

The Mayor and Council met for their regular meeting.

Those Present:	John Howard	Mayor
	Larry Bradley	Vice-Mayor
	Lee Malcom	Council Member
	Myoshia Crawford	Council Member
	Ross Bradley	Council Member
	Norman Garrett	Council Member
	Tyler Gregory	Council Member
	Nathan Little	Council Member
	David Dickinson	Council Member
	Logan Propes	City Administrator (via phone)
	Debbie Kirk	City Clerk
	Paul Rosenthal	City Attorney

Staff Present: Danny Smith, Jeremiah Still, R.V. Watts, Andrew Dykes, Beth Thompson, Rodney Middlebrooks, Patrick Kelley, Sadie Krawczyk, Brad Callender, Les Russell

Visitors: Denise Etheridge, Mike Hawks, William Coleman, Frank Masiello, Becky Brewer, Rita Dickinson, Gerald Atha, Cynthia Atha, Tommy Fountain, Sr., David MacLatchy, Lisa Parker, Lawrence Parker, April MacLatchy, Gene Benton, Diane Goga, Chris Goga, John Argo, Todd Mitchell, Stephanie McDaniel, James McDaniel, Jim Payne, Kay Payne, Kevin Schussler, Shannon Schussler, Murad Ali, Huck Holder, Kirklyn Dixon, Kim Fritz, Steven Fritz, Sharon Crenshaw, Julie Sams, Marilyn Hall, Bobby Seals, Shauna Mathias, Kevin Reach

## **I. CALL TO ORDER – JOHN HOWARD**

### **1. Invocation**

Pastor Tommy Fountain with 1025 Church gave the invocation.

### **2. Roll Call**

Mayor Howard noted that all Council Members were present, except Council Member Myoshia Crawford will be late. There was a quorum.

### **3. Approval of Agenda**

To approve the agenda as presented.

*Motion by R. Bradley, seconded by L. Bradley.  
Passed Unanimously*

### **4. Approval of Consent Agenda**

- a. November 2, 2021 Council Minutes
- b. November 9, 2021 Council Minutes
- c. November 2, 2021 Executive Session Minutes
- d. November 16, 2021 Planning Commission Minutes
- e. November 23, 2021 Historic Preservation Commission Minutes
- f. October 14, 2021 Downtown Development Authority Minutes
- g. November 11, 2021 Downtown Development Authority Minutes
- h. October 14, 2021 Conventions and Visitors Bureau Minutes
- i. November 11, 2021 Conventions and Visitors Bureau Minutes
- j. Approval – 2022 LMIG Application – To approve the proposed project list.  
(Recommended for Council approval by Public Works Committee December 7, 2021)
- k. Dedication of Grand Haven Sewer Pump Station – To accept ownership from Reliant Homes. (Recommended for Council approval by Utilities Committee December 7, 2021)

To approve the consent agenda as presented.

*Motion by Little, seconded by Malcom.  
Passed Unanimously*



**II. PUBLIC PRESENTATION****1. Monroe Area High School Choral Canes Performance**

Ms. Sharon Crenshaw led the Monroe Area High School Chorus as they sang, "Jingle Bells".

*No Action.*

**2. Monroe Area High School Proclamation**

Mayor John Howard presented the Proclamation Honoring the Purple Hurricanes from Monroe Area High School for the 2021 Region 8 – AAA Football Championship to Couch Reach.

Couch Kevin Reach thanked the community for their prayers for his wife that was in a coma for five weeks. She is home now and is going to make a full recovery. He discussed the team's statistics and stated he is proud to be a Monroe Hurricane.

*No Action.*

**3. Resolution – House of Representatives Recognizing Monroe's Bicentennial Celebration Day**

Mayor John Howard presented the Resolution from Bruce Williamson from the House of Representatives.

*No Action.*

**III. PUBLIC FORUM****1. Public Comments**

Mr. Mike Hawks, of 1730 Double Springs Church Road, stated he has lived in Walton County and owned property on Double Springs Church Road for 50 years. He asked Council to think about the River Pointe Subdivision putting in over 300 houses in the area. He questioned whether the City infrastructure, sewer, and water are ready for that growth. Double Springs Church Road is a small winding country road. The traffic will affect their quality of life, and the community wants Council to think about them.

