

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

April 26, 2016

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

Also Present: Interim 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 Reverend Robert Brock, Pilgrim Baptist Church and D W Ward, Troop 21, led the Pledge of Allegiance to the Flag.

On a motion by Mr. Edmondson seconded by Mr. McCamey, Council approved the minutes of the regular Council meeting held on April 12, 2016 and the Special Called Meeting held on April 13, 2016.

Mayor Thornton presented the following proclamation to Carlos Whitfield for going above and beyond in assisting a police officer in need:

WHEREAS, the ability of the police to perform their duties is dependent upon the public approval of police actions; and

WHEREAS, police use physical force to the extent necessary to secure observance of the law or to restore order only when the exercise of persuasion, advice and warning is found to be insufficient; and

WHEREAS, on April 2, 2016, Officer Brady Pike responded to the Lucy Morgan Homes community in response to a citizen complaint of a disturbance being caused by a particular person; and

WHEREAS, without notice or provocation, this person physically attacked Officer Pike and repeatedly hit him in the head and upper body; while defending himself and attempting to contain this assailant, Officer Pike requested assistance from other citizens who were standing nearby; and

WHEREAS, Carlos Whitfield separated himself from the crowd and moved to assist Officer Pike while another citizen contacted Troup County 911 to request additional police assistance.

NOW, THEREFORE, I, Jim Thornton, Mayor of the City of LaGrange, on behalf of the City Council and Staff, do hereby recognize and honor Carlos Whitfield for his direct and immediate assistance, and his willingness to become involved which effectively ended the assault until other Officers arrived and secured the assailant.

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

Ms. Connie Hensler, Executive Director of the Troup County – Valley Area Chapter of the American Red Cross, appeared before the Council and discussed the ongoing activities of the local chapter of the American Red Cross. No action was taken.

Mr. Jeff Lukken appeared before the Mayor and Council and discussed the planning efforts for the first Annual LaGrange International Festival to be hosted in downtown LaGrange by LIFE on September 10, 2016. No action was taken.

Mr. Ted Beason appeared before the Mayor and Council and expressed concerns regarding the closing of the Troup County School System to hold the national primary election. He requested that Council considered moving polling locations within schools to other locations so that schools could continue to operate.

Council received a Notice of Claim for damages filed on behalf of Alasia Gates. Following discussion, on a motion by Mr. Woodson seconded by Mr. Gore, Council voted unanimously to deny the claim and refer the matter to the insurance company.

Council received a Notice of Claim for damages filed on behalf of Brianna Kempson. Following discussion, on a motion by Mr. Edmondson seconded by Mr. Woodson, Council voted unanimously to deny the claim and refer the matter to the insurance company.

On a motion by Mr. Woodson seconded by Mr. Edmondson, Council unanimously voted to authorize the Mayor and Deputy City Manager to execute a Right of Way deed to convey .34 acres of property located on Whitesville Road to the Georgia Department of Transportation. A copy of the deed will be on file in the City Manager's office.

On a motion by Mr. Edmondson seconded by Ms. Tucker, 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 RECLASSIFY THE USE ZONE OF REAL ESTATE LOCATED AT 1901 HAMILTON ROAD AND OWNED BY WAFFLE HOUSE, INC.; 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 R-3 (residential district) to C-3 (general commercial district) the following described real estate, to wit:

All that tract or parcel of land located on Hamilton Road in the City of LaGrange, Georgia, known by the street numbering system of the city as 1901 Hamilton Road and also known as Troup County Tax Map Parcel Number 051-3-000-089A.

SECTION 2:

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

SECTION 3:

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

INTRODUCED AND FIRST READING _____ April 12, 2016 _____

SECOND READING AND ADOPTED _____ April 26, 2016 _____

SUBMITTED TO MAYOR AND APPROVED _____ April 26, 2016

BY: /s/ James C. Thornton, Mayor

ATTEST: /s/ Meg Kelsey, Deputy City Manager – Administration and Finance

On a motion by Mr. Edmondson seconded by Mr. Gore, 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 ORDINANCE OF THE CITY IN ORDER TO ADD CERTAIN FIREWORKS SALES WITHIN THE G-I ZONING DISTRICT; 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 25-35-2 of the code be amended by inserting, in proper alphabetical order, the following terms and definitions:

“Consumer fireworks: Any small fireworks devices containing restricted amounts of pyrotechnic composition, designed primarily to produce visible or audible effects by combustion, that comply with the construction, chemical composition, and labeling regulations of the United States Consumer Product Safety Commission as provided for in Parts 1500 and 1507 of Title 16 of the Code of Federal Regulations, the United States Department of Transportation as provided for in Part 172 of Title 49 of the Code of Federal Regulations, and the American Pyrotechnics Association as provided for in the 2001 American Pyrotechnics Association Standard 87-1, and additionally shall mean Roman candles. The definition of Consumer Fireworks shall have the same meaning as set forth in O.C.G.A. § 25-10-1 and NFPA 1124 should that definition differ from the definition of this subsection.

Consumer fireworks retail sales facility: A permanent or temporary building or structure, Consumer Fireworks Retail Sales Stand, tent, canopy, or membrane structure that is used primarily for the retail display and sale of Consumer Fireworks to the public. The definition of Consumer Fireworks Retail Sales Facility shall have the same meaning as set forth in O.C.G.A. § 25-10-1 and NFPA 1124 (National Fire Protection Association Standard 1124, Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles, 2006 Edition) should that definition differ from the definition in this subsection.

