

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
	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, Beth Thompson, Brian Thompson, Chris Bailey, Brad Callender, Kaitlyn Stubbs, Les Russell, Leigh Ann Aldridge, Mathew McClung

Visitors: Kip Boswell, Lisa Ellis, Andy Sims, Kia Samuel, Lidia Garrett, Nrirati Paul, Chuck Ross, Kailash Tandrian, Yvette Nicholson, Cindy Seine, Cindy Little, Greg Davis, Sadie Krawczyk, Herbert Clack, Jr., Christopher Wilson, Rob Goudiss

I. CALL TO ORDER – JOHN HOWARD

1. Invocation

Pastor Kip Boswell, with Monroe Church of God, gave the invocation.

2. Roll Call

Mayor Howard noted that all Council Members were present, except for Council Member Myoshia Crawford, who would arrive within the next few minutes. There was a quorum.

3. Approval of Agenda

To amend the agenda to have a discussion and explanation instead of the first reading for Item 2 (j). 1st Reading – Alcoholic Beverage Ordinance Amendment under Section IV – New Business; and to have the 1st Reading at the Council Meeting in August.

*Motion by Bradley, seconded by Garrett.
Voting no Dickinson, Malcom, Gregory.
Passed 4-3.*

To approve the agenda as amended.

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

4. Approval of Consent Agenda

- a. June 13, 2023 Council Minutes
- b. June 13, 2023 Executive Session Minutes
- c. May 16, 2023 Planning Commission Minutes
- d. May 23, 2023 Historic Preservation Commission Minutes
- e. May 11, 2023 Downtown Development Authority Minutes
- f. June 8, 2023 Downtown Development Authority Minutes
- g. May 11, 2023 Conventions and Visitors Bureau Minutes
- h. June 8, 2023 Conventions and Visitors Bureau Minutes

To approve the consent agenda as presented.

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

Council Member Myoshia Crawford arrived at 6:07 pm.

II. PUBLIC FORUM

1. Public Comments

Ms. Lisa Parks Ellis, of 117 Norris Street, spoke concerning homelessness. There was little action taken to address affordable housing at the General Assembly; Georgia does not have rental stabilization or any rental control laws. She discussed how that enables landlords to increase rent. Not having affordable housing increases homelessness for entire families. She questioned whether everyone is more concerned about money and the beauty of the City rather than the people. She questioned what will happen when the streets are flooded with homeless. Ms. Ellis recited verses from the bible. She will keep coming to advocate for the homeless, because she wants something to be done.

Mr. Andy Sims, of 114 Pinecrest Drive, stated that he is the Marketing Director for Tacos & Beer. He expressed his support for the current Ordinance that permits restaurants to remain open until 2:00 am. He discussed the new Alcohol Ordinance changing the serving time from 2:00 am to midnight. The City of Monroe has grown over the last few years and the new businesses have brought out a nightlife. There is a growing demand to extend operating hours. They are under contract to purchase the Silver Queen building but can back out if the Ordinance changes. They are also planning to possibly open an Italian Restaurant and a Steak and Seafood Restaurant in the City. He discussed alcohol related statistic obtained from Walton County's website, an article from Monroe Local, and noise decibels. He does not feel imposing excessive regulations is the right solution; that can lead to people trying to fit everything into a compressed time frame. Reducing the nightlife by two hours will have a detrimental impact on revenue and diminish the vitality and character of the City.

Ms. Kia Samuel discussed affordable housing. She is a single mother of three. She was paying \$925 to rent a four-bedroom townhouse when she moved to Monroe in 2020. Her rent went up to \$1,250 in 2021 and then up to \$2,000 in 2022. She could not pay that much, which left her and her kids homeless. She and her daughter moved in with a friend, and her two grown sons are not with her. She questioned alcohol licenses being a priority over someone having a place to stay. There are some places that are not livable, but they are charging \$2,000 a month for rent. Her reality is that she and her kids have no place to go; she feels like she has failed her children.

Ms. Lidia Garrett, of 1244 South Madison Avenue, discussed an event that was held at Mathews Park on July 1. The event was held by Chef Jacoby Ponder; it was an opportunity to give back to the community. It was a peaceful gathering with people sitting around laughing and talking. The police came, because there were people parked on the grass. No one was being loud, rowdy, or fighting; they were just enjoying the free food. She feels that it was a bit much. There are only a few parking places at Mathews Park and the posted sign is small. She questioned when the remainder of the parking will be completed. There were people parked on the grass at the event that was held last Saturday. Something needs to be done about the parking.

III. BUSINESS ITEMS

1. City Administrator Update

City Administrator Logan Propes waived his report, due to the length of the agenda.

2. Assistant City Administrator Update

Assistant City Administrator Chris Bailey stated the Extra Special People (ESP) Organization will be having the first Fall Festival at the Monroe Airport this year. The event is being moved from the Jackson County Airport to the Monroe Airport; it will be held on October 22. The final walk through for the Town Green is scheduled for August 1. He explained that June 13 was Danny Smith's 40th year of employment with the City.

