

CITY OF CORNELIA
MINUTES OF MEETING
NOVEMBER 5, 2024

The Cornelia City Commission met in a Workshop Session on Tuesday November 5, 2024, at 5:00 PM in the Cornelia Municipal Building Conference Room, 181 Larkin Street, Cornelia, GA. Mayor, John Borrow, called the meeting to order and the following Commissioners were present: Tony Cook, Mark Reed, Janice Griggs and Don Bagwell. Also, present: City Attorney, Steve Campbell, City Manager, Donald Anderson, City Clerk, Debbie Turner and Human Resources Manager, Lindsay Cannon.

Mayor Borrow opened the meeting and stated that we have one change to the agenda adding an intergovernmental Agreement with Habersham County for an FCC License. They went over the Special Event Ordinance and City Manager Anderson said it might be pretty in depth, but he feels it is what we need to get to a more professional level. They went over the Public Hearing for the Annexation and Zoning Request from Froy LLC. Mr. Anderson said that he was delivered a petition against the project. He also pointed out that all the people that signed it live in the county not the city. Commissioner Bagwell had some concerns about the neighboring properties, he asked what is our responsibility where they are concerned? Mr. Anderson said that they don't even have to annex the property into the city, they can start building tomorrow under the county's land use ordinance. City Attorney, Steve Campbell said that if you annex the property into the city, we will have more control over the build and our codes are much more restrictive than the county's. Commissioner Bagwell asked when they were notified, Mr. Anderson stated that the notices were sent out at the end of August. They discussed the issue at depth and Commissioner Bagwell said that we do have a housing issue. They discussed the IGA with the county and City Manager Anderson said that we are now required to have a low frequency FCC license to run Radar. The county has offered to share their frequencies with us at no cost. They discussed the other items on the agenda. Commissioner Reed made a motion to exit the workshop and move into executive session for Personnel issues, seconded by Commissioner Bagwell. Commissioner Bagwell made a motion to exit the executive session, seconded Commissioner Cook. No Action Taken! Commissioner Reed made a motion to enter into executive session for Real Estate and Litigation, seconded by Commissioner Bagwell. Commissioner Bagwell made a motion to exit the executive session, seconded by Commissioner Griggs. The workshop adjourned at 5:55.

Debbie Turner, City Clerk

John Borrow, Mayor

CITY OF CORNELIA
MINUTES OF MEETING
October 1, 2024

The Cornelia City Commission held its regularly scheduled meeting on Tuesday, November 5, 2024, at 5:00 PM in the Cornelia Municipal Building Conference Room, 181 Larkin Street, Cornelia, GA. Mayor, John Borrow, called the meeting to order and the following Commissioners were present: Tony Cook, Mark Reed, Janice Griggs and Don Bagwell. Also, present: City Attorney, Steve Campbell, City Manager, Donald Anderson, and City Clerk, Debbie Turner.

Mayor Borrow gave the invocation and Guest Cody Morrison led the Pledge of Allegiance.

Commissioner Reed made the motion to approve the agenda with one item added, seconded by Commissioner Griggs Approved 4 - 0

Commissioner Griggs made the motion to approve the October 1st minutes as submitted, seconded by Commissioner Cook. Approved 4 - 0

City Manager's Monthly Report:

Engineered Restorations has completed the repairs to the retaining wall in front of City Hall. Public Works will treat the wall with a sealant that will extend the life of the wall. This sealant will need to be applied every 5 years. We had a very successful Downtown Trick or Treat event on Halloween. I estimate that over 500 trick or treaters participated in the event. The next event will be the Downtown Tree Lighting on November 29th at 6:00 PM. This will be immediately followed by the Second Annual Dashing Through the Lights 5k at 7:00 PM. We did receive notice that the Historic Preservation Division has approved the Amphitheater Project. Carter & Sloope is completing the plans for Phase I of the Project which is scheduled to go out for bid on December 1st. This phase will be the grading, utilities, restrooms, and concrete work. Phase II will be the construction of the stage and dressing rooms. We will budget for this portion of the project in 2026. The Chenocetah Water Tank Rehab Project is complete, and the tank has been disinfected and put back into service. The project was completed about 30 days ahead of schedule. The Fairfield Inn opened on October 29th and welcomed its first guests on October 30th! This report is made an integral part of the minutes.

Public Forum: No Comments were heard.

Old Business:

Ordinance 10-24-02, Amendment to Special Event Ordinance:

The ordinance changes to the ordinance create a more detailed application and review process. The ordinance was posted for public comment at the October 1st Commission Meeting. To date we have not received any comments for or against the changes to the ordinance. Commissioner Reed made a motion to adopt the changes to the ordinance, seconded by Commissioner Cook. Approved 4 - 0

Public Hearings:

Annexation and Zoning Request for 2 Parcels of Land Located on Level Grove Road:

This is a request by petitioner, Froy, LLC to annex parcel numbers 086 017 and 086 017A. They are requesting that the property be zoned R-2, multi-family. They plan to construct townhomes on the property. You held a public hearing on this request at the October 1st Commission Meeting. Following the public hearing you voted to post the annexation ordinance, to date we have not received any comments for or against this request.

