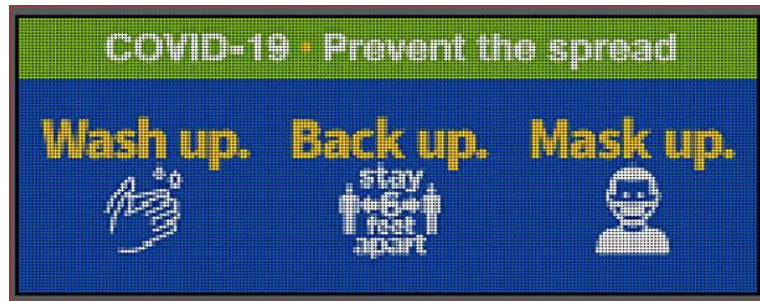




MINUTES
CITY OF MCDONOUGH
CITY COUNCIL MEETING
CITY HALL – 136 KEYS FERRY STREET
APRIL 19, 2021
6:00 PM



The Regular Meeting of the City of McDonough City Council was held on Monday, April 19, 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	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; Finance Director, Mr. Mike Clark; Public Works Director, Mr. Ronnie Thompson; Network Administrator, Mr. Brian Linton; McDonough Fire Department, Mr. Greg Moore and family.

Mayor Copeland called for a motion to approve the Agenda with the postponement of Item 10C. Councilmember Stewart motioned and Councilmember R. Pruitt seconded. The vote was six in favor. Those voting in favor were Mayor Copeland, Mayor Pro Tem Elrod, Councilmember B. Pruett, Councilmember R. Pruitt, Councilmember Stewart and Councilmember Varner. Councilmember Vincent was absent from the meeting.

Councilmember Varner led the Pledge to the Flag; and the Reverend Doctor Bert Neal, Pastor of Wesley Chapel United Methodist Church gave the Invocation.

6. Consent Agenda

Administration

- A.** Adoption of a Resolution declaring that no on-street parking of motor vehicles or trailers shall be permitted on Industrial Parkway, South Point Boulevard and Avalon Parkway effective June 1, 2021.

Public Works

- B.** Approval to allow Goforth Williamson, Inc. to replace an orbital basin mixer at the Wastewater Treatment Plant. The cost of a new shaft is \$57,375.00, and the cost to repair the current shaft is \$35,375.00. Depending on whether the repairs can be done or if a new shaft must be acquired the cost will be paid from the Wastewater Treatment Plant Budget.
- C.** Approval to award the bid for the 2021 CDBG project to Helix Group, Inc. and approval of the contract between The City of McDonough and Helix Group, Inc. in the amount of \$257,375.30. (\$200,000.00 will be funded by the Henry County Community Block Grant and the \$57,375.30 will be funded by SPLOST IV funds.

Councilmember Varner thanked the City staff for their hard work to eliminate on-street parking issues on Industrial Parkway, South Point Boulevard and Avalon Parkway with the adoption of a Resolution, which will become effective June 1, 2021.

Mayor Copeland called for a motion to approve the Consent Agenda. Councilmember R. Pruitt motioned and Councilmember Stewart seconded. The vote was six in favor. Those voting in favor were Mayor Copeland, Mayor Pro Tem Elrod, Councilmember B. Pruett, Councilmember R. Pruitt, Councilmember Stewart and Councilmember Varner. Councilmember Vincent was absent from the meeting.

7. Resolutions:

Honoring and Remembering Elaine Moore
Honoring and Remembering Euretha Lyles

Mayor Copeland read the Resolution Honoring and Remembering Joyce Elaine Moore, and he presented it to her husband, John, and other members of the Moore family who were present for the meeting.

Ms. Janis Price read the Resolution Honoring and Remembering Euretha “Reek” Lyles into the record.

Mayor Copeland called for a motion to make the Resolution Honoring and Remembering Joyce Elaine Moore and the Resolution Honoring and Remembering Euretha “Reek” Lyles a part of the minutes of the meeting. Councilmember R. Pruitt motioned and Mayor Pro Tem Elrod seconded. The vote was six in favor. Those voting in favor were Mayor Copeland, Mayor Pro Tem Elrod, Councilmember B. Pruett, Councilmember R.

