Canton, Georgia

110 Academy Street
Canton, Georgia 30114

Minutes - Final

Thursday, June 3, 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 Mayor Pro Tempore Wilson.

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. Stephen Merrifield, Police Chief
Mr. Ken Patton, Community Development Director
Ms. Melissa Forrester, Finance Director
Ms. Lauren Johnson, Communications & Marketing Specialist
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 for discussion of personnel and litigation. Councilmember McGrew requested an item be added to Council Introduced Items for discussion of changing the date of the August Work Session meeting. City Manager Billy Peppers requested an item be added under New Business for discussion of an application for an Enterprise Zone Agreement with The Mill on Etowah. Mr. Peppers proposed to have this item be added as the first item under New Business. 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

A. Presentation of the Fiscal Year 2020 Comprehensive Annual Financial Report - Rushton Certified Public Accountants

Clay Pilgrim with Rushton & Company, LLC presented the audit report for the fiscal year which ended on September 30, 2020 noting an unmodified or clean opinion on the financial statements has been given. Mr. Pilgrim reviewed the City's net position. Mr. Pilgrim then discussed revenues, expenditures, and unassigned fund balance of the General Fund. Mr. Pilgrim also reviewed the

operating revenues, expenses, interest expense, and unrestricted net position of the Water and Sewer Fund. One material weakness and no significant deficiencies were noted in the internal controls of the City. Mr. Pilgrim stated the material weakness has been discussed with staff and is being addressed. Mr. Pilgrim discussed current and future reporting changes.

5. Public Hearings

A. Public Hearing for Cases MPA2104-002 and CUP2104-001 at the Mill on Etowah Project - Community Development Director Ken Patton - Attachment 5A

Attachments: TheMill on Etowah Project Documentation

Community Development Director Ken Patton introduced the case and provided the application details. The applicant is requesting an amendment to increase the number of multifamily units from 250 to 280. Mayor Grant opened the public hearing and called on the applicant to present their case. Benson Chambers and Kurt Alexander presented. Mr. Chambers discussed the history of the proposed project location. The proposal is to have 280 multifamily units distributed between one 4-story building and one 5-story building. There will be a parking deck on site. Mr. Chambers described the proposed finishes within the units and stated the rental rates would be between $1200 and $2400. Mr. Alexander displayed the proposed exterior and interior elevations for the project. Mr. Chambers stated merchants and surrounding restaurants would find this development acceptable. With no others to speak in support of or in opposition to the application, Mayor Grant closed the public hearing. Councilmember McGrew asked about the exterior elevations. Mr. Patton stated the applicant must have the exterior elevations approved by the Historical Preservation Commission. Mayor Grant asked about the request for a new traffic study. Mr. Patton stated this will be submitted with the applicant's construction plans at the request of Development Services Manager Bethany Watson due to ongoing development within the area. Mayor Pro Tempore Wilson asked about the location of the parking deck. Mr. Patton stated it would be in the middle of the two residential buildings. Councilmember Tolan asked about any units being set aside for workforce housing. Mr. Patton stated there have not been any discussions about that based upon the housing study. Councilmember McGrew asked about public art within the development. Mr. Patton stated he will reach out to the applicant. Councilmember Schmidt asked about a rendering for the parking deck. Mr. Patton stated a rendering for the deck has not yet been submitted but he would tend to think that it will blend with the exterior of the apartment buildings. Mayor Grant noted a memorandum that was received from the City's Utility Engineer regarding sewer capacity and the time frame for that. Councilmember McGrew asked about the reason for the increase in number of units. Mr. Patton stated he will ask the applicant. Councilmember Carlan requested additional information on the green features within the project. Councilmember McGrew asked about rooftop activities. Mr. Patton stated proposed rendering shows a sloped roof but if changes occur that can be addressed.

