

**MINUTES
FORSYTH CITY COUNCIL MEETING
MARCH 4, 2019**

CALL TO ORDER, PLEDGE OF ALLEGIANCE, INVOCATION, AND ROLL CALL

Mayor Wilson called the meeting to order at 6:00 pm and led the Pledge of Allegiance. Mr. Lawrence gave the invocation. Present for the meeting was Mayor Eric Wilson, Councilmembers Mike Dodd, Julius Stroud, Greg Goolsby, John Howard, Chris Hewett, and Melvin Lawrence. Also present was City Attorney, Bobby Melton and City Manager, Janice Hall.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES OF THE FEBRUARY 18, 2019 COUNCIL MEETING

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

PUBLIC HEARING – VARIANCE REQUEST FOR LOCATION OF GAS CANOPIES AND SIDE SETBACK REQUIREMENTS – PROPERTY F25 015 AND F34 079 – OWNERS DIPAK PATEL AND JAY ANAND CORPORATION

Mr. Melton reviewed the application stating the zoning will remain Highway Business; variance request is to remove and replace the gas canopies to the front of the building on the street side; setback variance is for new construction on the property that joins Tradewinds Drive; and the matter has been properly advertised in the February 20 and 27 issues of the Reporter.

Mayor Wilson opened the public hearing and asked for a show of hands for those in attendance opposed to the variance requests and none were raised. Mayor Wilson asked for a show of hands for those in attendance in favor of the variance requests and two raised their hands.

Mr. Chad Bryant, engineer for the project, addressed council and stated that there will be a total demolition of the building with rebuild there and new construction on the adjacent vacant property. Mr. Bryant requested the variance be granted for the gas canopies to be rebuilt in the front of the building due to that being the current location, the small site, gas company restricts look of building and location of canopies, and canopies in the back of buildings can lead to illegal activity. Mr. Bryant requested the setback variance on the vacant property for new construction be approved due to the narrow width of the property and the required 25' setbacks makes the property unusable. Mrs. Pierson, City Zoning Officer, reviewed that Planning & Zoning approved both variances without conditions and Design & Review approved the architecture of the buildings. Mr. Dodd stated that he is concerned with Utility Partners approving the sewer taps due to another company drilling through the sewer line near this property. Ms. Hall stated that this project has been through our 1st Step meetings on two separate occasions and Utility Partners has reviewed and approved the plan. Mr. Stroud asked for a timeline and Mr. Bryant stated that it should be a 6-month project and construction will start as soon as they receive approval and permits. Mr. Stroud stated that this is a tight area and asked what considerations are being made for construction materials and equipment. Mr. Bryant stated that they will use the vacant property as a laydown yard while the demolition and reconstruction of the Valero Station is being done.

Hearing no further comments for or against the variance requests, Mayor Wilson closed the public hearing.

Mr. Stroud offered a motion to approve the variance and setback requests as presented. Seconded by Mr. Hewett, the motion carried unanimously.

APPROVAL OF RESOLUTION TO SUBMIT APPLICATION TO DCA FOR CDBG PROJECT – BLOUNT STREET WATERLINE REPLACEMENT

Ms. Hall and Mr. Greg Boike, Regional Commission, reviewed the CDBG project for the Blount Street waterline replacement and the required resolution of council. Ms. Hall stated that DCA requires a match for all CDBG projects and the match approved by council last year was \$65,000. Ms. Hall and Mr. Boike recommended that \$65,000 be the maximum pledged. Mr. Boike reviewed the ranking of the project in last year's CDBG process.

Mr. Goolsby offered a motion to approve the Resolution to submit the CDBG application for Blount Street waterline replacement as presented. Seconded by Mr. Lawrence, the motion carried unanimously.

APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND MIDDLE GEORGIA REGIONAL COMMISSION FOR ADMINISTRATION OF CDBG APPLICATION

Ms. Hall strongly recommended approval of the Memorandum of Understanding between the City and MGRC stating they do an excellent job for the city administering the grants.

