

REGULAR MEETING – CAIRO MAYOR & COUNCIL – APRIL 8, 2024

The April 8, 2024, Regular Meeting was called to order at 6:01 p.m. in the Council Chambers with Mayor Booker T. Gainor, IV presiding. Present were Councilmembers Demario Bryden, James H. Douglas, Timothy Gurley, Annette Higdon, and Charles Renaud. Staff Members in attendance were City Manager Julian Brown and City Clerk Dana W. Barfield. City Attorney Tom Lehman was absent from the meeting. Cairo Messenger Reporter Mesha Wind was also in attendance.

INVOCATION: The Invocation was given by Mayor Booker T. Gainor, IV.

APPROVAL OF AGENDA: Motion to approve the agenda with an addendum was made by Councilman Renaud, seconded by Councilman Byrden, and passed unanimously by all Council Members.

APPROVAL OF MINUTES:

Regular Meeting – March 25, 2024. Motion to approve the minutes was made by Councilman Douglas, seconded by Councilwoman Higdon, and unanimously approved by all Council Members.

DELEGATIONS:

SPECIAL EVENTS:

Consider Special Event/Downtown Street Closure and Parade Permit – Jennifer Jarvis, Cairo-Grady County Chamber of Commerce/Shelly Searcy, Cairo Main Street – 36th Annual Great Southern Antique Car Rally, May 10 - 11, 2024. On Friday from 7:30 pm to 11:00 pm (street to be barred at 7:00pm) there will be a Gas Light Parade followed by a Street Dance. On Saturday from 6:30 am to 6:30 pm there will be a concert, vendors, and a car display. Applicants – Jennifer Jarvis, Cairo-Grady County Chamber of Commerce/Shelly Searcy, Cairo Main Street. Councilman Gurley asked what the CPD's plans were for crowd control. Chief Santos said there usually was not a large crowd for the parade, however, they would have officers at each road closure. Motion to approve the 36th Annual Great Southern Antique Car Rally was made by Councilman Douglas, seconded by Councilman Renaud, and unanimously approved by all Council Members.

Consider Special Event/Downtown Street Closure and Parade Permit– Silvia Salgado, Mission Vision Foundation/Shelly Searcy, Cairo Main Street – Hispanic Heritage Month Celebration, September 14, 2024, from 11:00 am to 9:00 pm. (street to be barred at 7:00 am). Parade will start at 11:30 am and the route will begin at RML and end at Clark Funeral Home. Applicants - Silvia Salgado, Mission Vision Foundation/Shelly Searcy, Cairo Main Street. Motion to approve the Hispanic Heritage Month Celebration was made by Councilman Gurley, seconded by Councilwoman Higdon, and unanimously approved by all Council Members.

OLD BUSINESS:

Consider Live Streaming Council Meeting. City Manager Brown explained that at the March 25th council meeting it was approved to start live streaming meetings in May. He was asked to reach out to GMA to make sure we were following the law in regard to hold public meetings and recording them. GMA stated that cities offered live streaming to their communities for council meetings and work sessions, and according to Georgia law the recordings should be held for ninety days. The official record of all city council meetings were the approved minutes that were permanent records.

NEW BUSINESS:

PUBLIC HEARING – Conditional Use Request to allow a church as a conditional use within the Highway Commercial District (C-2) located at 76 Alton Hall Road NE; listed as County Tax Map C39B, Parcel 3. Property Owners – C. Truitt Martin, Jr., and Phil H. Alday, Applicants – Providence Point Church/Douglas Cercey. Mrs. Patricia Sanders explained to the council that the building was originally a day care facility, and they were converting the building into a non-denominational Pentecostal church and felt it would really benefit the community. The room they were planning to use as a sanctuary should be able to house about sixty people and the parking lot that was currently paved would hold about seventeen cars; with additional dirt property that they could pave if needed as they grew. Councilman Renaud asked if they had spoken with someone from the hotel across the street about possibly using their parking lot if needed. Mrs. Sanders said they had not about the church, but when the daycare was active, they allowed them to use it. Councilman Gurley asked about the alcohol license and if there would be a problem with it since they would a church or would there be a problem with future businesses in the restaurant at the hotel.

