

# CITY OF LOCUST GROVE

## REGULAR MEETING AGENDA

Monday, October 5, 2020 - 6:00 P.M.

Public Safety Building - 3640 Highway 42 S.

Locust Grove, GA 30248

CALL TO ORDER.....Mayor Robert Price

INVOCATION.....Assistant City Manager Bert Foster

PLEDGE OF ALLEGIANCE.....Councilman Breedlove

APPROVAL OF THE AGENDA..... Mayor Robert Price (Motion Required)

PUBLIC COMMENTS..... Register with Clerk Before Meeting

- Proclamation - Retired Educators Day - November 1, 2020 - Kappy Morris

PUBLIC HEARING ITEMS .....None

APPROVAL OF THE MINUTES..... 3 Items

1. September 1, 2020 Regular Meeting Minutes (Motion Required)
2. September 1, 2020 Executive Session Meeting Minutes (Motion Required)
3. September 21, 2020 Workshop Meeting Minutes (Motion Required)

ACCEPTANCE OF THE FINANCIAL STATEMENT..... 1 Item

4. August 2020 Financial Statement (Motion Required)

UNFINISHED BUSINESS/ACTION ITEMS ..... 6 Items

5. An ordinance to amend Title 17, Chapter 17.04.055, PR-5 (Urban Infill/Active Adult Planned Residential) of the City of Locust Grove Code of Ordinances, which provides for zoning regulations; to provide for conditional uses for senior adult housing and age targeted and continuum of care developments. (Motion Required)
6. An ordinance to rezone 21.9 +/- acres located at 162 Indian Creek Road (Parcel ID-129-01047000 & 129-01046005) in LL 168 of the 2<sup>nd</sup> district. (Motion Required)
7. An ordinance requesting a conditional use for a senior housing development for property located at 162 Indian Creek Road (Parcel ID - 129-01047000 & 129-01046005) in Land Lot 168 of the 2nd District. (Motion Required)
8. A resolution to accept an agreement with Blue Line Solutions "BLS" implementing a Photo Speed Enforcement Program (Motion Required)
9. A resolution authorizing the City of Locust Grove to extend an existing Water Tank Maintenance Services agreement with American Tank Maintenance (Motion Required)
10. An Ordinance to approve a sanitation contract with Advanced Disposal (Motion Required)

NEW BUSINESS ..... 1 Item

11. Possible closure of Norfolk Southern Railroad Crossing

CITY MANAGER'S COMMENTS ..... Tim Young

MAYOR'S COMMENTS ..... Mayor Robert Price

EXECUTIVE SESSION - (IF NEEDED)

ADJOURN

POSTED AT CITY HALL -September 30, 2020 at 16:30

ADA Compliance: Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities are required to contact the City Clerk at (770) 957-5043 promptly to allow the City to make reasonable accommodations for those persons.

Public Comment may be limited to no more than ten (10) minutes with up to 3 minutes per requesting applicant to speak. Please register your NAME and ADDRESS prior to the beginning of the meeting with the City Clerk.

**City of Locust Grove  
Council Meeting Minutes  
Tuesday, September 1, 2020  
3640 Highway 42 – Public Safety Building  
Locust Grove, GA 30248  
6:00 PM**

<b>Members Present:</b>	<b>Staff Present:</b>
Robert Price - Mayor	Tim Young – City Manager
Rod Shearouse – Councilman	Bert Foster – Assistant City Manager
Willie Taylor – Councilman	Misty Spurling – City Clerk
Randy Gardner – Councilman	Jennifer Adkins – Assistant City Clerk
Rudy Breedlove – Councilman	Daunte’ Gibbs- Community Development Director
Carlos Greer – Councilman/Mayor Pro Tem	Jesse Patton – Police Chief
Keith Boone – Councilman	Andy Welch – City Attorney
	<b>Staff Not Present:</b>
	Jack Rose – Public Works Director
	Anna Ogg – Main Street Director

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

Invocation given by Mayor Robert Price

Councilman Gardner led the Pledge of Allegiance.

**APPROVAL OF AGENDA –**

Mayor Price asked for a motion. Councilman Taylor made the motion to approve the September 1, 2020 meeting agenda.

RESULT	APPROVED AGENDA
MADE MOTION	COUNCILMAN TAYLOR
2 <sup>ND</sup> MOTION	COUNCILMAN SHEAROUSE
VOTE	MOTION CARRIED - ALL IN FAVOR

**PUBLIC COMMENTS –**

- **Proclamation – National Payroll Week – September 7-11, 2020**

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

**PUBLIC HEARING ITEMS – NONE**

**APPROVAL OF THE MINUTES -**

**1. AUGUST 3, 2020- REGULAR MEETING MINUTES –**

Mayor Price asked for a motion. Councilman Shearouse made the motion to approve the August 3, 2020 regular meeting minutes.