Pruitt, Councilmember Stewart and Councilmember Varner. Councilmember Vincent was absent from the meeting.

Mr. Jimmy Whitaker presented the Audit for Fiscal Year ending June 30, 2020. Some of the items he reviewed are listed as follows:

- Total assets in the General Fund as of June 30, 2020, were \$10,994,437.
- Total liabilities in the General Fund were \$585,044, along with unavailable revenues of \$136,828.
- The fund balance as of June 30, 2020, was \$10,222,565.
- Total revenues in the General Fund was \$15,417,235, with total expenditures of \$15,907,065.
- Total expenditures over revenues was \$489,000.

Mr. Whitaker reviewed a summary of changes in property, plant and equipment. Some of the projects he discussed included completing the Postmaster Drive roundabout, Polk Museum improvements, completion of the bandstand at Avalon Park, as well as purchases of vehicles and equipment. He noted that the funds received through the CARES Act will be recognized next Fiscal Year since the agreement was signed subsequent to year end.

Discussion ensued. Mayor Pro Tem asked about how to resolve the liability related to continuing fees for Stormwater that have been rolled over for several years. Mr. Whitaker said that is a legal issue, which needs to be resolved. He suggested submitting a letter to the County and the Board of Education in an attempt to come to a resolution.

Mr. J.T. Williams and Ms. Auta Lopes with Georgia Mobility discussed the proposed Memorandum of Understanding (MOU) related to bringing the JPod Transit System to McDonough. Ms. Lopes explained that the solar-powered transit system would be a privately-financed public transportation option that runs on an elevated rail system and would help alleviate traffic. There will be no charge to the City for the transit system; however, the City would collect five percent of the revenues produced. Discussion ensued.

Mayor Copeland requested Mr. Elliott's opinion after reviewing the MOU. Mr. Elliott said he sees no problem with approving the MOU; however, discussions regarding a franchise agreement would be very detailed and extensive. Discussion ensued. Mayor Pro Tem Elrod shared his continued skepticism about the project being too good to be true. Mr. Williams explained that the system would generate two sources of revenue by charging passengers to use the system and through advertising inside the pods. Further discussion ensued.

Mayor Pro Tem Elrod said he can't find much information about JPods, even after researching on the company's website. He added that he recently learned that the City of Fayetteville had signed an MOU for this project in 2012; and he questioned why that project was never initiated after being widely advertised to the public. Ms. Lopes said

that she will look into exactly what happened with the City of Fayetteville and bring that information back to Mayor and Council. Further discussion continued.

Mayor Copeland called for a motion to approve the Memorandum of Understanding. Councilmember R. Pruitt motioned. There was no second. Without a second to the motion, the motion died.

10. Community Development

Mr. Charles Reese

A. Case # 190302 (Rezoning)

CC District 3: Craig Elrod

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) HELD

MCC Vote (4/19/21)

Community Development Director Mr. Charles Reese reviewed case number 190302, request to rezone the subject property from RA-200 (Residential Agricultural) to R-50 (Single Family Residential), RTD (Residential Townhome District, RM-75 (Multi-Family Residential), and 1.5+/- acres allocated for development of a Public Safety Facility. He also noted that the Planning Commission voted to recommend denial of the proposed rezoning; however, staff findings indicate that this proposed development is within the Highway Activity Corridor for the Future Land Use Map.

Discussion ensued. Mr. Reese noted that the Applicant had provided a copy of some agreed-upon revisions to the conditions for the development, which he reviewed for Mayor and Council. Mr. Elliott said that the document provided combines staff recommendations and concessions that the owner has voluntarily submitted. He clarified for the record that these are not only City recommendations, they are conditions that the developer has consented to as well.

