

MINUTES
CITY OF MCDONOUGH
CITY COUNCIL MEETING
CITY HALL – NOVEMBER 18, 2019
6:00 PM

The Regular Scheduled Meeting of the City of McDonough City Council was held on Monday, November 18, 2019, at 6:00 p.m.

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

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

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

Others in attendance were: City Administrator, Mr. Keith Dickerson; City Clerk, Ms. Janis Price; City Attorney, Mr. Jim Elliott; Police Chief, Mr. Preston Dorsey; Fire Chief, Mr. Steve Morgan; Community Development Director, Mr. Rodney Heard; City Planner, Mr. Ryan Anderson; Finance Director, Mr. Mike Clark; Technology Services Director, Mr. Steve Sikes; and Executive Assistant, Ms. Trisha Colpetzer.

Councilmember Pruitt led the Pledge to the Flag; and the Reverend Dr. Bert Neal, Pastor of Wesley Chapel United Methodist Church gave the Invocation.

Mayor Copeland called for a motion to approve the Agenda. Councilmember Pruitt motioned and Councilmember Elrod seconded. The vote was seven in favor.

6. Consent Agenda

- A. Approval of the minutes of the November 7, 2019, Workshop.
- B. Ratify a contract between the City of McDonough and the Varsity for an employee luncheon not to exceed \$3,100.00 which will be paid from the General Fund.

Mayor Copeland called for a motion to approve the Consent Agenda. Councilmember Stewart motioned and Councilmember Pruett seconded. The vote was seven in favor.

Mayor Copeland called on Ms. Janis Price, who read the Proclamation for National Hospice and Palliative Care Month and presented it to Ms. Janice Wright. Ms. Wright

took the opportunity to thank Mayor and Council, and the citizens of McDonough for their support of hospice and palliative care facilities and caregivers.

Mayor Copeland called for a motion to make the Resolution in Loving Memory of Willie B. Hatcher and the Proclamation for National Hospice and Palliative Care Month a part of the minutes of the meeting. Councilmember Stewart motioned and Councilmember Pruitt seconded. The vote was seven in favor.

8. Community Development Items

Mr. Rodney Heard

A. Case Number: 190802 Rezoning

City Council District: 2, CM Sandra Vincent

Address/Location: **200 Atlanta Street**

Petition Request: Rezoning to OI (Office Institutional) with variances pertaining to the reduction of the fifty (50') foot structure setback and twenty-five (25') foot landscape strip required by city code to fifteen (15') feet, with the exception of the footprint for existing primary structure (12.8'), accessory structure (3'), and driveway.

Existing Zoning: R-100 (Single Family Residential)

Tax Parcel ID: #M07-01001000

Land Lot(s) 124 of the 7th District .86 +/- total acres

Meetings:

MPC Workshop (11/07/19)

MPC Public Review (11/12/19)

MCC Workshop (10/22/19)

MCC Public Hearing (11/18/19)

Community Development Director Mr. Rodney Heard reviewed case number 190802, to rezone to OI (Office Institutional) with variances. The Applicant, Mr. Craig (Cory) Dickerson was in attendance for the meeting, and he addressed Mayor and Council regarding the proposed rezoning. Some of the items discussed are listed as follows:

- The request is to rezone from R-100 to OI (Office Institutional) with variances to reduce the 50-foot structure and 25-foot landscape strip to 15 feet, with the exception of the footprint for the existing primary structure (12.8'), accessory structure (3'), and driveway.
- The structure will remain residential in appearance to maintain the overall look along the corridor.
- Onsite parking should be located in the rear or side yards.
- Existing landscaping will be retained onsite.

Mr. Dickerson thanked Mayor and Council for their consideration regarding the proposed rezoning.

Councilmember Vincent verified with Mr. Heard that no objections have been received from the community regarding this rezoning. She also confirmed that there is no relationship between Mr. Dickerson and City Administrator Mr. Keith Dickerson.

Mayor Copeland opened the Public Hearing. No one spoke in favor; and no one spoke in opposition. Mayor Copeland closed the Public Hearing.

