

CITY OF LAGRANGE, GEORGIA
REGULAR MEETING OF THE MAYOR AND COUNCIL

December 20, 2018

Present: Mayor Jim Thornton; Council Members Nathan Gaskin, Willie Edmondson, Tom Gore, LeGree McCamey, and Mark Mitchell

Absent: Council Member Jim Arrington

Also Present: City Manager Meg Kelsey; City Clerk Sue Olson; City Attorney Jeff Todd; Communications Manager Katie Van Schoor

The meeting was called to order by Mayor Thornton, the invocation was given by Council Member Dr. Willie Edmondson, and Mayor Thornton led the Pledge of Allegiance to the Flag.

On a motion by Mr. Edmondson seconded by Mr. Gaskin, Council unanimously approved the minutes of the regular Council meeting held on December 11, 2018.

Mayor Thornton presented the Flame of Excellence Award to Speer Burdette, President of the Callaway Foundation, Inc. as he will be retiring at the end of 2018. Mayor Thornton and the Council expressed their gratitude for Mr. Burdette's service to the citizens of LaGrange.

Max Kirby, Field Representative and liaison for Congressman Drew Ferguson, came before the Council to introduce himself as he will be representing the Congressman throughout this district. Mr. Kirby said he is available if the Council or citizens need his or Congressman Ferguson's assistance.

On a motion by Mr. Edmondson seconded by Mr. McCamey, Council voted unanimously to approve a request from the Callaway Foundation to amend the lease agreement for property located at West Haralson Street and North Greenwood Street.

On a motion by Mr. Edmondson seconded by Mr. McCamey, Council voted unanimously to adopt the following ordinance:

AN ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE TO AMEND THE CODE OF THE CITY; TO INCREASE CERTAIN MAXIMUM RATES FOR WRECKER SERVICE TOWING PURSUANT TO THE BLOCK TOWING SYSTEM; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE, GEORGIA, HEREBY ORDAIN AS FOLLOWS:

SECTION 1:

That Section 10-20-11 of the Code of the City of LaGrange be amended by deleting said section, in its entirety, inserting in lieu thereof a new Section 10-20-11 to read as follows:

“Sec. 10-20-11. - Wrecker service.

The maximum fees or rates charged by a wrecker service performing towing and storage services pursuant to the block towing system currently utilized by the city shall be as follows:

- (a) For services of wrecker for vehicles with two axles, the rate shall be \$150.00 per tow, and the storage for such vehicle per day shall be \$20.00.

(b) For vehicles with more than two axles, the storage fee shall be \$40.00 per day per truck and \$40.00 per day per trailer, and the wrecker services fees shall be as follows:

(1)	Truck with no trailer, occupied.	\$200.00
(2)	Truck with no trailer, unoccupied.	250.00
(3)	Truck with empty trailer, occupied.	300.00
(4)	Truck with empty trailer, unoccupied.	350.00
(5)	Truck with loaded trailer, occupied	450.00
(6)	Truck with loaded trailer, unoccupied.	500.00”

SECTION 2:

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3:

This ordinance after adoption by the Council and upon approval by the Mayor shall become effective January 1, 2019.

INTRODUCED AND FIRST READING _____ December 11, 2018

SECOND READING AND ADOPTED _____ December 20, 2018

SUBMITTED TO MAYOR AND APPROVED _____ December 20, 2018

BY: /s/ James C. Thornton, Mayor _____

ATTEST: /s/ Sue Olson, City Clerk _____

On a motion by Mr. McCamey seconded by Mr. Edmondson Council voted unanimously to adopt the following ordinance:

AN ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE TO AMEND THE CODE OF THE CITY; TO AMEND THE TRANSIENT MERCHANT AND ZONING ORDINANCE TO EXEMPT CERTAIN PORTABLE CONCESSION STANDS FROM DURATION REQUIREMENTS; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE, GEORGIA, HEREBY ORDAIN AS FOLLOWS:

SECTION 1:

That Article VI of Chapter 30-5 of the Code of the City be amended by deleting Section 30-5-149 in its entirety, inserting in lieu thereof a new Section 30-5-149 to read as follows:

“Sec. 30-5-149. Limit of operation on any one lot.

A transient merchant, itinerant merchant or itinerant vendor may remain and transact business upon any one lot within the City of LaGrange for up to ten (10) consecutive days or consecutive portions of days. Once said transient merchant, itinerant merchant or itinerant vendor has ceased to transact business upon said lot,

however, whether after one (1) or up to ten (10) days or portions of days, said merchant or vendor may not conduct business or otherwise remain thereon for sixty (60) days. Merchants participating in events on public property sanctioned and approved by the Downtown LaGrange Development Authority or the Troup County Parks and Recreation Commission shall be exempt from the durational requirements of this section.”

