

CITY OF GRIFFIN BOARD OF COMMISSIONERS
REGULAR SCHEDULED MEETING
ONE GRIFFIN CENTER, W. ELMER GEORGE MUNICIPAL HALL
TUESDAY, APRIL 28, 2015

Chairperson Doug Hollberg presided, calling the meeting to order at 6:00 p.m. and Commissioners Rodney McCord, Dick Morrow, Cynthia Reid-Ward, Cora Lee Flowers, Ryan McLemore and Joanne Todd attended. Also present were City Manager Kenny L. Smith, City Attorney Andrew J. Whalen, III, and Teresa Watson to record minutes.

Pledge of Allegiance Commissioner Joanne Todd
Invocation..... Chairman Doug Hollberg

Approval of Agenda
Motion/second by McLemore/Morrow to approve with the following amendment: Add to New Business as the last item (#18):“Consider Resolution amending the City of Griffin's Stormwater Utility Fund Fiscal Year 2014-2015 Operating and Capital Budget by appropriating \$78,000.00 (expense) to repairs and maintenance to cover expenses to repair culvert disintegration causing road degradation all due to excessive rains” carried 7-0.

PRESENTATIONS / DELEGATIONS

- 1. Recognize Captain Donald Britt with the Police Department, for 25 years of dedicated service to the City of Griffin. *Public Safety Director Frank Strickland will address.*

Chief Steve Heaton and Public Safety Director Frank Strickland introduced and recognized Captain Donald Britt’s 25th anniversary with the City of Griffin. He is commander of the Criminal Investigations Unit and is outstanding and supportive in his key role in the Police Department. Captain Britt contributes in many different ways with a calm confidence that any mission will be seen through to its completion accurately and promptly. Chief Heaton and Public Safety Director Strickland thanked Captain Britt, as did Chairman Hollberg. Commissioner McCord remembered him fondly as the first school resource officer and for the many years of service as “Officer Britt.” Captain Britt recalled his years with the City and thanked his superiors and colleagues, as well as city administrators. He concluded by asking for thoughts and prayers for the family of slain Officer Kevin Jordan.

CITIZEN COMMENTS

Pastor Ken Page, Impact Christian Ministries, 115 West Solomon Street, Griffin, Georgia
Pastor Page noted he was here to address the article that appeared on the front page of the newspaper. Many of his congregation, servants to the Lord Jesus Christ and to the people of this community, are present tonight because they want to see the community improved, and they believe that to share Christ is to change lives. Their servants are 100% volunteer, donating many hours in different capacities. The church does feed some breakfast and dinner after services, and operates a clothing bank, food bank and a men’s shelter home at 113 Slaton Avenue behind the church facility. He hated to hear of some who were upset with clients and he regrets how some clients may have acted, prompting this dissatisfaction. They try their best to teach clients the proper way to act and live with one another. They preach love for themselves and for others. He asked what the church could do to help calm some hard feelings from business owners. He wants to address the negative and no one meant for these type actions to occur. They have talked with one business and tried to allay their fears. Impact Ministries does not have trouble with parking and that is beyond their control. The issues of obscenities and public indecency is being worked on, but it is an ongoing process with some of the clientele. Impact Ministries realizes they must meet the physical needs as well as the spiritual to see lives changed. Three men are currently in the men’s shelter; they are drug- and alcohol-free and on the road to recovery. This is their vision.

Debbie Newbern, 619 West Solomon Street, Griffin, Georgia - Adult Day Care
People being helped by Impact Christian Ministries are in transition and some are in the shelter. Her adult day care is a new business locating on West Solomon Street. Impact has helped her with establishing her small business. Getting started is hard and she appreciated their servants’ hearts. They share meals, food, shelter and God’s word. They help to dust off those in need and help them continue. She is now starting to thrive and she thanked them for all their help.

