

**Minutes
Forsyth City Council Meeting
April 5, 2021**

Call to Order

Mayor Wilson called the meeting to order at 6:00 p.m.

Pledge of Allegiance, Invocation and Roll Call

Mayor Wilson led the Pledge of Allegiance. Mr. Goolsby gave the invocation. In attendance for the meeting in person was Mayor Eric Wilson, Councilmembers Greg Goolsby, Chris Hewett, and Mike Dodd. In attendance via zoom was Councilmembers Julius Stroud, John Howard, and Melvin Lawrence. Also in attendance in person was City Manager, Janice Hall; City Attorney, Bobby Melton, and City Clerk, Regina Ivie.

Approval of the Agenda

Mr. Hewett offered a motion to approve the agenda as presented. Seconded by Mr. Goolsby; the motion carried unanimously.

Approval of the Minutes from the March 15, 2021 Council Meeting and the March 29, 2021 Called Council Meeting.

Mr. Goolsby offered a motion to approve the minutes as presented. Seconded by Mr. Hewett; the motion carried unanimously.

Approval to consider an application for the sale of alcoholic beverages of Grits, LLC.

Mr. Melton stated the application is for the sale of alcoholic beverages, beer, wine, and liquor; a pouring license for John Richard Jones of 551 Grits, LLC at 17 W. Johnston Street. It was advertised in the Monroe Reporter on March 24, 2021 and March 31, 2021.

Mr. Hewett offered a motion to approve the application as presented. Seconded by Mr. Dodd; the motion carried unanimously.

Public Hearing to consider a variance application of Forsyth CableNet, LLC

Mr. Melton stated the application requests a variance at 35 S. Lee Street for an internally illuminated sign with a timer. It was advertised in the Monroe Reporter on March 3, 10, 17, 24, and 31, 2021. Planning & Zoning recommended approval at the February 22, 2021 meeting.

Mayor Wilson opened the floor in favor of or opposition of the variance application.

Ms. Pierson stated internally illuminated signs are not currently allowed in the central business district. Two different designs were presented to the Planning & Zoning Board. The board chose sign example B; choice B only illuminates the name. The board requested the sign be turned off at midnight.

There being no comments for or against the variance application Mayor Wilson closed the floor. Mr. Stroud offered a motion to approve the request as written. Seconded by Mr. Hewett; the motion carried unanimously.

Public Hearing to consider a variance application of Edgar Hughston Builder, Inc.

Mr. Melton stated the application for the variance seeks allowance of sidewalks on only one side of the streets in the Juliet Crossing development. It was advertised in the reporter on March 3, 10, 17, 24, and 31, 2021.

Ms. Pierson stated in the sub-division ordinance, sidewalks shall be provided on both sides of each street in subdivisions in all zoning classifications, but a variance can be requested for only one side. A plat indicating where the single sidewalks will be placed has been provided. At the February 22, 2021 Planning and Zoning board meeting the request was denied with four approving to deny the request and one opposed.

Mayor Wilson opened the floor in favor of or opposition of the variance application.

Mr. Tyler Pitman at 1896 Clark Drive stated the application was submitted to assist with rising construction costs; affordable housing is becoming more difficult to offer. This request is a step toward being able to offer more affordable housing across the board.

Mr. Ernest James at 5339 Felles Way stated he is in favor of sidewalks in the sub-division.

Mrs. James at 5339 Felles Way stated she is in favor of sidewalks; would prefer two sidewalks in the subdivision.

There being no further comments in favor of or opposition of the variance application Mayor Wilson closed the public hearing. Mr. Hewett offered a motion to deny the variance request. Seconded by Mr. Dodd; the motion carried with five votes (Goolsby, Hewett, Howard, Stroud, and Dodd). Mr. Lawrence voted against the motion.

Public Hearing to consider a rezoning application of Integrity Development Partners, LLC

Mr. Melton stated this is a request for rezoning with a conditional use approval. The property is near the intersection of Harold G. Clarke Parkway – Georgia Highway 18; tax parcel 054 009B. The property owners have requested to rezone the property from Manufacturing-Industrial to Highway Business for a proposed use of the property as a multifamily, with a twenty-four-month conditional use approval to develop a multi-family complex. The public hearing was advertised in the Monroe Reporter on March 3, 10, 17, 24, and 31, 2021.