Mr. William "Billy" Coleman congratulated the City for a great year in 2021. He requested clarification and more information on the moratorium, because he has received conflicting information. He requested consideration for his application. His engineer sent an email with an attached preliminary plat the day before the moratorium asking what further information was needed. They wanted to get the information to the City that day, which was December 6, but they did not get a response until December 8. He requested Council to consider tabling all of the preliminary plat approvals on the agenda, until clarification can be made and whether previous information was shared with the other developers, that they were not privy to. The City staff has done an excellent job, but the moratorium resolution from last Tuesday falls on Council. He stated they have been corresponding with the City on the project since March of 2021, but their project was actually approved in 2006.

*Council Member Myoshia Crawford arrived at 6:28 pm.*

Mr. Frank Masiello, of 1710 Double Springs Church Road, discussed the two subdivision development areas. He has three grandchildren that are very active in sports; every park they have been to is overcrowded. The Publix Supermarket will have commercial development around it; there is a YMCA and retirement facility coming. He stated Parks need to be put first, so the kids will have a place to go and the schools will have to contain them. There will be almost 500 homes in that area between the City and the County. He thinks this will overwhelmingly impact the community, with the traffic and congestion. The City should use their power of eminent domain for the good of everyone. A historic agreement could be made between the City and the County for recreational parks. He questioned whether there are any horse parks in Walton County; the property could be saved for a horse park. He is concerned about contaminated ground water and overcrowding.

Ms. Becky Brewer, of 916 Navaho Trail, questioned whether the school at 611 Davis Street will be discussed. She wanted to know whether the 611 parcel, the Day School, and the old baseball field will all be one piece of property.



**2. Public Hearing****a. Rezone / Annexation – 1167 Golfview Terrace and 0 Oakland Ridge**

Code Enforcement Officer Patrick Kelley presented the application for rezone of this property in conjunction with an annexation request in order to consolidate their properties into one lot inside the City.

The Mayor declared the meeting open for the purpose of public input.

Ms. Diane Goga, the property owner, spoke in favor of the rezone and annexation. She bought the County lot for a garden, gazebo, and she shed. She did not realize that she could not have electricity and water to her shed, until she came to get a permit. She was told that she could only have a single-family home on the County lot. She is requesting to combine the County and City lots to make it into one larger City lot. That way her shed or accessory building will be associated with the principal structure, which is their house. Her she shed is 448 square feet, which is allowable on a property size of a half-acre to 0.99 acres. The size of the combined County lot and City lot together is 0.72 acres.

There were no other public comments; Mayor Howard declared that portion of the meeting closed.

*No Action.*

**b. Conditional Use – 611 Davis Street**

Code Enforcement Officer Patrick Kelley presented the application for conditional use of this property to expand the existing private school, Monroe Country Day School. The Code Office and Planning Commission recommend the request be approved.

The Mayor declared the meeting open for the purpose of public input.

*Council Member David Dickinson recused himself from the discussion.*

Ms. Rita Dickinson explained she bought the rental house, but the house is unrepairable, with many issues. It has to meet certain standards to be used for a school. They do not have a plan yet, but would like to put playground equipment at the back. She stated it would not be used for elementary aged children. It would probably be a building that looks somewhat like a house from Davis Street, with four classrooms for the middle and high schools. She also wants to put a greenhouse to teach agriculture.

There were no other public comments; Mayor Thompson declared that portion of the meeting closed.

*No Action.*

**c. Monroe Corridor Commission Appeal – 1000 East Spring Street**

Code Enforcement Officer Patrick Kelley stated this is an appeal of the Planning Commission's decision to deny a Certificate of Appropriateness in the corridor, acting as the Corridor Overlay Design Commission. The decision is being appealed by the applicant, Gerald Atha, and his attorney Mr. Benton.

