

MINUTES

Special Called Mayor and Council Meeting

September 14, 2015

4:30 P.M.

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

I. CALL TO ORDER

The Mayor and Council met in a Special Called Meeting on Monday, September 14, 2015 at 4:30 p.m. in the Public Safety Annex Building, Court/Council Chambers, 115 West Center Street, Carrollton, Georgia. Mayor Garner called the meeting to order at 4:30 p.m. Members present: Mayor Wayne Garner, Councilmember Gerald Byrd and Councilmember Jim Watters. Members absent: Councilmember Mandy Maierhofer. Councilmember Ward II seat vacant. (Councilmember Ward II seat was vacated by Mike Patterson on September 4, 2015 to qualify for the Mayor seat in the November 2015 City election.)

II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Garner.

III. INVOCATION

Ms. Annie Boykin offered the invocation.

IV. MINUTES

Motion by Councilmember Byrd, seconded by Councilmember Watters to approve the Minutes of the July 6, 2015 and July 17, 2015 meeting. (Motion passed 3-0, Councilmember Maierhofer absent, Councilmember Ward II seat vacant.)

V. CITIZEN COMMENTS

Mr. Joe Lewis offered his services to the City of Carrollton to build race relations and assist in making Carrollton a "model City" in this regard.

Mr. Trent North, County Commissioner and resident of Canterbury Drive expressed appreciation to the Mayor and Council for all their cooperation with the Carroll County Commission throughout the years.

Mr. Bobby Freeman stated that he was not satisfied with the results of a complaint he had filed with the City regarding a traffic stop.

VI. ITEMS OF DISCUSSION

Clerk's Note: Mayor Garner requested item 7 on the Agenda be addressed first.

7. 2015 Tax Levy Resolution for Carrollton City Schools (G.O. bonds for new high school)

City Manager Coleman reminded the Mayor and Council of the referendum passed in March 2015 approving the Carrollton Independent School System (“School System”) issuance of up to \$25 million in bonds to finance the construction of various school projects, including the construction of a new high school. City Manager Coleman stated that while the School System has the authority to set its own millage rate for ad valorem tax purposes, the School System does not have the authority to actually levy or collect the tax. A Resolution is necessary for the City of Carrollton to levy the tax for the School System and arrange for its collection.

City Manager Coleman stated that the Resolution confirms that the City will levy and arrange for the collection of ad valorem taxes at the rate established by the School System in order to repay the bonds. The Resolution does not require the City to raise its own millage rate or to use its own general funds or SPLOST proceeds to repay the School System’s bonds.

Motion by Councilmember Watters, seconded by Councilmember Byrd to adopt a Resolution authorizing a levy and collection of taxes to pay debt service on the Series 2015 Bonds to be collected in the years 2016 through 2033 for the Board of Education of the Carrollton Independent School System. (Motion passed 3-0, Councilmember Maierhofer absent, Councilmember Ward II seat vacant.)

RETURN TO SCHEDULED AGENDA ORDER

1. Certificate of Recognition: Carrollton Flexette Gymnastics (State Champions)

A Certificate of Recognition was read honoring the Carrollton Flexette Gymnastics Team for their recent accomplishments at the State level at the 2015 Gymnastic Meet.

2. Certificate of Recognition: Carrollton Flexette Gymnastics (National Champion)

A Certificate of Recognition was read honoring Miss Daija Stevenson of the Carrollton Flexette Gymnastics Team for her Level 9 National Championship at the 2015 Gymnastic Meet.

3. Proclamation: Light Up Gold for Childhood Cancer Awareness

A Proclamation was read proclaiming the month of September, 2015 as “Light up Gold” month for childhood cancer awareness.

4. Annexation and Rezoning Request: Rezone 7.12 acres from Carroll County Commercial to City C-2

(General Commercial)

Property Location: 1558 N. Hwy. 27

Petitioner: James Duffey for owner Dean Talley

City Planner Lynne Miller presented a rezoning request from applicant James Duffey on behalf of Dean Talley for 7.12 acres located at 1558 N. Highway 27 from Carroll County Commercial to City of Carrollton C-2 (General Commercial). The owner of the property (Dr. Dean Talley) will be opening a dog grooming and boarding facility on the site, which will need City sewer connection. City Planner Miller advised the Planning Commission recommended approval of the request. At this time Mayor Garner opened the Public Hearing for public input on the matter.

Those speaking in favor: None.

