATION AND PLEDGE TO THE FLAG**

Councilman Whaley gave the invocation and all those assembled pledged allegiance to the flag.

## **APPROVAL OF MINUTES**

Upon a motion offered by Councilwoman Palmer and seconded by Councilman Close, the Council voted 6-0 to approve the minutes from the December 20, 2022, council meeting as presented.

## **RECOGNIZE VISITORS AND DELEGATIONS**

Mayor Reynolds opened the floor for anyone who wish to speak on an item. Mr. Bruce Kirbo, Jr. of 2002 Twin Lakes Drive stepped forward to comment on his concerns from the previous City Council Meeting. Mr. Kirbo also made a request to speak on agenda item number 10. Hearing from no other citizen, Mayor Reynolds proceeded to the next item on the agenda.

## **APPOINTMENT OF MAYOR PRO-TEM**

Mayor Reynolds informed the city council that in keeping with council tradition the position of Mayor Pro-Tem would rotate to Councilman Phil Long. Upon a motion offered by Councilman Whaley and seconded by Councilwoman Washington, the council voted 6-0 to designate Councilman Long as Mayor Pro-Tem for 2023.

## **APPOINTMENT OF MUNICIPAL COURT JUDGE**

Mayor Reynolds recommended the reappointment of Josh Bell as Municipal Court Judge, for a term of one year. Upon a motion offered by Councilwoman Bench and seconded by Councilman Long, the Council voted 6-0 to approve the appointment.

## **APPOINTMENT OF MUNICIPAL COURT SOLICITOR**

Mayor Reynolds recommended the reappointment of Benny Harrell as Municipal Court Solicitor, for a term of one year. Upon a motion offered by Councilwoman Palmer and seconded by Councilman Close, the Council voted 6-0 to approve the appointment.

## **APPOINTMENT OF MUNICIPAL COURT PUBLIC DEFENDER**

Mayor Reynolds recommended the reappointment of Eric Gay as Municipal Court Public Defender, for a term of one year. Upon a motion offered by Councilwoman Bench and seconded by Councilwoman Washington, the Council voted 6-0 to approve the appointment.

## **SPECIAL PRESENTATION – BRUCE KIRBO, JR.**

Mr. Bruce Kirbo, Jr. appeared before the Mayor and City Council to discuss policies and procedures that he feels would be helpful. Mr. Kirbo supplied a packet of papers to each council member. Mr. Kirbo spoke for 14 minutes and 12 seconds.

## **CONSIDERATION OF ALCOHOLIC BEVERAGE LICENSE APPLICATIONS**

Assistant City Manager Roy Oliver presented the Council with four Alcoholic Beverage License Applications. Upon a motion by Councilman Whaley and seconded by Councilman Close, the Council voted 6-0 to approve the four applications as presented.

## **CONSIDERATION OF INTERGOVERNMENTAL AGREEMENT**

Assistant City Manager Roy Oliver presented the council with an intergovernmental agreement between the City of Bainbridge and the Downtown Development Authority of Bainbridge for construction services for a parking lot. Councilwoman Bench recused herself from this agenda item and retreated to the rear conference room. Following a brief discussion from Council and after hearing concerns from Mr. Bruce Kirbo, Councilman Long made a motion to approve the intergovernmental agreement with the Downtown Development Authority of Bainbridge as presented. Councilman Close seconded the motion and the motion carried.

## **CONSIDERATION OF STREET CLOSURE REQUEST**

Assistant City Manager Roy Oliver presented the council with two street closure requests from the Mardi Gras Society of Southwest Georgia. Upon a motion by Councilwoman Palmer and seconded by Councilwoman Bench, the Council voted in a 6-0 decision to approve both street closure requests as presented.

## **CONSIDERATION OF BUDGET AMENDMENTS**

Administrative Services Director Lisa Taylor presented the FY 2022 budget amendments. Following a brief discussion from council, Councilwoman Bench made a motion to approve

the amendments as presented. The motion was seconded by Councilman Whaley and unanimously carried.

### **CONSIDERATION OF PLANNING COMMISSION RECOMMENDATIONS**

The Planning Commission met Tuesday, January 10<sup>th</sup> and considered one item that requires City Council action. Applicant Brent Warr is requesting a conditional use for a mixed used building at 125 E. Calhoun St. The property is 0.62 acres and is zoned Light Industrial (LI). Council heard from City Planner Steve O'Neil and applicant Brent Warr. Upon a motion offered by Councilman Close and seconded by Councilman Whaley, the council voted 6-0 to accept the Planning Commission's recommendation to approve the application.

### **MAYORAL APPOINTMENTS**

Mayor Reynolds recommended reappointing Councilman Gregg Close to the Southwest Georgia Regional Commission. Upon a motion by Councilwoman Washington and seconded by Councilman Long, the Council voted 6-0 in favor of the reappointment.

### **CONSENT AGENDA**

#### *Bids:*

1. Trawick Construction Co.  
Fiber to the Home Project  
Chipley, FL \$9,327,592.82

After a brief discussion from the council, Councilwoman Bench made a motion to approve the bid as presented. Councilwoman Washington seconded the motion and the motion carried.

### **ADJOURNMENT**

With there being no further business, Mayor Reynolds adjourned the meeting at 7:04 p.m.

BY:

\_\_\_\_\_  
EDWARD REYNOLDS, MAYOR

ATTEST:

\_\_\_\_\_  
ALLIE GODWIN, COUNCIL CLERK

**MINUTES**  
**CITY OF BAINBRIDGE, GEORGIA**  
**SPECIAL CALLED MEETING**  
**FRIDAY, JANUARY 27, 2023**  
**8:30 A.M.**

PRESENT: MAYOR EDWARD REYNOLDS, PRESIDING

COUNCIL MEMBERS: GLENNIE BENCH, KREGG CLOSE, PHIL LONG, ROSLYN PALMER, SYLVIA WASHINGTON, AND DON WHALEY

CITY STAFF: CITY MANAGER CHRIS HOBBY, ASSISTANT CITY MANAGER ROY OLIVER, ALLIE GODWIN, LISA TAYLOR, DAVID HOWER, FRANK GREEN, REDELL WALTON, GABE MENENDEZ, AMANDA GLOVER, AND RANDEE EUBANKS

GUESTS: BRUCE KIRBO AND ETHAN REDDISH

ABSENT: NONE

**INVOCATION AND PLEDGE TO THE FLAG**

Councilman Palmer gave the invocation and all those assembled pledged allegiance to the flag.

**ESTABLISHMENT OF QUALIFYING FEES**

City Manager Hobby informed the Mayor and City Council that to follow state law, it was necessary for the city to adopt qualifying fees for persons wishing to run in the November election. City Manager Hobby informed the City Council that this year's election would be for City Council seats 4, 5 and 6 and the recommended qualifying fee is \$90.00. Upon a motion offered by Councilwoman Palmer and seconded by Councilwoman Washington, the council unanimously voted to set the qualifying fee at \$90.00.

## CONSIDERATION OF PROBATION SERVICES CONTRACT

City Manager Hobby presented the Council with a contract between the City of Bainbridge and Judicial Alternatives of Georgia, Inc. for probation services. City Manager Hobby stated this was a five-year contract, that will run through December 31, 2027, but can be terminated upon thirty (30) days written notice or terminated immediately for cause. Council heard questions from Councilwoman Palmer and Councilwoman Bench. Upon a motion offered by Councilwoman Bench and seconded by Councilman Close, the council unanimously voted to approve the probation contract with Judicial Alternatives of Georgia, Inc.

## ADJOURNMENT

With there being no further business, Mayor Reynolds adjourned the meeting at 8:33 a.m.

BY:

\_\_\_\_\_  
EDWARD REYNOLDS, MAYOR

ATTEST:

\_\_\_\_\_  
ALLIE GODWIN, COUNCIL CLERK

February 3, 2023

Mr. Gabriel P. Menendez, P.E.  
City Engineer  
**City of Bainbridge**  
P.O. Box 158  
Bainbridge, Georgia

RE: Request for Proposal for  
**Proposed Water Main Extension for  
Whigham Dairy Road**  
Bainbridge, Ga

Dear Mr. Menendez:

Thank you for this opportunity to provide the **City of Bainbridge** with a proposal for engineering services for the above-referenced water main extension project connecting between MLK and Vada Road for future usage.

As we understand the project, the City is interested in extending a 12-inch water main on the west side of Whigham Dairy Road between MLK to Vada Road. The Department of Transportation is currently acquiring additional land for widening the right-of-way as part of the **Reconstruction Whigham Dairy Road**. Proposed fire hydrants are to be placed at every 500 feet or per local guidelines. There is no railroad between this specific project section nor a CSXT permit be required for this project. We understand that the City or the GDOT will provide us with an existing set of CAD files for the Whigham Dairy Road widening expansion, and we will utilize this CAD file to design and add the proposed 12-inch water main.

Our preliminary construction cost estimate for this project is \$2 Million plus/minus.

