

MINUTES

City of Carrollton Mayor and Council Meeting

August 1, 2011

6:00 p.m.

Public Safety Complex, Court/Council Chambers, 115 West Center Street,
Carrollton, Georgia

I. CALL TO ORDER

The Mayor and City Council met in regular session on Monday, August 1, 2011 at 6:00 p.m. in the Public Safety Annex Building, 115 West Center Street, Carrollton, Georgia. Mayor Garner called the meeting to order at 6:00 p.m. Members present: Mayor Wayne Garner, Councilmember Peter Balega, Councilmember Mandy Maierhofer and Councilmember Mike Patterson. Councilmember Byrd absent.

II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Garner.

III. INVOCATION

Ms. Annie Boykin offered the invocation.

IV. MINUTES (July 11, 2011)

Motion by Councilmember Maierhofer, seconded by Councilmember Patterson to approve the Minutes of the July 11, 2011 meeting of the Mayor and Council. Motion passed (4-0). Councilmember Byrd absent.

V. ITEMS OF DISCUSSION

1. Certificate of Recognition: Bremen Demons Baseball Team

A certificate of recognition was read honoring the Bremen Demons Baseball Team.

2. Resolution 07-2011: Amendment to Animal Control Ordinance and Unified Development Ordinance to Allow for Possession of Female Chickens (Hens)

City Manager Coleman presented to the Mayor and Council for their consideration *Resolution 07-2011 - Amendment to Animal Control Ordinance and Unified Development Ordinance to Allow for Possession of Female Chickens (Hens)* with recommendations as follows:

CITY OF CARROLLTON CODE OF ORDINANCE AMENDMENT:

1. An amendment to the City of Carrollton Code of Ordinances, Section 14-53 to regulate the allowable number of female chickens (hens) a person may possess on properties zoned E-R, R-20, R-15, or R-10; distance requirements; and the required enclosure.

CITY OF CARROLLTON UNIFIED DEVELOPMENT ORDINANCE AMENDMENTS:

1. An amendment to the City of Carrollton Unified Development Ordinance, Article 2, Section 2.04.02, Agricultural Uses, to regulate the allowable number of female chickens (hens) a person may possess on properties zoned E-R, R-20, R-15, or R-10; distance requirements; and the required enclosure.

CM Coleman advised that a number of residents had approached the Mayor and Council about keeping a limited number of female chickens (i.e., hens) for the principal purpose of harvesting eggs. CM Coleman noted that the changes have been reviewed and approved by the Planning Commission and that staff recommends approval. CM Coleman noted that as set forth in Section 2.04.02(C) of the Unified Development ordinance, persons may have, control, or possess up to six (6) female chickens (i.e., hens) on properties zoned E-R, R-

20, R-15, or R-10 and that such hens must be enclosed in a pen, coop, or other such structure, and any such pen, coop, or other structure shall be located at least twenty-five (25) feet from the nearest property line.

Motion by Councilmember Balega, seconded by Councilmember Patterson to accept the Planning Commission's recommendation and adopt Resolution 07-2011 as presented, which amends the Animal Control Ordinance and the Unified Development Ordinance to Allow for Possession of up to six (6) Female Chickens (Hens) for the purpose of harvesting eggs. Motion passed (4-0). Councilmember Byrd absent.

3. Resolution 08-2011: Amendment to Sign Ordinance and Unified Development Ordinance to Provide for Certain Signs Within the City of Carrollton

City Manager Coleman presented to the Mayor and Council for their consideration *Resolution 08-2011 - Amendment to Sign Ordinance and Unified Development Ordinance to Provide for Certain Signs Within the City of Carrollton* with recommendations as follows:

CITY OF CARROLLTON UNIFIED DEVELOPMENT ORDINANCE AMENDMENTS:

1. An amendment to the City of Carrollton Unified Development Ordinance, Article 1, Section 1.09.01, Definitions, Sign, Outdoor Advertising, to rescind the stipulation that an outdoor advertising sign must be the principal use of the property.
2. An amendment to the City of Carrollton Unified Development Ordinance, Article 5, Section 5.04.02 (H) and (L) to allow portable, trailer, sidewalk, sandwich, curb, or "A" type signs within the Downtown District, only if allowed and regulated by the Main Street Program; and to allow neon lighting or lettering on signs.
3. An amendment to the City of Carrollton Unified Development Ordinance, Article 5, Section 5.04.04, Signs in Non-Residential Districts (1) to rescind the setback requirement that no part of a sign shall be located within the street right-of-way; allow the placement of legal signage up to the right-of-way.
4. An amendment to the City of Carrollton Unified Development Ordinance, Article 5, Section 5.04.04, Signs in Non-Residential Districts (2) (c) to rescind the setback requirement that no part of a sign shall be located within the street right-of-way; allow the placement of legal signage up to the right-of-way.
5. An amendment to the City of Carrollton Unified Development Ordinance, Article 5, Section 5.04.04, Signs in Non-Residential Districts to (9) (b) (c) (d) to allow the change in sign copy to change up to two (2)-second intervals; and to allow multi-colored electronic images and graphics.
6. An amendment to the City of Carrollton Unified Development Ordinance, Article 8, Section 8.05.05, Meetings, Rules and Procedure, and Records, to forward, by default, agenda items to the Mayor and City Council after a period of thirty (30) days if action is not taken by the Planning Commission due to the lack of a quorum.