Those speaking opposed: None

Being no further discussion, ***motion by Councilmember Byrd, seconded by Councilmember Watters to approve the Planning Commission's recommendation to annex and rezone 7.12 acres located at 1558 North Highway 27 from Carroll County Commercial to City C-2 Commercial. (Motion passed 3-0, Councilmember Maierhofer absent, Councilmember Ward II seat vacant.)***

**5. Rezoning Request: Rezone 1.04 acres from C-1 (Central Business District) to RM-PD (Residential Multi-Family-Mixed Use Plan Development)
Property Location: 501 Rome Street
Petitioners: Richard Diment, Jay Davis and Ronald Conners**

City Planner Lynne Miller presented a rezoning request from applicants Richard Diment, Jay Davis and Ronald Conners to rezone 1.04 acres at 501 Rome Street from C-1 (Central Business District) to RM-PD (Residential Multi-Family-Mixed Use Plan Development). The owners/developers of the property intend to construct a multi-family development with eight (8) upscale homes. City Planner Miller advised that the Planning Commission had approved the proposed development with the condition that the developer must purchase or provide adequate greenspace (as set forth in the UDO) within the City. City Planner Miller reported that the developers then revised the initial plan to include the greenspace in the proposed development. City Planner Miller provided the Mayor and Council with the revised plan. At this time Mayor Garner opened the Public Hearing for public input on the matter.

Those speaking in favor:

Owner/Developer Richard Diment spoke in favor of the rezoning and explained that he proposes to construct eight upscale homes on the lot. Mr. Diment reported the homes would be highly attractive and similar in design as to other homes to preserve the neighborhood's historic character. Mr. Diment advised that the primary market target for the homes would be "empty nesters" looking to live in close proximity to town. Mr. Diment stated there had been concerns expressed in a prior hearing that the homes would be rental properties. Mr. Diment reported that the intent of the development is for home owner residences, but he could not honor a condition for subsequent owners of the property. City Attorney confirmed that the City could not require a condition of this nature on a rezoning that would impose the requirement on subsequent property owners.

Those speaking opposed:

Mr. Chris Huff, 118 Rhudy Street, spoke opposed to the rezoning and noted he has resided across the street from the property for years. Mr. Huff read a statement complimenting the City on the mixed use of Commercial and Residential properties in the downtown area. Mr. Huff stated he was not opposed to the proposed development, but felt the proposal has too many homes for the size of the property which he felt resembles a subdivision. Mr. Huff noted that the proposed development does not blend in, nor does it complement the existing neighborhood. Mr. Huff stated that the proposed development did not have several of the characteristics of the existing neighborhood; including large front porches, hidden driveways, and rear property garages. Mr. Huff also expressed concerns of the lack of greenspace. Mr. Huff stated that with a little more work, the proposed development could be an asset to the existing historic neighborhood.

Mayor Garner permitted Mr. Huff to read statements from a letter written by Mr. Steve Minor, 709 Rome Street. The letter expressed that Mr. Minor was in favor of residential zoning on the parcel but concerned that the proposed development was too high in building density and recommended row housing with the maximum of six (6) instead of the proposed eight (8) subdivision homes. Mr. Minor's letter also listed concerns of the housing unit's proximity to City sidewalks, setbacks, and the limited greenspace in the proposed development.

Ms. Cyle Bohannon, 112 Spring Street, spoke opposed to the rezoning and stated that years ago when this property was rezoned from Single Family to a mixed Commercial/Residential use, she was in favor because it was part of the strategic plan for the growing downtown community. Ms. Bohannon described that the proposal that was presented during that particular rezoning was never developed, yet the City would now consider a Multi-Family development rezoning that was not included in the strategic plan.

Ms. Bohannon reported that the proposed development does not reflect the needs of the community that were expressed in Public Hearing when the strategic plan was developed years ago. Ms. Bohannon stated that the proposed development of multi-family zoning was highly unusual for a downtown area. Ms. Bohannon noted that the current proposal is not congruent with the surrounding neighborhood; lacking trees, large porches, greenspace, and parking. Ms. Bohannon pointed out the proposed development includes front facing garages that are nonexistent in the neighborhood.

Ms. Bohannon stated the density of the proposal was three (3) times that of the surrounding neighbor's properties. Ms. Bohannon expressed concerns of Fire safety, noting the lack of space between the homes. Ms. Bohannon requested the Mayor and Council to table the matter to study the proposal's density and suggested having an urban geographer review the matter.

