Canton, Georgia

110 Academy Street
Canton, Georgia 30114

Minutes - Final - Final

Thursday, March 18, 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 Chandler Adams of Boy Scout Troop #241 and followed by an invocation given by Rommel RitaRita, the Executive Director of Canton YMCA.

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
Mr. Billy Peppers, City Manager
Mr. Bobby Dyer, City Attorney
Mr. Nathan Ingram, Assistant City Manager
Mr. Ken Patton, Community Development Director
Mr. Dave Hatabian, Utility Engineer
Mr. Stephen Merrifield, Police Chief
Mr. Mike Morgan, Information Technology Director
Ms. Annie Fortner, City Clerk

Absent:
Councilmember Nick Estes

3. Consideration to Approve Agenda

City Manager Billy Peppers requested an Executive Session be added to discuss litigation and real estate. Councilmember Schmidt requested two items be added under Council Introduced Items for the discussion of a mural and public art. Councilmember McGrew made a motion to approve the agenda as amended. Councilmember Tolan seconded the motion, and it was approved unanimously.

4. Guests and Visitors

Mayor Grant welcomed the members of Boy Scout Troop #241 who were in attendance as part of earning a merit badge.

5. Consideration to Approve Minutes

A. Council Meeting Draft Minutes - March 4, 2021 - Attachment 5A

Attachments: Minutes - Council Meeting - March 4, 2021

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

6. Informational Items

A. February 2021 Uniform Crime Report - Police Chief Stephen Merrifield - Attachment 6A

Attachments: February 2021 UCR

Police Chief Stephen Merrifield presented Council the Uniform Crime Report.

7. Other Announcements

None.

8. Ten Minute Public Input

No public input was provided. City Attorney Bobby Dyer discussed the public hearing process and noted how public input is received for zoning cases.

9. Consent Agenda

None.

10. Old Business

A. Discussion and Possible Action on Cases MPA2101-001 and CUP2101-002 for Pod G at Riverstone for the Proposed Crystal Lagoon Project - Community Development Director Ken Patton - Attachment 10A

Attachments: MPA2101-001 and CUP2101-002 Documentation

Community Development Director Ken Patton introduced the cases and provided application details. Mr. Patton stated staff recommends approval of the applications with the following conditions: 1) All residential structures shall contain a minimum of 75% brick and/or stone for the exterior building material. 2) If roof top HVAC units are to be utilized, they shall be screened from view from adjacent and nearby properties and roads/streets. 3) There shall be a minimum of four (4) electric vehicle charging stations located within the project. 4) Work force housing units shall be provided within the residential portion of the project. The number of units shall be as agreed upon by the Mayor/Council and the owner/developer. 5) Site lighting shall not create a nuisance to adjacent and nearby properties. Security lighting shall face downward or project inward toward the subject property. 6) Adequate queuing lanes shall be provided to prevent traffic entering the site from backing out into Reinhardt College Parkway or Riverstone Boulevard. 7) All internal roadways shall be private and maintained by the owner/developer. Sidewalk at five (5) feet in width with a two (2) foot beauty strip shall be provided along all roadways. 8) Hours of operation shall be limited to 9:00 am to 10:00 pm Sunday – Thursday and 9:00 am and 12:00 am Friday – Saturday. 9) There shall be a twenty-five (25) foot undisturbed buffer and building setback along the perimeter of the property. This buffer may be disturbed for the installation of utilities or a security fence. Any security fence

