City of Eatonton
Council Meeting Agenda
March 20, 2017
Putnam County Commissioners’ Meeting Room, #203
117 Putnam Drive
Eatonton, Georgia 31024
(706) 485-3311

1. 7:00 PM Call to Order

2. Invocation: Councilman Charles R. Haley

3. Approval of Minutes: Attachment #1

4. Public Comments:
   Reading of Rules for Public Comments

   Special Recognition of Putnam County High School Boys and Girls Basketball Teams

5. Old Business:
   A. Discussion and Possible Action on the REDLG Loan to Vizitech USA

6. New Business:
   A. Proclamation Recognition April 2017 as Child Abuse Prevention Month Attachment #6A
   B. Discussion and Possible Action on Wreaths Across America Program Attachment #6B
   C. Proposed Resolution to Authorize the Mayor to Engage a Structural Engineer to Inspect the Plaza Arts Center Attachment #6C
   D. Proposed Resolution to Amend Chapter 42 (Historical Preservation) of the Code of Ordinances Attachment #6D
   E. Historic Preservation - Request by Tom and Mary Barrett for a Certificate of Appropriateness at 302 North Washington Avenue Attachment #6E
7. Zoning:

8. Committee Reports:

- Finance and Personnel – Council Member Harvey C. Walker, Jr.
- Public Utilities – Council Member Alvin Butts
- Streets, Buildings and Grounds – Council Member William C. Mangum
- Zoning and Ordinances – Council Member Teresa Doster
- Environmental – Council Member Charles R. Haley
- Community Development – Council Member Alma Stokes
- Public Safety – Council Member James A. Gorley
- City Administrator – Gary Sanders
- City Attorney – Christopher D. Huskins
- City Clerk – Sarah Abrams

9. Executive Session:

10. Motion to Adjourn:
City of Eatonton Council Meeting
Tuesday, March 7, 2017 at 7:00 PM
Putnam County Commissioners’ Meeting Room #203
117 Putnam Drive
Eatonton, Georgia 31024

Elected Officials Present:
  Mayor Walter C. Rocker, Jr.
  Councilman Alvin Butts
  Councilman James A. Gorley
  Councilman Charles R. Haley
  Councilman William Mangum, Jr.
  Councilwoman Alma Stokes

Elected Officials Absent:
  Mayor Pro-Tem Harvey (Chip) Walker, Jr.
  Councilwoman Teresa Doster

Staff Members Present:
  City Administrator, Gary Sanders
  City Attorney, Christopher Huskins
  City Clerk, Sarah Abrams

Mayor Walter Rocker called the March 7, 2017 Council meeting to order at 7:00 PM.

Invocation was given by Councilman James A. Gorley

Mayor and Council recognized and congratulated the Putnam County Middle School Boys and Girl Basketball Teams. Mayor Rocker asked that the team take a photo with Mayor and Council.

Motion was made by Gorley and seconded by Butts to approve the minutes from February 20, 2017 Council meeting. Motion carried by a vote of 4-0. Councilman Charles R. Haley abstained from voting because of not attending the last meeting.

Public Comments None
Old Business:
Discussion and Possible Action on the REDLG Loan to Vizitech USA
Motion was made by Gorley and seconded by Haley to table discussion and taking action on the REDLG Loan to Vizitech USA until next meeting. Motion carried by a unanimous vote of 5-0.

New Business:
Main Street Report
Main Street Director showed a video presentation on the Fire and Ice Festival. Director Simpson advised Georgia Downtown Association has shared this video on their face book page as an example to other Georgia Cities.

Main Street Report for City Council Meeting Tuesday March 7 2017 - February Recap Organization

Five Main Street board members and the City Administrator attended the Main Street 101 Training in Athens.

The Christmas Decoration Design Committee did not meet this month.

Eatonton Main Street Director met with Rainey Gallagher from the Plaza Arts Center, Colby Hunter from the Eatonton/Putnam Library and Stephen Waskey from the Putnam County Recreation Dept. to see if we could cross promote our movies, rather than have them running around the same time.

Promotion
The reaction to the Fire and Ice Festival was generally positive, but there were issues with certain downtown restaurants. The promo videos showing Day and Night performances at the Festival have been warmly received.

Eatonton Main Street Director met with Fairway Outdoor Advertising and with Comcast Spotlight Advertising representatives to see how to improve downtown foot traffic. These conversations are ongoing. Comcast Spotlight advertising has created a package which Eatonton Main Street will be passing out at the next Merchants Meeting.

Design
The American Cleaners opposite City Hall has provided a great example of Facade Grant monies.

The Athens Design Studio proposal document for the E. Sumter Street corridor has been put back to March.
Economic Vitality

Spicy Southern Restaurant opened on Wednesday, February 15.

Eatonton Main Street Director met with Terry Schwindler Director of the Putnam Development Authority to discuss economic vitality in downtown Eatonton.

The Fire and Ice Festival increased foot traffic for merchants in the Downtown.

W. Marion Street saw the moving of Briar Patch Office Products and relocation of Sinclair Shooting Sports.

Eatonton Main Street is engaging with the Eatonton Messenger to provide more of a story when it comes to new business openings.

Summary
The Fire and Ice Festival created great interest especially from outside the Lake Country area. This can only benefit Eatonton in the long term as a tourist destination location. Eatonton Main Street continues to meet with organizations and businesses to create cross-promotional opportunities that will benefit not just downtown, but Eatonton and Putnam County as a whole.

Discussion and Possible Action on Pilot Club’s Request for Use of Certain City Streets for Annual Dairy Festival  Attachment #6B
Motion was made by Gorley and seconded by Haley to approve the Pilot Club’s request for use of certain City Streets for the Annual Dairy Festival and parade. Motion carried by a unanimous vote of 5-0. Festival is scheduled to be held on Saturday, June 3, 2017.

