

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

September 13, 2016

Present: Mayor Jim Thornton; Council Members Willie Edmondson, Tom Gore, LeGree McCamey, Mark Mitchell, Norma Tucker and Nick Woodson

Also Present: City Manager Meg Kelsey; City Attorney Jeff Todd; Director of Community Development Alton West; Senior Planner Leigh Threadgill

The meeting was called to order by Mayor Thornton, the invocation was given by Amy Peek, First Baptist Church on the Square and Mayor Thornton led the Pledge of Allegiance to the Flag.

On a motion by Ms. Tucker seconded by Mr. McCamey, Council approved the minutes of the regular Council meeting held on August 23, 2016

A public hearing was held to receive comments on the Town Square Urban Redevelopment Plan. No comments were received.

Landscape architect Gary Gullate and Harriett Langford appeared before the Mayor and Council and presented design ideas for The Ray, a 16-mile stretch of road on Interstate 85 between West Point and LaGrange to use sustainable materials and promote zero emissions. No action was taken.

Ms. Threadgill presented a request from C. Anthony Okeke to rezone 430 Hammett Road from R-1, Residential to HDR-LU, High Density Residential – Limited Use District. The Board of Planning and Zoning recommended denial of the request. The Board found that the rezoning would have a negative impact on the neighborhood and community, did not constitute spot zoning and conflicted with the future land use plan. The Board noted that generally a development of this nature would be more appropriate at a location that was more urban. On a motion by Mr. McCamey seconded by Mr. Edmondson, Council voted unanimously to call for a public hearing on October 11, 2016 to gain citizen input on the request.

Ms. Threadgill presented a sign variance request from McDonalds located at 2408 Whitesville Road. The applicant requested a variance to allow the continuance of a non-conforming, annexed sign. The Board of Planning and Zoning Appeals recommended approval of granting a five foot setback to the required 15 foot setback for a setback of 10 feet from the Whitesville Road right of way. While the sign is non-conforming with respect to area, height and setback, the only dimension that can be varied is the setback of the sign. On a motion by Mr. Edmondson seconded by Mr. Traylor, Council voted unanimously to call for a public hearing on October 11, 2016 to gain citizen input on the request.

Ms. Kelsey presented copies of the August financial statements and payment of bills over \$2,000 for Council's information.

Ms. Kelsey reviewed modifications to the Automatic Aid/Mutual Aid Agreement with Troup County regarding the provision of fire and medical services. On a motion by Mr. McCamey seconded by Ms. Tucker, Council voted unanimously to authorize the Mayor and City Manager to execute an Automatic and Mutual Aid Agreement with Troup County. A copy of the document is on file in the City Manager's office.

On a motion by Mr. McCamey seconded by Ms. Tucker, Council voted unanimously to approve the following Resolution adopting the Town Square Urban Redevelopment Plan:

**RESOLUTION APPROVING URBAN REDEVELOPMENT PLAN**

**WHEREAS**, pursuant to Chapter 61 of Title 36 of the Official Code of Georgia Annotated, entitled the "Urban Redevelopment Law," as amended (the "Urban Redevelopment Law"), the Mayor and Council of the City of LaGrange, Georgia (the "City") held a public hearing on September 13, 2016, on a proposed urban redevelopment plan entitled "LaGrange, Georgia Town

Square Urban Redevelopment Plan" (the "Urban Redevelopment Plan"), a copy of which is on file with the City; and

**WHEREAS**, public notice of such public hearing was published in the LaGrange Daily News, a newspaper having a general circulation in the area of operation of the City, on September 9, 2016, and proof of such publication is on file with the City; and

**WHEREAS**, the City has prepared and adopted a general plan for the physical development of the City as a whole (giving due regard to the environs and metropolitan surroundings) (the "General Plan") pursuant to the Urban Redevelopment Law; and

**WHEREAS**, no families will be displaced from the urban redevelopment area described in the Urban Redevelopment Plan, and therefore no method for relocation of such families need be provided; and

