

CITY COUNCIL:
GIL MCDOUGAL, MAYOR
SHIRLEY MARCHMAN MAYOR PRO TEM
MATTHEW MONTAHAN
STEPHANIE WARMOTH
ANNA MCCOY
DANNY CARTER

City of Villa Rica



CITY MANAGER: TOM BARBER CITY
CLERK: THERESA CAMPBELL 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, November 14, 2023 | 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 Shirley Marchman, Councilman Matthew Momtahan, Councilwoman Stephanie Warmoth, Councilwoman Anna McCoy, and Councilman Danny Carter.

Invocation was led by Mayor Pro Tem Shirley Marchman

Pledge of Allegiance was led by Ofc. Jamarco Clairborne

Adoption of the Agenda (Mayor Gil McDougal)

Councilman Danny Carter moved to adopt the amended agenda to include Executive Session to meet with legal counsel pertaining to pending litigation.

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

- ElNathan Hare spoke about the repair work at S. Carroll Rd. and Tolbert Rd. He mentioned the road has never been repaired correctly.

Council Updates (Subjects of General Interest and Concern)

- No Council Updates

Consent Agenda (Mayor Gil McDougal)

The Consent Agenda is a single item that encompasses all things the City Council would normally approve 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. Ratify the Partial Execution of the Compensation and Classification Study
2. Access Control for Police Department
3. Motorola Portable Radios
4. Axon Taser 7 ECW Bundles
5. Purchase of Caterpillar HF Compact Track Loader
6. Purchase of Durapatcher Pothole Patching Trailer
7. Sidewalk Repair Berkley Park
8. Purchase of Exmark Mowers
9. Surplus of Miscellaneous Items
10. Surplus Vehicle
11. Fleet Software
12. VRPD Patrol Vehicles
13. Purchase of New 2022 Ford F-150 Crew Cab 4x4 for Site Inspector
14. Sewer Use Ordinance Revision-Prohibition of Decentralized Wastewater Systems
15. Three West Pump Replacement
16. North Plant Paving
17. West Plant Filter Remediation
18. Water Plant Paving Replacement
19. Hickory Level Pump Purchase
20. Water Plant Paving Replacement
21. FY23 Budget Amendments #169- #179
22. FY24 Budget Amendments #1- #15
23. Approval of updated Utility Rates to be effective January 1, 2024
24. Transition Hotel Motel Revenue Administration to HdL Company
25. 2024 City Holiday Schedule
26. 2024 City Council Meeting Schedule

Councilwoman Shirley Marchman moved to approve the Consent Agenda.

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

A. Governing Body (Mayor Gil McDougal)

1. Approval of Minutes from October 3, 2023, Council Meeting

Councilwoman Shirley Marchman moved approve the October 3, 2023, Council Meeting Minutes.

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

2. Approval of Minutes from October 26, 2023 Special Called Meeting

Councilwoman Shirley Marchman moved to approve the October 26, 2023, Council Meeting Minutes

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

B. Community Development (Tracy Jarvis, Director)

1. Family Dollar Stores of Georgia, LLC d/b/a Family Dollar #32190 Public Hearing for Alcohol License Permit Application Approval (Nyree Simpson, Licensing Specialist)

No one came forward for Public Hearing

Councilman Danny Carter moved to approve the request of an alcohol license permit for the business of Family Dollar Stores of Georgia, LLC d/b/a Family Dollar #32190.

RESULT:	APPROVED
MOVER:	Danny Carter, Councilman
SECONDER:	Matthew Momtahan, Councilman
AYES:	Momtahan, Warmoth, McCoy, Carter
NAYS:	Marchman

2. RaceTrac Inc d/b/a RaceTrac #495 Alcohol License Permit Agent Change request (Nyree Simpson, Licensing Specialist)

Councilman Danny Carter moved to approve the request for Devanaigee Amanda Veerapen to be named as new licensee on the alcohol license permit for RaceTrac Inc d/b/a RaceTrac #495.

