MINUTES
CITY OF MCDONOUGH
CITY COUNCIL WORKSHOP
CITY HALL – 136 KEYS FERRY STREET
JULY 6, 2017
5:30 PM

1. Call to Order **Mayor Billy Copeland**

Mayor Copeland called the meeting to order at 5:30 p.m.

2. Roll Call

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

Mayor Billy Copeland	Present
Mayor Pro Tem Roger Pruitt	Present
Councilmember Craig Elrod	Present
Councilmember Benjamin Pruett	Present
Councilmember Rufus Stewart	Present
Councilmember Kamali Varner	(Arrived shortly after the meeting began)
Councilmember Sandra Vincent	Present

Others in attendance for the meeting were: City Administrator, Mr. Keith Dickerson; City Attorney, Ms. Leigh Hancher; City Clerk, Ms. Janis Price; Police Chief, Mr. Preston Dorsey; Community Development Director, Mr. Rodney Heard; Finance Director, Mr. Mike Clark; Public Works Director, Mr. Ronnie Thompson; and Technology Services Director, Mr. Steve Sikes.

3. Approval of the Agenda

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

4. Pledge to the Flag

Councilmember Pruett led the Pledge to the Flag.

5. Invocation

Councilmember Vincent gave the Invocation.

6. Approval of the Consent Agenda

A. Acceptance of an Administrative Variance by the Community Development Director for Evergreen Estates (a.k.a. Tomlinson Estates) as follows:

Lot Size: Reduction from 12,000 sq. ft. to 11,000 sq. ft. + , within the 10% reduction (max. 1,200 sq. ft.) allowed by Chapter 17.96, to Lots #1-4 per as-built conditions.

Perimeter Buffer (Tomlinson Street): Reduction from 25' to 22.5', within the 10% reduction (max. 2.5 feet) allowed by Chapter 17.96, to the buffer along the south PL abutting Tomlinson Street per as-built conditions.

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Open Space (Calculation): Reduction from 25' to 22.5', within the 10% reduction (max. 2.5 feet) allowed by Chapter 17.96, to the buffer along the south PL abutting Tomlinson Street per as-built conditions.

Impervious Setback Relocation: Permitted encroachment within the 25' Impervious setback, predicated on mediation/compensation plan as noted in accord with Code Section 18.07.090, that is an additional buffer for the 50' undisturbed stream buffer within the southwest corner of the parent tract, abutting southwest portion of Lot #9

B. Approval of an ordinance amending Title 18 of the City Code of Ordinances, by creating a new Chapter 18.13, "Green Infrastructure & Low Impact Development." This Ordinance update to the Code is necessary to comply with Local/State/Federal regulatory requirements.

C. Adoption of a Resolution awarding a contract to Allsouth Constructors for additions to the existing Water Pollution Control Plant. Total project cost will be $564,000.00 with the following breakdown:

Allsouth $472,692.00	Geotechnical Report $7,500.00
Project Inspection $16,160.00	Engineering $42,540.00
Legal/Administrative $1,500.00	Contingencies $23,608.00

This will be paid from the water and sewer fund.

D. Authorization for Piedmont Paving to repave, patch and seal coat the following properties and for the Mayor to sign all documents:

McDonough Fire Department	88 Keys Ferry Street
McDonough First Baptist Church	101 Macon Street
Richard Craig Park	125 S. Zack Hinton Pkwy
Alexander Park	300 Atlanta Street

Fire Department, Baptist Church and Richard Craig Park will be paid from the General Fund at a cost of $ 64,370.00 and Alexander Park cost of $39,385.00 which will be paid from SPLOST IV funds.

Mayor Copeland called for a motion to approve the Consent Agenda. Councilmember Stewart motioned and Mayor Pro Tem Pruitt seconded. Prior to the vote, the City Administrator, Mr. Keith Dickerson gave explanations for the items listed on Item D of the Consent Agenda. The vote was seven in favor.

7. Unscheduled Public Comments

(1) Ms. Catherine Gambell

- Speaking for the citizens of Charleston Walk, and as an eleven-year resident

- Completely against the rezoning for event venue on Highway 81
- Noise is horrendous when they have parties
- Our subdivision is adding 55 new homes
- Also speaking on behalf of Julia and George Yacoubian; and Ms. Yacoubian spoke at a previous meeting relative to this issue
- Pole barn is actually a pavilion and there is not enough bathroom to accommodate large events
- Called venue and was told that lodging on the property is available for $1,200 per night
- Has received numerous complaints from neighbors at Charleston's Walk

At the conclusion of the public comments, Councilmember Vincent asked if the City was collecting Hotel/Motel Tax for any lodging on the property. City Administrator, Mr. Keith Dickerson responded that Code Enforcement has visited the property and was able to identify some violations; however, the property is still currently zoned RA-200.

