*As amended March 7, 2016.

MINUTES

City of Carrollton Mayor and Council Meeting

February 1, 2016

6:00 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 regular session on Monday, February 1, 2016 in the Public Safety Complex, Court/Council Chambers, 115 West Center Street, Carrollton, Georgia. Mayor Hollingsworth called the meeting to order at 6:00 p.m. Members present: Mayor Walt Hollingsworth, Councilmember Gerald Byrd, Councilmember Met Lane and Councilmember Jim Watters. Members absent: None. (Councilmember Ward II seat vacant).

II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Hollingsworth.

III. INVOCATION

The invocation was offered by Mr. Glen Dyer, Interim Pastor of Tabernacle Baptist Church.

IV. CITIZEN COMMENTS

Mr. John T. Lewis of 119 Canterbury Drive, Carrollton stated that his remarks were directed to the three Councilmembers and expressed his disapproval for the three Councilmembers having hired a City Manager against the wishes of the Mayor. Mr. Lewis claimed that this was in contradiction of the promises that the Council had made at the January 4, 2016 meeting. Mr. Lewis further claimed that they did this to show that they were in charge and not the Mayor. Mr. Lewis further claimed that this should not have been done without the full Council being seated.

Ms. Emily Cole of 109 Crescent Drive, Carrollton advised the Mayor and Council that she is the Board Chair of the Carroll County Child Advocacy Center. Ms. Cole described the Darkness to Light Program and stated that she had provided packets on the subject to the Mayor and Council. Ms. Cole stated that the Carroll County Child Advocacy Center is the training hub for Carroll, Haralson and Heard counties. She offered this training to the City for free of for a fee of $7 per person and stated that it would fit within the framework of the employee training resolution on the agenda that night.

Mr. Darrell Ingram of 130 South Lakeshore Drive, Carrollton expressed concerns that the residents of the Ward II Council district are not being represented with a voice in the decisions that are being made. Mr. Ingram expressed his opinion that the hiring of a City Manager and other important actions taken by the Mayor and Council should have been delayed until the Ward II Councilmember was seated. Ingram also wished luck to all of the candidates running in the special election to fill the vacancy in the Ward II post.

Mr. Saptal Rathie of a North Carolina address advised that he was the manager of Better Investments, LLC and owns property in Carrollton. Mr. Rathie stated that in May 2014, Resolution 05-2014 was approved which allowed for the rezoning of a large number of properties in Carrollton. Mr. Rathie stated that his efforts were in vain to resolve the problems that were caused by changes to the zoning map and that area property owners were not consulted.

Dr. Rick Tillman, a business owner at 806 Dixie Street, Carrollton expressed appreciation to the Mayor and Council for repealing the Mayor and Council pension plan and stated that he wished that it could be repealed even further.

Mr. David Mecklin of 403 Briarwood Drive, Carrollton requested to the Mayor and Council that the January 4, 2016 Meeting Minutes on the decision on the Student Quarters Campus Walk rezoning request reflect that the rezoning request was tabled and not denied. Mr. Mecklin stated that he believed the City Attorney was in error of stating that the failed motion was considered a denial because of the motion failing to approve the Student Quarters Campus Walk rezoning request.

Ms. Elzabeth Stupi of 206 Providence Drive, Carrollton requested that the Mayor and Council exercise some restraint in voting matters since Ward II currently does not have any representation in issues coming before them. She stated that she was extremely disappointed that the Student Quarters Campus Walk rezoning matter was not tabled when the individual presenting the request stated that there was a death in the family of the petitioner.

V. MINUTES (January 4, 2016)

Councilmember Byrd requested that the minutes of the January 4, 2016 meeting be changed to reflect that he did not vote in favor of denying to table the rezoning request for Student Quarters Campus Walk. Deputy Clerk Libby Duke advised another correction was necessary and a correct copy was provided to the Mayor and Council prior to the meeting.

Motion by Councilmember Byrd, seconded by Councilmember Lane to approve the minutes of the January 4, 2016 meeting as corrected and presented. (Motion passed 4-0, Councilmember Ward II seat vacant).

V. APPROVAL OF AGENDA ITEMS FOR CONSIDERATION

City Manager Tim Grizzard advised the following amendments to the agenda were necessary:

Remove Item 1 - Proclamation: University of West Georgia Football Program because members of the program could not be present. This proclamation will be presented at the March 7, 2016 meeting of the Mayor and Council.

