

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

November 24, 2020

Present: Mayor Jim Thornton; Council Members Mark Mitchell, Tom Gore, Nathan Gaskin, Jim Arrington, Willie Edmondson, and LeGree McCamey

Also Present: City Manager Meg Kelsey; City Clerk Sue Olson; Assistant City Manager Bill Bulloch; City Attorney Jeff Todd; Community Development Director Alton West; Strategic Initiatives Manager Mark Kostial; Police Chief Lou Dekmar

The meeting was called to order by Mayor Thornton, the invocation was given by Dr. Derek Lewis of Biblical History Center, and Mayor Thornton 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 November 10, 2020.

Mayor Thornton presented a 25 year service award to Lt. Eric Lohr of the LaGrange Police Department. Mayor Thornton and members of the Council expressed their appreciation to Lt. Lohr for his dedication and years of service to the citizens of LaGrange.

Mike Meredith and Alonzo Roberts came before the Council to introduce to them a program called Project Safe Neighborhood. Mr. Meredith explained that the program addresses specific issues in neighborhoods along with anti-gang training. They plan to organize neighborhood coalitions to organize various areas that will receive the resources. No action was taken.

Mr. Roberts addressed the Council about gang activity in our community, and expressed his concern for children that will be affected by gangs. He wants to use his gang experience to help our youth, and would like to see programs for kids to keep them out of gangs. No action was taken.

Ms. Kelsey presented information to the Council regarding a Board of Planning and Zoning Appeals recommendation to amend the zoning ordinance to exempt restaurants and special event centers within the C-2 and C-3 zoning districts from the durational restrictions for portable concessions stands. On a motion by Mr. Edmondson seconded by Mr. McCamey, Council voted unanimously to call for a public hearing to be held on December 22, 2020 at 5:30 p.m.

Ms. Kelsey presented information to the Council regarding a Board of Planning and Zoning Appeals recommendation to amend the sign ordinance to remove window area restrictions for ground floor windows of vacant buildings within the C-2 district. On a motion by Mr. McCamey seconded by Mr. Edmondson, Council voted unanimously to call for a public hearing to be held on December 22, 2020 at 5:30 p.m.

Mr. Edmondson thanked Chief Dekmar and the LaGrange Police Department for the demonstration of the BolaWrap before the Council meeting, and expressed his appreciation for their efforts to use a less lethal device on non-compliant suspects.

Mr. McCamey thanked the City Manager and staff for spreading out the 15 minute parking signs for the downtown restaurants on Bull Street.

Mr. Gaskin asked the City Manager to check sidewalks and street lights in the area of Handley Street where a portion of the sidewalk has been removed due to construction. He believes this is a dangerous area and would like a barrier placed down to the cross walk.

On a motion by Mr. Mitchell seconded by Mr. Arrington, Council voted unanimously to approve a budget amendment for the upcoming water and sewer projects.

On a motion by Mr. Edmondson seconded by Mr. McCamey, Council voted unanimously to authorize the Mayor and Clerk to execute a First Amendment to the Intergovernmental Contract regarding conveyance of industrial property adjacent to Upper Big Springs Road. In effect, this will move the closing date from November 2020 to February 2021.

On a motion by Mr. Mitchell seconded by Mr. McCamey, Council voted unanimously to authorize the Mayor and Clerk to execute a Reimbursement Resolution regarding water and sewer facilities.

Council heard the first reading of 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 5-12 OF THE CODE IN ORDER TO AUTHORIZE CITY MANAGER APPROVAL OF A UNIFORM PURCHASING MANUAL; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

On a motion by Mr. McCamey seconded by Mr. Arrington, 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 DEPARTMENT OF PUBLIC SERVICES CHAPTER TO REMOVE THE POSITION OF DIRECTOR OF PUBLIC SERVICES; TO MODIFY SAID CHAPTER TO ACCOUNT FOR SAID REMOVAL; TO REMOVE FROM SAID DEPARTMENT THE MAINTENANCE AND OPERATION OF SANITARY SEWER SYSTEMS; TO PROVIDE RESPONSIBILITY FOR SAME TO BE WITH THE DIRECTOR OF UTILITIES; 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 15-1-1 of the Code of the City of LaGrange be amended by deleting said section in its entirety, inserting in lieu thereof a new Section 15-1-1 to read as follows:

“Sec. 15-1-1.-Department of public services - created.

There is created the department of public services.”

SECTION 2:

That Section 15-1-2 of the Code of the City of LaGrange be amended by deleting said section in its entirety, inserting in lieu thereof a new Section 15-1-2 to read as follows:

“Sec. 15-1-2.-Same-Powers and duties.