Mr. Dodd offered a motion to approve the Memorandum of Understanding as presented. Seconded by Mr. Hewett, the motion carried unanimously.

APPROVAL TO REMOVE AND REPLACE SIDEWALK ON WEST ADAMS STREET – WES CONE

Mr. Wes Cone, owner of 51 W. Adams Street, came before council to review his request to install a circular driveway and remove and replace the city sidewalk in that area. Mr. Cone passed out pictures showing the existing property and original cobblestone sidewalk and reviewed his plan. Mr. Cone has completed the interior renovation of the building but cannot open the upstairs portion until the driveway work is complete. Mr. Cone stated that he would like to partner with the City for the removal and replacement of the sidewalk stating that he would hire the company to do the sidewalk and driveway work and request the city reimburse him for the cost of demolition and replacing the sidewalk. Mr. Cone stated that there is a problem with parking on this section of sidewalk in that people park on and beyond the sidewalk because the sidewalk has sunk to below grade of the roadway. Mr. Cone stated that the work he proposes to do would remove the sidewalk on Adams Street from Phelps to Jackson, elevate the sidewalk, install curb and gutter along the entire area, and remove the asphalt poured at the Masonic Lodge building to prevent water from standing against the building and replace that with concrete as well. Mr. Cone stated this work will eliminate parking on that side of the street. Customers coming to Mr. Cone's storage business would pull into the circular driveway to load and unload. There was a lengthy discussion regarding the length of the sidewalk, cost estimate for the city portion, and that the City could not contract with the company to do the work without going through the bidding process but could reimburse Mr. Cone for the sidewalk work expense. Mr. Dodd offered a motion to move forward with the project and Mr. Stroud seconded the motion. Mr. Dodd voiced concern regarding elevation issues and standing water in the area and Mr. Cone stated that water only stands in the sidewalk area due to it being lower than the street elevation. Mr. Dodd questioned the elevation and connection to the steps behind the Masonic Lodge and Mr. Cone stated the new sidewalk will come to the steps just as the current asphalt does. Mr. Howard stated that there are other areas that need sidewalk work as well and council will receive flak from others for doing this work and not the sidewalk in other areas. Mr. Lawrence stated that the City would not do any of the work, just reimburse Mr. Cone for the materials and labor on the sidewalk. Mr. Dodd offered a motion to amend his motion to state the City Manager will oversee the project and the City Manager will calculate city cost to do the work on that portion of sidewalk and the cost for reimbursement will not exceed that calculated amount. Seconded by Mr. Stroud, the motion carried unanimously.

APPROVAL OF DOCUMENTS WITH ALTEC CAPITAL FOR LEASE PURCHASE OF ELECTRIC DIGGER TRUCK

Ms. Hall reviewed the documents required for the lease purchase of the Altec. Mr. Melton stated that the documents list the physical address of the city as 26 N. Jackson Street and that should be corrected before the documents are signed. Ms. Hall stated she would get amended documents.

Mr. Dodd offered a motion to approve the documents to include the Resolution authorizing the Mayor and City Manager to sign all documents as presented. Seconded by Mr. Hewett, the motion carried unanimously.

PUBLIC HEARING TO AMEND SECTIONS 2-163 AND 2-164 OF THE CITY CODE REGARDING MUNICIPAL BUILDING AND PROPERTY NAMING

Mr. Melton stated the proposed amendments to the code have been properly advertised in the February 20 and 27 issues of the Reporter.

Mayor Wilson opened the public hearing and asked for a show of hands for those in attendance opposed to the proposed amendments and none were raised. Mayor Wilson asked for a show of hands for those in attendance in favor of the proposed amendments and none were raised.

Hearing no comments for or against the proposed amendments, Mayor Wilson closed the public hearing.

