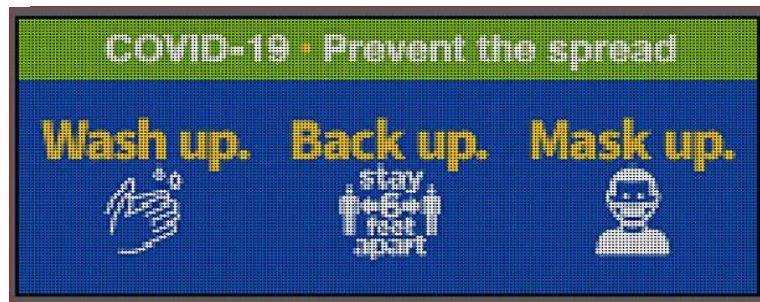




MINUTES
CITY OF MCDONOUGH
CITY COUNCIL MEETING
CITY HALL – 136 KEYS FERRY STREET
MARCH 15, 2021
6:00 PM



The Regular Scheduled Meeting of the City of McDonough City Council was held on Monday, March 15, 2021, at 6:00 p.m.

Mayor Pro Tem Craig Elrod 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	Absent
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	Absent

Others in attendance were: City Administrator, Mr. Preston Dorsey; City Attorney, Mr. Jim Elliott; City Clerk, Ms. Janis Price; Police Chief, Mr. Ken Noble; Deputy Fire Chief, Mr. Dave Williams; Community Development Director, Mr. Charles Reese; Community Development, Mr. Eric Pitts; and Network Administrator, Mr. Brian Linton.

Mayor Pro Tem Elrod welcomed Mr. Charles Reese as the Community Development Director for the City. Mr. Reese offered his appreciation for the opportunity to serve the City of McDonough, and he introduced his wife, Monica, and son, Charles, who were also in attendance at the meeting.

Mayor Pro Tem Elrod called for a motion to approve the Agenda as published. Councilmember Stewart motioned and Councilmember R. Pruitt seconded. The vote was five in favor. Those voting in favor were Mayor Pro Tem Elrod, Councilmember B.

Pruett, Councilmember R. Pruitt, Councilmember Stewart and Councilmember Varner. Mayor Copeland and Councilmember Vincent were not present for the meeting.

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

Consent Agenda

Administration

- A. Adoption of a Resolution appointing Mr. Timothy Haley as the Prosecuting Attorney, and Ms. Andrea Boyd as the Assistant Prosecuting Attorney for the City of McDonough and their terms expire March 15, 2025.
- B. Approval of the March 4, 2021, City Council Workshop Minutes.

Public Works

- C. Approval to take over the Kensington Park Subdivision monthly street light bill, which consists of 16 street lights, at an estimated cost of \$278.40 monthly, and will be paid from the Street Department's budget; authorization for the Mayor to sign all related documents.
- D. Approval to purchase a 2021 Ford F-350 V8 4x4 super cab short bed truck for the Sewer Maintenance Department at a cost of \$35,442.00 which will be paid from this department's budget. (At the time of purchase, if a 2022 model is purchased, there could possibly be a 5% price increase).
- E. Approval to surplus 1 desk, 1 table, 1 credenza and 3 chairs from the Community Development Department.
- F. Approval to purchase a 2021 Ford F750 281" wheelbase, 120" C/A, 7.3L gas engine dump truck with a 16 Ft. dump body, manufactured by K & K Manufacturing at a total cost of approximately \$70,632.00 (current pricing) and will be paid from the Stormwater Department's Budget. **Cost may fluctuate due to the price of steel at the time of purchase. **
- G. Approval per the lighting signal plans which states a completed test period of uninterrupted operation has been completed for 30 days. Upon completion of the test period the contractor will complete a transfer of utility cost to the City of McDonough for the City to take over payment for the street lights/traffic signals that were installed at the following locations and the estimated monthly cost:

150 Jonesboro St. (traffic signal)	\$26.37
107 Jonesboro Rd. (unit light)	\$281.08
11 Sims St. (traffic signal)	\$26.37
178 Keys Ferry St. (traffic signal)	\$52.74
540 Highway 20 W/81 (signal light)	\$36.98

This is a part of the One Way Pair(s) Project and will be funded by the General Fund.

