

**NOVEMBER 5, 2012
CITY OF SENOIA
MEETING OF MAYOR AND COUNCIL
505 HOWARD ROAD
7:00 PM**

VISITORS: Don Rehman, Ken Etzell, David Duke, Harry Ramos, Jessica Whatley, Ken Hazelton, Joe Cannin, Alex McRae, Ben Nelms, Josh Aikman, Suzanne Helfman, Chester & Ruth Kendall, Scott Parker, Joe Pedicino, Maria Shirley, Chuck Eichorst, Kyle Frank, Sonia Afanador, Martin Burgos, Mr. & Mrs. Schuyler

FULL COUNCIL PRESENT

1. CALL TO ORDER/WELCOME VISITORS

The meeting was called to order, Mayor Belisle welcomed those present and all stood for the Pledge of Allegiance.

Mayor Belisle declared this to be an open meeting duly convened under the Open Meetings Law after receiving confirmation from the City Clerk that all legal requirements have been met.

2. PUBLIC HEARING-Conditional Use Permit/120 Village Circle

A. Comments from Applicant

Joe Pedicino of Legacy Media is asking Council for a Conditional Use Permit to construct a 120 feet broadcasting tower at Cumberland Village.

B. Comments from City Administrator

Mr. Ferry reminded all that the 40 ft. buffer requirement called for by Ordinance cannot be met but can be waived by Council. The Ordinance also calls for a fall zone, not a “crumple zone”. Mr. Ferry then recommended that 3 conditions be placed if approved which are that landscaping be placed around the planned wood fence, that there is no other use of the tower besides Legacy and future City needs (leasing out space) and that if Legacy relocates the tower is to be removed.

C. Comments from Public

Scott Parker of Cumberland Subdivision stated that he lives to the rear of the proposed site and is not as worried about the tower falling as to the environmental impact. Mr. Pedicino stated that there is no environmental impact whatsoever.

D. Comments from Council

C. Fisher asked if the tower has to be 120 feet & was told by Mr. Pedicino that 108 feet will get the tower above the trees but would prefer 120.

E. Council Action

Mayor Belisle made motion to approve the Conditional Use with the 3 conditions mentioned above; adding that the landscape plan is to be approved by Mr. Ferry. Motion was 2nd by C. Graham and carried unanimously.

3. PUBLIC HEARING-Variance/9 Johnson Street-Continued to 11/19/12

A. Comments from Applicant

B. Comments from City Administrator

- C. **Comments from Public**
- D. **Comments from Council**
- E. **Council Action**

4. **PUBLIC HEARING-Amendment to Historic Preservation Ordinance**

A. **Comments from City Administrator**

Mr. Ferry reminded all that the amendments for the Historic Preservation Ordinance were collected from the recent retreat and will bring us closer to the distinction of a Certified Local Government.

B. **Comments from Public**

C. **Comments from Council**

C. Owens thanked the Mayor and Mr. Ferry for their hard work in the ordinance preparation.

D. **Council Action-1st Read**

Mayor Belisle made motion to approve the 1st read of the Historic Preservation Ordinance as presented & was 2nd by C. Grover. Motion carried unanimously.

5. **PUBLIC HEARING-Resolution No. 12-08/Transmittal of Charter**

A. **Comments from City Attorney**

Mr. Whalen stated that the main change in the proposed Charter is moving to a Manager form of government and the addition of term limits. Mr. Whalen added that when the charter was revised in 2000 the position of a manager was never created.

B. **Comments from Public**

Grantville Mayor Jim Sells feels the day to day operations of any City is the responsibility of the Mayor and that it is important for the Mayor to be the "figurehead". Mayor Belisle responded that Senoia has close to 40 employees and a 5 million dollar budget and Council feels it's time to move to a manager form of government that will be responsible for the day to day operations to include financials and will also be in charge of personnel. Mayor Sells stated that "it's a different situation in Grantville and it appears our budget will support the change".

Mr. Don Rehman of Heritage Point pointed out numerous omissions from the proposed charter that are included in the GMA model charter and would like Council to consider their inclusion. Among these include certain qualifications but no experience requirements for the City Manager, no ethics clause, length of time remaining before a special election was to be held when there is an unexpired term, abstentions should be a negative vote, no contract clause for the appointed officials, termination of appointed officials should be for cause only, the charter should create voting districts and the appointment of the Mayor Pro-tem should be by the entire council.

Chester Kendall of Heritage Pointe stated that he is 100% behind the charter change.

Ken Hazelton of Willow Dell Subdivision stated that with a 5 million dollar budget its good business practice to move to a professional manager and asked if the salary of Mayor will decrease with the lesser responsibility. Mayor Belisle stated that Council can take action if they so choose.

Joe Cannin of Willow Dell Subdivision supports the proposed charter but feels that the term limits take away from the right of the voters.

C. Comments from Council

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D. Council Action

Mayor Belisle made motion to approve Resolution No. 12-08 for the transmittal of the proposed charter to the General Assembly. Motion was 2nd by C. Owens and carried unanimously.

6. APPROVAL OF OCTOBER 15, 2012 CITY COUNCIL MINUTES.

C. Fisher made motion to approve the October 15, 2012 Council minutes & was 2nd by C. Grover. Motion carried unanimously.

APPROVAL OF OCTOBER 17, 2012 CALLED MEETING MINUTES

C. Owens made motion to approve the October 17, 2012 Called meeting minutes & was 2nd by C. Grover. Motion carried unanimously.

7. ADMINISTRATIVE/FISCAL MATTERS

A. CIE-STWP Approval-Resolution No. 12-09

C. Graham made motion to approve Resolution No. 12-09 & was 2nd by C. Fisher. Motion carried unanimously.

8. OLD BUSINESS-None

9. NEW BUSINESS

A. 2nd Read-Historic Residential District

Mayor Belisle made motion to approve the 2nd read for the creation of the Historic Residential District. Motion was 2nd by C. Grover and carried unanimously.

B. Leroy Johnson Park-Soil Report

C. Grover made motion approving GEO Systems to conduct the sub-surface investigation at Leroy Johnson Park at a cost not to exceed \$7,600. Motion was 2nd by C. Fisher and carried unanimously.

C. Luther Bailey Road Bridge

Mayor Belisle stated that this is an emergency situation and made motion to approve work to the Luther Bailey Road Bridge at a cost not to exceed \$115,000 leaving the rebuild to the County and City Administrator's discretion. Motion was 2nd by C. Fisher and carried unanimously.

D. Library Book Purchase

C. Grover made motion to approve the request to purchase books from Impact Fees for the Senoia Library in the amount of \$18,000. Motion was 2nd by Mayor Belisle and carried unanimously.

10. APPEARANCES FROM THE FLOOR-None

11. ANNOUNCEMENTS

- **Light Up Senoia-Saturday, December 1, 2012**
- **Candlelight Tour of Homes-Sunday, December 9th from 5-8**
- **Vote Tuesday, November 6th!**

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12. ADJOURN

Mayor Belisle made motion to adjourn the meeting of November 5, 2012 & was 2nd by C. Fisher. Motion carried unanimously.

Posted 11/06/2012 @ 3:00 PM