**WHEREAS**, the Urban Redevelopment Plan conforms to the General Plan; and

**WHEREAS**, the Urban Redevelopment Plan will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the rehabilitation or redevelopment of the urban redevelopment area described in the Urban Redevelopment Plan by private enterprise; and

**WHEREAS**, the Urban Redevelopment Plan constitutes an appropriate part of the City's workable program for utilizing appropriate private and public resources to eliminate and prevent the development or spread of pockets of blight, to encourage needed urban rehabilitation, and to provide for the redevelopment of pockets of blight, all as set forth in the Urban Redevelopment Law; and

**WHEREAS**, after careful study and investigation, the City desires to approve the Urban Redevelopment Plan;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of LaGrange, Georgia, that all statements, findings, and recitations set forth in the above and foregoing preambles are hereby determined and declared to be true and correct.

**BE IT FURTHER RESOLVED** that the Urban Redevelopment Plan and the urban redevelopment project set forth therein are hereby approved.

**BE IT FURTHER RESOLVED** that any and all resolutions in conflict with this resolution be and the same are hereby repealed.

**BE IT FURTHER RESOLVED** that this resolution shall be effective immediately upon its adoption by the Mayor and Council of the City.

PASSED, ADOPTED, SIGNED, APPROVED, and EFFECTIVE this 13th day of September 2016.

CITY OF LAGRANGE, GEORGIA

By: \_\_\_\_\_

Mayor

(SEAL)

Attest:

\_\_\_\_\_  
Deputy City Manager - Administration and Finance

CERTIFICATE OF DEPUTY CITY MANAGER -  
ADMINISTRATION AND FINANCE

I, MARGARET B. KELSEY, the duly appointed, qualified, and acting Deputy City Manager - Administration and Finance of the City of LaGrange, Georgia (the "City"), DO HEREBY CERTIFY that the foregoing pages of typewritten matter constitute a true and correct copy of a resolution adopted on September 13, 2016 by the Mayor and Council of the City in a meeting duly called and assembled in accordance with applicable laws and with the procedures of the City, by a 6-0 vote of 6 Yea and 0 Nay, which meeting was open to the public and at which a quorum was present and acting throughout, and that the original of the foregoing resolution appears of public record in the Minute Book of the City, which is in my custody and control.

GIVEN under my hand and the seal of the City, this 13th day of September 2016.

(SEAL)

\_\_\_\_\_  
Deputy City Manager - Administration and  
Finance of City of LaGrange, Georgia

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On a motion by Mr. McCamey seconded by Ms. Tucker, Council voted to approve the following resolution authorizing the intergovernmental redevelopment contract and loan agreement for the Urban Redevelopment Plan:

AUTHORIZING RESOLUTION

WHEREAS, Article IX, Section II, Paragraph VII(b) of the Constitution of the State of Georgia (the "Constitutional Provision") (1) authorized the General Assembly of the State of Georgia to grant to counties or municipalities for redevelopment purposes and in connection with redevelopment programs, as such purposes and programs are defined by general law, the power to issue tax allocation bonds, as defined by such law, and the power to incur other obligations, without either such bonds or obligations constituting debt within the meaning of Article IX, Section V of the Constitution of the State of Georgia, and the power to enter into contracts for any period not exceeding 30 years with private persons, firms, corporations, and business entities; (2) provided that such general law may authorize the use of county, municipal, and school tax funds, or any combination thereof, to fund such redevelopment purposes and programs, including the payment of debt service on tax allocation bonds, notwithstanding Article VIII, Section VI or any other provision of the Constitution of the State of Georgia and regardless of whether any county, municipality, or local board of education approved the use of such tax funds for such purposes and programs before January 1, 2009; (3) provided that no county, municipal, or school tax funds may be used for such purposes and programs without the approval by resolution of the applicable governing body of the county, municipality, or local board of education and that no school tax funds may be used for such purposes and programs except as authorized by general law after January 1, 2009; and (4) provided (a) that notwithstanding the grant of these powers pursuant to general law, no county or municipality may exercise these powers unless so authorized by local law and unless such powers are exercised in conformity with those terms and conditions for such exercise as established by that local law, (b) that the provisions of any such local law shall conform to those requirements established by general law regarding such powers, and (c) that no such local law, or any amendment thereto, shall become effective unless approved in a referendum by a majority of the qualified voters voting thereon in the county or municipality directly affected by that local law; and

