

Canton, Georgia

*110 Academy Street
Canton, Georgia 30114*



Minutes - Final - Final

Thursday, October 3, 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 Pastor Brando.

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
Mr. Billy Peppers, City Manager
Mr. Bobby Dyer, City Attorney
Mr. Nathan Ingram, Assistant City Manager
Ms. Melissa Forrester, Finance Director
Mr. Scott Hooper, Public Works Director
Mr. Adam Dodson, Parks and Recreation Manager
Mr. Ken Patton, Housing Initiatives Director
Mr. Steve Green, Zoning Administrator
Mr. Kevin Turner, Community Development Director
Ms. Bethany Watson, City Engineer
Ms. Brittany Anderson, City Planner
Mr. Mike Morgan, Information Technology Director*

Absent:

*Councilmember Travis Johnson
Ms. Annie Fortner, City Clerk*

3. Consideration to Approve Agenda

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

4. Guests and Visitors

- A.** Presentation from the Sequoyah Regional Library - Marketing Manager Sarah Childers

Ms. Sarah Childers provided a presentation which discussed the Sequoyah Regional Library System and why communities need library services. Ms. Childers discussed statistics noting there has been growth in computer uses, program attendees, and visitors at the RT Jones Memorial Library location. Ms. Childers highlighted the programs, services, and outreach provided through the library system.

5. Public Hearings

- A.** Public Hearing for Annexation (ANNX2403-001), Rezoning

(RZON2403-002), Master Plan (MP2405-005), and Conditional Use Permit (CUP2404-002) Requests Submitted by Pearidge Land Investments LLC for the Development of a Residential Community and Small Retail Center - Zoning Administrator Steve Green

Attachments: [Pearidge Land Investments Documentation](#)

Zoning Administrator Steve Green presented the case details. The applicant has removed the townhome development and the Conditional Use Permit (CUP) has been withdrawn. The total development is around 70 acres, though only 62 acres is being annexed. The project is proposed to consist of 215 single family residential units and 1.5 acres for commercial use. The applicant has met with Cherokee County School District and will be providing a \$1,000 per lot mitigation fee. Cherokee County has stated the entrance to the development would have to be built to County standards. Mayor Grant opened the public hearing and called for the applicant to present their case. Mr. Benson Chambers represented the applicant. Mr. Chambers discussed the owners/applicants for these submitted cases. Mr. Chambers reviewed the proposed development and noted traffic has been a concern. The primary entrance would be on Reservoir Drive. The Fire Marshal required the entrance on Pearidge to be fully open and was moved south to meet the proposed realignment from the City of Canton/Georgia Department of Transportation road project. Mr. Chambers noted the applicant will provide 3 acres to the Charlie Fergusson Community Center to assist with parking along with a sewer easement. The applicant will set aside one acre for a park in the area and provide an additional 10-feet to the existing 40-foot right-of-way on Pearidge. This will also include sidewalks and streetlights. Mr. Chambers discussed that the project would help fill an unincorporated island. Mr. Chambers reviewed a list of proposed conditions provided by the applicant for City staff and Council to consider. Mayor Grant called for anyone wishing to speak in support of the applications. Mr. Curtis Hampton discussed that the area is very nostalgic with a lot of history. Mr. Hampton stated there are concerns about gentrification in the area and noted he is excited about the donation of land for the community center. Mayor Grant called for anyone wishing to speak in opposition to the applications. Ms. Shannon Gaines spoke in opposition stating the development is not sustainable based upon added growth. Ms. Pat Tanner spoke neither in favor nor in opposition. Ms. Tanner noted the community in that area are very diverse and some are in favor and some oppose the development. Ms. Tanner said the developer has been cooperatively listening to and assisting the community as he can. Ms. Tanner requested that if these applications were to be approved that the City consider the following: construction traffic entrances/routes, construction times, and the recently submitted traffic study. Mr. Thomas Weaver spoke in opposition to the applications requesting the annexation being denied due to the roadway not being fully under City control as well as water availability with the reduction in capacity allowance by the Cherokee County Water and Sewerage Authority. Mr. Bob Stehlik spoke in opposition, stating that 421 homes were approved to be built on Reservoir Drive four years ago. Councilmember Yawn made a motion to extend time by two minutes. Mayor Pro Tem Waterman seconded the motion, and it was approved unanimously. Ms. Tannish Welch signed up to speak but requested not to. Mayor Grant called on the applicant for any rebuttal. Mr. Chambers stated this project would be complimentary to the community. Mayor Grant closed the public hearing and opened the discussion to Council. Mayor Grant stated that annexations should always benefit the existing residents and requested to get the exact size of the proposed development as well as density. Mayor Grant asked if all construction traffic