The department of public services shall, under the general supervision of the city manager, provide administrative and technical direction and general supervision over the design, construction, repair and maintenance of the system of streets and drains; the collection and disposal of refuse; the design, location, maintenance and operation of all parks, playgrounds and cemeteries of the city, including records of burials and lot ownership; and the preparation and

maintenance of official maps of the city, showing streets, utility lines, approximate property lines, watercourses and major features and the maintenance, repair.”

SECTION 3:

That Section 15-5-22 of the Code of the City of LaGrange be amended by deleting said section in its entirety, inserting in lieu thereof a new Section 15-5-22 to read as follows:

“Sec. 15-5-22.- Notice to reconstruct curbs or driveways.

The building official or the city manager, or his or her designee, may order the reconstruction, alteration or repair of driveways and curbs where it is determined that any such driveway is an impediment to or is unsafe for the free movement of vehicles upon the streets or a hazard to the travel or safety of pedestrians. Such notice to reconstruct, alter or repair shall be given by registered or certified mail to the owner of the premises involved who shall commence such reconstruction, alteration or repair within thirty (30) days.

If the owner fails to commence construction, the city may make such reconstruction, alteration or repair, and bill the cost to the owner, who shall be obligated therefor.”

SECTION 4:

That Section 15-5-23 of the Code of the City of LaGrange be amended by removing said section in its entirety, inserting in lieu thereof a new Section 15-5-23 to read as follows:

“Sec. 15-5-23.-Removal of abandoned driveways.

When, in the opinion of the city manager, an abandoned driveway constitutes a hazard to vehicular traffic or pedestrians, the city manager may order the removal of such driveway, and the reconstruction of the new curb shall be made by the owner of the premises involved, after notice has been given as provided in section 15-5-23, and the owner shall be obligated therefor.”

SECTION 5:

That Section 15-5-24 of the Code of the City of LaGrange be by deleting said section in its entirety, inserting in lieu thereof a new Section 15-5-24 to read as follows:

“Sec. 15-5-24.-Authority to order removal of driveways.

The city manager, when directed by the city council, shall have the authority to order the removal of any driveway if such removal would be in the best interest of traffic movement or safety for pedestrians or vehicles.”

SECTION 6:

That Section 15-5-30 of the Code of the City of LaGrange be amended by deleting said section in its entirety, inserting in lieu thereof a new Section 15-5-30 to read as follows:

“Sec. 15-3-30.-Compliance with specifications.

All street improvements in the city shall be performed and completed in accordance with specifications approved by the city manager, or his or her designee.”

SECTION 7:

That Section 15-5-42 of the Code of the City of LaGrange be amended by deleting said section in its entirety, inserting in lieu thereof a new Section 15-5-42 to read as follows:

“Sec. 15-5-42.-As provided in specific ordinance; notice.

The improvement shall be done as provided in the specific ordinance authorizing the particular improvements. The amount of the assessment of each piece of real estate shall be a lien on said real estate from the date of the passage of the specific ordinance providing for the work and making the assessment, and where the specific ordinance shall not otherwise provide, it shall be construed as having made the assessment in accordance with the manner provided in this article. This article shall be construed to be part of each specific ordinance passed in pursuance hereof. As soon as the cost of making such improvements can be ascertained, the city clerk shall cause an apportionment and assessment of the cost of such improvement to be made against each piece of abutting real estate and the owners thereof in accordance with section 15-5-41. The city clerk shall thereupon notify the owner of each piece of abutting property of the amount so determined and assessed, but this provision is directory only and the liability of the owner of such real estate to pay the same shall not be affected by failure to receive any such notice.”

SECTION 8:

That Section 15-10-2 of the Code of the City of LaGrange be amended by deleting therefrom the definition entry for “Special waste,” inserting in lieu thereof a new definition entry for “Special waste” to read as follows:

“Special waste: Those wastes requiring specific processing, handling or disposal techniques as determined necessary by the city manager or his designee which are different from the techniques normally utilized for handling or disposal. Examples of such waste types may include, but are not limited to: mining waste; fly ash; bottom ash; sludges; friable asbestos; industrial waste; large dead animals or large quantities of dead animals and residue; foundry waste; petroleum contaminated wastes; municipal solid waste ash; or contaminated soil from the cleanup of a spill.”

SECTION 9:

That Section 15-10-30 of the Code of the City of LaGrange by amended by deleting said section in its entirety, inserting in lieu a new Section 15-10-30 to read as follows:

“Sec. 15-10-30. -Special collection.

The city manager, or his or her designee, is authorized to waive the requirements for collection and disposal of yard trimmings and trash during organized community cleanup programs, to provide collection service at the time of the waiver, and is also authorized to waive the requirements of this section during the times of a natural disaster.”

