

CITY OF CORNELIA  
MINUTES OF MEETING  
October 1, 2024

The Cornelia City Commission met in a Workshop Session on Tuesday, October 1, 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.

Mayor Borrow opened the meeting and asked if there were any amendments to the agenda. City Manager, Donald Anderson answered that the agenda has no amendments. They went over the amendment to the alcohol ordinance; Mr. Anderson said it has been posted for thirty days. Commissioner Reed asked if there had been any comments, Mr. Anderson said we have not received any comments for or against. They went over the budget for FY 2025 as well as the millage rate at 9.5. They discussed the conditional use for the Mini Storage buildings at length. Commissioner Reed said that he had someone call him that owns storage buildings and that they feel there is enough storage units here now. Mayor Borrow said that the same person had called him and was opposed to it. Mayor Borrow said he told the person that they were welcome come to the commission meeting and speak. Commissioner Reed said he does not want to see our city turn into vape shops and mini storage buildings. City Manager Anderson stated that we have had a lot of requests for storage units. Commissioner Griggs said she knows of a lot of people who cannot find them. They discussed the Public Hearing for the Annexation request for a Townhome development. City Manager Anderson explained that it is 36.82 acres, and the planning commission recommending annexing the property, but they recommended zoning it for Highway Business district instead of R-2 Multi-family District. He said that it directly backs up to residential neighborhoods. City Manager Anderson said that you could get up to 500 homes on the property, but he is only asking for 235. Commissioner Reed asked if we take the streets over when they are finished? City Manager Anderson said we do not allow any private roads anymore. They discussed making sure there is a vegetated buffer and that they commit to the site plan. Mr. Anderson said that we would be responsible for the water/sewer, storm water, the roads, and the lift station after the 12-month warranty period. They discussed it at length. They discussed the Marigold Festival and Mr. Anderson said that he would like to update our Special Events Ordinance that was adopted in 2010. All applications will go to

the Main Street Manager, Noah Hamel first and then he will review it to make sure it is complete and then it will go to the city manager. He said it is extensive, but this is what we need to get to a more professional level. Commissioner Reed said he would like to see something every week. Mr. Anderson said that is our hope for the amphitheater. He thinks we could get there. They went over the remaining items on the agenda. The meeting adjourned at 5:50.

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Debbie Turner, City Clerk

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John Borrow, Mayor

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Pastor Mike Franklin gave the invocation and Commissioner Cook led the Pledge of Allegiance.

Commissioner Reed made the motion to approve the agenda, seconded by Commissioner Bagwell Approved 4-0

Commissioner Reed made the motion to approve the September 3<sup>rd</sup> minutes as submitted, seconded by Commissioner Approved 4-0

City Managers Report: Engineered Restorations has begun working on the repairs needed to the retaining wall in front of City Hall. The project will take a few more weeks to complete. Once the project is finished Public Works will treat the wall with a sealant, this will need to be done every 5 years to extend the life of the wall. Our Amphitheater Project is still going through the Environmental Review process. We have encountered an obstacle with the Department of Historic Preservation which we are working through. They have expressed some concerns about the proximity of the project to the Depot and the Big Red Apple. They feel that the project will adversely affect these historic structures. We have responded to their concerns and are waiting for their answer. According to the GMRC the best-case scenario is we will receive our Notice to Proceed from ARC around the first week of December. We held another successful Big Red Apple Festival on September 21<sup>st</sup>. The beautiful weather brought an estimated 4,000 people to the event. Almost all the 150 vendors said that they sold out of merchandise. As you are aware Hurricane Helene roared through our area Thursday causing a lot of trees to come down. This knocked power out to the entire county. I must commend Georgia Power because they were on top of it and most of

the power was restored in Cornelia by Saturday afternoon. The power outage did cause us to have a major sewer spill at the Lee Street lift station, but this was the only issue that we had utility wise. We are going to use this event to see if GEMA will pay for an emergency generator for this lift station. We have begun cleaning up and are documenting all our expenses in case GEMA funds become available to help with this cost. As we have done in the past, we will be issuing burn permits for the next 2 weeks to help people clean up the debris that fell in their yards. His report is made an integral part of the minutes.

### **Public Forum**

Alberto Trejo from 336 Highland Ave came forward to request a speed bump. Mr. Trejo said that people do not respect the speed limit through there. City Manager Anderson said he would need to get a petition from his neighbors and turn it in to City Hall. In the meantime, the movable radar sign will be placed there and extra police patrol of the area. Mayor Borrow said that he understands his concern and we are concerned as well he thanked him for coming.

