

MINUTES
CITY OF MCDONOUGH
CITY COUNCIL MEETING
CITY HALL – JUNE 6, 2011
7:00 PM

The regular City of McDonough Council Meeting was held on Monday, June 6, 2011, 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

(Councilmember Notti arrived shortly after the meeting began.)

Also present for this meeting were: City Administrator, Billy Beckett; City Clerk, Janis Price; City Attorney, Leigh Hancher; Fire Chief, Steve Morgan; Police Chief, Preston Dorsey; Community Development Director, Kathy Field; Planning and Zoning Director, Rodney Heard; Special Projects Director, Jestin Johnson; and Leslie Balog, Executive Assistant to Mayor and Council.

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

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

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

Mayor Copeland asked for a motion to approve the Consent Agenda. Councilmember Smith motioned and Councilmember Stewart seconded. The vote was five in favor. (Councilmember Notti was not present.)

Mayor Copeland asked for a motion to approve the minutes of the May 16, 2011 Council Meeting. Councilmember Smith requested the following change: on page 3, third paragraph from the bottom, in the line beginning “and Henry County... the word near the end of the line should be “cooperation”. Councilmember Smith motioned to approve the minutes with the one modification as stated above. Councilmember Stewart seconded the motion. The vote was five in favor. (Councilmember Notti was not present.)

A Certificate of Recognition for The Reverend Dana Everhart and a Proclamation honoring Sgt. Carl Frank Veasley, Jr. Day had been presented to each respectively. Mayor Copeland asked for

a motion to make both of these designations a part of tonight's minutes. Mayor Pro Tem Vincent motioned and Councilmember Brown seconded the motions. The vote was five in favor. (Councilmember Notti was not present.)

During Public Comments, Ms. Nima Patel, representing Days Inn Hotel and on behalf of Ms. Chetna Patel from Rodeway Inn, both hotels are located in McDonough, spoke to the Mayor and Council concerning the noise at night from a neighboring establishment. Ms. Patel mentioned the yelling, drinking, and illegal parking in hotel parking areas, loud music and destruction of property. Mayor Copeland thanked Ms. Patel for bringing this concern to Council's attention, and advised her that Chief Dorsey and/or City Administrator would respond to her situation soon.

Mayor Copeland thanked Ms. Linda Meggers, Consultant for the City, for being present at the meeting and for guiding the City's process of redistricting as was mandated as soon as the census figures were made available to the public. Mayor Copeland reviewed the redistricting process to the public attending the meeting and explained the following procedure. Mayor Copeland stated that according to State law the Redistricting Ordinance is presented and made available at two regular council meetings, and it was available at the May 16, 2011 meeting and is available at tonight's meeting. The Redistricting Ordinance must be adopted at two meetings. The Ordinance was read and adopted at the May 16, 2011 meeting, and will also be read and the adoption is expected at tonight meeting. At the meeting on May 16th and at tonight's meeting, there have been copies of the ordinance and a copy of the redistricting map available for public review.

A Public Notice regarding the redistricting and the ordinance has been advertised in the Henry Herald for three weeks. The dates of this advertised public notice were: May 11, May 18, and May 25th, 2011.

A copy of the Ordinance and a copy of the map were delivered to the office of Ms. Barbara Harrison, Clerk of Superior Court for anyone who wishes to review the ordinance and the map. Also copies of the ordinance and the map are available in the City Clerk's office at City Hall.

Mayor Copeland asked if there were any comments or questions regarding the proposed redistricting for Ms. Meggers or for Mayor and Council. There were no comments or questions.

Mayor Copeland asked the City Clerk to read the title of the ordinance:

City of McDonough Voting Districts

ORDINANCE NO. Pending

AN ORDINANCE TO AMEND THE CHARTER, CITY OF MCDONOUGH,
GEORGIA, SEC 5.14, CITY COUNCIL DISTRICTS; ADJUSTMENT OF DISTRICTS, TO
REALIGN THE ELECTION DISTRICTS FROM WHICH MEMBERS OF THE CITY

COUNCIL ARE ELECTED; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR PENALTIES; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN ADOPTION DATE; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES ALLOWED BY LAW.

Mayor Copeland asked again if there were any comments or questions. There were none. Mayor Copeland asked for a motion. Councilmember Smith motioned to approve the second reading and adoption of the City of McDonough Voting Districts Ordinance. Councilmember Notti seconded the motion. The vote was six in favor.

Special Use Permits:

Case #11-04-01 > Special Use Permit (SUP)

A. Travis Lemay for The French Manicure (189 Keys Ferry St.)

District Monta Brown

Zoned C-2 (Central Commercial)

Land Lot(s) 134 of the 7th District 0.432 +/- total acres

City Council Meeting (**Workshop 6/2/11 and Public Hearing 6/6/11**)

Staff Recommendation: Approval of the Special Use Permit (SUP) for three (3) years (Refer to Final Staff Report). Planning Commission Recommendation (05-24-11 Mtg.): Darryl Payton - Motion to approve the Special Use Permit (SUP) with staff recommendation for three (3) years, Eddie Elliott - Second. Motion Passed (5-0).