Mr. Hewett offered a motion to approve the amendments as presented and Mr. Lawrence seconded the motion. Mr. Stroud asked why the 5-year requirement is remaining in the ordinance as that was the purpose of changing the ordinance. Ms. Hall reviewed the recommendations before council to either leave the 5-year as a recommendation and that council can consider other requests submitted or to remove the 5-years entirely and council would consider any application made. Ms. Hall stated the remaining changes would be guided by the approved changed to Section 2-163.

Mr. Hewett withdrew his motion.

Mr. Dodd offered a motion to approve the amendment to Section 2-163 as stated in recommendation #1 which states “For naming or renaming after an individual, it is requested that all naming of city buildings and/or properties be posthumously with a minimum of five years from the date of death before a commemorative name proposal; however, City Council may consider an application for naming or renaming of a City Building and/or property with sufficient evidence from the applicant that the request is appropriate. Seconded by Mr. Stroud, the motion carried unanimously.

Mr. Stroud offered a motion that Section 2-163(e) be removed in its entirety and to redesignate the remaining section to from 163(f) to 163(e). Seconded by Mr. Dodd, the motion carried unanimously.

Mr. Stroud offered a motion to amend Section 2-164(f) as recommended to remove his or her death and replace that with “at the time of application or public hearing”. Seconded by Mr. Hewett, the motion carried unanimously.

ADOPT RESOLUTION OPPOSING HB 302 – PREEMPTION OF LOCAL BUILDING DESIGN STANDARDS

Mayor Wilson stated that he researched HB-302 and had previously contacted our local delegation on his behalf, not on council’s behalf because this had not been discussed at council. Mayor Wilson stated that the Bill passed out of committee and is going back to committee tomorrow and 30 cities have adopted a Resolution opposing HB-302. Mayor Wilson reviewed that this Bill will remove local governments ability to regulate one and two family dwellings; the Bill does have Leadership approval; GMA’s position is that the Bill regulates at the local level; Representatives Dickey and Holmes will vote against the Bill if it comes to committee – Representative Holmes voted against the Bill but Representative Dickey could not stay for the vote and the bill passed 6-5. Mr. Howard reviewed the class that he attended in January regarding maintaining contact with the State officials and the elected officials at the local level should be concerned with the bigger picture not the utility bill questions that people bring to them. Mr. Howard stated the citizens need to get involved as this is a big deal. Mr. Stroud stated that initially no one thought the Bill would get anywhere and Mayor Wilson stated that Atlanta Journal now shows the Bill has a 51% approval speculation. Mayor Wilson stated that the Bill is being presented that if you are

opposed to the Bill you are opposed to fair housing but this is not true as the Bill removes Home Rule. Mayor Wilson stated that the Georgia Chamber has come out in support of the Bill so he contacted Mr. Todd Tolbert to get the local Chamber to support the City in opposing the Bill.

Mr. Dodd offered a motion to approve the Resolution opposing HB 302. Seconded by Mr. Howard, the motion carried unanimously.

APPROVAL OF ACCOUNTS PAYABLE INVOICES - \$287,529.09

Ms. Hall reviewed invoices for approval by department for a total of all invoices of \$287,529.09.

Mr. Hewett offered a motion to approve the invoices for payment as presented. Seconded by Mr. Lawrence, the motion carried with five (5) votes for as Mr. Goolsby had stepped out of the meeting and was not present for the review or vote.

APPROVAL OF REQUISITIONS GREATER THAN \$5,000

Solomon Corp – 2500 KVA transformer - \$22699

Ms. Hall reviewed that this is the spare transformer for Perdue as the one that was leaking oil was sent for repairs but the company could not repair it so a new transformer needs to be purchased so one is available if needed.

Mr. Lawrence offered a motion to approve the requisition greater than \$5,000 as presented. Seconded by Mr. Hewett, the motion carried with five (5) votes for as Mr. Goolsby had stepped out of the meeting and was not present for the review or vote.