At this time Mayor Garner closed the Public Hearing. Mayor Garner stated that the lot had sat empty for ten years and no one had come forth to do anything about it other than Mr. Diment. Mayor Garner reported that Mr. Diment was largely responsible for the improvements to Adamson Square. Adding that every project Mr. Diment had been associated with was always well done and an asset to the surrounding properties. Mayor Garner pointed out that there were a lot of nice houses on Rome, but that was not always the case down Rome Street.

Councilmember Byrd inquired to the exterior renderings of the proposed housing. Mr. Diment shared renderings of the homes, advising that the homes would be similar in design as to other homes to preserve the neighborhood's historic character. The proposed renderings were very detailed reflecting outside elevations, materials of construction, floor plans, and building colors. Councilmember Byrd inquired if Mr. Diment had succumbed to any of the neighbors request in regards to making changes to the proposal. Mr. Diment noted that he understood the need for more trees and greenspace. Councilmember Byrd suggested the matter be tabled to allow time for Mr. Diment to listen and address the neighbors' concerns and requests. Mr. Diment agreed to listen to the neighbors requests.

Motion by Councilmember Byrd, seconded by Councilmember Watters to table the rezoning request of 1.04 acres at 501 Rome Street from C-1 (Central Business District) to RM-PD (Residential Multi-Family-Mixed Use Plan Development) until further information could be obtained from the petitioner/developer. (Motion passed 2-1 with Mayor Garner opposed, Councilmember Maierhofer absent, Councilmember Ward II seat vacant.)

6. Rezoning Request: Rezone 8.51 acres from C-2 (General Commercial) to Mixed Use – PD (Planned Development)

Property Location: 0 Maple St., 0 Commons Blvd., and 2155 Maple Street

Petitioner: Southern Hills Christian Church for property owners REDUS One, LLC

City Planner Lynne Miller presented a rezoning request from Southern Hills Christian Church, filing on behalf of the property owners REDUS One, LLC; River City Bank and SMTT Investments, LLC, to rezone approximately 8.51 acres, on Maple Street. The requested rezoning is from C-2 (General Commercial) to Mixed Use – Planned Development. The rezoning would enable construction of the proposed City Station Christian development, with 53 four-bedroom student, four (4) story housing

units, a restaurant, bookstore, fitness center, gymnasium/church, counseling center, and other features. The Planning Commission recommended approval with conditions. City Planner Miller advised developers had the opportunity to meet with area concerned residents to discuss their concerns of the development and there was a revision to the Buffer condition and two additional conditions to meet remaining concerns. City Planner Miller reviewed the following conditions:

- 1) All submittal documents must agree and are binding - The site plan, building rendering, and floor plans shall all be coordinated and agree. All three are binding as conditions of zoning.
- 2) ~~Buffering – Provide suitable buffer between this project and adjacent residential use, per Section 4.07.05 of the Carrollton Unified Development Ordinance. Buffers may be (a) natural buffer strips at least 50 feet wide, (b) landscape buffers at least three feet high, capable of growing to six foot height within three years; or (c) landscape buffer at least ten feet wide with six foot high fencing as described in our UDO. City staff may require additional plantings to achieve a uniform buffer strip.~~
- 2) Buffering – Provide landscape buffer and fencing between this project and adjacent residential uses, along the entire east and north perimeters of this property. The buffer strip shall be at least 10 feet wide, containing an opaque fence at least six feet in height. The fencing shall have at least five feet of landscape planting on the exterior side of the fence and shall be planted with appropriate trees, shrubs, and ground cover as to provide a transition from the fence to both edges of the buffer strip. City staff may require additional plantings to achieve a uniform buffer strip.
- 3) Trash disposal -- Landlord shall furnish City-approved trash container and recycling container, to be located to the satisfaction of the City Engineer. Individual hobo type containers will not be allowed. This project must be served by either a dumpster type can or a compactor. Easy access to said container by the City garbage truck must be designed into this project.
- 4) Future development or changes -- Any future development or significant change proposed within this Planned Development shall require approval of the City of Carrollton Planning Commission as a Planned Development amendment.

Additional conditions

- 5) Student Tenancy – All City Station housing shall be restricted to current UWGA students, who can show current student identification.
- 6) 24-Hour Indoor Security. Provide 24-hour security inside the City Station building.

At this time Mayor Garner opened the Public Hearing for public input on the matter.

