

Canton, Georgia

*110 Academy Street
Canton, Georgia 30114*



Minutes - Final - Draft

Thursday, October 20, 2022

6:00 PM

City Hall

110 Academy Street

City Council

1. Pledge of Allegiance and Invocation

The Pledge of Allegiance to the American Flag was led by Mayor Grant and followed by an invocation given by Councilmember Wilson.

2. Call to Order

The meeting was called to order by Mayor Grant.

Members Present:

*Mayor Bill Grant
Mayor Pro Tempore Sandy McGrew
Councilmember Shawn Tolan
Councilmember Brooke Schmidt
Councilmember JoEllen Wilson
Councilmember Dwayne Waterman
Councilmember Will Carlan
Mr. Billy Peppers, City Manager
Mr. Nathan Ingram, Assistant City Manager
Mr. Bobby Dyer, City Attorney
Mr. Ken Patton, Housing Initiatives Director
Mr. Steve Green, Zoning Administrator
Mr. Dave Hatabian, Utility Engineer
Ms. Bethany Watson, City Engineer
Ms. Lorrie Waters, Human Resources Director
Mr. Stephen Merrifield, Police Chief
Ms. Angie Busby, Manager of Economic Development & Tourism
Ms. Haley Simerly, Building and Code Compliance Technician
Mr. Russell Martin, IT Systems Analyst
Ms. Annie Fortner, City Clerk*

Absent:

None

3. Consideration to Approve Agenda

City Manager Billy Peppers requested to add New Business Item 11C for Discussion and Possible Action to Approve the Terms and Acceptance of a Grant from the Appalachian Regional Commission. Councilmember Schmidt made a motion to approve the agenda as amended. Councilmember Carlan seconded the motion, and it was approved unanimously.

4. Guests and Visitors

- A.** Employee Service and Achievement Recognitions - Human Resources Director Lorrie Waters - Attachment 4A

Attachments: [Employee Service and Achievement Recognitions](#)

Human Resources Director Lorrie Waters recognized Ms. Linda Petty, Accounts Payable & Payroll Coordinator, for 10 years of service, Mr. Clint Jeans, Parks & Recreation Maintenance Supervisor, for 10 years of service, Mr. Rodney

Campbell, Police Lieutenant, for 20 years of service, Mr. Jerry Randall Pope, Clean Canton Technician, for 35 years of service, Mr. Nathan Ingram, Assistant City Manager, for 11 years of service, and Mr. Ben Gilleland, Police Sergeant, for 24 years of service. Ms. Waters also recognized Ms. Haley Simerly, Building and Code Compliance Technician, for obtaining the Residential Building Inspector certification, Mr. Merrick McClure, Code Compliance Manager, for obtaining the Commercial Building Inspector certification, Ms. Felicia Wright, Human Resources & Finance Coordinator, as well as herself for obtaining the Certified Employee Benefits Specialist certification.

5. Consideration to Approve Minutes

- A. Council Meeting Draft Minutes - October 6, 2022 - Attachment 5A

Attachments: [Minutes - Council Meeting - October 6, 2022](#)

Councilmember Tolan made a motion to approve the minutes. Councilmember Waterman seconded the motion, and it was approved unanimously.

6. Informational Items

- A. Information Only - Presentation of Staff Report - Cases ANNX2209-004 and RZON2209-005 - Request to Annex and Rezone 2.38 Acres Located at the End of Roland Drive for the Purpose of Inventory Storage - Zoning Administrator Steve Green - Attachment 6A

Attachments: [ANNX2209-004 and RZON2209-005 Documentation](#)

Zoning Administrator Steve Green stated these cases will be on the November 3rd agenda for a public hearing. It is hoped to have comments back from Cherokee County prior to the public hearing. The County is scheduled to discuss this project on November 1st. As of now staff has only received one phone call from a resident with questions about the project. Once the project details were given to the resident, they did not seem to have any concerns about it.

