

CITY OF LAGRANGE, GEORGIA
REGULAR MEETING OF THE MAYOR AND COUNCIL

September 11, 2018

Present: Mayor Jim Thornton; Council Members Jim Arrington, Nathan Gaskin, Willie Edmondson, Tom Gore, LeGree McCamey, and Mark Mitchell

Also Present: City Manager Meg Kelsey; Assistant City Manager Teresa Taylor; City Attorney Jeff Todd; Communications Manager Katie Van Schoor; Community Development Director Alton West; Senior Planner Leigh Threadgill

The meeting was called to order by Mayor Thornton, the invocation was given by Reverend Jeremy Phillips of Rosemont Baptist Church and Mayor Thornton led the Pledge of Allegiance to the Flag.

On a motion by Mr. Edmondson seconded by Mr. Mitchell, Council approved the minutes of the regular Council meeting held on August 28, 2018.

A public hearing was held to receive comments on a request to rezone property located on Pegasus Parkway at Orchard Hill Road. Steve Rowe with AEC and representing Southpoint Realty spoke in favor of rezoning the property and answered questions from the Council. There were no other comments and Council heard the first reading of the following ordinance:

AN ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE TO AMEND THE CODE OF THE CITY; TO AMEND THE ZONING MAP AND ORDINANCES OF THE CITY SO AS TO RECLASSIFY WITH CERTAIN CONDITIONS THE USE ZONE OF REAL ESTATE LOCATED ON PEGASUS PARKWAY AT ORCHARD HILL ROAD AND OWNED BY SOUTHPOINT REALTY GROUP, LLC; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Mayor Thornton introduced this year's Youth Council made up of 24 high school juniors and seniors. City Attorney Jeff Todd swore them in as a group and Mayor Thornton and Ms. Kelsey presented each of them with a LaGrange Youth Council pin.

On a motion by Mr. Gore seconded by Mr. McCamey, Council voted unanimously to deny a notice of claim for damages filed on behalf of Nikki and Dean Bridwell and referred it to the City's insurance company for handling.

Ms. Threadgill presented a request to rezone property located at 1503, 0, and 1509 Hamilton Road from R-2, Residential, to C-3, Commercial. The Board of Planning and Zoning Appeals recommended a conditional approval. On a motion by Mr. Edmondson seconded by Mr. McCamey, Council voted to call for a public hearing to be held on October 9, 2018.

Ms. Kelsey presented copies of the August financial statements and payment of bills over \$2,000 for Council's information.

Ms. Kelsey presented to the Council a request from the LaGrange Housing Authority to commit \$1.5 million towards a Choice Neighborhood Grant application. Mr. Edmondson made a motion to approve the request, the motion was seconded by Mr. McCamey. Mr. Arrington, Mr. Mitchell, Mr. Gore and Mr. Gaskin voted in opposition to the request. Therefore, on a 2-4 vote, the request was denied.

Council heard the first reading of the following ordinance:

AN ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE TO AMEND THE CODE OF THE CITY; TO AMEND ARTICLE IV OF CHAPTER 15-10 OF THE CODE REGARDING SOLID WASTE DISPOSAL TO REQUIRE THAT TRANSPORTERS OF CONSTRUCTION AND DEMOLITION WASTE GENERATED WITHIN THE CITY OF LAGRANGE DELIVER SAID WASTE TO THE TROUP COUNTY C&D LANDFILL; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Council heard the first reading of the following ordinance:

AN ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE TO AMEND THE CODE OF THE CITY; TO AMEND THE ALCOHOLIC BEVERAGES CODE OF THE CITY IN ORDER TO DEFINE, LICENSE AND REGULATE FARM WINERIES; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

On a motion by Mr. Edmondson seconded by Mr. McCamey, Council unanimously voted to approve the following ordinance:

AN ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE TO AMEND THE CODE OF THE CITY; TO AMEND THE ZONING ORDINANCE OF THE CITY SO AS TO INCREASE THE NUMBER OF MEMBERS OF THE BOARD OF PLANNING AND ZONING APPEALS; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE, GEORGIA HEREBY ORDAIN AS FOLLOWS:

SECTION 1:

That Section 25-35-146 of the zoning ordinance of the City of LaGrange be amended by deleting the first sentence of such section, inserting in lieu thereof a new first sentence of Section 25-35-146 to read as follows:

“The board of planning and zoning appeals shall consist of nine (9) members, who shall be appointed by the mayor and council for a term of four (4) years, and who may be removed from office at any time by the mayor and council, with or without cause.”

SECTION 2:

That subsection (a) of 25-35-147 of the zoning ordinance be amended by deleting such subsection, in its entirety, inserting in lieu thereof a new Section 25-35-147(a) to read as follows:

“(a) Each of the nine (9) members appointed to the board of planning and zoning appeals shall be residents and citizens of the city and shall so remain as residents during the tenure of their service on the board of planning and zoning appeals.”

SECTION 3:

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4:

This ordinance after adoption by the Council and upon approval by the Mayor, shall become effective immediately.

INTRODUCED AND FIRST READING _____ August 28, 2018

SECOND READING AND ADOPTED _____ September 11, 2018

SUBMITTED TO MAYOR AND APPROVED _____ September 11, 2018

BY: /s/ James C. Thornton, Mayor

ATTEST: /s/ Sue Olson, City Clerk

Council heard the first reading of an ordinance to rename East and West Crovat Streets at the August 28, 2018 meeting. This ordinance was to be second read and voted on at this meeting; however, no motion was made to approve or deny and the ordinance failed due to lack of a motion. After further discussion, on a motion by Mr. McCamey seconded by Mr. Edmondson, Council unanimously agreed to memorialize “Boss” in some way and the details will be determined at a later date.

