



CALL TO ORDER – Mayor Piper called the meeting to order at 6:34 p.m.

Roll Call

Present: Mayor Piper and Councilmembers Krause, Patterson, Penn, and Venable.

Also Present: City Attorney Jody Campbell, City Clerk Ashya Fambrough, and PD Personnel.

Absent: Councilmember Thrasher

PLEDGE OF ALLEGIANCE- Mayor Piper led the Pledge of Allegiance and thanked all the Veterans and their families for their service.

MINUTE APPROVAL

1. April 18, 2023 Regular Meeting (Provided to Council April 20, 2023)

Councilmember Krause made a motion to approve the April 18, 2023 Regular Meeting Minutes. Councilmember Patterson seconded the motion and the motion passed unanimously.

REPORTS

1. Finance Department
2. Police Department
3. Public Works Department

Mayor Piper reviewed the Revenue and Expenditure Report, the Police Report, and the Public Works Report.

PRESENTATIONS

1. **Sherri Bailey, GMA**- Mayor Piper stated that there was no need at this time for Sherri Baily to come and she will make herself available to the city, if necessary, at a later date.
2. **Rick Controy, EnviroSpark**- Rick Controy reviewed the options and services available through EnviroSpark for auto charging stations. The potential locations would be one in front of City Hall and two near the Veteran’s Memorial. L2 chargers take 4-5 hours for a full charge a battery and L3 chargers take around 25 minutes to fully charge a battery. Users are billed \$2 per hour. There are options to buy out right or to lease and varying service plans as well.

NEW BUSINESS

1. **O-23-04: *First reading.* AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF STATHAM, GEORGIA, ARTICLE 13, “ZONING AMENDMENTS AND PROCEDURES,” DIVISION I, “TEXT AMENDMENTS” TO ADD A NEW SECTION 13-107, “SPECIAL NOTICE AND PROCEDURAL REQUIREMENTS FOR CERTAIN RESIDENTIAL ZONING DECISIONS;” TO AMEND ARTICLE 13, “ZONING AMENDMENTS AND PROCEDURES,” DIVISION II, “AMENDMENT TO THE OFFICIAL ZONING MAP (REZONING),” TO ADD A NEW SECTION 13-215, “SPECIAL NOTICE AND PROCEDURAL REQUIREMENTS FOR CERTAIN CITY- INITIATED RESIDENTIAL REZONINGS;” TO AMEND ARTICLE 13, “ZONING AMENDMENTS AND PROCEDURES,” TO ADD DIVISION VI, “APPEALS;” TO AMEND ARTICLE 14, “VARIANCES AND APPEALS,” DIVISION I, “VARIANCES,” SECTION 14-115, “FINALITY AND LEGAL RECOURSE;” TO AMEND ARTICLE 15, “SUBDIVISION OF LAND,” DIVISION II, “GENERAL PROVISIONS,” SECTION 15-206, “CREATION OF HOMEOWNER’S ASSOCIATION;” TO ESTABLISH AN EFFECTIVE DATE; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR CODIFICATION, AND FOR OTHER PURPOSES**

City Attorney Jody Campbell explained that the ordinance would bring the city current with newly enacted state zoning code for the appeals process and it will require new developments to have an HOA with covenants that cap rentals at 10% with a 5% hardship waiver. This will go into the plat approval process. There were no other comments or discussion.

2. **Baba Sai, Inc. Alcohol License Extension:** To approve Baba Sai, Inc., Niko Patel, applicant and owner, an extension ending December 31, 2023, for the selling date of licensed products for the purpose of building construction. Per the December 21, 2021 Regular Council Meeting Minutes, a condition for approval of the alcohol license application stated in the event building construction was delayed, the applicant must return to Council and ask for an extension of the selling license. An extension was granted on October 6, 2022 and the license was renewed in December 2022 for the 2023 year. Prior to year ending 2023, Baba Sai, Inc. will apply for their alcohol license renewal for the year 2024 and requests an extension for the selling date of licensed products for the purpose of building construction completion.