Councilmember Vincent motioned to approve case number 190802, rezoning of 200 Atlanta Street to OI (Office Institutional) with variances pertaining to the reduction of the 50-foot structure setback and 25-foot landscape strip required by City Code; and to adopt Ordinance 19-11-18001(Z). Mayor Pro Tem Varner seconded. The vote was seven in favor.

B. Case Number: 191003 Rezoning with new conditions

City Council District: 4, CM Kam Varner

Address/Location: **Avalon Court**

Petition Request: Rezoning to C-3 (Highway Commercial) with new conditions to allow for a Hotel

Existing Zoning: C-3 (Highway Commercial) with conditions per ORD #05-05-02001(Z)

Tax Parcel ID: 075-01008019

Land Lot(s) 119 of the 7th District

1.79 +/- acres of a parent tract consisting of 4.47 +/- acres

Meetings:

MPC Workshop (10/22/19)

MPC Public Review (11/12/19)

MCC Workshop (11/07/19)

MCC Public Hearing (11/18/19)

Mr. Heard reviewed case number 191003, to rezone to C-3 (Highway Commercial) with new conditions for a hotel, and to amend Ordinance 05-05-02001(Z), as follows:

- The request is to rezone to C-3 (Highway Commercial) with new conditions to allow for a hotel.
- The property is adjacent to Avalon Court in the southwest quadrant on Exit 218.
- The proposed requirements are the same that of the Homewood Suites and Marriott for landscaping, pathways, design standards, parking and signage.
- The Planning and Zoning Commission has recommended approval for this development.

The Applicant Mr. Blake Hyman was in attendance for the meeting to address Mayor and Council regarding the proposed project, as follows:

- The total investment will be between \$11,000,000 and \$13,000,000.
- The development is expected to have 108 guest rooms.
- There are currently 21 hotels in the City of McDonough, with the majority of those in District 4.

Councilmember Vincent shared concerns about the lifecycle of hotels and the fact that hotels start to change after about ten years, kindred to what happens to communities with starter homes that eventually need to be stabilized as people move out. Additionally, she said that with the issue of sex trafficking becoming so significant in recent years, she has concerns about health, safety and welfare related to developing more hotels within the same ten-mile radius.

Councilmember Stewart asked about the plans for security, pathways and lighting on the property. Mr. Hyman said the parking lot design consists of islands with light poles throughout that will remain lit at all times to ensure that there are no dark spots on the property, and there will also be a full-time onsite security staff to patrol the property on an hourly basis.

Mayor Copeland opened the Public Hearing. No one spoke in favor. Mr. Kal Pesh spoke in opposition of the proposed development, making the following comments:

- This development is not in the category of the Hilton or Marriott.
- This is in the category of being closer to a Days Inn or Super 8.
- Corporations are going to utilize high-end Marriott type facilities, not extended stay developments.
- This will not bring a positive economic benefit to the area.
- Tourism is minimal and the area is saturated with existing hotels.

There were no further comments so Mayor Copeland closed the Public Hearing.

Mayor Pro Tem Varner motioned to table case 191003, until the December 9, 2019 City Council Meeting, and Councilmember Pruitt seconded. The vote was seven in favor.

C. Case Number: 191004 City Initiated

City Council District: 3, CM Craig Elrod

Address/Location: **600 Lake Dow Road**

Petition Request: Rezoning to R-85/R-75 (Single Family Residential) with conditions and variances to correct procedural deficiency.

Existing Zoning: RA-200 (Residential Agriculture) & R-100 (Single Family Residential)

Tax Parcel ID: 122-02056000 Land Lot(s) 119 of the 7th District
35.75 +/- total acres

Meetings:

MPC Workshop (10/22/19)

MCC Workshop (*N/A per City Initiated petition*)

MPC Public Review (10/22/19 **Postponed to 10/29/19*)

MCC Public Hearing cont'd (11/18/19 per postponement from 11/07/19)

Mr. Heard reviewed case number 191004, to rezone to R-85/R-75 (Single Family Residential) with conditions and variances to correct procedural deficiency. He presented images of signage and the legal ad that was published regarding the continuation.

