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**REGULAR COUNCIL MEETING**

**FEBRUARY 16, 2021**

**7:00 P.M.**

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## **CALL TO ORDER**

Mayor Piper called the meeting to order at 7:00 p.m.

## **Roll Call**

Present: Mayor Piper and Council Members Lyle, McCormic, Thrasher, Venable and Crawley.  
Also Present: Sandra Bennett, City Clerk; Jody Campbell, City Attorney and Jerry Weitz, City Planner.

## **PLEDGE OF ALLEGIANCE**

Mayor Piper led the Pledge of Allegiance and thanked everyone who has or does serve the armed forces and their families.

**CITIZEN INPUT:** Citizen input during Regular City Council Meetings is only for items that are listed on that evening's agenda. City Council's Work Session Meetings are open for citizen input. Time limit per citizen input is up to five minutes per city code Section 2-20 (7).

None.

## **VOTING ITEMS**

Jerry Weitz presented his recommendations for the Variance requests, and made the following staff recommendations:

**V-21-01** be approved with conditions:

- A. That streets be accepted with no curb and gutter due to their connection on both ends to preexisting public streets.
- B. Two bonds would be required (City council voted in 2007 that bonds were to be required):
  - i. General Maintenance Bond for roads; and
  - ii. Performance Bond for golf cart paths and sidewalks. The paths and sidewalks would be completed with a 75% build out, or two years from start, whichever is later.

**V-21-02** be approved with conditions:

- A. Prior to final plat approval, the owner/developer's civil engineer will determine a highest water elevation (mean sea level) from flooding within the subdivision boundaries based on existing conditions. Such elevation shall be indicated by note or line on the final plat.
- B. Dwellings shall be required to be constructed with a finished floor elevation that is a minimum of 2 feet above the highest water elevation (mean sea level) from flooding shown on the final plat. To obtain a certificate of occupancy any dwelling in the subdivision will be required to

demonstrate that the finished floor elevation complies with this requirement. A note to this effect shall be required on the final plat.

- C. Any lot with a structure that would be required to be elevated per condition number 2 will require a Compaction Certification Letter.

### **V-21-03**

- A. The City will not accept any retention pond or body of water outside of road runoff.

Abe Abouhamdan President and CEO of Abe Consulting, Inc., and representative of Ellington Farms Development Partners, LLC., spoke that all those conditions could and would be meet.

Councilmember Lyle asked for the vote be tabled, and she thought there was an abandoned road located on the property which should be investigated before a vote was taken. Lyle asked that it be tabled to the Work Session on March 4, 2021 for discussion, then added to the Regular Meeting agenda on March 16, 2021 for a vote.

Debi Krause, owner of an easement which goes through Ellington Farms property and referenced by Councilmember Lyle, stated it was an easement and not abandoned road, and does not affect the Ellington Farms development.

1. **V-21-01** Abe Consulting, Inc., applicant, Ellington Farms Development Partners, LLC, property owner, seek a variance from the terms of Chapter 3.06, “Conservation Subdivision Overlay District,” Sec. 3.06.003, “Requirements” and Chapter 4.01, Standards, Specifications and Improvements,” Sec. 4.01.002 “Curb, Gutter, and Drainage Requirements” of the Zoning Ordinance of the City of Statham to waive the requirements for curb and gutter on streets within the proposed Ellington Farms Subdivision (Map/Parcels ST02/020, ST02/021, and ST02/028) (16.696 acres fronting on the south side of Sunset Drive and the northwest and southeast sides of Lillian Way). Current zoning is SR-1, Suburban Residential per the Unified Development Code. Prior zoning under the zoning ordinance governing development at the time was R-1, Single-family Residential District, (Low Density) conservation subdivision overlay district.
2. **V-21-02** Abe Consulting, Inc., applicant, Ellington Farms Development Partners, LLC, property owner, seek a variance from the terms of the Chapter 3.04, “Water Supply Watershed,” [Barber Creek] Sections 3.04.003 “Impervious Surface Limitations” and 3.04.004, “Vegetative Buffers,” of the Zoning Ordinance of the City of Statham (now Article 4 Statham Unified Development Code) to waive the requirements for stream buffers and impervious surface setbacks within the proposed Ellington Farms Subdivision (Map/Parcels ST02/020, ST02/021, and ST02/028) (16.696 acres fronting on the south side of Sunset Drive and the northwest and southeast sides of Lillian Way). Current zoning is SR-1, Suburban Residential per the Unified Development Code. Prior zoning under the zoning ordinance governing development at the time was R-1, Single-family Residential District, (Low Density) conservation subdivision overlay district.
3. **V-21-03** Abe Consulting, Inc., applicant, Ellington Farms Development Partners, LLC, property owner, seek a variance from the terms of Chapter 3.06, “Conservation Subdivision

Overlay District,” Sec. 3.06.003, “Requirements” of the Zoning Ordinance of the City of Statham to reduce the open space requirement from 33% to that provided on preliminary plat for the proposed Ellington Farms Subdivision (Map/Parcels ST02/020, ST02/021, and ST02/028) (16.696 acres fronting on the south side of Sunset Drive and the northwest and southeast sides of Lillian Way). Current zoning is SR-1, Suburban Residential per the Unified Development Code. Prior zoning under the zoning ordinance governing development at the time was R-1, Single-family Residential District, (Low Density) conservation subdivision overlay district.

