



City of Hogansville  
**City Council**  
Meeting Agenda

**Monday, April 2, 2018 at 7:00PM**

Mayor: <i>William C. Stankiewicz</i>	2021	City Manager: <i>David Milliron</i>
Council Post 1: <i>Reginald Jackson</i>	2021	City Clerk: <i>Lisa E. Kelly</i>
Council Post 2: <i>Marichal Price</i>	2021	City Attorney: <i>Jeffrey M. Todd</i>
Council Post 3: <i>W. Fred Higgins</i>	2019	Chief of Police: <i>Brian V. Harr</i>
Council Post 4: <i>George K. Bailey</i>	2019	
Council Post 5: <i>Theresa D. Strickland</i> *	2019	

\* Mayor Pro-Tem

**Regular Meeting – 7pm**

Call to Order – Mayor Stankiewicz

Invocation

Pledge of Allegiance

Approval of Agenda

Approval of Minutes:      Joint Work Session held on March 19, 2018  
   Work Session held on March 19, 2018  
   Regular Meeting held on March 19, 2018  
   Called Meeting held on March 22, 2018

**Presentations**

1. Pioneer Group – Planned Festivals
2. Hogansville Regional Arts Association – Angela Bennett

**Old Business**

1. 2<sup>nd</sup> Reading - Blight Ordinance
2. Consideration of Financial Advisor

**City Manager's Report**

**Council Member Reports**

1. Council Member Jackson
2. Council Member Price
3. Council Member Higgins
4. Council Member Bailey
5. Council Member Strickland

**Mayor's Report**

1. Misc.

**Adjourn**

**Meeting to be held at Hogansville City Hall, 400 East Main Street, Hogansville, Georgia 30230**

Upcoming Dates & Events

- April 16, 2018 | Regular Meeting of the Mayor & Council - 7pm
- April 19, 2018 | Planning & Zoning Board Meeting – 6pm
- April 21, 2018 | Great American Clean-up - Kick-off from Calvin Hipp Memorial Park





### JOINT WORK SESSION

A Joint Work Session of the Hogansville City Council and the Hogansville Downtown Development Authority (DDA) was held on Monday March 19, 2018. The meeting was called to order by Mayor Stankiewicz at 5:30p.m.

Present were Mayor Bill Stankiewicz, Council Member Reginald Jackson, Council Member Marichal Price, Council Member Fred Higgins, and Council Member Theresa Strickland. Council Member George Bailey was not present for tonight's meeting. DDA Members present were Jason Stewart, Jake Ayers, Brenda Rhodes, Kandis Strickland, and Vickie Brown. Also present were City Manager David Milliron, City Attorney Jeff Todd, City Clerk Lisa Kelly, Chief of Police Brian Harr, and Community Development Director Lynne Miller.

### BUSINESS

- a. Georgia Conservancy Presentation on Downtown Master Plan: DDA Chairperson Jason Stewart opened the meeting by explaining the process of a downtown master plan and downtown development plan. The City met the criteria and received funding to create a master plan in order to help with economic incentives, make downtown improvements and hire new employees with an ultimate goal in revitalizing downtown. Since August of last year, Georgia Conservancy and planning partners, Village Green Consulting and Canvas Planning, have been working to develop an implementable plan for the City. Joanna McCran, urban planner with Georgia Conservancy began the presentation introducing David Burt of Village Green Consulting. Burt thanked the DDA, Mayor, and Council for the opportunity to be here. He expressed his excitement in being able to develop a design plan that is usable and implementable. The idea is to see the plan move forward and not sit on a shelf. He presented the market study done and showed dollars based on retail sales and the margin the City loses to larger cities in the areas. The goal is to create destination shops and restaurants that aren't located in larger markets and create more market-share for the City. Aaron of Canvas Planning addressed the boards explaining there have been many ideas discussed in the public meetings held, of which, many are achievable and inexpensive, to include painting downtown doors on Main and Commerce

