

MINUTES

City of Carrollton Mayor and Council Meeting

January 4, 2016

4:30 p.m.

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

I. OATH OF OFFICE

Prior to the meeting being called to order, Carroll County Probate Judge Betty Cason administered the Oath of Office to Mayor Walt Hollingsworth and Councilmember Jim Watters. Judge Bill Hamrick administered the Oath of Office to Councilmember Met Lane.

II. CALL TO ORDER

The Mayor and Council met in regular session on Monday, January 4, 2016 at 4:30 p.m. in the Public Safety Annex Building, 115 West Center Street, Carrollton, Georgia. Mayor Hollingsworth called the meeting to order at 4:30 p.m. Members present: Mayor Walt Hollingsworth, Councilmember Gerald Byrd, Councilmember Met Lane, and Councilmember Jim Watters. (Councilmember Ward II seat vacated by Mike Patterson on September 4, 2015 to qualify for the Mayor seat in the November 2015 election).

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Hollingsworth.

IV. INVOCATION

The invocation was offered by Pastor Jay Sutton of Trinity Baptist Church.

At this time a motion was made by Councilmember Met Lane to suspend the rules to allow the newly elected officials to address the attendees and motion was seconded by Councilmember Jim Watters. (Motion passed 4-0, Councilmember Ward II seat vacant.)

Mayor Hollingsworth expressed appreciation to his family and to those in attendance and advised that it was a very special day for him and for the City of Carrollton. Mayor Hollingsworth advised that it means a lot to him to see a room full of people in attendance for the meeting. He stated that he appreciates everyone from the bottom of his heart for placing their trust in him and he hopes that he lives up to everything that is expected of him.

Councilmember Jim Watters said he had it easy during the recent election because he didn't have anyone to run against him. In addition, Councilmember Watters stated that he felt privileged to serve again. At this time Councilmember Watters recognized his mother as well as others in attendance who were representing him.

Councilmember Met Lane wished everyone a Happy New Year. Councilmember Lane thanked God for the opportunity to serve as a Councilmember. In addition, he thanked his wife and his family and stated that he and his wife have three young children. In addition, Councilmember Lane thanked his parents who were in attendance. Councilmember Lane also expressed appreciation to Councilmember Jim Watters, Jay Gill, Jason Swindle and Jim Naughton. In addition, Councilmember Lane thanked his neighbors who supported his campaign and gave him campaign contributions.

Councilmember Lane stated that Councilmember Watters had encouraged him to run for the Council position. Councilmember Lane also expressed appreciation to his law office partner, Greg Shadrix, and recognized Councilmember Gerald Byrd who he stated was instrumental in helping him become familiar with City government. In addition, Councilmember Lane recognized City Manager Tim Grizzard, Carrollton Parks, Recreation, and Cultural Arts Director Peter Maierhofer and Carrollton Housing Authority Director Charles Griffin, noting that those individuals had helped him tremendously to become familiar with City government. Councilmember Lane stated that he has had an opportunity to attend meetings of several of the boards, commissions and authorities recently. Councilmember Lane also thanked the residents in Ward IV who voted for him and he vowed to do everything that he could to represent them.

At this time, Councilmember Lane made a motion to suspend the rules to allow pictures to be taken of the newly elected Mayor and Councilmembers and their families and the motion was seconded by Councilmember Watters. (Motion passed 4-0, Councilmember Ward II Seat vacant.)

Councilmember Byrd welcomed Mayor Hollingsworth and Councilmember Lane and advised them that he would do all that he could to support them.

V. CITIZEN COMMENTS

Mr. Bobby Freeman congratulated Mayor Walt Hollingsworth, Councilmember Met Lane, and Councilmember Jim Watters.

Ms. Annie Boykin requested a traffic signal at the intersection of Hwy. 27 and Spring Street. City Manager Tim Grizzard advised that the traffic signal was under the jurisdiction of the Georgia Department of Transportation (DOT). City Manager Grizzard stated he would address the matter with DOT again.

VI. MINUTES (December 14, 2015)

Motion by Councilmember Lane, seconded by Councilmember Watters to approve the minutes of the December 14, 2015 meeting. (Motion passed 4-0, Councilmember Ward II seat vacant.)

VII. APPROVAL OF AGENDA ITEMS FOR CONSIDERATION

Motion by Councilmember Byrd, seconded by Councilmember Lane to approve and adopt the agenda as presented. (Motion passed 4-0, Councilmember Ward II seat vacant.)

