

MINUTES
CITY OF MCDONOUGH
CITY COUNCIL WORKSHOP
CITY HALL – NOVEMBER 7, 2019
6:00 PM

The Regular Scheduled Workshop of the City of McDonough City Council was held on Thursday, November 7, 2019, at 6:00 p.m.

1. Call to Order

Mayor Billy 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 Kamali Varner	Present
Councilmember Craig Elrod	Present
Councilmember Benjamin Pruett	Present
Councilmember Roger Pruitt	Present
Councilmember Rufus Stewart	Present
Councilmember Sandra Vincent	Present

Others in attendance were: City Clerk, Ms. Janis Price; City Attorney, Mr. Jim Elliott; Police Chief, Mr. Preston Dorsey; Fire Chief, Mr. Steve Morgan; Community Development Director, Mr. Rodney Heard; City Planner, Mr. Ryan Anderson; Finance Director, Mr. Mike Clark; Public Works Director, Mr. Ronnie Thompson; and Network Administrator, Mr. Brian Linton.

Mayor Copeland introduced and welcomed Mr. Ryan Anderson to the City of McDonough as the new City Planner in the Community Development Department.

3. Approval of the Agenda

Mayor Copeland called for a motion to approve the Agenda with changes to move Item 10 Executive Session for Personnel, O.C.G.A. 50-14-3 (b)(2), and Litigation, O.C.G.A. 50-14-2 to Item 6E; and to add Items 8E and 8F. Councilmember Stewart motioned and Councilmember Elrod seconded. The vote was seven in favor.

4. Pledge to the Flag

Councilmember Vincent led the Pledge to the Flag.

5. Invocation

Councilmember Stewart gave the Invocation.

6. Consent Agenda

- A. Approval of a Memorandum of Understanding (MOU) between the City of McDonough and the Boys and Girls Clubs of Central Georgia Inc. (BGCCG) and for the Mayor to sign all related documents. The cost of this project will be \$450,000.00 over a three-year period. First payment of \$150,000.00 is due by November 15, 2019 with the remaining twenty-four (24) payments being paid monthly beginning on/after January 1, 2021. This expenditure will be paid from the General Fund.
- B. Approval to spend \$30,900.00 for personnel services. This budgeted item will be paid from the General Fund.
- C. Adoption of a Budget Resolution to amend the FT 2019-2020 Budget for Approved transactions in various funds.
- D. Approval of October 21, 2019, City Council Meeting Minutes

Mayor Copeland called for a motion to approve the Consent Agenda, Items A through D. Councilmember Pruitt motioned and Councilmember Stewart seconded. The vote was seven in favor.

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

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

There were no action items to report.

7. Unscheduled Public Comments

(1.) Ms. Diana Batson – Blue River Development, case number 190302

- Citizens want to be included in the decisions.
- Ms. Batson has been to the City on three occasions related to issues near her residence on Sara's Bend.
- This decision will impact her family greatly.
- The Taco Bell and Chick-Fil-A have impeded Ms. Batson's ability to get in and out of the cul-de-sac.

(2.) Mr. John Batson – Blue River Development, case number 190302

- We came to the Council previously to express disagreement with the Taco Bell and Chick-Fil-A.

- The Batsons have asked for feedback and have not received any information.
- Trash is an issue now on Sara's Bend.
- Why would you vote for this development?

(3.) Ms. Penny Adams – Case number 191004

- Ms. Adams has lived in Henry County since 1988.
- She asserts that no annexation or rezoning signs were posted for the Bridlewood/Bridleridge Development.
- The land was clear cut before the community could present their concerns.
- Ms. Adams has already seen trees coming down on the Stapleton property, so she believes the same mistakes are being made again.
- Why have we not seen changes to old behaviors and processes after all of these years?
- Please consider giving the community a little more time to look into this.

8. Community Development

Mr. Rodney Heard

A. Case Number: 190302 Rezoning

City Council District: 3, CM Craig Elrod

Address/Location: Racetrack Road & Travis Drive

Petition Request: Rezoning to R-50 (Single Family Residential), RTD (Residential Townhouse District), RM-75 (Multi-Family Residential) with allocations of 1.5 +/- acres reserved for development of a Public Safety Facility.
Existing Zoning: RA-200 (Residential Agriculture) w/ conditions per ORD #04-09-13001(A)(Z)

Tax Parcel ID: #107-01034000, 107-01001000, and 107-01034001

Land Lot(s) 153 of the 7th District 107.88 +/- total acres

Meetings:

MCC Workshop (11/07/19)

