

Minutes
December 17, 2018 @ 7 p.m.
Turin Town Hall
Regular Meeting

Present: Mayor Alan Starr, Councilmembers; Fernando Ramos, Alan Stapp, Clarence Bolden, Town Attorney Mark Mitchell and Town Clerk Tracey Townsend

Mayor Starr called the meeting to order at 7 p.m. and gave the invocation

The Pledge of Allegiance was recited by all present

Councilmember Stapp made a motion to approve agenda, seconded by Councilmember Bolden. Vote: All in favor

Councilmember Stapp made a motion to approve the minutes from the Regular Council Meeting on November 19, 2018, seconded by Councilmember Ramos. Vote: All in favor

UNFINISHED BUSINESS

Carl E Smith Rezoning - **Councilmember Bolden made a motion to adopt the recommendation from the Planning & Zoning Commission, seconded by Councilmember Stapp**

Discussion –

Councilmember Bolden stated he was in favor of approval, that he had more time to think it over since the Public Hearing and had a much clearer thought of the water issues, this should be moved on since there was no cost to the town. The Town is also looking at a different tax structure and wants a prosperous business.

Councilmember Stapp stated he has much thought also mainly about traffic control, road condition and water runoff. The Town will still have a dangerous intersection. Commercial vehicles do not turn easy and the intersection is just too dangerous. Barricades did not help to keep the traffic off of Floyd's Path, retention pond will be built in the middle of town, the Town engineer has not done a water study.

Councilmember Bolden said that traffic is traffic and that it is going to get worse with growth. Carl E Smith & Sons has created a much superior traffic flow with the new design and that he believes retention ponds are necessary. He said it's much easier to keep a business than to get a new business and this plan will help the growth in town.

Councilmember Stapp said he understands about the retention pond and is not opposed to that issue, but in the center of town is not the answer.

Councilmember Bolden again stated that traffic will still be what it is and that the neighbors are in favor.

Councilmember Stapp asked who will keep up the driveway.

Councilmember Bolden stated if it is a driveway then the owner is responsible.

Councilmember Ramos stated that being allowed to expand makes sense for business to increase, but doesn't think the driveway will help. No truck signs are posted now in Town and it does no good, trucks run right over them.

Mayor Starr stated this is a Zoning issue and there are standards that the Council has to go by reading from the Zoning Ordinance section 15.10:

- The existing land uses and zoning classification of nearby property.
- The possible creation of an isolated district unrelated to adjacent and nearby districts and not in conformance with the Future Land Use map.
- Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
- Whether the proposed change will adversely influence living conditions in the neighborhood.
- Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety.
- Whether the proposed change will create adverse environmental impacts, such as water, erosion and sediment disturbances.
- Whether the proposed change will adversely affect property values in the adjacent area.
- Whether the proposed change will seriously reduce light and air to adjacent areas.
- Whether there are substantial reasons why the property cannot be used in accordance with existing zoning.
- Whether the change suggested is out of scale with the needs of the neighborhood or the Town.
- The extent to which the proposed change is consistent with the Comprehensive Plan.
- The relative gain to the public as compared to the hardship, if any, imposed on the property owner by the present zoning.
- The suitability of the subject property for the zoned purposes.
- The length of time the subject property has been vacant as zoned, considered in the context of land development in the vicinity of the property, and legitimate efforts to develop or sell the property as presently zoned.
- The possible effects of the proposed zoning change and proposed use on the character of the zoning district, existing land use pattern, and architectural harmony of the subject area.
- Any other factors relevant to balancing the interest in promoting the public health, safety, morality, or general welfare against the interests of a property owner in rezoning.
- Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

Mayor Starr stated the attorney said this is a two-fold request, that the variance request should come after the zoning request is approved by the Council.

Town Attorney Mark Mitchell stated that depending on the decision made by the Council the variance may be a moot point. His other concern is the variance request was not made properly that it was put in place by the Planning Commission in consideration of their recommendation for rezoning.

Councilmember Bolden stated that he believed that the variance was presented by the owner and asked Planning Commission Chairman Mac Tignor if that was correct and he stated yes.

VOTE: Councilmember Bolden in favor, Councilmember Stapp and Councilmember Ramos opposed.
MOTION FAILS

BUDGET APPROVAL

Councilmember Bolden made a motion to approve the 2019 operating budget, seconded by Councilmember Stapp.

