

## MAYOR AND COUNCIL MEETING      FEBRUARY 11, 2020      6:00 P.M.

The Mayor and Council met for their regular meeting.

Those Present:	John Howard	Mayor
	Wayne Adcock	Vice-Mayor
	Lee Malcom	Council Member
	Myoshia Crawford	Council Member
	Ross Bradley	Council Member
	Larry Bradley	Council Member
	Norman Garrett	Council Member
	Nathan Little	Council Member
	David Dickinson	Council Member
	Logan Propes	City Administrator
	Debbie Kirk	City Clerk
	Russell Preston	City Attorney
	Paul Rosenthal	City Attorney
	Jesse Couch	City Attorney

Staff Present:      Danny Smith, Chris Croy, Matt McClung, Bill Owens, Beth Thompson, Rodney Middlebrooks, Patrick Kelley, Chris Bailey, Beverly Harrison

Visitors:      Andrew Kenneson, Sharon Swanepoel, Amylee Dire, Pam Blanford, Bruce Chick, Bill O'Brien, Chuck Ross, Tommy Blanford, Dawn Clark, Carl Morrow, Jayne Sinclair, Roenelle Holloway, Ronda Holloway, Anne Huie Smith, Ben York, Agnes Taylor, Charles Sanders, Veronica Sanders, Jack Dillard, Carter Dillard, Vicki Tuttle, Mark Willett, Carole Queen, Randall Williams, Wanda Hickman, Billy Mitchell, Daniel Yarman, Ashley Housley, Bee Carrolton, Angela Yarman, Wayne Hulsey, Joe McVay, George Baker III, Adrienne Little, Chuck Ross

## I. CALL TO ORDER – JOHN HOWARD

### 1. Invocation

Pastor Dawn Clark of Rivers of Mercy Church gave the invocation.

### 2. Roll Call

Mayor Howard noted that all Council Members were present. There was a quorum.

### 3. Approval of Agenda

To approve the agenda as presented.

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

To have a second round of public comments. To approve the agenda as amended.

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

### 4. Approval of Consent Agenda

- a. January 7, 2020 Council Minutes
- b. January 14, 2020 Council Minutes
- c. January 21, 2020 Planning Commission Minutes
- d. January 28, 2020 Historic Preservation Commission Minutes
- e. Renewal – Property & Casualty Insurance – Approval of renewal. (Recommended for Council approval by Finance Committee February 4, 2020)
- f. Approval – Out of State Travel – To allow Beth Thompson and two employees to attend the Tyler Technologies-Tyler Connect Conference in Orlando, Florida, April 26 – 30, 2020, for a total cost of \$7,600.00. (Recommended for Council approval by Finance Committee February 4, 2020)
- g. Travel Policy Update – To approve the update as written and presented. (Recommended for Council approval by Finance Committee February 4, 2020)
- h. WiFi – To purchase equipment from Georgia DOAS for \$88,094.76. (Recommended for Council approval by Utilities Committee February 4, 2020)

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- i. Approval – Out of State Travel – To allow Officer Jacob Palmer to attend the Alabama Canine Law Enforcement Training Center in Northport, Alabama, February 23 – 28, 2020, for a total cost of \$840.00. (Recommended for Council approval by Public Safety Committee February 4, 2020)
- j. Surplus of Real Property – Parcels M0110093 & M0110094 – To proceed with surplus process. (Recommended for Council approval by Planning & Code Committee February 4, 2020)
- k. Childers Park Project – To proceed with project for an amount not to exceed \$90,000.00. (Recommended for Council approval by Parks Committee February 4, 2020)

To approve the consent agenda as presented.

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

## II. PUBLIC FORUM

### 1. Public Comments

Ms. Pam Blanford, of 697 McDaniel Street, stated she was born and raised in Monroe, and over six generations of her family have lived in Monroe. Her parents and grandparents were business owners in Monroe for over 75 years. She discussed the subdivision planned to go on Holly Hill and McDaniel Street. She was a teacher in Gwinnett County and watched the community go through the same type of growth. The new restaurants and businesses are blessings, but it will be a curse for the infrastructure to handle the growth. The Police Departments, Fire Departments, and school systems are already understaffed. She stated the proposed development is overbearing. It will be out-of-scale and character in terms of appearance to the existing neighborhood.

