

MINUTES

FORSYTH CITY COUNCIL MEETING

APRIL 1, 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. Goolsby 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 MARCH 18, 2019 COUNCIL MEETING

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

PUBLIC HEARING FOR REZONING OF PROPERTY DESIGNATED AS A PORTION OF MAP 42 001 AND BEING LOTS 7, 8, 9, 10, 19, 20, 21, AND 22 – 1.82 ACRES FROM OFFICE PROFESSIONAL TO RESIDENTIAL MULTI-FAMILY – APPLICANT WES CONE AND OWNER KEVIN SMITH

Mr. Melton reviewed the application stating that this matter has been properly advertised in the March 13, 20, and 27 issues of the Reporter and Planning & Zoning recommends approval of the rezoning request.

Mayor Wilson opened the public hearing and asked for a show of hands for those in favor of the rezoning and several raised their hand. Mayor Wilson asked for a show of hands for those in opposition of the rezoning and several raised their hand.

Mayor Wilson called on Mrs. Tammie Pierson, Zoning Officer, for her review. Mrs. Pierson passed out pictures of the site and stated that this has been before Planning & Zoning and they recommend approval of the rezoning request.

Applicant Mr. Wes Cone came forward to review the project stating that he wants to build luxury townhomes on the vacant property and provided council with a potential look of the townhomes if approved. Mr. Cone stated that the development will be gated and landscaped from view. Mr. Hewett asked if the entrance would be on Berner Avenue and Mr. Cone responded the entrance would be from Main Street due to the lay of the property with the narrow portion from Main into the development and directly across from Forrest Avenue. Mr. Stroud asked number of units and Mr. Cone responded four buildings with four townhomes in each building for a total of 16 townhomes. Mr. Goolsby asked if he would be leasing or selling the townhomes and Mr. Cone responded renting/leasing and cost would depend upon the market but likely \$1,000-\$2,000 per month.

Mr. Davis, 285 E. Main Street came forward to speak in favor of the rezoning stating that he has spoken extensively with Mr. Cone regarding the proposed development. Mr. Davis stated that the area has huge potential; the property is currently unsightly and overgrown; is inaccessible; the development will increase the values in the area and incentivize others to upgrade the appearance of their property.

Mrs. Kerri Swearingen, 78 N. Lee Street business address, came forward to speak in favor of the rezoning stating that she has worked with Mr. Cone on the potential for this project. Mrs. Swearingen stated there is a shortage of rental property that is newer and feels like a home. Mrs. Swearingen stated

that Monroe County has a lot of people that transfer in and are not sure how long they will be here before being transferred again and they want a nice place to rent while determining if job will be long-term or not. Mrs. Swearingen stated that Holiday Cove is usually full and Brentwood keeps a waiting list.

Ms. Leighanne Mitchell came forward to speak in favor of the rezoning stating that she works with the mall businesses in downtown and to grow downtown, people need good homes to live in. Ms. Mitchell stated that she feels the development would be good for downtown due to its close proximity and walkability to downtown.

Mayor Wilson asked if any others wished to speak in favor and no one came forward. Mayor Wilson called on those that wished to speak in opposition to the rezoning.

Mr. Dean Clements came forward to speak in opposition of the rezoning and read a petition which represented 19 properties with 21 signatures. Mr. Clements submitted the petition to council. Mr. Clements stated that his family owns several properties in the area and most of his rental properties stay full. Mr. Clements stated that some of the properties his family owns does need to be updated and they are in the process of doing that. Mr. Clements stated that luxury apartments in the area will increase the property tax of the surrounding properties. Mr. Clements asked what assurances council has that Mr. Cone won't sell the property to a new owner that will not keep the property maintained. Mr. Clements voiced concern over the close proximity to the city electric substation and how far the setback should be from that type of structure. Mr. Clements stated that Forsyth is growing and council needs to be mindful of decisions made and those that have been here for years need to be protected.

Ms. Betty Clements asked Mr. Cone who is backers for the project are and Mayor Wilson reminded everyone to direct questions to council and that Mr. Cone would have the opportunity to rebut after everyone has been heard.

Mr. Cone stated that he has been in business for himself since he was 19 years old, graduated from Mary Persons High School, owns two other businesses in Forsyth, and his reputation is important to him.

Hearing no further comments, Mayor Wilson closed the public hearing.

Mr. Hewett asked if this was residential and recently rezoned and Ms. Hall stated it was Traditional Neighborhood and recently rezoned to Office Professional. Mr. Stroud asked about the close proximity to the city substation and Ms. Hall responded that she did not have the setback requirements but referred to the MEAG Power building and substation on Powerhouse Road that has homes beside and across the street from where it is located. Mr. Lawrence thanked Mr. Clements for coming and voicing his concerns and further stated that his property tax would not increase due to this development. Mr. Stroud stated that this development will make good use of the overgrown property and will also help with the housing issue in Forsyth.

