

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

City of Villa Rica



CITY MANAGER: TOM BARBER
CITY CLERK: THERESA CAMPBELL
CITY ATTORNEY: C. DAVID MECKLIN

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VILLA RICA, GA 30180 |
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CITY COUNCIL MEETING MINUTES

Holt-Bishop Justice Center, 101 Main Street
Tuesday, March 12, 2024 | 6:00 pm

Meeting Call to Order (Mayor Leslie McPherson)

Mayor Leslie McPherson called the meeting to order

Present: Mayor Leslie McPherson, Mayor Pro Tem Danny Carter, Councilwoman Shirley Marchman, Councilman Matthew Momtahan, Councilwoman Stephanie Warmoth, Councilwoman Anna McCoy

Invocation was led by Councilwoman Shirley Marchman

Pledge of Allegiance was led by Officer Cameron Roseberry, Villa Rica Police Department

Ceremonial Presentations (Mayor and Council)

1. 5 Years of Service- Theresa Campbell- City Clerk

Adoption of the Agenda (Mayor Leslie McPherson)

Councilman Danny Carter moved to adopt the agenda as presented

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

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.)

1. Leah Reeves- Requested that the land at Hwy 61 and Whitworth Rd. not become Industrial, especially because it is located near a school.
2. Kristy Chastain-Mentioned the applicants for Deputy City Manager position and praised Theresa

Campbell for being helpful.

3. Larry Cohrs- Mentioned industrial zoned application and the International Residential Code book; he wants the City to have a copy available for citizens to have access to.
4. Doug Lang-Mentioned he has never noticed how many vape shops the City currently has. He requested that the Council deny RA-05-23, also wants the ordinance parameters changed.
5. Greg Roberts- He believes that hiring former Mayor Gil McDougal was done to punish the new Mayor. He supports Stormwater Utility but wants more information on the amount of revenue it will generate.
6. Randy Eller- Does not want Industrial Zoning and wants the ordinance changed. He mentioned he did receive a notice for 505 Berry Dr. but does not believe the City did their due diligence and wants the City Attorney to comment on the validity of the vote to approve Special Exception Permit.
7. Jackie Childress-She has asked Jay Collins and the Attorney General to open an investigation on possible abuse of power by Tom Barber. She believes he violated his position. She will return to every meeting until Tom Barber and Gil McDougal are gone.
8. Lisa Hewitt-Wants the Industrial Zoning denied in order to keep the community safe and beautiful.
9. Marisol Melendez- Wants the Industrial Zoning denied, because it is too close to a school. Wants items that come before Council to be resolved sooner.
10. Luz Morales-Wants Industrial Zoning item denied.
11. Rob Custer- He believes the City did not do their due diligence where the Special Exception Permit request for 505 Berry Dr. is concerned. His notice arrived late, and neighboring homes were not notified. He has never received answers on the parameters of who gets notified of these issues. He wants the previous approval nullified.
12. Josh Evans- Mentioned the City is not in compliance and he wants tickets written to job sites for violations.

Council Updates (Subjects of General Interest and Concern)

Mayor Leslie McPherson mentioned the 2024 Visionary Award the City received.

Consent Agenda (Mayor Leslie McPherson)

The Consent Agenda is a single item that encompasses all things the City Council would normally be approved with little comment. Each of these items were discussed at the Council Work Session, and it was the unanimous consensus of the Governing Body to place the following items on the Consent Agenda.

1. Keep Carroll Beautiful Sponsorship to E- recycling Event
2. Technical Building and Construction Code Adoption
3. Georgia Municipal Employees Benefit System Defined Benefit Retirement Plan Restatement
4. Fullerville Additional Parking
5. ADA Transition Plan

Councilman Danny Carter moved to approve the Consent Agenda.

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

A. Governing Body (Mayor Leslie McPherson)

1. Approval of Minutes from February 13, 2024, Work Session

Councilwoman Shirley Marchman moved to approve the February 13, 2024, Council Work Session Minutes

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

2. Approval of Minutes from February 13 2024 City Council Meeting

Councilwoman Shirley Marchman moved to approve the February 13, 2024 Special Called Meeting Minutes

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

B. Community Development (Tracy Jarvis, Director)

1. CU-02-24 Special Exception Use Request for a Smoke/Vape Shop located at 596 Hwy. 61 and Public Hearing.

Applicant Smoky Tobacco & Vape LLC presented in support of the request.

