

MINUTES OF MAYOR AND COUNCIL, CITY OF WATKINSVILLE
February 16, 2022 @ 6:30 PM

NOTE OF RECORD: These summarize the action at the council meeting. For full discussion at this meeting, a full video recording is available online at www.cityofwatkinsville.com.

PRESENT: Brodrick, Massey, Campbell, Garrett, Thomas, Reitman, Dickerson, Brock, and Klein. Brodrick opened the in person public and simultaneous online broadcast SuiteOne video meeting of February 16, 2022, at 6:30 PM. In attendance in person at City Hall were 29 citizens.

ABSENT: Tucker

WELCOME: At 6:30 PM, Brodrick opened the meeting.

QUORUM CHECK: At 6:30 PM, Brodrick acknowledged a quorum was present.

PLEDGE OF ALLEGIANCE: At 6:31 PM, Michael Hans led the Pledge of Allegiance.

APPROVAL OF MINUTES

1. December 15, 2021

At 6:33 PM, Thomas moved to approve the January 19, 2022, minutes as presented. Campbell second. Opportunity for discussion. Motion carried 4 to 0.

APPROVAL OF AGENDA

At 6:35 PM, Thomas moved to approve the agenda as amended removing Item #6. Campbell second. Opportunity for discussion. Motion carried 4 to 0.

ADMINISTRATION

Public Input Process: At 6:36 PM, Brodrick briefed those present about the public input process. Brodrick explained that if anyone wished to address Mayor and Council then they could do so at the noted times on the agenda or at the discretion of Council. Brodrick noted that comments should be related to items on the agenda and that they should speak from the podium for no more than four minutes per person, and that the Council does not allow for debate, argument, personal attacks, or irrelevant discussion.

- 2. Proclamation – Georgia Arbor Day is February 18, 2022:** At 6:36 PM, Brodrick read the Arbor Day proclamation and encouraged citizens to celebrate, plant, and protect trees. Councilman Thomas, Chair of the Urban Forest Board, shared that in celebration there would be a limited number of tree seedlings from the Keep Oconee County Beautiful Commission, that would be available to the public on Friday, February 18 at City Hall, on a first come, first serve basis.
- 3. Financial Reports – General, Fund Reserve, SPLOST I, II, and III Funds, and ARP Funds:** At 6:39 PM, Dickerson provided the General Fund, SPLOST I, II, and III financial reports for January 2022 and presented the American Rescue Plan Act Fund Report.
- 4. Economic Development Reports – Business Licenses, Building Permits:** At 6:43 PM, Dickerson provided the Economic Development reports noting that \$14,178.00 had been collected for business and liquor licenses and the building permits issued for the month of January 2022 were all maintenance related.
- 5. Police Department Report:** At 6:44 PM, Brock provided monthly report. He noted he is still encouraging officers to be proactive. Chief Brock announced that April 16, 2022, will be the 2nd Annual Easter Egg Hunt which will be held at City Hall. He also shared that Saturday, May 7, 2022, will be the date for the 2nd Annual Cops & Bobbers Fishing Tournament to be held at the Hardigree Wildlife Sanctuary.

CONSENT AGENDA

- 6. Appointment to the Oconee County Board of Health for a six-year term to begin January 1, 2022, and end December 31, 2027. [taken off agenda]**

7. Approve Fiscal Year 2022 Budget Amendments

At 6:46 PM, Thomas moved to approve consent agenda (note Item #6 was removed during agenda approval). Campbell second. Opportunity for discussion. Motion carried 4 to 0.

PUBLIC HEARING

At 6:47 PM, Reitman provided rules and regulations for public hearings noting that anyone wishing to be heard is asked to please wait to be recognized. Speakers will need to state their name and address. Speak only from the podium. Four minutes per person. Refrain from debate, argument, personal attacks, or irrelevant discussion. Address only the merits of the pending matter, and address remarks directly to council. Council cannot speak to potential litigation, attorney client or personnel matters. Public input will be allowed after Council receives reports from staff and/or the applicant.

8. Public Hearing: Zoning Text Amendments allowing for Breweries as a Conditional Use in Downtown (DT), Mixed Use Office (MUO), and Historic Main (HM) zoning districts.

