

CITY OF LAGRANGE, GEORGIA
REGULAR MEETING OF THE MAYOR AND COUNCIL

June 20, 2023

Present: Mayor Willie Edmondson; Council Members Tom Gore, Nathan Gaskin, Mark Mitchell, Leon Childs and Quay Boddie

Also Present: City Manager Meg Kelsey; Assistant City Manager Bill Bulloch; City Attorney Jeff Todd; Communications Director Katie Van Schoor; City Planner Mark Kostial

The meeting was called to order by Mayor Edmondson, the invocation was given by Rev. Mike Reeves, of the Open Range Cowboy Church, and Mayor Edmondson led the Pledge of Allegiance to the Flag.

On a motion by Mr. Gaskin, seconded by Mr. Gore, Council unanimously approved the minutes of the regular Council meeting held on June 13, 2023.

Tripp Foster addressed the Council regarding what he considers to have been recent disrespectful behavior in public meetings, thanked Mayor Edmondson for his efforts to unify the community and offered any assistance he may be able to provide.

Eric Simpson presented to the Mayor and Council on behalf of the West Georgia Farmer's Cooperative, seeking \$200,000.00 for pre-construction expenses relating to the establishment of the food cooperative project.

On a motion by Mr. Gaskin, seconded by Mr. Mitchell, Council voted unanimously to deny a notice of claim for damages filed on behalf of William Martin and referred it to the City's third-party administrator for handling.

Council Member Gaskin expressed his concern regarding Council deliberations in conjunction with the budget, and encouraged all to be honorable.

Council Member Childs stated that he was not at the budget meeting referenced by Mr. Gaskin, and thus had not made any promises and thus had not been less than honorable.

City Manager Kelsey discussed the need to reschedule the first regular meeting in July due to a conflict with a MEAG meeting. Upon motion by Mr. Mitchell, seconded by Mr. Childs and unanimously passed, Council voted to reschedule the first regular meeting in July to July 13, 2023.

Ms. Kelsey gave an overview of the Visit LaGrange budget, and upon motion by Mr. Mitchell, seconded by Mr. Gore and unanimously passed, Council approved the 2023-2024 Visit LaGrange budget.

Upon motion by Mr. Gore, seconded by Mr. Mitchell, Council considered a request by Habitat for Humanity for \$75,000.00 toward rehabilitation of low to moderate income residences in LaGrange. Mr. Boddie and Mr. Childs being members of the Board of Habitat for Humanity, abstained from the vote, which approved the funding by a vote of 3-0.

Upon motion by Mr. Mitchell, seconded by Mr. Gaskin and unanimously approved, Council called for a public hearing regarding the installation of a camera system to enforce speed limits within school zones to be held July 13, 2023 at 5:30 p.m.

Upon motion of Mr. Mitchell, seconded by Mr. Gore and unanimously passed, Council approved the Redevelopment Plan for Tax Allocation District #7.

On a motion by Mr. Mitchell, seconded by Mr. Gaskin, Council voted unanimously to approve the following ordinance:

AN ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE
CITY OF LAGRANGE TO AMEND THE CODE OF THE CITY;
TO AMEND THE ZONING MAP AND ORDINANCES OF THE
CITY SO AS TO RECLASSIFY THE USE ZONE OF REAL

ESTATE LOCATED ON HARRIS STREET AND VERNON STREET AND OWNED BY LAGRANGE COLLEGE; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE, GEORGIA HEREBY ORDAIN AS FOLLOWS:

SECTION 1:

That the zoning map and ordinances of the City of LaGrange be amended so as to reclassify from use zone TN-R (traditional neighborhood low-density residential district) to use zone TN-MR (traditional neighborhood medium-density residential district) the following described real estate, to wit:

All those tracts or parcels of land located adjacent to Harris Street and known as Troup County Tax Map Parcel Numbers: 061-4C-004-006A, 061-4C-004-007, 061-4C-004-008, 061-4C-004-009 and 061-4C-004-010.

SECTION 2:

That the zoning map and ordinances of the City of LaGrange be amended so as to reclassify from use zone CP-GB (campus general business district) to use zone TN-MR (traditional neighborhood medium-density residential district) the following described real estate, to wit:

All that tract or parcel of land located at 901 Vernon Street and known as Troup County Tax Map Parcel Number: 061-4B-020-003.

SECTION 3:

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4:

This ordinance, after adoption by the Council and upon approval by the Mayor, shall become effective immediately.