Streets used as art; established the City as a hummingbird community and feels we should expand on those, to include murals; street painting on Commerce Street, noting Main Street is the historic area while Commerce is the back street, not formal, but a great opportunity to have a look and feel that will leverage us similar to Rome Georgia and attract visitors. Street painting is a creative and low cost item that can change frequently. It could become a pedestrian street at certain times of year. Food will help create a destination and arts will fall hand in hand with this concept. It will also create opportunities for live entertainment and performing arts. Performing arts will be a unique opportunity for the City and he urged the City to support that with the Royal Theater. He understands it is an important decision but hopes the Council will consider what the building was originally used for and what other opportunities can be housed in that space such as performing arts, concerts, etc. Hogansville has a unique advantage with the Royal and a destination of this sort would be impossible to recreate elsewhere. Maker's spaces are great retail places where things are being made. People will drive 40 miles to go to a place with maker's spaces; it is a huge draw. Pedestrian streets are hugely popular; Brunswick does this once a month and is thriving; things to consider are consistent programming – live entertainment, performing arts, etc. will help. Downtown housing is another attractant. At the most recent public meeting BIG ideas were also discussed and are ideas that need future plans and future funding. Canvas Planning feels the downtown park is an important big idea. The existing parks are good but can be a better, post card opportunity for the City creating a bold vision for the future. By reconfiguring the park added parking can be obtained and create a perfect view to the Royal. 2<sup>nd</sup> big idea is an extension to the tower trail and renaming it to Hummingbird Trail. It can be a partially off-road trail, mostly paved trail and eventually extend it all the way to the library. Downtown and the library are both destinations. The City's primary resource is focusing on art and entertainment to create the destination downtown. What can the City do in the next ten months to grow toward the goals of the plan? Create a rural revitalization zone through the state. It may take a couple of times to get it awarded but with this master plan it will well position the City; create a downtown zoning district; paint on Commerce St. This can begin with installing bollards to block Commerce St. just on market days for now; find funding sources and locations for murals; inventory downtown buildings that can possibly be split into smaller areas; develop a downtown task force to help build a marketing plan for developers; conduct studies of other theater renovations and consider places to relocate city hall; and finally re-establish the City in the Main Street Program through Georgia Department of Community Affairs. As the presentation concluded, Milliron asked if there are any red flags or any concerns before the final document is presented to the DDA. No comments were noted. Stewart stated the DDA is excited about the proposed plan and other DDA members agreed. He noted it will be presented in final format at the DDA at its next meeting on March 27<sup>th</sup> at 6:30pm. David Burt stated he has seen many other cities with opportunities

but feels Hogansville has great potential for all of these ideas to really happen and work for the City.

There being no further discussion before the Mayor, Council, and Downtown Development Authority at this time, Council Member Bailey made a motion to adjourn the meeting at 6:19p.m., Council Member Higgins seconded, all agreed and the motion was carried.

Respectfully,

A handwritten signature in black ink, appearing to read 'Lisa E. Kelly', written in a cursive style.

Lisa E. Kelly, CMC  
City Clerk  
City of Hogansville

*March 19, 2018*



### WORK SESSION

A Work Session of the Hogansville City Council was held on Monday March 19, 2018. The meeting was called to order by Mayor Stankiewicz at 6:19p.m.

Present were Mayor Bill Stankiewicz, Council Member Reginald Jackson, Council Member Marichal Price, Council Member Fred Higgins, Council Member George Bailey, and Council Member Theresa Strickland. Also present were City Manager David Milliron, City Attorney Jeff Todd, City Clerk Lisa Kelly, and Chief of Police Brian Harr.

### BUSINESS

#### 1. Financial Advisor Presentations

- a. PFM – Courtney Knight. Courtney Knight of PFM gave presentation on the firm, its history and how they feel this firm can help Hogansville move into the future.
- b. Courtney Rogers of Davenport & Company. Courtney Rogers made a power point presentation by Davenport & Company on ways the firm can secure funding and better position the City financially.

Presentations by both firms will be made part of the permanent record for this meeting.

2. Recreation Enhancements. Milliron stated the county sent over a list of items today giving updates for Parks & Recreation improvements in Hogansville to be included in the new SPLOST but there are dollars left from the existing SPLOST. All of the park facilities have been plotted on a map at City Hall and he gave examples of how the City can utilize those dollars. A one restroom facility could be installed here at the library for the playground area but at a cost of \$75k this is not very cost effective. Strozier Park parking lot could be paved and possibly the concrete at the large pavilion. Jackson would like to use funds at Strozier Park for concrete at the pavilion and two basketball courts, adult court at Green Avenue, adult court on Pine St. Strickland stated funding should be used for something for teens to do. Younger kids have something to do with splashpad and playgrounds. Green Avenue and Pine Street should be immediate. She also feels the bulk of the dollars should be geared toward McGhee Field and feels the smaller court on Green should be moved to McGhee. Higgins stated in talking with other cities we should consider not placing the small and large courts together as there may be conflict with children and adults on adjacent courts. Cajen Rhodes with Troup County Parks & Recreation stated the package presented identifies things to be

accomplished. He noted he wants to meet the Council's wishes but reminded everyone McGhee Field is in bad shape. Usage of the field is almost non-existent and he would like the Council to consider making it a multi-purpose area. He expressed how popular multi-purpose green fields are and the many usages to include soccer and football. There is a need county-wide for rectangular fields. The existing fencing and score board are at least 20 years old and lighting is dated. It would take more funding than available to make improvements there. He then moved onto Strozier Park noting he thinks it's very important to pave the parking lot but would not want that done until all the concrete work is complete as not to destroy the paving with construction trucks. Strickland asked how quickly the 2 adult courts can be built on Pine and Green? Rhodes stated he can have bids put together within the week. Motion by Strickland to move forward with constructing an adult basket court with water fountain and lighting at Pine Street, an adult court with water fountain and lighting at Green Avenue, concrete under the pavilion at Strozier Park, and concrete under the gazebo at McGhee Field, all at a cost not to exceed \$179,100, second by Jackson. Carried 5-0

