



CITY OF STONECREST, GEORGIA

Honorable Mayor Jason Lary, Sr.

Council Member Jimmy Clanton, Jr. – District 1 Council Member Rob Turner- District 2

Council Member Jazzmin Cobble – District 3 Council Member George Turner- District 4

Council Member Diane Adoma – District 5

CITY COUNCIL MEETING MINUTES

March 25, 2019

7:00 p.m.

3120 Stonecrest Blvd. Suite 190
Stonecrest, Georgia

- I. CALL TO ORDER:** Mayor Jason Lary
- II. ROLL CALL:** All members were present
- III. INVOCATION:** Dr. Gregory Sherman, Sr. Pastor of Shekinah Glory Tabernacle
- IV. PLEDGE OF ALLEGIANCE:**
- V. APPROVAL OF THE COUNCIL AGENDA:**

Councilman George Turner requested adding the Arabia Mountain Steering Committee taking on the task of parks and recreation to the agenda. Mayor Lary stated that under New Business the purchase of Salem Road and Evans Mill Road would be separated into the purchase and then the development of the property would become 1 (b). Leah Rodriguez, interim City Clerk stated that the Stonecrest Housing Authority documents also were to be added. Mayor Lary added this item as number 10 under New Business. Christa Freeman stated that there are actually two parts to the Stonecrest Housing Authority documents. Christa Freeman stated that there were two resolutions for the Stonecrest Housing Authority. One resolution is to activate the Stonecrest Housing Authority and the other is to appoint commissioners to the Stonecrest Housing Authority. Mayor Lary stated that these documents would become 10 (a) and 10 (b).

- VI. MINUTES:**
Approval of the March 25, 2019 City Council Meeting Minutes
Councilwoman Adoma requested adding to the minutes her comment of “Point of Order” is included in the March 11th minutes. She said that she had stated “Point of

Order three times and that this was omitted from the March 11th minutes. Councilwoman Adoma wanted to add to the minutes that her “no” vote was in reference to the directive to the city attorney to prepare the Moratorium document.

Mayor Lary asked Councilwoman to clarify her comment. Councilwoman Adoma stated that the council voted to have the city attorney create the paperwork for a moratorium and that the motion on the floor was not for a moratorium. Councilwoman Adoma stated that “point of Order” was called three times to obtain clarification. Councilwoman Adoma went on to say that because there was mass confusion that she is respectfully asking the city clerk to indicate in the minutes the real intention of her voting “no” for accuracy and clarification.

Mayor Lary took exception to Councilwoman Adoma’s comment about mass confusion and said that there was no mass confusion. Mayor Lary said, “we were very clear on what we were doing”. Mayor Lary stated that as protocol the chair calls for order.

Councilman Clanton read the portion of the minutes that Councilwoman Adoma wanted changed and asked her to confirm if this was the part she wanted changed.

Mayor Lary reiterated that the vote that was on the floor was for the city attorney to construct the moratorium document and was not for a moratorium. Mayor Lary stated that councilwoman Adoma was calling for a correction in the minutes that didn’t call for correction.

Councilman George Turner asked the attorney if the corrections in the minutes were for the last minutes or would they be for the March 25th minutes. Councilman George Turner stated that facts cannot be changed in the minutes.

Attorney Denmark stated that if the minutes were inaccurate then changes could be made. Councilman George Turner asked if the comments provided by Adoma could be added to the March 25th minutes as a footnote.

Councilman Clanton stated that according to what he read in the minutes that the information was accurate. He also stated that the council was voting to direct the city attorney to form the paperwork for a moratorium. Councilman Clanton said that in the minutes it shows that the vote was 5-1. Councilman Clanton indicated that he does not think the vote needs to be changed.

Mayor Lary motioned to approve the March 11th, 2019 minutes. Councilman Clanton provided the second. **The motion carried 5-1.** Councilwoman Adoma opposed.

PRESENTATIONS:

1. Award—Mayor Lary

Mayor Lary presented Tiffany Adams, Court Clerk/Alcohol Licensing Tech with an award for completing the audit for GBI and obtaining 100% compliance for the City of Stonecrest.

Sean DePalma introduced two new staff members—Sheldon Fleming, Customer Service Coordinator and Landscaping and Brandon Riley, Operations Manager

2. Best of Stonecrest—Sabrina Wright, Economic Development Director

Elaborated on an economic development initiative titled, “Best of Stonecrest”.

Sabrina Wright stated that the initiative would provide free customer service training by partnering with those in the service industry (i.e. hotels, dining and retail businesses). This initiative would assist in the growth of business in the city of Stonecrest. Stonecrest is partnering with Discover DeKalb.

