

**REGULAR MEETING
APRIL 8, 2019**

The Mayor and City Council of the City of Washington, Georgia, held their Regular monthly meeting on Monday, April 8, 2019, beginning at 3:37 PM at the Edward Pope Conference Center. Mayor Ames Barnett presided.

Present were Mayor Barnett and council members Armour, Armour, Cullars, Mahoney, Scarborough and Tut. Also present were City Administrator Bailey, City Clerk Danner and City Attorney Fleming.

Visitors present are listed in the minutes of the Work Session held on April 8, 2019.

City Attorney Fleming opened the meeting in prayer.

MINUTES APPROVED: On motion by T. Armour, second by Scarborough, council approved 6 to 0 the minutes of previous meetings as presented.

MEETING AGENDA APPROVED: On motion by R. Armour, second by Scarborough, council approved 6 to 0 the meeting agenda; adding under City Administrator an Economic Development personnel matter and under Council member Mahoney a policing matter.

MAYOR BARNETT TOPICS: Mayor Barnett commented that the recent Tour of Homes was well attended and that the city looked beautiful, thanking the Public Works department for their many efforts in making the town look so good.

Mayor Barnett also thanked Council member Mahoney on his efforts to get a welding program in Washington. This will be a mobile classroom unit sponsored by Workforce Development and One Source.

Barnett advised that April 8th is Lineman Appreciation Day and signed a proclamation honoring linemen.

Barnett reminded those present that April 21 through 27 is Georgia Cities Week and that there are activities planned for April 24, 2019, beginning at 4 PM on the square. There will be activities for children and state and local officials along with city appointees to boards, commissions and authorities will be recognized.

CHILD ABUSE PREVENTION MONTH: Ms. Brantley and Ms. Dempsey of the Toombs Judicial Circuit Child Enrichment program advised that April is Child Abuse Prevention Month and had Mayor Barnett sign a proclamation recognizing this endeavor.

JANICE ANDREWS – NORMAN STREE HOUSING: Ms. Janice Andrews questioned the delay in building homes on Norman Street as part of the CHIP program. Ms. Andrews had been approved for a home and has not heard anything from city officials. Ms. Andrews was advised that currently CHIP funds are on hold from HUD because of a delay in environmental studies. Council member Mahoney apologized on behalf of the governing body that Ms. Andrews had been contacted.

AMEND CITY ORDINANCE CHAPTER 90, SECTIONS 251, 252, 253: City Attorney Fleming presented to council amendments to Code Section 90-251, 252, 253 which govern types of businesses which can locate in the downtown business area. On motion by Scarborough, second by R. Armour, council approved amendments 5 to 1, with council member Cullars voting against.

**A RESOLUTION TO AMEND SECTIONS 90-251, 90-252, 90-253, & 90-254 OF THE CITY OF WASHINGTON,
GEORGIA CODE OF ORDINANCES**

WHEREAS, the City of Washington has established a zoning designation as C-3 Primary Commercial District within Sections 90-251, 90-252, & 90-253 of the Code of Ordinances to regulate certain uses within those areas primarily considered the downtown of the City of Washington; and

WHEREAS, the City desires to amend the regulations for the current C-3 Primary Commercial District.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Washington as follows:

1) Division 4. – C-3 Primary Commercial District shall be amended to read “Division 4. – C-3 Downtown Commercial District”.

2) Section 90-251. – Purpose. of the Code of Ordinances shall be amended to read as follows:

The C-3 Downtown Commercial District is established to recognize and protect the historic and current vital core of the city; to foster its continued existence as a commercial center for business, government, and service enterprises for the whole community; to encourage development of this district as a shopping, dining, and activity center for residents, tourists, and the surrounding region; and to reinforce its small town architecture, character, and feel, and its pedestrian atmosphere, scale and movement by grouping specialized uses which benefit from close proximity to each other and by fostering full utilization of existing structures and infrastructure by allowing mixed uses, contiguous construction, and shared parking facilities.

