POST AGENDA
CITY OF MCDONOUGH
CITY COUNCIL MEETING
CITY HALL – 136 KEYS FERRY STREET
NOVEMBER 16, 2020
6:00 PM

1. Call to Order **Mayor Copeland**

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

2. Roll Call

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	Present
Councilmember Roger Pruitt	Present
Councilmember Rufus Stewart	Present
Councilmember Kamali Varner	Present
Councilmember Sandra Vincent	Present

Others in attendance were: City Administrator, Mr. Preston Dorsey; City Attorney, Mr. Jim Elliott; City Clerk, Ms. Janis Price; Police Chief, Mr. Ken Noble; Finance Director, Mr. Mike Clark; Public Works Director, Mr. Ronnie Thompson; Executive Assistant, Ms. Euretha L. Olokodana; and Network Administrator, Mr. Brian Linton.

3. Approval of the Agenda

Mayor Copeland called for a motion to approve the Agenda with the postponement of Items 8A and 8B, and the addition of Item F under the Consent Agenda for the approval to spend approximately $30,100, for personnel services; and this budgeted item will be paid from the General Fund. Councilmember R. Pruitt motioned and Councilmember Stewart seconded. The vote was seven in favor.

4. Pledge to the Flag

Councilmember Roger Pruitt led the Pledge to the Flag.

5. Invocation

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

6. Consent Agenda

Community Development

A. Approval to purchase a 2021 Chevrolet Silverado 1500 (Double Cab) Work Truck for the Code Enforcement Department at a cost of $26,850.00 plus any tag and title cost and will be paid from the Code Enforcement Budget.

Finance

B. Approval and adoption of a Budget Amendment Resolution to amend the FY 2020-2021 Budget for approved transactions in the various funds.

Public Works

C. Approval to surplus the following items from the Street Department:

TORO 5000 mower
2001 Ford F-250 1FTNW20L71EC05359 - 118,370 miles
2005 Chevrolet Silverado C1500 - over 120,000 miles
Bobcat A300 Turbo Skid steer
2001 Ford F-650 Super Duty Chipper Truck - 89,274 miles
Grasshopper lawn mower

D. Approval to allow Sol Construction, LLC. to construct one new simplex booster pump at the Richard Craig Park Water Tank, adoption of the resolution sanctioning this action/details, and authorization for the Mayor to sign all related documents. The cost will be $91,000 and will be paid from the Water Treatment Plant Budget.

E. Approval to move forward with the 2019 and 2020 Henry County CDBG program. Public facilities improvements to the sidewalks and storm drains on Doris Street and Cherry Street. Also, approval to seek sealed bids and authorization for Mayor to sign all related documents. There will be $200,000.00 Grant provided from the Henry County Community Development Block Grant Program however the City has no cost occurrence to match financially to receive the grant.
However, The City requests approval to supplement any additional cost associated with the project with SPLOST IV funds. (Sidewalk Connectivity)

Mayor Copeland called for a motion to approve the Consent Agenda with the addition of Item F. Councilmember Stewart motioned and Councilmember R. Pruitt seconded. The vote was seven in favor.

7. Discussion/Update of Boys and Girls Club - Ms. Connie Baptiste, Chairman Resource and Marketing Committee

Ms. Connie Baptiste, Chairman of the Resource and Marketing Committee offered an update regarding the Henry County Boys and Girls Club. She noted that COVID-19 has slowed down some of the work, but the renovations are continuing. Ms. Baptiste thanked

Mayor and Council for their continued support of the program, and she offered to answer any questions they might have about the project. Some discussion ensued.

8. Community Development Items **Mr. Eric Pitts**

A. **Case Number: 190205 (Annexation & Rezoning)**

City Council District 3: CM Craig Elrod
Address/Location: Campground Road
Petition Request: General Holdings Unlimited, LLC - Campground Road Development
Request: To annex and rezone property to R-75 (Single Family Residential), via Residential Group Project (RGP) development guidelines - *City*.
Existing Zoning: R-1 (Single Family Residential) - *County*
Tax Parcel ID(s): 104-01065000, 104-01066000, 10401066001, 104-01066002, 104-01067000, 104-01067001, 104-01067002, and a portion of 104-01055000
Land Lot(s): 57, 58, & 72 of the 7th District
183.18 +/- total acres per assembly of identified tract
MPC Workshop (2/11/20) MPC Public Review (9/15/20*)*
MCC Workshop (3/5/20) MPC Public Review (9/15/20*)*
MCC Public Hearing (10/19/20*)*
Vote (11-16-20)

This item was postponed at the request of the Applicant, until the December 14, 2020 Council Meeting.