SECTION 10:

That Section 15-10-41 of the Code of the City of LaGrange be by deleting therefrom subsection (5), inserting in lieu thereof a new Section 15-10-41(5) to read as follows:

“Sec. 15-10-41.- Commercial haulers; requirements.

- (5) Reporting requirements: Within thirty (30) days following the end of each calendar quarter, submit to the city manager, or his or her designee, the following data regarding waste collection in the city:
 - a. Tonnage figures showing total waste tonnages collected. Catalog this total into (a) residential and (b) commercial/industrial subtotals.
 - b. Tonnage figures showing recovered, recycled or diverted materials by type.”

SECTION 11:

That Section 15-20-4 of the Code of the City of LaGrange be amended by deleting said section in its entirety, inserting in lieu thereof a new Section 15-20-4 to read as follows:

“Sec. 15-20-4.-Superintendent; appointment, supervision.

There shall be a superintendent of cemeteries, who shall be directly responsible to and under the supervision of the city manager.”

SECTION 12:

That Section 15-20-5 of the Code of the City of LaGrange be amended by deleting said section in its entirety, inserting in lieu thereof a new Section 15-20-5 to read as follows:

“Sec. 15-20-5.-Opening graves generally; permit.

- (a) The digging of graves at all public cemeteries in the city shall be performed by either employees of the City of LaGrange under the supervision of the superintendent of cemeteries or by a person, firm or corporation licensed to dig graves in the city; provided such person, firm or corporation shall in each instance have a permit to dig a grave in the public cemetery and shall otherwise meet and comply with the provisions of this chapter.
- (b) Any person, firm or corporation having a license to dig graves in a public cemetery must apply for and receive a permit from the superintendent of cemeteries of the city to dig each particular grave, must have and maintain public liability insurance in an amount not less than one hundred thousand dollars (\$100,000.00) workers' compensation insurance in the statutory amounts, and meet such other minimum insurance requirements as the city manager may from time to time require. Evidence of any such insurance must be continuously on file with the superintendent of cemeteries or evidence

thereof presented to the superintendent of cemeteries with each request for a permit.

- (c) Additionally, any such person, firm or corporation in order to be licensed and to receive a permit from the superintendent of cemeteries must demonstrate the ability to perform the services required hereby to the satisfaction of the superintendent who shall have the right to refuse a permit or the right to revoke a permit after issued if in his opinion such revocation is in the best interest of the city and the public.
- (d) At the time of revocation of such permit, the superintendent of cemeteries shall provide such person, firm or corporation with notice of revocation and of their right to a hearing to appeal such revocation to the city manager.
- (e) Each permit shall be issued upon the express condition that the permittee agrees to indemnify, save, and hold the city, its officers, agents, or employees harmless of and from any damages to person or property or any claims therefor, and any costs or expenses relating thereto, which may arise, occur or result from any work which may be done pursuant to such permit.
- (f) Except as provided herein, it shall be the normal practice for any employees under the supervision of the superintendent of cemeteries to open and dig graves only for paupers or only in those cases deemed to be an emergency by the city manager, or his or her designee.”

SECTION 13:

That Section 15-20-24 of the Code of the City of LaGrange be amended by deleting said section in its entirety, inserting in lieu a new Section 15-20-24 to read as follows:

“Sec. 15-20-24. - Burials according to plan.

All burials in public cemeteries will be made according to the plan on file in the office of the superintendent of cemeteries, as approved by the city manager, and no deviation from these plans shall be permitted.”

SECTION 14:

That Section 20-1-3 of the Code of the City of LaGrange be amended by deleting said section in its entirety, inserting in lieu thereof a new Section 20-1-3 to read as follows:

“Same-Powers and duties of director.

The director of utilities shall, under the general supervision of the city manager, provide administrative and technical direction to and exercise general supervision over the design, construction, operation, repair and maintenance of the electric distribution system; sanitary sewers and sewage treatment facilities; water pumping, purification and distribution system; the gas transmission and distribution system and to that end he shall:

- (1) Review all plans and specifications submitted by developers, contractors and engineers for water, electric and gas systems prior to final approval and acceptance by the city;

- (2) Enforce all laws, ordinances, rules and regulations pertaining to the functions of government under his general supervision;
- (3) Represent the city in contracts with other governmental jurisdictions, regulatory agencies, contractors and the general public on matters under his supervision;
- (4) Investigate major and controversial complaints; assist in the preparation of annual budgets; exercise budget control over the department and prescribe rules, regulations and administrative policies for the department within the framework of general policies approved by the mayor and council;
- (5) Prepare rate studies; construction cost estimates; forecasts of electricity, water, and gas used by customers; assist in the preparation of a capital improvement budget and recommend general policies for operating the department; prepare monthly and annual operating reports as may be required by the city manager or the mayor and council; and
- (6) Perform related duties as may be directed by the city manager or prescribed by ordinance or resolution of the mayor and council.

