

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

December 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; Assistant City Manager Teresa Taylor; City Attorney Jeff Todd; Community Development Director Alton West

The meeting was called to order by Mayor Thornton the invocation was given by Reverend J.R. Ware from Welcome Baptist Church and Mayor Thornton led the Pledge of Allegiance to the Flag.

On a motion by Mr. McCamey seconded by Mr. Woodson, Council approved the minutes of the regular Council meeting held on November 22, 2016.

Cajen Rhodes, the Director of Troup County Parks and Recreation appeared before the Mayor and Council and presented on the maintenance progress of the neighborhood parks in the City of LaGrange. Mr. Rhodes stated that his department is currently working on a number of general maintenance projects to include pressure washing, cleaning and mowing. Mr. Rhodes held multiple community meetings to receive feedback from neighboring residents. Many residents requested Troup County Parks and Recreation work on the cleanliness of the parks and installation of benches and picnic tables.

A public hearing was held to receive comments on prohibiting parking in the 500 block of Ware Street and receiving none. No comments were received. On a motion by Mr. Edmondson seconded by Mr. Woodson, Council voted unanimously to authorize staff to prepare an ordinance to prohibit parking on a portion of Ware Street

A public hearing was held to receive comments on a request to rezone 1734 and 1800 Whitesville Road from County Zoning to C-3, general commercial and R-44, single family residential. No comments were received. Council heard the first reading of 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 ZONING MAP AND ORDINANCES OF THE CITY SO AS TO CLASSIFY WITH CERTAIN CONDITIONS THE USE ZONE OF REAL ESTATE LOCATED AT 1734 WHITESVILLE ROAD AND OWNED BY DOROTHY CARTER SHELNUTT; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; TO PROVIDE FOR SEVERABILITY; AND FOR OTHER PURPOSES.

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Council heard the first reading of 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 ZONING MAP AND ORDINANCES OF THE CITY SO AS TO CLASSIFY WITH CERTAIN CONDITIONS THE USE ZONE OF REAL ESTATE LOCATED AT 1800 WHITESVILLE ROAD AND OWNED BY MAVIS CARTER DANFORD; TO REPEAL CONFLICTING ORDINANCES; TO FIX

AN EFFECTIVE DATE; TO PROVIDE FOR SEVERABILITY;  
AND FOR OTHER PURPOSES.

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A public hearing was held to receive comments on wall sign variance request for property located at 1050 Lafayette Parkway. No comments were received. On a motion by Mr. Edmondson and second by Mr. Mitchell, Council unanimously voted approve a variance to allow for two additional wall signs.

A public hearing was held to receive a request to rezone 2201 Mooty Bridge Road and adjacent property from PUD, Planned Unit Development to R-44, Single Family Residential. No comments were received.

Council heard the first reading of 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 ZONING MAP AND ORDINANCES OF THE CITY SO AS TO RECLASSIFY THE USE ZONE OF REAL ESTATE LOCATED ON MOOTY BRIDGE ROAD AND OWNED BY NEWNAN DEVELOPMENT COMPANY AND JEFFREY KARPIK; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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Mr. West presented a recommendation from the Board of Planning and Zoning Appeals to annex and rezone 11 Sunset Drive from County Zoning to C-3 General Commercial. The property is 7/10 of an acre and is currently zoned single family residential. The property owner requested a general commercial zoning. The county's future land use map reclassified the property as commercial; however, it is still zoned single family residential. The property is adjacent to single family residential and if the city approves the request it will require a 30 foot buffer to the residential lots adjacent. On a motion by Mr. Gore and second by Mr. McCamey, Council unanimously voted to call for a public hearing on January 10, 2017 to gain citizen input.

Mayor Thornton announced that he will host four town hall meetings beginning in January 2017. The series of meetings will be held around the city to hear from residents on issues of concern, to update residents on projects and priorities for the city and to gather input and suggestions. This is the third year the Mayor will host these meetings. These meetings will be held at 6:00 pm on Tuesday January 31, 2017 at Hollis Hand School; Thursday, February 2, 2017 at Troup Baptist Association Building; Tuesday February 7, 2017 at Confidence Missionary Baptist Church; and Thursday, February 9, 2017 at Dunson United Methodist Church.

Mayor Thornton also scheduled the City Manager's review for the regular council meeting on December 27, 2016.

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

Council heard the first reading of the following ordinance:

AN ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE TO ANNEX TO THE CITY CONTIGUOUS REAL PROPERTY OWNED BY DOROTHY CARTER SHELNUTT AND LOCATED AT 1734 WHITESVILLE ROAD; TO REPEAL

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

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Council heard the first reading of the following ordinance:

AN ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE TO ANNEX TO THE CITY CONTIGUOUS REAL PROPERTY OWNED BY MAVIS CARTER DANFORD AND LOCATED AT 1800 WHITESVILLE ROAD; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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On a motion by Mr. Tucker seconded by Mr. McCamey, Council unanimously voted to amend the code to re-designate the office of Deputy City Manager.