Mayor Pro Tem Elrod called for a motion to approve the Consent Agenda as presented. Councilmember R. Pruitt motioned and Councilmember Stewart seconded. The vote was five in favor. Those voting in favor were Mayor Pro Tem Elrod, Councilmember B. Pruett,

Councilmember R. Pruitt, Councilmember Stewart and Councilmember Varner. Mayor Copeland and Councilmember Vincent were not in attendance for the meeting.

Councilmember B. Pruett read the Resolution in Memory of Mr. Bob Van Dunk, and he presented it to Ms. Dianne Van Dunk, who was in attendance for the meeting.

Mayor Pro Tem Elrod called for a motion to make the Proclamation for Remembering Gary Barham and the Resolution in Memory of Bob Van Dunk a part of the minutes of the meeting. Councilmember R. Pruitt motioned and Councilmember B. Pruett seconded. The vote was five in favor. Those voting in favor were Mayor Pro Tem Elrod, Councilmember B. Pruett, Councilmember R. Pruitt, Councilmember Stewart and Councilmember Varner. Mayor Copeland and Councilmember Vincent were not in attendance at the meeting.

Since Councilmember Vincent was not in attendance for the meeting, the Covid-19 Update was not discussed.

Community Development Items

Mr. Charles Reese

Mr. Eric Pitts

CC District 3: CM Craig Elrod

A. Case Number: 190302 (Rezoning)

Applicant(s): Blue River Development

Development: Symphony Park

Address: North Racetrack Road & East Travis Dr. (Tax Parcels ID(s): #107-01034000, #107-01001000 & #107-01034001)

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.

Zoning: RA-200 (Residential Agricultural) with conditions per ORD #04-09-13001(A)(Z)

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) POSTPONED

MCC Public Hearing (1/19/21) POSTPONED

MCC Public Hearing (2/15/21) POSTPONED

MCC Public Hearing (3/15/21)

Mr. Eric Pitts reviewed case number 190302, to rezone property from RA-200 (Residential Agriculture) to R-50 (Single Family Residential), RTD (Residential Townhome District), RM-75 (Multi-Family Residential), and 1.5 +/- acres allocated for the development of a Public Safety Facility. He noted that the Planning Commission voted 4 to 1 to deny the rezoning request on October 13, 2020; however, after reviewing the information and preliminary drawings, staff recommends approval of the rezoning as requested.

Attorney Andy Welch was in attendance on behalf of the Applicant, along with representatives from Blue River Development, regarding the Symphony Park rezoning request. Mr. Welch gave a Power Point presentation regarding the proposed project, which included a revised plan to address some of the concerns previously voiced by Council. Some of the items he discussed are listed below:

- This property is part of the McDonough Activity Center on the Future Land Use Map and Comprehensive Plan.
- The property is designated for medium to high-density development.
- The site plan has been modernized to address some of the staff concerns.
- Proposed townhomes have been pushed back from the property line at Sara's Bend to create a buffer area between the proposed community and the private property lines.
- A visitors' parking area has been added as was requested by Councilmember Vincent, along with a fire pit as an amenity.
- There will be an extension of Lake Dow Road to provide connectivity
- Lot widths have been increased from R-50 to R-60
- We have added a covenant to ensure that none of the homes will be sold to "a for rent corporation".
- This proposed project includes 1.5 acres allocated for development of a Public Safety Facility.
- We had a traffic study completed, as was requested.
- The City's water supervisor confirmed that the City has the availability to provide water and sewer service to the property when the project was first reviewed in March of 2019.
- In April of 2020, the City hired Turnipseed Engineering to conduct a water supply study that confirmed the City has water capacity for normal growth for three to five years.
- Additionally, Turnipseed's study cited that repairs to the water lines could increase the service capacity by 36 to 42 percent, allowing for 2,100 to 2,400 new residential meters.
- We have set a condition on the development that no Certificates of Occupancy (CO) will be issued for 18 months.
- Mr. Welch said that a denial of the request would constitute a violation of the property owners' Constitutional Rights, as identified in letters sent on October 6th and November 17th, which are on file with the City.

