

CITY OF LAGRANGE, GEORGIA
REGULAR MEETING OF THE MAYOR AND COUNCIL

March 26, 2024

Present: Mayor Pro Tem: Quay Boddie, Council Members: Nathan Gaskin, Tom Gore, Mark Mitchell, & Leon Childs.

Also Present: City Manager Patrick Bowie; Assistant City Manager Bill Bulloch; City Attorney Jeff Todd; City Clerk Melissa Robertson; Mark Kostial City Planner; Communications Director Katie Van Schoor; Willie Bradfield Fire Chief; & Garrett Fiveash Police Chief

The meeting was called to order by Mayor Pro Tem Quay Boddie, and the invocation was given by Pastor Pete Shoger of Southcrest Church. Mayor Pro Tem led the Pledge of Allegiance to the Flag.

On a motion by Mr. Gaskin, seconded by Mr. Gore, Council unanimously approved the minutes of the regular Council meeting held on March 12, 2024.

Mayor Pro Tem Quay Boddie presented Dusty Helton with a 25-year service award. Mr. Helton works as a Firefighter and the Council congratulated him on his accomplishments and thanked him for his many years of service to the City and our citizens.

City Manager Mr. Bowie discussed the need to reschedule the second regular meeting in June due to a conflict with the GMA Annual Meeting. Upon a motion by Mr. Gaskin seconded by Mr. Gore and unanimously passed, Council voted to reschedule the second regular meeting in June to June 27th.

City Manager Mr. Bowie updated the Council on the new Utility Website that has recently gone live. Mr. Bowie said the website strives to enhance communication and service to the citizens of LaGrange. The new website is <https://utilities.lagrangega.gov/app/capricorn?para=quickPay>

City Manager Mr. Bowie spoke on the need to replace Ms. Kelsey as a signatory for the Municipal Competitive Trust (MCT) for MEAG Power due to her leaving the City. On a motion by Mr. Mitchell seconded by Mr. Gore, Council unanimously approved Mr. Bill Bulloch to be the second signatory for the Trust.

On a motion by Mr. Mitchell seconded by Mr. Gore, Council voted 3-1, to approve the following ordinance, with Mr. Childs voting no:

AN ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE TO AMEND THE CODE OF THE CITY; TO AMEND THE ZONING MAP AND ORDINANCES OF THE CITY SO AS TO RECLASSIFY THE USE ZONE OF REAL ESTATE LOCATED ON ADDIE STREET AND WARE STREET AND OWNED BY RAIL DISTRICT ENTERPRISES LLC; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE, GEORGIA HEREBY ORDAIN AS FOLLOWS:

SECTION 1:

That the zoning map and ordinances of the City of LaGrange be amended so as to reclassify from use zone TN-R (traditional neighborhood low-density residential district) to use zone TN-MX (traditional neighborhood mixed used district) the following described real estate, to wit:

All those tracts or parcels of land located at 100 Ware Street, 112 Ware Street, 203 Addie Street, and 205 Addie Street, and known as Troup County Tax Map Parcel Numbers 050-3C-006-004, 050-3C-006-001, 050-3C-006-002 and 050-3C-006-003.

SECTION 2:

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3:

This ordinance, after adoption by the Council and upon approval by the Mayor, shall become effective immediately.

INTRODUCED AND FIRST READING _____ March 13, 2024

SECOND READING AND ADOPTED _____ March 26, 2024

SUBMITTED TO MAYOR AND APPROVED _____ March 26, 2024

BY: /s/ Quay Boddie, Mayor Pro Tem

ATTEST: /s/ Melissa Robertson, City Clerk

On a motion by Mr. Gore seconded by Mr. Mitchell, Council voted unanimously to deny the following ordinance:

AN ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE TO AMEND THE CODE OF THE CITY; TO AMEND THE ZONING MAP AND ORDINANCES OF THE CITY SO AS TO RECLASSIFY WITH CONDITION THE USE ZONE OF REAL ESTATE LOCATED ON BRYANT LAKE BOULEVARD AND OWNED BY KEYSTONE CUSTOM HOMES LLC; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE, GEORGIA HEREBY ORDAIN AS FOLLOWS:

SECTION 1:

That the zoning map and ordinances of the City of LaGrange be amended so as to reclassify from use zone CR-MR (corridor medium-density residential district) to use zone CR-MR (corridor medium-density residential district) the following described real estate, to wit:

All that tract or parcel of land located in Land Lot 183 of the 6th Land District, of Troup County, Georgia containing 38.96 acres, more or less, and known as Troup County Tax Map Number 051-4-000-077B.