Consider Conditional Use Request to allow a church as a conditional use within the Highway Commercial District (C-2) located at 76 Alton Hall Road NE; listed as County Tax Map C39B, Parcel 3. Property Owners – C. Truitt Martin, Jr., and Phil H. Alday, Applicants –

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Providence Point Church/Douglas Cery. Motion to approve the Conditional Request for 76 Alton Hall Road NE contingent on the setback requirements for the alcohol process was made by Councilman Douglas, seconded by Councilman Renaud, and unanimously approved by all Council Members. Mr. Marcus Zipper of Tifton, GA asked how the distance would be measured for the alcohol process. City Manager Brown explained that this was something that Code Enforcement Director Brian Hayes would examine, and he would measure from door to door of each facility.

Consider Downtown Development Authority Appointment. City Manager Brown explained that there was an opening on the DDA board. At the March 20th DDA meeting the authority discussed appointing Linda Drew Johnson; the board voted unanimously to add her as the new board member and it was his recommendation to approve appointing her to the DDA board. Motion to approve Linda Drew Johnson as the new DDA Board Member was made by Councilman Douglas, seconded by Councilman Renaud. Councilman Gurley then asked if there was a list of the current members serving on the board, City Manager Brown said he emailed them to Mayor Gainor and the Mayor then read the names of current members serving, Debbie Miller, Renee Gee-Theophile, Caleb Warren, Hansell Bearden, Nola Daughtry, and Howard Thrower. Councilwoman Higdon asked if there was a limit to the number of who could serve. Mayor Gainor said that he was not sure and then asked Main Street Director Searcy to come up and explain. Main Street Director Searcy said that she did not have the by-laws with her but they did state that there were seven members on the authority. She also added that one of the reasons they chose Mrs. Johnson was because she is the chairman of the Zebulon Board of Directors; therefore, they are replacing a former Zebulon board member with her. Councilwoman Higdon stated that there would now be a couple of members from United National Bank, MSD Searcy answered yes Linda Drew Johnson and Caleb Warren. Councilwoman Higdon asked if it was possible to have made it more diversified and asked someone from a different bank to be a board member. MSD Searcy said they had thought of that but no one on the board could think of anyone that would be the right person, therefore, they asked Mrs. Johnson and mainly because she was taking over for someone on the Zebulon board and not her bank affiliation. MSD Searcy continued by stating that this was the person the board decided to appoint, and she does what they tell her to do. Councilman Gurley asked out of the members who would be coming off of the board, MSD Searcy explained that Robert Dykes would be coming off of the board, and she was the director. Councilman Gurley said his concern was that there was a possible candidate on South Broad that owned a business that could be possibly missing out on an opportunity to be working with her and the other members on the board. He went on to say that he did not know if they had reached out to the other businesses or not but did not want anyone to miss out. MSD Searcy said if there were people he could think of and would like them to be future committees to please let her know. Councilwoman Higdon said one person she could think of was Councilman Byrden's wife Christina. Councilwoman Higdon went on to say that Councilman Byrden had a business coming in downtown as well, and one of the things that troubled her was that MSD Searcy said that there was no qualified person that could take over from Robert Dykes on the board. MSD Searcy said she meant qualified from the Zebulon Board that could be placed on the DDA. Councilwoman Higdon asked if they had to be from the Zebulon Board, MSD Searcy said Robert Dykes was on the DDA Board because he was on the Zebulon Board. Councilwoman asked again if that person needed to be on the Zebulon board, with MSD Searcy answering yes. Mayor Gainor then asked if there were any more questions, with there being none, he stated that there were two previous motions in favor were there any not in favor of the motion, with there being none, the motion was passed by all councilmembers to appoint Linda Drew Johnson on the Downtown Development Authority. **(Please see Further Action Taken in Reports from Mayor and Council.)**

