POST AGENDA
CITY OF MCDONOUGH
CITY COUNCIL MEETING
CITY HALL – DECEMBER 9, 2019
6:00 PM

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	Absent
Councilmember Roger Pruitt	Present
Councilmember Rufus Stewart	Present
Councilmember Sandra Vincent	Present

Others in attendance were: City Administrator, Mr. Keith Dickerson; City Attorney, Mr. Jim Elliott; City Clerk, Ms. Janis Price; Police Chief, Mr. Preston Dorsey; Fire Chief, Mr. Steve Morgan; Finance Director, Mr. Mike Clark; Public Works Director, Mr. Ronnie Thompson; Executive Assistant, Ms. Trisha Colpetzer; Executive Assistant, Ms. Euretha L. Olokodana; Building Official, Mr. Mark Dobson; and Building Inspector, Mr. Charlie McCarter.

3. Approval of the Agenda

Mayor Copeland called for a motion to approve the Agenda subject to the addition of Item 6L and the deletion of Item 9E; additionally, Councilmember Vincent offered an amendment to Item 6K, with her nominations of Samuel Humphries for the Board of Zoning Appeals (BOZA) and Yolanda Williams for the Planning Commission (PC). Councilmember Pruitt motioned and Councilmember Stewart seconded. The vote was six in favor. Those voting in favor were Mayor Copeland, Mayor Pro Tem Varner, Councilmember Elrod, Councilmember Pruitt, Councilmember Stewart and Councilmember Vincent. Councilmember Pruett was not present for the vote.

4. Pledge to the Flag

Councilmember Elrod led the Pledge to the Flag.

5. Invocation

The Reverend, Dr. Ed Lee of Shiloh Baptist Church gave the Invocation.

6. Consent Agenda

A. Approval of a contract between the City of McDonough and CivicPlus for a one-time cost of $27,532.78, and then an annual cost of $7,749.75 relative to CivicEngage, which will replace the existing website service provider; authorization for the Mayor to sign documents. These expenditures will be paid from the General Fund.

B. Adoption of an Ordinance amending Title 5 of the City Code regarding Business Licenses and regulations as a result of the November 5, 2019, election by inserting the following:
"Sunday: 11:00 am – 12:00 midnight. Tables shall be cleared of all drinks containing alcoholic beverages no later than 30 minutes following the legal closing time" and deleting City Code § 5.24.300. B.2.

C. Approval to purchase American Air Works Fast, AC94590-HE3-6M, the one breathe air system for the Fire Department, Station 51 in the amount of $33,762.20 which will be paid from Impact Fees.

D. Approval to surplus the following items on GovDeals and the items to be sold as is:
   - Printers: 45
   - Copiers: 3
   - Typewriters: 4
   - Miscellaneous Toners: 12
   - Former Council Chambers A/V equipment (analog wired mics, amps, wireless mics, etc.)

E. Approval to allow Goforth Williamson, Inc. to retrofit the current generator to provide 480-volt emergency power to Turner Church Lift Station at a cost of $28,829.00 funded by the Sewer Treatment Plant.

F. Adoption of an Ordinance which imposes a moratorium on the rezoning or acceptance of applications for variances, permits, or inspections for the development of multi-family housing developments as such as provided for under the zoning ordinance of the City of McDonough.

G. Adoption of a budget Resolution to amend the FY 2018-2019 Budget for approved transactions in the Development Impact Fee Fund.

H. Adoption of a budget Resolution to amend the FY 2019-2020 Budget for approved transactions in various funds.

I. Approval of the Department of Transportation State of Georgia Indication Roundabout Support for SR20 @ CS 992/McGarity Rd. & CS 608/Lawrenceville Street in McDonough; authorization for the Mayor to sign all documents. SPLOST funds in the amount of $229,928.00 will cover the entire cost to energize the lighting system and to provide the operation/maintenance thereof.

