

CITY OF STATHAM

MINUTES

Statham City Hall

327 Jefferson Street, Statham, GA 30666



REGULAR MEETING – May 16, 2023

7:00 P.M.

CALL TO ORDER – Mayor Piper called the meeting to order at 7:01 p.m.

Roll Call

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

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

Phone In: Councilmember Patterson

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

MINUTE APPROVAL

1. May 4, 2023 Work Session (Provided to Council May 9, 2023)

Councilmember Venable made a motion to approve the May 9, 2023 Work Session Minutes.

Councilmember Krause seconded the motion and the motion passed unanimously.

VOTING ITEMS

1. **To approve the sale of 330 Jefferson St.** To accept the bid offer and sale of 330 Jefferson St. The building was auctioned on May 15, 2023 by Classic Realty and Auction Co.

City Attorney Campbell noted that he has reviewed the document. Councilmember Penn asked that the document be initialed where a change was made. Auctioneer for the sale Bruce Miller noted that the change was made prior to the document being signed. Councilmember Penn made a motion to approve the sale of 330 Jefferson St. for the sale price of \$162,000. Councilmember Thrasher seconded the motion and the motion passed unanimously.

2. **O-23-04: *Second 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 Campbell reviewed the document. Councilmember Venable made a motion to approve ordinance O-23-04 with all instances of “Arcade” being corrected to “Statham.” City Attorney Campbell stated that he has emailed out a corrected copy to be signed. Councilmember Penn seconded the motion and the motion passed unanimously.

- 3. 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.

Niko Patel was present to answer any questions. Councilmember Venable made a motion to approve the extension to December 31, 2023. Councilmember Penn seconded the motion and the motion passed 4-1 with Councilmember Thrasher voting no.

- 4. 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.

Tiffany Hogan was present to answer any questions. Councilmember Venable made a motion to deny additional permits. Councilmember Patterson seconded the motion and the motion passed unanimously.

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

Councilmember Thrasher asked for clarification on pricing options available. Councilmember Krause asked how often the plotter is used. Mayor Piper stated that it varies based on the number plat of copies that are submitted. Councilmember Venable stated that the proposed location is an issue. Mayor Piper stated that the unit will need access to power. Councilmember Krause asked if off site rentals had been considered. She stated that it looks like most things in the building can be thrown out. Mayor Piper noted that there is a retention schedule for what records can be destroyed and when. Councilmember Penn made a motion to table this item and have a Special Called Meeting on Wednesday, May 24, 2023, at 6 PM to further discuss. Councilmember Krause seconded the motion and the motion passed unanimously.

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

Councilmember Venable made a motion to approve ordinance O-23-05. Councilmember Patterson seconded the motion and the motion passed unanimously.

- 7. Corrective Action Plan for FY22:** To approve the signing of the Corrective Action Plan for FY22 that addresses findings included in the various auditor's reports prepared as a result of complying with the Federal and State Audit laws.

Councilmember Krause made a motion to approve the FY22 Corrective Action Plan. Councilmember Penn seconded the motion and the motion passed unanimously.

- 8. Agreement for Zoning Administration and Current Planning Services:** To approve the mayor to sign an agreement with Jerry Weitz & Associates, Inc., for various planning and zoning duties.

City Attorney Campbell reviewed the agreement. Mayor Piper noted the Bureau Veritas will do the smaller planning and zoning items. Councilmember Venable made a motion to approve the signing of the agreement. Councilmember Penn seconded the motion and the motion passed unanimously.

- 9. GIRMA Renewal:** To approve the mayor to sign the City's 2023-2024 property and liability insurance policy with GIRMA for the total amount of \$97, 688.

City Attorney Campbell has reviewed the policy. Councilmember Venable made a motion to approve the signing of the renewal contract. Councilmember Krause seconded the motion and the motion passed unanimously.

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

Councilmember Penn made a motion to approve resolution R-23-01. Councilmember Patterson seconded the motion. Mayor Piper stated that he did seek advise from City Attorney Campbell and only failed to have the document reviewed. He stated that council wanted April gone and are still unhappy. He stated that he asked for impact fees and water independence that were never approved. He stated that the council violates the Open Meetings Act and lastly that the resolution is unjust, misplaced, and nonbinding. The motion passed unanimously.

ADJOURN

At 7:35 p.m., Mayor Piper asked for a motion to adjourn the meeting. Councilmember Penn made a motion to adjourn. Councilmember Krause seconded the motion and the motion passed unanimously.