After the presentation, discussion ensued. Councilmember R. Pruitt expressed his continuing concerns about the City's ability to provide water. He asked if the City would be held liable in the event that it was not possible to provide water to the development. Mr. Welch said if corrective steps are taken to repair leaks in the lines, there will be ample capacity to provide water to the development. He added that the current decision being is not a water decision, it is a zoning decision.

Councilmember Stewart asked about plans to mitigate traffic issues at Travis Road and Racetrack Road. Mr. Welch said that the traffic study revealed that the intersection needs

to be addressed; and the Applicant has pledged \$100,000.00, to be paid to the City, which will be applied towards intersection improvements.

Mayor Pro Tem Elrod asked about the reduction of lots for the development. Mr. Welch said that the increase in lot size from R-50 to R-60 will reduce the number of lots. He reiterated that at the request of Council, the proposed townhomes have been moved back from the private property lines to allow for a buffer. Mayor Pro Tem Elrod also asked about the timing for the \$100,000.00 contribution for traffic related issues; and Mr. Welch agreed that when the first C.O. is issued, the money will be donated to the City.

During the comments, City Administrator Mr. Dorsey confirmed that the City is actively addressing issues with leaks in the City water lines, which has reduced water loss from 30 percent to 24 percent currently. Additionally, Mr. Dorsey requested that the wording in the proposed agreement be amended to reflect City of McDonough Water and Sewer, in lieu of public water and sewer; and the Applicant agreed to the amendment.

Mayor Pro Tem Elrod opened the Public Hearing. Mr. Merg Hoffman spoke in favor. Mr. John Batson and Ms. Diana Batson spoke in opposition. Mayor Pro Tem Elrod closed the Public Hearing.

Mayor Pro Tem Elrod motioned to approve case 190302, with the conditions as presented; and approval of the Ordinance. Councilmember Varner seconded. The vote was three in favor and two in opposition. The motion did not pass. Those voting in favor were Mayor Pro Tem Elrod, Councilmember Stewart and Councilmember Varner. Councilmember B. Pruett and Councilmember R. Pruitt voted in opposition. Mayor Copeland and Councilmember Vincent were not in attendance for the meeting.

B. Case # 200703

CC District 2: CM Sandra Vincent

Applicant(s): Brent Benson

Development: 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) POSTPONED

MCC Vote (01/04/21) POSTPONED

MCC Vote (01/19/21) POSTPONED

MCC Vote (02/15/21) POSTPONED

MCC Vote (3/15/21)

Mr. Pitts reviewed case number 200703, to rezone the property from C-3 (Highway Commercial) to RTD (Residential Townhome District) with conditions. The Planning

Commission voted 4 to 2 to deny the request on November 10, 2020; however, staff recommends approval. The Applicant was not in attendance for the meeting.

Some discussion ensued. It was determined that since Councilmember Vincent was not in attendance at the meeting, the item would be postponed.

Mayor Pro Tem called for a motion to postpone case 200703 to the next agenda in April. Councilmember R. Pruitt motioned and Councilmember Varner seconded. The vote was five in favor. Those voting in favor were Mayor Pro Tem Elrod, Councilmember B. Pruett, Councilmember R. Pruitt, Councilmember Stewart and Councilmember Varner. Mayor Copeland and Councilmember Vincent were not present for the meeting.

C. Case #210101 CC District: #4, CM Kam Varner
Applicant(s): The Residential Group
Development (Crest South Point)
Address/Location: Highway 81 W. (more specifically Parcel(s) #075-01066001, #075-01066002, #075-01066004, #075-01066005, & #075-01066006)
Request: A petition to rezone 5 +/- acres to C-3 (Highway Commercial) and 31 +/- acres to RM-75 (Multi-Family Residential).
Zoning: RA-200 (Residential Agricultural)
Land Lot(s) 161 of the 7th District 36 +/- total acres
MPC Workshop (2/9/21)
MPC Public Review (3/9/21)
City Council Workshop (3/4/21)
City Council Public Hearing (3/15/21) POSTPONED per applicant to April

This item was postponed at the request of the Applicant.

