

Canton, Georgia

*110 Academy Street
Canton, Georgia 30114*



Minutes - Final - Final

Thursday, April 15, 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 Leonard Akers, Senior Pastor of Liberty Hill Church.

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. Bobby Dyer, City Attorney
Mr. Nathan Ingram, Assistant City Manager
Mr. Ken Patton, Community Development Director
Ms. Melissa Forrester, Finance Director
Mr. Stephen Merrifield, Police Chief
Mr. Mike Morgan, Information Technology Director
Ms. Annie Fortner, City Clerk*

Absent:

None

3. Consideration to Approve Agenda

City Manager Billy Peppers stated he received a request from Terwilliger Pappas to remove Item 10C. Mr. Peppers also requested an Executive Session be added to discuss litigation. Mayor Grant stated he needed to add a personnel matter to the Executive Session. Councilmember Estes made a motion to approve the agenda as amended. Councilmember Schmidt seconded the motion, and it was approved unanimously.

4. Guests and Visitors

None.

5. Consideration to Approve Minutes

A. Council Meeting Draft Minutes - April 1, 2021 - Attachment 5A

Attachments: [Minutes - Council Meeting - April 1, 2021](#)

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

6. Informational Items

None.

7. Other Announcements

None.

8. Ten Minute Public Input

None.

9. Consent Agenda

- A. Approval of Green Infrastructure Program Update - Development Services Manager Bethany Watson - Attachment 9A

Attachments: [Green Infrastructure Program](#)

- B. Approval of False Alarm Management Contract - Police Chief Stephen Merrifield - Attachment 9B

Attachments: [PMAM Contract](#)

- C. Approval of 2021 Auction Items - Assistant City Manager Nathan Ingram - Attachment 9C

Attachments: [2021 Auction Items](#)

- D. Approval of Property & Casualty Insurance Renewal - Assistant City Manager Nathan Ingram - Attachment 9D

Attachments: [P&C Insurance Renewal](#)

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

10. Old Business

- A. Discussion and Possible Action on Proposed Personal Transportation Vehicle District for Towne Mill - Community Development Director Ken Patton - Attachment 10A

Attachments: [Towne Mill PTVD Documentation](#)

Community Development Director Ken Patton provided the application details for the Personal Transportation Vehicle District (PTVD). Mr. Patton noted Council has received all emails regarding the application. All comments have been in

support of the application. Councilmember Tolan asked if streets having speed limits over 25 mph are excluded from the PTVD. Mr. Patton stated that is correct. Councilmember Schmidt made a motion to approve the Personal Transportation Vehicle District for Towne Mill. Councilmember Estes seconded the motion, and it was approved unanimously.

B. Discussion and Possible Action on Proposed Unified Development Code (UDC) Amendment to Delete the Planning Commission - Community Development Director Ken Patton - Attachment 10B

Attachments: [UDC Amendment - Delete Planning Commission](#)