Change in the language of Item 6 - Resolution 09-2016: Customer Service Skills Enhancement, an updated version has been provided to each member based on direction given at the January 25, 2016 Work Session.

Addition of Item 9 - Retirement Plan General Addendum as a follow up to last month's passed Resolution 03-2016: Present and Future Elected Officials Retirement as required by our Retirement Plan Administrators, the Georgia Municipal Employee Benefits System.

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

~~1. Proclamation: University of West Georgia Football Program~~

This item removed.

2. Annexation and Rezoning Request

Annex and Rezone 4 +/- acres from Carroll County Zoning R-2 (Residential)
To City of Carrollton C-3 (Neighborhood Commercial)
Property Location: 2107 Bowdon Road (Maple Street)

Petitioner: Connie R. Nixon

City Planner Lynne Miller presented an annexation and rezoning request from applicant Connie Nixon to annex and rezone 4+ acres located at 2107 Bowdon Road (Maple Street) from County R-2 (Residential) to City C-3 (Neighborhood Commercial). Planner Miller advised the applicant inherited the property and intends to sell it. The property is located adjacent to the proposed City Station. The property is an odd shaped ("bowtie") pocket of unincorporated land and already has City utilities. The proposed City Station development is to the west of the property, with residential areas to the north, south and east of the property. There currently is a vacant house, shop and garage on the property. Planner Miller advised that the Planning Commission recommended approval of the annexation and rezoning of the property to C-3 (Neighborhood Commercial).

Councilmember Lane inquired to the differences between R-20 and C-3, specifically inquiring as to what could be built or allowed in a C-3 zoning. City Manager Grizzard responded that typically C-3 zoning permitted attorney type business offices, not a convenience store type of business. City Manager Grizzard advised C-3 is a transitional type zoning between residential and heavy commercial. City Manager Grizzard also advised that R-20 zoning was a residential lot with 20,000 square feet; essentially a one-half acre lot.

At this time, Mayor Hollingsworth opened the public hearing to receive citizen comments.

Those speaking in favor of the rezoning: Mr. Danny Nixon, co-owner of the property stated that he and his wife wanted to sell the property and it would be more attractive to a developer if it were in the City. Mr. Nixon advised that the "bowtie" shape of the property does have a fifty (50) to seventy-five (75) feet wide area that does allow access to the rear of the property from the front of the property.

Those speaking opposed: None

Mayor Hollingsworth closed the public hearing and inquired to the wishes of the Council.

Motion by Councilmember Byrd, seconded by Councilmember Watters to accept the Planning Commission's recommendation to annex and rezone 4+ acres located at 2107 Bowdon Road (Maple Street) from Carroll County Zoning R-2 (Residential) to City of Carrollton C-3 (Neighborhood Commercial). *Discussion on the motion: Councilmember Lane stated the property was in his Ward and he had concerns over the tremendous amount of commercial property in the area. Councilmember Lane referred to City staff's terminology of "creeping commercial" in to residential areas. Councilmember Lane pointed out that the City's Comprehensive Plan Future Land Use Map has the property identified as residential. Councilmember Lane stated he felt the property should remain residential if annexed into the City and the Comprehensive Plan should be utilized as a guide in making decisions about the future of our City. Councilmember Lane stated he was in denial of the motion. Being no further discussion, Mayor Hollingsworth called for a vote on the motion.* ***(Motion passed 3-1-0, Councilmember Lane opposed and Councilmember Ward II Seat vacant.)***

3. Resolution 06-2016: Code Amendment to Sec. 2-33. Rules of Order

Motion by Councilmember Lane, seconded by Councilmember Watters to adopt Resolution 06-2016: Code Amendment to Sec. 2-33. Rules of Order.

A Secondary Motion was offered by Councilmember Lane, seconded by Councilmember Watters to postpone consideration of Resolution 06-2016: Code Amendment to Sec. 2-33. Rules of Order to the April 4, 2016 meeting of the Mayor and Council.