Councilmember Lyle made a motion to table V-21-01, V-21-02 and V-21-03 to investigate the “abandoned road”. Councilmember Thrasher seconded, and the motion passed unanimously.

4. **Water and Sewer Rates:** To approve an amendment to the Water and Sewer Rate Increase that was approved by Council at the March 17, 2015 Regular Meeting which increased water and sewer rates by 5% annually. The amendment is to permit the Mayor and Council to review water and sewer rates from time to time as recommended by staff to determine rates.

Councilmember Crawley made the motion to approve the amendment to the Water and Sewer Rate Increase. Councilmember Venable seconded, and the motion passed unanimously.

5. **Ethics Committee:** To approve recommendations for open seats of the Ethics Committee.

Mayor Piper recommended Joan Hammons as a member of the Ethics Committee, and Councilmember Crawley recommended Debi Krause.

Councilmember Crawley made a motion to approve the two recommendations to the Ethics Committee. Councilmember McCormic seconded, and the motion passed unanimously.

6. **Tree & Beautification Committee:** To approve recommendations for open seats to the Tree & Beautification Committee.

Councilmember McCormic made the motion to approve the following members to the Tree & Beautification Committee: Dwight McCormic as Chairman, Gary Venable, Christine Bogenrieder, Kurt Bogenrieder, Jessica Crook, Lee Patterson and Shannon Patterson. Councilmember Venable seconded, and the motion passed unanimously.

7. **O-21-01 Trees and Tree Care Standards Ordinance:** Second reading. To amend the existing Tree Ordinance to create terms of office for members of the Tree Committee; to an effective date; to correct section numbering to integrate with the existing Code of Ordinances, and for other purposes.

Councilmember Venable made a motion to amend the Tree Ordinance to create terms of office for members; to establish an effective date; to correct section numbering; and for other purposes. Councilmember Crawley seconded and the motion passed unanimously.

8. **City Annex:** At the request of Councilmember McCormic - to approve the Mayor and staff to solicit professional service proposals for an engineering firm and/or architectural firm for an expansion of Statham City Hall and Public Works building renovations.

Councilmember McCormic made a motion to approve the Mayor and staff to solicit professional services for proposals on the expansion of Statham City Hall and the renovation of the Public Works building.

Mayor Piper stated there are to be no contracts signed or money spent on this project as neither are budgeted items. City Attorney Jody Campbell indicated that the solicitation for bids was simply to gather information so that the engineering and architectural work could be included in the 2021-2022 budget discussions.

Councilmember Lyle seconded and the motion passed unanimously.

9. **Restoring the Statham Police Department K-9 Unit:** At the request of Councilmember Venable – to approve the Mayor and staff to purchase a no-bite K-9 for the police department from Valhall K-9; a “not to exceed” dollar amount for the purchase of the K-9, its training and other related expenses; and to approve what department and line item(s) the unbudgeted expense(s) will be reallocated from in FY21.

- A. Chief Underwood, Officer Russo, and a representative from Valhall K-9 to speak about restoring the K-9 Unit and the purchase of a no-bite K-9 dog.

Chief Underwood introduced Matthew Palm, representative of Valhall K9, to explain or answer any questions regarding the purchase of a non-bite K-9 dog. Mr. Palm detailed what the cost of the K-9 included, such as equipment, training and veterinary care of the K-9.

Councilmember Venable made a motion to approve the purchase of a K-9 non-bite dog for \$12,500, and for the FY21 following police department budgeted line items to be reduced and amended to offset the cost of the K-9: account number 100-320-54220 Vehicles, to reduce by \$8,000; and account number 100-320-57900 Contingency to be reduced by \$4,500 for an amended total of \$12,500. Councilmember Crawley seconded the motion, and the motion passed unanimously.

## **MINUTE APPROVAL**

1. February 4, 2021 Public Hearing & Work Session Minutes

Councilmember Venable made a motion to approve the minutes from the February 4, 2021 Work Session. Councilmember Crawley seconded, and the motion passed unanimously.

## **ADJOURN**

At 8:02 p.m., Councilmember Venable made a motion to adjourn the meeting. Councilmember Crawley seconded, and the motion passed unanimously.