AN ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE TO AMEND THE CODE OF THE CITY; TO AMEND THE CITY CODE SO AS TO RE-DESIGNATE THE OFFICE FORMERLY KNOWN AS DEPUTY CITY MANAGER – ADMINISTRATION AND FINANCE AS ASSISTANT CITY MANAGER; 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 Title 1 of the Code of Ordinances of the City of LaGrange be amended by deleting each and every reference to “deputy city manager – administration and finance,” inserting in lieu thereof “assistant city manager.”

**SECTION 2:**

That Title 5 of the Code of Ordinances of the City of LaGrange be amended by deleting each and every reference to “deputy city manager – administration and finance,” inserting in lieu thereof “assistant city manager,” with the exception of Chapter 5-15, which shall remain unchanged except as modified in Section 3 below.

**SECTION 3:**

That Sections 5-15-1 through 5-15-6 of the Code of Ordinances of the City of LaGrange be amended by deleting said sections, in their entirety, inserting in lieu thereof a new Section 5-15-1 through 5-15-6, and to read as follows:

**“Sec. 5-15-1. – Department of finance created; director; appointment; bond.**

There is created the department of finance, the head or director of which shall be the city manager.

**Sec. 5-15-2. – Powers and duties.**

The city manager shall have charge of the administration of the financial affairs of the city and to that end shall have authority, and shall be required to:

(1) Maintain and supervise a general accounting system for the city government and each of its officers, departments and agencies; keep books for, and exercise financial budgetary control over, each office, department and agency; keep separate accounts for each item of appropriation contained in the city budget;

(2) Submit to the mayor and council a monthly statement of all receipts and disbursements in such detail as will show the financial condition of the city;

(3) Receive and account for all monies payable to the city by any county, state or federal government, by any court, or by any office, department or agency of the city, or payable from any other source not otherwise provided for; and

(4) Have custody of all public funds belonging to or under the control of the city or any office, department or agency of the city government, and deposit all funds coming into his or her hands in such depositories as may be designated by resolution of the mayor and council;

(5) Have custody of all investments and invested funds of the city government, or in the possession of such government in a fiduciary capacity, and have the safekeeping of all bonds and notes of the city, and of the receipt and delivery of city bonds and notes for transfer, registration, exchange or payment;

(6) Make expenditures within the appropriations approved by the city council;

(7) Make interim and annual financial reports;

(8) Inspect and audit any accounts or records of financial transactions which may be maintained by any office, department or agency of the city government, apart from or subsidiary to the accounts kept in his or her office;

(9) Enforce all ordinances and applicable state laws relating to the collection, foreclosure and sale for taxes;

(10) Collect the fees required by section 5-15-8; and

(11) Perform all other duties as may be directed by ordinance or resolution of the mayor and council.

**Sec. 5-15-3. - Signing of warrants or checks.**

All checks given, issued or delivered by the city shall be signed by the reproduced facsimile signature of the city manager or assistant city manager or by the original signature of any one of the

following: Mayor, mayor pro tem, city manager or assistant city manager.

**Sec. 5-15-4. - Marshal in department of finance; appointment; duties.**

The city marshal of the city shall be appointed by the city manager. The person appointed as city marshal shall be an employee of the city and may hold other positions or have other responsibilities for the city. In addition to such other responsibilities, the person designated as city marshal shall perform the duties of that office which shall include but shall not be limited to:

- (1) Investigate and make recommendations on all applicants for alcoholic beverages, wine, beer and amusement center licenses as required by law;
- (2) Enforce the collection of delinquent taxes and paving assessments, levy all executions, serve notice of executions and sell property levied on as provided by law;
- (3) Assist in locating and collecting delinquent utilities and miscellaneous accounts receivable;
- (4) Perform such other duties as may be assigned by the director of the department of finance or the city manager.

**Sec. 5-15-5. – Tax returns, assessments, appeals and tax digest generally.**

The filing of tax returns for real and personal property, the preparation of assessments therefor, the hearings of appeals from such assessments and the preparation and filing of the city tax digest shall be the responsibility of the tax assessor of the county as far as may be prescribed by the laws of the state.

**Sec. 5-15-6. – Tax due dates; bills; delinquent taxes.**

(a) All taxes on tangible property other than motor vehicles shall be due on the date of the tax levy by the mayor and council.

(b) Ad valorem taxes which are not paid on or before November fifteenth of the year in which assessed are hereby declared to be delinquent. Any person who shall willfully fail to pay within ninety (90) days of the date when due, any such ad valorem tax, except ad valorem tax of five hundred dollars (\$500.00) or less on homestead property as defined in O.C.G.A. title 48, chapter 5, article 2, section 48-5-40 et seq., shall pay a penalty of ten (10) percent of the amount of tax due, plus interest allowed by law.

(c) In all cases where executions are issued by the city for delinquent taxes, the city manager shall collect such costs, including advertising costs, incurred for issuing, levying and collecting taxes, as are allowed for collection of the county ad valorem tax executions under state law.

(d) Such execution, when issued, shall be directed to the city marshal and shall be levied and executed by him or his authorized representative, as provided by law.”

**SECTION 4:**

That Title 10 of the Code of Ordinances of the City of LaGrange be amended by deleting each and every reference to “deputy city manager – administration and finance,” inserting in lieu thereof “assistant city manager.”