would be limited to Reservoir Drive. Mr. Green stated that is correct. Mayor Grant asked about any improvements proposed by the County on Pearidge Road. Mr. Green stated he is not aware of any improvements, but additional right-of-way would be donated by the applicant. Mayor Grant asked about improvements at Pearidge and Highway 140. Mr. Green noted those are not in the City's transportation plan. Mayor Grant stated he feels the conditions as proposed could possibly benefit the County and the Community Center, but not really benefit the City of Canton. Councilmember Roach asked about property within the Great Sky community that has not yet been developed. Mr. Green stated that the section has gone through a legal case in which it will not be associated with Great Sky. Mr. Green informed he will provide the information for that section to Council. Councilmember Roach discussed liking single family homes over multifamily development. Mayor Grant requested to receive the number of units remaining to be built in Great Sky and the total units approved from Great Sky Parkway to Reinhardt College Parkway. Councilmember McGrew asked to receive information on any improvements on Pearidge by the County on both ends. Councilmember Tolan noted that Mr. Chambers mentioned there is a plan for improvements, but City staff notes there is not a plan to improve that intersection. Councilmember Tolan stated he would like to know if the applicant had any alternatives for entrances that do not involve Pearidge. Mayor Grant requested that Mr. Green consult with the applicant to ask if the City were not to annex, would they offer the same conditions on a project built within the County. Mayor Pro Tem Waterman noted that a traffic study was completed. Mr. Green stated that staff is currently reviewing the document and will be forwarded to Council.

- B. Public Hearing for Annexation (ANNX2405-008), Rezoning (RZON2404-011), and Conditional Use Permit (CUP2404-012) for 1610 Butterworth Road, 1618 Butterworth Road, and 8420 Knox Bridge Highway for a Proposed Townhome Development - Zoning Administrator Steve Green

Attachments: [Butterworth Rd & Knox Bridge Hwy Townhomes](#)

Mr. Green provided an overview of the applications noting the property is slightly over six acres. The applicant proposes 41 townhomes and seeks to reduce the 50-foot buffer along property abutting Cherokee County to a 30-foot buffer. Mr. Green stated that the site plan now removes the entrance off Butterworth Road. Cherokee County had concerns about the following: the location of the mail kiosk near Knox Bridge Highway, the entrance on Butterworth Road (which is now proposed to be removed), and the reduction of the buffer on the east property line. Mr. Green stated the units are proposed to be three-bedroom, fee simple, and in the \$500,000 price range. It was noted that River Green is approved for 55 townhomes and 12 condo units across the street. Mayor Grant opened the public hearing and called on the applicant to present their case. Mr. Benson Chambers represented the applicant. Mr. Chambers discussed the current zoning within Cherokee County. Mr. Chambers stated most concerns raised during the community input meeting was regarding traffic on Butterworth Road. The entrance to the proposed development is now 600 feet from Butterworth Road on Knox Bridge Highway. Mr. Chambers discussed that the proposed development is smaller than the approved project within River Green. Mr. Chambers noted the request for a reduction in the buffer is due to the retention pond. Mr. Chamber stated that if the property were to be developed under the current County zoning, there would be no buffer requirement. Cherokee County School District has agreed to accepting \$600 per unit as impact mitigation. Mayor Grant called for anyone

