

MINUTES
Special Called Meeting
August 29, 2022
6:30 PM, Temple Senior Center

Call to Order: The meeting was called to order by Mayor Michael Johnson at 6:30PM
Council Members Present: Richard Bracknell, Casey Russom, Howard Walden, Tom Wallace
Council Members Absent: Hiley Miller

Approve published agenda of this date's Special Called Meeting, as presented:

Mayor Johnson explained that there is a revised agenda, with additional wording added to item #2. There was a motion by Council Member Bracknell to approve the revised agenda, second by Council Member Walden. Vote 4-0.

OLD BUSINESS

1. (Postponed from August 1, 2022, City Council Meeting). Hold a public hearing on the proposed Lakeshore Development Agreement from Trademark Quality Homes.

Mayor Michael Johnson opened the Public Hearing. Steven Jones, from the law firm Taylor English, was present on behalf of Trademark Quality Homes. He explained that on June 21st the Council approved the Development Agreement with minor modifications and that the Planning Commission voted to recommend approval of all of those actions. He said that he feels like everyone has come a long way with getting an agreement that works for everyone, and a quality development for Temple. He stated this has been going on for about 15 months and he hopes that the Council will approve all of these actions tonight so that they can move forward, and they also look forward to future projects.

He stated that he was happy to address any questions. Council Member Walden asked if this is what they had already talked about, nothing different. City Attorney Carey Pilgrim confirmed that is correct, there are no changes. Citizen Dawn Adkins asked since it was a Public Hearing, why has no one seen the development agreement; how can the public have an opinion without seeing it. City Attorney Carey Pilgrim explained that for a large portion of the time, the conversation had been privileged because of legal issues with Trademark and the City. He said presumably you would have had to have been at the meetings to know about it. He stated that the development agreement requires the City to take certain zoning actions with the property, so now we are going through the formal process to carry out the development agreement. There were no other questions. Mayor Johnson closed the Public Hearing.

2. Following this public hearing on the proposed Lakeshore Development Agreement and the decisions contemplated therein, discuss the proposed agreement from Trademark Quality Homes, Inc., who is the developer of the Lakeshore residential community and then decide whether to approve that agreement and the following decisions contemplated by that agreement: (1) rezoning the Property from DCD to DCD with the conditions and subject to certain concept plans set forth in the Development Agreement; (2) approval of variances of Sections 38-119(4) and other sections and provisions of the Zoning Ordinance of the City and Sections 9.03.01(i) and 9.04.06(d), and other sections and provisions of the Development Code of the City with the conditions set forth in the Development Agreement; (3) approval of preliminary plats and development plans for the Property; (4) approval of a final plat for the portion of the Property described as "Phase 3" on the Preliminary Plat and known as Trestle Creek Court; and (5) acceptance of the rights-of-way shown and described on said final plat.

There was a motion by Council Member Wallace to approve the five items listed in the agenda item as part of the development agreement, second by Council Member Walden. Vote 4-0.

3. (Tabled from June 6, 2022, City Council Meeting). Consider taking action on the request to the City of Temple from Southeast Civil Group for approval of the rezoning from R-1 (Single-Family Detached Residential) to R-4 (Single-Family Detached Residential) of a 52.4-acre tract of land at 927 Candy Kitchen Road in Haralson County, being Parcel 0118 0033 in Land Lot 143 District 6.

There was a motion by Council Member Bracknell to take this item off the table, second by Council Member Russom. Vote 4-0. City Attorney Carey Pilgrim explained that this item was tabled in June and the Council can act on it or not. Community Development Technician, Deidra Walker, stated that she was told that the property owners plan to withdraw this request. The applicant was not present at the meeting. There was a motion by Council Member Bracknell to deny the rezoning request, second by Council Member Russom. Vote 4-0.

NEW BUSINESS

1. Reports concerning the City Council's action on August 22 to adopt a resolution to the set the 2022 tax millage rate for the City of Temple and concerning the reason for a proposed City Council action during this meeting to: (a) rescind the City Council action taken on August 22 to adopt that resolution and (b) schedule on Thursday, September 1, another public hearing pertaining to the 2022 millage rate as well as another Special Called Meeting to adopt a different resolution to set the 2022 millage rate for the City of Temple.

City Administrator Bill Osborne explained that the City went through the steps of moving forward with the millage rate, and Carroll County Tax Commissioner Vicky Bearden realized that there was an error in the computations. Mr. Osborne, Finance Director Ken Abidde and Ms. Bearden had a phone meeting to discuss this, and also alerted the council, media and public of the error. We are asking the Council to rescind the previous action on the millage rate, and we will schedule another Public Hearing and Special Called meeting on September 1st, to adopt a new resolution and set the corrected millage rate. Once corrected, there will be approximately \$40,000 less in tax revenue than originally expected. Finance Director Kenneth Abidde apologized for the error in computation, and stated that the new rate is 5.171 which is less than last year.

2. Rescind the resolution adopted by the City Council on August 22 to set the 2022 tax millage rate for the City of Temple.

There was a motion by Council Member Bracknell to rescind the resolution adopted by the Council on August 22nd to set the 2022 tax millage rate, second by Council Member Wallace. Vote 4-0.

3. Schedule a new public hearing at 5:30 p.m. on Thursday, September 1, at the Temple Senior Center; and then immediately upon adjournment of this public hearing consider adoption of a new resolution to set the 2022 tax millage rate for the City of Temple.

There was a motion by Council Member Bracknell to schedule a new Public Hearing on Thursday September 1st at 5:30PM at the Temple Senior Center to set the 2022 tax millage rate, second by Council Member Walden. Vote 4-0.

Closing Comments- N/A

Executive Session, if needed- N/A

Adjournment: There was a motion to adjourn by Council Member Bracknell, second by Council Member Walden. Vote 4-0. The meeting adjourned at 6:51PM.

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