There being no further business to come before the Mayor and Council at this time, Council Member Bailey made a motion to adjourn the meeting at 7:57p.m. Council Member Higgins seconded, all agreed and the motion was carried.

Respectfully,



Lisa E. Kelly, CMC  
City Clerk  
City of Hogansville

*March 19, 2018*





### REGULAR MEETING

The Regular Meeting of the Hogansville City Council was held on Monday, March 19, 2018. The meeting was called to order by Mayor Stankiewicz at 7:58 p.m.

Present were Mayor Bill Stankiewicz, Council Member Reginald Jackson, Council Member Marichal Price, Council Member Fred Higgins, Council Member George Bailey, and Council Member Theresa Strickland. Also present were City Manager David Milliron, City Attorney Jeff Todd, City Clerk Lisa Kelly, and Chief of Police Brian Harr. Council Member Bailey gave the invocation and Mayor Stankiewicz led the pledge.

Mayor Stankiewicz asked to amend the agenda moving #3 under Old Business ahead of Citizen Appearances. Motion by Bailey to approve the agenda as amended, seconded by Jackson. Carried 5-0

Motion was made by Council Member Strickland to approve the minutes of the Regular Meeting held on March 5, 2018, seconded by Council Member Higgins.

### PRESENTATION

1. Employee Service Awards. Traci Jones – Employee Service Awards – 10years. Milliron presented Jones with her ten year service award and noted her anniversary date is on the same day of her birthday. He recognized her and the great comments made about her on social media.
2. Police Commendation – presented by Chief Harr. Chief Harr presented commendation to City employee Terry Irvin. In performing disconnects last month he recognized something was wrong at a residence that has never been on the disconnect list. He notified the Police Department and because of this and the time he took in believing his suspicions, the situation could have been worse as the gentleman at the residence was found deceased.

### CITIZEN APPEARANCE

1. Willie Cameron – asked to address the council not knowing the recreation item regarding basketball courts would be addressed in the work session. He would also like to see a garden club that could help beautify the parks and would like to see dogwood trees planted at Strozier Park. He feels the City should have all parks and recreation fields utilized and could get participation from the colleges. Glad to see us moving toward new goals.

**OLD BUSINESS**

1. Resolution – Purple Heart City. Mayor Stankiewicz read the resolution. Motion by Strickland to adopt the resolution naming the City a Purple Heart City, seconded by Bailey. Mr. Leon Davis was recognized as a Purple Heart recipient as he was accompanied by other members of the Hogansville American Legion post. All veterans present were honored for their service.
2. Blight ordinance– Jeff Todd read the 1<sup>st</sup> reading of the proposed blight ordinance.
3. 2<sup>nd</sup> reading – Police Ordinances – Jeff Todd reads the 2<sup>nd</sup> reading of the proposed amended ordinance explaining the amendments making possession of less than one ounce of marijuana and shoplifting misdemeanors. The amended ordinance also speaks to parental control of minors and the supervision of said minors. Motion by Jackson to adopt the ordinance, seconded by Bailey. Carried 5-0

**CITY MANAGER’S REPORT**

- a. The revised sanitation schedule is complete and will be going out into the utility bills with an effective date of April 1, 2018. The purpose of this change is to get, both, household garbage pick-up and roadside debris on the same schedule.
- b. A new service will be offered to City residents; residential energy audits will be performed beginning next month. Customers will be offered the opportunity to call and request a free energy audit through Electric Cities of Georgia and be provided a report of where they are losing energy efficiency in their homes. A request form will be included in the utility bills.
- c. Appreciation goes out to C&C Sanitation; the City will host the Great American Clean-up in partnership with Keep Troup Beautiful on April 21, 2018. C&C Sanitation has offered to provide the dumpsters for the event at no charge to the City.
- d. City is working on scheduling with Troup County to get the ditches on West Boyd cleaned out.
- e. Permit has been obtained from Georgia DOT for the crosswalk near Thrash. Working to get pricing and scheduled.
- f. Meetings are being scheduled with Continental Contitech and the State Economic Development Office for new jobs coming to Hogansville. Of the 100 new positions planned, the first six will be coming to Hogansville.
- g. Milliken & Company will be coming to Hogansville into the old Carter’s building and expect to take possession of the property on April 1, 2018. They should be operational by May with 30 positions to fill.
- h. Will be attending a MEAG training this week and Georgia City|County Manager’s Conference next week.