RESULT	APPROVED AUGUST 3, 2020 REGULAR MEETING MINUTES
MADE MOTION	COUNCILMAN SHEAROUSE
2 <sup>ND</sup> MOTION	COUNCILMAN BREEDLOVE
FAVOR	MOTION CARRIED – ALL IN FAVOR

**2. AUGUST 14, 2020 – SPECIAL CALLED MEETING MINUTES –**

Mayor Price asked for a motion. Councilman Shearouse made the motion to approve the August 14, 2020 special called meeting minutes.

RESULT	APPROVED AUGUST 14, 2020 SPECIAL CALLED MEETING MINUTES
MADE MOTION	COUNCILMAN SHEAROUSE
2 <sup>ND</sup> MOTION	COUNCILMAN BREEDLOVE
FAVOR	MOTION CARRIED – ALL IN FAVOR

**3. AUGUST 14, 2020- EXECUTIVE SESSION MEETING MINUTES –**

Mayor Price asked for a motion. Councilman Taylor made the motion to approve the August 14, 2020 executive session meeting minutes.

RESULT	APPROVED AUGUST 14, 2020 EXECUTIVE SESSION MEETING MINUTES
MADE MOTION	COUNCILMAN TAYLOR
2 <sup>ND</sup> MOTION	COUNCILMAN SHEAROUSE
FAVOR	MOTION CARRIED – ALL IN FAVOR

**4. AUGUST 17, 2020- WORKSHOP MEETING MINUTES –**

Mayor Price asked for a motion. Councilman Shearouse made the motion to approve the August 17, 2020 workshop meeting minutes.

RESULT	APPROVED AUGUST 17, 2020 WORKSHOP MEETING MINUTES
MADE MOTION	COUNCILMAN SHEAROUSE
2 <sup>ND</sup> MOTION	COUNCILMAN TAYLOR
FAVOR	MOTION CARRIED – ALL IN FAVOR

**5. AUGUST 17, 2020- EXECUTIVE SESSION MEETING MINUTES –**

Mayor Price asked for a motion. Councilman Shearouse made the motion to approve the August 17, 2020 executive session meeting minutes.

RESULT	APPROVED AUGUST 17, 2020 EXECUTIVE SESSION MEETING MINUTES
MADE MOTION	COUNCILMAN SHEAROUSE
2 <sup>ND</sup> MOTION	COUNCILMAN GARDNER
FAVOR	MOTION CARRIED – ALL IN FAVOR

**ACCEPTANCE OF THE FINANCIAL STATEMENT –**

**6. JULY 2020 - Financial Statement –**

Mayor Price asked for a motion. Councilman Boone made the motion to approve the July 2020 Financial Statement

RESULT	APPROVED JULY 2020 FINANCIAL STATEMENT
MADE MOTION	COUNCILMAN BOONE
2 <sup>ND</sup> MOTION	COUNCILMAN SHEAROUSE
FAVOR	MOTION CARRIED – ALL IN FAVOR

**UNFINISHED BUSINESS/ACTION ITEMS –**

**7. Resolution to proceed with Blue Line Solutions (BLS) on automated photo enforcement program in front of Locust Grove Elementary School –**

Councilman Boone asked if we could suggest to the County about adding a system around the high school at some point. Discussion took place about the surveillance camera and the advantages of having a tracking capability from this system.

Mr. Mark Hutchinson: owner of BLS, stepped forward to comment. Mr. Hutchinson said this program will include the technology being discussed. Nothing further.

Mayor Price asked for a motion. Councilman Boone made the motion to approve the request by approving resolution #20-09-044.

RESULT	APPROVED RESOLUTION #20-09-044
MADE MOTION	COUNCILMAN BOONE
2 <sup>ND</sup> MOTION	COUNCILMAN GREER
VOTE	MOTION CARRIED – ALL IN FAVOR

**NEW BUSINESS/ACTION ITEMS – NONE**

**8. Draft FY 2019 Audit Document Presentation –**

City Manager Tim Young led discussion this is the Draft Audit for Fiscal Year 2019, ended December 31, 2019. Mr. Young said the auditors are present tonight; however, this is their last audit with the city because they are no longer doing government audits.

Mr. Young said we had a good year both in government and business aspects and doing well so far in 2020.

Mrs. Ashley Potter with Whaley Hammonds Tomasello, PC stepped forward to answer questions.

Councilman Greer asked what the term “presented fairly” means under the section titled **opinions**. Mrs. Potter replied that term is an auditing term to say it is the best kind of audit report you can get and said this is a great report. Councilman Greer asked the meaning to the language “general fund expenditures in excess of budget accounts” and Mrs. Potter replied this is the last finding or last final adjustment to budget. Nothing further.

Mayor Price asked for a motion. Councilman Greer made the motion to approve the FY 2019 draft audit.

RESULT	APPROVED DRAFT AUDIT
MADE MOTION	COUNCILMAN GREER
2 <sup>ND</sup> MOTION	COUNCILMAN SHEAROUSE
VOTE	MOTION CARRIED – ALL IN FAVOR

**CITY MANAGER’S COMMENTS –**

City Manager Tim Young said we are getting back to normal. We have opened one of our rooms at City Hall to kids of employees for virtual learning. Discussion took place about the decrease in Covid-19 cases. Mr. Young said good things are coming and discussion took place related to Economic Development.

