



MINUTES
CITY OF MCDONOUGH
CITY COUNCIL ORGANIZATIONAL MEETING
CITY HALL – 136 KEYS FERRY STREET
JANUARY 4, 2021
6:00 PM

The Organizational Meeting of the City of McDonough City Council was held on Monday, January 4, 2021, 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	Present (via telephone)
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; Finance Director, Mr. Mike Clark; and Network Administrator, Mr. Brian Linton.

Mayor Copeland called for a motion to approve the Agenda, with the postponement of 6B, 11B, 11C, and 11D. Councilmember Stewart motioned and Councilmember R. Pruitt seconded. The vote was seven in favor.

Councilmember R. Pruitt led the Pledge to the Flag; and Councilmember Varner gave the Invocation.

6. Consent Agenda
Administrative

A. Appointees to the Planning Commission, Board of Zoning Appeals and Historic Preservation Commission:

	<u>PC</u>	<u>BOZA</u>	<u>HPC</u>
Billy Copeland	Terri O'Quinn	Reid Burch	
Craig Elrod	Terry Ellington	Charles Piersaul	
Benjamin Pruett	Matt Cardoza	Troy Hitt	Jordan Van Matre
Roger Pruitt	Scott Reeves	Kaye Shipley	Lisa Walston
Rufus Stewart	Calvin McClenden	Brenda Goodman	
Kam Varner			Sylvia Holmes
Sandra Vincent	Yolanda Williams	Samuel Humphrey	

B. Approval of the November 16, 2020, City Council Meeting minutes

- C. Approval of the Ordinance 21-01-04 (A) resulting from the electorate of the City of McDonough approving by referendum the extended hours of Sunday sales of alcoholic beverages for consumption on premises.

Community Development

- D. Approval to extend the contract with Keck & Wood at the original January 2020 rates for services/reviews in the Community Development Department until July 31, 2021; authorization for the Mayor to sign the extended agreement.

Finance

- E. Approval of a Budget Amendment Resolution to amend the FY 2020-2021 Budget for approved transactions in various funds.
- F. Approval of a Budget Amendment Resolution to amend the FY 2019-2020 Budget for Approved transactions in various funds.

Public Safety

- G. Approval to purchase 750 Smoke/Carbon Monoxide Combo Detectors and 120 Bed Shaker Alarms to be distributed to City residents; at a cost of \$44,330.00 and will be paid from the Fire Prevention & Safety Grant funds.

Public Works

- H. Approval to allow Turnipseed Engineers to provide engineering services for the Water Treatment Plant upgrades as recommended as short term projects by Turnipseed Study in April 2020; authorization for the Mayor to sign all related documents; upon completion of the engineering, authorization to seek sealed bids. The estimated cost will be as follows:
 - \$292,500.00 or completion, based on the total estimated cost of the short term projects listed at \$4,535,000.00
 - Inspection fees billed at cost times multiplier of 1.8 or typically \$75.00 to \$85.00 per hour
 - Mileage rate at \$0.58 per mile.Funded by the Water Treatment Plant Budget.
- I. Approval to allow Turnipseed Engineering to provide engineering services for Kalves Creek sewer upgrades based on the May, 2020 study; authorization for the Mayor to sign all related documents, upon completion of the engineering, authorization to seek sealed bids. The estimated cost will be \$54,000.00 or completion and will be funded by Sewer Maintenance Collection funds.
- J. Approval to take over the street lights for Arnold Estates Subdivision consisting of 18 lights at an estimated cost of \$340.00 per month per City Code of Ordinances, Ordinance 04-12-20, Sec. 16.16.320.
- K. Approval of a contract between The City of McDonough and Sol Construction, LLC for Richard Craig Park Booster Pump Station in the amount of \$91,000.00 which will be paid from the Water Treatment Plant Budget; authorization for the Mayor to sign contract and related documents.

Technology Services

- L. Approval to sell the following obsolete items, out of service, on GovDeals
 - 1ea Ricoh copier
 - 1ea Konica Minolta copier
 - 1ea IBM 6400 Line Printer (uses greenbar paper)
 - 1ea Enclosed rack for 19" rackmount equipment
 - 1-lot of Nortel Phone system equipment (includes system controllers, power supplies, cable harnesses & x number of phones)
 - 1-lot of IBM AS400 Server equipment (includes server, green screen monitor, coaxial cabling & manuals).
 - 1-lot of Dell laptops (6)
 - 1-lot of Dell desktops (5)

1ea HP Laser Jet 9050DN Printer
1ea Acroprint Time Q + (time clock)
1ea Lanier Copy Machine
1ea Panasonic Tape Recorder
1ea Russound Power Amplifier
1ea Tascam CD Professional
1ea Shure Microphone Mixer

M. Approval to renew the Civic Clerk Agenda Management software program at an annual cost of \$12,000.00 and will be paid from the General Fund.