Discussion on the motion: Councilmember Byrd requested Mayor Hollingsworth clarify the purpose of Resolution 06-2016 to meeting attendees. Mayor Hollingsworth stated the purpose of Resolution 06-2016 was to change the order of business from "Robert's Rules of Order" to "Rosenberg's Rules of

Order". Councilmember Lane stated that at the Work Session held last week that he had informed the Mayor and Council he would share a "YouTube" video with them explaining "Rosenberg's Rules of Order". Councilmember Lane further stated he inadvertently, unintentionally forgot to send the link to the video to the Mayor and Council. Councilmember Lane added further that he felt he had done a poor job during the Work Session explaining the differences in the "Robert's Rules of Order" and "Rosenberg's Rules of Order". Councilmember Lane stated he would like the opportunity to explain the differences in a future Work Session. Councilmember Lane held up the "Robert's Rules of Order" book and stated the book had 667 pages, 87 types of motions, 120 revisions. Councilmember Lane stated that the "Rosenberg's Rules of Order" had 8 pages regarding rules of order that he felt would be easier for the Mayor and Council to learn and understand.

Councilmember Lane added that it was his understanding that the subject had been brought up on social media and statements had been made that "Rosenberg's Rules of Order" was designed to take away power from the Mayor. Councilmember Lane stated that "Rosenberg's Rules of Order" does not take away power from the Mayor and pointed out a paragraph in "Robert's Rules of Order" he disliked that stated the presiding officer should not enter into discussions or make motions on matters in question. Councilmember Lane stated that furthermore "Robert's Rules of Order" does not allow public comment. Councilmember Lane pointed out that according to "Robert's Rules of Order"; our own Mayor could not make a motion or enter into discussion or debate.

Councilmember Lane said he should have done a better job explaining "Rosenberg's Rules of Order" and feels the proposed rules does nothing but enhance the powers of the Mayor. Councilmember Lane noted that for the last 12 years the Mayor and Council have had customary rules which allowed public comments and public comments on every item. Councilmember Lane stated that last month the Mayor and Council voted to publish the agenda and supporting documents five days prior to a meeting. However, City staff, in error, did not publish the "Rosenberg's Rules of Order". Councilmember Lane stated that he had presumed the information was on the website so citizens would have access to the information. Councilmember Lane stated he understood the concern of the citizens.

Councilmember Lane stated he had served on the Board of Development Appeals and ran meetings under the "Robert's Rules of Order", and felt it was ridiculous. Councilmember Lane stated that hopefully we can address the matter at the April meeting.
Being no further discussion, Mayor Hollingsworth called for a vote on the matter. ***(Motion passed 4-0, Councilmember Ward II Seat vacant.)***

4. Resolution 07-2016: Keeping Citizens Informed

City Manager Grizzard advised that Resolution 07-2016 will set policy in regards to keeping citizens informed of City business. Resolution 07-2016 gives authority to the Mayor or any Councilmember to call a meeting and select the location, date, and time. Resolution 07-2016 also provides that the City Manager shall make any department head available for such meetings and directs City staff to prepare an annual newsletter to inform residents of improvements made by the City, services available to the public, and events sponsored by the City throughout the year.

Motion by Councilmember Byrd, seconded by Councilmember Watters to approve Resolution 07-2016: Keeping Citizens Informed.
Discussion on the motion: Councilmember Byrd stated he was excited about the opportunity to hold meetings with citizens. Councilmember Byrd stated that when he was first elected as Councilmember, he would hold Town Hall Meetings once a quarter. Further adding that several meetings occurred at a local church and department heads were present to assist in addressing citizen issues and concerns. Councilmember Byrd stated he enjoyed shaking citizen's hands, meeting the people and dispelling any myths or rumors "flying around". Councilmember Byrd gave the example of Public Works Director Mike Green addressing garbage issues first hand. Councilmember Byrd stated this gave him, as a

Councilmember, the opportunity to connect citizens with the proper City department to get resolve to their problems.
Being no further discussion, Mayor Hollingsworth called for a vote on the matter. ***(Motion passed 4-0, Councilmember Ward II Seat vacant.)***

5. Resolution 08-2016: Facility Fairness and Accessibility

City Manager Grizzard presented to the Mayor and Council for their consideration Resolution 08-2016: Facility Fairness and Accessibility which requires City staff to post all of the City facilities and the rental cost in a centralized location prominently on the City website homepage. City Manager Grizzard complimented Recreation Director Peter Maierhofer for his work on getting the information posted in one document.

Councilmember Byrd stated that not only is the idea to make sure the rental facilities availability is known, but to also make certain that rental rates at the facilities are affordable.

