

**City of Locust Grove
 Council Workshop Meeting Minutes
 Public Safety Building – 3640 Highway 42
 Locust Grove, GA 30248
 Monday, March 18, 2019
 6:00 PM**

Members Present:	Staff Present:
Robert Price – Mayor	Tim Young – City Manager
Randy Gardner – Councilman	Misty Spurling – City Clerk
Willie Taylor – Councilman	Jennifer Adkins – Assistant City Clerk
Carlos Greer – Councilman	Anna W. Ogg – Main Street Manager
Otis Hammock – Councilman	Jack Rose – Public Works Director
Vernon Ashe – Councilman	Bert Foster – Community Development Director
Keith Boone – Councilman	Warren Tillery – SWWW Attorney
	Jesse Patton – Police Chief
	Staff Not Present:
	Andy Welch – City Attorney

Mayor Price called the meeting to order at 6:00 PM.

Invocation given by City Manager Tim Young.

Councilman Ashe led the Pledge of Allegiance.

APPROVAL OF AGENDA –

Mayor Price asked for a motion. Councilman Hammock made the motion to approve the March 18, 2019 meeting agenda.

RESULT	APPROVED
MADE MOTION	COUNCILMAN HAMMOCK
2 ND MOTION	COUNCILMAN BOONE
VOTE	MOTION CARRIED - ALL IN FAVOR

PUBLIC COMMENTS –

- **Proclamation – Child Abuse Prevention Month – April**

City Clerk Misty Spurling read the proclamation aloud. No one present to accept. Nothing further.

Mayor Price opened for public comments.

Mr. John Ditzler; resident of Cardell Farms, stepped forward to comment. Mr. Ditzler said he is opposed to items one and two and made a comment the current and proposed warehouses are killing Locust Grove. The roads [Bill Gardner Parkway] are being damaged by semi-trucks. Discussion took place about costs to repair roads and increases in traffic. Mr. Ditzler said there are more people driving carelessly causing numerous accidents. Further, Mr. Ditzler particularly pointed out a

concern to Council of the potential safety concerns related to large trucks and school vehicles. Mr. Ditzler exited the meeting. Nothing further.

Mrs. Serena Roy; resident at 281 Jackson Street, stepped forward to comment. Mrs. Roy said she and her family are long term residents of Locust Grove since the 1950's. She said her concern is the semi-trucks driving on Jackson Street. There are no speed bumps or striping, and police do not patrol. Further, Mrs. Roy asked what the City is planning on doing with the revenue from this project and asked what the intentions are for keeping people safe. Mrs. Roy asked Council; with the current growth and changes, if they would want to raise their children in Locust Grove. Nothing further.

Attorney Warren Tillery made a comment any public comments related to items on public hearing are for public hearing only. This is for comments for items not under public hearing.

Mrs. Sarah Baxter stepped forward to make a comment on item five [#5. Ethics Board Hearing findings]. Mrs. Baxter said she has previously suggested ways to increase transparency in Locust Grove and invited Council, staff, and anyone interested in holding a discussion/meeting at her home to discuss these items and other ways to increase transparency. Mrs. Baxter proceeded with comments about the findings from the [Ethics Board] hearing on February 25, 2019, and she said she finds it very difficult to look at the findings of said complaint and believe her complaint was reviewed correctly. Discussion took place about the large warehouses and study done by Henry County saying traffic would cause roads to be at a level of service [LOS] of "F". Mrs. Baxter said she specifically stated in complaint about purported violations on behalf of the City. Further, Mrs. Baxter said she was not made aware of her ability to speak at the [Ethics Board] hearing until 30 minutes prior; therefore, she felt she was not as prepared to speak. Mrs. Baxter made a comment about the response given by both accused in the complaint and discussion took place. Mrs. Baxter said she feels like everything has been done legally; however, not ethically and asked the decision not to be accepted until further investigation and review. Mrs. Baxter said she would like to see evidence of investigation from which decision was made because she feels the complaint was not addressed. Mrs. Baxter said she has been speaking against this one item since November 2018 and has gotten nowhere. She asks Council to do further research before making decision. Nothing further.