With our understanding of the above project, and our understanding of your request for proposal. York & Associates Engineering, Inc. is pleased to propose the following scope of services.

#### Scope of Services

##### A. **Design, Construction Plans with Specifications and Permitting**

- 1) Preparation of design, construction drawings, technical specifications, and construction details. Engineering plans for construction shall be to current engineering standards.
- 2) Construction Contract documents and Technical Specifications for Bidding.
- 3) Coordination and Drawings with Technical specifications for the Environmental Protection Division's permitting.

Our fee for the above **Part A** professional services is \$88,900.0

**B. Contract Administration, Bidding, and Construction Monitoring, if required.**

1. Administration of the construction bid process, including advertisement and bidding procedures, holding the bidder's conference, bid openings, and evaluations.
2. Post-award services, including securing the construction contractor's certifications and reviewing of shop drawing submittal, warranties, operation manuals, and as-built drawings.
3. Construction services, including monitoring the construction, reviewing payment requests as Owner's representative, changing orders, and coordinating with the construction contractor. Periodic construction review (at least one visit per week during regular hours) with documentation and photographs to ensure proper execution of the work.
4. Construction close-out, final inspection, and coordination.

Our fee for services for **Part B** is \$39,400.0.

This estimate is based on a 6-months construction administration or 180 consecutive calendar days from the construction schedule. Should the construction schedule extends beyond six months, we would invoice \$3,500 for each additional month.

**D. Specifically Excluded Services**

Specifically excluded from this scope of services are boundary surveys, construction staking, as-built plans, geotechnical investigation, wetland delineation, and wetland permitting. If needed, we will be glad to provide these services and/or work with a sub-consultant to provide these services.

We look forward to being of assistance to the City of Bainbridge on this critical infrastructure project. If this proposal is acceptable to you, please sign below and return a copy to us as our

Notice To proceed. Please also initial next to **Part A and B or just Part A**. Attached and made part of this contract is Attachment A, our Standard Contract Conditions, and Attachment B, our Standard Hourly Rates.

If you have any questions, please do not hesitate to contact us via telephone at 229-248-0141 or email at [tyork@yorkassociates.net](mailto:tyork@yorkassociates.net).

Sincerely,  
**YORK & ASSOCIATES ENGINEERING, INC.**



Theresa P. York, P.E.  
President

attachments

ACCEPTED:

By: \_\_\_\_\_  
City of Bainbridge

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

## ATTACHMENT A

### YORK & ASSOCIATES ENGINEERING, INC.

#### STANDARD CONTRACT CONDITIONS

The client and York & Associates Engineering, Inc. (hereafter called consultant) agree that the following provisions shall be part of their agreement:

1. It is agreed that the Client and Consultant each binds itself and themselves, its or their successors, administrators and assigns to the other party to this Agreement and to its or their successors, executors and assigns in respect to all covenants of this Agreement.
2. Neither the client nor consultant shall assign his interest in this agreement without written consent of the other.
3. In the event any provision of this agreement shall be held to be invalid and unenforceable, the other provisions of this agreement shall be valid and binding on the parties hereto.
4. This Agreement may be terminated in whole or part in writing by either party in the event of substantial failure by the other party to fulfill its obligations under this Agreement through no fault of the terminating party; provided, that no such termination may be effected unless the other party is given (a) not less than ten (10) calendar days written notice (delivered by certified mail, return receipt requested) of intent to terminate, and (b) an opportunity for consultation with the terminating party prior to termination. If the Client decides to terminate this Agreement, the Client shall reimburse the Consultant for all equipment, devices, and material installed at the Consultants cost.
5. All claims, disputes, and controversies arising out of or in relation to the performance, interpretation, application, or enforcement of this Agreement, including but not limited to breach thereof, shall be referred to mediation under the then current Construction Industry Mediation Rules of the American Arbitration Association prior to any recourse to arbitration or a judicial forum.
6. The consulting services provided on this project will be conducted in a manner consistent with that level of care and skill ordinarily exercised by members of the profession currently practicing under similar conditions. No additional warranties are provided either express or implied unless agreed to in writing.
7. The Client agrees to limit the Consultant's liability on the project, including its agents and employees, due to the Consultant's negligent acts, errors or omissions, such that the total aggregate liability of the Consultant shall not exceed \$50,000 or the Consultant's total fee for services rendered on this project, whichever is less.
8. The Client agrees to indemnify and hold harmless the Consultant, its principals, employees and agents against any claims arising out of the project based in whole or in part by the conduct or actions of the Client. The Consultant agrees to indemnify and hold harmless the Client against the negligent acts of the Consultant to the extent provided above.
9. To the extent that the proposed services of the Consultant are for design which does not include construction phase services such as the review or site observation of the contractor's work or performance and the review of shop drawings, then the Client agrees to defend, indemnify and hold harmless the Consultant from any claim or suit whatsoever, including but not limited to all payments, expenses or costs involved, arising from or alleged to have arisen from the contractor's performance or the failure of the contractor's work to conform to the design intent and the contract documents.
10. Consultant shall not be liable for any and all damages or any and all costs due to its delays in performance including, but not limited to, damages or costs resulting from both excusable and inexcusable delays by consultants, its agents, employees and independent contractors. Additionally, the consultant is not responsible for delay nor shall be responsible for damages or be in default or deemed to be in default by reason of lockouts, accidents, or acts of God: or the failure of client to furnish timely information or to approve or disapprove the consultant's work promptly; or delay or faulty performance by client, other contractors, or governmental agencies; or any other delays beyond consultant's control.
11. Consultant shall not be liable for damages resulting from the actions or inactions of governmental agencies including, but not limited to, permit processing, environmental impact reports, dedication, general plans and amendments thereto, zoning matters, annexations or consolidations, use or conditional use permits, and building permits; and consultant shall only act as advisor in all governmental relations.
12. In the event that client institutes a suit against consultant because of any failure or alleged failure to perform, error, omission, or negligence, and if such suit is not successfully prosecuted, or if it is dismissed, or if verdict is rendered for consultant, client agrees to pay consultant any and all costs of defense, including attorney's fees, expert witnesses' fees, and court costs, and any all other expenses of defense which may be needful, immediately following dismissal of the case or immediately upon judgement being rendered in behalf of consultant.
13. Should litigation be necessary to enforce any term or provision of this agreement, or to collect any portion of the amount payable under this agreement, then all litigation and collection expenses, witness fees and court costs, and attorney's fees shall be paid to the prevailing party.
14. There are no understandings or agreements except as herein expressly stated.
15. All original papers, documents, files, and copies thereof, produced as a result of this contract, except documents which are required to be filed with public agencies, shall remain the property of the consultant and may be used by consultant without consent of client.

16. The terms and provisions of this agreement shall not be construed to alter, waive, or affect any lien or stop notice rights, which the consultant may have for the performance of services under this agreement.
17. The consultant makes no representation concerning the estimated quantities and cost figures made in connection with maps, plans, specifications, or drawings other than that all such figures are estimates only and the consultant shall not be responsible for fluctuations in cost factors.
18. All fees and other charges will be billed monthly and shall be due at the time of billing unless otherwise specified in this agreement.
19. Payment is due upon the presentation of invoice and is past due thirty (30) days from the invoice date. Client agrees to pay a finance charge of one and one-half percent (1 ½%) per month, or the maximum rate allowed by law, whichever is less, on past due accounts.
20. In the event that the plans, specifications, and/or field work covered by this agreement are those required by various governmental agencies, and in the event that due to change of policy of said agencies after the date of this agreement additional office or field work is required, the said additional work shall be paid for by the client as extra work.
21. In the event that the utilities are incorrectly located or not located correctly by a utility owner and the design has to be modified due to the utility owner's negligence and additional work is required by the consultant, the additional work shall be paid for by the client as extra work.
22. In the event that any staking is destroyed by an act of God or parties other than the consultant, the cost of re-staking shall be paid by client as extra work.
23. The client shall pay the costs of checking and inspection fees, zoning and annexation application fees, assessment fees, soils engineering fees, soils testing fees, aerial topography fees, and all other fees, permits, bond premiums, total company charges, blueprints and reproductions, and all other charges not specifically covered by the terms of this agreement.
24. Should the Consultant provide observations or monitoring services at the job site during construction, Client agrees that, in accordance with the generally accepted construction practice, the contractor will be solely and completely responsible for working conditions on the job site, including safety of all persons and property during the performance of the work, and compliance with OSHA regulations.
25. Specifically excluded from the Consultant's responsibility are the following:
- Actual, alleged or threatened pollution damages; that being damages caused by the release of solids, liquids or gases which cause environmental damages or require cleanup.
  - Fines or penalties.
  - Consultant's advice on bonds or insurance.
  - Damages arising from handling or disposal of asbestos, asbestos containing materials, or hazardous waste in any of its various forms, as defined by the Environmental Protection Agency.
26. Force Majeure - Neither party will be liable to the other or be deemed to be in breach of this Agreement for any failure or delay in rendering performance arising out of causes beyond its reasonable control. Such causes may include but are not limited to, acts of God or the public enemy, terrorism, significant fires, floods, earthquakes, unusually severe weather, epidemics, strikes, or governmental authority approval delays or denials. The party whose performance is affected agrees to notify the other promptly of the existence and nature or any delay.