D. Case #210102 District: #1, CM Rufus Stewart
Applicant(s): Patrick Perez
Development: Perez Project
Address: 317 Macon St.
Request: To rezone property to C-2 (Central Commercial).
Zoning: M-1 Light Industrial)
Land Lot(s) 156 of the 7th District 0.240 +/- total acres
MPC Workshop (2/9/21)
MPC Public Review (3/9/21)
City Council Workshop (3/4/21)
City Council Public Hearing (3/15/21)

Mr. Pitts reviewed case number 210102, to rezone from M-1 (Light Industrial) to C-2 (Central Commercial) with conditions. The Planning Commission voted unanimously to approve the rezoning; and staff recommends approval. The Applicant, Mr. Patrick Perez was in attendance for the meeting, and he briefly addressed Council about the proposed rezoning. Some of what Mr. Perez discussed is listed below:

- This will be used for office space for a building business.

- No equipment will be stored on the property.
- We would love to add parking in the back and alleyway in the future.

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

Councilmember Stewart motioned to approve case number 210102, to rezone from M-1 (Light Industrial) to C-2 (Central Commercial) with conditions; and to approve the Ordinance. Councilmember R. Pruitt seconded. The vote was four in favor. The motion passed. Those voting in favor were Mayor Pro Tem Elrod, Councilmember B. Pruett, Councilmember R. Pruitt and Councilmember Stewart. Councilmember Varner had left the meeting. Mayor Copeland and Councilmember Vincent were not in attendance at the meeting.

E. Case # 210103 District: #3, CM Craig Elrod
Applicant(s): David Troy
Development: 62 Macon Street Project
 Address: 62 Macon St.
Request: To rezone the property to C-1 (Neighborhood Commercial)
 Zoning: RM-75 (Multi Family Residential).
 Land Lot(s) 134 of the 7th District 0.63 +/- total acres
 MPC Workshop (2/9/21)
 MPC Public Review (3/9/21)
 City Council Workshop (3/4/21)
City Council Public Hearing (3/15/21)

Mr. Pitts reviewed case number 210103, to rezone from RM-75 (Multi-Family Residential) to C-1 (Neighborhood Commercial) with conditions. The Planning Commission voted unanimously to approve the rezoning on March 9, 2021; and staff recommends approval. The Applicant, Mr. David Troy was in attendance for the meeting, and he briefly addressed Council.

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

Mayor Pro Tem Elrod motioned to approve case 210103, the rezoning of property to C-1, with conditions; and approve Ordinance 21-03-150002(Z). Councilmember R. Pruitt seconded. The vote was four in favor. The motion passed. Those voting in favor were Mayor Pro Tem Elrod, Councilmember B. Pruett, Councilmember R. Pruitt and Councilmember Stewart. Councilmember Varner had left the meeting. Mayor Copeland and Councilmember Vincent were not in attendance at the meeting.

Unscheduled Public Comments

- (1.) Mr. Mike Katona, Vice President of the McDonough Lions Club commented:
 - The Lions Club currently has 250 paid vendors for the 2021 Geranium Festival, with a tentative date scheduled of May 16, 2021.

- Lions are prepared for social distancing with proper signage, hand-sanitizer, dividers between tents and other safety measures to prevent the spread of COVID-19.
- All children's activities have been eliminated for safety reasons related to COVID-19.

Mr. Dorsey commented that while he cannot provide an answer about the Geranium Festival at this time, he will contact Mr. Katona for further discussions related to the Geranium Festival within a few days.

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.

Mr. Dorsey welcomed Mr. Charles Reese to the City of McDonough.

The City Clerk Ms. Janis Price also took the opportunity to welcome Mr. Reese to the City.

Councilmember Stewart thanked all of the citizens who were in attendance for the meeting, and he also welcomed Mr. Reese.

Councilmember B. Pruett welcomed Mr. Reese to the City of McDonough Community Development Department.

Mayor Pro Tem Elrod also welcomed Mr. Reese to the Community Development Department. He thanked the guests who were in attendance for the meeting, as well as those who viewed the meeting virtually. In closing, he offered his personal appreciation of service for Human Resources Director, Ms. Carla Tuck, who will be retiring from the City in April of 2021.

Mayor Pro Tem Elrod adjourned the meeting at 7:24 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 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.