

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
	Charles Boyce	Council Member
	Norman Garrett	Council Member (via phone)
	Tyler Gregory	Council Member
	Nathan Little	Council Member
	David Dickinson	Council Member
	Logan Propes	City Administrator
	Beverly Harrison	Interim City Clerk
	Paul Rosenthal	City Attorney
	Russell Preston	City Attorney

Staff Present: Danny Smith, Jeremiah Still, R.V. Watts, Andrew Dykes, Rodney Middlebrooks, Mike McGuire, Chris Bailey, Brad Callender, Kaitlyn Stubbs, Les Russell, Chris Croy

Visitors: Janice Baldwin, Stephen Milligan, Brenda Garner, Juli Tredwell, David Melton, Cindy Melton, Akil Lawson, Julie Sams, Shauna Mathias, Ricky Emerick, Donald Huff, Mike Elrod, Mercedes Pridgen, Howard TuVatta, Harvey Lawson, Whit Holder, Timothy Kemp, Patricia Sullivant, Lori Volk, Roger Hillman, Terrence Atkism

**I. CALL TO ORDER – JOHN HOWARD**

**1. Invocation**

Co-Pastor Stephen Butler, with Bible Baptist Church, gave the invocation.

**2. Roll Call**

Mayor Howard noted that all Council Members were present. Council Member Norman Garrett was present via telephone. There was a quorum.

**3. Approval of Agenda**

To approve the agenda as presented.

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

**4. Approval of Consent Agenda**

- a. September 12, 2023 Council Minutes
- b. September 12, 2023 Executive Session Minutes
- c. August 15, 2023 Planning Commission Minutes
- d. August 22, 2023 Historic Preservation Commission Minutes
- e. July 13, 2023 Downtown Development Authority Minutes
- f. July 24, 2023 Downtown Development Authority Minutes
- g. August 10, 2023 Downtown Development Authority Minutes
- h. July 13, 2023 Conventions and Visitors Bureau Minutes
- i. August 10, 2023 Conventions and Visitors Bureau Minutes

To approve the consent agenda as presented.

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

**II. PUBLIC FORUM**

**1. Public Comments**

No one signed up for public comments.



**III. BUSINESS ITEMS****1. City Administrator Update**

City Administrator Logan Propes stated the Economic Development Projects are still hot; staff is fielding constant requests for the retail, restaurant, and industrial sectors. Building permits have slowed down a little bit, due to developments not being ready to build at this current time. The old Gwinnett Appliance building on Wayne Street has been demolished, and the City is working with the engineers on a plan to add more parking in the City.

**2. Assistant City Administrator Update**

Assistant City Administrator Chris Bailey stated Downtown Fall Fest will be this Saturday from 10:00 to 4:00, and there will be shuttles running. The Airport is having their first ever Fall Fest on October 22, and the Terminal Building will be open to the public from 11:00 to 2:00. The Parks Department was tagged in Facebook for giving out youth sized shirts to the children at the parks. The LMIG Project is in progress on Walton Road. The small rear loader garbage truck came in about a month ago, which will help on some of the one-way streets. The Bikes, Trikes, & Magical Lights Parade will be on November 16 and the 70<sup>th</sup> Annual Christmas Parade will be on December 7.

**3. Department Requests****a. Finance: MEAG Municipal Competitive Trust Funds**

City Administrator Logan Propes recommended withdrawing a total of \$1,957,403 from the City of Monroe's MCT Investment Funds. The amount of \$826,864 will go into the Utility Operating account for reimbursement of the overage difference of the January 2023 MEAG bill. The overage is due to the unusually colder temperatures during December 2022. He explained the power costs were extraordinarily high, and the City did not pass the entire amount along to the rate payers. The amount of \$1,130,539 will go into the Utility CIP account for reimbursement of 2022 and 2023 Electric Capital Expenses. The majority of this is due to the electric grid expansions at the new Publix Shopping Complex and the electric rebuild on Spring Street, North Madison Avenue, and South Madison Avenue. They were unusual hits to the budget, and the City needs to stay on target moving forward on essential electric projects.