B. Public Hearing for Case MP2104-003 for Laurel Canyon Pod 3 - Community Development Director Ken Patton - Attachment 5B

Attachments: Laurel Canyon Pod 3 Documentation

Mr. Patton introduced the case and provided Council with the application details. Mr. Patton stated the applicant is requesting to change from residential detached units to attached units for the construction of three two-unit buildings. These would be like the two-unit models in Pod 9 on the other side of the Laurel Canyon amenity center. Mayor Grant opened the public hearing and called on the applicant to present their case. John Gaskin, Vice President of Patrick Malloy Communities, presented. Mr. Gaskin discussed the Laurel Canyon development and stated it is close to being completely built out. Mr. Gaskin stated the proposed project is a very small parcel of land and discussed the difficulties of development in the area. These six units are proposed to start at $357,000, have a two-car garage with a private drive, and be around 2,200 square feet in total. Mr. Gaskin provided Council renderings of the proposed units. Mr. Gaskin discussed construction of these units and how they will work to not impede Laurel Canyon Parkway or damage existing infrastructure. It is expected that construction will be compressed as far as time. With no others to speak in support of or in opposition to the application, Mayor Grant closed the public hearing. Mayor Grant asked about construction equipment and traffic. Mr. Patton stated conditions can be placed upon approval regarding construction vehicle parking. Councilmember Carlan asked what the recourses would be for violating those conditions. Mr. Patton stated the vehicles could be removed, citations issued, and/or stop work orders issued. Mayor Pro Tempore Wilson asked if this pod would be part of a Homeowner's Association (HOA). Mr. Patton stated this would be part of the Laurel Canyon HOA which serves those outside of the gate. Councilmember McGrew asked if there is a chance that traffic would be diverted during times of construction. Mr. Patton stated that can be discussed.

C. Public Hearing for Case MPA2104-004 Located at 70 Laurel Canyon Village Circle - Community Development Director Ken Patton - Attachment 5C

Attachments: Laurel Canyon Village Circle Documentation

Mr. Patton introduced the case and provided the application details. The amendment would allow residential to the list of approved uses. Staff has received no comments for or against the application. Mayor Grant opened the public hearing and called on the applicant to present their case. Mr. Peppers stated the subject property was the City's proposed fire station site. After consolidation with the County for fire services, another site was chosen for their station. The area is surrounded by multifamily. There is not a Conditional Use Permit application currently. Approval of this request would allow discussions to move forward for innovative housing options. With no others to speak in support of or in opposition to the application, Mayor Grant closed the public hearing. Mayor Grant asked about the size of the property. Mr. Patton stated it is 1.9 acres. Councilmember McGrew asked if specific housing types should be specified. Mr. Peppers stated not at this time. Mr. Patton discussed the possibility of conducting a Request for Qualifications or a design competition to solicit input from builders/developers on what they think would be the best use of the property with an emphasis on innovative housing. This can be further discussed at the July Work Session meeting.

6. Consideration to Approve Minutes

A. Special Called Council Meeting Draft Minutes - May 20, 2021 - Attachment 6A

Attachments: Minutes - Special Called Council Meeting - May 20, 2021

B. Council Meeting Draft Minutes - May 20, 2021 - Attachment 6B

Attachments: Minutes - Council Meeting - May 20, 2021

Councilmember Tolan made a motion to approve the minutes. Mayor Pro Tempore Wilson seconded the motion, and the motion was approved. Councilmember Estes was not present at the time of voting.

7. Informational Items

A. Upcoming Public Hearing - Cases AX2102-004, Z2102-004 and MP2102-006 for the Old Doss Road Project - Attachment 7A

Attachments: Old Doss Road Project Documentation

Mr. Patton briefly reviewed the upcoming public hearings to be heard at the July Work Session meeting. The applicant withdrew their previous applications to have continued discussions with Cherokee County regarding infrastructure improvements.

B. Upcoming Public Hearing - Cases AX2104-008, Z2104-010 and TXT2104-009 for the Knox Bridge Highway Project - Attachment 7B

Attachments: Knox Bridge Highway Project Documentation

Mr. Patton briefly reviewed the upcoming public hearings to be heard at the July Work Session meeting. These applications seek for the approval of a microbrewery.

C. Employee Recognitions - Police Chief Stephen Merrifield - Attachment 7C

Attachments: Employee Recognitions

Police Chief Stephen Merrifield recognized Officer Pacer Cordry for ten years of service with the Canton Police Department. Chief Merrifield also recognized Officer Michael Caplan as the 1st Quarter 2021 Employee of the Quarter.

D. Review of April Financials - Finance Director Melissa Forrester - Attachment 7D

Attachments: April Financials

No comments.