3) Section 90-252. – Permitted uses of land and structures. of the Code of Ordinances shall be amended to read as follows:

In the C-3 Downtown Commercial District, the following uses are permitted:

- 1) Any retail business or service, including the making of products sold at retail on the premises, provided such manufacturing is incidental to the retail business or service and does not create hazards, noise, vibrations, smoke, dust, odors, glare, heat, or other nuisances greater than occasioned by retail or office use.
- 2) Hotels, offices, and banks.
- 3) Professional offices for doctors, lawyers, dentists, architects, engineers, realtors, insurance agents, and similar professional and business services.
- 4) Newspaper and printing plants.
- 5) Public services, excluding storage and parking facilities for equipment.
- 6) Restaurants, bars, grills, delicatessens, bakeries, specialty grocers and similar establishments, excluding drive-ins.
- 7) Art, craft and/or hobby supply stores, art gallery or shop, and art studios
- 8) Radio stations.
- 9) Indoor theatres and amusements.
- 10) Funeral parlors, excluding crematoriums.
- 11) Barber, hairdresser, and/or stylist shops, beauty supply, and manicure establishments.
- 12) Automobile sales rooms and minor repair garages.
- 13) Bus terminals and taxicab stands.
- 14) Gasoline service stations.
- 15) Signs, business and professional advertising in accordance with Chapter 58.
- 16) Residential uses. The following uses may be allowed by right in the upper floors of a multistory building and in the basement of a structure within the C-3 Downtown Commercial District:
 - a. Single-family dwellings.
 - b. Two-family dwellings.

- c. Multifamily dwellings.
- d. Home occupations.

The maximum dwelling unit occupancy shall be a family plus two persons unrelated to the family, or no more than four unrelated persons.

- 4) Section 90-253. – Conditional uses of land and structures. of the Code of Ordinances shall read as follows:
 - 1) Personal care homes.
 - 2) Off-street parking.
 - 3) Membership clubs, churches, and fraternal organizations.
 - 4) Animal facilities and services, grooming and daycare.
 - 5) Schools – private, public, parochial, school programs – day-, pre-, post-
- 5) Section 90-254. - Minimum lot and structure requirements. of the Code of Ordinances shall read as follows:

In the C-3 Downtown Commercial District, there shall be no specified side, front, or rear setback requirement or lot coverage requirements; however, no building shall exceed three stories or 40 feet in height.
- 6) All portions of this Code in conflict herewith are hereby repealed.

City Attorney Fleming also presented to council proposed amendments to City Ordinance Chapter 90, Sections 562, 563, 597 and 598. These amendments will limit placement of mobile homes to a conditional use status. On motion by Mahoney, second by R. Armour, council approved changes 6 to 0.

A RESOLUTION TO AMEND SECTIONS 90-562, 90-563, 90-597, & 90-598 OF THE CITY OF WASHINGTON, GEORGIA CODE OF ORDINANCES

WHEREAS, the City of Washington has established regulations for zoning designations R-3A and R-3B in the Code of Ordinances to allow for certain uses within those districts; and

WHEREAS, the City desires to amend the regulations for the current R-3A and R-3B zoning districts.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Washington as follows:

- 1) Sec. 90-562. - Permitted uses of land and structures of the Code of Ordinances shall be amended to read as follow:

In the R-3A redevelopment residential district, the following uses shall be permitted:

- (1) Residences: single-family, two-family, and multiple-family dwellings.
- (2) Customary home occupations provided that no person other than members of the family residing on the premises are employed, except as outlined in section 90-645.
- (3) Principal use advertising signs.
- (4) Accessory uses, except that any automobile not in operating condition shall not be permitted to park between the residence and the street the property abuts. All automobiles not in operating condition shall be parked in the rear yard or in a garage or carport. All automobile parts shall be stored within a garage or storage building.

The presence of more than one such inoperable vehicle on any single lot shall constitute a junkyard and shall comply with the provisions therefor as specified in section 90-646.

- 2) Sec. 90-563. - Conditional uses of land and structures of the Code of Ordinances shall be amended to read as follows:

The following uses may be permitted in the R-3A redevelopment residential district subject to application to the planning commission and favorable decision thereon, in accordance with division 3 of article VII of this chapter:

- (1) Community parks and open spaces.
- (2) Public and private schools, provided that a complete site development plan is submitted with the application to the planning commission.
- (3) Churches, clubs, fraternal organizations, and similar places of public assembly, provided that a site development plan is submitted with the application to the planning commission and with the provision for off-street parking as specified in division 3 of article VI of this chapter.
- (4) Catering services, home-based.
- (5) Group day care homes.
- (6) Single-family mobile homes/manufactured homes greater than 20 feet in width on individual lots, provided they meet the requirements for residences as prescribed in sections 90-36, 90-564 and 90-565; division 4 of article VI of this chapter; the provisions of the city's building and housing codes; and provided no more than one mobile home/manufactured home shall be permitted on a single lot.