SECTION 2:

That Section 25-35-64 of the Code of the City of LaGrange be amended by deleting therefrom subsection (2)(c), inserting in lieu thereof a new Section 25-35-64(2)(c) to read as follows:

“(c) Up to one (1) portable concession stand, provided that it has been approved by the health department; it is located within one hundred (100) feet of a bathroom facility containing a toilet and wash sink that has been approved for public use by the owner; and the unit is not located in a required parking space and will not interfere with safe traffic circulation on the site. Once a portable concession stand has been used to conduct business or has otherwise been placed on a lot within this zone, it may remain on said lot for up to ten (10) consecutive days or portions of days. Once removed from said lot, however, whether after one (1) or up to ten (10) days or portions of days, no portable concession stand may be used to conduct business or otherwise remain on such lot for sixty (60) days from said removal. Notwithstanding any provision herein to the contrary, a portable concession stand may be removed from and returned to a particular lot during nonbusiness hours during the ten-day period of limitation referenced herein. Merchants participating in events on public property sanctioned and approved by the Downtown LaGrange Development Authority or the Troup County Parks and Recreation Commission shall be exempt from the durational requirements of this section.”

SECTION 3:

That Section 25-35-65 of the Code of the City of LaGrange be amended by deleting therefrom subsection (4) c. 1., inserting in lieu thereof a new subsection 25-35-65(4) c. 1. to read as follows:

“1. Up to one (1) portable concession stand, provided that it has been approved by the health department; it is located within one hundred (100) feet of a bathroom facility containing a toilet and wash sink that has been approved for public use by the owner; and the unit is not located in a required parking space and will not interfere with safe traffic circulation on the site. Once a portable concession stand has been used to conduct business or has otherwise been placed on a lot within this zone, it may remain on said lot for up to ten (10) consecutive days or portions of day. Once removed from said lot, however, whether after one (1) or up to ten (10) days or portions of days, no portable concession stand may be used to conduct business or otherwise remain on such lot for sixty (60) days from said removal. Notwithstanding any provision herein to the contrary, a portable concession stand may be removed from and returned to a particular lot during nonbusiness hours during the ten-day period of limitation referenced herein. Merchants participating in events on public property sanctioned and approved by the Downtown LaGrange Development Authority or the Troup

County Parks and Recreation Commission shall be exempt from the durational requirements of this section.”

SECTION 4:

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 5:

This Ordinance after adoption by the Council and upon approval by the Mayor shall become effective immediately.

INTRODUCED AND FIRST READING _____ December 11, 2018

SECOND READING AND ADOPTED _____ December 20, 2018

SUBMITTED TO MAYOR AND APPROVED _____ December 20, 2018

BY: /s/ James C. Thornton, Mayor _____

ATTEST: /s/ Sue Olson, City Clerk _____

On a motion by Mr. Edmondson seconded by Mr. Gore Council voted unanimously to adopt the following ordinance:

AN ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE TO DE-ANNEX FROM THE CORPORATE LIMITS OF THE CITY CERTAIN REAL PROPERTY LOCATED ADJACENT TO UPPER BIG SPRINGS ROAD; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Mayor and Council of the City of LaGrange have determined that it is in the best interests of the City to de-annex a certain 11.418 acre tract of undeveloped land located adjacent to Upper Big Springs Road;

WHEREAS, O.C.G.A. § 36-36-22 authorizes the governing authority to de-annex areas of the existing corporate limits of the City upon the written and signed application of all owners of said land proposed to be de-annexed;

WHEREAS, the Mayor and Council of the City of LaGrange have determined that de-annexation of the parcel described within this ordinance meets the requirements of Georgia law; and

WHEREAS, the Board of Commissioners of Troup County has consented to the de-annexation of the lands hereafter described, pursuant to O.C.G.A. § 36-36-22, with a copy of the resolution of said governing authority evidencing consent being attached hereto as Exhibit “B;”

NOW THEREFORE, the Mayor and Council of the City of LaGrange, Georgia, hereby ordain as follows:

SECTION 1:

That the property described more fully within Exhibit "A" is hereby de-annexed from the corporate limits of the City of LaGrange.

SECTION 2:

That a copy of this ordinance, duly certified by the City Clerk of the City of LaGrange, be forwarded to and filed with the Georgia Department of Community Affairs, forwarded to the Board of Commissioners of Troup County, Georgia, and the Troup County Board of Elections and Registration.

SECTION 3:

This ordinance, after adoption by the Council and upon approval by the Mayor, shall become effective according to the terms of O.C.G.A. § 36-36-2, on the 1st day of January, 2019.

SECTION 4:

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

INTRODUCED AND FIRST READING _____ December 11, 2018

SECOND READING AND ADOPTED _____ December 20, 2018

SUBMITTED TO MAYOR AND APPROVED _____ December 20, 2018

BY: /s/ James C. Thornton, Mayor

ATTEST: /s/ Sue Olson, City Clerk

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 155 of the 6th Land District of Troup County, Georgia, being more particularly described as follows: Beginning at the intersection of the centerline of Callaway Church Road and the centerline of Upper Big Springs Road, run thence North 16° 23' 13" East a distance of 93.18 feet to an iron pin found; run thence North 54° 12' 53" East a distance of 225.16 feet to an iron pin found; run thence North 45° 03' 45" East a distance of 563.92 feet to an iron pin found; run thence South 26° 26' 55" East a distance of 342.51 feet to an iron pin found and the point of beginning of the property described herein; run thence South 71° 50' 35" East for a distance of 202.75 feet to a point; run thence South 05° 14' 07" West a distance of 1207.93 feet to an iron pin found; run thence along a curve which has an arc of 273.73 feet, a radius of 1,587.02 feet and a chord of North 45° 57' 50" West a distance of 273.39 feet to a calculated point; run thence North 37° 18' 59" West a distance of 674.50 feet to an iron pin found; run thence North 44° 06' 18" East a distance of 317.36 feet to an iron pin found; run thence North 29° 36' 31" West a distance of 46.87 feet to an iron pin found; run thence North 50° 12' 19" East a distance of 423.35 feet to an iron pin found and the point of beginning of the property described herein.

Said property is identified as Tract 1C on that certain plat of survey prepared by Stothard Engineering, Inc., entitled "Boundary Survey for William Scarborough and Covenant Presbyterian

Church” dated November 28, 2007, as recorded in Plat Book 73, Page 243, Troup County Records, said plat being incorporated herein and made a part hereof for the purposes of a more complete and accurate description.

On a motion by Mr. Mitchell seconded by Mr. Edmondson, Council unanimously adopted the following ordinance:

AN ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE TO AMEND THE CODE OF THE CITY; TO AMEND THE CODE SO AS TO MODIFY REQUIREMENTS REGARDING TETHERING OF DOGS; TO PROHIBIT THE USE OF PADLOCKS WITHIN TETHERING SYSTEMS; TO REQUIRE ADEQUATE SHELTER FOR DOMESTICATED ANIMALS; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE, GEORGIA,
HEREBY ORDAIN AS FOLLOWS:

SECTION 1:

That Section 10-30-31 of the Code be amended by deleting therefrom subsection (e)(2), inserting in lieu thereof a new Section 10-30-31(e)(2) to read as follows:

“(2) Tethers and cables attaching the dog to the running cable line or trolley system must be made of a substance which cannot be chewed through by the dog (chains are not allowed as tethering material) and shall not weigh more than five (5%) percent of the weight of the dog tethered;”

SECTION 2:

That Section 10-30-31 of the Code be amended by deleting therefrom subsection (e)(6), in its entirety, inserting in lieu thereof a new Section 10-30-31(e)(6) to read as follows:

“(6) The lead line must be attached (but shall not be padlocked) to a properly fitted harness not used for the display of a current rabies tag and other identification. Collars are prohibited for the purposes of securing a dog to a running cable line or trolley system.”

SECTION 3:

That Section 10-30-1 of the Code be amended by adding within said section, in proper alphabetical order, the defined term of *adequate shelter* as follows:

“*Adequate shelter* means a protective covering for a domestic animal that provides adequate space and protection to maintain the animal in a state of good health, and that prevents pain, suffering, or significant risk to the animal's health. *Adequate shelter* shall consist of a completely enclosed structure with four (4) sides, a constructed floor, and a roof with a door opening. It should also be clean, dry and compatible with current weather conditions, in addition to age, size, species and condition of the animal. The structure should be of sufficient size to allow the animal to stand, turn around, lie down and go in and out of the structure comfortably. To be adequate, some type of bedding that is quick drying, such as hay or pine straw, must

be provided to maintain comfortable temperatures within the structure during times when the ambient, outside temperature is below thirty-two (32) degrees Fahrenheit. In addition, the structure shall include a heavy plastic or rubber flap to cover the door and/or window openings during the months of December through March or when the ambient, outside temperature is below thirty-two (32) degrees Fahrenheit. From April through November, the structure shall either be shaded or moved out of direct sunlight. If the shelter is made of wood, it shall be raised at least two (2) inches off the ground to prevent seepage or rotting. Examples of inadequate shelter include, but are not limited to, lean-tos, metal or plastic drums, boxes, abandoned vehicles, porches, decks, or material that does not provide sufficient protection from the elements.”

SECTION 4:

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 5:

This Ordinance after adoption by the Council and upon approval by the Mayor shall become effective immediately.

INTRODUCED AND FIRST READING _____ December 11, 2018

SECOND READING AND ADOPTED _____ December 20, 2018

SUBMITTED TO MAYOR AND APPROVED _____ December 20, 2018

BY: /s/ James C. Thornton, Mayor _____

ATTEST: /s/ Sue Olson, City Clerk _____

On a motion by Mr. Edmondson seconded by Mr. McCamey Council voted unanimously to appoint Tripp Penn to the Downtown Development Authority of the City of LaGrange to fill the unexpired term of Speer Burdette.

Mr. Gaskin gave the Council some information he had researched regarding “black on black” crimes and expressed his concern for these types of crimes in LaGrange, and said his number one objective is to stop these crimes through education of the citizens.

In good news closing comments, Ms. Van Schoor announced that starting January 1, 2019 we will begin sending out newsletters in the City’s utility bills communicating much needed information to our citizens like litter pick-ups, events, and City contacts.

There was no other business and the meeting was adjourned by Mayor Thornton.

Mayor

City Clerk