



MINUTES
CITY OF MCDONOUGH
CITY COUNCIL MEETING
CITY HALL – 136 KEYS FERRY STREET
SEPTEMBER 21, 2020
6:00 PM

The Regular Scheduled Meeting of the City of McDonough City Council was held on Monday, September 21, 2020, 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 Craig Elrod	Present
Councilmember Benjamin Pruett	Absent
Councilmember Roger Pruitt	Present
Councilmember Rufus Stewart	Present
Councilmember Kamali Varner	Arrived after the meeting began
Councilmember Sandra Vincent	Present

Others in attendance were: City Administrator, Mr. Preston Dorsey; City Attorney, Mr. Jim Elliott; City Clerk, Ms. Janis Price; Deputy Fire Chief, Mr. Dave Williams, Finance Director, Mr. Mike Clark; Executive Assistant, Ms. Euretha L. Olokodana; Police Chief Ken Noble; Public Works Director, Ronnie Thompson; Building Official, Mark Dobson; Tina Tebo and Vernita McNeil from Community Development; Steve Sikes, Technology Director, and Network Administrator, Mr. Brian Linton.

Mayor Copeland welcomed the Heard Family to the meeting as our special guests.

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

Councilmember Sandra Vincent led the Pledge to the Flag.

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

The Consent Agenda Items as follows:

Public Works

- A. Ratify the following completed work by Allsouth Constructors, INC. who performed the following emergency scope of work at the Waste Water Treatment Plant:
 - 1. Remove existing Rotor drive assembly and rotor gear.
 - 2. Demo existing concrete pedestal for the drive and Rotor bearing support.
 - 3. Drill and epoxy reinforcing bars, form & pour new concrete supports.
 - 4. Furnish & install new steel bearing plate for the Rotor bearing.
 - 5. Form & Pour 12” high concrete wall on top of existing pit wall.
 - 6. Reinstall Rotor drive motor and gear.Total expenditure of \$16,824.00 will be paid from the Waste Water Budget.
- B. Approval to allow Turnipseed Engineers to prepare the design and bid documents for the upgrade of the Turner Church Raw Sewage Pump Station.
Cost for Engineering Fees – not to exceed \$70,000.00
Cost for Inspection Fees – not to exceed \$20,000.00
These expenses will be paid from the Waste Water Budget; authorization for the Mayor to sign all related documents, and to seek bids.

Financial

- C. Approval to pay the annual fees in the amount of \$52,634.56 to Tyler Technologies for Incode Accounting Modules, Public Safety Records Management Systems, and related maintenance; budgeted in the FY 2021 Budget.

Mayor Copeland asked for a motion to approve the consent agenda items. Mayor Pro Tem Elrod motioned and Councilmember Stewart seconded. The vote was five in favor. Those voting in favor were Mayor Copeland, Mayor Pro Tem Elrod, Councilmember Roger Pruitt, Councilmember Stewart, Councilmember Vincent. Councilmember Benjamin Pruett and Councilmember Varner were not present.

Mayor Copeland again greeted Sandra, Larry, Rebecca, Ryan Heard and Dakota (fiancé of Rebecca) to the Council Meeting on this night to honor and remember Rodney C. Heard. Mayor stated that the City Clerk Janis Price would read a Proclamation, Andy Welch, an attorney in McDonough who worked very closely with Rodney, would make a presentation, then he would make some remarks and City Administrator Preston Dorsey would close our remembrance of Rodney.

Ms. Price read the Proclamation Honoring and Remembering Rodney C. Heard. A copy of the Proclamation is attached.

Mr. Andy Welch, an attorney in McDonough, stated that he had the pleasure of working with Rodney for two decades. Rodney had a vision for McDonough that you can see and feel today through its character and buildings’ façade. Rodney had a great impact and will be long remembered in the community. Mr. Welch presented the Heard Family and the City a picture which included the Proclamation just read, a picture of Rodney and

several McDonough pictures which Rodney influenced. (This picture will be hung on the third floor).

Remarks by Mayor Copeland:

“On August 10th of this year, The City of McDonough suffered an immeasurable loss with the passing of Rodney Heard. The orderly growth and redevelopment of McDonough’s commercial and residential areas over the past 20 years is largely attributable to him. Rodney enjoyed working with developers, always encouraging them to plan and execute their projects, to the highest possible level, but he never failed to ultimately have at heart the best interest of the City and held many “feet to the fire” to ensure that projects yielded first-rate results. Residents of McDonough can point with pride to South Point, the Hilton Garden Inn and other business ventures as attractive and well-planned developments, making our City the gold standard in the South-Metro area. For Rodney, his position with the City was not merely a job, but his passion. He paid close attention to every detail of plans submitted for his review, and he constantly urged developers to higher and higher standards, for both their own benefit and the benefit of the City at large. Given his degree of passion for McDonough, it is fitting and proper that his legacy be honored in an appropriate manner: accordingly, I am proud to announce that on September 16th (in a meeting that we attempted to keep as quiet and low-key as legally possible), The Mayor and Council voted to name the building in which we are gathered as the **Rodney C. Heard Municipal Complex**.