Consider Special Event Policy and Fees. City Manager Brown explained that at the March 25th meeting it was discussed revisiting the special event fees. He said the reason the increases occurred was because liabilities issues, a lot of communities require proof of \$1,000,000 in liability insurance; however, the council felt that would be hard for individuals to obtain, so the city tried to combat that with the city taking responsibility of the insurance and upping the fee. He went on to say that at the last meeting it was discussed the possibility of looking at different groups and ways of maybe restructuring the fees and we are open to any recommendations the council would like to give. Councilman Gurley said that he had a business ask him that if they would like to rent the park and they have their own liability insurance of \$1,000,000 and are a non-profit would they still need to pay the \$250 park rental fee. City Manager Brown explained that the way it currently reads the he nor the City Clerk have the approval to waive the park fees, but if the council would like to change it so that if someone has proof of liability coverage the fees could be forfeited or maybe changed to a regular park rental and keep the deposit since there usually is always some cleanup to be done. Councilman Douglas said he did not have a problem with that, he did not want to waive the requirement for the insurance. He said he thinks the reason all of the previous discussions went on for several months, was because of the insurance companies not necessarily wanting to sell a policy to an individual unless they were a current policy holder; so rather than making individuals have to purchase a policy the city could get it from GIRMA and include that in the fee. He said he did not have a problem with making it an option if they could provide proof of the liability insurance and making the city payable if there was an event that had to be taken care of. Councilwoman Higdon asked were we confirming that if they had their own liability insurance did they have to pay the full rental fee. City Manager Brown said that if he understood correctly that rather than charging them the \$250 we could charge them a regular park rental fee because they would be paying for the liability themselves.

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Councilman Renaud said he felt that we still needed to keep the cleanup deposit the same. City Clerk Barfield explained that the \$25 deposit was always for a key deposit because there was a problem with the key being returned; there was never really a cleanup deposit. Councilwoman Higdon asked about non-profits and if they were doing events to benefit the city, since the city does events that are not required to be paid. Councilman Renaud said he felt they should decide on a case by case basis. City Manager Brown said that would be the council's decision, he and the City Clerk would do what policy is put in place. Councilman Gurley said the event he was talking about was a blood drive for the community and this would not be an event that would be in the park until 11 or 12 o'clock at night. He said they would not be needing the bathrooms or having vendors. He then added that if an event were going to have vendors and were going to be profiting off of an event that would be something that would change an event and would change the view of it if he were approving something and felt that the fee would then need to exist. City Clerk Barfield explained that Holder Park did not have a key or key deposit that the Community Services Department came and unlocked those bathrooms for each event; the other city parks did have a key and deposit that they would pick up the day before their event. Councilman Gurley asked if they were basically booking the grounds at Holder Park, with the City Clerk answering yes. Councilwoman Higdon asked if Holder Park bathrooms were opened during the day, City Clerk Barfield said she was not sure about Holder Park, but the other city parks were opened every morning and closed at 4:00 pm in the evenings. City Manager said that we need to know what we were waiving if someone showed they had liability or were non-profit. Councilman Douglas said he felt that we needed something from the insurance company showing the city was covered, if they had that he did not have a problem waiving the rental. Councilwoman said we would do case by case with non-profits. City Clerk Barfield asked if they would need to do a park application or delegation before they came before the council. She then said they could do a delegation like Mr. Henry had previously done, Mayor Gainor said he felt like that would be the best thing. City Clerk Barfield clarified that they would complete a delegation, come before the council and explain what they wanted to do and if they were approved, they would then come the Clerk's Office the next day and complete the park application and pay the fees set by the council. All council members agreed that this was the best process and when they came to complete the application, they would also bring their non-profit forms as well.