8. Community Development Items Mr. Rodney Heard

Rezoning Petition – Zoning Map Amendment
A. Case Number: 170217 (*Postponed from 05/15/17 City Council Meeting)
Applicant(s): Rupesh Brahmbatt - Brahmbatt Estate
Address: 1035 Hwy 81E Council District: 3, Craig Elrod
Petition Request: C-3 (Highway Commercial)
Existing Zoning: RA-200 (Residential Agriculture) w/ conditions per ORD 07-08-06005(A)(Z)
Location: Hwy. 81E Village Activity Center (Segment between Lake Dow & Racetrack Roads) Tax Parcel ID: 123A-02009000
Land Lot(s): 152 of the 7th District Tract Acreage: 10.676 +/- total acres
Municipal Planning Commission
Public Review (05/02/17); Special Called Meeting: Case 170217 approved C-2 with Staff recommendation.
City Council **Public Hearing (07/06/17)**
per postponement from 05/15/17 City Council Meeting

Community Development Director, Mr. Rodney Heard notified the Mayor and Council that he received a request to withdraw case number 170217, in its entirety. The item will be postponed, subject to the official receipt of a letter of withdrawal from the property owner(s).

Mayor Copeland called for a motion to postpone the Brahmbatt Estate petition until the August 3, 2017, Workshop Meeting subject to the Community Development Director receiving the letter of withdrawal. Mayor Pro Tem Pruitt motioned and Councilmember Elrod seconded. The vote was seven in favor.

B. Case Number: 170415 Council District: 3, Craig Elrod
Applicant(s): Jinsong Yang on behalf of Foxdale Development, LLC.
Address/Location: Iris Lake Village, Lots 39-54 & 68-82

Petition Request: RM-75 (Multi-Family Residential) Conditional Use w/ new conditions
Existing Zoning: RM-75 (Multi-Family Residential) Conditional Use w/ conditions per ORDs 05-02-21002(Z) & 06-05-01010(ZMOD)
Location: Iris Lake Village Activity Center (Iris Lake Village Road/Racetrack Rd.) Tax Parcel ID: 108-01134000
Land Lot(s): 168 of the 7th District Tract Acreage: 23.837 +/- total acres
Municipal Planning Commission
Workshop (05/16/17)
Public Review (06/27/17); Special Called Meeting: Case 170415 approved RM-75 Conditional Use with Staff recommendation.
City Council Public Hearing (07/17/17)

Mr. Heard reviewed the petition request for case number 170415. The Applicant was not present for the meeting.

- Lots 1-38 were acquired in 2016 with variations of alleyways
- Request is for additional lots to allow property to be extended
- Requesting 25% variable for brick or stone instead of 50%

After the petition was reviewed, discussion ensued. Councilmember Elrod commented that he believes this would make a great golf-cart community for the growing area; and he hopes that the idea of such is still being pushed. Councilmember Vincent requested that the City Attorney provide a copy of the Ordinance that was passed relative to the use of golf carts; and Ms. Hancher agreed.

C. Case Number: 170506 Council District: 4, Kam Varner
Applicant(s): Kevin Daniel on behalf of GeoSam Capital US
Address/Location: Charleston Village, Lots 1-42, 48-57, 81-96 and 104-111
Petition Request: RTD (Residential Townhouse District) w/ new conditions
Existing Zoning: RTD (Residential Townhouse District) w/ conditions per ORD 05-02-07001(Z)
Location: Henry Connector Parkway Village Activity Center (Henry Connector Parkway/Hwy 155 S) Tax Parcel ID: (Refer to Final Plat)
Land Lot(s): 188 of the 7th District Tract Acreage: 12.427 +/- total acres
Municipal Planning Commission
Workshop (05/16/17)
Public Review (06/27/17); Special Called Meeting: Case 170506 approved RTD with Staff recommendation
City Council Public Hearing (07/17/17)