At 6:50 PM, Suzannah HeimeI of 1340 Twin Oaks Trail asked if the text amendment pertained only to one specific applicant and if approved, asked if it would be good and if so for how many years. Reitman noted if approved to allow breweries as a Conditional Use, it is good for applicants in the noted zones, and would be good for the period put in place for an applicant by Mayor and Council. He explained, however, that the Text Amendment itself would stand and be in place unless reversed by Mayor and Council at some later date. The Conditional Use permits are considered on a case-by-case basis with a long list of criteria. At 6:54 PM, Reitman summarized the proposed Text Amendment and opened the public hearing.

Stanton Porter of 2125 Fernhill Road stated the proposed Text Amendment protects the city and felt things would not be a lot different than what is already in town. He asked for Council to approve the Text Amendment. There were no further public comments for or against the amendment. Reitman closed the public hearing at 6:57 PM.

9. Council Vote: Consideration of Zoning Text Amendment allowing for Breweries as a Conditional Use in Downtown (DT), Mixed Use Office (MUO), and Historic Main (HM) zoning districts:

At 6:59 PM, Campbell moved to approve the proposed Text Amendment as presented to allow breweries. Thomas second. Opportunity for discussion. Motion carried 3 to 1. Massey opposed.

10. Public Hearing: 111 S. Barnett Shoals Road, Suite 414 and 415-J (Stanton Porter) South Main Brewing, LLC – Conditional Use in MUO:

Attorney Reitman opened the public hearing at 7:00 PM. Stanton Porter of 2125 Fernhill Road and representing South Main Brewing noted the company was founded by local residents and the desire was to emphasize community-based brewing. No variances from the Text Amendment were requested.

Lawrence Stueck of 13 Barnett Shoals Road asked if the request would result in Watkinsville having bars. Brodrick explained a "brewpub" requires food; however, a "brewery" would not have a kitchen in the establishment but will require a restaurant within 100 feet of the brewery. The Text Amendment is narrowly constructed so as not to allow the food establishment to be across the road. Brodrick stated that the applicant is requesting a stand-alone brewery.

Stueck asked if the Text Amendment would allow a distillery where whiskey could be served. Reitman stated no distilled spirits would be allowed, only malt beverages.

Suzannah HeimeI asked if the approval would be dependent upon restaurants being in place at Wire Park. Brodrick responded that restaurants would be required in order for the brewery to operate.

With no further comments, Brodrick closed the hearing at 7:07 PM.

11. Council Vote: Consideration of 111 S. Barnett Shoals Road, Suite 414 and 415-J (Stanton Porter) South Main Brewing, LLC – Conditional Use in MUO:

At 7:09 PM, Campbell moved to approve the South Main Brewing application for a brewery at 111 S. Barnett Shoals Road, Suite 414 and 415-J. Opportunity for discussion. Motion carried 3 to 1. Massey opposed.

12. Public Hearing: Zoning Text Amendment allowing for Special Events Facility as a Conditional Use in South Main Street Scenic Corridor (SM):

At 7:10 PM, Reitman summarized the proposed Text Amendment. At 7:12 PM Reitman opened the public hearing. Stanton Porter of 2925 Fernhill Road stated that generally the South Main Street Scenic Corridor zoning district already has some allowances in place; however, the proposed Text Amendment would establish a specific number of people and number of events allowed.

Brodrick noted the amendment will allow for one event per week and one event per weekend. He questioned 11 PM being a little late during the week to end events. Porter noted the amendment was based on a model events ordinance used in Madison, Georgia.

There were no other comments in favor.

Kathleen McQuiston of 13 South Barnett Shoals Road expressed concerns about traffic, no traffic light and entrance/exit to the property. She did not think it was a good idea given the additions of Wire Park, Wisteria Ridge, and the senior facility. She did not feel there was a need for a special events facility.

Massey added that her main concerns were about parking and noise.

Will Ashford of 5 Harden Hill Road stated he was not opposed to allowing special events on the property but was concerned about when events would end, since his children go to bed at 8 PM. Brodrick noted the city's noise ordinance already in place.

Porter added in terms of noise, they were not asking for anything different than what has already been going on there for years. He shared those events would mostly be small wedding showers, men's group events, etc. and the events would not likely cause much noise.

Campbell questioned if the 10 or 11 PM times are specific to events or the noise.