**COUNCIL MEMBER'S REPORTS***Council Member Jackson*

- a. asked about purchasing a PA system. Milliron stated he is working on it but nothing definite as of yet.
- b. asked if the City had been approved by FEMA to add the Yellow Jacket Creek crossing manhole to the repair list. Milliron stated FEMA will not allow adding the project.
- c. In relation to the recent fire on Elm Street, asked if the City tests fire hydrants? Milliron stated the Fire Department test the hydrants and dates them and performs flow tests. He indicated the Fire Chief gave him the test date on the Elm Street hydrant. Jackson asked when this particular hydrant can be repaired to which Milliron replied there are immediate hydrants in that area that are operational and will bring this one into the five year capital plan along with about a dozen more.
- d. asked the height of Pine Street tank? Milliron stated he is not sure right off but engineer is looking into how we should handle that tank. There is a master document with that info included.

*Council Member Price*

- a. asked how many other hydrants need to be repaired? Milliron stated he does have a master list and will provide it.
- b. stated he is glad to have someone in the Carters's building.
- c. thanked everyone who donated to the fire victims on Elm Street.

*Council Member Bailey*

- a. stated he is excited to have someone in the Carter's building and glad to see the new jobs through Contitech.

*Council Member Strickland*

- a. asked Chief Harr about the progress with Officer's training. Harr stated Officers are about 99% complete with de-escalation training. Cultural diversity and personal face to face training will be the next step. He expects to be 100% trained on those issues by the end of the year. He would really like to work crisis intervention training into the schedule as well.
- b. asked if the information on the accounting number is available. Mayor stated the topic will be handled in Executive Session.
- c. reminded everyone of the Police Department Easter egg hunt this Saturday at 9am at Hendrix Stadium.

**MAYOR'S REPORT***Mayor Stankiewicz*

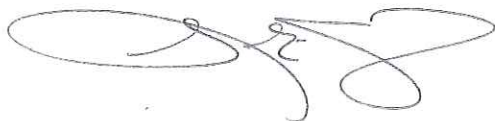
- a. stated last week the City lost a long time resident, Mr. Charlie Wheelus, who worked for Uniroyal for 24 years and then worked another 20 years with Carter's.

Motion was made by Bailey to enter into Executive Session for the purpose of discussing personnel and real estate, seconded by Higgins. The regular meeting was reconvened at 9:27pm.

A called meeting was set for Thursday, March 22 at 3:30pm to discuss and act on the financial advisor for the City.

There being no further business to come before the Mayor & Council of the City of Hogansville at this time, on a motion made by Council Member Baily and dually seconded by Council Member Strickland, the meeting was adjourned at 9:31pm.

Respectfully,

A handwritten signature in black ink, appearing to read 'Lisa E. Kelly', with a large, stylized flourish at the end.

Lisa E. Kelly, CMC  
City Clerk  
City of Hogansville

*March 19, 2018*



### CALLED MEETING

The Regular Meeting of the Hogansville City Council was held on Thursday, March 22, 2018. The meeting was called to order by Mayor Stankiewicz at 3:30 p.m.

Present were Mayor Bill Stankiewicz, Council Member Reginald Jackson, Council Member Marichal Price, Council Member Fred Higgins, Council Member George Bailey, and Council Member Theresa Strickland. Also present were City Clerk Lisa Kelly, and Chief of Police Brian Harr.

### NEW BUSINESS

1. Parks & Recreation Enhancements – Cajen Rhodes. Mr. Rhodes addressed the Mayor & Council stating everyone left the Work Session on Monday night with a plan. He wanted the opportunity to recap that plan and make some suggestions. Green Ave. was the first topic of discussion. He suggested moving the court to one side and leave green area for kids to play. He noted there is no designated parking except on the street and is concerned that ropes and posts should be installed to keep vehicles off the court. He made Council aware that 95% of that property is in flood plain so there is a chance of flooding. He suggested not placing the water fountains at a cost of \$2k but instead maybe install a set of bleachers and the posts and ropes. Adult court on Pine Street is planned. Lighting on the courts is not recommended and no other courts are lighted in the county. There are street lights in the immediate areas and will provide ample lighting for safety. Jackson stated we should pioneer with the lights. Rhodes stated maybe we should consider opening up the indoor gym and make it more accessible after dark. No other outside courts are lighted and will be cautious about adding lights. Rhodes stated we should expect some parking issues on Pine Street but may not be an issue if people are walking or riding bikes. He gave an aerial of the locations with the placement of the courts and addition of bleachers. Strickland concerned of putting a water fountain on the property and future damages to it. Price asked if bleachers will be concreted in. Rhodes stated there are a couple of ways those can be handled. Strickland does not feel parking areas are necessary. SPLOST IV improvements were discussed to include McGhee field. Rhodes suggested we learn from the usage on Green Avenue to create a spot on McGhee field. He asked to address the water tower on the Pine Street property; there are tire marks on the property now from maintenance access. There is slight decline from the back of property and mud will wash onto the court but a good spot has been picked for the court and will