No questions or comments.

3. **D. R. Horton:** seeking consideration for the release of twenty (20) additional building permits prior to the completion of the amenity and relief from the note #28 of the Recorded Final Plat that calls for the common area amenity shown on the final plat ... be developed as required prior to the issuance of the 42nd building permit.

City Attorney Jody Campbell reviewed that the plat calls for the completion of the amenity area before the 42nd permit can be issued. Tiffany Hogan, Forward Planning

Manager with D.R. Horton was present. She explained that the amenity area is expected to be completed mid-June and receiving the additional 20 permits will allow construction to continue without delays. The amenity area will be completed before the completion of the additional 20 homes. There were no other questions or comments.

- 4. United Rentals:** to approve the signing of the one (1) year rental contract with United Rentals for an 8' by 40' ground level office.

Mayor Piper explained that it will take some time to empty the Public Works building out and that the storage container will house everything removed from the building. The container will be placed in the grass along the side of City Hall. The quote is for 12 months at \$825.00 per month. Councilmember Penn asked for clarification on if it would have a temperature monitor. City Attorney Jody Campbell explained that it is simply a quote and the city will be billed monthly and can stop at any time.

- 5. O-23-05: *First reading.* An Ordinance to Convert Vacation and Sick Time to PTO**

City Attorney Jody Campbell explained that this is to correct a prior mistake in the adoption of the policy and the change will be retroactive. Councilmember Venable read the policy excerpt that explains that former employees forfeit their converted time as already stated in the policy. City Attorney Jody Campbell confirmed.

- 6. R-23-01: A Resolution of the Council Requesting Resignation of the Mayor**

Councilmember Patterson read a statement prepared by the council. In summary, the decision to present this resolution was not an easy decision and generally agree that when an elected official is voted in, they should serve but this is necessary due to a lack of trust in the elected official over the last two months. Councilmember Penn read resolution R-23-01: A Resolution of the city council of the city of Statham requesting that Mayor Joe Piper resign from office and that a special election be held to fill the remainder of the unexpired term. The grievances outlined in the resolution are the termination and execution of an Agreement and Full Release of Claims without prior review by City Attorney Jody Campbell as well as statements made to news media that were inaccurate or susceptible to misrepresentation. Powers would be relinquished to the Vice Mayor. There were no other questions or comments.

CITIZEN INPUT

- Cheryl Venable completed her response to a letter from April Stephens dated March 10, 2023. She stated that she stepped down because of disrespect from Mayor Piper and that she stands with the council in calling for the mayor's resignation.
- Christine Bogenrieder stated that she stands with the council in calling for the mayor's resignations due in large part to the inaction of the mayor to complete approved projects.

- Rudy Krause spoke on the financial state of the city and that it may be impossible for the city to recover. He stated that the mayor pushed for the Truck Stop and it ended in litigation and the city is going to face more litigation.
- Janel Piper spoke on meanness and bullying in the city. She stated that private matters have been made public as well as rumors, untruths, and that the council is not judge and jury. She stated that none of the council is qualified to take over and the mayor is able to do the job but will not follow their agenda.
- Cathy Bennett asked the mayor how he will be able to be an effective Mayor when council and other citizens have asked for his resignation moving forward. Mayor Piper stated that the council does not talk to him and they meet as a group and make decisions without him. He stated he made a mistake but had a discussion with City Attorney Jody Campbell. He stated he did not speak to the council about the situation. Lastly, she stated that she finds it difficult to believe he can be effective and that there is a level of distrust and many people who do not want him to be mayor.

ADJOURN

At 7:49 p.m. Mayor Piper asked for a motion to adjourn the meeting. Councilmember Venable made a motion to adjourn. Councilmember Penn seconded the motion and the motion passed unanimously.