B. Case Number: 190302 (Rezoning)

City Council District 3: CM Craig Elrod
Address/Location: North Racetrack Road & East Travis Dr.
Petition Request: Blue River Development for Symphony Park
Request: To rezone property from RA-200 (Residential Agricultural) to R-50 (Single Family Residential), RTD (Residential Townhouse District), RM-75 (Multi-Family Residential) and 1.5 +/- acres allocated for development of a Public Safety Facility.
Existing Zoning: RA-200 (Residential Agricultural) with conditions per ORD #04-09-13001(A)(Z)
Tax Parcels ID(s): 107-01034000, #107-01001000 & #107-01034001)
Land Lot(s)153 of the 7th District 107.88 +/- total acres
<u>To Be Postponed until the December 14, 2020 Council Meeting.</u>

This item was postponed at the request of the Applicant, until the December 14, 2020 City Council Meeting.

C. Case #200505 (Rezoning)

District 2, CM Sandra Vincent
Keith Bowman (125 Hampton St. Project/Bowman's HVAC)
Address: 125 Hampton Street
Request: To rezone property to O-I (Office Institutional)

Zoning: RM-75 (Multi-Family Residential)
Land Lot(s) 133 of the 7th District
0.5017 +/- total acres
MPC Workshop (10/13/20) MCC Workshop (11/5/20)
MPC Public Review (11/10/20*) SPECIAL CALLED*
MCC Public Hearing (11/16/20*)*

Mr. Eric Pitts with the Community Development Department reviewed the request in case Number 200205, to rezone from RM-75 (Multi-Family Residential) to O-I (Office Institutional). He noted that the staff recommendation is for approval of the request. Additionally, he said that The Planning Commission voted unanimously on November 10, 2020, to approve the rezoning request.

The Applicant, Mr. Keith Bowman was in attendance for the meeting, and he addressed Mayor and Council regarding the rezoning. Discussion ensued. Councilmember Vincent verified for the record that Mr. Bowman plans to maintain the integrity of the site as well as make improvements and add landscaping to the property. Mr. Bowman agreed that there is no plan to change the look of the property.

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 the rezoning in case number 200505, from RM-75 (Multi-Family Residential) to O-I (Office Institutional); and to approve the adoption of Ordinance Number 20-11-16001(Z). Councilmember B. Pruett seconded. The vote was seven in favor.

D. Case #200506
District 2: CM Sandra Vincent
Shahnaj Parvin for Theami Montessori School & Daycare
Address: McDonough Pkwy. & Ivey Edwards Lane
Request: To rezone property to C-2 (Central Commercial).
Zoning: PUD/R-50 (Planned Unit Development/Single Family Residential) with conditions per Ordinance #03-12-290003.
Land Lot(s) 100 of the 7th District
3.59 +/- total acres (Parent Tract 6.159 +/- acres)
MPC Workshop (10/13/20) MCC Workshop (11/5/20)
MPC Public Review (11/10/20*) SPECIAL CALLED*
MCC Public Hearing (11/16/20*)*

Mr. Pitts reviewed case number 200506, to rezone property from PUD/R-50 (Planned Unit Development/Single Family Residential) with conditions, to C-2 (Central Commercial), for the operation of a school and daycare. He said that the staff recommends approval of the rezoning, and the Planning Commission voted unanimously to approve the rezoning on November 10, 2020.

The Applicant, Ms. Shahnaj Parvin was in attendance for the meeting, and she addressed Mayor and Council regarding the rezoning.

Mayor Copeland opened the Public Hearing. Ms. Sophie Fortune and Mr. Brian River spoke in favor. Mr. Fred Shellnut spoke in opposition. Mayor Copeland closed the Public Hearing.

Councilmember Vincent motioned to approve the rezoning in case number 200506, from PUD/R-50 to C-2, per the conditions in Ordinance 03-12-29003, and to adopt Ordinance 20-11-16002(Z). Councilmember Stewart seconded. The vote was seven in favor.

E Case # 200703
District 2: CM Sandra Vincent
Brent Benson for Highway 42 Townhomes
Address: Hwy. 42 N. & McDonough Pkwy.
Request: To rezone property to RTD (Residential Townhouse District).
Zoning: C-3 (Highway Commercial) with conditions per Ordinance #03-12-290003(A)(Z) & #03-12-290004(A)(Z)
Land Lot(s) 93, 100 & 101 of the 7^{th} District
6.49 +/- total acres
MPC Workshop (10/13/20) MCC Workshop (11/5/20)
MPC Public Review (11/10/20*) SPECIAL CALLED*
MCC Public Hearing (11/16/20*)*

Mr. John Palmer with Falcon Design and the Applicant Mr. Brent Benson were in attendance for the meeting. Mr. Palmer addressed Mayor and Council regarding some proposed changes to the project that include additional parking and an emergency access point.

