

MINUTES *
CITY OF MCDONOUGH
REGULAR COUNCIL MEETING
APRIL 3, 2006
7:00 P.M.

* Minutes are unedited and unofficial.

The regular meeting of the McDonough City Council was held on Monday, April 3, 2006 at 7:00 p.m. with the following members present:

Mayor:	Billy Copeland
Mayor Pro Tem:	Monta Brown
Councilmembers:	Gail Notti
	Gina Riffey
	Wayne Smith
	Rufus Stewart
	Sandra Vincent

Also present for this meeting were City Administrator, James Lee; City Clerk, Evelyn Craig; City Attorney, Scott Bennett; Building Director, James Campbell; Court Director, Elaine Moore; Economic Development Director, Nan Lee; Fire Chief, Don Crowell; Public Relations, Casey Case; Public Works Director, Gary Barham; and Assistant to the Mayor, Leslie Balog.

Mayor Copeland opened the meeting at 7:00 p.m.

The invocation was given by Sandra Vincent and Rufus Stewart led the Pledge to the Flag.

Mr. Stewart motioned to approve the agenda as amended by adding Council Liaison Appointments. Mrs. Notti seconded the motion and the vote was 5-1 in favor of the motion. Those voting for were Mr. Stewart, Mrs. Notti, Mr. Brown, Mrs. Riffey, and Mrs. Vincent. Mr. Smith opposed this motion.

Mrs. Riffey motioned and Mrs. Notti seconded that the minutes of March 6, 2006 be approved subject to changes on Page 4, lines 3 and 13. The vote was unanimous in favor of the motion.

Mrs. Riffey motioned and Mrs. Vincent seconded that Item #1 on the Consent Agenda of items discussed at the Workshop Session on March 30, 2006 be removed for further study. This item pertains to a proposed Ordinance to amend Title 15, Building and Construction, by creating a new Chapter 15.74, Demolition of Buildings and Structures. The vote was unanimous in favor of the motion.

Mr. Lee presented the balance of the Consent Agenda of items discussed at the Workshop Session on March 30, 2006. **Mr. Stewart motioned and Mr. Smith seconded that these items be approved as presented. The vote was unanimous in favor of the motion. The items are listed as follows:**

Concept Plan Review

Oakmont Industrial Group
Southport Industrial, M-1 w/conditions
Located at proposed Westridge Road, Tracts 1 & 2

Non-Residential Development Petitions

Annexation with Rezoning

Vipul Patel
C-2 (County) to C-3 (City): (Village Retail)
Land Lot 156 of the 7th District, 10.564 acres

Vipul Patel
RM (County) to RTD (City) with Variance: (Townhomes)
Land Lot 156 of the 7th District, 9.121 acres

Rezoning

Vipul Patel
RA-200 to C-3 (Village Retail)
Land Lot 135 of the 7th District, 12.160 acres

James Withers
235 Bryan Street
RM-75 to O-I (Adaptive Re-Use)
Land Lot 134 of the 7th District, 0.50 acres

Special Use Permit Request

Michael Turner
Turning Point Church
C-2: (SUP/Special Use Permit for Church)
Land Lot 156 of the 7th District, 4.280 acres

Residential Development Petition

Rezoning:

James Lee for JLM Developers, LLC
130 Lowe Street
R-100 to R-75: (Infill Development)
Land Lot 124 of the 7th District, 0.365 acres

Mr. Heard briefed the Council on the request for Zoning Modification from Mr. Paul Zantzinger for D. R. Horton Homes, Mountain Brook Village, Phase II. The zoning is R-75 with conditions

and variances. The request is for a reduction in width of perimeter buffer that was a condition of the zoning. Mr. Zantzingler approached the council with the purpose of the request for the reduction. Mr. Heard announced the Planning Commission on March 28, 2006 recommended approval of the zoning modification with conditions as follows:

NATURAL:

1. Reduction in buffer shall not exceed 20 feet.
2. The required retaining wall adjacent to the buffer that shall have connectivity to the lots reviewed by BOZA that also have a retaining wall along the rear property line shall be aesthetically pleasing by the inclusion of plant materials (vines, evergreen groundcover, or shrub) which shall cascade down the retaining wall. The type and species shall be determined by the Community Development Director and/or his designee provided; however, that said items are placed at no greater than 10 feet intervals along the retaining wall.
3. The conditions of BOZA approval (June 9, 2005 meeting) for other map amendments are attached as exhibit for compliance verification.

