



## 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 Tammy Grimes – District 5*

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### REGULAR CITY COUNCIL VIRTUAL MEETING MINUTES

Monday, November 22 at 6:00 P.M.

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

#### **I. CALL TO ORDER:**

Mayor *Pro Tem* George Turner called meeting to order at 6:00pm

#### **II. ROLL CALL:**

Deputy City Clerk Sonya Isom determined that there was a quorum. Mayor and all Councilmembers were virtually present.

#### **III. INVOCATION**

Councilmember Rob Turner gave invocation.

#### **IV. PLEDGE OF ALLEGIANCE**

Pledge of Allegiance led by Mayor *Pro Tem* George Turner.

#### **V. APPROVAL OF THE AGENDA**

Councilmember Cobble moved to add Staff Instructions Regarding Financial Request.

**Motion** – Councilmember Rob Turner motioned to approve the November 22, 2021 Regular City Council Virtual Meeting; seconded by Councilmember Jazzmin Cobble.

**Motion carried unanimously 5-0, as amended.**

Item added as Item A under New Business.

#### **VI. REVIEW AND APPROVAL OF MINUTES**

- a. Approval – of the September 10, 2021 Special Called City Council Meeting Minutes.

Mayor *Pro Tem* George Turner moved to approve the September 10, 2021 Special Called City Council Meeting Minutes.



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**Motion 1** - Councilmember Rob Turner motioned to approve; seconded by Councilmember Jimmy Clanton.

**Motion carried unanimously 5-0.**

- b. Approval – of the September 27, 2021 City Council Meeting Minutes.

Mayor *Pro Tem* George Turner moved to approve the September 27, 2021 City Council Meeting Minutes.

**Motion 1** - Councilmember Rob Turner motioned to approve; seconded by Councilmember Tammy Grimes.

**Motion carried unanimously 5-0.**

Mayor *Pro Tem* George Turner moved to approve the September 27, 2021 Corrected City Council Meeting Minutes, to Correct Item E to Reflect 4-1 Vote.

**Motion 2** - Councilmember Rob Turner motioned to approve; seconded by Councilmember Jimmy Clanton.

**Motion carried unanimously 5-0, with stated correction.**

- c. Approval – of the October 4, 2021 Special Called City Council Meeting Minutes.

Mayor *Pro Tem* George Turner moved to approve the October 4, 2021 Special Called City Council Meeting Minutes.

**Motion 1** - Councilmember Rob Turner motioned to approve; seconded by Councilmember Jazzmin Cobble.

**Motion carried unanimously 5-0.**

- d. Approval – of the October 11, 2021 Special Called City Council Minutes.

Mayor *Pro Tem* George Turner moved to approve October 11, 2021 Special Called City Council Minutes.

**Motion 1** - Councilmember Jazzmin Cobble motioned to approve; seconded by Councilmember Rob Turner.

**Motion carried unanimously 5-0.**

- e. Approval – of the October 25, 2021 City Council Meeting Minutes.

Mayor *Pro Tem* George Turner moved to approve October 11, 2021 Special Called City Council Minutes.

**Motion 1** - Councilmember Rob Turner motioned to approve; seconded by Councilmember Jazzmin Cobble.



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**Motion carried unanimously 5-0.**

- f. Approval – of the October 29, 2021 Special Called City Council Meeting Minutes.

Mayor *Pro Tem* George Turner moved to approve the October 29, 2021 Special Called City Council Meeting Minutes.

**Motion 1** - Councilmember Rob Turner motioned to approve; seconded by Councilmember Tammy Grimes.

**Motion carried unanimously 5-0.**

- g. Approval – of the November 4, 2021 Special Called City Council Meeting Minutes.

Mayor *Pro Tem* George Turner moved to approve November 4, 2021 Special Called City Council Meeting Minutes.

**Motion 1** - Councilmember Jazzmin Cobble motioned to approve; seconded by Councilmember Rob Turner.

**Motion carried unanimously 5-0.**

### VII. PUBLIC COMMENTS

Mayor *Pro Tem* George Turner asked Deputy City Clerk Sonya Isom to read the item(s) on this section.

One (1) Public comment received in advance of the meeting and read into the minutes by Deputy City Clerk Isom.

1. Faye Cofield

Mayor *Pro Tem* George Turner commented.

### VIII. PUBLIC HEARINGS

- a. Approval – of RZ-21-003 – APEX LAND Co. – *Jim Summerbell*.

Councilmember Jimmy Clanton self-recused.

Per City Attorney Denmark, Councilmember Jimmy Clanton is not required to be recused, but he must refrain from participation and vote.

Councilmember Jimmy Clanton maintained self-recusal and was placed into the virtual waiting room, as requested.