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

3. VA-12-23 – 133 W, Bankhead Highway-Variance to Reduce Drive-Thru Queuing Spaces Required and Public Hearing (Ron Johnson, Planning and Zoning Administrator)

Applicant, Not Present

Councilman Danny Carter moved to table the requested Variance from Sections 7.02(15)(b) of the Villa Rica Zoning Ordinance

RESULT:	APPROVED
MOVER:	Danny Carter, Councilman

SECONDER: Matthew Momtahan, Councilman
AYES: Marchman, Momtahan, Warmoth, Carter
NAYS: McCoy

4. VA-11-23 Request for Three Variances (3) from Architectural Standards found in Section 9.03 1305 W. Bankhead Highway and Public Hearing (Ron Johnson, Planning and Zoning Administrator)

No one came forward for Public Hearing.

Applicant James Chapman presented in support of these items and agreed to conditions:

1. Section 9.03(2)(e) – Individual buildings shall be located to avoid more than two (2) buildings with parallel orientations to a public street, unless offset by more than twenty (20) feet. Vary the orientation to lessen the massing. The maximum length of a multi-family building shall not exceed one-hundred ninety two (192) feet. No more than eight (8) townhome units shall be attached in a single row. The applicant proposes not to stagger the buildings, a length of more than 224' per building, and for three (3) buildings that have nine (9) units.
2. Section 9.03(4)(b) – Multi-family developments with one-hundred fifty (150) units or more shall have at least two (2) points of ingress/egress. The applicant proposes one gated entrance and exit.
3. Section 9.03(8)(f) – All townhomes shall have at a minimum a two-car garage. The applicant proposes half of all units to be one-car garage units.
 - a. Council Matthew Momtahan moved to approve the requested variance in section 9.03 (2)(e) of the Villa Rica Zoning Ordinance for 1305 W. Bankhead Highway subject to the units having the Master on the Main Level.

RESULT:	APPROVED (UNANIMOUS)
MOVER:	Matthew Momtahan, Councilman
SECONDER:	Danny Carter, Councilman
AYES:	Marchman, Momtahan, Warmoth, McCoy, Carter
 - b. Councilman Matthew Momtahan moved to approve the variance request from Section 9.03(4)(b) of the Villa Rica Zoning Ordinance for 1305 W. Bankhead Highway, subject to having approval from the fire department.

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

- c. Councilman Matthew Momtahan moved to approve the variance request from Section 9.03(8)(f) of the Villa Rica Zoning Ordinance for 1305 W. Bankhead Highway, subject to the unit being 28 feet wide.

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

5. VA-13-23 Request for Nine (9) variances from Development Standards (Chapter 7) of the Zoning Ordinance for 135 Commerce Drive and Public Hearing (Ron Johnson Planning and Zoning Administrator)

Applicant Jeff Matthews presented in support of these items and agreed to the conditions.

Josh Evans mentioned he lived across the street from the development and that there are too many school children and Meadowlark Road needs to be opened not South Street.

- a. Councilman Danny Carter moved to approve the variance request from Section 4.04/Table 4.5 (.75 acres) of the Villa Rica Zoning Ordinance for 135 Commerce Drive

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

- b. Councilman Matthew Momtahan moved to approve the variance as requested from Section 4.04/Table 4.5 (setbacks) of the Villa Rica Zoning Ordinance for 135 Commerce Drive as presented.

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

- c. Councilman Danny Carter moved to approve the variance request from Section 7.02 (4)(a)(i)(3) of the Villa Rica Zoning ordinance for 135 Commerce Drive as presented.

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

- d. Applicant withdrew request for variance from Section 7.02(4)(c) Parking Layout

- e. Councilman Danny Carter moved to approve the variance request from Section 7.02(26)(a) of the Villa Rica Zoning Ordinance as presented.

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

- f. Councilman Matthew Momtahan moved to approve the variance request from Section 7.05(6)(a) of the Villa Rica Zoning Ordinance for 135 Commerce Drive subject to condition of a 5-foot landscape buffer shall be installed along interior private drives and 5-foot planting strips on each side of the lot line along interior property lines.

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

- g. Councilman Danny Carter moved to approve the variance request from Section 7.05(10)(a) of the Villa Rica Zoning Ordinance for 135 Commerce Drive as presented.

