

Canton, Georgia

*110 Academy Street
Canton, Georgia 30114*



Minutes - Final - Draft

Thursday, December 5, 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 Councilmember Roach.

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
Councilmember Travis Johnson
Mr. Billy Peppers, City Manager
Mr. Bobby Dyer, City Attorney
Mr. Marty Ferrell, Police Chief
Mr. Jeff Tucker, Deputy Police Chief
Ms. Tiffanie Cromer, Police Lieutenant
Mr. Nathan Ingram, Assistant City Manager
Mr. Ken Patton, Housing Initiatives Director
Mr. Steve Green, Zoning Administrator
Mr. Kevin Turner, Community Development Director
Ms. Bethany Watson, City Engineer
Ms. Aundi Lesley, Economic Development Manager
Ms. Lauren Johnson, Communications Manager
Mr. Mike Morgan, Information Technology Director
Ms. Annie Fortner, City Clerk*

Absent:

None

3. Consideration to Approve Agenda

City Manager Billy Peppers informed that staff recommends that Council postpone Public Hearing Item 5C until the first meeting in February due to an error made by the applicant in the notification of the location of the community input meeting. This will allow time for the applicant to hold a community input meeting after the holidays. Mayor Pro Tem Waterman made a motion to postpone the public hearing for Item 5C until the February 6th Council meeting. Councilmember Yawn seconded the motion, and it was approved unanimously. Mayor Pro Tem Waterman made a motion to approve the agenda as amended. Councilmember Roach seconded the motion, and it was approved unanimously.

4. Guests and Visitors

- A.** Presentation of Check from Canton Lions Club to Canton Police Department Shop With A Cop - President Craig Keith and Treasurer George Murphy

Canton Lions Club President Craig Keith and Treasurer George Murphy presented a check in the amount of \$6,900.00 to the Canton Police Department for their Shop with a Cop event to be held on December 10th.

- B. Presentation from History Cherokee - Executive Director Stefanie Joyner

History Cherokee Executive Director Stefanie Joyner provided Council a presentation which reviewed events held as well as research and information services provided over the last year. Ms. Joyner also discussed the center's operating income and expenses. Ms. Joyner spoke about their upcoming budget proposal and suggestion for four new historical markers. Development Manager Whitney Spear provided Council with History Cherokee's goals and objectives for the upcoming year.

5. Public Hearings

- A. Public Hearing for 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](#)

Zoning Administrator Steve Green introduced the case and noted the applicant proposes to develop 198 condominium units in 11 buildings. Mr. Green informed that all notification requirements have been met. Mayor Grant opened the public hearing and called for the applicant to present their case. Mr. Parks Huff represented the applicant. Mr. Huff stated the property is within the growth boundary and that the surrounding properties are within the City limits. Mr. Huff noted the infrastructure in the area is currently not in good condition but will be upgraded. A second access will be provided through the Housing Authority's property. Mr. Huff discussed that the units will be owner-occupied and constructed as demand needed. Mr. Huff discussed the proposed condo types and layouts and stated this type of housing meets a need for smaller families, those that are single, or people looking to downsize. Mr. Huff spoke about concerns raised at the community input meeting being a high-density development and traffic congestion. Mr. Thomas Weaver spoke in opposition to the applications discussing concerns with infrastructure, high density development, and increased traffic. Mr. Huff spoke in rebuttal stating this development will put people closer to jobs and will take several years to build out. Mr. Huff added that all Georgia Department of Transportation (GDOT) requirements will be met in terms of access on Waleska Road. Mayor Grant closed the public hearing and opened discussion to Council. Mayor Grant confirmed with Mr. Green that the staff report states the proposed development is not consistent with the City's Comprehensive Plan in terms of density. Mr. Green stated that is correct. Mayor Grant noted the primary access point would be off Highway 140 and asked if the second access would be an emergency access. Mr. Green informed that the letter of intent states that second access would be for emergency access. Council requested additional information relating to enforcement of owner-occupied vs. rental units, price points, one and two bedroom square footages, ADA compliance, and association fees. Council also asked Mr. Green if the applicant would consider donating to the City's housing

fund, constructing the entrance to be right-in/right-out, developing the property all at once instead of over time, and reducing the density.