Discussion and general overview led by Planning and Zoning Director Jim Summerbell. Recommends approval of conditions.

**Motion 1** - Councilmember Rob Turner motioned to Open Public Hearing Item RZ-21-003 – APEX LAND Co; seconded by Councilmember Cobble.

**Motion 1 carried 4-0. Councilmember Clanton Recused.**



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Michele Battle represented the Applicant and provided information in support.

Six (6) public comments received.

Alisha Miller

Marsha White-Lassiter

Kianta Key

Faye Cofield

Raymond Davis

Dave Marcus

Michele Battle offered a rebuttal.

**Motion 2** - Councilmember Jazzmin Cobble motioned to Close Public Hearing Item RZ-21-003 – APEX LAND Co; seconded by Councilmember Rob Turner.

**Motion 2 carried 4-0. Councilmember Jimmy Clanton Recused.**

**Motion 3** - Councilmember Jazzmin Cobble motioned to deny RZ-21-003 – APEX LAND Co.; seconded by Councilmember Rob Turner.

**Motion 3 carried 4-0. Councilmember Jimmy Clanton Recused.**

- b. Approval – of RZ-21-007 Arabia Mountain Conservation Overlay Expansion – *Jim Summerbell*.

Discussion and general overview led by Planning and Zoning Director Jim Summerbell.

**Motion 1** – Councilmember Jimmy Clanton motioned to Open Public Hearing Item RZ-21-007 Arabia Mountain Conservation Overlay Expansion; seconded by Councilmember Rob Turner.

**Motion 1 carried unanimously 5-0.**

One (1) public comment received.

Faye Cofield

**Motion 2** – Councilmember Jimmy Clanton motioned to Close Public Hearing Item RZ-21-007 Arabia Mountain Conservation Overlay Expansion; seconded by Councilmember Jazzmin Cobble.

**Motion 2 carried unanimously 5-0.**

**Motion 3** - Councilmember Jimmy Clanton motioned to Approve RZ-21-007 Arabia Mountain Conservation Overlay Expansion; seconded by Councilmember Rob Turner.

**Motion 3 carried unanimously 5-0.**

- c. Approval – of RZ-21-008, ACE Homes – *Jim Summerbell*.

Discussion and general overview led by Planning and Zoning Director Jim Summerbell.



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**Motion 1** - Councilmember Jimmy Clanton motioned to Open Public Item RZ-21-008, ACE Homes; seconded by Councilmember Jazzmin Cobble.

**Motion 1 carried unanimously 5-0.**

Robert MacPherson represented the Applicant and provided information and overview.

No public comments.

**Motion 2** - Councilmember Jimmy Clanton motioned to Close Public Item RZ-21-008, ACE Homes; seconded by Councilmember Jazzmin Cobble.

**Motion 2 carried unanimously 5-0.**

**Motion 3** – Councilmember Jimmy Clanton motioned to Approve Public Item RZ-21-008, ACE Homes, with conditions offered by staff; seconded by Councilmember Rob Turner.

**Motion 3 carried unanimously 5-0.**

- d. Approval – of TMOD-21-008, Administration – *Jim Summerbell*.

Discussion and general overview led by Planning and Zoning Director Jim Summerbell.

**Motion 1** - Councilmember Rob Turner motioned to Open Public Item TMOD-21-008, Administration.; seconded by Councilmember Jimmy Clanton.

**Motion 1 carried unanimously 5-0.**

No public comments.

**Motion 2** - Councilmember Rob Turner motioned to Close Public Item TMOD-21-008, Administration.; seconded by Councilmember Jimmy Clanton.

**Motion 2 carried unanimously 5-0.**

**Motion 3** - Councilmember Jazzmin Cobble motioned to Approve Public Item TMOD-21-008, Administration; seconded by Councilmember Jimmy Clanton.

**Motion 3 carried unanimously 5-0.**

- e. Approval – of TMOD-21-009, Special Events, Late Night Establishments, and similar uses – *Jim Summerbell*.

Discussion and general overview led by Planning and Zoning Director Jim Summerbell.

**Motion 1** - Councilmember Jimmy Clanton motioned to Open Public Item TMOD-21-009, Special Events seconded by Councilmember Tammy Grimes.

**Motion 1 carried unanimously 5-0.**

No public comments.

**Motion 2** - Councilmember Rob Turner motioned to Close Public Item TMOD-21-009, Special Events seconded by Councilmember Tammy Grimes.

**Motion 2 carried unanimously 5-0.**



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**Motion 3** - Councilmember Jazzmin Cobble motioned to Approve Public Item TMOD-21-009, Special Events seconded by Councilmember Rob Turner.

