

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

February 9, 2016

Present: Mayor Jim Thornton; Council Members Willie Edmondson, Tom Gore, LeGree McCamey, Mark Mitchell, Norma Tucker, and Nick Woodson

Also Present: Deputy City Manager Meg Kelsey; City Attorney Jeff Todd; Community Development Director Alton West; Senior Planner Leigh Threadgill

The meeting was called to order by Mayor Thornton the invocation was given by LeGree McCamey, Council Member and Mayor Thornton led the Pledge of Allegiance to the Flag.

On a motion by Mr. McCamey seconded by Mr. Edmondson, Council approved the minutes of the regular Council meeting held on January 12, 2016.

Mayor Thornton presented a 25 year service award to Greg Civers, Senior Patrol Officer. Mayor Thornton expressed the gratitude of the Mayor and Council for Mr. Civers's long career service to the City of LaGrange.

A public hearing was held to discuss a request to rezone 2241 Mooty Bridge Road from PUD, Planned Unit Development, to R-44, Single Family Residential. No comments were received and Council heard a 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 THE ZONING MAP AND ORDINANCES OF THE CITY SO AS TO RECLASSIFY THE USE ZONE OF REAL ESTATE LOCATED ON MOOTY BRIDGE ROAD AND OWNED BY PAUL L. KNOX AND RACHEL M. KNOX; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

A public hearing was held to discuss a request for a conditional use permit for 321 Greenville Street to operate a homeless shelter. A lengthy debate was held between supporters of Emmaus and opponents to the request. On a motion by Mr. Woodson seconded by Mr. Gore, Council voted unanimously to deny the conditional use permit for 321 Greenville Street. On a motion by Ms. Tucker seconded by Mr. McCamey, Council authorized a 30 day period before the use must be discontinued as an overnight shelter to provide a transition time.

A public hearing was held to discuss a request to rezone 2037, 2159, and 2301 Whitesville Road from R-44, residential to C-3, general commercial. No comments were received and Council heard a 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 THE ZONING MAP AND ORDINANCES OF THE CITY SO AS TO RECLASSIFY WITH CERTAIN CONDITIONS THE USE ZONE OF REAL ESTATE LOCATED ON WHITESVILLE ROAD AND OWNED BY SELIG ENTERPRISES, INC.; TO REPEAL CONFLICTING

ORDINANCES; TO FIX AN EFFECTIVE DATE; TO PROVIDE
FOR SEVERABILITY; AND FOR OTHER PURPOSES.

A public hearing was held to receive comments on the application of Great Wolf Resorts Holdings, Inc. for a sales and use tax refund under the Georgia Tourism Development Act. No comments were received. On a motion by Mr. Edmondson seconded by Mr. McCamey, Council voted unanimously to approve the following resolution:

RESOLUTION

WHEREAS, Great Wolf Resorts Holdings, Inc. (“GWR”), through itself and/or one or more affiliated entities is considering the construction of a 400-room hotel, conference center and family-oriented destination resort in the City of LaGrange, Georgia (the “Project”); and

WHEREAS, to induce GWR to construct and operate the Project within the city limits of LaGrange, Georgia (the “City”), the City, Troup County Board of Commissioners, Development Authority of LaGrange, Troup County Board of Assessors and Troup County Board of Education previously entered into that certain Memorandum of Understanding dated as of October 15, 2015 (the “MOU”), which MOU was approved by the Mayor and City Council on October 13, 2015; and

WHEREAS, the MOU, a copy of which is attached hereto as Exhibit “A,” sets out certain incentives to be provided to GWR by the City and other public entities; and

WHEREAS, one of the proposed incentives is the qualification of the Project to participate in the state sales and use tax incentive program (the “Program”) established by the Georgia Tourism Development Act (O.C.G.A. § 48-8-270 et seq.) (the “Act”); and

WHEREAS, in accordance with the terms of the Act, GWR has submitted to the City GWR’s application (the “Application”) which will be filed with the Georgia Department of Community Affairs; and

WHEREAS, a public hearing was held to obtain public comment on the Application at the regular meeting of the Mayor and City Council held on February 9, 2016, with advance public notice of same having been published in the *LaGrange Daily News*, a copy of said notice being attached hereto as Exhibit “B”; and

WHEREAS, the Mayor and City Council find it to be in the best interests of the citizens of the City to approve the Application and to submit such approval to the Commissioner of the Georgia Department of Economic Development and the Commissioner of the Georgia Department of Community Affairs;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the City of LaGrange, Georgia, and it is so ordained by the authority thereof as follows:

- 1) That the City of LaGrange, by and through the Mayor and Council, approves and

enthusiastically endorses the Application of Great Wolf Resorts Holdings, Inc. for approval of the Project under the Georgia Tourism Development Act;

- 2) That the City of LaGrange, by and through the Mayor and Council, does hereby commit to the inclusion of the City of LaGrange Local Option Sales Tax (LOST) sales and use tax within the tax refund program “under the same terms and conditions as the refund of state sales and use tax” as authorized by O.C.G.A. § 48-8-273(h);
- 3) That the Troup County Board of Commissioners has, through the MOU, likewise agreed to the inclusion of the Troup County portion of the Local Option Sales Tax (LOST) sales and use tax within the tax refund program “under the same terms and conditions as the refund of state sales and use tax” as authorized by O.C.G.A. § 48-8-273(h);
- 4) That inclusion of the City Local Option Sales Tax (LOST) sales and use tax in the refund program, as allowed under the Act, aligns with the approved purpose and resolution authorizing the Local Option Sales Tax, in that such was authorized for general government purposes, and the Act expressly finds the purposes of the Georgia Tourism Development Act to be public purposes for which public money may be expended; and
- 5) That a copy of this Resolution shall be conveyed to the Commissioner of the Georgia Department of Community Affairs and the Commissioner of the Georgia Department of Economic Development.