- B. Public Hearing for Cases ANNX2407-001, RZON2407-004, MP2407-003, and CUP2407-002 - Requests to Annex, Rezone, Gain a Conditional Use Permit, and Master Plan Approval along Prominence Point Parkway for a Residential Development - Zoning Administrator Steve Green

Attachments: [Prominence Point Parkway Documentation](#)

Mr. Green stated the applicant is looking to develop a mixture of townhomes and single family detached homes. Mr. Green noted this property came before Council a couple of years ago as proposed townhomes and the application was denied. The current applicant requests that the development have private streets that are not gated. Mayor Grant opened the public hearing and called on the applicant to present their case. Mr. Parks Huff represented the applicant. Mr. Huff clarified that the current applicant was not involved in the application made a few years ago. Mr. Huff discussed that the property is within the growth boundary and the surrounding properties are within the City limits. Mr. Huff discussed the City's existing land use map and how the proposed development is within the proposed use. Mr. Huff reviewed the proposed site plan layout and spoke about the quality of work that the applicant provides. Mr. Huff noted that community input meetings were held and that the applicant is happy to work with the surrounding properties. Ms. Linda Steding, an adjacent property owner, spoke neither in support of nor in opposition to the applications. Mr. Steding discussed the requests from surrounding neighbors regarding fencing, evergreen plantings, ownership of properties, restricted weekend construction hours, and minimizing light pollution. Ms. Judith Bond spoke in opposition to the applications discussing concerns with safety, health, and potential environmental issues. Mr. Thomas Weaver spoke in opposition to the applications discussing concerns with one access point along a roadway which needs improvement and the increased traffic. Mr. Huff spoke in rebuttal noting there is already a median break in place at the location of the proposed entrance. Mr. Huff also noted that the applicant is willing to comply with the lighting request as mentioned. Mayor Grant closed the public hearing and opened discussion to Council. Mayor Grant confirmed with Mr. Green that the requested density is not consistent with the recommendation of the Comprehensive Plan. Mr. Green stated that is correct. Councilmember Tolan asked Mr. Green to verify that the majority of the residents are in agreement with the requests as stated by Ms. Steding. Councilmember Johnson discussed the poor quality of the air conditioning units as listed in the features.

- C. Public Hearing for Cases ANNX2409-001, RZON2409-002, and MP2409-003 - Requests to Annex, Rezone, and Gain Master Plan Approval for 57.16 Acres Located on Knox Bridge Highway for a Residential Development - Zoning Administrator Steve Green

Attachments: [Knox Bridge Highway Documentation](#)

This item has been postponed until the February 6th Council meeting.

6. Consideration to Approve Minutes

- A. Council Meeting Draft Minutes - November 21, 2024

Attachments: [Minutes - Council Meeting - November 21, 2024](#)

Councilmember Yawn made a motion to approve the minutes. Councilmember Roach seconded the motion, and it was approved unanimously. Mayor Pro Tem Waterman was absent for the vote.

7. Informational Items

- A. Information Only - Case CUP2410-005 - Request to Construct 208 Townhome Units along Misty Way and Misty Court - Zoning Administrator Steve Green

Attachments: [CUP2410-005 Documentation](#)

Mr. Green stated the application seeks to construct 208 townhome units. This property came before Council a few years ago for the development of apartments and was denied. Following the denial, the applicant appealed the City's decision, and the judge ruled in the City's favor.

- B. Information Only - Cases CUP2411-001 and MPA2410-003 - Request to Amend Previously Approved Conditional Use Permit and Master Plan Amendment to Allow for Fee Simple Ownership - Zoning Administrator Steve Green

Attachments: [CUP2411-001 and MPA2410-003 Documentation](#)

Mr. Green stated the applicant previously applied for a Conditional Use Permit to allow for a rental community. The applicant now seeks to have the option of rental and fee simple units.