Mayor Copeland continued the Public Hearing in case 191004. No one spoke in favor. Ms. Penny Adams spoke in opposition of the rezoning, and made the following comments:

- The signs advertising this case were not put out until November 12, 2019, and they were very difficult to read from the street.
- Ms. Adams has researched property deeds and contracts going back 12 years.

- The wrong land lots are listed on meeting agendas between 2008 to 2019.
- Ms. Adams will be meeting with the Developer later in the week.
- I'm not against what Mr. Cooper wants to do; I am against how this is being done.
- I went to the County to get information on Land Lot 119, and was provided with the Notice of Annexation, dated August 1, 2000.
- Henry County filed an objection to the annexation on August 17, 2000; and the City of McDonough responded with a notice to cease and desist on August 30, 2000.
- Ms. Adams would like to see a walking trail constructed that would run through the Lake Dow and Bridleridge properties, and behind the Welch property.

There were no further comments during the public hearing so Mayor Copeland closed the Public Hearing.

Councilmember Elrod stated that there was previously a different rezoning that involved Blue River Development on Lake Dow Road, and that development was Barrett Farms. Since this was a city-initiated rezoning, Councilmember Elrod asked the City Attorney if the City had met all of the requirements? City Attorney Elliott responded that there was no signage requirement but that yes, the City had met all requirements. Councilmember Elrod requested of Mr. Heard to look into a better type of signage for postings on properties.

Councilmember Elrod motioned to approve Ordinance 19-11-18003(Z), in reference to case number 191004 for 600 Lake Dow Road; and Councilmember Pruett seconded.

Prior to the vote, Councilmember Pruitt commented about confusion regarding this case, and he hopes that issues like these will not come up in the future. Councilmember Elrod suggested making changes in signage that would make notices easier to read.

Councilmember Vincent shared her own confusion about the processes that led to this issue. She went on to express her frustration with the fact that citizens have shared concerns regarding this development, yet the decision of Council has been to move forward. She said she would like to see the decision postponed until there have been opportunities to further discuss and evaluate this matter.

After the comments, Mayor Copeland called for the vote. The City Clerk repeated the motion to approve Ordinance 19-11-18003(Z), in reference to case number 191004 for 600 Lake Dow Road. The vote was three in favor and four opposed. The motion did not pass. Those voting in favor were Mayor Copeland, Councilmember Elrod and Councilmember Pruett. Those voting in opposition were Mayor Pro Tem Varner, Councilmember Pruitt, Councilmember Stewart and Councilmember Vincent.

Mr. Dickerson offered an update related to SPLOST IV and SPLOST V Funds. Some of the information he shared is listed as follows:

- SPLOST IV Funds remain available for Alexander Park West and Jonesboro Road Park.
- There is no additional funding for Public Safety in SPLOST IV.
- Consider reallocating funds for McDonough Parkway to other projects since there has been no show of good faith effort to complete the project.
- There is approximately \$579,000 allocated for sidewalks, with an additional \$1.4 million for road improvements.
- There is \$500,000 allocated for the McDonough Housing Authority.
- The first two roads targeted for sidewalks are Highway 155 and Zack Hinton Parkway.
- It will be a minimum of a year and a half before we receive SPLOST V Funds from the County.
- Money can be borrowed from the General Fund or Impact Fees and repaid with SPLOST funds as they come in, in order to keep the ball rolling.

Regarding the Ordinance adopted at the previous meeting, Councilmember Vincent discussed the proposed amendment to City Code Section 8.20.02, pertaining to litter and unsightly conditions. She shared concerns related to charging an administrative fee in addition to a 12 percent annual charge for anyone who cannot pay within the 30-day time frame. She said that the City has over 26,000 residents with only two to three code enforcement officers to address the issues of monitoring litter on private property.