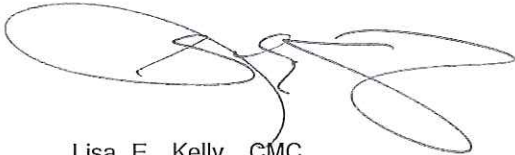
need to get grass growing on bare spots now to keep from washing. The City will still need access to tower and may need to find alternate access to it. Milliron stated there could be future construction in the area of the tank and is regularly used for access. Strozier Park can be planned from the success of the Pine St. court. Not sure that two courts will be placed at Strozier but gave an example of possible placement. Rhodes noted he wants to finish all the Hogansville projects and needs support from Council on types of projects and their final completion status. Strickland thanked Rhodes and is excited about supporting the needs of the community and thinks this is a good direction. Rhodes noted he is not sure the gazebo at McGhee is where it belongs because we don't know what will ultimately happen there but is very confident the pavilion at Strozier is well placed. Would like to wait on the concrete at McGhee. Jackson thinks his suggestion is a good one. Higgins and Price would like to go with Rhodes' recommendation and see how far we can fund the overall plan. Trash cans will be added and ground mounted. Mayor confirmed flooding would not affect the court on Green if flooding occurred. Concrete must cure for 28-30 and will not be paintable until then. Mayor stated social media will help communicate how the projects will reach final completion. Rhodes agreed to touch base regularly with Milliron with updates and completion schedules. Motion made by Bailey to move forward with Rhodes' recommendation to include: Green Avenue – adult court, no fountain, bleachers, roping/vehicle deterrents, trash cans; Pine Street – same as Green; Strozier Park – concrete pad under pavilion, seconded by Higgins. Carried 5-0

2. Consideration of City's Financial Advisor. Milliron recommends Davenport & Co. as the City's financial advisor. Mayor stated there is no authorization to spend any money and any expenditure would come before the Council. Strickland made a motion to approve PFM, seconded by Price. Milliron stated questions were sent to both parties and PFM declined to answer the questions. Knight presented he was the lead on the Waynesboro deal and the City Manager there said he thought Knight was an advisor and had no first-hand knowledge of him. All the questions asked of PFM were not answered and Knight would not even offer his resume. None of the team from the Waynesboro deal are with the company now except for one. The current advisor is a graduate with experience with two Mexican restaurants. Milliron stated he strongly feels the City should hire Davenport. Strickland stated from the e-mail PFM is looking for the City to hire a company and not a person and feels there were holes in Davenport's presentation. Jackson asked about advantages of Davenport over PFM. Milliron stated Davenport has 23 years of financial management and advisement experience. Every reference checked was a glowing recommendation. Council generally doesn't have first-hand knowledge of financial advisors, plans are typically put together and presented to council. Davenport is clearly, by far the best hire for the City. He stated he understands one of the Council Members reached out to another Council Member from another City for recommendation for Davenport but Council may not necessarily have first-hand knowledge of the interaction between administration and the financial advisor until the point it is presented to Council. Strickland stated in the presentation Davenport was giving credit to PFM. She further stated she did reach out to a Council Member in Villa Rica in an effort to make the best decision for the

City. Council Member Strickland wants as part of the record that Milliron urged her to reach out to Shirley (Council Member – Villa Rica) before he was hired and after. Mayor stated there is nothing wrong with reaching out to anyone but does not seem it is relevant to the conversation or decision at hand. Milliron stated he did urge reaching out to other council members. His point was that the finance director and/or city manager generally has the bulk of interaction with the financial advisor as they are an arm of the administrative staff. Jackson asked if all questions were answered to the advisors by the City. Milliron stated yes the information was relayed to both entities. Strickland stated that it was apparent in the presentations that Davenport was provided with more information than was PFM. Kelly stated that all questions asked by PFM were answered by the City staff. Mayor stated both companies are professional and nothing should disqualify either company, although he does feel it unusual that Knight would not provide his resume. Strickland stated she brought up in the first meeting that Davenport was the financial advisor for Villa Rica in 2015 and asked if the City Manager had any business relations with Davenport during that time on their financial issues. Milliron stated Davenport did a bond deal with previous management before he became City Manager. He added there has never been any engagement with Davenport & Co. with any City on his “watch”. His involvement began with the finance director beginning to make principal payments. Jackson stated he does not think the Council feels comfortable enough to make decision at this point. Mayor stated rules of order requires a vote. Motion by Jackson to table the item until the next regular meeting, seconded by Bailey. Table carries 4-1 with Higgins opposing.

