The City Council of the City of Harlem, Georgia met for their Regular Meeting on Monday, May 22, 2023, at the Public Safety Building at 7:00 p.m. with Mayor Roxanne Whitaker presiding.

Present: Council: Mayor Roxanne Whitaker, Mayor Pro tem Gregg Stokes, Councilmember Daniel Bellavance, Councilmember Al Reeves, and Councilmember John Thigpen; STAFF: City Manager Debra Moore, City Clerk Leona Holley, and City Attorney Barry Fleming; MEDIA: Stephanie Hill, The Augusta Press.

The meeting was called to order by Mayor Whitaker at 7:00 p.m.

The Invocation and Pledge of Allegiance was given and led by City Attorney Fleming.

**Approval of the Agenda:** Councilmember Thigpen made the motion to approve the Agenda as presented; 2nd by Mayor Pro tem Stokes. The motion carried with Councilmembers Bellavance, Reeves, Stokes, and Thigpen voting in the affirmative.

**Approval of the Minutes:** Councilmember Thigpen made the motion to approve the following Minutes as written:
- Work Session, & Executive Session; Thursday, April 20, 2023
- Regular Meeting; Monday, April 24, 2023

The motion was 2nd by Mayor Pro tem Stokes. The motion carried with Councilmembers Bellavance, Reeves, Stokes, and Thigpen voting in the affirmative.

**Special Presentation – Certificates of Recognition – Trey Macky & Travis Sims:** Mayor Whitaker awarded a Certificate of Recognition to North Harlem Elementary Assistant Principal Travis Sims at Work Session, May 18, 2023 for his exemplary service in assisting with a house fire across from North Harlem Elementary and recognized Trey Macky with a Certificate of Recognition for his service with the house fire as well. Mr. Macky was unable to attend the Work Session. Mayor Whitaker thanked all who assisted with the house fire.

**UNFINISHED BUSINESS:**

**Consider Ordinance 2305 An Ordinance to Annex Certain Properties – Luke Boatright, Stanley Martin Homes, LLC. – 2nd Reading & Action:** A request was received from Luke Boatright with Stanley Martin Homes, owners of Hickory Woods Subdivision. This is for four parcels that have a portion of each in the unincorporated area of the County, the rest is within the incorporated area of the City. The property information is as follows:

<table>
<thead>
<tr>
<th>OWNER</th>
<th>ADDRESS</th>
<th>MAP &amp; PARCEL</th>
<th>ZONING</th>
<th>ACREAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stanley Martin Companies LLC</td>
<td>342 Tupelo Pass</td>
<td>031 418</td>
<td>PUD</td>
<td>0.06 ac</td>
</tr>
<tr>
<td>Stanley Martin Companies LLC</td>
<td>344 Tupelo Pass</td>
<td>031 419</td>
<td>PUD</td>
<td>0.12 ac</td>
</tr>
<tr>
<td>Stanley Martin Companies LLC</td>
<td>346 Tupelo Pass</td>
<td>031 420</td>
<td>PUD</td>
<td>0.13 ac</td>
</tr>
<tr>
<td>Stanley Martin Companies LLC</td>
<td>348 Tupelo Pass</td>
<td>031 421</td>
<td>PUD</td>
<td>144 sq ft</td>
</tr>
</tbody>
</table>
Council Regular Meeting, City of Harlem, Georgia
May 22, 2023
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UNFINISHED BUSINESS (cont’d):

Consider Ordinance 2305 An Ordinance to Annex Certain Properties – Luke Boatright, Stanley Martin Homes, LLC. – 2nd Reading & Action (cont’d): The prior owner purchased these portions in order to square up the parcels within the subdivision but did not complete the annexation into the City. Information was provided to the County. Councilmember Thigpen made the motion to approve the 2nd Reading of Ordinance 2305, an Ordinance for Annexation; 2nd by Councilmember Reeves. The motion carried by Councilmembers Bellavance, Reeves, Stokes, and Thigpen voting in the affirmative.

