

MINUTES
CITY OF MCDONOUGH
REGULAR CITY COUNCIL MEETING
CITY HALL – AUGUST 16, 2010
7:00 PM

The regular City of McDonough Council Meeting was held on Monday, August 16, 2010, at 7:00 PM with the following members present:

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

(Councilmembers Brown & Notti arrived shortly after the meeting began.)

Also present for this meeting were: City Administrator, Billy Beckett; City Clerk, Janis Price; City Attorney, Steve Fincher; Fire Chief, Steve Morgan; Police Chief, Preston Dorsey; Public Works Director, Lee Hearn; Community Development Director, Rodney Heard; Wastewater Department Manager and employees, Keith Dickerson, Jay Foley, Dave Zoekler; Executive Assistant to Mayor and Council, Leslie Balog; and Media Relations Casey Case.

Mayor Copeland called the meeting to order at 7:00 PM.

Councilmember Smith led the Pledge to the Flag and Councilmember Stewart gave the invocation.

Mayor Copeland asked for a motion to approve the agenda. Councilmember Smith motioned and Councilmember Stewart seconded. The vote was four in favor. (Councilmembers Brown & Notti were not present for the vote.)

Mayor Copeland asked for a motion to approve the consent agenda. Mayor Pro Tem Vincent motioned and Councilmember Amis seconded. The vote was four in favor. (Councilmembers Brown & Notti were not present for the vote.)

Mayor Copeland asked for a motion to approve July 28, 2010 and August 2, 2010 meeting minutes. Councilmember Smith motioned and Councilmember Stewart seconded. The vote was five in favor. (Councilmember Notti was not present for the vote.)

Mayor Copeland asked for a motion to make the 2010 Spencer Family Reunion Recognition of Certificate a part of tonight's minutes. Mayor Copeland also asked for a motion to make the Payroll Week Proclamation (the week of September 6-10, 2010) a part of tonight's minutes. The Proclamation was presented to Ms. Wilma Parker and read by the City Clerk. Councilmember

Smith motioned to make the Certificate and Proclamation a part of tonight's minutes and Mayor Pro Tem Vincent seconded. The vote was six in favor.

Mayor Copeland recognized the Wastewater Treatment Plant Employees for receiving the "Gold Award." This is the fourth year the Wastewater Plant has received this award. The "Gold Award" means they were 100% in compliance and had no violations for 2009 at the Plant. The following are Wastewater Department employees:

Keith Dickerson, Manager
Michael Dickerson
Dave Zoeckler

Jay Foley
Josh Barham
Jeremy Newton

Public Comments:

Attorney Mark Brittain associated with Smith, Welch & Brittain spoke to Mayor and Council on behalf of Mr. Johnny Rucker. Mr. Brittain passed out notebooks to Mayor and Council. Mr. Rucker owns the property at 119 Griffin Street and has concerns with the City regarding an underground pipeline. Mr. Brittain requested that the City repair the pipe. This item will be discussed further at the next workshop.

Community Development Items:

Zoning Condition Modification (ZMOD): Residential

A. Randy Hayes on behalf of Callaway Park, LLC (Callaway Park Subdivision – Bridges Road)

Note: **08-16-10 Public Hearing warrants postponement to the 09-20-10 CC Mtg.** per the postponement by the PC to 08-31-10 per the request of the CDD. Said action will allow for any additional concerns of the community (Wesley Lakes; Oxford Creek; Rose Court TH) to be addressed.

District 2 – Mayor Pro Tem Sandra Vincent

R-50 (SFR) w/ conditions & variances per Ord. #04-03-01008(Z)

Land Lot(s) 131 of the 7th District

29.954 +/- acres (Parent Tract)

PC Meetings (Workshop 07/13/10 and Public Review 08/12/10)

CC Meetings (Workshop N/A: Mediation Meeting to be conducted and Public Hearing 09/20/10)

PC Recommendation: Pending action from 08-12-10 PC Meeting.

Staff Recommendation: Approval with stipulations as a means of "corrective action" for economic re-start + sustainability of the proposed development located within the Bridges Road corridor.

Mayor Copeland asked for a motion to postpone the ZMOD for Randy Hayes on behalf of Callaway Park until the September 20, 2010 meeting. Councilmember Smith motioned and Councilmember Notti seconded. The vote was six in favor.

