

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

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, May 24, 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, Councilman Matthew Momtahan and Councilwoman Anna McCoy. Councilwoman Leslie McPherson was absent.

Invocation: Councilman Danny Carter

Pledge of Allegiance: Mayor Gil McDougal

Adoption of Agenda (Mayor Gil McDougal)

Mayor Gil McDougal added Item # B2-Housing Board Appointments to the agenda. Councilman Danny Carter moved to adopt the agenda as amended.

RESULT:	ADOPTED (UNANIMOUS)
MOVER:	Danny Carter, Councilman
SECONDER:	Shirley Marchman, Councilwoman
AYES:	Carter, Marchman, 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.)

One citizen came forward to speak.

1. Kurt Kraft, 2406 Ridgelake Drive

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. RH Events and Catering, LLC dba Shake, Rattle & Rolls
2. Gold Dust Recreation Gymnasium HVAC Project
3. Concrete Material Bay Storage Project
4. North Plant Modification Project Change Order
5. FY2023 Budget Calendar

Motion: Councilman Danny Carter moved to adopt the Consent Agenda.

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

B. Governing Body (Mayor Gil McDougal)

1. Approval of Minutes

- a. Special Called Council Meeting Minutes of May 4, 2022
- b. Council Meeting Minutes of May 10, 2022

Motion: Councilwoman Shirley Marchman moved to approve the Special Called Council Meeting Minutes of May 4, 2022, and the Council Meeting Minutes of May 10, 2022.

RESULT:	ADOPTED (UNANIMOUS)
MOVER:	Shirley Marchman, Councilwoman
SECONDER:	Anna McCoy, Councilwoman
AYES:	Marchman, McCoy, Carter, Momtahan

2. Mayoral Housing Authority Board Appointments

Mayor Gil McDougal appointed Rob Smith and Michael Young to the Housing Authority Board. Rob Smith will fill the vacancy on the board, and Michael Young will fill the vacancy expired term.

C. Community Development (Tracy Jarvis, Director)

1. RA-01-22 – Inline Communities, LLC – Proposed Rezoning of Two Vacant Parcels on Old Stone Road and Public Hearing (Ronald Johnson, Planning and Zoning Specialist)

Inline Communities, LLC requested rezoning of two vacant parcels on Old Stone Road from Single-Family Agricultural (AG) to Planned Unit Development (PUD).

Public Hearing: No one came forward to speak.

Motion: Councilman Danny Carter moved to approve the rezoning request from Inline Communities, LLC of Villa Rica, GA for a rezoning from AG to PUD with the four conditions as stated by staff.

Staff Conditions:

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 address the Old Stone Road and Punkintown 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.
3. The applicant's Development Master Plan should be entered into the legal record in addition to any and all proposed elevations, site plans, concept plans and other representations made before the City Council.
4. The applicant/developer/builder agrees to a 15% rental cap applicable to the townhome and single-family detached portions of the development.

Councilman Matthew Momtahan asked Councilman Danny Carter if he would amend his motion to include stimulations that the applicant agrees to that includes: no three-bedroom apartments in the multifamily section, require 100% master on main for the townhomes and the single-family detached sections of the development, and require a property owners association instead of a homeowners association. Councilman Danny Carter agreed to amend his motion to these stimulations.

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

2. RA-02-22 – Inline Communities, LLC – Proposed Rezoning of 116 Reed Road and Public Hearing

(Ronald Johnson, Planning and Zoning Specialist)

Inline Communities, LLC requested a rezoning of 116 Reed Road from Single-Family Urban (R2) to Single-Family Attached (SFA).

Public Hearing: No one came forward to speak.

Motion: Councilman Danny Carter moved to approve the rezoning request from Inline Communities, LLC of Villa Rica, GA for a rezoning from R2 to SFA with conditions as outlined by staff.

Staff Conditions:

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 23, 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.
4. The developer shall contribute no more than \$1,500 per lot to the cost of traffic improvements.
5. 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.
6. The Applicant/Development/Owner agrees that the proposed pool will have a minimum surface area of 1,500 square feet.
7. The Applicant/Developer/Owner agrees to install sidewalks on both sides of internal streets and along the frontage of Tolbert/Reed Road.
8. 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.).
9. 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.
10. The Applicant/Developer/Owner acknowledges that water and sewer availability is not expressly implied as a result of zoning.
11. The Applicant/Developer/Owner agrees and acknowledges that all conditions or stipulations of re-zoning shall bind Applicant/Developer/Owner's successors and assigns.

12. 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.
13. The Applicant/Developer/Owner agrees to build all internal roadways and parking aisles to standards that would accommodate emergency access vehicles. This includes emergency access to the proposed park in the rear of the property.

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

3. RA-03-22 – CWD Properties, LLC – Rezoning from AG to C1 at 1101 W. Bankhead Hwy and Public Hearing (Ronald Johnson, Planning and Zoning Specialist)

Public Hearing: No one came forward to speak.

Motion: Councilman Matthew Momtahan moved to approve the rezoning request from CWD Properties, LLC of Tallapoosa, GA for a rezoning from AG to C1 as presented by staff subject to the condition that the property will not be used for retail.

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

4. Distilled Package License Application Packet and Schedule for Review (Nyree Simpson, Licensing Specialist)

Approval of the application and lottery process for Distilled Spirits Packaged Stores.

Motion: Councilman Danny Carter moved to approve the submitted application and lottery process for packaged stores within the city limits of Villa Rica pursuant to Chapter 4 Alcoholic Beverages, Sec. 4-28 Application.

RESULT: **ADOPTED (VOTE: 3-1)**
MOVER: Danny Carter, Councilman
SECONDER: Anna McCoy, Councilwoman
AYES: Carter, McCoy, Momtahan
NAYS: Marchman

D. City Manager (Tom Barber)

1. Update of Eastside Tax Allocation District (TAD)

The City Manager and Mayor reviewed the required IGA provisions from the county and staff's response back to the county. The Mayor asked the Council to vote on the responses so that the City Attorney can put together a formal reply back to the county.

Motion: Councilman Danny Carter moved to adopt the responses as presented of the 15 items for the City of Villa Rica to respond to the Carroll County Board of Commissioners.

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

E. Executive Session (C. David Mecklin, City Attorney)

City Attorney David Mecklin announced that the Council will go into Executive Session for a meeting to discuss or deliberate upon the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer or employee as provided in Georgia Code section 50-14-3(b)(2).

Motion: Councilwoman Shirley Marchman moved to go into Executive Session for the purpose as stated by the City Attorney.

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

Motion: Councilwoman Shirley Marchman moved to return to regular session.

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

Executive Session Action: City Attorney David Mecklin reported there was no action taken by the council during executive session that needed to be voted on in open session.

Adjournment: Councilwoman Shirley Marchman moved to adjourn, seconded by Councilwoman Anna McCoy. The vote was unanimous. Mayor Gil McDougal adjourned the meeting.



City Clerk Alisa Doyal



Mayor Gil McDougal