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Marie Brown, 1213 Winona Avenue, Griffin, Georgia
Clifford Driver, 113 West Slaton Avenue, Griffin, Georgia
Lorena Oglesby, 617 West Solomon Street, Griffin, Georgia
Ezra White, 113 West Slaton Avenue, Griffin, Georgia
Apostle Douglas Geiger, Griffin, Georgia
Cade Newbern, 619 West Solomon Street, Griffin, Georgia
Tonya Lowery, 36 Jones Road, Griffin, Georgia

All the above spoke of positive personal experiences with Impact Christian Ministries, noting how the church and its people changed their lives and placed them on the road to recovery, if needed, and a better life. They all appreciated the church caring for them physically and sharing with them spiritually. Many noted they may have been instructed earlier in life to do things in a religious way, but these people at Impact Christian Ministries live it every day. Some felt they might not be welcome at some churches, but they are welcome at Impact Christian Ministries. They cannot help what goes on outside their doors any more than Walmart can or any more than the drinking establishment across the street, but Impact Ministries is truly doing good work.

Candy Thacker, Barbershop next to Impact Christian Ministries, Solomon Street, Griffin, Georgia

She, too, works on Solomon Street and is a member of Rock Springs. Ms. Thacker has no problem with their ministry except how it directly affects her business. Her business is dying because of what is going on in front and on the side of her barber shop with smoking, bad language, aggressive panhandling and public urination. She also has a disabled child and is afraid for her and for him. As far as parking, there is a huge lot behind the church which they have available for their own patrons, yet the church and its clients take up all the parking along the street where her customers need to park. The church, when she complained, said to ask its congregants to park behind the building would be degrading. On days when there is no church, parking is not a problem. One day an aggressive client literally cornered her and other employees in the back room of her shop, threatening them, and she was genuinely afraid. She noted she was speaking for other small businesses. If they cannot resolve with the church and the pastor, then she wondered what she was to do. The church told her they could not control clients and to call the police if necessary, but personal experience has shown the police don't really solve the problem and the church gets defensive when she calls law enforcement. She respects the ministry and has seen positive changes in people's lives. She feels caught in a bad situation and is about to lose her livelihood because of the problems that make her customers uncomfortable. The church does some real good in the community but the inherent problems are difficult to deal with in this downtown business district setting. Tammy Liles, 82 Pilkenton Road, also works in the barber shop and concurred there are definite issues. She said they respected the church and its members; they are merely asking for the same in return.

Commissioner Morrow said he hears from many local business owners who are frustrated with bad behaviors on the part of some of the church's clientele. He agrees with helping people and improving lives, and these are obviously good folks doing good work. However, some problems are causing immense grief with business folks who are having their livelihoods ruined due not to the ministry, but to the bad behavior of some associated with that ministry. We must find a solution as it is presently not working in this downtown district.

Ricky Shepard, 1522 Ethridge Mill Road, Griffin, Georgia

He is the music minister at Rock Springs with 11 years' experience. He parked at First Baptist Church today for lunch at Slices and frequents other businesses in the area, too. Some clientele can be threatening but he generally has no issue and urges that we not judge the ministry by some of its clientele. He and his church love Miss Candy's family and he wants nothing negative for her business. They will help in any way they can, but Impact Christian Ministries is truly impacting peoples' lives positively and doing good work. He knows the business owners get frustrated but also noted that storefronts along the street probably get urinated on not only by Impact Christian Ministries' clients but by patrons of the bars, as well.

Chairman Hollberg said the City wants to find common ground, and we must find a way to make downtown wholesome. People visiting or working around this area do not need to be hit up by aggressive panhandlers when they walk down the street. That's intimidating, and the City cannot attract newcomers and new business and industry with these issues. It is a matter of

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searching for an equitable solution; we are merely trying to find what we want to be when we grow up. He thanked everyone for coming out tonight and noted that lots of people are working on the issue.

Commissioner Todd added that the entire Board is active in their own churches. They make differences, too, and this issue is not anti-religion by any means. We simply have to find a way to coexist and have our downtown thrive. Perhaps there's a way to have both sides of the issue be addressed and have it be mutually beneficial.

