



CITY OF STONECREST, GEORGIA

CITY COUNCIL MEETING – MINUTES

3120 Stonecrest Blvd., Stonecrest, GA 30038

Monday, November 28, 2022 at 6:00 PM

Mayor Jazzmin Cobble

Council Member Tara Graves - District 1 Council Member Rob Turner - District 2

Council Member Alecia Washington - District 3 Mayor Pro Tem George Turner - District 4

Council Member Tammy Grimes - District 5

Citizen Access: [Stonecrest YouTube Live Channel](#)

I. CALL TO ORDER: George Turner, Mayor Pro-Tem

Meeting started at 6:09 pm

II. ROLL CALL: Sonya Isom, City Clerk

All present.

III. INVOCATION

Lead by Councilmember Rob Turner.

IV. PLEDGE OF ALLEGIANCE

V. APPROVAL OF THE AGENDA

Motion - made by Councilmember Rob Turner to approve the November 28, 2022 City Council Meeting agenda. Councilmember Tara Graves seconded.

Motion passed unanimously.

VI. REVIEW AND APPROVAL OF MINUTES

a. Approval - of October 10, 2022 Special Called Meeting Minutes

Motion - made by Councilmember Rob Turner to defer the approval of the October 10, 2022 Special Called Meeting minutes to the next City Council meeting. Councilmember Tara Graves seconded.

Motion passed unanimously.

- b. Approval - of October 19, 2022 Special Called Meeting Minutes

Motion - made by Councilmember Tara Graves to approve the October 19, 2022 Special Called Meeting minutes. Councilmember Rob Turner seconded.

Motion passed unanimously.

- c. Approval - of October 24, 2022 City Council Meeting Minutes

Motion - made by Councilmember Tara Graves to defer the October 24, 2022 City Council Meeting minutes to the next City Council meeting. Councilmember Rob Turner seconded.

Motion passed unanimously.

VII. PUBLIC COMMENTS

The meeting will be conducted in person. Citizens may also submit public comments via email to cityclerk@stonecrestga.gov by 2 pm on the day of the meeting to be read by the City Clerk.

There is a two (2) minute time limit for each speaker submitting or reading a public comment.

In person Comments:

Malaika Wells - Welcomed new Councilmember Alecia Washington. Thanked council for pursuing a GMA City of Ethics designation. Thanked Councilmembers Tammy Grimes and Tara Graves for voting in alignment with expressed community concerns regarding the recent appointment of Ms. Scruggs as acting City Manager. Why does the city not have a MOA with Fincher Denmark for city legal services? Did the city provide the required written 14-day notice prior to termination of the former City Manager? Council has not moved to appoint anyone to lead the charter review committee and who benefits from the City's delay in doing so? Please return the public comments to 3 minutes and if you deny the request, please explain why.

Donna Priest-Brown - Welcomed Councilmember Washington. Questioned abrupt resignation of former City Manager Jackson and appointment of Ms. Scruggs. How will Ms. Scruggs effectively perform the three major job functions she is responsible for today? Reminder to be mindful of separation of duties and powers to prevent fraud, sabotage, theft, misuse of information, misrepresentation of finances and other compromises. The City's September and October financials were delayed up to two months before being posted to the city's website a week ago. Requesting citizens have access to the ARPA monthly detailed report similar to the SPLOST fund monthly report. Increasing the public comment time from two minutes to three minutes.

Faye Coffield - Tax Collector doesn't recognize the City of Stonecrest and things are still being sent to the City of Lithonia. Concerned that the vote was held to appoint Ms. Scruggs before Ms. Washington could be sworn in, especially since she had the opportunity to be sworn in the next day. Lost entire faith in Council and City and the way that things have been handled. Reiterating a call for a forensic audit. State of GA has a 4 billion dollar surplus and why hasn't the city asked for some of that surplus for what GA Piedmont wants to do? Why is the City wanting to give the Board of Education 1 million dollars when they have a 310 plus million in ARPA funds? The City should use \$500,000 and hire off duty police officers instead. The city needs street lighting, sidewalks, and an existing 501C3 to give money to.

