



## CITY OF STONECREST, GEORGIA

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*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*

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### CITY COUNCIL MEETING MINUTES

March 11, 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:** Lee May, CEO
- IV. PLEDGE OF ALLEGIANCE:**
- V. PUBLIC COMMENTS:**
  - 1. Cynthia Perry spoke in opposition of the proposed gas station
  - 2. Faye Coffield spoke in opposition of the gas station and the tree cutting near her home
  - 3. Phillip Kelly spoke in opposition to the cell phone tower
  - 4. Willie Hinton spoke in opposition of the gas station
  - 5. Gina Mangham wanted to leave the options open for public transit
  - 6. Dave Marcus wants zoning laws changed
  - 7. Tammy Grimes spoke in opposition of both the cell phone tower and the gas station
  - 8. Virginia Pierce-Kelly spoke in opposition of the cell phone tower
  - 9. Bernard Knight spoke in opposition of the cell phone tower
  - 10. Rene Carl opposed the gas station
  - 11. Joanne Dorsey opposed the gas station
  - 12. Rachel Zeigler opposed the gas station
  - 13. Michelle Emanuel opposed the Grice Contract
  - 14. Roderick Wall opposed the cell phone tower
  - 15. Idonia Hunter opposed the cell phone tower
  - 16. Lynn D. Goodwin opposed the cell phone tower

17. Doris E. Johnson opposed the gas station
18. Sharon Vincent opposed the cell phone tower
19. Carl Brown opposed the cell phone tower

**VI. EXECUTIVE SESSION:**

Mayor Lary asked to go into executive session at 8:49 p.m. The consensus was unanimous.

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

Mayor and Council returned from executive session at 9:59 p.m.

**VII. ADOPTION OF THE CITY COUNCIL AGENDA:**

Councilwoman Adoma made a motion to approve the agenda with the inclusion of the Alarm Ordinance, Fire Prevention Ordinance, MARTA, Cell Tower, Notification of any Special Administrative Permits, and the Resolution to Elect to Continue Receiving Water and Sewer Services from DeKalb County, **The motion carried unanimously.**

**VIII. OLD BUSINESS:**

1. SPLOST Project Management Services

Councilman George Turner made a motion to defer this item. Councilman Rob Turner provided the second. **The motion carried unanimously.**

2. SPLOST Comprehensive Transportation Plan

Councilman Rob Turner made a motion to defer this item. Councilwoman Adoma provided the second. **The motion carried unanimously.**

3. Work Plan Approval

Councilman Clanton made a motion to approve. Councilman Rob Turner provided the second. **The motion carried unanimously.**

4. DeKalb Municipal Annual Dues

Councilwoman Adoma asked if someone is on the board and is responsible for financial disbursement do they need to recuse themselves. Attorney Denmark stated that they did not have to recuse themselves. Attorney Denmark stated that this would be the case if the person had a personal interest. Councilwoman Adoma asked Attorney Denmark to provide documents supporting this.

Councilwoman Adoma made a substitute motion to defer the DeKalb Municipal Dues until legal counsel can provide her with Georgia Law or something in the Georgia Charter that confirms his opinion as to whether a board member dispersing payment should recuse themselves. The substitute motion failed.

Mayor Lary stated that the original motion stands. **The motion carried 5-1.** Councilwoman Adoma opposed.

#### **IX. NEW BUSINESS:**

1. Alarm Ordinance—First Read

2. Fire Prevention Ordinance—First Read

3. Resolution for Water and Sewer—

Councilman Clanton made a motion to approve the Resolution for Water and Sewer services from DeKalb County, Georgia. Councilman George Turner provided the second. **The motion carried unanimously.**

4. Moratorium on Future Cell Phone Towers

Councilwoman Adoma asked the council to pass a resolution for a moratorium on cell phone towers in the city of Stonecrest.

Mayor Lary made a motion for the council to have a 60-day moratorium. Councilman Rob Turner provided the second. Councilman Clanton suggested the city attorney prepare the proper wording. Attorney Denmark stated that a moratorium is only effective when it is in writing. Attorney Denmark said he will prepare the document well in advance of the next meeting. This would allow for the Mayor and Council to review and vote on it.

Mayor Lary provided a substitute motion requesting the city attorney prepare the moratorium documentation. He asked for a 60-day moratorium. Councilwoman Adoma stated that according to Robert's Rules of Order that council was still in discussion and under the first motion. Mayor Lary stated that the motion was properly give a second, therefore, he was not out of order. He referred the question to the city attorney who confirmed that the Mayor was correct and was not out of order.

Councilwoman Adoma defined the term “moratorium” as a delay. She then asked what happens in the mean time if a cell phone tower application comes in prior to the written moratorium. The city attorney stated that he isn't saying that the moratorium isn't effective until it is in writing, but rather the laws of Georgia. He stated he'd be happy to prepare one for the Mayor and Council to review and approve.

Councilwoman Adoma wanted to know how the city plans to prevent more cell phone towers and how will the council be notified. Mayor Lary stated that he will notify council of any special administrative permit pertaining to cell phone towers. The Mayor and interim city manager will ask to review all incoming cell phone tower applications.

Councilwoman Adoma asked how council will be notified. Mayor Lary stated he would be in direct contact with the Community Development manager and ask if there are any pending applications for cell phone towers. Mayor Lary will also be in direct communication with the Planning and Zoning department. Mayor Lary stated he will take the responsibility of contacting the council.

Mayor Lary asked that the council vote on the substitute motion to allow the city attorney to prepare the moratorium document(s). **The motion passed by a vote of 5-1.** Councilwoman Adoma opposed.

5. Notification of Special Permits

Mayor Lary made a motion to approve the notification of Special Administrative Permits prior to any approvals. Councilman Clanton stated that it wasn't necessary to make a motion. Councilman George Turner stated that the public will soon have access online to search for all applications. Discussion ended.

**X. CITY MANAGER COMMENTS:**

Wayne Wright updated Mayor Lary and Council of the process of obtaining a City Manager in the interim until a permanent City Manager was identified. An interim manager will be on board for a couple of months. Wayne Wright stated that the Mayor would have to approve the interim city manager and the council would also be involved with the process. Mr. Wright said that he is looking for a person with experience and not someone who is learning while on the job. The person who Mr. Harris chose will be brought before the council at the next meeting.

Councilman George Turner asked about the hiring of a City Clerk. Mr. Wright stated that Mr. Harris completed the interviewing process last week.

**XI. CITY ATTORNEY COMMENTS:**

Winston Denmark formally introduced his associate, Ms. Christa Freeman.

**XII. MAYOR AND COUNCIL COMMENTS:**

Councilman George Turner commented about the proposed convenience store to be located on Salem and Evans Mill Roads. Councilman George Turner indicated that he has spoken with EPD about the impact on the stream and also DOT in reference to trucks route.

Councilwoman Adoma thanked the people who came out to the meeting. Councilwoman Adoma expressed that she was disappointed that the city attorney stating that there was no one to uphold parliamentary procedure. Councilwoman Adoma stated that she was appalled that the city attorney didn't uphold Robert's Rules. Councilwoman Adoma would like the city attorney to provide information regarding a rule of ten (10) minutes per speaker.

Council members Cobble, Clanton, and Rob Turner had no comments. Mayor Lary thanked everyone for coming out to the meeting.

**XIII. ADJOURNMENT:**

**The meeting was adjourned at 10:41 p.m.**