

WALNUT GROVE CITY COUNCIL MEETING

THURSDAY AUGUST 10, 2017

7:00 P.M.

Present:

Mayor Lamar Lee
Carol Witcher
Wayne Dimsdale
Kathy Dimsdale
Joe Reitman, City Attorney
Katherine A. Glass, City Clerk

I. CALL TO ORDER

Meeting called to order by Mayor Lamar Lee

II. INVOCATION

Invocation given by Joe Reitman

III. PLEDGE OF ALLEGIANCE

All stood for the Pledge of Allegiance

IV. AGENDA APPROVAL

Carol Witcher made a motion to move Item 14B to the August 24, 2017 meeting, Wayne Dimsdale seconded the motion, opportunity for discussion, motion passed, unanimous.

V. PUBLIC COMMENT

None

VI. MINUTES APPROVAL: JULY 13, 2017 CITY COUNCIL MEETING

Wayne Dimsdale made a motion to approve the Minutes; Carol Witcher seconded the motion, opportunity for discussion, motion passed, unanimous.

VII. PUBLIC HEARINGS:

A) ROGER SINGLETON REZONE HEARING

Joe Reitman proceeded with the public hearing. Under the State zoning law it guarantees 10 minutes for each side, 10 minutes for the applicant and 10 for anyone opposed to it. The applicant is here and I will ask him to explain what he proposes to do. Roger Singleton – introduced himself and his wife. He described his business, what they make and where their new building will sit on the property. The current zoning is AR and would like it to be zoned C2. I would like to build a 45,000 square foot building in the middle of the property. Mr. Singleton described the distance from the building and parking area to the property lines. Council member Witcher inquired what kind of product does Silt-Saver, Inc. make and how many trucks will come and go from the property daily? There was discussion about the

traffic, condition of the existing road and what kind of additional traffic this will bring. Joe Reitman – Having heard from the applicant now is the opportunity to speak in favor of the rezone at this time? Hearing none he asked if anyone wished to speak in opposition to the rezone. Elisha Meeler, Forrester Cemetery Rd. explained what she and her neighbors are asking is for the council to think through how it will impact them. The primary land is rural and is zoned agricultural and he is proposing C-2. They are concerned about the trucks, the narrow road they are on and his hours of operation. I know there is a lot of property for sale in this area so we are concerned about what these will be zoned. When asked about how far out Forrester Cemetery she is located it was determined they are actually outside the city limits of Walnut Grove. Mr. Reitman addressed the traffic concern by asking Mr. Singleton how many employees will be coming to work there daily and they would arrive at 6:30 a.m. The answer was 18-20. There would only be 6 – 7 trucks per day coming in Carol Witcher asked Ms. Meeler how long they had lived in this area. She stated they had been there for 3 years. Carol Witcher told Ms. Meeler change is coming with the growth of Walnut Grove. Next was Chuck Freeman, 891 Forrester Cemetery Rd. I have lived there for 14 years. I know growth is needed but not in a residential area. We love where we lived and that it is rural. Since they put in the liquor store I can't even walk my dog or ride my bike. People use Forrester Cemetery Rd as a cut through from Social Circle and Jersey. A lot of time they are running 50 to 60 miles per hour. There was addition discussion regarding Mr. Singleton's intent for future use of his property and how his production would be laid out. Mr. Reitman recognized Jon Dial who wanted to speak on behalf of the rezone. He introduced himself as Jon Dial and stated he lives at 4130 Hwy 138. He sold the property to Mr. Singleton. At one time his family owned 350 acres since the 1830's. He owned the property all the people who spoke against the rezone live on now. It used to be all woods. I sold it for residential with stipulations on square footage and tried to keep it a rural setting. My plan is not to let any commercial go on the other side of the pipeline. The width of that pipeline is 250 ft. There is no room for anything else there. My plan is to sell that with the stipulation that it be residential. Based on what I know about Mr. Singleton's business, loading with a forklift and that type of production will not have any more impact that me baling hay out there as far as noise. An unidentified female asked Mr. Dial if he was going to sell with the intent for the area on the other side of the pipe line to stay residential. She wanted to know why not the property Mr. Singleton bought. What would keep anyone that bought property from petitioning for rezone on the property Mr. Dial stated should stay residential? Mr. Reitman stated this Council could not bind a future council but what are the thoughts of this Council on whether the gas pipe line would be a natural line of demarcation between residential and commercial. Wayne Dimsdale stated if we went in and sold the property from the pipeline toward the homes of the citizens who spoke against the rezone we could put a house for every half acre and put them on the sewer. That means we could take 20 acres and put in 40 houses which would impact you worse than one business. Mayor Lee told the audience there has already been someone come by the office talking about doing this very thing. Ms. Meeler asked if the City approved this they would have to put in a traffic light at Forrester Cemetery Rd and Hwy 138? Wayne Dimsdale told her D.O.T. makes those decisions not the City. PUBLIC HEARING IS CLOSED. Mr. Reitman told the Council they could either make a decision tonight or table the issue until a later time. He did advise the Council that if they did make a decision in favor that they include the three conditions proposed by Precision Planning. The City Clerk directed the Council members to the tab marked in their books PPI Recommendation.