Proposed Resolution to Authorize the Mayor to Sign a Contract Extension with AMEC Foster Wheeler for Consulting Engineering Services  Attachment #6C
Motion was made by Butts and seconded by Mangum to approve the proposed Resolution and authorize Mayor Rocker to sign a contract extension with AMEC Foster Wheeler for Gas Consulting Engineering Services. Motion carried by a unanimous vote of 5-0.

Proposed Resolution to Accept a Bid Response for the Transportation Enhancement /Streetscape Project  Attachment #6D

Councilman Mangum reported meeting with the Streets, Buildings, and Grounds Committee and agreeing to recommend awarding the base bid (the East side of the SR24) to Structural Resources, Inc. The apparent low bid for the base bid was $226,936.00.
The TE grant program has been phased out, but the City will pursue additional discretionary funds from GDOT and other available sources.

Motion was made by Mangum and seconded by Gorley to approve the Resolution to accept a bid response from Structural Resources, Inc for the work associated with the Transportation Enhancement/Streetscape Project (PI # 0011702) along SR 24 and authorize Mayor Rocker to sign contracts letters and other supporting and related documents as may be necessary to accomplish the goal of this resolution. Motion carried by a unanimous vote of 5-0.

Proposed Resolution to Approve a Temporary Alcoholic Beverage Pouring License

Attachment #6E

Motion was made by Haley and seconded by Mangum to approve the Proposed Resolution approving the Temporary Alcoholic Beverage Pouring License request by Main Street and authorize the Mayor to sign the Resolution. Motion carried by a unanimous vote of 5-0.

Committee Reports

Councilwoman Alma Stokes reported National Women’s History Month celebration will be held March 31, 2017 at 12 noon in the Putnam County Commissioner’s Meeting Room 203. All are invited to attend.

Motion was made by Gorley and seconded by Haley to pay the bills if and when the funds become available. Motion carried by a unanimous vote of 5-0.

City Administrator Sanders reported the parking lot at the Hut has been resurfaced and thermo marking for the parking spaces will be applied by the Street Department in the next week or two.

City Administrator Sanders advised the requested street light on Pinecrest Drive has been installed by Georgia Power.

Session #2 of the Middle Georgia Regional Commission’s Leadership Class is Thursday, March 16. City Administrator Sanders advised he would be attending.

Administrator Sanders advised projects for consideration by the Executive Committee of the T-SPLOST Round Table are due by April 14. The Streets, Buildings and Grounds Committee will meet again to consider the project list prior to the April 4 Council meeting.
City Administrator Sanders advised Councilwoman Teresa Doster asked that Council be notified that a Zoning & Ordinances Committee meeting will be called prior to the March 20th Council meeting to consider revisions to the Historical Preservation Ordinance.

Councilman Butts reported the Gas Department is doing maintenance to a section of gas main on Church Street. The section of Church Street between North Madison Avenue and North Lafayette Street will be closed on Thursday and part of Friday for the maintenance and road repair.

Councilwoman Stokes reported receiving 2 requests for street lights on Dickey Drive. Councilman Butts advised he would ride by and check on streetlight.

Mayor and Council commented on the improvement and looks of the Old Big Chick property since the removal of the depilated building.

Mayor Rocker asked if there was any other business. There being no other business motion was made by Mangum and seconded by Haley to adjourn. Motion carried by a unanimous vote of 5-0.

Walter Rocker, Jr., Mayor

ATTEST:

Sarah E. Abrams, City Clerk
CHILD ABUSE PREVENTION MONTH
PROCLAMATION

WHEREAS, every child deserves to be cared for in a safe and nurturing environment, free from verbal, sexual, emotional and physical abuse and neglect; and

WHEREAS, safe and healthy childhoods help produce confident and successful adults; and

WHEREAS, child abuse and neglect can be reduced by making sure families have the support they need to raise their children in a healthy environment; and

WHEREAS, children who are abused and neglected are more likely to engage in criminal behavior and struggle with drug and alcohol abuse. A large number of these victims have difficulty maintaining healthy, positive relationships as adults and experience low self-esteem and feelings of worthlessness; and

WHEREAS, we all have a responsibility, as neighbors and community members, to look out for one another and help keep each other safe from harm; and

WHEREAS, in the City of Eatonton, Putnam County effective child abuse prevention programs succeed because of ongoing partnerships created among social service agencies, schools, civic and religious organizations, law enforcement agencies, families, caregivers and members of the business community;

NOW, THEREFORE, THE MAYOR AND COUNCIL OF THE CITY OF EATONTON, do hereby proclaim April 2017 as CHILD ABUSE PREVENTION MONTH and urge residents to commit to ending the cycle of child abuse and neglect by working together to support the children of the City of Eatonton, Georgia.

IN WITNESS WHEREOF, we have hereunto set our hands, and cause the Great Seal of the City of Eatonton, Georgia to be affixed this Twentieth Day of March, in the year of our Lord Two Thousand and Seventeen.

Mr. Walter C. Rocker, Jr., Mayor

Mr. Harvey Walker, Jr.

Mr. Alvin Butts

Ms. Teresa Doster

Mr. James A. Gorley

Mr. Charles Hale

Mr. William Mangum

Ms. Alma Stokes

ATTEST: Ms. Sarah Abrams
Clerk, City of Eatonton, Georgia
Contact at Location Form

This form needs to be filled out by the contact person at the cemetery/memorial/miscellaneous location in order to be approved as a location. (Please submit this form by emailing it to julie@wreathsacrossamerica.org, by faxing it to 1-866-956-1625, or by mailing it to PO Box 249 Columbia Falls, ME 04623.)

