

**City of Locust Grove  
Council Meeting Minutes  
Public Safety Building – Courtroom Chamber  
3640 Highway 42 S. – Locust Grove, GA 30248  
Monday, October 2, 2023  
6:00 PM**

<b>Members Present:</b>	<b>Staff Present:</b>
Robert Price – Mayor	Bert Foster – Assistant City Manager
Keith Boone – Councilman/Pro Tem	Misty Spurling – City Clerk
Willie Taylor – Councilman	Daunté Gibbs – Community Development Director
Vincent Williams – Councilman	Jack Rose – Public Works Director
Rod Shearouse – Councilman	Derrick Austin - Police Chief
Rudy Breedlove – Councilman	Andy Welch – Attorney
	<b>Staff not present:</b>
<b>Members present via Teleconference:</b>	Tim Young – City Manager (ICMA Conference)
Carlos Greer – Councilman	Colleen Cook – Main Street Director

Mayor Price called the meeting to order at 6:00 PM

Invocation given by Chief Derrick Austin

Councilman Taylor led the Pledge of Allegiance.

**APPROVAL OF AGENDA** –

Mayor Price asked for a motion. Councilman Williams made the motion to approve the agenda.

RESULT	APPROVED
MADE MOTION	COUNCILMAN WILLIAMS
2 <sup>ND</sup> MOTION	COUNCILMAN BOONE
VOTE	MOTION CARRIED - ALL IN FAVOR

**PUBLIC COMMENTS** –

Ms. Donna Deas stepped forward to comment. Ms. Deas said she met with Bert earlier today and he was very helpful with her concerns. Donna said she disagrees with the order of the public comments portion of the meetings. She said after a public hearing item is introduced, the public can speak “in favor” or “opposed” to the request, followed by the council/applicant comments. Ms. Deas said at a previous meeting, the applicant made comments and answered questions that she would have understood more clearly had she heard first. Ms. Deas said she spoke to the city attorney as well, and he recommended the applicant could possibly speak first in the future to avoid any unanswered questions. Ms. Deas acknowledged the material is available on the website; however, she can’t always understand or have time to read it. Ms. Deas said she wants to suggest that the public can speak after the council and applicant because the council brings up valid points. Nothing further.

**PUBLIC HEARING ITEMS** – NONE

**APPROVAL OF THE MINUTES** –

**1. SEPTEMBER 5, 2023- REGULAR MEETING MINUTES –**

Mayor Price asked for a motion. Councilman Shearouse made the motion to approve the September 5, 2023, regular meeting minutes.

RESULT	APPROVED SEPTEMBER 5, 2023, REGULAR MEETING MINUTES
MADE MOTION	COUNCILMAN SHEAROUSE
2 <sup>ND</sup> MOTION	COUNCILMAN WILLIAMS
FAVOR	MOTION CARRIED – ALL IN FAVOR

**2. SEPTEMBER 5, 2023- EXECUTIVE SESSION MEETING MINUTES –**

Mayor Price asked for a motion. Councilman Taylor made the motion to approve the September 5, 2023, executive session meeting minutes.

RESULT	APPROVED SEPTEMBER 5, 2023, EXECUTIVE SESSION MEETING MINUTES
MADE MOTION	COUNCILMAN TAYLOR
2 <sup>ND</sup> MOTION	COUNCILMAN BOONE
FAVOR	MOTION CARRIED – ALL IN FAVOR

**3. SEPTEMBER 18, 2023- WORKSHOP MEETING MINUTES –**

Mayor Price asked for a motion. Councilman Williams made the motion to approve the September 18, 2023, workshop meeting minutes.

RESULT	APPROVED SEPTEMBER 18, 2023, WORKSHOP MEETING MINUTES
MADE MOTION	COUNCILMAN WILLIAMS
2 <sup>ND</sup> MOTION	COUNCILMAN TAYLOR
FAVOR	MOTION CARRIED – ALL IN FAVOR

**ACCEPTANCE OF THE FINANCIAL STATEMENT –**

**4. AUGUST 2023 FINANCIAL STATEMENT**

Mayor Price asked for a motion. Councilman Williams made the motion to approve the August 2023 financial statement.