- 3) Section 90-597. - Permitted uses of land and structures of the Code of Ordinances shall be amended to read as follows:

In the R-3B special high density residential district, the following uses shall be permitted:

- (1) Residences: single-family, two-family, and multiple-family dwellings.
- (2) Customary home occupations provided that no person other than members of the family residing on the premises are employed, except as outlined in section 90-645.
- (3) Principal use advertising signs.
- (4) Accessory uses, except that any automobile not in operating condition shall not be permitted to park between the residence and the street the property abuts. All automobiles not in operating condition shall be parked in the rear yard or in a garage or carport. All automobile parts shall be stored within a garage or storage building. The presence of more than one such inoperable vehicle on any single lot shall constitute a junkyard and shall comply with the provisions therefor as specified in section 90-646.

- 4) Section 90-598. - Conditional uses of land and structures of the Code of Ordinances shall be amended to read as follows:

The following use may be permitted in the R-3B special high density residential district subject to application to the planning commission and favorable decision thereon, in accordance with division 3 of article VII of this chapter:

- (1) Community parks and open spaces.
- (2) Public and private schools, provided that a complete site development plan is submitted with the application to the planning commission.
- (3) Churches, clubs, fraternal organizations, and similar places of public assembly, provided that a site development plan is submitted with the application to the

planning commission and with the provision for off-street parking as specified in division 3 of article VI of this chapter.

- (4) Catering services, home-based.
- (5) Group day care homes.
- (6) Single-family mobile homes/manufactured homes greater than 20 feet in width on individual lots, provided they meet the requirements for residences as prescribed in section 90-36, 90-599 and 90-600; division 4 of article VI of this chapter; the provisions of the city's building and housing codes; and provided that no more than one mobile home/manufactured home shall be permitted on a single lot.

APPROVAL OF ALCOHOL LICENSES: City Clerk Danner presented alcohol licenses from approval:

1. Fitzpatrick Hotel: DBA: Maddy's located at 14-16 West Square, Timothy Thibodeaux owner with Cayce Buttrey acting as Registered Agent. On motion by Tutt, second by Mahoney, council approved license 6 to 0.
2. Wings – N – Things; located at 111 N Allison Street, James Stone, owner. On motion by Tutt, second by R. Armour, council approved license 6 to 0.
3. Citgo Food Mart, located at 117 E Robert Toombs Avenue, Harkrishan Ji LLC, Kaur Walia Maninder, President, and James Barry Thompson acting as Registered Agent. On motion by R. Armour, second by Scarborough, council approved license 5 to 1, with Council member Cullars voting against.

TOPICS SUBMITTED BY COUNCIL:

MAHONEY: Council member Mahoney reminded those present of an upcoming welding class which will be fully paid through the Georgia Lottery and in a new mobile classroom with 16 available spots.

Mahoney also advised of a Gordon Street School cleanup day on April 27, 2019 from 9 AM until 1 PM.

Mahoney also reminded those present of the Community Garden planning meeting scheduled for April 25. Planners are hoping for more community involvement.

Mahoney also discussed recent violent crimes in Washington and requested that there be a meeting scheduled to discuss these matters. Mayor Barnett advised that he had spoken with the Sheriff and that the department on working on all leads.

REPORTS FROM CITY ADMINISTRATOR: City Administrator Bailey requested approval for requests for use of square : Easter Egg hunt on April 20; Sunrise Easter Services on April 21, National Day of Prayer on May 2 and Optimist Club 5K on May 18. On motion by T. Armour, second by Tutt, council approved 6 to 0 requests.

City Administrator Bailey requested council approval of a Resolution to Adopt the Language Access Plan for the 2018 CHIP. On motion by T. Armour, second by R. Armour, council approved Resolution to Adopt Plan 3-3-1. Voting against the motion were council members Cullars, Mahoney and Tutt. Mayor Barnett voted for the motion, breaking the tie vote. Resolution follows:

Language Access Plan

City of Washington

Introduction:

The purpose of this Language Access Plan is to comply with the requirements of Title VI of the Civil Rights Act of 1964 as it relates to ensuring that persons who are LEP can effectively participate in, or benefit from, the Community Home Investment Program (CHIP) that the City of Washington received in 2018.