INTRODUCED AND FIRST READING June 13, 2023

SECOND READING AND ADOPTED June 20, 2023

SUBMITTED TO MAYOR AND APPROVED June 20, 2023

BY: /s/ Willie T. Edmondson
Mayor

ATTEST: /s/ Meg Kelsey
City Manager

On a motion by Mr. Gore, seconded by Mr. Mitchell, Council voted unanimously to approve the following ordinance:

AN ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE TO AMEND THE CODE OF THE CITY; TO AMEND THE ZONING ORDINANCE OF THE CITY SO AS TO MODIFY PROVISIONS RELATING TO NOTICE AND JUDICIAL REVIEW TO CONFORM TO STATE LAW; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE, GEORGIA HEREBY
ORDAIN AS FOLLOWS:

SECTION 1:

That Section 25B-55-9 of the Unified Development Ordinance of the City of the City of LaGrange be amended by deleting therefrom subsection (f), inserting in lieu thereof a new Section 25B-55-9(f) to read as follows:

“(f) *Public notice procedures.*

(1) *Legal Notice.* Due notice of public hearings held pursuant to this section shall be published in the newspaper of general circulation within the city. The legal advertisement shall be published at least thirty (30) days but not more than forty-five (45) days prior to the date of each required public hearing.

(2) *Signs posted.* The director shall post a sign or signs in a conspicuous location on the property subject to the variance application at least thirty (30) days prior to each public hearing required by this section. The sign must be visible from at least one (1) street upon which the property abuts or on the access to such property and shall state the proposed variance, the date of the public hearing and shall contain a telephone number to call for further information relating to such proposed variance.

(3) *Written notice to property owner.* Written notice of the public hearing shall be sent to the property owner at least thirty (30) days to the public hearing.”

SECTION 2:

That Section 25B-55-11 of the Unified Development Ordinance of the City of the City of LaGrange be amended by deleting said section, in its entirety, inserting in lieu thereof a new Section 25B-55-11 to read as follows:

“Sec. 25B-55-11. - Appeals from decisions of the board of planning and zoning appeals.

Appeals of all final decisions of the board of planning and zoning appeals under the provisions of this chapter shall be as follows:

(1) *Review of decisions.* Any person aggrieved by a final decision of the board of planning and zoning appeals may seek review of such decision in the manner provided by O.C.G.A. § 36-66-5.1(a)(2).

(2) *Approval of form or certificate.* The director shall have the authority, without addition board or agency action, to approve or issue any form or certificate necessary to perfect the petition described in Title 5 of the Official Code of Georgia Annotated.

(3) *Service.* Service of an appeal or petition under Title 5 of the Official Code of Georgia Annotated concerning any final action of the board of zoning and planning appeals may be effectuated upon the city manager in the manner provided by Georgia law.”

SECTION 3:

That Section 25B-55-13 of the Unified Development Ordinance of the City of the City of LaGrange be amended by inserting therein a new subsection (c) to read as follows:

“(c) *Appeals.* Any person aggrieved by the final decision of the director on an application for administrative variance may appeal said decision to the board of planning and zoning appeals under the procedures and requirements outline in Section 25B-55-10.

The board of planning and zoning appeals shall publish notice of the meeting at which such appeal is heard in conformity with Section 25B-55-9(f).”

SECTION 4:

That Section 25B-55-4 of the Unified Development Ordinance of the City of the City of LaGrange be amended by inserting therein a new subsection (j) to read as follows:

“(j) *Appeals of action by the mayor and council.* A zoning decision of the mayor and council as defined in O.C.G.A. § 36-66-3, may be appealed in the manner provided by O.C.G.A. § 36-66-5.1(a)(1). Such appeal shall be brought by a party in interest within thirty (30) days of the written decision of the challenged or appealed action.”

SECTION 5:

That Section 25B-55-14 of the Unified Development Ordinance of the City of the City of LaGrange be amended by deleting therefrom subsection (c)(2) in its entirety, inserting in lieu therein a new Section 25B-55-14(c)(2) to read as follows:

(2) Except for minor changes authorized as an administrative variance under section 25B-55-13(b), alterations or repeal of conditions attached to a variance granted by the board of planning and zoning appeals shall be made only by the board of planning and zoning appeals following a duly advertised public hearing conducted pursuant to procedures provided in subsection 25B-55-9(f)) of this chapter. Notice shall be provided in accordance with subsection 25B-55-9(f).”

SECTION 6

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 7

This ordinance after adoption by the Council and upon approval by the Mayor shall become effective immediately.