PUBLIC HEARINGS

2. Receive comments for a request for variance from Section 708, Medium Density Residential (MDR), of the City of Griffin Unified Development Code to subdivide a lot creating two non-conforming lots, for property located at 728 E. Tinsley Street/228 Morris Street, submitted by Russell Johnson. *Director of Planning and Development, Toussaint Kirk, will address.*

The Public Hearing was opened at 6:37 p.m. Mr. Kirk noted this existing lot, Parcel #006 11013, in District 2, is about 1/3 acre (.31 acre) and to subdivide it, as is being requested, would create two non-conforming lots. Staff recommends denial for that reason. The owner and applicant, Russell Johnson, would like to be able to sell the two properties, with a house on each, to individual buyers and cannot unless the property is subdivided. There are extraordinary and exceptional conditions pertaining to this lot in that this one lot has two (2) single-family homes constructed on the one parcel. The second dwelling was constructed, said Chairman Hollberg, in 1989, and he felt there should be some record of it in minutes or planning/zoning records.

City Attorney Drew Whalen said to subdivide it would mean that both lots would be non-conforming. A recommendation to deny is the appropriate staff action. This lot was recorded long ago and the ball was obviously dropped. In 1989, the second house was built and he was not sure how it became a lot of record for two houses. Much of this type construction was done in older areas that are not conforming now. but to take this action now and actually create lot(s) that are non-conforming would be for the City to go against its own Unified Development Code (UDC).

Commissioner Morrow felt that even if the Board wanted to give relief, they cannot legally do it. To do so is to go against the City's own regulations in the Unified Development Code.

The current UDC was adopted in 2012, but Chairman Hollberg noted that to deny this application would be inconsistent with past actions of this Board. It should be shown in our records that this Board has previously addressed such issues as this one successfully in the past.

Russell Johnson bought the parcel at 228 Morris, got appropriate permits, got site plans approved with Bob Reid, roughed in inspections, and did everything the City required in 1989. He had the property surveyed because had to with site plans and permitting. What is recorded though is the perimeter plat and not the survey to the best of his knowledge. The property was not recorded as being subdivided in 1989. Bobby Mitchell would have the records and he is deceased and building permits may not go back that far.

Mr. Whalen advised the old zoning ordinance was changed in the late 1980's. If Bob Reid did not point this out in records, he would have no clue what Mr. Reid may have told Russell Johnson.

Mr. Johnson noted the majority of homes in this neighborhood are non-conforming. He wondered if they could be built back if destroyed. Some discussion followed as to whether this may be possible using the infill designation and Mr. Whalen can research. Mr. Johnson wants to sell the two houses and has no plans to build anything. He noted that now, 25 years later, he cannot get a plat for the legal description since only the perimeter plat encompassing both lots was ever recorded. He has a contract that is contingent on this action, though.

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Commissioner Morrow stated common sense says to divide the lots which benefits all. However, it goes against our own code. He summarized the Board could ignore our attorney and staff interpretation and approve, or it could adhere to our code and deny the application.

Mr. Whalen noted that the City's zoning scheme operates off lot sizes for different zones. This is one lot of record under the current minimum zoning regulations. Infill housing was a designation added a few years ago to accommodate replacement of structures that equate with surrounding properties, and he was not sure if this property would qualify. The intent of zoning is to regulate land use going forward and not go the opposite way.

Chairman Hollberg noted he could name a dozen such instances of properties in this type situation in the City off the top of his head. Mr. Whalen said if either of the homes are destroyed, there could possibly be a period of time to allow them to be rebuilt because of insurances issues. Infill lots may be a viable zoning designation to allow this, but the City's intent is to not create non-conforming lots.

There were no other comments and the Public Hearing was closed at 6:57 p.m.

CONSENT AGENDA

3. Consider approval of Minutes of the Regular Scheduled Meeting of the Board of Commissioners for April 14, 2015.

Motion/second by Morrow/Todd to approve Consent Agenda carried 7-0.