Name of Location: PINE GROVE

Name of Contact at Location (must work at cemetery/location):

Contact at Location’s Physical and Mailing Address:


Contact at Location’s Information: (both are required for office purposes only)

Phone Number:

Email Address:

Would you like to be copied on delivery information or special announcements from Wreaths Across America by email. _______ Yes _______ No

Are there any special rules for your location that Wreaths Across America needs to comply with?


Questions or Comments:


Signature of Contact at Location ___________________________ Date Signed ___________________________

Thank you for allowing us to participate at your location and for providing your contact information.
Contact at Location Approval Form

This form needs to be filled out by the contact person at the cemetery/memorial/miscellaneous location in order to be approved as a location. (Please submit this form by emailing it to julie@wreathsacrossamerica.org, by faxing it to 1-866-956-1625, or by mailing it to PO Box 249 Columbia Falls, ME 04623.)

Name of Location: EAST EATONTON

Name of Contact at Location: ___________________________________________________

Contact at Location’s Physical and Mailing Address:

_________________________________________________________________________
_________________________________________________________________________

Contact at Location’s Information: (both are required for office purposes only)

Phone Number: _____________________________________________________________

Email Address: _____________________________________________________________

Would you like to be copied on delivery information or special announcements from Wreaths Across America by email. _______ Yes _______ No

Are there any special rules for your location that Wreaths Across America needs to comply with?

_________________________________________________________________________
_________________________________________________________________________

Questions or Comments:

_________________________________________________________________________
_________________________________________________________________________

By signing this form you are agreeing to participate in the Wreaths Across America program by allowing us to hold a ceremony and place wreaths at your location.

_________________________________________                __________________________
Signature of Contact at Location                Date Signed
Contact at Location Form

This form needs to be filled out by the contact person at the cemetery/memorial/miscellaneous location in order to be approved as a location. (Please submit this form by emailing it to julie@wreathsacrossamerica.org, by faxing it to 1-866-956-1625, or by mailing it to PO Box 249 Columbia Falls, ME 04623.)

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Email Address:

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Questions or Comments:

Signature of Contact at Location

Date Signed

Thank you for allowing us to participate at your location and for providing your contact information.
Contact at Location Approval Form

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Name of Location: EAST CANTON

Name of Contact at Location: ________________________________

Contact at Location’s Physical and Mailing Address:

_________________________________________________________________

_________________________________________________________________

Contact at Location’s Information: (both are required for office purposes only)

Phone Number: ________________________________

Email Address: ________________________________

Would you like to be copied on delivery information or special announcements from Wreaths Across America by email. ______ Yes ______ No

Are there any special rules for your location that Wreaths Across America needs to comply with?

_________________________________________________________________

_________________________________________________________________

Questions or Comments:

_________________________________________________________________

_________________________________________________________________

By signing this form you are agreeing to participate in the Wreaths Across America program by allowing us to hold a ceremony and place wreaths at your location.

_________________________________________________________________

Signature of Contact at Location ________________________________ Date Signed ________________________________
RESOLUTION

A RESOLUTION by the Council of the City of Eatonton, Georgia, to authorize the Mayor to engage a structural engineer to perform a condition assessment of the Plaza Arts Center and for other purposes.

WHEREAS, the City of Eatonton owns and maintains the Plaza Arts Center; and

WHEREAS, certain exterior and structural elements of the Plaza Arts Center are in need of renovation and repair; and

WHEREAS, the City of Eatonton included funding for exterior renovations and repairs of the Plaza Arts Center in SPLOST #8; and

WHEREAS, the City of Eatonton wishes to engage the services of a structural engineer to perform a condition assessment of the Plaza Arts Center to prioritize eligible projects.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Eatonton, Georgia, that:

THE MAYOR OF THE CITY OF EATONTON IS AUTHORIZED ENGAGE A STRUCTURAL ENGINEER IN THE WORK OF PERFORMING A CONDITION ASSESSMENT OF THE PLAZA ARTS CENTER FOR A TOTAL AMOUNT NOT TO EXCEED $2,500.00. FURTHERMORE, THE MAYOR IS AUTHORIZED TO SIGN CONTRACTS AND OTHER SUPPORTING AND RELATED DOCUMENTS AS NECESSARY TO ACCOMPLISH THE GOAL OF THIS RESOLUTION.

APPROVED AND ADOPTED by the Council of the City of Eatonton, Georgia on this 20th day of March, 2017.

Walter C. Rocker, Jr., Mayor
City of Eatonton, Georgia

ATTEST:

Clerk, City of Eatonton, Georgia
Resolution to Amend Chapter 42
(Historical Preservation)
of the Code of Ordinances

BE IT RESOLVED, that Chapter 42 (Historical Preservation) of the Code of Ordinances, City of Eatonton, Georgia is amended to read as follows:

See attached “Exhibit A – Amended Chapter 42 (Historical Preservation)”.  

APPROVED AND ADOPTED by the Council of the City of Eatonton, Georgia on this 20th day of March, 2017.

______________________________
Walter C. Rocker, Jr., Mayor  
City of Eatonton, Georgia

ATTEST:

______________________________
Clerk, City of Eatonton, Georgia
Chapter 42 - HISTORICAL PRESERVATION

ARTICLE I. - IN GENERAL

Secs. 42-1—43-30. - Reserved.

ARTICLE II. - HISTORIC PRESERVATION COMMISSION

Sec. 42-31. - Purpose.

