

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

City of Villa Rica



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

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CITY COUNCIL MEETING MINUTES

Holt-Bishop Justice Center, 101 Main Street
Tuesday, April 12, 2022 | 6:00 pm

Meeting Call to Order (Mayor Gil McDougal)

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

Present: Councilwoman Shirley Marchman, Councilman Danny Carter, Councilwoman Leslie McPherson
Councilman Matthew Momtahan and Councilwoman Anna McCoy

Invocation: Councilwoman Shirley Marchman

Pledge of Allegiance: Sergeant Drew Fowler, Villa Rica Police Department

Ceremonial Presentations (Mayor Gil McDougal)

- Employee Anniversaries:
 1. Carson Avery White – 5 Years of Service with Distribution and Collection
 2. Ellen Ramsey Swain – 10 Years of Service with Senior Center
 3. Darin Andrew Fowler – 10 Years of Service with Villa Rica Police Department
 4. Jeremy L. Dukes – 20 Years of Service with Streets Department
- Recognition of Lisa Deming, Senior Center Manager – Tracie Ivey, Parks and Recreation Director
- Recognition of “One Year Police Shooting” – Mayor Gil McDougal
- Proclamation – “Georgia’s Outstanding Chief of the Year- Chief Michael Mansour” – Mayor Gil McDougal

Adoption of Agenda (Mayor Gil McDougal)

Mayor Gil McDougal amended the agenda by moving Agenda Item #C7 to #C1. Councilman Danny Carter moved to adopt the agenda as amended.

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

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.)

The following three citizens came forward to make a public comment.

1. Jay Davis, 55 Goldworth Road

2. James Reno, 609 Old Town Road
3. Rex Camp, 719 Old Tanyard Road

Council Updates (Subjects of General Interest and Concern)

There were no council updates.

A. Consent Agenda (Mayor Gil McDougal)

Mayor Gil McDougal presented the Consent Agenda for approval.

1. CVB Board Appointment of Neville Bhada
2. CBV Board Appointment of Dan Christner
3. Presentation and Authorization to Refund/Refinance the Public Facilities Authority Series 2015 Bond
4. Agan Development/City of Villa Rica/Mirror Lake Community Association Agreement/re: Somersport Detention Ponds
5. 2022 Community Grant Application for Alzheimer's Group of Carroll County
6. 2022 Community Grant Application for Thomas A. Dorsey Birthplace Festival
7. 2022 Community Grant Application for Villa Rica Lions Clubs
8. Atlanta Eats Proposal – Villa Rica Feature
9. Cell Phones for City Council
10. July 3rd Fireworks
11. Portable Restrooms for July 3rd Fireworks Display
12. Request for Ratification of Emergency Repair of Brandywine Lift Station Pump #2
13. North Plant Disc Filter #1 Upgrade
14. Lift Station Supervisory Control and Data Acquisitions (SCADA) Upgrade
15. Purchase of 2022 International HV607 Grapple Truck for Solid Waste Department
16. Cancel \$450,000 Promissory Note and DDA and Forgive \$75,000 Loan
17. Renewal with GIRMA for Property and Liability Insurance
18. FY2022 Budget Amendments - #169-182
19. Resolution of Support – RAISE Grant Program Application and 20% Match Commitment
20. Approval of Third Phase of Professional Services Agreement with the Law Firm of Gilbert, Harrell, Sumerford & Martin
21. Draft of Intergovernmental Agreement between Villa Rica and the Carroll County School Board Concerning the Eastside TAD
22. Draft of Intergovernmental Agreement between Villa Rica and Carroll County Concerning the Eastside TAD

Councilman Danny Carter moved to adopt the Consent Agenda.

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

B. Governing Body (Mayor Gil McDougal)

1. Approval of Council Meeting Minutes of March 8, 2022

Councilwoman Shirley Marchman moved to approve the Council Meeting Minutes of March 8, 2022.

RESULT:	ADOPTED (UNANIMOUS)
MOVER:	Shirley Marchman, Councilwoman

SECONDER: Leslie McPherson, Councilwoman
AYES: Marchman, McPherson, Carter, Momtahan, McCoy

2. Carroll Mental Health Advocates Presentation

The presentation was given by Jodie Goodman, Director of Carroll Mental Health Advocates, Lieutenant Greg Falls, Director of Carroll County Crisis Response Team and Mayor Betty Cason of Carrollton.

C. Community Development (Tracy Jarvis, Director)

1. Amendment to the Alcohol Ordinance and Public Hearing (David Mecklin, City Attorney)

To adopt an Ordinance to regulate the issuance of licenses for the sale of distilled spirits by the package in the City of Villa Rica subsequent to the approval of same by the voters of Villa Rica in a referendum. The passage of the Ordinance will establish the rules and regulations by where licenses may be issued for the sale of distilled spirits by the package in the City.

Public Hearing: No one came forward to speak.