8. Other Announcements

None.

9. Ten Minute Public Input

Mr. Thomas Weaver read a letter urging Council to consider working with Cherokee County and the other municipalities to place a referendum on next year's ballot for a potential Floating Local Option Sales Tax.

10. Consent Agenda

- A. Approval of Local Administered Project (LAP) Re-Certification Application and Request for Mayor to Sign Application - City Engineer Bethany Watson

Attachments: [LAP Re-Certification](#)

- B. Approval of Traffic Signal Proposal from North Cherokee Electrical, Inc in the

amount of \$59,375.00 - City Engineer Bethany Watson

Attachments: [North Georgia Electrical](#)

- C. Approval of Amendment 5 of the Professional Engineering Services Agreement to H2O Innovation Operations & Maintenance, LLC - City Engineer Bethany Watson

Attachments: [H2O - Amendment 5](#)

- D. Approval of Updated Municipal Services Agreement with Cherokee County for the Administration of Animal Control Services - City Manager Billy Peppers

Attachments: [Animal Control Agreement](#)

- E. Approval of Updated Municipal Services Agreement with Cherokee County for First Appearance Hearings - City Manager Billy Peppers

Attachments: [First Appearance Hearings Agreement](#)

*Councilmember Tolan made a motion to approve the Consent Agenda.
Councilmember Yawn seconded the motion, and it was approved unanimously.
Councilmember Johnson was absent for the vote.*

11. Old Business

- A. Discussion and Possible Action to Approve a Resolution for Participation in the Amicus Brief in the Chang v. City of Milton Appeal - City Manager Billy Peppers

Attachments: [Resolution for Participation in Amicus Brief](#)

Mr. Peppers stated that City staff, City Attorney, and the Georgia Municipal Association suggest municipal participation in an appeal on a ruling against a municipality related to right of way obstructions. The appeal would go before the Georgia Supreme Court. Councilmember McGrew made a motion to approve a resolution for participation in the amicus brief in the Chang v. City of Milton appeal. Mayor Pro Tem Waterman seconded the motion, and it was approved unanimously. Councilmember Johnson was absent for the vote.

12. New Business

- A. Discussion of Proposals for Professional Services to Prepare Two Concept Plans for the North Canton School Site - Housing Initiatives Director Ken Patton

Attachments: [North Canton School Site Concept Plans](#)

Housing Initiatives Director Ken Patton stated that Council requested that staff obtain proposals to prepare two concept plans for the North Canton School site. One concept plan was to include preserving the gymnasium building and providing parks and recreation opportunities for the remainder of the site. The

second concept plan was to include preserving the gymnasium, providing parks and recreation opportunities, and providing a housing component. Mr. Patton noted staff contacted and met on site with three consulting firms to discuss the site and preparation of the concept plans. Mr. Patton stated that staff recommends that the Council considers approving the Keck & Wood proposal.

Councilmember Yawn left the meeting at this time.

- B. Discussion of Georgia Initiative for Community Housing (GICH) Canton Housing Team Proposal to Conduct Minor Housing Rehabilitation Projects - Housing Initiatives Director Ken Patton

Attachments: [GICH Team Proposal](#)

Mr. Patton discussed that during this past summer a housing survey was conducted in which the City staff and Housing Team members surveyed around 1,950 properties in the City. The survey looked at house exteriors, foundations, steps/stairs, windows/doors and roofs. The Housing Team identified a Target Area 1 (east side of Waleska Road to Reinhardt College Parkway to Riverstone Parkway). The Target Area contained 45 owner occupied properties with 8 of those properties being senior or disabled residents. Mr. Patton stated the Housing Team proposes to conduct minor rehab work to include painting, step/stair repair, and window work. The Housing Team sent out letters to these property owners and the Housing Team has received three (3) inquiries about potential minor rehabilitation work. Mr. Patton stated the work will be accomplished by Housing Team members and volunteers utilizing donated materials. Mayor Grant expressed concern having the Housing Team members performing some of this work.