N. Approval of payment of \$19,425.00 from the General Fund for the Neptune 360 SAS which is the water meter reading system.

Mayor Copeland called for a motion to approve the Consent Agenda with the addition of Darien Cates as the Appointee from Mayor Pro Tem Elrod to the Historical Preservation Committee and the postponement of Item 6B. Councilmember R. Pruitt motioned and Mayor Pro Tem Elrod seconded. The vote was seven in favor.

Mayor Copeland called for nominations for Mayor Pro Tem, for 2021. Councilmember R. Pruitt nominated Councilmember Craig Elrod to serve as Mayor Pro Tem for 2021, and Councilmember Varner seconded. The vote was six in favor and one abstention. The motion passed. Those voting in favor were Mayor Copeland, Councilmember B. Pruett, Councilmember R. Pruitt, Councilmember Stewart, Councilmember Varner and Councilmember Vincent. Mayor Pro Tem Elrod abstained.

Mr. Eddie Smith addressed Mayor and Council regarding Tax Collections. Some of the topics he discussed are listed below:

- State law allows the Henry County Tax Commissioner to keep a portion of local tax dollars for his or her personal use.
- From 2011 to 2020, the Henry County Tax Commissioner's Office has kept \$629,000 of taxpayer dollars for personal use.
- If the Service Delivery Strategy Agreement (SDS) with the County is still pending, can this be negotiated for a lower percentage?
- In 2020, the Henry County Tax Commissioner took \$89,409.00 from taxes collected from the citizens of McDonough.

Mayor Copeland thanked Mr. Smith for bringing this matter to the attention of the Council and to the public. Discussion ensued. Councilmember Vincent asked that the City Administrator provide Mayor and Council with the statutes and the definition of personal use, to offer more clarification on the use of these funds. She also requested information about how long this practice has been in existence.

Mr. Smith read a portion of the law from the Georgia Code, Title 48-5-35 359.1, which allows for a Municipality to contract with the County Tax Commissioner to prepare the Tax Digest, assess and collect Municipal taxes. He noted that there is no reference as to what the amount is or should be that is collected by the Tax Commissioner for personal use. Discussion continued.

9. Proclamations

Epilepsy Awareness Month
School Heroes in Henry County School Day
Dr. Geraldine Helton Day

Mayor Copeland called for a motion to make the Proclamations for Epilepsy Awareness Month, School Heroes in Henry County Schools Day and Dr. Geraldine Helton Day a part of the official minutes of the meeting. Councilmember Stewart motioned and Councilmember R. Pruitt seconded. The vote was seven in favor.

Finance Director Mr. Mike Clark introduced Mr. Bill Ross with Ross & Associates, who presented a draft of the Capital Improvements Element (CIE) 2020 Annual Update. Mr. Ross stated that the Department of Community Affairs requires the City to submit an annual report that includes a Financial Statement based on the last fiscal year and an update to the Community Work Program and the five-year plan for Impact Fee Projects.

Mr. Ross discussed that the State requires that a Public Hearing is held in order to transmit the Annual Report to the Atlanta Regional Commission (ARC) for review. Once the State provides an approval, it will come back to Mayor and Council for adoption. Mr. Ross will also be in attendance on January 19, 2021, for the scheduled Public Hearing.

11. Community Development Requests

Mr. Eric Pitts

A. Administrative Variance Request

Applicant: Tim McKinley on behalf of Heatherland Homes, LLC.

CC District: 3 - Mayor Pro Tem Craig Elrod

Development/Project: Cameron Manor (501 Gregs Place, Lot 95)

Request(s): A two (2') foot front setback & three (3') foot rear setback

CDD Recommendation: Denial (Refer to 11/19/2020 stamped documents)

City Code Section(s): 17.96.020 (NOTE: There is already an existing Mayor and City Council

Variance on the property per ORD#06-12-18001(ZM) pertaining to setbacks.

Ms. Tina Tebo, Executive Assistant to the Community Development Director reviewed the Administrative Variance Request. Ms. Tebo stated that the recommendation is to deny the request, as there is already an existing Mayor and City Council Variance on the property, per Ordinance 06-12-18001(ZM) pertaining to setbacks.

