

CITY COUNCIL
GIL MCDUGAL, MAYOR
MICHAEL YOUNG, MAYOR PRO TEM
SHIRLEY MARCHMAN
DANNY CARTER
LESLIE MCPHERSON
MATTHEW MOMTAHAN

City of Villa Rica



CITY MANAGER: TOM BARBER
CITY CLERK: ALISA DOYAL
CITY ATTORNEY: C. DAVID MECKLIN

571 W BANKHEAD HWY
VILLA RICA, GA. 30180
770.459.7000 | VILLARICA.ORG

CITY COUNCIL MEETING MINUTES

Holt-Bishop Justice Center, 101 Main Street
Tuesday, September 21, 2021 | 6:00 pm

Meeting Call to Order (Mayor Gil McDougal)

Mayor Gil McDougal called the meeting to order at 6:00 pm.

Present: Mayor Gil McDougal, Mayor Pro Tem Michael Young, Councilwoman Shirley Marchman, Councilman Danny Carter, Councilwoman Leslie McPherson, and Councilman Matthew Momtahan.

Invocation: Pastor Tot, True Life Church

Pledge of Allegiance: Officer Anthony Allen, Villa Rica Police Department

Ceremonial Presentations (Mayor & Council)

- Recognition of Employee Anniversaries:
 1. Paul Reagen Clayton – 5 Years of Service (Investigator, Villa Rica Police Department)
 2. Sharon DuPont - 5 Years of Service (Tourism Manager)
 3. Charles K. Marlar – 5 Years of Service (Site Inspector/Soil Erosion, Public Works)
 4. Ansley Marie Bridges – 10 Years of Service (Receptionist, Parks and Recreation)
 5. Steven Patrick Lujan – 15 Years of Service (Sergeant, Villa Rica Police Department)
 6. Amanda S. Honea – 20 Years of Service (Court Clerk, Villa Rica Police Department)
- Proclamation – Constitution Week

Adoption of Agenda (Mayor Gil McDougal)

Councilman Michael Young requested to table #C12-Amendment to Section 9.03 – Multifamily and Single-Family Attached Design Standards, #C13-Revision to Villa Rica Development Regulations Relative to Stream Buffers, #D1-Resolution of Support for Changes to State Highway System and Acceptance of Two Roadways, and F1-Amendment to Ordinances for Traffic Calming.

Councilman Danny Carter moved to adopt the agenda as amended, seconded by Councilwoman Leslie McPherson.

RESULT:

MOVER:

SECONDER:

AYES:

ADOPTED (UNANIMOUS)

Danny Carter, Councilman

Leslie McPherson, Councilwoman

Carter, McPherson, Marchman, Young, Momtahan

Public Comment (We ask that you sign in for Public Comment before the meeting begins. Please state your Name and Address for the record and limit your comments to three minutes.)
No one came forward to make a public comment.

Council Updates (Subjects of General Interest and Concern)

Councilwoman Shirley Marchman publicly thanked the City of Villa Rica and the Villa Rica Police Department for their support in her husband's passing. Councilman Michael Young spoke on how wonderful the Gold Rush Concert and the Gold Rust Festival were.

A. Consent Agenda (Mayor Gil McDougal)

Mayor Gil McDougal presented the Consent Agenda for approval.

1. Flowers Bakery Driveway Culvert Design
2. Bathroom Renovations at Gold Dust
3. Library After-Hours Meeting Room Use and Fee Schedule
4. Reconfiguration and Upgrade of Network Infrastructure
5. Network Room Cleanup and Network Cable Recertification at Police Department and Courtroom
6. Ratification of Emergency Purchase of Supervisory Control and Data Acquisition (SCADA) System for Water Plant
7. Replacement of the Lake Cowan #3 Raw Water Pump
8. Concrete Removal at the Old West Plant Site
9. Request Approval of a Three-Year Proposal from Mauldin & Jenkins, LLC to Provide External Audit & Single Audit Services for Fiscal Years 2021-2023
10. Approve Additional Services with Paycom
11. Approval of Second Phase of Professional Services Agreement with Gilbert, Harrell, Sumerford & Martin Law Firm
12. Three Rivers Commission – Area Agency on Aging Contract for Services for Fiscal Year 2023
13. Set Dates for 2021 Cleanup Week
14. ATVR Signage for Villa Rica Lions Club

Councilman Michael Young moved to adopt the Consent Agenda.

RESULT:	ADOPTED (UNANIMOUS)
MOVER:	Michael Young, Councilman
SECONDER:	Danny Carter, Councilman
AYES:	Young, Carter, Marchman, McPherson, Momtahan

B. Governing Body (Mayor Gil McDougal)

1. Mayoral Appointment of Richard L Borger, Jr to the Housing Authority Board (Term: 09/01/2021 – 08/31/2026)

Mayor Gil McDougal announced that he has appointed Richard L Borger, Jr to the Housing Authority Board for a term of five years.

