

The Council of the City of Villa Rica met in a regular scheduled meeting on Tuesday, November 2, 2004 at Villa Rica City Hall. Those present were Mayor J Collins, Councilmembers Perry Amidon, Verland Best, Danny Carter, Woody Holland and Jeane Williams; City Manager Robert Zellner, City Clerk Jane Chastain, and City Attorney David Mecklin. Approximately 22 people were in attendance.

Collins called the meeting to order at 7:00 p.m. The invocation was given by Councilmember Amidon. All recited the pledge of allegiance.

The minutes from the October 5 and October 20, 2004 meetings were approved as presented.

Collins pointed out the City's new Web Cam and the ability to broadcast to citizens not able to attend via the Internet.

Holland addressed the subject of the City's growth verses the present infrastructure. He suggested that the City consider a moratorium on Planned Urban Development (PUD) and other large development until the water and sewer capacity can catch up to the growth. He said this should not include business and industry or individual private homebuilding on single acreage. He also suggested that, if the City did not want to issue a moratorium, the Council could raise the greenspace requirement to fifty percent on PUDs. Collins read data indicating the City is only issuing 500 to 600 Certificates of Occupancy a year and stated he believes the infrastructure can catch up with the growth in a few years at that rate. Best said the Comprehensive Plan, expected to be completed in a few months, should become the City's game plan for future growth rather than a moratorium. After further discussion, Best suggested the Council postpone any decision on this issue until after the Council Retreat in January. Council concurred.

Collins presented a request to reestablish the Library Advisory Board to facilitate, among other things, the quest to expand the Library. He suggested each Councilmember appoint one member from his or her ward with the mayor appointing two "at-large" members. Carter nominated Linda Carter from Ward 1, Amidon nominated Bonnie Amidon from Ward 3 and Williams nominated Ken Mims from Ward 4. Collins nominated Clara Thomas at-large. Other nominations would follow at a later meeting.

Zellner presented a request to approve the winning bid for architectural design of the building for the Stockmar Gold Mine Museum. Zellner said three bids were received and Alan Bell Architects submitted the low bid at \$20,250.00. The other bids were from YSM Design & CDN, Inc for \$35,000.00 and from Keck & Wood for \$37,400.00. Staff recommended Alan Bell. Best asked if a bond will be required. Zellner said yes. After a brief discussion, Carter moved to accept the Staff recommendation, seconded by Holland. Motion carried 5/0.

Zellner presented a proclamation naming Sunday, November 14 as Retired Educator Day. Amidon moved to accept the proclamation as presented, seconded by Carter. Motion carried 5/0. Collins asked all present Retired Educators to stand. The audience gave them an ovation.

Zellner presented a resolution to modify the GMA Retirement Benefits by decreasing employee vesting from ten years to five years at an increased cost of only \$1500.00 per year. Zellner said GMA has reported that most of the cities in their retirement program vest at five years and he recommended the Council approve this benefit for the employees in light of the recent increased cost employees incurred in health coverage. Collins opposed the decrease in vesting. He asked Zellner if this included part time employees. Zellner said no, only full time employees are eligible for retirement. Collins continued to oppose the benefit. Best said this move would be a very good incentive to encourage employees to stay with the City since they would be a part of the retirement vesting and therefore more a part of the City. Holland pointed out that this would encourage older, more experienced people to join the city staff. Carter agreed this would encourage long term employment by making employees a part of the retirement system after five years. After further discussion, Amidon moved to accept the resolution, seconded by Carter. Motion carried 5/0. Collins instructed that the record reflect he has reservation about that.

[Due to technical difficulties with the slide show presentation, the agenda item of a contract with S&ME on wetlands mitigation was postponed until later in the meeting]

Frederick Gardiner informed Council that Annex-2-04, Reid Plantation, needed to be tabled due to an advertising problem. Gardiner said the City missed the 15 day requirement by one day and requested the Council table this until the December meeting. After a brief discussion, Carter moved to table until December, seconded by Amidon. Motion carried 5/0.

Gardiner presented an ordinance amending the Zoning Ordinance to add a landscape requirement for commercial projects. Gardiner said this would make such projects more aesthetically pleasing and would apply to PUD, General Commercial, Office and Institutional, Commercial Residential, Light Industrial and Heavy Industrial Zoning. Staff and the Planning and Zoning Commission recommended approval. Collins opened the floor for public comment. There being none, the floor was closed. Carter moved to approve the ordinance as presented, seconded by Holland. Motion carried 5/0.