Mr. Bruce Chick, of 690 McDaniel Street, discussed Article VI Section 600 and 610.2 Subsection 2(a) of the Zoning Ordinance. He has been living in Monroe since he was 12 years old and a proponent of growth. His father is 92 years old and a lifelong resident of Walton County. He discussed his concern about the development of 13 lots by Mr. Mark Willett and Cross Pointe Investments, LLC, which will be facing McDaniel Street. The property will be subdivided for 10 homes in an area that currently has four well-established homes across the street. The units will sit on lots ranging between a quarter of an acre and half of an acre, with 30-foot setbacks. He stated the homes currently on McDaniel Street are double to triple the proposed homes. Mr. Chick discussed the nontransparent process used by bypassing Council for the first four lots. Those lots were deeded without Council's approval and the six remaining lots will include overlapping. He stated there are concerns about future property values, traffic volume, and storm drainage runoff.

*Second round of Public Comments which were held at the end of the meeting.*

Mr. Bill Obrien, of 321 Milledge Avenue, stated he was just looking for approval of the final plat on the Milledge Avenue project.

Mr. Chuck Ross stated he no longer wished to speak.

### 2. Public Hearing

#### a. Rezone – 329 Barrett Street

Code Enforcement Officer Patrick Kelley presented the application of James Holder for rezone of this property from PRD to R1A. He wishes to have the property carved out of a PRD zoned property to accommodate the historic home being moved from Boulevard to this location. The Code Office and Planning Commission recommend the request be approved.

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.*

#### b. Conditional Use – 1110 South Madison Avenue

Code Enforcement Officer Patrick Kelley presented the application for a conditional use of this property to allow a personal care home in a R1A Zoned residential area that is adjacent to multiple M1 Parcels. He explained the request does not meet the Standards for conditional use decisions as listed in Section 1425.5 of the Zoning Ordinance. Approval requires that all ten of

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the listed Standards must be met. The Code Office and Planning Commission recommend the request be denied, because the following conditions have not been met: (3) the proposed use is consistent with the Comprehensive Plan, and the conditional use is compatible with the community development pattern; (5) the proposed use will not be injurious to the natural environment or the other property in the immediate vicinity, or unconstitutionally diminish property values within the surrounding neighborhood; (6) off-street parking and loading, and access thereto, will be adequate; (8) the use will not be an extension of a use which will cause a damaging volume of higher density residential use into a stable neighborhood of well-maintained single-family homes, or additional requests of a similar nature which would expand the problem; and (10) granting this request would not have a domino effect, in that it becomes the opening wedge for further rapid growth, urbanization or other land-use change beyond what is indicated in the Comprehensive Plan.

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

Mr. Billy Mitchell discussed the concerns from the Planning Commission. The Code Department stated due to the significant number of properties available for this particular use throughout the City, a conditional use is not warranted. He stated R1 Zoning does not allow a conditional use for a personal care home; it is only allowed in R1A and R2 Zoning. He discussed Section 1425.5(3) of the Zoning Ordinance. The property is already multi-use and has a Church, Motorcycle Club, Shifters, convenience store, garage, and law office located around it. The R1A Zoning is inconsistent with the area, and he is only asking for a conditional use. He stated it would not be injurious to the rest of the properties in the area, because a lot of them are rental properties. Mr. Mitchell stated the value of the property has already been brought up just by them taking it over; people were living in the house, without any utilities. He stated density will not be any more than a family of four would be, and there will be vehicles for the attendants only, none of the residents have vehicles.

Ms. Agnes Taylor, the co-applicant, stated she has been in the business for 20 years. She explained that the residents have mental disabilities. Some of the residents are without families and are not supposed to be mixed with other individuals. She is advocating to give them a nice place to stay.

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

*No Action.*

**c. Rezone – 341 North Broad Street**

Code Enforcement Officer Patrick Kelley presented the application of Monroe Historic Properties, LLC for rezone of this property from P/R1 to R1. The property is currently split zoned containing R1 and P Zoning, with the majority of the Zoning being R1. He stated there is a subsequent request for a variance concerning the frontage on one of the lots.