INTRODUCED AND FIRST READING June 13, 2023

SECOND READING AND ADOPTED June 20, 2023

SUBMITTED TO MAYOR AND APPROVED June 20, 2023

BY: /s/ Willie T. Edmonson
Mayor

ATTEST: /s/ Meg Kelsey
City Manager

On a motion by Mr. Mitchell, seconded by Mr. Gore, Council voted 4-1 to approve the following ordinance, with Mr. Gaskin voting no:

AN ORDINANCE

TO PROVIDE FOR THE ADOPTION OF A BUDGET CONTAINING ESTIMATES OF PROPOSED REVENUES AND EXPENDITURES FOR THE CITY OF LAGRANGE FOR THE 12-MONTH PERIOD BEGINNING JULY 1, 2023 AND ENDING JUNE 30, 2024; TO PROVIDE FOR SEPARABILITY; TO FIX AN EFFECTIVE DATE; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE HEREBY ORDAIN AS FOLLOWS:

SECTION 1:

For the expenses of the City Government and its activities for the 12-month period beginning July 1, 2023 and ending June 30, 2024, the amounts contained in the General Fund, Utilities Fund, General Capital Improvements Fund, Electric Fund, Water and Sewer Fund, Telecommunications Fund, Gas Fund, Sanitation Fund and Community Development Fund as shown in the Budget for the City of LaGrange, dated July 1, 2023 are hereby adopted and appropriated for the departments and activities of the City shown therein.

SECTION 2:

A copy of the Budget, dated July 1, 2023, is on file in the office of the City Manager of the City of LaGrange and is by this reference incorporated in and made a part of this Ordinance.

SECTION 3:

If any part of this Ordinance shall be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this Ordinance. The Mayor and Council of LaGrange hereby declare that it would have passed the remaining portion of this Ordinance had it known such part or parts would be adjudged invalid or unconstitutional.

SECTION 4:

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 5:

This Ordinance after its adoption and upon approval by the Mayor shall become effective on July 1, 2023.

INTRODUCED AND FIRST READING June 13, 2023

SECOND READING AND ADOPTED June 20, 2023

SUBMITTED TO MAYOR AND APPROVED June 20, 2023

BY: /s/ Willie T. Edmonson
Mayor

ATTEST: /s/ Meg Kelsey
City Manager

On a motion by Mr. Gore, seconded by Mr. Gaskin, Council voted unanimously to approve the following ordinance:

AN ORDINANCE

TO LEVY AN AD VALOREM TAX FOR THE CITY OF LAGRANGE FOR CALENDAR YEAR 2023; TO PROVIDE FOR SEPARABILITY; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE ORDAIN AS FOLLOWS:

SECTION 1:

The millage rate necessary to produce revenue from taxation of tangible real and personal property in the City of LaGrange which, when combined with other revenues reasonably expected to be received by the City during the year, other than revenues derived from the tax imposed pursuant to this Section and which would provide revenues sufficient to defray the expenses of the City for the year is computed as follows:

(a) For the purpose of raising revenue to pay the cost of the general government, ordinary expenses and for other purposes authorized by the Constitution and laws of the State of Georgia _____ 4.75 Mills

The millage rate of 4.75 as thus ascertained is then reduced by _____ mills, the millage rate which, if levied against the tangible property within the City of LaGrange, would produce an amount equal to the distribution of the proceeds of the tax imposed by the joint County and Municipal Sales and Use Tax for the twelve-month period. Applying the reduction of the millage rate to the millage rate necessary to produce the total revenue results in the millage rate for the calendar year 2023 of -0-.

SECTION 2:

If any part of this ordinance shall be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance. The Mayor and Council of the City of LaGrange hereby declares that it would have passed the remaining portion of this ordinance had it known such part or parts would be adjudged invalid, or unconstitutional.

SECTION 3:

All ordinances or parts of ordinances in conflict herewith are repealed.

SECTION 4:

This ordinance after its adoption and upon approval by the Mayor of LaGrange shall become effective on July 1, 2023.