Consider 2024 Alcohol License Renewals for SunStop Market and Punky's. Motion to approve the 2024 Alcohol License Renewals for SunStop Market and Punky's was made by Councilman Byrden, seconded by Councilman Douglas and unanimously approved by all Council Members.

REPORTS:

DEPARTMENTAL REPORTS FOR THE MONTH OF MARCH 2024.

- No comments.

REPORTS FROM CITY MANAGER:

- April 16th at 6:00 pm there will be a Downtown Rural Zone Seminar with a representative from DCA. They will be explaining different tax credits that are available to the community.

REPORTS FROM MAYOR AND COUNCIL:

- Councilman Byrden stated that on the different boards that the city has he would like to see more diversity; he had no problem with Mrs. Johnson, it just seemed like we always pulled from the same pot every time. There are a lot of businesses downtown that are minorities that could have been asked to be on the board as well as others. Mayor Gainor said that the appointment could be amended if he had a recommendation or name. Councilwoman Higdon stated that Councilman Byrden had a business coming downtown and that it would be an opportunity for his wife to be on the board, but Councilman Byrden said that was up to them not him. Councilwoman Higdon then stated that she understood Mainstreet Director Searcy say that it was a requirement that the board member had to come from the Zebulon board. Councilman Byrden explained that Robert Dykes was the former DDA member, and he was appointed from the Zebulon board, but that was not necessarily where the new member had to come from. Mainstreet Director Searcy explained that in the past there has always been a representative from the Zebulon and that was why they chose Mrs. Johnson because she was a Zebulon board member, to replace an exiting Zebulon board member. Mayor Gainor asked if the council had someone they had rather put on the board and then the by-laws on how members should be chosen. Mayor Gainor asked again if we had another name then we could amend the motion. Councilwoman Higdon then made a motion to resend the previous motion of placing Linda Drew Johnson on the DDA Board and placing Christina Byrden on the DDA Board, Tim Gurley seconded the motion. Councilman Douglas said he felt we were getting away from what was already done based on the recommendation of the DDA. If we want a change on the board it needs to be done before with the DDA.

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Councilmen Renaud and Douglas voted no, with there being a tie Mayor Gainor vote yes breaking the tie, placing Christina Byrden on the DDA Board.

