

Milledgeville City Council
City Hall – Council Chambers
119 East Hancock Street
April 24, 2018
6:30 PM

Milledgeville City Council met in regular session on Tuesday, April 24, 2018 at 6:30 PM in the Council Chambers of City Hall with Mayor Mary Parham–Copelan presiding. Members of Council present were Jeanette Walden, Collinda J. Lee, Walter Reynolds, Richard Mullins and Steve Chambers. Councilwoman Denese Shinholster was absent.

Others present were Barry Jarrett, Jimmy Jordan, Bo Danuser, Melba Hilson–Butts, Dray Swicord, Mervin Graham, Hank Griffeth, Chiquita Danzy, Carlee Schulte, Police Chief Dray Swicord, Police Department Major John Davis, Officer Renea Gray, Officer Ryan Chapple and members or the public.

Mayor Parham–Copelan called the meeting to order at 6:30 PM. The Clerk called roll and a quorum of members of Council was declared present.

Mayor Parham Copelan said a prayer and then led the Pledge of Allegiance.

The Clerk read a proclamation into the record declaring the week of April 22 – 28, 2018 at Georgia Cities Week in the City of Milledgeville. Mayor Thrower presented the proclamation to Mainstreet Executive Director Carlee Schulte.

The Proclamation was presented as follows:

PROCLAMATION

WHEREAS, city government is the closest to most citizens, and the one with the most direct daily impact upon its residents; and

WHEREAS, city government is administered for and by its citizens, and is dependent upon public commitment to and understanding of its many responsibilities; and

WHEREAS, city government officials and employees share the responsibility to pass along their understanding of public services and their benefits; and

WHEREAS, Georgia Cities Week is a very important time to recognize the important role played by city government in our lives; and

WHEREAS, this week offers an important opportunity to spread the word to all the citizens of Georgia that they can shape and influence this branch of government which is closest to the people; and

WHEREAS, the Georgia Municipal Association and its member cities have joined together to teach students and other citizens about municipal government through a variety of different projects and information; and

WHEREAS, Georgia Cities Week offers an important opportunity to convey to all the citizens of Georgia that they can shape and influence government through their civic involvement.

NOW, THEREFORE, I, Mary Parham-Copelan, as Mayor of the City of Milledgeville do hereby proclaim April 22-28, 2018 as

GEORGIA CITIES WEEK

in the City of Milledgeville and encourage all citizens, city government officials and employees to do everything possible to ensure that this week is recognized and celebrated accordingly.

Mayor Parham-Copelan announced that the Milledgeville Police Department had recently received recognition and won a Golden Shield Award for Statewide Agency of the Year from Mothers Against Drunk Drivers. She presented officer Ryan Chapple with a Mothers Against Drunk Drivers (MADD) certificate in recognition of his DUI arrests stating that this was his third consecutive recognition. She presented Major John Davis with the MADD Statewide Agency of the Year Award. Mayor Parham-Copelan presented the MADD Golden Achievement Award to Lt. Renea Grey in recognition of her outstanding expertise in the field of traffic safety, DUI prevention and community intervention. Mayor Parham commended the Chief and Officers of the Police Department for protecting and serving our community. She thanked them for their hard work and dedication. Dr. Lee stated that Milledgeville had the BEST police department in the state.

Motion Mrs. Walden, second Mr. Mullins to adopt the April 10, 2018 Council meeting minutes as official.

On vote aye: Mrs. Walden, Dr. Lee, Mr. Reynolds, Mr. Mullins and Mr. Chambers. The motion carried and the minutes were adopted as official.

Mayor Parham-Copelan stated that there was no old business and moved to new business. The Clerk read Resolution R-1804-019 by caption stating that this resolution authorized an amendment to the Tower Attachment Lease with New Singular Wireless, PCS, LLC for the placement of additional equipment on the McMillan Island Water Tank located at 424 East Washington Street.