Consider Ordinance 2306 An Ordinance to Amend Chapter 108 Land Use; Sec. 108-377 Authority to Grant Variances and Sec. 108-378 Appeals of Administrative Decisions – 2nd Reading & Action: This Ordinance is for the correction of a grammatical error in Sec. 108-377 Authority to Grant Variances; the word “used” is being replaced with the word “use”. This Ordinance also amends Sec. 108-378 Appeals of Administrative Decisions, by removing the current items a – c in their entirety and replacing them with new items a – g that give more clarity in the procedures to be taken. This went before the Planning Commission at their May meeting; recommendation is for approval. Councilmember Thigpen made the motion to approve the 2nd Reading of Ordinance 2306, an Ordinance Amending Chapter 108 Land Use; Sec. 108-377 Authority to Grant Variances and Sec. 108-378 Appeals of Administrative Decisions; 2nd by Councilmember Bellavance. The motion carried with Councilmembers Bellavance, Reeves, Stokes, and Thigpen voting in the affirmative.

Consider MOU with Fort Gordon for Military Compatibility – Development Application Review – Action: The purpose of the MOU (Memorandum of Understanding) is to establish a mutually beneficial process for ensuring timely and consistent procedures for review of development applications between the City of Harlem and Fort Gordon. The MOU was tabled at the April 24, 2023, Regular Council meeting for City Attorney Fleming to review it further. City Attorney Fleming reviewed the document for any corrections or changes. Councilmember Thigpen made the motion to approve the MOU with Fort Gordon for Military Compatibility; 2nd by Mayor Pro tem Stokes. The motion carried with Councilmembers Bellavance, Reeves, Stokes, and Thigpen voting in the affirmative.

NEW BUSINESS:

Consider Proclamation – Bishop C. M. Bailey 15 Year Anniversary – Action: Mayor Whitaker read the Proclamation at Work Session, May 18, 2023. The Proclamation is recognizing Bishop C. M. Bailey of the United House of Prayer for All People of The Church on the Rock of the Apostolic Faith in Harlem for his 15th years of service, achievements, commitment, and dedication this May 22, 2023. Councilmember Bellavance made the motion to approve the Proclamation for Bishop C. M. Bailey 15 Year Anniversary; 2nd by Councilmember Reeves. The motion carried with Councilmembers Bellavance, Reeves, Stokes, and Thigpen voting in the affirmative.
NEW BUSINESS (cont’d):

Consider GMA District 7 Officer’s Ballot & Voting Delegate (GMA Convention) – Action: Mayor Whitaker stated the ballot is to consider the GMA’s District 7 Officers for 2023-2024. There will be an election for the Third Vice-President. The two nominations for the Third Vice-President are:

- Commissioner Catherine McKnight, Augusta
- Councilmember Nathaniel Cullars, Sr., Washington

Councilmember Reeves made the motion to vote on Catherine McKnight for the Third Vice-President for the GMA District 7 Officer; 2nd by Councilmember Thigpen. The motion carried with Councilmembers Bellavance, Reeves, Stokes, and Thigpen voting in the affirmative.

The following nominations are for the positions of President, First Vice President, and Second Vice President:

- President Jordan Johnson, Commissioner, Augusta
- First Vice President Danny Brown, Councilmember, Sandersville
- Second Vice President Ceretta Smith, Councilmember, Grovetown
- Third Vice President Catherine McKnight, Commissioner, Augusta

Mayor Whitaker asked for a motion in favor of the nominees for positions of President, First Vice President, and Second Vice President. Due to lack of motion, the City will not be voting for the positions of President, First Vice President, and Second Vice President. City Manager Moore will submit the ballot to Sherri Bailey with GMA; Ms. Bailey will submit the ballot on behalf of the City.

Consider Cancellation of June 22, 2023 Council Work Session – Action: There will not be a quorum present for the June 22, 2023 Work Session; the Mayor and two Councilmembers will be out of town. Mayor Pro tem Stokes made the motion to cancel the June 22, 2023 Work Session; 2nd by Councilmember Bellavance. The motion carried with Councilmembers Bellavance, Reeves, Stokes, and Thigpen voting in the affirmative.