Mr. Stroud offered a motion to approve the ordinance to rezone Map 42 001 lots 7, 8, 9, 10, 19, 20, 21, and 22 from Office Professional to Residential Multifamily. Seconded by Mr. Howard, the motion carried unanimously.

CVB QUARTERLY REPORT – GILDA STANBERY

Ms. Gilda Stanbery and Mrs. Kerri Swearingen, Chair of CVB, came before council to present the quarterly report from the CVB. Information reviewed included the Planning Meeting held in January 2019 to set goals for 2019; Tourism Specialist has been hired; working to better track visitors to the City; reviewed publications and map that have been developed; and reviewed economic impact tourism

provides. Ms. Stanbery reviewed the Fox Hunt project rack card and book and thanked City Council for entrusting the CVB with this tool to encourage visitors in the downtown area. Ms. Stanbery reviewed the Georgia Trust Expedition that will take place on June 8 and the homes and buildings that are currently on the tour for that day. The Expedition will begin at the Board of Education Auditorium and end at the old City Hall Annex, with tours of homes and buildings throughout the day. The joint hoteliers meeting will be held later in April and Ms. Stanbery will invite the Golf Board to send a representative to the meeting. Mayor Wilson thanked the CVB for all that they do to promote Forsyth. Mr. Dodd reviewed an article in a recent issue of Georgia Backroads Magazine featuring an old station in Forsyth.

ACCEPT RESIGNATION OF FAYSAL KAPADIA FROM CVB

Ms. Hall stated that the CVB Board agrees with Mr. Kapadia's recommendation of Navid Kapadia but she has not had time to contact him to discuss the appointment and requested that council only accept the resignation and not appoint a replacement until the next meeting.

Mr. Dodd offered a motion to accept the resignation of Faysal Kapadia from the CVB Board. Seconded by Mr. Hewett, the motion carried unanimously.

AMEND AGENDA

Mr. Howard offered a motion to amend the agenda and move the Accounts Payable and Requisition approvals to this time in the meeting to allow ClarkNexsen time to setup their presentation. Seconded by Mr. Stroud, the motion carried unanimously.

APPROVAL OF ACCOUNTS PAYABLE INVOICES - \$218,304.91

Ms. Hall reviewed the invoice totals for each department for a grand total of all invoices of \$218,304.91.

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

APPROVAL OF REQUISITIONS GREATER THAN \$5,000

Core & Main – electric meters - \$6,000

Calibration & Controls – repair clarifier drive at SWWTP - \$8,583.26

Mr. Hewett offered a motion to approve the requisitions greater than \$5,000 as presented. Seconded by Mr. Lawrence, the motion carried unanimously.

PRESENTATION FROM CLARKNEXSEN FOR NEW CITY HALL BUILDING – WADE WILLIAMS

Representative from ClarkNexsen reviewed the previous building site and layout pointing out that the previous site required attention to be drawn to the northwest corner of the building towards the courthouse. ClarkNexsen reviewed two new options for the new location. Option 1 is similar to the prior plan but removes the clock tower on the corner, moves bill pay down the hallway from the lobby, but still has the deep red brick with white columns. Option 2 allows for two separate main entrances with one to the front of the building and one to the side near the back of the building, moves bill pay further down the hallway so that it is midway between the two entrances, moves council chambers to the northeast corner of the building, and rearranges some of the office spaces moving more upstairs. Council considered both options with the pros and cons for both. The square footage and total cost of both options remains close to the original with an estimated cost of \$4.3 million. The timeframe for plans to move in was reviewed with 3-4 months to develop specs, 1-2 months to bid, then one year for construction with estimated move in January 2020 if decision made tonight as to option to move towards.

[Mr. Dodd had to leave during the presentation so all unanimous votes for the remainder of the meeting will be five (5) votes for (Stroud, Goolsby, Howard, Hewett, and Lawrence)].

Mr. Hewett offered a motion to move forward with Option 2. Seconded by Mr. Howard, the motion carried unanimously.

APPROVAL OF DEPOSIT OF TELECOMM 2018 YEAREND SETTLEMENT

Ms. Hall reviewed the prior year deposit authorization and recommended that the Telecomm 2018 Yearend Settlement be deposited the same as prior years into the Municipal Competitive Trust Flexible Operating Account, Intermediate Extended Maturity Portfolio.