The resolution was presented as follows:

RESOLUTION R-1804-019

To Authorize an Amendment to the Tower Attachment Lease with New Singular Wireless PCS, LLC for the Placement of Additional Equipment on the McMillan Island Water Tank Located at 424 East Washington Street

WHEREAS, the Mayor and Aldermen of the City of Milledgeville desire to authorize New Singular Wireless, PCS, LLC to place additional equipment the McMillan Island water tank located at 424 East Washington Street.

NOW THEREFORE BE IT RESOLVED by the Mayor and Aldermen of the City of Milledgeville that Mayor Mary Parham-Copelan is hereby authorized to enter into a Tower Attachment Lease with New Singular Wireless PCS, LLC for the placement of additional equipment on the McMillan Island water tank located at 424 East Washington Street.

PASSED AND ADOPTED this 24th day of April, 2018.

Mary Parham-Copelan, Mayor

ATTEST:

Bo Danuser, Clerk

Motion Dr. Lee, second Mr. Reynolds to adopt the ordinance as presented.

On vote aye: Mr. Walden, Dr. Lee, Mr. Reynolds, Mr. Mullins and Mr. Chambers.
The motion carried and the resolution was adopted as official.

The Clerk read Resolution R-1804-020 by caption stating that the resolution extended the Moratorium previously adopted by the Mayor and Aldermen on October 24, 2017 and previously extended by a period of two (2) months by Resolution passed and adopted on February 27, 2018, temporarily suspending all applications for Multi-Family Residential (MR1 and MR2) rezoning and Planned Development (PD) rezoning within the City of Milledgeville; and temporarily suspending all applications for Fraternity/ Sorority/ Group Residence Overlay and Group Residence Special Exception (Section 4.1.28 of the Land Development Code) within the City of Milledgeville's Historic District for a period of two (2) additional months; and for other purposes.

The resolution was presented as follows:

RESOLUTION R-1804-020

To extend the Moratorium previously adopted by the Mayor and Aldermen on October 24, 2017 and previously extended by a period of two (2) months by Resolution passed and adopted on February 27, 2018, temporarily suspending all applications for Multi-Family Residential (MR1 and MR2) rezoning and Planned Development (PD) rezoning within the City of Milledgeville; and temporarily suspending all applications for Fraternity/Sorority/Group Residence Overlay and Group Residence Special Exception (Section 4.1.28 of the Land Development Code) within the City of Milledgeville's Historic District for a period of two (2) additional months; and for other purposes.

WHEREAS, the City of Milledgeville has experienced substantial growth in Multi-Family Housing (MR1 and MR2) and Planned Development (PD), particularly with respect to the construction of Multi-Family Housing units marketed to students attending higher education institutions located in Milledgeville, which if allowed to continue at the current pace may adversely impact the health, prosperity and general welfare of its citizens and affect the stability and future growth of other land uses and classifications; and

WHEREAS, the City of Milledgeville has experienced within its designated Historic District (Chapter 58 of the Code of Ordinances of the City of Milledgeville, Georgia and as delineated on the Official Zoning Map of the City of Milledgeville, Georgia) expansion of the Fraternity/Sorority/Group Residence Overlay and Group Residence Special Exception (Section 4.1.28 of Land Development Code) which may adversely impact the stability and future growth of other land uses and classifications in the Historic District; and

WHEREAS, the Mayor and Aldermen based on the findings cited herein enacted a temporary moratorium suspending all applications for Multi-Family Housing (MR1 and MR2) and Planned Development (PD) Zoning Change within the City of Milledgeville, and suspending all applications for expansion of the Fraternity/Sorority/Group Residence Overlay and Group Residence Special Exception (Section 4.1.28 of Land Development Code) within the City of Milledgeville's designated Historic District for an initial period of four (4) months for the purpose of conducting a comprehensive review and study of the City of Milledgeville's land use plan for the regulation of the future location, growth, and development of Multi-Family Housing (MR1 and MR2) and Planned Development (PD) and the possible adverse impact of the continued expansion of the Fraternity/Sorority/Group Residence Overlay and Group Residence Special Exception (Section 4.1.28 of Land Development Code) to the intrinsic neighborhood characteristics, economic stability and future growth of other land uses and classifications within the Historic District; and