Proper signage, a portrait of Rodney, and accompanying information on his accomplishments will soon on permanent display, honoring him as he so richly deserves for the years of dedication and professionalism as the McDonough Planner extraordinaire. To his Family, we thank you for letting Rodney be an integral part our City of McDonough Family.”

City Administrator Preston Dorsey presented to the Heard Family an American flag in honor of Rodney’s service and dedication to the City. This specific flag flew over City Hall the day of Rodney’s passing, August 10th, 2020.

Councilmember Vincent remembered Rodney for his love and passion for the human and built environment he always referenced. Rodney’s love of people made him the success that he was.

Councilmember Stewart remembered Rodney as a good and very respectful person; and how he helped people on along on life’s journey.

Mayor Pro Tem Elrod remembered for his long color-coded emails and he will be greatly missed.

Mr. Larry Heard, Rodney’s father, stated how much Rodney loved the City of McDonough and that this was his life; he thanked Mayor and Council for this evening of remembrance.

Mayor Copeland called on Councilmember Vincent to present and read the Proclamation of Purple Passion Day regarding Alzheimer's and Brain Awareness in the City.

Mayor then stated that The American Legion Post of the Year Proclamation had been presented this past weekend.

Mayor Copeland asked for a motion that the three Proclamations: Honoring and Remembering Rodney C. Heard, American Legion Post of the Year and Purple Passion Day be made a part of the official minutes of tonight's meeting. Councilmember Stewart motioned and Mayor Pro Tem Elrod seconded. The vote was five in favor. Those voting in favor were Mayor Copeland, Mayor Pro Tem Elrod, Councilmember Roger Pruitt, Councilmember Stewart, Councilmember Vincent. Councilmember Benjamin Pruett and Councilmember Varner were not present.

Mayor Copeland introduced Joshua Anthony who will be interning at City Hall.

(Remembrance of Rodney has concluded and the meeting continues after a brief recess).

Mayor Copeland called on the City Attorney Jim Elliott to review the Moratorium Ordinance request. Mr. Elliott remarked that in March of this year that the Public Works Director brought concerns to Council regarding the water capacity usage in the City and a moratorium was adopted until a study of the water usage was completed. The results of the study does denote that water expansion is needed. Therefore, this Moratorium Ordinance is a continuous ordinance until this need can be addressed on new projects. Councilmember Pruitt asked about the projects which have already approved? City Attorney responded that GA Law refers to vested rights and this would be considered as vested rights, and again this moratorium addresses new projects.

Councilmembers Vincent asked about the consequences and how to address the potential over influx of projects in District 2 and District 1 since the majority of these areas receive their water from the Henry County Water Authority. It's basic supply and demand, being a consequence of this situation where more projects may be steered to the other districts where the moratorium would not be effected. Council needs to Consider this.

Mayor Pro Tem Elrod asked again about projects already approved and City Attorney stated if the project is approved and needs no further approval from Council, then that project would have vest right under case law. City Attorney stated that if there is a change of zoning or a change in conditions, then this would have to come before Mayor and Council, then this project would not have vested rights. Mayor Copeland and Councilmember Vincent asked if this moratorium adoption was postponed, did this put the City in any type jeopardy? Mayor Pro Tem Elrod asked on any new projects due to the backlog, if Council could go through the process and just not complete the final step of approval? This was the consensus to modify the Moratorium Ordinance for the process to proceed but not give the final approval until a later date. This Ordinance will be brought back to the Oct 1, 2020 Workshop Meeting for discussion and adoption.

Councilmember Varner stated that the Truck Ordinance was not completed yet that she and the City Attorney are still working it and requested that this item be brought on the October 1, 2020 agenda.

Councilmember Varner requested that the Emergency and Disaster Ordinance which was adopted in March of this year be repealed and an assessment evaluated before the next wave of the Covid-19 virus appears this fall. City Attorney stated that since this was adopted by Ordinance that a repeal would also have to be adopted by Ordinance. Councilmember Varner motioned to approve an Ordinance to repeal the Emergency and Disaster Ordinance previously adopted. Councilmember Vincent seconded the motion. Mayor Pro Tem Elrod questioned adopting an Ordinance which was not prepared and had not been reviewed by Council. City Clerk stated that the City had been involved in a court case in 2009, and that going forward it had been determined that Council would review a document before it was voted on or adopted. It was then determined that an Ordinance would be prepared and ready for the October 1, 2020 Workshop Meeting. Councilmember Varner withdrew her motion and Councilmember Vincent withdrew her second to the motion.