Councilman Breedlove asked for an update on the audio visual in the Courtroom. Mayor Price said the contractor has had health issues and will hopefully have an update soon.

Councilman Boone mentioned the digital sign at City Hall and Mr. Young replied the sign is not repairable and we will have to replace. Nothing further.

**MAYOR’S COMMENTS – NONE**

**EXECUTIVE SESSION – LITIGATION**

Mayor Price asked for a motion to enter executive session for purposes of pending litigation. Councilman Greer made the motion with second by Councilman Breedlove. All in favor and motion carried. Council entered executive session at 6:21 PM.

Mayor Price asked for a motion to reconvene to regular session from executive session at 6:46 PM. Councilman Greer made the motion with second by Councilman Boone. All in favor and motion carried.

**ADJOURNMENT –**

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

RESULT	APPROVED – ADJOURN MEETING
MADE MOTION	COUNCILMAN TAYLOR
2 <sup>ND</sup> MOTION	COUNCILMAN GREER
FAVOR	MOTION CARRIED MEETING ADJOURNED @ 6:47 PM.

Notes taken by:

Misty Spurling, City Clerk

**City of Locust Grove  
 Council Workshop Meeting Minutes  
 Public Safety Building – 3640 Highway 42 S.  
 Locust Grove, GA 30248  
 Monday, September 21, 2020  
 6:00 PM**

<b>Members Present:</b>	<b>Staff Present:</b>
Robert Price – Mayor	Tim Young – City Manager
Randy Gardner – Councilman	Bert Foster – Assistant City Manager
Willie Taylor – Councilman	Jennifer Adkins – Assistant City Clerk
Keith Boone – Councilman	Daunté Gibbs – Community Development Director
Rod Shearouse – Councilman	Jesse Patton – Police Chief
Rudy Breedlove - Councilman	Anna W. Ogg – Main Street Manager
Carlos Greer – Councilman	Andy Welch - Attorney
	Brooke A. White - Attorney
	<b>Staff Not Present:</b>
	Misty Spurling – City Clerk
	Jack Rose – Public Works Director

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

Invocation given by Community Development Director Daunté Gibbs.

Councilman Shearouse led the Pledge of Allegiance.

**APPROVAL OF AGENDA –**

Mayor Price asked for a motion. Councilman Shearouse made the motion to approve the September 21, 2020 meeting agenda.

RESULT	APPROVED
MADE MOTION	COUNCILMAN SHEAROUSE
2 <sup>ND</sup> MOTION	COUNCILMAN BOONE
VOTE	MOTION CARRIED - ALL IN FAVOR

**PUBLIC COMMENTS – NONE**

**PUBLIC HEARING ITEMS –**

1. Hearing to amend Title 17, Chapter 17.04.055, PR-5 (Urban Infill/Active Adult Planned Residential) of the City of Locust Grove Code of Ordinances, which provides for zoning regulations; to provide for conditional uses for senior adult housing and age targeted and continuum of care developments.

Community Development Director Daunté Gibbs stepped forward and led the discussion. This is an ordinance to amend PR-5 (Urban Infill/Active Adult Planned Residential) zoning ordinance found in Title 17, Chapter 17.04.055 of the City of Locust Grove Code of Ordinances. This ordinance amendment is staff initiated and is not part of the rezoning initial use request on the agenda but will affect them. Currently the PR-5 zoning ordinance designates senior housing as a continuum of care and the technical definition of continuum of care does not accurately describe senior housing. Continuum of care can be defined as the delivery of healthcare over a period of time in patients with a disease covering all phases of illness and diagnosis to the end of life. The PR-5 was not intended to define senior housing under continuum of care. It was the intent of the PR-5 zoning district to provide regulations for senior housing specifically age targeted development. Mr. Gibbs read aloud the recommended definition for "Senior Adult Housing."

*Senior housing is defined as housing that is suitable for the needs of an aging population ranging from independent living to 24-hour care, emphasizing safety, accessibility, adaptability, and longevity. The age for residency shall be 55 years and older.*

Mr. Gibbs said Senior Housing and its definition provide a better fit for the intent of the PR-5 zoning district. Staff is recommending approval of the amendment to the PR-5 zoning ordinance in Chapter 17.04.055 by removing all references to continuum of care and replacing with senior housing requiring conditional use granted by City Council. Mr. Gibbs said this is a public hearing and no action will be taken tonight and will be happy to answer any questions. Nothing further.

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

Mayor Price asked for comments from Council.

Councilman Boone stated he does not see a need to adopt this and he does know the biggest part of the changes are made to continuum of care. Councilman Boone stated he saw the mention of amenities in this project and ask if it was to have amenities. Mr. Gibbs said in the ordinance recommendation there is a reference to amenities and when we get to the rezoning the proposed amenities will be discussed.

Councilman Greer wanted to clarify the basic amendment of the ordinance is remove continuum of care. Mr. Gibbs said that is correct. City Manager Tim Young stated there is an expanded version of continuum of care that operates out of HUD that is different than what was intended because it deals with specific care of mental health, substance abuse, and homelessness, and we needed to clarify the language to match the intent as it was originally proposed.