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

Mr. Paul Rosenthal explained his office would be conflicted out, and the City would need to seek other Council if necessary. He has a conflict, due to having a primary interest in this entity. He stated within the next couple of months he and his family will be moving next door to this property. They have owned the property for a long time. They have tried to come up with some positive uses for it through the years, but none of the commercial uses seemed appropriate. The purpose of the request is to rezone the 2.79-acre tract into three estate lots. A 20-foot rear-alley entrance that fronts Marable Street will serve all three of the lots. Lot #1 will have a curb cut off of Highway 11, but Lot #2 and Lot #3 will only be assessable from Marable. The existing farm house on the corner of Marable and North Broad will continue to be a rental until the lot is sold, at which time he anticipates a larger estate home will be built. Mr. Rosenthal explained the upcoming variance. There will be legal frontage on Marable, except for the old water tower and the 20-foot common shared alleyway that will service all three lots. The requested variance is for 79 feet in width of road frontage instead of 100 feet in width of road frontage, but all three of the lots are much larger than the required minimum in R1 Zoning.

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

*No Action.*

**d. Variance – 341 North Broad Street**

The applicant Monroe Historic Properties, LLC is requesting a variance of Section 700.1 Table 11 of the Zoning Ordinance for lot frontage. The owner wishes to subdivide the property into three lots, all of which comply with the Zoning Ordinance. The lot frontage variance is sought due to the unique circumstance of the water tower parcel limiting the street frontage limiting the street frontage.

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.

Mayor Howard asked if anyone had any questions or comments or would just like to revisit this as well.

*No Action.*

**e. Comprehensive Plan Update**

City Administrator Logan Propes explained that the small update is a result of the City applying for additional funds through the Community Block Grant (CDBG) and Economic Incentive Program (EIP) Grant. The State of Georgia requires the Comprehensive Plan to have purposes listed within the Community Work Plan (CWP) document, which will be added under Community Facilities & Services. He explained Item 17A. Stormwater, street, water and sewer infrastructure upgrades to the Central East Area of the City between Spring Street and Church Street will be added under the Community Facilities & Services Section. He stated basically the update gets the City in legal compliance to apply for the grant programs.

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.*

**III. NEW BUSINESS****1. Rezone – 329 Barrett Street**

To approve the rezone.

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

**2. Conditional Use – 1110 South Madison Avenue**

To approve the conditional use.

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

**3. Rezone – 341 North Broad Street**

To approve the rezone.

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

**4. Variance – 341 North Broad Street**

To approve the variance.

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

**5. Approval – Major Subdivision – 945 Holly Hill Road**

Code Enforcement Officer Patrick Kelley presented the application for a subsequent subdivision of property. There were four lots recorded by the applicant previously, which were approved administratively. He explained creations greater than five lots require approval by Council.

Mr. Chuck Ross introduced himself as Mr. Willett's Attorney from the firm Powell & Edwards located in Lawrenceville.

Mr. Mark Willett, the applicant, requested permission for six lots; he is not asking for any special requests. He stated the lots will all have 100 feet of road frontage, as required. Three of

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the lots will be almost one acre, and the other three will be about half an acre. The houses will not be starter homes. He and his wife plan to build a home there. Mr. Willett distributed some copies of plans for review. He anticipates the homes will be half a million dollars.

Mayor Howard questioned whether Mr. Willett will hire a builder. He stated some people have major concerns about the setbacks.

Mr. Willett answered that he will hire a builder. Some of the lots are 300 feet deep, and he will set them back as far as possible. Lot #5 and Lot #6 are the only two lots that won't be able to be set back as far.

Council Member Larry Bradley stated his concern about getting the four lots approved administratively and coming right back to get the other six lots approved, rather than doing all ten of the lots together at one time. He questioned future plans for the land located behind this project, which Mr. Willett also owns.

Mr. Willett stated he did not realize that ten lots would be considered a major subdivision. The infrastructure is already in place for the project. He thought it would be the same as Walton County, and he could do three lots at a time. There is 50 feet off of McDaniel Street reserved for future use to access the additional property and also two access points off of Holly Hill. There are not any official plans for the additional property currently. He explained the houses on the first four lots are also expected to be half a million dollars.

Mayor, Council, and Mr. Willett further discussed the area, lot sizes, street character, alleyways, and shared driveways.

Council Member Lee Malcom stated several residents from the area have major concerns about sight distance issues; they already have problems when pulling out of their driveways. She feels it is only fair that a traffic study be requested to ensure safety. The driveways may need to be strategically placed. Ms. Malcom made a motion to table the matter and Council Member Nathan Little seconded the motion.