WHEREAS, the Mayor and Aldermen extended this temporary moratorium for an additional two (2) months pending the completion of an initial report by the City Planner which report recommended additional study and review, along with consultation and discussions with representatives of Georgia College and State University; and

WHEREAS, comparatively dense developments such as multi-family housing have a disproportionate impact on City resources and services (such as water and sewer demands, traffic impacts, public safety demands, etc.) than other forms of residential development; and

WHEREAS, the Mayor and Aldermen are concerned that the health and well-being of the citizens of the City could be negatively impacted by uncontrolled development of multi-family housing; and

WHEREAS, the Mayor and Aldermen consider it paramount that land use regulation continue in the most orderly and predictable fashion with the least amount of disturbance to landowners and to the citizens of the City; and

WHEREAS, the Mayor and Aldermen have always had a strong interest in growth management so as to promote the traditional police power goals of health, safety, morals, aesthetics, and the general welfare of the community; and

WHEREAS, the Mayor and Aldermen also believe that "general welfare" includes the valid public objectives of aesthetics, conservation of the value of existing lands and buildings within the City, making the most appropriate use of resources, preserving neighborhood characteristics, enhancing and protecting the economic well-being of the community, facilitating adequate provision of public services, and the preservation of the resources of the City; and

WHEREAS, the City's designated Historic District (Chapter 58 of the Code of Ordinances of the City of Milledgeville, Georgia and as delineated on the Official Zoning Map of the City of Milledgeville, Georgia) is a valuable resource that is an integral part of the economic well-being of the community and the continued expansion of the Fraternity/Sorority/Group Residence Overlay and Group Residence Special Exception (Section 4.1.28 of Land Development Code) may be adversely impacting the intrinsic neighborhood characteristics, economic stability and future growth of other land uses and classifications within the Historic District; and

WHEREAS, the Mayor and Aldermen are, and have been interested in, developing a cohesive and coherent policy regarding certain land uses in the City and seek to promote community development through stability, predictability and balanced growth which will further the prosperity of the City as a whole; and

WHEREAS, the Mayor and Aldermen desire to submit to the Milledgeville Planning and Zoning Commission a proposed ordinance amending the City's Land Development Code to extend the moratorium for a period of six (6) months beginning upon the formal adoption of such amendment; and

WHEREAS, such an amendment to the City's Land Development Code would allow for public notice and hearings as required by the Land Development Code and if passed and adopted by the Mayor and Aldermen would allow the necessary time needed for the City to complete fact finding, research, and study in order for the City Manager and staff to make formal recommendations to the Mayor and Aldermen regarding future amendment(s) to the City's Land Development Code and amendment(s) to other sections of the City's Code of Ordinances to address the findings and issues identified as adversely impacting the City's residential areas, including the Historic District, as well as the City as a whole; and

NOW THEREFORE BE IT RESOLVED that the Mayor and Aldermen of the City of Milledgeville, Georgia, meeting in formal session, for the reasons and findings stated in the premises hereof, hereby establish a moratorium temporarily suspending all applications for Multi-Family Housing (MR1 and MR2) and Planned Development (PD) rezoning within the City of Milledgeville for an additional period of two (2) months; and

BE IT FURTHER RESOLVED, that the Mayor and Aldermen of the City of Milledgeville, Georgia, meeting in formal session, for the reasons and findings stated in the premises hereof, hereby establish a moratorium temporarily suspending all applications for expansion of the Fraternity/Sorority/Group Residence Overlay and Group Residence Special Exception (Section 4.1.28 of Land Development Code) within the City of Milledgeville's designated Historic District for an additional period of two (2) months; and