Ms. Pierson stated Integrity Development Partners is requesting tax parcel 0054 009B to be rezoned from Manufacturing Industrial to Highway Business. The road frontage is on the Industrial Park Drive located within the Monroe County Industrial Park. The parcel borders another property that is M-I and HB. Integrity Development Partners is also requesting a conditional use for residential multi-family is approved to be rezoned to highway business. Residential multi-family is a conditional use in highway business. The conditional use request is for twenty-four months. Ms. Pierson further stated some Planning & Zoning board members had concerns with the location of the apartment community, traffic, school buses and safety of the children. The Planning & Zoning board approved the rezoning and conditional use; three in favor of and two opposed.

Mayor Wilson opened the floor in favor of or opposition of the rezoning application.

Mr. Rhett Holmes at 4827 Twin Shadows Valdosta, GA provided a power point presentation with details of communities that have been developed. Mr. Holmes reviewed the reasons why the location was chosen; and addressed some of the concerns of the Planning & Zoning Board. He reviewed traffic patterns and what types of traffic are currently in the area based on the Department of Community Affairs census. The construction site plans were reviewed; he explained where the bus stops would enter and exit the complex. No children would be waiting on the main street for a bus. A playground, accessible dumpsters and surveillance cameras would be installed. All amenities are installed with energy star equipment, washer and dryer hookups. Funding would come from Department of Community Affairs and is based on approval of the zoning from the City. The application can only be submitted after zoning has been obtained.

Mr. Greg Head of Head Heating and Air spoke in opposition of the rezoning application. He feels it is a great idea but the wrong location. He stated there is no residential housing in that area currently. Traffic would be a major concern with the tractor trailer training, and the sixty plus trucks a day from Perdue.

Mr. Lee Willingham of Willingham Farms, LLC requested that his sons speak on his behalf.

Mr. Richard Willingham of 5820 Pine Brook Rd Sandy Springs, GA spoke in opposition of the rezoning application. He feels it is not a good location for multifamily housing; it is commercial property. Mr. Willingham further stated they have petitions that have been signed by all business owners in the area. The truck traffic will be increasing because of the upcoming changes on the highways.

Mr. Chris Willingham at 600 Dames Ferry Rd Forsyth, GA spoke in opposition of the rezoning application. He mentioned the numerous types of trucks coming through the area, Perdue and the tractor trailer drivers learning. In his opinion it is not a good fit for the area; there is no sidewalks in the area and the nearest house is one mile away.

Mr. Blake Morton of Constitution Drive spoke in opposition of the rezoning application. He sees that there is a need in the community for housing. He feels it is not the best fit for the area; it would impact the daily lives of people that would live there. He would not want to live in the middle of an industrial complex.

Mr. Rhett Holmes understands this is not the perfect site for residential housing, but it is a good site for people that need a quality place to live that do not mind a little bit of traffic. People are looking for a safe, affordable place to live in Forsyth. The traffic would be 64 cars, making two or three trips a day. It would be substantially less than other multifamily developments. Hotels, and businesses would have more traffic than this complex would.

There being no further discussion in favor of or opposition of the rezoning application of Integrity Development Partners, LLC Mayor Wilson closed the public hearing. Mr. Dodd offered a motion to deny the rezoning request. Seconded by Mr. Hewett; the motion carried with five (Goolsby, Stroud, Lawrence, Hewett, and Dodd). Mr. Howard abstained from voting.

Review request from Pellicano Construction for revised completion date of City Hall Building.

Michael Garrison, VP of Pellicano Construction reviewed the request for a revised completion date of June 22, 2021; weather delays, covid19 related issues with the governor ordering a shelter in place on commencement date and added modifications of work of all contributed to the extension requested as well as materials being delayed.

Ms. Hall recommended an approval of an extension of 37 days to May 16, 2021 with a walk through to be done prior to the end of April, and a progress update from Michael Garrison to be given to Council at the May 3, 2021 Council Meeting.

Mr. Goolsby offered a motion to accept Ms. Hall's recommendation to allow for an extension of 37 days to May 16, 2021 for completion of the new City Hall Building. Seconded by Mr. Hewett; the motion carried unanimously.

Public Hearing to consider a proposed ordinance on regulation of public pan handling, begging and charitable or political solicitation.

Mr. Melton stated the proposed ordinance providing the regulation of public panhandling, begging and charitable or political solicitation. It was advertised in the Monroe Reporter on March 24, and March 31, 2021.

Chief Harris stated that currently we do not have a problem with panhandling and begging. We receive complaints from time to time. He feels we need to have one in place in the event it becomes an issue.

Mayor Wilson opened the floor in favor of or opposition of the proposed ordinance. There being no comments in favor of or opposition of Mayor Wilson closed the floor. Mr. Hewett offered a motion to approve the proposed ordinance as presented. Seconded by Mr. Goolsby.