3. Department Requests**a. Airport: Tentative Allocation Approval Request**

Mr. Chris Bailey requested approval to accept the Fiscal Year 2024 Tentative Allocation (TA) of Federal Funding Assistance in the amount of \$372,501 for the Taxiway Rehabilitation Project. There is a 5% match required from the City in the amount of \$20,695. The project will be slated for the 2024 Capital Improvement Project list; the confirmation response is required by GDOT no later than July 31, 2023. He stated the City has received \$3.7 million in grant funds for the Airport since 2015.

To approve the FY 2024 Tentative Allocation Request.

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

b. Police: Forensic Recovery for Evidence Device (FRED)

Chief R.V. Watts requested to purchase the Forensic Recovery for Evidence Device (FRED), which is a 72-terabyte hard drive computer that is utilized when downloading cell phones, iPads, and computers. The system can be used for crimes of theft, child abuse, molestation, sexual abuse or homicide. It will efficiently reduce the time needed to collect, process, analyze, and preserve the digital evidence for court. In order to maintain a position of advantage, a system is required to stay ahead of the technology it processes as evidence in criminal cases. He requested approval to purchase the device for \$22,623.76 that will come from the General Operating Fund.

To approve the purchase of the Forensic Recovery for Evidence Device for the amount of \$22,623.76.

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

c. Public Works: Walton Road – Sidewalk Replacement Discussion

Mr. Chris Bailey explained the LMIG Paving Project for Walton Road is planned for this fall, but the existing sidewalks are in bad shape. The edges of the sidewalks will most likely get torn up when they start milling the road. Bids were requested to replace 3,164 feet of sidewalks along with an additional 571 feet of sidewalks, which will extend down to the last house. HD Construction submitted the lowest bid amount of \$343,687.50 for the replacement of the sidewalks, curbs, and gutters. The project will take approximately 30 days, and it must be done prior to the LMIG Paving Project.

Council Member Lee Malcom questioned whether the City has worked with HD Construction previously.

Mr. Bailey answered the City has not worked with them before, but the person that will be running the project was formerly the Public Works Director for Lincolnnton. Their previous customers have had good results. He explained the final grading portion of the bid that is approximately \$52,000 could be done inhouse.

Vice-Mayor Larry Bradley questioned where this fits into the sidewalk plan or whether it is new.

Mr. Bailey explained this was not on the immediate sidewalk plan, but he is unsure of what will happen when they try to fix the existing sidewalks after the LMIG Project is done. This is not a budgeted item for this year.

Mr. Bradley stated there is a sidewalk plan and questioned where this fits in that plan.

Mr. Bailey stated this would be in addition to the sidewalk plan. It would be a totally separate project and would not hinder anything with the plan. This came about due to concerns about what will happen during the milling process.

Council Member David Dickinson stated sometimes when things are done out of sequence it can cause a mess. He questioned why not do it right the first time, so that it does not have to be redone.

Mr. Bradley questioned where the funding would come from.

Mr. Bailey answered it would come from the 2019 SPLOST Funds for Transportation.

To approve the sidewalk replacement as presented.

Motion by Garrett, seconded by Boyce.

Council Member Lee Malcom requested an amendment to the motion to remove the landscaping, which will reduce the bid amount by \$52,000.

To exclude the grass and grading line item for approximately \$52,000 from the bid.

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

d. Utilities: Third Amendment to Power Purchase Contract

Mr. Brian Thompson presented the third amendment to the Solar Power Purchase Contract with MEAG to purchase bulk solar power in partnership with other Cities. The amendment will increase the City's entitlement share to the output received under the Solar Purchase Power Agreement in accordance with expressed interest in acquiring all or a portion of the now unsubscribed 0.6589520 megawatts.

To approve the third amendment to the Solar Power Purchase Contract.

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

e. Utilities: Reserved Sewer Treatment Capacity Agreement

City Administrator Logan Propes explained the agreement for reserved sewer treatment capacity. The City has been working with Down to Earth Properties, LLC to develop a proprietary wastewater treatment facility on Vine Street on an M-1 Zoned Property. They have requested for the City to reserve a maximum of 75,000 gallons per day in wastewater treatment, until the project is done, due to the project having a long lead time with a lot of complicated equipment. He requested that approval of the agreement be subject to final technical negotiations with the City Attorney and the City Administrator.

Vice-Mayor Larry Bradley stated the site is very impressive.

To approve the Reserved Sewer Treatment Capacity Agreement for 75,000 gallons per day, subject to final approval by the City Administrator and City Attorney.

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

f. Utilities: Sewer Installation Development Agreement

City Administrator Logan Propes stated this is basically the same type of agreement as the previous one, but MTW Property Holdings, LLC is being added into the agreement along with Down to Earth Properties, LLC. The agreement essentially defines how the sewer connections will be done within the confines of the property. The City is also working on an Industrial Pre-Treatment Plan with the engineers to ensure full EPD compliance. He requested that approval of the agreement be subject to final technical negotiations with the City Attorney and City Administrator.