REPORTS

CITY MANAGER REPORT

Ms. Hall offered the following report:

Project updates:

- Met with architects last Tuesday; waiting on final survey information from Steve Coleman; as soon as that is received they can begin preparing construction documents. Tentatively scheduled for them to make presentation for new building at April 1 council meeting
- Working to prepare documents to get bids to demolish the buildings; asbestos testing Tuesday morning
- Splashpad restroom – doors & frames installed, finalizing the painting; removed the 2nd gate and did not replace it so having them work on getting access from Splashpad to control area;
- TSW conference call – need for stakeholders for initial meeting at least; TSW will also need a survey of the entire park and a topo, which I have asked Steve Coleman to work up a cost estimate for providing the information. Steve did say that a survey was done back in the late 70's but would need to be resurveyed to mark the pins. Cost estimate received today – will take about 30 days to complete and approximately \$8500 but not to exceed \$9500; request deposit of ½ upfront then balance at completion. Need authorization to move forward with survey & topo. Mr. Dodd offered a motion to move forward with the survey for the entire park area to include the topo required by the landscape architect with a not to exceed cost of \$9500. Seconded by Mr. Howard, the motion carried unanimously.

Initial Kick-off Meeting Options:

Thursday, 3/14 – 10:00 am

Thursday, 3/21 – 10:00 am

Public Charrette Options: (+/- 3 weeks after Initial Kick-Off meeting)

Thursday, 4/11, 1:00 – 7:00 pm

Tuesday, 4/16, 1:00 – 7:00 pm

Thursday, 4/18, 1:00 – 7:00 pm

Final Public Meeting Options: (+/- 6 weeks after Public Charrette meeting)

Thursday, 5/30 – 6:00 pm

Tuesday, 6/4 – 6:00 pm

Thursday, 6/6 - 6:00 pm

By general consensus, council agreed to hold the Initial Kickoff Meeting on Thursday, March 14 at 10:00 am in Aldermen Hall and to schedule the remaining meetings at a later date.

Meetings:

- Public hearing tomorrow in Aldermen Hall for CDBG at 2:30 pm
- Census 2020 workshop on Wednesday March 6 from 1-4; anyone interested in attending let me know and I will register you as well; will need as many as possible when we get to the actual count time
- Forsythia Festival events – Business 2 Business, tomorrow beginning at 5:30 at Connie Ham Realty; arts & crafts this Saturday & Sunday; previously approved closing Jackson on the square and behind Persons Bank on Friday morning the regular festival footprint until Sunday evening; Forsythia committee will use Aldermen Hall for hospitality suite as prior years
- Public hearing April 1 for rezoning of property on Berner Avenue from OP to RM

General report:

- County is working on SPLOST bond; we need to be included in the bond rather than doing a separate bond for the city; 75% of what we can bond would be approximately \$2.5 million;
- Noticed yesterday storm drains on Adams and intersection with Lee were stopped up – PW cleaned those out today as best they could ; 12” pipe that runs under Lee Street is too small to hold all the water from Lee and Adams; working with engineers on solution. Catch basin at railroad on Lee Street was covered up with recent work that they did and that is causing Lee Street to flood during rain. I have contacted Railroad
- Received franchise tax check from Ga Power – last year was approximately \$9900 this year \$11,664.79
- Presented draft for entertainment district at last meeting – any suggested changes? Bobby sent email stating that section 4-2 regarding consumption in public places would need to be amended.
- David Herndon did the E&S inspections today after the significant rainfall yesterday; there are issues which are to be expected after yesterday but all are working to correct them
- GMA Registration for annual conference will be March 12. I must have your class and hotel requests no later than this Friday so that we can prepare to do the mass registrations at 9:00 am that morning. Everyone should have their transcripts that were sent out last month – they did not include the classes taken at Mayors Day so make sure when signing up for class that you do not sign up for class taken in January. If you would like to experience the mass confusion personally that day and submit your registration just let me know and I will provide you with the registration website.

Mr. Goolsby returned to the meeting during the City Manager report; therefore, all unanimous votes will be six (6) votes (Dodd, Stroud, Goolsby, Howard, Hewett, and Lawrence).

