

**MINUTES
MAULDIN CITY COUNCIL
SPECIAL CALLED SESSION
SEPTEMBER 4, 2014
5:30 P.M.**

Members present were Mayor Dennis Raines, Council members Scott Crosby, Bob Cook, Taft Matney, Gabe Hunter, and Dale Black. Councilman Goodson was not present due to a family obligation. City Administrator Trey Eubanks and City Attorney John Duggan were also present.

1. Call to order.- Mayor Raines
2. Consideration and action on annexation of Fire Station 2 and surrounding property (Committee of the Whole).

The City Attorney reported that the City has finalized contract to sell property at Fire Station 2, consisting of 0.24 acres. Rocky Creek Road will be closed when all real estate transactions are complete. 6 of the 8 property owners agree with this annexation. Two owners of one tract will only have a strip annexed to provide contiguity to remaining properties. There will be no taxes assessed on the strip. Zoning will stay as current. Benefits associated with annexation include; the developer will make ingress and egress improvements to fire station 2. This development will spur more growth and development. The City can plan for this growth that will adhere to our design standards if it takes place within our jurisdiction. The City's tax base and business license fee base will be expanded.

Councilman Matney asked if there will be a tax impact or impact to property. John Duggan answered no to both questions. Councilman Black asked about impact if the road would be widened in the future. John Duggan answered that if DOT widened the road they would have to pay the property owner whether or not they are in the city.

John Gardner showed a power point presentation illustrating the annexation.

3. Consideration and action on annexation on Smith Hines Road (Committee of the Whole)

Councilman Hunter made a motion to accept this annexation on first reading. Councilman Cook seconded the motion and the vote was unanimous (6-0).

4. Adjournment. – Mayor Raines adjourned the meeting at 6:15 pm..

Public Hearing called to order at 6:15 p.m.

Mr. Farmer asked for assurances that there would be no future annexation requests. John Duggan said that the city could annex the entire property under the state statutes but did not out of respect for the property owner. The City only wants to annex those property owners who want to come in.

Mayor Raines: Our goal is to get to other properties that want to receive the benefits of being annexed. In the future you would have to petition the City to be annexed. Eminent Domain is very difficult. The best case scenario for you is to volunteer to annex a strip.

Councilman Cook: Please send Mr. Farmer these minutes.

Councilman Crosby: We are only interested in the strip. One council can't bind future councils but annexation laws make it up to property owners to annex.

John Duggan: We cannot give commitment into perpetuity because one council cannot bind future councils.

Leo Joyce: Will the road closure affect businesses or residents.

John Duggan: No residential or business impact as there is redevelopment.

John Gardner: The function of Rocky Creek does not go away it just becomes internal to the development.

Public Hearing adjourned at 6:35 p.m.

Consideration and action on annexation of Fire Station 2 and surrounding property. (Committee of the Whole).

Councilman Hunter made a motion to annex the property on first reading using the 75% method. Councilman Cook seconded the motion.

Councilman Black asked if Mr. Farmer would retain ownership. Mayor Raines answered yes.

Councilman Matney said that Economic Development is important. He would have heartburn if there was negative impact to Mr. Farmer. He gave his word not to support annexation against property owners will. He supports personal property rights.

The vote was unanimous (6-0).

Adjournment: 6:40 p.m.

Respectfully Submitted,

Cindy Miller
Municipal Clerk