Mario Castro of 20 Harden Hill Road stated when Ashford on Main had concerts, they ended at 9 PM and all events/bands/DJs ended at 10 PM. Since these were private events and the times were self-imposed, if the event extended past those times the client could potentially lose their deposit. Castro noted their events never went past 10 PM.

Reitman noted the current draft states events conclude by 11 PM. He suggested Council could consider dialing back to 10 PM Sunday through Thursday for outside noise and 11 PM on weekends. Brock Toole of 1070 Barnett Ridge explained they have been good neighbors and have no problems with the proposed time constraints.

Thomas asked Mario Castro, since they have been neighbors for a couple of years now, had there been any issues. Castro stated no issues so far; however, the events have not been paid events. He explained when they ran a facility out of 7 South Main no amplified music was allowed outside and all concerts ended at 9 PM. All other events ended at 10 PM, no exceptions. Brodrick asked Mr. Toole if he would be amenable to those hours. Toole stated they would be.

Reitman recommended the text amendment be revised for events to conclude by 11 PM Friday and Saturday and 10 PM Sunday through Thursday, outdoor music/concerts to end by 9 PM, and all other outdoor events to end by 10 PM. Campbell suggested noise to end at 9 PM all days of the week and at 11 PM on weekends.

At 7:36 PM with no further comments for or against the request, Brodrick closed the public hearing.

13. Council Vote: Consideration of Zoning Text Amendment allowing for Special Events Facility as a Conditional Use in South Main Street Scenic Corridor (SM):

At 7:37 PM, Campbell moved to approve the Text Amendment to allow for Special Events facilities as a Conditional Use in South Main Street Scenic Corridor (SM) with the following revisions: outside noise ends at 9 PM seven days a week, events end at 10 PM Sunday through Thursday, and events end at 11 PM on Friday and Saturday. Thomas second. Opportunity for discussion. Motion carried 3 to 1. **Garrett opposed?**

14. Public Hearing: 7 & 18 South Main Street/Parcels #W 06 042 and W 06 041 (Satisfied Properties, LLC) – Conditional Use for Special Events Facility in South Main Street Scenic Corridor (SM):

At 7:38 PM Reitman opened the public hearing. Stanton Porter, of 2925 Fernhill Road, representing applicant, requested that these properties be allowed to be used for special events which would help with maintaining historic properties. He stated his client will address entrance/exit concerns and the facility size would limit the number of participants at events. He asked Council to approve the Conditional Use application.

Brodrick asked if the permit traveled with the property. Porter responded the intent is to operate into perpetuity with the property.

Mario Castro of 20 Harden Hill Road stated he was not opposed but asked the request not be compared to Ashford Manor. He shared, when they leased 7 South Main Street between 2011-2017, they were allowed 50 people max, no amplified music outdoors except 6 to 8 PM on First Fridays, and no food prep on site. The zoning was live/work at that time. He asked if they were misinformed or if something had changed.

Reitman explained the change being proposed with the Conditional Use request would no longer require living on the property.

Kathleen McQuiston asked if the Conditional Use is passed, if there would be a limit to the number of participants at an event. Brodrick explained the limit of participants is driven by the size of the facility. Dickerson noted there is a maximum of 100 people.

Brodrick requested, if Council approves, to make the entrance closest to Ashford Manor property and the exit a right only exit onto S. Main Street. Kathleen McQuiston asked to make sure there would be enough parking for at least 50 to 60 cars.

Brock Toole noted that events would not be a problem entering and exiting as they have had private functions over the last two years without issue. He agreed to block the middle entrance when an event is taking place. Brodrick agreed with closing the middle entrance during events.

With no further comments for or against the request, Brodrick closed the public hearing at 7:50 PM.

15. Council Vote: 7 & 18 S Main Street/Parcels #W 06 042 and W 06 041 (Satisfied Properties, LLC) – Conditional Use for Special Events Facility in South Main Street Scenic Corridor (SM):

At 7:53 PM, Thomas moved to approve the conditional use permit with the conditions that the middle driveway will be closed during special events and the conditional use permit will travel with the property owner, not with the property. Campbell second. Opportunity for discussion. Motion carried 3 to 1. Garrett opposed.

16. Public Hearing: Zoning Text Amendment Allowing for Upscale Artist Studio for Body Art/Tattooing as a Conditional Use in Employment Center (EC):

At 7:54 PM, Reitman opened the public hearing and summarized the proposed Text Amendment that included 13 ½ pages of proposed conditions.