Councilmember Boone said when he first heard about this project it was to be in three different stages 55 and older, assisted living and hospice care. Would that fall under the continuum of care? Mr. Gibbs said correct. In conversations with the applicant the intent is an age targeted 55 and older senior housing development not continuum of care.

No further comments.



**2. Hearing to rezone 21.9 +/- acres located at 162 Indian Creek Road (Parcel ID -129-01047000 & 129-01046005) in LL 168 of the 2<sup>nd</sup> District.**

Community Development Director Daunté Gibbs stepped forward and led the discussion. The Beverly J. Searles Foundation, of Roswell, Georgia is requesting a rezoning from R-3 (Single Family Residential) to PR-5 (Urban Infill/Active Adult Planned Residential) for the property located at 162 Indian Creek Road in land lot 168 of the 2<sup>nd</sup> district. The applicant is proposing a 238-unit four-floor senior housing development. The subject property is currently undeveloped and abuts a residential multi-family townhome subdivision and single-family subdivision. There exists a pond on the subject property that will likely need an environmental assessment to determine its health and sustainability as part of the proposed development. According to the applicant's letter of intent, the proposed senior housing development will consist of interior social spaces such as a billiards room, club room, game room, theatre, great room, hair salon, and library. Proposed exterior amenities include an outdoor kitchen and grill area, pavilion, resident garden, koi pond, and walking paths. The subject property is contained within an area identified on the Future Land Use Map as Mixed Historic District Neighborhood. This classification area is primarily east of the railroad along Highway 42 and along areas southwest of the central business district. This area is reserved for the preservation of the existing historic residential buildings that may be transformed into professional offices, tourist-related uses, upscale dining facilities or personal service establishments. The main focus is along the Jackson Street corridor and may have areas for residential uses with densities up to 2.5 dwelling units per acre. All existing structures should be preserved, and all new construction should be of similar architectural style. Typical zoning districts under current ordinance would be R-2 and R-3 residential districts, OI (office and institutional) and/or Conditional Uses as appropriate for tourist-related, personal services and other facilities. The applicant has filed a concurrent Conditional Use application to allow a senior housing development. The subject property is also located in the City of Locust Grove Livable Centers Initiative (LCI) Emerging South District. The objective of this district is to encourage residential developments consisting of a variety of housing options and multi-modal connectivity options. This area provides various connectivity options to areas of active and passive recreation and links the Gateway District and the Historic District; therefore, any uses that compete with uses in these adjoining districts are discouraged. The subject property does not trigger the Georgia Department of Community Affairs threshold for a DRI (Development of Regional Impact). Housing Developments in Rural and Developing Rural areas, the threshold is 400 new units. Established Suburbs, Developing Suburbs, and other places not mentioned, the threshold is 500 new units. The applicant is proposing 238 new units for the subject property.

This 21.9 +/- acre tract will contain 238 age-restricted senior apartment attached units. The Institute of Transportation Engineers Trip Generation Manual, 7<sup>th</sup> Edition assigns a rate of 3.48 weekday trips per house in a senior adult attached housing development; however, caution should be shown as this rate is based on a wide variety of studies including active, working residents and older, retired residents. Under the current plan, this active adult development will yield approximately 828 trips on average per weekday. The Join Henry County/Cities Comprehensive Transportation Plan (CTP) classifies Indian Creek Road and Tanger Boulevard as a rural local road and a minor arterial roadway, respectively. Rural local roads provide a lower level of service primarily as access to land with little to no through movement. Minor arterials provide a high level of service at high to moderate speeds with some degree of access control. Tanger Boulevard has existing capacity to move vehicles to either Bill Gardner Parkway or State Route 42 with no decrease in the existing level of service.

There will be an impact on infrastructure in the area. These impacts were anticipated by and can be mitigated through improvements made via the collection of impact fees. Each unit will pay approximately \$3,756.84 in water and sewer impact fees (\$894,127.92) and approximately \$1,446.33 in development impact fees (\$474,396.24).

One of the stated goals of the LCI Emerging South District is to provide a variety of housing options. Currently, there exists detached single-family housing on varying lot sizes in the vicinity. This proposal seeks to introduce an age-restricted apartment complex similar in scope to Shoal Creek Manor. Staff does recommend approval of the applicants rezoning request with the following conditions:

1. The property shall be developed in accordance with the details illustrated and listed on the site plan submitted by Martin Riley Associates – Architects, P.C., dated July 2, 2020, as amended, and adopted by the Locust Grove City Council.
2. At the developer's expense, connection to water/sewer shall be provided with all necessary improvements.
3. The developer shall extend Palmetto Street, connecting Frances Ward Drive and Tanger Boulevard.
4. Cul-de-sac turnarounds shall be completed at the termination of Pearl Street and Sarasota Lane, with alternative connection of the two streets.
5. The intersection of Indian Creek Road and Frances Ward Drive shall be improved with appropriate site distance.
6. The development shall only be developed per the approval of Conditional Use case number: CU-20-07-02.