Mr. Heard reviewed the petition request for case number 170506. Mr. Dale Hall with Falcon Design Consultants spoke on behalf of the Applicant, Mr. Kevin Daniel, who was also present at the meeting**.**

- Inactive property for 5 to 7 years
- Looking to provide variations in façade
- 25% brick or stone with full brick on the ends to provide transition between as-built homes with new construction

Mr. Hall then offered some clarification about the project on behalf of the Applicant:

- Requesting revision of one condition to allow for flexibility in exterior building construction of future townhomes
- No changes in request for overall density or setbacks

Councilmember Varner commented that she would like to discuss increasing the percentage of brick for the new construction. Mr. Heard explained the changes will create variety and increase interest in the stagnant property while maintaining balance within the design; and further discussion ensued. Councilmember Vincent shared her concerns about the need to establish HOAs and focus on design to deter the potential for slum and blight. Councilmember Elrod echoed Councilmember Vincent's sentiments about the importance of design to market the property.

Councilmember Vincent requested that the City Attorney look into how to legally and creatively implement a scenario that will allow the community to be self-sustainable.

D. Case Number: 170507 Council District: 2, Sandra Vincent
Applicant(s): Keith Fisher on behalf of Tartan Holdings, LLC.
Address/Location: 775 Hwy 42N
Petition Request: M-1 (Light Industrial)
Existing Zoning: C-3 (Highway Commercial) w/ conditions per ORD 12-04-02001(Z)
Location: Hamilton Village Activity Center (Hwy 42N Corridor/McDonough Parkway Extension) Tax Parcel ID: 090-01007002
Land Lot(s): 93 of the 7th District
Tract Acreage: 6.65 +/- total acres (Lot division from parent tract = 9.375 +/- acres
Municipal Planning Commission
Workshop (05/16/17)
Public Review (06/27/17); Special Called Meeting: Case 170507 approved M-1 with Staff recommendation.
City Council Public Hearing (07/17/17)

Mr. Heard reviewed the petition request for case number 170507. The Applicant was not present during the meeting.

- Supplemental landscaping along Tier 1 for effective screening
- Any new construction would utilize the building materials and stone accents to create the village theme
- In the event of expansion, there is a request for multi-unit storage at a later date

After the review of the petition, Councilmember Vincent expressed some concerns and comments relative to the project. Mr. Heard clarified some of the details of the proposed rezoning.

- Landscape plan will include evergreens to create effective screening for residential properties
- Expect that the Applicant may ask for relief on exterior facade materials to focus on landscaping
- The property is a separate tax parcel from the existing gun range

Councilmember Elrod shared his opinion that the Council should not offer a concession in building materials for landscaping. His concerns included that if there is too much greenery surrounding the industrial properties, it may make it difficult for police to appropriately survey those properties. Police Chief, Mr. Preston Dorsey confirmed that landscaping can make it difficult to protect properties from burglaries and crime; and further discussion ensued.

9. Discussion of Revenues and Expenditures of the General Fund, SPLOST Fund, Hotel/Motel Fund **Mr. Mike Clark**

Finance Director, Mr. Mike Clark presented the discussion of revenues and expenditures from the General Fund, SPLOST Fund, and Hotel/Motel Tax Fund, for the eleven months ended May 31, 2017.

- Total revenues for the General Fund are $14,525,887 with total expenditures of $12,255,834
- Revenues for the General Fund exceed expenditures by $2,270,053
- Total revenues for SPLOST III are $335 with total expenditures of $24,739
- Expenditures for SPLOST III exceed revenues by $24,384
- Total revenues for SPLOST IV are $1,285,235 with total expenditures of $3,680,626
- Expenditures for SPLOST IV exceed revenues by $2,395,391
- Total revenues for the Hotel/Motel Tax Fund are $1,094,097 with total expenditures of $1,094,097
- Hotel/Motel Fund revenues have increased by $64,333 over the previous year
- OpenGov Portal is ready to launch on the City’s website
- We have reopened the drive-thru payment window downstairs

Councilmember Vincent commented that the Henry County Water Authority is now using an app for making payments, and she questioned that as an option for the City of McDonough. Mr. Clark responded that he would look into that as a possibility to enhance customer service.

10. Discussion of water and sewer rate annual adjustments **Mr. Keith Dickerson**

City Administrator, Mr. Keith Dickerson discussed the adjustments to annual water and sewer rates for the City and requested input from Mayor and Council.

