

CITY OF STATHAM

WORK SESSION

Statham City Hall

327 Jefferson Street, Statham, GA 30666



MINUTES – February 3, 2022

6:30 P.M.

CALL TO ORDER

Roll Call

Mayor Piper called the meeting to order at 6:31 p.m.

Present: Mayor Piper and Council Members Krause, Patterson, Penn, Thrasher and Venable

Absent: None

Also present: City Attorney, Jody Campbell; City Clerk, Sandra Bennett and City Accountant, April Stephens

PLEDGE OF ALLEGIANCE - Mayor Piper led the Pledge of Allegiance, and thanked veterans and their families.

REPORTS

1. Finance Department
2. Police Department
3. Public Works Department

Mayor Piper provided a report on his decision to change City Hall hours to include closing between the hours of 12:00 noon – 1:00 p.m., and to close at 4:30 p.m. Staff will continue to work until 5:00 p.m. He also provided an update on the progress of the well development project at Hillman Park, and the recent results were favorable after drilling another 240 feet.

City Accountant, April Stephens, provided the finance report and updated council on grant applications. The report was included in council packets.

The Police Department's and Public Works Department's reports were included in council packets.

DISCUSSION ITEMS

1. **O-22-01 Ordinance Amending Zoning Hearing and Application Procedures:**
First Reading. An ordinance amending the Unified Development Code of the City of Statham, Georgia, Adopted June 30, 2020, amended April 20, 2021, to amend Article 13, "Zoning Amendments and Procedures," to add sections 13-215 and 13-315 "Amendments to Applications," and to amend section 13-405, "Sequence and Limits"; and to amend Article 14,

“Variances and Appeals” to add Section 14-117; to repeal conflicting ordinances; to provide for severability; to provide for an effective date; and for other purposes.

City Attorney, Jody Campbell, provided an overview of proposed ordinance O-22-01.

2. **O-22-02 Ordinance Adopting and Enacting a New Code for the City of Statham:** *First Reading:* An ordinance adopting and enacting a new code for the City of Statham, Georgia; Providing for the repeal of certain ordinances not included therein; providing a penalty for the violation thereof; providing for the manner of amending such code; and providing when such code and this ordinance shall be effective.

The City Attorney provided an overview of proposed ordinance O-22-02 and what the purpose of code codification and that it revokes all previous city code versions. City Accountant, April Stephens, explained to the new council members that this has been an 18-month project that was originally approved by council in 2020.

3. **PP-21-04 Preliminary Plat Statham Place:** Application for Preliminary Plat Approval for “Statham Place,” Sullins Engineering, LLC, Applicant, MHC of Georgia, LLC, property owner, 36 lots on 48.10 acres fronting on the southeast side of Dooley Town Road (part of Map/Parcels ST04/095C and ST04/095). Applicant requests waiver for the installation of sidewalk along the frontage of the project on Dooley Town Road per Section 6-402 of the Statham Unified Development Code. Staff’s recommendation is approval with conditions.

City Accountant, April Stephens, provided an overview of application PP-21-04, and stated that this application was originally on the October 2021 agenda, however, staff requested it be tabled due to inconsistencies and issues with the applicant’s current development. Staff’s recommendation is to now approve PP-21-04 with the conditions provided in the staff memo dated January 31, 2022 that was included in council packets as all prior issued have been address and remedied.

3. **PP-22-01 Preliminary Plat Providence Estates II:** Application for Preliminary Plat Approval for “Providence Estates 2.0,” GDCI GA 7, LP, applicant and owner, for 35 lots on xx acres units fronting on the north side of Providence Road (part of Map/Parcel ST05/131) (UR, Urban Residential Zoning); (Bear Creek Water Supply Watershed). Applicant requests waiver for the installation of sidewalk along the frontage of the project on Providence Road per Section 6-402 of the Statham Unified Development Code. Staff’s recommendation is approval with conditions.