WHEREAS, the General Assembly of the State of Georgia exercised the powers granted to it by the Constitutional Provision by enacting after January 1, 2009 an act known as the "Redevelopment Powers Law" (the "Redevelopment Powers Law"), which is codified as Chapter 44 of Title 36 of the Official Code of Georgia Annotated (the "Georgia Code"); and

WHEREAS, the General Assembly of the State of Georgia enacted a local law (2010 Ga. Laws 3556 to 3558, inclusive) authorizing the City of LaGrange, Georgia (the "City") to exercise all redevelopment and other powers under the Redevelopment Powers Law, which local law was

approved in a referendum held on July 20, 2010, by a majority of the qualified voters of the City voting thereon; and

WHEREAS, the City, by a resolution adopted by its Mayor and Council on November 26, 2013 (the "TAD Resolution"), created the Town Square Redevelopment Area and Tax Allocation District Number 4 (Town Square Tax Allocation District) (the "Tax Allocation District") and adopted the Town Square Redevelopment Plan as the written plan of redevelopment for the Town Square Redevelopment Area and the Tax Allocation District, all pursuant to the Redevelopment Powers Law; and

WHEREAS, Troup County, Georgia, by a resolution adopted by the Board of Commissioners of Troup County on December 3, 2013 (the "County Consent Resolution"), consented, pursuant to Section 36-44-9 of the Georgia Code, to the inclusion of its ad valorem property taxes in the computation of "tax allocation increments" (as defined in the Redevelopment Powers Law) derived from the Tax Allocation District; and

WHEREAS, the Troup County School District, by a resolution adopted by the Board of Education of Troup County on December 12, 2013 (the "School District Consent Resolution"), consented, pursuant to Section 36-44-9 of the Georgia Code, to the inclusion of its ad valorem property taxes in the computation of "tax allocation increments" (as defined in the Redevelopment Powers Law) derived from the Tax Allocation District; and

WHEREAS, the Redevelopment Powers Law authorizes the City to (1) enter into and execute any contracts or other agreements determined by its Mayor and Council to be necessary or convenient to implement the provisions and effectuate the purposes of redevelopment plans and (2) exercise, for the purposes of the Redevelopment Powers Law, any powers conferred upon municipalities by Chapter 61 of Title 36 of Georgia Code, known as the "Urban Redevelopment Law" (the "Urban Redevelopment Law"); and

WHEREAS, the City, in order to exercise the powers conferred upon the City by the Urban Redevelopment Law, adopted a resolution on August 9, 2016, finding that one or more "pockets of blight" exist in the City and that the rehabilitation, conservation, or redevelopment, or a combination thereof, of such area or areas is necessary in the interest of the public health, safety, morals, or welfare of the residents of the City; and

WHEREAS, the City, by resolution adopted on August 23, 2016, designated the area covered by the hereinafter defined Urban Redevelopment Plan as an "urban redevelopment area," or a "pocket of blight," which the Mayor and Council of the City designated as appropriate for an urban redevelopment project; and

WHEREAS, the Mayor and Council of the City held a public hearing on September 13, 2016 on a proposed urban redevelopment plan entitled "LaGrange, Georgia Town Square Urban Redevelopment Plan" (the "Urban Redevelopment Plan"), a copy of which is on file with the City; and

WHEREAS, public notice of such public hearing was published in the LaGrange Daily News, a newspaper having a general circulation in the area of operation of the City, on September 9, 2016, and proof of such publication is on file with the City; and