- We can change the Resolution at any time
- November of 2016, the County increased their water and sewer rates
- Some neighborhoods are split between the County and the City of McDonough

Several councilmembers and the Mayor presented questions and offered input as further discussion ensued.

- Councilmember Elrod suggested meeting with the County to have a conversation about lowering rates.
- Councilmember Vincent expressed concerns that some citizens could end up paying more than others
- Mayor Copeland expressed his frustration over previous agreements with the County over water for the citizens of McDonough

- Councilmember Pruett expressed his opinion that it is a good idea for the City to continually adjust its water rates to be able to add equipment and maintain the system that is currently in place

11. Discussion of the revised Park Ordinance Mr. Dickerson

Mr. Dickerson began the discussion of the revised Park Ordinance.

- Mayor Pro Tem Pruitt expressed concerns over complaints related to dogs being left on the ballfields to run free; and he said that a statement should be included that no pets are allowed on the fields. Councilmember Elrod suggested that signage be utilized to post "No Dogs Allowed" on the ballfields.
- Mayor Pro Tem Pruitt also suggested that the Ordinance be written to say that all citizens and elected officials should have to go through the same permit process to utilize any City facility or park.
- Councilmember Vincent stressed the importance that all citizens be held to the same processes for permitting when it comes to any and all events within the City.
- Mr. Dickerson commented that more discussions and internal training should take place prior to approval of the Ordinance.
- Councilmember Vincent asked about cost waivers for events; and Ms. Hancher referenced Chapter 12.12.030, and said that the intent is to have the City Administrator retain final discretion/approval for all events.

Discussions continued relative to the different provisions within the Ordinance, as questions were posed and some further recommendations were made by the Members of Council. City Attorney Hancher said that the purpose of the discussion was to try to make the chapters of the Ordinance work more cohesively with one another; and further discussion ensued.

12. Discussion of a revised Media Production and Permits Ordinance Mr. Dickerson

Mr. Dickerson reviewed the revised Media Production and Permits Ordinance. Mayor Copeland called for a motion to adopt the Media Production and Permits Ordinance as presented. Councilmember Pruett motioned, and Mayor Pro Tem Pruitt seconded. The vote was seven in favor.

13. Discussion of the proposed play equipment to be used at Avalon Park Mr. Dickerson

Mr. Dickerson presented some preliminary designs and discussed the proposed playground equipment for Avalon Park.

- Playground equipment would be for children 5 to 12 years of age
- Black vinyl fence enclosure
- Splash pad options could possibly be combined for use by young adults and children and there would be no holding water so that no lifeguard is required
- Policies for this usage will need to be written and approved

14. Approval of the June 19, 2017 City Council Meeting Minutes

Mayor Copeland called for a motion to approve the June 19, 2017, City Council Meeting Minutes. Councilmember Stewart motioned and Mayor Pro Tem Pruitt seconded, contingent on making a correction regarding a statement made by Councilmember Vincent during the June 19, 2017, meeting that a vote on city-sponsored events had taken place at the January 2017 City Council Retreat.

Councilmember Vincent stated that in fact the event was agreed upon at the 2017 City Council Retreat, having been presented as one of her discussion items for the work plan for the coming year. She said that every item that is brought to the retreat and submitted to the Facilitator becomes the yearly work plan and marching orders for the City Administrator and staff to carry out.

Mayor Pro Tem discussed the comments made by different councilmembers at the retreat, and he said that there is no vote listed in the minutes of the meeting. Councilmember Vincent stated that in the minutes of the Council Retreat Meeting would have the list of activities that were recommended; and the activities she brought forth were the partnerships on festivals and the MLK Parade.

Mayor Pro Tem Pruitt said that no action becomes law until it is brought back to the Council for a vote. In response, Councilmember Vincent listed several agreements have not required a vote to move forward, which have been agreed on by consensus at past retreats.

As the discussion continued, Mayor Copeland questioned whether or not the approval of the minutes should be postponed to a later meeting. Mr. Dickerson interjected that the motion is to approve the minutes of the June 19, 2017, Council Meeting; and that the minutes submitted to the Mayor and Council for approval correctly record what took place at the meeting.

Councilmember Vincent clarified that the precedent at the Retreat has not been to vote on any of the items brought forth by Council, but are agreed upon as action items for the coming year. She said that the argument regarding items not being voted on is invalid, and that she believed the effort behind the statement to the contrary was manipulation. While there was no specific motion, second and vote; the discussion items had been agreed to by consensus and reflected on the facilitator’s retreat report.