8. Other Announcements

None.

9. Ten Minute Public Input

None.

10. Consent Agenda

None.

11. Old Business

None.

12. New Business

A. Discussion of Proposed Fiscal Year End 2020 Budget Amendments - Finance Director Melissa Forrester - Attachment 12A

Attachments: EOY Budget Amendments

New Item 12A: Discussion of Enterprise Zone Application with The Mill on Etowah

Penn Hodge discussed the growth of The Mill on Etowah over the past three years. Mr. Peppers stated staff will provide a memorandum to Council outlining what fees have been paid this year, which of those fees that are asked to be refunded to this point, and which fees are requested to be abated for the second half of the year by the next Council meeting.

Original Item 12A: Discussion of Proposed Fiscal Year End 2020 Budget Amendments

Finance Director Melissa Forrester these budget amendments must be completed each year and accompany the audit report as presented by Mr. Pilgrim.

B. Discussion of Proposed Enterprise Lease Agreements - Assistant City Manager Nathan Ingram - Attachment 12B

Attachments: Enterprise Fleet Lease Agreement

Assistant City Manager Nathan Ingram stated the agreement allows for the lease of the City's fleet vehicles. Mr. Ingram noted an amendment to the agreement will be submitted to remove the $500 deductible. Mr. Ingram stated it is proposed to enter into the agreement next year with twenty vehicles and will have all vehicles into the agreement within three years. Councilmember McGrew asked if there will be hybrid or electric vehicles included in the fleet. Mr. Ingram stated yes.

C. Discussion of Ethics Ordinance - City Attorney Bobby Dyer - Attachment 12C

Attachments: Ethics Ordinance

City Attorney Bobby Dyer highlighted the changes from the existing ethics ordinances such as financial conflicts of interest, conduct, prohibited activities, improper voting, and Board of Ethics. The process for submitting an ethics complaint is also proposed to be changed. A complaint must be filed within six months of the proposed violation. A complaint cannot be filed during an election period. An affidavit must be signed and submitted along with the complaint and only a City resident can file a complaint. Mr. Dyer discussed that the ordinance would cover the Mayor, Council, and any of those appointed to a board who make decisions. Mr. Dyer stated any comments about the proposed revisions to the ordinance should be sent to the City Manager.

D. Discussion of Intergovernmental Funding Agreement for the Cherokee Office of Economic Development - City Manager Billy Peppers - Attachment 12D

Attachments: Intergovernmental Funding Agreement COED

Mr. Peppers stated the City has generally had an agreement with the Cherokee Office of Economic Development (COED) to do industrial recruitment and expansion projects. The City provides supplemental funding. This agreement is for $20,000 for their recruitment and expansion services. There is an additional $4,000 to be provided on an annual basis to offset the cost of a real estate site the COED manages which lists office spaces and industrial sites. This would be a three-year agreement and is American Rescue Plan Act (ARPA) eligible.

13. City Manager's Report

Mr. Peppers provided Council a copy of an aerial map showing the area of Cherokee County School Board's recently acquired property in the Riverstone development. There are two parcels which are unincorporated islands. It is the City's goal to incorporate these islands. Mr. Peppers proposed the City initiate the annexation application process. The only cost to the City will be the advertising fee. This application will be filed on July 1st.

14. Council Introduced Items

Councilmember McGrew requested the August Work Session meeting be moved from Thursday, August 5th to Wednesday, August 4th due to the Georgia Municipal Association's Annual Convention beginning on Friday, August 6th. This is an educational opportunity for elected officials. Generally, this convention is held in June but has been pushed back to August this year because of COVID. Councilmember McGrew made a motion to move the August Work Session to Wednesday, August 4th at 6:00 pm. Councilmember Tolan seconded the motion, and it was approved unanimously.

15. Mayor's Report

Mayor Grant asked Mr. Dyer to review the City's proclamation policy and provide a revised policy/ordinance at the July Work Session meeting.

16. Adjourn

Councilmember Schmidt made a motion to adjourn to Executive Session to discuss personnel and litigation. Mayor Pro Tempore Wilson seconded the motion, and it was approved unanimously.

____

Bill Grant, Mayor

Attest:

____

Annie Fortner, City Clerk

____

Dates Minutes Approved by Council