

**CITY OF MORROW, GEORGIA
MINUTES OF REGULAR MEETING
August 13, 2013 – 7:30 pm**

Note: These are summary minutes. For anyone who would like the full dialogue of the meeting, CDs are available in the City Clerk's office through the open records act.

Mayor Burke called the regular meeting of the Morrow City Council to order at 7:30 pm. The meeting took place in the Council Chambers of the Morrow Municipal Complex, 1500 Morrow Road, Morrow, GA, 30260.

City Clerk Evyonne Browning called the roll and those present were Mayor JB Burke, Councilwoman Jeanell Bridges, Councilman C.R. Huie, and Mayor Pro Tem Larry Ferguson. Councilman Virlyn Slaton was absent. She stated there was a quorum present.

Mayor Burke asked everyone to stand for the Pledge of Allegiance followed by a moment of silent reflection.

APPROVAL OF MEETING AGENDA

City Clerk Evyonne Browning read the following changes to the agenda:

1. ***Under New Business add:***

A Resolution to Extend the Moratorium of the acceptance of all applications for Land use Amendments and/or the Rezoning of Parcels of Land or Buildings, for existing or proposed properties within the General Business Zoning District of the City of Morrow, as well as all applications for Building Permits, Land Disturbance Permits, and certificates of Occupancy for use of Existing or Proposed Properties as Assemblies and/or Institutions within the General Business Zoning District of the City of Morrow through and including September 23, 2013.

2. ***Under New Business remove Item #1:***

Approval of a Resolution of the Mayor and Council of the City of Morrow to Certify the Public Hearing on the Draft Documents of the Short Term Work Program Update and to Authorize Submittal of the Draft Document to the Atlanta Regional Commission and the Georgia Department of Community Affairs.

Mayor Burke called for a motion.

MOTION AND VOTE: Mayor Pro Tem Ferguson moved to approve the Meeting Agenda as amended. Councilman Huie seconded the motion. The motion passed unanimously by those in attendance.

CONSENT AGENDA:

City Clerk Evyonne Browning read the following Consent Agenda items:

1. Approval of the July 22, 2013 Special Called Meeting Minutes and the July 23, 2013 Regular Meeting Minutes.

Mayor Burke called for a motion.

MOTION AND VOTE: Councilman Huie moved to approve the Consent Agenda. Councilwoman Bridges seconded the motion. The motion passed unanimously by those in attendance.

REPORTS AND PRESENTATIONS:

1. Report on "Relay for Life" by the American Cancer Society.
2. Presentation of a 30 Year Pin to Jeff Eady by Mayor JB Burke
3. Power Point presentation on upcoming Municipal Election (Jeff Eady)
4. Financial Update – Dan Defnall

FIRST PRESENTATION: None

PUBLIC HEARING on Annual Budget for Fiscal Year 2014

City Clerk Evyonne Browning read the following Public Hearing Item:

An Ordinance entitled an Ordinance to amend the Code of Ordinances of the City of Morrow, Georgia, as it pertains to the recommendation, approval, and adoption of an Annual Budget for the Fiscal Year 2014, beginning July 1, 2013 and ending June 30 2014; to allocate Revenues and Expenditures for that period for the operation and enhancement of the various services delivered by the City to its citizens; for the health and well-being of the residents and businesses of the City of Morrow; and for other purposes.

Mayor Burke declared the Public Hearing open and **City Manager Jeff Eady** presented the item.

Mayor Burke called for any comments on the Public Hearing item. Hearing none, Mayor Burke declared the Public Hearing on the Millage Rate closed.

PUBLIC HEARING on the Short Term Work Program Update.

City Clerk Evyonne Browning read the following Public Hearing Item:

A Public Hearing on the approval to submit the draft documents of the Short Term Work Program Update to the Atlanta Regional Commission and the Georgia Department of Community Affairs.

Mayor Burke declared the Public Hearing open and **Brecca Johnson** presented the item.

Mayor Burke called for any comments on the Public Hearing item. Hearing none, Mayor Burke declared the Public Hearing on the Short Term Work Program closed.

PUBLIC COMMENT – AGENDA ITEMS:

Melissa Smith Bass 2091 Murray Trail (Brookwood Estates) asked the council to vote “no” on the variance request. She stated the homes they are building are much larger than the original ones built. She said that she and several neighbors wanted to meet with the builders, but have not had an opportunity to do so.