Mr. Gene Benton spoke on behalf of his client, Gerald Atha, on his appeal of the COA decision by the Corridor Commission. He stated the property is not in the Overlay District, because the property was purchased based on a plat that was recorded in Plat Book 10, page 86 in 1962 entitled property of Eugene Kelly, designated in Lots 15, 16, 19, and 20 of the JH Felker Estate Subdivision. The property where Mr. Atha wants to place the building has a Hammond Drive address. The corridor is any property that abuts or touches Spring Street and Broad Street; therefore, it is not in the corridor. He stated if Council does find it in the corridor, then a COA is not required, because Section 643.4 (3) (b) states if there is a minor change there is no requirement for a COA. He explained they are requesting the same thing that was approved on August 8, 2017 when the City issued Permit #1700359 for a storage shed on this property. They are asking for the same consideration tonight. Section 641.1 shows the purpose and intent for the Overlay District. Section 643.1 states the purpose is to protect highway corridors, which would be Spring Street. He stated the primary goal is to protect the corridor of the gateways coming into the City of Monroe to enhance the look. However, under Section 643.1 the City



wishes to focus on compatibility so that new structures conform to community features and standards with the intent not to create traffic, signage, or incompatible architecture. Section 643A.1 states architectural design should be influenced by tradition and traditional development patterns within the proper context; the context of which used to be McGarity Ford, which has been that way for over 50 years. Section 643A.1 (c) states the design should be integrated with the surroundings. The property where the building would be placed cannot be seen from Spring Street; the gateway to the City is not affected, and a storage shed will not create a traffic issue. The shed will be used for inside storage for the existing building, and will enhance the property. There will not be a signage change, and the architecture and building will be the same as was permitted in 2017. The Monroe Motor Inn has metal warehouses right beside them, and all of the other buildings on the property are metal. The City allowed a trailer on the property next door for Dr. Plaster's office. There is also a mobile home closer to the road than what they are requesting that is visible from the corridor. The City should look at the context of where it is located and what is around it; they are not making any changes to the corridor. Mr. Benton stated that he understands as the City goes forward that would not be, excuse me Gerald, what the City would put there as an entrance with a metal building, but it has been there for 50 years. The design should be integrated with the surroundings, and a brick building would be out of place in the area. The COA was denied by the Planning Commission and Section 643.4 (4) (b) states it should only be denied if it substantially adversely affects the corridor. There are property rights that Mr. Atha has to be able to build on his property; it has to be a substantial adverse effect on the corridor for the City to stop that. Mr. Benton stated they respectfully request that the City find that it is not in the corridor and allow them to build the building or find that it is a minor change and allow them to build the same building like in 2017. If it is found to be in the Overlay District, Council could find that it is not a substantial adverse effect on the corridor, therefore, Mr. Benton stated Council can approve it based on that. He thanked Council for their time and service to the City of Monroe.

Council Member David Dickinson stated he has checked the regulations in detail. He stated putting aside the question of whether the tract is in the corridor, he does not agree that this is a minor change. He does agree that the overall purpose of the Overlay is to keep things compatible. He questioned whether materially this will change the way the corridor looks if the City allows the building to be built. The regulations are supposed to eliminate the big areas of moonscape parking lots and chain link fencing, which facilitate the development of pedestrian access. He questioned what Mr. Atha is willing to do to isolate it from the street with some trees, vegetation, and sidewalk.

Mr. Benton answered it would not be cost effective to do that. He feels that would be done when something is redone completely, instead of only adding a small building. These requirements were not triggered when he added the building in 2017. The building is at the front and the parking is in the back, but it is mostly asphalt. It does not meet the new standards; it would be problematic.

Council Member Lee Malcom questioned whether a plan was submitted by Mr. Atha prior to this controversial state with the Corridor Overlay. She stated at that time there was enough room for a buffer on the side.

Mr. Benton stated this has been going on for a year; COVID hit and Mr. Atha was dealing with some health issues. Mr. Atha thought it was one tract when the Code Office said that it was in the Overlay District and was not allowed. He was willing to subdivide it and put in some green space, but it was later determined that it was two separate tracts. Mr. Benton stated the City could grant exceptions, because of the minor change, as was previously done.

Mayor Howard questioned what the tax map says.

Mr. Benton answered the tax map shows it as one tract.

*No Action.*

#### **d. Comprehensive Plan**

City Administrator Logan Propes introduced Ms. Marilyn Hall, who will present the official Comprehensive Plan kickoff.