Council Member Tyler Gregory stated he is really excited about this project.

To approve the Sewer Installation Development Agreement, subject to final approval by the City Administrator and City Attorney.

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

g. Utilities: West Spring Street – Natural Gas Main Replacement Bid Approval

Mr. Chris Bailey requested approval for Southern Pipeline to replace approximately 7,420 feet of natural gas main; they had the lowest bid amount of \$352,560.00. Two-inch and four-inch steel will be replaced along West Spring Street from Carwood Drive to White Oak Lane on West Spring Street. This project was budgeted for \$300,000.00 in the 2023 CIP Budget for Gas Main Renewal. The remainder of the funds will be coming from the 2023 CIP Budget for Gas Extensions.

Council Member Lee Malcom questioned the timeline for the project.

Mr. Bailey stated the project will take around 60 days. There should not be any traffic issue, because it should all be in the right-of-way area.

Council Member Nathan Little questioned whether the project is required due to the leak survey.

Mr. Bailey answered that it was found during the annual cathodic protection leak survey.

To approve Southern Pipeline for the Natural Gas Main Replacement for the amount of \$352,560.00.

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

IV. NEW BUSINESS**1. Public Hearings****a. Conditional Use – 533 Plaza Drive**

Mr. Brad Callender presented the application for conditional use of this property to allow residential uses in the M-1 Zoning District. The request is to convert the office building into four apartments. He explained the building was converted approximately a year ago into four apartments without any permits. They are proposing to reduce the size of the apartments and close off some of the bedrooms. The Planning Commission and staff have made a recommendation for denial, due primarily to not meeting the R-2 Standards for apartment complexes greater than three units, which would require a five-acre property. This is a two-acre property in the M-1 Zoning District. The Conditional Use Standards also warn against the domino effect of improper uses and illegal conversion of structures for residential uses. He stated if the conditional use request is approved, staff does recommend that it be subject to four (4) conditions. The property owner shall obtain building permits and comply with all applicable building codes and life-safety requirements. The building shall substantially conform to the number of bedrooms and proposed limitations described in the applicant's narrative, regardless of any depictions shown on the floor plan included in this application. The developer shall reduce the number of designated parking spaces on the site to a total of eight (8) spaces. The existing additional impervious surface not designated for parking shall be removed and replaced with landscaping and / or grassed areas. Any change to or modification to the building not included in the applicant's narrative shall result in this conditional use being automatically revoked.

Council Member Norman Garrett questioned the quantity of parking spaces and why they had to be reduced.

Mr. Callender stated there are currently 18 spaces. He explained that multi-family only allows one and a half parking spaces per unit and with 120% maximum parking amount the quantity allowed would be eight spaces.

Vice-Mayor Larry Bradley questioned whether steps would have been taken to ensure that the safety elements were met for the multi-family apartments if it had been properly permitted from the beginning. He also questioned whether it is possible to retroactively do the inspections to ensure the safety of the residents.

Mr. Callender answered if it had been a valid use of the property and the proper permitting had been done, there would have been an inspection process and a final certificate of completion prior to occupancy being granted to the building. Council's approval would have been required before that step could have been taken. He stated it would be difficult to do the inspections at this point because a number of walls and electricity have been added. Structures would have to be removed for engineers to check that everything meets building requirements.

Council and Mr. Callender discussed the number of rooms, number of bedrooms, egress of the bedrooms and possible changes for safety compliance.

Mr. Chuck Ross, with Powell & Edwards, spoke representing the applicant Mr. Kailash Tandrian. He stated this is a conditional use permit and not a rezone; residential uses are allowed in this Zoning District. His client purchased the property after it had already been converted into two apartments upstairs; the kitchen and plumbing had already been stubbed in for the bottom area. The property was purchased to be his church initially but ended up being too small for the congregation. His client was approached by a lady asking if she could stay there. He allowed her and several others to live there without knowing any better. The police came due to one of those individuals having a warrant for their arrest. The police notified the Planning Department about the apartment situation. Mr. Tandrian complied immediately by getting everyone out of the apartments and began working with Mr. Callender. Mr. Ross stated the only two concerns on the report from the Code Office were about not getting the necessary permits and about the possibility of causing a domino effect. They are trying to do the right thing. His client has agreed to all of the conditions, and they will not be able to get the conditional use permit if the life safety codes are not met. Mr. Robert Baldwin, who is an engineer, stated that the facility is structurally sound, but there were concerns about life safety. They have addressed the windows, will tear down necessary walls, and will meet all Code requirements. Mr. Ross discussed the Get a Second Chance Housing Program; it is a church program that helps people who are not able to qualify for a regular apartment. All of the expenses necessary in meeting the life safety codes will be Mr. Tandrian's responsibility.

Mayor Howard questioned the date that Get a Second Chance was started and the amount that was being charged for rent.

Mr. Ross stated Get a Second Chance is an LLC that was created right after the issue was brought to the City's attention. It was a great opportunity to tie the program in with the work that the church was already doing. The program is new and the rent amount has not been established yet; this is not like helping the people who were there before.