Andrew Wells - Welcomed Councilmember Washington. Thanked the council for improvements to Salem Park. Reminding Council that a revenue generating opportunity exists at Salem Park by hosting a 3 on 3 basketball tournament with improvements to bleachers and goals. Improvements to public restrooms are needed. Concerns with giving money to Dekalb County Board of Education or directly to the schools. Consider aftercare programs and nonprofit programs in the city. Be mindful of using things in Consent Agenda that haven't been discussed in the public. Requesting Council check into server issues in regard to Council not receiving emails from constituents. Lack of urgency to appoint members to the citizen lead Charter Review Committee. Return public comments to 3 minutes or explain why not.

Mayor Pro Tem George Turner gave a response to the October 24, 2022 public comments.

VIII. PUBLIC HEARINGS

Citizens wishing to participate and comment during the public hearing portion of the meeting may comment in person. You may also submit your request including your full name, address, position on the agenda item you are commenting on (for or against) via email to cityclerk@stonecrestga.gov by 2 pm the day of the Hearing. A zoom link for the meeting will be sent to you.

When it is your turn to speak, please state your name, address and relationship to the case. As an alternative, you can submit comments and questions to the same email address by the same deadline to be read into the record at the meeting.

There is a ten (10) minute time limit for each item per side during all public hearings. Only the applicant may reserve time for rebuttal.

IX. CONSENT AGENDA

X. APPOINTMENTS

XI. REPORTS & PRESENTATIONS

XII. OLD BUSINESS

a. For Decision - RZ-22-007 3310. 3320, 3330 Turner Hill Rd - Ray White

Ray White, Planning and Zoning Director, gave an overview. Mr. White stated that staff's recommendation is a denial. He stated there is concern because of the location, which is directly across from an apartment complex. The development is for a shopping center. There is also the possibility of more residential growth.

There was discussion questioning whether a Public Hearing was held or deferred. Mayor Pro Tem George Turner consulted with the City Attorney, Winston Denmark as to what was required by law. Mayor Pro Tem also asked for clarity whether or not parcels are in the Overlay District. It is his understanding they are not.

Alex Brock with Smith Gambrell Russell, representation for the applicant, was in attendance and gave clarity to questions about the development and the community meeting that was held in September.

City Clerk, Sonya Isom, confirmed that a Public Hearing was opened and closed at the last City Council Meeting.

Councilmember Tara Graves stated she would like to open the meeting to constituents and allow them the opportunity to speak in regard to this item. Mayor Pro Tem George Turner opened the meeting for the public to stand and give comments to satisfy concerns, confirming it would not be considered a public hearing.

Suzanne Frick gave a comment in opposition and stated that she was unaware of the community meeting. She also stated that she previously provided a petition with 200 signatures in opposition to the development. She is asking Council to please keep residential zoning residential.

Alex Brock spoke to some of the concerns mentioned. He stated the developer moved the building forward to have parking spaces in the rear. There was uncertainty as to whether or not Council had the revised plans or the originals.

Faye Coffield gave comments about applicants requesting a deferral or withdrawing their application once staff recommends a denial and questioned why applicants are allowed to do that? She also stated that she does not think a Public Hearing was held and recalls the citizens complaining about deferrals and denials.

City Attorney, Winston Denmark, stated the applicant could argue they were denied the opportunity to present and that staff lead them to believe they would receive a deferral, stating they didn't show up to the last meeting in reliance on that representation. He stated they could say they were not given the opportunity to present at a Public Hearing. The City could spend thousands in court or the City could advertise another Public Hearing on another date and a vote happen at that time. This would remove any cloud there is over this proceeding. Atty Denmark stated a public hearing is different and that record counts.

Mayor Pro Tem George Turner confirmed this item was not advertised as a Public Hearing for this particular meeting, therefore a Public Hearing could not take place. He stated there should be an opportunity for the applicant to present at a Public Hearing which would call for another Public Hearing to be scheduled 15 days from now.

