

# MINUTES

## City of Carrollton Mayor and Council Called Meeting

### September 13, 2010

#### 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 called session on Monday, September 13, 2010 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 Gerald Byrd, Councilmember Mandy Maierhofer and Councilmember Mike Patterson.

#### II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Garner.

#### III. INVOCATION

Councilmember Byrd offered the invocation.

(At this time Mayor Garner asked those in attendance to remember Attorney Tommy Vance who was seriously injured in a plane crash. In addition, Mayor Garner expressed sympathy to the family of Daniel Marnell, the pilot who was killed in the recent plane crash).

#### IV. MINUTES (July 12, 2010)

**Motion by Councilmember Maierhofer, seconded by Councilmember Byrd to approve the Minutes of the July 12, 2010 meeting of the Mayor and Council. Motion passed (5-0).**

#### V. ITEMS OF DISCUSSION

##### 1. Issuance of Letters of Recognition (Special Olympic Participants)

Letters of Recognition were presented to the following individuals for their participation in the Special Olympics National Games in Lincoln Nebraska: Jeff Vaughn, Carrollton Police Department; Jennifer Gunnels (CPRCAD); Amber Shrewsberry, Special Olympic Gymnast Medal Winner; DeAsia Manley, Special Olympic Medal Winner; and The Rhythmic Gymnastics team, which won a total of 20 medals: (1 bronze, 8 silver, and 11 gold). In addition, Letters of Recognition were also presented to the following individuals for their participation in the Special Olympics National Youth Activation Summit in Omaha, Nebraska: Tracy Young, Therapeutic Recreation Coordinator (CPRCAD); Ryan Young, Special Olympic Athlete; and Skyler Hooper, Unified Partner Athlete.

##### 2. Presentation of "Key to the City" (Mrs. Rosie Holley)

Councilmember Gerald Byrd presented a "Key to the City" to Mrs. Rosie Holley in appreciation for her efforts in organizing the successful "Hope for the Journey" Health Fair which was held on July 17<sup>th</sup> at the Catherine Hardy-Lavender Center.

##### 3. Rezoning Request: Rezone from R-10 (Single Family Residential) to R-O-I (Residential Office-Institutional)

**Property Location: 128 Lovvorn Road**

**Petitioner: Alan Bell**

**(Supporting documents attached separately)**

A public hearing was held to receive citizen input from petitioner Alan Bell to rezone property located at 128 Lovvorn Road from R-10 (Single Family Residential) to R-O-I (Residential Office-Institutional). ACM Grizzard advised the Mayor and Council that due to the lack of a quorum at the Planning

Commission Meeting, a public hearing was held on the matter. ACM Grizzard informed the Mayor and Council that no official action was taken by the Planning Commission, but those present at the public hearing were in favor of approving the rezoning and by default the request has been forwarded to the Mayor and Council for consideration and a final decision. *(During this time, Councilmember Patterson recused himself from voting on the agenda item due to a conflict of interest, but did note that for the record, he was in favor of the rezoning).*

At this time, Mayor Garner opened the public hearing to receive citizen input on the matter. Those speaking opposed: None. Those speaking in favor: None. **Motion by Councilmember Maierhofer, seconded by Mayor Garner to approve the rezoning of property located at 128 Lovvorn Road from R-10 (Single Family Residential) to R-O-I (Residential Office-Institutional). Motion passed (4-0) – (Councilmember Patterson was recused from the vote).**

**4. Rezoning Request: Rezone from C-3 (Neighborhood Commercial) to R-10 (Single Family Residential)  
Property Location: 160 Watson Street  
Petitioner: Michael Stone  
(Supporting documents attached separately)**

A public hearing was held to receive citizen input from petitioner Michael Stone to rezone property located at 160 Watson Street from C-3 (Neighborhood Commercial) to R-10 (Single Family Residential). ACM Grizzard advised the Mayor and Council that due to the lack of a quorum at the Planning Commission Meeting, a public hearing was held on the matter. ACM Grizzard informed the Mayor and Council that no official action was taken by the Planning Commission, but those present at the public hearing were in favor of approving the rezoning and by default the request has been forwarded to the Mayor and Council for consideration and a final decision.

At this time, Mayor Garner opened the public hearing to receive citizen input on the matter. Those speaking opposed: None. Those speaking in favor: None. **Motion by Councilmember Byrd, seconded by Councilmember Maierhofer to approve the rezoning of property located at 160 Watson Street from C-3 (Neighborhood Commercial) to R-10 (Single Family Residential). Motion passed (5-0).**

**5. Resolution 05-2010 - Alcoholic Beverage Ordinance Amendment  
(to Allow Issuance of Special Sales and Consumption Permits)**

City Manager Casey Coleman presented to the Mayor and Council for their consideration Resolution 05-2010 – Alcoholic Beverage Ordinance Amendment, which if approved would allow for the City Manager to issue “special alcohol sales and consumption permits”. In addition, under certain circumstances the permit could be issued by the City Manager to establishments already issued an alcohol license that want to move their alcohol sales area to the exterior of the building on contiguous property for special events. If approved, the suggested charge for this special permit would be \$500.00 per event and is limited to no more than five (5) times per year. CM Coleman also advised that several alcoholic beverage establishments have requested this change and that he is of the opinion that under a tightly controlled environment that the change will meet their needs to satisfy their patrons. **Motion by Councilmember Maierhofer, seconded by Councilmember Balega to approve Resolution 05-2010 – Alcoholic Beverage Ordinance Amendment (to Allow Issuance of Special Sales and Consumption Permits). Motion passed (5-0).**