On a motion by Mr. McCamey seconded by Mr. Gore, Council unanimously voted to approve the following ordinance:

AN ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE TO AMEND THE CODE OF THE CITY; TO AMEND THE CODE SO AS TO PROHIBIT AGGRESSIVE SOLICITATION; TO DEFINE PROHIBITED ACTIVITY; TO PROVIDE FOR PENALTIES; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE, GEORGIA, HEREBY ORDAIN AS FOLLOWS:

SECTION 1:

That Chapter 35-3 regarding “solicitation” be amended by designated existing Sections 35-3-1 through 35-3-4 as “Article I - Solicitation within Right-of-Way.”

SECTION 2:

That Chapter 35-3 of the code be amended by inserting therein a new Article II, to be entitled “Aggressive Solicitation” to read as follows:

“ARTICLE II: AGGRESSIVE SOLICITATION

Sec. 35-3-10. – Aggressive Solicitation.

(a) Solicitation defined:

For the purposes of this section, solicitation means an in-person request by another individual either orally or by gesture, for an immediate distribution or donation of money, an object or anything of value or soliciting the sale of goods or services.

(b) Aggressive Solicitation Prohibited.

(1) It shall be unlawful for any person to solicit in an aggressive manner. An aggressive manner shall include:

- a. Blocking the path or passage of the person being solicited.
- b. Continuing to solicit from a person after the person has given a negative response to such soliciting.
- c. Intentionally touching or having physical contact with the person being solicited.
- d. Following immediately behind or alongside the person being solicited with the intent of asking that person for an immediate distribution or donation of money, an object or anything of value.
- e. Making any statement, gesture or other form of communication before, during, or after soliciting that is intended or is likely to cause a reasonable person to fear bodily harm to oneself or to another, to fear damage or loss of property, to be intimidated into giving money, an object or thing of value to the solicitor.

(2) It shall be unlawful for any person to solicit on residential or private property, including commercial property, without having been requested, invited or given permission by the person lawfully in possession of such property. Documentation of such authority or permission must be presented upon request by law enforcement.

(3) It shall be unlawful for any person to solicit within 15 feet of any entrance or exit of any financial institution, check cashing business, or within 15 feet of any automated teller machine without having been requested, invited or given permission by the person lawfully in possession of such property. When an automated teller machine is located within an automated teller machine facility, the distance of 15 feet shall be measured from the entrance or exit of the facility.

(4) It shall be unlawful for any person to solicit from any operator or occupant of a motor vehicle on a public street in exchange for blocking, occupying or reserving a public parking space.

(5) It shall be unlawful for any person to solicit while under the influence of alcohol or a controlled substance.

(6) It shall be unlawful for any person to solicit in any public parking lot, public park, public greenspace or public parking structure.

- (7) It shall be unlawful for any person to solicit within ten feet of an entrance to a public building.
- (8) It shall be unlawful for any person to knowingly make a false or misleading representation during a solicitation. Such misrepresentations include, but are not limited to:
 - a. Claiming that the solicitor is homeless when they are not.
 - b. Claiming that the solicitor is physically disabled when they are not afflicted with such disability or to the extent claimed.
 - c. Claiming that the solicitor is a veteran of the United States uniformed services when they are not.

(c) Penalties.

Any person who shall violate the provisions of this Article shall upon conviction in the municipal court of the city be punished as provided in Code Section 1-1-6.”

SECTION 3:

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4:

This Ordinance after adoption by the Council and upon approval by the Mayor shall become effective immediately.

INTRODUCED AND FIRST READING _____ August 28, 2018

SECOND READING AND ADOPTED _____ September 11, 2018

SUBMITTED TO MAYOR AND APPROVED _____ September 11, 2018

BY: /s/ James C. Thornton, Mayor _____

ATTEST: /s/ Sue Olson, City Clerk _____

On a motion by Mr. McCamey seconded by Mr. Arrington, Council voted unanimously to appoint Norma Tucker to fill the four year term on the Board of Planning and Zoning Appeals to succeed Kay Durand.

On a motion by Mr. McCamey seconded by Mr. Gore, Council voted unanimously to appoint Susan Bowie and Kay Berkley to fill the two new positions on the Board of Planning and Zoning Appeals.

In other business, Sharon Davenport, a Troup High School Crossing Guard, came before the Council requesting better lighting as traffic approaches the crossing guard location. Mayor Thornton instructed staff to look into better lighting within the right-of-way. Ms. Davenport also requested more for kids to do in LaGrange. Mayor Thornton explained that the City is certainly in favor of more businesses coming to LaGrange.

Mr. Edmondson thanked Ms. Kelsey for keeping the Council informed as to the condition of the four Firefighters that were injured in the Labor Day fire and asked for an update.

In good news closing comments, Ms. Van Schoor announced that Jim Ormsby, one of the firefighters injured in the Labor Day fire, received a letter from 5th grade Hogansville Elementary student, Hayden Myers, that touched his heart so much that he wanted to meet her and give her a gift. That meeting took place the morning of 9/11 as he requested, and it was a surprise to Hayden.

Jim told her that her words meant so much that he wanted to give her something special to him, and he gave her a piece of the 9/11 scene that he visited after the tragedy.

There was no other business and the meeting was adjourned by Mayor Thornton.

Mayor

City Clerk