Council Member Tyler Gregory questioned whether the previous tenants would be able to live there, how they would qualify for the program, and whether it is a well-established program.

Mr. Ross answered that he assumes the church is going to come up with that information. The church is well-established, but the program is not. They have been doing similar services. The program has just been extended to include this new facility.

Council Member David Dickinson stated he does not have a problem with people living in industrial areas. His concern and focus are about safety. The letter submitted by the engineer does not certify anything about life safety code. There has not been an actual inspection of the building to determine compliance, which is the reason that the permits are required in the first place. He questioned whether the applicant is willing to allow inspectors for the City of Monroe to fully inspect the premises.

Mr. Ross stated his client is open to full inspections; it is actually one of the conditions from Mr. Callender. The requirements will have to be met, just like any other apartments.

Mr. Garrett stated the property has smoke detectors in each room and fire extinguishers throughout. The property looks a lot better than some of the others that he has seen.

Mr. Gregory questioned what happens when some of the people lose their housing.

Mr. Ross explained that they have already lost their housing, because they are not allowed to stay there at all.

Council and Mr. Ross further discussed the program, the church, and combining the housing option with some of the programs that are already offered by the church.

Council Member Nathan Little questioned whether Mr. Tandrian is willing to cover the expense to reconfigure the egress for the bedrooms that have already been built. The rooms have not been removed from the information that is being shown.

Mr. Ross answered that his client is willing to cover those costs. The rooms will have to be reconfigured or they would not be able to get past the inspection.

Council Member Lee Malcom questioned the rental amount prior to the people being displaced.

Mr. Kailash Tandrian, the property owner, stated the price ranged between \$1,300 to \$1,800; that amount included all of the utilities. He allowed a couple of families to live together so that they were able to afford to pay the rent. The rental amount was determined by the quantity of family members. He also allowed them to pay as they went, because they did not have any money. Mr. Tandrian discussed his background, the organization, his church, and how he fixed the property up. He introduced some of the tenants that had been living there. He did not create the apartments, they already existed and were being advertised. He only made them nicer.

Ms. Malcom questioned how many meters are on the building.

Mr. Tandrian answered there was only one meter. He kept it that way, because the people could not afford to get the utilities turned on in their names. He discussed the other apartment complexes around his building. He was only trying to help people that did not have anywhere to live; he was trying to do good for humanity.

Mr. Ross stated the church was incorporated on October 27, 2010.

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

City Attorney Paul Rosenthal clarified the applicant and those wishing to speak in favor are generally limited to ten minutes and generally the opposition is limited to 10 minutes. Though, Council does have discretion to allow extra time. The time has already gone beyond the ten minutes, but there have been a lot of questions from Council. He stated the ten minutes of general speaking in favor has concluded, but the Mayor can allow for whatever amount of time that Council wishes.

Mayor Howard stated that he would give them five more minutes.

Ms. Yvette Nicholson spoke in favor of the conditional use. She and her husband have seven kids, but only three of the kids are able to live with them. They went everywhere trying to get help and find housing. Mr. Tandrian did not ask for their social security numbers to get their credit rating. They only had to pay a small deposit and the first month's rent to move in. They were homeless for over six months, because the house they were renting was sold. She discussed her credit being ruined, due to going through a divorce.

Ms. Cindy Seine spoke in favor of the conditional use. Mr. Tandrian is trying to save people who are homeless and that is what is important. She lives in Woodlake; she has a meter and two smoke detectors but does not have a fire extinguisher. People spend more time and effort helping puppies than people. He is doing something to help the people.

Ms. Cindy Little spoke in favor of the conditional use. She stated Mr. Tandrian understands that he must abide by the rules; he wants to do whatever needs to be done to make it right. These are really desperate times; there are medically fragile people dying on the streets. It is hard to see families in their cars. She stated a shelter is not the answer for Monroe, because there are no buses. Monroe needs transitional housing. He is trying to do something to help people; he truly wants to do the right thing.

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

No Action.

Council Member David Dickinson recused himself, due to his affiliation to Hope Monroe.

b. Rezone – 408 Knight Street

Mr. Brad Callender presented the rezone request from R-2 to R-1A (Medium Lot Residential District) at 408 Knight Street. The applicant is requesting the rezone in order to subdivide the property into two lots. The property currently contains one single-family residence that was constructed in 1920, which will remain on one of the new lots. The applicant proposes to

construct a new single-family dwelling on the newly subdivided lot. The Planning Commission recommended approval of the rezone request as submitted without conditions.

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

Mr. Greg Davis spoke in favor of the rezone. He explained that his son is a social worker in Atlanta and part of his job is to help to find homes for homeless Veterans. His son cannot afford to buy a house or pay rent in Atlanta. They have a contract to close on the property Friday; they will protect the character of the neighborhood.

Ms. Sadie Krawczyk spoke on behalf of Hope Monroe. They currently own the whole lot and have renovated the existing house. This is as an opportunity to create another parcel for infill development to create affordable housing for either Hope Monroe or another similar entity. She stated their intention is to make the lot available for another home that fits the character of the street.