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

- h. Councilman Danny Carter moved to approve the variance request from Section 7.05(12)(b) of the Villa Rica Zoning Ordinance for 135 Commerce Drive with condition that a 20' landscaped buffer with an 8' opaque fence is required on the northern property line of 723, 727 and 731 Meadowlark Drive; a 10' buffer and 8' opaque fence along the eastern property line of 723 Meadowlark; a 20' planted landscape buffer along South Street, and a 10' buffer surrounding 628 South Street.

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

- i. Councilman Danny Carter moved to approve the variance request from Section 9.04(6) (c) of the Villa Rica Zoning Ordinance for 135 Commerce Drive as presented.

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

6. VA-14-23 Two Variances from Townhome Architectural Design Standards (Section 9.03) on Mirror Lake Boulevard and Public Hearing (Ron Johnson, Planning and Zoning Administrator)

No one came forward for Public Hearing

The Applicant Flournoy Development presented in support of these Variances.

- a. Councilman Danny Carter moved to approve the variance request from Section 9.03(8) of the Villa Rica Zoning Ordinance as requested by Flournoy Development Group, as presented.

This motion dies as there was no Second.

Councilman Matthew Momtahan moved to approve the variance request from Section 9.03(8) of the Villa Rica Zoning Ordinance as requested by Flournoy Development Group, subject to the master bedroom being on the main level and the unit being 24 feet in width.

RESULT: **APPROVED**
MOVER: Matthew Momtahan, Councilman
SECONDER: Danny Carter, Councilman
AYES: Marchman, Momtahan, McCoy, Carter
NAYS: Warmoth

- b. Councilman Danny Carter moved to table item 2 until the December Regular Council Meeting.

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

7. TA-01-23 Text Amendment to Establish Section 8.28 Shipping Containers and Public Hearing (Ron Johnson, Planning and Zoning Administrator)

No one came forward for Public Hearing

Councilman Danny Carter moved to approve the requested Text Amendment from Michael Rickman as presented.

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

8. CU-03-23 Renewal of a Special Exception Use Permit for 15001 Veteran's Memorial Highway and Public Hearing (Ron Johnson, Planning and Zoning Administrator)

No one came forward for Public Hearing

Councilman Danny Carter moved to approve the Special Exception Use Permit by Joseph Luderman as presented.

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

C. City Manager's Report (Tom Barber)

1. Zoning Ordinances Changes to Chapters 1-3, 6-7, and 13 and Public Hearing (Ron Johnson, Planning and Zoning Administrator)

No one came forward for Public Hearing

Councilman Matthew Momtahan moved to approve the staff proposed updates to the zoning ordinance as presented.

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

D. Executive Session

Councilman Danny Carter moved to enter into Executive Session at 8:44 pm for the purpose of meeting to discuss vote to authorize negotiations to purchase, dispose of or lease property as provided in Georgia Code Section 50-14-3(b)(i)(c) and items pursuant to the attorney-client privilege and as provided by Georgia Code section 50-14-2(1), a meeting otherwise required to be open was closed to the public in order to consult and meet with legal counsel pertaining to pending or potential litigation, settlement, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the agency or any officer or employee or in which the agency or any officer or employee may be directly involved and the matter discussed was pertaining to litigation.

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 9:07 pm

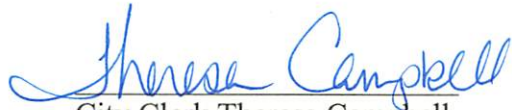
RESULT:	APPROVED (UNANIMOUS)
MOVER:	Shirley Marchman, Councilman
SECONDER:	Danny Carter, Councilman
AYES:	Marchman, Momtahan, Warmoth, McCoy, Carter

Councilman Danny Carter moved to approve the commercial sales agreement between The World Changers Church International and the City of Villa Rica, for the City to purchase the property at 206 North Avenue for the purchase price of 1 million dollars and authorize the Mayor, City Manager and City Clerk to participate in the closing, to close the sale, at such time it is ready to be closed.

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

Adjournment (Mayor Gil McDougal)

Councilman Danny Carter moved to adjourn the meeting and was seconded by Councilwoman Anna McCoy and the vote was unanimous. Mayor Gil McDougal adjourned the meeting.


City Clerk Theresa Campbell


Mayor Gil McDougal