Council Member Nathan Little questioned the power cost per kilo watt hour being higher.

Mr. Propes answered there is a budget normally and the City knows what the kilo watt costs are going to be throughout the year unless there is a major hot or cold event. The City was faced with extraordinary per kilo watt hour costs around Christmas time. There were some power cost adjustments, but not to the full effect of what the bills ended up being from MEAG for the cost of the power.

Mr. Little questioned whether the additional CIP Funds are from what the City agreed to when trying to attract Publix.

Mr. Propes stated the City agreed to build that line as part of the agreement from 2018 to attract Publix.

Council Member Norman Garrett stated that he does not understand and questioned what the money will be used for.

Mr. Propes explained the power costs went way above and beyond the budgeted amount in December of 2022. They are trying to keep the electric budget from being in a deficit, because of the huge off-system sales. The funds will be used to continue the Capital Expenditure Program and the General Maintenance and Operations Program.

Mr. Garrett questioned the amount in the MEAG Competitive Trust budget currently.

Mr. Propes answered the City has over \$21 million invested in MCT Funds. The funds are invested in various portfolios; they are in short, medium, and long-term portfolios.

Vice-Mayor Larry Bradley explained putting the funds back into the budget will help to keep the City from being over budget for the year.

Council Member David Dickinson stated that he does not understand the controversy; there was an unforeseen situation.



Mr. Propes explained it is to keep the budget balanced moving forward; it is a precursor to a budget amendment.

Council Member Lee Malcom stated it will give the City a reserve.

To withdraw a total of \$1,957,403 from the City's MCT Investment Funds; \$826,864 will go into the Utility Operating account and \$1,130,539 will go into the Utility CIP account.

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

**b. Utilities:** Bid Award for Natural Gas Bypass Relocation

Mr. Chris Bailey recommended approval of the Natural Gas Bypass Relocation Project bid amount of \$149,949 as submitted by Southern Pipeline, the lowest bidder, on October 5, 2023. He explained the relocation project and construction was delayed by GDOT, which required the project to be rebid from the May 2022 bids. The project includes the relocation of 9,860 feet of gas main.

To approve Southern Pipeline for the Natural Gas Bypass Relocation for \$149,949.00.

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

**c. Utilities:** Purchase of Material Handling Truck

Mr. Rodney Middlebrooks requested approval to purchase an Altec AA55E Material Handling Truck. The truck was initially approved in the 2023 CIP, but delivery was estimated to be between late 2024 and early 2025. Therefore, Brian Thompson used those funds to purchase an electric service truck that he intended to purchase in the 2024 CIP. Altec now has a AA55E available for immediate delivery for \$227,009, which is a cost savings of \$112,391.

To approve the purchase of the Material Handling Truck from Altec for \$227,009.00.