Rev. 02/01/22

July 1, 2022

## ATTACHMENT B

### STANDARD BILLING RATES YORK & ASSOCIATES ENGINEERING, INC.

1. All time spent by York & Associates Engineering, Inc. personnel that is directly related to the services shall be paid for as indicated herein. Such time related to the services shall include time spent for travel, conferences, correspondence, and reviewing client or vendor information.
2. Regular Rate Schedule:

Professional Engineer	\$150.00/hour
Project Manager	\$130.00/hour
Project Engineer	\$120.00/hour
Registered Land Surveyor	\$125.00/hour
Survey Crew	\$150.00/hour
Engineering Aide	\$80.00/hour
Sub-consultant	Actual Cost + 15%
3. Reimbursable expenses directly related to the services shall be paid for as follows:
  - Transportation, vehicle mileage, and living expenses shall be billed at cost plus 10% for all travel beyond a 50 mile radius from the York & Associates Engineering, Inc. office.
  - Long distance telephone, postage and overnight deliveries, audiovisual aids, reproduction services, binding, outside consultants or specialty services, license fees, and purchases made for the Client's account shall be billed at cost plus 15%.
4. All time spent by York & Associates Engineering, Inc. personnel related to the preparation for and provision of testimony as an expert witness for litigation shall be billed at rates equal to 2.0 times the Regular Rate.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO PROVIDE FOR THE DEMOLITION OF THE STRUCTURE LOCATED AT 1701 LAKE DOUGLAS RD. OWNED BY DAVIDE JAMES GIVENS AND DECATUR COUNTY TAX COMMISSIONER'S OFFICE TO PROVIDE THE EFFECTIVE DATE OF THIS ORDINANCE; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH, AND FOR OTHER PURPOSES.

SECTION I

WHEREAS, pursuant to Section 14-1 (3) c of the City of Bainbridge Municipal Code (the "Code"), Chief City Marshall and Building Official Keith Pollock has inspected the property, filed notices, held hearings and issued a determination that the property located at 1701 Lake Douglas Rd., is unsafe; and

WHEREAS, pursuant to the determination of the Chief City Marshall and Building Official the City of Bainbridge has previously ordered the owner of the property located at 1701 Lake Douglas Rd., Bainbridge, Georgia; to either repair, alter, improve, or demolish the structure located on the property; and

WHEREAS, the owner of such property has failed to comply fully with such order.

NOW, THEREFORE, BE IT ORDAINED by the City Council of The City of Bainbridge that the City Manager of the City of Bainbridge is hereby authorized and directed to demolish the structure (s) and clean up the property located at 1701 Lake Douglas Rd., being more particularly described as 1701 Lake Douglas Rd., Bainbridge, Georgia 39819.

SECTION II

BE IT FURTHER ORDAINED that all ordinances of the City of Bainbridge in conflict herewith be and the same hereby are repealed for purposes of this ordinance only.

SECTION III

BE IT FURTHER ORDAINED that the provisions of the ordinance shall not be made a part of the official codified ordinances of the City of Bainbridge but shall nevertheless be made a part of the public minutes of the City of Bainbridge.

SECTION IV

This ordinance was introduced and read at the lawful meeting of the Council of the City of Bainbridge held on February 21st, 2023, a Public Hearing on the Ordinance

was held on March 21st, 2023 and the Ordinance was adopted by a majority vote of the City Council during its regular meeting of March 21st, 2023.

BY: \_\_\_\_\_  
EDWARD REYNOLDS, MAYOR

ATTEST: \_\_\_\_\_  
ALLIE GODWIN, CLERK

CITY SEAL

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APPLICATION FOR ONE-DAY ALCOHOL LICENSE

LICENSE# 86661

CITY COUNCIL MEETING 2/21/2023

Applicant Name: Lauren Minor

Manager Name: Lauren Minor

Organization Name: Chamber of Commerce

Address: 100 Boat Basin Circle

Date of the Event: 3/11/2023 River Town Days

- Completed application
- Paid License fee
- Signature of applicant and/or property owner
- Distance statement from Chief Marshal JB
- Personal Statement
- Notarized Affidavits
- Fingerprint payment (if applicable) \_\_\_ YES  NO
- Privacy Rights
- Approval by Director of Public Safety WKG
- Approval by Director of Administration Services XJT
- Approval by City Council \_\_\_\_\_

City of  
**BAINBRIDGE**  
GEORGIA

**City of Bainbridge Alcohol License Checklist**

LICENSE # 1374

CITY COUNCIL MEETING DATE 2/20/2023

NEW  RENEWAL  AMENDED

**TYPE OF LICENSE APPLYING FOR:**

CLASSIFICATION OF LICENSE						
Distilled Spirits Consumption Fee: \$2,400.00 Late Fee: \$100	Package Store Fee: \$3,125.00 Late Fee: \$100.00	Malt Beverage Retail Fee: \$150.00 Late Fee: 100.00	Wine Package Retail Fee: \$200.00 Late Fee: \$100.00	<input checked="" type="checkbox"/> Malt Beverage Consumption Retail Fee: \$300.00 Late Fee: \$100.00	Wine Consumption Retail Fee: \$300.00 Late Fee: \$100.00	Bar Fee: \$4,800.00 Late Fee: \$100.00

Amended Fee: \$100    Initial Application Fee: \$100

NAME OF BUSINESS Las Katrinas

STREET ADDRESS OF BUSINESS 712 S. Scott St.

NAME OF APPLICANT/OWNER Ulises Aregullin

NAME OF MANAGER Ulises Aregullin

- Completed Application ✓
- Paid Fee ✓
- Signature of Applicant and/or Property Owner ✓
- Distance statement and Approval from Chief Marshall/Building Official RP
- Personal Statement ✓
- Notarized Affidavits if applicable (*required for new owner and manager*) ✓
- Copy of Driver's License or current Photo Identification ✓
- Background Check Payment: YES  NO
- Privacy Rights (Applicant retains a copy) ✓
- Approval by Director of Public Safety W&W
- Approval by Director of Administrative Services AHT
- Approval by City Manager and/or, Mayor and City Council \_\_\_\_\_

City of  
**BAINBRIDGE**  
GEORGIA

**City of Bainbridge Alcohol License Checklist**  
**LICENSE #** 1353  
**CITY COUNCIL MEETING DATE** 2/21/2023  
**NEW** \_\_\_\_\_ **RENEWAL**  **AMENDED** \_\_\_\_\_  
**TYPE OF LICENSE APPLYING FOR:**

CLASSIFICATION OF LICENSE						
Distilled Spirits Consumption Fee: \$2,400.00 Late Fee: \$100	Package Store Fee: \$3,125.00 Late Fee: \$100.00	Malt Beverage Retail <input checked="" type="checkbox"/> Fee: \$150.00 Late Fee: 100.00	Wine Package Retail <input checked="" type="checkbox"/> Fee: \$200.00 Late Fee: \$100.00	Malt Beverage Consumption Retail Fee: \$300.00 Late Fee: \$100.00	Wine Consumption Retail Fee: \$300.00 Late Fee: \$100.00	Bar Fee: \$4,800.00 Late Fee: \$100.00

Amended Fee: \$100    Initial Application Fee: \$100

**NAME OF BUSINESS** Family Dollar Stores of Georgia, LLC dba Family Dollar Store # 21132  
**STREET ADDRESS OF BUSINESS** 303 S. Scott Street  
**NAME OF APPLICANT/OWNER** Farnessa Boldin  
**NAME OF MANAGER** Farnessa Boldin

- Completed Application
- Paid Fee
- Signature of Applicant and/or Property Owner
- Distance statement and Approval from Chief Marshall/Building Official JP
- Personal Statement
- Notarized Affidavits if applicable (*required for new owner and manager*) n/a
- Copy of Driver's License or current Photo Identification n/a
- Background Check Payment: YES \_\_\_\_\_ NO \_\_\_\_\_
- Privacy Rights (Applicant retains a copy)
- Approval by Director of Public Safety WCB
- Approval by Director of Administrative Services RAT
- Approval by City Manager and/or, Mayor and City Council \_\_\_\_\_

City of  
**BAINBRIDGE**  
GEORGIA

**City of Bainbridge Alcohol License Checklist**  
**LICENSE #** 1371  
**CITY COUNCIL MEETING DATE** 2/21/2023  
**NEW**  **RENEWAL**  **AMENDED**   
**TYPE OF LICENSE APPLYING FOR:**

CLASSIFICATION OF LICENSE						
Distilled Spirits	<input checked="" type="checkbox"/> Package Store	Malt Beverage	Wine Package	Malt Beverage Consumption Retail	Wine Consumption Retail	Bar
Consumption Fee: \$2,400.00 Late Fee: \$100	Fee: \$3,125.00 Late Fee: \$100.00	Retail Fee: \$150.00 Late Fee: 100.00	Retail Fee: \$200.00 Late Fee: \$100.00	Fee: \$300.00 Late Fee: \$100.00	Fee: \$300.00 Late Fee: \$100.00	Fee: \$4,800.00 Late Fee: \$100.00