SO ORDAINED this 9th day of February, 2016.

CITY OF LAGRANGE, GEORGIA (SEAL)

BY: _____
JAMES C. THORNTON
Mayor

ATTEST: _____
MEG B. KELSEY
Deputy City Manager –
Administration and Finance

Tripp Foster, Troup County Commissioner, appeared before the Mayor and Council and requested that the City allow the Emmaus House to continue to use the Dawson Street School building as a warming center. City Staff had discontinued the use due to health hazards in the building. Staff had found that the conditions outlined for use were not being followed and felt it too dangerous to continue to allow the use of the facility. No action was taken by the Council.

On a motion by Mr. Woodson seconded by Mr. Gore, Council voted unanimously to deny a notice of claim for damages filed on behalf of Andre Joyner.

Ms. Threadgill discussed a request to rezone 0 Ridley Avenue from R-2, residential to C-3, General Commercial. The Board of Planning and Zoning Appeals recommended approval finding that 1) it didn't have a negative impact on the neighborhood or community 2) fit with the future land use plan and 3) did not constitute spot zoning. On a motion by Mr. Edmondson seconded by Ms. Tucker, Council voted unanimously to call for a public hearing on March 8, 2016.

Ms. Threadgill discussed a request to rezone 1503 Vernon Road from G-I, general industrial to C-3, General Commercial. The Board of Planning and Zoning Appeals recommended approval of rezoning the property to C-1, neighborhood commercial and found that 1) it didn't have a negative impact on the neighborhood or community 2) fit with the future land use plan and 3) did not constitute spot zoning. On a motion by Mr. Edmondson seconded by Mr. McCamey, Council voted unanimously to call for a public hearing on March 8, 2016.

Ms. Threadgill discussed a request from Elton E. Jones to de-annex 7.2 acres of property located at the rear of 311 Stewart Road. On a motion by Mr. Edmondson seconded by Mr. McCamey, Council voted unanimously to proceed with the de-annex process.

Ms. Kelsey presented copies of the January financial statements and payment of bills over \$2,000 for Council's information.

The Mayor notified the Council that he was in receipt of a letter from City Manager Tom Hall stating that he would be away from the office to heal from an injury. Mr. Hall anticipated a full recovery in the near future, although an exact time frame was difficult to determine. Mr. Hall requested that the Mayor and Council designate Meg Kelsey as the acting City Manager until such time that he could return. On a motion by Mr. Edmondson seconded by Mr. Woodson, Council voted unanimously to designate Meg Kelsey as the acting City Manager.

On a motion by Mr. Edmondson seconded by Mr. Woodson, Council unanimously voted to authorize the Mayor and Deputy City Manager to execute an Intergovernmental Contract with Development Authority of LaGrange to transfer title to property located at 111 Jane Fryer Road. A copy of the contract is on file in the City Manager's office.

On a motion by Mr. Edmondson seconded by Mr. Woodson, Council unanimously voted to appoint Mitch Key to fill an unexpired term on the Board of Planning and Zoning Appeals.

On a motion by Mr. Edmondson seconded by Ms. Tucker, Council unanimously voted to appoint Jeff Brown and Frank McRae to four year terms on the Development Authority of the City of LaGrange.

On a motion by Ms. Tucker seconded by Mr. McCamey, Council unanimously voted to reappoint Tom Hall to a five year term on the LaGrange Development Authority.

On a motion by Mr. Edmondson seconded by Ms. Tucker, Council voted to nominate the following slate of candidates: Jerome Alford, Meg Kelsey and Louis Dekmar to the LaGrange Troup County Hospital Authority for consideration to fill the unexpired term of Kenneth McCamey. The slate of names will be forwarded to the County for their consideration.

On a motion by Mr. Gore seconded by Mr. Edmondson, Council voted to appoint LeGree McCamey, Edward Smith, Bill Stump, Cathy Winslow and Janice Burks Davidson to two year terms on the Downtown LaGrange Development Authority (DDA 1). Council Member McCamey abstained.

On a motion by Mr. McCamey seconded by Ms. Tucker, Council voted to appoint Rashad Little to a unexpired term on the LaGrange Development Authority. Council Member Edmondson abstained.

On a motion by Mr. McCamey seconded by Mr. Woodson, Council voted unanimously to appoint Chris Prather to fill an unexpired term on the Tree Advisory Board.

In good news closing comments, Ms. Kelsey reported that the Georgia Department of Transportation had approved the City's request for funding assistance for roadway damages incurred along Alton Drive and Brookstone Drive due to recent rain and flooding. The Department committed up to \$135,000 or 70% of the project cost, whichever is less.

There was no other business and the meeting was adjourned by Mayor Thornton.

Mayor

Deputy City Manager, Administration/Finance