City Accountant, April Stephens, provided an overview of application PP-22-01, and stated that staff’s recommendation is to approve PP-22-01 with the conditions provided in the staff memo dated January 31, 2022 that was included in council packets.

4. **Agreement for Reserved Sewer Capacity:** To sign an agreement for reserved sewer capacity with Owner and Developer, Richard Cooper of GDCI GA 7, LP for 35 ERUs or 8,750 gallons per day. The total cost to the Developer to reserve 35 ERU’s is \$157,500 which will be paid directly to the City. Upon receipt of full payment and execution of agreement, the City will

purchase 35 ERUs from the Barrow County Water & Sewer Authority, which will be reserved for this development.

5. **RFP 21-005 Gravity Sewer Line Replacement Project:** To approve a gravity sewer line replacement project between 1st Street and 2nd Street adjacent to the Casto Hardware Store that was budgeted for FY22. Replacement of 500 LF of sewer line is needed to correct issues with sags and damage to the existing line. Bids were advertised in the City's legal organ for three cycles; sealed bids were read and received on January 27, 2022: Anderson Grading & Pipeline for \$189,000 and McDaniel Utilities, Inc. for \$175,220. Staff's recommendation is to select McDaniel Utilities, Inc. for \$175,220 with a 15% contingency for a total project cost of \$201,503.

Mayor Piper provided an overview of the project and process for receiving bids.

6. **Impact Fees:** To discuss the City implementing and utilizing impact fees. Impact fees, which are one-time fees charged to land developers to help defray the costs of expanding capital facilities to serve new growth, can be a substantial source of revenue for financing capital improvements. Impact fee funds are utilized for specific improvement categories.

Councilmember Venable stated he does not like the idea of another "fee" because he believes it is just another tax, although he understands the end user (or the home buyer) ends up paying it in the end. He also stated that if council approves moving forward with impact fees that the City should come up with a plan on how and for what the fees will be used for to include updating parks, a municipal building/complex or other uses. Venable also said that we need to keep in mind that whatever we use impact fees for that it will require maintenance long after the fees are used to pay for the initial cost. Councilmembers Patterson and Penn both believe that impact fees are a good way to help fund park upgrades or a municipal complex. City Accountant, April Stephens stated that as an example, if the City implemented a \$1,500 impact fee, that the two proposed new developments could potentially bring \$105,000 of revenue for these types of projects. Councilmember Penn asked Richard Cooper, a developer here in Statham who was in attendance, how he felt about impact fees as a developer. Mr. Cooper said that impact fees are typical, and that council is correct, the impact fee although paid upfront by the developer is paid by the end user. He further stated that impact fees don't really bother developers because they are used to them and expected.

EXECUTIVE SESSION

At 8:06 p.m., Mayor Piper asked for a motion to enter executive session to discuss potential or pending litigation. Personnel was not going to be discussed. Councilmember Venable made a motion to enter executive session. Councilmember Penn seconded the motion, and the motion passed unanimously.

1. 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).

2. 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 **pending or potential litigation**.

At 8:12 p.m., Mayor Piper asked for a motion to exit executive session. Councilmember Krause made a motion to exit executive session. Councilmember Venable seconded the motion, and the motion passed unanimously.

CITIZEN INPUT

Citizen and business owner, Becky Brown, spoke about the increase in business license fees. Mayor Piper stated that business license fee increases were approved by council in 2020, but the City did not implement those increases until this year for 2022. He further stated that the City had not increased their fees in over 20 years and needed to be up-to-par and comparable to other cities of the same size as Statham. Councilmember Venable apologized that the increase had caught her by surprise and stated he did not foresee increases for quite a while.