Motion by Councilmember Byrd, seconded by Councilmember Lane to approve Resolution 08-2016: Facility Fairness and Accessibility.
Discussion on the motion: Councilmember Lane stated he appreciated Councilmember Byrd bringing this to the Mayor and Council's attention. Councilmember Lane expressed appreciation to Director Maierhofer for collecting the data and City staff for posting the information promptly. Councilmember Byrd expressed appreciation to the Mayor and Council for their support on this item.
Being no further discussion, Mayor Hollingsworth called for a vote on the matter. ***(Motion passed 4-0, Councilmember Ward II Seat vacant.)***

6. Resolution 09-2016: Customer Service Skills Enhancement

City Manager Grizzard presented to the Mayor and Council for their consideration Resolution 09-2016: Customer Service Skills Enhancement. City Manager Grizzard stated that the Resolution had been revised to remove the language "sensitivity" as requested at the January 25, 2016 Work Session.

Councilmember Byrd noted he wanted to attend the training and pointed out that if the training is a one-time deal, he recommended a video be created to be viewed by new employees during employee orientation. City Manager Grizzard agreed that City employees whose job involves interaction with the general public would be required to take the training and the City staff could create and make a customer service video as part of the employee orientation.

Motion by Councilmember Byrd, seconded by Councilmember Watters to approve the revised Resolution 09-2016 presented February 1, 2016: Customer Service Skills Enhancement.
Discussion on the motion: Councilmember Lane made the statement to City Manager Grizzard that he understood there were over 300 employees, but the Resolution did not require all employees, but only required those employees to attend the training with jobs that involve interaction with the public. City Manager Grizzard confirmed this. Councilmember Byrd stated he wanted City employees to know that he nor anyone think that City employees are rude or mean, but he believes everyone can benefit from a little customer service training.
Being no further discussion, Mayor Hollingsworth called for a vote on the matter. ***(Motion passed 4-0, Councilmember Ward II Seat vacant.)***

7. Resolution 10-2016: Posting of City Financials and SPLOST Reports

City Manager Grizzard presented to the Mayor and Council for their consideration Resolution 10-2016: Posting of City Financials and SPLOST Reports which directs City staff to post the monthly financial and SPLOST reports monthly on the City website.

City Manager Grizzard advised that staff was very cooperative and had posted the information by category on the City website. At this time, the City website was brought up on the large screen, and the location on the City website homepage of the reports was identified.

Motion by Councilmember Lane, seconded by Councilmember Watters to approve Resolution 10-2015: Posting of City Financial and SPLOST Reports.
Discussion on the motion: Councilmember Lane thanked Jacqueline Dost for recommending the posting of the City financials as Carroll County does to their website. Councilmember Lane expressed appreciation to City staff for posting the documents prior to the Resolution 10-2015 being passed.

Councilmember Watters added that the Mayor and Council believe that openness and transparency is the way the City government should be run. Councilmember Watters pointed out that based on some of the comments earlier in the meeting; there are a few citizens in the crowd today that believe that is not how we operate. Councilmember Watters further added that he hoped they would keep coming back to meetings and he hoped that they could prove that it is the Mayor and Council's intent to be transparent. Councilmember Watters stated they heard the message loud and clear. Councilmember Watters noted that every item that was being passed unanimously was about an open and transparent government.

Being no further discussion, Mayor Hollingsworth called for a vote on the matter.
(Motion passed 4-0, Councilmember Ward II seat vacant.)

8. Resolution 11-2016: Improving Quality of Life Ordinance

City Manager Grizzard stated that Resolution 11-2016 was proposed to give the City the ability to deal with blighted structures that are a safety hazard and a haven for problems in a community. City Manager Grizzard stated that these structures were all over the City and not confined to any particular Ward. He further advised that Resolution 11-2016 would implement an Ordinance that would give the City a process for demolishing blighted structures where the owner or owners could not be determined or located. City Manager Grizzard stressed that the City would not own the property once the demolition process was over but only gives us permission to take down the blighted structure.

Councilmember Byrd expressed appreciation for Resolution 11-2016 and thanked the Mayor and Council for their support. Councilmember Byrd stated that for the last five (5) years the City has tackled these types of issues one at the time; sometimes not quickly enough. Councilmember Byrd noted that Resolution 11-2016 will assist the City in addressing this issues more timely.

Motion by Councilmember Byrd, seconded by Councilmember Lane to approve Resolution 11-2016: Improving Quality of Life Ordinance.
Discussion on the motion: Councilmember Lane requested City Attorney Conerly give a description of the mechanics of the process, and how the City would address a blighted "drug infested" home.