Councilmember Tammy Grimes asked what would stop Council from allowing the applicant /developers to speak at this meeting since there has been two meetings where constituents have been able to speak. She if they could speak and then Council vote as needed. Attorney Denmark stated that the applicant could take the position that they were not allowed the opportunity to speak at a public Hearing and a judge could side with that argument.

Alex Brock, representation for the applicant, Amir Ghandi, stated his client would like to speak and is willing to wave his rights to a public hearing despite his advisement. Amir Ganhdi stressed concerns regarding the notification of the public hearing and stated that he would like to speak and then proceed with the decision tonight. The applicant and his representation provided additional details, sharing a revised site plan. They are asking for rezoning to C1 and have decided to downsize to retail development, addressing concerns of residents. They are also willing to accept use conditions that residents are concerned about. Applicant Ghandi stated he is starting to build high end retail centers with good, quality tenants.

Donna Priest Brown asked if the 18-40 age group would be getting the most for their buck.

Rudy Morgan stated that the customer base would be small. She stated that her neighbors would be affected by the lights, noise, and crime. She stated The Parks of Stonecrest had a meeting and have a petition in opposition with 200 signatures.

Susan Lee stated she does not want or need another strip mall in the Turner Hill area. She mentioned traffic would become more congested and there are accidents at least once a week. She commented this would decrease home values.

Renee Cail stated a strip mall would be detrimental and a burden to residents. She also stated that the noise and lack of parking are also a concern. She would appreciate developers not changing zonings or laws. She welcomed Councilmember Washington and stated her opposition to the project.

The City Clerk, Sonya Isom, read a public comment in support of this development by Jimmy Clanton Jr.

Motion - made by Councilmember Tara Graves to deny RZ 22-007 3310, 3320, 3330 Turner Hill Road. Councilmember Rob Turner seconded.

Motion passed unanimously

XIII. NEW BUSINESS

a. For Decision - SDP22-000014 Flat Rock Village Subdivision - *Ray White*

Ray White, Planning and Zoning Director, gave an overview. The applicant is requesting approval of a final plat for the Flat Rock Village Subdivision that will consist of 20 lots. Director White stated the applicant will follow the Arabia Mountain development standards and that staff recommends the sub-division be approved.

Councilmember Tammy Grimes asked about the Preliminary Plat and when it was started. She also questioned what the original plans were for this property and when it changed to residential. Director White clarified that it came from Dekalb County and was transferred to the City of Stonecrest, stating it is not a rezoning.

Mayor Pro Tem George Turner asked about access points and interior roads to the property. He also asked how the easements were addressed. Director White stated that the access points were reviewed and there would be an access road that would prevent impediment of other properties.

The applicant, Kenneth Reeves, provided details and background of the development, including the history of attempting to gain approval of the final plat. He also clarified the access points of the properties and the locations of the gated entrances to the property.

Motion - made by Mayor Pro Tem George Turner to approve SDP22-000014 Flat Rock Village Subdivision final plat. Councilmember Rob Turner seconded.

Motion passed unanimously.

b. For Decision - SDP22-000015 The Enclave at Arabia Mountain - *Ray White*

Ray White, Planning and Zoning Director, gave an overview. Applicant is requesting approval of the subdivision preliminary plat for the Enclave at Arabia Mountain. Staff recommends approval of the subdivision preliminary plat.

Mayor Pro Tem George Turner asked about the R-100 classification. Director White explained that the property is not a rezoning and Keedra Jackson further explained that this property is in the Arabia Mountain Overlay and takes precedence. There was more discussion about the R-100 classification and the Arabia Mountain Overlay.

Mr. Moorhead gave some insight and information related to the development and sizing of the homes to be built. The civil engineer for the development, Mr. McIntosh also gave some insight and details about the development.

Motion - made by Councilmember Tammy Grimes to defer SDP22-000015 for further discussion to the next scheduled City Council meeting. Councilmember Tara Graves seconded.

