

August 14, 2023

The Regular Meeting of the Mayor and Council of the City of Madison was held on Monday, August 14, 2023, at 5:30 PM at the City of Madison Public Safety Building Meeting Hall, located at 160 N Main Street, Suite 400. Present were the following: Mayor Fred Perriman, Mayor Pro Tem Rick Blanton, Council Members Eric Joyce, Carrie Peters-Reid, Ed Latham, and Betsy Wagenhauser. Staff: City Manager John Klimm, City Clerk Ashley Hawk, Planning Director Monica Callahan, Finance Officer Karen Stapp, Information Officer Ken Kocher, Planner Bryce Jaeck, and Attorney Jay Crowley. The meeting was called to order by Mayor Perriman who welcomed those in attendance. The opening prayer and Pledge of Allegiance were led by members of the council.

Approval Of Minutes Of Previous Meeting(S)

Blanton moved to approve the minutes of the regular meeting on June 12, 2023, called meeting of June 21, 2023, work session and called meeting of June 28, and called meeting of July 14, 2023, pending the vote totals on July 14, 2023 be amended to the following, (3:0) as Joyce and Wagenhauser were absent. Latham seconded. Approved, vote unanimous (5:0).

Zoning Hearings

Diversity, Equity and Inclusion Award Presentation

Freddie Broom, a representative of GMA, presented the Diversity Equity and Inclusion Certification to Council Member Carrie Peters-Reid and Mayor Fred Perriman.

Presentation - Operational Audit for City of Madison Fire Department (MFD)

Fire Chief Brooks Pennington said the MFD must be proactive and not reactive and therefore MRI was invited into the department and perform an operational department audit. He hopes that the report will provide back up to what is already known, that we have a great department but the city is growing.

Brian Duggan and Ray Gretz Members of the MRI team who conducted the study tuned in virtually to review the audit findings. They said the goal of the audit was to create a management letter that can be used as a tool that you can use for years will start productive conversations, leading to action, and ultimately decisions. He said the study focused on four main areas: fire service apparatus and equipment, staffing, future fire rescue operations, and facility needs.

He noted that the dedication and response of the Madison Fire volunteer firefighters is second to none, Madison Fire Department is an excellent organization with a positive family and community-oriented culture. He explained that call response from MFD personnel is unheard of in the volunteer fire department.

He noted that during the study, two sessions were conducted with fire personnel and they were asked to rank top priorities within the department. He said the driving forces were a new fire station, radio coverage, infrastructure, and an aging fleet.

Addressing the top priority of a new station he reviewed the steps taken to determine the ideal location of a new fire station. In total, there were 31 recommendations in the operational audit.

Perriman thanked the MRI team for preparing the presentation and completing the audit. Pennington said he is available for any questions that may arise from the study. He said out of the 31 items noted in the audit, several have moved forward as action items.

Public Hearing - Daniel Levison is proposing text amendments to Articles II, VI, and VIII to create the use of “Industrial Parks” — Attachment

Jaeck said the proposed text amendment will create a congregate type of industrial and heavy commercial use. The Planning Commission recommended approval and Jaeck said the main portion of the proposal is an amendment to section 833. The main point of focus is the specific uses allowed including wholesale uses, building and construction, welding, janitorial, pest control, locksmith, print and publication, emergency management, all permitted uses for industry light, appliance stores, and van lines and moving services which was added by staff after the zoning meeting per a recommendation from Mike Conrad. He said the planning commission gave a unanimous recommendation.

Joyce asked Jaeck if the black ink is existing uses, purple in notes proposed language by staff as recommended by PZC, red ink notes items added after PZC meeting. Joyce asked about Conrads connection to the amendment. Jaeck said he owns property that would fall under the new zoning.

Joyce asked if the uses fall under the corridor district. Jaeck said there are some portions of I1 included in the corridor, but some are not.

Perriman opened the public hearing and called for comments in Favor. Daniel Levison, the applicant, said he hopes to receive approval and begin development in the next few years.

Mike Conrad, 255 N Main St., said yes, he requested the addition of the moving services land use. He said there is a couple who would like this land use, and asserted the Wellington property is a good option.

Perriman called for comments in opposition. No comments in opposition.

Latham moved to approve the text amendment to section 833 including suggested changes by staff, based on the application, public hearing, and discussion and considering applicable standards. Blanton second. Perriman reviewed the addition from staff about building size. Motion amended. Approved (5:0).

Public Hearing - Mike Rice, on behalf of Ray Singh, is seeking a conditional use to allow an alcohol and beverage store, liquor, for tax parcel 046A 017A.

Jaeck explained that the applicant had to apply for a conditional use because they wish to sell spirits. If the business seeks to sell just beer and wine this would just be outright permitted use. Jaeck said they have already cleared corridor design review, and the site plan has already been approved by the corridor including elevation. He said the proposed tax parcel is in a commercial area and the location meets the distance requirements. He noted conditions recommended by PZC. There was no public comment to date.

Perriman opened the public hearing. Mike Rice spoke on behalf of the applicant.

No comments in opposition.

Latham moved to approve the condition use of an alcohol beverage stores with liquor stores for parcel 046 017A based on the application, public hearing, and discussion and the following conditions: the uses expires if no permits are drawn within 12 months and conditional use will expire if construction has not begun within 18 months of approval. Peters-Reid second. Approved, vote unanimous (5:0).