Mr. Gibbs said there is a public hearing and no action will be taken tonight and will be happy to answer any questions.

Mayor Price said this is a public hearing and opened for public comments for those who would like to speak in favor of the request. No Comments.

Mayor Price opened for public comments for those who would like to speak in opposition of the request.

Ms. Lynn Thompson, resident at 185 Indian Creek Road, stepped forward to comment. Ms. Thompson said this would be right across the street from her home. The street is really busy now and had lived here for 21 years. I have never felt unsafe, but I am afraid it would increase the riffraff. I understand it for senior, but I am worried grandparents would allow grandchildren to come live there. With the traffic there now, it is hard to get in and out and you already have the same thing down the street. I am not sure if there is enough room there for these apartments and parking, they are required. I am highly opposed to it. The area has beautiful woods and I just do not want it.

Ms. Judy Frank, resident at 108 Gwenellen Drive, stepped forward to comment. I have three questions and a comment. The rezoning is it just that section or everything around it? Mayor Price said it was twenty something acres, and City Manager Tim Young said it was just the lot.

Ms. Frank stated property values are extremely important, how do you protect that and has anyone talked about that? My next question is what is this going to do to traffic? I can always

tell when I go out if traffic is bad on Indian Creek, Tanger, Bill Gardner or Hwy 42 is blocked. I do not see how it can handle the traffic coming out of this apartment complex. My last comment is I understand the need for senior housing; I have family back north that live in senior housing, and I do not have a problem with it. I have a problem with where it is going to be. For me personally, I am very much against this.

Ms. Emma Jean Stewart, resident at 359 Indian Creek Road, stepped forward to comment. I just want to add traffic on my corner, I cannot even turn left on Tanger. You have 87 houses at Indian Grove plus the other senior center or apartments, plus Skyland and that is not counting Gwenellen and it is just going to be too much traffic. I am just worried about that.

Ms. Cassie Long, resident at 21 Woodland Drive, stepped forward to comment. There are many things that concern me about this property. Number one is the traffic, coming out of Woodland Drive to the left, there is a hill and people do not go 25 [mph] on that road. I drive a school bus and can tell how fast people are going. I walk my animals, and I see there are disable people in motorized wheelchairs coming from Indian Creek going to Walmart. Some of them have almost gotten hit so many times they are not even scared anymore. I went to some of my neighbors, most of who are elderly, and wrote a petition against this. In my petition I said that we the residents of Frances Ward and Indian Creek we do not consent nor agree to the proposal at 162 Indian Creek Road. All the zonings around this property are R1-R3; PR-5 does not even fit with what we currently are [developed]. My husband's grandparents built my house, and they did not build it to be in an urban area; they loved the ruralness. We are the Tree City, right? We are clear cutting everything. My understand from talking to my neighbors this property was donated many years ago, and it was donated with the intention there would never be housing on this property. I spoke with my neighbors about our infrastructure. You can barely turn a bus in that road. There is a lack of sidewalks, speed bumps, [wide] shoulders and instead is a drop-off that goes to the creek. It is dangerous now and adding 800-plus trips a day would make it so much worse. We had 15 of our neighbors sign the petition and many of them cannot come out today. We are all against this, and it does not fit in our neighborhood.

Mr. Mitch Pullin, representing Sue Pullin a resident at 279 Indian Creek Road, stepped forward to comment. Mr. Pullin said I agree with what everyone else has said, traffic is just too much. Getting out on to main roads with no red lights and only stop signs will allow traffic to build up. I am also concerned with what it will bring in and while it is a nice-looking building, it does not fit in with the residential houses.

Mr. Albert Moore, resident at 11 Woodland Drive, stepped forward to comment. I have a question, why when we have Havenwood (Grove) being built right down the road, and we have Shoal Creek Manor, and we have Carleton Cove; all of these are age targeted living facilities within a mile or two of each other. Why are all of these facilities being built right here? I understand the projected age range with in 55 and up is going to increase by the year 2040. Over 25% of age population will be 55 and older. LCI, your own language, states that diversified housing is what you want to achieve. The keyword is diversity yet in one or two square miles you have these same three types of facilities. The second question is the land value was originally set at \$200,000 when it was sold, and it was bought for \$2,000,000 in April of this year. It seems like something else is going on with the land value. Why would you pay that much more? Everyone here has done great job talking about traffic and other concerns in the

community. This does not quite add up when you look at the numbers. I understand Mr. Russell paid a lot of money for this land, but the people here have been invested for a long time. How does it add value to the city, what does it do for us?

City Manager Tim Young said the applicant is here tonight and would like to speak.