**SECTION 5:**

That Title 15 of the Code of Ordinances of the City of LaGrange be amended by deleting each and every reference to “deputy city manager – administration and finance,” inserting in lieu thereof “assistant city manager.”

**SECTION 6:**

That Title 20 of the Code of Ordinances of the City of LaGrange be amended by deleting each and every reference to “deputy city manager – administration and finance,” inserting in lieu thereof “assistant city manager.”

**SECTION 7:**

That Title 25 of the Code of Ordinances of the City of LaGrange be amended by deleting each and every reference to “deputy city manager – administration and finance,” inserting in lieu thereof “assistant city manager.”

**SECTION 8:**

That Title 30 of the Code of Ordinances of the City of LaGrange be amended by deleting each and every reference to “deputy city manager – administration and finance,” inserting in lieu thereof “assistant city manager.”

**SECTION 9:**

That Title 35 of the Code of Ordinances of the City of LaGrange be amended by deleting each and every reference to “deputy city manager – administration and finance,” inserting in lieu thereof “assistant city manager.”

**SECTION 10:**

All ordinances or parts of ordinances in conflict with the provisions of this ordinance shall be and the same are hereby repealed.

**SECTION 11:**

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

INTRODUCED AND FIRST READING \_\_\_\_\_ November 22, 2016

SECOND READING AND ADOPTED \_\_\_\_\_ December 13, 2016

SUBMITTED TO MAYOR AND APPROVED \_\_\_\_\_ December 13, 2016

BY: /s/ James C. Thornton, Mayor \_\_\_\_\_

ATTEST: /s/ Meg Kelsey, City Manager \_\_\_\_\_

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On a motion by Mr. Tucker seconded by Mr. Edmondson, Council unanimously voted to amend the charter to re-designate the office of Deputy City Manager.

### AN ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE TO AMEND THE CHARTER OF THE CITY; TO AMEND THE CHARTER SO AS TO REDESIGNATE THE OFFICE FORMERLY KNOWN AS DEPUTY CITY MANAGER – ADMINISTRATION AND FINANCE AS ASSISTANT CITY MANAGER; TO REPEAL CONFLICTING PROVISIONS; 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 the Charter of the City of LaGrange be amended, pursuant to the Municipal Home Rule Act of 1965, as amended, by deleting each and every reference to “deputy city manager-administration and finance,” inserting in lieu thereof “assistant city manager” with the exception of Section 3.40 and Section 4.40, which shall be modified pursuant to Sections 2 and 3 below.

#### SECTION 2:

That Section 3.40 of the Charter of the City of LaGrange be amended by deleting said section, in its entirety, inserting in lieu thereof a new Section 3.40 to read as follows:

##### **“Sec. 3.40. – Assistant City Manager.**

The city manager shall appoint an officer who shall perform the duties of assistant city manager and who shall keep a journal of the proceedings of the city council and maintain in a safe place all records and documents pertaining to the affairs of the city. The assistant city manager shall be the custodian of the official records of the city, and shall perform such other duties as may be required by law or as the city manager may direct.”

#### SECTION 3:

That Section 4.40 of the Charter of the City of LaGrange be amended by deleting said section, in its entirety, inserting in lieu thereof a new Section 4.40 to read as follows:

##### **“Sec. 4.40. – Contracting procedures.**

The mayor and council shall prescribe by ordinance such rules and regulations as may be necessary to govern the authorization and execution of contracts which shall bind the City of LaGrange. All contracts, and all ordinances or resolutions making contracts or authorizing the same, shall be drawn by the city attorney or shall be submitted to him before authorization by the mayor and council. Except where otherwise provided by law or by ordinance of the council, all contracts of the city shall be signed by the mayor or mayor pro tem or by some person designated by the mayor and council, and shall be authenticated by the city manager, assistant city manager or such other person as may be designated by the mayor and council.”

**SECTION 4:**

All provisions of the Charter of the City of LaGrange in conflict herewith are hereby repealed.

**SECTION 5:**

This Charter amendment, after adoption by the Council and upon approval by the Mayor, shall become effective upon a copy of same being filed with the Secretary of State of the State of Georgia and the Clerk of the Superior Court of Troup County, Georgia, all in accordance with O.C.G.A. § 36-35-5.

INTRODUCED AND FIRST READING \_\_\_\_\_ November 22, 2016 \_\_\_\_\_

SECOND READING AND ADOPTED \_\_\_\_\_ December 13, 2016 \_\_\_\_\_

SUBMITTED TO MAYOR AND APPROVED \_\_\_\_\_ December 13, 2016 \_\_\_\_\_

BY: /s/ James C. Thornton, Mayor \_\_\_\_\_

ATTEST: /s/ Meg Kelsey, City Manager \_\_\_\_\_

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On a motion by Ms. Tucker seconded by Mr. Edmondson council unanimously voted to reappoint Gwen Redwine and Dick Daniel to the Historic Preservation Commission.

In good news closing comments, Ms. Kelsey reported that the LaGrange Youth Council has adopted the Bradfield Group Home at Twin Cedars for Christmas.

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

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Mayor

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City Manager