Mr. Goolsby offered a motion to approve the recommendation from the City Manager to deposit the Telecomm 2018 Yearend Settlement into the Flexible Operating Account, Intermediate Extended Maturity Portfolio of the MCT. Seconded by Mr. Hewett, the motion carried unanimously.

APPROVAL OF DEPOSIT OF MEAG POWER YEAREND SETTLEMENT

Ms. Hall reviewed the prior year deposit authorization and recommended that the MEAG 2018 Yearend Settlement be deposited the same as prior years into the Municipal Competitive Trust Flexible Operating Account, Intermediate Extended Maturity Portfolio.

Mr. Goolsby offered a motion to approve the recommendation from the City Manager to deposit the MEAG 2018 Yearend Settlement into the Flexible Operating Account, Intermediate Extended Maturity Portfolio of the MCT. Seconded by Mr. Stroud, the motion carried unanimously.

APPROVAL OF INTERGOVERNMENTAL AGREEMENT WITH MONROE COUNTY FOR BOARD OF ELECTIONS

Ms. Hall reviewed that the previous IGA with Monroe County, Forsyth, and Culloden had much higher percentages than either city expected and the IGA has been revised to include the percentages currently in the SPLOST agreement with Forsyth at 15.1%, Culloden at 0.7%, and Monroe County at 84.2%. Mr. Melton asked about the blanks in numbers 6 and 7. Ms. Hall responded that the County would bill after an election and that she was not sure about the term of the agreement as that had not been part of the discussions with the County Manager. After a brief discussion, council agreed to include in the IGA #6 for the agreement to be for ten (10) years and #7 for the County to invoice after each election or annually, whichever works out better for all entities.

Mr. Goolsby offered a motion to approve the IGA for the Board of Elections as presented. Seconded by Mr. Stroud, the motion carried unanimously.

APPROVAL OF CHANGE TO CITY PERSONNEL POLICY REGARDING SECTION 706 RESIGNATION

Ms. Hall reviewed the requested change to the City Personnel Policy regarding Section 706-Resignation stating that the current wording of the policy prohibits rehiring of an employee that does not provide a two-week resignation notice. Ms. Hall stated that there have been employees that have left hastily and regretted it soon thereafter but based on this policy, the city could not rehire them. Ms. Hall stated that the City Employment Attorney reviewed the current policy and approves the wording in the requested change to the policy. Ms. Hall stated that this change would allow former employees that did not provide a sufficient notice when they quit to be considered for rehire but does not guarantee that they will be rehired.

Mr. Hewett offered a motion to approve the change to the City Personnel Policy regarding Section 706-Resignation as presented. Seconded by Mr. Stroud, the motion carried unanimously.

APPROVAL OF RESOLUTION TO PROHIBIT DOGS AND OTHER ANIMALS DURING FORSYTHIA FESTIVAL

Ms. Hall stated that this Resolution was originally approved in 2011 but unfortunately was only approved for that year. Ms. Hall stated the Resolution before council tonight would cover all future Forsythia Festivals and that this covers not only dogs but all animals with the exception of guide/assistance dogs for handicapped/disabled persons who require such.

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

APPROVAL OF INTERGOVERNMENTAL AGREEMENT WITH MONROE COUNTY FOR ANIMAL CONTROL

Ms. Hall reviewed the only changes within the annual IGA with Monroe County for Animal Control is the addition of contract provisions and notice addresses. Ms. Hall stated the cost remains the same at \$7,500 annually plus \$22 per animal captured/euthanized within the city limits.

Mr. Hewett offered a motion to approve the IGA for Animal Control as presented. Seconded by Mr. Lawrence, the motion carried unanimously.

APPROVAL OF ENGAGEMENT LETTER WITH HOPKINS & ASSOCIATES FOR 2018 AUDIT

Ms. Hall reviewed that the 2017 audit was not submitted until March 2019 due to problems within Hopkins & Associates and that she had previously presented to council to have a different firm prepare the 2018 audit while an RFP for Auditing Services was being sent out; however, in discussing the city requirements for the 2018 audit this firm stated that they could not have the 2018 audit prepared and submitted to the State by June 30. Ms. Hall, Charles Grinstead, and Regina Ivie met with Ellen Wood and Gene Allen this morning to discuss Mr. Allen preparing the 2018 audit and he assured them that his firm would submit the 2018 audit by June 30 provided that the City turn over the trial balance no later than April 30. Ms. Hall recommended working with Mr. Allen through Hopkins & Associates as we did for the 2017 audit while an RFP for Auditing Services is submitted for the 2019 audit. Ms. Hall stated that the 2017 and the 2018 audits will not be CAFR reports but we will return to that type report with the 2019 audit.

Mr. Hewett offered a motion to approve the Engagement Letter with Hopkins & Associates for the 2018 audit. Seconded by Mr. Goolsby, the motion carried unanimously.

