

Canton, Georgia

*110 Academy Street
Canton, Georgia 30114*



Minutes - Final - Final

Thursday, February 4, 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 Councilmember Estes.

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 Nick Estes
Councilmember Brooke Schmidt (Virtually)
Councilmember Sandy McGrew
Councilmember Will Carlan
Mr. Billy Peppers, City Manager
Mr. Bobby Dyer, City Attorney
Mr. Ken Patton, Community Development Director
Mr. Stephen Merrifield, Police Chief
Mr. Dave Hatabian, Utility Engineer
Mr. Mike Morgan, Information Technology Director
Ms. Annie Fortner, City Clerk*

Absent:

None

3. Consideration to Approve Agenda

Councilmember Tolan requested an item be added to Council Introduced Items to discuss appointing a committee to analyze blight in the City. Councilmember Estes made a motion to approve the agenda as amended. Mayor Pro Tempore Wilson seconded the motion, and it was approved unanimously.

4. Guests and Visitors

None.

5. Public Hearings

- A.** Public Hearing and Discussion on Request to Create a Personal Transportation Vehicle District at River Green - Community Development Director Ken Patton - Attachment 5A

Attachments: [River Green PTVD Documents](#)

Community Development Director Ken Patton introduced the public hearing and provided Council the application details. Mr. Patton stated Council has been given emails that were received during the 30-day public comment period. City Manager Billy Peppers provided the procedures for the public hearing. A

five-minute presentation from the applicant will be given followed by a ten-minute public comment period. Each speaker during the public comment period will be allowed to speak for up to two minutes. Mayor Grant opened the public hearing and asked the applicant to come forward to present. Richard Palmer, Homeowner Association President of River Green, presented the application. Mr. Palmer provided Council a handout and discussed survey questions presented to the residents within River Green and their answers, how rules within the ordinance will assist in enforcement, and benefits of having a Personal Transportation Vehicle District. There being no one else wishing to speak, Mayor Grant closed the public hearing. Councilmember McGrew asked how residents will be educated about the district and if fines will be levied. Mr. Palmer stated the HOA will educate residents through email, social media, signs, and welcome packets. It is the intention of the HOA to issue fines. Councilmember McGrew discussed enforcement and noted it would be up to the residents to call when they see any violations. Mayor Pro Tempore Wilson asked about noise complaints. City Attorney Bobby Dyer stated those complaints would be handled through Code Enforcement. The Police Department would be responsible for traffic laws. Police Chief Merrifield stated that current calls for service within the area regarding golf carts are low. The ordinance makes enforcement easier for officers to follow. It would be incumbent on the residents to call the Police Department when violations occur. Mr. Patton noted some eligible streets within River Green were not included in the proposed district. Three sections were excluded. Councilmember Schmidt stated those sections belong to sub-associations and had asked to be excluded. Councilmember McGrew asked if those sections could come before Council later and asked to be included within the district. Mr. Patton stated yes. Councilmember McGrew asked if signage would be needed in the areas where golf carts are not allowed. Mr. Patton stated that would be his suggestion. Councilmember Tolan discussed possibly having a Saturday event to promote education regarding the district as well as an opportunity to have golf carts inspected by staff. Mayor Grant asked about the procedure for including the three sections left out of the current proposed district. Mr. Patton stated those sections could submit their own application or the River Green HOA could submit to revise their district. Either way a public hearing would take place. Councilmember Carlan asked if each golf cart will go through a registration process and receive an individual sticker/decals. Mr. Patton stated yes. Mr. Peppers stated the City reached out to Peachtree City to discuss their registration process. Mr. Peppers noted each golf cart will receive a tag with an individual number as well as a colored sticker indicating the year of issuance since the ordinance calls for an annual renewal. Chief Merrifield stated the issue of golf cart violations is on the radar of the Police Department due to the number of emails and concerns. Councilmember Schmidt asked if there were any issues excluding streets from the proposed district. Chief Merrifield stated it would be a little more difficult for officers and citizens at first, but that can be addressed through continued education. Mayor Grant asked about covering the cost of decals, signage, training, and staff. Mr. Peppers stated there is a registration fee. Over time it should fund itself. Costs for installing signs should be a one-time occurrence. Councilmember Carlan asked about the process for removing a district. Mr. Dyer stated the process would be the same with a public hearing.