Amended Fee: \$100 Initial Application Fee: \$100 NEW OWNER

**NAME OF BUSINESS** Chuck's Package Store

**STREET ADDRESS OF BUSINESS** 925 E. Shotwell St.

**NAME OF APPLICANT/OWNER** Tony McGuire

**NAME OF MANAGER** Tony McGuire

- Completed Application
- Paid Fee
- Signature of Applicant and/or Property Owner
- Distance statement and Approval from Chief Marshall/Building Official
- Personal Statement
- Notarized Affidavits if applicable (*required for new owner and manager*)
- Copy of Driver's License or current Photo Identification
- Background Check Payment: YES  NO
- Privacy Rights (Applicant retains a copy)
- Approval by Director of Public Safety WPK
- Approval by Director of Administrative Services [Signature]
- Approval by City Manager and/or, Mayor and City Council \_\_\_\_\_

City of  
**BAINBRIDGE**  
GEORGIA

**City of Bainbridge Alcohol License Checklist**

LICENSE # 1373

CITY COUNCIL MEETING DATE 2/20/2023

NEW  RENEWAL  AMENDED

**TYPE OF LICENSE APPLYING FOR:**

CLASSIFICATION OF LICENSE						
Distilled Spirits Consumption Fee: \$2,400.00 Late Fee: \$100	Package Store Fee: \$3,125.00 Late Fee: \$100.00	Malt Beverage Retail Fee: \$150.00 Late Fee: 100.00	<input checked="" type="checkbox"/> Wine Package Retail Fee: \$200.00 Late Fee: \$100.00	Malt Beverage Consumption Retail Fee: \$300.00 Late Fee: \$100.00	Wine Consumption Retail Fee: \$300.00 Late Fee: \$100.00	Bar Fee: \$4,800.00 Late Fee: \$100.00

Amended Fee: \$100    Initial Application Fee: \$100

NAME OF BUSINESS Karan's Korner, LLC

STREET ADDRESS OF BUSINESS 234 E. Water St.

NAME OF APPLICANT/OWNER Karan Barber

NAME OF MANAGER Karan Barber

- Completed Application ✓
- Paid Fee ✓
- Signature of Applicant and/or Property Owner ✓
- Distance statement and Approval from Chief Marshall/Building Official AP
- Personal Statement ✓
- Notarized Affidavits if applicable (*required for new owner and manager*) ✓
- Copy of Driver's License or current Photo Identification
- Background Check Payment: YES  NO
- Privacy Rights (Applicant retains a copy) ✓
- Approval by Director of Public Safety WTH
- Approval by Director of Administrative Services XAT
- Approval by City Manager and/or, Mayor and City Council \_\_\_\_\_

# BAINBRIDGE-DECATUR COUNTY PLANNING COMMISSION

February 14, 2023

6:00 p.m.

City Council Chambers

## MINUTES

**MEMBERS PRESENT:** Frank Flowers, John Marshall, Lachanda Mackey, Valerie Stubbs, Alan Davis

**MEMBERS ABSENT:** Keenan Adams

**OTHERS PRESENT:** Steve O'Neil, Jessica Hicks, Michele Ringle, Bruce Kirbo, Shawn Swartz, Ralna Pearson, Kelvin Sherman

### I. CALL TO ORDER

Chairman Frank Flowers called the meeting to order at 6:00 P.M. then gave the invocation.

### II. APPROVAL OF MINUTES OF PREVIOUS MEETING

Minutes from the January 10, 2023, meeting was presented to the Planning Commission. Commissioner Marshall made a motion to approve the minutes, seconded by Commissioner Mackey and passed unanimously.

### III. NEW BUSINESS

**ITEM 1: CU-2022-007:** Applicant Michele Ringle is requesting a conditional use for a Short-Term Rental at 1208 Tallahassee Hwy. The property is 0.55 acres and is zoned Urban Residential 6 (UR-6).

Applicant Michele Ringle came forward and explained her request for a conditional use for a Short-Term Rental at 1208 Tallahassee Hwy. Ringle explained that her daughter lives here in Bainbridge and will be the main caretaker shall any problems arise, and she would be back every two months to help maintain the rental property. Ringle acknowledged that she was aware of the hotel/motel tax upon the city's approval.

Commissioner Flowers opened the floor to any questions. Mrs. Shawn Swartz came forward and asked for the differences between short term rentals and Air B-N-B. Difference were defined by Steve

O'Neil, stating that Air B-N-B is a name brand and that they all fall under the umbrella of Short-Term rentals.

Commissioner Flowers opened the floor for further questions. Marshall asked about length of time to open, handicap opportunities and disability request. Ringle returned to the podium and advised she would be ready to open the property within days. Currently there are no handicapped provisions, however she would question the customer about what kind of accommodations were needed and advised she would do her best to provide the requested provisions. Ringle stated that she wants to do the best she can to make sure her property follows all ADA regulations.

Commissioner Flowers Opened the floor for any further questions or concerns, with no response. Commissioner Flowers then opened the floor for a motion to approve the conditional use of the Short-Term Rental Property. Marshall made a motion to approve the conditional use of the property. Motion was seconded by Mackey. The motion passed unanimously.

**ITEM 2: CU-2023-001:** Applicant Kelvin Sherman is requesting a conditional use for an open-air business (produce stand) at the property located at 203 Shotwell St (Parcel B0260139). The property is .11 acres and is zoned Central Business District (CBD).

Applicant Calvin Sherman came forward and explained his conditional use request for an open-air business (produce stand) at the property located at 203 Shotwell St. Sherman stated the proposed times of operation would be Monday – Sat. He had the same business in Bainbridge 2-3 years back. The business was extremely profitable, unfortunately he was forced to close due to what is now currently Elliano's purchasing the property. Mr. Sherman would be offering "farm fresh produce" year-round. He has that opportunity due to all the contracts he has with Georgia, Florida, and local farmers that he has maintained for 20+ years.

Commissioner Flowers stated that he was concerned with parking for that location. Steve O'Neil commented that the current parking conditions allowed for "maybe" five cars max, any other customers would have to be off-site parking. The city couldn't have customers backing out into Shotwell Street due to heavy traffic and that it was dangerous.

Sherman stated that he only anticipated on-site parking for three vehicles max. Additional parking would be in the downtown city parking lot to the north of the requested location. Sherman agreed that he would create a safe parking flow. Entry would be on Shotwell St. and exit would be on Broad St or vice versa.

Commissioner Flowers opened the floor for any questions or concerns. Mackey asked if Mr. Sherman would be willing to put "Parking in Rear" signs out. Sherman agreed.

Marshall questioned Sherman about deliveries of produce due to not having the space for a large delivery vehicle in that area and estimated opening date. Sherman stated that there would be no deliveries. He would be the only one bringing produce to the location, his anticipated opening would be March 9, 2023.

Commissioner Flowers opened the floor to any other questions or concerns. Mrs. Shawn Swartz approached the Podium and asked if the produce stand would undergo any inspections from the health department and the possibility to change the location to allow for a farmers' markets to expand. It was stated that this would be a produce stand not a farmers' market, Commissioner Flowers reminded the group about a farmers' market that Bainbridge used to have and stated it would be subject to DHS inspection.

Commissioner Flowers opened the floor to other questions, after no response, commissioner Flowers opened the floor for a motion to approve the request. Marshall made a motion to approve the request. Mackey seconded the motion. The request was unanimously approved.

#### **V. Old Business**

VI. ADJOURNMENT - There being no more business, the meeting was adjourned.

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Dr. Frank Flowers, Chairman

# BAINBRIDGE-DECATUR

## PLANNING COMMISSION

### BAINBRIDGE-DECATUR COUNTY PLANNING COMMISSION

February 14th, 2023

6:00 p.m.

City Hall Council Chambers

- I. DETERMINATION OF A QUORUM
- II. CALL TO ORDER AND INVOCATION
- III. APPROVAL OF MINUTES OF PREVIOUS MEETING
- IV. NEW BUSINESS:

**ITEM 1: CU-2022-007:** Applicant Michele Ringle is requesting a conditional use for a Short-Term Rental at 1208 Tallahassee Hwy. The property is 0.55 acres and is zoned Urban Residential 6 (UR-6).

**ITEM 2: CU-2023-001:** Applicant Kelvin Sherman is requesting a conditional use for an open-air business (produce stand) at the property located at 203 Shotwell St (Parcel B0260139). The property is .11 acres and is zoned Central Business District (CBD).

- V. OLD BUSINESS
- VI. ADJOURNMENT

# BAINBRIDGE-DECATUR COUNTY PLANNING COMMISSION

January 10, 2023

6:00 p.m.