INTRODUCED AND FIRST READING June 13, 2023

SECOND READING AND ADOPTED June 20, 2023

SUBMITTED TO MAYOR AND APPROVED June 20, 2023

BY: /s/ Willie T. Edmonson
Mayor

ATTEST: /s/ Meg Kelsey
City Manager

On a motion by Mr. Gaskin, seconded by Mr. Gore, Council voted unanimously to approve the following ordinance:

AN ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE TO AMEND THE CODE OF THE CITY; TO AMEND ARTICLES II AND III OF CHAPTER 15-10 OF THE CODE IN ORDER TO MODIFY THE FEES FOR CERTAIN RESIDENTIAL GARBAGE AND COMMERCIAL GARBAGE COLLECTION; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE, GEORGIA, HEREBY ORDAIN AS FOLLOWS:

SECTION 1:

That Section 15-10-31 the Code of the City of LaGrange be amended by deleting therefrom subsections (1), (2), and (3), inserting in lieu thereof new Sections 15-10-31(1), (2), and (3) to read as follows:

“(1) *Curbside garbage collection.*

- a. Sixty-eight (68) gallon container, per month per residential unit\$20.00
 - b. Ninety-six (96) gallon container, per month per residential unit\$23.00
 - c. Additional ninety-six (96) gallon container(s), per additional container per month per residential unit ..\$8.50
- (2) *Premium garbage collection service.*
- a. Sixty-eight (68) gallon container, per month per residential unit\$33.00
 - b. Ninety-six (96) gallon container, per month per residential unit\$36.00
 - c. Additional ninety-six (96) gallon container(s), per additional container per month per residential unit...\$9.00
- (3) *Households qualifying for physical impairment exemption:*
- a. Sixty-eight (68) gallon container, per month per residential unit\$20.00
 - b. Ninety-six (96) gallon container, per month per residential unit\$23.00
 - c. Households qualifying for physical impairment exemption are limited to one (1) container per residential unit.”

SECTION 2:

That Section 15-10-39 of the Code of the City of LaGrange be amended by deleting therefrom said section in its entirety, inserting in lieu thereof a new Section 15-10-39 to read as follows:

“Sec. 15-10-39. - Commercial collection fees.

The city shall charge fees for collection as follows:

- (1) *Curbside commercial garbage collection:*
 - a. Ninety-six (96) gallon container, per month per commercial establishment\$26.00
 - b. Additional ninety-six (96) gallon container(s), per additional container per month per commercial establishment\$20.00
- (2) *Premium commercial garbage collection:*
 - a. Ninety-six (96) gallon container, per month per commercial establishment\$39.00
 - b. Additional ninety-six (96) gallon container(s), per additional container per month per commercial establishment\$20.00
- (3) All schools, colleges, churches, hospitals, fraternal, charitable, recreational and eleemosynary institutions and organizations operated for nonprofit or charitable purposes, with the exception of those institutions which utilize truck-lifted containers, shall be exempt from the payment of collection fees for one (1) ninety-six (96) gallon container placed weekly on the curb for collection. At such institutions generating greater than ninety-six (96) gallons per week, said institution shall have the option of utilizing truck-lifted containers or utilizing additional ninety-six (96) gallon containers.

The city shall charge fees for the collection of ninety-six (96) gallon containers from nonprofit or charitable institutions as follows:

- a. Curbside nonprofit/charitable garbage collection:
 - 1. First ninety-six (96) gallon containerExempt
 - 2. Additional ninety-six (96) gallon container(s), per additional container per month per location\$23.00
- b. Premium nonprofit/charitable garbage collection:
 - 1. Ninety-six (96) gallon container, per month per location\$36.00
 - 2. Additional ninety-six (96) gallon container(s), per additional container\$20.00”

SECTION 3:

All ordinances or parts of ordinances in conflict with this ordinance or hereby repealed.

SECTION 4:

This ordinance after adoption by the council and approval by the mayor shall become effective July 1, 2023.

INTRODUCED AND FIRST READING June 13, 2023

SECOND READING AND ADOPTED June 20, 2023

SUBMITTED TO MAYOR AND APPROVED June 20, 2023

BY: /s/ Willie T. Edmondson
Mayor

ATTEST: /s/ Meg Kelsey
City Manager

On a motion by Mr. Gore, seconded by Mr. Mitchell, Council voted unanimously to approve the following ordinance:

AN ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE TO AMEND THE CODE OF THE CITY; TO AMEND CHAPTER 15-10 OF THE CODE IN ORDER TO MODIFY THE CHARGES FOR DISPOSAL OF VEHICLE TIRES AT THE CITY SOLID WASTE DISPOSAL FACILITY; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE, GEORGIA, HEREBY ORDAIN AS FOLLOWS:

SECTION 1:

That subsection (7) of Section 15-10-49(a) of the Code of the City of LaGrange be amended by deleting said subsection, in its entirety, inserting in lieu thereof a new Section 15-10-49(a)(7) to read as follows:

“(7) Charges for disposal of vehicle tires shall be as follows:

	Type	Tires from within Troup County	Tires from outside Troup County
Passenger vehicles, light trucks or motorcycles	Off rim	\$3.00	\$5.00
	On rim	\$5.75	\$8.00
Truck, 10 ply E rating 20” or larger	Off rim	\$6.50	\$9.75
	On rim	\$17.50	\$26.25
Duplex or tractor, grader, giants, earthmovers or larger	Off rim	\$25.00	\$37.50
Bulk tire disposal	Off rim	\$155.00 per ton	\$155.00 per ton

SECTION 2:

All ordinances or parts of ordinances in conflict with this ordinance or hereby repealed.