Mayor Pro Tem Elrod motioned to approve the rezoning request in case number 190302, along with the conditions as stated in document 02715867, as presented at the meeting; and approval of Ordinance 21-04-19001(Z). Councilmember Stewart seconded. The vote was four in favor and two in opposition. The motion passed. Those voting in favor were Mayor Copeland, Mayor Pro Tem Elrod, Councilmember Stewart and Councilmember Varner. Councilmember B. Pruett and Councilmember R. Pruitt voted in opposition. Councilmember Vincent was absent from the meeting.

B. 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)

MCC Workshop (3/4/21) **POSTPONED per Applicant**

MCC Workshop (4/1/21)

MCC Public Hearing (3/15/21) **POSTPONED per Applicant**

MCC Public Hearing (4/19/21)

Mr. Reese reviewed case number 210101, a petition to rezone 5 +/- acres to C-3 (Highway Commercial) and 31 +/- acres to RM-75 (Multi-Family Residential). He said that staff recommends rezoning to a higher density, and the proposed zoning would be consistent with the surrounding area according to the 2040 Comprehensive Plan and Future Land Use Map. He noted that the Planning Commission recommended denial of the application on March 9, 2021, with a vote of 3 to 2.

Councilmember Varner asked why the Planning Commission voted to deny the request. Mr. Reese said that the concern was about whether or not this zoning would be appropriate due to the fact that there are other multi-family developments in the area. He also said there were concerns regarding potential impacts to traffic if the zoning were approved. Discussion ensued.

The Applicant was in attendance for the meeting, and he addressed Mayor and Council regarding the proposed development. Mr. James Thornton, III, with Smith, Welch, Webb & White was also in attendance on behalf of the Applicant.

Mayor Copeland opened the Public Hearing. No one spoke in favor. Mr. Albert Rape, Mr. Malcolm Sheffield and Ms. Vivian Thomas spoke in opposition. Mayor Copeland closed the Public Hearing.

Councilmember Varner asked for any updates regarding the traffic concerns for the area. Mr. Andy Welch with Smith, Welch, Webb & White said that a traffic study was completed which provided that a traffic light would alleviate some of the congestion and provide pedestrian protection in the area as well.

Councilmember Varner motioned to approve the rezoning application for case number 210101, the Residential Group for Crest South Point, from RA-200 (Residential Agriculture) to C-3 (Highway Commercial) and RM-75 (Multi-Family Residential) with conditions as presented. Mayor Pro Tem Elrod seconded. The vote was five in favor and one in opposition. Those voting in favor were Mayor Copeland, Mayor Pro Tem Elrod, Councilmember R. Pruitt and Councilmember Stewart. Councilmember B. Pruett voted in opposition. Councilmember Vincent was absent from the meeting.

C. Case #210102 CC District: #1, CM Rufus Stewart
Applicant: Steven Jones for Eagles Rest PH 2
Address: Hampton St. (#M0.35-01004003)
Request: To rezone property to RTD (Residential Townhouse District)
Zoning: R-50 (Single Family Residential) per ORD#00-07-03F
Land Lot(s) 156 of the 7th District 3.085 +/- total acres
MPC Workshop (3/9/21)
MPC Public Review (4/13/21)
MCC Workshop (4/1/21)
MCC Public Hearing (4/19/21)

This item was postponed through the approval of the Agenda.

D. SPECIALTY ITEM: Title 17 Code Amendment

Adoption of an Ordinance to amend/eliminate zoning districts that accommodate the development of multi-family housing within the City limits by repealing City's Zoning Ordinance, Code Section(s) 17.40 (RM-75/Multi-Family Residential), 17.44 (RTD/Residential Townhouse District), and 17.48 (Residential Condominium District/Residential Condominium District).
MPC Workshop (3/9/21)
MPC Public Review (4/13/21)
MCC Workshop (4/1/21)
MCC Public Hearing (4/19/21)

Mr. Reese said that the Planning Commission reviewed the proposed Title 17 Code Amendment on April 13, 2021, and they recommended approval with a 5 to 0 vote. Mayor Pro Tem Elrod shared concerns that the City will lose out on opportunities to provide downtown living if the zoning districts are eliminated. He offered that a better way to address the issue would be to put a cap of five units per acre going forward.

