

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, October 4, 2022 | 6:00 pm

Meeting Call to Order (Mayor Gil McDougal)

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

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

Invocation: Chaplain Chris Tanton

Pledge of Allegiance: Chief Michael Mansour

Ceremonial Presentations:

- City Manager Tom Barber recognized Bobby Elliott for 5 Years of Service as City Engineer and Public Works Director. Mr. Elliott announced he would be retiring on February 3, 2023, and will continue to work 2-3 days a week with the city in some capacity.
- Community Development Tracy Jarvis recognized Robert Francis for 10 Years of Service with Code Enforcement.

Adoption of the Agenda (Mayor Gil McDougal)

Councilman Danny Carter moved to adopt the agenda as presented.

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

Two citizen and one city employee came forward to speak – Wesley Whitener and Lena Taylor, Human Resources Director.

Council Updates (Subjects of General Interest and Concern)

Councilwoman Leslie McPherson thanked Bobby Elliott and Robert Francis for their years of service, and she thanked the Planning and Zoning members for volunteering their time. She also reported that she is trying to speak to Brian Sullivan (Dollar General) about the new store on Hwy 61 and Punkintown Road that was to have fresh produce and vegetables but does not. Councilwoman McPherson thanked the owners of the old

millhouses and old historic homes that have been restored. She also stated that she had met with our GDOT representative to talk about the roundabout at Hwy 61 and Punkintown Road. The roundabout will soon get reflective devices that are needed and discussed what the city needs to do with the crosswalks around town.

A. Consent Agenda (Mayor Gil McDougal)

1. Acceptance of Deed of Gift of 46 Acres
2. Amendment to the Old Town Revitalization Plan
3. Approve 5% Cost of Living Adjustment
4. Partial City Copier Replacement
5. 2022 Mural Request via the Georgia Mural Trail Project
6. Change Order #1 for Pump Station and Manhole Rehabilitation Project
7. Acceptance of Street Dedication for Meadowlark Drive
8. Approval of updated Utility Rates to be effective January 1, 2023
9. Resolution of Support – Improving Neighborhood Outcomes in Disproportionally Impacted Communities Program Grant Application and Match Commitment
10. Escrow Agreement with Fuqua Acquisitions II, LLC

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

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

B. Governing Body (Mayor Gil McDougal)

1. Development Agreement with Fuqua Acquisitions II, LLC (C. David Mecklin, City Attorney)
One addition was made to the Development Agreement with Fuqua Acquisitions II, LLC under #3 that states “The city may exchange the funds in escrow with funds in an equal amount from another source, i.e. bond funds, at any time.”

Motion: Councilman Danny Carter moved to authorize the City Manager to establish an account with Synovus Bank and to deposit the sum of \$7,208,947 in said account to serve as an escrow fund to pay costs incurred pursuant to the City’s Development Agreement with Fuqua Acquisitions II, LLC. I further moved that the Mayor and City Manager be authorized to execute the Development Agreement between the City and Fuqua Acquisitions II, LLC at attached to the council packet, as amended.

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

2. Approval of Special Called Meeting Minutes of August 23, 2022

Motion: Councilwoman Leslie McPherson moved to approve the Special Called Meeting Minutes of August 23, 2022.

RESULT:	ADOPTED (UNANIMOUS)
MOVER:	Leslie McPherson, Councilwoman

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

3. Approval of Special Called Meeting Minutes of August 30, 2022

Motion: Councilwoman Leslie McPherson moved to approve the Special Called Meeting Minutes of August 30, 2022.

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

4. Approval of Council Meeting Minutes of September 13, 2022

Motion: Councilwoman Shirley Marchman moved to approve the Council Meeting Minutes of September 13, 2022.

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

5. Approval of Special Called Meeting Minutes of September 20, 2022

Motion: Councilwoman Shirley Marchman moved to approve the Special Called Meeting Minutes of September 20, 2022.