City Council Chambers

## MINUTES

**MEMBERS PRESENT:** Frank Flowers, John Marshall, Lachanda Mackey, Valerie Stubbs, Keenan Adams

**MEMBERS ABSENT:** Zach McLendon, Alan Davis

**OTHERS PRESENT:** Steve O'Neil

### I. CALL TO ORDER

Chairman Frank Flowers called the meeting to order at 6:00 P.M. then gave the invocation.

### II. APPROVAL OF MINUTES OF PREVIOUS MEETING

Minutes from the December 13th, 2022, meeting were presented to the Planning Commission. Commissioner Marshall made a motion to approve the minutes, seconded by Commissioner Mackey and passed unanimously.

### III. NEW BUSINESS

**ITEM 1: CU-2022-006:** Applicant Brent Warr is requesting a conditional use for a mixed used building at 125 E. Calhoun St. The property is 0.62 acres and is zoned Light Industrial (LI).

Applicant Brent Warr came forward and explained his conditional use request for a Mixed Use Building at 125 Calhoun St. consisting of four retail spaces fronting Calhoun St., a workshop/studio in the middle section of the building for the applicant and a residential unit on the North end of the structure that will ideally be occupied artists in residency. Mr. Warr explained that it would not be a traditional rental or a short term rental. He did go on to further explain that this aspect of the structure would come much farther into the future.

After explanation of the conditional use request, Chairman Flowers asked Mr. O'Neil for staff opinion.

Mr. O'Neil reviewed the parking situation and further explained the difficulties in meeting the parking requirements. Mr. O'Neil explained that Mr. Warr had requested and received an administrative variance for parking reduction that reduced the required spaces by 20%. Mr. Warr explained that he is finalizing arrangements with adjoining property owners for off site parking and will provide commitment letters once complete.

Chairman Flowers called for a motion. A motion to approve as requested with no stipulations was made by Commissioner Marshall and seconded by Commissioner Adams. Vote was unanimous in favor of granting the conditional use for a mixed use building at 125 Calhoun St.

IV. **Old Business:**

V. **Adjournment:** There being no more business, the meeting was adjourned.

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Dr. Frank Flowers, Chairman

# CONDITIONAL USE APPLICATION

TABLE 14.2.3  
ANALYSIS REQUIREMENTS

1. Existing use(s) of subject property: Residential
2. Existing zoning of property contiguous with or located within 100 feet of subject property: UR-6
3. Does the proposed conditional use request permit a use that is suitable in view of the use and development of adjacent and nearby property (existing land use)?  Yes  No  
Explain: URA
4. Will the proposed conditional use result in a use which could cause an excessive burdensome use of existing streets, transportation facilities, utilities, or schools?  Yes  No  
Explain: \_\_\_\_\_
5. Is the proposed conditional use in conformity with the policy and intent of the comprehensive plan\* including use element?  Yes  No
6. Are there other existing or changing conditions affecting the use and development of property which give supporting grounds for either approval or disapproval of the proposal?  Yes  No
7. Does the property to be affected by the proposed conditional use have a reasonable economic use as currently zoned?  Yes  No

\*A copy of the city's future land use element (map and narrative), part of the city's adopted comprehensive plan, is available for public review inside the City Hall map room and on the city's website at [www.bainbridgecit.com](http://www.bainbridgecit.com).

**CONFLICT OF INTEREST IN ZONING DECISIONS**  
**CAMPAIGN CONTRIBUTIONS**

36-67A-3.

(a) When any applicant for rezoning action has made, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing: (1) The name and official position of the local government official to whom the campaign contribution was made; and (2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.


(b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the rezoning action is first filed.

(c) When any opponent of a rezoning action has made, within two years immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating \$250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the opponent to file a disclosure with the governing authority of the Respective local government showing:

The name and official position of the local government official to whom the campaign contribution was made; and (2) the dollar amount and description of each campaign contribution made by the opponent to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(d) The disclosure required by subsection (c) of this Code section shall be filed at least five calendar days prior to the first hearing by the local government or any of its agencies on the rezoning application.

I CERTIFY THAT ALL STATEMENTS FURNISHED IN THIS APPLICATION ARE TRUE TO THE BEST OF MY KNOWLEDGE AND I AM AWARE OF THE PROVISIONS CONTAINED IN O.C.G.A. 36-67A-3.

Property Owner(s) Signature: 
Address: <u>1208 Tallahassee Rd Bainbridge GA</u>

**PUBLIC HEARING DATES**

DATE OF PLANNING COMMISSION MEETING: \_\_\_\_\_ @ 6:00 p.m.

DATE OF CITY COUNCIL MEETING: \_\_\_\_\_ @ 6:30 p.m.

*Planning Commission meetings are held at 6:00 p.m. at City Hall in the City Council Chambers.  
City Council meetings are held at 6:30 p.m. at City Hall in the City Council Chambers.*

**TABLE 14.2.1  
APPLICATION REQUIREMENTS**

<b>Application Requirement</b>	<b>Conditional Use</b>
Application fee as established by resolution	Required - \$100.00
Application form furnished by the zoning administrator, including the applicant's signature and the property owner's signature	Required <i>CONDITIONAL USE APPLICATION</i>
Legal description of the property	Required
A survey plat of the property prepared by a registered land surveyor or, if the property is recorded on an existing plat in the land records of Decatur County, a copy of the correct county tax map found in the current tax mapping system of the county	Required
Letter of intent describing the proposed use of the property and/or other action requested	Required
Site plan of the property at an appropriate engineering scale showing the proposed use and relevant information regarding proposed improvements (see Section 14.2.8, "Plan Requirements")	Required
Description of efforts of any special conditions voluntarily made a part of the request	Required
Other information required by the zoning administrator	Maybe

**TABLE 14.2.1  
APPLICATION REQUIREMENTS**

<b>Site Plan Requirement</b>	<b>Conditional Use</b>
Footprints of existing and proposed buildings and structures	Required
Dimensions and locations of parking areas including internal circulation and driveway approaches	Required
Tree protection survey (if applicable)	Maybe
Dimensions and general location of any landscaping and/or buffers (if applicable)	Required
Preliminary drainage plans (if applicable)	Required
Method of water supply and sewage disposal if not available on-site (if applicable)	Required
Dimensional requirements by zoning district	Required
Specific use provisions (if applicable)	Required
General dimensional provisions (if applicable)	Required
General development requirements (if applicable)	Required
Application requirements (if applicable)	Required
Other Information as required by the Zoning Administrator	Maybe

**TABLE 14.2.3  
ANALYSIS REQUIREMENTS**

<b>Criteria Required to be Analyzed by Applicant and Review Bodies</b>	<b>Application for Conditional Use</b>
1. Existing use(s) and zoning of subject property	Required
2. Existing zoning of nearby property	Required
3. Whether the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property (existing land use)	Maybe
4. Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools	Required
5. Whether the proposal is in conformity with the policy and intent of the comprehensive plan including land use element ***	Required
6. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposal	Required
7. Whether the property to be affected by the proposal has a reasonable economic use as currently zoned	Required

\*\*\* A copy of the city's future land use element (map and narrative), part of the city's adopted comprehensive plan, is available for public review inside the map room at City Hall.

# BAINBRIDGE GEORGIA

P.O. Box 158  
Bainbridge, Ga. 39818

www.bainbridgecity.com

Phone: 229-248-2000  
Fax: 229-246-7311

APPLICATION #: \_\_\_\_\_

FEE: \$150.00

## CONDITIONAL USE APPLICATION

NOTICE: State Law O.C.G.A. 36-66-4 requires, "a local government taking action resulting in a zoning decision shall provide for a hearing on the proposed action at least 15 but not more than 45 days prior to the date of the hearing, the local government shall cause to be published within a newspaper of general circulation, within the territorial boundaries of the local government, a notice of hearing."

Said notice shall state the time, place, and purpose of the hearing; therefore, applicants must submit their complete application, an application complying with the procedural requirements of the city's zoning ordinance and found to be complete with regard to application materials, payment of fees, supportive material and any other application requirements specified prior to the newspaper public notice advertising deadline date needed to fulfill the requirements of O.C.G.A. 36-66-4. The zoning administrator and/or his representative shall have at least 10 days prior to the advertising deadline date to determine whether an application is complete and eligible for advertisement. Applications submitted less than 10 days prior to the advertising deadline date are not guaranteed to be reviewed or included in the required advertising. Such applications shall be held until the next application cycle.

### APPLICATION INFORMATION

APPLICANT(S): Michele Ringle  
ADDRESS: 223 Welham Trace, Bossier City LA 71112  
PHONE: 318-218-1486

### PROPERTY INFORMATION

PROPERTY OWNER(S): Alan and Michele Ringle  
ADDRESS: 1208 Tallahassee Road  
PHONE: 318-218-1486  
LOCATION OF SUBJECT PROPERTY: \_\_\_\_\_

**PROPERTY INFORMATION (continued)**

TAX MAP: \_\_\_\_\_ PARCEL: \_\_\_\_\_ SIZE (ACRES): \_\_\_\_\_


ZONING DESIGNATION OF SUBJECT PROPERTY: Residential

PROPOSED USE OF PROPERTY (BRIEF): Short term rental, Air bnb, VRBO, etc.

