

MINUTES
CITY OF MCDONOUGH
CITY COUNCIL MEETING
CITY HALL-136 KEYS FERRY STREET
APRIL 18, 2016
6:00 PM

The Regular Meeting of the City of McDonough City Council was held on Monday, April 18, 2016, at 6:00 p.m.

Mayor Copeland called the meeting to order at 6:00 p.m.

The City Clerk, Ms. Janis Price called the roll as follows:

Mayor Billy Copeland	Present
Mayor Pro Tem Roger Pruitt	Present
Councilmember Craig Elrod	Present
Councilmember Benjamin Pruett	Present
Councilmember Rufus Stewart	Present
Councilmember Kamali Varner	Present
Councilmember Sandra Vincent	Present

Others in attendance were: City Administrator, Mr. Keith Dickerson; City Attorney, Ms. Leigh Hancher; City Clerk, Ms. Janis Price; Police Chief, Mr. Preston Dorsey; Fire Chief, Mr. Steve Morgan; Community Development Director, Mr. Rodney Heard; Finance Director, Mr. Mike Clark; Tourism Director, Ms. Christy Collier; Main Street McDonough Program Director, Ms. Courtney Whitman; Executive Assistant, Ms. Trisha Colpetzer; and IT Manager, Mr. Steve Sikes.

Councilmember Benjamin Pruett led the Pledge to the Flag.

Ms. Vicky Pabon from Tussahaw Elementary School sang the “Star-Spangled Banner”.

The Reverend Bert Neal, Pastor of Wesley Chapel United Methodist Church gave the Invocation.

Mayor Copeland recognized special invited guests for the meeting to include former Councilmembers Ms. Gail Notti and Mr. Mike Crawford. Mayor Copeland also recognized Ms. Courtney Whitman, the new Main Street Program Director; Ms. June Wood, Henry County

Commission Chair candidate; and Mr. Jim Pace, Candidate for Congressional Seat 3, who were also in attendance for the meeting.

Mayor Copeland called for a motion to approve the Agenda. Mayor Pro Tem Pruitt motioned, and Councilmember Elrod seconded.

Councilmember Vincent made a secondary motion to amend the Agenda to include the Overlook Subdivision discussion as Item 8A, and Councilmember Varner seconded this motion. After a brief discussion, the vote was three in favor, and four in opposition. Those voting in favor were Councilmember Stewart, Councilmember Varner, and Councilmember Vincent. Those voting in opposition were Mayor Copeland, Mayor Pro Tem Pruitt, Councilmember Elrod, and Councilmember Pruett.

Since the secondary motion failed, the vote was taken on the original motion to approve the Agenda as presented. The vote was five in favor, and two in opposition. Those voting in favor were Mayor Copeland, Mayor Pro Tem Roger Pruitt, Councilmember Elrod, Councilmember Pruett, and Councilmember Stewart. Those voting in opposition were Councilmember Varner and Councilmember Vincent.

Mayor Copeland called on City Clerk, Ms. Janis Price and Fire Chief, Mr. Steve Morgan to conduct the ceremonial burning of the satisfied note for Alexander Park. Ms. Price stated that the first payment on the Park was made in February of 2006, and the final payment was made in December of 2015.

Mayor Copeland called for a motion to make the Proclamations for McDonough Woman's Club; Confederate History and Heritage Month; and Nursing Home Week: "A Small World with a Big Heart" a part of the official Minutes for the meeting. Councilmember Stewart motioned, and Mayor Pro Tem Pruitt seconded. The vote was seven in favor.

Councilmember Varner and Councilmember Stewart recognized Ms. Gail Notti, in honor of Georgia Cities Week for her faithful service to the City of McDonough with the following remarks:

- Ms. Notti served the City for more than 18 years, and was a dedicated teacher at Henry County Middle School.
- Ms. Notti truly has a McDonough heart.
- This recognition is to honor Ms. Notti for her years of service, dedication and continued commitment to the City of McDonough.

Public Comments:

Ms. Robyn Coles-Kidd spoke to Mayor and Council regarding the Overlook Subdivision and her remarks were:

- She was a resident of Overlook Subdivision since 2002
- Promised amenities to include a pool; a basketball court; and a swimming pool.
- Properties have gone into foreclosure, and property values have declined.
- There are 413 homes on a mile stretch.
- Children have no areas for play.
- Please reconsider and relook at the issues at Overlook.
- No traffic light at Jonesboro Road to help deal with the congestion.

Mayor Copeland encouraged Ms. Kidd to contact the City Administrator to set up a meeting to further discuss the issues that she included in her discussion.

After Ms. Kidd concluded her comments, Councilmember Vincent presented a diagram and further discussed some of the issues at the Overlook site:

- Subdivision was deliberately cut off from Wesley Lakes by the City of McDonough.
- Developer went bankrupt
- City should mitigate the damage
- Detention pond is the size of a football field and is not being maintained.
- She read an August 22, 2007 email from Mr. Roger Pruitt regarding the Overlook Subdivision.

Mayor Copeland explained that the discussion regarding the Overlook Subdivision had been removed from the night's Agenda, and placed on the Agenda for the May 5, 2016 meeting. During the Mayor's comments, Councilmember Vincent exited the meeting.

12. Approval of the Consent Agenda

- A. Request by New South Construction for the City to acknowledge a potential future change order for costs that would be incurred because of delays caused by adverse weather days should the actual construction completion extend beyond the original completion date. The amount to be reserved is \$1,800 per day for 9 days = \$16,000. There would be no cost from the FY 2015-2016 budget; but if needed, funds would be paid from the FY 2016-2017 budgeted line item referred to as the URA Construction Fund.