wishing to speak in support of or in opposition to the applications. Mr. Steve Tingas and Mr. Warren Mongillo had signed up to speak but did not provide any comments. Mr. Chamber noted he had given Council renderings of the proposed townhomes. Mayor Grant closed the public hearing and opened the discussion to Council. Mayor Grant asked about the community input meeting being held in June and if that met the City's ordinances. Mr. Green said that it was early, but there is no required timeline. Mayor Grant asked if this development was in keeping with the City's Comprehensive Plan. Mr. Green stated yes except for the density. Mayor Pro Tem Waterman noted that most of the concerns he had were from residents about traffic on Butterworth Road. Since the entrance on Knox Bridge Highway is now a full entrance, there is concern for those turning left as well as the location of school bus pick-ups. Mr. Green stated the Georgia Department of Transportation would be responsible for the ingress/egress requirements and that he will check with the school district about bus information. Mayor Grant noted the City denied a multifamily development in that area due to not knowing GDOT's timeline for improvements on Knox Bridge Highway. Councilmember Tolan stated he had posed a question to the developer about participation in the City's housing fund or providing a unit or two for first responders/teachers/healthcare and would like a commitment to this. Councilmember Yawn stated his concern is with those turning left out of the development.

C. Public Hearing for Historic District Expansion - City Planner Brittany Anderson

Attachments: [Historic District Expansion](#)

City Planner Brittany Anderson gave an overview of the case. Ms. Anderson stated the Historic Preservation Commission began in 2022 with guidelines and a district expansion. The HPC made changes to the guidelines based upon public input. The HPC voted 5-2 for the district expansion and 6-1 to adopt the guidelines. Mayor Grant opened the public hearing. Ms. Danielle Kitchen spoke stating she is a member of the HPC and voted no on the expansion and guidelines. Ms. Kitchen discussed several questions regarding enforcement which she has and the need for curb and gutters, crosswalks, and traffic calming devices. Ms. Kitchen stated the subjective decisions can create gentrification and limit autonomy. Ms. Stefanie Joyner, representing History Cherokee, spoke supporting the district which already is national registered and provides tax credits. Ms. Joyner stated the guidelines do not prevent demolition, additions, paint color or maintenance but does provide guidelines to keep consistency. Mr. Joe Sellers, a member of HPC, spoke discussing the current district and spoke about the application and process for approval. Mr. Sellers stated that the HPC cannot issue citations and does not require maintenance. Mr. Sellers noted staff can approve of many items and spoke about the meeting days/times of the HPC meetings. Councilmember Yawn moved to expand the time by five minutes. Councilmember Tolan seconded the motion, and it was approved unanimously. Mr. Sellers stated that HPC can have special meetings and the City Council can overrule any HPC decision. Mayor Grant closed the public hearing. Mayor Grant asked about a timeframe for action. City Attorney Bobby Dyer stated the ordinance requires action within two meetings and noted that Council would just determine the expansion. HPC would handle the guidelines. Mayor Grant noted that historically these neighbors have come together when there was a high risk of the residential area being overtaken by commercial. Mayor Grant stated this is not a Homeowners Association but will preserve the residential to keep from losing character of the neighborhood. Councilmember Roach commended the

HPC for their work and stated that people want Main Street to look great, but people also do not want to be told what to do. Councilmember Yawn stated that he was part of the group that started the HPC and the plan was to do commercial properties and then add in residential. Councilmember McGrew asked how the guidelines would be enforced. Ms. Anderson discussed the review and approval process. Councilmember McGrew asked how a resident would find out if they live in the district? Ms. Anderson noted that the realtor should be aware. Councilmember McGrew asked about new construction. Ms. Anderson noted there are a variety of styles/choices that can be approved and applies to all the exterior of the structure. Councilmember McGrew asked about training or qualifications for members of HPC. Ms. Anderson explained that new members are not required to be trained as the City is not a Qualified Local Government however staff offers training. Mr. Dyer stated anything done without a permit could be considered a City code violation which is subject to a citation. Mayor Pro Tem Waterman asked about enforcement, especially things not visible from the street. Ms. Anderson stated that it would come from code enforcement or neighbors. Mayor Pro Tem Waterman asked about the public input sessions. Ms. Anderson informed that two meetings were held. Mayor Pro Tem Waterman asked if a list of recurring concerns could be provided to Council. Mayor Grant asked about the next steps in the process. HPC will affirm the district expansion at their meeting on October 7th. If the area is expanded, then the HPC will adopt the guidelines and must inform the state and residents. Councilmember Tolan asked for further clarification specifically about what can be seen from the street. Mr. Dyer clarified that the two meetings requirement would be after the HPC acts.