Mayor Copeland called for a motion to support the denial of the Administrative Variance for Cameron Manor (501 Gregs Place, Lot 95). Councilmember R. Pruitt motioned and Mayor Pro Tem Elrod seconded. The vote was seven in favor.

B. Preliminary Plat Review

Barrett Farms (Lake Dow Rd.)

Zoned: R-75 (Single Family Residential) with conditions per ORD #19-05-02001(A)(Z)

This item was postponed when the meeting agenda was approved.

C. Case Number: 190205 (Annexation & Rezoning)

City Council District 3: Mayor Pro Tem 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)
MCC Public Hearing (10/19/20) *POSTPONED*
MCC Public Hearing (11/16/20) *POSTPONED*
MCC Public Hearing (12/14/20) (Meeting Cancelled)

This item was postponed at the request of the Applicant.

D. Case Number: 190302 (Rezoning)

City Council District 3: Mayor Pro Tem 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
MPC Workshop (9/15/20) SPECIAL CALLED
MPC Public Review (10/13/20)
MCC Workshop (10/1/20)
MCC Public Hearing (10/19/20) *POSTPONED*
MCC Public Hearing (11/16/20) *POSTPONED*
MCC Public Hearing (12/14/20) (Meeting Cancelled)

This item was postponed at the request of the Applicant.

E. Case # 200703

District 2: Councilmember 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 7th District
6.49 +/- total acres
MPC Workshop (10/13/20)
MPC Public Review (11/10/20) *SPECIAL CALLED*
MCC Workshop (11/5/20)
MCC Public Hearing (11/16/20)
MCC Vote (12/14/20) (Meeting Cancelled)
MCC Vote (1-4-21)

Councilmember Sandra Vincent stated that she has met with the Developer for the project to share some concerns that the community has expressed relative to the project. She said that the City Attorney is currently looking at some of those concerns; therefore, the vote on this matter will be postponed until the

January 19, 2021 Council Meeting. The Developer, Mr. John Palmer was in attendance for the meeting, and he addressed Mayor and Council regarding some of the challenges for the project, stating:

- We've done our best to try to address the challenges.
- We have created two off-street parking areas on either side of the community.
- These are two-car garage units with setbacks farther from the road.
- This will be a Property Owners Association Community with covenants and restrictions.
- This will not be a rental community; these will be a fee simple, for sale residences.

Councilmember Vincent discussed some of the items that she would like to have included in the covenant process for a final plat to help address the issues of Homeowners Associations (HOA), as follows:

- The City should receive a copy of the covenants from the HOA.
- There would be an annual registration wherein the HOA would provide Community Development with information on where they are in the process.
- Is there a possibility for us to integrate the detention pond as a part of the proposed playground, to add an amenity for older children such as a walking trail?

Discussion continued. This item will be brought back before Mayor and Council for consideration at the January 19, 2021 City Council Meeting.

Mayor Pro Tem Elrod discussed the development of an Entertainment District, and he presented a revised map for consideration. He reiterated that this would be an economic tool for the business owners in McDonough. He also noted that there has been language added to the Ordinance that provides for a one-year probation period, which would have to be renewed or dissolved by the Council. Discussion ensued.

Councilmember Varner suggested that McDonough Main Street Program should be the entity to provide the cups designated for the Entertainment District, since they are a part of the City. Mayor Pro Tem Elrod said he would be happy to make that change from the McDonough Tourism Department in the proposed Ordinance.

Councilmember Vincent reiterated her recommendation that churches, court buildings and residential areas not be included the boundaries for the Entertainment District. Mayor Pro Tem Elrod acknowledged Councilmember Vincent's recommendations; however, he said he did not believe it was feasible. Discussions continued. Mayor Pro Tem requested that the Ordinance set out that churches, government buildings and residentially zoned properties are excluded from the Entertainment District; and the City Attorney agreed.

Mayor Pro Tem Elrod motioned to approve a new Ordinance that would allow for consumption of alcohol on City rights of way with the following provisions: the possession is unlawful except as provided in paragraph B of the Ordinance. Paragraph B provides that within a Downtown Development District as defined on a map, the possession of alcoholic beverages on properties of churches, governmental buildings or residentially zoned property or on the adjacent right of way of any of those is prohibited. Paragraph 2 provides that any party holding a license to sell alcoholic beverages within the District can sell one beverage in a cup purchased from the McDonough Main Street Program; and provide further that licensing may dispense no more than one beverage per person, and no person can remove more than one beverage from the premises; that the cup shall not exceed 16 fluid ounces in size; and that the possession of alcoholic beverages is lawful only on Mondays through Saturdays, between the hours of 12:00 noon and 11:00 p.m.; further providing that the Ordinance shall become effective on February 1st of 2021, and shall lapse unless renewed on February 1st of 2022. Councilmember R. Pruitt seconded.