- Councilman Renaud expressed his concerns about the Easter event that happened March 31st. He stated that people took over the streets, there was alcohol in the park, if an emergency had happened there was no way someone could have received help in a timely manner. He said that there needed to be some changes made immediately. Most of the people doing this were 80-90% out of towners.
- Councilman Gurley said that Community Service brought dirt to 20th Street, and he wanted to check on the status of that and also, at 1104 Brookwood Drive SE. Limbs need to be trimmed at 9th Avenue and 5th Street SE, and 7th Avenue SE. He also asked if Casa Grande could do something else with the painting on Broad Street. He said that if the council was missing anything with the special event permits they have been approving such as MLK, Easter Egg Hunt, or Juneteenth to please let them know, because they needed to hold whoever was applying for the permits accountable for them because they need to be held responsible for things going according to plan. Councilman Gurley went on to speak about individuals violating the law at the events, stating that if they need tickets then issue them, if they are illegally parked issue tickets. He said he knows we want to uphold the integrity of our city/county but if tickets need to be issued then that is what needs to happen.
- Councilwoman Higdon asked if she could have the ditches in her district cleaned and mowed, when it rained, they were starting to back up. Also, there were trees over lines in several areas. She said she also wanted to add to Councilmen Renaud and Gurley's comments about Easter Sunday, although she was out of town. She agreed that 80-90% of the people were out of towners and she did not know how we were going to come together to get those out of towners. She said that applicants knew what time their permits specified there is a set time for the event to be over and the people to be gone at that point is when law enforcement has to step in because that is the only way we are going to be able to stop it. We cannot tell people they cannot come to Cairo, so we are going to have to do something to counteract the issue, because it is not the individuals getting the permits who are the problems. She then asked Chief Santos his thoughts. Chief Santos said these events have started to get out of hand and what is happening is the person getting the permit and holds event in the park, their vendors do not setup in the park, they setup on private property. He went on to say that once the event was over, he had no authority to move people that are selling food on other business' property because they have been told by the council on previous times that they could setup and do that. What is bringing everyone here are the food vendors and they are not in the park and the event ends at 5:00 or 6:00 pm but the food vendors are still open because they have rented space from the park rental applicant who sub-divides her property and sells lots to the food vendors who are open until 11:00 pm or 12:00 am or they run out of food. That is what draws people to come to Cairo, because if you have no food then people are not going to stay long and that is also the majority of where your trash comes from, you have beer bottles and food plates and cups laying around from these food vendors. These vendors are also not regulated by the DPH, and they do not have to have any other type of permit to be there because they are coming off of a special event permit that was give by the city. He said that he has asked before that when an event was over, that all should have to leave including vendors and all, but that is not a decision he could make; like at Easter when he tried to shut it down the first thing that was said was that he could not tell them what to do they were on private property. Councilman Douglas asked if he could make them leave if they were on private property. Chief Santos said that they were selling food and they do not have a business license, which is what he always falls back on. However, the council on previous occasions have told them they could have their vendors, so there is somewhat of a catch twenty-two as long as it is understood that it is the vendors that are going to be there that day. But where the vendors are is where most of the majority of the crowds are and where everyone is going to congregate, and they are the reasons the events extend past the permitted times. He said he was not blaming the young lady the got the Easter permit, but when she does not shut down her vendors that is why there is still a draw for a crowd. Councilwoman Higdon asked if it was just her vendors, Chief Santos said it was not just hers, Tim Cleveland also had cooking going on with big scaffold signs. He went on to say that each year it gets bigger and all he has to fall back on is that they do not have a permit to sell food and their response is always that they are on private property and have permission to be there and that they have paid to be there. That is why every time a permit is submitted, he always asks if there will be vendors and what are we going to do about them; each time it is always well lets just let them be. Mayor Gainor stated if he understood correctly Chief Santos was not saying stop the vendors, but once the events time expires the vendors must leave. What is the plan to combat the issue of

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them being on private property? Chief Santos said you can always fall back on the fact that they do not have a city permit, no one else in town can set up a tent and sell food because they do not have a business license. Mayor Gainor asked what you do about people giving the food away, Chief Santos said that once the event was over everything needed to be shut down. Mayor Gainor asked when these issues happen did he feel that he had adequate staffing to handle these situations. Chief Santos responded that he did not, but it was not the type of problem where they could write enough tickets and put enough people in jail, that night we only had nine officers and not all of those were CPD. Councilwoman Higdon asked if there were any arrest made, Chief Santos answered no. She continued that on the flip side of that we did not have anyone shooting, killed, or hurting anyone and that was a blessing. Chief Santos responded that just because they did not arrest anyone did not mean that they could not have. Mayor Gainor said that public safety was the number one concern and that he could say anyone was wrong in what they are thinking or that they are right. If we have nine officers there is no way that you can arrest or give a ticket to everything that is going on, therefore, he felt the CPD should be there more so for crowd control. He went on to say that maybe we could look at some of the additional issues such as parking, extra garbage receptacles when we know these events are going to happen, which are happening around holidays. We may have to bring more officers in on the holidays, even if we have to pay overtime, which is the price we will have to pay. People are not coming on their own intuition, there are invites on social media, how about we reach out and try to communicate this message to them.

Executive Session:

 X To discuss hiring, appointing, compensating, disciplining, or dismissing an employee; (O.C.G.A. §50-14-3(b)(2)).

ADJOURN: There being no further business, a motion was made at 7:44 pm by Councilman Byrden and seconded by Councilman Douglas to adjourn the meeting.

APPROVED:

BOOKER T. GAINOR, IV

ATTEST:

DANA W. BARFIELD, CITY CLERK