

# CITY OF STATHAM

## AGENDA

Statham Community Center  
327 Jefferson Street, Statham, GA 30666



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**PUBLIC HEARING & WORK SESSION – January 4, 2024**

**6:30 P.M.**

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**INVOCATION AND PLEDGE-** Mayor Krause called the meeting to order at 6:30 p.m. Mayor Krause led an invocation followed by the Pledge of Allegiance.

### **CALL TO ORDER**

Roll Call

Present: Mayor Krause and Councilmembers Bogenrieder, Burnette, Penn, Patterson, and Terilli

Also Present: City Attorney Jody Campbell, City Clerk Ashya Fambrough, City Accountant Rachel Bembry, Planning and Zoning Consultant Jerry Weitz, Interim City Administrator Cheryl Venable, and PD Personnel.

### **OATHS OF OFFICE**

1. Mayor – Deborah Krause, four-year term. Term expires December 31, 2027.
2. Councilmember – Frank Burnette, four-year term. Term expires December 31, 2027.
3. Councilmember – Tim Terilli, four-year term. Term expires December 31, 2027.
4. Councilmember – Christine Bogenrieder, Partial Term beginning September 7, 2023. Term Expires December 31, 2025.

Chief Magistrate of Barrow County Caroline Power Evans administered the Oath of Office for Mayor Krause and Councilmembers Terilli, Bogenrieder, and Burnette respectively.

**VOTE FOR VICE MAYOR-** The Vice Mayor vote was conducted by ballot. All five votes were in favor of Councilmember Lee Patterson.

At 6:43 p.m., Mayor Krause asked for a motion to enter into Public Hearing. Councilmember Patterson made a motion to enter into Public Hearing. Councilmember Penn seconded the motion and the motion passed unanimously.

### **PUBLIC HEARING**

1. **R-23-04 Rezoning:** PLG, LLC, c/o Anderson, Tate and Carr, by Melody A. Glouton, applicant, ARJAC Enterprises, Inc., property owner, seeks rezoning from RR, Rural Residential District and SR-2, Suburban Residential District to PUD, Planned Unit Development of 69.59 acres (Map/Parcels ST04/058, 25.074 acres; ST04/059, 26.046 acres; and part of ST04/095B, 18.470 acres) fronting on the north and west side of Jefferson Street across from and north of Bear Creek Middle School. Proposed use: Single-family detached subdivision (123 homes/lots).

City Attorney Campbell reviewed Rezone R-23-04. Jerry Weitz reviewed the staff report and recommends approving with the 19 conditions outlined in the report. Melody Glouton spoke on behalf of her client ARJAC Enterprises, Inc. Kendall King was also present for the project. The project is projected to begin vertical building in 2026. The HOA will be managed by a third party who will also maintain the open spaces and fencing. Street parking will be prohibited. Councilmember Patterson inquired about a traffic study. It is a part of the zoning conditions and will be conducted prior to obtaining a Land Disturbance Permit. Councilmember Patterson inquired about how the project plans to handle the lack of water availability. They do not expect to go vertical until 2026 and will do staggered builds of around 5 houses per month. Per City Attorney Campbell, water availability is expected in 2025. Councilmember Terilli asked for confirmation that the HOA will be turned over to the residents and still be maintained by a 3rd party. This was confirmed by City Attorney Jody Campbell and Kendall King. Mayor Krause opened the floor for citizen input on the rezone. Cathy Bennett spoke against the rezone. She does not feel that 120 more houses are needed and that it will be a burden on the schools. Melody Glouton and Kendall King noted that the rezone aligns with the future land use map and that the Metro Atlanta area, which Barrow County is a part of, needs more housing overall.

At 7:50 p.m., Mayor Krause asked for a motion to close the Public Hearing. Councilmember Penn made a motion to exit the Public Hearing. Councilmember Burnette seconded the motion and the motion passed unanimously.