The Eatonton City Council, hereinafter board of council, declares it to be the purpose and intent of this article to establish a uniform procedure for use in providing for the protection, enhancement, perpetuation and use of places, districts, sites, buildings, structures, objects, landscape features and works of art having a special historical, cultural or aesthetic interest or value, in accordance with the provisions of this article and as follows:

(1) In support and furtherance of its findings and determination that the historical, cultural and aesthetic heritage of the city is among its most valued and important assets, and that the preservation of this heritage is essential to the promotion of health, prosperity and general welfare of the people;

(2) In order to stimulate revitalization of the business districts and historic neighborhoods and to protect and enhance local historical and aesthetic attractions to tourists and thereby promote and stimulate business;

(3) In order to enhance the opportunities for federal or state tax benefits under relevant provisions of federal or state law; and

(4) In order to provide for the designation, protection, preservation and rehabilitation of historic properties and historic districts and to participate in federal or state programs to do such.

Sec. 42-32. - Definitions.

(a) Generally. This section is intended to define terms frequently used throughout this chapter. It is not intended to be exhaustive, and definitions also may appear in chapter 75 (the permitted use regulations). Words not specifically defined in this section shall be construed to have the customary or preferred meaning given by Webster’s New Collegiate Dictionary, latest edition published.

(b) Use and interpretation. The following shall apply to the use of all words in this chapter:

(1) Words used in the present tense shall include the future tense.

(2) Words used in the singular shall include the plural and vice versa.

(3) The word "shall" is mandatory.

(4) The word "may" is permissive.
(5) The noun "district" has the same meaning and refer to any historic preservation district established by this chapter.

(6) The noun "use" shall mean the manner in which a structure, building or parcel of land actually is occupied.

(7) The noun "map" means an official historic preservation district map located within the boundaries of the Eatonton, Georgia," adopted in and amended from time to time as permitted in this chapter.

(8) The word "structure" includes, but is not limited to, the word "building."

(9) The word "lot" shall include the words "piece," "plot," and "parcel."

(10) The word "should" is suggested but not mandatory.

(11) The word "constructed" includes the word "erected", "built", "altered", "rebuilt", and "repaired".

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

Certificate of appropriateness means a document evidencing approval by the board of council of a recommendation by the historic preservation commission of an application to make a material change in the appearance of a designated historic property or of a property located within a designated historic district.

Exterior architectural features means the architectural style, general design and general arrangement of the exterior of a building or other structure, including but not limited to, the kind or texture of the building material and the type and style of all windows, doors, signs and other appurtenant architectural fixtures, features, details or elements relative to such structure.

Exterior environmental features means all those aspects of the landscape or the development of a site which affect the historical character of the property.

Historic district means a geographically definable area designated by the board of council as a historic district pursuant to the criteria established in section 42-34(b).

Historic property means an individual building, structure, site, object or work of art, including the adjacent area necessary for the proper appreciation thereof, designated by the board of council as a historic property pursuant to the criteria established in section 42-34(c).

Material change in appearance means a change that will affect either the exterior architectural or environmental features of a historic property or any building, structure, site, object, landscape feature or work of art within a historic district such as:

(1) A reconstruction or alteration of the size, shape or facade of a historic property, including relocation of any doors or windows or removal or alteration of any architectural features, details or elements;

(2) Demolition or relocation of an historic structure;

(3) Commencement of excavation for construction purposes;

(4) A change in the location of advertising visible from the public right-of-way; or
(5) The erection, alteration, restoration or removal of any building or other structure within an historic property or district, including walls, fences, steps and pavements or other appurtenant features.

Sec. 42-33. - Creation of historic preservation commission.

(a) Commission established. There is created a commission whose title shall be the Eatonton Historic Preservation Commission, hereinafter known as commission.

(b) Position within the city government. The commission shall be part of the planning functions of the city.

(c) Members; number, appointment, terms and compensation.

(1) The commission shall consist of five members appointed and ratified by the board of council. All members shall be residents of the city and shall be persons who have demonstrated special interest, experience or education in history, architecture or the preservation of historic resources. To the extent available in the city, at least three members shall be appointed from among professionals in the disciplines of architecture, history, architectural history, planning, archaeology or related disciplines.

(2) Members shall have three-year terms and may not serve more than two consecutive terms. In order to achieve staggered terms, initial appointments shall be:

   a. One member for one year;
   b. Two members for two years; and
   c. Two members for three years.

   d. A member whose term has expired may continue to serve until the vacancy is filled. Solicitation for qualified members shall be in the official legal organ of Putnam County, GA.

(3) Organization and meetings of commission.

   a. Officers. The commission shall elect a chairman and vice-chairman (who shall be acting chairman in the absence of the chairman) on an annual basis. Any officer may succeed himself. The chairman (or in his absence the vice-chairman) shall preside at all meetings and hearings of the preservation commission and decide all points of order or procedure. The chairman shall appoint any committees that may be found necessary. A secretary (who need not be a member of the planning and zoning commission) shall be designated by the commission and shall conduct all correspondence of the commission; keep a minutes book recording attendance, the vote of each member upon each question, or if absent, the failure to vote, indicating such fact; and keep records of examination and hearing and other official action; and shall carry out such other duties as may be assigned by the commission. The commission shall have the right to request interpretation of this chapter by the city attorney, in writing through the chair of the zoning committee of the board of council, the mayor of the city or the city administrator.
Minutes of meetings shall be kept and may be electronic but shall be on file with the City Clerk and subject to an open records request.

The commission may appoint one of its members as treasurer but is not required to.

b. Rules. The following shall be the rules as to how and where meetings of the commission shall be held:

1. The regular meeting of the commission shall be held the second Monday of the month at 7:00 p.m., unless there is no cause for holding such meeting. If there is no reason to have a regular meeting, the secretary or chairman shall inform the members of the commission at least five days in advance of a meeting or cancellation if possible.

2. Special meetings may be called by the chairman, provided that at least 24 hours' notice of such meeting is given each member and that such public notice as required by law is provided.

