

MINUTES  
CITY OF MCDONOUGH  
REGULAR CITY COUNCIL MEETING  
CITY HALL – DECMEBER 6, 2010  
7:00 PM

The regular City of McDonough Council Meeting was held on Monday, December 6, 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 were: City Administrator, Billy Beckett; City Clerk, Janis Price; City Attorney, Steve Fincher; Fire Chief, Steve Morgan; Community Development Director, Kathy Field; Planning and Zoning Directory, Rodney Heard; Executive Assistant to Mayor and Council, Leslie Balog; Environmental Engineer, Emily Raby; and Media Relations Casey Case.

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

Mayor Pro Tem Vincent led the Pledge to the Flag and Councilmember Stewart gave the invocation.

Mayor Copeland asked for a motion to approve the agenda with one amendment- adding item #8F- Adult Entertainment Ordinance discussion. 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 approve the consent agenda with one modification- to remove items #5 & 6 for separate discussion. Councilmember Stewart motioned and Councilmember Smith seconded. The vote was five in favor. (Councilmember Notti was not present for the vote.)

Environmental Engineer, Ms. Emily Raby, discussed the amendments to the Water Conservation Plan and Drought Contingency Plan. Councilmember Brown motioned to approve the amended Water Conservation Plan and Drought Contingency Plan, and to adopt the Outdoor Watering Ordinance. Councilmember Smith seconded the motion. The vote was five in favor. (Councilmember Notti was not present for the vote.)

Mayor Copeland asked for a motion to approve the November 15, 2010 meeting minutes. Councilmember Smith motioned and Councilmember Brown seconded. The vote was five in favor. (Councilmember Notti was not present for the vote.)

Mayor Copeland presented checks to the following winners of the 2010 Christmas Parade:

1 <sup>st</sup> Place -	People First of Henry County
	Present were: Joan Angelini, Director of People First; Sherie Ferguson, Ms. Special Henry County; and Dennis Mills, Designer of the float

(There were four entries which tied for second place):

2<sup>nd</sup> Glen Haven Baptist Church  
Present were: Chris Burge, Designer of the float

Lake Dow Animal Hospital  
Present were: Marisa Craig, Owner of Lake Dow Animal Hospital

Henry County Transit  
Present were: Tanya Cain, Lead Driver

Praying for Paws  
Present were: Carol Kelly, Owner of Praying for Paws; Donnie Martin; and Joanie Martin

Community Development Items:

Ms. Kathleen Field and  
Mr. Rodney Heard

### **Zoning Condition Modification (ZMOD): 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) w/ conditions & variances per Ord.#04-03-01008(Z)

Land Lot(s) 131 of the 7<sup>th</sup> District

29.954 +/- acres (Parent Tract)

PC Meetings (Workshop 07/13/10 and Public Review 08/31/10)

CC Meetings (Public Hearing Held on 09/20/10; Vote postponed from 11-01-10 to 12-06-10)

\*Staff requests item be postponed from 12-06-10 to 02-07-11 to allow for a follow-up meeting with applicant; generate a revised enumerated list of conditions, and discussions with concerned citizens.

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.

PC Recommendation: Stanley H. > Motion for approval w/ staff recommendation. Eddie E. > Second. Vote: 4 (Yea)-1 (Nay) -1(Abst.)

Community Development Director, Kathy Field will meet with Mr. Randy Hayes on this upcoming Friday. Ms. Field requested a postponement for this request until February 7, 2011. Mayor Pro Tem Vincent motioned to postpone Randy Hayes on behalf of Callaway Park until the February 7, 2011 meeting and Councilmember Stewart seconded. The vote was six in favor.

### **Special Use Permit:**

#### **Case# 10-10-02**

**B. Samantha Smith on behalf of The Armory**

➤ Renewal of existing Special Use Permit per approved Ordinance 09-12-07004(SUP)

District 2 – Mayor Pro Tem Sandra Vincent

1126, 1128, and 1130 McDonough Place

Zoned C-3 (Highway Commercial)

Land Lot(s) 125 & 126 of the 7<sup>th</sup> District

0.068 +/- total acres (3,000 square foot tenant space)

City Council Meeting (Workshop 12/02/10 and **Public Hearing 12/06/10**)

Staff Recommendation: Denial (Refer to Final Staff Report)

Planning Commission Recommendation: Moved by Darryl Payton, seconded by Swaine Thompson, the following motion was made: Motion for approval of SUP renewal for thirteen (13) months.

Vote: 6 (Yea); 0 (Nay); 0 (Abstention)

Ms. Field reviewed the request for SUP renewal. Ms. Samantha Smith addressed Mayor and Council. Mayor Copeland opened the Public Hearing. No one spoke in favor and no one spoke in opposition. Mayor Copeland closed the Public Hearing. Mayor Pro Tem Vincent motioned to approve the renewal of the SUP request for 13 months for Samantha Smith on behalf of the Armory, located at 1126, 1128 & 1130 McDonough Place and Councilmember Notti seconded. The vote was six in favor.

### **Case# 10-10-03**

#### **C. Pastor Tim Ashley on behalf Life Restoration Center**

➤ New request for place of worship/church

District 3 – Wayne Smith

1316; 1316; 1318, and 1322 S. Zack Hinton Parkway

Zoned C-3 (Highway Commercial)

Land Lot(s) 167 of the 7<sup>th</sup> District

1.73 +/- total acres (5,000 square foot tenant space)

City Council Meeting (Workshop 12/02/10 and **Public Hearing 12/06/10**)

Staff Recommendation: Denial (Refer to Final Staff Report)

Planning Commission Recommendation: Moved by Darryl Payton, seconded by Bill Fort, the following motion was made: Motion for approval of SUP.