SECTION 2:

The purpose of this rezoning is to remove from said property certain conditions as contained in that Notice of Conditional Zoning recorded in Deed Book 1966, Page 223-234, Troup County Records. Except for the condition described in Section 3 below, such conditions are removed from said property.

SECTION 3:

Pursuant to the police power of the City of LaGrange, the Mayor and Council hereby continue and impose the following condition as a requirement for the rezoning as referenced above in Section 1. Said condition is

imposed for the protection and/or benefit of neighboring land owners in order to ameliorate the effects of the rezoning of this property, as follows:

“An 8-foot wide sidewalk shall be provided along Bryant Lake Boulevard adjacent to the property rezoned herein.”

SECTION 4:

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 5:

This ordinance, after adoption by the Council and upon approval by the Mayor, shall become effective immediately.

INTRODUCED AND FIRST READING _____ March 13, 2024

SECOND READING AND DENIED _____ March 26, 2024

SUBMITTED TO MAYOR AND DENIED _____ March 26, 2024

BY: /s/ Quay Boddie, Mayor Pro Tem

ATTEST: /s/ Melissa Robertson, City Clerk

On a motion by Mr. Mitchell seconded by Mr. Gaskin, Council voted unanimously to approve the following ordinance:

AN ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE TO AMEND THE CODE OF THE CITY; TO AMEND ARTICLE III OF CHAPTER 20-10 IN ORDER TO CREATE SHORT-TERM PARKING UPON A CERTAIN AREA OF BULL STREET; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE, GEORGIA, HEREBY ORDAIN AS FOLLOWS:

SECTION 1:

That the Code of Ordinances of the City of LaGrange be amended by creating therein new Code Sections 10-20-111 and 10-20-112 to read as follows:

“Sec. 10-20-111. - Pickup/drop-off spaces – regulation of use.

- (a) The creation of pickup and drop-off spaces upon the public streets and thoroughfares of the city is hereby authorized in order to control and regulate the pickup and drop-off of passengers upon such public streets and thereby limit and reduce, as much as possible, traffic congestion, hazards or obstructions caused by or resulting from the uncontrolled and unregulated pickup and drop-off of passengers.
- (b) Any such pickup or drop-off space, when designated, shall be marked by a sign identifying the same as a pickup/drop-off space.

“Sec. 10-20-112. – Same – designated.

The following areas upon the public streets and thoroughfares of the city are hereby designated as pickup/drop-off spaces in the city:

Bull Street, on the west side, beginning at a point 182.3 feet south of its intersection with Broome Street and extending south 164 feet, parking shall be limited to twenty (20) continuous minutes Monday through Thursday, from the hours of 3:00 p.m. to 8:00 p.m.”

SECTION 3:

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4:

This ordinance after adoption by the Council and upon approval by the Mayor shall become effective immediately.

INTRODUCED AND FIRST READING _____ March 13, 2024

SECOND READING AND ADOPTED _____ March 26, 2024

SUBMITTED TO MAYOR AND APPROVED _____ March 26, 2024

BY: /s/ Quay Boddie, Mayor Pro Tem

ATTEST: /s/ Melissa Robertson, City Clerk

On a motion by Mr. Gore seconded by Mr. Gaskin, Council voted unanimously to approve the following ordinance:

AN ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE TO AMEND THE CODE OF THE CITY; TO AMEND CHAPTER 10-20 OF THE CODE IN ORDER TO AUTHORIZE AUTOMATED TRAFFIC ENFORCEMENT IN SCHOOL ZONES WITHIN THE CITY; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

THE MAYOR AND COUNCIL OF THE CITY OF LAGRANGE, GEORGIA, HEREBY ORDAIN AS FOLLOWS:

SECTION 1:

That Article I of Chapter 10-20 of the Code of the City of LaGrange be amended by inserting therein a new Section 10-20-15, said section currently being reserved, to read as follows:

“Sec. 10-20-15. - Automated traffic enforcement safety system.

- (a) *Definitions.* The following words, terms, and phrases, when used in this section shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Agent means a person or entity who is authorized by a law enforcement agency or governing body to administer the procedures contained here and (i) provides services to such law enforcement agency or governing body; (ii) operates, maintains, leases, or licenses a video recording device; or (iii) is authorized by such law enforcement agency or governing body to review and assemble the recorded images captured by the automated traffic enforcement safety device for review by a peace officer.

Automated traffic enforcement safety device means a speed detection device that: (A) is capable of producing photographically recorded still or video images, or both, of the rear of a motor vehicle or of the rear of a motor vehicle being towed by another vehicle, including an image of such vehicle's rear license plate; (B) is capable of monitoring the speed of a vehicle as photographically recorded pursuant to subparagraph (A) of this paragraph; and (C) indicates on each photographically-recorded still or video image produced the date, time, location, and speed of a photographically-recorded vehicle traveling at a speed above the posted speed limit within a marked school zone.