MPC Workshop (11/12/19)

MPC Public Review (12/03/19)

MCC Public Hearing (12/09/19)

Community Development Director Mr. Rodney Heard reviewed case number 190302, to rezone to R-50(Single Family Residential), RTD (Residential Townhouse District), RM-75 (Multi-Family Residential) with allocations of 1.5 +/- acres reserved for development of a Public Safety Facility. The Applicant, Mr. Andy Welch was present at the meeting and he addressed Mayor and Council regarding the proposed development. Some of the items discussed are listed as follows:

- This proposed development is for a townhome community with 53 units; an age-targeted single family community with 499 units, and an apartment complex with 250 units.
- There is 1.5 +/- acres on the property set aside for a Public Safety facility.
- The property has been in the City since 2005.
- The RM-50 single-family detached portion of the development is targeted towards adults 55 and over.
- This is a good location to provide a high-end apartment facility.

- The overall density for the entire project is 4.6 per acre.

Councilmember Pruitt expressed concern over the proposed density related to the project. Councilmember Vincent asked about any plans for separation between the proposed development and Sara's Bend. Mr. Welch commented that there is currently a buffer comprised of existing vegetation between the properties, but he said he would be open to other considerations of how to provide a buffer.

Councilmember Vincent recommended that personal input from residents who will be directly impacted by the development be taken into consideration.

The Public Hearing is scheduled for December 9, 2019.

B. Case Number: 191003 Rezoning with new conditions

City Council District: 4, CM Kam Varner

Address/Location: Avalon Court

Petition Request: Rezoning to C-3 (Highway Commercial) with new conditions to allow for a Hotel

Existing Zoning: RA-200 (Residential Agriculture) & R-100 (Single Family Residential) 1.79 +/- acres of a parent tract consisting of 4.47 +/- acres

Tax Parcel ID: 075-01008019

Land Lot(s) 119 of the 7th District

Meetings:

MPC Workshop (10/22/19)

MCC Workshop (11/07/19)

MPC Public Review (11/12/19)

MCC Public Hearing (11/18/19)

Mr. Heard reviewed case number 191003, to rezone to C-3 (Highway Commercial) with new conditions to allow for a hotel. The Applicant, Mr. Blake Hyman was in attendance for the meeting and he addressed Mayor and Council regarding the proposed development. Some of the items discussed are listed below:

- We are a full-service developer, from groundbreaking to past opening
- We want to build an Extended Stay America, similar to Candlewood Suites
- Our target customers are business men and women traveling for work in the area.
- The nightly rates will be between \$90 and \$110.

Mr. Brad Bonnell, Vice President of Loss Prevention for Extended Stay America was also in attendance and he addressed Mayor and Council regarding hotel safety and security, as follows:

- Mr. Bonnell works to ensure that hotels are in compliance with law enforcement.
- He has a lengthy history in law enforcement and hotel security.
- All members of staff receive mandatory training related to human trafficking and other illegal activities.

The Public Hearing is scheduled for November 18, 2019.

C. Case Number: 191004 City Initiated

City Council District: 3, CM Craig Elrod

Address/Location: 600 Lake Dow Road

Petition Request: Rezoning to R-85/R-75 (Single Family Residential) with conditions and variances to correct procedural deficiency.

Existing Zoning: RA-200 (Residential Agriculture) & R-100 (Single Family Residential) Tax Parcel ID: 122-02056000

Land Lot(s) 119 of the 7th District 35.75 +/- total acres

Meetings:

MPC Workshop (10/22/19)

MCC Workshop (N/A per City Initiated petition)

MPC Public Review (10/22/19 *Postponed to 10/29/19)

MCC Public Hearing (11/07/19)

Mr. Heard reviewed case number 191004, to rezone to R-85/R-75 (Single Family Residential) with conditions and variances to correct procedural deficiency. He discussed the zoning history related to the property, and he explained the need to correct a discrepancy in the previous zoning:

- The zoning map showed the subject property being in part with the annexation with a zoning designation of R-75/R-85 with conditions.
- When the property was purchased, the perception was that the property was zoned R-75/R-85.
- It was discovered that the property was actually zoned R-100/R-200.
- Steps were taken to rectify the discrepancy and the City has initiated this rezoning.
- The property was annexed into the City in 2003.

Councilmember Elrod said that this process should not be rushed to ensure that everyone involved understands the steps necessary to correct the zoning. Councilmember Vincent also stressed the need to be transparent and make sure that every step is made clear to ensure that the public trust is not lost. Additionally, she stressed the importance of having signage on the property as a notice to the public of what is taking place.