Mr. Eric Pitts reviewed the request to rezone from C-3 (Highway Commercial) with conditions, to RTD (Residential Townhome District, in case number 200703. He noted that the staff recommendation was for approval; however, at the Planning Commission Meeting on November 10, 2020, Mr. Reeves offered a motion to deny the request, and Mr. Head seconded. The motion for denial passed with a vote of four members in favor and two in opposition. Discussion ensued.

Councilmember Vincent stated that she would like to move forward with the Public Hearing as scheduled; however, since she has received some last-minute requests for meetings regarding the proposed development, she asked that the vote be deferred until the December 14, 2020 City Council Meeting. The City Attorney clarified that a final decision must be rendered within 60 days after the final Public Hearing; however, the Public Hearing should be held during the meeting, as it was advertised.

Mayor Copeland opened the Public Hearing. No one spoke in favor. Ms. Vanessa Thomas spoke in opposition. Mayor Copeland closed the Public Hearing.

The vote regarding case number 200703 will be taken at the December 14, 2020 City Council Meeting.

E. Case # 200901
District 3: CM Craig Elrod
Pulte Group for Barrett Farms
Address: Lake Dow Rd.
Request: A zoning condition modification to allow a reduction in the required minimum square footage from 2200 square feet to 1700 square feet pertaining to house plans.
Zoning: R-75 (Single Family Residential) with conditions per ORD#19-05- 02001(A)(Z)
Land Lot(s) 138 of the 7th District
62.21 +/- total acres
MPC Workshop (10/13/20) MCC Workshop (11/5/20)
MPC Public Review (11/10/20*) SPECIAL CALLED*
MCC Public Hearing (11/16/20*)*

Mr. Pitts reviewed the request for a zoning condition modification to allow a reduction in the required minimum square footage from 2,200 square feet to 1,700 square feet, in case number 200901. Mr. Rick Martin with Pulte Group was in attendance on behalf of the Applicant, and he addressed Mayor and Council regarding the proposed modifications to the development. Discussion ensued.

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

Mayor Pro Tem Elrod motioned to approve the zoning modification for case number 200901, to allow a reduction in the required minimum square footage from 2,200 square feet to 1,700 square feet, with no more than ten units at the reduction of 1,700 square feet, per the conditions of Ordinance 19-05-02001(A)(Z); along with the adoption of Ordinance 20-11-16004(Z)(M) with conditions, and adding the reduction size at 1,700 square feet to no more than ten units. Councilmember Varner seconded. The vote was six in favor and one voted no. The motion passed. Those voting in favor were Mayor Copeland, Mayor Pro Tem Elrod, Councilmember B. Pruett, Councilmember Stewart, Councilmember Varner and Councilmember Vincent. Councilmember R. Pruitt voted in opposition.

Mayor Pro Tem Elrod motioned to amend his previous motion to include approval of the request to add the loft with or without a restroom that does not extend over the garage and still be considered a single-family home, and Councilmember Stewart seconded. The vote was six in favor and one no vote. The motion passed. Those voting in favor were Mayor Copeland, Mayor Pro Tem Elrod, Councilmember B. Pruett, Councilmember Stewart, Councilmember Varner and Councilmember Vincent. Councilmember R. Pruitt voted in opposition.

9. Financial Update of Revenues and Expenditures of General Fund, Hotel/Motel, SPLOST funds **Mr. Mike Clark**

Finance Director Mr. Mike Clark gave an update of Revenues and Expenditures of the General Fund, Hotel/Motel and SPLOST Funds, for the three months ended September 30, 2020. Some of the items he reviewed are listed below:

- Revenues in the General Fund totaled $4,313,446, as of September 30, 2020.
- Expenditures from the General Fund totaled $3,760,109, as of September 30, 2020.
- Excess Revenues over Expenditures the General total $553,337.
- The Cares Act Grant for Covid-19 to the City of McDonough totaled $1,401,243.
- Total Revenues for the current year exceed the previous year by $1,656,674.
- Hotel/Motel Tax Fund Revenues totaled $382,900.
- Hotel/Motel Tax Fund Expenditures totaled $382,900.
- The County is currently collecting SPLOST V Funds of approximately $3.6 million per month.
- The City could begin receiving SPLOST V Funds as soon as March 2021.

10. Discussion of "Creation of Downtown Entertainment District and vote **Mayor Pro Tem Craig Elrod**

Mayor Pro Tem Elrod discussed the creation of a Downtown Entertainment District for the City of McDonough, which would relax some of the open container laws within that specified district. He said that McDonough is in direct competition with other local cities who have already successfully passed similar measures. Some of the items he discussed are listed as follows:

- Proposed hours for the Entertainment District would be Monday through Saturday, from 6:00 p.m. until 11:00 p.m.
- This is an economics tool for some of our current business owners to keep the doors open and keep people employed.
- This could be an opportunity to attract new businesses to downtown, as well.
- This is about allowing people the choice to move freely around the area.
- This will not change any other laws; being drunk in public is and will continue to be illegal.
- Consider adding a designated drop-off and pick-up spot for ride shares and Ubers.
- Mayor Pro Tem Elrod suggested using the green space on the old Mainstreet District Map to establish the initial boundaries for an Entertainment District.
- The City Attorney has added language to ensure that this Ordinance will not override any Park Ordinance.