Discussion – Councilmember Bolden stated the General Fund is overweighed with the Water Fund and wants to have the understanding that adjustments can be made. He also requested to have \$1,000 for the Historical Society moved from the Miscellaneous line. Town Attorney reiterated that the Town cannot give money to a person or organization without receiving a benefit back, this is not an appointed committee. Councilmember Bolden amended his motion to approve the 2019 operating budget with moving \$1000.00 from the miscellaneous line in the General Fund to the Turin East Coweta Historical Society line, seconded by Councilmember Stapp. VOTE: All in favor

CHANGES TO OCCUPATIONAL TAX

Councilmember Bolden made a motion to table this subject to the next scheduled workshop, seconded by Councilmember Stapp. VOTE: All in favor

LEASE FROM NORFOLK SOUTHERN – UPDATE FROM GIRMA

The Town Clerk has still not received any feedback from GIRMA in regards to raising the liability coverage.

RADAR SIGNS – SPEEDING

Councilmember Stapp requested the Radar Signs be tabled to the next regular meeting, seconded by Councilmember Bolden. VOTE: All in favor

CODE ENFORCEMENT AND JUDGE CONTRACT UPDATE

Councilmember Stapp made a motion to table this subject to the next regular meeting, seconded by Councilmember Bolden. VOTE: All in favor

NEW BUSINEES

QUOTE FOR SERVER/PRINTER

An estimate was given to the Council in regards to a server being installed and an updated printer.

Server - \$3810 and Printer \$735. Councilmember Bolden made a motion to move ahead with the server and printer, seconded by Councilmember Ramos. VOTE: All in favor.

Councilmember Ramos asked that becoming a City of Trees be discussed at the work session, Councilmember Bolden asked to discuss the idea of a park at the work session as well.

COMMITTEE UPDATE

None

PLANNING & ZONING UPDATE

Chairman Mac Tignor stated the Commission did not meet in December since there was no agenda items and that this would be his last time of report since his term expired on December 31, 2018.

WATER SYSTEM UPDATES

TOWN Clerk Tracey Townsend stated that the water department is changing out the registers, our current system is 10-12 years old and register batteries are starting to die. Mayor Starr stated also that he would like to have the due date changed from the 15 to the 20th.

CITIZEN COMMENTS

Mac Tignor, 245 North Road - stated that he wanted to go on record about the Carl Smith vote, and said it was a shame the 2 Councilmembers have a total disregard of the majority of the Community. The Mayor made a point that consideration should go with the Comprehensive Plan. Councilmembers Ramos and Stapp put personal desires ahead of the community they serve.

COUNCIL COMMENTS

Councilmember Ramos responded saying that was 100% different from what Mac Tignor had stated that the plan presented was all for Carl Smith, the company has been in business for 30 years and cost the town problems and money. The Town does not have the infrastructure for the expansion that is requested and that he could argue the opposite of everything that was presented by the Planning Commission by the Comprehensive Plan. He believes that his vote is in the best interest of the Town, that when you are driving down Hwy 16 that a lumber yard is not what you want to see. Carl Smith has caused issues for 30 years and done nothing. They will never be able to control the truck traffic, they've been using a residential lot for commercial property for years, they think we cannot enforce our ordinance and I think that is disrespectful. I am perfectly satisfied and if anything, Planning and Zoning should be ashamed for misconstruing the entire Comprehensive Plan, because I can give argument of the exact opposite. My decision was based on ethical reasons, I have given time and completed a lot of research and there is no guarantee that this plan will not cause an eyesore. I am very comfortable in my decision. These are quick fix and the Town does not have the infrastructure to support it.

Councilmember Stapp made a point the there is no jurisdiction on Hwy 16 or the railroad, Shawn Banach himself has came in to Council meetings complaining about the truck traffic, demanding the Council fix it and stomping out of meetings because we're not doing enough. Then when something is done, he storms out. He stated, how can it be said that I have my personal business ahead of this, because I have no personal business involved with the other side of Turin except the best interest of the residents. This is a business that is going to drive a wedge in the middle of a residential area and split those properties in half with commercial retention ponds, how I would have any personal interest in it, that is ridiculous and it's ridiculous for an educated man to say that. Roads have been destroyed by trucks coming in and out. We

keep working on trying to get that taken care of. I see no problem with Carl Smith being a lumber yard, but it's in a residential area and will cause more issues than it can fix.

Mayor Starr stands behind the Council and stated that the research has been done and the Comprehensive Plan was considered. Thank you all for the hard work.

Councilmember Bolden requested that the Water Superintendent and Town Engineer be at each meeting.

Councilmember Bolden made a motion to adjourn, seconded by Councilmember Stapp. VOTE: All in favor.

Meeting adjourned at 8:06 p.m.

Approved this 22nd day of January 2019.

Tracy D. Townsend Clerk