

City of Fayetteville
Regular Mayor and City Council Meeting
Minutes
March 5, 2015

Call to Order

The Mayor and City Council of Fayetteville met in regular session on March 5, 2015 at 7:00 p.m. in the Council Chambers at City Hall. Mayor Clifton called the meeting to order, followed by Opening Prayer and led those attending in the Pledge of Allegiance to the Flag. Council members present were: Mickey Edwards, Edward Johnson, Paul Oddo, Scott Stacy, and James Williams. Staff members present were City Manager Ray Gibson and City Clerk Anne Barksdale.

Johnson moved to approve the minutes of the regular Council Meeting of February 19, 2015. Stacy seconded the motion. Motion carried unanimously.

Recognition and Presentations:

Mayor Clifton called on Chief Scott Pitts to recognize the Police Department's Officer of the Year, Det. Melissa Peacock and Employee of the Year, Lt. Craig Harper. He said both are an asset to the department and to the City of Fayetteville.

Mayor Clifton called Miller Edwards – Mauldin & Jenkins to present the City of Fayetteville's Annual Audit Review for FY 2014.

Mr. Edwards said the City is in solid financial shape and our Finance Department and the City should be commended for all their hard work.

Public Hearings:

Mayor Clifton called Consider Proposed Ordinance #0-22-14 – Rezone Property at Cobblestone Blvd. from C-3 (Highway Commercial) to RMF-15 (Multi Family Residential) – 2nd Reading.

Brian Wismer, Director of Community Development stated the applicant is requesting to rezone 5.89 acres along the east side of Cobblestone Boulevard from C-3 (Highway Commercial) to RMF-15 (Multi-Family Residential) to allow for the development of 33 townhouses. The subject property is located behind the existing BP service station on East Lanier Avenue and is the last undeveloped portion of the existing Cobblestone Apartments property to the south. Adjoining properties and zoning are as follows:

To the north is the BP service station zoned C-3.

To the south is the existing Cobblestone Apartments zoned RMF- 15.

To the east is the Oakbrook subdivision, a single family residential community zoned R-30 PUD.

To the west is Phase II of Cobblestone Apartments zoned RMF-15

Mr. Wismer explained, although the proposed development is different from the original use planned for this property (residential vs. commercial), the property to the east of the subject property was also granted a zoning different from its originally intended use as development patterns were established and market conditions changed. The subject property is adjacent to other RMF-15 property and if approved, will be developed and managed as one project. The parcel will utilize the existing entrance into the neighborhood from Hwy 54 and become part of that larger development.

He said based on the findings within the Comp Plan and the limited use of the property as currently zoned, staff supports an approval of the rezoning as requested.

Mr. Will Killgore, VP, Acquisitions at Mesa Capital Partners discussed in detail the proposed plans for the townhomes.

There were public comments by Fayetteville residents Lulu Svec, Jerry Svec, Teresa Woods, Emily Gary, President of Oakbrook HOA, and Ernest Duffy. All were against the rezoning, however the HOA president said they would be in favor of the townhomes if Council would add a stipulation of 50' undisturbed buffer and 8' fence.

Councilman Oddo added he would like to add that the pool for the townhomes be limited to just those residents.

Mr. Killgore said he would agree to all three stipulations – 50' undisturbed buffer, 8' fence, and limit the use of the townhome pool to townhome residents only.

Oddo moved to approve Ordinance #0-22-14 – Rezone Property at Cobblestone Blvd. from C-3 (Highway Commercial) to RMF-15 (Multi Family Residential) with stipulation to add 50' undisturbed buffer, 8' fence, and the pool amenities will be for townhome residents only. Stacy seconded the motion. Motion carried 3-2. For – Oddo, Stacy, Williams. Against – Johnson, Edwards.

Mayor Clifton called Consider Proposed Ordinance #0-3-15 – Rezone 1.26 acres (Parcels #0530083 and 0530015) from C-2 (Community Commercial) to C-3 (Highway Commercial) with Special Exception from Section 94-167(5) to allow a restaurant with drive through facility. Properties located at 415 & 425 N. Glynn St. – Public Hearing.

Brian Wismer, Director of Community Development stated the rezoning of the above noted parcels, totaling 1.26 Acres, is being initiated by the City in order to bring the parcels into compliance with

past and current restaurant uses on the subject properties, and to allow a restaurant with drive through facility.

There were no public comments.

Johnson moved to approve Ordinance #0-3-15 – Rezone 1.26 acres (Parcels #0530083 and #0530015) from C-2 (Community Commercial) to C-3 (Highway Commercial) with Special Exception from Section 94-167(5) to allow a restaurant with drive through facility. Properties located at 415 & 425 N. Glynn St. Edwards seconded the motion. Motion carried unanimously.

Mayor Clifton called Consider Proposed Ordinance #0-4-15 – Amendment to Ethics Ordinance – Public Hearing.

Ray Gibson, City Manager stated the City of Fayetteville received certification in the Georgia Municipal Association (GMA) Certified City of Ethics Program effective May 30, 2007, and recertified on October 21, 2010 with a deadline of June 2011. We are scheduled to again recertify by June, 2015. In order to achieve this recertification Council will need to adopt the attached proposed resolution authorizing the continued participation in the GMA Certified City of Ethics Program and subscribing to the five (5) ethics principles. Staff is proposing minor changes to the Ethics Ordinance. The proposed revised ordinance is attached for your review.

There were no public comments.

Oddo moved to approve Ordinance #0-4-15 – Amendment to Ethics Ordinance. Stacy seconded the motion. Motion carried unanimously.

New Business:

Mayor Clifton called Consider Resolution R-7-15 – Recertification in Georgia Municipal Association (GMA) Certified City of Ethics Program.

Ray Gibson, City Manager stated as noted above, Staff will forward the adopted resolution to GMA for final review and approval. Our recertification will be for a four (4) year period.

Williams moved to approve Resolution R-7-15 – Recertification in Georgia Municipal Association (GMA) Certified City of Ethics Program. Stacy seconded the motion. Motion carried unanimously.

City Manager and Staff Reports:

Ray Gibson, City Manager stated he had nothing to report at this time.

City Council and Committee Reports:

Councilman Stacy said to keep Councilman Williams and Mr. Gibson's daughter in prayer for upcoming surgeries.

Mayor's Comments:

Mayor Clifton said he attended the ARC summit on aging and said it was very informative. He also reminded us to keep up with HB 170 and SB 63 for new action in the Legislature.

There were no additional public comments.

Stacy moved to adjourn the meeting. Edwards seconded the motion. The motion carried unanimously.

Respectfully submitted,

Anne Barksdale, City Clerk