CM Coleman advised that the issuance of the UDO created certain difficulties concerning the construction of signs that were not anticipated. In addition, CM Coleman noted that these difficulties have resulted in numerous applications to the Board of Development Appeals. CM Coleman also stated that Resolution 08-2011 would remove the setbacks on signs adjacent to the public right of way, noting that signs may be placed up to, but not on, the public right of way, noting that typically right-of-ways are 25 feet wide, measured from the center of the road. CM Coleman assured the Mayor and Council that signs would still need to be far enough from the curbs not to block the line of sight. CM Coleman also advised that some area businesses are housed too close to the road to put a sign by the street legally and the proposed ordinance change will now allow those businesses to erect appropriate signage. In addition, it removes the restrictions on outdoor advertisement that makes the sign the principle use of the property and also removes certain restrictions on electronic reader boards. Councilmember Maierhofer objected to not having additional restrictions in place which would ensure that signs were far enough from the street. CM Coleman again stated that signs would have to sit back far enough away from the street to allow for a good line-of-sight. **Motion by Councilmember Patterson, seconded by Councilmember Balega to accept the Planning Commission's recommendation and adopt Resolution 08-2011 as presented, which amends the Sign Ordinance and Unified Development Ordinance to provide for certain signs within the City of Carrollton. Motion passed (3-0). Councilmember Maierhofer opposed. Councilmember Byrd absent.**

4. Adoption of 2011 Millage Rate

City Manager Coleman presented for adoption the proposed 2011 Millage Rate of 4.69 mills. CM Coleman noted that the levy history was published July 16, 2011 in the Times Georgian as required by law. CM Coleman advised that the recommended millage rate represents no change from the 2010 millage of 4.69 mills. **Motion by Councilmember Maierhofer, seconded by Councilmember Patterson to adopt the proposed 2011 Millage Rate of 4.69 mills. Motion passed (4-0). Councilmember Byrd absent.**

5. Sale of City Owned Property

City Manager Coleman presented to the Mayor and Council for their consideration the sale of a 0.14 acre tract of City owned property known as Greenway Court, which is no longer needed for City purposes. CM Coleman advised that representatives of Greenway Medical Technologies, Inc. had approached him regarding the desire to purchase the property for future business expansion. In addition, CM Coleman advised that an appraisal on the property concluded that the property was valued at \$12,000 and that it is Greenway's desire to purchase the property for that amount. **Motion by Councilmember Maierhofer, seconded by Councilmember Patterson to authorize the City Manager to proceed with the sale of a 0.13-acre tract of City owned property, which is no longer needed for City purposes, to Greenway Medical Technologies, Inc. for a future business expansion at a total of \$12,000. Motion passed (4-0). Councilmember Byrd absent.**

6. Presentation by Mr. Brian Dill, Vice President of Economic Development and Global Commerce for Carroll Tomorrow

Mr. Brian Dill, Vice President of Economic Development and Global Commerce for Carroll Tomorrow, provided an update on economic development and recruitment in the area. Mr. Dill advised that he has been working with the State Department of Economic Development and noted that there are approximately \$140,000,000 in pending projects that are ready to be announced. Councilmember Patterson inquired as to how this would affect employment numbers in the City. Mr. Dill advised that with conservative estimates approximately 639 new jobs would be created.

7. Appointments: Historic Preservation (2)

Motion by Councilmember Maierhofer, seconded by Patterson to reappoint Ms. Dorothy Pittman to a new term on the Historic Preservation Commission (new term expiring 05/01/14), and to appoint Dr. Tom Williamson to the vacant position on the Historic Preservation Commission (term expiring 05/01/14). Motion passed (4-0). Councilmember Byrd absent.

VI. CITIZEN COMMENTS

Dr. Kent Edwards, Superintendent of Carrollton City Schools, thanked the Mayor and Council, City Manager Coleman, and Commission Chairman Bill Chappell for the work accomplished on Ben Scott Boulevard. Dr. Edwards advised that he and the School Board were thrilled to see everyone working together on this project.

Ms. Annie Boykin of 149 Carter Street complained about people running the traffic signal at Alabama Street/Maple Street. Mayor Garner advised that the City would look into the matter.

Mr. Joseph Granum of Lighthouse Pointe, located at 1600 Hwy. 27, explained to the Mayor and Council the services offered at Lighthouse Pointe for the homeless, abused women, etc. and requested special tax exemptions or additional funding for the business. Councilmember Patterson advised that Lighthouse Pointe does a wonderful job providing assistance for those seeking help. Mayor Garner advised that he would have the City Manager look into the matter.

VII. MAYOR AND COUNCIL ANNOUNCEMENTS

There were none.

VIII. CITY MANAGER ANNOUNCEMENTS

There were none.

IX. ADJOURN

There being no further business to address, the meeting adjourned at 6:46 p.m.