Canton, Georgia

110 Academy Street
Canton, Georgia 30114

Minutes - Final - Final

Thursday, November 18, 2021

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 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 Brooke Schmidt
Councilmember Sandy McGrew
Councilmember Will Carlan
Councilmember Nick Estes
Mr. Billy Peppers, City Manager
Mr. Nathan Ingram, Assistant City Manager
Mr. Bobby Dyer, City Attorney
Mr. Ken Patton, Community Development Director
Ms. Melissa Forrester, Finance Director
Mr. David Hatabian, Utility Engineer
Ms. Bethany Watson, City Engineer
Ms. Angie Busby, Manger of Economic Development & Tourism
Mr. Mike Morgan, Information Technology Director
Ms. Annie Fortner, City Clerk

Absent:
None

3. Consideration to Approve Agenda

Mayor Grant requested an Executive Session be added to discuss real estate. Mayor Pro Tempore Wilson requested to add a discussion of Canton Housing to Council Introduced Items. Councilmember Schmidt made a motion to approve the agenda as amended. Councilmember Estes seconded the motion, and it was approved unanimously.

4. Guests and Visitors

None.

5. Public Hearings

A. Public Hearing and Discussion of Canton Tax Allocation District and Redevelopment Plan - Assistant City Manager Nathan Ingram - Attachment 5A

Attachments: Draft TAD Redevelopment Plan

Assistant City Manager Nathan Ingram provided an overview of the project timeline to develop a Tax Allocation District (TAD). Mr. Ingram reviewed the criteria for a redevelopment area, discussed the redevelopment area boundary, explained how a TAD functions, and summarized the parcels and taxable digest within the proposed TAD. Mayor Grant opened the public hearing and called for anyone wishing to speak. There being none, Mayor Grant closed the public hearing. Councilmember Estes asked about the percentage of City's digest used within the proposed TAD. Mr. Ingram noted the percentage did decrease after removing some parcels and making a few corrections.

B. Public Hearing, Discussion, and Possible Action on Gas Station Ordinance - City Attorney Bobby Dyer - Attachment 5B

Attachments: Gas Station Ordinance

City Attorney Bobby Dyer stated a moratorium has been in place for convenience stores. Mr. Dyer discussed the proposed change to the definitions and reviewed the proposed regulations for gas stations. Mayor Grant opened the public hearing and called for anyone wishing to speak. There being none, Mayor Grant closed the public hearing. Councilmember Schmidt asked about language being added for regulating the architecture of the canopy columns. Mr. Dyer stated that is not in the ordinance but can be added. Councilmember Schmidt made a motion to approve the ordinance with the amendment to add Section H for exterior facades and support structures. Councilmember McGrew seconded the motion. Mayor Pro Tempore Wilson asked if this ordinance would only be for new applications. Mr. Dyer stated yes unless a business has been closed for six months. The motion passed unanimously.

6. Consideration to Approve Minutes

A. Council Meeting Draft Minutes - November 4, 2021 - Attachment 6A

Attachments: Minutes - Council Meeting - November 4, 2021

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

7. Informational Items

None.

8. Other Announcements

None.

9. Ten Minute Public Input

Mr. Thomas Weaver discussed the Municipal Court fee schedule.

10. Consent Agenda

A. Discussion and Possible Action on the Award of the Transportation Master Plan Contract to Modern Mobility Partners LLC in the Amount of $199,636.46 - City Engineer Bethany Watson - Attachment 10A

Attachments: Transportation Master Plan

B. Discussion and Possible Action on Resolution to Submit Application for Transportation Improvement Project Solicitation 2022 and Funding Commitment - City Engineer Bethany Watson - Attachment 10B

Attachments: TIP Solicitation 2022 and Funding Commitment

C. Discussion and Possible Action on the Award of the Transportation Improvement Project Marietta Highway/Riverstone Parkway at Highway 140 Intersection Improvement Project Design Services to Michael Baker International and Award of Task Order 1 in the Amount of $95,769.37 - City Engineer Bethany Watson - Attachment 10C

Attachments: Michael Baker International

D. Discussion and Possible Action to Approve Coin Operated Amusement Machines Ordinance - City Attorney Bobby Dyer - Attachment 10D

Attachments: Coin Operated Amusement Machines Ordinance

E. Discussion and Possible Action to Approve an Amendment to the Ordinance Requiring an Annual Insurance License Fee - Assistant City Manager Nathan Ingram - Attachment 10E

Attachments: Insurance Fee Amendment

F. Discussion and Possible Action to Accept 11.069 Acres Below the Hickory Log Creek Dam from Bright-Sasser Canton, LLC - Utility Engineer Dave Hatabian - Attachment 10F

Attachments: Quitclaim Property Acceptance

Councilmember Estes made a motion to approve the items on the Consent Agenda. Councilmember McGrew seconded the motion, and it was approved unanimously.

