

Canton, Georgia

*110 Academy Street
Canton, Georgia 30114*



Minutes - Final - Final

Thursday, November 3, 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 Pastor Sherri McRae of Overcome Church.

2. Call to Order

The meeting was called to order by Mayor Grant.

Members Present:

*Mayor Bill Grant
Mayor Pro Tempore Sandy McGrew
Councilmember Will Carlan
Councilmember Shawn Tolan
Councilmember Brooke Schmidt
Councilmember JoEllen Wilson
Councilmember Dwayne Waterman
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
Mr. Mike Morgan, Information Technology Director*

Council Absent:

None

3. Consideration to Approve Agenda

City Manager Billy Peppers requested to add an Executive Session to discuss litigation and real estate. Councilmember Tolan made a motion to approve the agenda as amended. Councilmember Waterman seconded the motion, and it was approved unanimously.

4. Guests and Visitors**A. HGOR Presentation of Etowah River Analysis and Plant Schedules**

Steve Sanchez overviewed the Etowah River Analysis discussing existing conditions, current conditions of vegetation, and opportunities for viewsheds. Mr. Sanchez also reviewed the City's current plant schedules and provided recommendations for changes. Councilmember Wilson asked about kudzu along the river. Mr. Sanchez stated he was surprised to not see much kudzu. Councilmember Wilson asked if any mulberries were found. Mr. Sanchez stated he did not see a lot of mulberries.

5. Public Hearings**A. Public Hearing and Discussion of 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 5A

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

Zoning Administrator Steve Green introduced the case and provided Council with the application details. Mr. Green noted the property is currently zoned R-40 in Cherokee County. The applicant seeks to annex into the city with GC (General Commercial) zoning. The intended use is vehicle inventory storage. Cherokee County objects to the applicant's variance request to reduce the adjacent property buffer from fifty feet to ten feet and recommends Council consider a thirty-five-foot buffer to be densely plated with a screening fence. The applicant also requests variances to reduce the parking space width and to eliminate the required landscape islands. Mayor Grant opened the public hearing and asked for the applicant to present. Brian Kay with Atwell represented the applicant. Mr. Kay stated that space is needed for safe and secure storage of inventory. Mr. Kay discussed the topography of the proposed site location and noted the request for reduction in buffers is due to wall construction. Mr. Kay stated the applicant intends to keep the parking lot lighting low and informed the proposed lot will contain 104 spaces. Mr. Kay stated stormwater requirements will be met. Mr. Kay noted the request to eliminate tree islands is due to the use being for storage only. Mayor Grant asked for any wishing to speak in opposition to the applications. Roy Taylor spoke in opposition discussing concern for the number of trees to be removed and if tree replacement would occur. Mr. Kay spoke in rebuttal stating the applicant initially requested a buffer reduction along I-575 but that request has recently been removed. Mr. Kay stated the applicant will work with staff to meet City codes regarding trees. Mayor Grant closed the public hearing and opened the discussion to Council. Mayor Pro Tempore McGrew asked if the lighting within the lot could be placed downwards as to not impact migrating birds, if there will be nighttime deliveries, and if there will be a tree inventory. Mr. Green stated if approved, the Land Disturbance Permit requires a tree survey. Mayor Pro Tempore McGrew asked about recompense. Mr. Green stated recompense is required for specimen trees. Mayor Pro Tempore McGrew discussed the applicant recompensing for the removed tree islands to be used elsewhere in the City. Mr. Green discussed the City's Tree Fund. Councilmember Schmidt asked if the applicant will no longer park in grassy areas as they do now. Councilmember Wilson asked if the project could continue with a thirty-five-foot buffer as requested by the County. Councilmember Waterman asked about the total number of parking spaces for the dealership overall and if the proposed inventory storage will only be for this dealership. Councilmember Carlan asked about the location of the buffer reduction request. Mayor Grant noted the County's standard buffer is fifty feet.

- B. Public Hearing and Discussion of the Annual Update to the Capital Improvements Plan and 5 Year Short Term Work Plan for Impact Fees - Housing Initiatives Director Ken Patton - Attachment 5B

Attachments: [Annual Update to Capital Improvements Plan and 5 Year STWP](#)

Housing Initiatives Director Ken Patton provided an overview of the Capital Improvements Element (CIE) and 5 Year Short Term Work Plan process. Mr. Patton noted a new project has been recommended at the Marietta Road and Hickory Flat Highway intersection for a roundabout. A corrected version of the CIE will be provided to Council ahead of the next meeting. Mayor Grant opened

the public hearing and called for anyone wishing to speak in support or in opposition. There being none, Mayor Grant closed the public hearing and opened discussion to Council. Councilmember Carlan asked about Burge Park. Mr. Peppers discussed a potential Canton Housing Authority project at Jefferson Circle and the creation of a new park along with that project. If that project moves forward, that park could be included in the CIE next year. Mayor Grant asked about a dog park. Mr. Peppers noted there is an upcoming SPLOST referendum which will be determined before the next meeting. Mr. Patton stated a dog park on its own may not be eligible for Impact Fees. Councilmember Wilson asked about the location of the proposed roundabout. Mr. Patton stated it is at the T intersection with the Chevron gas station. Mayor Pro Tempore McGrew asked if Georgia Department of Transportation (GDOT) would be involved with the roundabout. Mr. Patton stated he does not believe that section of Hickory Flat Highway is state right-of-way.