PUBLIC HEARING ITEMS –

Councilman Gardner read a letter of recusal recusing himself from all such discussion, debate, deliberation or vote, or otherwise take part in the decision-making process for public hearing items one and two. Councilman Gardner exited the meeting.

1. Ordinance to amend the City's Future Land Use Map designations from low-density residential to industrial for properties located at 61 and 71 Jackson Street -

Community Development Director Bert Foster led discussion this is a request from Chris Eagen, agent for TC Atlanta Development, Inc. of Atlanta (applicant). These properties consist of approximately 29 acres and made in conjunction with a rezoning request for a distribution facility.

Mr. Bert Foster was sworn in by Mayor Price and name and address stated for record [Bert Foster, McDonough, GA.]

Mr. Foster proceeded with discussion the properties are located on the Future Land Use Map and residents currently reside on property. The properties are currently zoned RA (residential

agricultural) and seeking a companion rezoning to M-1 (light manufacturing) filed concurrently with this request. The City Council adopted an update to the Comprehensive Plan in accordance with rules set forth by the Georgia Department of Community Affairs. Discussion took place on growth, and the growing trends for this corridor do reflect the growing need for warehouse space. Discussion took place on economic development and employment which could range from 175-200 employees on a single shift. Property tax revenue would increase on the properties as well as on the properties contained in the project. With the expansion of the Port of Savannah and the rapid change to E-Commerce over the past few years, the need for industrial land has increased. Road improvements were taken into consideration for this project and Mr. Foster reviewed slides on the overhead screen and reviewed each with discussion. Nothing further.

Mayor Price said this is a public hearing and opened for public comments.

Mr. Chris Eagen stepped forward to comment. Mr. Chris Eagen, stated his name and address [3280 Peachtree Rd., Atlanta, Georgia] and was sworn in by Mayor Price.

Mr. Eagen, agent for TC Atlanta Development, Inc., reviewed slides on the overhead screen and gave an overview of recent industrial projects completed. Discussion took place and Mr. Eagen mentioned the property North and North West with intentions of all being planned industrial use. Further, Mr. Eagen said Locust Grove is a prime location for this project and ideal because of its proximity to Interstate 75. Mr. Eagen said developing properties as currently zoned does not make the most use of the property and they needed more land to build a building the size they are seeking to build. We are not asking for any public funds for road improvements to Colvin Drive. Nothing further.

Attorney Warren Tillery made a comment for clarification this discussion is for amendment to the Future Land Use Map only.

Mayor Price asked for questions from Council. No questions or comments. Mayor Price asked for public comments for anyone opposed.

Mrs. Lindsey Brackett stepped forward to make a comment. Mrs. Lindsay Brackett stated her name and address [55 Bowden Street, Locust Grove] and was sworn in by Mayor Price.

Mrs. Lindsay Brackett said she emailed and spoke with three of six Council members and numerous others regarding this item. Mrs. Brackett said she does not agree this zoning amendment is best for Locust Grove. It is not consistent with the Comprehensive Land Use plan and discussion took place. Locust Grove last updated the map under three years ago. Mrs. Brackett reviewed reasons she does not think this should be approved and said Trammell Crow was allowed a large space in 2017 to accommodate the project they are seeking to build. Mrs. Brackett said the City will increase revenue; however, this is not a reason to approve. Discussion took place on safety concerns including increase in traffic. Further, Mrs. Brackett said she does not want the unique and special character of her residence to change in order to accommodate this type of change. Nothing further.

Mrs. Sarah Baxter stepped forward to comment. Sarah Baxter stated her name and address [228 Ferguson Avenue, Locust Grove] and was sworn in by Mayor Price.

Mrs. Baxter said her question is regarding the Future Land Use Map process and asked if the developer can submit a plan [showing multiple pieces of property] of property as part of a rezoning. City Manager Tim Young replied, yes. Mrs. Baxter asked about the 75 South Logistics Center.

City Manager Tim Young was sworn in by Mayor Price and stated his name and address [Tim Young, Stockbridge] for record and proceeded to answer Mrs. Baxter's question. Mr. Young said that project was submitted by GRTA pursuant to their requirements to consider the possibility of an entire development even if done in distinct phases; however, the discussion here is about Phase I. Nothing further.