Gardiner presented an ordinance to amend the Zoning Ordinance to clarify the designation of Personal Care Homes and the requirements for seeking approval of such. Gardiner said this ordinance amendment would allow Personal Care Homes, as currently defined, in Multi-family zonings (R-14) and General Commercial (GC) without special approval. Any request for this type business in Single-family Residential (R-20) zonings, however, would require the recommendation of Planning and Zoning and then approval by the City Council. Gardiner said the Ordinance received a first reading at the Planning and Zoning Commission meeting, where they recommended approval, and this reading constituted the second reading. Collins opened the floor for public comment. Janice Parkerson, 1025 Sycamore Lane, asked for some further clarification on the definition of a Personal Care Home and where they are currently located. Gardiner addressed this. There being no other comments, the floor was closed. After a brief discussion, Holland moved to approve the Ordinance as presented, seconded by Amidon. Motion carried 5/0. Collins thanked Gardiner for his service to the City as Planning and Zoning Manager and wished him luck as this would be Gardiner's last meeting. Zellner also praised the work Gardiner had accomplished

Gardiner presented RA-11-04, a request to rezone 0.85 acres at Dallas Road and Walnut Drive from R-20 to Office and Institutional (O/I) for the development of a doctor's office. Staff and the Planning Commission recommended approval with conditions. The applicant, Rett Harmon, has agreed to the conditions which are (1) Any new buildings erected on this site shall be constructed of brick, stone, stucco or any combination thereof and be residential in appearance; Planning and Zoning will have final approval of all architectural plans to ensure compliance. (2) There shall be a deceleration lane installed along Dallas Road in accordance with the City of Villa Rica and/or Georgia DOT standards if the front entry is used as an entrance to the building. (3) Signage shall be a ground base monument sign constructed with masonry materials consistent with that of the building façade, with a maximum height of 10 feet. (4) The owner shall install a decorative vinyl or PVC fence and a single row of Leyland Cypress three feet on center along all property lines abutting property zoned for residential land uses. Final approval shall be made by the Villa Rica Building Inspector. (5) This rezoning shall be for a doctor's office only. Harmon, who is with Duffey Realty, addressed the Council and said that West Georgia Podiatry is the anticipated occupant of the building. They will be installing an entrance off Walnut Circle and will not be using the Dallas Road entrance. After a brief discussion, Collins opened the floor for public comment. There being none, the floor was closed. Carter moved to approve as O/I with conditions as stated, seconded by Holland. Motion carried 5/0.

Gardiner presented RA-12-04, a request to rezone approximately 0.40 acres from R-20 to Commercial Residential (CR) for the purpose of building an upscale restaurant. Staff and the Planning Commission recommended approval with two conditions. (1) The restaurant building shall be constructed of brick, stone, stucco or any combination thereof and shall be residential in appearance. Community Development Staff shall have final approval of all architectural plans to ensure compliance. (2) Signage shall be a ground base monument sign constructed with masonry materials, with a maximum height of 10 feet. The applicant, Emily Holcomb, 338 Bolijeri Blvd, owner of the Red Brick Restaurant along with her husband, addressed the Council. She assured Council she would be landscaping and installing barriers to prevent any disturbance of the residential neighbors. The builder, Jay Davis, 175 Edgewater Drive, Temple, also addressed Council to answer questions about the building site and the anticipated parking spaces. After a brief discussion, Collins opened the floor for public comment. Patty Smith, 211 South Carroll Road, spoke in opposition. Her residence is adjacent to the property and she expressed concern about traffic, noise, loss of privacy, and excess lighting at her bedroom window. Jacob North, 221 South Carroll Road, was also opposed. His residence is adjacent on the other side of the property. He called the Red Brick a compliment to the city but does not belong in a residential area. North said he is concerned about rats, late night or early morning noise, grease traps and a bar next door to his infant daughter. There being no other comments, the floor was closed. After further discussion by the Council about problems with restaurants in residential areas, Holland moved to deny the application, seconded by Carter. Motion carried 5/0.

Best moved to table, until December, a resolution to increase Council salaries and benefits effective in January 2006, seconded by Holland. Motion carried 5/0.