There being no further business to come before the Mayor & Council of the City of Hogansville at this time, Council Member Strickland made a motion to adjourn the meeting at 4:26pm. Council Member Bailey seconded, all agreed and the motion was carried.

Respectfully,



Lisa E. Kelly, CMC  
City Clerk  
City of Hogansville

*March 22, 2018*





**AN ORDINANCE**

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF HOGANSVILLE TO AMEND THE CODE OF THE CITY; TO AMEND CHAPTER 14 OF THE CODE TO INSTITUTE A BLIGHT PROPERTY TAX IN THE CITY; TO DEFINE PROPERTY SUBJECT TO THE TAX; TO PROVIDE FOR INSPECTIONS AND NOTICE; TO PROVIDE A TAX CREDIT UNDER CERTAIN CIRCUMSTANCES; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

THE COUNCIL OF THE CITY OF HOGANSVILLE HEREBY ORDAINS:

**SECTION 1:**

That the Code of the City of Hogansville be amended by inserting therein a new Article IV in Chapter 14, to read as follows:

**“Article IV**

**Sec. 14-300. Short Title.**

This Article shall be known as the “City of Hogansville Blighted Property Ordinance.”

**Sec. 14-301. Purpose.**

The existence of real property which is maintained in a blighted condition increases the burden of the state and local government by increasing the need for government services, including but not limited to social services, public safety services, and code enforcement services. Rehabilitation of blighted property decreases this need for such government services.

In furtherance of its objective to eradicate conditions of slum and blight within the city, this governing authority, in exercise of the powers granted to municipal corporations at Chapter 61, Urban Redevelopment, of Title 36 of the Official Code of Georgia Annotated, has designated those areas of the city where conditions of slum and blight are found or are likely to spread.

In recognition of the need for enhanced governmental services and in order to encourage private property owners to maintain their real property and the buildings, structures and improvement thereon in good condition and repair, and as an incentive to encourage community redevelopment, a community redevelopment tax incentive program is hereby established as authorized by Article IX, Section II, Paragraph VII(d) of the 1983 Constitution of the State of Georgia.

**Sec. 14-302. Definitions.**

(a) ‘Blighted property’, ‘blighted’, or ‘blight’ means any urbanized or developed property which:

- (1) Presents two or more of the following conditions:
  - (A) Uninhabitable, unsafe, or abandoned structure;
  - (B) Inadequate provisions for ventilation, light, air, or sanitation;
  - (C) An imminent harm to life or other property caused by fire, flood, hurricane, tornado, earthquake, storm, or other natural catastrophe respecting which the governor has declared a state of emergency under the state law or has certified the need for disaster assistance under federal law; provided, however, this division shall not apply to property unless the relevant public agency has given notice in writing to the property owner regarding specific harm caused by the property and the owner has failed to take reasonable measures to remedy the harm;
  - (D) A site identified by the federal Environmental Protection Agency as a superfund site pursuant to 42 U.S.C. Section 9601, et seq., or having environmental contamination to an extent that requires remedial investigation or a feasibility study;
  - (E) Repeated illegal activity on the individual property of which the property owner knew or should have known; or
  - (F) The maintenance of the property is below state, county, or municipal codes for at least one year after written notice of the code violation to its owner; and

(2) Is conducive to ill health, transmission of disease, infant mortality, or crime in the immediate proximity of the property.

Property shall not be deemed blighted solely because of esthetic conditions.

(b) 'Building inspector' means a certified inspector possessing the requisite qualifications to determine minimal code compliance.

(c) 'Community redevelopment' means any activity, project, or service necessary or incidental to achieving the redevelopment or revitalization of a redevelopment area or portion thereof designated for redevelopment through an urban redevelopment plan or thorough local ordinances relating to the repair, closing, and demolition of buildings and structures unfit for human habitation.

(d) 'Governing authority' means the City Council of the City of Hogansville, a Georgia municipal corporation.

(e) 'Millage' or 'millage rate' means the levy, in mills, which is established by the governing authority for purposes of financing,

in whole or in part, the levying jurisdiction's general fund expenses for the fiscal year.

(f) 'Person' means such individual(s), partnership, corporations, business entities and associations which return real property for ad valorem taxation or who are chargeable by law for the taxes on the property.