J. Approval of the minutes of the November 18, 2019, City Council Meeting.

K. Approval of appointments to Planning Commission, Board of Zoning Appeals and Historic Preservation Commission:

	PC	BOZA	HPC
CM Elrod	Terry Ellington	Charles Piersaul, Jr.	
CM Stewart	Calvin McClenden		Jean Bell

Mayor Copeland called for a motion to approve the Consent Agenda with the addition in Item 6K to nominate Ms. Sandra Humphry (BOZA) and Yolanda Williams (PC), and to add Item 6L. Councilmember Stewart motioned and Councilmember Pruitt seconded. The vote was six in favor. Those voting in favor were Mayor Copeland, Mayor Pro Tem Varner, Councilmember Elrod, Councilmember Pruitt, Councilmember Stewart and Councilmember Vincent. Councilmember Pruett was not present for the vote.

7. Recognition of the 2019 First and Second Place Winners of the Christmas Parade

Mayor Copeland announced the 2019 Christmas Parade winners:

- 1st place winner – The Paw Pad
- 2nd place winner – Maximum One Realty

8. Proclamations:

150th Anniversary of Shiloh Baptist Church
Celebrate Learning in Henry County Schools Day
Councilmember Rufus Stewart, 30 years of Service
Key presented to Monte Durham

Mayor Copeland called on City Administrator, Mr. Keith Dickerson who recognized Councilmember Rufus Stewart for 30 years of Service to the City of McDonough and presented him with a plaque in appreciation for his service to the City.

Mayor Copeland called for a motion to make the Proclamations for the 150th Anniversary of Shiloh Baptist Church; Celebrate Learning in Henry County Schools Day; Councilmember Rufus Stewart, 30 years of service plaque; and a Key to the City presented to Monte Durham. Councilmember Pruitt motioned and Councilmember Elrod seconded. The vote was six in favor. Those voting in favor were Mayor Copeland, Mayor Pro Tem Varner, Councilmember Elrod, Councilmember Pruitt, Councilmember Stewart and Councilmember Vincent. Councilmember Pruett was not present for the vote.

9. Community Development Items **Mr. Rodney Heard**

A. **Case Number: 190601 Rezoning**

City Council District: 4, CM Kam Varner

Address/Location: South Point – Hwy. 20 W. Corridor

Petition Request: ECI Ventures, LLC (South Point Apartments – South Point Blvd.)

Request: (*Updated/Revised 10/29/19) to rezone property to RM-75 (Multi-Family Residential) with variances to increase the density from eight (8) to nine. eight-two (9.82) units per acre (versus the initial twelve (12) DUA per petition) and height from thirty-five (35') feet to forty-three (43') feet.
Existing Zoning: RA-200 (Residential Agricultural) with conditions per Ordinance (02-12-16(A)(Z) Land Lot(s) 192 of the 7th District
29.45 +/- total acres (Adjusted to 28.31 +/- acres with removal of a 1.14 ac tract)
Re-Review Per Applicant's request to remand back to MPC Meetings:
MPC Workshop (10/22/19)
MCC Workshop (11/07/19) **MCC Public Hearing (12/09/19)**
MPC Public Review (12/03/19 per postponement from 11/12/19)

Community Development Director, Mr. Rodney Heard was not present for the meeting.

Mr. Dickerson reviewed case number 190601, to rezone from RM-200 (Residential Agriculture) with conditions to RM-75 (Multi-Family Residential) with variances to increase the density from eight (8) to nine. eight-two (9.82) units per acre and height from thirty-five (35') feet to forty-three (43') feet.

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

Mayor Copeland called for a motion. Mayor Pro Tem Varner motioned for approval of rezoning in order to provide economic sustainability per the subject property's location in case number 190601, per Ordinance 19-12-09001(Z); and Councilmember Pruitt seconded. The vote was six in favor. Those voting in favor were Mayor Copeland, Mayor Pro Tem Varner, Councilmember Elrod, Councilmember Pruitt, Councilmember Stewart and Councilmember Vincent. Councilmember Pruett was not present for the vote.