2. Approval of Minutes
 - a. Meeting Minutes of July 13, 2021.
 - b. Meeting Minutes of August 10, 2021.
 - c. Adoption of Millage Minutes of August 31, 2021.

Councilman Michael Young moved to approve the Meeting Minutes of August 10, 2021 and the Adoption of Millage Minutes of August 31, 2021.

RESULT: ADOPTED (UNANIMOUS)
MOVER: Michael Young, Councilman
SECONDER: Matthew Momtahan, Councilman
AYES: Young, Momtahan, Marchman, Carter, McPherson

Councilman Matthew Momtahan moved to table the Meeting Minutes of July 13, 2021.

RESULT: TABLED (UNANIMOUS)
MOVER: Matthew Momtahan, Councilman
SECONDER: Shirley Marchman, Councilwoman
AYES: Momtahan, Marchman, Carter, McPherson, Young

C. Community Development (Bobby Elliott, Director)

1. ABL-08-21 – To Allow Pouring of Alcoholic Beverages for Taqueria Tapatios, LLC at 451 W. Bankhead Hwy and Public Hearing (Bobby Elliott, Director)

Public Hearing: No one came forward to speak.

Councilman Danny Carter moved to approve the pouring license restaurant application for Taqueria Tapatios, LLC, located at 451 W. Bankhead Highway, Villa Rica, GA 30180.

RESULT: ADOPTED (VOTE:4-1)
MOVER: Danny Carter, Councilman
SECONDER: Leslie McPherson, Councilwoman
AYES: Carter, McPherson, Young, Momtahan
NAYS: Marchman

2. South Harbour Unit 2A Final Plat Approval and Public Hearing (Bobby Elliott, Director)

Public Hearing: No one came forward to speak.

Councilman Michael Young moved to approve the Final Plat for South Harbour Unit 2A.

RESULT: ADOPTED (UNANIMOUS)
MOVER: Michael Young, Councilman
SECONDER: Matthew Momtahan, Councilman
AYES: Young, Momtahan, Marchman, Carter, McPherson

3. ALT-02-21 – Extension of Rezoning for Avemore (RA-06-18) and Clarification of Number of Senior Housing Units Approved in 2018 and Public Hearing (Ronald Johnson, Planning and Zoning Specialist)

Public Hearing: No one came forward to speak.

Councilwoman Leslie McPherson moved to approve an extension to the Avemore rezoning and all conditions for a period of one (1) year from today, and to modify the conditions approved in 2019 for RA-06-18 to permit the addition of no more than 290 units of senior housing with a minimum age of fifty-five (55) on the property, in addition to the 250 single-family and 325 multi-family units approved. The conditions that were approved in 2019 for RA-06-18 are to be submitted and approved within six (6) months of Planned Development Concept Plan approval:

1. Preliminary plat application in accordance with the requirements and depicting the following should be reviewed and approved by Planning and Zoning Commission and City Council
 - a. Acreage of the property, proposed building footprint, and density in each proposed land use to be included in the Planned Development (commercial, residential, and Institutional).
 - b. Public improvements plan showing connections to the proposed location of the Gold Nugget Trail along Bay Springs Creek.
 - c. Inter-parcel roadway stub for a potential future connection to Charleston Place.
2. Maximum number of single-family units: 250 units
3. Maximum number of multi-family units: 325 units
4. Zoning book, phasing plan, economic analysis, Homeowners Association covenants, and utility plan to be submitted for approval with the final Development Plan
5. Submit a detailed plan on the proposed movement of the water tower.
6. The applicant/developer must follow all zoning tabulations and design-based representations as presented in the accompanying document titled "Avemore Master Plan", dated July 18th, 2019. This document is fully transferrable and applicable to any future developer of the site.

RESULT:	ADOPTED (UNANIMOUS)
MOVER:	Leslie McPherson, Councilwoman
SECONDER:	Danny Carter, Councilman
AYES:	McPherson, Carter, Marchman, Young, Momtahan

4. RA-07-21 – Parcel #V06 0040139 – 116 Reed Road – Inline Communities, LLC of Atlanta, Requesting Rezoning of 75-Acre Vacant Parcel from Single-Family Agricultural (AG) to Single-Family Urban (R2 and Public Hearing (Ronald Johnson, Planning and Zoning Specialist

Public Hearing: No one come forward to speak.

Councilman Matthew Momtahan moved to approve the rezoning request from Inline Communities, LLC of Atlanta, GA, for a rezoning from AG to R2, with the aforementioned conditions as outlined by staff as follows and with the conditions on Exhibit "A".