Brodrick invited applicant to address the proposed Text Amendment. Applicant Jessica Clark of 5855 Lexington Road, Winterville, Georgia, stated she is currently a tattoo artist and desires to open a tattoo studio in Watkinsville. She shared, she is licensed in blood borne pathogens and CPR and she is 100% compliant with the Department of Public Health, as the health of her clients is her highest priority.

Campbell asked whether tattoo studios are inspected annually. Clark said inspections are performed annually but pointed out that proposed text amendment requires inspections every six months.

Reitman reminded Council, this issue was discussed in 2007 and the initial determination is whether the Council wants tattoo artists in Watkinsville, noting Mayor and Council have always been cautious in setting precedent. Thomas noted his issue is the precedent Council would be setting.

Clark noted all of her clients are vetted and she will have a completely female owned and operated shop.

Brodrick asked Clark why she chose Watkinsville for her studio. Clark stated Watkinsville is beautiful and quaint and she loved the barn aesthetic, and all of Watkinsville's amenities. She also stated she desired to be involved in an arts community.

Mario Castro stated it is 2022. First, we got beer and wine, then liquor by the drink, and then strip joints (which are not here) because the Council sets rules not to ruin Watkinsville.

Christina Lafontaine of 25 Simonton Bridge Road agreed with Castro, stating as long as major parameters are set, she thought it would add to a well-rounded community, something for everyone.

Kathleen McQuiston agreed and stated most people in the room probably had tattoos.

Luke Bishop of 2071 Elder Mill Road asked how the rules would be enforced. Reitman explained enforcement is often complaint driven, so the city's code enforcement would enforce the conditions and any violations could lead to fines or license revocation.

Dickerson noted the proposed Text Amendment would require inspections by the City, and the County health department, twice a year. Reitman noted this is mainly geared toward the health side and stated Council might wish to consider imposing restrictive language on non-health issues as well.

Suzannah Heimel stated Watkinsville did not need a tattoo parlor as there are twelve in the Athens Area, nine of which are within a 20-minute drive from Watkinsville. She noted 40% of Americans have tattoos, which means 60% are not tattooed. Safety is an issue and with tattoo parlors comes crime often associated with gang members. With tattoo parlors other businesses that follow will be CBD stores and tanning and nail salons.

Cindy Jerrell of 90 South Barnett Shoals Road owns the property at 100 South Barnett Shoals Road where the proposed tattoo studio would be housed. Downstairs is a yoga studio, which is important to her. The first thing she wants is a business that is quiet and compatible. She stated Jessica is quiet, talented, and a fine artist.

With no further comments for or against the request, Brodrick closed the public hearing at 8:15 PM.

Dickerson added, a lot of the proposed ordinance conditions is not what the city will regulate, but what the county and state will regulate. The city would make sure the facility is inspected and meets all life and safety standards but would rely on the county and state to do their part.

Clark noted there are currently no tattoo studios in Oconee County but did see forms on the Oconee County government website.

Dickerson stated that page 12 of the text amendment notes permits are not transferrable and must be renewed annually 365 days from issuance. She requested that the permits expire on December 31st to help staff track renewals more easily.

Reitman listed the following discussed conditions:

1. Approval only to a current applicant, does not travel with property
2. Solo artist only
3. By appointment only
4. December 31st annual expiration date

17. Council Vote: Zoning Text Amendment Allowing for Upscale Artist Studio for Body Art/Tattooing as a Conditional Use in Employment Center (EC):

At 8:26 PM, Garrett moved to approve the Text Amendment allowing for Upscale Artist Studio for Body Art/Tattooing as a Conditional Use in the Employment Center (EC) zoning district with the conditions noted above. Campbell second. Roll call vote, Garrett and Campbell in favor, Thomas and Massey opposed. Brodrick broke the tie, voting no. Motion denied 3 to 2, Text amendment not approved.

18. Public Hearing: 90 S Barnett Shoals Road/Parcel #C 04 003 PA (Jessica Clark) – Conditional Use for Upscale Artist Studio for Body Art/Tattooing in Employment Center (EC):

Removed since Item #17, Text amendment, not approved.