Mayor Copeland called for a motion to approve the Consent Agenda. Councilmember Stewart motioned, and Mayor Pro Tem Pruitt seconded. The vote was six in favor. Those voting in favor were Mayor Copeland, Mayor Pro Tem Pruitt, and Councilmembers: Elrod, Pruett, and Varner. Councilmember Vincent was not present for the vote.

Finance Director, Mr. Mike Clark discussed Revenues and Expenditures of the New Courthouse Facility Projects Fund, ending March 2016.

- Total construction costs to date are \$1,248,955.
- Architect fees total \$104,138.
- Soil testing costs total \$18,143.
- The total budget for the new courthouse has been adjusted to \$4,446,703.

Unscheduled Public Comments:

(1) Ms. Shelly DeLisle commented:

- The Overlook Subdivision topic has been discussed at several previous council meetings and in social media posts.
- She asked Council to step back from the emotion and look at the facts
- The City needs to look at more than one solution for Overlook.
- What are the facts? What is the City's responsibility? What is the builder's responsibility?
- It has been determined that there is no legal responsibility of the City to provide amenities for Overlook.
- Councilmember Vincent claims there is a moral responsibility on the City to fix these community issues, which can be translated to mean that it is the taxpayers' responsibility.
- Taxpayers should not be responsible for correcting builder issues.
- Building a pocket park will not address the issues that the citizens of Overlook are experiencing, i.e.; No HOA; solving builder problems; and it may or may not contribute to crime rates in the area
- Councilmember Vincent has thrown tons of problems on the table, and has come up with only one solution for Overlook.
- It is not the City who will pay for these issues; it is the taxpayers who will pay.
- Takes issue with Councilmember Vincent's comments that any other community in the City would not face these same issues in trying to get assistance.
- Please, look at all of the issues and come up with multiple solutions.

(Councilmember Vincent returned to the meeting during Ms. DeLisle's unscheduled public comments.)

At the conclusion of Ms. DeLisle's comments, Councilmember Vincent requested that the City Administrator look into the tax dollars that have been paid by the citizens of the Overlook community.

(2) Ms. Annette O'Banion

- Ms. O'Banion identified herself as a business owner who pays taxes in the City of McDonough.

- The problems with the Overlook Subdivision are complex, and there should be more than one solution.
- Citizens have asked for an Ethics Ordinance, and that has not happened.
- Acceptable behaviors for Councilmembers at Council Meetings should be laid out clearly.
- The Overlook discussion was on the agenda for a special set meeting, and Councilmember Vincent had it removed to review legal issues.
- Wants Councilmembers to comply with Robert's Rules, abide by the decisions that were made at the Retreat, and not bully the citizens who have a differing opinion.
- Council is obligated to all taxpayers, including the business owners.

Mayor Copeland called for a motion to approve the April 7, 2016 Workshop Minutes. Mayor Pro Tem Pruitt motioned, and Councilmember Elrod seconded. The vote was six in favor. (Councilmember Varner did not vote, having been absent from the April 7, 2016 Workshop.)

There was no Executive Session at the meeting.

City Clerk, Ms. Janis Price stated to Mayor and Council that April 18 – April 22, 2016 is “Georgia Cities Week”, and said that there will be a voter registration table set up in the lobby of City Hall from 10:00 to 2:00, on Tuesday, April 19, to registered citizens to vote.

Mayor Pro Tem Pruitt stated for the record that he was not a member of the City Council in 2006 or 2007. He said that he has tried to work to find a solution to the issues in Overlook, but that only one solution has been presented by Councilmember Vincent.

Councilmember Varner also discussed some of the scheduled events for Georgia Cities Week.

Councilmember Elrod wished Councilmember Varner a belated Happy Birthday. He also thanked everyone who attended the meeting, and encouraged those in attendance to stay involved.

Councilmember Vincent discussed on her thoughts regarding the Overlook Subdivision stating:

- Pocket park will prevent any additional housing from going into the area.
- Proposed houses would prevent any type of barrier between the adjacent communities.
- The Overlook Subdivision is in the process of developing its own association to address some of the issues they are facing.
- The detention pond is the City of McDonough's issue and responsibility.
- A 20-foot drop off will continue to put future homeowners at risk
- Site should never have been approved
- Property is not good for additional houses

- Big Spring Park was paid for with Stormwater Funds as a working detention pond.

Community Development Director, Mr. Rodney Heard clarified for the homeowners and citizens at the meeting that there were two separate divisions for the Building Department and Community Development Department from 2005 to 2008.

Councilmember Vincent confirmed that the staff that was involved with the issues at Overlook are no longer employed with the City of McDonough; and that she has nothing but praise for the current staff.

Mayor Copeland recognized former Councilmembers Ms. Gail Notti and Mr. Mike Crawford for their valuable contributions to the City of McDonough, and thanked them for their continued involvement.

Mayor Copeland called for a motion to adjourn. Mayor Pro Tem Pruitt motioned, and Councilmember Stewart seconded. All stood in favor.

The meeting was adjourned at 7:06 p.m.

Janis E. Price
City Clerk

OPEN MEETINGS COMPLIANCE NOTICE: This is a regularly scheduled meeting of Mayor and Council of the City of McDonough duly noticed pursuant to the requirements of the Georgia Open Meetings Law (O.C.G.A. § 50-14-1, et seq). Notice of the meeting was published in the Henry Herald on December 30, 2015; and a copy of the meeting schedule was posted at City Hall and on the City's website, as required by law.