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**REGULAR MEETING**

**MARCH 16, 2021**

**7:00 P.M.**

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### **CALL TO ORDER**

Mayor Piper called the meeting to order at 6:30 p.m.

Roll Call

Present: Mayor Piper and Councilmembers Lyle, McCormic, Thrasher, Venable and Crawley.

Also present: Sandra Bennett, City Clerk and Jody Campbell, City Attorney

### **PLEDGE OF ALLEGIANCE**

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

**CITIZEN INPUT** - None

### **VOTING ITEMS**

1. **O-21-03 No Parking Rules Ordinance:** Second reading. AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF STATHAM GEORGIA, BY REPEALING AND REPLACING ARTICLE I "TRAFFIC AND VEHICLES," CHAPTER 66, SECTION 66-4, BY ESTABLISHING A NEW SECTION 66-4 "NO PARKING RULES;" TO PROVIDE FOR RULES FOR PARKING; TO PROVIDE FOR RULES FOR ANY VEHICLE TO STAND, STOP OR PARK IN SPECIFIC PLACES; TO PROVIDE RULES FOR OVERNIGHT PARKING; TO REPEAL CONFLICTING CODE PROVISIONS, ORDINANCES OR PORTIONS THEREOF IN CONFLICT WITH THE FOREGOING; TO ESTABLISH AND EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Councilmember Venable made a motion to approve O-21-03 No Parking Rules. Councilmember McCormic seconded the motion. Councilmembers Venable, McCormic, Thrasher and Crawley voted in favor of O-21-03, and Councilmember Lyle opposed. The motion passed 4-1.

2. **O-21-02 City Council Meetings and Agendas Procedure Ordinance:** Second reading. AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF STATHAM GEORGIA, BY REPEALING AND REPLACING ARTICLE II, DIVISION 1, SECTIONS 2-10 AND 2-20, BY ESTABLISHING A NEW SECTION 2-10 "RULES OF PROCEDURE;" TO PROVIDE FOR RULES OF PROCEDURE FOR MEETINGS HELD BY THE CITY COUNCIL; TO PROVIDE CODE OF CONDUCT FOR CITY COUNCIL MEMBERS, CITY STAFF, CITIZENS AND OTHER VISITORS; TO PROVIDE DUTIES AND PRIVILEGES OF CITY COUNCIL MEMBERS; TO PROVIDE FOR CHAIRPERSON DUTIES AND

RESPONSIBILITIES; TO PROVIDE FOR ORDER OF BUSINESS; TO PROVIDE RULES FOR CITIZEN INPUT; TO PROVIDE FOR CONSIDERATION OF ORDINANCES, RESOLUTIONS AND MOTIONS; TO REPEAL CONFLICTING CODE PROVISIONS, ORDINANCES OR PORTIONS THEREOF IN CONFLICT WITH THE FOREGOING; TO ESTABLISH AND EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Councilmember Venable made a motion to approve O-21-02 with conditions of requiring one councilmember only to request an item to be added to the agenda. Councilmember McCormic seconded the motion, but stated he was not in favor. Councilmember Venable voted to approve O-21-02. Councilmembers Thrasher, Lyle, Crawley and McCormic voted no. The motion was denied with a 4-1 vote.

3. **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.

Councilmember Venable made a motion to approve V-21-01 with the following conditions: 1) The streets be accepted with no curb and gutter due to their connection on both ends to preexisting public streets, and 2) Bonds required: general maintenance bond for roads and a 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.

Councilmember Crawley seconded the motion.

Councilmembers Venable, Crawley and McCormic voted to approve V-21-01 with the conditions. Councilmembers Lyle and Thrasher voted no. The variance with conditions was approved 3-2.

4. **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.

Councilmember Venable made a motion to approve V-21-02 with the following conditions: 1) 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; 2) The dwellings shall

be required to be constructed with a finished floor elevation that is a minimum of two (2) feet above the highest water elevation (mean sea level) from flooding shown on the final plat; 3) 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, and 4) Any lot with a structure that would be required to be elevated per condition number 2 will require a Compaction Certification Letter.

Councilmember Crawley seconded the motion.

Councilmembers Venable, Crawley and McCormic voted to approve V-21-02 with the conditions. Councilmembers Lyle and Thrasher voted no. The variance with conditions was approved 3-2.

5. **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 Venable made a motion to approve V-21-03. Councilmember Crawley seconded the motion. Councilmembers Venable, Crawley and McCormic voted to approve V-21-03. Councilmembers Lyle and Thrasher voted no. The motion was approved 3-2.

6. **Z-21-01 Rezone:** Land Planners, LLC, applicant and property owner, by David Johnson, seeks to rezone 11.60 acres fronting on the north side of Dooley Town Road 655 feet northeast of Atlanta Highway (Map/Parcels ST01/004, ST01/005, and ST01/006) from SR-1, Suburban Residential 1 District to LI, Light Industrial District. Proposed use: office, storage and repair of equipment, welding and fabrication.

Councilmember Crawley made a motion to approve Z-21-01. Councilmember Thrasher seconded, and the motion passed unanimously.

7. **Bank OZK Accounts:** To authorize the Mayor to update the signers for the following bank accounts: Seized Funds Account, Forfeiture Account and Shop with a Cop Account; to authorize the Mayor to close the Library Account and place the ending balance of \$656 into the General Government Account, and to close the SPLOST (2006) and place the ending balance of \$47,656 into the Government Account as the funds remaining from SPLOST 2006 were budgeted in FY20 for sidewalk and crosswalk repairs, and such repairs have been completed and allocated accordingly.

Councilmember Venable made a motion to table the Bank OZK Accounts transfer and closure. Councilmember McCormic seconded the motion, and the motion passed unanimously.

8. **Proclamation - Month of April as Safe Digging Month:** To authorize the Mayor to sign a proclamation declaring the month of April as "Safe Digging Month," and to help educate the public about the importance and safety of calling Georgia 811 before digging.

Councilmember McCormic made a motion to approve the Mayor to sign the proclamation. Councilmember Crawley seconded the motion, and the motion passed unanimously.

**MINUTE APPROVAL**

1. March 4, 2021 City Council Work Session Meeting Minutes

Councilmember McCormic made a motion to approve the minutes from the March 4, 2021 City Council Work Session Meeting with the change of councilmembers Thrasher and Lyle’s voting to adjourn the meeting instead of not voting. Councilmember Thrasher seconded the motion, and the motion passed unanimously.

**ADJOURN**

At 7:24 p.m. Councilmember Crawley made a motion to adjourn the meeting. Councilmember Thrasher seconded, and the motion passed unanimously.

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Mayor Joe Piper

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Sandra Bennett, City Clerk

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Date (seal)