Businesses would receive training for their employees free of charge. Participants will receive certification. Ms. Wright explained the methodology.

3. Comprehensive Plan Update—Mary Darby

Ms. Darby stated that the 2038 Comprehensive Plan was approved by the Department of Community Affairs and the Atlanta Regional Commission on February 14th, 2019. Ms. Darby stated that on April 9th the Collaborative Firm would like to return and present the minor changes the Department of Community Affairs (DCA) and the City Council.

VII. PUBLIC COMMENTS:

1. Suzanne Frick spoke in support of the City of Stonecrest purchasing all of the parks

2. Renee Cail stated that she was happy to hear that the gas station will not be allowed. She asked that the community be allowed to have input as to what replaces the gas station.

3. Virginia Kelly presented medical information pertaining to cell phone towers and also brought a signed petition to present to the City Council.

4. Phillip Kelly spoke about the cell phone tower and is in opposition of the tower being in his community.

5. Faye Coffield spoke about the continued illegal cutting of trees that she has complained about repeatedly. Ms. Coffield also asked if CH2m or Jacobs have a “Hold Harmless Agreement.” She also stated she doesn’t like the in-house fighting between council members vote in reference to the moratorium.

6. Louise E. Alexander asked what type of materials the city will use to pave the streets of Stonecrest.

VIII. PUBLIC HEARINGS:

1. RZ-19-002 Rezoning from MR-1 (Medium Density Residential) to C-1 (Local Commercial), 2374 Cove Lake Road, for construction of a self-storage facility

Councilman George turner motioned to open public hearing. Councilman Clanton provided the second. **The motion carried unanimously.**

Mark Walton of Patrick & Associates spoke on behalf of the client, David Miles. Mr. Walton had time remaining on the clock.

Citizens who spoke in opposition of the self-storage facility:

1. Dave Marcus
2. Unknown speaker (name was not provided)
3. Unknown speaker (name was not provided)
4. Cleopatra Warren
5. Ms. Morgan
6. Unknown speaker (name was not provided)
7. Ms. Paschal

Mayor Lary allowed the use of the remaining minutes for those in favor of RZ-19-002 Rezoning from MR-1 to C-1 for the construction of a self-storage facility.

Mr. Mark Walton thanked the community for their input and then asked Roy to come up to speak. Roy thanked the citizens of Cove Lake. He stated that even if a storage facility couldn't be built that the plan would be to build beautiful townhomes.

Councilman George Turner motioned to close the public hearing. Councilman Clanton provided the second. **The motion carried unanimously.**

Councilman Rob Turner motion to reject the rezoning for RZ-19-002 Rezoning from Mr-1 to C-1 for the construction of a self-storage facility. Councilwoman Adoma provided the second. **The motion carried unanimously.**

2. TMOD 19-0002 Amendments to Chapter 27, Article 19 regarding Child & Personal Care Facilities, 2nd Read

Councilman George Turner motioned to approve the amendments to Chapter 27, Article 19 regarding Child & Personal Care Facilities. Councilman Rob Turner provided the second. **The motion carried 5-1.** Councilman Clanton opposed.

IX. OLD BUSINESS:

1. Cell Tower Moratorium

Attorney Denmark stated that based on the 1996 Telecommunications Act, a moratorium would violate federal statutes. A city such as Stonecrest proposing a moratorium would be denied enforcing a moratorium by the court and the carrier would be given approval. Attorney Denmark had prepared the moratorium document as requested, however, he recommended not enacting a moratorium. Attorney Denmark stated that if the City went against his strong advice not to create a moratorium that it runs the risk of a lawsuit.

Councilwoman Adoma stated that the City needs to create stronger telecommunications policies. Councilwoman Adoma had sent the city attorney a copy of a model ordinance from the National League of Cities (can be found on the GMA website). She stated that many cities are using this model to create strict policies. Councilwoman Adoma stated that the cell phone tower that is located on 3610 Evans Mill was not properly zoned. Councilwoman Adoma asked did the city received franchise fees and if so, when. Wayne Wright stated that he did not have that information.

Councilwoman Adoma said that historically and as many studies have shown property values go down. She went on to say that even HUD suggested homes sold in certain districts with cell phone towers should be sold 10-20% below market value.

Councilwoman Adoma asked that if federal law prohibits moratoriums against cell phone towers, how does the city create strict policies and how long would it take to implement these policies.

Attorney Denmark stated that the city should create the ordinances within the federal law. Councilwoman Adoma continued discussion saying that according to FCC rules and regulations there should be a lot of public outreach notifying the public of proposed cell phone towers.