Community Development Director, Ms. Kathy Field reviewed this SUP request. Ms. Julie Gentry, the original owner, spoke to Mayor and Council. 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 approve the request for Travis Lemay for The French Manicure located at 189 Keys Ferry Street for an SUP to upgrade this personal services spa to not exceed three (3) years or the termination of the lease and Councilmember Notti seconded. The vote was six in favor.

Case #11-04-02 > Special Use Permit (SUP)

B. Mike Menser for Open Bridge Community Church (136 Hood St.)

District Wayne Smith

Zoned C-3 (Highway Commercial) with conditions per ORD 09-06-01001(Z)

Land Lot(s) of the 7th District

1.97 +/- total acres

City Council Meeting (**Workshop 6/2/11 and Public Hearing 6/6/11**)

Staff Recommendation: Denial of the Special Use Permit or Alternate: If the PC elects to approve the SUP, then it is recommended for three (3) years or per termination of lease (Refer to Final Staff Report).

Planning Commission Recommendation (05-24-11 Mtg.): Swaine Thompson - Motion to approve the Special Use Permit (SUP) for two (2) years, Darryl Payton - Second. Motion Passed (5-0).

Ms. Field reviewed this SUP request. Pastor Mike Menser spoke to Mayor and Council. 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 request for Mike Menser for Open Bridge Community Church located at 136 Hood Street for an SUP for duration of two (2) years and Mayor Pro Tem Vincent seconded. The vote was six in favor.

Case #11-04-03 > Special Use Permit (SUP)

C. Carter Head for New Harvest Temple (209 Simpson St.)

District Rufus Stewart

Zoned M-1 (Light Industrial) w/SUP per ORD 09-04-06001(SUP)

Land Lot(s) 156 of the 7th District

0.5251 +/- total acres

City Council Meeting (**Workshop 6/2/11 and Public Hearing 6/6/11**)

Staff Recommendation: Denial of the Special Use Permit or Alternate: If the PC elects to approve the SUP, then it is recommended for three (3) years (Refer to Final Staff Report).

Planning Commission Recommendation (05-24-11 Mtg.): Bill Fort - Motion to approve the Special Use Permit (SUP) for three (3) years, Swaine Thompson - Second. Motion Passed (4-1(abstained)).

Ms. Field reviewed this SUP request. Pastor Carter Head spoke to Mayor and Council. Pastor Head made a presentation discussing the different services that the church is providing to the community. Mayor Copeland opened the Public Hearing. Ms. Wilson spoke in favor. No one spoke in opposition. Mayor Copeland closed the Public Hearing. Councilmember Stewart motioned to approve the SUP request for Carter Head for New Harvest Temple located at 209 Simpson Street for a period of three (3) years and Councilmember Amis seconded. The vote was six in favor.

Case #11-04-04 > Special Use Permit (SUP)

D. Keith Strickland for Solid Stone Ministries (456 Industrial Blvd.)

District Monta Brown

Zoned M-1 (Light Industrial)

Land Lot(s) 190 of the 7th District

1 +/- total acres

City Council Meeting (**Workshop 6/2/11 and Public Hearing 6/6/11**)

Staff Recommendation: Denial of the Special Use Permit or Alternate: If the PC elects to approve the SUP, then it is recommended for three (3) years or per termination of lease (Refer to Final Staff Report).

Planning Commission Recommendation (05-24-11 Mtg.): Darryl Payton - Motion to approve the Special Use Permit (SUP) for two (2) years, Swaine Thompson - Second. Motion Failed > Three (3) – Yea, One (1) – Nay and One (1) - Abstained.

Ms. Field reviewed this SUP request. Pastor Keith Strickland spoke to Mayor and Council. Pastor Strickland requested the SUP for one (1) year. 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 approve the SUP request for Keith Strickland for Solid Stone Ministries located at 456 Industrial Blvd for the duration of one (1) year and Councilmember Smith seconded. The vote was six in favor.

Case #11-04-09 > Rezoning

E. Laura Crumbley for Laura Crumbley CPA (196 Macon St.)

District Monta Brown

Rezoning from RM-75 (Multi-Family Residential) to O-I (Office Institutional)

Land Lot(s) 134 of the 7th District

0.5251 +/- total acres

City Council Meeting (**Workshop 6/2/11 and Public Hearing 6/6/11**)

Staff Recommendation: Approval of the Rezoning to O-I with stipulations (Refer to Final Staff Report).

