

MINUTES

Special Called Mayor and Council Meeting

May 23, 2014

12:00 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 called session on Friday, May 23, 2014 in the Public Safety Annex Building, 115 West Center Street, Carrollton, Georgia. Mayor Garner called the meeting to order at 12:00 p.m. Members present: Mayor Wayne Garner, Councilmember Gerald Byrd, Councilmember Mike Patterson and Councilmember Jim Watters. Members absent: Councilmember Mandy Maierhofer.

II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Garner.

III. INVOCATION

Councilmember Byrd offered the invocation.

IV. CITIZEN COMMENTS

There were none.

V. ITEMS OF DISCUSSION

1. **Rezoning Request:**
Rezone 6.80 acres from R-M (Residential Multi-Family) to C-2 (General Commercial)
Property Location: 400 Cottage Hill Road
Petitioner: Scott Kiser

City Engineer Holland presented for consideration a rezoning request from petitioner Scott Kiser to rezone 6.80 acres at 400 Cottage Hill Road from R-M to C-2. The purpose of the requested zoning from R-M to C-2 is to allow for the construction of a commercial building for which Mr. Kiser will relocate his General Construction business. The business would be located on the ground floor (basement) and future commercial tenants above on the secondary floor.

City Engineer Holland advised that the Planning Commission had recommended approval of the request with conditions. Those conditions are as follows:

1. Maintain at least 25-foot buffer distance from the on-site stream.
2. Follow applicable provisions of the City's Unified Development Ordinance, including but not limited to, sections regarding setbacks, buffers between adjacent uses, landscaping requirements, parking, development standards and building plans.
3. All vehicles, trailers, and equipment shall be housed inside the proposed building or shall be otherwise screened from public view to city satisfaction.
4. Follow City code regarding operating hours, noise limits and lighting.
5. Connect to the City of Carrollton Water System, or drill a water well acceptable to city code or the applicable authority. The City bears no responsibility for connection costs.
6. Install a septic system acceptable to the Carroll County Environmental Health Department, or connect to the City of Carrollton sewer system. City is not responsible for connection costs.
7. The combined square footage of the proposed building and any future buildings shall total no more than 20,000 square-feet.
8. Any wall (front, side, or rear) of a building constructed on the site, which is oriented towards Cottage Hill Road, shall have a brick facade.
9. An eight-foot (8') chain-link fence, with slats, shall be erected to screen the view of

vehicles and equipment stored on site.

10. A twenty-foot (20') landscaped buffer, consisting of Leland Cypress plantings, shall provided along both sides and also at the rear of the property.
11. Any type of food service establishment is strictly prohibited from being located on the subject site.
12. Retail or consumption on the premises alcohol establishments are strictly prohibited from being located on the subject site.

Mayor Garner explained that the matter had been brought before the Council at the last meeting and was deferred to today's meeting and apologized to Mr. Kiser for any inconvenience the delay caused.

At this time Mayor Garner opened the Public Hearing to receive citizen input.

Those speaking in favor of the proposed rezoning: There were none.

Those speaking opposed to the proposed rezoning: There were none.

Mayor Garner closed the Public Hearing and inquired to the wishes of the Council.

Motion by Councilmember Patterson, seconded by Councilmember Byrd to accept the Planning Commissions recommendation to rezone 6.80 acres at 400 Cottage Hill Road from R-M to C-2 with the following conditions:

1. **Maintain at least 25-foot buffer distance from the on-site stream.**
2. **Follow applicable provisions of the City's Unified Development Ordinance, including but not limited to, sections regarding setbacks, buffers between adjacent uses, landscaping requirements, parking, development standards and building plans.**
3. **All vehicles, trailers, and equipment shall be housed inside the proposed building or shall be otherwise screened from public view to city satisfaction.**
4. **Follow City code regarding operating hours, noise limits and lighting.**
5. **Connect to the City of Carrollton Water System, or drill a water well acceptable to city code or the applicable authority. The City bears no responsibility for connection costs**
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(Motion passed 4-0, Councilmember Maierhofer absent).

2. Transfer of Stallings Building to GreenCourt Legal Technologies, Inc.

City Manager Coleman reminded the Mayor and Council of the purchase of the building at 201 Newnan Street, commonly known as the "Stallings Building", for \$200,000 last year. In March of this year, the Mayor and Council approved leasing the building for several years to GreenCourt Legal Technologies, Inc.

City Manager Coleman advised that Green Court has approached the City and is proposing that the City sell the building to them for the price that the City paid for it (\$200,000). GreenCourt intends to spend well in excess of what they had originally budgeted for interior repairs and design and believe it would be in the City and their best interest to purchase the building instead of leasing it. City Manager Coleman stated he agreed with their position, and recommended that the City transfer the property to the Carrollton Payroll Development Authority with the stipulation that they work out a deal with GreenCourt Legal Technologies, Inc., to purchase the property for \$200,000. City Manager Coleman stated that if the transaction were approved, the closing would simultaneously for the City, Green Court and the Carrollton Payroll Development Authority, with the purchase proceeds of \$200,000 being returned to the City. Mayor Garner stated he wanted it known that the City would be selling the property for \$200,000; which was the exact amount the City purchased the property for last year. **Being no further discussion, motion by Councilmember Patterson, seconded by Councilmember Byrd to authorize City Manager Coleman to execute the sale of the Stallings Building to GreenCourt Legal Technologies, Inc. via the Carrollton Payroll Development Authority. (Motion passed 4-0, Councilmember Maierhofer absent).**

VI. MAYOR AND COUNCIL ANNOUNCEMENTS

Councilmember Byrd expressed appreciation to City Engineer Holland and staff for their efforts in resolving an issue on Beulah Church Road and Columbia Drive.

VII. CITY MANAGER ANNOUNCEMENTS

There were none.

VIII. ADJOURN

There being no further business to discuss, the meeting was adjourned at 12:10 p.m.