Discussion ensued. Councilmember Vincent shared her continued support of the Merchants and citizens alike; however, she said that she would have liked for there to be more community conversations on this topic. She shared concerns over developing an Entertainment District around the square, since alcohol is prohibited in the park. She also cited concerns related state laws that prohibit the sale of alcohol within a specific proximity to churches and schools. She said that the boundaries as shown on the Mainstreet Map were originally the boundaries for the Urban Redevelopment Area (URA) and includes residential properties. In closing, she said that more discussion should take place and include the citizens and business owners that will be impacted.

Mr. Elliott clarified that the state law in Title 3 that Ms. Vincent referenced places prohibitions on package stores to sell alcohol in certain proximity of schools and churches, and not to consumption on premises. Councilmember Vincent shared concerns that that the proposed district includes churches and schools, and Mayor Pro Tem Elrod said that the alternate green space boundaries that he has proposed will not include any churches. Councilmember Vincent requested a map that clearly delineates the proposed areas and identifies the boundaries that are to be considered an Entertainment District.

After further discussion, Councilmember Vincent requested that the City send notices to the businesses and affected neighborhoods with a copy of the Ordinance attached, and allow a 30-day period for those people to offer feedback regarding an Entertainment District; so that we can ensure that we have done the proper due diligence on this matter.

Mayor Pro Tem said that he would like to see the matter come to a vote, as it was on a previous meeting agenda for discussion. He said he does not believe that the green area on the map includes any residential neighborhoods and there has already been a tremendous amount of input on this matter.

Councilmember Vincent said that her objections have been stated in an email, and she believes Councilmembers Varner and Stewart have also provided feedback. Alternatively, she asked that there be a two-week public comment period to allow for more input from citizens. Discussions continued. Mayor Pro Tem Elrod said that the citizens he represents have asked that he bring this matter before Mayor and Council for a vote, so he would like to see it resolved one way or another.

Mayor Pro Tem Elrod motioned to approve the Ordinance presented to create a Downtown Entertainment District that includes the green-shaded area on the attached map, and will become effective on February 1, 2021; and Councilmember R. Pruitt seconded.

Discussion ensued. Councilmember Vincent said that the public needs a proper map to know specific information about the boundaries of the proposed district and what businesses are included in the area.

After the discussion, Mayor Copeland called for the vote. The vote was three in favor and four in opposition. The motion did not pass. Those voting in favor were Mayor Pro Tem Elrod, Councilmember B. Pruett and Councilmember R. Pruitt. Those voting in opposition were Mayor Copeland, Councilmember Stewart, Councilmember Varner and Councilmember Vincent.

Councilmember Vincent said that the public has expressed an interest in having an Entertainment District; however, the map as shown includes the square, which is a park. She said she would like to develop a map that accurately depicts the area that will be considered for the proposed district, so the public can be clear on what is being proposed.

11. Review and Approval of the 2021 City Council Meeting Schedule **Ms. Janis Price**

The City Clerk Ms. Janis Price reviewed the proposed 2021 City Council Meeting Schedule. Mayor Copeland called for a motion to approve the 2021 Schedule for City Council Meetings and Workshops, as presented. Councilmember R. Pruitt motioned and Councilmember Stewart seconded. The vote was seven in favor.

12. Approval of the minutes for the November 5, 2020 Workshop.

Mayor Copeland called for a motion to approve the Minutes of the November 5, 2020 Workshop. Councilmember R. Pruitt motioned and Councilmember Stewart seconded. The vote was six in favor. Those voting in favor were Mayor Copeland, Mayor Pro Tem Elrod, Councilmember B. Pruett, Councilmember R. Pruitt, Councilmember Stewart and Councilmember Vincent. Councilmember Varner did not vote, as she was not present for the November 5, 2020 Workshop.

13. Unscheduled Public Comments

(1.) Ms. Katie Bell
(2.) Ms. Vanessa Thomas
(3.) Mr. Knight
(4.) Mr. Eddie Smith

14. Executive Session (if needed) for: **Litigation O.C.G.A. 50-14-2**
Real Estate O.C.G.A. 50-14-3 (b)(1)
Personnel O.C.G.A. 50-14-3 (b)(2)

No Executive Session was held.

15. City Administrator, City Attorney, and City Clerk Comments

16. Councilmembers and Mayor Comments

17. Adjournment

Mayor Copeland adjourned the meeting at 8:54 p.m.

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.