### **Old Business**

**Ordinance # 09-24-01** - This is an amendment to our Alcohol Ordinance, Section 6-138 of the Municipal Code. This ordinance will exclude Churches located outside the city limits from the distance requirements for alcohol sales in the Highway Business District. This ordinance has been posted and we have not received any comments for or against the amendment. Commissioner Bagwell made a motion to adopt the amended ordinance, seconded by Commissioner Reed. Approved 4 - 0

**Draft Budget for FY 25** - The proposed General Fund Budget for FY 25 is \$8,202,282 which includes \$2,000,000 for the Amphitheater Project. The General Fund does rely on \$794,682 from fund balance and an extra \$500,000 from the Water & Sewer Fund. The General Fund also relies on

maintaining the current Millage rate of 9.5. The proposed Water & Sewer Budget for FY 25 is \$12,814,963. Water & Sewer projects planned for next year include the Old Lake Russell Road Water Valve Project - \$142,000, and the Scott, Esta, Maple Short Infrastructure Project - \$500,000. The Water & Sewer Fund does not rely on any of its fund balance, but it does call for a 5% rate increase.

Stormwater Projects requested for next year include the Scott, Esta, Maple, and Short stormwater portion of the infrastructure project - \$200,000, and the Jones and Wily Stormwater Project - \$75,000. The Stormwater Utility Budget does rely on increasing the cost per ERU from \$5.25 to \$5.75. SPLOST Projects planned for 2025 include the 2025 Paving Project \$1,051,000 - \$885,000 SPLOST and \$166,000 LMIG. The project includes resurfacing Hood Street, a portion of Hoyt Street, Foster Street, Second Street, and Short Avenue. It also includes a sidewalk from Clarkesville Street to Second Street on MLK. The SPLOST Budget also includes the Front Street Parking Lot - \$525,000. The budget does include a pay increase for each of our employees of up to 5%, 2.5% COLA and up to 2.5% Merit. Based on our contract with FCS garbage rates will need to increase by 12%. The budget has a 5% rate increase to our Contract Fire Service. Commissioner .... Made a motion to approve the 2025 Budget, seconded by Commissioner ... Approved 4 - 0

## **Public Hearings**

**Public Hearing on the Millage Rate** - The gross tax digest for 2024 is \$333,780,468, this is an increase of \$38,447,818 from 2023. The increase to the digest is due to several factors: an inflationary increase of existing properties of \$20,560,149, new growth \$4,601,973, and personal property growth \$12,159,250. Based on the tax digest one mill is equal to \$301,043 in revenue. The proposed General Fund Budget relies on keeping the millage rate at 9.5. Since the General Fund still relies on a transfer from the Water & Sewer Fund and Fund Balance, Mr. Anderson recommended that we keep the millage rate at 9.5. Commissioner Reed made a motion to approve the millage rate at 9.5, seconded by Commissioner Griggs. Approved 4 - 0

**Request for a Conditional Use for a Mini Storage Facility** - This is a request from Webster Lake Investment to obtain a Conditional Use Permit to construct a Mini Storage Facility at 1509 Level Grove Road. The property is zoned HB (Highway Business). Mini Storage Facilities are allowed as a Conditional Use in the HB Zoning District. Mayor Borrow opened the Public Hearing Harry Barton was there to represent the applicant Mr. Campbell, he complemented the Planning Board and staff saying that they were all pleasant to work with. He explained that the property consists of 4.6 acres. City Manager Anderson asked if the units were going to be on the backside of the property? He said yes that they will be on the Old Level Grove side and the front side will be commercial. Mayor Borrow asked Mr. Anderson so if he requests an allowed use on the front side then what. Mr. Anderson stated that because it is Highway Business District if he asks for an allowed use that is what it would be an administrative approval process, but if he asks for a conditional use then the applicant would have to come back for that portion as well. City Attorney Campbell asked if he had a site plan, he said that it is in the works. City Attorney stated that he is not related to the applicant Mr. Campbell. Mayor Borrow closed the Public Hearing. Commissioner Bagwell made a motion to approve the request for a for a conditional use, seconded by Commissioner Bagwell. Approved 3 - 1

**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. Tract one is 21.41 acres and tract two is 15.42 acres for a total of 36.82 acres. According to our Zoning Ordinance a total of 442 units can be constructed on the property. Habersham County has provided written notification that they have no objection to this annexation.

Mayor Borrow opened the Public Hearing and asked if anyone wanted to speak in favor or against the annexation.

Melanie Herrin was the first to speak saying this property backs up to mine and my husband's property, and I want to make sure that we will

we will not be affected by this annexation. Ms. Herin said she does not want to annex her property into the city. She said that her daughter has autism, and they have animals that they use for therapy for her daughter, she said she does not want someone to tell them they have to limit the number of animals they can have. Mayor Borrow assured her that her property would not be annexed into Cornelia unless she requested it to be. Ms. Herrin said that she wants to make sure there is a traffic study done. During the school year, you have a lot of traffic coming up and down Level Grove Road. Mayor Borrow thanked her for coming.