Rezoning: Non-Residential

B. Oaks @ South Point: Adam Price & John Palmer of Falcon Design Group & PAB

District 4 - CM Monta Brown
RA-200 (RA) w/ conditions per Ord. #02-12-16A
Land Lot(s) 161 of the 7th District
64.24 +/- acres (Parent Tract)

PC Meetings (Workshop 07/13/10 and Public Review 08/12/10)
CC Meetings (Workshop N/A: Mediation Meeting to be conducted and **Public Hearing 08/16/10**)

PC Recommendation: Motion > Swaine T. – Approval for rezoning from RA-200 to C-3/C-4 with staff recommendation on percentile breakout (60%/40%) of zoning designations. Bill F. – Second. Vote: 5-0.
Staff Recommendation: Approval with stipulations as a means of “corrective action” for economic re-start + sustainability of the proposed development located within the South Point/Avalon Activity Center.

Community Development Director, Mr. Rodney Heard reviewed the rezoning request with Mayor and Council. Mr. John Palmer, a representative with Falcon Design Group and with Park Avenue Bank, spoke to Mayor and Council. Councilmember Brown spoke about the development of the South Point area. Mayor Copeland opened the Public Hearing. No one spoke in favor and no one spoke in opposition. Mayor Copeland closed the Public Hearing. Councilmember Brown motioned to approve the rezoning for Oaks @ South Point represented by Mr. Adam Price & Mr. John Palmer of Falcon Design Group and Park Avenue Bank from RA-200 to C-3/C-4 with staff recommendations that C-3 is 60% of property & C-4 is 40% of property and Councilmember Smith seconded. The vote was six in favor.

Special Use Permit(s):

C. Higher Ground Church of God in Christ (1010 Premiere Way)

District 4 – CM Monta Brown
Zoned C-3 (Highway Commercial) with no conds.
Land Lot(s) 167 of the 7th District
1.25 +/- total acres (*Parent Tract)

PC Meetings (Workshop 07/13/10 and Public Review 08/12/10)
CC Meetings (Workshop N/A: Mediation Meeting held and **Public Hearing 08/16/10**)
PC Recommendation: Motion > Darryl P. – Approval per alternate staff recommendation. Swaine T. – Second. Vote: 5-0

Staff Recommendation: Denial per reference to Chapter 17.112 – Special Uses, Section 17.112.020 Special Use Requirements – Item #2 (a-e).

Action of Precedence:

If the PC elects to approve the requested SUP, then it is recommended that the time interval be for that stated within the tenant lease agreement.

Community Development Director, Mr. Rodney Heard reviewed the SUP request. Mr. Brent Moye spoke to Mayor and Council on behalf of Higher Ground Church of God in Christ. Mayor Copeland opened the Public Hearing. No one spoke in favor and no one spoke in opposition. Mayor Copeland closed the Public Hearing. Councilmember Brown motioned to approve the

SUP to Higher Ground Church of God in Christ located at 1010 Premiere Way, with the approval of the tenant lease agreement of five (5) years or if this group leaves before the five (5) years, the SUP is terminated. Mayor Pro Tem Vincent seconded the motion. The vote was six in favor.

Request for Alcohol License Approval:

Ms. Ceferina Domingue-Mier	Spanish Grocery Store	116 Willow Lane
Mr. Byron D. Paterson	Walgreens Drug Store	896 Highway 81E

Police Chief Preston Dorsey recommended approval for alcohol licenses for the above two requests. Councilmember Smith motioned to approve the alcohol licenses for Ms. Ceferina Domingue- Mier of Spanish Grocery Store located at 116 Willow Lane, and for Mr. Byron D. Paterson of Walgreens Drug Store located at 896 Highway 81 East and Councilmember Amis seconded. The vote was six in favor.

There were no unscheduled comments.

Mayor Copeland asked for a motion to go into Executive Session to discuss a real estate matter and two (2) personnel items. Councilmember Smith motioned and Mayor Pro Tem Vincent seconded. The vote was six in favor.

Mayor Copeland asked for a motion to go back into Regular Session. Councilmember Stewart motioned and Councilmember Amis seconded. The vote was six in favor.

There were no reports from Executive Session.

Councilmember Notti commented that Henry County Middle School will have a Curriculum Night on August 26, 2010 from 5- 7pm and everyone is invited. She would also like to invite the new principal, Dr. Anderson to an upcoming Council Meeting to meet Mayor and Council.

Councilmember Brown commented that the speakers have been installed in the Square. Also, Jazz on the Green has been postponed.

Having no further business Mayor Copeland asked for a motion to adjourn. Councilmember Amis motioned and all stood in favor. The meeting adjourned at 8:37 PM.

Janis E. Price
City Clerk