## **WORK SESSION**

### **MINUTE APPROVAL**

1. December 19, 2023 Regular Meeting Minutes (Provided to Council December 20, 2023)

Councilmember Penn made a motion to approve the December 19, 2023 Regular Meeting Minutes. Councilmember Patterson seconded the motion and the motion passed unanimously with Councilmembers Burnette and Terilli abstaining due to not being on Council at the time of the meeting.

## **REPORTS**

1. Finance Department- Rachel Bembry reviewed the financial report.
2. Police Department- Chief Underwood reviewed the PD Report.
3. Public Works Department- Mayor Krause reviewed the Public Works Report
4. Mayoral Report- Mayor Krause noted that the City Hall lobby hours are now 8 a.m. – 5 p.m. Monday – Friday. Council Meetings will be the 1<sup>st</sup> and 3<sup>rd</sup> Tuesdays of the Month at 6: 30 p.m. and will be held in the Community Center. Termite damage was discovered in City Hall and RFPs will be sent out for the repair project. RFPs will be sent out for the city website and the sound system to be used during Council Meetings.

## **CITIZEN INPUT**

- Dwight McCormic spoke about the veto of the sidewalk ordinance.

- Cathy Bennet spoke concerning the Rezone. She feels if this rezone is approved then the Council should consider not approving others because the citizens do not want to become Metro Atlanta as Gwinnett is already moving in.
- Joe Piper requested reimbursement of his legal fees and requested everyone read his reasons for the veto.

## UNFINISHED BUSINESS

- 1. ARPA (Tabled from December 20, 2023 Regular Meeting):** to approve the project list for ARPA funds.

Rachel Bembry noted that as of the last bank statement, the ARPA account totaled \$1,080,417.50. Jody Campbell stated that the project list can be done similarly as to SPLOST and can be on a macro or micro level. Councilmember Penn asked if the funds can be used for park improvements since TSPLOST passed. Rachel Bembry noted that if the Council goes the revenue replacement route then it could but it would require a more complicated form of accounting. Mayor Krause noted that scoping the lines by the elementary school was previously discussed.

## NEW BUSINESS

- 1. Statham Place Final Plat:** To approve the final plat of Statham Place Subdivision.

Jerry Weitz noted that a bond will be required in conjunction with final plat approval and is expected to be finalized before the Regular Meeting and there are a few Public Works issues to be corrected also. Jody Campbell outlined the Public Works corrections. Logan Moss of MyHomes noted that he has approval from the CFO for the bonds and will have the meets and bounds for easements. Georgia Power removed some lines so that they could do their installation and they are willing to have CO's held until the repairs are completed.

- 2. City Committees:** Per City of Statham Code of Ordinances Section 2-52, the mayor shall appoint the standing committees. Each term is for one (1) year beginning January 1, 2024, and will expire December 31, 2024.

Mayor Krause listed the committees as: Finance, Tree and Beautification, Events, Outreach, and Economic Development. They will be headed by Councilmembers Patterson, Terilli, Bogenrieder, Burnette, and Penn respectively.

- 3. Year 2024 City Council Meeting Schedule**

Jody Campbell noted that the location needs to be updated to the Statham Community Center before the vote at the Regular Meeting.

- Dwight McCormic formally apologized to Mayor Piper for his earlier outburst during Mayor Piper's citizen input time. He thanked Mayor Piper and his wife for their service. He spoke about the Charter and sidewalks also.

**EXECUTIVE SESSION:** Meeting to discuss or deliberate upon the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer or employee as provided in Georgia Code section 50-14-3(b)(2).

At 7:53 p.m. Councilmember Penn made a motion to enter Executive Session to discuss employment. Councilmember Terilli seconded the motion and the motion passed unanimously. The Executive Session ended at 8:22 p.m. with Councilmember Patterson making the motion to exit. Councilmember Penn seconded the motion and the motion passed unanimously.

City Attorney Campbell stated that all discussions held in Executive Session are protected as Attorney/Client Privilege and that no votes were conducted during the session.

## **ADJOURN**

At 8:22 p.m., Mayor Krause asked for a motion to adjourn the meeting. Councilmember Penn made a motion to adjourn. Councilmember Bogenrieder seconded, and the motion passed unanimously.