Canton, Georgia

110 Academy Street
Canton, Georgia 30114

Minutes - Final - Final

Thursday, May 20, 2021

6:00 PM

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 Bishop Gearing.

2. Call to Order

The meeting was called to order by Mayor Grant.

Members Present:
Mayor Bill Grant
Mayor Pro Tempore JoEllen Wilson
Councilmember Shawn Tolan
Councilmember Brooke Schmidt
Councilmember Sandy McGrew
Councilmember Will Carlan
Councilmember Nick Estes
Mr. Billy Peppers, City Manager
Mr. Nathan Ingram, Assistant City Manager
Mr. Bobby Dyer, City Attorney
Mr. Stephen Merrifield, Police Chief
Mr. Dave Hatabian, Utility Engineer
Mr. Ken Patton, Community Development Director
Ms. Melissa Forrester, Finance Director
Mr. Mike Morgan, Information Technology Director
Ms. Annie Fortner, City Clerk

Absent:
None

3. Consideration to Approve Agenda

City Attorney Bobby Dyer stated Public Hearing Item 5A needs to be removed as the matter has been resolved. The suspension was reduced to ten (10) days, so the appeal has been withdrawn. City Manager Billy Peppers requested an item be added under Old Business (Item 11E) for discussion and possible action on authorizing the Mayor to execute an Intergovernmental Agreement resolving Service Delivery Strategy and to sign Form 2s as required by the Georgia Department of Community Affairs. Mr. Peppers also requested an Executive Session be added to discuss litigation and real estate. Mayor Grant requested an item be added under New Business (Item 12A) for discussion and possible action to approve the City Manager's contract as presented and authorize the Mayor to sign. Councilmember Tolan made a motion to approve the agenda as amended. Councilmember Estes seconded the motion, and it was approved unanimously.

4. Guests and Visitors

Mayor Grant read and presented a Proclamation for National Gun Violence Awareness to Tracie Hall, Community Outreach Lead for Cherokee County Moms Demand Action and Maggie Zwettler, Georgia State Be Smart Lead.

5. Public Hearing

A. Appeal of Alcohol License Suspension - Perrotta's Pizza - Attachment 5A

Attachments: Alcohol Suspension Documentation

This item was removed from the agenda.

6. Consideration to Approve Minutes

A. Council Public Art Mini Retreat - April 2, 2021 - Attachment 6A

Attachments: Minutes - Council Public Art Mini Retreat - April 2, 2021

B. Council Retreat Draft Minutes - April 25-27, 2021 - Attachment 6B

Attachments: Minutes - Council Retreat - April 25-27, 2021

C. Council Meeting Draft Minutes - May 6, 2021 - Attachment 6C

Attachments: Minutes - Council Meeting - May 6, 2021

Mayor Pro Tempore Wilson made a motion to approve the minutes. Councilmember Schmidt seconded the motion, and it was approved unanimously.

7. Informational Items

A. April 2021 Uniform Crime Report (UCR) - Police Chief Stephen Merrifield - Attachment 7A

Attachments: April UCR

Police Chief Stephen Merrifield presented Council the April report. Chief Merrifield noted that April of 2020 was the start of lockdowns which is reflected in the comparison numbers.

8. Other Announcements

None.

9. Ten Minute Public Input

Mr. Thomas Weaver requested further amendments be made to the Charter in Section 1.14 (37). The request is to change the word "use" to "discharge".

10. Consent Agenda

A. Approval of a Resolution to Authorize Check Signers for the City of Canton Bank Accounts - Assistant City Manager Nathan Ingram - Attachment 10A

Attachments: Check Signing Authorization

B. Approval to Renew the Demand Services Agreement with Atkins North America - Utility Engineer Dave Hatabian - Attachment 10B

Attachments: Atkins Demand Services Agreement

C. Approval of Canton Roadmap for Success Updates from April 25-27 Retreat - City Manager Billy Peppers - Attachment 10C

Attachments: Canton Roadmap Overview

Mayor Grant read the items on the Consent Agenda. Councilmember Carlan made a motion to approve the Consent Agenda. Councilmember Estes seconded the motion, and it was approved unanimously.