Those speaking in favor:

Mr. Shannon Lovelady, Pastor of Southern Hills Christian Church spoke in favor and reported to the Mayor and Council details of the proposed project, City Station. Pastor Lovelady stated that City Station would be a Christian community center convenient to the University of West Georgia College as well as the Greenbelt. Pastor Lovelady reported that 70% of Christian college students walk away from their faith when they enter their college years. Southern Hills Christian Church wants to reverse this trend with 70% of Christian college students growing stronger in their faith during their college years. Pastor Lovelady described that students living in City Station housing will be committed to Christian

principles and values. Free biblical counseling will also be available to students, as well as any and all people in the community.

Pastor Lovelady reported that City Station will include a fitness center, gymnasium, and pool. City Station will also have open to the public; restaurants and multipurpose rooms for meetings. Pastor Lovelady stated it was Southern Hill Christian Church's desire to be the centerpiece for the community, serving all people of our community by bringing positive spiritual development.

Ms. Kirby Butler, City Station Project Committee Chairperson and member of Southern Hills Christian Church spoke in favor. Ms. Butler reported she lived 2/10's (two-tenths) of a mile from the proposed development. Ms. Butler stated that if approved, City Station will be the new home of Southern Hills Christian Church. Ms. Butler stated that the City Station Committee had worked very closely with the University of West Georgia to establish an off campus student housing agreement. Student housing in City Station would only be available to students with clean backgrounds and valid student identification.

Ms. Butler reported on the financials that will fund City Station with full support, in case of shortfall coming from Southern Hills Christian Church.

Ms. Butler read a letter of support from Bob and Tish Stone of Heritage Hills (neighboring subdivision).

University of West Georgia President Kyle Marrero spoke in favor and advised that the current enrollment at the University of West Georgia is 12,813 students with current on site housing 98% occupied. President Marrero stated the University of West Georgia supported the City Station project because it is apparent it will be well managed and will add value supported programming.

Mr. Jim Gill, 104 Amhurst Way in Heritage Hills, spoke in favor of the rezoning and noted that he was not a Southern Hill Christian Church member, but he and his family had visited the church after hearing of the proposed development and were very impressed. Mr. Gill stated that this was a fantastic opportunity for the City and requested on behalf of his family and children, for the City to rezone the property to allow Southern Hills Christian Church to build City Station.

Mr. Phillippe Gunter, 216 Old Hickory Trail pointed out that initially he was opposed to the rezoning until the conditions were made a part of the rezoning. Mr. Gunter reported he now supports the rezoning but was curious to the taxation of the property. Mr. Gunter noted that any of the property that has an income or is income producing be taxed as any other individual/business would be taxed.

Mr. Ben Weber, University of West Georgia On-campus Outreach remarked that the impact of City Station would be a "spiritual greenhouse" for students and our community for generations to come.

At this time Mayor Garner inquired if there were any guest opposed to the rezoning.

Mr. Rusty Lambert, Heritage Hills resident, stated he was not opposed to the rezoning, but he did want to get some clarity on the rezoning and conditions. Mr. Lambert inquired if he was correct in his belief that if the City Station project does not develop as outlined; nothing else can be built, such as apartments on the property without it returning to the Planning Commission and City for approval. City Attorney Conerly agreed and pointed out that the rezoning is site plan specific. City Attorney Conerly stated that the project would have to be developed pursuant to the site plan that was approved by the City with any/all conditions met. Any changes to the site plan or the conditions would have to go back through the process just like a rezoning. If the property was resold, and a new development was proposed, the rezoning process would begin again.

Mr. Lambert inquired if a traffic study had been performed in anticipation of more traffic between the proposed City Station, Greenbelt and the University of West Georgia. Assistant City Manager Grizzard reported that traffic flow and the intersection were designed to facilitate the Maple Street Commons project that included multi housing and the additional traffic flow. The multi housing component of Maple Street Commons was never developed, hence; the infrastructure does exist to accommodate the anticipated increase in automobile and pedestrian traffic.