11. Old Business

A. Discussion and Possible Action on Cases MPA2109-002 and CUP2109-001 for Master Plan Amendment and Conditional Use Permit Approval for TPA Group, LLC to Develop and Construct 134 Townhomes on the North Side of Watermist Drive and the West Side of Bluffs Parkway - Community Development Director Ken Patton - Attachment 11A

Attachments: MPA2109-002 and CUP2109-001 Documentation

Community Development Director Ken Patton stated a public hearing for this application was held on November 4th. Staff received an amended site plan and front façade renderings from the applicant that has distributed to Councilmembers. The site plan does address some of staff's concerns regarding the 50-foot right-of-way. The applicant is still requesting one entrance. The City's standards require two entrances if the number of units is over 125. Staff would recommend approval of the project. Mr. Patton noted the units would be below road grade. Mayor Grant asked if the City has received any comments from the Fire Marshal. Mr. Patton stated no comments have been received at this time. Mr. Patton noted the applicant submitted the amended site plan recently and the Fire Marshal may not have had time to review it. Mayor Grant stated he would like to get those comments and keep the required two entrances as in the City's standards. Mayor Grant asked about the development being gated. Mr. Patton discussed that each phase of the development has different owners so that may be difficult to do. Councilmember McGrew asked if there is a solar energy policy for the development. Mr. Patton stated he is not aware of any at this time but can find out from the developer. Councilmember McGrew made a motion to table this application until December 2nd. Councilmember Schmidt seconded the motion, and it was approved unanimously.

B. Discussion and Possible Action on Annual Update to Capital Improvements Element and 5 Year Short Term Work Plan for Impact Fees - Community Development Director Ken Patton - Attachment 11B

Attachments: Annual Update - CIE and 5 Year STWP

Mr. Patton stated a public hearing was held on November 4th. This is a requirement of state law for local governments that have an Impact Fee Program. Mr. Patton discussed the compliance and submittal process and deadlines. Councilmember Estes made a motion to approve the resolution to transmit. Councilmember Schmidt seconded the motion, and it was approved unanimously.

C. Discussion and Possible Action to Approve a Resolution to Set the City's Fee for the Alcohol Package License for Distilled Spirits - Assistant City Manager Nathan Ingram - Attachment 11C

Attachments: Alcohol License Fee Resolution

Mr. Ingram stated the annual license fee for the package sales of distilled spirits would be $5,000. The alcohol ordinance was approved by Council on November 4th and this fee is like those in surrounding jurisdictions. Councilmember Estes clarified that there is a separate beer and wine license fee. Councilmember Estes made a motion to approve. Councilmember Schmidt seconded the motion, and it was approved unanimously.

12. New Business

A. Discussion and Possible Action on Change Order No. 1 for Sol Construction for the Laurel Canyon Booster Pump Station - Utility Engineer Dave Hatabian - Attachment 12A

Attachments: Sol Construction Change Order No. 1

Utility Engineer Dave Hatabian discussed owner allowances within contracts. Sol Construction has completed the project and the owner's allowance was not used. Councilmember Schmidt made a motion to approve the deductive change order. Councilmember Carlan seconded the motion, and it was approved unanimously.

B.

Discussion and Possible Action on Resolution of Funding Support for the Heard Road Extension - City Engineer Bethany Watson - Attachment 12B

Attachments: Heard Road Extension

City Engineer Bethany Watson stated Cherokee County Board of Commissioners is requesting funds from the Georgia Infrastructure Bank through the State Road and Tollway Authority for Heard Road Extension Phase 1. This project runs through Cherokee County and City of Canton properties. The Community Development Department of Cherokee County have requested a resolution of support for the application from the City. Mayor Grant clarified this is not financial support. Councilmember Schmidt made a motion to approve the resolution. Mayor Pro Tempore Wilson seconded the motion, and it was approved unanimously.