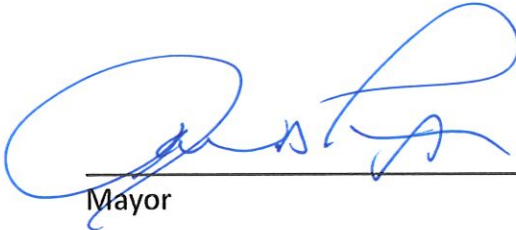
MINUTE APPROVAL

1. January 18, 2022 Regular Meeting

Councilman Venable made a motion to approve the minutes from January 18, 2022 Regular Meeting. Councilman Penn seconded the motion, and the motion passed unanimously.

ADJOURN

At 8:13 p.m., Councilman Venable made a motion to adjourn the meeting. Councilman Penn seconded the motion, and the motion passed unanimously.



Mayor



Acting City Clerk



Date



EXECUTIVE SESSION AFFIDAVIT

Before an officer duly authorized to administer oaths appeared Joe Piper, who, after being duly sworn, deposes and on oath states the following:

(1) I am competent to make this Affidavit and have personal knowledge of the matters set forth herein.

(2) Pursuant to my duties as Mayor, I was the presiding officer of a meeting of the Statham City Council held on the 3rd day of February, 2022. A portion of said meeting was closed to the public.

(3) It is my understanding that O.C.G.A. § 50-14-4(b) provides as follows:

When any meeting of an agency is closed to the public pursuant to subsection (a) of this Code section, the person presiding over such meeting or, if the agency's policy so provides, each member of the governing body of the agency attending such meeting, shall execute and file with the official minutes of the meeting a notarized affidavit stating under oath that the subject matter of the meeting or the closed portion thereof was devoted to matters within the exceptions provided by law and identifying the specific relevant exception.

(4) The subject matter of said meeting, or the closed portion thereof, was devoted to matters within exceptions to public disclosure provided by law. Those specific relevant exceptions are identified as follows: (Using the list below as a guide list in the affidavit only the exceptions actually applicable to the specific closed meeting.)

 A. Meeting to discuss or vote to authorize the settlement of a matter covered by the attorney-client privilege as provided in Georgia Code section 50-14-2(1) and 50-14-3(b)(1)(A). The subject discussed was [identify the case or claim discussed but not the substance of the attorney-client discussion].

 B. Meeting to discuss or vote to authorize negotiations to purchase, dispose of or lease property as provided in Georgia Code section 50-14-3(b)(1)(B).

 C. Meeting to discuss or vote to authorize the ordering of an appraisal related to the acquisition or disposal of real estate as provided in Georgia Code section 50-14-3(b)(1)(C).

 D. Meeting to discuss or vote to enter into a contract to purchase, dispose of, or lease property subject to approval in a subsequent public vote as provided in Georgia Code section 50-14-3(b)(1)(D).

 E. Meeting to discuss or vote to enter into an option to purchase, dispose of, or lease real estate subject to approval in a subsequent public vote as provided in Georgia Code section 50-14-3(b)(1)(E).

 F. 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).

 G. Meeting to interview one or more applicants for the position of the executive head of an agency as provided in Georgia Code section 50-14-3(b)(2).

X H. 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

EXECUTIVE SESSION AFFIDAVIT

or any officer or employee may be directly involved and the matter discussed was **pending or potential litigation**.

_____ I. Staff meeting held for investigative purposes under duties or responsibilities imposed by law as provided by Georgia Code section 50-14-3(a)(1).

_____ J. Meeting to consider records or portions of records exempt from public inspection or disclosure pursuant to Article 4 of Chapter 18 of Title 50 of the Georgia Code because there are no reasonable means to consider the record without disclosing the exempt portions.

This Affidavit is executed for the purpose of complying with the mandate of O.C.G.A. § 50-14-4(b) and is to be filed with the official minutes for the aforementioned meeting.

This 3rd day of February, 2022.


Mayor


Council Member


Council Member


Council Member


City Attorney


Council Member


Council Member

Sworn to and subscribed before me

this 3rd day of Feb, 2022


Notary Public