Consider Rezoning Application RZ-2023-05-01 to Rezone A Portion of Map & Parcel 031 418; 0.06 acres; 342 Tupelo Pass Hickory Woods Subdivision; Rezoning from County – RA (Residential Agriculture) to City – PUD (Planned Unit Development) – Action: Rezoning application RZ-2023-05-01 is for the rezoning of a portion of Map & Parcel 031 418; 0.06 acres; 342 Tupelo Pass Hickory Woods Subdivision rezoning from County RA to City PUD. The rezoning request is associated with an annexation request from the property owner which included a rezoning to the City of Harlem PUD zoning classification. This went before the Planning Commission for approval; recommendation is for approval. Councilmember Thigpen made the motion to approve Rezoning Application RZ-2023-05-01 to Rezone a Portion of Map & Parcel 031 418; 0.06 acres, 342 Tupelo Pass Hickory Woods Subdivisions from County RA to City PUD; 2nd by Councilmember Bellavance. The motion carried with Councilmembers Bellavance, Reeves, Stokes, and Thigpen voting in the affirmative.

Consider Rezoning Application RZ-2023-05-02 to Rezone a Portion of Map & Parcel 031 419; 0.12 acres; 344 Tupelo Pass Hickory Woods Subdivision; Rezoning from County – RA (Residential Agriculture) to City – PUD (Planned Unit Development) – Action: Rezoning application RZ-2023-05-02 is for the rezoning of a
NEW BUSINESS (cont’d):

Consider Rezoning Application RZ-2023-05-02 to Rezone a Portion of Map & Parcel 031 419; 0.12 acres; 344 Tupelo Pass Hickory Woods Subdivision; Rezoning from County – RA (Residential Agriculture) to City – PUD (Planned Unit Development) – Action (cont’d): portion of Map & Parcel 034 419; 0.12 acres; 344 Tupelo Pass Hickory Woods Subdivision from County RA to City PUD. The rezoning request is associated with an annexation request from the property owner which included a rezoning to the City of Harlem PUD zoning classification. This went before the Planning Commission for approval; recommendation is for approval. Councilmember Thigpen made the motion to approve Rezoning Application RZ-2023-05-02 to Rezone a Portion of Map & Parcel 031 419, 0.12 acres, 344 Tupelo Pass Hickory Woods Subdivision from County RA to City PUD; 2nd by Councilmember Bellavance. The motion carried with Councilmembers Bellavance, Reeves, Stokes, and Thigpen voting in the affirmative.

Consider Rezoning Application RZ-2023-05-03 to Rezone a Portion of Map & Parcel 031 420; 0.13 acres; 346 Tupelo Pass Hickory Woods Subdivision; Rezoning from County – RA (Residential Agriculture) to City – PUD (Planned Unit Development) – Action: Rezoning application RZ-2023-05-03 is for the rezoning of a portion of Map & Parcel 031 420, 0.13 acres, 346 Tupelo Pass Hickory Woods Subdivision, rezoning from County RA to City PUD. The rezoning request is associated with an annexation request from the property owner which included a rezoning to the City of Harlem PUD zoning classification. This went before the Planning Commission for approval; recommendation is for approval. Councilmember Thigpen made the motion to approve Rezoning Application RZ-2023-05-03 to Rezone a Portion of Map & Parcel 031 420, 0.13 acres, 346 Tupelo Pass Hickory Woods Subdivision from County RA to City PUD; 2nd by Councilmember Reeves. The motion carried with Councilmember Bellavance, Reeves, Stokes, and Thigpen voting in the affirmative.