Consumer fireworks retail sales stand: A permanent or temporary building or structure that has a floor area of not greater than 880 ft²

(74m²), other than tents, canopies, or membrane structures, that is used primarily for the retail display and sale of consumer fireworks to the public. The definition of Consumer Fireworks Retail Sales Stand shall have the same meaning as set forth in O.C.G.A. § 25-10-1 and NFPA 1124 (National Fire Protection Association Standard 1124, Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles, 2006 Edition) should that definition differ from the definition in this subsection.”

SECTION 2:

That subsection (1) of Section 25-35-66, regarding the G-I general industrial district, be amended by inserting therein a new subparagraph n., to read as follows:

“n. Consumer fireworks retail sales facility.”

SECTION 3:

That subsection (3) of Section 25-35-66, regarding the G-I general industrial district, be amended by inserting therein a new subsection e., to read as follows:

“e. Consumer fireworks retail sales stand.”

SECTION 4:

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

SECTION 5:

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

INTRODUCED AND FIRST READING _____ April 12, 2016

SECOND READING AND ADOPTED _____ April 26, 2016

SUBMITTED TO MAYOR AND APPROVED _____ April 26, 2016

BY: /s/ James C. Thornton, Mayor

ATTEST: /s/ Meg Kelsey, Deputy City Manager – Administration and Finance

On a motion by Mr. Edmondson 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 AMEND THE CODE OF THE CITY; TO AMEND THE ZONING ORDINANCE OF THE CITY TO MODIFY ACCEPTABLE EXTERIOR BUILDING MATERIALS WITHIN THE C-1 AND C-3 ZONING DISTRICTS; 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 25-35-111 of the code be deleted, in its entirety, inserting in lieu thereof a
new Section 25-35-111 to read as follows:

“Sec. 25-35-111. Exterior building materials within C-1 and C-3 zoning districts.

(a) The regulations of this section shall apply to all lots, parcels and tracts of real property located within the C-1 neighborhood commercial district and C-3 general commercial district, as the boundaries of such may now or hereafter exist.

(b) Upon the lots, parcels and tracts described above in subsection (a), no building shall be erected or improved to contain front or side exterior walls (including the sides of mansard roofs and parapet walls) finished with painted or unpainted galvanized sheet metal, corrugated metal, pre-engineered building panels, plywood, highly reflective metal, highly reflective glass, lightweight or heavyweight concrete masonry units (CMS) or unpainted concrete. Quality materials and superior construction are recommended on the rear exterior wall. In the event the rear of the building is located such that it faces a public street then the rear exterior wall shall comply with the same requirements as the front and side exterior walls.

(c) Front and side exterior walls and, when applicable, rear exterior walls, shall be constructed of wood, solid brick masonry, brick veneer, solid stone masonry, stone veneer, cultured stone, split-face or split-rib concrete masonry units, cement-stucco on lath with architectural detailing, masonry units and stucco on lath with architectural detailing, masonry units with exterior insulated finish system (EIFS) applied, and any other high quality material approved by the community development director.”

SECTION 2:

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

SECTION 3:

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

INTRODUCED AND FIRST READING _____ April 12, 2016

SECOND READING AND ADOPTED _____ April 26, 2016

SUBMITTED TO MAYOR AND APPROVED _____ April 26, 2016

BY: /s/ James C. Thornton, Mayor

ATTEST: /s/ Meg Kelsey, Deputy City Manager – Administration and Finance

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 CODE SO AS TO MODIFY THE LOCATIONS AT WHICH SKATING OR SKATEBOARDING IS PROHIBITED ON CITY STREETS AND PROPERTIES; 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 subsections (a) and (b) of Section 10-20-13 of the Code be amended by deleting therefrom said subsections, inserting in lieu thereof a new Section 10-20-13(a) and (b) to read as follows:

“(a) No person upon roller skates, skateboard, inline skates or riding in or by means of any coaster, toy vehicle, hover board or similar devices (hereafter “skating or riding”) shall go upon any public roadway within the city except while crossing a street on a crosswalk, and when so crossing the person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians.

(b) Skating or riding on the sidewalks, alleyways, promenades, or any parking lot or parking deck within the downtown retail parking district (as defined in Code Section 10-20-100) is prohibited. In addition to such facilities within the downtown retail parking district, this prohibition also extends to the public parking lot which abuts Broome Street and the Troup County Government Center property which abuts Ridley Avenue.”

SECTION 2:

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

SECTION 3:

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

INTRODUCED AND FIRST READING _____ April 12, 2016

SECOND READING AND ADOPTED _____ April 26, 2016

SUBMITTED TO MAYOR AND APPROVED _____ April 26, 2016

BY: /s/ James C. Thornton, Mayor

ATTEST: /s/ Meg Kelsey, Deputy City Manager – Administration and Finance

In good news closing comments, Ms. Kelsey shared an e-mail from a resident on Springdale Drive expressing her appreciation for the work done by City electric crews in notifying her of a scheduled power outage and going the extra mile to replace some damaged pine straw in her yard. Ms. Kelsey committed that this expression of appreciation was a direct reflection of City staff meeting and exceeding the Mission of the City of LaGrange.

On a motion by Mr. McCamey seconded by Mr. Edmondson, the committee voted unanimously to adjourn to executive session to discuss personnel. At the end of the executive session, on a motion by Mr. Gore seconded by Ms. Tucker, the committee voted unanimously to adjourn the executive session and reconvene the meeting.

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

Mayor

Deputy City Manager, Administration/Finance