

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

November 9, 2021

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

Also Present: City Manager Meg Kelsey; City Clerk Sue Olson; Assistant City Manager Bill Bulloch; City Attorney Jeff Todd; Communications Manager Katie Van Schoor; Economic Development President Scott Malone

The meeting was called to order by Mayor Thornton, the invocation was given by Rev. Pete Shoger, Southcrest Church, and Mayor Thornton led the Pledge of Allegiance to the Flag.

On a motion by Mr. McCamey seconded by Mr. Edmondson, Council unanimously approved the minutes of the regular Council meeting held on October 26, 2021.

Mayor Thornton congratulated Council Members Gore, Arrington and Gaskin on their re-election. Mr. Gore also congratulated Mayor Thornton on his re-election.

Tabitha Coverson with Communities in Schools came before the Council to share information on a volunteer program in the schools called Dad on Duty and Mom on a Mission. This program is designed to give positive encouragement to school kids. Ms. Coverson invited the Council to an informational meeting to be held on November 16, 2021 in the LPD community room, and to volunteer their time if possible. Mayor Thornton thanked Ms. Coverson for her service in the community.

Mr. Edmondson reminded the Council of the “Hands Helping Hands” community parade and tree lighting to be held on November 19, 2021 at 7:00 p.m.

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

Ms. Kelsey presented information to the Council regarding a Memorandum of Understanding between DLDA, City of LaGrange, Callaway Foundation, Inc., and EYC Companies, LLC. The MOU outlines the development of a residential facility and parking garage on the site where Loy’s Office Supplies and Stephens Exclusive were formerly located. On a motion by Mr. Edmondson seconded by Mr. McCamey, Council voted unanimously to authorize the City to contribute \$1 million to be used towards the construction of the parking garage. A copy of the MOU is on file in the City Manager’s office.

On a motion by Mr. McCamey seconded by Mr. Gore, Council voted unanimously to declare playground equipment from the Granger Park playground renovation as surplus and to be placed on govdeals.com for sale.

On a motion by Mr. McCamey seconded by Mr. Mitchell, Council voted unanimously 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 ALCOHOLIC BEVERAGES ORDINANCE TO REQUIRE AN APPLICANT TO DEMONSTRATE COMPLIANCE WITH DISTANCE REQUIREMENTS; TO PROVIDE A UNIFORM METHOD OF MEASUREMENT FOR DISTANCE PROHIBITIONS; TO CONFORM DISTANCE REQUIREMENTS WITH STATE LAW; 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 30-20-7 of the code be amended by inserting therein in proper alphabetical order, the defined term of *Distance* as follows:

“*Distance* shall mean the measurement in linear feet along the most direct route of travel:

- (a) From the front door of the proposed licensed premises to the front door of the church building, government-owned alcohol treatment center or retail package store; or
- (b) From the front door of the proposed licensed premises to the nearest property line of real property being used for school or educational purposes or to any property owned or operated by a housing authority containing three hundred (300) housing units or fewer.”

SECTION 2:

That Section 30-20-11(a)(11) of the code be amended by deleting said subparagraph, in its entirety, inserting in lieu thereof a new subparagraph 30-20-11(a)(11) and (12) to read as follows:

“(11) Each applicant shall submit a survey by a registered land surveyor showing compliances with all distance requirements contained herein;

(12) And any and other documentation, information and forms required by other appropriate provisions of this chapter.”

SECTION 3:

That Section 30-20-29 of the code be amended by deleting said section, in its entirety, inserting in lieu thereof a new Section 30-20-29 to read as follows:

“No person shall sell or offer to sell and no license shall be issued for the sale of:

- (1) Beer or malt beverages within one hundred (100) yards of any school building, school grounds, or college campus, except for “on-premises consumption” (class B license) sales within the downtown development area, for which there shall be no such distance requirement. This subparagraph shall not apply at any location for which a license has been issued prior to July 1, 1981, nor to the renewal of such license. Nor shall this subparagraph apply at any location for which a new license is applied for if the sale of beer was lawful at such location at any time during the twelve (12) months immediately preceding such application. As used in this section, the term “school building” shall apply only to state, county, city, or church school buildings and to such buildings at such other schools in which are taught subjects commonly taught in the common schools and colleges of this state.
- (2) Beer or malt beverages for “on-premises consumption” (class B license) within one hundred (100) yards of any church building, except within the downtown development area, in which there shall be no such distance requirement; provided however that the distance requirement contained in this subparagraph shall not apply to any person who held a license authorizing “on-premises consumption” of beer or malt beverages on January 28, 1975, but any such license exempted by the provisions hereof shall not be transferable.
- (3) Beer or malt beverages within one hundred (100) yards of an alcoholic treatment center owned and operated by the State of Georgia, or by any city or county thereof. This section shall not apply to any business having a license to sell beer

or malt beverages which was in effect on July 1, 1981, and which has continued in full force and effect since that date.