3. Four members shall constitute a quorum to conduct all business.

4. Neither the secretary, the building inspector, the code enforcement officer nor any member of the commission shall appear for or represent any person in any matter pending before the commission. No member of the commission shall hear or vote upon an appeal in which he is directly or indirectly interested in a personal or financial way.

5. The order of business at each meeting shall be as follows:
   i. Roll call.
   ii. Approval of minutes of previous meeting.
   iii. Report of committees, if any.
   iv. Unfinished business.
   v. Hearing of applications for certificates of appropriateness cases.
   vi. Other or new business.

6. Failure to attend three consecutive meetings or more shall be considered automatic resignation from the commission, and upon resignation or other vacancies occurring in office, the chairman shall notify the board of council in writing of such occurrence as promptly as possible, so that the board of council may appoint a replacement to fill the unexpired term.

7. All meetings shall be held in a governmentally owned or leased facility. The regular meeting place will be in the meeting room of the city hall, 201 North Jefferson Avenue or such other place designated by the commission. Any change in meeting place will be advertised as required by law.

8. The commission shall be free to adopt such additional bylaws not inconsistent with this section or those procedural rules elsewhere contained in this section to govern further the conduct of its meetings.
(d) Authority to initiate amendments. Applications to amend this chapter may be in the form of proposals to amend the text, or proposals to amend part or the entire official historic preservation district map. An application to amend the text of this chapter may be initiated by the commission by the board of council on its own motion or by application to the commission by any person owning property or a business in the city. Any application to amend the official historic preservation map or the text of the ordinance submitted by a private party shall be filed with the city clerk and shall be accompanied by the appropriate fee established by the board of council. Unless initiated by the board of council or the commission, all applications to amend the official historic preservation district map must be submitted by the owner of the affected property or the authorized agent of the owner. Such authorization shall be notarized and attached to the application. An application for an amendment to the official historic preservation district map affecting the same property shall not be submitted more than once every 12 months, such interval to begin with the date of final decision by the board of council. The board of council in its discretion and by unanimous vote may reduce or waive the 12-month time intervals to amend the such maps affecting the same property; however, in the case of an application to amend the maps that were not approved by the board of council, the interval between the disapproved application and the subsequent application affecting the same property shall be at least six months. The 12-month interval shall not apply to applications initiated by the board of council or the commission, except for amendments to the map that were denied by the board of council, in which case the interval required for the subsequent application shall be at least six months. However, an application to alter conditions as contemplated in subsection (h) of this section may be submitted at any time.

(e) Application, process and standards. Each application to amend this chapter or the official historic preservation district map shall be filed with the city clerk. Applications shall be submitted in compliance with the following:

(1) Text amendment applications. Text amendment applications shall include the following:
   a. Name and address of applicant.
   b. Current provisions of text to be affected by amendment.
   c. Proposed wording of text change.
   d. Reason for amendment request.

(2) Map amendment applications. Map amendment applications shall include the following:
   a. A legal description of the tracts to be considered, as well as its acreage, street address (if any) or location with respect to nearby public roads; and the subdivision (if any) in which it is located.
   b. Five copies of a plat, drawn to scale, showing north arrow; land lot and district; the dimensions, acreage and location of that tract and adjacent properties; existence of structures of intermediate regional floodplain on the property; and the current zoning of the tract; prepared by an architect, engineer, landscape architect or land surveyor whose state registration is current and valid. His seal shall be affixed to the plat, which also shall be signed by him.
c. The names and addresses of the owners of the land and their agents, if any. If an agent is proceeding on behalf of the property owner, the owner must provide a written authorization to this effect that is witnessed by a notary public.

d. A letter of intent detailing the manner in which the property is to be used if approved.

(f) Members shall not receive a salary, although they may be reimbursed for expenses.

(g) Statement of powers. The commission shall be authorized to:

(1) Prepare and maintain an inventory of all property within the city having the potential for designation as historic property;

(2) Recommend to the board of council specific places, districts, sites, buildings, structures, objects or works of art to be designated by ordinance as historic properties or historic districts;

(3) Review applications for certificates of appropriateness and recommend to the board of council that it grant or deny such in accordance with the provisions of this article;

(4) Recommend to the board of council that the designation of any place, district, site, building, structure, object or works of art as an historic property or as an historic district be revoked or removed;

(5) Restore or preserve any historic properties acquired by the city;

(6) Promote the acquisition by the city of facade easements and conservation easements in accordance with the provisions of the Georgia Uniform Conservation Easement Act (O.C.G.A. § 44-10-1 et seq.);

(7) Conduct educational programs on historic properties located within the city and on general historic preservation activities;

(8) Make such investigations and studies of matters relating to historic preservation including consultation with historic preservation experts, the board of council or the commission itself may from time to time deem necessary or appropriate for the purposes of preserving historic resources;

(9) Seek out local, state, federal and private funds for historic preservation and make recommendations to the board of council concerning the most appropriate uses of any funds acquired;

(10) Submit to the historic preservation section of the department of natural resources a list of historic properties or historic districts designated;

(11) Perform historic preservation activities as the official agency of the city historic preservation program;

(12) Employ persons if necessary to carry out the responsibilities of the commission;

(13) Receive donations, grants, funds or gifts of historic property on behalf of the city. The commission shall not obligate the city and shall hand over to the city any donations, grants, funds or gifts received;
(14) Review and make comments to the historic preservation section of the department of natural resources concerning the nomination of properties within its jurisdiction to the National Register of Historic Places; and

(15) Participate in private, state and federal historic preservation programs and with the consent of the board of council enter into agreements to do such.