BE IT FURTHER RESOLVED, that the City of Milledgeville Building Official and Zoning Administrator shall not accept or continue to process any applications for Multi-Family Housing (MR1 and MR2) and Planned Development (PD) Zoning Changes for properties located in the City of Milledgeville and/or applications for expansion of the Fraternity/Sorority/Group Residence Overlay and Group Residence

Special Exceptions (Section 4.1.28 of Land Development Code) for properties located within the City of Milledgeville's designated Historic District until the expiration of this moratorium; and

BE IT FURTHER RESOLVED, that during the period this moratorium is in effect, the City Manager and staff are directed to continue to review, study and, if necessary, develop recommendations for changes to the City of Milledgeville's Land Development Code and other sections of the City's Code of Ordinances which address the findings and concerns of the Mayor and Aldermen as recited in the premises hereof; and

BE IT FURTHER RESOLVED, this moratorium shall expire on June 27, 2018, unless sooner terminated or extended by formal resolution or ordinance of the Mayor and Aldermen.

PASSED AND ADOPTED THIS 24th Day of April, 2018.

Mary Parham-Copelan, Mayor

ATTEST:

Bo Danuser, Clerk

Motion Mrs. Walden, second Dr. Lee to adopt the resolution as presented.

On vote aye: Mrs. Walden, Dr. Lee, Mr. Mullins and Mr. Chambers. On vote no: Mr. Reynolds. The motion carried and the resolution was adopted as official.

The Clerk read Ordinance O-1804-003 by caption stating that this was the first reading of an ordinance an ordinance amending the ordinance passed and adopted on the 10th day of December, 2002, known as "the land development code of the City of Milledgeville, Georgia", for the purpose of imposing a moratorium temporarily suspending all applications for multi-family residential (MR1 and MR2) rezoning and planned development (PD) rezoning within the City of Milledgeville and temporarily suspending all applications for fraternity/sorority/group residence overlay and group residence special exception (section 4.1.28 of the Land Development Code) within the City of Milledgeville's historic district for a period of six (6) months; and for other purposes.

The ordinance was presented as follows:

ORDINANCE O-1804-003

AN ORDINANCE AMENDING THE ORDINANCE PASSED AND ADOPTED ON THE 10TH DAY OF DECEMBER, 2002, KNOWN AS "THE LAND DEVELOPMENT CODE OF THE CITY OF MILLEDGEVILLE, GEORGIA", FOR THE PURPOSE OF IMPOSING A MORATORIUM TEMPORARILY SUSPENDING ALL APPLICATIONS FOR MULTI-FAMILY RESIDENTIAL (MR1 AND MR2) REZONING AND PLANNED DEVELOPMENT (PD) REZONING WITHIN THE CITY OF MILLEDGEVILLE AND TEMPORARILY SUSPENDING ALL APPLICATIONS FOR FRATERNITY/SORORITY/GROUP RESIDENCE OVERLAY AND GROUP RESIDENCE SPECIAL EXCEPTION (SECTION 4.1.28 OF THE LAND DEVELOPMENT CODE) WITHIN THE CITY OF MILLEDGEVILLE'S HISTORIC DISTRICT FOR A PERIOD OF SIX (6) MONTHS; AND FOR OTHER PURPOSES.

WHEREAS, The Mayor and Aldermen of the City of Milledgeville desire to amend the "Land Development Code of the City of Milledgeville, Georgia" (the "Land Development Code") to provide for a six (6) month moratorium, beginning on the date of adoption of this amendment, for the purpose of temporarily suspending all applications for Multi-Family Residential (MR1 and MR2) rezoning and Planned Development (PD) rezoning within the City of Milledgeville; and temporarily suspending all applications for fraternity/sorority/group residence overlay and group residence special exception (Section 4.1.28 of the Land Development Code) within the City of Milledgeville's Historic District; and