- (4) Beer or malt beverages within one hundred (100) yards of any housing authority property containing three hundred (300) housing units or fewer and owned or operated by a housing authority created by the Housing Authorities Law."

SECTION 4:

That Section 30-20-96 of the code be amended by deleting therefrom the term and definition of *Distance*.

SECTION 5:

That Section 30-20-112 of the code be amended by deleting therefrom subsection (c), redesignating the remaining subsections in proper alphabetical order.

SECTION 6:

That Section 30-20-120 of the code be amended by deleting said section, in its entirety, inserting in lieu thereof a new Section 30-20-120 to read as follows:

- “(a) Except for a class B retail pouring outlet located within the downtown development area, for which there shall be no distance requirement, no license shall be issued hereunder where the place of business of the applicant is located within three hundred (300) feet of any church building or within six hundred (600) feet of any school ground or college campus.
- (b) The provisions of this section as to distance from churches, schools and college campuses shall not apply if the applicant for a class B license is a private club and the private club for which the application is made was in business at such location on June 15, 1977, and on that date met all requirements as a private club and otherwise complied with all provisions of this article.
- (c) No person shall knowingly or intentionally sell or offer to sell any alcoholic beverages or distilled spirits within one hundred (100) yards of an alcoholic treatment center owned and operated by the State of Georgia, or by any county or municipality thereof. This section shall not apply to any business having a license to sell alcoholic beverages or distilled spirits which was in effect on July 1, 1981, and which has continued in full force and effect since that date.
- (d) Pursuant to O.C.G.A. § 3-4-49, no packaged spirituous liquor license shall issue for a location within five hundred (500) yards of any other business licensed to sell package spirituous liquors at retail, as measured by the most direct route of travel on the ground; provided, however that this limitation shall not apply to any hotel licensed under this chapter. Moreover, the restriction provided for in this subsection, pursuant to O.C.G.A. § 3-4-49, shall not apply to any location for which a license has been issued prior to July 1, 1997, nor the renewal of such license. Nor shall the restriction of this subsection apply to any location for which a new license is applied for if the sale of the distilled spirits was lawful at such location at any time during the twelve (12) months immediately preceding such application.

- (e) No license shall be issued hereunder where the place of business of the applicant is located within one hundred (100) yards of any housing authority property containing three hundred (300) housing units or fewer and owned or operated by a housing authority created by the Housing Authorities Law.”

SECTION 7:

That Section 30-20-224 of the code be amended by deleting said section, in its entirety, inserting in lieu thereof a new Section 30-20-224 to read as follows:

“No person shall sell or offer to sell and no license shall be issued for the sale of:

- (1) Wine within one hundred (100) yards of any school building, school grounds, or college campus, except for “on-premises consumption” (class B license) within the downtown development area, for which there shall be no such distance requirement. This subparagraph shall not apply at any location for which a license has been issued prior to July 1, 1981, nor to the renewal of such license. Nor shall this subparagraph apply at any location for which a new license is applied for if the sale of wine was lawful at such location at any time during the twelve (12) months immediately preceding such application.
- (2) Wine for “on-premises consumption” (class B license) within one hundred (100) yards of any church building, except within the downtown development area, in which there shall be no such distance requirement.
- (3) Wine within one hundred (100) yards of an alcoholic treatment center owned and operated by the State of Georgia, or any county or municipality thereof. This section shall not apply to any business having a license to sell wine which was in effect on July 1, 1981, and which has continued in full force and effect since that date.
- (4) Wine within one hundred (100) yards of any housing authority property containing three hundred (300) housing units or fewer and owned or operated by a housing authority created by the Housing Authorities Law.”