Casey Moyer who represents Froy, LLC came to speak he said Mike Franklin was also there as a consultant, he said they want to help the church as well. He said that the builders are in a time crunch as well. He said the biggest thing they need is for the property to be zoned as R-2. He handed out a packet of the design and a material list to the Mayor and Commissioners letting them know that all the townhomes will be built with top of line materials. He stated that there will be around 235 homes built but they will be done in phases of fifty at a time. Mr. Franklin said that the homes will be 1834 sq. ft. with a two-car garage and the homes will range from \$280,000 to \$310,000. City Attorney Campbell said as far as the zoning that will not be until the next hearing, Mr. Franklin said that if they must wait another 30 days that they would probably withdraw the application. Mr. Anderson said we cannot change a zoning law and City Attorney Campbell said we cannot zone something that is not in the city limits yet. Mr. Campbell told Mr. Franklin that they certainly have the right to withdraw. Mr. Campbell explained to him that the recommendation is to zone it to R-2. Mr. Franklin said he understands that. Commissioner Reed asked how many units? Mr. Moyer said from 188 to 200 and there will be green space and a park, he said it is going to be nice. Commissioner Reed asked if there was a plan to have a buffer between the single-family homes and the townhomes? He said yes there will be trees planted there. Mayor Borrow said that we can make that a part of the plan, City Attorney Campbell suggested that when they come to the next meeting to have a that on the site plan so that they can see that before a vote is taken.

Commissioner Bagwell commented that there is a nation-wide shortage of housing so is this a solution. Mr. Moyer said that if you look at what is going up in the city that they do think this is obtainable. Mr. Franklin stated that his role in all of this is to make sure that what goes up is made with quality materials and looks nice as well as being good for the City and County. Commissioner Reed asked if he is just a consultant or owner in this, Mr. Franklin said he is a consultant and has an element of ownership.

Donna Shirley also spoke saying that she wanted to make sure there was a buffer to provide privacy for her property and that was her only and main concern.

Mayor Borrow closed the Public Hearing. Commissioner Reed made a motion to post the ordinance, seconded by Commissioner Griggs. Approved 4 - 0

#### **New Business**

**Special Event Application for Marigold Festival** - This is a request by the owner of BSG Coffee, Zach Staggs to hold a Special Event that he is calling the Marigold Festival. The event will take place on Friday, November 1, 2024. He is requesting to use Appletree Alley for the event so the parking lot will not be available on the day of the event. He has spoken to the businesses in downtown and has provided a letter signed by most of the owners acknowledging that the parking lot will not be available for their customers. Staff has met with Mr. Staggs about this event, and he is aware of the cost for the use of the necessary barricades, trash cans, and port o lets. He has submitted a map of how he plans to set up the vendors and the live music. The recommendation is that the application be approved. Commissioner Bagwell made a motion to approve the Marigold Festival, seconded by Commissioner Reed. Approved 4 - 0

**Ordinance 10-24-02, Amendment to Special Event Ordinance** - Our current Special Event Ordinance was originally adopted in 2010. At the time the

only non-city entities putting on events were the Appletown Flea Market and the Cornelia Hospitality & Tourism Board. In the past few months, we have been inundated with Special Event applications requesting the use of city property and city resources. The proposed changes to the ordinance create a more detailed application and review process. Commissioner Reed made a motion to post the ordinance, seconded by Commissioner Griggs Approved 4 - 0

**Loan Agreement for GEFA Loan # GF2024011** - This is a GEFA loan in the amount of \$1,329,200 at 2.35% interest with a 20 year pay back. The funds will be used to pay for the Hazel Creek Pump Station Project. Commissioner Bagwell made a motion to approve the loan agreement, seconded by Commissioner Reed. Approved 4 - 0

**Loan Agreement for GEFA Loan # GF2024012** - This is a GEFA Loan in the amount of \$3,246,000 at 2.35% interest with a 20-year payback. These funds will be used for the Old Level Grove Water Line Project. Commissioner Reed made a motion to approve the loan agreement, seconded by Commissioner Griggs. Approved 4 - 0

**Water Sale Agreement with the City of Baldwin** - We provide drinking water to Baldwin on an emergency basis. The current agreement for the wholesale rate will expire on December 31, 2024. This new agreement will be effective beginning January 1, 2025, and will expire on December 31, 2029. The wholesale rate will be \$4.82 per thousand gallons of drinking water, not to exceed 150,000 gallons per day. Commissioner Cook made a motion to approve the water sale agreement, seconded by Commissioner Griggs. Approved 4 - 0

**Water Sale Agreement with the Town of Mount Airy** - We provide drinking water to Mount Airy on an emergency basis. The current agreement for the wholesale rate will expire on December 31, 2024. This new agreement will be effective beginning January 1, 2025, and will expire on December 31,

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2029. The wholesale rate will be \$4.82 per thousand gallons of drinking water, not to exceed 50,000 gallons per day. Commissioner Reed made a motion to approve the Water Sale Agreement, seconded by Commissioner Griggs. Approved 4 - 0

Adjourn - Commissioner Reed made a motion to adjourn the meeting, seconded by Commissioner Griggs. Approved 4 -0

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Debbie Turner, City Clerk

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John Borrow, Mayor