shall be decorative in nature. 10) The project shall provide ADA approved direct means of access to the water portion of the project for persons with physical limitations. 11) There shall be interconnectivity provided between the recreational portion of the project and the Avanta development. 12) Any non-substantial change may be approved by the City Manager or his designee. Mr. Patton noted the applicant had concerns with conditions #1, #4, #8, and #9 as proposed by staff. Mayor Grant stated the staff report given in the application documents contains a list of twenty-one items of how this project complies with the City's Roadmap. Mr. Patton stated all comments received from citizens have been submitted to Council. Councilmember McGrew asked how this project fits into the housing study. Mr. Patton stated this would be the first true condominium development within the City. Mayor Grant asked if the tourism report mention a product such as this. Mr. Peppers stated tourism makes up $373 million in consumer spending each year. Outdoor recreation makes up $27.3 billion in spending statewide. The recommendation from the state's Tourism Office was for the City to look for opportunities to create outdoor recreation activities. Council reviewed each proposed condition as presented by staff. After discussion, Council agreed to the following conditions: 1) All residential structures shall contain a minimum 50% brick and/or stone for the exterior building material. 2) If roof top HVAC units are to be utilized, they shall be screened from view from adjacent and nearby properties and roads/streets. 3) There shall be a minimum of four (4) electric vehicle charging stations located within the project. 4) Site lighting shall not create a nuisance to adjacent and nearby properties. Security lighting shall face downward or project inward toward the subject property. Lighting intensity shall be determined by City staff. 5) Adequate queuing lanes shall be provided to prevent traffic entering the site from backing out into Reinhardt College Parkway or Riverstone Boulevard. 6) All internal roadways shall be private and maintained by the owner/developer. Sidewalk at five (5) feet in width with a two (2) foot beauty strip shall be provided along all roadways. 7) Hours of operation of the recreational uses shall be approved by City staff to minimize impact on neighboring properties. 8) There shall be a ten (10) foot undisturbed buffer and building setback along the perimeter of the property. This buffer may be disturbed for the installation of utilities or a security fence. Any security fence shall be decorative in nature. 9) The project shall provide ADA approved direct means of access to the water portion of the project for persons with physical limitations. 10) There shall be interconnectivity provided between the recreational portion of the project and the Avanta development. 11) Any non-substantial change may be approved by the City Manager or his designee. 12) Landscaping and parking shall be provided as shown in the renderings and drawings within the application package. Mayor Pro Tempore Wilson noted a traffic study has been completed for the Riverstone development and this project will pose minimum impact to the school system. Mayor Grant stated there are four to six lanes of roadway surrounding the proposed development. Councilmember Tolan noted most of the traffic coming to the development will travel from I-575 to Riverstone. Mayor Grant reviewed the approved uses of the subject property. Councilmember Carlan and Mr. Patton discussed the creation of approximately fifty (50) jobs from this development. Mayor and Council discussed the full due diligence completed for this project. Positive comments were received from residents near operating lagoons. Mayor Grant stated sewer capacity will be available in 2023 and the proposed project is one of the smallest lagoon developments. Mayor Pro Tempore Wilson made a motion to approve the Master Plan Amendment with the conditions as agreed up on by Council. Councilmember Carlan seconded the motion, and it was approved unanimously. Councilmember McGrew asked

about building heights within Riverstone and the Bluffs developments. Mr. Patton stated pods within Riverstone are approved for up to ten stories and the Bluffs development can have buildings up to twelve stories. Mr. Patton added the hospital is approved for up to sixteen stories. Mayor Pro Tempore Wilson made a motion to approve the Conditional Use Permit. Councilmember Tolan seconded the motion, and it was approved unanimously.

B. Discussion and Possible Action on Cases MPA2101-004 and CUP2101-003 for Pod G at Riverstone for the Proposed Avanta Project (Residential - Detached and Attached Rental Units) - Community Development Director Ken Patton - Attachment 10B

Attachments: MPA2101-004 and CUP2101-003 Documentation

Mr. Patton introduced the cases and provided application details. Mr. Patton stated staff recommends approval of the applications with the following conditions: 1) A twenty-five (25) foot undisturbed buffer/setback shall be required along the perimeter of the property. Disturbance may be allowed for the installation of utilities and security fencing. Areas of sparse vegetation shall be supplemented as approved by the Department of Community Development. 2) The exterior of any retaining walls shall have a masonry (brick and/or stone) finish. 3) The exterior of any building facing Riverstone Boulevard or Dr. Martin Luther King, Jr. Boulevard shall be seventy-five (75) percent brick and/or stone finish. 4) If the development is to be gated either now or in the future, all security gate apparatus shall be approved by the Mayor and City Council. 5) The development shall provide work force housing. The total number of units shall be as agreed upon between the Mayor/Council and the owner/developer. 6) Mail kiosk shall be provided as required by the City of Canton development regulations. 7) A minimum of four (4) electric car charging stations shall be provided. 8) All interior roadways shall be private and maintained by the property owner. All roadways shall be constructed to City of Canton standards. 9) Inter-parcel access shall be provided to the recreational/retail portion of the Crystal Lagoon development. This shall include both roadway and sidewalks. 10) Any non-substantial change may be administratively approved by the City Manager or his designee. Mr. Patton noted the applicant had concerns with conditions #1, #2, #3, #5, and #9 as proposed by staff. Council reviewed each proposed condition as presented by staff. After discussion, Council agreed to the following conditions: 1) A twenty (20) foot buffer/setback shall be required along the perimeter of the property. Disturbance may be allowed for the installation of utilities and security fencing. Areas of sparse vegetation shall be supplemented as approved by the Department of Community Development. 2) The exterior of any retaining walls shall consist of buff colored split-faced landscape blocks. 3) The exterior of any building facing Riverstone Boulevard or Dr. Martin Luther King, Jr. Boulevard shall be fifty (50) percent brick and/or stone finish. 4) If the development is to be gated either now or in the future, all security gate apparatus shall be approved by the City Manager or his designee. 5) Mail kiosk shall be provided as required by City of Canton development regulations. The mail kiosk shall be covered and lighted. 6) A minimum of four (4) electric car charging stations shall be provided. 7) All interior roadways shall be private and maintained by the property owner. All roadways shall be constructed to City of Canton standards. 8) Inter-parcel access shall be provided to the recreational/retail portion of the Crystal Lagoon development located to the south of the development. This shall consist of pedestrian access with a minimum of eight (8) foot wide access connection. 9) Any non-substantial