1. Rezoning Request: (Previously tabled item)

**Rezone 12.39 acres from R-M, C-2 and R-15 to Planned Development–Residential
Property Location: 0, 305, 309, 315, 319, 333 Foster Street and 122 Park Lane
Petitioners: Student Quarters Campus Walk, LLC**

Assistant City Manager Grizzard presented the previously tabled rezoning request from Campus Walk, LLC to rezone 12.39 acres located at 0, 305, 209, 315, 319 and 333 Foster Street; and 122 Park Lane from R-M, C-2, and R-15 to Planned Development – Residential.

Assistant City Manager Grizzard advised that the petitioner's representative, Mr. David Mecklin had submitted a letter at 3:00 p.m. today (January 4, 2016) requesting that the Mayor and Council table the request until the next meeting.

Mayor Hollingsworth allowed Mr. Mecklin to speak in regards to the request to table the request.

Mr. Mecklin advised that Mr. Andy Feinour, one of the principal owners of Student Quarters Campus Walk, LLC experienced a death in his family which has caused him to be unavailable for the meeting scheduled for this afternoon. Mr. Mecklin stated that Mr. Feinour and would like to be present for any questions or concerns about the proposed development.

Mr. Mecklin stated that the petitioners would also like to also have the opportunity to fully review the rezoning request with the new members of the Mayor and Council, to give them a good understanding of the request.

At this time Mayor Hollingsworth inquired to the wishes of the Council. ***A motion was made by Councilmember Byrd to table the request until the February meeting, with the motion failing due to lack of a second on the motion.***

Mayor Hollingsworth allowed Mr. Mecklin to speak on the matter once again since the item was not going to be tabled but considered by the Mayor and Council.

Mr. Mecklin reviewed the proposed student housing project and the project was in an area already appropriate for multi-family housing. Mr. Mecklin stated that he heard comments that the project was not favorable because “we already have too many apartments”. Mr. Mecklin noted that having too many apartments was not a sufficient reason for denial of the request. Mr. Mecklin advised that it would be an arbitrary and capricious decision for the Mayor and Council to turn down this rezoning request. Mr. Mecklin noted that that the proposed development had been modified to include 504 beds in brand new apartment buildings replacing the old apartment buildings and removing housing in disrepair from the area.

A motion was made by Councilmember Watters, seconded by Councilmember Lane to approve the rezoning request for 12.39 acres from R-M, C-2 and R-15 to Planned Development – Residential for property located at 0, 205, 309, 315, 319, 333 Foster Street and 122 Park Lane. Those voting in favor: Mayor Hollingsworth and Councilmember Byrd. Those voting opposed: Councilmember Watters and Councilmember Lane. (Motion failed due to a tie vote of 2-2, Councilmember Ward II seat vacant.)

City Attorney Chuck Conerly advised that a motion that is duly seconded to approve a rezoning request that does not pass due to a tie vote is considered a denial of the rezoning request.

2. Resolution 01-2016: Code Amendment to Sec. 2-26, Meeting Time

Motion by Councilmember Byrd, seconded by Councilmember Watters to approve Resolution 01-2015: Code Amendment to Sec. 2-26, Meeting Time to change the meeting time of all future regularly scheduled Mayor and City Council meetings to be on the first Monday of each month at 6:00 p.m. (Motion passed 4-0, Councilmember Ward II Seat vacant.)

3. Resolution 02-2016: Code Amendment to Sec. 2-30, Mayor Pro-Tem

Motion by Councilmember Watters, seconded by Councilmember Lane to approve Resolution 02-2016: Code Amendment to Sec. 2-30 of the Code of Ordinances relating to the designation of the presiding officer and to provide for the election of the Mayor Pro Tem by the Mayor and City Council. (Motion passed 4-0, Councilmember Ward II Seat vacant.)

4. Election of Mayor Pro-Tem

Motion by Councilmember Lane, seconded by Councilmember Hollingsworth to nominate Councilmember Gerald Byrd as Mayor Pro-Tem.

Motion by Councilmember Lane, seconded by Councilmember Hollingsworth to close the nominations for Mayor Pro-Tem. (Motion passed 4-0, Councilmember Ward II Seat vacant.)

Motion by Councilmember Lane, seconded by Mayor Hollingsworth to elect Councilmember Gerald Byrd as Mayor Pro-Tem. (Motion passed 4-0, Councilmember Ward II Seat vacant.)