REPORTS

CITY MANAGER REPORT

Ms. Hall offered the following report:

- Hope everyone saw the video that I sent out of top head being placed on Unit 3 at Vogtle
- Review of changes proposed for Downtown Entertainment District – emailing proposed ordinance
 - o Need to determine specific times – 5:00 pm – 11:00 pm; noon – 11:00 pm
 - o 16 ounce rather than 20 ounce
 - o Cups sold by Main Street Director rather than Code Enforcement Officer
 - o Official map of Downtown Entertainment District to be maintained by Code Enforcement Officer and Police Chief not just the Code Enforcement Officer
 - o Once approved will need to determine cost of cups, logo for cups, and where monies collected for sale of cups will go (general fund or MS separate account)
- Review of proposed changes to travel policy
 - o Will have proposed policy emailed out for review at next meeting
- Signed agreement received from Monroe County regarding K-9 Rocky
- April 13 – Kite Day and would like to include Ribbon Cutting for Splashpad restroom
- April 20 – 911 Band concert

- May 4 – Homegrown Harmonies Showcase – local talent
- Reservoir turned over on Thursday; provided water to city from Bunn Road pump while RWTP was down while clear wells were being filled
- Vehicle accident on South Lee last week damaged the stairs and handrails; checking with DOT to see if the stairs should be replaced or removed since this is in their ROW; also will be filing on drivers insurance for cost to repair/remove
- Engineers recommendation to remedy water situation in this building is to lower Adams Street from Lee to Jackson but I question what that would do to Aldermen Hall; no cost estimate received; to replace floors throughout downstairs with leveler and epoxy is estimated in the \$40,000 range and would require 8-10 days of no one in the building; CVB would like this done before the 6/8 Ga Trust tour
- Correction needs to be made to the Zoning Ordinance – Article 7 provides in several places that the Overlay District on Highway 83 North is from Adams to Railroad Avenue; however, it also refers to the “one and two-story commercial structures, fast food restaurants, gas stations, and strip centers” and under Boundaries states “The Highway 83 North from Adams Street to Railroad Avenue Overlay District corresponds generally with properties fronting or within a 200-foot setback from property right of way on Highway 83(North Lee Street/Cabiness Road) from Adams Street to City Limits. This area shall be referred to as the Highway 83 North from Adams Street to Railroad Avenue Overlay District area and shall be so designated on the Official Zoning Map.” The Tift College District is from Harris to I75 and the Highway 41 District is from Harris to Highway 18 and then Highway 18 to city limits. The previous zoning ordinance provided that the Highway 83 North District was from Adams Street to City Limits.
- Flyer for park meeting April 16 – hard copy provided tonight; emailed copy; running in paper this week and next week; sending out thru CVB, Chamber, and MS; need help getting the word out to as many as possible.
- Planning & Zoning has approved variance requests from Mr. Wes Cone for 51 W. Adams Street, and those will be advertised and come before council at the first meeting in May

CITY ATTORNEY REPORT

Mr. Melton had nothing further to report.

MAYOR’S REPORT

Mayor Wilson reminded council that the ordinance regarding naming buildings and property has been amended and that he was previously contacted about naming the American Legion Hall building after Mr. Glover Stuart. Mayor Wilson stated that the building is currently the Thomas Hollis Post 34 and he does not want to do anything to remove the current naming but would like to do something to honor Mr. Stuarts’ contributions to the American Legion Hall. Mayor Wilson asked council to think about this and requested that this matter be on the next agenda for consideration.

Mayor Wilson stated that April 17-19 he will be in Washington DC with the Clean Air Coalition and while there, he is trying to schedule a meeting with the USDA to discuss the city water and sewer infrastructure project and funding request to the USDA.

ADDITIONAL COUNCIL REPORTS

Mr. Stroud asked that the City Manager ensure that the stage setup for the 911 Band concert on April 20 does not interfere with the Hubbard Alumni parade. Mr. Lawrence encouraged all council members to participate in the parade.

Mr. Lawrence stated that he continues to do the food inspections for local events.

Mr. Hewett stated that his daughter-in-law is cancer free and thanked everyone for their prayers during her treatment and surgery.

Mr. Stroud stated that the Tift College railroad crossing still looks and drives bad. After a brief discussion, council requested that the City Manager get cost to resurface the remaining portion of the crossing that the Railroad will not resurface.

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

PUBLIC COMMENTS

No one came forward for public comments.

EXECUTIVE SESSION

An executive session was not held.

ADJOURN

There being no further business to discuss, the meeting was adjourned at 8:25 pm.

Submitted by:

Janice L. Hall, City Manager