(h) Power to adopt rules and standards. The commission shall adopt rules and standards for the transaction of its business and for consideration of applications for designations and certificates of appropriateness, such as by-laws, removal of membership provisions and design guidelines and criteria. The commission shall have the flexibility to adopt rules and standards without amendment to this article.

(i) Conflict of interest. At any time the commission reviews a project in which a member of the commission has ownership or other vested interest, that member will be forbidden from presenting, voting or discussing the project, other than answering a direct question.

(j) Authority to receive funding from various sources. The commission shall have the authority to accept donations payable to the city and shall ensure that these funds do not displace appropriated governmental funds.

(k) Records of meetings. A public record shall be kept of the commission's resolutions, proceedings and actions.

(l) Jurisdiction of chapter. This chapter shall apply only to a historic district as designated by the city.

The Eatonton Plaza Historic District shall include the following:

All tract and parcels (or subparcels) of land lying and being within the City of Eatonton, Georgia, and bounded as follows and as indicated on the official zoning map:

Starting at the northern extremity, the boundary encompasses the property line of the Old Jenkins estate at the north end of N. Madison Ave. (E005 009); it then proceeds south down N. Madison Ave., including all property boundaries in N. Madison Ave. ending just prior to the commercial district (Blackwell Furniture Stores). The final two properties at the south end of N. Madison are the Baptist Church (E006 061) and the Bronson House (E006 068).

At the intersection of N. Madison and Dogwood Lane, the boundary proceeds west along the rear property lines of all properties on Church Street and includes those lots with a Church Street address that do not touch Church Street until (and including) the lot on the corner of Grove Street and Church Street (E005 060). At Grove Street, the boundary crosses Church Street behind the property lines on N. Lafayette Street. It proceeds south down [ N.] Lafayette Street until (and including) the property at E004 041. At this juncture the boundary turns east along the rear property lines on the south side of Wayne Street, until it meets N. Madison Ave. The boundary proceeds south down N. Madison Ave., ending at the Baptist Church on the left and the Bronson House on the right. Only the main lot (E006 061) of the Baptist Church is included.
A list of properties in the Eatonton Plaza Historic District, as created, and the owners thereof is by this reference incorporated and made part of this article in as full and complete a manner and with like effect as through set out in full in this section. This list is on file at city hall with the city clerk and with the planning and development department.

Sec. 42-34. - Recommendation and designation of historic districts and properties.

(a) Preliminary research by commission.

(1) Mandate to conduct a survey of local historical resources. The commission shall compile and collect information and conduct surveys of historic resources within the city.

(2) Power to recommend districts and buildings to the board of council for designation. The commission shall present to the board of council recommendations for historic districts and properties.

(3) Documentation of proposed designation. Prior to the commission's recommendation of an historic district or historic property to the board of council for designation, the commission shall prepare a report consisting of:
   a. A physical description;
   b. A statement of historical, cultural, architectural and/or aesthetic significance;
   c. A map showing district boundaries and classification (i.e., historic, non-historic, intrusive) of individual properties therein, or showing boundaries of individual historic properties;
   d. A statement justifying district or individual property boundaries; and
   e. Representative photographs.

(b) Designation of a historic district.

(1) Criteria for selection of historic districts. A historic district is a geographically definable area, which contains structures, sites, objects, landscape features and works of art, or a combination thereof, which:
   a. Have special character or special historic/aesthetic value or interest;
   b. Represent one or more periods, styles or types of architecture typical of one or more eras in the history of the city, county, state or region; and
   c. Cause such area, by reason of such factors, to constitute a visibly perceptible section of the city or county.

(2) Boundaries of a historic district. Boundaries of a historic district shall be included in this ordinance or in a separate ordinance designating such districts and shall be shown on the official zoning map.
(3) Evaluation of properties within historic districts. Individual properties within historic districts shall be classified as:

a. Historic (contributes to the district);

b. Non-historic (does not contribute but does not detract from the district, as provided for in subsection (b)(1) of this section);

c. Intrusive (detracts from the district as provided for in subsection (b)(1) of this section).

(c) Designation of an historic property.

(1) Criteria for selection of historic properties. A historic property is a building, structure, site, object, work of art, including the adjacent area necessary for the proper appreciation or use thereof, deemed worthy of preservation by reason of value to the city, the state or local region, for one or more of the following reasons:

a. It is an outstanding example of a structure representative of its era;

b. It is one of the few remaining examples of past architectural style;

c. It is a place or structure associated with an event or persons of historic or cultural significance to the city, the state or the region; or

d. It is a site of natural or aesthetic interest that is continuing to contribute to the cultural or historical development and heritage of the city, county, state or region.

(2) Boundary description. Boundaries shall be included in the separate ordinances designating such properties and shall be shown on the official zoning map.

(d) Requirements for adopting an ordinance for the designation of historic districts and historic properties.

(1) Application for designation of historic districts or property. Designations may be proposed by the board of council, the commission or:

a. For historic districts, a historical society, neighborhood association or group of property owners may apply to the commission for designation;

b. For historic properties, a historical society, neighborhood association or property owner may apply to the commission for designation.

(2) Required components of a designation ordinance. Any ordinance designating any property or district as historic shall:

a. List each property in a proposed historic district or describe the proposed individual historic property;

b. Set forth the name of the owner of the designated property;

c. Require that a certificate of appropriateness be obtained from the commission prior to any material change in appearance of the designated property; and

d. Require that the property or district be shown on the official zoning map and kept as a public record to provide notice of such designation.
(3) Required public hearings. The commission and the board of council shall hold a public hearing on any proposed ordinance for the designation of any historic district or property. Notice of the hearing shall be published in at least three consecutive issues in the principal newspaper of local circulation, and written notice of the hearing shall be mailed by the commission to all owners and occupants of such properties. All such notices shall be published or mailed not less than ten nor more than 20 days prior to the date set for the public hearing. A notice sent via the U.S. mail to the last known owner of the property shown on the county tax roll and a notice sent via U.S. mail to the address of the property to the attention of the occupant shall constitute legal notification to the owner and occupant under this article.