Mark Cunningham 6145 Forest Drive (Brookwood Estates) also asked the council to vote “no” on the variance request. When he bought his home, it was 4 sided brick and that is why he wanted to buy in this development because the homes were all brick. He believes the use of hardiplank will devalue his and other homes already in the community.

Fred Washington, lived in Jonesboro, is a salesperson with Brookwood and he said they have had low sales for 4 – 6 years, but with the new homes going up with a larger size and the use of hardiplank on some, they are starting to see them sell again. He believes the new homes are improving the appraisals on the other homes and granting this variance will make the homes more affordable for people to buy.

Mark Herendeen (Fire Chief) lives in Central Park in Morrow and stated he lives in an area similar to the homes in Brookwood and he would welcome hardiplank on his home.

OLD BUSINESS:

1. Approval of an Ordinance of the Mayor and Council of the City of Morrow, Georgia to set and declare the Tax Millage Rate in the City of Morrow, Georgia for Calendar Year 2013 and setting forth certain information regarding Rolled Back Rates; and for other purposes.

Mayor Burke called for a motion.

MOTION AND VOTE: Councilwoman Bridges moved to approve the item. Councilman Huie seconded the motion. The motion passed unanimously by those in attendance.

2. Approval or Denial of a Variance Request by Crown Communities, Inc. from Section 905A RS-80 which outlines allowable building materials for single-family residential dwelling units within the RS-80 zoning district. The applicant is requesting to allow additional building materials: cement fiberboard siding, with vinyl accents allowed only in soffits, gables, eaves, fascia board, and shutters, which are currently not allowed by City Code. The subject property is zoned RS-80 and located on the south side of Old Rex Morrow Road, south of Trammell Road, Morrow, GA 30260, also known as the Brookwood Estates Subdivision.
This item was postponed for action by the Mayor and Council at the July 23, 2013 Council Meeting.

Brecca Johnson presented the item and reminded the Mayor and Council that Staff and the Planning and Zoning Board had denied this request.

Neil Koelbl, the Applicant, addressed the Mayor and Council and turned in 5 affidavits from residents in Brookwood Estates in support of using the new materials. He said that in order to sell these homes, the use of hardiplank would make them more affordable.

Note: There was much discussion between the Mayor, Council, and the applicant on this matter. A full dialogue is available on CD through the open records act in the City Clerk's office.

Mayor Burke called for a motion.

MOTION and SECOND: Mayor Pro Tem Ferguson made a motion to approve use of hardiplank cementitious lap siding with 7" reveal, for use in Brookwood Estates. Specifically hardiplank use is restricted for use at sides and rear of homes at a minimum starting height equal to or above the gutter/fascia for use in gable areas and for only homes of 2,000 SF or larger heated living space. Exceptions: On roof dormers the use hardiplank lap siding, hardiplank cedar shake, hardiplank stucco board and a hardiplank trim component is approved; including front elevations. At the front porch a maximum of 75 square feet of hardiplank can be installed. Builder must disclose to the city the intent to use hardiplank during the permitting process. Moreover, within this subdivision any owner inhabited house whose land is immediately contiguous to the proposed home will be given the right to object to use of the hardiplank. The permit seeker shall compose a letter with reasonable disclosure for distribution to each said property. The city shall review the letter for acceptable disclosure of builder's intent. Upon approval the city will mail a certified letter to each said property and allow the homeowner 15 business days to file a written objection with the city to object to the use of hardiplank siding. The city retains the right to disallow the builder the use of hardiplank for that specific land lot when a property described above files an objection within said time limit. Councilman Bob Huie seconded the motion in order to get it on the table for discussion.

Mayor Burke called for discussion. There was much discussion between the Mayor and Council.

Mayor Burke called for a vote. The motion failed 1 to 2 with Councilwoman Bridges and Councilman Huie voting in opposition.

NEW BUSINESS:

City Clerk Evyonne Browning stated the first New Business item was removed by motion and vote.