Mayor Copeland opened the Public Hearing. No one spoke in favor.

Ms. Penny Adams, Ms. Vanessa Thomas and Mr. Jonathan Bergen spoke in opposition.

(1.) Ms. Adams stated that after the final plat was finalized on Bridlewood/Bridleridge, there were homes built that did not meet the zoning requirements of having four sides brick. She said that regardless of how it happened, what was presented to the public is not what happened within the development at Bridlewood/Bridleridge, and she hopes that history will not repeat itself.

(2.) Ms. Vanessa Thomas said that the citizens need to be made aware of what is going on in the City so their voices can be heard.

(3.) Mr. Bergen agreed that the Council and citizens need to be involved to ensure that the City has high quality standards.

Councilmember Vincent motioned to continue the Public Hearing in case number 191004, to the November 18, 2019 City Council Meeting, to allow for additional public input; and furthermore, that a sign will be posted on the property. Councilmember Pruitt seconded. The vote was seven in favor.

D. Case Number: 191009 Rezoning with new conditions

City Council District: 4, CM Kam Varner

Address/Location: Avalon Parkway & Haworth Parkway

Petition Request: Rezoning to C-2 (Central Commercial) with new conditions to allow for an Indoor Recreation Facility (i.e. Swim Center).

Existing Zoning: C-2 (Central Commercial) w/ conditions per ORD #05-02-07002(A)(Z) & #05-06-20001(ZM)

Tax Parcel ID: 094-01048001

Land Lot(s) 195 of the 7th District

2.17 +/- total acres

Meetings:

MCC Workshop (11/07/19)

MPC Workshop (11/12/19)

MPC Public Review (12/03/19)

MCC Public Hearing (12/09/19)

Mr. Heard reviewed case number 191009, to rezone to C-2 (Central Commercial) with new conditions to allow for an Indoor Recreation Facility (i.e. Swim Center). The Applicant, Ms. Jennifer Hill was in attendance for the meeting, and she addressed Mayor and Council about her plans for the property, as follows:

- This will be a privately-owned swim school.
- Water aerobics and swimming lessons will be provided year-round.
- Enrollment is mostly seasonal with approximately 3,000 swim lessons per month during the summer months.
- During the off season, there are approximately 300 – 400 lessons given per month.
- The project will cost approximately \$1.3 million.

The Public Hearing is scheduled for December 9, 2019.

E. Case Number: 190601 ECI Ventures LLC (Jenny Halkos)

**Note: Continuation of review per Applicant's request to remand back to Municipal Planning Commission*

City Council District: 4, CM Kam Varner

Address/Location: South Point Boulevard, midway between Hwy 20 W Corridor (South Point

primary entrance) and Hwy 81 W Corridor (South Point secondary entrance).

Petition Request: Rezoning to RM-75 (Multi-Family Residential) with variance(s) for –

- a. **Density (DUA) increase** from eight (8) to **nine, eight two (9.82) units/acre***, accounting for removal of east tract that was part of previous calculation of the twelve (12) DUA.
- b. **Height increase** from thirty-five (35') to **forty-three (43') feet** per architectural design customized for continuity of design standards associated with the South Point project.

Existing Zoning: RA-200 (Residential Agriculture) with conditions per ORD #02-12-16(A)(Z)

Tax Parcel ID: 075-01012000

Land Lot(s) 192 of the 7th District

29.45 +/- total acres

Meetings:

- 10/22/19 - Municipal Planning Commission Workshop *Session I* per Applicant's request to remand back to the Commission per Tie Vote at 09/10/19 MPC Meeting.
- 10/29/19 - Municipal Planning Commission Workshop *Session II* (Cont'd review with adjustment to 9.82 DUA per removal of east tract in its entirety
- **MCC Workshop (11/07/19)**
- MPC Public Review (11/10/19)
- MCC Public Hearing (12/09/19)

Mr. Heard reviewed case number 190601, to rezone RM-75 (Multi-Family Residential) with variance(s) for density and height increase. The Applicants, Ms. Jenny Halkos and Mr. Stephen Stoves were in attendance at the meeting, and each addressed Mayor and Council regarding the proposed rezoning, as follows:

- The original proposed project was remanded back to the Planning Commission on October 22, and October 29, 2019.
- The previous recommendation was for 12 units per acre, which has now been reduced to 9.82 units per acre.
- There will be a total of 260 units, made up of 50% one-bedroom units, 45% two-bedroom units, and 5% three-bedroom units.
- There will be a lake with a walking path as well as sidewalks throughout the property.
- There will be an Uber rideshare lounge as an added amenity.