11. Old Business

A. Presentation from KB Advisory Group of Tax Allocation District - City Manager Billy Peppers - Attachment 11A

Attachments: TAD Presentation

Senior Vice President of KB Advisory Group, Gary Mongeon, gave the presentation. Mr. Mongeon stated the subject area clearly qualifies as a "Redevelopment Area". Mr. Mongeon discussed the existing properties within the area and stated these would support a significant amount of growth over time. Nine project sites were identified in the study which could provide for around 1,300 housing units and 145,000 square feet of commercial space. The total taxable full value of these projects estimates around $275 million once built out. Mr. Mongeon reviewed how a Tax Allocation District (TAD) functions, the criteria for designating a redevelopment area, and eligible redevelopment costs. Existing land uses of the study area were reviewed and compared to potential development opportunities. Mr. Mongeon discussed potential revenue from the TAD which could reach over $79 million. Mr. Mongeon presented additional boundary options and reviewed the next steps for continuing with the TAD. Councilmember Estes asked about including parks within the TAD. Mr. Mongeon stated that it would allow for flexibility within the district. Councilmember Estes asked about Cherokee County and school board approval. Mr. Mongeon stated the preference would be for their approval to be retroactive to Council's approval date. Mr. Mongeon discussed that the redevelopment area map can be adjusted at any time during the draft phase. Mayor Grant stated the expanded map is the area that was discussed during Council's last retreat.

B. Discussion and Possible Action to Award a Task Order Contract to Black & Veatch for Water Treatment Plant Improvements - Utility Engineer Dave Hatabian - Attachment 11B

Attachments: Water Treatment Plan Improvements

Councilmember Estes made a motion to approve awarding a Task Order Contract to Black & Veatch for water treatment plant improvements. Councilmember Tolan seconded the motion, and it was approved unanimously.

C. Discussion of Charter Review Committee's Proposed Changes - City Attorney Bobby Dyer - Attachment 11C

Attachments: Proposed Charter Changes

Mr. Dyer stated the changes requested at the last meeting have been made. Mr. Dyer explained the process for approval of the Charter amendments. The City must advertise three (3) times within sixty (60) days of adoption and the amendments must be voted on by Council at two (2) consecutive meetings. Mr. Dyer addressed Mr. Weaver's request to change "use" to "discharge" stating he does not have a problem with that amendment. Mr. Dyer stated he will place the proposed changes in the form of an ordinance and prepare advertisements.

D. Discussion and Possible Action on Request from Canton Housing Authority on Potential Project - Attachment 11D

Attachments: CHA Request

Mr. Peppers stated the Canton Housing Authority has requested a Resolution of Support for the project from the City as well as consideration for a loan agreement. The loan would only be guaranteed by the City if the application submitted by the Authority is approved by the state. The loan would be paid back to the City over a period of time. Mayor Grant asked about the difference between hard and soft costs. Mr. Dyer stated hard costs are associated with actual construction while soft costs deal with licenses, permitting, and design fees. Councilmember Estes asked about the number of units to be provided within the project. Mr. Peppers stated the number of units has been reduced as was the amount of contribution requested. Mr. Peppers discussed the loan from the City is an eligible expense of the American Rescue Plan Act funding. Councilmember Tolan asked about when the funds would be repaid. Mr. Peppers stated that is not known yet. Councilmember Tolan made a motion to approve the Resolution of Support and loan commitment and authorize the Mayor to sign. Councilmember Carlan seconded the motion, and it was approved unanimously.

Item 11E - Discussion and Possible Action on Authorizing the Mayor to Execute an Intergovernmental Agreement Resolving Service Delivery Strategy and to Sign Form 2s as Required by the Georgia Department of Community Affairs

Mr. Peppers encouraged Council to adopt the draft Intergovernmental Agreement as well as the accompanying Forms 2s and authorize the Mayor to sign. Mayor Pro Tempore Wilson made a motion to approve the Intergovernmental Agreement and Form 2s and authorize the Mayor to sign. Councilmember McGrew seconded the motion, and it was approved unanimously.