Consider Rezoning Application RZ-2023-05-04 to Rezone a Portion of Map & Parcel 031 421; 144 square feet; 348 Tupelo Pass Hickory Woods Subdivision; Rezoning from County – RA (Residential Agricultural) to City – PUD (Planned Unit Development) – Action: Rezoning application RZ-2023-05-04 is for the rezoning of a portion of Map & Parcel 031 421, 144 square feet, 348 Tupelo Pass Hickory Woods Subdivision, rezoning from County RA to City PUD. The rezoning request is associated with an annexation request from the property owner which included a rezoning to the City of Harlem PUD zoning classification. This went before the Planning Commission for approval; recommendation is for approval. Councilmember Thigpen made the motion to approve Rezoning Application RZ-2023-05-04 to Rezone a Portion of Map & Parcel 031 421, 144 square feet, 348 Tupelo Pass Hickory Woods Subdivision from County RA to City PUD; 2nd by Councilmember Reeves. The motion carried with Councilmembers Bellavance, Reeves, Stokes, and Thigpen voting in the affirmative.

Consider Ordinance 2307 An Ordinance to Amend Chapter 108 Land Use; Sec. 108-240 Permitting Requirements – 1st Reading & Action: Ordinance 2307 is amending Chapter 108 Land Use, Sec. 108-240 Permitting Requirement. This amendment will make clear the appeals process. Currently Sec. 108-240, paragraph (e) states appeals would go to the Community Development Director and the Board of Appeals; the City does not have a Board of Appeals. This amendment is removing “Board of Appeals” and replacing it with “City Council” and removing “Community Development Director” and replacing it with “City Clerk” for filing of appeals. Councilmember Thigpen made the motion to approve the 1st Reading of Ordinance
NEW BUSINESS (cont’d):

**Consider Ordinance 2307 An Ordinance to Amend Chapter 108 Land Use; Sec. 108-240 Permitting Requirements – 1st Reading & Action (cont’d):** 2307 an Ordinance amending Chapter 108 Land Use, Sec. 108-240 Permitting Requirements; 2nd by Mayor Pro tem Stokes. The motion carried with Councilmembers Bellavance, Reeves, Stokes, and Thigpen voting in the affirmative.

**Consider Ordinance 2308 An Ordinance to Amend Chapter 108 Land Use; Sec. 108-244 Violations, Inspections and Removal – 1st Reading & Action:** Ordinance 2308 is amending Chapter 108 Land Use, Sec. 108-244 Violations, Inspections, and Removal. Currently the appeal process is not clear to whom an appeal is filed with or what the full process for the filing of an appeal regarding the removal of a sign. This amendment will make it clear on the appeals process for filing an appeal with the City Clerk, the length of time and the process for filing an appeal. Councilmember Thigpen made the motion to approve the 1st Reading of Ordinance 2308 an Ordinance amending Chapter 108 Land Use, Sec. 108-244 Violations, Inspections, and Removal; 2nd by Councilmember Reeves. The motion carried with Councilmembers Bellavance, Reeves, Stokes, and Thigpen voting in the affirmative.

**Consider Ordinance 2309 An Ordinance to Amend Chapter 108 Land Use; Sec. 108-3 Definitions and Sec. 108-271 Exterior Walls – 1st Reading & Action:** Ordinance 2309 was originally Ordinance 2302; Council did not take any action on Ordinance 2302. Ordinance 2309 is amending Chapter 108 Land Use, Sec. 108-3 Exterior Walls. Staff is making a recommendation for the provision of a definition of virgin brick and establishing exterior wall color palette zones to be considered for use on new non-residential/commercial construction only. Also, this ordinance is amending Sec. 108-271 (e) to add “for new commercial construction only” and “to be considered as guides”; item (f) – (k) to add “shall consider utilizing.” Councilmember Thigpen made the motion to approve the 1st Reading of Ordinance 2309 an Ordinance amending Chapter 108 Land Use, Sec. 108-3 Definitions and Sec. 108-271 Exterior Walls; 2nd by Mayor Pro tem Stokes. Discussion: Councilmember Thigpen asked for clarification “shall consider” means the same as “may use”; City Attorney Fleming stated that is correct. The motion carried with Councilmembers Bellavance, Reeves, Stokes, and Thigpen voting in the affirmative.