C.

Presentation of Staff Report for Case Z2105-006 for Rob Beecham of Folia Group, LLC Requesting to Rezone 33.23 Acres from R-20 to PD-R (Planned Development - Residential) Located Between Cherokee Street, Longview Street, and Dr. John T. Petit Drive - Community Development Director Ken Patton - Attachment 12C

Attachments: Z2105-006 Documentation

Mr. Patton stated the development proposes 130 residential units with a mixture of detached and attached homes. Mr. Patton discussed the zoning and uses of adjacent properties. Mr. Patton noted a Master Plan application for this development will come before Council in January. Staff will be confirming that required notices were distributed by the applicant. If these notices were mailed by the required date, this item will be tabled and heard in January along with the Master Plan application.

D.

Presentation of Staff Report for Cases MPA2105-004 and CUP2105-005 for Mark Sween Requesting Master Plan Amendment and Conditional Use Approval to Develop a 251 Senior Apartment Community within Pod I at Riverstone - Community Development Director Ken Patton - Attachment 12D

Attachments: MPA2105-004 and CUP2105-005 Documentation

Mr. Patton discussed the property location. The applicant is requesting one entrance. Mr. Patton discussed the zoning and uses of adjacent properties. Mr. Patton stated staff sent Council additional information regarding their preliminary questions about this project.

13. City Manager's Report

Mr. Peppers stated two public hearings will be held in January. The first public hearing is for a Master Plan for Cherokee Street, Longview Street, and Dr. John T. Petit Drive. The second public hearing is for a rezoning along Railroad Street. Mr. Peppers discussed a meeting with the Cherokee County Arts Council and stated he will send a report from that meeting to Council. Mr. Peppers stated staff has received numerous inquiries about package sales licenses. Mr. Peppers proposed a sealed bids process for the issuance of the first licenses. Mr. Peppers discussed the proposed process and reviewed the benefits of such. Mr. Peppers noted staff would like to take time to develop the best process possible. Mr. Peppers suggested revisiting the maximum of 10,000 square feet for a building/suite within the alcohol ordinance. This would require an ordinance amendment but not another public hearing. Mr. Peppers stated he would prepare the framework for this process and present it to Council at the December 2nd meeting. An ordinance amendment will also be presented to Council on December 2nd. Mr. Peppers discussed street parking within City subdivisions. Mr. Peppers asked if Council would like the City to create a process for gathering information from residents to see if they would like for parking on the street to be banned. Mr. Peppers and Council discussed enforcement of parking along the streets. Mr. Peppers discussed a petition that would have to be signed by residents. Council agreed for City staff to develop a process to gather information.

14. Council Introduced Items

Mayor Pro Tempore Wilson discussed housing numbers from the latest housing study that was provided by the City’s Community Development staff. Mayor Pro Tempore Wilson urged Council to consider these numbers when reviewing future proposed developments and to refer to Tenant #7 of Canton’s Roadmap regarding Improving Infrastructure for Future Demands. Councilmember Estes discussed developers requesting high density projects. Mayor Pro Tempore Wilson stated the reapportionment of wards should also be considered. Mayor Grant discussed updating the housing study given the new Census numbers, the continued work to improve transportation issues, and the nearing increased sewer capacity. Councilmember Carlan discussed that the housing study provides a minimum number of units the City can absorb and stated the focus should be on infrastructure. Councilmember Tolan stated available land for development is mainly in Ward 1 and discussed how developers are responding to the market and the need for affordable housing. Councilmember Schmidt discussed the importance of communication with residents regarding development and stated Council is always thinking of housing. Mayor Grant stated the new Housing personnel should be coming on board soon to assist with this and reiterated the importance of communication with citizens. Mayor Grant noted a workshop will be coming soon to further discuss housing and stated this subject could also be addressed at the Council retreat.

15. Mayor's Report

Mayor Grant stated he is thankful for all City staff, Councilmembers, and citizens.

16. Adjourn

Councilmember Tolan made a motion to adjourn to Executive Session to discuss real estate. Mayor Pro Tempore Wilson 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