6. Consideration to Approve Minutes

- A. Council Meeting Draft Minutes - September 12, 2024

Attachments: [Minutes - Council Meeting - September 12, 2024](#)

Councilmember Yawn made a motion to approve the minutes. Councilmember Tolan seconded the motion, and it was approved unanimously. Councilmember McGrew was absent for the vote.

7. Informational Items

- A. Review of August Financials - Finance Director Melissa Forrester

Attachments: [August Financials](#)

Finance Director Melissa Forrester noted there were three pay periods in the month of August. The City maxed out the transfer from the General Fund to the Sanitation Fund and staff will likely bring a budget amendment soon. Ms. Forrester stated the increase in expenditures in the Water Fund are from invoices on the trail and slope repair as well as the raw water intake projects. Ms. Forrester informed that the \$30,000 library contribution comes from Rental Car Taxes. Ms. Forrester noted that this is also the first month to report the new SPLOST.

- B. Information Only - Case CUP2407-011 - Request to Convert Existing Structure into a Three Unit Living Facility at 570 East Main Street - Zoning

Administrator Steve Green

Attachments: [CUP2407-011 Documentation](#)

Mr. Green stated the public hearing will be in November. The application is for an existing house that includes two residential units on the lower level and an office on the main floor. This results in three living units which requires a Conditional Use Permit.

- C. Information Only - Cases ANNX2408-003, RZON2408-005, CUP2408-004, and VAR2408-005 - Request to Annex and Rezone 14.91 Acres along April and Lucky Streets for the Development of a 198 Multi-Family Residential Project along with a Conditional Use Permit and Variances - Zoning Administrator Steve Green

Attachments: [April and Lucky Streets Documentation](#)

Mr. Green stated the public hearing will be in November. The development is proposed to consist of 198 condominium style units in 11 buildings.

8. Other Announcements

None.

9. Ten Minute Public Input

Mr. Thomas Weaver spoke about the ballot initiative for the upcoming election and capping residential increases for property taxes. Mr. Weaver also discussed concern about the flock cameras and the use of cameras in the parks for excessive data.

10. Consent Agenda

None.

11. Old Business

- A. Discussion and Possible Action on the Approval of the Parks and Recreation Master Plan - Parks and Recreation Manager Adam Dodson

Attachments: [Parks and Recreation Master Plan](#)

Parks and Recreation Manager Adam Dodson discussed the timeline for the Parks and Recreation Master Plan. Mayor Grant noted the Master Plan is lengthy and includes a lot of information from the citizens and stakeholders. Mayor Grant added that this plan can help guide direction on SPLOST and Impact Fee expenditures. Councilmember McGrew asked if projects that would require replacement materials come before Council for approval. Mr. Dodson stated yes. Mayor Pro Tem Waterman asked Councilmember McGrew if her question was based on cost or sustainability. Councilmember McGrew stated sustainability. Mayor Pro Tem Waterman made a motion to approve the Parks and Recreation Master Plan. Councilmember Roach seconded the motion, and it was approved unanimously.

12. New Business

- A. Discussion of Contract Amendment with TSW for South Canton Park - Public Works Director Scott Hooper

Attachments: [TSW Contract Amendment](#)

Public Works Director Scott Hooper stated the contract amendment is due to the water tank portion being added to the site design.

- B. Discussion of Awarding Bid to Flock Safety for Park Security Camera Solutions Request for Proposals - IT Director Mike Morgan

Attachments: [Flock Security Camera Solutions](#)

Information Technology Director Mike Morgan provided an overview of the project. There was a Request for Proposals issued in May and eight responding vendors. Mr. Morgan stated the review committee unanimously chose Flock's proposal. This project would transition all cameras to the dashboard for public safety use and includes solar cameras. Mr. Morgan stated Flock was the only vendor to provide a subscription model.