(4) Recommendations on proposed designations. A recommendation to affirm, modify or withdraw the proposed ordinance for designation shall be made by the commission within 15 days following the public hearing and shall be in the form of a resolution to the city.

(5) Board of council action on commission recommendation. Following the receipt of the commission's recommendation, the board of council may adopt the ordinance as proposed, may adopt the ordinance with any amendments it deems necessary or reject the ordinance.

(6) Notification of historic preservation section. No less than 30 days prior to making a recommendation on any ordinance designating a property or district as historic, the commission must submit the report required in subsection (a)(3) of this section to the historic preservation section of the department of natural resources.

(7) Notification of adoption of ordinance for designation. Within 30 days following the adoption of the ordinance for designation by the board of council, the owners and occupants of each designated historic property, and the owners and occupants of each structure, site or work of art located within a designated historic district, shall be given written notification of such designation by the board of council which notice shall apprise such owners and occupants of the necessity of obtaining a certificate of appropriateness prior to undertaking any material change in appearance of the historic property designated or within the historic district designated. A notice sent via the U.S. mail to the last known owner of the property shown on the county tax roll, and a notice sent via U.S. mail to the address of the property, to the attention of the occupant, shall constitute legal notification to the owner and occupant under this article.

(8) Notification of other agencies regarding designation. The commission shall notify all necessary agencies within the city of the ordinance for designation, including the local historical organization.

(9) Moratorium on applications for alteration or demolition while ordinance for designation is pending. If an ordinance for designation is being considered, the commission shall have the power to freeze the status of the involved property until action by the board of council.

Sec. 42-35. - Application to preservation commission for certificate of appropriateness.
(a) Approval of alterations or new construction in historic districts or involving historic properties. After the designation by ordinance of a historic property or of a historic district by the board of council, no material change in the appearance of such historic property, or of a structure, site, object or work of art within such historic district, shall be made or be permitted to be made by the owner or occupant thereof, unless or until the application for a certificate of appropriateness has been submitted to the commission and approved by the board of council.

(b) Approval of new construction within designated districts. The commission shall recommend to the board of council the issuance of certificates of appropriateness to new structures constructed within designated historic districts if these structures conform in design, scale, building materials, setback and landscaping, to the character of the district specified in the design criteria developed by the commission.

(c) Guidelines and criteria for certificates of appropriateness. When considering applications for certificate of appropriateness to existing buildings, the secretary of the interior's standards for historic preservation projects, including the secretary's standards for rehabilitation, shall be used as a guideline along with any other criteria adopted by the commission.

(d) Submission of plans to commission. An application for a certificate of appropriateness shall be accompanied by such drawings, photographs, plans or other documentation as may be required by the commission. Applications involving demolition or relocation shall be accompanied by post-demolition or relocation plans for the site.

(e) Acceptable commission reaction to applications for certificate of appropriateness.

(1) The commission shall recommend approval of the application and issuance of a certificate of appropriateness to the board of council if it finds that the proposed material changes in the appearance would not have a substantial adverse effect on the aesthetic, historic or architectural significance and value of the historic property or the historic district. In making this determination, the commission shall consider, in addition to any other pertinent factors, the historical and architectural value and significance, architectural style, general design, arrangement, texture and material of the architectural features involved and the relationship thereof to the exterior architectural style, and pertinent features of the other structures in the immediate neighborhood.

(2) The commission shall recommend denial of a certificate of appropriateness to the board of council if it finds that the proposed material changes in appearance would have substantial adverse effects on the aesthetic, historic or architectural significance and value of the historic property or the historic district.

(f) Public hearings on applications for certificate of appropriateness, notices and right to be heard. At least seven days prior to review of a certificate of appropriateness, the commission shall take such action as may reasonably be required to inform the owners of any property likely to be affected by reason of the application, and shall give the applicant and such owners an opportunity to be heard. In cases where the commission deems it necessary, it may hold a public hearing concerning the application. Notification may be made by erecting a sign on the affected property similar to the signage used when properties are to be rezoned.
(g) Interior alterations. In its review of applications for certificates of appropriateness, the commission shall not consider interior arrangement or use having no effect on exterior architectural features.

(h) Technical advice. The commission shall have the power to seek technical advice from outside its members on any application.

(i) Deadline for approval or rejection of application for certificate of appropriateness.

(1) The commission shall recommend to the board of council approval or denial of an application for a certificate of appropriateness within 45 days after the filing thereof by the owner or occupant of an historic property, or of a structure, site, object or work of art located within an historic district. Evidence of approval of the commission's recommendation by the board of council shall be recorded in the minutes of the board of council's official meetings and shall authorize the commission to issue a certificate of appropriateness. Notice of the issuance or denial of a certificate of appropriateness shall be sent by U.S. mail to the applicant and all other persons who have requested such notice in writing filed with the commission.

(2) Failure of the commission to act within 45 days shall constitute approval, and no other evidence of approval shall be needed.

(j) Necessary actions to be taken by commission upon rejection of application for certificate of appropriateness.

(1) If the commission recommends to the board of council denial of an application for a certificate of appropriateness, it shall state its reasons for doing so, and shall transmit a record of such actions and reasons, in writing, to the applicant. The commission may suggest alternative courses of action it thinks proper if it disapproves of the application submitted. If the applicant so desires, he may make modifications to the plans and may resubmit the application at any time after doing so.