**REQUIREMENTS FOR CONDITIONAL USE REQUESTS**

Conditional use request applications *must* include the following:

- 1. APPLICATIONS REQUIREMENTS  
(ZONING ORDINANCE TABLE 14.2.1) ..... Page 5
- 2. PLAN REQUIREMENTS  
(ZONING ORDINANCE TABLE 14.2.2) ..... Page 5
- 3. ANALYSIS REQUIREMENTS (Forms provided on page 3)  
(ZONING ORDINANCE TABLE 14.2.3) ..... Page 6

 _____ <i>Property Owner Signature</i>	_____ <i>Submitted By:</i>
<u>12-30-2022</u> _____ <i>Date</i>	_____ _____ <i>Date</i>

<b><u>DEPARTMENT USE ONLY</u></b>	
SUBMITTAL DATE: _____	DATE CERTIFIED COMPLETE: _____
_____ <i>Department Representative Signature</i>	



Tallahassee Rd

Bainbridge

1204

B0510060

1209

B0510055

1208

B0510061

1211

B0510054

1210

B0510062

1215

B0510063

1217

B0510055



RINGLE MICHELE & ALAN  
1208 TALLAHASSEE HWY  
0.55 Acres Value \$134,580

[View Report](#)

# BAINBRIDGE-DECATUR

## PLANNING COMMISSION

### Staff Analysis

**DATE:** February 6, 2023

**TO:** Bainbridge-Decatur County Planning Commission, Mayor and City Council

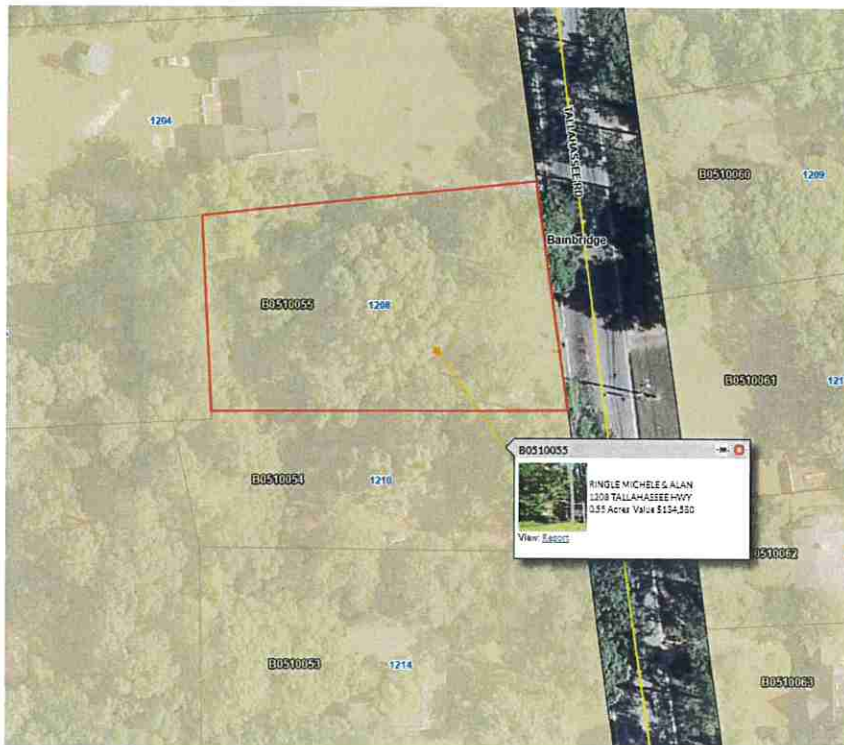
**FROM:** Steve O'Neil, Community & Economic Development Director

**SUBJECT:** CU-2022-007

**ITEM: CU-2022-007:** Applicant Michelle Ringle is requesting permission for a conditional use for a short term rental (AirBnB) on the property located at 1208 Tallahassee Hwy. The property is 0.55 acres and is zoned Urban Residential 6 (UR-6).

*Conditional use: A use that would not be appropriate generally or without restriction throughout a particular zoning district and is not automatically permitted by right within said zoning district, but which, if controlled as to number, area, location, relation to the neighborhood or other pertinent considerations, may be found to be compatible and approved by the Governing Body within that particular zoning district as provided in certain instances by this zoning ordinance. An approved conditional use runs with the property.-City of Bainbridge, GA, Zoning Ordinance.*

**CURRENT ZONING:** (UR-6) Urban Residential 6



# BAINBRIDGE-DECATUR

## PLANNING COMMISSION

### **Section 6.4.1. Purpose and Intent.**

UR-6 districts are intended to establish low-density urban residential neighborhoods comprised of predominantly detached single-family dwellings (not including mobile or manufactured homes). These districts are served by public water sanitary sewer and service.

**FUTURE LAND USE DESIGNATION:** Urban Residential 6

### **Analysis**

The applicant's request to rehabilitate a residential structure and utilize it as a short term rental is in conformity with the goals and policies of the City of Bainbridge Comprehensive Plan. The short term rental will be subject to hotel/motel tax. Adequate space for parking exists.

### **Recommendation**

Planning Staff recommend approval of the applicants conditional use request to operate a short term rental facility at 1208 Tallahassee Hwy.

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# The Fresh Basket Produce LLC

December 20, 2020

101 S. Broad Street  
Bainbridge, GA 39818

Dear Board of Commissioners:

I am writing to provide a letter of intent from Fresh Basket Produce LLC in respect and interest of an upcoming open-air market. We appreciate the time and energy you and your team have made available to us in discussing the opportunity and potentially coming to an agreement to conduct and bring business to the city of Bainbridge and its residents.

My name is Kelvin Sherman, and I am the owner of the Fresh Basket Produce in Calvary, GA. The anticipated open air market address is 203 W. Shotwell Street and is the location of choice for the new endeavor. I've participated in the Bainbridge farmers market on the Square and the adjacent area in which a playground now resides; therefore, I am familiar with the area and the anticipated business. I was the key produce provider in the farmers market and gained a customer base and support from fellow neighbors while working in Bainbridge. This is my intent for the new open-air market in Bainbridge.

I would like to lease the commercial space at the corner of 203 W Shotwell Street as it appeals as a commercial and practical area. The idea of an open-air market will provide an opportunity to boost the economy for Bainbridge that have deemed successful in other cities and/or counties with similar settings. The location in Bainbridge is ideal and will provide the right amount of exposure

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needed to succeed as a business owner. I expect to not only service the community but to also be of service to the community.

I anticipate to open mid-February to kick start the open of the agricultural season in March. You may contact me at (229) 872-3940 (store) or (229)220-5624 (cell) if there are any questions or concerns that were not addressed in this letter of intent. Feel free to reach out for additional details. Attached layout will follow.

Sincerely,

Kelvin M. Sherman

City of  
**BAINBRIDGE**  
GEORGIA

P.O. Box 158  
Bainbridge, Ga. 39818

www.bainbridgecity.com

Phone: 229-248-2000  
Fax: 229-246-7311

APPLICATION #: \_\_\_\_\_

FEE: \$100.00

**CONDITIONAL USE APPLICATION**

NOTICE: State Law O.C.G.A. 36-66-4 requires, "a local government taking action resulting in a zoning decision shall provide for a hearing on the proposed action at least 15 but not more than 45 days prior to the date of the hearing, the local government shall cause to be published within a newspaper of general circulation, within the territorial boundaries of the local government, a notice of hearing."

Said notice shall state the time, place, and purpose of the hearing; therefore, applicants must submit their complete application, an application complying with the procedural requirements of the city's zoning ordinance and found to be complete with regard to application materials, payment of fees, supportive material and any other application requirements specified prior to the newspaper public notice advertising deadline date needed to fulfill the requirements of O.C.G.A. 36-66-4. The zoning administrator and/or his representative shall have at least 10 days prior to the advertising deadline date to determine whether an application is complete and eligible for advertisement. Applications submitted less than 10 days prior to the advertising deadline date are not guaranteed to be reviewed or included in the required advertising. Such applications shall be held until the next application cycle.