Planning Commission Recommendation (05-24-11 Mtg.): Swaine Thompson - Motion to approve the Rezoning to O-I with staff recommendations, Eddie Elliott - Second. Motion Passed (5-0).

Ms. Field reviewed this rezoning request. Mr. Crumbley spoke to Mayor and Council on behalf of Laura Crumbley. 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 approve this rezoning request for Laura Crumbley for Laura Crumbley CPA located at 196 Macon St rezoned from RM-75 (Multi-Family Residential) to O-I (Office- Institutional) with the following staff conditions:

- Exterior of the existing, re-built, and/or new structures erected on-site shall be residential in appearance.
- The property shall not be used in any office, institutional, or commercial use other than professional offices.
- Georgia DOT, City of McDonough and Henry County DOT shall retain final approval of the ingress/egress of the development.
- On-site parking shall be located within the rear and side yard area along the southwest boundary.
- Existing landscaping to be retained within front yard and the side yard along south property line.
- No temporary signage allowed on-site. All signage shall be wall and/ or located on a monument style ground sign.

Councilmember Notti seconded. The vote was six in favor.

Case #11-04-10 > Special Use Permit (SUP)

F. Robert Denson for True Christian Fellowship (1110 McDonough Place)

District Sandra Vincent

Zoned C-3 (Highway Commercial) with conditions per ORD 96-7-1RZ

Land Lot(s) 125 of the 7th District

0.023 +/- total acres (2,000 square foot tenant space)

City Council Meeting (**Workshop 6/2/11 and Public Hearing 6/6/11**)

Staff Recommendation: Denial of the Special Use Permit or Alternate: If the PC elects to approve the SUP, then it is recommended for three (3) years or per termination of lease (Refer to Final Staff Report).

Planning Commission Recommendation (05-24-11 Mtg.): Darryl Payton - Motion to approve the Special Use Permit (SUP) with the alternate recommendation by staff for three (3) years, Bill Fort - Second. Motion Passed (5-0).

Ms. Field reviewed the SUP request. Pastor Robert Denson spoke to Mayor and Council. Mayor Copeland opened the Public Hearing. No one spoke in favor. No one spoke in opposition. Mayor Copeland closed the Public Hearing. Mayor Pro Tem Vincent motioned to approve this SUP request for Robert Denson for True Christian Fellowship located at 1110 McDonough Place for a period of three (3) years or the termination of the lease, whichever happens first and Councilmember Stewart seconded. The vote was six in favor.

City Administrator, Mr. Billy Beckett explained that the City was changing the Budget Process Ordinance. It was decided to change the fiscal year to run from July 1st to June 30th. Other changes in the proposed ordinance consist of: (1) allow the entire appropriation (within each line item) to be the legal level of control, not a specified amount, (2) allow the Budget Officer (City Administrator) to transfer funds within department and from department to department; but not be able to transfer from the general fund to the enterprise funds or reversed, and (3) the Budget Officer shall present a proposed balanced budget by June 1st each year to Mayor and Council for adoption. Mayor Copeland asked for a motion. Councilmember Smith motioned to approve the adoption of the Budget Process Ordinance as presented tonight. Councilmember Amis seconded the motion. The vote was six in favor.

Mr. Beckett and Chief Dorsey requested that the alcohol license approval for Mr. Jayeshkumar N. Rawal be removed from the agenda tonight, and postponed until the following council meeting.

There were no unscheduled public comments.

Mayor Copeland asked for a motion to go into Executive Session for litigation matters and real estate issues. Councilmember Stewart motioned and Councilmember Notti seconded. The vote was six in favor.

Mayor Copeland asked for a motion to go back into regular session. Councilmember Smith motioned and Councilmember Amis seconded. The vote was six in favor.

There was one item to report from Executive Session.

Mayor Copeland asked for a motion for the Drew Whalen Law Firm to be authorized to accept services on the City's behalf relative to matters of litigation. Councilmember Smith motioned and Councilmember Amis seconded. The vote was six in favor.

Mr. Beckett commented on the proposed budget that he has almost completed for review and

adoption. He plans on sending the budget to the printer within the next few days. Mr. Beckett asked Councilmembers to consider dates to be available for the public hearing and for adoption.

Mayor Pro Tem Vincent complimented Chief Morgan and Chief Dorsey on helping to save a woman's life during the Geranium Festival.

Councilmember Smith give an update on the proposed transportation project list for the Regional Roundtable. Planning Director, Todd Long has removed from the list two projects associated with the Stockbridge area; and has added a project, the widening of Hwy 81 at the end of the east/west one way pairs to Old Jackson Road. The added project will greatly benefit the City of McDonough.

Mayor Copeland asked for a motion to adjourn. Councilmember Amis motioned and all stood in favor. The meeting adjourned at 8:45 PM.

Janis Price
City Clerk