

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

February 28, 2017

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

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

The meeting was called to order by Mayor Thornton, the invocation was given by Reverend Jimmy McMillian, Baptist Tabernacle and Mayor Thornton led the Pledge of Allegiance to the Flag.

On a motion by Mr. McCamey seconded by Ms. Tucker, Council approved the minutes of the regular Council meeting held on February 14, 2017.

On a motion by Mr. Edmondson seconded by Mr. Woodson, Council voted unanimously to approve the following resolution authorizing the abandonment of a portion of Waverly Way.

Dwayne Massengale, a representative from the Brotherhood of Locomotive Engineers and Trainmen, addressed the Mayor and Council regarding national and state legislation that would require two-man crews on a train car. The proposed legislation comes in response to a push from the railroads to reduce crew sizes in recent years to just one engineer. No action was taken.

Greg Panzer, a Field Representative with Congressman Drew Ferguson's office, introduced himself to the Mayor and Council and offered his assistance to addressing the needs of the City of the LaGrange and the entire 3rd District. No action was taken.

Leon Childs appeared before the Council and presented a brief introduction to the Adaptive Growth and Cultural Advancement program. The program offers mentoring and tutoring services to encourage students to stop joining gangs and graduate high school. The Mayor and Council thanked them for their work in the community. No action was taken.

Ms. Kelsey reviewed the status of ongoing transportation projects that included the Greenville Street Bridge, Hamilton Road, Broad Street Roundabout, Bull Street Realignment, Vernon Woods Connector, and the Thread. No action was taken.

On a motion by Mr. Edmondson seconded by Mr. McCamey, Council voted unanimously to approve the following:

RESOLUTION

WHEREAS, pursuant to O.C.G.A. § 32-7-2, the governing authority may, under certain circumstances, abandon all or any part of municipal street right of way;

WHEREAS, the Mayor and Council have determined that it is in the best interest of the City to abandon a portion of Waverly Way in conjunction with construction of a traffic roundabout at the intersection of Broad Street and Country Club Road;

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, that the governing authority hereby abandons a portion of the right-of-way of Waverly Way more particularly shown as Tract 8B upon the attached plat, in doing so finding that such action is in the best public interest of the City of LaGrange. This resolution, upon execution by the Mayor and Assistant City Manager, shall be spread upon the minutes, accompanied by the drawing of the area abandoned. Such abandonment shall be effective upon relocation of Waverly Way in conjunction with the Broad Street Roundabout project and the same being open for traffic.

Moreover, under authority of O.C.G.A. § 32-7-4(a)(2)(B), the governing authority further authorizes the exchange of the former Waverly Way right-of-way for the right-of-way shown as Tract Number 6 on the attached drawing, said right-of-way being required for construction of the roundabout herein referenced. The Mayor, City Manager and Assistant City Manager are hereby authorized to execute such documents as may be reasonably necessary to carry out the intent of this Resolution.

SO ORDAINED this _____ day of _____, 2017.

(SEAL)

CITY OF LAGRANGE, GEORGIA

BY: _____
Mayor

ATTEST: _____
Assistant City Manager

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 THE CODE IN ORDER TO MODIFY THE POLLING PLACE FOR THE LEE'S CROSSING PRECINCT; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

On a motion by Ms. Tucker seconded by Mr. McCamey, Council unanimously adopted the following ordinance:

AN ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE TO ANNEX TO THE CITY CONTIGUOUS REAL PROPERTY OWNED BY JAMES AND MICHELLE LANGLEY AND LOCATED AT 11 SUNSET DRIVE; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, James and Michelle Langley (hereafter "Owners") are the owners of land herein referred to which is contiguous to the existing corporate limits of the City of LaGrange, Georgia, as defined by the laws of the State of Georgia, such land being described in Exhibit "A" attached hereto;

WHEREAS, Owners have filed with the City of LaGrange a written and signed application requesting that the land area described within Exhibit "A" be annexed to and made a part of the City of LaGrange, a copy of such request being attached hereto and made a part hereof as Exhibit "B";

WHEREAS, upon such request the Mayor and Council of the City of LaGrange have determined such application meets the requirements of laws contained within O.C.G.A. §36-36-20 through §36-36-21, et seq.;

WHEREAS, the City of LaGrange upon accepting said application timely notified the Board of Commissioners of Troup County, Georgia, of the proposed annexation and attached hereto as Exhibit “C” is evidence that said body interposes no land use classification objection to the annexation pursuant to O.C.G.A. §36-36-11;

WHEREAS, the area proposed for annexation adjoins and is contiguous to the present corporate limits of the City of LaGrange as defined by the laws of this state;

WHEREAS, a complete survey of the area to be annexed has been prepared by a competent surveyor and has been filed with and reviewed by the Mayor and Council of the City of LaGrange, Georgia with a copy of said plat of survey being attached to the ordinance as Exhibit “D” and by this reference made a part hereof;

NOW THEREFORE, the Mayor and Council of the City of LaGrange, Georgia, hereby ordain as follows:

SECTION 1:

That the application of James and Michelle Langley for annexation of the areas contiguous to the City of LaGrange, as described in Exhibit “A” and as shown on the plat attached as Exhibit “D,” be and the same is hereby approved, and the contiguous area proposed for the annexation is hereby annexed to the City of LaGrange so that such land shall constitute a part of the land within the corporate limits of the City of LaGrange as fully and completely as if the limits had been marked and defined by a special act of the General Assembly of Georgia.