- B. 3rd Quarter Uniform Crime Report - Police Chief Stephen Merrifield - Attachment 6B

Attachments: [3rd Quarter UCR](#)

Police Chief Stephen Merrifield noted the numbers for violent crimes are up due to a change in the law regarding strangulation cases. Chief Merrifield discussed that a number of cases are generated from having Northside Hospital Cherokee within the city limits.

- C. Review of August Financials - Attachment 6C

Attachments: [August Financials](#)

No comments.

7. Other Announcements

Councilmember Schmidt stated the Boling Park basketball court mural project is moving forward and noted it will be closed next week for painting.

8. Ten Minute Public Input

Mr. Robert Rhodes requested a traffic signal be installed at the Mountain View subdivision entrance due to safety concerns.

9. Consent Agenda

None.

10. Old Business

- A. Discussion and Possible Action on Case CUP2207-004 - Misty Way and Misty Court - Request for Approval of a 296 Unit Apartment Complex - Zoning Administrator Steve Green - Attachment 10A

Attachments: [CUP2207-004 Documentation](#)

Councilmember Waterman made a motion to adjourn to executive session in the Administrative Conference Room to discuss potential litigation. Councilmember Schmidt seconded the motion, and it was approved unanimously.

Mayor Pro Tempore McGrew made a motion to reenter the Council meeting. Councilmember Tolan seconded the motion, and it was approved unanimously.

Mr. Green stated the applicant has reduced the number of units to 286. The applicant is requesting a single means of ingress/egress to the development. Staff has recommended approval of the request with the following conditions:

- 1. The Native Plant Rescue Society shall be allowed access to the property prior to any land disturbance in order to search for and rescue any endangered plants.*
- 2. The owner/developer shall contribute \$250 per unit to the Cherokee County School District as noted in William J. Sebring's letter dated April 27, 2022.*
- 3. Prior to the issuance of a Land Disturbance Permit a relocation plan for the current residents shall be furnished to the Mayor and City Council for review and approval.*
- 4. The development shall adhere to the International Fire Code.*
- 5. The owner/developer shall contribute \$800 per unit to the Canton Affordable Housing Fund.*
- 6. Georgia Department of Transportation shall be responsible for the design and approval of the point of ingress/egress.*
- 7. No Land Disturbance Permit shall be issued until the ingress/egress point on Knox Bridge Highway has been reviewed, approved, and permitted by the Georgia Department of Transportation and a speed study has been conducted.*
- 8. The current residents will have the rent waived for the final sixty days of their lease. In addition, each resident shall have their deposits returned to them.*
- 9. The development shall be limited to a maximum of 286 residential units.*
- 10. The owner/developer shall provide an easement within the stream buffers for a possible expansion of the City of Canton trail system. This will consist of a*

minimum temporary 30-foot-wide construction easement and a 20-foot-wide permanent easement for the trail itself.

Mr. Peppers noted the contribution to the Canton Affordable Housing Fund would be given at the time of Building Permits. Councilmember Tolan made a motion to approve the application with the conditions as presented by staff with one additional condition. The additional condition would be that the speed limit be changed to 45 mph. Councilmember Wilson seconded the motion. City Attorney Bobby Dyer clarified that the condition would state that the project cannot move forward unless the speed limit is reduced and that would be in lieu of the condition regarding the speed study. Councilmember Tolan stated that is correct. Following a Roll Call vote, Council was tied with Councilmember Wilson, Councilmember Carlan, and Councilmember Tolan voting for the motion and Councilmember Waterman, Mayor Pro Tempore McGrew, and Councilmember Schmidt voting against the motion. Mayor Grant broke the tie voting against the motion. The motion failed. Councilmember Schmidt made a motion to deny the application based on speed and highway traffic. Councilmember Waterman seconded the motion. Following a Roll Call vote, Council was tied with Councilmember Wilson, Councilmember Carlan, and Councilmember Tolan voting against the motion, and Councilmember Waterman, Mayor Pro Tempore McGrew, and Councilmember Schmidt voting for the motion. Mayor Grant broke the tie voting for the motion. The motion to deny passed.