Vote: 4 (Yea); 0 (Nay); 2 (Abstention)

Ms. Field reviewed the SUP request. Pastor Tim Ashley addressed Mayor and Council. Mayor Copeland opened the Public Hearing. No one spoke in favor and no one spoke in opposition. Mayor Copeland closed the Public Hearing. Councilmember Smith motioned to approve the SUP for Pastor Tim Ashley on behalf of Life Restoration Center, located at 1316, 1318, & 1322 S. Zack Hinton Parkway for a period of two years and Councilmember Amis seconded. The vote was six in favor.

### **Case# 10-10-05**

#### **D. Timothy McBride on behalf of Tabernacle of Praise**

➤ Renewal of existing Special Use Permit per approved Ordinances 07-10-15001(SUP) & 09-12-07003(SUP).

District 3 – Wayne Smith

96 S. Zack Hinton Parkway

Zoned C-3 (Highway Commercial) w/ conditions

Land Lot(s) 135 of the 7<sup>th</sup> District

Tract I = 0.60 +/- acres      Tract II = 1.162 +/- acres

City Council Meeting (Workshop 12/02/10 and **Public Hearing 12/06/10**)

Staff Recommendation: Denial (Refer to Final Staff Report)

Planning Commission Recommendation: Moved by Darryl Payton, seconded by Stanley Head, the following motion was made: Motion for approval of SUP renewal for three (3) years.

Vote: 4 (Yea); 0 (Nay); 2 (Abstention)

Ms. Field reviewed the SUP request. Pastor Timothy McBride addressed Mayor and Council. Mayor Copeland opened the Public Hearing. No one spoke in favor and no one spoke in opposition. Mayor Copeland closed the Public Hearing. Councilmember Smith motioned to approve the SUP renewal for Timothy McBride on behalf of Tabernacle of Praise, located at 96 S. Zack Hinton Parkway for a term of three years and accordance to the Planning Commission recommendations and Councilmember Stewart seconded. The vote was six in favor.

## Livable Communities Initiative (LCI) Programming:

### **E. LCI Supplemental Study**

December 2010 Application Submittal

\*Note: Provides continuity with the 2004 LCI Study and 2009 Five (5) year LCI update

PC Meetings (N/A)

CC Meetings (Workshop 12/02/10 and Approval – **Vote Only 12/06/10**)

- Resolution of support for application submittal delineating the proposed area of interest encompassing the Historic Downtown Square.

Ms. Field reviewed this request for approval to apply for a LCI grant. The city will apply for the maximum grant of \$100,000 which is a 50/50 matching grant. Ms. Field also reviewed a map with Mayor and Council. Councilmember Notti motioned to accept the recommendation of the Community Development Director for the LCI application for submittal to include the map that was presented tonight and to authorize signatures for the Resolution and Mayor Pro Tem Vincent seconded. The vote was six in favor.

Mayor Pro Tem Vincent discussed the Adult Entertainment Ordinance. Mayor Pro Tem Vincent motioned to request for staff to move forward to work with the county & other cities to establish an overlay site for an Adult Entertainment zone and Councilmember Smith seconded. Discussion ensued. The vote was 4 in opposition (Mayor Copeland, Councilmembers Amis, Brown, and Smith); and 3 in favor (Mayor Pro Tem Vincent, Councilmembers Notti and Stewart). The motion does not carry. City Administrator, Billy Beckett, will ask staff to engage in conversation with the county manager and suggested to put this item on the next agenda for further conversation.

Dr. Harold Grier and Ms. Taran Stallworth spoke during Public Comments about Grier Manor II. Mayor Pro Tem Vincent commented on Dr. Grier's discussion. Ms. Stallworth will discuss further with Mayor Pro Tem Vincent.

The following names were the recommendations by Mayor and Council for the 2011 Planning Commission and the Board of Zoning Appeals appointments:

	<u>Planning Commission</u>	<u>Board of Zoning Appeals</u>
Mayor Copeland	Alan Shackelford	George Horner
Mayor Pro Tem Sandra Vincent	Daryl Payton	Samuel Humphrey
Councilmember Rufus Amis	Swain Thompson	Rosemary O'Toole
Councilmember Monta Brown	Stanley Head	Aaron Cherry, Sr.
Councilmember Gail Notti	Stanley Head	Charles Wilson
Councilmember Wayne Smith	John King	Terri O'Quinn
Councilmember Rufus Stewart	Eddie Elliott	Melvin Pullin

Councilmember Stewart motioned to approve the above appointments for the 2011 Planning Commission and Board of Zoning Appeals and Councilmember Smith seconded. The vote was six in favor. Councilmember Notti requested that appointments be made to the Historic Planning Commission at the next meeting.

Councilmember Stewart motioned to change the workshop meeting time from 5:00 PM to 5:30 PM beginning January 2011 and Councilmember Amis seconded. Mayor Copeland commented on the time change and suggested having a town hall meeting to discuss this change. Discussion ensued. The vote was six in favor of the time change.

There were no unscheduled comments.

Mr. Beckett discussed the budget with Mayor and Council.

The City Clerk, Ms. Janis Price commented on the Campaign Contribution Forms which are due December 31<sup>st</sup> and invited Council to the employee luncheon on December 17<sup>th</sup> @ 1:00 PM.

Councilmember Notti commented on the wonderful work done by Staff for the tree lighting and the Christmas parade.

Mayor Pro Tem Vincent commented on the Christmas parade and advised that the fire department is celebrating its 100 years of service to the City.

Having no further business Mayor Copeland asked for a motion to adjourn. Councilmember Stewart motioned and all stood in favor. The meeting adjourned at 8:42 PM.

Janis E. Price  
City Clerk