19. Council Vote: Consideration of 90 S. Barnett Shoals Road/Parcel #C 04 003 PA (Jessica Clark) – Conditional Use for Upscale Artist Studio for Body Art/Tattooing in the Employment Center (EC):

Removed since Item #17, Text amendment, not approved.

APPEARANCES

20. Consideration of Pouring – Beer/Wine and Distilled Spirits License Application for Manning Brothers, LLC (dba White Tiger Deluxe):

At 8:35 PM, Garrett moved to approve the Beer/Wine and Distilled Spirits Licenses for Manning Brothers, LLC (dba White Tiger Deluxe). Campbell second. Opportunity for discussion. Motion carried 4 to 0.

21. 13 School Street/Tax Parcel #W 06 006 (Tom McConnell) – Demolition Permit (partial):

At 8:50 PM, Thomas moved to approve the partial demolition permit as proposed with demolition to begin within 45 days, the roof to begin within 30 days of demolition work, and a building permit for rebuilding the porch to be applied for within 30 days of roof work commencing. Garrett second. Opportunity for discussion. Motion carried 3 to 0. Massey recused.

22. 1414 Jerry Smith Drive/Tax Parcel #C 04K 0098 (Fifteen Properties, LLC – George R. Bishop) – Breedlove Land Planning – Site Development Plans:

At 8:51 PM, City Engineer Campbell summarized the site development plan for 1414 Jerry Smith Drive and provided the staff report.

Brodrick asked how the façade will look on the side facing Highway 15. Bishop explained Highway 15 side will be bricked and three sides of the building will be brick and one side will be brick 3 feet in height like the Classic City Eats building.

At 8:59 PM, Thomas moved to approve the site development plan for 1414 Jerry Smith Drive contingent upon incorporating all conditions from the January 21, 2022, letter from the City Engineer. Campbell second. Opportunity for discussion. Motion carried 4 to 0.

OLD BUSINESS

None.

NEW BUSINESS

23. RESOLUTION to Adopt a Comprehensive Fee Schedule establishing fees for city services.

At 9:02 PM, Campbell moved to approve the resolution adopting a comprehensive fee schedule establishing fees for city services as presented. Garrett second. Opportunity for discussion. Motion carried 4 to 0.

24. Approve renewal of employee Health Insurance with Anthem.

At 9:08 PM, Thomas moved to approve the 18-month renewal of Health Insurance with Anthem. Campbell second. Opportunity for discussion. Motion carried 4 to 0.

PUBLIC COMMENTS

Brodrick opened public comment and reminded everyone that they should speak from the podium for no more than four minutes per person.

Michael Hans of 1120 Essex Road is working on his master's thesis. He shared that his research is centered on analyzing the social and economic impact of a Greenway system in Watkinsville and utilizing the existing right of ways that are already in place. He noted his work will be based on the City's Transportation Study in 2019. He would love to see a Rails to Trails in the city. His goal is to put a quantitative value on a Greenway in the city. He noted he has developed a survey and needs help with public participation. He will provide the QR Code for survey to city staff to circulate.

MAYOR'S REPORT

Brodrick noted the Community Branding effort kicked off earlier in the week with the first of four focus group meetings. He noted community input is vitally important to this initiative and the city wants to hear about the citizens' hopes and dreams for the city and how they feel about the city. Allison Cape with A Cape Design has been hired to help with the Branding Study.

Brodrick shared that Harden Hill Road is now complete and came in under budget. He thanked Garrett and Dickerson for their help with the project.

He stated that work is continuing at ESP with the fence being installed. The target date they hope to open the playground and the Miracle League Ball Field is April/May2022.

Brodrick announced Watkinsville has been recognized as a member of Tree City USA for the 15th straight year.

In closing, he announced Simonton Bridge Road will be closed February 21st so low-lying limbs along the road may be safely removed.

COUNCIL REPORTS

25. Chuck Garrett – No report.

26. Connie Massey – No report. Recognized Amanda, Michael Prochaska's wife, and their baby girl, Mary Louise who was in attendance at the meeting. All offered congratulations to her and the baby.

27. Brett Thomas – No report.

28. Jeff Campbell – No Report.

ADJOURN

At 9:15 PM, Thomas moved to adjourn. Campbell second. Opportunity for discussion. Motion carried 4 to 0.

RESPECTFULLY SUBMITTED,

JULIE A. KLEIN, CMC