(2) In cases where the application covers a material change in the appearance of a structure which would require the issuance of a building permit, the rejection of the application for a certificate of appropriateness by the board of council based on a recommendation by the commission shall be binding upon the building inspector or other administrative officer charged with issuing building permits and, in such a case, no building permit shall be issued.

(k) Undue hardship. By reason of unusual circumstances, where the strict application of any provision of this article would result in the exceptional practical difficulty or undue hardship upon any owner of a specific property, the commission, in passing upon applications, shall have the power to vary or modify strict adherence to such provisions, or to interpret the meaning of such provisions, so as to relieve such difficulty or hardship; provided such variances, modifications or interpretations shall remain in harmony with the general purpose and intent of such provisions, so that the architectural or historical integrity or character of the property shall be conserved and substantial justice done. In granting variances, the commission may impose such reasonable and additional stipulations and conditions as will, in its judgment, best fulfill the purpose of this article. An undue hardship shall not be a situation of the person's own making.
(1) Requirements of conformance with certificate of appropriateness.
   a. All work performed pursuant to an issued certificate of appropriateness shall
      conform to the requirements of such certificate. If work is not performed in
      accordance with such certificate, the board of council, or its designee, shall issue a
      cease and desist order and all work shall cease.
   b. The board of council may institute any legal proceedings it deems appropriate to
      prevent any material change in appearance of a designated historic property or
      historic district, except those changes made in compliance with the provisions of
      this article, or to prevent any illegal act or conduct with respect to such historic
      property or historic district.

(m) Certificate of appropriateness void if construction not commenced. A certificate of
appropriateness shall become void unless construction is commenced within six months
of the date of issuance. Certificates of appropriateness shall be issued for a period of 18 months
and are renewable.

(n) Recording of applications for certificate of appropriateness. The commission shall keep a
public record of all applications for certificate of appropriateness and of all the commission's
proceedings in connection with such application.

(o) Acquisition of property. The commission may, where such action is authorized by the board
of council and is reasonably necessary or appropriate for the preservation of a unique
historic property, enter into negotiations with the owner for the acquisition by gift, purchase,
exchange or otherwise, of the property or any interest in such property.

(p) Appeals. Any person adversely affected by any determination made by the commission
relative to the recommendation to the board of council of the issuance or denial of a
certificate of appropriateness may appeal such determination to the board of council. Any
such appeal must be filed with the board of council within 15 days after the issuance of the
determination pursuant to subsection (i)(1) of this section or, in the case of failure of the
commission to act, within 15 days of expiration of the 45-day period allowed for
commission action in subsection (i)(1) of this section. Appeals from decisions of the board
of council may be taken to the county superior court in the manner provided by law for
appeals from conviction for city ordinance violations.

Sec. 42-36. - Demolition or relocation of a historic property within a historic district.

(a) Applications for certificates of appropriateness for demolition or relocation. The
commission shall recommend to the board of council certificates of appropriateness for
demolition or relocation.

(b) Public hearing. A public hearing shall be scheduled for each application for a certificate of
appropriateness for demolition or relocation.

(c) Consideration of post-demolition or post-relocation plans. The commission shall not
recommend to the board of council certificates of appropriateness for demolition or
relocation without reviewing at the same time the post-demolition or post-relocation plans for the site.

(d) Demolition/relocation criteria. Upon receipt of an application for a certificate of appropriateness for demolition or relocation, the commission shall use the criteria described in section 42-35(e) to determine whether to recommend to the board of council that they deny the application or issue a certificate of appropriateness for demolition or relocation.

Sec. 42-37. - Maintenance of historic properties; building and zoning code provisions.

(a) Ordinary maintenance or repair. Ordinary maintenance or repair of any exterior architectural or environmental feature in or on an historic property to correct deterioration, decay or damage, or to sustain the existing form, and that does not involve a material change in design, material or outer appearance thereof, does not require a certificate of appropriateness.

(b) Failure to provide ordinary maintenance or repair. Property owners of historic properties or properties within historic districts shall not allow their buildings to deteriorate by failing to provide ordinary maintenance or repair. The commission shall be charged with the following responsibilities regarding deterioration by neglect:

(1) The commission shall monitor the condition of historic properties and existing buildings in historic districts to determine if they are being allowed to deteriorate by neglect. Such conditions include, but are not limited to, broken windows, doors and openings which allow the elements and vermin to enter, any deterioration to the structural integrity of the property, visible rotting and any condition deemed by the building inspector, City Marshall or City Administrator as posing a threat to the safety or welfare to any person or animal. The deterioration of exterior architectural features or the deterioration of a building's structural system shall constitute failure to provide ordinary maintenance or repair.

(2) If the commission determines a failure to provide ordinary maintenance or repair, the commission will notify the city marshal and set forth the steps which need to be taken to remedy the situation. The city marshal shall notify the owner of such property will have 30 days in which to either remedy such condition or present a written plan acceptable to the City which shall be strictly adhered to.

(3) If the condition is not remedied or a written plan acceptable to the City which is to be strictly adhered to is not submitted in 30 days, the owner of such property shall be punished as provided in section 42-38 and, at the direction of the board of council, the board of council may authorize the commission to perform such maintenance or repair as is necessary to prevent deterioration by neglect. The owner of the property shall be liable for the cost of such maintenance and repair performed by the commission. This penalty provision shall apply after the 30 period if a written plan was submitted and the owner fails to strictly adhere to the same.

(c) Affirmation of existing building and zoning codes. Nothing in this article shall be construed to exempt property owners from complying with existing city or county building and zoning
codes, nor to prevent any property owner from making any use of his property not prohibited by other statutes, ordinances or regulations.

Sec. 42-38. - Penalty for violation.

Violation of any provision of this article shall be punished in the same manner as provided for punishment of violations of other validly-enacted ordinances of the city.