- C. Discussion of Ridge Pine Elevated Tank and Booster Pump Station Proposal for Addendum No. 1 to Task Order No. 7 from Black & Veatch in the Amount of \$142,625.00 - City Engineer Bethany Watson

Attachments: [Black & Veatch - Task Order 7](#)

City Engineer Bethany Watson discussed that the beginning of the engineering and design of the Ridge Pine Elevated Tank and Booster Pump project did not include any coordination with TSW for the South Canton Park. This has created a lot of changes from what was originally scoped. Ms. Watson reviewed the additional supplemental services such as Project Administration and Management, Coordination with Landscape Architect, Updated Preliminary Design, and Updated Detailed Design.

- D. Discussion of I-575 Emergency Access Median Opening from Practical Design Partners, LLC in the Amount of \$21,700.00 - City Engineer Bethany Watson

Attachments: [Emergency Access Median Opening](#)

Ms. Watson stated that staff was approached by the Police Department to develop plans for a median crossing on I-575 to help with emergency access on I-575 in order to decrease accident response time. The median opening will be located just south of the Brick Mill Road overpass, between Exit 14 and Exit 18 on I-575. PDP will design the new median opening so that access is provided for emergency vehicles.

- E. Discussion of Update to the City's Noise Ordinance - City Attorney Bobby Dyer

Attachments: [Proposed Noise Ordinance](#)

Councilmember McGrew thanked the Committee members and staff for their work in updating the noise ordinance. City Attorney Bobby Dyer discussed that the proposed ordinance uses a decibel level to objectively measure noise violations. Mayor Pro Tem Waterman and Councilmember Tolan discussed the ordinance provides decibel levels and time parameters and noted this updated ordinance will better serve the City as a whole.

- F. Discussion of Renewal of the City of Civility Resolution and Pledge - City Manager Billy Peppers

Attachments: [City of Civility](#)

Mr. Peppers stated the City of Canton is currently a City of Civility and it is time to renew our designation. This will be placed on the next agenda for approval.

13. City Manager's Report

- A. Schneider Electric Project Updates

Mr. Peppers discussed that House Bill 451, known as the Ashley Wilson Act, takes effect January 1, 2025. It provides critical illness and long-term disability benefits for first responders diagnosed with occupational post-traumatic stress disorder (PTSD) arising from their work for Georgia agencies. For the City of Canton, this would apply to sworn police personnel. Mr. Peppers noted the City is required to participate in some level of coverage. Staff has evaluated options and determined the best way to provide this coverage is by adding onto the City's GIRMA (Georgia Interlocal Risk Management) policy through GMA. The cost is associated with the census of our eligible first-responder groups and would be around \$7,600.00. Mr. Peppers noted a resolution will be placed on the next Council agenda for approval.

Mr. Peppers discussed that an agenda item will come before Council at the next meeting for the replacement of a sewer pump in the River Green area.

Mr. Peppers recognized Ms. Kaylee Floyd as Team Member of the Month for November.

Assistant City Manager Nathan Ingram reviewed a memorandum that was given to Council which provides updates on Schneider Electric projects. A copy of the memorandum can be found in the office of the City Clerk.

14. Council Introduced Items

None.

15. Mayor's Report

A. Appointments to City Boards and Committees

Mayor Grant spoke about a recent meeting held at City Hall with representatives of the County and other municipalities to discuss HB 581 and tax relief for homeowners.

Mayor Grant made the following board nominations:

***Canton Housing Authority –
Tannish Welch (Re-appointment)***

***Canton Main Street Board –
Amber Palermo
Ella Murdock***

***Downtown Development Authority –
Jennifer Hughes (Re-appointment)
Lee Oliver
Carmen Slaughter***

***Historic Preservation Commission –
Addie Price (Re-appointment)***

Mayor Pro Tem Waterman seconded the nominations, and they were approved unanimously.

16. Adjourn

Councilmember McGrew made a motion to adjourn. Councilmember Johnson seconded the motion, and it was approved unanimously.

Bill Grant, Mayor

Attest:

Annie Fortner, City Clerk

Dates Minutes Approved by Council