



City of Fairburn  
Mayor and Council Meeting Minutes  
February 25, 2019

I. Call to Order: The meeting was called to order by Mayor Elizabeth Carr-Hurst at 7:00 pm.

II. Roll Call was taken by City Clerk Keisha McCullough. Members present were:

Mayor Elizabeth Carr- Hurst

Mayor Pro-Tem Linda J. Davis

Councilmember Alex Heath

Councilmember Pat Pallend

Councilmember Hattie Portis-Jones

Councilmember Ulysses J. Smallwood

Member Absent: Councilmember James Whitmore

The attendance of Mayor and Council constituted a quorum; and the meeting proceeded.

III. The invocation was given by Pastor Gary Taylor of Open Word Christian Ministries in Fairburn.

IV. The Pledge of Allegiance was recited in unison.

V. There were no Presentations.

VI. Public Comments: Numerous citizens opted to speak during the public hearing.

VII. Adoption of Agenda: The motion to approve the agenda was made by Councilman Smallwood and the second was provided by Mayor Pro-Tem Davis. Vote: 5-0 Motion Carried.

VIII. Approval of Consent Agenda: There were no consent agenda items.

IX. Approval of February 11, 2019 Minutes: The motion to approve minutes was made by Councilman Heath and the motion was seconded by Councilman Smallwood.

Vote: 5-0 Motion Carried.

X. Public Hearings:

1. Continued Public Hearing for Rezoning 18RZ-004 with a Concurrent Use Permit (18U-005) Exeter Bohannon Land, LLC. Staff recommended denial of this request. The following individuals spoke in support of this request:

**The following individuals spoke in Support:**

Mr. G. Douglas Dillard the applicant, spoke in support stating there are two tracts of land for this request, the plan will be the same for each tract. He disseminated information to mayor and council consisting of letters of support from residents, a traffic impact study, renderings of the area, an

outline of an evergreen buffer and an appraisal. Mr. Dillard distributed a letter with legal ramifications based on the ordinance that the use permit should be approved and traffic cannot be used as a basis for denial.

Mr. Adam Duerr, spoke in support of this request and said this request will not impact the traffic flow in the Creekwood Area. He understands the road needs to be upgraded anyway and this request will not impact the ambience of the area. The warehouse will have neutral tones to blend in with the natural edifice.

**The following individuals spoke in Opposition to this request:**

Mr. Neale Nickels stated he purchased his farm and he likes living in the space he purchased.

Mr. Greg Hart spoke on behalf of 25 families in the area. He outlined reasons why Exeter would not be a good idea. The traffic would be dramatically impacted, and the property values would decrease as well as the tax digest.

Mr. Ben Pugh spoke on behalf of his mother-in-law Ms. Diane Lee. He stated that allowing this request would be an inappropriate use of land and would negatively impact the economic engine of the city.

Mrs. Lissa Cocoran stated she works with kids who experience trauma and approving this request would interfere with her program, which could possibly end.

Ms. Vanessa Turner stated she is concerned about the traffic. She will have to leave 30 minutes early to get to the highway and she is further concerned about emergency vehicles getting through. She is concerned there will be an increase in criminal activity and she has a constitutional right to be safe and happy in her home.

Ms. Barbara Allison stated she has lived in Fairburn for 30 years. She further stated it is hard to get to Highway 74 and it is easier to get to Peachtree City and Tyrone. She is also concerned about Fire and Police getting to the site.

Ms. Darcey White stated she is a new resident on Mann Road and feels there would be a decrease in water quality.

Mr. Reggie Ackie resides in Creekwood Village. He purchased his home in 1996 and moved in the area due to the quietness. This would kill the value and neighborhood in the Creekwood Village.

Mr. Derek Jones stated he doesn't understand how Exeter can tell the mayor and council what and what not to do. He left New York City because of pollution and crime. If this request is allowed this could be the same increase in pollution and crime as he experienced.

Mr. Randy Ognio, stated he is a Fayette Commissioner and his residents are worried about the citizens in Fayette County. There are no buffers on the Fayette County line.



Mr. Dillard's (Applicant) rebuttal to the opposition is this property has been zoned for the past 12-13 years for a request of this type. Council can consider traffic, but they cannot make it the basis for their denial. In the comprehensive plan, there was no discussion about why it would be made greenspace. The comparison is between what we can do that is right and what we're going to do today; traffic is not an issue.

Councilman Heath stated he would need to know the cost of the 12 ft roads, and the cost of the property for the city?

City Planner, Ms. Tarika Peeks stated that the proposal of the site is not synchronized with the comprehensive plan or the land use map. The staff's recommendation is based off that information. The area is rural residential, the roads are narrow and the bridge over the creek is small. Everything south of Creekwood Road is not for truck routes.

