

MINUTES  
CITY OF MCDONOUGH  
REGULAR CITY COUNCIL MEETING  
CITY HALL – NOVEMBER 1, 2010  
7:00 PM

The regular City of McDonough Council Meeting was held on Monday, November 1, 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

Also present for this meeting was: City Administrator, Billy Beckett; City Clerk, Janis Price; City Attorney, Steve Fincher; Fire Chief, Steve Morgan; Police Chief, Preston Dorsey; Community Development Director, Kathy Field; Planning and Zoning Division Director Rodney Heard; 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 Notti led the Pledge to the Flag and Councilmember Smith gave the invocation.

Mayor Copeland asked for a motion to approve the agenda. Councilmember Notti motioned to approve the agenda and Councilmember Stewart seconded. The vote was five in favor. (Mayor Pro Tem Vincent was not present for the vote.)

Mayor Copeland asked for a motion to approve the consent agenda. Councilmember Smith motioned and Councilmember Notti seconded. The vote was five in favor. (Mayor Pro Tem Vincent was not present for the vote.)

Mayor Copeland asked for a motion to approve the October 18, 2010 meeting minutes. Councilmember Smith motioned and Councilmember Stewart seconded. The vote was five in favor. (Mayor Pro Tem Vincent was not present for the vote.)

City Clerk, Ms. Janis Price read aloud the “Kindness Works, Pass It On” Resolution. Mayor Copeland asked for a motion to make the “Kindness Works, Pass It On” Resolution a part of tonight’s minutes and to authorize him to execute the Resolution as Mayor. Councilmember Stewart motioned and Councilmember Smith seconded. The vote was six in favor.

Community Development Items:

**Zoning Condition Modification (Residential)**

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

District 2 – Mayor Pro Tem Sandra Vincent

R-50 (SFR) with conditions and variances per Ord. #04-03-01008(Z)

Land Lot(s) 131 of the 7<sup>th</sup> District 29.954 +/- acres (Parent Tract)

**Planning Commission Meetings:** Workshop 07/13/10 and Public Review 08/31/10

City Council Meetings: \*Item postponed from the 10-18-10 to 11-01-10 Meeting per request of applicant. **Postponement will be requested until the December 6, 2010 City Council Meeting.**

Staff Recommendation: Approval with conditions in order to encourage the economic development of the proposed project while maintaining the integrity of the current design guidelines.

Planning Commission Recommendation: Moved by Stanley Head, seconded by Eddie Elliott, the following motion was made: That the zoning condition modification be approved with staff recommendations.

Vote: 4 (Yea); 1 (Nay); 1 (Abstention).

Community Development Director, Ms. Kathy Field recommended to postpone this request until the December 6, 2010 City Council Meeting. Mayor Pro Tem Vincent motioned to approve the request of the applicant to postpone Randy Hayes on behalf of Callaway Park until the December 6, 2010 City Council meeting and Councilmember Notti motioned. The vote was six in favor.

**Special Use Permit (SUP): RENEWAL (Non-Residential)**

B. Paul Summers – Summer’s Furniture Restoration, 47 Macon St.

District 3 – Councilmember Wayne Smith

C-2 (Central Commercial)

Land Lot(s) 134 of the 7<sup>th</sup> District

0.0459 +/- acres (2000 sq. ft.) = Tenant Space

**Planning Commission Meetings:** Workshop 10/14/10 and Public Review 10/26/10

**City Council Meetings:** Workshop 10/28/10 and **Public Hearing 11/01/10**

Staff Recommendation: Approval per the following conditions:

Time interval for renewal period shall not exceed five (5) years.

Addendum provided by City Attorney: See Exhibit “1” included with Staff Report dated 9/29/09.

Planning Commission Recommendation: Moved by Swaine Thompson, seconded by Bill Fort, the following motion was made:

That the SUP be approved with the following conditions:

Time interval for renewal period shall not exceed five (5) years.

The SUP shall be considered void if an inspection is conducted by any official agency and it is found that the ventilation system is not up to standard and/or not turned on.

Vote: 5 (Yea); 1 (Nay); 1 (Abstention).

Ms. Field reviewed the SUP renewal for Summers Furniture Restoration located at 47 Macon St. Mayor Copeland opened the Public Hearing. No one spoke in favor. No one spoke in opposition. Mayor Copeland closed the Public Hearing. Councilmember Smith motioned to approve the SUP

for a term of five (5) years in accordance with the existing conditions which is in the addendum provided by the City Attorney as Exhibit "1". Councilmember Amis seconded the motion. The vote was six in favor.