(g) 'Public officer' means the city manager or such officer or employee of the city as designated by the city manager to perform the duties and responsibilities hereafter set forth in this article.

#### **Sec. 14-303. Ad Valorem Tax Increase on Blighted Property**

(a) There is hereby levied on all real property within the city which has been officially identified as maintained in a blighted condition an increased ad valorem tax by applying a factor of seven (7.0) to the millage rate applied to the property, so that such property shall be taxed at a higher millage rate generally applied in the municipality, or otherwise provided by general law; provided, however, real property on which there is situated a dwelling house which is being occupied as the primary residence of one or more persons shall not be subject to official identification as maintained in a blighted condition and shall not be subject to increased taxation.

(b) Such increased ad valorem tax shall be applied and reflected in the first tax bill rendered following official designation of a real property as blighted.

(c) Revenues arising from the increased rate of ad valorem taxation shall, upon receipt, be segregated by the city manager and used only for community redevelopment purposes, as identified in an approved urban redevelopment program, including defraying the cost of the city's program to close, repair, or demolish unfit building and structures.

#### **Sec. 14-304. Identification of Blighted Property.**

(a) In order for a parcel of real property to be officially designated as maintained in a blighted condition and subject to increased taxation, the following steps must be completed:

(1) An inspection must be performed on the parcel of property. In order for an inspection to be performed,

(A) A request may be made by the public officer or by at least five residents of the city for inspection of a parcel of property, said inspection to be based on the criteria as delineated in ordinance, or

(B) The public officer may cause a survey of existing housing conditions to be performed, or may refer to any such survey conducted or finalized within the previous five years, to locate or identify any parcels which may be in a blighted condition and for which a full inspection should be conducted to determine if that parcel of property meets the criteria set out in this article for designation as being maintained in a blighted condition.

(2) A written inspection report of the findings for any parcel of property inspected pursuant to subsection (1) above shall be prepared and submitted to the public officer. Where feasible, photographs of the conditions found to exist on the property on the date of inspection shall be made and supplement the inspection report. Where compliance with minimum construction, housing, occupancy, fire and life safety codes in effect within the city are in question, the inspection shall be conducted by a certified inspector possessing the requisite qualifications to determine minimal code compliance.

(3) Following completion of the inspection report, the public officer shall make a determination, in writing, that a property is maintained in a blighted condition, as defined by this article, and is subject to increased taxation.

(4) The public officer shall cause a written notice of his determination that the real property at issue is being maintained in a blighted condition to be served upon the person(s) shown on the most recent tax digest of Troup County as responsible for payment of ad valorem taxes assessed thereon; provided, however, where through the existence of reasonable diligence it becomes known to the public officer that real property has been sold or conveyed since publication of the most recent tax digest, written notice shall be given to the person(s) known or reasonably believed to then own the property or be chargeable with the payment of ad valorem taxes thereon, at the best address available. Service in the manner set forth at O.C.G.A. § 41-2-12 shall constitute sufficient notice to the property's owner or person chargeable with the payment of ad valorem taxes for purpose of this section, except that posting of the notice on the property will not be required.

(b) The written notice given to the person(s) chargeable with the payment of ad valorem taxes shall notify such person of the public officer's determination the real property is being maintained in a blighted condition and shall advise such person of the hours and location at which the person may inspect and copy the public officer's determination and any supporting documentation. Persons notified that real property of which the person(s) is chargeable with the payment of ad valorem taxes shall have thirty (30) days from the receipt of notice in which to request a hearing before the city's municipal court. Written request for hearing shall be filed with the public officer and shall be date stamped upon receipt. Upon receipt of a request for hearing, the public officer shall notify the municipal court and the building inspector or person who performed the inspection and prepared the inspection report.

(c) Within thirty (30) days of the receipt of a request for hearing, the municipal court clerk shall set a date, time and location for the hearing and shall give at least ten (10) business days notice to the person(s) requesting the hearing, the public officer and the building inspector or person who performed the inspection and prepared the inspection report. Notice of scheduled hearings shall be published as a legal advertisement in the legal organ for Troup County, Georgia, at least five (5) days prior to the hearing. Hearings may be continued by the municipal court judge upon request of any party, for good cause.

(d) At the hearing, the public officer shall have the burden of demonstrating by a preponderance of the evidence that the subject property is maintained in a blighted condition, as defined by this

article. The municipal court judge shall cause a record of the evidence submitted at the hearing to be maintained. Upon hearing from the public officer and/or their witnesses and the person(s) requesting the hearing and/or their witnesses, the judge of municipal court shall make a determination either affirming or reversing the determination of the public officer. The determination shall be in writing and copies thereof shall be served on the parties by certified mail or statutory overnight delivery. The determination by the court shall be deemed final. A copy of such determination shall also be served upon the Tax Commissioner of Troup County, who shall include the increased tax on the next regular tax bill rendered on behalf of the city.