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

#### IV. NEW BUSINESS

##### 1. Public Hearings

###### a. Rezone – 635 James Huff Road

Mr. Brad Callender presented the rezone request from R-1A (Medium Lot Residential District) to PRD (Planned Residential District) in order to develop a 129 single-family detached residential subdivision. The property was annexed into the City on June 13, 2006; it was Zoned R-1A and was proposed for 129 single-family residential lots. The Preliminary Plat for the project was approved in August of 2006. The site development plans were submitted for review in September of 2006. There was no LDP issued due primarily to the 2007 and 2008 financial crashes. There has been no activity on the project for years, until the current owners purchased the property in 2021. They were attempting to submit a similar Preliminary Plat in 2021, but discovered there was an issue related to a sewer easement. Council enacted a moratorium for Preliminary Plats during the time they were trying to obtain the sewer easement. After the moratorium, the Zoning Ordinance was amended so that all new developments in the City must be Zoned as Planned Developments. The owner has complied with that request by submitting a rezone to PRD. He explained the rezone was tabled at the August 15, 2023 Planning Commission Meeting in response to two concerns raised by citizens during the public hearing. The two issues were regarding cemeteries and potential wetlands located on the property, but both were discovered to not be the case. The project is basically the same footprint that was proposed in 2006. There will be two entrances, one will be off of James Huff Road and one will be off of Old Athens Highway. The Planning Commission recommended approval of the requested rezone to allow the development of the property for a single-family residential subdivision, subject to the following conditions: the minimum lot size in the development shall be 10,000 square feet; and the landscape buffer planting scheme shall be subject to the approval of the Planning & Zoning Director at the time of Preliminary Plat approval. The landscape buffer shall include at a minimum: an earthen berm no less than six feet in height and a maximum slope of 50%; tree plantings with a density of one tree planted every 40 feet of linear distance within the landscape buffer; trees shall be a minimum of two-inch caliper and six feet in height at the time of planting; and evergreen plant material in the form of large and small shrubs staggered throughout the landscape buffer.



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

Mr. Billy Coleman spoke representing the owner. He requested approval as explained by Mr. Callender and was recommended by the Planning Commission.

Mr. David Milton spoke against the rezone. He owns the property to the south, which is zoned as agricultural. There are going to be 17 lots along his property. He would like to see some type of buffer between his property and the back yards of the houses. He is also concerned about his bored well. The County requires a 50-foot buffer between residential and agricultural property.

Ms. Janice Baldwin stated she would prefer a fence as well as a buffer. The pond on the property has never been addressed, and there is a creek that runs through the property. The kids are going to think their properties are their playground.

Mr. Callender stated there was an environmental report submitted when the site development plans were pursued in 2006. The report showed that the pond was for stormwater collection only; it was not a spring fed pond. There was a core permit to mitigate the pond at that time, which would require any waterflows to be collected and treated on their property.

Mr. Timothy Kemp, of 946 James Huff Road, spoke against the rezone and stated his concerns about traffic. He discussed a stream that goes across Gratis Road and feeds into a pond that eventually ties into Jacks Creek. He questioned having 129 homes on 49 acres and why the police only patrol on Highway 78. He feels the annexation that was done in 2006 was some back door stuff. They have been hearing about the bypass coming for years. He requested Council to do the right thing for the people in the neighborhood.

Mr. Ricky Emerick, of 715 James Huff Road, spoke against the rezone. He lives at the corner of James Huff Road and Old Athens Highway. He discussed having to call the police about transfer trucks blocking the road. He would like a privacy fence to be put up to shield his property. He questioned whether they will be required to build sidewalks and turning lanes.

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

*No Action.*

**b. Conditional Use – 839 Overlook Trail**

Mr. Brad Callender presented the application for conditional use of this property to allow a Child Care Home at an existing single-family residence. The subject property is currently Zoned R-1 (Large Lot Residential District). The home will take care of up to six children at a time; the hours of operation will be from 5:00 am to 7:00 pm Monroe through Friday. They will care for children up to 12 years old. Parking at the site will be limited to the current two car driveway, which will accommodate a couple of drop offs at one time. The street is adequate enough for that limited amount of traffic. The Planning Commission recommended approval of the request, subject to the following conditions: the Child Care Home shall operate as described in the applicant's narrative and shall not provide care to more than six children at any time; and if the property is transferred to a new owner (if the property is sold), this Conditional Use approval shall become null and void and shall not transfer to the new owner of the property.

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

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

*No Action.*

**c. Development Regulations Text Amendment #7**

Mr. Brad Callender explained the breakdown for each amendment. Article 4, Section 4.2.4 – Amend Development Permit language to extend expiration of valid Development Permits and to clarify when Development Permits expire. Article 6, Section 6.1.2 – Amend Preliminary Plat procedures to clarify the number of plats to be submitted, align the submittal and review procedure with Section 7.2, and to modify the approval authority from the City Council to the Planning Commission. Article 7, Section 7.2 – Amend Preliminary Plat procedures to modify the approval authority from the City Council to the Planning Commission. The Planning Commission and Code Office recommend approval of the proposed Zoning Ordinance Amendment as presented without any changes.