**Consider Resolution No. 2023-08 A Resolution to Update the Development Fee Schedule as to Commercial Development, Text Amendments, and Stormwater Consulting Fees – Action:** The Community Development Director is requesting new fees for development projects. The fees are as follows:

1. Single Lot Commercial Plan Review Fee for Land Disturbance/Soil Erosion/Stormwater – Staff is proposing a fee of $775.00 per acre which would be the PUD equivalent fee.
2. Citizen Initiated Text Amendments – Staff are proposing a fee for text amendments. This would help with the legal notice advertising cost.
3. State Waters Determination by a Contractor – Staff are proposing a fee to secure any necessary consultants to assist the city in determining state waters involved in a development.

Councilmember Thigpen made the motion to approve Resolution 2023-08 a Resolution to Update the Development Fee Schedule as to Commercial Development, Text Amendments, and Stormwater Consulting Fees; 2nd by Councilmember Bellavance. The motion carried with Councilmembers Bellavance, Reeves, Stokes, and Thigpen voting in the affirmative.
NEW BUSINESS (cont’d):

Consider Resolution No. 2023-09 A Resolution for the Surplus of City Equipment – Public Works Department – Action: Resolution 2023-09 is for the surplus of the following Public Works Department equipment:

- One (1) 5 ¼” Fire Hydrant
- One (1) Godwin By-Pass Pump; Model Godwin HL-80M; Serial Number 20088519/08

Based on the information Public Works Director Robert Fields has provided, the equipment is no longer needed. Councilmember Bellavance made the motion to approve Resolution 2023-09 a Resolution for the Surplus of Public Works City Equipment; 2nd by Councilmember Thigpen. The motion carried with Councilmembers Bellavance, Reeves, Stokes, and Thigpen voting in the affirmative.

Public Comment: N/A

Reports:

- Council Reports: N/A
- Mayor Report: Mayor Whitaker reported Harlem High School Baseball Team won the State Championship. There was a tremendous parade on Saturday for the team. Mayor Whitaker stated she appreciates Harlem’s support for the ballgame and the turnout for the parade. Mayor Whitaker stated there was a letter from one of the parents from Ringgold complementing how well the students behaved, how respectful the team was, and how energetic Harlem’s Coach was. Mayor Whitaker reported Graduation will be coming up on Wednesday, May 24th at Lady A Pavilion in Evans Town Center Park. Mayor Whitaker asked to please keep Mr. Joe Lokey, and his family, in your thoughts and prayers, Mr. Lokey passed away today. Mr. Lokey was owner of West Forrest Assisted Living and served on the Historic Preservation Commission.

- Department Reports: N/A

Announcements:

- May 26: Movie Night “Jail House Rock”; Sundown; Harlem Branch Library Plaza
- May 29: City Offices Closed – Memorial Day
- June 6: Planning & Zoning Meeting; 6:00 p.m.; Public Safety Building
- June 8: Historic Preservation Commission Meeting; 6:30 p.m.; Public Safety Building
- June 9: City Council Quarterly Work Session; 8:30 a.m.; City Hall
- June 14: Urban Redevelopment Agency Meeting; 9:00 a.m.; City Hall
- June 16: Movie Night “The Princess & The Frog”; Sundown; Harlem Branch Library Plaza
- June 22: City Council Work Session; 7:00 p.m.; Public Safety Building - *Canceled*
- June 22-26: GMA Annual Convention; Savannah
- June 26: City Council Regular Meeting; 7:00 p.m.; Public Safety Building

Executive Session: N/A
With there being nothing further for discussion, Councilmember Bellavance made the motion to adjourn the meeting; 2\textsuperscript{nd} by Councilmember Thigpen. The motion carried with Councilmembers Bellavance, Reeves, Stokes, and Thigpen voting in the affirmative. The meeting adjourned at 7:20 p.m.

Respectfully submitted,

Leona H. Holley
City Clerk