SECTION 2:

That a copy of this ordinance, together with a description of the area to be annexed thereto as Exhibit “A,” a copy of the written request for annexation attached thereto as Exhibit “B” and a copy of the plat of survey attached thereto as Exhibit “D,” all duly certified by the Clerk of the City of LaGrange, be forwarded to and filed with the Georgia Department of Community Affairs and be forwarded to the Board of Commissioners of Troup County, Georgia.

SECTION 3:

That the area annexed as described in Exhibit “A” shall for the purposes of electing members of the City Council be within and designated as District 2.

SECTION 4:

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

SECTION 5:

This ordinance, after adoption and upon approval by the Mayor and Council, shall become effective according to the terms of O.C.G.A. § 36-36-2, on the 1st day of March, 2017.

INTRODUCED AND FIRST READING _____ January 10, 2017

SECOND READING AND ADOPTED _____ February 28, 2017

SUBMITTED TO MAYOR AND APPROVED _____ February 28, 2017

BY: /s/ James C. Thornton, Mayor _____

ATTEST: /s/ Teresa Taylor, Assistant City Manager _____

EXHIBIT "A"

That tract or parcel of land lying and being in Land Lot 9, 5th Land District, Troup County, Georgia, and more particularly described as follows:

Beginning at the northwest corner of Lot Number 48 of the Sunset Addition Subdivision (Plat Book 1, Page 237), run thence North 72° 27' 10" East a distance of 135 feet to a ½" iron bar/cap; run thence North 13° 00' 20" West a distance of 25 feet to a ½" iron bar/cap; run thence North 77° 27' 10" East a distance of 135.20 feet to a ½" iron bar/cap; run thence South 12° 32' 50" East a distance of 25 feet to a calculated point; run thence South 12° 32' 50" East a distance of 50 feet to a calculated point; run thence South 12° 32' 50" East a distance of 155.99 feet to a ½" iron bar/cap; run thence South 56° 49' 19" West a distance of 36.67 feet to a ½" iron bar; run thence South 56° 47' 19" West a distance of 38.66 feet to a calculated point; run thence North 66° 20' 35" West a distance of 309.32 feet to a calculated point; run thence North 12° 32' 50" West a distance of 49.81 feet to a calculated point; run thence North 77° 27' 10" East a distance of 50 feet to a 1½" open top pipe which is the POINT OF BEGINNING of the property described herein. Said property is more particularly shown on that plat of survey entitled "Plat for Proposed Annexation for the City of LaGrange, Georgia," dated December 3, 2016, prepared by Wm. L. Morkes, Georgia Registered Land Surveyor Number 2211, which plat is incorporated herein for the purposes of a more complete description.

The above-described tract of land is contiguous to and adjoins the corporate limits of the City of LaGrange at the places and to the extent referred to and shown on the aforementioned plat of survey, all according to the definition of "contiguous real property" as set forth in Georgia law.

On a motion by Ms. Tucker seconded by Mr. Edmondson, Council unanimously adopted 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 CLASSIFY WITH CERTAIN CONDITIONS THE USE ZONE OF REAL ESTATE LOCATED AT 11 SUNSET DRIVE AND OWNED BY JAMES AND MICHELLE LANGLEY; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; TO PROVIDE FOR SEVERABILITY; 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 classify as C-3 (general commercial district), with the conditions set forth more fully within Section 2, the following described real estate, to wit:

That tract or parcel of land located at 11 Sunset Drive, approximately 0.71 acre in size, and known as Troup County Tax Map Parcel Number 071-1A-000-045.

SECTION 2:

Pursuant to the police power of the City of LaGrange, the Mayor and Council hereby impose and establish certain conditions as a requirement for the zoning as referenced above in Section 1. The following conditions are imposed for the protection or benefit of neighboring landowners in order to ameliorate the effects of the zoning of this property to C-3 and shall apply to any development to occur on said property, to wit:

1) Curbs. Upon redevelopment of the subject site, all new streets, whether public, private or internal parking lot driveways, shall be curbed with 24 inches in width vertical curb and gutter.

2) Sidewalks and handicap access. Upon redevelopment of the subject site, a five-foot sidewalk along all adjacent streets R.O.W. is required. Handicapped access and ramps shall be located at the corner of all intersections, at any designated pedestrian crossing of any street at mid-block, and at any parking lot adjacent to any public or private use. Internal sidewalks, pedestrian paths and handicap access shall also be provided within the non-residential uses.