Mayor Borrow opened the Public Hearing and ask if anyone had anything to say about the Annexation and Zoning Request. Mike Ledford who represents Gateway Developers stated that they now have the property under contract. He said they will build approximately 189 to 200 townhomes there will be green space and 2 dog parks as well walking trails, a clubhouse or pickleball courts. Mr. Ledford said they develop in North Georgia, and they focus on an hour and half to 45 minutes from the metro area, he said they currently have projects going on in Pickens and Cherokee Counties. He stated that this project would take between 36 to 48 months to complete. He said he looks forward to working with the City of Cornelia. Commissioner Reed ask where would they start building on the property? Mr. Ledford said that the first phase would be closest to Level Grove Road. He said they will grade the entire

property and while the first phase is being constructed the infrastructure for the second phase will be added. Commissioner Bagwell asked if they would build 200 homes? He said that he did not think they would go beyond 189 to be able to get that green space in. Commissioner Bagwell asked if they had looked at any other areas? Mr. Ledford stated that this development landed on his desk about 6 months ago and after looking at the location of the port coming in that they felt like this was the perfect project to take on. City Attorney Campbell said that in the first public hearing the testimony given at it and in this Public Hearing tonight the testimony given, the recommendations by the city that there be conditions when passing and giving this property R2 zoning that the guidelines be followed and be built to the specs and the 25 foot vegetated buffer and the 35 foot setback requirements be followed Mr. Campbell stated that it is his understanding that what is presented here tonight will be built as presented. Mr. Campbell said that when voting on this that this will be part of what they vote on. Mr. Leford said that they did hear some of the concerns from the neighboring property owners at the October Public Hearing and the new site plan will address some of the issues. Melanie Herrin came forward in opposition of the project, she stated that she was at the October meeting and with the help of her husband and her neighbor that they were able to get 51 signatures against the development. She said she has concerns about the amount of traffic that 189 homes are going to bring to what is already a very high traffic area. She said that before the 4-way stop went in the traffic was awful, it's a little better now but still is not great. Ms. Herrin also spoke about the homes being two levels and does not think that elderly people are going to want a lot of stairs as Mr. Franklin stated at the October meeting that seniors might want to live there because it would be affordable. She said that she doesn't think that Level Grove school can handle that amount of growth. She asked what is the plan for that? Ms. Herrin also spoke about a sewer smell that comes from the creek. Mayor Borrow asked that to keep things moving along that you address other issues aside from the traffic. Kathy Crane came forward to oppose the development saying that she understands that the city will provide water/sewer to the development. Ms. Crane wants to know if the

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city is prepared to redo the WWTP to provide sewer. She said that she grew up there and the smell was always bad, she stated that it is starting to smell bad again and with these new townhomes going in it is going to get worse. Ms. Crane also stated that the traffic is bad from 7am to 8am. Commissioner Cook asked what is the possibility of four hundred students leaving? She said it is still at full capacity. Debra Beck came forward to oppose the development she said that they live at the bottom of where the creek is, and the back side of their property has washed away from all the runoff at least a ¼ of an acre. Ms. Beck said she wants to address the buses that some of the seats have 3 children sitting in them and with this new development it is going to get worse. Shelia Ansley came forward in opposition stating that she there are a lot of potholes on J. Warren Road, and that she knows it is a county road but there will be more traffic which will lead to more potholes and that is not good for vehicles. Michael Shirley also came forward he stated that he owns two properties, and the smell was awful from the creek growing up there. He said it did get better when EPD got involved but he is also concerned about the runoff from the proposed development. Mayor Borrow said that all the concerns are valid and that the concerns he is hearing is the traffic, runoff, schools, school buses and the smell from the creek.

City Manager, Donald Anderson said that there is another WWTP other than the city and this is the first he is hearing about this issue. He said that he would check on it and to answer her question about the School capacity he said that would be the county and Board of Education to address that question. Mr. Anderson said that our engineers have been developing a plan for the expansion of the WWTP for the last three years and that the project will bid the first quarter of 2025. He said this expansion will increase our sewer treatment from three million gallons a day to four and half million gallons a day. City Attorney Campbell also addressed the annexation, he stated that they could build without annexing into the city. The county has already approved the development

and also, that the city has more restrictive zoning requirements so we would have more control in how they build it and that it is being built according to the site plan. He said that they had brought in an 80-page traffic study just before the meeting. As for as the roads and schools that would be up to the county and DOT. Mr. Campbell said speaking as a citizen and city attorney that growth is coming and there could be much worse things than this development. Commissioner Reed addressed Ms. Herrin saying she had done a good job on getting the petition together, he said you are excising your constructional rights. Commissioner Reed said as for as the traffic the county and DOT needs to get ahead of it because with the inland port coming on 365 it is going to get much worse. Commissioner Reed said that he does think that the developers have done their due diligence, they have 3 retention ponds on the site plan and if they build in the county, it could become much denser. Mayor Borrow closed the public hearing and thanked everyone for coming that had spoken. Commissioner Reed made a motion to rezone the property as R2 pursuant to the resolution with conditions, seconded by Commissioner Bagwell. Approved 4 - 0 Commissioner Cook made a motion to annex the property into the city, seconded by Commissioner Reed. Approved 4 - 0