6. Consideration to Approve Minutes

- A. Council Meeting Draft Minutes - October 20, 2022 - Attachment 6A

Attachments: [Minutes - Council Meeting - October 20, 2022](#)

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

7. Informational Items

- A. Information Only - Case ZCA2210-004 - Request to Amend the Current Zoning Conditions for 39.98 Acres of the Park Village Development - Zoning Administrator Steve Green - Attachment 7A

Attachments: [ZCA2210-004 Documentation](#)

Mr. Green provided Council an overview of the submitted application. Mr. Green stated the property is owned by Cherokee County. They request the allowance of industrial, office, and commercial uses. The public hearing for this case will be held in December.

- B. Information Only - Cases RZON2209-006 and CUP2209-007 - Request to Rezone and Obtain Conditional Use Approval for 12, 50, and 70 Marietta Circle - Zoning Administrator Steve Green - Attachment 7B

Attachments: [RZON2209-006 & CUP2209-007 Documentation](#)

Mr. Green stated the applicant has amended their application. The applicant is now requesting the property be zoned from O-RT and RA-6 to RA-8. The applicant also seeks variances to required buffers and to exceed the maximum allowed parking spaces. The public hearing for these cases will be held in December.

- C. Review of September Financials - Attachment 7C

Attachments: [September Financials](#)

No comments.

8. Other Announcements

Councilmember Tolan discussed the GICH program stating it is a collaboration between Georgia Power, Department of Community Affairs, and Georgia Municipal Association which is a three-year mentoring program. Councilmember Tolan discussed recent training in Tifton and noted a new stakeholder group will be meeting soon. Mr. Patton stated he is excited to learn more from upcoming presentations and discussed programs being used in other municipalities.

9. Ten Minute Public Input

Mr. Thomas Weaver requested Council act on Item 12C.

10. Consent Agenda

- A. Approval of 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 10A

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

- B. Approval of Contract with KAM Contracting to Relocate a Water Line on SR 140 at Avery Road - Utility Engineer Dave Hatabian - Attachment 10B

Attachments: [SR 140 Water Line Relocation](#)

- C. Approval 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 10C

Attachments: [PDP Task Order 2](#)

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

11. Old Business

None.

12. New Business

- A. Discussion of Recommendation to Award Towing Services Contract to Mauldin Body Shop, Inc. - Assistant City Manager Nathan Ingram - Attachment 12A

Attachments: [Towing Services](#)

Assistant City Manager Nathan Ingram stated a Request for Proposals (RFP) was issued this past April with no submissions. A new RFP was issued in August and two proposals were received. After review of the two proposals, staff unanimously recommends Mauldin Body Shop, Inc. Mr. Ingram stated a copy of the contract will be presented to Council prior to the next meeting.

B. Discussion of 2023 Council Meeting Calendar Dates - Attachment 12B

Attachments: [2023 Council Meeting Calendar](#)

Mr. Peppers informed that adoption of the meeting calendar will assist with the public hearing dates for zoning cases. Mr. Peppers stated the proposed dates do not fall on any holidays but noted the second meeting in September will be during Cherokee County's school fall break.

C. Discussion and Possible Action on Request by Cherokee County School District to Remove 8 Glenwood Street (Former North Canton Elementary School) from the School Safety Zone Map - City Manager Billy Peppers - Attachment 12C

Attachments: [Cherokee County School District Request](#)

City Attorney Bobby Dyer provided an overview of the state statute for the school safety zone map. Mr. Dyer noted if approved, this site would be removed from the map. Mayor Pro Tempore McGrew noted the building is currently empty and asked who has ownership. Mr. Dyer stated the county owns it. Mayor Pro Tempore McGrew made a motion to remove the former North Canton Elementary School located at 8 Glenwood Street from the school safety zone map. Councilmember Wilson seconded the motion, and it was approved unanimously.

13. City Manager's Report

Mr. Peppers stated a Senior Education Symposium will be held at City Hall on November 16th. There will be a morning and afternoon session. Elections will also be held at City Hall on Tuesday, November 8th. Mr. Peppers stated Cherokee County completed a traffic signal warrant study in April of this year in the Mountain View subdivision area. The study did not show a warrant for a signal at that location. Mr. Peppers stated a copy of the study could be provided to the residents of Mountain View.

14. Council Introduced Items

None.

15. Mayor's Report

Mayor Grant noted History Cherokee will have their public opening on Saturday, November 5th.

16. Adjourn

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

Bill Grant, Mayor

Attest:

Annie Fortner, City Clerk

Dates Minutes Approved by Council