(e) Persons aggrieved by the determination of the court affirming the determination of the public officer may petition the Superior Court of Troup County for a writ of certiorari within thirty (30) days of issuance of the court's written determination.

#### **Sec. 14-305. Remediation or Redevelopment.**

(a) A property owner or person(s) who is chargeable with the payment of ad valorem taxes on real property which has been officially designated pursuant to this article as property maintained in a blighted condition may petition the public officer to lift the designation, upon proof of compliance with the following:

(1) Completion of work required under a plan of remedial action or redevelopment approved by the city's planning and development director which addresses the conditions of blight found to exist on or within the property, including compliance with all applicable minimum codes; or

(2) Completion of work required under a court order entered in a proceeding brought pursuant to Article III, Unsafe or Unfit Buildings or Structures, Chapter 14 of the Code of Hogansville, Georgia.

(b) Before action on a petition to lift the designation, the public officer shall cause the property to be thoroughly inspected by a building inspector who, by written inspection report, shall certify that all requisite work has been performed to applicable code in a workmanlike manner, in accordance with the specifications of the plan of remedial action or redevelopment, or applicable court order. Upon finding required work to be satisfactorily performed, the public officer shall issue a written determination that the real property is no longer maintained in a blighted condition. Copies of this determination shall be served upon the person(s) chargeable with the payment of ad valorem taxes, and upon the Tax Commissioner of Troup County.

(c) All plans for remedial action or redevelopment shall be in writing, signed by the person(s) chargeable with the payment of ad valorem taxes on the real property and the director of the city's planning and development department, and contain the following:

(1) The plan shall be consistent with the city's comprehensive plan and all laws and ordinances governing the subject property, and shall conform to any urban redevelopment plan adopted for the area within which the property lies;

(2) The plan shall set forth in reasonable detail the requirements for repair, closure, demolition, or restoration of

existing structures, in accordance with minimal statewide codes; where structures are demolished, the plan shall include provisions for debris removal, stabilization and landscaping of the property;

(3) On parcels of five acres or greater, the plan shall address the relationship to local objectives respecting land uses, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements;

(4) The plan shall contain verifiable funding sources which will be used to complete its requirements and show the feasibility thereof;

(5) The plan shall contain a timetable for completion of required work; and

(6) Any outstanding ad valorem taxes (state, school, county and city, including the increased tax pursuant to this article) and governmental liens due and payable on the property must be satisfied in full.

#### **Sec. 14-306. Decrease of Tax Rate.**

(a) Real property which has had its designation as maintained in a blighted condition removed by the public officer, as provided in Section 14-304, Identification of Blighted Property, of this Article, shall be eligible for a decrease in the rate of city ad valorem taxation by applying a factor of 0.5 to the city millage rate applied to the property, so that such property shall be taxed at a lower millage rate than the millage rate generally applied in the municipality or otherwise provided by general law; such decreased rate of taxation shall be applied beginning with the next tax bill rendered following removal of official designation of a real property as blighted. The decreased rate of taxation may be given in successive years, depending on the amount of cost expended by the person(s) chargeable with payment of ad valorem taxes on the property to satisfy its remediation or redevelopment, with every \$25,000.00 or portion thereof equaling one year of tax reduction; provided, however, that no property shall be entitled to reduction in city ad valorem taxes for more than four successive years.

(b) In order to claim entitlement for a decreased rate of taxation, the person(s) chargeable with payment of ad valorem taxes on the property shall submit a notarized affidavit to the public officer, supported by receipts or other evidence of payment, of the amount expended.

#### **Sec. 14-307. Notice to Tax Commissioner.**

It shall be the duty of the public officer to notify the Tax Commissioner of Troup County in writing as to designation or removal of designation of a specific property as maintained in a blighted condition. Such notice shall identify the specific property by street address and tax map, block and parcel number, as assigned by the Troup County Tax Assessor's Office. The public officer shall cooperate with the tax commissioner to assure accurate tax billing of those properties subject to increased or reduced ad valorem taxation under this article.”

## **SECTION 2:**

All ordinances or parts of ordinances in conflict with the provisions of this ordinance shall be and the same 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 \_\_\_\_\_

SECOND READING AND ADOPTED/REJECTED \_\_\_\_\_

SUBMITTED TO MAYOR AND APPROVED/DISAPPROVED \_\_\_\_\_

BY: \_\_\_\_\_  
Mayor

ATTEST: \_\_\_\_\_  
Clerk