- B. Discussion and Possible Action to Award the Alum Pond Cleaning Project to Denali Water Solutions - Utility Engineer Dave Hatabian - Attachment 10B

Attachments: [Denali Water Solutions](#)

Utility Engineer Dave Hatabian stated the cost estimate is based on an estimated 450 tons. Mayor Pro Tempore McGrew asked how often the pond needs to be cleaned. Mr. Hatabian stated the last time it was cleaned was ten years ago and noted it can be placed on a maintenance schedule. Councilmember Wilson made a motion to approve. Councilmember Carlan seconded the motion, and it was approved unanimously.

- C. Discussion and Possible Action on Revised City of Canton Personnel Manual - Human Resources Director Lorrie Waters - Attachment 10C

Attachments: [Personnel Manual Update - September 2022](#)

Mayor Pro Tempore McGrew made a motion to approve the revised City of Canton personnel manual. Councilmember Waterman seconded the motion, and it was approved unanimously.

- D. Discussion and Possible Action on Alcohol Ordinance Amendment to Allow Sunday Sales in Private Clubs - City Attorney Bobby Dyer - Attachment 10D

Attachments: [Alcohol Ordinance Amendment](#)

Councilmember Carlan made a motion to approve. Councilmember Schmidt seconded the motion, and it was approved unanimously.

11. New Business

- A. Discussion to Award Task Order No. 6 to Black & Veatch for Design and Construction Administration Services for the New Brown Industrial Water Booster Pump Station - Utility Engineer Dave Hatabian - Attachment 11A

Attachments: [Black & Veatch - Task Order No. 6](#)

Mr. Hatabian stated this project was identified in the Master Plan that was completed in 2018. It will allow the City to provide more reliable water service to the east Canton area, service the Big Oak tank, and replace an old station on North Crisler Street. The proposed new water booster pump station will be similar to that which was done at Laurel Canyon last year. Councilmember Tolan asked if the North Crisler station will be demolished following completion of this project. Mr. Hatabian stated it will be decommissioned. Mayor Pro Tempore McGrew asked about the size and ownership of the land for the proposed station. Mr. Hatabian stated the City owns the approximately 0.5-acre property.

- B. Discussion of Practical Design Partners Task Order 2 for West Main Pedestrian Corridor Survey and Design Services in the Amount of \$126,815.00 - City Engineer Bethany Watson - Attachment 11B

Attachments: [Practical Design Partners Task Order 2](#)

City Engineer Bethany Watson stated the proposed task order would be for design services as well as construction management. Ms. Watson provided Council an estimated timeline for design, permitting, and construction. Ms. Watson noted utility relocation is the reason behind the length of the construction period.

Item 11C – Discussion and Possible Action to Approve the Terms and Acceptance of a Grant from the Appalachian Regional Commission

Mr. Peppers stated the City received an award for 30% funding for a pedestrian bridge in the amount of \$607,406. The estimate for the total project is a little over \$2 million. The Mayor is required to sign the statement of award which has been provided to Council for review. Staff is requesting that Council approve the acceptance of the award and allow the Mayor to sign on behalf of the City. The project will be funded out of Impact Fees, Special Purpose Local Option Sales Tax (SPLOST), and possibly some Tax Allocation District (TAD) funds. Councilmember Schmidt made a motion to approve accepting the award and authorize the Mayor to sign. Mayor Pro Tempore McGrew seconded the motion, and it was approved unanimously.

12. City Manager's Report

Mr. Peppers provided Council information on two upcoming public hearing cases to be presented on December 1st, an agenda item for the water line relocation on Highway 140 at Avery Road at the November 3rd meeting, and an update on sanitation services. Mr. Peppers discussed that the City does not have control of the roadway in from the of Mountain View subdivision and stated that the County should be involved with any traffic studies since they are on one side of the road.

13. Council Introduced Items

None.

14. Mayor's Report

None.

15. Adjourn

Councilmember Waterman made a motion to adjourn. Councilmember Wilson seconded the motion, and it was approved unanimously.

Bill Grant, Mayor

Attest:

Annie Fortner, City Clerk

Dates Minutes Approved by Council