Council Member David Dickinson stated he still has reservations. He believes larger houses need to be built in order to be compatible with the neighborhood, even though the zoning would allow smaller houses. The objective is to have quality development. He discussed the unique tract of land and traffic on McDaniel Street. He feels the setbacks should be increased. Mr. Dickinson stated he shares Ms. Malcom's concern about the traffic and supports getting a traffic study. Everyone needs to work together to get a coherent plan.

Mayor Howard asked if Mr. Ross would like to add anything prior to the vote.

Mr. Ross answered that he had nothing to add.

City Administrator Logan Propes stated the traffic study process has already been started, but it will take a couple of weeks to get it done.

Council Member Lee Malcom questioned whether Mr. Willett would be willing to accept approval with the condition that the six lots must have a minimum setback of 50 feet for Lots #7, 8, and 9. She does not think Lots #5 and 6 can be addressed, unless Lot #6 can be put even further back.

Mr. Willett stated he will agree to put Lots #5 and 6 as far back as possible, but Lot #7 might be a problem. He stated Lots #8, 9 and 10 will definitely work with the 50-foot setback condition, and Lot #6 might work with the condition. He will sketch the houses on each lot for placement.

To table to get traffic study done by an engineer, which is expected in 30 days.

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

Council Member Larry Bradley stated he appreciates that Mr. Willett corresponding with the neighbors concerning the matter. He would like the public to have an opportunity to speak after the traffic study has been presented, prior to Council voting.

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City Attorney Paul Rosenthal stated this is not an action by Council that is subject to the ZPL. The item does not require a public hearing, and his office does not advise that it be advertised as such. However, Council does have the purview to hear from whomever they would like; Council can open the item up to hear from the public when it comes back. He explained it would not be appropriate to advertise a public hearing for the item, because it is not a zoning procedure. This is considered an administrative procedure, under the Development Regulations.

Mayor Howard stated he will call for public comments, but there will not be an official public hearing.

To give the public the opportunity to speak after the traffic study has been presented.

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

### **6. Approval – Major Subdivision – 321 Milledge Avenue**

Code Enforcement Officer Patrick Kelley presented the request for approval of the Madison Davis PRD as a major subdivision, which will create more than five lots.

To approve the subdivision.

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

### **7. Resolution – Comprehensive Plan Update**

To approve the resolution as presented.

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

### **8. Resolution – Service Delivery Strategy Amendment**

To approve the resolution as presented.

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

### **9. Resolution – 2020 CDBG Application**

To approve the resolution as presented.

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

### **10. Resolution – Opposing HB 302 and SB 172**

To approve the resolution as presented.

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

### **11. Resolution – Supporting SB 309**

To approve the resolution as presented.

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

### **12. Resolution – 2019 Budget Amendment**

To approve the resolution as presented.

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

### **13. Approval – GEMA/HS Statewide Mutual Aid and Assistance Agreement**

To approve the Statewide Mutual Aid and Assistance Agreement with the Georgia Emergency Management and Homeland Security Agency.

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

**14. Appointments (3) – Tree Board**

To reappoint Steve Brown to a three (3) year term to expire March 1, 2023.

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

To reappoint Crista Carrell to a three (3) year term to expire March 1, 2023.

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

To reappoint Susan Pelham to a three (3) year term to expire March 1, 2023.

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

**15. Schedule of Fees – Fire Marshal's Office**

To adopt the Schedule of Fees for the Fire Marshal's Office as presented.

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

**16. 2<sup>nd</sup> Reading – GMEBS Restated Defined Benefit Retirement Plan Ordinance**

City Attorney Paul Rosenthal gave the second reading of the ordinance to amend and restate the Retirement Plan.

To adopt the ordinance.

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

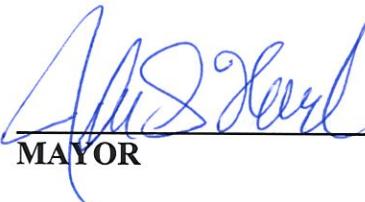
Mayor Howard stated he jumped over some of the people that had signed up for public comments, so he needs to give them an opportunity to speak. He requested a motion to amend the agenda to have a second round of public comments.

To amend the agenda to have a second round of public comments.

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

**IV. ADJOURN**

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

  
MAYOR

  
CITY CLERK