Motion to close the Public Hearing was made by Councilwoman Portis-Jones and the motion was seconded by Councilman Smallwood. Vote: 5-0 Motion Carried.

Motion to deny Rezoning 18RZ-004 with a Concurrent Use Permit (18U-005)-Exeter Bohannon Land, LLC was made by Mayor Pro-Tem Davis with the second provided by Councilman Smallwood. Vote: 5-0 Motion Carried.

2. Continue Public Hearing for Use Permit 18U-003-Exeter Bohannon Land, LLC.

City Planner, Ms. Tarika Peeks stated staff's recommendation was denial.

Mr. Doug Dillard, applicant incorporated the information from the first public hearing for his response.

The following individuals spoke in Opposition:

Mr. George Hart stated the buffer consists of scrub trees. He lives in Asbury Park and trucks and diesel are in his back yard. He is very upset about this.

Mr. Greg Hart stated he wanted to use the same information he said from the prior hearing. This request is inconsistent with the comprehensive plan and land use map.

Ms. Denecia Buzz stated no, we don't want it.

Mr. Derek Jones stated people don't want to deal with this.

Mr. Randy Ognio stated that Exeter doesn't care about the Fayette County Neighbors.

Mr. Dillard's rebuttal to the opposition was, "we do care about our neighbors, we are going to protect the creek line." Mr. Hart didn't have one piece of evidence that supported what he spoke about. He further stated that Mr. George Hart spoke in favor of the annexation in 2006; there were no speakers in opposition to the annexation and the zoning has not changed since 2006.

City Planner, Ms. Tarika Peek stated M1 and M2 is not allowed in the PD (Planned Development) district. The development is not conducive with the comprehensive plan and land use map.

The motion to close the public hearing was made by Mayor Pro-Tem Davis and the motion was seconded by Councilman Heath. Vote: 5-0: Motion Carried.

The motion to deny Continued Public Hearing for Use Permit 18U-003-Exeter Bohannon Land, LLC was made by Councilman Heath with the second provide by Councilman Smallwood. Vote: 5-0: Motion Carried.

3. Rezoning 18RZ-007-6905 Development Company (Renaissance Festival). The motion to open the public hearing was made by Councilwoman Portis-Jones and the motion was seconded by Mayor Pro-Tem Davis. The staff's recommendation is approval with two conditions.

**In Support:**

Mr. Brian Pelham the applicant of Integrated Science Engineer stated he held a community meeting about a month ago with neighbors in the vicinity. The applicant stated they would erect a fence to protect the area, they would not insert an access road.

**In Opposition:**

Mr. Michael and Mrs. Mary Johnson stated why are we (our living area) open to the Renaissance Festival? It doesn't provide any revenue for us. We were not aware of a neighborhood meeting. The road should run north or west out of Duncan Park, all the traffic will be dumped into our neighborhood. The Renaissance Festival is not a good neighbor, an access road should not run through a residential area, and Rivertown Road is a speed trap.

**Rebuttal:**

This festival will not cause an increase in traffic.

Councilwoman Portis-Jones apologized to the Johnson's for not receiving notification of a meeting.

City Planner, Ms. Tarika Peek explained the process of how an applicant can make a public notification meeting. She stated all properties within 500 feet of the subject property is notified. A sign is posted before it comes to council.

The motion to close the public hearing was made by Councilman Smallwood and the second was provided by Mayor Pro-Tem Davis. Vote: 5-0 Motion Carried.

The motion to approve Rezoning 18RZ-007-6905 Development Company (Renaissance Festival) was made by Councilman Heath with Mayor Pro-Tem Davis providing the second. Vote: 5-0 Motion Carried.

March 6, 2019. The motion to approve the employment agreement was made by Mayor Pro-Tem Davis and the second was provided by Councilman Smallwood. Vote: 5-0 Motion Carried.

5. Approval of a Resolution opposing House Bill 302, Preemption of Local Building Design Standards. The motion to approve the resolution was made by Councilman Pallend with the second provided by Mayor Pro-Tem Davis. Vote: 5-0 Motion Carried.


6. Council Comments:

Councilman Smallwood stated it is a pleasure to serve and God bless everyone.

Councilwoman Portis-Jones stated it is great seeing government and community at work.

7. Executive Session: Mayor and Council entered Executive Session at 9:05p.m. to discuss a personnel matter.

8. Adjournment: The official meeting of the Mayor and Council was adjourned at 9:20 p.m. with Mayor Pro-Tem Davis making the motion and the second provided by Councilman Heath. Vote: 5-0 Motion Carried.

  
Shana T. Moss, Interim City Clerk

  
Elizabeth Carr-Hurst, Mayor

Adopted by Mayor and Council on March 25, 2019.