

Canton, Georgia

*110 Academy Street
Canton, Georgia 30114*



Minutes - Final - Draft

Thursday, July 11, 2024

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 an invocation was given by Mayor Pro Tem Waterman.

2. Call to Order

The meeting was called to order by Mayor Grant.

Members Present:

- Mayor Bill Grant*
- Mayor Pro Tem Dwayne Waterman*
- Councilmember Farris Yawn*
- Councilmember Shawn Tolan*
- Councilmember Sandy McGrew*
- Councilmember Bryan Roach*
- Councilmember Travis Johnson*
- Mr. Billy Peppers, City Manager*
- Mr. Bobby Dyer, City Attorney*
- Mr. Nathan Ingram, Assistant City Manager*
- Ms. Melissa Forrester, Finance Director*
- Mr. Steve Green, Zoning Administrator*
- Mr. Ken Patton, Housing Initiatives Director*
- Ms. Bethany Watson, City Engineer*
- Ms. Brittany Anderson, City Planner*
- Mr. Kevin Turner, Community Development Director*
- Mr. Marty Ferrell, Police Chief*
- Ms. Kristin Norton Green, Theatre Events and Facilities Director*
- Ms. Lauren Johnson, Communications Manager*
- Mr. Mike Morgan, Information Technology Director*
- Ms. Annie Fortner, City Clerk*

Absent:

None

3. Consideration to Approve Agenda

*Mayor Pro Tem Waterman made a motion to approve the agenda.
Councilmember Tolan seconded the motion, and it was approved unanimously.*

4. Guests and Visitors

- A. Presentation of Cherokee County Fire & EMS Updates - Fire Chief Eddie Robinson - Attachment 4A

Attachments: [Cherokee County Fire & EMS Updates](#)

Fire Chief Eddie Robinson provided Council a presentation highlighting achievements such as celebrating 50 years as a department, receiving international accreditation through the Commission on Fire Accreditation International (CFAI) as well as national accreditation through the Committee on Accreditation for the EMS Profession (CoAEMSP), and numerous personnel accomplishments. Chief Robinson discussed how the department was reorganized during 2023 and spoke about the functions of Personnel Services, Field Operations, Support Services, and Community Risk Reduction. Chief Robinson announced that Cherokee County Fire and Emergency Services has maintained a 2/2Y Insurance Services Office (ISO) Public Protection Classification (PPC) rating and the future site of Fire Station 16 has been selected in downtown Canton.

5. Public Hearing

- A. Public Hearing of 2024 Millage Rate - Finance Director Melissa Forrester - Attachment 5A

Attachments: [2024 Millage Rate](#)

Finance Director Melissa Forrester provided a presentation on the millage rate which reviewed the importance of property taxes as a revenue source for the City, requirements for advertising, twenty-year history of the City's millage rate, current tax digest, history of County Fire Tax Rates, calculations for property taxes, upcoming public hearings, and timeline for adoption. Mayor Grant opened the public hearing and called for anyone wishing to speak. Mr. Thomas Weaver spoke discussing concern with the City's Senior Exemption, maintaining a low millage rate, and providing high level services. Mayor Grant closed the public hearing. Mayor Grant noted that Cherokee County is to adopt their millage rate at their upcoming meeting on July 16th. City Manager Billy Peppers stated the City will continue to provide updated information to the community and discussed a handout provided to Council which compares the millage rate of the County and all municipalities within the County. Council and staff discussed the four possible fire rates to be adopted by Cherokee County and how the City would make up the gap from any increase using another revenue source.

6. Consideration to Approve Minutes

- A. Council Meeting Draft Minutes - June 6, 2024 - Attachment 6A

Attachments: [Minutes - Council Meeting - June 6, 2024](#)

Councilmember Yawn made a motion to approve the minutes. Mayor Pro Tem Waterman seconded the motion, and it was approved unanimously.