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

C. Community Development (Tracy Jarvis, Director)

1. VA-13-22 – 395 West Bankhead Highway – Stream Buffer Variance and Public Hearing

(Ronald Johnson, Planning and Zoning Specialist)

MQSK, LLC of Villa Rica, GA requested a variance for an encroachment of 9,235 square feet into the 75' stream buffer and 2,552 square feet within the 50' stream buffer in order to construct a 1,300 square foot Little Caesar's restaurant, a gasoline service station with a canopy and a 3,250 sq. ft. convenience store.

Public Hearing: No one came forward to speak.

Motion: Councilman Danny Carter moved to table to the November meeting.

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

2. Amendment to Section 7.02 – Offstreet Parking and Loading (Contained in the City of Villa Rica Zoning Code) and Public Hearing (Ronald Johnson, Planning and Zoning Specialist)
The proposed amendment is to revise parking space size requirements, which is currently 10' x 20', and remove all applicable illustrations showing such parking space sizes for 45 degree, 60 degree and 90 degree parking orientations in favor of referencing standards already in existence in the Development Code that call for 9' x 18' spaces.

Public Hearing: Michael Young came forward to speak.

Motion: Councilman Danny Carter moved to table to the November meeting.

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

3. Amendment to Section 9.04 – Nonresidential Design Standards (Contained in the City of Villa Rica Zoning Code) and Public Hearing (Ronald Johnson, Planning and Zoning Specialist)
The proposed amendment is to exempt industrial developments from providing offsets and projections on façade walls. Staff also proposes to clarify wordage related to storefront transparency as related to industrial buildings.

Public Hearing: No one came forward to speak.

Motion: Councilwoman Leslie McPherson moved to approve the proposed amendment to Section 9.04 of the City of Villa Rica Zoning Ordinance as attached hereto.

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

4. Amendment to Section 7.08 – Tree Conservation, Buffers, and Landscaping Compliance (Contained in the City of Villa Rica Zoning Code) and Public Hearing (Ronald Johnson, Planning and Zoning Specialist)
The proposed amendment is to exempt industrial developments from providing offsets and projections on façade walls. Staff also proposes to clarify wordage related to storefront transparency as related to industrial buildings.

Public Hearing: No one came forward to speak.

Motion: Councilman Danny Carter moved to table to the November meeting.

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

5. ALT-02-22 – 200 Walton Way – Walton Trail – Alteration to Planned Unit and Public Hearing (Ronald Johnson, Planning and Zoning Specialist)

Walton Communities, LLC of Marietta, GA requested an Alteration to a Planned Unit Development located at 200 Walton Way (Parcel # V04 0060001) in order to increase units, density, open space and number of parking spaces, and to incorporate a neighboring lot (615 Old Town Road) into the plan for additional space.

Public Hearing: Michael Young came forward to speak.

Motion #1: Councilman Matthew Momtahn moved to approve the Alteration to PUD application as presented by Walton Communities, LLC for property located at 200 Walton Way.

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

Motion #2: Councilman Danny Carter moved to rezone 615 Old Town Road from Single-Family Urban (R2) to Planned Unit Development (PUD).

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

Motion #3: Councilman Danny Carter moved for staff to make the necessary changes to the zoning map in order to reflect the change of zoning for 615 Old Town Road.

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

D. Finance (Jennifer Hallman, Finance Director)

Deputy City Manager Sarah Andrews gave a Financial Update of August 2022.

E. City Manager's Report (Tom Barber)

City Manager Tom Barber discussed ongoing city projects.

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

City Attorney announced the Council will go into Executive Session to discuss the following:

1. To discuss or vote to enter into a contract to purchase, dispose of, or lease real estate subject to approval in a subsequent public vote as provided in Georgia Code section 50-14-39(b)(1)(D).
2. 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: Councilman Danny Carter moved to go into executive session.

RESULT:	ADOPTED (UNANIMOUS)
MOVER:	Danny Carter, Councilman

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

Executive Session Action: City Attorney David Mecklin reported that no action was taken in executive session that needs to be voted on in public by the Council.

Motion: Councilman Danny Carter moved to go back into regular session.

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

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



City Clerk Alisa Doyal



Mayor Gil McDougal