12. New Business

Item 12A - Discussion and Possible Action to Approve the City Manager's Contract as Presented and Authorize the Mayor to Sign

Councilmember Carlan made a motion to approve the City Manager's contract as presented and authorized the Mayor to sign. Councilmember Schmidt seconded the motion. Councilmember Estes asked if a market rate study was completed and about the average salary for the position. Assistant City Manager Nathan Ingram stated a market rate study of various cities and counties within the north Georgia area was completed and the average salary is around $171,000. Councilmember Estes asked for an explanation of the proposed salary as presented. Mr. Ingram stated it is the desire of Council to reach the average salary over the course of three (3) years. Councilmember Estes expressed his wish to see the City Manager up to the current market rate. The motion passed. Councilmember Estes voted against the motion.

13. City Manager's Report

Mr. Peppers stated he provided Council a memorandum on the American Rescue Plan Act. This will be discussed further as part of the budget process.

The Downtown Development Authority received five (5) qualification packages for the Jones Building. A Request for Proposals (RFP) was presented today with those being due by July 6th.

Community Development staff has received a request from a developer of an approved multifamily apartment complex project in the Marietta Road area. The request is to develop fee simple townhomes instead of apartments. Staff is requesting direction from Council as to whether the developer must go back through the public hearing process to amend their Conditional Use Permit or if this can be done administratively with Council approval at the next meeting. After discussion, Councilmember McGrew made a motion to require the applicant to go back through the Conditional Use Permit public hearing process and waive the application fee but require payment of the advertising fee. Mayor Pro Tempore Wilson seconded the motion. The motion passed. Councilmember Carlan voted against the motion.

Mr. Peppers provided Council an update of outcomes following a meeting held by staff of JW Collections and surrounding residents of River Green Pod 4. JW Collections will be submitting a new landscape plan and an as-built survey will be completed. These items are scheduled to be completed by June 2nd.

Mayor Pro Tempore Wilson asked if the gentleman's concerns about Riverdale Circle from the last meeting have been addressed. Mr. Peppers stated Public Works attempted to sweep the streets however several cars were parked along the road preventing them from completing. Public Works has provided notices in English and Spanish informing residents of when they plan on sweeping the streets so that cars can be moved.

14. Council Introduced Items

None.

15. Mayor's Report

Mayor Appointments

A. Canton Building Authority Citizen Appointments

Mayor Grant nominated Mr. Harold Swindell to be reappointed to the Canton Building Authority. Mayor Grant also nominated Ms. Pat Tanner to serve on the Authority. Councilmember Estes seconded the nominations, and they were approved unanimously.

B. Main Street Appointment

Mayor Grant nominated Mr. Jack Tuszynski to be reappointed to the Canton Main Street Board. Councilmember Schmidt seconded the nomination, and it was approved unanimously.

Mayor and Council Appointments

A. Cultural Arts Commission Appointments

Mayor Grant read the appointments to the Cultural Arts Commission as follows:
Elaine Frederico (nominated by Councilmember McGrew)
Bryan White (nominated by Mayor Pro Tempore Wilson)
Jamie Foreman (nominated by Councilmember Carlan)
Rob Walker-Bunda (nominated by Councilmember Tolan)
Theresa Shampine (nominated by Councilmember Estes)
Haley Whyte (nominated by Councilmember Schmidt)
Amy Kesler (nominated by Mayor Grant)
Councilmember Estes made a motion to approve the appointments. Councilmember Tolan seconded the motion, and it was approved unanimously.

B. Tourism Board Appointments

Mayor Grant read the appointments to the Tourism Board as follows:
Michelle Law Peterson (nominated by Councilmember McGrew)
Teresa Ramsey (nominated by Mayor Pro Tempore Wilson)
Sabrina Kaylor (nominated by Councilmember Carlan)
Danielle Kitchen (nominated by Councilmember Tolan)
Amy Wright (nominated by Councilmember Estes)
Phil Hardwick (nominated by Councilmember Schmidt)
Micki Farley (nominated by Mayor Grant)
Councilmember Schmidt made a motion to approve the appointments. Mayor Pro Tempore Wilson seconded the motion, and it was approved unanimously.

16. Adjourn

Mayor Pro Tempore Wilson made a motion to adjourn to Executive Session to discuss litigation and real estate. Councilmember Estes seconded the motion, and it was approved unanimously.

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Bill Grant, Mayor

Attest:

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Annie Fortner, City Clerk

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Dates Minutes Approved by Council