General Information:

Grantee: **City of Washington**

CHIP Grant Number: 2018-114

Target Area: **Norman Street**

Preparer's name, phone number, email address: **Sherri Bailey**

706 678-3277

sbailey@washingtonwilkes.org

Factor 1: The number or proportion of LEP persons eligible to be served or likely to be encountered by the Agency or its federally funded programs.

The attached Limited English Proficiency by Jurisdiction map from the U.S. Census Bureau shows that the population for the City of Washington US (Tract 103.1 & 103.2) is 4,290 of which 5 or 0.2% are Limited English Proficient persons. The City of Washington has gone a step further in its efforts to provide Limited English Proficient (LEP) persons with meaningful access to programs and activities by increasing the service area to include all of **Wilkes** County.

Also, attached are the additional 12 Limited English Proficiency by Jurisdiction map from the U.S. Census Bureau shows that show the total population in each census tract of **Wilkes** County and the percentage of LEP persons living within each tract. A summary of this data shows that there are 10,539 persons who live within **Wilkes** County, of which 787 or 0.018% are LEP persons.

According to DCA's policies, the size of the language group determines the recommended provisions of written language assistance to provide sufficient language services to those persons who will be served or encountered by the **City of Washington** as it relates to the CHIP award for housing repairs and new construction.

Based on the data listed above, the extended service area for this project shows that there is less than 5% of the eligible beneficiaries and less than 1,000 of said beneficiaries who are LEP persons that will be served through the City of Washington's housing rehabilitation and new construction. This being the case, no written translation is required.

Factor 2: The frequency with which LEP persons come into contact with the Agency's programs: Frequency will be on an annual basis.

Factor 3: The nature and importance of the activities: -

The nature of this program is 4 new construction homes and 5 owner occupied rehabilitations.

Importance: Denial or delay of access to services or information would not cause serious or life-threatening implications for the LEP individuals.

Factor 4: The resources available and costs to the recipient:

The number of LEP persons in the service area is below the threshold needed to provide written or oral translation therefore the City of Washington will provide public notice about the CHIP funded activities in English only; However, in accordance with the City of Washington's policies

to the greatest extent feasible and practical, the City of Washington will assist any citizen in understanding all public communication.

City of Washington Language Access Plan

Responsible Staff:

Marcus Dill along with **Sherri Bailey** will be responsible for coordination of all LEP compliance.

Complaints and Appeals:

Any citizen of Washington Georgia may contact Marcus Dill. Mr. Dill will forward any complaint or appeal request to:

Christy Barnes
Director of Legal Services
DCA Central Office
(404) 679-5291
christy.barnes@dca.ga.gov

Plan to Update the LAP:

The **City of Washington** will update the Four-Factor Analysis and the LAP every five (5) years.

Records Retention:

Records on the **City of Washington** efforts to comply with Title VI LEP obligations will be maintained for no less than 10-years.

Adopted through Resolution this 8 day of April, 2019.

Council member Mahoney made a motion to instruct the Administrator to enter into employment contract negotiations with Barbara Bacon to oversee CHIP Grants, second by Council member Cullars, council voted 3-3-1. Voting against the motion were council members Armour, Armour and Scarborough. Mayor Barnett also voted against the motion, breaking the tie vote.

On motion by R. Armour, second by Mahoney, council voted 6 to 0 to adjourn the meeting at 4:19 PM.

After council had adjourned this meeting, it was noted that an item had not been brought to council's attention. Council re-convened in open session with council members Armour, Armour, Scarborough and Tutt present.

ECONOMIC DEVELOPER POSITION: City Administrator Bailey requested council approval to enter into an Inter-governmental Contract with the County to have Janet Parker act as Economic Developer and Main Street Director. The County will contribute \$25,000 yearly for this position.

Council member Tutt voiced concern that Parker had no experience as economic developer, that there were no qualifications listed for this position and that it really is a PDA position.

On motion by R. Armour, second by Scarborough, council approved Parker as Economic Developer/Main Street Director 3 to 1. Council member Tutt voted against the motion.

ADJOURNMENT: On motion by R. Armour, second by Scarborough, council approved 4 to 0 adjournment at 4:26 PM.

_____MAYOR

_____CLERK