WHEREAS, the City of Milledgeville has experienced substantial growth in Multi-Family Housing (MR1 and MR2) and Planned Development (PD), particularly with respect to the construction of Multi-Family Housing units marketed to students attending higher education institutions located in Milledgeville, which if allowed to continue at the current pace may adversely impact the health, prosperity and general welfare of its citizens and affect the stability and future growth of other land uses and classifications; and

WHEREAS, comparatively dense developments such as multi-family housing, including student housing, have a disproportionate impact on City resources and services (such as water and sewer demands, traffic impacts, public safety demands, etc.) than other forms of residential development; and

WHEREAS, the City of Milledgeville has experienced within its designated Historic District (Chapter 58 of the Code of Ordinances of the City of Milledgeville, Georgia and as delineated on the Official Zoning Map of the City of Milledgeville, Georgia) significant expansion of the Fraternity/Sorority/Group Residence Overlay and Group Residence Special Exception (Section 4.1.28 of Land Development Code); and

WHEREAS, the City's designated Historic District is a valuable resource that is an integral part of the economic well-being of the community and the continued expansion of the Fraternity/Sorority/Group Residence Overlay and Group Residence Special Exception (Section 4.1.28 of Land Development Code) may be adversely impacting the intrinsic neighborhood characteristics, economic stability and future growth of other land uses and classifications within the Historic District; and

WHEREAS, the Mayor and Aldermen are concerned that the health and well-being of the citizens of the City could be negatively impacted by uncontrolled development of multifamily housing; and

WHEREAS, the Mayor and Aldermen consider it paramount that land use regulation continue in the most orderly and predictable fashion with the least amount of disturbance to landowners and to the citizens of the City; and

WHEREAS, the Mayor and Aldermen have always had a strong interest in growth management so as to promote the traditional police power goals of health, safety, morals, aesthetics, and the general welfare of the community; and

WHEREAS, the Mayor and Aldermen also believe that "general welfare" includes the valid public objectives of aesthetics, conservation of the value of existing lands and buildings within the City, making the most appropriate use of resources, preserving neighborhood characteristics, enhancing and protecting the economic well-being of the community, facilitating adequate provision of public services, and the preservation of the resources of the City; and

WHEREAS, the Mayor and Aldermen are, and have been interested in, developing a cohesive and coherent policy regarding certain land uses in the City and seek to promote community development through stability, predictability and balanced growth which will further the prosperity of the City as a whole; and

WHEREAS, this amendment to the City's Land Development Code would maintain the status quo for six (6) months thereby allowing the necessary time needed for the City to complete its fact finding, research, and study in order for the City Manager and staff to make formal recommendations to the Mayor and Aldermen regarding future amendment(s) to the City's Land Development Code and possible amendment(s) to sections of the City's Code of Ordinances to address the findings and issues identified as adversely impacting the City's residential areas, including the Historic District, as well as the City as a whole; and

NOW THEREFORE BE IT ORDAINED by the Mayor and Aldermen of the City of Milledgeville, and it is ordained by authority thereof:

SECTION I.

That the Land Development Code passed and adopted on the 10th day of December, 2002, known as the “Land Development Code of the City of Milledgeville, Georgia”, be and the same is hereby amended by adding a Section 2.15 to Article 2 of the Land Development Code entitled “TEMPORARY MORATORIUM FOR ZONING CHANGE APPLICATIONS FOR MULTI-FAMILY HOUSING (MR1 AND MR2) AND PLANNED DEVELOPMENT (PD)”, to read as follows:

2.15. TEMPORARY MORATORIUM FOR ZONING CHANGE APPLICATIONS FOR MULTI-FAMILY HOUSING (MR1 AND MR2) AND PLANNED DEVELOPMENT (PD)

There is hereby established a moratorium temporarily suspending all applications for Multi-Family Housing (MR1 and MR2) and Planned Development (PD) Zoning Change within the City of Milledgeville for a period of six (6) months from the date of adoption of this Section by the Governing Body. During the pendency of this temporary moratorium the City of Milledgeville Building Official and Zoning Administrator shall not accept or process any Zoning Change applications for Multi-Family Housing (MR1 and MR2) and Planned Development (PD). Without further action by the Governing Body this Section 2.15 shall become null and void and of no further force and effect on December 27, 2018.