SECTION 15:

That Section 25-20-10 of the Code of the City of LaGrange be amended by deleting therefrom subparagraph (b)(2), in its entirety, inserting in lieu thereof a new Section 25-20-10(b)(2) to read as follows:

“(2) *Utility lines.* All subdivisions shall have all gas, water, sewer, electric lines, telecommunications lines and cable TV lines installed underground, and these improvements shall be of types, sizes and constructed of materials and to specifications set forth by the DRP. All taps or cut-ins to water, gas or sewer mains shall be installed before any paving is laid. All taps or cut-ins to water, gas and sewer mains shall be installed to service each lot, parcel, tract or building site shown on the final plat of a subdivision, unless otherwise authorized in writing by the director of utilities. The person contracting with the subdivider to install the above-named utility improvements must be competent, qualified and licensed, and must submit a performance and payment bond countersigned by a city insurance agent to execute the type of work to be performed. The design for utilities to be installed shall be approved by the director of utilities. All locations for underground installations shall be staked throughout the entire project, and locations of underground utilities shall be approved by the director of utilities and/or the city manager, or his or her designee, prior to any excavation or trenching activities. Locations and modifications of excavation or trenching for the utility locations may be authorized in the field but shall be followed up with appropriate modification to "as-built" drawings. Such authorization may only be given by the director of utilities, city manager, or his or her designee. No sewer, gas, water piping, electric conduit, telecommunications lines, conduit or cable TV conduit or lines shall be covered or concealed until tested, inspected and approved by the city manager, or his or her designee.

When an applicant has complied with the requirements of this section and a certificate is issued by the director of utilities, the city manager, or their designee, testifying that the payments for utilities have been made, the DRP shall consider approval of the final plat.”

SECTION 16:

That Section 25-20-24 of the Code of the City of LaGrange be amended by deleting the definition entry for “Stormwater management committee” in its entirety, inserting in lieu thereof a new definition entry for “Stormwater management committee” to read as follows:

- (a) *Public uses.* Where a park, neighborhood recreational open space, school site or other area for public use shown on an official map or on a plan accepted by the city is located in whole or in part on the proposed subdivision, the city shall seek to secure the reservation of the necessary land for such use.”

SECTION 17:

That Section 25-29-1 of the Code of the City of LaGrange be amended by deleting therefrom subsection (a) in its entirety, inserting in lieu thereof a new Section 25-29-1 to read as follows:

“*Stormwater management committee* means the committee charged with granting variances to the requirements of this chapter. The committee shall consist of the director of community development, director of public services, building official, and water quality programs manager.”

SECTION 18:

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

SECTION 19:

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

INTRODUCED AND FIRST READING _____ November 10, 2020 _____

SUBMITTED TO MAYOR AND ADOPTED _____ November 24, 2020 _____

SUBMITTED TO MAYOR AND APPROVED _____ November 24, 2020 _____

BY: /s/ James C. Thornton, Mayor

ATTEST: /s/ Sue Olson, City Clerk

On a motion by Mr. Gore seconded by Mr. McCamey, Council voted unanimously to reappoint Skip Smith, Rocky Grace and Jenni Sampson to three year terms on the Historic Preservation Commission.

On a motion by Mr. Edmondson seconded by Mr. Arrington, Council voted unanimously to reappoint Mark Mitchell to a three year term on the Troup County Parks & Recreation Board.

In other business, Mr. Gaskin asked staff to reach out to the Columbus Cottonmouths, a professional ice hockey team, to see if they need a practice facility. If so, he asked that we offer them the use of Sweetland on Ice.

In good news, closing comments, Ms. Kelsey reported that Tribe Ujima has been picking up litter – and leaving LaGrange better than they found it – for the past month. The City is proud of their efforts and very grateful! We are also excited to invite everyone to our Deck the City Halls event Monday, November 30th, all day at City Hall. This annual event is for our City employees to enjoy coffee and pastries from Local Groundz and cookies from Crave Cookie Company. We invite everyone to put an ornament on the City Hall tree and make a wish on the wishing trees out in front of City Hall. Also, we want to show you the latest video encouraging the community to continue to mask Troup County during the holidays.

There was no other business and the meeting was adjourned at 6:45 p.m. by Mayor Thornton.

Mayor

City Clerk