- B. Public Hearing and Discussion of Case MPA2101-008 - Master Plan Amendment to Add Additional Land Uses in Specific Pods (Tracts) for The Bluffs - Community Development Director Ken Patton - Attachment 5B

Attachments: [MPA2101-008 Documents](#)

Mr. Patton introduced the case and provided Council the application details. The expanded uses would include but are not limited to entertainment venues, outdoor recreation, hotel/motel, parking areas, and warehouse uses. These additional uses would help make the property more marketable. Mr. Patton stated the City initiated the application with support from the landowner. Mayor Grant opened the public hearing. Mr. Peppers stated the application places a Conditional Use Permit process for any residential uses. Mayor Grant called for anyone wishing to speak in support of or in opposition to the application. Anthony Vilardi spoke about his concern with commercial buildings and their height. Mr. Vilardi asked how he could receive information and why the need for commercial development in the area. Mayor Grant closed the public hearing. Mr. Patton stated the original approval of The Bluffs occurred around 2002. That approval contained commercial, office, technology, industrial, and residential uses. The original approval did allow for commercial buildings to be up to ten stories. The submitted application requests that additional uses be added. Mayor Grant noted the original uses were approved by a prior Council and the matter at hand is to allow additional uses. Mr. Patton listed the staff recommended conditions as follows: 1) any residential use must apply for and receive a Conditional Use Permit; 2) Any non-substantial change may be approved by the City Manager or his designee; 3) Any proposed hotel/motel must apply for and receive a Conditional Use Permit; 4) Any new or innovative use that may be requested and is deemed to be of like nature to existing uses may be approved by the City Manager or his designee. Mayor Grant discussed The Bluffs as originally being envisioned as a technology park. Adding these new uses will help decrease the chance of large commercial buildings being constructed. Councilmember Estes asked about the City being the applicant. Mr. Patton explained that the City can initiate any type of zoning action that they see fit and instruct staff to move forward with an application. Councilmember Estes stated that the check and balance system would be the public hearing process. Mr. Patton stated that is correct. Councilmember McGrew discussed having any change or modification decisions left in the hands of Council with guidance from staff. Mr. Patton stated if that is Council's wish then he would suggest removing condition #4 and possibly condition #2. Mayor Grant asked if Council could place a condition on specific projects that would allow the City Manager to make decisions on non-substantial changes. Mr. Patton stated yes.

6. Consideration to Approve Minutes

- A. Special Called Work Session Draft Minutes - January 20, 2021 - Attachment 6A

Attachments: [Minutes - Special Called Work Session - January 20, 2021](#)

- B. Council Meeting Draft Minutes - January 21, 2021 - Attachment 6B

Attachments: [Minutes - Council Meeting - January 21, 2021](#)

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

7. Informational Items

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

Attachments: [2020 UCR](#)

Chief Merrifield presented Council the 2020 Uniform Crime Report. Councilmember Tolan asked about speeding issues on Cherokee, Muriel, and Jeanette Streets. Chief Merrifield discussed patrols and radars used in the area. Chief Merrifield stated they will continue to periodically monitor the area.

- B. Review of December Financials - Finance Director Melissa Forrester - Attachment 7B

Attachments: [FY 2021 December](#)

Mayor Pro Tempore Wilson asked about a transfer out of the Stormwater Fund. Mr. Peppers stated the transfer is the completion of the Stormwater Fund's portion of the inflow and infiltration project. Councilmember Estes asked about tax collection. Mr. Peppers stated the line for taxes includes more than just property taxes.

- C. School-Safety Zone Map - Thomas Weaver - Attachment 7C

Attachments: [Agenda Request - January 13, 2021](#)

Thomas Weaver stated that the Cherokee County School District has acquired additional property. Mr. Weaver asked that this property be included in the School-Safety Zone Map. Doing this will help enhance public safety.

8. Other Announcements

None.

9. Ten Minute Public Input

Thomas Weaver discussed his concern about a portion of the new trail extension stating it needs fencing or a barrier on each side.

10. Consent Agenda

None.

11. Old Business

None.

12. New Business

- A. Discussion of the 2021-2022 Insurance Benefits Renewal - Human Resources Director Lorrie Waters - Attachment 12A

Attachments: [2021-2022 Insurance Benefits Renewal](#)

Mr. Peppers stated MSI Benefits Group, Inc. is the City's broker for these services. It is recommended that the City stay with Anthem Blue Cross Blue Shield of Georgia. The City received a 9% rate increase for medical only. There is a proposed change in the formula for employee benefits of a true 90% coverage of employee cost and 50% of dependent cost. The City had budgeted a 10% increase for the cost of insurance.