Vice-Mayor Larry Bradley questioned whether Hope Monroe intends to build another house or to sale the lot.

Ms. Krawczyk answered at this point Hope Monroe has not made a decision either way.

Council Member Lee Malcom questioned whether the lot size conforms to other lot sizes in the area.

Ms. Krawczyk answered that it does.

Council Member Tyler Gregory questioned whether they had talked to any other non-profit organizations about the project to try to make it a reality.

Ms. Krawczyk stated they have discussed partnering with Habitat, but nothing has been decided. The intent is to keep within Hope Monroe's mission, which is to provide affordable housing in the City of Monroe.

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

No Action.

c. Zoning Ordinance Code Text Amendment #16

Mr. Brad Callender explained the purpose of the amendment to the Zoning Ordinance is to modify procedures for the Corridor Design Overlay District to be in compliance with House Bill 1405. The modifications include extending timelines for submittal and advertising, and adding provisions for appeals of decisions in the Corridor Design Overlay District.

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

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

No Action.

2. New Business

a. Application – Beer & Wine Package Sales – Quick Pic Foods

To approve the application.

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

b. Application – Spirituous Liquors and Beer & Wine On-Premise Consumption – Will Henry's Monroe

To approve the application.

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

c. Historic Preservation Commission Appeal – 1251 South Madison Avenue

City Administrator Logan Propes explained this is a formal appeal of the HPC's decision to deny the demolition request for 1251 South Madison Avenue. The applicant has stated economic feasibility to be the reason for the demolition.

Mr. Ron Goudiss stated he is a managing partner and director of Arnold Properties. He is Harry Arnold's son-in-law, had been active in the Monroe community for over 30 years, and is in charge of the daily operations of Arnold Properties. They have painstakingly tried to work within the confines of the HPC and have tried to be as cooperative as possible. The house is in very poor shape; the conditions are deplorable and unsafe. He stated in their estimations, the ability to transform the property into a business proposition was not appropriate. Their intent is to request a continuance of a demolition permit. He clarified that they have made a commitment to make the land at 1251 green space. He does not understand why his petition was not taken seriously. They were also willing to help financially with anyone that was interested in moving the house itself. His last presentation to the HPC was denied on May 25. Mr. Goudiss stated that 1250 South Madison, which is across the street, was approved for demolition and new construction at the HPC Meeting on June 27. He stated the house is not safe, and the cost is not appropriate.

Council Member David Dickinson explained the standard for Council to consider the appeal is abuse of discretion. Unless Council finds that the HPC abused its discretion when making their decision there is nothing for Council to do. He has not heard anything from the presentation that has indicated an abuse of discretion. Mr. Dickinson questioned how Mr. Goudiss believes that the HPC abused their discretion.

Mr. Goudiss stated that he is only asking for cooperation and consistency. He made every effort to comply with City Code. The individual across the street did not have to go through what he is going through.

Council Member Nathan Little questioned how long Arnold Properties has owned the property.

Mr. Goudiss answered the property has been in their ownership for over 20 years. He discussed other properties that they own in the area.

Council Member Tyler Gregory questioned the plans for the property after demolition.

Mr. Goudiss stated it would be left as green space, and he made that commitment to the HPC.

Council Member Norman Garrett stated he does not live far from the building, and there are people running in and out of it at night.

Council Member Lee Malcom questioned how long it has been since the property was rented.

Mr. Goudiss answered it has been about seven years.

Mr. Garrett stated he wants to see the building gone; there are people in and out all the time at night. They have committed to making the property green space, which is fine with him.

Mr. Dickinson stated that he disagrees. The house is a unique example of Victorian architecture, and it can certainly be restored. He does not see an abuse of discretion, and Council would be violating the City Ordinances. The review standard is for Council to decide whether or not the HPC abused their discretion. The property owner is responsible for securing the building, so that people cannot run in and out of the building. He stated the property needs to be cleaned up and it needs to be secured.

Mr. Garrett questioned why they should not allow this house to be torn down when the house across the street was allowed to be torn down.

Vice-Mayor Larry Bradley questioned the rationale for the denial by HPC.

Mr. Brad Callender explained the reasoning for the denial by the HPC. Removal of the structure would impact the status of the Historic District itself, which is in the Rules of Decisions in the Code of Ordinances. There was also lack of a plan; proposing green space is not a contributing fact to the Historic District. It would be removing a structure that was contributing to the

District, and leaving it as green space is not in compliance with the Code of Ordinances for decisions by HPC. He stated that HPC approved the demolition across the street, because it was going to be replaced with an identical structure that would be contributing to the District. An identical home with the same historic character and appearance will be built, which complies with the decision to grant a demolition.

Mr. Bradley requested a legal opinion from the City Attorneys.

City Attorney Paul Rosenthal explained the entire case is not being retried. Council is looking at the decision that was made by HPC to see if there was an abuse of discretion, to see if there was some obvious fact that was missed. He stated abuse of discretion is the highest standard on appeals. Council is looking to see if there was an injustice or whether there is a reasonable and rational basis for the decision. If there is a rational basis for the appeal, the general concept would be not to disturb that decision.