RESULT	APPROVED AUGUST 2023 FINANCIAL STATEMENT
MADE MOTION	COUNCILMAN WILLIAMS
2 <sup>ND</sup> MOTION	COUNCILMAN BOONE
FAVOR	MOTION CARRIED – ALL IN FAVOR

**UNFINISHED BUSINESS/ACTION ITEMS –**

**5. Ordinance for annexation of 6.29 +/- acres located on Highway 42 and Canup Road Parcel ID: (147-01003009 and 163-01001001) in LL 130 of the 2<sup>nd</sup> district (Motion Required) -**

Councilman Williams said Councilman Breedlove had asked at the last meeting what the intended use will be for this property and asked for an update. Daunté said the applicant is present and could answer any questions; however, Daunté said he will be reviewing discussion from last meeting as part of the next item which could be helpful with Councilman Williams comment. Nothing further.

Mayor Price asked for a motion. Councilman Boone made the motion to approve the request by approving ordinance **#23-10-082**.

RESULT	APPROVED ORDINANCE #23-10-082
MADE MOTION	COUNCILMAN BOONE
2 <sup>ND</sup> MOTION	COUNCILMAN SHEAROUSE
FAVOR	MOTION CARRIED – FOUR IN FAVOR (TAYLOR, BOONE, SHEAROUSE, WILLIAMS) AND TWO OPPOSED (BREEDLOVE, GREER)

**6. Ordinance for rezoning of 6.29 +/- acres located on Highway 42 and Canup Road Parcel IDs: (147-01003009 and 163-01001001) in LL 130 of the 2<sup>nd</sup> district from M-1 (light-manufacturing) unincorporated Henry County to M-1 (light-manufacturing) City of Locust Grove –**

Daunté said the ordinance presented is as staff recommends; however, can add additional language as the council suggested on the use for truck parking.

Mayor Price asked for a motion. Councilman Shearouse made the motion and seconded by Councilman Boone. Councilman Williams said he would like to include the additional language on the use of truck parking.

Attorney Andy Welch said the current motion is as staff recommends and said the council can make a motion to amend the motion to add restrictions.

Mayor Price asked for a motion. Councilman Shearouse made the motion to amend the original motion to include staff recommended language and restrictions on the use of truck parking by approving ordinance **#23-10-083**.

Daunté read aloud the condition as follows that will be attached as Exhibit D:

- 1. The subject **property** shall be entitled to all principal uses allowed in the M-1 (light-manufacturing) zoning district, except truck parking.*

RESULT	APPROVED ORDINANCE #23-10-083 AS AMENDED
MADE MOTION	COUNCILMAN SHEAROUSE
2 <sup>ND</sup> MOTION	COUNCILMAN BOONE
FAVOR	MOTION CARRIED – FOUR IN FAVOR (SHEAROUSE, BOONE, TAYLOR, WILLIAMS) AND TWO OPPOSED (GREER, BREEDLOVE)

**7. Conditional Use request to allow gravel-surfaced truck/tractor-trailer parking on Walker Crossing, Parcel ID: 147-01003011 –**

Mayor Price asked for a motion. Councilman Boone made the motion to table the request with conditions. Andy asked Councilman Boone if he is requesting to table or add conditions and discussion took place. Councilman Boone said he is motioning to table the request. Councilman Shearouse seconded the motion.

Daunté said Councilman Boone expressed concern about the railroad crossings not having any crossing gates and Daunté provided a copy of the correspondence (attachment to minutes) between the attorney and Councilman Boone. Daunté read aloud the two conditions that were suggested and said the conditions would code the permits until the requirements have been met. The time it would take for them to meet the requirements may not match up with the motion to table.

Councilman Boone said there are no gates on the crossing, and we had to close the crossing because tractor-trailers kept getting stuck. Mayor Price asked if a stipulation should be added or deny the request all together?

Andy said the motion to table will allow the applicant to make improvements and report to the council from GDOT and NS before the council decides. The motion would hold the application in place and would allow the application to remain viable. Councilman Williams asked how long is the “tabled” motion effective? Andy said normally the council has three months to decide. Bert said he has been in contact with the owner, and they have inquired as to what needs to be done. Bert said a right-of-way dedication would be required and may or may not add to the process of the three months. Andy said the city doesn’t have to accept any road as public right-of-way because the liability would become the city. There are legitimate public safety concerns and the motion in place would allow the property owners to resolve the issues.