1. Receipt of a favorable sewer and water capacity letter from the city's Utilities Department guaranteeing availability to service all lots within the proposed development within sixty (60) days. This letter must be on file with the city's Community Development Department upon receipt.
2. The applicant must comply with all recommendations found within the traffic report dated August 23rd, 2021, prepared by A & R Engineering, Inc.
3. The applicant must address the Reed Road/Tolbert Dr. and South Carroll Road intersection in the form of a traffic study, and all recommendations of that study are to be implemented at the recommendation of the Community Development Director/Engineer.
4. The applicant has proposed to contribute \$25,000 toward the cost of traffic improvements at Reed Road/Tolbert Drive and South Carroll Road intersection.

5. The developer shall contribute no more than \$1,500 per lot to the cost of traffic improvements that is inclusive of the intersection of Reed Rod/Tolbert Drive and South Carroll Road.

RESULT: **ADOPTED (UNANIMOUS)**
MOVER: Matthew Momtahan, Councilman
SECONDER: Danny Carter, Councilman
AYES: Momtahan, Carter, Marchman, McPherson, Young

5. Liberty Pointe Unit 4 Final Plant and Public Hearing (Bobby Elliott, Director)

Public Hearing: No one came forward to speak.

Councilman Danny Carter moved to approve the Final Plat for Liberty Pointe Unit 4.

RESULT: **ADOPTED (UNANIMOUS)**
MOVER: Danny Carter, Councilman
SECONDER: Michael Young, Councilman
AYES: Carter, Young, Marchman, McPherson, Momtahan

6. VA-08-21 – 352 Jada Lane – WJH, LLC of Norcross, GA, Request for Variances and Public Hearing (Ronald Johnson, Planning and Zoning Specialist)

Public Hearing:

1. Robbie Robinson, 3535 Junior High Drive, Lithia Springs, GA 30122

Councilman Michael Young moved to deny the variance request by WJH, LLC of Norcross, GA in favor of keeping the front yard setback requirement at 25'.

RESULT: **DENIED (UNANIMOUS)**
MOVER: Michael Young, Councilman
SECONDER: Danny Carter, Councilman
AYES: Young, Carter, Marchman, McPherson, Momtahan

7. VA-09-21 – 403 Jada Lane – WJH, LLC of Norcross, GA, Request for Variances and Public Hearing (Ronald Johnson, Planning and Zoning Specialist)

Public Hearing:

1. Robbie Robinson, 3535 Junior High Drive, Lithia Springs, GA 30122

Councilman Michael Young moved to deny the variance request by WJH, LLC of Norcross, GA in favor of keeping the front yard setback requirement at 25'.

RESULT: **DENIED (UNANIMOUS)**
MOVER: Michael Young, Councilman
SECONDER: Danny Carter, Councilman
AYES: Young, Carter, Marchman, McPherson, Momtahan

8. VA-10-21 – 405 Jada Lane – WJH, LLC of Norcross, GA, Request for Variances and Public Hearing
(Ronald Johnson, Planning and Zoning Specialist)

Public Hearing:

1. Robbie Robinson, 3535 Junior High Drive, Lithia Springs, GA 30122

Councilman Michael Young moved to deny the variance request by WJH, LLC of Norcross, GA in favor of keeping the front yard setback requirement at 25'.

RESULT:	DENIED (UNANIMOUS)
MOVER:	Michael Young, Councilman
SECONDER:	Danny Carter, Councilman
AYES:	Young, Carter, Marchman, McPherson, Momtahan

9. Special Exception: Request an Exemption to Section 9.37(h) of the Villa Rica Sign Ordinance and Public Hearing (Chris Montesinos, Deputy Director)

Public Hearing: No one came forward to speak.

Councilman Michael Young moved to deny the exception to Section 9.37(h) of the Villa Rica sign Ordinance, to exempt billboards from being located within five-hundred (500) feet of the frontage of interstate off-and-on ramps.

RESULT:	DENIED (UNANIMOUS)
MOVER:	Michael Young, Councilman
SECONDER:	Matthew Momtahan, Councilman
AYES:	Young, Momtahan, Marchman, McPherson

***Councilman Danny Carter excused himself due to business with the applicant.**

10. Special Exception: Request to Modify the Required 25 Foot Setback for a Billboard and Public Hearing
(Chris Montesinos, Deputy Director)

Public Hearing: No one came forward to speak.

Councilman Matthew Momtahan moved to approve the exception to Section 9.37(c) of the Villa Rica Sign Ordinance, and reduce the setback to zero (0') feet of the closet part of the sign from the GDOT right-of-way.