David Russell, agent for Beverly J. Searles, stepped forward to comment. This proposal is not for continuum of care, it is for active adults to create an enriched lifestyle for seniors. It is designed to get seniors to come out of their units and be active with each other in their community. To my knowledge this land was not donated, and I have not heard about that. This is a great community with a lot of growth, and something is going to go on the property as it is a great 21-acre wooded lot. The good thing about our plan is it is for seniors and seniors do not drive as much. We are asking for .88 parking spaces per unit. Seniors typically do not drive fast; they make fewer trips per day and probably not during heavy traffic times. Our complete investment in this project is \$50,000,000 and we would not be making that investment if there was not a need. Mr. Russell said there was another question about home values, and I would be happy to make available a study based on this. It shows this type of development had a either a neutral or a [slight] positive benefit on home values. Mr. Russell said there were some concerns about children living there, and he said the residents do not want that and typically are the first ones to report it. Another question is what happens if senior housing goes away and it turns in to an apartment building. There is no way that could happen. Too few parking spaces, and the units are not set-up that way. We would sign a land use covenant that would prevent any apartments from going in there. Mr. Russell stated there was a lot of questions to answer and would be happy to take more questions at another meeting or different forum.

No further comments and Mayor Price closed the public hearing.

Mayor Price asked for comments from the Council.

Councilman Boone said you [Mr. Russell] are representing Beverly J. Searles Foundation and it is non-profit correct? You have contradicted yourself by saying it is active adult community and you are limiting vehicles; active adults would have two vehicles. I am 61 myself and if me and my wife moved in, we would have two vehicles. Mr. Russell said the average age of their resident is 80 years old. Councilman Boone said it reads at least one person 55 years or age or older and per unit. It does not say anywhere that they can't have someone else in there and our ordinance calls for two parking spaces.

Community Development Director Daunté Gibbs said the ordinance calls for 2.5 parking spaces per unit however, the ordinance for senior housing adopted by council facilitated 1.1 spaces. City Manager Tim Young said yes, that is the one we did for Shoal Creek Manor and possibly Havenwood Grove. There is an amendment in the RM section.

Councilman Boone ask how many developments does Beverly J. Searles have right now? Mr. Russell said they have developed over 23 properties like this and their partner, Dominion, has over 35,000 units across the country.

Councilman Boone ask how many in Georgia? Mr. Russell said their (Beverly J. Searles) properties are all in Georgia and their partner has about 14,000 units in Georgia.

Assistant City Manager Bert Foster ask if any of the properties are close to here? Mr. Russell said Newnan. Councilman Boone ask how many of these properties are for sale right now? Mr. Russell said they do not sell properties; they are rental properties. Councilman Boone said Beverly J. Searles website says there is one for sale. Mr. Russell said Dominion does have one [project] for sale, but we typically do not sell them.

Councilman Boone ask if there is a contract on this land and if the sale is based on the rezoning? Mr. Russell said yes, and the contract is based on rezoning.

Councilman Greer ask out of 40,000 units nationwide most residents are 80 years old? The property says 55 and older and our 55 and older residents' drive. Even if you had one car per unit it would still need to be 238 parking spots for this development.

Mr. Russell said it is 238 units and we are proposing 200 parking spots. Councilman Greer said our ordinance says one parking spot per unit and if you filled every parking spot it would impact traffic on that road.

Councilman Shearouse said traffic is a major concern have you given any thought on how to remedy that problem or would that fall on the city? Mr. Russell said as far as impact there are several issues, we are willing to discuss.

Assistant City Manager Bert Foster ask what is the mitigation plan for the traffic on Indian Creek? Mr. Russell said that is not our business, our business is building senior housing. Senior housing generates less traffic and there could be a lot worse use for this property than senior housing.

Assistant City Manager Bert Foster ask if there is a plan to protect existing single-family homes in the area? Mr. Russell said again, there is a study showing a neutral or positive impact.

Assistant City Manager Bert Foster ask how many more rezoning's are expected and how many projects do you have on the northern arc? Mr. Russell said we are looking at another project in Newnan, west Cobb, Buford, and Gainesville. Between both partners Beverly J. Searles has four and Dominion has about 17 under development just in Georgia.

Councilman Boone ask how many require a rezoning? Mr. Russell said all of them.

Councilman Breedlove ask if there is a phase two on the property or would it stay the same? Mr. Russell said it would stay the same. Councilman Breedlove ask how many of the units are planned to be one bedroom? Mr. Russell said 126 one bedroom, 56 two bedroom and 16 three bedrooms.

Councilman Breedlove ask how do you police who lives there? Mr. Russell said the property is always staffed and the staff would know the residents. Councilman Breedlove ask how you could stop someone from being there with Fair Housing Act? Mr. Russell said if they violate

the rental agreement the lease would be terminated. The terms of the rental agreement state all occupants must be 55 and older.

Councilman Breedlove ask City Manager Tim Young if their standard is no one under 55 and our ordinance is 80% 55 and up which takes precedent? City Manager Tim Young said the 80% you are speaking about is the housing for older persons which is a different category than PR-5.

Councilman Greer said there would be a negative impact on traffic at Bill Gardner Parkway and Frances Ward Drive.

Councilman Boone said drawing shows an area labeled for future development. Mr. Russell said it is on there as a potential place if the detention pond needs to be relocated. Councilman Boone ask how are you going to use an existing pond as a retention pond if it is already full? Mr. Russell said if it will not work, we have another place.