WHEREAS, the City, by a resolution adopted on September 13, 2016, approved the Urban Redevelopment Plan and the urban redevelopment project set forth therein; and

WHEREAS, the Urban Redevelopment Law authorizes the City to undertake and carry out within the corporate limits of the City "urban redevelopment projects," which are defined to include undertakings or activities of the City in an urban redevelopment area under the Urban Redevelopment Law for the elimination and for the prevention of the development or spread of "pockets of blight" and may involve pocket of blight clearance and redevelopment in an urban redevelopment area, rehabilitation or conservation in an urban redevelopment area, or any combination or part thereof, in accordance with an urban redevelopment plan adopted pursuant to the Urban Redevelopment Law; and

WHEREAS, the Urban Redevelopment Law authorizes the City (1) to make and execute contracts and other instruments necessary or convenient to the exercise of its powers under the

Urban Redevelopment Law and (2) for the purpose of aiding in the planning, undertaking, or carrying out of an urban redevelopment project located within the corporate limits of the City, upon such terms, with or without consideration, as it may determine, to enter into agreements (which may extend over any period, notwithstanding any provision or rule of law to the contrary) with an authority respecting action to be taken pursuant to any of the powers granted by the Urban Redevelopment Law, including the furnishing of funds or other assistance in connection with an urban redevelopment project and other provisions allocating legal responsibility for matters arising under or in connection with transactions entered into pursuant to Section 36-61-4 of the Georgia Code; and

WHEREAS, Article IX, Section III, Paragraph I(a) of the Constitution of the State of Georgia authorizes the City to contract for any period not exceeding fifty years with any public corporation or public authority for joint services, for the provision of services, or for the joint or separate use of facilities or equipment, if such contract deals with activities, services, or facilities that the contracting parties are authorized by law to undertake or provide; and

WHEREAS, the Downtown LaGrange Development Authority (the "Authority") proposes to issue and deliver its promissory note to be known as "Downtown LaGrange Development Authority Limited Obligation Promissory Note" (the "Note"), in the principal amount of \$2,800,000, for the purpose of obtaining funds (1) to enable the Authority to make disbursements pursuant to the terms of a Project Grant Agreement, to be dated the date of its execution and delivery (the "Grant Agreement"), between the Authority, as grantor, and Paramount LaGrange, LLC (the "Developer"), as grantee, in order to pay a portion of the costs of acquiring, constructing, and installing an approximately 90-key nationally branded full service hotel (the "Project"), to be located on an approximately 25,000 square foot site at 25 West LaFayette Street in LaGrange, Georgia, and (2) to enable the Authority to pay the closing costs of the loan evidenced by the Note; and

WHEREAS, the Authority and the City propose to enter into an Intergovernmental Redevelopment Contract, to be dated the date of its execution and delivery (the "Redevelopment Contract"), under the terms of which the City will agree to make payments to the Authority in amounts sufficient to enable the Authority to pay, among other things, the principal of and interest on the Note when due, which payments shall be made solely from positive "tax allocation increments" (as defined in the Redevelopment Powers Law), to be derived from the Tax Allocation District; and

WHEREAS, the City proposes to loan \$2,800,000 to the Authority for the purposes set forth above, pursuant to a Loan and Security Agreement, to be dated the date of its execution and delivery (the "Loan Agreement"), between the Authority and the City, the repayment of which loan will be evidenced by the Note; and

WHEREAS, to secure its obligation to pay principal of and interest on the Note, the Authority proposes to assign and pledge to the City, and proposes to grant a first priority security interest in, all of its right, title, and interest in the Redevelopment Contract (except for the Unassigned Rights, as defined therein) and all revenues, payments, receipts, and moneys to be received and held thereunder, pursuant to the Loan Agreement; and

WHEREAS, after careful study and investigation, the City desires to enter into the Redevelopment Contract and the Loan Agreement (collectively the "Contracts");

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of LaGrange, Georgia as follows:

1. The forms, terms, and conditions and the execution, delivery, and performance of the Contracts, which have been filed with the City, are hereby approved and authorized. The Contracts shall be in substantially the forms submitted to the Mayor and Council of the City with such changes, corrections, deletions, insertions, variations, additions, or omissions as may be approved by the Mayor or Mayor Pro Tern of the City, whose approval thereof shall be conclusively evidenced by the execution of the Contracts.