Ms. Marilyn Hall and Mr. Bobby Seals, with Hall Consulting, presented the kickoff of the Comprehensive Plan Process. She will discuss what a Comprehensive Plan is and the



**MAYOR AND COUNCIL MEETING      DECEMBER 14, 2021      6:00 P.M.**

importance of being involved in the community engagement program. The Comprehensive Plan is a 20-year blueprint to guide growth in the City of Monroe, it will contain strategies and policies to help guide future zoning and capital facilities decisions. The Plan is required to be updated every five years in order to maintain a Qualified Local Government Status in order to be eligible for State Grant Funding. The last Comprehensive Plan was done in 2017, along with Walton County's Comprehensive Plan; this Plan will focus specifically on the City of Monroe. She discussed the five components of the Plan: Issues and Opportunities, Analysis of the Existing Development Patterns, Quality Community Objectives, Existing and Projected Data and Information, and Implementation Strategies. The Comprehensive Plan Elements include population; economic development analysis; natural and cultural resources inventory; housing and neighborhood development; utilities, infrastructure, and community facilities; land use; transportation; parks, recreation, open space, trails and sidewalks; and health and wellness. She discussed the Community Engagement Workshops. The Vision Workshop will be on January 13 at 6:00 pm; the workshop will help develop a vision for where the City wants to be in 20 years. The draft vision will be presented at the Community Strategic Framework Workshop. The Open House will have stations to represent different issues and opportunities; there will be someone to answer questions and receive feedback for the Plan. She explained there are also Community Outreach Opportunities and Engagement Strategies located on the website at [www.monroe-compplan.com](http://www.monroe-compplan.com), which is a virtual interactive workspace. She handed out flyers that will take you to the QR Code for the survey or virtual meeting. She discussed the Steering Committee and Stakeholder Interviews that will ensure a diverse representation of the community. There will be Primary, Secondary, and General Stakeholders. The Visioning Workshop will be on January 13, the Strategic Framework Workshop will be in February, and the Open House will be in March. The Plan will be submitted to the Regional Commission and the Department of Community Affairs in April for their approval. The process should be completed by the end of June.

Mr. Propes reiterated that it is very important for everyone to get engaged in the growth and development discussion for the next 20 years. Everyone should let the City know their opinions.

Mr. Chris Goga questioned something being done under transportation concerning the number of tractor trailers coming through town. They take out the fire plugs and curbs when trying to turn.

Mr. Frank Masiello stated he lives in the County, but what is happening in the City impacts the people in the County. He questioned whether there is an agreement with the County for a Comprehensive Plan. He is disappointed that there are not any County Representation at the meeting.

Ms. Hall stated the County Plans do not adequately address the issues for the City. Walton County will also be working on a Plan and the City will be working with them. Citizens can come to the meetings and can do the surveys, which will be recorded and considered. There is an Intergovernmental Agreement, which is a policy to work between the City and County.

Mr. Garrett stated that County Commissioner Kirklyn Dixon is at the meeting tonight.

**IV. NEW BUSINESS****1. Annexation – 1167 Golfview Terrace and 0 Oakland Ridge**

To grant the annexation.

*Motion by Dickinson, seconded by Gregory.  
Passed Unanimously.*

**2. Rezone – 1167 Golfview Terrace and 0 Oakland Ridge**

To approve the rezone.

*Motion by Gregory, seconded by Dickinson.  
Passed Unanimously.*

*Council Member David Dickinson recused himself.*

**3. Conditional Use – 611 Davis Street**

To approve the conditional use.

*Motion by Gregory, seconded by Little.  
Passed Unanimously.*



**4. Monroe Corridor Commission Appeal – 1000 East Spring Street**

To overturn the Planning Commission's denial of the applicant's Certificate of Appropriateness.

*Motion by L. Bradley, seconded by Garrett.  
Passed Unanimously.*

**5. COA Demolition Appeal – 1238 South Madison Avenue**

Code Enforcement Officer Patrick Kelley stated this is an appeal of a decision made by the Historic Preservation Commission, which denied the demolition of a structure.

Council Member David Dickinson stated he has looked at this in great detail and has concerns. The Historic Preservation Commission is not just a City entity; they are created by State Law and the regulations are in the State Code in Title 44. The question is whether or not the Commission followed the criteria when making their decision, but there is no record. There is not a recording or any written statements from the HPC. The power of the HPC is not vested exclusively with the City Council; it falls under the Georgia Constitution and the Georgia Statutes. He stated it basically says under the State Statute Section 44-10-28 that when the HPC rejects an application, it shall state its reasons for doing and shall transmit a record of such action and the reason in writing to the applicant, which was not done.