Josh Evans- Spoke against vape shop.

Marisol Melendez- Spoke against vape shop.

Luz Morales-Spoke against vape shop.

Rob Custer-Wants to know why a Special Exception Permit is needed.

Councilman Matthew Momtahan moved to deny the Special Exception permit application for Smoky Tobacco & Vape LLC with the aforementioned conditions at 596 Hwy. 61 Ste B.

RESULT: APPROVED (UNANIMOUS)
MOVER: Matthew Momtahan, Councilman
SECONDER: Anna McCoy, Councilwoman
AYES: Momtahan, Marchman, Warmoth, McCoy, Carter

2. **CU-03-24 Special Exception Use Request for Smoke/Vape Shop located at 650 W. Bankhead Hwy and Public Hearing**

Applicant Abhishak Dhroliya presented in support of the request.

Patrick Morgan- Spoke in support of vape shop.

Luz Morales-Spoke against vape shop.

Robert Custer- Wants to know what the Special Exception is for.

Leah Reeves-Spoke against vape shop.

Josh Evans- Mentions there is possibility vapes will end up in storm drain and wants Ingles compactor addressed.

Marisol Melendez-Spoke against vape shop.

Councilman Matthew Momtahan moved to deny Special Exception Use Permit application for a smoke/vape shop with the aforementioned conditions at 650 W. Bankhead Hwy Ste B

RESULT:	APPROVED (UNANIMOUS)
MOVER:	Matthew Momtahan, Councilman
SECONDER:	Anna McCoy, Councilwoman
AYES:	Marchman, Momtahan, Warmoth, McCoy, Carter

3. **RA-05-23 rezoning from Commercial Medium-Density (C2) to Industrial Low-Density (I1) for property located at the SE corner of Highway 61 and Whitworth Rd and Public Hearing**

Applicant not present.

Amy Brown- Mentioned at times of heavy rain fall, the water runs down toward the school.

Elizabeth Duncan-Spoke against zoning request.

Councilman Danny Carter moved deny the rezoning request from Balke Dexter for a rezoning from C2 to I1 as presented.

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

C. **Finance (Jennifer Hallman)**

1. **Financial Update January 2024**

Finance Director Jennifer Hallman presented financial update for January 2024

D. **City Manager (Tom Barber)**

1. **Stormwater Utility Proposals**

Councilman Danny Carter moved to table this item until April meeting.

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

2. **Initial Phases of LCI Engineering Study with Keck & Wood**

Councilman Danny Carter moved to authorize the Mayor to execute the proposal from Keck & Wood for the initial phases of the LCI Engineering study for an amount not to exceed \$516,667.

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

E. **City Manager's Report (Tom Barber)**

City Manager Tom Barber gave an update on a list of projects in the City and the status of the items.

F. **Executive Session**

Councilman Danny Carter moved to enter into Executive Session at 8:06 pm for the purpose of 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).

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

Councilwoman Shirley Marchman moved to reenter Regular Session at 9:40 pm

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

Councilwoman Stephanie Warmoth moved to terminate Tom Barber as City Manager

RESULT: DENIED
MOVER: Stephanie Warmoth, Councilwoman
SECONDER: Danny Carter, Councilwoman
AYES: Carter, Warmoth
NAYS: Marchman, Momtahan, McCoy

Councilman Matthew Momtahan moved to suspend Tom Barber without pay for five days effective March 18, 2024, Councilman Danny Carter seconded the motion; discussion took place.

Councilman Matthew Momtahan amended his previous motion to suspend Tom Barber effective March 18, 2024 and Tom has until Friday March 15, 2024, at 5:00 PM to act on one of three options given in Executive Session.

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

Adjournment (Mayor Leslie McPherson)

Councilman Danny Carter moved to adjourn the meeting and was seconded by Councilman Matthew Momtahan and the vote was unanimous. Mayor Leslie McPherson adjourned the meeting.


City Clerk Theresa Campbell


Mayor Leslie McPherson