Motion: Councilman Danny Carter moved to adopt the Ordinance to authorize the issuance of licenses for the sale of distilled spirits by the package in the City of Villa Rica as attached hereto.

RESULT: **ADOPTED (VOTE: 3-2)**
MOVER: Danny Carter, Councilman
SECONDER: Anna McCoy, Councilwoman
AYES: Carter, McCoy, Momtahan
NAYS: Marchman, McPherson

2. ALP 1-2022 Alcohol License Permit Application from Nextgen Nexus Inc. dba Junior Food Store and Public Hearing (Nyree Simpson, Licensing Specialist)

To allow applicant to offer retail sales of packaged beer and wine at Junior Food Store located at 516 Dallas Highway, Villa Rica, as there has been a recent change of ownership.

Public Hearing: No one came forward to speak.

Motion: Councilman Danny Carter moved to approve the request of an alcohol license permit for the specified business, Nextgen Nexus Inc. dba Junior Food Store.

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

3. VA-02-22 – Mirror Lake Boulevard at Shoreline Parkway – Townhome Variances Request from PLG, LLC within Fuqua Development and Public Hearing (Ronald Johnson, Planning and Zoning Specialist)
PLG LLC of Atlanta, Georgia requested five (5) variances from city zoning regulations in order to construct a 255-unit townhome community within the Fuqua Development.

Public Hearing: AJ Hole and Clayton Hole, 141 Parkway Circle, Villa Rica

Motion #1: Councilwoman Leslie McPherson moved to approve the request to be exempt from Section 9.03(2)(c) of the City of Villa Rica Zoning Ordinance.

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

Motion #3: Councilman Danny Carter moved to deny the request to provide 22' townhome units instead of 24' townhome units, as required in Table 4.4.

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

Motion #6: Councilwoman Leslie McPherson moved to approve an encroachment of 42,883 SF into the 75' impervious buffer, as indicated on the submitted Buffer Plan, dated March 1, 2022.

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

Motion #7: Councilman Danny Carter moved to approve an encroachment of 11,052 SF into the 50' non-disturbance buffer, as indicated on the submitted Buffer Plan, dated March 1, 2022.

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

Motion #8: Councilman Danny Carter moved to approve the request to provide a cumulative 30' buffer yard along the boundary line between SFA and C2 parcels with 15' on each side of the zone boundary.

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

4. VA-03-22 – Mirror Lake Connector Stream Buffer Variance and Public Hearing (Bobby Elliott, Public Works Director and City Engineer)

A variance request by the City of Villa Rica to encroach into the 75' stream buffer by 20,939 SF and the 50' stream buffer by 8,56 SF, in order to construct a new roadway between Shoreline Parkway and Mirror Lake Boulevard and Cleghorn Street.

Public Hearing: No one came forward to speak.

Motion #1: Councilwoman Leslie McPherson moved to approve the request from the City of Villa Rica to encroach into the 75' stream buffer by 20,939 SF as shown in the Buffer Plan dated March 1, 2022.

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

Motion #2: Councilman Danny Carter moved to approve the request from the City of Villa Rica to encroach into the 50' stream buffer by 8,564 SF as shown in the Buffer Plan dated March 1, 2022.

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

5. VA-04-22 – Mirror Lake Boulevard at Shoreline Parkway – Commercial and Multifamily Variances Request from Fuqua Acquisitions II, LLC and Public Hearing (Ronald Johnson, Planning and Zoning Specialist)
Fuqua Acquisitions II, LLC of Atlanta, Georgia requested twelve (12) variances from city zoning regulations in order to construct 255 townhome units, 208 multi-family units and 18.9-acre commercial shopping center.

Public Hearing: No one came forward to speak.

Motion #1: Councilman Danny Carter moved to approve the request to provide a 15' landscape buffer instead of a 30' landscape buffer as required in Section 7.05 Landscaping Standards of the Villa Rica Zoning Ordinance.

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

Motion #2: Councilman Danny Carter moved to approve the request to reduce the side yard setback from 40' as required in Section 4.04/Table 4.4 of the Zoning ordinance to 20' for the MF2 Zone.

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

Motion #3: Councilman Danny Carter moved to approve the request to provide a cumulative 10' parking landscaping strip instead of the required 10' strip for each C2 zoned property.

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

Motion #4: Councilwoman Leslie McPherson moved to approve the reduction of the minimum lot size in the C2 zone from 2.5 acres to .75 acres.

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

Motion #5: Councilwoman Leslie McPherson moved to approve the reduction of the buffer between existing residential and new Commercial Medium-Density (C2) from 75' to 20'

MOVER: Leslie McPherson, Councilwoman
SECONDER: Danny Carter, Councilman

AMENDED MOTION: Councilman Matthew Momtahan requested the motion be amended to include the owner/applicant/developer agrees that in lieu of the 75' buffer that they are going to leave a 20' undisturbed buffer and plant a 20' planted buffer with an 8' fence between commercial C2 parcel and residents. The applicant agreed to the conditions in the amended motion.