Motion passed unanimously.

c. For Decision - PPS Contract Renewal - Municipal Court of Stonecrest - *Chief Judge Curtis W. Miller*

Chief Judge Curtis Miller gave an overview of the probation contract renewal. Judge Miller stated the contract included an increase from \$40 - \$45.

Motion - made by Councilmember Rob Turner to approve the Professional Probation Services Contract Renewal. Councilmember Tara Graves seconded.

Motion passed unanimously.

d. For Decision - Renewal of Contract with Judge Sheridan - *Chief Judge Curtis Miller*

Winston Denmark, City Attorney, gave an overview of the contract renewal for Judge Sheridan.

Motion - made by Councilmember Tammy Grimes to approve the renewal of contract with Judge Sheridan for one year. Councilmember Rob Turner seconded.

Motion passed unanimously.

XIV. CITY MANAGER UPDATE

Gia Scruggs, Acting City Manager

National GIS Day was November 16, 2022 and a representative from InterDev gave an outstanding presentation to staff. She stated the various ways the city currently uses GIS and the future uses of GIS via the City's website.

Ms. Scruggs acknowledged the Municipal Court and their recent accomplishment and aware for Program of the Year by Court Connect for the municipal externship program.

Ms. Scruggs gave an update on the City paving and stated that the bid packages, completion dates, and an updated paving list have been listed on the City's Website. She also stated City

will be ahead of schedule and will get the solicitation for next year's paving out prior to the end of the year.

Ms. Scruggs stated there will be a detailed ARPA update from Berry Dunn at the December 12th work session.

She also mentioned the Winter Wonderland tree lighting on December 10th and asked all residents and Council to join us at Browns Mill.

XV. MAYOR AND COUNCIL COMMENTS

District 1, Councilmember Tara Graves - Holiday Appreciation Breakfast this Saturday for Committee members will be held at 8:30am at Arizona's. She would also like to start a Beautification Committee in January. Encouraging everyone to Go Vote!

District 2, Councilmember Rob Turner - Early voting has begun. Let's Vote!

District 3, Councilmember Alecia Washington- Excited to be working with everyone. Thanked everyone who voted for her and members of Council for calling and congratulating her.

District 5, Councilmember Tammy Grimes - Early voting has begun, begging you all to please go vote! Thanks to those who help the city look good. Happy to see the progress at Salem Park. Challenging District 5 to watch a City Council Work Session or City Council Meeting one month and to send an email letting her know you watched. Asked citizens of District 5 to send their email addresses to her at tgrimes@stonecrestga.gov. Jewels mentoring is having a Cotillion at New Black Wall Street this Saturday from 7-10pm.

Mayor Jazzmin Cobble - Thanks to all volunteers and those who came out for the Turkey Drive. Holiday Tree Lighting event is Saturday, December 10th. There will be a Winter Wonderland and she is excited about the surprise in store! The event starts at 4pm and the program begins at 6pm. Please come on out and be a part of the fun!

District 4, Mayor Pro Tem George Turner – There was a power loss in City Hall last week leading to the agenda going out a little late. We are working to improve the process and the Work Session agenda will go out tomorrow. Please attend the Tree Lighting and get out and vote!

XVI. EXECUTIVE SESSION

(When an executive session is required, one will be called for the following issues: 1) Personnel, 2) Litigation, 3) Real Estate)

XVII. ADJOURNMENT

Motion - made by Councilmember Alecia Washington to adjourn the meeting at 9:05pm. Councilmember Tara Graves seconded.

Motion passed unanimously.

Americans with Disabilities Act

The City of Stonecrest does not discriminate on the basis of disability in its programs, services, activities and employment practices.

If you need auxiliary aids and services for effective communication (such as a sign language interpreter, an assistive listening device or print material in digital format) or reasonable modification to programs, services or activities contact the ADA Coordinator, Sonya Isom, as soon as possible, preferably 2 days before the activity or event.