Councilman Shearouse asked is it better to postpone or table. Andy said tabling puts the request on hold until information is available, and postponing requires a set date for a decision to be made.

Councilman Boone said it seems the owner is wanting the city to make the improvements. Andy said not necessarily because they are trying to satisfy that of what GDOT suggests.

Daunté asked if the goal is to make sure all the upgrades are done at the property owner’s expense. Boone said yes. Daunté said condition one accomplishes that. Andy said Daunté is correct and if the council approves the conditional use, the council would have made a land use decision that sets precedence for the surrounding properties.

Mayor Price said any surrounding property cannot be sold or developed until the crossing is improved. Andy said that is correct. Daunté said if the request is denied, the applicant would have six months to re-apply. Andy reminded the council that a moratorium is in place and the applicant cannot re-apply for one-year.

Alex McCart, representative for the applicant, stepped forward to comment. Alex said there are other businesses who use the crossing as well. Alex said they would like to move forward with the conditional use approval which would allow them to get with GDOT and NS. Further, Alex said the property owner in question is not his client. Bert said David Whitaker is the owner and he owns Southern Ready Mix.

RESULT	REQUEST TABLED
MADE MOTION	COUNCILMAN BOONE
2 <sup>ND</sup> MOTION	COUNCILMAN SHEAROUSE

FAVOR	MOTION CARRIED – FOUR IN FAVOR (BOONE, SHEAROUSE, TAYLOR, GREER) AND TWO OPPOSED (WILLIAMS, BREEDLOVE)
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**8. Ordinance to adopt a moratorium on submission, acceptance, or action on applications for Conditional Use or development of truck parking facilities in the City of Locust Grove for a period of 365-days -**

Mayor Price asked for a motion. Councilman Boone made the motion to approve the request by approving ordinance # **23-10-084**.

RESULT	APPROVED ORDINANCE #23-10-084
MADE MOTION	COUNCILMAN BOONE
2 <sup>ND</sup> MOTION	COUNCILMAN SHEAROUSE
FAVOR	MOTION CARRIED – ALL IN FAVOR

**9. Resolution to approve the amended Design and Construction plans for Peeksville Road Extension –**

Mayor Price asked for a motion. Councilman Boone made the motion to postpone the request to allow changes needed.

RESULT	POSTPONED TO OCTOBER 16, 2023
MADE MOTION	COUNCILMAN BOONE
2 <sup>ND</sup> MOTION	COUNCILMAN SHEAROUSE
FAVOR	MOTION CARRIED –ALL IN FAVOR

**NEW BUSINESS/ACTION/DISCUSSION ITEMS –**

**10. Resolution to extend maintenance with American Tank Maintenance –**

Bert reviewed the fee schedule for each tank and said this will be effective January 2024.

Mayor Price asked for a motion. Councilman Shearouse made the motion to approve the request by approving resolution # **23-10-085**.

RESULT	APPROVED RESOLUTION #23-10-085
MADE MOTION	COUNCILMAN BOONE
2 <sup>ND</sup> MOTION	COUNCILMAN SHEAROUSE
FAVOR	MOTION CARRIED – ALL IN FAVOR

**CITY MANAGER’S COMMENTS – BERT FOR TIM**

Bert said Tim is in Austin, Texas for the ICMA Conference and will return to work on Monday.

**COUNCIL COMMENTS –**

Councilman Boone said he would like staff to review the ordinances for updating on those items discussed at the last meeting [food truck ordinance, peddler license, and special events]. **Andy requested the Councilman clarify when he wanted Staff to present their findings to the Council. Daunte added that his Department has a lot going on at the present time. Councilman Boone said the first of next year will be fine.**

**MAYOR’S COMMENTS – NONE**

**EXECUTIVE SESSION – NONE**

**ADJOURNMENT –**

Mayor Price asked for a motion to adjourn. Councilman Boone made the motion to adjourn.

RESULT	APPROVED – ADJOURN MEETING
MADE MOTION	COUNCILMAN BOONE
2 <sup>ND</sup> MOTION	COUNCILMAN WILLIAMS
FAVOR	MOTION CARRIED MEETING ADJOURNED @ 6:48 PM.

Notes taken by:

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Misty Spurling  
City Clerk