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

Motion #6: Councilwoman Leslie McPherson moved to approve the relocation of all commercial open space to a centralized location on a single C2 zoned lot.

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

Motion #7: Councilman Danny Carter moved to approve an increase in the minimum amount of parking spaces from 2.61 spaces to 4.5 spaces for the shopping center, and increase the maximum amount of parking spaces from 2.86 parking spaces per 1,000 SF to 5.5 spaces per 1,000 SF for the shopping center.

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

Motion #8: Councilman Matthew Momtahan moved to approve the request to increase density in the MF2 Zone from 19.3 du/acre to 25 du/acre on the condition that the applicant/owner agrees to cap the three-bedroom units of the multi-family apartment to five percent of the total units. The applicant agreed with the motion.

RESULT: **ADOPTED (UNANIMOUS)**
MOVER: Matthew Momtahan, Councilman
SECONDER: Danny Carter, Councilman

AYES: Momtahan, Carter, Marchman, McCoy
*Councilwoman Leslie McPherson had stepped away.

Motion #9: Councilman Danny Carter moved to approve the reduction in ground floor retail transparency on the ground level from 75% to 40%.

RESULT: **ADOPTED (UNANIMOUS)**
MOVER: Danny Carter, Councilman
SECONDER: Shirley Marchman, Councilwoman
AYES: Carter, Marchman, Momtahan, McCoy
*Councilwoman Leslie McPherson had stepped away.

Motion #10: Councilman Danny Carter moved to remove the requirement to provide a 30' landscape buffer between C2 and existing residential MF2.

RESULT: **ADOPTED (VOTE: 3-1)**
MOVER: Danny Carter, Councilman
SECONDER: Shirley Marchman, Councilwoman
AYES: Carter, Marchman, Momtahan
NAYS: McCoy
*Councilwoman Leslie McPherson had stepped away.

Motion #11: Councilman Danny Carter moved to reduce the minimum living area permitted in the MF2 zone from 950 SF to 900 SF.

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

Motion #12: Councilman Danny Carter moved to approve the Master Signage Plan as indicated on the submitted Master Signage Plan dated February 23, 2022.

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

6. VA-05-22 – 14911 Veterans Memorial Highway Variance from Section 4.04/Table 4.4 and Public Hearing (Ronald Johnson, Planning and Zoning Specialist)
Larry Boggs of Douglasville, GA requested a variance from Section 4.04/Table 4.4 which requires a 50' side yard setback in the Industrial Medium-Density (I2) Zone.

Public Hearing: No one came forward to speak.

Motion: Councilwoman Leslie McPherson moved to approve the variance request from Larry Boggs of Carrollton, GA from Section 4.04/Table 4.4 of the Villa Rica Zoning Ordinance, to provide a 20' side yard setback in place of the required 50' side yard setback.

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

7. Special Event Permit to Allow West Georgia Tennis Club to hold a King of the Clay Tournament
Nyree Simpson, Licensing Specialist)

The request is to allow Hixtown Brewing LLC of Villa Rica, GA to provide beer sales at the West Georgia Tennis Club's event "King of the Clay Mixed Doubles Tournament" on May 14-15, 2022, from 12 pm to 3 pm on both days.

Motion: Councilman Danny Carter moved to approve the issuance of a temporary alcohol license for the West Georgia Tennis Club's "King of the Clay Tournament" on May 14-15, 2022 from 12 pm to 3 pm to Hixtown Brewery LLC.

RESULT:	ADOPTED (UNANIMOUS)
MOVER:	Danny Carter, Councilman
SECONDER:	Leslie McPherson, Councilwoman
AYES:	Carter, McPherson, Momtahan, McCoy
	*Councilwoman Shirley Marchman had stepped away.

8. Issuance of a Temporary Alcohol License to Allow Uncorked on Main to Provide Wine and Beer for the City's Jazz Festival (Nyree, Simpson, Licensing Specialist)

Motion: Councilman Danny Carter moved to approve the request for issuance of a temporary alcohol license to allow Uncorked on Main to provide the wine and beer sales for the city's Jazz Festival on April 30, 2022, at the MILL amphitheater from 4 - 9 pm.

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

D. Human Resources (Sarah Andrews, Interim Director)

1. Increase Officer Pay and Retention Bonus

Motion: Councilman Danny Cater moved to approve a \$2 per hour increase in pay for recruits to chief; as well as \$1 per hour retention bonus for recruits to chief, both effective May 1, 2022.

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

E. Public Works (Bobby Elliott, Director and City Engineer)

1. Final Plat for Twin Oaks Unit IIB and Public Hearing (Bobby Elliott, Director)

Public Hearing: No one came forward to speak.

Motion: Councilman Danny Carter moved to approve the Final Plat for Twin Oaks Unit IIB.

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

Adjournment: Councilman Danny Carter moved to adjourn, seconded by Councilwoman Anna McCoy. The vote was unanimous. Vote: 5/0.



City Clerk Alisa Doyal



Mayor Gil McDougal