Mr. Bradley stated Council is not addressing whether the house needs to be demolished, even if they agree that it does need to be demolished. The question is whether HPC made their decision within the rules that apply.

Mr. Rosenthal answered that Council is essentially addressing that issue. The applicant is appealing the decision that was made by HPC to deny his permit to demolish, but Council is not the fact finder at this time. Council is reviewing HPC's decision from an appellant type of perspective. Council is addressing whether or not to allow the house to be torn down, but the standard upon which Council should look at it, is whether there was an abuse of discretion for the decision made by the HPC.

To deny the appeal of the decision made by the Historic Preservation Commission.

*Motion by Dickinson, seconded by Malcom.
Voting no Garrett, Crawford, Boyce.
Abstaining Bradley.
Passed 4-3.*

d. Conditional Use – 533 Plaza Drive

Council Member David Dickinson stated that he has no problem with people living in industrial zoning. He is concerned about the property getting divided up without having permits, but he understands that was done by the previous owner. He is also concerned about life safety. The City has an obligation to make sure the property is safe. Mr. Dickinson stated he is in favor of granting the conditional use, subject to the four conditions, and he wants to add a fifth condition to clarify a complete inspection must be done.

Council Member Tyler Gregory discussed his concern with the new program.

City Attorney Paul Rosenthal explained the purview for Council is to make a decision as to whether or not it would be appropriate for multi-family use to exist as a conditional use in the existing M-1 Zoning. The program is not something for Council to address. Conditions can be added, but they need to be centered around life safety, appropriate of uses, parking, and aesthetic types of things.

Mayor Howard stated they must have four sewer taps, have the electric separated, and water taps will be required.

Council Member Lee Malcom questioned whether there is a limit to the number of people that can live in a two-bedroom unit and whether the City makes sure that the applicant understands the information.

Mr. Brad Callender answered that the occupancy number is based on the number of bedrooms. When a permit is granted to a property, it is granted to the number of bedrooms that will be in the structure. The occupancy load is based upon the number of bedrooms that will be in the structure.

Council Member Nathan Little stated he is ok with there being apartments. He would have thought someone buying a commercial building would make sure that the changes were permitted, prior to buying it. He does not have a problem as long as the owner goes to the expense of totally reconfigure the downstairs to make it meet Code.

Mr. Callender explained based on the proposed conditions the applicant would have to go through the permitting process as if it was never done. The permits would have to be gotten and approved to be in compliance with the City Building Regulations. The number of taps and meters are automatically based on the quantity of units and do not need to be included in the conditions.

Mayor, Council, and Mr. Callender further discussed the layout, reconfiguration, and correcting the ingresses and egresses.

Mr. Callender explained the first condition is vague on purpose; if approval is granted the project will have to be restarted with a clean slate. It would be starting over as if it were never built.

Ms. Malcom stated her fear that it will create a domino affect with more illegal uses in the City.

Council discussed the M-1 Zoning District only requiring a single meter and people being able to create apartments with the utilities being charged based on their square footage.

Mr. Rosenthal explained the first condition gets into the life safety code issues, which are technical and are addressed by the Code Department. They must comply with all of the life safety codes and all of the various building codes. Technical issues that will be addressed include meters, ingress, and egress. He clarified that this is not a preexisting non-conforming use, because it was not an appropriate use.

To approve the Conditional Use at 533 Plaza Drive with the following four (4) conditions and the development regulations: The property owner shall obtain building permits and comply with all applicable building codes and life-safety requirements. The building shall substantially conform to the number of bedrooms and proposed limitations described in the applicant's narrative, regardless of any depictions shown on the floor plan included in this application. The developer shall reduce the number of designated parking spaces on the site to a total of eight (8) spaces. The existing additional impervious surface not designated for parking shall be removed and replaced with landscaping and / or grassed areas. Any change to or modification to the building not included in the applicant's narrative, shall result in this Conditional Use being automatically revoked.

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

Motion to take a break.

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

Meeting resumed at 8:23 pm. Council Member Myoshia Crawford left during the break.

Council Member David Dickinson recused himself, due to his affiliation to Hope Monroe.

e. Rezone – 408 Knight Street

To approve the rezone without conditions.

*Motion by Malcom, seconded by Gregory.
Abstaining: Dickinson.
Passed Unanimously.*

f. Preliminary Plat – The Overlook of Monroe

Mr. Brad Callender presented the request for approval of the Preliminary Plat for 319 South Madison Avenue to allow for the development of seven townhomes. This is a renewal of a preliminary plat that was previously approved by Council. The Planning Commission recommended approval of the preliminary plat without corrections.

To approve the Preliminary Plat for The Overlook of Monroe, without conditions.