Councilmember R. Pruitt said the zoning restriction is necessary for at least a few years since traffic is already an issue and the City has a shortage of water. Discussion ensued. Mayor Pro Tem Elrod asked if the Council would consider removing RTD (Residential

Townhouse District) and Residential Condominium District from the wording of the Ordinance and consider only eliminating RM-75 (Multi-Family Residential). Councilmember R. Pruitt said he would consider removing condominiums and townhouses if the number of units were limited.

Mayor Copland asked the City Attorney to provide some guidance and history on the matter. Mr. Elliott said that he has heard from several Members of Council over the last couple of years about the need to consider zoning amendments. He said that no final decision has to be made until up to 60 days after the Public Hearing; therefore, he suggested holding the Public Hearing, modifying the plan and adopting the Ordinance at the next meeting if the Council is not prepared to make a decision tonight.

Mayor Copland opened the Public Hearing. Mr. Keith Sweat and Ms. Vanessa Thomas spoke in favor. No one spoke in opposition. Mayor Copland closed the Public Hearing.

This item will come back at the May 6th City Council Workshop.

11. Unscheduled Public Comments

(1) Ms. Diana Batson

- Ms. Batson is a resident of Sara's Bend.
- The proposed development was originally denied in a 3 to 2 vote.
- We won the first round.
- Why vote again?
- To have any quality of life with this development will be almost impossible.
- The City has not been a good neighbor.

Mayor Copland called for a motion to approve the April 1, 2021, City Council Workshop Minutes. Councilmember Stewart motioned and Councilmember R. Pruitt seconded. The vote was five in favor and one abstention. Those voting in favor were Mayor Copland, Mayor Pro Tem Elrod, Councilmember R. Pruitt, Councilmember Stewart and Councilmember Varner. Councilmember B. Pruett did not vote because he was not present for the April 1, 2021 Workshop. Councilmember Vincent was absent from the meeting.

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 Copland called for a motion to go into Executive Session for Personnel O.C.G.A. 50-14-3 (b)(2). Councilmember R. Pruitt motioned and Councilmember Stewart seconded. The vote was six in favor. Those voting in favor were Mayor Copland, Mayor Pro Tem Elrod, Councilmember B. Pruett, Councilmember R. Pruitt, Councilmember Stewart and Councilmember Varner. Councilmember Vincent was absent from the meeting.

Mayor Copeland called for a motion to go back into Regular Session. Councilmember Stewart motioned and Councilmember R. Pruitt seconded. The vote was six in favor. Those voting in favor were Mayor Copeland, Mayor Pro Tem Elrod, Councilmember B. Pruitt, Councilmember R. Pruitt, Councilmember Stewart and Councilmember Varner. Councilmember Vincent was absent from the meeting.

There were no action items to report.

There were no comments from the City administrator or the City Attorney.

City Clerk Ms. Janis Price offered that Councilmember Vincent's daughter who was a serious accident and suffered a broken neck has now been released to home from the hospital.

Mayor Pro Tem Elrod thanked everyone who was in attendance for the meeting whether in-person or online. He discussed the fact that areas of downtown were vandalized with graffiti, which has caused serious property damage. He thanked City staff for working hard to put together a good budget for the coming year.

Councilmember Stewart thanked the City staff for their continued hard work.

Councilmember Varner thanked the citizens who were in attendance for the meeting, and she thanked the City staff for the great job they do.

Councilmember R. Pruitt also thanked the City staff for a continued job well done. He requested that a discussion regarding the status of the Jonesboro Road Park be brought back to the next council meeting; and Mr. Dorsey agreed.

Mayor Copeland said that from this point forward on Friday and Saturday nights, there will be policemen present in the immediate area to try to mitigate some of the traffic issues. He also announced that the son of Pastor Jim Bradshaw, who was chosen to carry the torch through McDonough during the 1996 Olympics will donate the torch and the banners from the event to the C.O. Polk Museum since his father's passing.

Mayor Copeland adjourned the meeting at 8:22 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.