Mr. Patton introduced the proposed amendment to the Unified Development Code (UDC). Mr. Patton stated Council has recently received emails regarding this issue. Mayor Grant stated responses have been sent to those who submitted emails. The Planning Commission is a recommending body and Council makes the final decision on Planning and Zoning cases. Over the past year, all cases have been coming directly to Council. The goal with the proposed amendment is to improve the process and include more public input. Mr. Peppers reviewed the proposed 3-month process. Applications are due the first business day of the month. Staff then reviews the application for completeness. During the second Council meeting of the first month, Council will be notified of the new application(s) received during that month. Following that, all Public Awareness Campaigns begins. This includes signage, required mailings, advertisements, and a public input meeting hosted by the applicant. During the first meeting of the second month, the full application packet will be placed on the Council agenda as an Informational Item. At the second meeting of the second month, the item will move to New Business and staff will provide a technical report. Following this, Council could have meetings with the applicant. These meetings will have official notes taken to become part of the record. The Public Hearing will be held at the first meeting during the third month. All members of the public may speak at this meeting for or against the application. After the Public Hearing, any questions that come up will be relayed to the applicant by staff. The second meeting of the third month will be for action by Council. Mayor Pro Tempore Wilson noted the applicant may meet with residents at any time after submitting their application. Mr. Peppers stated that is correct. The City requires at least one public input meeting with adjacent property owners based on a radius of the project but could have more meetings. Councilmember McGrew asked Mr. Peppers to discuss why the applicant and Council may not meet after the Public Hearing. Mr. Peppers stated Public Hearings are a case and all discussions related to that case are recorded as part of the case file for potential litigation. This is also the case for comments from the public. Councilmember McGrew asked if Council could attend the public input meetings held by the applicant. Mr. Peppers stated yes. Councilmember McGrew asked if Council could speak to the public after the Public Hearing. City Attorney Bobby Dyer stated written comments are encouraged. Mr. Dyer recommended Council approve the Public Hearing process along with the amendment to the UDC. Councilmember McGrew asked about the radius of those notified for public input meetings. Mr. Patton stated the limit is 1,000 square feet from the subject property. Mayor Grant stated more advanced notification of applications will be given to both citizens and Council with this new process. Mr. Dyer stated the hope is to have the final presentation given at the Public Hearing from the applicant after lots of discussions with the surrounding residents and Council. Councilmember Carlan asked how applications currently in the process will be handled. Mr. Patton stated they will continue with the process already in place.

If the new proposed process is approved, all cases submitted in May will follow the new process. Councilmember McGrew asked if staff has received any complaints during the last year while applications were bypassing the Planning Commission. Mr. Patton stated no. Mayor Grant asked if Council received any complaints. No Councilmembers have received complaints over the last year. Councilmember Carlan made a motion to approve the UDC amendment and to adopt the new Public Hearing process. Councilmember Estes seconded the motion, and it was approved unanimously.

- C. Discussion and Possible Action on Request from Terwilliger Pappas/Solis Canton for a Memorandum of Understanding Related to Tax Abatements, Streetscape Funding, and Other Development Incentives - City Manager Billy Peppers - Attachment 10C

Attachments: [Terwilliger Pappas MOU Request](#)

This item was removed from the agenda.

11. New Business

- A. Discussion of Proposed Waiver for Panera Bread - City Attorney Bobby Dyer - Attachment 11A

Attachments: [Panera Bread Waiver](#)

Mr. Dyer stated an easement was placed on the property to require 125 public parking spaces. The request is to release twelve (12) parking spaces adjacent to Panera Bread from the deed restrictions. These spaces are technically included in the easement and could possibly hold up the sale of the property. There are more than 125 public parking spaces still available. Mr. Dyer stated there does not appear to be an issue with the request. The requester would appreciate action from Council as soon as possible as they wish to close on the property. The Downtown Development Authority will also have to release the property. Mayor Pro Tempore Wilson made a motion to approve the waiver for Panera Bread. Councilmember Estes seconded the motion, and it was approved unanimously.

12. City Manager's Report

Mr. Peppers stated the City is officially Local Administered Project (LAP) Certified for transportation projects. Bethany Watson has been working on this certification process. Scott Hooper and Kelly Pendley are the back ups on that. This allows the City to manage federally funded projects on our own as well as apply for additional projects.

Mr. Peppers noted additional filming by Marvel Studios will be going on downtown and in the Jones Building. Filming in the Jones Building will only be for one day. There will be no full road closures and they will have minimal impact on parking.

13. Council Introduced Items

Councilmember McGrew noted a virtual Charter Review Committee meeting will be held on Friday, April 16th at 10:00 am. The Committee is hopeful to bring a recommendation to Council in May.

14. Mayor's Report

None.

15. Adjourn

Councilmember McGrew made a motion to adjourn into Executive Session to discuss litigation and personnel. Councilmember Estes seconded the motion, and it was approved unanimously.

Bill Grant, Mayor

Attest:

Annie Fortner, City Clerk

Dates Minutes Approved by Council