2. The Mayor or Mayor Pro Tern of the City is hereby authorized and directed to execute on behalf of the City the Contracts, and the Deputy City Manager - Administration and Finance of the City is hereby authorized and directed to affix thereto and attest the seal of the City,

upon proper execution and delivery by the Authority, provided, that in no event shall any such attestation or affixation of the seal of the City be required as a prerequisite to the effectiveness thereof, and the Mayor or Mayor Pro Tem and Deputy City Manager - Administration and Finance of the City are authorized and directed to deliver the Contracts on behalf of the City to the Authority and to execute and deliver all such other contracts, agreements, instruments, documents, affidavits, or certificates and to do and perform all such things and acts as each shall deem necessary or appropriate in furtherance of the issuance of the Note and the carrying out of the transactions authorized by this Resolution or contemplated by the instruments and documents referred to in this Resolution.

3. This Resolution and the Contracts, as approved by this Resolution, which are hereby incorporated in this Resolution by this reference thereto, shall be placed on file at the office of the City and made available for public inspection by any interested party immediately following the passage and approval of this Resolution.

PASSED, ADOPTED, SIGNED, APPROVED, and EFFECTIVE this 13th day of September 2016.

CITY OF LAGRANGE, GEORGIA

(SEAL)

Mayor

Attest:

\_\_\_\_\_  
Deputy City Manager - Administration and Finance

CERTIFICATE OF DEPUTY CITY MANAGER -  
ADMINISTRATION AND FINANCE

I, MARGARET B. KELSEY, the duly appointed, qualified, and acting Deputy City Manager - Administration and Finance of the City of LaGrange, Georgia (the "City"), DO HEREBY CERTIFY that the foregoing pages of typewritten matter constitute a true and correct copy of a resolution adopted on September 13, 2016 by the Mayor and Council of the City in a meeting duly called and assembled in accordance with applicable laws and with the procedures of the City, by a vote of 6 Yea and 0 Nay, which meeting was open to the public and at which a quorum was present and acting throughout, and that the original of the foregoing resolution appears of public record in the Minute Book of the City, which is in my custody and control.

GIVEN under my hand and the seal of the City, this 13th day of September 2016,

\_\_\_\_\_  
Deputy City Manager - Administration and  
Finance, City of LaGrange, Georgia

(SEAL)

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On a motion by Mr. Edmondson seconded by Ms. Tucker, 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 SECTION 10-20-96 OF THE CODE SO AS TO  
PROHIBIT PARKING ON A PORTION OF SOUTH DAWSON

STREET; TO REPEAL CONFLICTING ORDINANCES; TO FIX  
AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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The September 27, 2016 Mayor and Council meeting was moved from 5:30 p.m. to 11:00 a.m. on September 27, 2016.

Ms. Kelsey discussed the holding the annual Mayor and Council retreat in Greenville, South Carolina in late October or early November. No action was taken.

In good news closing comments, Ms. Kelsey reminded the Mayor and Council of a public meeting held by the Georgia Conservancy at 7:00 pm at the Catholic Church to gain citizen participation in understanding the current conditions of Calumet Village. All input will be saved and recorded as part of the Calumet Village Blueprints process and be reflected in the final report. Ms. Kelsey also reported the announcement of Sentury Tire, a fast growing Chinese tire maker. Sentury plans to build a manufacturing and research center in LaGrange that will employ more than 1,000 people. The \$530 million factory complex, will be in the first in North America for the company.

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

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Mayor

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City Manager