Councilmember Stewart commented that items discussed at the Retreats have been what was carried out throughout the year, and that no vote was required to do so. Councilmember Varner said that the minutes submitted do reflect what occurred at the June 19, 2017, City Council Meeting, and that no amendment or retraction would be necessary for approval.

Mayor Copeland asked for guidance from the City Attorney. Ms. Hancher confirmed that any statement made during a meeting should be reflected in the minutes of that meeting, and do not require an amendment to minutes from a previous meeting. Councilmember Vincent said that after all of the discussion regarding the Retreat, she believes there is now a need to clarify and codify the standard practice for the Retreats moving forward, as it has never been the practice to vote on any items brought forth as agenda items that were approved by consensus.

After having made his statement for the record, Mayor Pro Tem Pruitt confirmed his second for the motion to approve the June 19, 2017, minutes.

Mayor Copeland called for the vote on the motion to approve the minutes from the June 19, 2017, City Council Meeting. The vote was six in favor. Those voting in favor were Mayor Pro Tem Pruitt; Councilmember Elrod; Councilmember Pruett; Councilmember Stewart; Councilmember Varner; and Councilmember Vincent. Mayor Copeland did not vote because he was not present for the June 19, 2017, Council Meeting.

15. 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 Litigation O.C.G.A. 50-14-2. Mayor Pro Tem Pruitt motioned, and Councilmember Elrod seconded. The vote was seven in favor.

Mayor Copeland called for a motion to return to the Regular Workshop Session. Mayor Pro Tem Pruitt motioned and Councilmember Elrod seconded. The vote was seven in favor.

Mayor Copeland called for a motion to approve the Settlement Agreement between the City and Cheryl Boehrer in the total amount of $85,000, and authorized the Mayor to execute same. Councilmember Pruett motioned, and Councilmember Stewart seconded. The vote was seven in favor.

16. City Administrator, City Attorney, City Clerk Comments

City Administrator, Mr. Dickerson offered an update on the repairs at Alexander Park:

- Alexander Park ballfield repairs have been completed, and after speaking with the MYA President, this issue has been resolved
- Will continue to work on Park Ordinances and policies to prevent future issues
- Met with Caribbean Festival representatives and their main concern was that the fields were repaired; and we will continue to keep our relationship going
- City has numerous projects to focus on and this issue is considered resolved and closed

The City Clerk, Ms. Janis Price requested approval to advertise the URA Meeting for Thursday, August 3, 2017, at 5:15 p.m. just before the start of the scheduled Regular Workshop Meeting; Mayor and Council agreed to this special called meeting.
She stated to Mayor and Council that the City of Locust Grove will host the quarterly HMA Dinner at the French Market and Tavern on July 20, 2017, at 6:00 p.m.

17. Councilmembers and Mayor Comments

Councilmember Vincent shared her appreciation for the t-shirts that were provided to Mayor and Council and for the continued support of the upcoming Quinlan's Run event. She also thanked her colleagues for their votes to affirm her as the third Vice President for 3rd District South for GMA.

Councilmember Elrod thanked everyone for their attendance at the meeting.

Councilmember Stewart thanked everyone in attendance, and he announced that the Summer Youth Camp Program was a success.

Councilmember Varner thanked everyone in attendance for the meeting. She also requested that the Charleston Village discussion be postponed, as she will not be in attendance for the July 17, 2017, City Council Meeting; and if not, she will have conversations and send her regards.

Mayor Pro Tem Pruitt thanked the City Administrator and City staff for the great job that they do every day, and he thanked everyone for their attendance at the meeting.

Mayor Copeland thanked the councilpersons and all of the attendees for their presence at the meeting. He commented on how the City of McDonough continues to move forward, and he reminded everyone of the efforts that were put forth to complete the improvements at Phillips Drive. He announced that the ribbon-cutting for Phillips Drive will take place on Saturday, July 8, 2017, at 10:00 a.m.

18. Adjournment

Mayor Copeland called for a motion to adjourn. Councilmember Stewart motioned, and all stood in favor.

The meeting adjourned at 8:01 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 was published in the Henry Herald on December 21, 2016; and a copy of the meeting schedule was posted at City Hall and on the City's website, as required by law.