Finance Director Mike Clark addressed the sanitation rate increases for commercial and residential customers in the City. The City approved a contract with Republic Services in November 2018, which permitted an annual rate increase of not to exceed 3% based on the consumer price index. Also in July 2019, the State of Georgia passed a law requiring sanitation companies to collect an additional \$1.50 per ton land fill tax (previously only \$1.00 tax). So the City now pays \$2.50 per ton and will be passing this on the residential customers, it will be a 7.40% increase, which would equate to additional \$1.26 increase per month per cart. City has not passed this along to customers so we would like to pass along effective in October. Also there is a deficit in the sanitation fund account so this needs to be addressed also. One suggestion is to raise the commercial customers with an 8% increase. Councilmember Vincent suggested that the City have discussions with Republic regarding the contract. When the Covid-19 pandemic began Republic changed some service criteria; would not pick up any trash which wasn't in a trash receptacle, the City had to subsidize Republic's service, therefore the City should be able to change some criteria in the contract also. It is hard to justify a rate increase when the level of service has decreased for various reasons.

Councilmember Vincent remarked that Republic cannot get to the trash cans when cars are parked on the side of the road so the trash is not emptied. The customer will then call their district representative or City Hall to notify of this omission. This should be discussed and addressed with Republic also. Mayor Copeland asked the Finance Director to bring this item back for discussion and resolution on the October 1, 2020 agenda.

Mr. Elliott reviewed and explained about the administrative variance ordinance. Rodney Heard had recommended this and it had been discussed with counsel. A business wanted to replace their permanent sign and it didn't meet the setback requirements of the City's ordinance since the road had been widened. This ordinance would allow the variance to be granted administratively since the business owner had no recourse if the street/road was widened by the State. Mayor Pro Tem Elrod motioned to adopt this Administrative

Variance Ordinance as presented tonight so that variances may be granted when roadways are widened, and structures, and signs no longer meet existing setback requirements and Councilmember Pruitt seconded. The vote was six in favor. Those voting in favor were Mayor Copeland, Mayor Pro Tem Elrod, Councilmember Roger Pruitt, Councilmember Stewart, Councilmember Varner and Councilmember Vincent. Councilmember Benjamin Pruett was not present.

Councilmember Vincent met with City Administrator and the Public Works Director to discuss and stated publicly we should take every effort to support Department Heads and the legislation adopted by Mayor and Council regarding the maintenance of roads and grass. Councilmember Vincent wanted to stress that this is not any reflection on our staff but that our staff needs help with City maintenance; our staff works very hard. She commented that subdivisions which were required to have had Home Owners Association (HOA's) but once the development left the City, the HOA was never established so therefore some areas fall into that gray area such as maintenance in the right-a-way vs. maintenance in the subdivision. A concern is that we have asked Code Enforcement to write fines for an Ordinance we have in place and we, as a City, are not adhering to that same standard. Councilmember Vincent suggested that the City contract out more of this city maintenance since we do not have enough employees to do all of this work. She has asked City Administrator and Public Works Director to bring back recommendation to the October 1, 2020 Council Meeting.

Councilmember Vincent heard a citizen state that the public is not aware of the work which is going on in the City. Ms. Vincent stated that each councilmember should be more intentional in getting out the word of what is going on. One concern is the stop sign at Marian's Way and this must be addressed. Ms. Vincent wanted to let the public know that City officials have spoken with GDOT about this issue. Ms. Vincent suggested to have a joint neighborhood meeting to address the concerns of the citizens. Mayor Pro Tem Elrod said that Lemon Street is another hazard which must be addressed. There are growing pains with many areas of the one way pairs project and these concerns must be addressed with the proper people.

Mayor Copeland asked for a motion to approved the minutes of the September 3, 2020, Council Workshop meeting. Councilmember Pruitt motioned and Mayor Pro Tem Elrod seconded. The vote was six in favor. Those voting in favor were Mayor Copeland, Mayor Pro Tem Elrod, Councilmember Roger Pruitt, Councilmember Stewart, Councilmember Varner and Councilmember Vincent. Councilmember Benjamin Pruett was not present.

There were no Unscheduled Comments.

There was no Executive Session.

City Administrator remarked that he had just received a text from the Heards and that they appreciated all that Mayor and Council had done in remembrance of Rodney.

Mayor Pro Tem Elrod welcomed Joshua Anthony to the City, congratulated Post 516 for winning for the fourth time Post of the Year award, appreciated being invited to the parade and thanked Police Chief Noble.

Councilmember Stewart enjoyed the Post 516 parade, and was delighted to have Joshua Anthony observing at City Hall, and wanted him to “keep on keeping on.”

Councilmember Varner wanted to express “kudos” to Commander Head for his leadership for American Legion Post 516, she enjoyed the parade, and thanked everyone attending the meeting, and to Joshua, welcome and hope you learn a lot here at City Hall.

Councilmember Pruitt welcomed Joshua, thanked Preston and his Staff, and Chief Noble.

Mayor Copeland encouraged everyone to go by to meet Joshua and his Mother.

Mayor Copeland adjourned the meeting at 7:31 PM.

Janis E. Price, MMC
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 the *Henry Herald* on January 1, 2020; and a copy of the meeting schedule was posted at City Hall and on the City’s website, as required by law.