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

g. Preliminary Plat – Ayefour Development, Phase II

Mr. Brad Callender stated this is a proposal for the second phase of a project. He explained the applicant is requesting approval of a Preliminary Plat to subdivide two existing properties into six commercial lots with a total of approximately 17.758 acres. The property is located on the northwest corner of Charlotte Rowell Boulevard and State Route 11, and it also includes frontages on Double Springs Church Road and Double Springs Church Road Connector. There will be a new road dedicated off of Double Springs Church Road, and there will be some lots accessed off of a realignment of Double Springs Church Road to Saratoga Drive. The Planning Commission recommended approval of the preliminary plat without corrections.

To approve the Preliminary Ayefour Development, Phase II, without conditions.

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

h. Appointment – Downtown Development Authority & Convention & Visitors Bureau Authority & Urban Redevelopment Agency

To appoint Brittany Palazzo to fill the unexpired term of Ross Bradley, to expire December 31, 2024.

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

i. Approval – Zoning Ordinance Code Text Amendment #16

City Attorney Paul Rosenthal explained the amendment is in response to House Bill 1405, which is basically some procedural cleanup. It is already after the fact, since House Bill 1405 went into effect on July 1, 2023. City Ordinance allows Council to waive a second reading. He requested for Council to waive the second reading, so that the Ordinance can go into effect tonight. There will need to be two motions, a motion to waive the second reading and a motion to approve and adopt the Ordinance. This will get the City into compliance with House Bill 1405 as soon as possible.

To waive the second reading of the Ordinance.

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

To adopt the Zoning Ordinance Code Text Amendment #16 for House Bill 1405 on Zoning Procedures Law.

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

j. Discussion – Alcoholic Beverage Ordinance Amendment

Vice-Mayor Larry Bradley requested an explanation for each of the changes.

City Attorney Paul Rosenthal explained the Ordinance changes come from a couple of different bases. There is some cleanup to address specific confusion or misrepresentation of some areas, since the Ordinance is about 5 years old. Other purposes are to strengthen enforcement elements and to change the serving hours. He went through and discussed each of the changes in order. Section 6-1 changes the definitions for microbrewery and microdistillery, the change centered around the difference between local law and state law. The definition now mirrors state law. The definition for a wine shop was added.

Mr. Bradley questioned the changes for the quantity of barrels.

Mr. Rosenthal stated the microbrewery and microdistillery quantities were changed to reflect the limitation for on-premise consumption sales and on-premise package sales to follow the metrics of Georgia Law. The specific cleanup issue was to clear up some confusion in the difference of exactly how the Ordinance is interpreted in relation to the maximums that can be sold for on-premise consumption and off-premise takeaway retail sales for breweries and distilleries. He explained the quantity of barrels changed to keep someone from the possibility of being caught in the middle. The idea is that small businesses will have the ability to produce alcohol. The

expectation is that they will sell some for on-premise consumption, some for on-premise takeaway, and the balance will be for wholesale distribution sales. The definition for a wine shop was added; the regulations and limitations were also added in some later sections. Section 6-11 has some fee changes so that they will line up with the permits. A fee structure for special events facilities was also added.

Mr. Bradley questioned the reason why the maximum number of days per year for temporary licenses was eliminated. He also questioned the fees for a non-profit private club changing from \$600 to \$1,000.

Mr. Rosenthal explained some changes are addressed later in other sections in an effort to stay consistent. The maximum number of days per year were deleted from the fees section because they are in another Code section where they apply. However, the maximum number did change from ten to twenty. The change for non-profit private club fees is to get all of the licenses for on-premise consumption in line with one another. Subsection (j) has been added in Section 6-17 to improve enforcement abilities against any unscrupulous license holders. Section 6-34 is changing to allow a patron to remove one unsealed bottle of wine for consumption off-premises without having purchased a meal.

Mr. Bradley, Ms. Malcom, and Mr. Rosenthal further discussed restaurants that have retail package sales, the specifics of the cork and bag process, and the open container regulations.

Mr. Rosenthal stated Section 6-36 concerns the approved logo for the cups. The logo approval has been left, with the approval being vested with the City Administrator, and the requirement of the name has been removed. The size of the cup has also changed from 20 ounces to 16 ounces. There is not a change to the boundaries of the Monroe Historic Downtown Entertainment District at this time. He explained the boundaries can be addressed after more quantifiable information has been received and after the new Codes are in place.

Council, Mr. Propes, and Mr. Rosenthal discussed various areas within the Entertainment District, stumble cups, special event venues, private properties, ped-sheds and activity nodes.

Mr. Rosenthal stated Section 6-37 changes the maximum number of temporary licenses from ten to twenty. Section 6-81 and Section 6-106 cleans up exactly where alcohol sales are permitted for on-site consumption, and special events facilities were added. Section 6-84 and Section 6-108 are mirrored sections, one being for distilled spirits and one being for beer & wine. There has also been some cleanup in the sections, but the operative change is the last call cutoff time. The last call cutoff time is going from 1:55 am to 12:30 am. The exception is New Year Eve and New Years Day which can go to 1:30 am. He clarified that this is not a prohibition on how late restaurants can be open; it is a prohibition on how late restaurants can serve alcoholic beverages by the drink.

