

Walnut Grove City Council
Work Session
Via teleconference
Thursday, July 23, 2020
2:30 P.M.

Present: Mayor Mark Moore, Linda Pilgrim, Mary Hall and Stephanie Moncrief

Also Present: City Clerk Tangee Puckett, Code Enforcement Craig Ellington, Jimmy Parker and City Attorney Mike Malcom

I. INVOCATION

Attorney Mike Malcom gave the invocation.

II. CALL TO ORDER

Meeting called to order by Mayor Mark Moore at 2:30 p.m.

III. PLEDGE OF ALLEGINACE

All participated.

IV. AGENDA APPROVAL

Councilmember Stephanie Moncrief made a motion to approve the agenda as presented. Councilmember Linda Pilgrim seconded. The motion passed unanimously.

V. BUSINESS LICENSE DISCUSSION

Mayor Moore noted the business license in discussion were One Main Automotive, Albright Refinishing.

Discussion on One Main Automotive: Councilmember Stephanie Moncrief. Not in favor of them doing business within the City. They have not followed the rules. They should have gone through the proper procedures. They came in and applied for a business license and was denied and now coming back and applied for another business to operate a different type of business. Would like to know what kind of business they are trying to operate. Mayor Moore asked Code Enforcement Craig Ellington to give an update. Mr. Ellington noted the business did come in at the beginning of the year and applied for a business license for a used car dealership. But when it went through the review process it was determined it was not in compliance with the zoning and Downtown Overlay District. After doing some research we discovered they were operating a salvage yard. The Mayor and I have both been in contact with the business owner. The first business license had to go before the Mayor and Council and was denied due to them not being in compliance. They were storing cars there and they were told this was not allowed. They recently removed the vehicles from the property and came in and reapplied for another

business license for minor auto repair, which is allowed. I agree I have had some concerns myself. They did however apply for their business license from the beginning but once it was denied, then they decided to do something different. They have been operating without a business license since January, they never stopped working. In my opinion, the business they are trying to open is in compliance with the C-1 zoning. Mr. Ellington noted there was some discrepancies on the Downtown Overlay District boundaries. Mayor Moore asked the City Attorney for his opinion. Attorney Mike Malcom explained if this business is not in compliance with the Downtown Overlay District therefore can not be issued a business license. Mayor Moore asked if the City could legally deny their license and Attorney Malcom answered yes, due to them not being in compliance with the Downtown Overlay District. Councilmember Stephanie Moncrief asked if the Council could deny business license based upon the business not fitting the Cities needs or its not the type of business the City wants inside their City. Attorney Mike Malcom answered you have a right to say no for a variety of reasons. And for this business to be operating without a business license is enough reason to deny nut also because they are not in compliance with the Overlay District. The other Council members had nothing to add.

Discussion on Albright Refinishing: Mayor Moore noted this is a body shop and is not in compliance with the Downtown Overlay District or the City's zoning regulations. He is also not in compliance with State regulations. Code Enforcement Craig Ellington noted the business has been operating for a few years and has been granted a business license in the past. When I went by there to do my inspection, I noticed a paint booth inside the building. And with my past experience he is not in compliance with State regulations. With that being said, he is not in compliance based on the zoning regulations. Mayor Moore asked for Attorney Mike Malcom's opinion. Attorney Malcom noted the business not being in compliance with State regulations is a bigger issue and this needs to be addressed regardless of the zoning issues. Councilmember Stephanie Moncrief asked the City could grant him his business license contingent upon him relocating within six to eight months. Councilmember Linda Pilgrim asked if the owner could do a variance? Code Enforcement Ellington noted the business owner did not know he was not in compliance. Attorney Malcom noted that the City had granted him a license in the past and the owner relied on the City to make sure he was in compliance and since the City issued his past license, my recommendation would be to issue a variance. Mayor Moore stated he was hesitant to issue a variance due to the location. Does not feel any automotive business should be at this location. My opinion would be to allow the business owner to find another location to move his business. Attorney Malcom explained if the Council was not going to issue a variance that you would have to allow him the appropriate time to find a new location. City Clerk Tangee Puckett was asked to pull the business license application from the past years to see what type of business was put on there. After doing some research it was determined the business was an auto detail and apparel shop. Mayor Moore pulled up the current business license application and noted it said automotive paint, auto detail and apparel. If he were only a detail shop he could operate in the C-1 district but not a body shop. Mayor Moore noted this business license is not in compliance operating a body shop and he has until January 1st to find a new location. Councilmember Moncrief asked if this goes for the paint and body shop? Mayor Moore

answered he did not want to tell this business owner to basically shut down his shop since he has previously been given a business license and was unaware, he was not in compliance. Councilmember Linda Pilgrim is in agreement with the Mayor's recommendation.