- B. Discussion of Approving a Contract Extension with Advanced Disposal - Assistant City Manager Nathan Ingram - Attachment 12B

Attachments: [ADS Renewal](#)

Mr. Peppers stated the existing contract provides a one-year extension. The current vendor has stated if the City wishes to extend one additional year, there will be no rate increases for the services. If the City does not wish to extend, staff must prepare for a Request for Proposal (RFP). Other jurisdictions have seen substantial rate increases after sending out for RFPs so it may benefit City residents to extend with Advanced Disposal for another year. Mayor Grant discussed avoiding a major transition for residents. Councilmember McGrew asked about River Green waste pickups. Councilmember Estes stated he has not heard of any issues as of late. Councilmember McGrew stated she has not heard of any issues in Laurel Canyon and only a few issues in Great Sky. Councilmember McGrew stated she was in favor of delaying another transition so long as the level of service does not deteriorate. Mr. Peppers discussed the latest issues of hydraulic spills and missed pickups. Councilmember Schmidt stated she is also in favor of delaying a transition for another year.

- C. Discussion on Purchasing Emergency Generators for Several Water Booster Pump Stations - Utility Engineer Dave Hatabian - Attachment 12C

Attachments: [Emergency Generators](#)

Utility Engineer Dave Hatabian discussed a storm which caused several power and water outages. Proposals were requested and the City received a price for a permanent emergency generator at the Ridge Pine Water Booster Pump Station as well as a mobile generator that can provide emergency power at the Great Sky Water Booster Pump Station and Highway 5 Water Booster Pump Station. The cost of the project is just under \$200,000 and is funded out of the Water and Sewer Fund.

- D. Discussion of Workforce Housing - Community Development Director Ken Patton - Attachment 12D

Attachments: [Workforce Housing](#)

Mr. Peppers stated staff has some general questions which they would like guidance from Council on to move forward in putting together a housing plan as it relates to affordable housing. Mr. Peppers suggested a Work Session to further discuss the topic. Councilmember Schmidt stated she would like to schedule a

Work Session as soon as possible and have each member of Council submit a draft of their answers to these questions ahead of the meeting. Councilmember Estes agreed to a Work Session to discuss such a broad but important topic. Mayor Grant stated staff needs a place to start. Councilmember McGrew asked when the Work Session will take place. Mayor Grant stated staff can send out availability for next week. Councilmember Estes asked if there is additional information on the topic. Mr. Peppers stated staff will provide varied copies of documents and resources from other communities to Council. Councilmember Tolan stated residents will benefit from this and developers will know the expectations.

13. City Manager's Report

Mr. Peppers stated legislation has been filed regarding package sales of distilled spirits. Mr. Peppers discussed current state law and noted the submitted legislation would allow Council to place a referendum through an ordinance or resolution process. Mr. Peppers stated Council has been given a resolution of support for the filed legislation. This resolution does not mean the City will adopt package sales of distilled spirits. Instead, this is allowing the voters to decide. Councilmember Schmidt made a motion to adopt the resolution. Councilmember McGrew seconded the motion. Mayor Pro Tempore Wilson asked about the timeline should the legislature approve the bill. Mr. Peppers stated if the bill is approved by the legislature, it must be signed into law by the governor. There then would be an effective date. Depending on that timeline, the matter could be placed on the November election but there is no guarantee. The motion passed unanimously.

Mr. Peppers stated installation of cameras is moving forward to detect speeding within school safety zones. It appears that Hasty Elementary School will be on board first. The City will be in the 30-day process of advertising to the public.

Mr. Peppers provided Council an update of COVID cases among City staff as well as time off for employees.

14. Council Introduced Items

Councilmember Tolan discussed creating a committee to review and discuss the components of blight to ensure that enforcement may be fair and sensitive. Mayor Grant stated he fully supports a committee and would like to move forward to address blight in the City.

15. Mayor's Report

Mayor Grant invited residents to the virtual State of the City address that will be given through the City's Facebook page on Thursday, February 11th at 7:00 pm.

Mayor Grant discussed a proposal that was submitted to Cherokee County this past November by the cities that possibly would end Service Delivery Strategy negotiations. The County responded back with an additional request to include a reduction in the unincorporated fire district tax for all cities. This would require an amendment to all Fire Intergovernmental Agreements (IGA). The City of Canton is reluctant to do this as there is still have 46 years on the current IGA. The current IGA states that City residents will not pay any more in fire taxes than unincorporated residents. The County has requested a counterproposal. Staff

has prepared a resolution stating the City's position. If Council agrees with the resolution, it will be sent to the County once signed. Mayor Pro Tempore Wilson made a motion to adopt the resolution. Councilmember Estes seconded the motion, and it was approved unanimously.

16. Adjourn

Councilmember Tolan made a motion to adjourn. Councilmember Estes seconded the motion, and it was approved unanimously.

Bill Grant, Mayor

Attest:

Annie Fortner, City Clerk

Dates Minutes Approved by Council