HUMAN:

1. Not Affected.

BUILT:

1. Required retaining wall construction shall be of a consistent design as that already under construction/installed on peripheral lots.
2. A House Location Plan or slab verification survey shall be required in order to determine conformity with lot coverage/dimensional setbacks.

Mayor Copeland opened the Public Hearing on this matter. There was no one present that was opposed to this request. Mayor Copeland closed the Public Hearing and turned the matter over to the Council for consideration. **Mr. Smith motioned and Mrs. Vincent seconded that this request with conditions be approved as presented. The vote was unanimous in favor of the motion.**

Mr. Heard presented the Council with façade information on proposed homes in Rainer Park. After discussing this matter at length, **Mrs. Notti motioned and Mr. Stewart seconded that more time is needed to review the plans that were presented and continue discussion on this item at the next meeting to be held on April 17, 2006. The vote was unanimous in favor of the motion.**

Mr. Heard presented to the Council information concerning the façade of the second building Mr. Rick Viars plans to build behind the present building on Jonesboro Road. After discussing

this matter at length, **Mr. Stewart motioned and Mr. Smith seconded that this matter needs further study and continue the discussion at the next meeting to be held on April 17, 2006. The vote was unanimous in favor of the motion.**

Mayor Copeland announced appointments for the Roundtable. He stated this is a Mayor's Advisory Council. They will not act in an official capacity for the Council. They will bring to the table their concerns and the concerns in the community as well as ideas relative to future issues. They are as follows:

Kenyatta Bush
Barbara Calhoun
Cindy Foster
Barry Heitt
Joel Maddox
Janis Price
Kay Pippin
Robbie Robinson
Rusty Strawn

Mr. Lee read into the minutes a letter received from City Clerk, Evelyn Craig whereby she is requesting retirement from the City effective April 14, 2006. She has been an employee since March 25, 1985. **Mrs. Vincent motioned and Mr. Stewart seconded that the request be accepted with deep regret. The vote was unanimous in favor of the motion.**

Mr. Lee stated he will exhaust all avenues to get someone to fill this position as quickly as possible.

Mr. Stewart motioned and Mrs. Riffey seconded that discussion of Liaison Appointments to Department Heads be held at the workshop session on April 27, 2006 at 4:30 p.m. The vote was unanimous in favor of the motion.

Mrs. Craig stated for information only, the City's annual Christmas Parade will be held on Saturday, December 2, 2006.

Mr. Lee gave the Administrator's report. He stated Mr. Jeff Larson with EPD was satisfied with the Wastewater Plant improvements; Mr. Keith Dickerson at the Wastewater Plant will need to have one more surgery in the very near future; the property across from Simpson Street Park has closed; the CDBG for Old Griffin Road has gone in for consideration; and the 15 year old son of our fireman, Robert Wright, was accidentally shot last week. He is making improvements.

Mrs. Riffey motioned that the council needs to go into executive session to discuss possible litigation. Mr. Smith seconded the motion and the vote was unanimous in favor of the motion.

Mr. Brown motioned and Mr. Smith seconded that the Council go back into regular session. The vote was unanimous in favor of the motion.

Mayor Copeland stated there is nothing to report from executive session.

Mr. Eli Patrick and his daughter Tracy Nelson Tarpley were present to discuss a citation Mr. Patrick received. Mr. Bennett stated this matter will be handled in the Court system and should not be handled by the Council.

Mrs. Chris Rogers stated her community wants to be involved in Town Hall Meetings.

Mr. Scott Reeves gave a report on his Main Street trip and thanked the City for allowing him to be involved in the Main Street Program.

Mrs. Vincent announced that Linda Schenk's mother has passed after a long illness and ask that we remember Linda and her family in our thoughts and prayers.

Mr. Copeland announced there is a very good article in the Henry Magazine concerning one of our employees, Andrew Calhoun.

Mrs. Vincent announced there are three new businesses in District II and thanked the Economic Development Director for her good works.

There being no further business to discuss, the meeting was adjourned.

Respectfully submitted,

Evelyn Craig
City Clerk