VI. ISLAND PROPERTIES WITHIN CITY OF WALNUT GROVE DISCUSSION

Mayor Moore gave an update on the tax records and current zoning map in reference to the island properties. Attorney Mike Malcom as far as the properties on Park Street, each of these properties are different. The ones that showed up on the map later were probably were annexed in 2001. Not sure if the map you show were incorrect. But what Jesse's research has found and identified in the memo he sent to you shows the properties that were properly annexed into the City, but the tax office did not properly show these as City properties. Mayor Moore asked about the property on Hwy. 138. It was showing inside the City limits for 5 years and then in 2016 was removed as being part of the City per an email from the previous clerk. Mayor Moore asked City Clerk Tangee Puckett to give an explanation of her findings on this property. City Clerk Tangee Puckett noted her and Jesse Couch has done a lot of research with little paper work, but called the tax assessor's office and was told the previous clerk sent an email stating this property was not inside the City limits of Walnut Grove and they removed it. This is normally not how this process works. Jimmy Parker, Precision Planning, the 2012 map was an updated version of what the Northeast Georgia RDC prepared for the City in 2001 or 2002. In 2016, the property in question, we met with the previous Clerk and Mayor on June 26, 2016 to discuss zoning and ordinance changes. At that time the previous Clerk had an annexation file, that I have never see and she was going to check this file and give us corrections to the map. They marked up the map and sent it to us and those are the changes you see on the map now. I did look at the 138 property specifically today and based on my research this property was never annexed into the City. Councilmember Stephanie Moncrief asked how it could be de-annexed if it was never annexed into the City? On some of the properties that are showing not inside the City limits, my concern is the roads need to be repaired, the residents are utilizing City resources, how do we change this? Attorney Malcom noted in the memo Attorney Couch had given that the City can enter into an intergovernmental agreement to help repair the streets. Mayor Moore noted the easiest way would be to go to the residents and have them annex into the City on their own. Attorney Malcom explained you can enter into an intergovernmental agreement, if there is an island, the County and the City can get together if there are infrastructure repairs that need to be completed and enter into this agreement. But first we will reach out to the citizens and let them know the benefits of being inside the City.

VII. IT INFRASTRUCTURE DISCUSSION

Mayor Moore noted we have run into some issues with our web updates and with the amount of money we are spending we aren't getting the service for this. On cyber security and maintenance this is built into our Comcast business account, so we have security. This is included in the fees we pay for our internet service. We pay \$890 a month and after the promotion is over, we will be paying \$1200. We have the option to bring in a file server to back up each hard drive. This is important for when we start archiving our files, we need security. We will then have a 3-tier system. We are not utilizing Sophicity as much as larger Cities probably

do. They are also doing our website support. Using them for this, we do not get personal service. Like we have in the past with a local company. Sophicity has over 100 employees and we never get the same person. We can save money if we hire a website administrator. Sophicity does not host our website, they are just the administrators. I am recommending we install a new server and then turn over to a local administrator. As you know we have talked about me selling the City a server and Sophicity was helping set this up and they had access to everything on our computers, like QuickBooks, personal files, etc. When we were setting this up, they had access to my personal computer. I am not saying they would take our information and use it, it's just a shock that they have that much access to our information. I feel like we should take back our network and use someone locally.

Mayor Moore asked if there were any questions: Councilmember Stephanie Moncrief asked the Mayor if the City had purchased his old server yet? Mayor Moore stated no. What server is being used right now? Mayor Moore noted we have a desktop computer acting as our server. Councilmember Moncrief stated she was confused since the Mayor had just mentioned Sophicity was on his network at his house working on the server. Mayor Moore noted the server is still at his home and they were doing a trial run. Councilmember Moncrief asked if the server at the Mayor's house had been set-up? Mayor Moore noted the server has not been deployed. There are no City records on the server at this time. Councilmember Moncrief voiced her concerns, are we setting this up for the long run or for now so you can handle the issues? If for instance we have a compromised computer and we have to go to another computer, who is going to come fix this computer? Mayor Moore noted we have a relationship with a local company. Councilmember Moncrief wanted to know how this was different from what we have now. Mayor Moore noted, the local company won't be able to log in remotely like Sophicity does. Councilmember Moncrief noted she was concerned for the safety for our citizens and any credit card information and other private issues. I don't think an outside company that specializes in IT security and computer, maybe not web management. I thought when we signed up with IT in the Box, they would bill us for what services we needed and not a whole package. I don't think it's a good idea to handle this in house, nobody has time. Mayor Moore explained he would not be doing this in house, he would be using an outside company, such as Reboot. They are locally owned and has IT qualifications. Attorney Malcom asked if we had a contract with a time frame with Sophicity? Mayor Moore stated no. My recommendation would be to move this locally.

VIII. Adjourn

Motion made by Councilmember Mary Hall to adjourn at 4:36 p.m. Councilmember Linda Pilgrim seconded. The vote was unanimous.

Approved by Mayor and Council this _____ day of August 2020.

Mayor Steven Mark Moore

Tangee B. Puckett, City Clerk