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 a Hotel as a permitted use.
Existing Zoning: C-3 (Highway Commercial) with conditions per ORD #05-05-02001(Z)
Tax Parcel ID: 075-01008019
Land Lot(s) 119 of the 7^{th} District
1.79 +/- acres of a parent tract consisting of 4.47 +/- acres
Meetings:
MPC Workshop (10/22/19)
MCC Workshop (11/07/19)
MPC Public Review (11/12/19)
MCC Public Hearing cont'd (12/09/19 per postponement from 11/18/19)

Mayor Copeland called on Council for any questions related to case 191003, to rezone to C-3 (Highway Commercial) with new conditions to allow a hotel as a permitted use, and some discussion ensued as follows:

- Nightly rate of $80
- Total proposed investment of $12.5 million
- Staff will patrol parking lot and be available 24/7
- Mr. Brad Bonnell was in attendance as head of security for the proposed hotel to address safety and security concerns
- Mr. Dickerson suggested discussing the possibility of the City utilizing some of the funds from Hotel/Motel to put together a task force to assist with hotel safety and security.
- Councilmember Vincent reiterated that sex trafficking is a legitimate concern for the I-75 corridor and the United States as a whole.
- The Applicant, Jim Baker stated that while he has already made a $150,000,000 in the City, this project would provide corporate travelers a quality extended-stay option.

Mayor Copeland called for a motion. Mayor Pro Tem Varner motioned to deny the approval of Ordinance 19-12-09002(Z), case number 191003, to rezone to C-3 (Highway Commercial) with new conditions to allow for a hotel; and Councilmember Vincent seconded. The vote was three in favor and three opposed. The motion did not pass. Those voting in favor were Mayor Pro Tem Varner, Councilmember Vincent and Councilmember Pruitt. Those voting in opposition were Mayor Copeland, Councilmember Elrod and Councilmember Stewart. Councilmember Pruett was not present for the vote.

Councilmember Elrod asked the City Attorney if the issue could be reconsidered later in the meeting, and Mr. Elliott said that a motion to reconsider would be appropriate since there is no majority vote in this instance; or that the case could be reconsidered at a later meeting. Councilmember Vincent challenged the City Attorney's citing of Roberts Rules of Order, stating that since there is no majority there can be no motion to reconsider. She said if there is a desire to allow another councilperson the opportunity to vote, that this should be moved to the next meeting.

Mayor Pro Tem Varner noted that there were citizens in attendance in opposition of the proposed project, and she asked if the Public Hearing had been closed. Mayor Copeland confirmed that the Public Hearing was held and closed at the November 18, 2019 City Council Meeting.

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 cont'd (12/09/19 per postponement from 11/18/19)

Mr. Dickerson reviewed case number 191004, the City-Initiated rezoning to R-85/R-75 (Single Family Residential) with conditions and variances to correct a procedural deficiency.

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

Mayor Copeland called for a motion. Councilmember Pruitt motioned to approve the City-initiated rezoning to R-85/R-75 with conditions and variances and to adopt Ordinance 19-12-09004(Z); and Councilmember Elrod seconded. There were five in favor and one opposed. The motion passed. Those voting in favor were Mayor Copeland, Mayor Pro Tem Varner, Councilmember Elrod, Councilmember Pruitt and Councilmember Stewart. Councilmember Vincent voted in opposition. Councilmember Pruett was not present for the vote.