Mr. Sean Law stepped forward to comment. Mr. Law asked to be shown location on map of properties [61 and 71 Jackson Street]. Mr. Foster showed Mr. Law on the map provided of areas in yellow. Nothing further.

Mayor Price closed public hearing.

Mayor Price asked for any questions from Council.

Councilman Greer said at the time of adoption last October; Council voted in favor of the FLUM. Council agreed to the Future Land Use Map and the applicant [Mr. Brown, owner of property as referenced] agreed with the LCI study. Mr. Greer said he agrees with public comments regarding traffic concerns. With the addition of warehouses or a train coming through, what will happen with the traffic on Hwy 42 at Jackson Street. We have discussed traffic improvements but until those are installed then there is no resolution. City Manager Tim Young replied with discussion on the Future Land Use Map Plan and said if not this, there could possibly be a potential for subdivisions that could have similar impacts on development. Councilman Greer said this plan was approved by Council, and he does not understand the need to continue to amend. Nothing further.

Councilman Boone made a comment he agrees with Councilman Greer; however, the only way to do a project this large is to amend the map but the question is do we approve. Mr. Young replied Council challenged staff to rethink the FLUM. and said this is not an easy choice for anyone.

Attorney Warrant Tillery stepped forward to review the six objections raised specifically by the applicant before the hearing by law this process (aggrieved citizen, under oath, right to ask questions, presenting evidence with expert witnesses, making statements germane to the item on the agenda to be considered, and the qualification of evidence) and stated the portion regarding the FLUM is now closed. This is a public hearing and we will take in all the evidence and review those issues later.

2. Ordinance to rezone property located at 61 and 71 Jackson Street from RA (residential agricultural) to M-1 (light manufacturing) for distribution facilities -

Community Development Director Bert Foster said this request is also from Chris Eagen for rezoning of properties from RA to M-1. These properties are in the City limits and currently used for single-family residential. This is considered Phase I of the 75 South Logistics with 1.25 million square feet of logistical warehouse space. Mr. Foster reviewed the rezoning evaluation report and discussion took place on the traffic study and level of service of the project if built. If the amendment to the FLUM is approved by Council; several conditions have been included in Exhibit D and Mr. Foster reviewed and read aloud the conditions. Nothing further.

Mayor Price asked for comments from Council.

Councilman Boone made a comment about road improvements at Hwy 42 and Market Place and asked if the City serves water to these properties. Mr. Foster clarified Henry County serves water

and Mr. Young replied we will probably master meter the water at wholesale and resell to the final user as we provide sewer. Nothing further.

Mr. Foster read aloud a statement from Mr. Jeff Mills; resident and property owner at 165 Jackson Street, with conditions if the rezoning of the Brown property is approved. Statement is attached as part of the minutes.

Councilman Hammock asked about Mr. Mills request for the retention facilities to be 500 feet (500') from the southern boundary or underground. Mr. Foster replied based on estimates the 500 feet is likely not feasible at that particular measure.

Councilman Boone mentioned Mrs. Brackett's concern regarding use of vehicles [trucks] and asked if only accessible through Colvin Drive and no access to Jackson Street. Staff clarified that indeed there would be no access to Jackson Street or to Davis Lake, with only access points to Colvin Drive. Nothing further.

Mayor Price said this is a public hearing and opened for public comments.

Mrs. Tara Brown stepped forward to comment. Mrs. Tara Brown was sworn in by Mayor Price and she stated her name and address [Tara Brown, 61 Jackson Street, Locust Grove] for record.

Mrs. Brown made a comment she and her family live next to one of the very first warehouses built in Locust Grove [SMEAD] and said she wants nothing more than to see the City succeed. Mrs. Brown said she understands that some Locust Grove residents are upset about more warehouses in town; however, Mrs. Brown is asking for Mayor and Council to consider the alternatives. What is the best use of the property, and if the area is suitable for commercial or multifamily residences? Discussion took place on the strain residential development puts on our already overcrowded schools, and studies found higher crime rates in commercial and higher-density residential areas. Mrs. Brown mentioned road improvements and traffic concerns; however, said it is up to the Georgia Department of Transportation as to when improvements will take place. Further, Mrs. Brown said industrial development has been in the works for this part of town for a long time. Mrs. Brown said her family has long been invested in Locust Grove; however, now need to think about what is best for their family due to the fact that they are facing daily impacts from concrete trucks and construction traffic from nearby industrial development. Mrs. Brown asked Mayor and Council to favorably consider the rezoning of there property from RA to M-1. Nothing further.