She shared her opinion that two to three people are not enough to serve the entire community and address all types of code related issues. She also said that the amendment does not address illegal dumping at all, which is the major complaint of citizens. She asked that the motion be reconsidered so that more work can be done to fashion the Ordinance with input from the public as well as Code Enforcement.

Councilmember Vincent motioned to repeal the amendment of Ordinance 19-11-07(B), and Mayor Pro Tem Varner seconded. The vote was two in favor and five opposed. The motion did not pass. Those voting in favor were Mayor Pro Tem Varner and Councilmember Vincent. Those voting in opposition were Mayor Copeland, Councilmember Elrod, Councilmember Pruett, Councilmember Pruitt and Councilmember Stewart.

Ms. Price presented the proposed Mayor and Council Meeting Schedule for 2020.

Councilmember Pruitt motioned to accept the Workshop and Meeting Schedule for 2020, as presented; and Councilmember Elrod seconded. The vote was seven in favor.

Ms. Price read the certified election results from November 5, 2019, as follows:

City of McDonough Councilmember at Large –

Carla Dennis received 411 votes.

Benjamin Pruett received 642 votes.

Brandon Robinson, Sr. received 361 votes.

Benjamin Pruett was elected as Councilmember at Large.

McDonough City Council, District 3 –
Craig Elrod received 520 votes.
Janice Scotchman received 266 votes.
Craig Elrod was elected to City Council, District 3.

McDonough City Council, District 4 –
Kamali Varner received 212 votes.
Teresa Wheeler received 71 votes.
Kamali Varner was elected to City Council, District 4.

The vote regarding Brunch Alcohol Sales in the City of McDonough passed with 921 votes in favor and 573 votes in opposition.

Regarding the McDonough Relocation Referendum, there were 899 votes in opposition of relocating the Courthouse and there were 580 votes in support of moving the courthouse.

Ms. Price noted that the County's Brunch Bill also passed with 9,864 votes in favor and 6,433 votes in opposition. Additionally, she shared that there were 8,601 votes in support of SPLOST V, and 7,696 votes in opposition; so SPLOST V passed.

Mayor Copeland called for a motion to approve the reading of the certified election results of the November 5, 2019, election and make them an official part of the minutes of the meeting. Councilmember Pruitt motioned and Councilmember Stewart seconded. The vote was seven in favor.

There were no public comments.

Mayor Copeland called for a motion to go into Executive Session for Real Estate, O.C.G.A. 50-14-3 (b)(1). Councilmember Pruitt motioned and Councilmember Stewart seconded. The vote was seven in favor.

Mayor Copeland called for a motion to go back into Regular Session. Councilmember Stewart motioned and Councilmember Pruitt seconded. The vote was six in favor. Those voting in favor were Mayor Copeland, Councilmember Elrod, Councilmember Pruett, Councilmember Pruitt, Councilmember Stewart and Councilmember Vincent. Mayor Pro Tem Varner did not return to the meeting after Executive Session.

There were no action items to report.

Ms. Price conveyed that the Community Development Department has requested that all appointments for Board of Zoning Appeals (BOZA) and the Planning Commission (PC) be submitted by Council prior to the December 9 meeting. She also stated that there had been no Historic Preservation Committee (HPC) meetings in 2019, due to lack of a

quorum. Councilmember Elrod asked if the HPC could be added as an agenda item for discussion at the annual retreat.

Councilmember Stewart recognized some young people who were in attendance at the meeting, and he thanked them for their recent volunteer work throughout the City.

Councilmember Elrod thanked everyone who was in attendance for the meeting, and he thanked the City staff for their continued hard work.

Mayor Copeland commented on the great progress of the new police precinct and Police Chief Mr. Preston Dorsey said that the precinct should be completed within a few weeks.

Lastly, Ms. Price reminded Mayor and Council that the Christmas Parade is scheduled for December 7, and she asked those who plan to participate to please let her know.

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

The meeting adjourned at 8:06 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 schedule was published in *Henry Herald* on December 26, 2018; and a copy of the meeting schedule was posted at City Hall and on the City's website, as required by law.