Councilman Boone said this indicates a future roadway and that will be developed by you. Mr. Russell said that is still in discussion and the cost to build that out would be around \$500,000. The conditions just came to us Friday afternoon to review.

Councilman Boone said I read about gravel and dirt paths, what are those? Mr. Russell said they are walking paths, compacted.

Councilman Boone said all the surrounding areas are zoned R-3 currently and it could have 3.6 units per acre. Community Development Director Daunté Gibbs said you could get approximately 60-65 lots if property is developed as R-3. Councilman Boone said I think R-3 is a better fit for this neighborhood, it takes a lot of traffic out and this does not fit our current land use map.

Councilman Greer said he does not believe there will be enough parking especially during the holidays if family comes to visit. The ratio requested is not enough for the number of units. Mr. Russell said less parking mean less impervious surface, less impact on water, heating, and trees. There are certain instances when we do have valet parking such as the grand opening party and sometimes on holidays.

No further comments.

**3. Hearing requesting a conditional use for a senior housing development for property located at 162 Indian Creek Road (Parcel ID - 129-01047000 & 129-01046005) in LL 168 of the 2<sup>nd</sup> District.**

Community Development Director Daunté Gibbs stepped forward and led the discussion. This is a conditional use for a senior housing development and is running concurrently with the previous rezoning request. The applicant will need the conditional use to develop the property into the 238-unit senior housing development. Mr. Gibbs said staff does recommend approval, subject to the condition that the property be developed in accordance with the approved development plan and narrative contained in RZ-20-07-01 and conditions contained therein. Mr. Gibbs said this is a public hearing and no action will be taken tonight.

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

Mayor Price asked for comments from Council. No comments. Nothing further.

**ACTION ITEMS – NONE**

**NEW BUSINESS/ACTION ITEMS – NONE**

**CITY OPERATION REPORTS / WORKSHOP DISCUSSION ITEMS**

**MAIN STREET OPERATIONS – ANNA W. OGG**

Main Street Director Anna Ogg stepped forward with an update. Main Street did not meet however they are getting ready for Scarecrow Village. If you would like to participate please get applications in as spaces will be assigned Friday. HPC granted a COA to Paws Place, a nonprofit at 250 Cleveland Street, for an accessory structure upgrade pending property owner approval. HPC is also participating in a virtual HPD conference this week. DDA met but did not have a quorum. Mrs. Ogg said we are continuing to promote the 2020 Census and you may notice Census workers out in our area. We are distributing masks and hand sanitizer in goody bags to local businesses and they have been very appreciative. Currently we are working on plans for Christmas and COVID safe activities. We have ordered additional Christmas lights. There has been a lot of interest in downtown store fronts and we are hoping to see some new businesses downtown soon. Nothing further.

**PUBLIC SAFETY OPERATIONS – CHIEF PATTON**

Chief Patton gave an update and reviewed the monthly report. Total collections for August 2020 were \$38,756.09. Chief Patton said a new officer has been hired, Justin Lawrence, he comes from Henry County Police Department and will be at the next council meeting for an introduction. Currently scheduling an interview for another officer. The department completed training for firearms and use of force. Investigations had a total of 31 cases this month. We had ten entering autos and one stolen car from the Jubilee/Pristine Forest area. All vehicles were unlocked, and the key fob was left inside the stolen vehicle.

Councilman Boone said he had a question about the previously discussed automated photo enforcement. Does this machine have to be calibrated every so often? Chief Patton said this machine operates off laser and does not have to be calibrated. Chief Patton asked Kam Reed with Blue Line Systems to come forward and clarify how it works. Mr. Reed said it does an internal self-check every day and once year it is re-certified at no charge to the city.

City Manager Tim Young said agreement with Blue Line System went through legal review and will be ready for October meeting. Nothing further.

**PUBLIC WORKS – JACK ROSE –NONE [absent due to illness]**

**ADMINISTRATION – BERT FOSTER**

Assistant City Manager Bert Foster gave an update on Peeksville Road extension appraisal and acquisition paperwork to be finalized primarily on Moyes pharmacy side. Final costs are back for work on the Eagles Landing pharmacy side and should have both documents for review in October. Tanger Park proof rolling

continues to ensure no water infiltration and tracking completion in late November. Extra lane on Highway 42 between Bill Gardner and Peeksville Road moving forward and is in the utility marking phase. Bill Gardner Parkway modifications the signal design for southbound is being reviewed with GDOT. Once review is complete it will be sent to Atlanta for review and permitting. Commercial lane project from I-475 to Highway 155 continues to be worked on by GDOT and a virtual meeting will be held next month where we hope to get more information. The signal at Highway 42 and Market Place is moving forward, Tim and I are working on collecting easements. The maintenance bond for Bandy Parkway right-of-way is nearing conclusion. Bonds are required to be in place for three years, so we will be inspecting that one last time. Nothing further.