Mr. Chris Eagen stepped forward to the podium and said his previous statement regarding amendment; also applies to rezoning the property and asked to take all of this information into consideration.

Mr. Warren Holder stepped forward to comment. Warren Holder was sworn in by Mayor Price and Mr. Holder stated his name and address [Warren Holder; 2119 Leguin Mill Rd, Locust Grove].

Mr. Holder asked the City attorney can a zoning be denied based on roads and transportation or schools. Attorney Warren Tillery replied there is a list of criteria to be reviewed and will take all that has been presented into consideration. Mr. Holder said he has been told it could not be denied based on those reasons. Attorney Warren Tillery said he does not want to come across like he's not

answering his question; however, the decision is all up to Council based on multiple criteria to consider. Nothing further.

Mayor Price welcomed comments from anyone opposed to this rezoning.

Mr. Michael Brackett; resident at 55 Bowden Street, stepped forward to comment. Mr. Brackett made a comment to clarify he is only protecting his interests and clarified there is no ill will against anyone. Mr. Brackett said he is; however, upset with non-transparency of everything going on in the City saying there is a Phase II to follow this plan in the future. Mr. Brackett mentioned Council approved 98 acres for annexation and rezoning in December 2018 and is due to expire this year, so to him the two should not be parceled as separate events. Mr. Brackett continued on by saying that Councilman Gardner recused himself [tonight] from voting on this item due to relationship conflict with landowner; however, Councilman Gardner took part in vote on annexation applications from February 11, 2019 meeting. Further, Mr. Brackett said this [Jackson Street rezoning] is a huge project and he seeks clarification. Discussion took place about making the applicants reapply together in December when the 98 acres zoning exemption [from initial rezoning as R-3] expires. Nothing further.

Mrs. Sarah Baxter stepped forward to comment. Mrs. Baxter made a comment about the potential future roundabout for Market Place and Hwy 42. She said this improvement has been needed for quite some time. Discussion took place about either roundabout or signal and effects of traffic being routed on Hwy 42 and Bill Gardner. Mrs. Baxter said she would like for conditions to read “requirements” versus “recommendations” for items with conditions attached. Nothing further.

Mrs. Lindsay Brackett stepped forward to comment. Mrs. Brackett about the Aggrieved Citizen Test as referred by the city attorney [earlier] and Attorney Warren Tillery replied the Substantial Interest-aggrieved citizen test typically applies where properties abut or where properties would connect in some way.

Mr. Derrick Law; resident at 387 Colvin Drive, stepped forward to comment. Mr. Law asked Council, do the citizens elect officials to do the will of the people or make decisions on what is best. Mr. Law said he thinks there seems to be a lot of self-interest, whether legally correct or ethically wrong. The studies are done; however, Mr. Law said we the citizens must deal with it. Nothing further.

Mr. Sean Law stepped forward to comment. Mr. Law said most warehouse jobs are outsourced to temp agencies; therefore, no one in in the surrounding areas would be employed there and would have no benefit for Locust Grove. Discussion took place on Ecommerce and eliminating local businesses giving access for warehouses.

No further questions or comments and Mayor Price closed the public hearing.

Councilman Gardner returned to the meeting.

3. Ordinance to rezone property located along South Bethany Road near the intersection with Mose Brown Road from RA (residential agricultural) to R-2 (single-

family residence); previous hearing November 19, 2018 – Community Development Director Bert Foster led discussion this is a request from David Standard, agent on behalf of LG Partners, LLC of McDonough, for rezoning of 25.5 acres from RA to R2. According to the Letter of Intent, the applicant is seeking to develop 50 residential lots with a minimum lot size of 18,000 square feet and minimum lot width of 100 feet. The City Council heard this request in November 19, 2018; however, postponed addressing some issues with the watershed ordinance. Mr. Foster read the conditions contained in Exhibit D aloud. Nothing further.

Mayor Price asked for questions from Council.