SECTION 8:

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

SECTION 9:

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

INTRODUCED AND FIRST READING _____ October 26, 2021

SECOND READING AND ADOPTED _____ November 9, 2021

SUBMITTED TO MAYOR AND APPROVED _____ November 9, 2021

BY: /s/ James C. Thornton, Mayor

ATTEST: /s/ Sue Olson, City Clerk

On a motion by Mr. Edmondson seconded by Mr. McCamey, Council voted unanimously 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 SIDEWALK CAFES ORDINANCE TO AUTHORIZE THE USE OF ADDITIONAL EQUIPMENT AND FURNISHINGS IN CONJUNCTION WITH A SIDEWALK CAFE UPON APPROVAL OF THE CITY MANAGER; 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 30-5-315 of the code be amended by deleting the definition for “DT-MX downtown mixed use district” and inserting in lieu thereof a new such definition as follows:

“DT-MX downtown mixed use district means and refers to that area of the city which is now or hereafter zoned DT-MX downtown mixed use district.”

SECTION 2:

That Section 30-5-317 of the code be amended by deleting said subsection, in its entirety, inserting in lieu thereof a new Section 30-5-317, to read as follows:

“Sec. 30-5-317. Application.

Any person desiring to operate a sidewalk cafe in the DT-MX downtown mixed use district shall submit an application, on a form prescribed by the department of community development, setting forth the name of the food service establishment, the name of the owner of the establishment, the name of the individual applying for the permit, the number and type of tables, chairs, and associated equipment and furnishings requested to be allowed pursuant to the permit, and such other and further information as the director deems appropriate to fully describe the planned operation.”

SECTION 3:

That subsection (6) of Section 30-5-319 of the code be amended by deleting said subsection, in its entirety, inserting in lieu thereof a new Section 30-5-319(6), to read as follows:

“(6) *Lighting and miscellaneous.* Adequate exterior lighting must be provided for use of a sidewalk cafe area in operation between dusk and dawn. Only chairs, tables, umbrellas and other approved associated equipment and furnishings are authorized for placement on sidewalks. Neither food preparation nor food service appurtenances shall be allowed within the area.”

SECTION 4:

That Section 30-5-321 of the code be amended by deleting said section, in its entirety, inserting in lieu thereof a new Section 30-5-321, to read as follows:

“Sec. 30-5-321. The City Manager shall have the authority to prescribe standards for the type, color and quality of tables, chairs,

umbrellas or other approved associated equipment and furnishings used in conjunction with a sidewalk cafe as herein defined. A copy of such standards shall remain on file in the office of the city manager.”

SECTION 5:

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

SECTION 6:

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

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

ATTEST: /s/ Sue Olson, City Clerk _____

On a motion by Mr. Gaskin seconded by Mr. Arrington, Council voted unanimously 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 IN ORDER TO MODIFY THE DEPOSIT FOR METER AND BACKFLOW DEVICE IN CONJUNCTION WITH FIRE HYDRANT USE; 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 subsection (e) of Section 20-15-17 of the code be amended by deleting said subsection, in its entirety, inserting in lieu thereof a new section 20-15-17 (e) to read as follows:

“(e) The fee for installation of a fire hydrant meter and backflow device shall be \$250.00. A refundable deposit in the amount of the costs of the meter and appurtenances shall also be paid prior to the installation of the meter and backflow device. Said deposit shall be returned to the applicant upon removal of the meter and backflow device should there be no damages to same or other city property attributable to the applicant.”

SECTION 2:

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

SECTION 3:

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

INTRODUCED AND FIRST READING _____ October 26, 2021

SECOND READING AND ADOPTED _____ November 9, 2021

SUBMITTED TO MAYOR AND APPROVED _____ November 9, 2021

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

ATTEST: /s/ Sue Olson, City Clerk _____

In good news, closing comments, Ms. Van Schoor turned it over to our Development Authority President/CEO Scott Malone to share some very good news for LaGrange. Mr. Malone reported that Remington Arms will be moving their headquarters to LaGrange, which will provide 856 new jobs over a five year period. Remington has leased a facility that should be up and running by the 1st quarter of next year, and will operate from a combination of new and renovated facilities.

There was no other business and the meeting was adjourned at 6:15 p.m. by Mayor Thornton.

Mayor

City Clerk