the County. Carol Witcher – so we actually, with fire, have four of the required services. Wayne Dimsdale – the library, we had envisioned that years ago. People really use the library but every year we pay 49,900 and 35,000 per year on the note for construction. We haven't had the money to increase the staff's pay but we do all the up keep on the building. I am torn between, these people are going to have to tell me how they want me to vote. I have told people all through the years I would never vote for a city tax and I stand by my word. If they let me know that it's ok I'll vote for a city tax otherwise, I can't. Mr. Reitman – Ultimately it will come down to a question of double check everything I said and make sure it's accurate and talk to your auditor but the way I see it from a City Attorney perspective, and I've been blessed to represent a lot of cities, I don't see you have any alternative. At some point there will be no more reserves. When you are using your reserves to balance your budget, that is irresponsible. I hate to say it but it just is. That is from an attorney perspective. You have to follow the law. Are there any more public comments? Carol Witcher – thank you number one for caring enough to be here tonight. If this place were like this every second Thursday I'd be tickled to death. We need to know what you want as far as this City Tax. I'll give you my private number right now. Mr. Reitman we have talked about this over a year now. Carol Witcher - we are your public servants. We need your help. My number is 770-385-0007. Just don't call before 10:00 a.m. Mr. Reitman – Please bear in mind we are having another public hearing two weeks from tonight and a final hearing on September 14th. They are being advertised in the Walton Tribune as a stand alone ad. You will have a year to plan for any taxes that might be voted in. They wouldn't be collected until September or October of 2018. There were discussions about the sewer services and construction. Public Hearing Closed.

VIII. PUBLIC WORKS REPORT

Public Works Director was changing a spray head at the sewer plant and fell off a ladder and broke his rotator cuff. He just got out of the hospital two days ago. We don't have a report from him tonight. He is doing good but will be out of commission for several weeks.

IX. FINANCIAL REPORT

Katherine A. Glass, City Clerk directed the Council to their report in their notebooks. Wayne Dimsdale made a motion to approve the financials as submitted. Carol Witcher seconded the motion, opportunity for discussion, motion passed, unanimous.

X. CLERK'S REPORT

Activity report given on all business licenses, citations, other permits and park reservations given by Katherine A. Glass.

XI. CODE ENFORCEMENT REPORT

He has a son who is an invalid and he has had a real tough time. He is with his son in the hospital. Remember him in your prayers.

XII. MAYOR'S REPORT

We've had a lot of rain. With my man falling off the ladder it has laid a lot on this boy. I've been having to run the City and run the maintenance, clean out ditches and everything else.

XIII. OLD BUSINESS

1. Used for the wholesale distribution of erosion control supplies and accessory assembly. Any other use for the property will need to be approved by the Mayor and Council through a change in conditions.
2. The applicant shall plant a double row of evergreen trees that are no less than 6 feet tall at the time of planting along the rear of the bottle shop and the gravel yard to help mitigate the noise from the area.
3. The hours of operation shall be limited to 7:00 a.m. to 7:00 p.m. on Monday through Saturday.

Mr. Singleton offered another option to have the trees planted in another area on the property that would be more beneficial in noise control and with visibility. Carol Witcher asked Mr. Singleton if he would consider changing his hours from 7 a.m. to 7 p.m. to 7 a.m. to 5 p.m. This is what the hours are now at Silt Saver, Inc. in Conyers and Mr. Singleton agreed he would operate under these same hours as long as there is an understanding that sometimes they are open longer waiting on a truck that might be running late. Wayne Dimsdale made a motion to approve the rezone with the conditions being item #1 as read by the City Clerk would include coming back for a public hearing after advertisement if there are any changes and then #2 the flexible placement of the double row of evergreens to best protect the view shed and then the time being from 7:00 a.m. to 5:00 p.m. with the flexibility as needed if there is a truck late for delivery. Are those the conditions you want to be a part of the motion? Wayne Dimsdale: Yes. Motion seconded by Kathy Dimsdale, opportunity for discussion, Mr. Reitman asked Carol Witcher which way she voted. She stated yes after hearing questions and answers she votes yes, Motion Passed unanimously with conditions. The City Attorney, Joe Reitman will prepare the ordinance with the conditions written in as stated. Madam Clerk put in the minutes to reference to the consensus of the Council that the Natural Gas Line is a natural line of demarcation between commercial and residential. That ends that hearing.