Councilman Boone asked if the City services water and sewer to this property. Mr. Foster replied if approved, both connection points may have to be used. Discussion took place. Nothing further.

Councilman Ashe asked what the exterior materials will consist of and Mr. Standard replied a combination of stone, brick, cement fiberboard, with no vinyl.

Councilman Boone asked if an amenity area is required if building 50 homes and Mr. Foster replied an amenity area is not required in the R-2 district.

Mayor Price opened to public comments.

Mrs. Lindsay Brackett stepped forward to make a comment. Mrs. Brackett asked if the developer would still be interested if the property [i.e. nearby tracts proposed for industrial] is rezoned. Mr. Standard replied yes, he would still be interested.

Attorney Warren Tillery called to Mayor Prices attention Mr. Standard needed to be sworn in. Mr. Standard was sworn in by Mayor Price.

Mayor Price closed public hearing.

- 4. Ordinance to amend the C-3 (heavy commercial) ordinance to include self-storage among the list of permitted and conditional uses** – Community Development Director Bert Foster led discussion this is an amendment to the C-3 heavy commercial to bring existing standards in compliance. If storage units are accessed internally [fully enclosed], it is considered a permitted use; if accessed externally it is considered a conditional use. City Manager Tim Young made a comment the [external type] facilities must be in service commercial area and on properties less than ten acres in size.

Mayor Price said this is a public hearing and opened for public comments. No public comments and Mayor Price closed public hearing.

NEW BUSINESS/ACTION ITEMS –

- 5. Ethics Board Hearing – Approval of Findings from February 25, 2019**

Mayor Price read a letter of recusal recusing himself from all such discussion, debate, deliberation or vote, or otherwise take part in the decision-making process for action item five. Mayor Price exited the meeting.

City Manager Tim Young also exited the meeting per city attorney direction.

Mayor Pro Tem Carlos Greer took position to proceed. Mayor Pro Tem Greer said we will proceed with the approval of the findings from February 25, 2019.

Mrs. Sarah Baxter made a comment she would like to speak. Attorney Warren Tillery replied to Council, public hearing allowed time for public comments; therefore, public hearing is closed.

Mayor Pro Tem Greer confirmed to Mrs. Baxter we will not allow any further comments. Nothing further.

Mayor Pro Tem Greer asked for a motion. Councilman Hammock made the motion to approve the request by approving resolution #19-03-037.

Attorney Warren Tillery referenced the findings letter; Section I. **Findings of Fact** – Date says December 28, 2019 and should be December 28, 2018. Correction noted.

RESULT	APPROVED RESOLUTION #19-03-037
MADE MOTION	COUNCILMAN HAMMOCK
2 ND MOTION	COUNCILMAN ASHE
VOTE	MOTION CARRIED - ALL IN FAVOR

Councilman Boone asked if Mrs. Baxter would have to file an appeal since she had questions from the findings. Attorney Warren Tillery replied yes, and Mrs. Baxter made a comment from her seat and said she will be filing an appeal with Superior Court. Nothing further.

Mayor Price and City Manager Tim Young returned to meeting.

CITY OPERATION REPORTS / WORKSHOP DISCUSSION ITEMS

MAIN STREET OPERATIONS –ANNA W. OGG

Main Street Director Anna Ogg stepped forward and gave an update Main Street Board member Susan Wilson Tucker resigned from the board, and Mrs. Pam Milling joined the board of directors the same day. Mrs. Ogg said we are hard at work planning the Peach Stand Road Race with our first sponsor being Whaley Hammonds Tomasello, P.C. The HPC issued one COA for the Peach Pit and the is arranging a special called meeting for signage for the Peach Pit, which is planning to open this Summer. Locust Grove is hosting the kick off for Child Abuse Prevention Month on March 28. Further, Mrs. Ogg said planning for Locust Grove Day is in process and working on a contract for fireworks since we are incorporating our 125th Anniversary celebration as well. The Easter Egg Hunt will be April 13 and need event volunteers for events scheduled throughout the year. Locust Grove Emporium will be closing this Summer and will be seeking a new tenant for that space. Mrs. Ogg said she is attending the National Main Street Conference in Seattle next week. Discussion took place on a limit for fireworks budget. Mr. Young suggested a \$10,000 limit. Councilman Boone confirmed that would come from H/M funds and Mr. Young replied yes. Nothing further.