APPLICATION INFORMATION

APPLICANT(S): Kelvin Sherman  
ADDRESS: 1089 Swamp Creek Rd Whigham GA 39897  
PHONE: (229) 220-5624

PROPERTY INFORMATION

PROPERTY OWNER(S): Kelvin Sherman  
ADDRESS: 203 E. Stotwell Street  
PHONE: (229) 220-5624  
LOCATION OF SUBJECT PROPERTY: Bainbridge, GA

PROPERTY INFORMATION (continued)

TAX MAP: \_\_\_\_\_ PARCEL: \_\_\_\_\_ SIZE (ACRES): \_\_\_\_\_

ZONING DESIGNATION OF SUBJECT PROPERTY: Central business District

PROPOSED USE OF PROPERTY (BRIEF): Open-air market (fresh produce)

REQUIREMENTS FOR CONDITIONAL USE REQUESTS

Conditional use request applications *must* include the following:

- 1. APPLICATIONS REQUIREMENTS  
(ZONING ORDINANCE TABLE 14.2.1) ..... Page 5
- 2. PLAN REQUIREMENTS  
(ZONING ORDINANCE TABLE 14.2.2) ..... Page 5
- 3. ANALYSIS REQUIREMENTS (Forms provided on page 3)  
(ZONING ORDINANCE TABLE 14.2.3) ..... Page 6

<p><u>X E. Liana June Lasby</u> Property Owner Signature</p> <p>_____</p> <p>Date</p>	<p><u>Kelvin Shawa</u> Submitted By:</p> <p>_____</p> <p>Date</p>
-------------------------------------------------------------------------------------------	-----------------------------------------------------------------------

DEPARTMENT USE ONLY

SUBMITTAL DATE: \_\_\_\_\_ DATE CERTIFIED COMPLETE: \_\_\_\_\_

\_\_\_\_\_  
Department Representative Signature

# CONDITIONAL USE APPLICATION

TABLE 14.2.3  
ANALYSIS REQUIREMENTS

1. Existing use(s) of subject property: Unknown - Currently for lease
2. Existing zoning of property contiguous with or located within 100 feet of subject property: CVD DP HC
3. Does the proposed conditional use request permit a use that is suitable in view of the use and development of adjacent and nearby property (existing land use)?  Yes  No  
Explain: \_\_\_\_\_  
\_\_\_\_\_
4. Will the proposed conditional use result in a use which could cause an excessive burdensome use of existing streets, transportation facilities, utilities, or schools?  Yes  No  
Explain: \_\_\_\_\_  
\_\_\_\_\_
5. Is the proposed conditional use in conformity with the policy and intent of the comprehensive plan\* including use element?  Yes  No
6. Are there other existing or changing conditions affecting the use and development of property which give supporting grounds for either approval or disapproval of the proposal?  Yes  No
7. Does the property to be affected by the proposed conditional use have a reasonable economic use as currently zoned?  Yes  No

\*A copy of the city's future land use element (map and narrative), part of the city's adopted comprehensive plan, is available for public review inside the City Hall map room and on the city's website at [www.bainbridgect.com](http://www.bainbridgect.com).

**CONFLICT OF INTEREST IN ZONING DECISIONS**  
**CAMPAIGN CONTRIBUTIONS**

36-67A-3.

(a) When any applicant for rezoning action has made, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing: (1) The name and official position of the local government official to whom the campaign contribution was made; and (2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the rezoning action is first filed.

(c) When any opponent of a rezoning action has made, within two years immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating \$250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the opponent to file a disclosure with the governing authority of the Respective local government showing:

The name and official position of the local government official to whom the campaign contribution was made; and (2) the dollar amount and description of each campaign contribution made by the opponent to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

(d) The disclosure required by subsection (c) of this Code section shall be filed at least five calendar days prior to the first hearing by the local government or any of its agencies on the rezoning application.

I CERTIFY THAT ALL STATEMENTS FURNISHED IN THIS APPLICATION ARE TRUE TO THE BEST OF MY KNOWLEDGE AND I AM AWARE OF THE PROVISIONS CONTAINED IN O.C.G.A. 36-67A-3.

Property Owner(s) Signature: <u>X Elisha June Paslsleef</u>
Address: <u>1089 Swamp Creek Rd Whigham GA 39897</u>

**PUBLIC HEARING DATES**

DATE OF PLANNING COMMISSION MEETING: 1/10/2023 @ 6:00 p.m.

DATE OF CITY COUNCIL MEETING: \_\_\_\_\_ @ 6:30 p.m.

*Planning Commission meetings are held at 6:00 p.m. at City Hall in the City Council Chambers.  
City Council meetings are held at 6:30 p.m. at City Hall in the City Council Chambers.*

**TABLE 14.2.1  
APPLICATION REQUIREMENTS**

<b>Application Requirement</b>	<b>Conditional Use</b>
Application fee as established by resolution	Required - \$100.00
Application form furnished by the zoning administrator, including the applicant's signature and the property owner's signature	Required <i>CONDITIONAL USE APPLICATION</i>
Legal description of the property	Required
A survey plat of the property prepared by a registered land surveyor or, if the property is recorded on an existing plat in the land records of Decatur County, a copy of the correct county tax map found in the current tax mapping system of the county	Required
Letter of intent describing the proposed use of the property and/or other action requested	Required
Site plan of the property at an appropriate engineering scale showing the proposed use and relevant information regarding proposed improvements (see Section 14.2.8, "Plan Requirements")	Required
Description of efforts of any special conditions voluntarily made a part of the request	Required
Other information required by the zoning administrator	Maybe

**TABLE 14.2.1  
APPLICATION REQUIREMENTS**

<b>Site Plan Requirement</b>	<b>Conditional Use</b>
Footprints of existing and proposed buildings and structures	Required
Dimensions and locations of parking areas including internal circulation and driveway approaches	Required
Tree protection survey (if applicable)	Maybe
Dimensions and general location of any landscaping and/or buffers (if applicable)	Required
Preliminary drainage plans (if applicable)	Required
Method of water supply and sewage disposal if not available on-site (if applicable)	Required
Dimensional requirements by zoning district	Required
Specific use provisions (if applicable)	Required
General dimensional provisions (if applicable)	Required
General development requirements (if applicable)	Required
Application requirements (if applicable)	Required
Other Information as required by the Zoning Administrator	Maybe

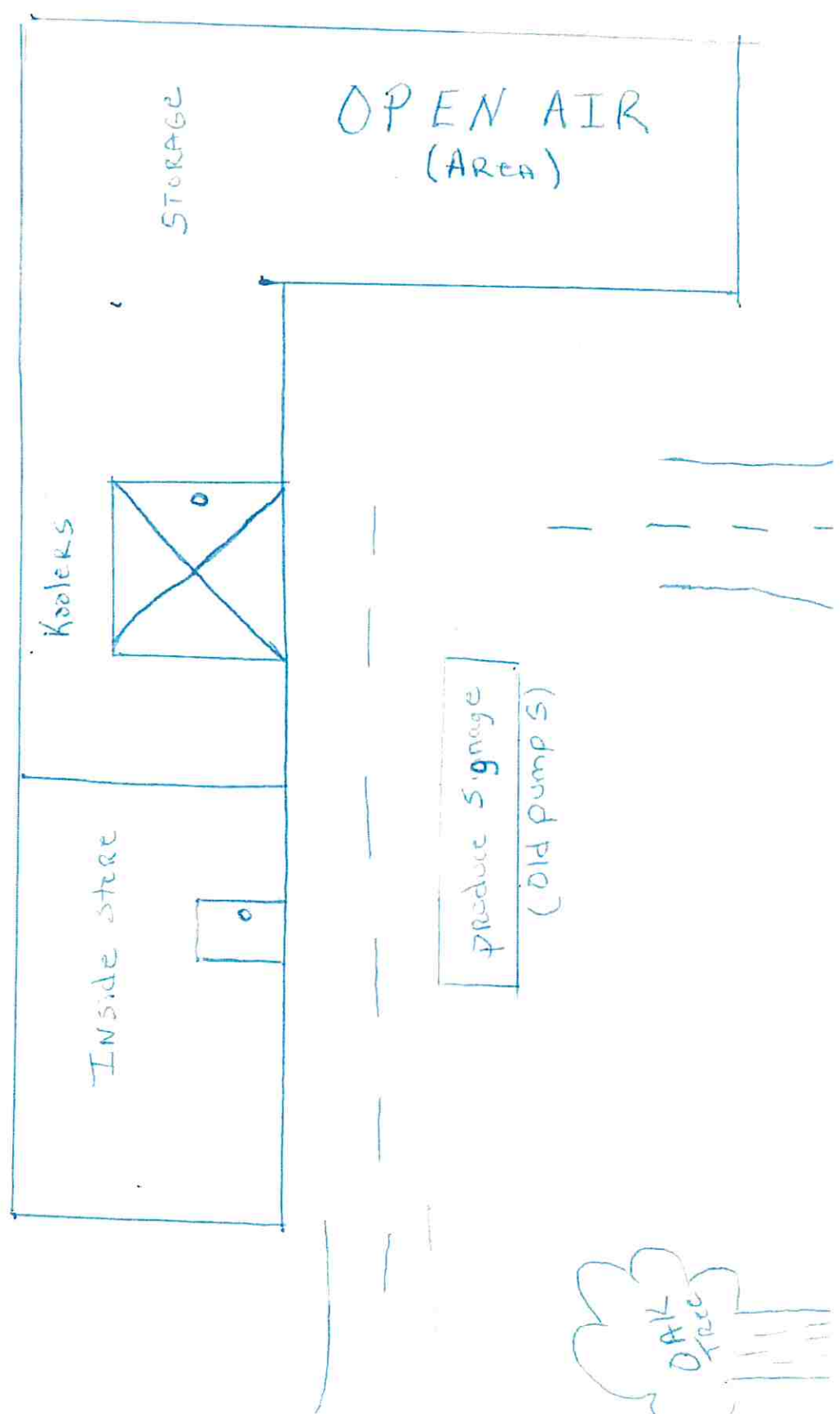
**TABLE 14.2.3  
ANALYSIS REQUIREMENTS**