RESULT:	ADOPTED (UNANIMOUS)
MOVER:	Matthew Momtahan, Councilman
SECONDER:	Shirley Marchman, Councilwoman
AYES:	Momtahan, Marchman, McPherson, Young

***Councilman Danny Carter excused himself due to business with the applicant.**

11. Amendment to Table 4.3 – Permitted Uses Table Contained in City of Villa Rica Zoning Code and Public Hearing (Ronald Johnson, Planning & Zoning Specialist)

Public Hearing: No one came forward to speak.

Councilman Michael Young moved to approve the proposed amendment to Section Table 4.3 of the City of Villa Rica Zoning Ordinance as attached hereto.

RESULT:	ADOPTED (UNANIMOUS)
MOVER:	Michael Young, Councilman
SECONDER:	Danny Carter, Councilman
AYES:	Young, Carter, Marchman, McPherson, Momtahan

12. Amendment to Section 9.03 (2) – Multifamily and Single-Family Attached Design Standards and Public Hearing (Ronald Johnson, Planning and Zoning Specialist)

*TABLED in the adoption of the agenda.

13. Revision to Villa Rica Development Regulations Relative to Stream Buffers (Bobby Elliott, Director)

*TABLED in the adoption of the agenda.

D. Utilities (Pete Zorbanos, Director)

1. Resolution of Support for Changes to State Highway System and Acceptance of Two Roadways (John Bain, Deputy Utilities Director)

*TABLED in the adoption of the agenda.

E. Finance (Jennifer Hallman, Finance Director)

1. Financial Update – July 2021

The July 2021 Financial Update was presented to the Council.

2. Adoption of 2022 Budget

Councilman Michael Young moved to approve the resolution adopting the 2022 Operating & Capital Budget totaling \$37,786,859.

RESULT:	ADOPTED (UNANIMOUS)
MOVER:	Michael Young, Councilman
SECONDER:	Shirley Marchman, Councilwoman
AYES:	Young, Marchman, Carter, McPherson, Momtahan

F. City Manager (Tom Barber)

1. Amendment to Ordinances for Traffic Calming

*TABLED in the adoption of the agenda.

G. City Manager's Report (Tom Barber)

City Manager Tom Barber presented a report of upcoming city projects.

Adjournment

Councilman Danny Carter moved to adjourn, seconded by Councilman Michael Young. The vote was unanimous. Mayor Gil McDougal adjourned the meeting.



Alisa Doyal, City Clerk



Gil McDougal, Mayor

InLine Communities, LLC
RA-07-21, Parcel # V06 0040139, 116 Reed Road
Proposed Stipulations of Zoning

1. The Applicant/Developer/Owner agrees to construct a minimum of eight elevations, and a minimum of 5% of each elevation shall be constructed.
2. The Applicant/Developer/Owner agrees that at least 50% of the homes on a corner lot must have a side load garage.
3. The Applicant/Developer/Owner agrees that site/neighborhood/development amenities include a pool and cabana, walking trail, tot lot, and picnic/cookout/barbecue grilling area.
3. The Applicant/Developer/owner agrees that the proposed pool will have a minimum surface area of 1,500 square feet.
4. The Applicant/Developer/Owner agrees to include a community green as part of the site/neighborhood/development's open/green space requirement substantially similar in size and scope as proposed in the concept/zoning plan. ~~The Applicant/Developer/Owner acknowledges that the community green shall not be considered an amenity for the purpose of meeting the site/neighborhood/development's amenity requirement.~~
5. The Applicant/Developer/Owner agrees to install sidewalks on both sides of internal streets and along the frontage of Tolbert/Reed Road.
6. The Applicant/Developer/Owner agrees to submit the site/neighborhood/development to covenants pursuant to the Georgia Property Owners Act (O.C.G.A. § 44-3-220, et seq.)
7. The Applicant/Developer/Owner agrees to be responsible for incorporating a minimum of one traffic calming practice in accordance with the Institute of Transportation Engineers (ITE) manual for traffic calming along the main entrance road internal to the neighborhood. The practice may include a stop sign, road diet, speed hump or other device which shall be approved through the civil plan review process.
8. The Applicant/Developer/Owner acknowledges that water and sewer availability is not expressly implied as a result of zoning.
9. The Applicant/Developer/Owner agrees and acknowledges that all conditions or stipulations of re-zoning shall bind Applicant/Developer/Owner's successors and assigns.
10. The Covenants, Conditions and Restrictions shall include a clause that limits the maximum number of units that can be rented or leased within the development at any one time to 10% or less of the total homes. However, if all of the homes are owned by one entity and governed by a third party management company, then the rental restriction shall be waived in its entirety.