Mayor Price asked for motion to approve fireworks allowance. Councilman Boone made the motion to approve the request.

RESULT	APPROVED FIREWORKS (\$10,000) LIMIT
MADE MOTION	COUNCILMAN BOONE
2 ND MOTION	COUNCILMAN GARDNER

Mayor Price made a comment the 125th celebration will be April 27, 2019 and all are welcome. We will have free food, live music, and fireworks. Nothing further.

PUBLIC SAFETY OPERATIONS– JESSE PATTON

Chief Patton stepped forward and reviewed the monthly report and collections for February 2019. Total collections were \$62,075.02 with 18 investigations including ten for Detective Shoemaker and eight for Detective Yarian. Chief Patton said he participated in the Women's Club meeting on February 21, 2019. The guest speaker; Dan Kirk with the GBI, spoke about law enforcement responsibilities for different agencies/jurisdictions. We received the firearm simulator which was paid by the Chase It Up Foundation, and the body cameras should arrive this week. Nothing further.

PUBLIC WORKS – JACK ROSE –

Public Works Director Jack Rose gave an update. Mr. Rose said his department is continuing with upgrades to MXUs and meters. Further, normal repairs for water leaks, new building construction, and sewer collection is ongoing. Mr. Rose said continuation with road patching, grass cutting, and normal upkeep. Nothing further.

ADMINISTRATION – TIM YOUNG

City Manager Tim Young stepped forward and led discussion Misty completed closing out the Fiscal Year 2018 including installing the 2019 budget. With the new budget installed we are able to roll out the rough draft of the 1st Quarter Budget update. Mr. Young said everything is trending above on revenues and decreased on expenditures. Discussion took place. Further, Mr. Young said Mayor Price received a letter from Comcast today with a request they would like to enter into our market. We will review and send a copy of the franchise fee designation to them so that we will receive franchise fees accordingly. Mr. Young said there will be a Special Called Meeting to review capital projects on March 21, 2019. Nothing further.

COMMUNITY DEVELOPMENT OPERATIONS – BERT FOSTER

Community Development Director Bert Foster gave an update his department has issued 345 permits in 2019 including 46 new single-family house permits and 84 COs. Building and Land disturbance continues at LaQuinta Inn, Fairfield Inn, and several subdivisions mentioned [Nine Oaks, Derrystone Manor, Al Jennah, and new Indian Creek Subdivision]. New house construction continues in every subdivision. Nothing further.

ARCHITECTURAL REVIEW BOARD (ARB) –

- 6. Resolution concerning the architectural plans submitted for an accessory building to be located at 122 Cleveland Street** – Community Development Director Bert Foster led discussion this is a request from the applicant Warren Holder, owner of Warren Holder Equipment for a proposed accessory building to be located at 122 Cleveland Street. Discussion took place.

Councilman Hammock made a comment about building façade and asked if it will resemble current building. Mr. Foster replied Council has the option to require both to look the same. Mr. Hammock noted there were other metal buildings along that stretch. Nothing further.

CITY MANAGER’S COMMENTS – NONE

MAYOR’S COMMENTS- NONE

EXECUTIVE SESSION – POTENTIAL LITIGATION & PROPERTY ACQUISITION

Mayor Price asked for a motion to enter executive session regarding potential litigation and property acquisition and personnel. Councilman Boone made the motion with second by Councilman Greer. All in favor and motion carried. Council entered executive session at 8:49 PM.

Mayor Price asked for a motion to reconvene to regular session from executive session at 9:24 PM. Councilman Hammock made the motion with second by Councilman Greer. All in favor and motion carried.

ADJOURNMENT-

Mayor Price asked for a motion to adjourn. Councilman Hammock made the motion to adjourn.

RESULT	ADOPTED
MADE MOTION	COUNCILMAN HAMMOCK
2 ND MOTION	COUNCILMAN GREER
VOTE	MOTION CARRIED - ALL IN-FAVOR MEETING ADJOURNED @ 9:25 PM.

Notes taken by:

Misty Spurling, City Clerk