REGULAR AGENDA

4. Consider a request for a variance from Section 708, Medium Density Residential (MDR), of the City of Griffin Unified Development Code to subdivide a lot creating two non-conforming lots, for property located at 728 E. Tinsley Street/228 Morris Street, submitted by Russell Johnson. *Director of Planning and Development, Toussaint Kirk, will address.*

Motion/second by Commissioners Todd/McCord to table for further information and research on viable solutions to the problem as detailed in Public Hearing carried 7-0.

5. Consider a request to amend the Unified Development Code, of the City of Griffin, Article 12, Section 1213B (9), Historic Character Signs. *Toussaint Kirk, Director of Planning and Development to address.*

Mr. Kirk said this concluded the issue with KIA (Killed in Action) plaques as discussed at the last workshop.

Motion/second by Commissioners Morrow/Ward to approve amendments as presented carried 7-0.

6. Consider Standard Office Lease between the City of Griffin and Portal Labs, LLC for suite #403 of One Griffin Center in the amount of \$4054.80 per year. *Downtown Development Authority Executive Director Kenwin Hayes will address.*

Motion/second by Commissioners Todd/Ward to approve the lease carried 7-0.

7. Recognition of Still Branch Water Treatment Plant and Harry Simmons Water Treatment Plant Platinum Awards, and Shoal Creek Water/Wastewater Treatment Plant Gold Award from the Georgia Association of Water Professionals. *Director Public Works and Utilities Director Brant D. Keller will present.*

Dr. Keller said Harry Simmons Plant and Still Branch, which are in their 8th year of being in compliance, received these awards. This is a distinct honor for water quality standards. Shoal

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Creek has been 5 years in compliance. He commended the water professionals at these plants, noting these are men and women who work tirelessly in our City to ensure that our tap water is safe and that our water resources are protected and properly managed.

8. Recognition by the Georgia Association of Water Professionals (GAPW), for "Plant of the Year Award," in the Category of Surface Water 9MGD - 14.99MGD to the Still Branch Water Treatment Plant. *Dr. Brant Keller, Director of Public Works and Utilities, will address. President-Elect of GAWP, William Ziebertz, will present the award.*

Dr. Keller said Mr. Ziebertz, of GAWP, had another commitment and could not be present. Every year is an opportunity to submit for Plant of the Year. Still Branch is literally an oasis in the middle of nowhere. Five water professionals present for this award were: Mike Melton, Bean Teal, Garrett Nordan, Matt Jones, and Zack Patrick. We entrust these employees with a multi-million dollar plant and they rise to the occasion each and every day. He thanked the employees and conveyed his and the City's appreciation for their diligence and dedication. They are currently in a 6.1\$ million reconstruction and still won the award, scoring high on 474 items on the checklist. To win this award two years removed from the previous award is truly outstanding as this award is only eligible every other year. Chairman Hollberg congratulated the crew and Dr. Keller, and pictures were taken.

9. Consider Resolution in recognition of Water Professionals Appreciation Day on Monday, May 4, 2015. *Brant Keller, Director of Public Works and Utilities, will address.*

Motion/second by Commissioners McCord/Morrow to approve resolution carried 7-0.

10. Consider Resolution amending the City of Griffin's Water / Wastewater Utility Fund Fiscal Year Operating and Capital Budget by appropriating \$50,000.00 (expense) to equipment rental and \$50,000.00 (revenue) to insurance claim (pending insurance reimbursement), in order to cover expenses resulting from a catastrophic pump motor failure. *Chief Financial Officer Markus Schwab and Director of Public Works and Utilities Brant Keller, PhD, will address.*

Motion/second by Commissioners Morrow/Todd to approve budget amendment carried 7-0.

11. Consider the approval of a Task Order for the Bid Documents and Construction Management for PI No. 0008237 and PI No. 0008238 Intersections and Signalization, in the amount of \$206,700.00, for the Public Works and Utilities Department. *Public Works Director Brant D. Keller will address.*

Motion/second by Commissioners Morrow/Ward to approve task order carried 7-0.