The Public Hearing is scheduled for December 9, 2019.

F. Case Number: 190802 Rezoning

City Council District: 2, CM Sandra Vincent

Address/Location: 200 Atlanta Street

Petition Request: Rezoning to OI (Office Institutional) with variances pertaining to the reduction of the fifty (50') foot structure setback and twenty-five (25') foot landscape strip required by city code to fifteen (15') feet, with the exception of the footprint for existing primary structure (12.8'), accessory structure (3'), and driveway.

Existing Zoning: R-100 (Single Family Residential)

Tax Parcel ID: #M07-01001000

Land Lot(s) 124 of the 7th District

.86 +/- total acres

Meetings:

- MCC Workshop (10/22/19)
 - MPC Workshop (11/07/19)
 - MPC Public Review (11/12/19)
 - **MCC Public Hearing (11/18/19)**

Mr. Heard reviewed case number 190802, to rezone the property to OI (Office Institutional) with variances. The Applicant, Mr. Craig Dickerson was in attendance at the meeting, and he briefly addressed Mayor and Council as follows:

- The property is currently zoned residential.
- Mr. Dickerson brought a letter of approval from Mr. David Nesbit, who owns a neighboring property, as previously requested by Councilmember Vincent.

The Public Hearing is scheduled for November 18, 2019.

**9. Discussion and adoption of an Ordinance Mr. Jim Elliott
to amend the city code section, 8.20.020 to
facilitate enforcement of code, property owner's
responsibility, abatement by the City, and
costs which will constitute a lien on property
regarding litter.**

City Attorney, Mr. Jim Elliott discussed the adoption of an Ordinance to amend the City Code, Section 8.20.020 related to Code Enforcement, which will allow the City to place a lien on properties regarding litter. The ordinance will provide a mechanism for the City to remedy the code violations on a given property after the property owner has been duly notified, and in turn place a lien on the property for the costs associated with the clean-up.

Councilmember Vincent shared her concerns about the possibility of residents experiencing hardships and losing property over liens, and she questioned the purpose of any administrative or associated costs. Mr. Elliott explained that a \$100 administrative fee could be attached to the costs of clean up to allow the City to be compensated for any costs related to Code Enforcement efforts to remedy the issue. He also offered that these liens would not allow for foreclosure against a property, but the lien would have to be satisfied before the property could be sold or refinanced.

Mayor Copeland offered that the City has dealt with several of these issues to no avail, and he recommended moving forward with the Ordinance as presented. Councilmember Elrod echoed the sentiments of the Mayor after being satisfied that no resident could lose their property as a result of this type of lien.

Councilmember Vincent requested a copy of the Code Section that provides that these liens will not result in the loss of property. Mr. Elliott said he will provide her with information on the laws under which liens can be foreclosed, which would be primarily ad valorem tax liens.

Councilmember Pruitt shared concerns over the 15-day time frame for payments due, and Mr. Elliott explained that the time frame would ultimately be up to Mayor and Council to determine.

Councilmember Vincent requested that the possibilities of how to utilize the \$100 administrative fee to assist those in need be explored, and Councilmember Elrod agreed.

Councilmember Elrod motioned to approve the amended Ordinance as presented tonight, with one change under Item 4(b) to make payment due after 30 days. The vote was six in favor and one opposed. Those voting in favor were Mayor Copeland, Councilmember Elrod, Councilmember Pruett, Councilmember Pruitt, Councilmember Stewart and Councilmember Vincent. Mayor Pro Tem Varner voted in opposition. The motion passed.

- 10. 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)**

This agenda item was moved to Item 6E.

11. City Attorney and City Clerk Comments

Ms. Price congratulated the winning candidates from the recent election. She said that she provided affidavits to those newly re-elected officials, and she noted that the deadline to submit those to State Ethics is November 13, 2019.

12. Councilmembers and Mayor Comments

Councilmember Elrod thanked everyone who was in attendance at the meeting. He also reminded everyone that the Grinch would be on the square starting this weekend, and that the groundbreaking for the disc golf course would be on Saturday, November 9, at Alexander Park West.

Councilmember Pruitt offered his congratulations to the newly re-elected councilmembers, and he thanked everyone who was in attendance for the meeting.

Mayor Copeland also offered his congratulations to the councilmembers who were re-elected. He also thanked those who have supported the ballot to keep the courthouse on the City square.

13. Adjournment

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

The meeting adjourned at 8:53 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 26, 2018; and a copy the meeting schedule was posted at City Hall and on the City's website, as required by law.