Owner means the registrant of a motor vehicle, except that such term shall not include a motor-vehicle rental company when a motor vehicle registered by such company is being operated by another person under a rental or lease agreement with such company.

Recorded images means still or video images recorded by an automated traffic enforcement safety device.

School zone means the area within 1,000 feet of the boundary of any public or private elementary or secondary school.

- (b) *Authorization.* Speed camera enforcement, using automated traffic enforcement safety devices, is hereby authorized within school zones during such hours and in accordance with Georgia law and/or O.C.G.A. § 40-14-8.
- (c) *Administration.* Any automated traffic enforcement safety system administered under this Code section shall be administered as follows:
 - (1) The law enforcement agency, or agent on behalf of the law enforcement agency, operating an automated traffic enforcement safety device provided for under O.C.G.A. § 40-14-18 shall maintain a log for the automated traffic enforcement safety device attesting to the performance of such device's self-test at least once every 30 days and the results of such self-test pertaining to the accuracy of the automated traffic enforcement safety device. Such log shall be admissible in any civil enforcement proceeding for a violation issued pursuant to O.C.G.A. § 40-14-18. The law enforcement agency, or agent on behalf of the law enforcement agency, operating an automated traffic enforcement safety device shall perform an independent calibration test on the automated traffic enforcement safety device at least once every 12 months. The results of such calibration test shall be admissible in any court proceeding for a violation issued pursuant to O.C.G.A. § 40-14-18.
 - (2) Prior to the placement of a device within a school zone, each school within whose school zone such automated traffic enforcement safety device is to be placed shall first apply for and secure a permit from the department of transportation for the use of such automated traffic enforcement safety device. Such permit shall be awarded based upon need. The department of transportation shall promulgate rules and regulations for the implementation of this paragraph.
 - (3) If an automated traffic enforcement safety device is moved to or placed in a location where an automated traffic enforcement safety device had not previously been moved to or placed in, no citation shall be issued for a violation recorded by that automated traffic enforcement safety device until:
 - a. The city shall erect signs warning of the use of a stationary speed detection device within the approaching school zone. Such signs shall be at least 24 by 30 inches in area, shall be visible plainly from every lane of traffic, shall be viewable in all traffic conditions, and shall not be placed in such a manner that the view of such sign is subject to being obstructed by any other vehicle on such highway. Such signs shall be placed within 500 feet prior to the warning sign announcing the reduction of the speed limit for the school speed zone. There shall be a rebuttable presumption that such signs are properly installed pursuant to this subsection at the time of any alleged violation under this article; and
 - b. That no citation shall be issued for the first 30 days after the first automated traffic enforcement safety device is introduced by a law enforcement agency within a school zone, but rather, a civil warning shall be issued for disregard or disobedience of the posted speed limit within the school zone during those first 30 days.
 - (4) A law enforcement agency authorized to enforce the speed limit of a school zone, or an agent working on behalf of a law enforcement agency or governing body, shall send by first class mail addressed to the owner of the motor vehicle within 30 days after obtaining the name and address of the owner of the motor vehicle but no later than 60 days after the date of the alleged violation:
 - a. A citation for the alleged violation, which shall include the date and time of the violation, the location of the infraction, the maximum speed at which such motor vehicle was traveling in photographically-recorded images, the maximum speed applicable within such school zone, the civil warning or the amount of the civil