- C. Discussion to Engage Raftelis for the City's Impact Fee Program Update - City Planner Brittany Anderson

Attachments: [Impact Fee Program Update](#)

Ms. Anderson discussed that Impact Fees are assessed on new developments to help pay for improvements to roads, bridges, parks, fire services, and public safety and equipment. This process is regulated by the stated with reviews by the Atlanta Regional Commission and the Department of Community Affairs. Ms. Anderson stated the methodology should be updated every 5-7 years. The City's last methodology was updated in 2019. Staff recommends moving forward with Raftelis for updating the City's Impact Fee Program methodology. Ms. Anderson informed the cost of the project is \$92,264.

- D. Discussion and Possible Action to Approve the Letter of Support for the Atlanta Regional Commission (ARC) Pro Housing Grant Application - Housing Initiatives Director Ken Patton

Attachments: [ARC Pro Housing Grant](#)

Housing Initiatives Director Ken Patton discussed an email received from the GICH Program Manager that DCA will also be submitting a Pro Housing Grant application. Councilmember Tolan made a motion to amend this item to add discussion of the DCA Pro Housing Grant application. Councilmember McGrew seconded the motion, and it was approved unanimously. Mr. Patton stated the ARC grant is due to HUD by October 15th. ARC wants to apply for funding for technical assistance and predevelopment. Mr. Patton discussed the in-kind contribution as noted in the letter of support and the total funds requested. DCA plans to apply for funds as a pass-through to GICH communities. Councilmember Tolan made a motion to approve the letter of support for the ARC application. Mayor Pro Tem Waterman seconded the motion, and it was approved unanimously. Councilmember Tolan made a

motion to approve a letter of support for the DCA application. Councilmember Roach seconded the motion, and it was approved unanimously.

- E. Discussion of Hospital Drive/Medical Lane Sanitary Improvements to KAM Contracting in the Amount of \$120,422.00 - City Engineer Bethany Watson

Attachments: [KAM Contracting - Sanitary Improvements](#)

City Engineer Bethany Watson stated as construction began on the development known as Accent Overlook, the City became aware of issues with the existing sewer. The new line will require 300 linear feet of new 8-inch DIP/PVP sewer line and two additional manholes. Ms. Watson noted the City received three quotes and KAM Contracting was the lowest quote.

- F. Discussion of the Award of Task Order 7 for the Transportation Improvement Project Marietta Highway/Riverstone Parkway at Highway 140 Intersection Improvement Project Design Services to Michael Baker International in the Amount of \$501,518.05 - City Engineer Bethany Watson

Attachments: [Michael Baker International - Task Order 7](#)

Ms. Watson stated this Task Order will complete the professional design services with Michael Baker International before moving into the right-of-way acquisition phase. Ms. Watson noted all of the final documentation and services this Task Order will include as listed on the cover sheet in the agenda packet. Ms. Watson reminded Council that the City is responsible for 20% of the total cost of the project which will be paid for using Impact Fees and SPLOST.

- G. Discussion of the Award of the Harmon Field Lift Station Improvements Project to BH Gregory, LLC in the Amount of \$132,937.30 - City Engineer Bethany Watson

Attachments: [BH Gregory, LLC](#)

Ms. Watson stated bids were received on September 17th for this project and the City received one bid. This project was previously put out to bid and the City received no bids. Ms. Watson stated the bid received from BH Gregory, LLC is significantly less than the engineer's estimate.

13. City Manager's Report

Mr. Peppers provided updates on the following:

- *Fox Theatre Grant awarded to Canton Theatre for exterior improvements*
- *Retreat – October 10th & 11th*
- *Storm/Emergency Management Plans*
- *HB581 Training – Attended by City staff discussing upcoming referendum relating to a cap on property tax assessments*

14. Council Introduced Items

None.

15. Mayor's Report**A. Ratification of State of Emergency**

Mayor Grant thanked all of those who assisted with the recent storm preparations and responses. Mr. Dyer stated Council needs to vote to rescind the local state of emergency. Mayor Pro Tem Waterman made a motion to rescind the local state of emergency. Councilmember Yawn seconded the motion, and it was approved unanimously.

16. Adjourn

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

Bill Grant, Mayor

Attest:

Annie Fortner, City Clerk

Dates Minutes Approved by Council