Mr. Dodd asked for a status update on the grant application for the golf course and Ms. Hall reviewed that the pre-application submitted in October 2018 was approved and we have now submitted the application. Ms. Hall stated that the Department of Interior-National Parks Service submitted a list of questions and additional information needed and Mr. Lamar Russell was able to provide answers to all that was asked. Ms. Hall stated the application is still in the review process with the Department of Interior-National Parks Service.

Mr. Stroud asked if an amended Travel Policy is ready for review and Ms. Hall stated that she is working on an amended policy but does not have a draft ready to submit for review as yet.

Mr. Stroud stated that the ditches on Stroud Street, especially at the intersection with White Street, need to be cleaned out.

Mr. Howard stated that Mr. Freeman asked him about the speed bumps on Brentwood Place and stated that he has spoken with Ms. Hall previously about these. Ms. Hall stated that she has spoken with Mr. Freeman regarding the need to do something in the area due to residents of Brentwood Place Apartments speeding when they come out of the apartment complex. Ms. Hall reviewed that the two sets of speed bumps recently approved for Newton Memorial Drive cost \$2100. Mr. Howard requested two speed bumps on Blount Street and on Brentwood Place.

Mr. Stroud reported that the interstate lights at the 188 Northbound are not working.

CITY ATTORNEY REPORT

Mr. Melton had nothing further to report.

MAYOR'S REPORT

Mayor Wilson stated that he has sent a text to the Legislatures tonight after the Resolution was approved and has received a response from Representative Holmes that she will continue to work to defeat the Bill.

Mayor Wilson reported on the Georgia Engineering Awards presentation that he attended where Hofstadter & Associates received an award for the Bunn Road Water Interconnection project.

Mayor Wilson stated that the underbrush in the trees on the sides of the road entrance to Rest Haven Cemetery needs to be cleared out and there is a lot of mud to the right once you enter into the cemetery area. Mayor Wilson stated that space in the cemetery is very limited and council may need to consider options to enlarge the cemeteries. By general consensus, council agreed to have the City Manager look research clearing the underbrush and expansion options for the cemeteries.

Mayor Wilson stated if not moving forward with making Harris Street and Kimball Street one way streets, need to make sure the no parking areas are properly marked. Discussed areas to enforce parking on one side only and put up signage. Mr. Stroud stated that the police department will need to do a warning period first before giving citations.

Mayor Wilson reviewed meeting him and Mayor Pro-Tem Hewett attended with Legislatures last week on the Work Force Development Center for Forsyth. Mayor Wilson stated that funding sources are being looked into and this may get funding in the budget this session.

ADDITIONAL COUNCIL REPORTS

Mr. Dodd reported on the Golf Board meeting stating a lot of work is being done at the golf course, a new manager has been hired, and the golf course needs advertising assistance from the CVB.

Mr. Stroud reported on the Boy Scout Pack 51 celebration he recently attended where Mr. Joe Evans was the speaker and it was good to see kids involved and the local businesses involved with the Boy Scouts.

Mr. Lawrence reported on the Chamber of Commerce meeting stated that he reported on the council retreat.

Mr. Howard stated that it is good to hear reports from council members attending other meetings.

PUBLIC COMMENTS (MAYOR WILSON TO REVIEW RULES FOR PUBLIC COMMENTS)

PUBLIC COMMENTS

There were no public comments.

EXECUTIVE SESSION – LAND TRANSACTIONS

Mr. Dodd offered a motion to adjourn into executive session for purposes of land transactions and to include Mrs. Tammie Pierson, Economic Development Director, and Mrs. Denise Buff in the executive session. Seconded by Mr. Hewett, the motion carried unanimously and council adjourned into executive session at 7:52 pm.

Mayor Wilson called the meeting back into open session at 8:27 pm.

Mr. Stroud offered a motion not to sell the old City Hall Annex building and to operate it as an event center. Seconded by Mr. Hewett, the motion carried unanimously.

ADJOURN

There being no further business to discuss, the meeting was adjourned at 8:28 pm.

Submitted by:

Janice L. Hall, City Manager