5. Resolution 03-2016: Present and Future Elected Officials Retirement

Motion by Mayor Hollingsworth, seconded by Councilmember Watters to approve Resolution 03-2015: Present and Future Elected Officials Retirement Plan which amends the City of Carrollton Retirement Plan so that on or after January 1, 2016 there is no eligibility for Mayor and Councilmembers to receive retirement benefits and any eligible Mayor and City Councilmember will cease to accrue any additional retirement benefits as of January 1, 2016. (Motion passed 4-0, Councilmember Ward II Seat vacant.)

6. Resolution 04-2016: Code Amendment to Sec. 2-32, Meeting Agenda Posting

Motion by Councilmember Lane, seconded by Councilmember Watters to approve Resolution 04-2015 so that all meetings of the Mayor and Council shall be in accordance with an agenda to be approved at the beginning of the meeting. In addition, in the absence of an emergency or other exigent circumstances, the Agenda should be posted at least five business days prior to any meeting of the Mayor and Council. Discussion on the motion: Councilmember Lane stated that as the author of this resolution, he wanted to make it known that this agenda posting policy would require the City to post the agenda 5 business days prior to a meeting and agendas with supporting documents would also be made available to the Mayor and Council and Times Georgian via email at that time. Being no further discussion, Mayor Hollingsworth called for a vote. (Motion passed 4-0, Councilmember Ward II Seat vacant.)

7. Executive Session: Personnel and Potential Litigation

Motion by Councilmember Gerald Byrd, seconded by Councilmember Jim Watters to enter Executive Session for the purpose of discussing potential litigation and personnel. (Motion passed 4-0, with Councilmember Ward II seat vacant). Detailed vote count: Those voting in favor: Mayor Walt Hollingsworth, Councilmember Gerald Byrd, Councilmember Met Lane and Councilmember Jim Watters. Those voting opposed: None.

At this time, the Mayor and Council relocated to the second floor conference room of the Public Safety Complex.

- EXECUTIVE SESSION -
MINUTES TO AN EXECUTIVE SESSION ARE NOT OPEN TO THE
PUBLIC PURSUANT O.C.G.A. § 50-14-2 (e)(2)(c)

At this time the Mayor and Council returned to the Court/Council Chambers. Upon return to the Court/Council Chambers, **motion by Councilmember Watters, seconded by Councilmember Byrd to reconvene to Regular Session. (Motion passed, 4-0, with Councilmember Ward II seat vacant). Detailed vote count: Those voting in favor: Mayor Walt Hollingsworth, Councilmember Gerald Byrd, Councilmember Met Lane and Councilmember Jim Watters. Those voting opposed: None.**

Following the motion, an affidavit was circulated and signed by each member of the Mayor and Council attesting that the items discussed (potential litigation and personnel) during Executive Session were pursuant to Georgia State Law (O.C.G.A. § 50-14-2).

At this time, a motion was made by Councilmember Watters, seconded by Councilmember Lane to appoint Assistant City Manager Tim Grizzard as the Interim City Manager for the month of January 2016 and City Manager beginning February 1, 2016 with his salary being the same as the retiring City Manager (Mr. Casey Coleman) plus 5% and include the same car allowance stipend as given to the retiring City Manager.

Discussion on the motion: Mayor Hollingsworth stated his comments were of no reflection on Mr. Grizzard or his ability to run the City, but he felt that the decision to hire a permanent City Manager should be done when a full Council was present. Councilmember Lane stated during his campaign he spoke with a lot of citizens, heard praise of the City staff and particularly Assistant City Manager Grizzard. Upon the announcement of the retiring City Manager, Mr. Lane stated he received several calls from his constituents supporting a move of Tim Grizzard to the City Manager position. Mr. Lane reviewed Mr. Grizzard qualifications and his work with the City of Carrollton. Mr. Lane added that he had spoken with several employees who spoke highly of Mr. Grizzard and he felt the continuity would help employee morale. Being no further discussion, Mayor Hollingsworth called for a vote.

(Motion passed with those voting in favor: Councilmember Byrd, Councilmember Lane, and Councilmember Watters. Those voting opposed: none. Those abstaining from the vote: Mayor Hollingsworth. 3-0-1, Councilmember Ward II Seat vacant.)

City Manager Grizzard expressed appreciation to the Mayor and Council for their support.

8. Resolution 05-2016: Multi-Family Building Permit Moratorium

City Manager Grizzard advised that Resolution 05-2016 was for a moratorium on multi-family building permits. City Manager Grizzard advised that this matter was discussed in Executive Session. City Manager Grizzard stated to the Mayor and Council that a motion and a second was needed. City Manager Grizzard also stated that there were some alterations to the original resolution. Mayor Hollingsworth stated that he believed that there was an amendment to the resolution.