SECTION II.

That the Land Development Code passed and adopted on the 10th day of December, 2002, known as the “Land Development Code of the City of Milledgeville, Georgia”, be and the same is hereby amended by adding a Section 2.16 to Article 2 of the Land Development Code entitled “TEMPORARY MORATORIUM FOR ZONING CHANGE APPLICATIONS FOR EXPANSION OF THE FRATERNITY/SORORITY/GROUP RESIDENCE OVERLAY AND GROUP RESIDENCE SPECIAL EXCEPTION (SECTION 4.1.28 OF LAND DEVELOPMENT CODE) FOR PROPERTIES LOCATED WITHIN THE CITY OF MILLEDGEVILLE’S DESIGNATED HISTORIC DISTRICT”, to read as follows:

2.16. TEMPORARY MORATORIUM FOR ZONING CHANGE APPLICATIONS FOR EXPANSION OF THE FRATERNITY/SORORITY/GROUP RESIDENCE OVERLAY AND GROUP RESIDENCE SPECIAL EXCEPTION (SECTION 4.1.28 OF LAND DEVELOPMENT CODE) FOR PROPERTIES LOCATED WITHIN THE CITY OF MILLEDGEVILLE’S DESIGNATED HISTORIC DISTRICT

There is hereby established a moratorium temporarily suspending all applications for expansion of the Fraternity/Sorority/Group Residence Overlay and Group Residence Special Exception (Section 4.1.28 of Land Development Code) for properties located within the City of Milledgeville's designated Historic District for a period of six (6) months from the date of adoption of this Section by the Governing Body. During the pendency of this temporary moratorium the City of Milledgeville Building Official and Zoning Administrator shall not accept or process any Zoning Change applications for expansion of the Fraternity/Sorority/Group Residence Overlay and Group Residence Special Exception (Section 4.1.28 of Land Development Code) for properties located within the City of Milledgeville's designated Historic District. Without further action by the Governing Body this Section 2.16 shall become null and void and of no further force and effect on December 27, 2018.

SECTION III.

Any and all provisions of the Land Development Code in conflict with this Ordinance shall be temporarily suspended and of no force and effect during the six (6) month period of the moratoriums established pursuant to Sections 2.15 and 2.16 of the Land Development Code as set forth in Sections I and II of this Ordinance.

SECTION IV.

A determination of the invalidity or unconstitutionality by a court of competent jurisdiction of any clause, sentence, paragraph, subsection or part of this ordinance shall not affect the validity of the remaining parts of this ordinance.

FIRST READ this 24th day of April 2018.

Mary Parham-Copelan, Mayor

ATTEST:

Bo Danuser, Clerk

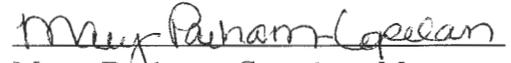
Mayor Parham-Copelan stated that this was a first reading and assigned the ordinance to the Planning and Zoning Commission.

Mayor Parham Copelan asked if there were any alcohol license applications or appointments. The Clerk responded that there were none.

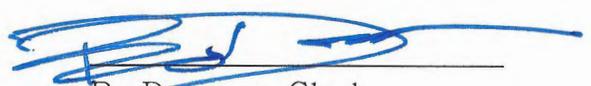
Mayor Parham-Copelan stated that this concluded the items on the agenda.

Motion Mrs. Walden, second Mr. Mullins to adjourn.

The meeting was adjourned at 6:43 PM.


Mary Parham-Copelan, Mayor

ATTEST:


Bo Danuser, Clerk