City Attorney Conerly stated the City would begin with the process that is already in place, which is identifying who owns the property. The City would then contact the owner and explain the problems the City is experiencing and if the property owner is in agreement, the City would come in and demolish the house. City Attorney Conerly noted that the problem the City has encountered is that there are times when the City is either unable to identify or contact the property owner, title issues exist and/or the City cannot get cooperation with the property owner. City Attorney Conerly stated he viewed the issue as a stop - gap – measure, where the City can come in and demolish a blighted structure with procedural safeguards in place. City Attorney Conerly noted that first, the matter would have to be approved by the Mayor and Council, after which the City would go before the Municipal Court Judge. The Municipal Court Judge will ultimately decide what is to be done with the property (whether it begins with trying to remedy the condition of the property or proceed with the demolition).

Councilmember Byrd stated he would like to see if any of the properties that were demolished by the City could become City property. Councilmember Byrd suggested the City could recover the charges for the demolition expenses and possibly in conjunction with the Housing Authority construct new housing in an affordable housing program.

City Attorney Conerly reiterated that the result would only allow the City to demolish the structure but not take ownership of the property.

At this time, Mayor Hollingsworth allowed guests in the audience to speak on the motion.

Mr. Darrell Ingram of 130 South Lakeshore Drive inquired as to who pays the cost when property is torn down. Mr. Ingram suggested that a decision be made when Ward II has a representative on the Council.

Mr. Wes Phillips of 119 Lakepoint Drive stated that he is a candidate for the Ward II Council post. Mr. Phillips commented that it was his understanding that City Manager Grizzard had agreed to use City employees on Saturdays to demolish blighted properties. Mr. Phillips stated that in his opinion the City does not need to be in the real estate business. Mr. Phillips stated that he disagrees with City employees working on Saturdays and felt that it would be better to award those employees to do the work during the week. Mr. Phillips stated the he also has many other concerns regarding the properties.

Councilmember Lane stated that Resolution 11-2016: Improving Quality of Life was from Georgia Municipal Association and was modeled by Georgia Legislation.

Mr. Timothy Ayers of 106 N. Lake Drive suggested that Resolution 11-2016 be tabled until Ward II citizens were represented.

Mr. Rory Wojcik of 112 Lisa Lane stated that he is a candidate for the Ward II Council post and expressed concerns over public health and his support for the demolition of homes that may contain asbestos. Mr. Wojcik stated he believed that working on demolition sites should be incorporated into the employee scheduled work week.

Councilmember Byrd requested that any guest in attendance who currently lives or has lived next to a blighted structure that has experienced problems come forth and describe their problem.

****Being no further discussion, Mayor Hollingsworth called for a vote on the matter. (Motion passed 4-0, Councilmember Ward II Seat vacant.)***

VII. MAYOR AND COUNCIL ANNOUNCEMENTS

Councilmember Byrd thanked everyone involved in putting together the Martin Luther King, Jr. parade. Councilmember Byrd also expressed thanks to the Recreation Department staff for all of the work that was put into the pavilion on Fourth Street.

Councilmember Lane expressed appreciation to the Police and Fire Department staff. Councilmember Lane also thanked the Mayor and Council for all that they have accomplished in the past month.

Councilmember Watters stated that he agrees with all the previous comments made. Councilmember Watters also stated that City Manager Grizzard is doing a great job and he feels that appointing him as City Manager was the right thing to do.

Mayor Hollingsworth expressed appreciation to Sherry Bilbo for her assistance in scheduling his City business appointments. Mayor Hollingsworth also stated that he appreciated everyone who was in attendance at the meeting.

Mayor Hollingsworth also commended Police Chief Joel Richards on his work in the Police Department, noting a compliment from a citizen he had received on Officer Lloyd Lesley.

VIII. CITY MANAGER ANNOUNCEMENTS

City Manager Grizzard announced that Libby Duke had a new grandson and expressed appreciation for her assistance in agenda preparation. Grizzard further thanked the department heads and staff for their support.

IX. ADJOURN

There being no additional business to discuss, the meeting was adjourned at 7:33 p.m.

The Agenda for each 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 five (5) business days prior to a Mayor and Council 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 at or the City's website, www.carrollton-ga.gov. The City complies with the Americans with Disabilities Act (ADA). If you will need special assistance at a 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.