Council Member Lee Malcom stated the developer will be spending a lot of money on the Final Plat after the Preliminary Plat gets approved by the Planning & Zoning Commission. She questioned whether Council only seeing the Final Plat would make it more difficult should they want to make changes, because it would be costly for the developer.

Mr. Callender stated that the Preliminary Plat is meeting the technical requirements of the Zoning District. It is a technical review; there should not be any changes.

City Administrator Logan Propes explained it is not in the zoning realm. It is more in the technical realm, such as whether the curbing is being installed correctly. The berms, plantings, and such have to be checked off through zoning actions. He stated the required buffering would have to be incorporated into the technical review of the Preliminary Plat, and that governing body would be the Planning & Zoning Commission.

Mr. Callender stated when a Final Plat is submitted to Council the items that are not being installed are being bonded because there is no other alternative. They will either be installed or bonded to be installed.

Council Member Norman Garrett questioned them not coming before Council any longer and the Planning Commission making the final decision.

Mr. Callender answered the Preliminary Plat will not come before Council, but the Final Plat will come before Council.

Mr. Propes stated zonings and Final Plats will come before Council for approval. He explained the Code of Ordinance updates are part of the entire body of the Code of Ordinance Book. Council has already legislatively added the Ordinances to ensure that it meets what Council wants, and staff is charged with implementing those wishes concerning developments. Staff works with the developers implementing that over a period of time, and then it gets reviewed. They have listened to a lot of the builders and developers and are trying to streamline the process and also be more business friendly.

Council Member Tyler Gregory stated the City could look at the design standards to see if the neighborhoods being built are suited to what Monroe is looking for, so they can be edited.

Ms. Malcom stated that Council needs to make sure that those standards are what Council wants them to be.

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

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

*No Action.*

## **2. New Business**

### **a. Resolution – Street Name Change – Day Street to Malcom-Day Street**

Vice-Mayor Larry Bradley stated that he joined the men's Sunday School Class at First Baptist when he moved back to Monroe 16 years ago. One of the members of that class was Mr. Bob Malcom, and they became friends. Mr. Bradley stated he grew to have a lot of respect for him. He discussed Mr. Malcom growing up on a farm in Good Hope and going to UGA for Agriculture. He moved to Monroe and became a broker at Malcom Realty. He was a vital part of the community, church, and City.

City Attorney Paul Rosenthal read the Resolution.

To adopt the Resolution.

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



b. Application – Spirituous Liquors and Beer & Wine On-Premise Consumption – The Factory at Walton Mill  
To approve the application.

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

c. Application – Wine Shop – The Loft  
To approve the application.

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

d. Rezone – 635 James Huff Road  
Council Member Lee Malcom questioned where the buffer will be located.

Mr. Brad Callender answered the City does not require a buffer adjacent to residential uses. There will be a 25-foot rear setback. There is only a buffer along the roadways.

Ms. Malcom stated that she would like to see some type of buffer abutting Mr. Milton's property.

Mr. Callender and Ms. Malcom further discussed buffers and the particular area.

Council Member David Dickinson stated that he agrees with the buffer issue. He discussed the history of property and the annexation. There will be City sewer for the project, so wells will not be contaminated. He would not have supported the annexation of the property in 2006, but he was not on the Council at that time. The property probably should not have been annexed into the City, but it has already been approved as R-1A for these lots. The City is not changing anything now; the density is not increasing. He explained the surrounding roads belong to the County; the City only controls the streets inside the subdivision. The City cannot force the developer to install sidewalks on the public road. He stated there will have to be access to the cemetery.