3) Access. Access shall be designed so as not to impede traffic on a public street intended to carry through traffic.

a. Access shall comply with the following requirements:

i. Access to the site is provided by a public street other than one intended to carry through traffic; and/or

ii. Access to the site is provided by a functional frontage road, service drive or joint driveway which provides controlled access to the site and/or several adjacent sites; and/or

iii. Deceleration lanes, turning lanes and/or stacking lanes are provided to improve access to the site and/or several adjacent sites.

iv. Interconnectivity between parcels is required unless an unusual site configuration as determined by the community development director prevents it.

b. All areas subject to vehicular traffic including frontage roads, access ways, loading areas and service areas shall be designed and constructed to withstand the expected traffic flows based upon the intended use.

4) Service stations with or without gas pumps and automobile repair facilities.

a. Service stations and automobile repair facilities shall adequately screen areas designed for the outdoor storage of vehicles in need of repair or awaiting pickup after repair. The storage area shall be located in the rear of the building. No junk or abandoned vehicles or parts of vehicles will be stored on site.

b. Automobile repair facilities, car washes and service bays shall be located at least 40 feet from the front property line and all garage/car wash/service bay openings shall be oriented at not less than right angles to the primary public street frontage.

5) Lighting. Lighting shall be designed to prevent lighting spillover onto adjacent residential lots. The use of LED lighting is encouraged.

6) Exterior materials, roofing and awnings.

a. Upon redevelopment, any building constructed shall be of masonry construction or its equivalent on the front and side exterior walls. In the event the rear of the building is located on a public or private street then the rear exterior wall shall comply with the same requirements as the front and sides.

i. The primary exterior finish material shall be one of the following: brick, brick veneer, stone, stone veneer, cultured stone, wood, precast or field poured concrete tilt panels with texture and architectural detailing, or masonry units with exterior insulated finish systems (EIFS) applied.

ii. Material such as asbestos siding, galvanized sheet metal, highly reflective aluminum, cinder block, or unfinished concrete are not allowed as primary exterior finish materials.

b. Exposed roof materials shall be architectural asphalt shingles, wooden shingles, standing seam metal roof or lap seam metal roofing panel, terra cotta and slate shingles.

7) Loading and unloading. There shall be no loading or unloading facilities permitted on the street side of any building. Buildings will be designed providing service entrances and loading areas at the rear. Should the building orientation angle to the primary street allow the loading area to be visible from the primary street, then the loading and unloading area shall be screened from the primary street.

8) Underground power – Utilities. All utilities are encouraged to be underground. A meter, panels, disconnects, terminals cabinets, etc. shall be located in the rear or side of the building away from high traffic and high visibility areas.

9) Buffer. Upon commercial use of the property, there shall be a 30-foot buffer along the northern property line separating the subject lot from the adjacent residential property. If there is sufficient existing vegetation to provide a year-round screen, this buffer shall remain undisturbed. If, however, existing vegetation is not sufficient to provide a year-round screen, the existing vegetation shall be supplemented with additional plantings.

10) Upon commercial use of the property, the landscape strips shall be planted to meet the requirements of Chapter 25-11-53 of the LaGrange Code of Ordinances. Existing trees within the required 10-foot landscape strips along the front and side property lines shall be retained unless they are determined to be dead or dying.

11) Upon commercial use of the property, parking shall be provided as required by Chapter 25-35-6 of the LaGrange Code of Ordinances.

SECTION 3:

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

SECTION 4:

All parts, portions, sections, paragraphs, sentences, clauses, and phrases of this Ordinance are each hereby declared to be severable from each other and if any such part, portion, section, paragraph, sentence, clause or phrase of this Ordinance shall be declared unconstitutional or otherwise invalid by a court of competent jurisdiction, such invalidity shall not affect any

remaining parts, portions, sections, paragraphs, sentences, clauses or phrases thereof and the Mayor and Council of the City of LaGrange hereby declare that had they known that any such provision was or would be invalid, they would not have adopted that portion or part of the Ordinance but would have nevertheless adopted the remaining portions thereof.

SECTION 5:

Pursuant to Official Code of Georgia Annotated Section 36-66-4(d)(4), this ordinance after adoption by the Council and upon approval by the Mayor, shall become effective upon the latter of the following dates: (1) the date the zoning is approved by the Mayor and Council; or (2) the date that the annexation of the above-referenced property becomes effective pursuant to Official Code of Georgia Annotated 36-36-2.

INTRODUCED AND FIRST READING _____ January 10, 2017

SECOND READING AND ADOPTED _____ February 28, 2017

SUBMITTED TO MAYOR AND APPROVED _____ February 28, 2017

BY: /s/ James C. Thornton, Mayor

ATTEST: /s/ Teresa Taylor, Assistant City Manager

On a motion by Mr. Gore seconded by Mr. Edmondson, Council unanimously voted to appoint Teresa Taylor to an unexpired term on the Chamber of Commerce Executive Board of Tourism.

On a motion by Mr. Edmondson seconded by Mr. McCamey, Council unanimously voted to appoint Barbie Watts and Shannon Johnson to the Historic Preservation Commission.

In good news closing comments, Ms. Kelsey announced that the LaGrange Municipal Probation was found to be in compliance with the Georgia Department of Community Supervision. Case files indicated that LaGrange Probation Officers supervise cases in a professional manner and are accountable to the sentencing court.

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

Mayor

Assistant City Manager