2. Fire Prevention—2nd Read

Councilwoman Adoma asked if this ordinance was like what DeKalb County has. Christa Freeman stated that it was. Councilwoman Adoma made a motion to approve. Councilman Rob Turner provided the second. **The motion carried unanimously.**

3. Alarms—2nd Read

Councilman George Turner asked about penalties for false Alarms. Ms. Freeman referred to Sec. 3-8. False Alarms and Assessments. According to Sec. 3-8 a penalty of \$50 is incurred by the 2nd false alarm. The third false alarm penalty is \$100.00 and incrementally increases per 1 each false alarm. If an offender has a false alarm up to ten (10) the fine is \$900.

Councilwoman Adoma made a motion to approve. Councilman Clanton provided the second. **The motion carried unanimously.**

X. NEW BUSINESS:

1. Purchase of Land (Salem Road and Evans Mill Road intersection)—Mayor Lary
Mayor Lary made a motion to approve the purchase of land not to exceed the amount of \$350,000.00 or the proper appraised value. Councilman Rob Turner provided the second. **The motion carried unanimously.**

Along with the purchase of the land located at Salem Road and Evans Mill the Mayor stated there could be several options including a round about to help with the traffic flow. Citizens are asking to have a cultural center or an attraction that would bring interest in the city. Mayor Lary thanked Shawn Ali for allowing the city to purchase the land.

2. City Clerk Appointment—Mayor Lary

Mayor Lary made a motion to appoint Meagan Phares Reid as the City Clerk. Councilwoman Adoma provided the second. **The motion carried unanimously.**

3. Award LMIG Resurfacing Bids—Plez Joyner

Plez explained the bid process. Five companies sent in bids for the eighteen roads and four bids for the Turner Hill project. Mr. Joyner read the list of the eighteen roads that were chosen. Turner Hill will require a total resurfacing.

Mayor Lary made a motion to award Blunt Construction to pave the eighteen chosen streets and the full reclamation of Turner Hill in the amount of \$2,050,719.10. **The motion carried unanimously.**

4. Ordinance Adopting Chapter 22 of the City Code (Solid Waste), first read

5. Ordinance Adopting Chapter 22.5 of the City Code (Storm Sewer Illicit Discharge and Illegal Connection), first read

6. Ordinance Adopting Chapter 25 of the City Code (Water, Sewers and Sewage Disposal), first read
7. Transportation Steering Committee Resolution—Councilman George Turner Mayor Lary made a motion to approve the list of committee members. Councilman George Turner provided the second. **The motion carried unanimously.**
8. Resolution for DeKalb County Board of Elections to perform superintendent duties for November Elections—City Clerk

Councilwoman Adoma made a motion to approve. Councilman George Turner provided the second. **The motion passed unanimously.**
9. Arabia Mountain Overlay Steering Committee
Councilman George Mayor Lary made a motion to keep the committee in tact and add the Parks and Recreation director, Sean DePalma to the committee. Councilman Rob Turner provided the second. **The motion carried unanimously.** Councilman Clanton stated that there should be mention in the motion the additional duties of the committee. These duties include adding the acclamation of city-wide Parks.
10. a) Resolution to Activate the Stonecrest Housing Authority by Declaring the need for a Housing Authority to Function in the City of Stonecrest. Councilman Clanton made a motion to approve. Councilman Rob Turner provided the second. **The motion carried unanimously.**

b) Resolution to Appointing commissioners to the Stonecrest Housing Authority Councilman Rob Turner made a motion to appoint commissioners within thirty (30) days. Councilman George Turner provided the second. **The motion carried unanimously.**

XI. EXECUTIVE SESSION: None required

WHEN AND EXECUTIVE SESSION IS REQUIRED, ONE WILL BE CALLED FOR THE FOLLOWING ISSUES: 1) PERSONNEL, 2) LITIGATION, 3) REAL ESTATE

XII. CITY MANAGER COMMENTS: Wayne Wright stated that an interim city manager has been identified and will join the staff next week.

XIII. CITY ATTORNEY COMMENTS: No comments

XIV. MAYOR AND COUNCIL COMMENTS:

Councilwoman Adoma stated that this month is International Women's History Month. A celebration will be held at the Marriott Fairfield on Saturday, March 30, 2019.

Councilman Rob Turner stated that on Friday, March 29th at 6:30 until 9:00 p.m. there will be a film and entertainment mixer at the AEI Startup Factory.

Mayor Lary stated that in Executive Session during the March 11th meeting the Mayor and Council did not cover real estate and can only sign on the Executive Session Affidavit the portion covering litigation.

XV. ADJOURNMENT:

Mayor Lary adjourned the meeting at 10:17 p.m.