After some discussion and clarification of certain terms used within the ordinance by Mr. Melton; Mr. Stroud offered an amendment to the motion to remove paragraph 3 from page 6, and sub-paragraph 2, to renumber accordingly. Seconded by Mr. Dodd; the motion carried unanimously.

Mayor Wilson called for a vote on the original motion; to approve the proposed ordinance as presented. The motion carried unanimously.

Code Enforcement Review by Officer Jeremy Malone

Officer Malone provided an update relating to the properties, vehicles, and grass issues he is currently working on within the City.

Approval of engineering contract for water and sewer plant upgrade project associated with USDA loan.

Mr. Hewett offered a motion to approve the water and sewer engineering contracts as presented. Seconded by Mr. Goolsby; the motion carried unanimously.

Approval of documents and costs associated with customer choice for QuikTrip.

Mr. Dodd offered a motion to approve the documents as presented. Seconded by Mr. Hewett; the motion carried unanimously.

Approval to schedule fireworks events on July 3, 2021.

Mr. Dodd offered a motion to contract with the vendor to facilitate the fireworks event on July 3, 2021. Seconded Mr. Hewett; the motion carried unanimously.

Approval to discontinue curbside pickup parking.

Mr. Stroud offered a motion to discontinue curbside pickup parking. Seconded by Mr. Howard; the motion carried unanimously.

Approval of the 2020 MEAG year-end settlement.

Ms. Hall reviewed the refund amount due to the City for the year end settlement. She recommended the City allow funds to be deposited into the Flexible Operating Account, Intermediate Extended Maturity Portfolio in the amount of \$255,467.

Mr. Goolsby offered a motion to approve the deposit of the refund into the flexible operating account. Seconded by Mr. Hewett; the motion carried unanimously.

Approval of the 2020 MEAG telecom project year-end settlement.

Ms. Hall reviewed the refund amount due to the City for the telecom project year end settlement. She recommended the City allow funds to be deposited into the Flexible Operating Account, Intermediate Extended Maturity Portfolio in the amount of \$1017.

Mr. Dodd offered a motion to approve the deposit of the refund into the flexible operating account. Seconded by Mr. Hewett; the motion carried unanimously.

City Manager's Report

Ms. Hall provided the following report:

- American Rescue Plan – National League of Cities through GMA is providing virtual meetings with information regarding how to apply, when to apply, how ARP money can be used; I will attend those as I can; early estimates show Forsyth being eligible for \$1,301,217; early information shows funds can be used specifically for water, sewer and broadband infrastructure.
- Would like to move forward with amending the Alcohol Ordinance to remove any reference to distances from parks for liquor as the other city ordinances for alcohol and the State law do not include parks in the distance requirements.
- We wrote the Traffic Calming Policy to use the speed detection signs as a measurement of amount of traffic along with speed of each vehicle. We now realize that to have an accurate account of speed we need a sign in both directions on the street we are monitoring. We can either use the 2 signs that we have and only monitor one street at a time, or preferably purchase 2 additional signs so that we can monitor in 2 streets at the same time. We paid \$5560 for the set we purchased in December but that included a \$2,000 trade-in for the old signs that we had. An additional set would be closer to \$8000.
- GMA and MEAG are advertising conferences for this summer. MEAG will be in July and GMA in August. Registration packets will be mailed out. GMA is anticipating their one-day mass registration early June.
- Contacted 10 other electric cities of varying sizes and locations to see which cities provide senior citizen discounts and/or waiver of penalty for senior citizens. Of the 10 contacted only 1 provides for a senior citizen discount and their requirement is like ours except allow for those 62 and over on social security or fixed retirement benefits; their discount is equal to the minimum monthly billing charge for electricity. Of those contacted, 3 provide a penalty waiver for senior citizens if they are over 65 and on social security but they must still pay their bill by the disconnect date or be disconnected. Our ordinance provides a senior citizen discount for those over 65 with a household income of less than \$15,000; those that qualify receive a discount equal to the electric base charge (currently \$10), do not receive a penalty if not paid by due date and are disconnected if not paid before disconnect date. I do not recommend making a change currently but look at as we review all rate schedules with Electric Cities of Georgia for possible changes.
- GDOT and I had a good follow-up review of the work currently in design for the railroad crossing upgrades for Lee Street and Tift College Drive. The work being designed will include new surfaces on both crossings, signals at Tift College, and the roadway work on Tift College crossing will cover from curb at Adams Street on the west side to beyond Railroad Avenue to the east of the crossing. It is anticipated that this work will correct the abrupt hump in the crossing. All of this work is being done as part of the Consent Order; however, GDOT estimates completion in 2023 due to acquisition needed for the work.
- Meeting with Regional Commission last week on several projects:
 - Getting all the necessary reports and information together for Phase 1 of the Annexation Plan. Reviewed process and we must contact all property owners and registered voters in the proposed area and to proceed must have approval of 60% of each contact group. Should have all information gathered and letters out to property owners and registered voters by end of May.
 - Reevaluating and/or adding several job descriptions
 - Personnel Manual was reviewed, and they will be submitting 3rd draft for review.
 - Submitting the Plan First application
- We did not receive enough surveys back from the residents in Brookwood Drive area to fulfill the threshold to move forward with the submission of the CDBG grant for water lines in Brookwood and Sunset areas. We will continue to work with the residents in the area to get the surveys needed so we will be ready for the 2022 application round. We are expanding out to include Union Hill Drive to have a better understanding of which area will qualify for the LMI threshold. We need your help in talking with the residents in the area to ease their minds about providing their income range. We do not need specific annual income, just the range and this information is kept confidential, we just must be able to certify that we received surveys with the income levels. The CDBG grant is a max of \$750,000; the Sunset area was estimated at \$450,000 adding Brookwood was estimated to double that, so if we had received the surveys needed, we could have replaced all the water lines and fire hydrants in both subdivisions with the City's share being approximately \$150,000.
- We have received numerous complaints regarding the work being performed by Robert's Hauling in the Blount Street area. They are replacing the water lines and installing new fire hydrants. We have a meeting with them on Wednesday to discuss the delay in this project and the repeated complaints regarding the road cuts that are not being properly covered.
- West Main Street waterline replacement is going well. They did have to bore under Main Street at Indian Springs Drive and complete the remainder of the waterline installation on the south side of the roadway. We have had a few issues, but they have been very responsive to correcting the problems. Hofstadter authorized additional \$28,000 for valve insertions on West Main waterline project; should not have much if any effect on final cost as they should save on sidewalk not being replaced between Jones and Phelps.
- The concrete pad at the fire bay is crumbling and must be replaced. This should have been at least a 6" pad but is a 4" pad. We will be sending out for bids for a 6" and an 8" pad. We currently have several steel plates in place in the bad areas.
- Art wraps are going up on the electric boxes downtown. Congratulations again to the winners of the Art contest. This art will be a good attraction for the downtown.
- Splashpad opened for the season today.
- I purchased Boston Butts from MPHS band and held a drawing for employees just as a thank you to them. Gave out 5 Boston Butts this past Saturday.

- Water damage under Scoops and Annex due to water heater leaking; will need a demolition crew to come in and remove wet sheetrock and other water damaged materials/items.

Matters being advertised to come before Council:

- April 19 rezoning with conditional use request for 495 Holiday Circle from Residential Multi-Family to Highway Business for conditional use as a climate controlled self-storage facility
- April 19 conditional use request from Swint's Candy to use manufacturing/food processing activities in Manufacturing/Industrial Zone in the Industrial Park
- April 19 beer, wine, and liquor package license request from Ram Krishna Investments (Dipak Patel) at 291 N Lee Street; building under construction at Valero.
- May 3 annexation with zoning from FJH, LLC and Timber Assets for 591.14 acres for properties located on Smith Road, Johnstonville Road, Rocky Creek Road, and Mays Road.
- Signage request and building name:
- Request from Artisan Guild to install signage at the City Hall Annex. They want to hang the sign shown on the building in the area where the white box is shown. While considering this request, I would like Council to consider the name of this building. It is currently being referred to as City Hall Annex, the former City Hall Annex, and sometimes just the Annex. I have a recommendation that I would like considered for either the building or the old council chambers.
Mr. Dodd offered a motion to approve the signage as presented at the Artisan Guild. Seconded by Mr. Hewett; the motion carried unanimously.

City Attorney Report

Mr. Melton reviewed the upcoming April 19, 2021 and May 3, 2021 legal ads, and ordinances briefly; stated he would like to send the notices out to Mayor and Council prior to the published meetings as part of his processes going forward.

Mayor's Report

Mayor Wilson had no further business to report.

Council Board Reports

Mr. Lawrence stated the Regional Commission meeting will be Thursday via zoom.

Additional Business

Mr. Goolsby expressed his concerns managing the growth with the City of Forsyth. We need to assist and manage the growth with master planning.

Public Comments

No one came forward for public comments.

Executive Session

No executive session was held.

Adjourn

There being no further business to discuss Mr. Goolsby offered a motion to adjourn the Council Meeting. Seconded by Mr. Hewett; the motion carried unanimously. The meeting adjourned at 8:43 p.m.