Prior to the vote, Councilmember Vincent requested that the map be amended to reflect the changes initiated tonight. The vote was five in favor and two in opposition. The motion passed. Those voting in favor were Mayor Pro Tem Elrod, Councilmember B. Pruett, Councilmember R. Pruitt, Councilmember Varner and Councilmember Vincent. Mayor Copeland and Councilmember Stewart voted in opposition.

Councilmember Vincent said that she would like for the City to move forward with establishing a task force or work group to address the issue of illegal dumping under the McDonough Beautiful Program. She said that she receives daily reports of illegal dumping in the City, which is causing a significant problem throughout the community. Further, she said that a lot of citizens do not realize that the City has a collection site for garbage, and she would like to work with the City Administrator on this issue.

The City Clerk Ms. Janis Price discussed qualifying for the next election on November 2, 2021. She said that the City will have four seats up for election, which will include the Mayor's seat; the Council seat for District 1; the Council seat for District 2; and one At Large position. She noted that qualifying is scheduled for the week of August 16, 2021, through August 20, 2021. Further, she said that the law requires that qualifying take place for a minimum of three days and a maximum of five days; and she requested input from Mayor and Council about how many days of qualifying they would deem appropriate for the upcoming election. Council agreed to have qualifying for the entire five days since that is what had been in the past.

Mayor Copeland called for a motion to approve the Minutes for December 9, 2020, and December 10, 2020 Training Meetings. Councilmember Varner motioned and Councilmember Stewart seconded. The vote was five in favor. Those voting in favor were Mayor Pro Tem Elrod, Councilmember B. Pruett, Councilmember Stewart, Councilmember Varner and Councilmember Vincent. Mayor Copeland and Councilmember R. Pruitt did not vote, as they were not in attendance for the training.

There were no unscheduled public comments.

**17. 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)**

Mayor Copeland called for a motion to go into Executive Session for Potential Litigation, O.C.G.A. 50-14-2 and for Real Estate, O.C.G.A. 50-14-3(b)(1). Councilmember R. Pruitt motioned and Mayor Pro Tem Elrod seconded. The vote was seven in favor.

Mayor Copeland called for a motion to go back into Regular Session. Councilmember R. Pruitt motioned and Councilmember Stewart seconded. The vote was seven in favor.

Councilmember Vincent motioned to adopt Resolution No. 20-305, a joint resolution of the Cities of Hampton, Locust Grove, McDonough, Stockbridge, and Henry County, Georgia, approving a new Service Delivery Strategy as required by the Service Delivery Act, O.C.G.A. § 36-70-20, et seq, with substitution of water and sewer Form 2, inclusion of a Fire Service area map, and to be effective December 31, 2020. (A fully assembled document is before the Mayor and Council). Councilmember Varner seconded. The vote was seven in favor. The motion passed.

Councilmember Vincent wished everyone a Happy New Year, and she wished everyone a safe and prosperous year of good health.

Mayor Pro Tem Elrod thanked his colleagues for electing him to serve as Mayor Pro Tem for 2021. He also wished everyone a Happy New Year, and he thanked everyone who was in attendance for the meeting. He congratulated Mayor Copeland on the birth of his great grandson. He also took the opportunity to thank Mr. Andy Welch for his work on behalf of the City with the Service Delivery Strategy; and he also thanked Ms. Trisha Colpetzer for her service to the City of McDonough.

Councilmember Stewart also thanked Ms. Colpetzer for the job she did for the City. He thanked his colleagues for their continued hard work, and he said he is looking forward to a great year.

Councilmember Varner thanked everyone who was in attendance for the meeting. She also wished everyone a Happy New Year, and she said she looks forward to doing some great things in the City of McDonough this year.

Councilmember R. Pruitt also wished everyone a Happy New Year.

Mayor Copeland also commended Ms. Colpetzer for her work at the City of McDonough, and he said she is truly a public servant.

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

The meeting adjourned at 8:51 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 will be published in the *Henry Herald* on December 30, 2020; and a copy of the schedule was posted at City Hall and on the City's website, as required by law.