12. Consider the approval of a Timber Sales Agreement with Piedmont Forestry, LLC for the harvesting of timber at Still Branch Regional Reservoir for the Water and Wastewater Department of the Public Works and Utilities Department. *Public Works Director Brant D. Keller will address.*

Motion/second by Commissioners Todd/Flowers to approve the agreement carried 7-0.

13. Consider approval of Bid Award and Work Contract from Steele & Associates, Inc., for the Thomaston Mill Village (CDBG) Phase VI CDBG#14p-x-126-2-572 Community Development Block Grant in the amount of \$572,859.00 for the Water and Wastewater Department of the Public Works and Utilities Department. *Director of Public Works and Utilities Department Brant Keller will address.*

Chairman Hollberg recused himself as Chairman and from consideration/action on this matter, and Vice Chairman Dick Morrow presided over this portion of the meeting.

Motion/second by Commissioners Todd/Ward to approve carried 6-0-1 with Chairman Hollberg abstaining due to a previously stated conflict of interest.

14. Consider approval to accept a grant from the Central Georgia EMC in the amount of \$1,200.00 to fund a regional seminar on fireworks compliance and safety (the Enforcement Officials Fireworks Training Program). Seminar to be taught by American Pyrotechnics Association on Wednesday, May 13, 2015 at the University of Georgia, Griffin Campus. *Fire Chief Tommy Jones to address.*

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Motion/second by Commissioners McLemore/McCord to approve acceptance carried 7-0.

15. Request approval for the acceptance of the Justice Assistance Grant (JAG) from the Department of Justice in the amount of \$15,876.00 for the purchase of in-car cameras for the Police Department. Police Chief Steven Heaton will address.

Motion/second by Commissioners Morrow/McCord to approve acceptance carried 7-0.

16. Consider approval to execute a Non-Residential Gas Extension Contract between Atlanta Gas Light Company (AGL) and the City of Griffin for installation of natural gas at 1010 North Hill Street, commonly referred to as the Thomas Property, to serve a generator. Electric Director Bill Bosch will address.

Motion/second by Commissioners Morrow/Ward to approve contract carried 7-0.

17. Determine voting delegate for GMA 2015 Annual Convention for Membership Business Meeting on Sunday, June 28, 2015.

Motion/second by Commissioners Todd/Flowers to nominate Chairman Hollberg as delegate. There were no other nominations. Motion/second Flowers/McCord to close nominations and elect by acclamation Chairman Hollberg as delegate carried 7-0.

18. Consider Resolution amending the City of Griffin's Stormwater Utility Fund Fiscal Year 2014-2015 Operating and Capital Budget by appropriating \$78,000.00 (expense) to repairs and maintenance to cover expenses to repair culvert disintegration causing road degradation all due to excessive rains (Item added to agenda at meeting on 7-0 vote).

Motion/second by Commissioners Morrow/Todd to approve budget amendment carried 7-0.

CITY MANAGER'S REPORT

Mr. Smith congratulated staff and directors on this past week's activities for Georgia Cities Week. Everyone worked hard and the activities were well planned and attended. Overall it was a great way to educate and enlighten the public as to the city's operations and programs.

AMBUCs has given up the putt-putt operation at City Park.

The Citizens Fire Academy will begin on May 5, and the Citizens Police Academy on May 14.

Flicks at Sixth will begin its season of movies for the community on Friday May 8, at the Park at Sixth.

CITY COMMISSIONER COMMENTS

Commissioner McLemore congratulated Water/Wastewater personnel for taking it to a whole new level. He was proud of their diligent efforts and the operations of the plants.

Commissioner Morrow concurred with Commissioner McLemore.

Chairman Hollberg thanked everyone for attending and noted that the City and its citizens, both business and residential, will keep praying and working together.

ADJOURN

Motion/second by Commissioners McCord/Morrow to adjourn at 7:21 p.m. carried 7-0.

Respectfully Submitted,

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Kenny L. Smith, City Manager/Secretary

Accepted:

Douglas S. Hollberg, Chairperson