Zellner presented contracts over \$5000.00, three items totaling 54,185.00. Zellner said the first item for Wastewater Treatment Plant software at \$7,800.00 had been stricken from the list as it was a budgeted item already approved by the Finance Committee.

The second item, a \$30,000.00 item from Keck & Wood for the design and specifications of the Conner Road booster pump station, Zellner said is a budgeted item but had not yet been before Council. The third item, also from Keck & Wood, is for the survey and engineering services for the Public Works building site planning, \$16,385.00. Zellner said this was also a budgeted item and had been discussed with the Finance Committee. Holland asked if the third item had already been done. Zellner said yes. Collins mentioned a sum of \$44,000.00 recently paid to Keck & Wood and suggested the City tell Keck & Wood that it was all they were going to get and they could “take it or leave it”. Zellner read a letter from Keck & Wood outlining what the amount was for. Holland asked for support documentation. Zellner said he does not have such documentation. He said the City Accountant may have it but nothing has been provided to him. Holland moved to delay payment on both Keck & Wood items until such time as Keck & Wood could provide documentation on time and materials spent and to justify their charges of \$16,385 and \$30,000. The motion was seconded by Carter. Motion carried 5/0.

CITY UPDATE: Zellner updated the Council on the preparations for moving council meetings to the City Court House. Several cabinet makers have been asked to submit quotes on reconstructing the judge’s bench to accommodate both Municipal Court and City Council meetings. So far the City has received one quote. Zellner said the timeline appeared to be February for holding council meetings there.

Zellner reminded the Council about the GMA District Four Fall Meeting in Senoia on Thursday, November 18, 2004 at 6:30 p.m. Jane needs to know who is going by November 3, 2004.

Zellner said DOT has informed him that three roads have been approved for resurfacing under the LARP program: South Dogwood, South Wilson, and Bolijeri Blvd. The City will be raising the manholes on these roads in preparation of this. Carter asked about widening South Wilson where a car cannot meet a school bus without one having to leave the pavement. Zellner said he is currently seeking quotes on the engineering cost and will be getting back with Council on that. Zellner asked for guidance from Council on proceeding with this project. Carter and Holland said “absolutely” proceed with this.

Zellner reported there is a contract and study in the works on the Connor Road/Mirror Lake Blvd intersection and traffic light. The City is moving forward on this.

Holland asked about also widening the entrance into Powell Park on Leslie Drive where two cars cannot meet at the same time.

Leira Douthat of S&ME presented information via laptop to the Council on the geotechnical services company’s proposal for wetlands mitigation credits on South Carroll Road. S&ME has been working toward locating sites which can be mitigated to produce the most credits thereby saving the City a lot of money in the long run. She pointed out that the City had paid \$56,000.00 in purchased wetlands credits in order to impact only 1.2 acres of wetlands in the Industrial Park. Douthat said the River Trace site is already in wetlands so no mitigation can occur, although the City can obtain credits for preserving those wetlands. The South Carroll Road site has been negatively impacted in the past and is a candidate for mitigation. Preliminary estimation suggests the City would earn 9,000 to 15,000 stream credits for returning the stream on that property to wetland status. Stream credits are the equivalent of \$40.00 per linear foot of stream. Zellner said any excess credits could be sold. Zellner read the resolution to authorize the City Manager to enter into a contract with SM&E to proceed with the

wetland mitigation of the South Carroll Road Project #3404817. Carter moved to adopt the resolution, seconded by Best. Motion carried 5/0.

Collins opened the floor for public comment. Mike Gill, 465 Daniel Road, talked about wetlands at the old water plant, the availability of the Centerfields property, moratorium and pensions. There were no other comments so the floor was closed.

Holland moved to adjourn to Executive Session for the purpose of discussing pending legal matters, seconded by Carter. Motion carried 5/0. Adjourned at 9:20 p.m.

Amidon moved to return to regular session, seconded by Best. Motion carried 5/0. Returned to regular session at 9:44 p.m.

Collins announced no action was taken in Executive Session

With no further business, Carter moved to adjourn, seconded by Best. Motion carried 5/0. Meeting was adjourned at 9:45 p.m.

J Allen Collins - Mayor

ATTEST:

Bob Zellner – City Manager