D. Case Number: 191003 Rezoning with new conditions
City Council District: 4, CM Kam Varner
Address/Location: Avalon Parkway & Hayworth Parkway
Petition Request: Rezoning to C-2 (Central Commercial) with new conditions to allow an Indoor (Swimming) Facility as a permitted use.
Existing Zoning: C-2 (Highway Commercial) with conditions per ORD #05-02-07002(A)(Z) & #05-06-20001(ZM)
Tax Parcel ID: 075-01008019
Land Lot(s) 195 of the 7th District 2.17 +/- acres
Meetings:
MPC Workshop (10/22/19)
MCC Workshop (11/07/19)
MPC Public Review (11/12/19)
MCC Public Hearing (12/09/19)

Mr. Dickerson reviewed case number 191003, to rezone to C-2 (Central Commercial) with new conditions to allow an indoor swimming facility as a permitted use. The Applicant, Ms. Jennifer Hill was in attendance at the meeting, and she briefly addressed Mayor and Council.

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

Mayor Copeland called for a motion. Mayor Pro Tem Varner motioned to approve case number 191003, to rezone to C-2 (Central Commercial) with new conditions to allow for an indoor swimming facility as a permitted use, and adopt Ordinance 19-12-09003(Z)(M); and Councilmember Stewart seconded. The vote was six in favor. Those voting in favor were Mayor Copeland, Mayor Pro Tem Varner, Councilmember Elrod, Councilmember Pruitt, Councilmember Stewart and Councilmember Vincent. Councilmember Pruett was not present for the vote.

E. **Approval of a Preliminary Plat**
Preliminary Plat Review, <u>Chapter 16.12 Procedure, Section 16.12.060 (A-D)</u>
Applicant(s): Bill Goodwin on behalf of LGS Holdings Group 2013, LLC
Petition Request: Approval of Preliminary Plat
Development: **Garden Walk, Ph. V** (residual, undeveloped portion of Garden Walk)
Location: Iris Lake Road, south of intersection with Racetrack Road

This item was removed from the Agenda.

10. Discussion of Solar/Wind Power **Mr. Keith Dickerson**

Mr. Dickerson discussed the methods and benefits of utilizing solar and wind power in the City of McDonough to produce power, Wifi and enhance security. Mr. Jim Lavine and Mr. Scot McHazlett with Texacola were present for the meeting and they addressed Mayor and Council about options for producing solar and wind power. Discussion ensued.

11. Discussion and Adoption of a Resolution for Mr. Dickerson to continue with service delivery strategy negotiations for the City. **Mr. Dickerson**

Mr. Dickerson discussed his desire to continue working on service delivery strategies (SDS) for the City of McDonough after his official resignation date of December 31, 2019, until the negotiations are completely finalized. He suggested that he be compensated one dollar annually to continue his work on SDS.

Councilmember Vincent motioned to approve the Resolution to allow Mr. Keith Dickerson to continue with Service Delivery Strategy negotiations for the City of McDonough, until the completion of these negotiations; and Councilmember Stewart seconded. The vote was six in favor. Those voting in favor were Mayor Copeland, Mayor Pro Tem Varner, Councilmember Elrod, Councilmember Pruitt, Councilmember Stewart and Councilmember Vincent. Councilmember Pruett was not present for the vote.

12. Unscheduled Public Comments

There were no unscheduled public comments.

13. 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, and Personnel, O.C.G.A. 50-14-3(b)(2). Councilmember Stewart motioned and Councilmember Pruitt seconded. The vote was six in favor. Those voting in favor were Mayor Copeland, Mayor Pro Tem Varner, Councilmember Elrod, Councilmember Pruitt, Councilmember Stewart and Councilmember Vincent. Councilmember Pruett was not present for the vote.

Mayor Copeland called for a motion to go back into Regular Session. Councilmember Pruitt motioned and Councilmember Elrod seconded. The vote was six in favor. Those voting in favor were Mayor Copeland, Mayor Pro Tem Varner, Councilmember Elrod, Councilmember Pruitt, Councilmember Stewart and Councilmember Vincent. Councilmember Pruett was not present for the vote.

There were no action items to report.

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

15. Councilmembers and Mayor Comments

16. Adjournment

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

The meeting adjourned at 8:30 p.m.