Being no further discussion on the matter, ***motion by Councilmember Watters, seconded by Councilmember Byrd to approve the Planning Commission's recommendation to rezone 8.51 acres from C-2 (General Commercial) to Mixed Use – PD (Planned Development) with conditions proposed by the Planning Commission, with a change to the Buffer condition and the addition of two more conditions as presented and recommended by staff. All conditions listed below. (Motion passed 3-0, Councilmember Maierhofer absent, Councilmember Ward II seat vacant.)***

Planning Commission's existing conditions with staff recommended changes to the Buffering condition and the addition of two more conditions of zoning as approved by the Mayor and Council

- 1) ***All submittal documents must agree and are binding - The site plan, building rendering, and floor plans shall all be coordinated and agree. All three are binding as conditions of zoning.***
- 2) ~~***Buffering – Provide suitable buffer between this project and adjacent residential use, per Section 4.07.05 of the Carrollton Unified Development Ordinance. Buffers may be (a) natural buffer strips at least 50 feet wide, (b) landscape buffers at least three feet high, capable of growing to six foot height within three years; or (c) landscape buffer at least ten feet wide with six foot high fencing as described in our UDO. City staff may require additional plantings to achieve a uniform buffer strip.***~~
- 2) ***Buffering– Provide landscape buffer and fencing between this project and adjacent residential uses, along the entire east and north perimeters of this property. The buffer strip shall be at least 10 feet wide, containing an opaque fence at least six feet in height. The fencing shall have at least five feet of landscape planting on the exterior side of the fence and shall be planted with appropriate trees, shrubs, and ground cover as to provide a transition from the fence to both edges of the buffer strip. City staff may require additional plantings to achieve a uniform buffer strip.***
- 3) ***Trash disposal -- Landlord shall furnish City-approved trash container and recycling container, to be located to the satisfaction of the City Engineer. Individual hobo type containers will not be allowed. This project must be served by either a dumpster type can or a compactor. Easy access to said container by the City garbage truck must be designed into this project.***
- 4) ***Future development or changes -- Any future development or significant change proposed within this Planned Development shall require approval of the City of Carrollton Planning Commission as a Planned Development amendment.***

Additional conditions

- 5) ***Student Tenancy – All City Station housing shall be restricted to current UWGA students, who can show current student identification.***
- 6) ***24-Hour Indoor Security. Provide 24-hour security inside the City Station building.***

Clerk's Note: Agenda item 7 was addressed first on the Agenda.

8. West Carrollton Recreation Pavilion

City Manager Coleman reported that bids for the construction of the West Carrollton Recreational Center Pavilion and Site Improvements Project were opened on September 3, 2015. The City received proposals from six (6) different contractors and evaluated all proposals on price, experience, and references of each contractor. The evaluation committee (Assistant City Manager, City Engineer, and a representative of the City's Architect) reviewed each proposal, checked references, and graded each contractor accordingly. City Manager Coleman advised that the contractor with the highest number of points was Arco Builders, which was also the contractor with the lowest bid price of \$453,087.00. City staff recommends that the contract for the construction of the West Carrollton Recreational Center Pavilion and Site Improvements Project be awarded to Arco Builders. Following a brief discussion regarding the size of the stage, ***motion by Councilmember Byrd, seconded by Councilmember Watters to award the contract for the construction of the West Carrollton Center Pavilion and Site Improvement Project to Arco Builders in the amount of \$453,087.00. (Motion passed 3-0, Councilmember Maierhofer absent, Councilmember Ward II seat vacant.)***

9. Appointment: Carrollton Area Convention and Visitors Bureau (1)

Motion by Councilmember Watters, seconded by Councilmember Byrd to re-appoint Nicole Clark to the CVB Board with term expiring June 30, 2018. (Motion passed 3-0, Councilmember Maierhofer absent, Councilmember Ward II seat vacant.)

VII. MAYOR AND COUNCIL ANNOUNCEMENTS

Councilmember Byrd expressed appreciation to Public Works Director, Mike Green and City Manager, Casey Coleman for their immediate assistance the previous weekend in getting a street corner right of way cleared that posed a traffic hazard.

VIII. CITY MANAGER ANNOUNCEMENTS

There were none.

IX. ADJOURN

There being no additional business to address, the meeting adjourned at 6:02 p.m.

The Agenda for Mayor and Council Meetings is available for review in the City Manager's Office, 315 Bradley Street, Carrollton, Georgia and the City's website, www.carrollton-ga.gov after 4:00 p.m. on the Friday prior to Council Meeting. The City complies with the Americans with Disabilities Act (ADA). If you will need special assistance at this meeting, the City will try to accommodate you in every reasonable manner. Please call (770) 830-2000 from 8:30 a.m. to 5:00 p.m. Monday through Friday at least 48 hours prior to the meeting. A summary of Agenda items acted upon is available within 48 hours of the meeting at the address and website listed above. Minutes to any previous meeting (once adopted) are available upon request or available at the website listed above.