



CITY OF WALNUT GROVE
January 26, 2023 10:00 AM
1021 PARK STREET MUNICIPAL BUILDING
MAYOR AND COUNCIL

Council Work Session Minutes

ELECTED OFFICIALS PRESENT:

Mayor - Mark Moore
Mayor Pro Tem - Stephanie Moncrief
Council Members -
Linda Pilgrim
Erica Miles

STAFF PRESENT:

City Clerk - Dawn Lummus
City Attorney - Tony Powell
Assistant Attorney - Jay Crowley
P & Z Chairman - Don Cannon

OTHERS PRESENT: Russ Butcher, Rachel Davis, Terrill Albright,
Cynthia Head, Paul Jones

- I. **CALL TO ORDER** - Mayor Mark Moore
- II. **INVOCATION** - Russ Butcher
- III. **PLEDGE OF ALLEGIANCE** - All Participated
- IV. **ROLL CALL** - Everyone Present
- V. **AGENDA APPROVAL** - Council member Stephanie Moncrief asked about that special election not being on the agenda. It was explained that during the last council meeting the vote was to move it to the next council meeting. Erica Miles asked about adding an executive session concerning land acquisition. There was discussion between Mayor Moore and City Attorney Powell concerning if an executive session can be added to a work session. The Mayor is under the understanding it can only be added to a council meeting and Mr. Powell says it can come off a work session. Mr. Powell has been asked to look into and put it in writing. Erica Miles made a motion to amend the agenda to add an executive session to discuss land acquisition. Council member Moncrief seconded. Passed unanimously. Council member Moncrief made a motion to amend the agenda by adding item C under Old Business, Special Election. Erica Miles seconded. Passed unanimously. Council member Moncrief inquired about the no building permits moratorium. City Attorney Tony Powell suggested it might be something for an executive session. Mayor Moore replied that to discuss a moratorium it needs to be advertised on the agenda for transparency by our city government Mayor Moore asked if the council would in the future, submit all agenda items prior to the meeting by the Friday before. Mayor Moore called for a motion to approve amended agenda, Stephanie Moncrief made the motion, Erica Miles seconded the motion. Passed unanimously.
- VI. **OLD BUSINESS**
 - A. Zoning Administrator - Stephanie Moncrief asked did a RFP got out with the scope of things to be done. Mayor Moore said there was a request for proposal for a zoning administrator duties as it relates to our

ordinance duties of the zoning administrator. Discussion followed regarding Bureau Veritas and Precision Planning. It is a requirement that the zoning administrator attend all planning and zoning meeting and council meeting/work sessions as requested. The Mayor said that this would be moved over to February's agenda for consideration.

- B. Sign Ordinance - Jay Crowley said there are fatal flaws in your sign ordinance and other legal issues. You can not regulate content it is a freedom of speech, you can regulate type and size of signs and where they are located but, you cannot regulate content. Your current ordinance had some language that is regulating content. It is in your planning and zoning ordinance so it will have to advertised and go through the process.
- C. Special Election - Attorney Tony Powell explained the process of holding a special election and the cost involved. He believes we could have a called election in March. He did state that there are two other cities who are calling for a special election but not holding it until November. He explained about changing the charter by home rule to give 18 months to appoint someone if a council member resigns time instead of 6 months. Mr. Powell recommends advertising for a special called meeting and holding it in November.

VII. NEW BUSINESS

- A. Animal Control Ordinance- Jay Crowley explained that Walton county wanted the ordinance to be the same all across the county for service they are providing. They just want them to all be the same so when they send their people out there they are doing the same thing. The change has to do with tethering of animals in front yards and stuff. This does not have to go before planning and zoning. Mayor Moore said that we would put this on the next agenda.
- B. RFP for Master Plan- Don Cannon started out by answering some questions that came to him last week. The first one was that the budget was not included in the document. It is not as they did not consider it they just didn't feel that it was not necessary. They feel that the planners and consultants would determine their own cost and recommendations and it would be on the bids that come back to them. The next one dealt with collaborative effort. They have not yet addressed that particular aspect of it. They do plan to introduce a framework or a steering/vision committee that would consist of the planning commission, a member of city council appointed by the mayor, a member of the DDA appointed by the DDA, and those seven members select two property owners who are not affiliated with the city council, DDA or the planning commission. The next item deals with the timing or the mail out and the 14 days was a bit on the ambitious side but was in keeping with the desire to get this matter underway as soon as possible. Mr. Cannon would not find any objection if you decided to change that to 28 days. The next question was is there a time period for asking questions, clarifying expectations and etc. Mr. Cannon answered by expressing that he did not feel the need since these are professionals. There was discussion about where the money was coming from and the Mayor wanted to make it clear that he would not build this into the city's yearly budget.
- C. Rezoning for Forest Glen Subdivision - Mayor Moore recommended

possibly changing the required square footage to 800 and to accommodate tiny homes. Council member Erica Miles discussed with the council the process of mobile homes being retired (retiring the title) and being considered real property by the homeowner filing a T234 or a certificate of permanent location so they will pay property taxes on the actual dwelling.

- D. DDA Appointment of Applicants - Terrill Albright and Rachel Davis expressed their interest in becoming a DDA member. Both were questioned and seem very well qualified, Don Cannon expressed that Bobby Moncrief had shown an interest for the planning and zoning commission. Mayor Moore expressed that he though with her experience Ms. Davis would be an excellent addition to the Planning and Zoning committee.
- E. OPEN RECORDS-Mayor Moore explained that since he took his training seven years ago the laws have changed. Specifically whether or not council members can communicate by email and not be in violation of the opening meeting/Sunshine Laws. In the past this is how we where trained and I am going to discuss this with Tony, was that it was a no no to talk about or discuss anything in an open public format as we are right now. We cannot meet as a quorum, it always has to be open to the public. In the years passed emails were considered a meeting. Regardless or not you where holding it in person or digitally it was considered a meeting. After discussing this with Tony he seems to think that the law has changed and he gave me a few ordinances which I don't agree with. I think it is going to come back to bite us and cause us some challenges. He also wanted to make clear that if there is back and forth discussion, the email will be added to the agenda packet. Items that need to be placed on the agenda need to be submitted by the Friday before the meetings. He just wants to be in compliance with the law.

VII. Executive Session - Council member Stephanie Moncrief made a motion to go into executive session. Erica Miles seconded. Passed unanimously. Council member Linda Pilgrim made a motion to adjourn, Erica Miles seconded. Passed unanimously.

VII. ADJOURN - Council member Stephanie Moncreif made a motion to adjourn, Erica Miles seconded. Passed unanimously.

Respectfully submitted,

City Clerk

Approved

Mark Moore,
Mayor