7. Informational Items

- A. Information Only - MPA2404-010 - Request to Remove the Requirement of a Water Tank within the Laurel Canyon Development - Zoning Administrator Steve Green - Attachment 7A

Attachments: [MP2404-010 Documentation](#)

Zoning Administrator Steve Green stated the applicant seeks to remove the requirement placed in 2005 of a water tank to be constructed in Pod 2. The public hearing will be held on August 1st.

- B. Information Only - Annexation, Rezoning, Master Plan, and Conditional Use Permit Requests Submitted by Pearidge Land Investments LLC - Zoning Administrator Steve Green - Attachment 7B

Attachments: [Pearidge Land Investments LLC Documentation](#)

Mr. Green stated the applicant wishes to construct 196 single family detached units as well as 32 townhome units and have a 1.4-acre site for commercial retail space. The public hearing will be held on August 1st.

- C. Review of May Financials - Finance Director Melissa Forrester - Attachment 7C

Attachments: [May Financials](#)

Ms. Forrester stated there is a decline in the General Fund due to the annual renewal of property and liability insurance and the annual payment of the fire tax. Ms. Forrester discussed an increase in retirement payments. This is a good increase as it shows employees are participating in the City's retirement plan.

8. Other Announcements

Councilmember McGrew informed that Ms. Jacki Wickersham, Canton Tourism Board member, has passed away and offered sympathy and condolences to her family. Councilmember McGrew stated an appointment to that board will be made at an upcoming meeting.

9. Ten Minute Public Input

None.

10. Consent Agenda

None.

11. Old Business

- A. Discussion and Possible Action on Case MPA2404-001 - Master Plan Amendment Request to Add Residential as an Allowed Use in Riverstone Pod B and Variance Request to Reduce Required Buffer - Zoning Administrator Steve Green - Attachment 11A

Attachments: [MPA2404-001 Documentation](#)

Mr. Green stated the applicant requests to add residential as an allowed use within Pod B of the Riverstone development to construct four duplex buildings for a total of eight living units as well as requests reducing the 50-foot required buffer/setback line to 10 feet. Staff has recommended approval of this application with the following two conditions: 1) The owner/developer shall install an eight (8) foot tall screening fence adjacent to the RA-6 zoned properties; 2) The requested number of living units be reduced from eight (8) to six (6) to keep the development within the suggested dwelling units per acre as recommended by the City's Comprehensive Plan. Mayor Grant confirmed that there was no one to speak in opposition of this application at the public hearing or the community input meeting. Mr. Green stated that was correct. Mr. Green noted he does not believe the two additional units would have any negative impacts on the area. Councilmember Tolan asked if the setback and buffer reductions were due to the property being thin and unusable with those requirements. Mr. Green confirmed that to be true. Councilmember McGrew made a motion to approve the Master Plan Amendment with eight (8) living units and the one condition that the owner/developer shall install an eight (8) foot tall screening fence adjacent to the RA-6 zoned properties. Councilmember Roach seconded the motion, and it was approved unanimously.

12. New Business

- A. Discussion of Resolution to Establish a Standard Cable and Video Franchise Fee of 5% - Finance Director Melissa Forrester - Attachment 12A

Attachments: [Resolution for Cable Franchise Fee](#)

Ms. Forrester stated that the City is a participant of the Georgia Municipal Association's Telecommunications & Right of Way Management program. The advisor is auditing cable and telephone franchise fee payments and contracts and recommends passing a resolution to establish a standard cable franchise fee rate of 5% within the City for future and existing service providers. Ms. Forrester stated the City has been operating with a franchise agreement solely with Comcast which has recently expired and is automatically renewing on a month-to-month basis.

- B. Discussion of Request for an Appeal Hearing by the Canton City Council for the Denials of Variance Applications by the Board of Appeals - Zoning Administrator Steve Green - Attachment 12B

Attachments: [Request for Appeal - Hospital Road](#)

Mr. Green stated the developer of the townhome project on Hospital Road submitted five variances to the Board of Appeals. All the variance requests were denied. Mr. Green stated the applicant is appealing two of the denied variance requests: 1) Request to reduce the required buffer from 50 feet to 10 feet; 2) Request to reduce the required setback along the external property lines from 50 feet to 10 feet. Mr. Green noted that the City's Unified Development Code requires the applicant to first petition the Mayor and City Council to hear an appeal of the denials. If the Mayor and Council decides to hear the appeal, a public hearing will be scheduled. If the Mayor and Council decides not to hear the appeal, the applicant then can take their appeal to the Superior Court of Cherokee County. Councilmember Roach made a motion to hear the two variance appeal requests for the buffer and setback reduction. Councilmember Tolan seconded the motion, and it was approved unanimously.

