

**JUNE 05, 2017
CITY OF SENOIA
MEETING OF MAYOR AND COUNCIL
505 HOWARD ROAD
7:00 PM**

VISITORS: David & Suzanne Pengelly, Mary Provost, Sarah Campbell, Michael & Andrianna Rimi, Steve Wootie, Elizabeth & Charlotte Roiret, Cynthia & Idaliz Russe, Dave Buck, Bill Tyre, Julie Brown, Jenny Bryant, Jimmy Braswell, Shiraq Patel, Jennifer Wood, Harvel Walker, Cindy Owens, Regina & Randy Yawn, Tom Malone, Toni McAllister, John Thompson, Shirley & Tommy Davis, Linda Loomis, Luke & Lindsey Tyler, Jim Schuyler and William Pearman.

FULL COUNCIL PRESENT

1. CALL TO ORDER/WELCOME VISITORS

Mayor Owens called the meeting to order and all stood for the Pledge of Allegiance. Mayor Owens then declared this to be an open meeting duly convened under the Open Meetings Law after receiving confirmation from the City Clerk that all legal requirements have been met.

2. PUBLIC HEARING-REQUEST BY O'REILLY FOR VARIANCE ON SIDE SETBACKS- 8248 HWY 16

A. Comments from Applicant

Representing O'Reilly Auto, Jimmy Braswell is asking Council to approve a 2 foot side setback for the planned development of O'Reilly Auto Parts at 8248 Highway 16.

B. Comments from Community Development Director

Community Development Director Dina Rimi stated that the 2 foot difference in the setback is on the back of the building facing unincorporated Coweta and will decrease the setback from 50 foot to 48.

C. Comments from Public-None

D. Council Comment and Action

Mayor Owens made motion to approve the variance for a decrease in the side setback to 40 feet & was 2nd by C. Grover. Motion carried unanimously.

3. APPROVAL OF MAY 15, 2017 CITY COUNCIL MEETING MINUTES

C. Graham made motion to approve the May 15 2017 City Council minutes as presented & was 2nd by C. Eichorst. To approve motion was 4-0-1 (Mayor Owens absent from meeting).

Mayor Owens noted that the agenda has been amended for the addition of Executive Session

4. CLAIMS AGAINST THE CITY-Executive Session under O.C.G.A. §50-13-2 Potential Litigation

Mayor Owens made motion to return to regular session & was 2nd by C. Fisher. To approve motion: Owens, Graham, Eichorst, Fisher and Grover

5. ADMINISTRATIVE/FISCAL MATTERS**A. Approve FY 2016 Budget Amendments**

City Manager Harold Simmons reviewed the budget amendments necessary for 2016 and after short discussion, Mayor Owens made motion to approve the budget amendments as presented for FY 2016. Motion was 2nd by C. Grover and carried unanimously.

B. Municode Website Agreement

City Manager Harold Simmons reminded all that currently the City uses 11-Fingers to handle our website however he is recommending that we change to Municode Corp. With Municode, Mr. Simmons stated that the initial cost will be \$5,500 for the development and all training provided so that administration and staff can interact with the site in house, no longer having to use a third party when changes to the site are necessary. C. Eichorst reviewed the proposal and asked why 4 months to complete. Mr. Simmons stated that this will allow a 90-day notice to 11-Fingers and time to build the site. C. Fisher made motion to approve the Municode website agreement as presented & was 2nd by C. Eichorst. Motion carried unanimously.

6. UNFINISHED BUSINESS-None**7. NEW BUSINESS****A. Suzanne Pengelly - APPEAL - Denial of Special Event Permit**

Mayor Owens made motion to offer Ms. Pengelly the Special Event Permit for an Open Air Market as applied for on July 15th only. Motion was 2nd by C. Eichorst and vote to approve was 4-1 with C. Graham against. Ms. Pengelly stated that this is absurd, as she had asked to hold the event on July 15th, again in August, October and November. City Attorney Andrew Whalen stated that the City has only received 1 permit for July 15th and was told by Ms. Pengelly that she applies individually. Ms. Pengelly stated that she has received thru an open records request special event permits and no one has been treated as she has, adding that on any given weekend there are bike rides and such taking place in the City. Mr. Whalen reminded Ms. Pengelly that hers is not a special event but an open air market and according to ordinance, these cannot take place on an unapproved lot. C. Grover stated that no matter how events unfolded in the past, everyone will be handled in the same manner from this point forward. Ms. Pengelly then informed all that she will bring to Council's attention complaints on every unapproved lot in the City that is being utilized in the same manner and also wants to see Council abide by their own Ordinances. Mayor Owens then made motion to place a Moratorium not to exceed 4-months on all outdoor markets held on unapproved lots. Motion was 2nd by C. Fisher and carried unanimously.

B. Railroad Outdoor LLC- Appeal of the City's denial of Sign Permit application.

City Attorney Andrew Whalen will check with the appellate to see if they are available Monday, June 19th at 6:30 to hear their appeal.

8. APPEARANCES FROM THE FLOOR

Toni McAllister and Jenny Bryant of C.A.S.A asks that Council approve their annual 10K fundraiser scheduled for November 4th. Chief Edens stated that the plan is the same as last year

and sees no issues. Mayor Owens made motion to approve the 10K C.A.S.A. race scheduled for Saturday, November 4th & was 2nd by C. Grover. Motion carried unanimously.

9. ANNOUNCEMENTS

- Thank the DDA and all the volunteers for their hard work on making the Memorial Day Celebration and Fireworks a success.
- Burn Ban May 1st thru September 30, 2017
- All interested in serving on the Historic Preservation Commission are to submit letters of interest to Community Development Director Dina Rimi.
- Mayor and Council extend their condolences to Ellis Crook and Family on the passing of Patricia "Miss Pat" Crook.

10. ADJOURN

Mayor Owens made motion to adjourn the June 5, 2017 City Council meeting & was 2nd by C. Fisher. Motion carried unanimously.

Respectfully submitted,

Larry M. Owens, Mayor

Debra J. Volk, City Clerk