Annexation and Zoning Request by Olivia Melendez:

This is a request by property owner, Olivia Melendez to annex .72 acres located at 0 Wood Street. Ms. Melendez has requested that the property be annexed into the city with a zoning designation of R-1-A, Single Family. The Unified Planning Board held a public hearing on this request on October 17, 2024. Following this public hearing the Board voted unanimously to recommend approval of the request.

Mayor Borrow opened the Public Hearing and ask if anyone had anything to say about Annexation and Zoning Request. Olivia Melendez came forward to state that this is her property and would like to subdivide and build two houses on it. No one else came forward, Mayor Borrow closed the Public Hearing. Commissioner Reed made a motion to post for Public Comment, seconded by Commissioner Griggs. Approved 4 - 0

Annexation and Zoning Request by Donald Aubrey Higgins:

This is a request by property owner, Donald Aubrey Higgins to annex 70.32 acres located at 410 Carpenter’s Cove Lane. Mr. Higgins has requested that the property be annexed into the city with a zoning designation of HB, Highway Business. The Unified Planning Board held a public hearing on this request on October 17, 2024. Following this public hearing the Board voted unanimously to recommend approval of the request. Mayor Borrow opened the Public Hearing and ask if anyone had any comments about the Annexation and Zoning Request. No one came forward to speak. Mayor Borrow closed the Public Hearing. Commissioner Bagwell made the motion to post for Public Comment, seconded by Commissioner Griggs. Approved 4 - 0

New Business:

Agreement with Carter & Sloope for 2025 Paving Project

This is an agreement with Carter & Sloope to design, bid, and oversee the 2025 Paving Project. The 2025 Paving Project includes resurfacing Hood Street, Foster Street, Second Avenue, a portion of Hoyt Street, and Short Avenue. Also included in this project is a sidewalk with curb and gutter on MLK from Clarkesville Street to Second Avenue. The agreement is for \$111,700, Commissioner Cook made a motion to approve the agreement, seconded by Commissioner Reed. Approved 4 - 0

iPad Purchase for Fire Department

The Fire Department uses iPads in each of the front-line fire trucks to keep track of fire hydrant locations, pre-fire plans, CAD, etc. We need to replace the 3 of the iPads. The cost of this purchase will be \$3,427.08, I would like to use funds from the Aluminum Can Funds for this purchase. This fund exists to purchase equipment for the Fire Department. The current balance in the fund is \$6,910. Commissioner Reed made a motion to Purchase the iPads in the amount of \$3,247.08, seconded by Commissioner Griggs. Approved 4 - 0

IGA with Habersham County for FCC license:

The Police Department is in the process of renewing its radar certification. You are now required to possess a low frequency FCC

license to run radar. Instead of purchasing a license the county has offered to share its frequencies with us. City Manager Anderson said there is no cost. Commissioner

Debbie Turner, City Clerk

John Borrow, Mayor

STATE OF GEORGIA, COUNTY HABERSHAM

CITY OF CORNELIA, GEORGIA

AFFIDAVIT OF PRESIDING OFFICIAL(S) FOR A CLOSED PUBLIC MEETING

While in Regular Session, the motion was made to enter an Executive Session to discuss certain matters in a closed session.

(x) To discuss with council pending and/or potential litigation, settlement claims, administrative proceedings or other judicial actions, which is exempt from the Open Meetings Act pursuant to O.C.G.A. Section 50-14-2(1).

() A meeting to discuss the purchase, disposal of, or lease of property; authorize the ordering of an appraisal related to the acquisition or disposal of real estate; enter into a contract to purchase, dispose of, or lease property subject to approval in a subsequent public vote; or enter into an option to purchase, dispose of, or lease real estate subject to approval in subsequent public vote, which is excluded from the Open Meetings Act pursuant to Section 50-14-3(b)(1)(C).

() A meeting discussing the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer or employee, which is excluded pursuant to O.C.G.A. Section 50-14-3(b)(2).

() Discussion in Executive Session of Records that are otherwise protected from disclosure under the Open Records Act as pursuant to O.C.G.A. Section 50-14-3- (b)(4).

X The subject matter of the Executive Session of the Regular Session was devoted to matters within the exceptions provided by law.

___ Because of events occurring during the closed session, I am unable to affirm the subject matter of the Executive Session of the Regular Session was devoted to only matters within the exceptions provided by law.

John Borrow, Mayor, City of Cornelia

Sworn to and subscribed before me this

Notary Public