Public Hearing - Alex Pawson, on behalf of Thomas Angert, is seeking a variance to Section 800.4(1) to allow a pool to be 11 feet from the property line instead of 20 feet for 1381 Arborgate St (tax parcel 036 072D) — Attachment

Jaeck said the variance is for a pool set back 11 ft. from the property line. He noted the property is in Veranda Park and the home was constructed in 2022. Jaeck said similar requests have been received in the past. He noted that no public comment has been received to date and the Planning and Zoning Commission (PZC) unanimously recommended a vote in favor request. He asserted that part of the rationale for approval is the frequency of this type of request. Jaeck said this type of variance is being frequently sought and asked if staff should examine distance setbacks for pools in more detail.

Wagenhauser said the noise was indicated as the reason for the 20-foot setback. Jaeck said historically when pools were installed the lots were bigger. Wagenhauser also asked about a previous approval and inquired if the city had any other conditions with former approval. Jaeck said the house was not in the historic district. Finally, Wagenhauser asked if this use would be grandfathered. Jaeck said yes.

Perriman opened the public hearing. Mike Conrad, the developer of Veranda Park, said the applicant had come forward with a plan and there was no opposition from neighbors.

Latham moved to approve the request for a setback of 11 feet instead of 20 feet as required by section 800.4(1) based on the application, public hearing, and discussion, and considering applicable standards. Peters-Reid second. Joyce asserted granting a variance undermines the rules for everyone else and said it appears to not have a special circumstance. However, on the other hand, Joyce said he was recently 200 feet from a pool but still heard the noise. He asserts there is no difference between 5, 10, or 200 feet. Perriman called for a vote. (4:0 Joyce abstained).

Public Hearing - The City of Madison is proposing a text amendments for Section 800.33 – Bed and Breakfasts — Attachment

Jaeck said the ordinance was amended several years ago to allow six rooms, however, the current amendment would adjust the number of rooms to 4 rooms. He also addressed public comments concerning pets in bed and breakfasts. He noted that service animals do not fall under this category. Perriman opened the public hearing and closed the public hearing with no comments in favor or opposition. Joyce moved to accept the proposed text amendment. Wagenhauser second. Approved, vote unanimous (5:0).

Legal Matters

Contract - S. Main Street Sidewalk Easement & Maintenance Agreement

Callahan said there is an opportunity to fill a gap in the sidewalk along S Main Street near Walton Street which requires the adoption of an easement. In addition GDOT requires an indemnification agreement. Callahan said TSPLOST funds will be used to fund the project. Wagenhauser asked for specifics about the easement. Callahan said the easement would include a five-foot sidewalk that is to be erected on the front of the property.

Joyce asked if GDOT was involved in the easement because of the right of way. Callahan said yes. Wagenhauser asserted that trees may be the cause of the issue.

Crowley asked if GDOT has approved the easement. He suggested approving the manager to sign.

Peters-Reid moved to approve the Contract for the S. Main St. Sidewalk easement. Latham second. Approved, vote unanimous (5:0).

Callahan asked that an easement be removed from the city and abandon the easement based on the city managers recommendation.

Contract - Keck & Wood - PE Services, TAP/Beacon Heights Area Sidewalk Project

Callahan said the sidewalks are funded by the TAP program. She said grant money will cover the preliminary engineering. All projects include roughly one mile of sidewalks and are funded 80/20. She said there is a two-step process required by GDOT which includes hourly rates and final numbers. Joyce asked if the grants were only for engineering. Callahan said yes.

Beacon Heights – Keck and Wood

Motion to approve: Blanton

Second: Latham

Approve, vote unanimous (5:0)

Contract - Columbia Engineering: Professional Engineering Services for the TAP Grant - Canaan Area Sidewalk Project -

Motion to approve: Peters-Reid

Second: Latham

Approved, vote unanimous (5:0)

Contract - Keck & Wood: Professional Engineering Services for the TAP Grant - College Avenue Sidewalk Project

Motion to approve: Joyce

Second: Peters-Reid

Approved, vote unanimous (5:0)

Contract - Columbia Engineering: Professional Engineering Services for the TAP Grant - Washington Street Area Sidewalk Project

Latham moved to approve the contract with Columbia Engineering not to exceed 100k
Second: Peters-Reid
Approved, vote unanimous (5:0)

**Beer & Wine Retail Package Application - Madison Food Mart Inc. - 2040 Eatonton Road
Applicant: Santosh Pahari**

Hawk explained that the applicant has met all requirements. Peters-Reid moved to approve the Beer and wine retail application for Madison Food Mart. Latham second. Opportunity for discussion. Approved, vote unanimous (5:0).

Beer & Wine Retail Package Application - Madison Food Mart Inc. - 169 Main St. Texaco Inf. DBA Texaco Food Mart – 169 Main St. – Applicant: Aakanksha Patangay

Hawk said the necessary documents have been received pending a \$1,000 bond. Latham moved to approve the license pending receipt of a \$ 1,000 bond. Peters-Reid second. Opportunity for discussion. Approved, vote unanimous (5:0).

New Business

Removal of GoTo Meetings

Peters-Reid moved to approve the removal of GoTo meetings at mayor and council meetings. Latham second. Opportunity for discussion. Approved, vote unanimous (5:0)

Public Service Appointments

Kocher said there are two open seats on the green space commission.

Joyce spoke as the liaison said he spoke with Turner, and she is okay taking the shorter term. Joyce moved to accept both applicants, David Burke for the three-year term and Diane Turner for the unexpired term. Wagenhauser second. Opportunity for discussion. Approved, vote unanimous (5:0).

Public Comments

Mr. Lockridge spoke regarding gas power leaf blowers and the arguments against them. He asserted that they emit noise pollution and carcinogens. He suggested the use of battery powered tools.

Adjournment

With no further business, Mayor Perriman adjourned the Regular Meeting at 7:11 PM.

Approved: _____
Fred Perriman, Mayor

Attest: _____
Ashley Hawk, City Clerk

Date: _____