Mayor, Council, Mr. Propes, and Mr. Rosenthal discussed the cutoff times and the input staff received concerning the times. They discussed the specification of serving food while alcohol is being served, the differences between eating establishments and bars, various sections that are not changing, and temporary licenses.

Mr. Rosenthal stated the Section 6-110 change cleans up a typographical error and the provision for alcohol sales on Sunday is being removed. Section 6-112 adds the regulations relating to wine shops. There is some cleanup in Section 6-352. He explained the additions in Chapter 62 give the City Police Department better strength. Section 62-12 adds the public intoxication provision, and Section 62-13 prohibits open containers anywhere in the City that is not in the Monroe Historic Entertainment District.

Mr. Bradley questioned a semipublic parking facility.

Mr. Rosenthal clarified a semipublic parking facility is basically tailgating and is a standard provision. Tailgating is prohibited in public parking lots, unless it is within the Entertainment District.

Mayor Howard requested the glass growlers to be changed to metal.

Mayor, Council, Mr. Propes, and Mr. Rosenthal further discussed the Ordinance and notifying the current license holders about all of the changes.

Mr. Rosenthal clarified that any restaurant or eating establishment must serve food every hour that they are open.

Mayor, Council, Mr. Propes, Chief Watts, and Mr. Rosenthal discussed closing times. There was not a general consensus on a cutoff time. It was decided that Council should email Mr. Propes concerning their suggested cutoff time choice. The first reading will be at the Council Meeting next month.

No Action.

V. DISTRICT ITEMS

1. District Items

Council Member Charles Boyce requested an update for getting speed humps on Green Street.

Mr. Jeremiah Still explained they were not warranted according to the study.

Vice-Mayor Larry Bradley questioned whether the Farmers Market is going to start prohibiting craft sales.

Mr. Propes explained there was a discussion in the DDA Meeting about the current composition of the Farmers Market and whether it is going too heavily into the crafts and what can be done to encourage producers. He stated some of it is due to there being late crops this year.

Council Member Lee Malcom stated the Board discussed ways the sale of more fruits and vegetables could be promoted. The Market Manager explained that the crops came late this year, and the local markets are losing growers. There is competition from the larger markets, where they can make more money.

Council Member Norman Garrett questioned why the police department was harassing people about parking in the grass on July 1. He questioned whether the officers were out there yesterday, because there were a ton of cars of the grass yesterday. He questioned what made them enforce it in the first place and who called them.

Chief Watts stated when the event was coordinated it was explained to his department by Chris Croy and Chris Bailey that there could not be anything staked in the ground and there could not be any parking on the grass. The officer had a conversation with the event coordinator about not parking on the grass. He explained that he reviewed that video footage. There was nothing that was unprofessional, and the individuals moved their vehicles. Chief Watts stated that no one called or they would have enforced it yesterday. He explained that he received a call from Chris Bailey, who stated that Chris Croy had contacted the event coordinator about the issue. There are two no parking in the grass signs, and there has been more than \$700,000 spent on renovating that park.

Mayor Howard, Mr. Garrett, Chief Watts, Mr. Bailey, and Ms. Malcom further discussed the issue.

Council Member Tyler Gregory stated the online Parks Campaign is doing great, and the article in the Walton Magazine was really enjoyable.

2. Mayoral Update

Mayor John Howard stated they started on the Truck Route last Monday. Opening day for Plant Vogle III will be on Saturday. Georgia Local Government Personnel Association has awarded Les Russell with his Level I CHRM designation.

VI. EXECUTIVE SESSION

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

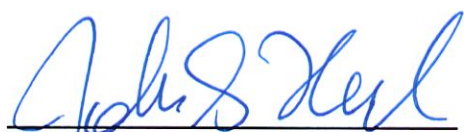
RETURN TO REGULAR SESSION

To approve a Retirement Agreement with Telecom Director Brian Thompson, with a retirement date of December 31, 2023, with one additional month of severance pay for January 2024, in recognition of his years of service to the City of Monroe, per City Administrator and City Attorney.

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

VII. ADJOURN

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


MAYOR


INTERIM CITY CLERK

The Mayor and Council met for an Executive Session.

- | | | |
|----------------|-------------------|--------------------|
| Those Present: | John Howard | Mayor |
| | Larry Bradley | Vice-Mayor |
| | Lee Malcom | Council Member |
| | Charles Boyce, IV | Council Member |
| | Norman Garrett | Council Member |
| | Tyler Gregory | Council Member |
| | Nathan Little | Council Member |
| | David Dickinson | Council Member |
| | Logan Propes | City Administrator |
| | Paul Rosenthal | City Attorney |
| | Russell Preston | City Attorney |
| Absent: | Myoshia Crawford | Council Member |

Staff Present:

I. Call to Order – John Howard

1. Roll Call

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


II. Personnel Issue (s)

1. Personnel Matters

Personnel matters were discussed, including attorney-client discussions.

III. Adjourn to Regular Session

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


MAYOR


INTERIM CITY CLERK