Council Member David Dickinson made a motion to remand the matter back to the Historic Preservation Commission to do it the correct way. Council Member Lee Malcom seconded the motion.

Council Member Norman Garrett stated that he does not understand why the City should punish the Parkers for the HPC not doing their job.

Mr. Dickinson stated that the HPC did not follow the correct procedures. The City has to find that there is some type of abuse of discretion, and they just did not do the procedure correctly.

Mr. Garrett stated the Parkers should not be held accountable for something the HPC did or did not do.

Vice-Mayor Larry Bradley questioned whether the applicant could bring the item back under the Statute if Mr. Dickinson's motion is approved and remanded back for the HPC to issue a written denial. He questioned what happens if Mr. Dickinson's motion is defeated and another motion is made to uphold the appeal since there is not any documentation of the reason for denial; could the motion be done with the condition that it goes back before the HPC for another ruling.

Mr. Dickinson answered that the applicant could bring the item back to Council.

Mayor Howard answered whether the appeal is overturned or not, it is final.

Council Member Lee Malcom questioned whether any of the applicants' plans changed between the time they were denied and now; are they still requesting to remove the structure.

To remand the matter back to the Historic Preservation Commission to do it the correct way.

*Motion by Dickinson, seconded by Malcom.  
Voting yes were Dickinson, Malcom, Gregory,  
Little.  
Voting no were Garrett, L. Bradley, Crawford,  
R. Bradley.  
Mayor Howard cast a no vote to break the tie.  
Motion Failed 5-4.*

Council Member Norman Garrett made a motion to overturn the appeal and allow the house to be demolished. Council Member Myoshia Crawford seconded the motion.

Ms. Malcom stated her opposition to overturn the appeal, because there are other structures within the City that this will set a precedence for. There are other historical structures that are still intact that need to be preserved.



Council Member Ross Bradley questioned whether the applicant has pursued any options of moving the structure or giving it to someone who might be interested in moving it.

Mr. Lawrence Parker stated the foundation and floor structure are in poor shape, plus there are hazardous materials involved.

Council Member Tyler Gregory questioned whether the problem being procedural and there not being any information from HPC could be used to keep more from happening.

Ms. Malcom stated it has to be addressed as it stands today and move forward with a charge to establish a protocol for HPC in any new requests coming forward that documentation be recorded.

City Attorney Paul Rosenthal stated this is a standard of review before Council for an abuse of discretion. Council must decide whether the processes they followed were abused in any way. The only record Council has is what was transmitted and new evidence cannot be added. If there is a need for a record, it falls upon the appellant to provide it, but there is none here. The appeal is governed by the abuse of discretion standard, which is a high standard to overcome for a wrong decision. Council does not know whether the Commission followed the procedural criteria guidelines.

To overturn the Historic Preservation Commission's decision to deny the COA Demolition Permit, which will allow demolition of the structure.

*Motion by Garrett, seconded by Crawford.  
Voting yes were Garrett, Crawford, L. Bradley,  
Gregory, Little, R. Bradley.  
Voting no were Malcom, Dickinson.  
Motion Passed 6-2.*

#### **6. Preliminary Plat Review – River Pointe**

Mayor Howard stated the new property owner has requested for the item to be tabled until the January 11 Council Meeting.

City Administrator Logan Propes clarified that Mr. Clay Kirkly representing Meritage Homes is the new owner of the property and has requested the item to be tabled for one month.

To table until January 11, 2022.

*Motion by Malcom, seconded by Gregory.  
Passed Unanimously.*

#### **7. Preliminary Plat Review – 318 Alcovy Street – Veterans Walk**

Code Enforcement Officer Patrick Kelley presented the Preliminary Plat Review for Veterans Walk located at 318 Alcovy Street. The Code Office and the Planning & Zoning Commission recommend approval of the Preliminary Plat subject to the two corrections listed in the Preliminary Plat Review Summary prior to the signing of the plat.

Mr. Paul Rosenthal stated due to his primary interest in this entity his office will be conflicted out. He will be unable to provide any legal advice. Mr. Propes would need to seek other Council for the City if it should be needed.