1. Approval of a Resolution of the Mayor and Council of the City of Morrow to Certify the Public Hearing on the Draft Documents of the Short Term Work Program Update and to Authorize Submittal of the Draft Document to the Atlanta Regional Commission and the Georgia Department of Community Affairs. *(Removed)*

City Clerk Evyonne Browning read the following New Business item:

2. Approval of a Facility Use Agreement for the Morrow Community Room.

City Manager Jeff Eady presented the item.

Mayor Burke called for a motion and vote.

MOTION AND VOTE: Councilman Huie moved to approve the item with the following amendments to the agreement: Under 11. Rules and Regulations, Item 1, the last sentence shall read: "In the event that a reservation is cancelled by the City, at no fault of the Applicant, all fees and deposits that have been collected by the City shall be refunded to the applicant within seven (7) business days; or the City will make every effort to relocate the lessee to a comparable City of Morrow or MBTA facility. Councilwoman Bridges seconded the motion. The motion passed unanimously by those in attendance.

City Clerk Evyonne Browning stated the following item had been added by motion and vote:

3. A Resolution to Extend the Moratorium of the acceptance of all applications for Land Use Amendments and/or the Rezoning of Parcels of Land or Buildings, for existing or proposed properties within the General Business Zoning District of the City of Morrow, as well as all applications for Building Permits, Land Disturbance Permits, and Certificates of Occupancy for use of Existing or Proposed Properties as Assemblies and/or Institutions within the General Business Zoning District of the City of Morrow through and including September 23, 2013. *(Added by motion and vote)*

City Manager Jeff Eady presented the item.

Mayor Burke called for a motion and vote.

MOTION AND VOTE: Councilwoman Bridges moved to approve the item. Mayor Pro Tem Ferguson seconded the motion. The motion passed unanimously by those in attendance.

GENERAL COMMENTS:

Mayor Burke asked if the citizens or business owners had any comments.

State Representative Valencia Stovall wanted to let everyone know that there will be a community forum and career job fair from 6:00 to 7:30 pm at the Clayton County East Campus on September 19th. She also asked the City to keep her informed on the short term work program update.

Mike Twomey wanted to let everyone know there will be benefit to support the House of Dawn (a non-profit who supports young mothers) in Jonesboro. The event will be held at the Morrow Center beginning at 6:30 pm with a wine tasting and dinner. The cost for tickets is \$80 each.

Mayor Burke asked if the City Manager had any comments.

Jeff Eady wanted to brag on the Fire Department. He received communication from the life support unit who assisted in an accident on 75 who said our Fire Department personnel were professional and accommodating.

He also wanted to thank the City for 30 years here... he also thanked the Department Heads for all their hard work and support.

Mayor Burke asked the council if they had any comments.

Councilwoman Bridges congratulated Jeff and thanked him for his leadership these past 30 years. He also wanted to remind everyone there is a reception immediately following the meeting in honor of Jeff's service.

Councilman Huie thanked Jeff for his 30 years.

Mayor Pro Tem Ferguson also congratulated Jeff on his 30 years and said he has been around the block with the City where it started with a small tool box in public works and now he is the City Manager.

He also wanted to let everyone know what a great event the Tomato Sandwich party was and that Mike Twomey did a great job selling cakes and items.

He also challenged those who might want to run for city council that you need to devote a lot of time for the meetings, but you gain valuable experience.

Mayor Burke said that he is trying to keep his promise to be available to meet with citizens and that he often knocks on doors to visit people. In many of these incidences when he meets people, they always say wonderful things about our Fire and Police Departments.

He also said he spoke with the management at Barnes and Noble and they have renewed their lease for 12 more months. They also anticipate increasing their sales between 12 to 15%.

ADJOURNMENT:

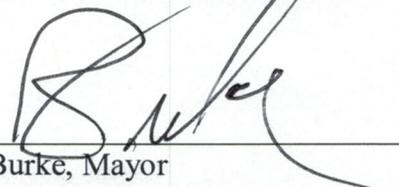
Mayor Burke called for a motion to adjourn the meeting.

MOTION AND VOTE: Councilwoman Bridges moved to adjourn the meeting. Councilman Huie seconded the motion. The motion passed unanimously by those in attendance and the meeting was adjourned at 9:06 pm.

Approved this 27th day of August, 2013.

Attest:


Evyonne Browning, City Clerk
(Seal)


JB Burke, Mayor