**Variance to Building Code (Non-Residential): Request to Waive Sprinkler System**

C. Daniel Norris on behalf of Woody Johnson: Meineke Car Care, 86 Industrial Blvd.

District 4 – Monta Brown

Zoned C-3 (Highway Commercial)

Land Lot 197 of the 7<sup>th</sup> District 1.054 +/- acres

**City Council Meetings: Public Hearing 11/01/10**

Staff Recommendation: Denial of requested variance.

Based on City of McDonough Code Chapter 15.04 Constructions Codes sections 15.04.014.L and 15.04.014.M, a sprinkler system is required according to building height and square footage. The City of McDonough Code is more stringent than the international Building Code, section 903.2.8.1 Repair Garages. An approval of requested variance would require changing the McDonough Code.

Ms. Field reviewed this variance to building code request to waive the sprinkler system. Councilmember Brown made comments regarding the building code. Fire Chief Steve Morgan also commented on the building codes. Mr. Woody Johnson was present to speak on behalf of the request. Discussion ensued. Mayor Copeland opened the Public Hearing. No one spoke in favor. No one spoke in opposition. Mayor Copeland closed the Public Hearing. Councilmember Brown motioned to deny the request to waive the sprinkler system for Mr. Woody Johnson of Meineke Car Care located at 86 Industrial Blvd and Councilmember Notti seconded. The vote was six in favor to deny the request.

Councilmember Brown discussed the previous motion regarding Wicked Cool Tattoos SUP. The motion should be restated as presented at the Council meeting tonight. Discussion ensued. Councilmember Brown motioned to restate the motion with specific conditions for the Wicked Cool Tattoos SUP which are:

- SUP to run concurrent with lease (lease is for 3 years);
- Tinted windows (rather than a one-way mirror) will be required;
- No loitering to be allowed in front of facility

Councilmember Amis seconded the motion. The vote was six in favor.

City Clerk, Ms. Price presented to Mayor and Council the 2011 City Council Meeting schedule for 2011. Mayor Pro Tem Vincent requested to move the workshop time from 5:00 PM to 7:00 PM. Councilmember Smith suggested to change some of the dates for the workshops on the tentative schedule. The changes are to move July 7<sup>th</sup> to June 30<sup>th</sup>; September 8<sup>th</sup> to September 1<sup>st</sup>; and December 8<sup>th</sup> to December 1<sup>st</sup>. Discussion ensued regarding changing the workshop time from 5:00 PM to 7:00 PM. Councilmember Smith motioned to accept the schedule of meetings with the three workshop date modifications and Councilmember Brown seconded. The vote was six in favor. Councilmember Smith motioned to set the establish time for workshops to begin at 5:00 PM and Councilmember Amis seconded. The vote was five in favor and one in opposition.

(Those voting in favor were Councilmembers Amis, Brown Notti, Smith and Stewart. Mayor Pro Tem Vincent voted in opposition.)

There were no unscheduled comments.

Mayor Copeland asked for a motion to go into Executive Session to discuss real estate. Councilmember Smith motioned and Councilmember Amis seconded. The vote was six in favor.

Mayor Copeland asked for a motion to go back into Regular Session. Councilmember Amis motioned and Councilmember Stewart seconded. The vote was five in favor. (Councilmember Brown was not present for the vote)

There were no action items to report from Executive Session.

Mr. Beckett discussed the meeting he had regarding DDA, Tourism, and Main Street with Ms. Field, Ms. Linda Schenk, and Ms. Martha Reimann.

Mayor Pro Tem Vincent commented on her meeting with Ms. Field regarding the Community Development planning.

Councilmember Smith commented on the upcoming November 18<sup>th</sup> meeting with DOT District 3 Engineer discussing a proposal for McDonough Parkway at Hwy 155.

Councilmember Notti took the opportunity to remember Coach John Grall who had died unexpectedly. Mr. Grall had coached at the Henry County High School and the Henry County Middle School and he was a favorite coach among his students. Coach Grall will be missed greatly.

Councilmember Stewart gave a short story of his experience with the “Kindness Works, Pass It On” celebration.

Having no further business Mayor Copeland asked for a motion to adjourn. Councilmember Amis motioned and Councilmember Brown seconded. All in favor stood. The meeting adjourned at 8:20 PM.

Janis E. Price  
City Clerk