Motion by Councilmember Watters, seconded by Councilmember Lane to approve Resolution 05-2016 to impose a six-month moratorium on the acceptance of applications for apartment developments in the City of Carrollton with the addition of the following amendment to the Resolution: 4. This moratorium shall not apply to any project for which construction, grading, and/or soil and erosion control plans have been submitted and/or an application for a land disturbance permit has been submitted to City staff for review and approval prior to January 4, 2016.

Discussion on the motion:

Councilmember Lane stated that currently 42.5% of Carrolltonians live in multi-family housing and only 42.5% are single-family residents, which means that roughly, 60% of all Carrolltonians are tenants and not land owners. Councilmember Lane also stated that when he had Mr. Grizzard do research on the property taxes generated by multi-family housing, (and he couldn't recall the exact total), but stated that it was rather low from all of the units. Councilmember Lane asked City Manager Grizzard how many total multi-family housing units were in the City of Carrollton. City Manager Grizzard advised that the total was between 5,000 and 6,000 and specified that number is for units and not bedrooms (and that there could be 2, 3 or 4 bedrooms per unit). Councilmember Lane asked City Manager Grizzard what it was generating in tax revenue. City Manager Grizzard stated that he apologized, but he was unprepared for the question. City Manager Grizzard stated that the number was extremely small and stated that it was \$50.00 per unit on some and \$25.00 per unit on others. It just wasn't a large number compared to that of a single-family home. Councilmember Met lane stated that the purpose of the moratorium is what he hopes is that what we have in Carrollton what is called a Comprehensive Plan. Councilmember Lane stated that basically you're monitoring a big map of Carrollton and this big map it tells you what things are zoned. Some things might be zoned residential and some things might be zoned commercial, some might be zoned multi-family, and during this six-month period (it's just a six-month period that we are not going to issue any permits).

We are going to hire a City Planner or maybe even a national planner or a planner from Georgia Tech to come in and review the City's Comprehensive Plan.

City Manager Grizzard advised that the plan is to issue an RFP which is a Request for Proposal to City Planning firms. We would bring that forward to the Mayor and Council for them to select, and of course, with staff recommendation. Then the firm selected would do a study. They will look at the City's Comprehensive Plan, current zoning, mix of development, taxes, and the cost of services for any of these and this should stop a lot of guessing and a lot of the comments about what the college wants and what they don't want and get the Mayor and Council the information that is needed to make the decisions that they need to make.

Councilmember Lane inquired to City Manager Tim Grizzard whether it is true and accurate to say that in the last five years the City Council has approved 1,400 beds. City Manager Grizzard advised that was correct.

Councilmember Byrd commented that he would like to go on record in saying that when he has made the decisions that he has made while on this Council and when he chose to represent people, and also his decision on this item number, his decisions will not be made on how much a person pays in taxes. If they pay a dollar or if they pay five thousand dollars he values them the same and he sees them the same. Councilmember Byrd advised that he does not like that type of language coming from the Council. Councilmember Byrd stated that he knows that he doesn't hold the authority to reprimand anyone away from saying that, but if we are going to serve people justly and fairly we should not look at how much they pay in taxes. Otherwise, we would just be throwing people away. Councilmember Byrd stated that he felt like saying that and that it reminds him of a story that Jesus told about the woman who gave a penny vs the rich man who gave so much (the woman gave all that she had). Councilmember Byrd stated that he thought he would just throw that out there.

*Mayor Hollingsworth inquired as to whether there was any further discussion and called for a vote on the matter. **(Motion passed 4-0, Councilmember Ward II Seat vacant.)***

VIII. MAYOR AND COUNCIL ANNOUNCEMENTS

Councilmember Byrd thanked City staff involved in all of the holiday events; including the "Shop With A Cop" event. Councilmember Byrd expressed appreciation to the Police and Fire Departments for their assistance when his mother became very ill last month. Councilmember Byrd praised City employees for representing the Mayor and Council so well.

Councilmember Met Lane complimented Mayor Hollingsworth in his conducting of the meeting. In addition, Councilmember Lane gave kudos to Police Chief Joel Richards for the reduction of DUI's and crime and also expressed appreciation to Convention and Visitors Bureau Director Jonathan Dorsey.

Councilmember Watters expressed appreciation for the Greenbelt.

IX. CITY MANAGER ANNOUNCEMENTS

City Manager Grizzard expressed appreciation to City employees that worked on stormwater issues that had incurred during the inclement weather on Christmas Eve.

X. ADJOURN

There being no additional business to discuss, the meeting was adjourned at 6:56 p.m.