Mr. Callender stated the cemetery is not located on this property. The cemetery is off of Old Athens Highway and has its own access.

City Attorney Paul Rosenthal explained the decision for 129 lots and the density were made in 2006. The changes made by the Code Department over the last couple of years have added the metrics and requirements of how neighborhoods are built in the City. The added layer of zoning mandates has forced the developer to provide a plan and pattern book. He stated the rezone is getting the City and the citizens more out of the neighborhood than what the developer had as a matter of right 18 months ago. The 129 lots and the layout have been approved since 2006; the decision was made 17 years ago.

Mayor Howard stated his agreement with the buffer along the back lots, but the stream or pond has nothing to do with the zoning of the property.

Vice-Mayor Larry Bradley requested that the developer comment on the buffer.

Mr. Billy Coleman stated the easiest fix would be for him to commit to running a fence from the front of the subdivision to the back of the property line. He would be willing to have a third condition added for him to install a six-foot privacy fence as a buffer.

To approve the Rezone at 635 James Huff Road to allow for the development of the property for a single-family residential subdivision, subject to the following conditions: the minimum lot size in the development shall be 10,000 square feet; and the landscape buffer planting scheme shall be subject to the approval of the Planning & Zoning Director at the time of Preliminary Plat approval. The landscape buffer shall include at a minimum: an earthen berm no less than six feet in height and a maximum slope of 50%; tree plantings with a density of one tree planted every 40 feet of linear distance within the landscape buffer; trees shall be a minimum of two-inch caliper and six feet in height at the time of planting; and evergreen plant material in the form of large and small shrubs staggered throughout the landscape buffer. A six-foot privacy fence will also be installed as buffer.

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



**e. Conditional Use – 839 Overlook Trail**

To approve the Conditional Use for a Child Care Home, subject to the following conditions: the Child Care Home shall operate as described in the applicant's narrative and shall not provide care to more than six children at any time; and if the property is transferred to a new owner (if the property is sold), this Conditional Use approval shall become null and void and shall not transfer to the new owner of the property.

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

**f. Preliminary Plat – Hambrick Station**

Mr. Brad Callender presented the request for approval of the Preliminary Plat for 961 Good Hope Road to allow for the development of 142 residential units inside a Planned Residential Development. The applicant is requesting approval of a Preliminary Plat to renew a Preliminary Plat that was previously approved on July 6, 2021, which has expired. It is essentially the exact same development; there are no changes or corrections required. The Planning Commission recommended approval of the Preliminary Plat without corrections.

To approve the Preliminary Plat, without corrections.

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

**g. REBC Grant Program**

City Administrator Logan Propes presented the request for approval of the Resolution to apply for an REBC Grant from the Georgia Department of Transportation, and if awarded, to enter into a Mowing and Maintenance Agreement between the City of Monroe and the Georgia Department of Transportation for the subject area. He explained the City desires to continue to beautify and improve the various right-of-ways by landscaping within the City, working with the Department of Transportation to keep these right-of-ways maintained and attractively landscaped as we showcase the gateways to our community. The City will need to budget and allocate Capital Improvement Funding to complement the grant with new signage similar to the one recently installed on North Broad Street at Charlotte Rowell Boulevard.

To approve the Resolution as presented.

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

**h. 1<sup>st</sup> Reading – Development Regulations Text Amendment #7**

Council waived the reading of the Ordinance.

**V. DISTRICT ITEMS****1. District Items**


Council Member Lee Malcom stated Fall Fest will be in Downtown on Saturday; she encouraged everyone to come out. She stated that the Town Green looks amazing.

**2. Mayoral Update**

Mayor John Howard stated Council Member Myoshia Crawford attended the Knox Leadership Training last weekend; she said it was an invaluable experience. A Men's Mental Health Awareness Group started by Justin Bice is meeting at Taco's and Beer tonight.

**VI. ADJOURN**

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

  
MAYOR

  
INTERIM CITY CLERK