- monetary penalty imposed, and the date by which a civil monetary penalty shall be paid;
- b. An image taken from the photographically-recorded images showing the vehicle involved in the infraction;
 - c. A website address where photographically-recorded images showing the vehicle involved in the infraction and a duplicate of the information provided for in this paragraph may be viewed;
 - d. A copy of a certificate sworn to or affirmed by a certified peace officer employed by a law enforcement agency authorized to enforce the speed limit of the school zone and stating that, based upon inspection of photographically recorded images, the owner's motor vehicle was operated in disregard or disobedience of the speed limit in the marked school zone and that such disregard or disobedience was not otherwise authorized by law;
 - e. A statement of the inference provided by Georgia law and of the means specified therein by which such inference may be rebutted for such violations;
 - f. Information advising the owner of the motor vehicle of the manner in which liability as alleged in the citation may be contested through an administrative hearing; and
 - g. A warning that the failure to pay the civil monetary penalty or to contest liability in a timely manner as provided for in subsection (d) of this Code section shall waive any right to contest liability.
- (5) Proof that a motor vehicle was operated in disregard or disobedience of the posted speed limit of the marked school zone shall be evidenced by photographically recorded images. A copy of a certificate sworn to or affirmed by a certified peace officer employed by a law enforcement agency and stating that, based upon inspection of photographically recorded images, a motor vehicle was operated in disregard or disobedience of the posted speed limit in the marked school zone and that such disregard or disobedience was not otherwise authorized by law shall be prima-facie evidence of the facts contained therein.
- (6) Liability shall be determined based upon a preponderance of the evidence. Prima-facie evidence that the vehicle described in the citation issued pursuant to this Code section was operated in violation of the posted speed limit of the school zone, together with proof that the defendant was, at the time of such violation, the registered owner of the vehicle, shall permit the trier of fact in its discretion to infer that such owner of the vehicle was the driver of the vehicle at the time of the alleged violation. Such an inference may be rebutted if the owner of the vehicle:
- a. Testifies under oath in open court or submits to the court a sworn notarized statement that he or she was not the operator of the vehicle at the time of the alleged violation; or
 - b. Presents to the court a certified copy of a police report showing that the vehicle had been reported to the police as stolen prior to the time of the alleged violation.
- (7) A violation for which a civil warning or a civil monetary penalty is imposed pursuant to this section shall not be considered a moving traffic violation for the purpose of points assessment under O.C.G.A. § 40-5-57. Such violation shall be deemed noncriminal, and imposition of a civil warning or civil monetary penalty pursuant to this section shall not be deemed a conviction and shall not be made a part of the operating record of the person upon whom such liability is imposed, nor shall it be used for any insurance purposes in the provision of motor-vehicle insurance coverage.
- (8) Any court having jurisdiction over violations of subsection (a) of O.C.G.A. § 40-14-18 shall have jurisdiction over cases arising under this section and shall be authorized to impose the civil monetary penalty provided for by this subsection. Except as otherwise provided pursuant to Georgia Law, the provisions of law governing jurisdiction, procedure, defenses, adjudication, appeal, and payment and distribution of penalties otherwise applicable to violations under this section shall apply to enforcement under

this section; provided however, that any appeal from superior or state court shall be by application in the same manner as that provided by O.C.G.A. § 5-3-1 et seq.

- (d) *Designation of administrative hearing officer.* In accordance with the provisions of O.C.G.A. § 40-14-18, and as of the effective date of this section, the city shall utilize the judge or assistant judge of the municipal court of the City of LaGrange, Georgia to conduct an administrative hearing when timely requested by recipients of notice of violations under this section.
- (e) *Violations and penalties.*
 - (1) Any person who shall violate any provision of this article shall be subject to the civil penalties set forth in O.C.G.A. § 40-14-18(b)(1), as amended, including a fine in the amount of \$75.00 for a first violation and \$125.00 for a second or any subsequent violation, in addition to fees associated with the electronic processing of such civil monetary penalty, which shall not exceed \$25.00.
 - (2) The city is hereby authorized to notify the Georgia Department of Revenue of all outstanding notice of violations that are eligible for reporting pursuant to O.C.G.A. § 40-14-18.
- (f) *Severability.* If any section, subsection, sentence, clause, phrase, or portion of the ordinance from which this section derived is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of the ordinance from which this section derived, it being the intent of the governing authority that the ordinance from which this section derived shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase, or portion hereof.”

SECTION 2:

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3:

This Ordinance after adoption by the Council and upon approval by the Mayor shall become effective immediately.

INTRODUCED AND FIRST READING _____ March 13, 2024

SECOND READING AND ADOPTED _____ March 26, 2024

SUBMITTED TO MAYOR AND APPROVED _____ March 26, 2024

BY: /s/ Quay Boddie, Mayor Pro Tem

ATTEST: /s/ Melissa Robertson, City Clerk

Ms. Keiaerea Denson came before the Council asking for assistance with code violation issues she felt she was having with her landlord. Mr. Bowie read an email from Jason Webb with the Code Enforcement Department addressing all issues Ms. Denson brought to the Council previously. Ms. Denson’s code violations have all been addressed by the landlord, and Ms. Denson was reminded that any mold related issues would have to be dealt with between her and her landlord directly.

The Good News for tonight is that we are geared up to once again shut it down to pick it up. Our City-wide litter cleanup involving our hundreds of employees will take place Friday, April 19th, from 8AM to 1PM. All of us will go into all parts of the City on this day to leave LaGrange better than we found it. Very excited this year to have several partners joining us including West Georgia Technical College, the LaGrange Lion’s Club, Alpha Kappa Alpha Sorority, and Alpha Phi Alpha Fraternity. After we pick up litter, we will eat lunch together under the tent at Sweetland then head back to work at 1PM. The community is always welcome to join us!

There being no other business, Mayor Pro Tem Quay Boddie adjourned the meeting at 6:04pm.

Mayor

City Clerk