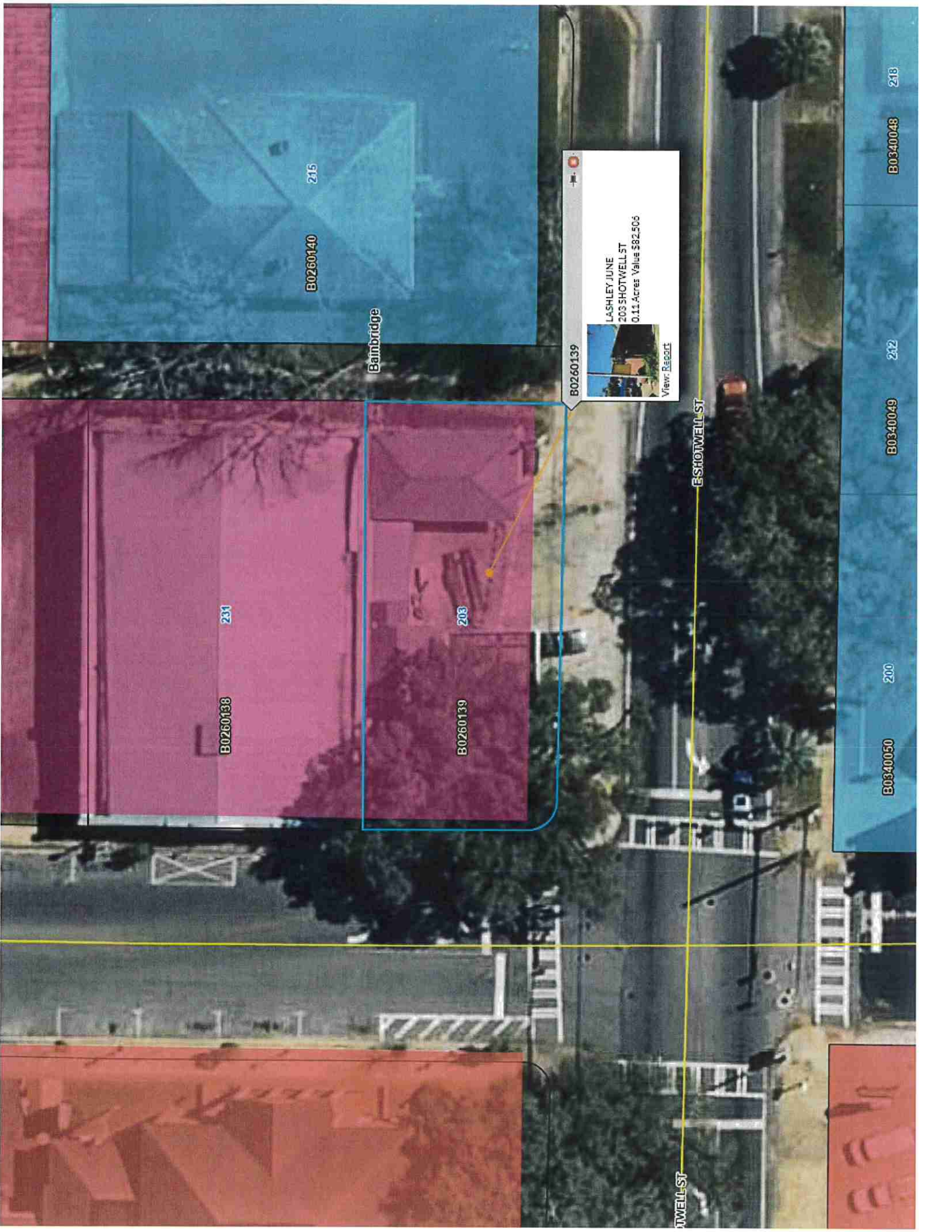
<b>Criteria Required to be Analyzed by Applicant and Review Bodies</b>	<b>Application for Conditional Use</b>
1. Existing use(s) and zoning of subject property	Required
2. Existing zoning of nearby property	Required
3. Whether the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property (existing land use)	Maybe
4. Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools	Required
5. Whether the proposal is in conformity with the policy and intent of the comprehensive plan including land use element ***	Required
6. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposal	Required
7. Whether the property to be affected by the proposal has a reasonable economic use as currently zoned	Required

\*\*\* A copy of the city's future land use element (map and narrative), part of the city's adopted comprehensive plan, is available for public review inside the map room at City Hall.

Don't know  
Project 5/20/05  
Lot


Fresh Basket Produce  
(Barnbridge Co)  
203 E. Shelwell





Bainbridge

B0260139



LASHLEY JUNE  
203 SHOTWELL ST  
0.11 Acres Value \$82,506

[View Report](#)

B0260140 215

231

B0260138

203

B0260139

200

B0340050

B0340049

212

B0340048

218

SHOTWELL ST

ESHOTWELL ST

# BAINBRIDGE-DECATUR

## PLANNING COMMISSION

### Staff Analysis

**DATE:** February 6, 2023

**TO:** Bainbridge-Decatur County Planning Commission, Mayor and City Council

**FROM:** Steve O'Neil, Community & Economic Development Director

**SUBJECT:** CU-2023-001

**ITEM: CU-2023-001:** Applicant Kelvin Sherman is requesting a conditional use for an open-air business (produce stand) at the property located at 203 Shotwell St (Parcel B0260139). The property is .11 acres and is zoned Central Business District (CBD).

*Conditional use: A use that would not be appropriate generally or without restriction throughout a particular zoning district and is not automatically permitted by right within said zoning district, but which, if controlled as to number, area, location, relation to the neighborhood or other pertinent considerations, may be found to be compatible and approved by the Governing Body within that particular zoning district as provided in certain instances by this zoning ordinance. An approved conditional use runs with the property.-City of Bainbridge, GA, Zoning Ordinance.*

**CURRENT ZONING:** (CBD) Central Business District



# BAINBRIDGE-DECATUR

## PLANNING COMMISSION

### **Section 7.5.1. Purpose and Intent.**

The CBD zoning district is intended to concentrate commercial stores and compatible uses within the center of Bainbridge. This district is unique in that the existing development pattern consists of buildings covering very large percentages of the lot, little if any building setbacks on front, side, and rear property lines, and a lack of off-street parking sufficient to meet the requirements of other commercial zoning districts. This district is distinguished from other commercial zoning districts in that greater building coverage is permitted and yard requirements are minimal. Permitted uses are those that contribute to a pedestrian-friendly central business district. Automobile-related facilities and services are not appropriate to this character and are therefore not permitted in the CBD zoning district.

The purpose of this zoning district is to foster and strengthen economic vitality of Bainbridge's downtown core area while respecting and enhancing the special character of existing development. The downtown core area is a compact assembly of storefront buildings, short walkable blocks, mixed uses, pedestrian amenities, consolidated off-street parking, and on-street parking. The city's downtown is so important and significant to the city that it justifies a special set of regulations designed to protect and enhance its character as new development occurs.

**FUTURE LAND USE DESIGNATION:** Central Business District

### **Analysis**

The applicant's request to utilize the property located at 203 Shotwell St for an open air business (produce stand) is in conformity with the goals and policies of the City of Bainbridge Comprehensive Plan. Parking requirements for the proposed use are:

***"One per 250 square feet of indoor floor space plus one per 600 square feet of outdoor sales"***

Adequate space exists for parking on site (5 required) and overflow can be handled by the Broad St Public Parking Lot to the north of the property.

### **Recommendation**

Planning Staff recommend approval of the applicants conditional use request to operate an open air business (produce stand) at 203 Shotwell St.



BID TABULATION

February 17, 2023

**SUBMERSIBLE SOLIDS HANDLING PUMPS**

<u>COMPANY</u>	<u>DESCRIPTION</u>	<u>PRICE</u>	<u>TOTAL BID PRICE</u>
Goforth Williamson, Inc. Griffin, GA	3 Each New 3" Horizontal Flanged Submersible Solids Handling Pumps, with adapters, chains & shackles.	\$10,430.00	\$31,290.00
	Freight		<u>550.00</u>
	GRAND TOTAL		\$31,840.00

**ONLY SOURCE FOR THE STATE OF GEORGIA FOR THESES PUMPS**

(The city has tried to purchase different brands of pumps but have decided from issues in the past to stay with the same brand of pump that we are replacing due to having issues with the adapters on the pump and the rail system not matching up.)

Sewer 505-4460-52.2212

2) Pumps for Vada Road Lift Station #2

1) Pump for Lakewood Drive Lift Station

Award to be made to:  
Goforth Williamson, Inc.  
Griffin, GA