### **COMMUNITY DEVELOPMENT OPERATIONS – DAUNTÉ GIBBS**

Community Development Director Daunté Gibbs gave an update his department has issued 1,240 permits including 172 new house permits for 2020. We have issued 267 COs [201 residential and 66 commercial permits] and 356 business licenses issued for 2020. Mr. Gibbs said land disturbance activity is ongoing in several subdivisions as well as continued construction at La Quinta, Havenwood Grove and Gardner Farms. Starbucks was issued a business license this week and should be open soon. Peachtree Urgent Care is now open to the public.

Councilman Boone said he appreciated the way the incident at Mr. Rivera's property was handled quickly and Mr. Rivera still had some concerns about silt going towards city property. Mr. Gibbs said he would get an update on situation tomorrow. City Manager Tim Young said we knew of the problem immediately and made sure the people with GBLG and Scannell were aware of it and their need to respond quickly. Nothing further.

### **ARCHITECTURAL REVIEW BOARD (ARB) – NONE**

### **CITY MANAGER'S COMMENTS –**

- **Water Tank Maintenance –**

City Manager Tim Young said it is time to renew the contract for water tank maintenance with American Tank Maintenance. They are proposing an 8.9% increase over the next three years which is reasonable, and we are happy with their service. This applies to all three of the city's tanks. Nothing further.

- **FY 2021 Operating and Capital Improvements Budget –**

Mr. Young continued with an update on the 2021 budget. If you have any request let me know by the end of the week so we can compile the budget and have the mandatory two budget meetings before we formally adopt. Nothing further.

- **Sanitation Contract –**

Mr. Young stated the updated sanitation contract has been reviewed and approved by Advance Disposal. Attorney Andy Welch said if Council is comfortable, they can vote on contract tonight or wait until the next meeting. There were substantial changes made to the contract and if you have any questions, I can go over that with you.

Mayor Price said he would rather vote at next meeting.



Attorney Andy Welch added that Councilman Boone had previously ask about the duration of the contract. It is designed to see us through the end of this year and all next year and if no objection it will automatically renew for two more years. It will need to be reviewed at the end of 2021 to determine if should be cancelled or let it automatically renew. Nothing further.

Mr. Young said there have been some issues with sight distance at Indian Creek Road and Cleveland Street and we will be looking to come up with a solution to help with traffic safety in the area.

My. Young said our focus is making sure we get budget hearings and continue with road projects to get them on schedule.

Councilman Taylor ask for an update on the interchange. Mr. Young said GDOT has taken the lead on that project now. Mayor Price ask Attorney Andy Welch to continue with the update.

Attorney Andy Welch stated Mr. Young was correct they have taken over the project and he has been in contact with Commissioner McMurray there are meetings schedule for next week. The current plan is for this to be integrated into the truck only lane project and the state was taking over. It is a priority project for the state, and they are hoping for a complete bid for Bethlehem Road all the way down to Macon. They are hoping for one contractor to do all of it with a start date in 2023. I am not sure to the extent that the county is contributing SPLOST money, Mr. Young may have more information about that.

Mr. Young said the county has not been told they can spend the money elsewhere but that could quit trying to find their own consultant, it is under control now. Nothing further.

#### **MAYOR'S COMMENTS -**

Mayor Price said next meeting night we can end this thing or carry it on, whatever you want to do. If you want to end it, we will and be done with it, there is no use spending two hours talking about it if we are not going to do it. If we are going to do it, we need to spend some time adding in the things we want.

Councilman Boone ask about the regulations on bulk pickup and is it coming before us? Attorney Andy Welch said we will be doing bulk pickup in house with the truck and trailer already purchased. It is going to be scheduled and coordinated by Tim. Councilman Boone ask about the timing of the bulk pick days. Mr. Welch said that has not been set yet.

Mayor Robert Price said we are working with those days as a trial. We picked Thursday and Friday because we are using workers from the chipper truck and there are certain days that you can take it to be dumped.

Councilman Boone ask if the dump was going to remain open on Wednesday and Saturday's. Mayor Price said not for much longer. What we are doing with the bulk pickup is free to our residents. We are allowing residents to put four items out for pickup so there is no longer a need to have the dump. We are going to use the area out at the dump to hold the roll-offs.

City Manager Tim Young said this is a test right now as we get the equipment and expand the service. This was the best way to try this out with our employees.

Councilman Greer said he wanted to verify the dump will be closing and said if so, it would be a loss of revenue. Mayor Price said we will have to see how that works; we are not going to charge. We are going to watch and see how this goes to make sure people outside the city do not bring their trash in and leave it. People that live in the city do not bring their trash to the dump anyway. The whole object is to clean up the city. This is a service we are giving to the people. Nothing further.

**EXECUTIVE SESSION – NONE**

**ADJOURNMENT-**

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

RESULT	ADOPTED
MADE MOTION	COUNCILMAN BOONE
2 <sup>ND</sup> MOTION	COUNCILMAN GREER
VOTE	MOTION CARRIED - ALL IN-FAVOR MEETING ADJOURNED @ 7:48 PM.

Notes taken by:

Jennifer Adkins, Assistant City Clerk

DRAFT