- C. Discussion of Request for Right-of-Way and Alleyway Abandonment along Teasley Street and Short Tanyard Street - Zoning Administrator Steve Green - Attachment 12C

Attachments: [Alleyway Abandonment Request](#)

Mr. Green stated the requester has submitted a request for the abandonment of two alleyways and one right-of-way. Mr. Green discussed the location of the alleyways and right-of-way. Abutting property owners have been notified and Mr. Green stated he has received one phone call in opposition to the request. City Attorney Bobby Dyer stated upon further review one of the alleyways has already been abandoned by the City. Mayor Grant asked that the information be clarified for the next meeting as to which alleyway has already been abandoned and what is still being requested.

- D. Discussion of the Award of Task Order 6 Addendum 1 for Supplemental Services for Brown Industrial Booster Pump and Waterline to Black & Veatch in the Amount of \$39,716.00 - City Engineer Bethany Watson - Attachment 12D

Attachments: [Black & Veatch Task Order 6 Addendum 1](#)

Agenda Items 12D and 12E were discussed together. City Engineer Bethany Watson discussed the original Task Orders and noted that due to unforeseen issues with a water main that runs under I-575, addendums are necessary for additional designs and permitting.

- E. Discussion of the Award of the Task Order 9 Addendum 1 for Supplemental Services for SR 20/I-575 Water Main Replacement to Black & Veatch in the Amount of \$27,103.00 - City Engineer Bethany Watson - Attachment 12E

Attachments: [Black & Veatch Task Order 9 Addendum 1](#)

See item 12D.

- F. Discussion of the Proposal to Provide Wall Foundation Investigation for the River Mill Pedestrian Bridge at The Mill on Etowah from Heath & Lineback in the Amount of \$26,200.00 - City Engineer Bethany Watson - Attachment 12F

Attachments: [Heath & Lineback Proposal](#)

Ms. Watson stated the City is moving forward with Alternate 1 for the River Mill Pedestrian Bridge as approved by Council. Ms. Watson stated as part of this project a soil nail wall is included. A Wall Foundation Investigation (WFI) needs to be performed by the City's geotechnical subconsultant.

- G. Discussion of the Award of Task Order 7 for Reinhardt College Parkway Utility Relocation SR 5 Connector at Highway 140 Intersection Improvement Project to Keck & Wood in the Amount of \$43,750.00 - City Engineer Bethany Watson - Attachment 12G

Attachments: [Keck & Wood Task Order 7](#)

Ms. Watson discussed that this project is for the roundabout at Reinhardt College Parkway and Highway 140. The City's utilities seem to conflict with the plans. Ms. Watson stated this Task Order would include the design and relocation of the City's utilities.

- H. Discussion and Possible Action on a Quitclaim Deed at 142 Reinhardt College Parkway to Signet Clinical, LLC - City Attorney Bobby Dyer - Attachment 12H

Attachments: [Reinhardt College Parkway Quitclaim Deed](#)

Mr. Dyer discussed that as part of the redevelopment of property in the Riverstone Master Plan, the City abandoned certain aging utility infrastructure and easements. As the properties are being sold, the buyers are requesting Quitclaim Deeds for those areas from the City. Mr. Dyer stated the City has completed this process several times. Signet Clinical, LLC is seeking to build at 142 Reinhardt College Parkway and needs the Quitclaim to complete the purchase. Councilmember Johnson made a motion to approve the Quitclaim Deed for 142 Reinhardt College Parkway to Signet Clinical, LLC. Councilmember Yawn seconded the motion, and it was approved unanimously.