change may be administratively approved by the City Manager or his designee. 10) Landscaping and parking shall be provided as shown on the renderings and drawings within the application. Councilmember McGrew asked about ADA compliance for the proposed units. Mr. Patton stated the applicant will follow Fannie Mae federal guidelines. Mayor Grant asked about property taxes generated from rental units. Mr. Peppers stated a development such as this is taxed the same as an apartment complex. Councilmember Schmidt stated the residential development will enhance the businesses and restaurants within the area. Mayor Grant stated the project meets ten requirements of the City's Roadmap. Mayor Pro Tempore Wilson made a motion to approve the Master Plan Amendment with the conditions as agreed up on by Council. Councilmember Carlan seconded the motion, and it was approved unanimously. Mayor Pro Tempore Wilson made a motion to approve the Conditional Use Permit. Councilmember Tolan seconded the motion, and it was approved unanimously.

C. Update on Redspeed - Police Chief Stephen Merrifield - Attachment 10C

Attachments: RedSpeed Update

Police Chief Stephen Merrifield stated cameras and power are in the school zone at Hasty Elementary School. The Police Department has completed an educational video with Hasty. The warning phase will begin next week at Hasty. The cameras at Teasley Middle School and Cherokee High School are still on hold and waiting on Georgia Department of Transportation (GDOT). Chief Merrifield requested guidance from Council about the hours of operation for the cameras. Chief Merrifield discussed how other jurisdictions operate. Councilmember McGrew suggested keeping the hours the same as Cherokee County. Councilmember Carlan discussed that this system would issue civil citations and would also not be taking the place of police officers. Councilmember Carlan made a motion to set the hours of operation from one hour before the school zone time through one hour after the school zone time. Councilmember Schmidt seconded the motion, and it was approved unanimously. Chief Merrifield stated the Police Department is testing electric motorcycles that could possibly be used along the trails, downtown, and on patrol.

D. Ratification of Encroachment Agreements Associated with the Trail from Heritage Park to Boling Park - City Manager Billy Peppers - Attachment 10D

Attachments: GA Power-City Temporary Encroachment Agreement for Easement 2021

Mr. Peppers stated Council was provided a copy of two encroachment agreements (one temporary and one permanent) related to the construction of the trail and sewer between Heritage Park and Boling Park. Mr. Peppers stated he signed these agreements as they were time sensitive. Councilmember McGrew made a motion to ratify the encroachment agreements. Mayor Pro Tempore Wilson seconded the motion, and it was approved unanimously.

11. New Business

None.

12. City Manager's Report

Mr. Peppers provided Council an updated project list for the Roadmap and a memorandum regarding the trail update. Mr. Peppers reviewed costs associated with the trail project. Mr. Peppers noted the total trail project will come in under budget.

13. Council Introduced Items

Councilmember Schmidt discussed another potential mural project and requested Council designate funds of up to $10,000 for a public art mural project. Assistant City Manager Nathan Ingram proposed a budget amendment of $10,000 from the Hotel/Motel Tax Fund. These funds could be contributed to the Main Street Board to facilitate and administer that program. Councilmember Schmidt stated she would like to begin discussions of a public art master plan that would cover the next five years. This could be discussed at the retreat or during a called work session meeting. The master plan would be city-wide. Councilmember Schmidt asked about City operations after March 31st. Mr. Peppers stated the City will begin to take special event applications. Meetings could take place in person with appropriate safety measures. Councilmember Schmidt stated she would like the discussion of the public art master plan to be in person.

14. Mayor's Report

Mayor Grant stated staff has been requested to draft a revision to the ethics ordinance for Council's review. This draft is requested to be presented by the June work session.

15. Adjourn

Councilmember Tolan made a motion to adjourn into Executive Session to discuss litigation and real estate. Councilmember McGrew 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