To approve the Preliminary Plat, with the requirement that the two corrections listed in the Preliminary Plat Review Summary be completed and the Plat redesigned to incorporate the changes as presented plus any other anomalies, prior to signing the Plat for approval.

*Motion by Dickinson, seconded by Gregory.  
Passed Unanimously.*

**8. Preliminary Plat Review – 0 Charlotte Rowell Boulevard – Monroe Pavilion**

Code Enforcement Officer Patrick Kelley presented the Preliminary Plat Review for the Monroe Pavilion located at 0 Charlotte Rowell Boulevard. The Code Office and the Planning & Zoning Commission recommend approval of the Preliminary Plat; all of the corrections have already been made and the Plat is ready to be signed.

To approve the Preliminary Plat.

*Motion by Dickinson, seconded by Malcom.  
Passed Unanimously.*

**9. Application – Beer & Wine Package Sales – Food Mart Monroe**

To approve the application.

*Motion by Garrett, seconded by Malcom.  
Passed Unanimously*

**10. Application – Beer & Wine Package Sales – Publix**

To approve the application.

*Motion by Malcom, seconded by Gregory.  
Passed Unanimously*

**11. Appointments (3) – Downtown Development Authority & Convention & Visitors Bureau Authority & Urban Redevelopment Agency**

To reappoint Meredith Malcom to a three (3) year term to expire December 31, 2024.

*Motion by Gregory, seconded by L. Bradley.  
Passed Unanimously.*

To reappoint Chris Collin to a three (3) year term to expire December 31, 2024.

*Motion by Dickinson, seconded by Gregory.  
Passed Unanimously.*

*Council Member Ross Bradley recused himself.*

To appoint Ross Bradley to a three (3) year term to expire December 31, 2024.

*Motion by Gregory, seconded by Malcom.  
Passed Unanimously.*

To amend the motion so that it be approved by acclamation of the Council.

*Motion by L. Bradley, seconded by Malcom.  
Passed Unanimously.*

**12. 2<sup>nd</sup> Reading – Zoning Ordinance Code Text Amendment #12**

City Attorney Paul Rosenthal gave the second reading of the ordinance to amend the Official Zoning Ordinance with Amendment #12 by implementing text amendments and changes identified in Exhibit A. Article VI – Use Provisions by District, Section 630.3, Table 6 – Industrial Zoning District Land Use Regulations – to add private sewage treatment facilities under the principal use of Utility and area service provider facilities as a conditional use. Article VI – Use Provisions by District, Section 650.4 – Special Site Requirements – to remove the minimum area requirement for Planned Development Districts throughout the City and inside the LCI District and to reduce the minimum frontage requirement for Planned Development Districts located in the LCI under Planned Development Districts.

To adopt the Zoning Ordinance Code Text Amendment #12 as presented.

*Motion by R. Bradley, seconded by Gregory.  
Passed Unanimously.*



**13. Approval – 2022 Budget Resolution**

To approve the resolution as presented.

*Motion by Gregory, seconded by R. Bradley.  
Passed Unanimously*

**14. Resolution – Northeast Georgia Regional Solid Waste Management Plan**

To approve the resolution as presented.

*Motion by L. Bradley, seconded by R. Bradley.  
Passed Unanimously*

**15. Adopt – 2022 Council Meeting Schedule**

City Administrator Logan Propes stated the annual Council Meeting Schedule will be set for the second Tuesday of each month, per the Code of Ordinances, Section 2-41. This will be a one meeting per month schedule, unless there are items of general magnitude. The first Tuesday of each month will be reserved for the Committees.

Vice-Mayor Larry Bradley questioned whether it is the intent for a Committee that has an action item to call the Committee Meeting for the first Tuesday of the month; it would only be the one Committee Meeting.

Mr. Propes answered that to be correct.

To adopt the calendar as presented.

*Motion by Crawford, seconded by Garrett.  
Passed Unanimously*

**V. MAYOR'S UPDATE**

Mayor John Howard thanked Council Member Ross Bradley for his four years of service to the City. He will have the Committee changes and assignments next month. The Council Meeting will be on January 11. Council has been invited to Christmas at 2:00 tomorrow at Hollander Senior Living on Highway 78.

**VI. ADJOURN**

*Motion by R. Bradley, seconded by Garrett.  
Passed Unanimously.*



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MAYOR



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CITY CLERK