**6. Resolution 06-2010 - Georgia Municipal Association 457(b)  
(Deferred Compensation Plan)**

CM Coleman advised the Mayor and Council that the Georgia Municipal Association (“GMA”) recently restated the Georgia Municipal Association 457(b) Deferred Compensation Plan (“457(b) Master Plan”) to incorporate Amendments 1 and 2, and to reflect changes in the law under the Pension Protection Act of 2006; Heart Earnings Assistance and Relief Tax Act of 2008; Worker, Retiree, and Employer Recovery Act of 2008; and, model language promulgated by the Internal Revenue Service. CM Coleman informed the Mayor and Council that in order to continue using the GMA 457(b) Master Plan to provide voluntary 457(b) retirement benefits for the City’s employees, the Mayor and Council must

adopt the restated plan. **Motion by Councilmember Maierhofer, seconded by Councilmember Byrd to approve adoption of Resolution 06-2010 – Georgia Municipal Association 457(b) (Deferred Compensation Plan). Motion passed (5-0).**

**7. Sewer Use Ordinance Modification**

ACM Grizzard advised the Mayor and Council that the operating permit for the City’s Wastewater Treatment Plant is renewed every five (5) years. In addition, ACM Grizzard noted that along with renewal, Georgia EPD requires that discharge limits into the sanitary sewer collection system be evaluated, and, where necessary, be revised. ACM Grizzard explained that an evaluation of these limits indicates that some of the industrial limits be changed as follows:

Parameter	Old Limit	New Limit
Antimony	0.13	0.08
Arsenic	0.58	0.24
Beryllium	0.09	0.05
Cadmium	0.33	0.20
Chromium, total	6.13	3.59
Copper	5.68	3.64
Cyanide	0.18	0.14
Lead	0.49	0.41
Mercury	0.11	0.06
Nickel	4.07	2.41
Selenium	2.37	1.41
Silver	1.46	0.87
Thallium	0.04	0.28
Zinc	0.72	0.48

In addition, ACM Grizzard reported that Georgia EPD requires the Sewer Use Ordinance be revised to reflect the new limits as noted. **Motion by Councilmember Patterson, seconded by Councilmember Maierhofer to accept staff’s recommendation and modify the Sewer Use Ordinance as presented. Motion passed (5-0).**

**8. Adoption of Watershed Protection Plan**

ACM Grizzard advised the Mayor and Council that along with renewal of the operating permit for the City of Carrollton Wastewater Treatment Plant, Georgia EPD requires adoption of a Watershed Protection Plan. In addition, ACM Grizzard advised that the plan summarizes programs that the City uses to protect its streams and lakes. ACM also informed the Mayor and Council that the plan summarizes programs that the City uses to protect its streams and lakes. Most of the programs were already in place prior to the development of the plan and include the following:

- Limitations on Septic Tanks
- Industrial Pretreatment Requirements
- Stream and Lake Buffer Protection
- Public Education
- Storm Water Programs
- Prevention of Illegal Discharges
- Ongoing Watershed Water Quality Monitoring

**Motion by Councilmember Maierhofer, seconded by Councilmember Balega to adopt the Watershed Protection Plan as presented. Motion passed (5-0).**

**9. Appointments: Carrollton Area Convention & Visitors Bureau (1)**

**Motion by Councilmember Balega, seconded by Councilmember Maierhofer to appoint Michael Hart to a term on the Carrollton Area Convention and Visitors Bureau (term expiring June 30, 2013). Motion passed (5-0)**

**VI. CITIZEN COMMENTS**

Ms. Annie Boykin of 149 Carter Street expressed appreciation to the Mayor and Council for all they do for our City.

Architect Alan Bell invited the Mayor and Council to a Ribbon Cutting and Open House on Tuesday, October 5, 2010 at 3:30 at his new office located at 128 Lovvorn Road.

#### **VII. MAYOR AND COUNCIL ANNOUNCEMENTS**

Mayor Garner thanked Boy Scout Connor O'Brien for his attendance at the meeting.

Councilmember Byrd advised that he has received a request for sidewalk installation at Apache Pass. CM Coleman advised that he would look into the matter.

Councilmember Patterson advised that citizens are enjoying the sidewalks on Stewart Street near Paradise Apartments.

Councilmember Balega requested that Fire Department trucks be parked further away from the Taste of Carrollton event than in previous years.

Councilmember Maierhofer expressed appreciation to the Police and Fire Departments for their involvement in the recently held Cystic Fibrosis Walk.

#### **VIII. CITY MANAGER ANNOUNCEMENTS**

City Manager Coleman provided an update on the NSP program to the Mayor and Council and advised that due to the success of the program, Carrollton was chosen as a model city and is now eligible for an additional funding of up to \$1.5 million.

#### **IX. ADJOURN**

There being no further business to address, the meeting adjourned at 6:31 p.m.