- I. Discussion of Intergovernmental Agreement with Cherokee County for Maintenance of Technology Ridge Parkway Phase I - Assistant City Manager Nathan Ingram - Attachment 12I

Attachments: [IGA for Technology Ridge Parkway](#)

Assistant City Manager Nathan Ingram stated that Cherokee County recently completed Technology Ridge Parkway. Cherokee County wishes to enter into an Intergovernmental Agreement (IGA) for City maintenance of that roadway. Mr. Ingram noted that under the IGA, the City would be responsible for maintaining all rights-of-way, including the sidewalks, trails, curb, gutter, drainage pond and roadway. The City will also handle all permitting along the roadway for future curb cuts.

- J. Discussion of Request by Northside Hospital Cherokee for City Contributions to the Construction of a New Traffic Signal at the Hospital - Assistant City Manager Nathan Ingram - Attachment 12J

Attachments: [NHC Request for Traffic Signal Funding Assistance](#)

Mr. Ingram discussed that Northside Hospital Cherokee (NHC) is planning to construct a second entrance to the hospital campus along Northside Cherokee Boulevard south of the current entrance. Mr. Ingram stated NHC anticipates the cost to signalize the intersection to be \$600,000 or less and is requesting the City contribute one-third of the cost (not to exceed \$200,000) upon completion of the work. Mr. Ingram noted that the Cherokee County Board of Commissioners have already committed one-third of the cost (not to exceed \$200,000) upon completion of the work.

- K. Discussion and Possible Action to Dispose of Property Located at Short Drive and Accept the Purchase and Sales Agreement from Generations Church of God, Inc. in the Amount of \$5,969.00 - Assistant City Manager Nathan Ingram - Attachment 12K

Attachments: [Short Drive Property](#)

Mr. Ingram stated the City owns a very small piece of property located on Short Drive which is off Old Vandiver Road near Ball Ground Highway. Mr. Ingram noted the site does not include any infrastructure and is no longer in the City's water and sewer service area. The property is surrounded by a parcel of land totaling 40 acres owned by Generations Church of God, Inc. Mr. Ingram stated the adjacent property owner approached the City a year ago about selling it the City's lot. At that time, it was determined through the City Attorney that the options for disposal would be a public bid or the adjacent owner could purchase the property for a fair market price. Mr. Ingram informed that the adjacent owner has their property under contract for sale and the offer for its acreage was prorated based upon the .15 acres owned by the City for a fair market price of \$5,969.00. Mr. Ingram stated the adjacent property owner is hoping to close on their property soon which is why action is requested now. Mayor Pro Tem Waterman made a motion to approve the disposal of the property located on Short Drive and accept the Purchase and Sale Agreement from Generations Church God, Inc. in the amount of \$5,969.00. Councilmember Johnson seconded the motion, and it was approved unanimously.

13. City Manager's Report

Mr. Peppers discussed the recent Georgia Municipal Association's Annual Convention and provided updates on City projects including paving and demolition of the old Tippens School site. Mr. Peppers spoke about the 4th of July and First Friday events, giving special thanks to the Public Works Department, Police Department, and Downtown Development Manager Velinda Hardy for all their hard work. Mr. Peppers also thanked City Planner Brittany Anderson, Community Development Director Kevin Turner, and Communications Manager Lauren Johnson for their efforts to complete the Historic District Residential Design Guidelines. Mr. Peppers recognized Court Services Representative Amy Lutz as being named the Team Member of the Month for June.

14. Council Introduced Items

None.

15. Mayor's Report

Mayor Grant congratulated Ms. Amy Lutz as being recognized as Team Member of the Month for June and seconded the praise of Team Canton for their efforts during the holiday festivities. Mayor Grant also thanked the Historic Preservation Commission members for their hard work on the Historic District Residential Design Guidelines.

16. Adjourn

Mayor Pro Tem Waterman made a motion to adjourn. Councilmember Johnson seconded the motion, and it was approved unanimously.

Bill Grant, Mayor

Attest:

Annie Fortner, City Clerk

Dates Minutes Approved by Council