SECTION 3:

This ordinance after adoption by the council and approval by the mayor shall become effective July 1, 2023.

INTRODUCED AND FIRST READING June 13, 2023

SECOND READING AND ADOPTED June 20, 2023

SUBMITTED TO MAYOR AND APPROVED June 20, 2023

BY: /s/ Willie T. Edmondson
Mayor

ATTEST: /s/ Meg Kelsey
City Manager

On a motion by Mr. Mitchell, seconded by Mr. Gore, Council voted unanimously to approve the following ordinance:

AN ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE TO AMEND THE CODE OF THE CITY; TO AMEND THE CODE OF THE CITY TO MODIFY THE FEE FOR INSUFFICIENT FUND PAYMENT REFUNDS; TO MODIFY CERTAIN RE-ESTABLISHMENT SERVICE FEES; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE, GEORGIA, HEREBY ORDAIN AS FOLLOWS:

SECTION 1:

That Section 5-15-8 of the Code be amended by deleting therefrom subsection (a), in its entirety, inserting in lieu therein a new Section 5-15-8(a) to read as follows:

“(a) There shall be a fee of thirty-five dollars (\$35.00), or five (5) percent of the face amount of the instrument, whichever is greater, assessed against the maker of any check or electronic payment paid to the city which is returned unpaid for insufficient funds or for any other reason except a reason attributable to the fault or neglect of the city or an employee of the city. Upon return of two (2) payments within a twelve (12) month period, the city may require the payments for the next twelve (12) months be made by an alternate method.”

SECTION 2:

That Section 20-1-7 of the Code be amended by deleting therefrom subsection (g), in its entirety, inserting in lieu therein a new Section 20-1-7(g) to read as follows:

“(g) *Administrative and connection fees.* The fee charged to establish service for a new customer, transfer service for an existing customer, re-establish service that has been disconnected or scheduled for disconnection due to nonpayment, or reconnect service that has been disconnected for any reason shall be as listed below. Normal business hours are defined as the hours during which the customer service office is open to the public.

- (1) Requests for new or transferred service shall incur an administrative fee of \$30.00.
- (2) During normal business hours the fee to re-establish service that has been disconnected or scheduled for disconnection due to non-payment shall be \$40.00.
- (3) After normal business hours, the fee to re-establish service that has been disconnected or scheduled for disconnection due to non-payment shall be \$50.00.
- (4) The fee to re-establish service that has been disconnected due to a check or other payment method being returned by the bank for insufficient funds shall be \$45.00.
- (5) The fee to re-establish service that has been disconnected due to fraudulent use of a check, credit card or other payment method shall be \$50.00 and the city may require that all future payments be made in cash.
- (6) Notwithstanding subsection (1) and (2) above, requests submitted to turn on a gas meter that has been turned off at the request of the customer for the summer season shall incur a seasonal reconnect fee of \$40.00.
- (7) No connection or reconnection fee shall be charged to the owner of a residential real property if such owner has entered into a continuous service agreement with the city, the terms of which shall provide for full payment of future utility services by owner.”

SECTION 3:

All ordinances or parts of ordinances in conflict with this ordinance or hereby repealed.

SECTION 4:

This ordinance after adoption by the council and upon approval by the mayor shall become effective immediately.

INTRODUCED AND FIRST READING June 13, 2023

SECOND READING AND ADOPTED June 20, 2023

SUBMITTED TO MAYOR AND APPROVED June 20, 2023

BY: /s/ Willie T. Edmondson
Mayor

ATTEST: /s/ Meg Kelsey
City Manager

The good news for tonight is that the city is excited to host 50 students from Communities in Schools tomorrow – they will hear from our Mayor Edmondson and City Manager Kelsey, take a tour of Visit LaGrange and City Hall, then have lunch at Sweetland and take a back stage tour there too.

We are excited to host this great group of young people tomorrow morning.

There was no other business and the meeting was adjourned.

Mayor

City Manager