B) PROPOSED PROPERTY TAX IMPLEMENTATION

Joe Reitman showed a power point to support the proposal of the property tax. There will be another hearing on the 24th of August and on September 14th a final hearing. If you have questions please let me know and I can attempt to answer them. Mr. Reitman went through his power point explaining to the audience the financial state of the City and the City services that needed to be paid for. He also explained what other cities have their mileage rate set at and what Walnut Grove proposes and what that would bring. After showing the power point Mr. Reitman opened the floor for comments either pro or con. Connie Rogers - 517 Cambridge Way - If we have to have 3 services to keep the local option sales tax what are the three services now? Mr. Reitman – sewage we are on the cusp, garbage we do, police we really need to get a contract, and library. The position by DCA is we have the police protection by agreement. So you do have law enforcement, garbage and the library. We must maintain that or we run the risk of losing that \$160,000. Chuck Freeman – what is this garbage contract? Kathy Glass explained Southern Sanitation exclusively contracts with the City of Walnut Grove. I live in the City limits and I have someone else picking up at my house. Jon Dial explained to him he does not live in the City limits on his side of the road. Any other questions or comments? Carol Witcher asked Wayne Dimsdale regarding the substation what do we pay? Cutting grass, keeping maintenance even changing light bulbs. City Clerk Kathy Glass asked to add to that. Up until just a few weeks ago we paid the Walton EMC bill but the Mayor had me contact the County Finance Director and they will now be paying those bills, all utilities. Joe Reitman told the Council he really recommends put these services, fire and police, in a written contract with

Mr. Reitman – that would be the Proposed Sewer Agreement We have been talking about this since March of this year. A lot of the delays and issues have been whether or not we would serve it by putting the line up the creek bed or whether the county was going to stay in it and how long. The way I've drafted it now the County will stay in it one year and give you \$36,000 toward costs this year. The way they had it drafted they would stay in it five years decreasing small amounts that totaled up to \$39,000. It makes more since in my mind to get \$36,000 up front. My suggestion is approve the contract as proposed for one year and the County eases out of the contract. Incidentally, something we talked about last month that was suggested by Bill Jones of Loganville was these sewer pumping companies would dump their sewage into a plants. The problem is when you have a plant that doesn't have any other sewer load you are limited to how many trucks you can dump. That will help defray some of these expenses. I encourage you to start letting these trucks start dumping. Kathy Dimsdale – If the County is still in it for another year do they get ½ of all the money we make? Mr. Reitman – I have it written up in the contract that the County would not have rights to any revenue we make. What I suggested was to get it all in one year and have a clean break. Wayne Dimsdale – Do we vote on this tonight? Mr. Reitman – Yes. There was further discussion on the details of the contract. Wayne Dimsdale made a motion we accept this contract and pass it on to the County for consideration, Carol Witcher seconded the motion, opportunity for discussion, Motion Passed.

XIV. NEW BUSINESS

a. GEFA Refinance

Mr. Reitman – GEFA offered we could have a three year holiday where we don't pay anything but then we would be back to a five year note. My recommendation is a 20 year note with the same low interest. Wayne Dimsdale made a motin we go with the 20 year note with the same interest rate, Mr. Reitman – obviously they will have to generate paperwork and it will be back by the September 24th meeting unless we get this to move by the August 24th meeting., Carol Witcher Seconded the motion, opportunity for discussion, Motion Passed. Mr. Reitman – I will let Jim Woodward know how the Council voted on this.

b. Amend 2017-2018 BUDGET

This is put off until September 14th

XV. DISCUSSION ITEM

None

XVI. COUNCIL COMMENTS

Kathy Dimsdale: None

Wayne Dimsdale: None

Carol Witcher : Grateful to see everyone here.

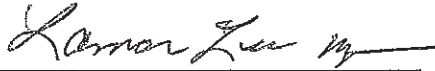
Unknown person asked - On the sewer plant I know it comes in there and goes through a process. Mr. Reitman- Land application. Are all these fields cut? Mayor – We already cut the fields twice. They have to cut between the spray heads.

ADJOURN:

Wayne Dimsdale made a motion we adjourn, seconded by Carol Witcher, Motion Passed.

Meeting adjourned.

Approved by the Mayor and Council this 14th day of September, 2017.



Mayor Lamar Lee



Katherine A. Glass, City Clerk