**Motion 3 carried unanimously 5-0.**

- f. Approval – of TMOD-21-010, Prohibited Uses and Limitation on Industrial Zones – *Jim Summerbell*.

Discussion and general overview led by Planning and Zoning Director Jim Summerbell.

**Motion 1** - Councilmember Jazzmin Cobble motioned to Open Public Item TMOD-21-010, Prohibited Uses and Limitation on Industrial Zones; seconded by Councilmember Jimmy Clanton.

**Motion 1 carried unanimously 5-0.**

No public comments.

**Motion 2** – Councilmember Jazzmin Cobble motioned to Close Public Item TMOD-21-010, Prohibited Uses and Limitation on Industrial Zones; seconded by Councilmember Jimmy Clanton.

**Motion 2 carried unanimously 5-0.**

**Motion 3** - Councilmember Rob Turner motioned to Approve Public Item TMOD-21-010, Prohibited Uses and Limitation on Industrial Zones; seconded by Mayor *Pro Tem* George Turner.

**Motion 3 carried unanimously 5-0.**

- g. Approval – of TMOD-21-011, Restrictions on Residential Conversion – *Jim Summerbell*.

Discussion and general overview led by Planning and Zoning Director Jim Summerbell.

**Motion 1** - Councilmember Jimmy Clanton motioned to Open Public Item TMOD-21-011, Restrictions on Residential Conversion; seconded by Councilmember Rob Turner.

**Motion 1 carried unanimously 5-0.**

No public comments.

**Motion 2** - Councilmember Rob Turner motioned to Close Public Item TMOD-21-011, Restrictions on Residential Conversion; seconded by Councilmember Jimmy Clanton.

**Motion 2 carried unanimously 5-0.**

**Motion 3** - Councilmember Jazzmin Cobble motioned to Approve Public Item TMOD-21-011, Restrictions on Residential Conversion; seconded by Councilmember Rob Turner.

**Motion 3 carried unanimously 5-0.**

- h. Approval – of TMOD-21-012, Gravel Parking – *Jim Summerbell*.

Discussion and general overview led by Planning and Zoning Director Jim Summerbell.

**Motion 1** - Councilmember Jimmy Clanton motioned to Open Public Item TMOD-21-012, Gravel Parking; seconded by Councilmember Tammy Grimes.

**Motion 1 carried unanimously 5-0.**



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No public comments.

**Motion 2** - Councilmember Rob Turner motioned to Close Public Item TMOD-21-012, Gravel Parking; seconded by Councilmember Jimmy Clanton.

**Motion 2 carried unanimously 5-0.**

**Motion 3** - Councilmember Jazzmin Cobble motioned to Approve Public Item TMOD-21-012, Gravel Parking, with modification as stated to 2023 to 2022; seconded by Councilmember Jazzmin Cobble.

**Motion 3 carried unanimously 5-0.**

- i. Approval – of the Proposed ROW Abandonment of a Portion of Lyons Road – Danielle Matricardi.

Discussion and general overview led Attorney Denmark.

**Motion 1** - Councilmember Rob Turner motioned to Open Public Item of the Proposed ROW Abandonment of a Portion of Lyons Road; seconded by Councilmember Tammy Grimes.

**Motion 1 carried unanimously 5-0.**

No public comments.

Michele Battle represented the Applicant.

**Motion 2** - Councilmember Rob Turner motioned to Close Public Item of the Proposed ROW Abandonment of a Portion of Lyons Road; seconded by Councilmember Jimmy Clanton.

**Motion 2 carried unanimously 5-0.**

**Motion 3** - Councilmember Jazzmin Cobble motioned to Approve the Resolution by City Council of the Proposed ROW Abandonment of a Portion of Lyons Road; seconded by Councilmember Jimmy Clanton.

**Motion 3 carried unanimously 5-0.**

### IX. CONSENT AGENDA

None.

### X. ANNOUNCEMENTS

Announcements made by Councilmember Tammy Grimes recognizing Salem Middle School's Mighty Lions. City Council will prepare and present a proclamation in recognition.

### XI. REPORTS & PRESENTATIONS

None.

### XII. OLD BUSINESS:

- a. Approval – of the Tree Protection Ordinance Amendment (2<sup>nd</sup> Read) – *Gia Scruggs*.





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Brief discussion and explanation provided by Finance Director Scruggs.

Preamble read by Director Scruggs.

**Motion 1** - Councilmember Jazzmin Cobble motioned to Approve Chapter 14 Tree Protection Ordinance Amendment; seconded by Councilmember Jimmy Clanton.

**Motion 1 carried unanimously 5-0.**

- b. Approval – of the Decorum Ordinance (2<sup>nd</sup> Read) – *Winston Denmark*

Brief discussion and explanation provided by Attorney Alicia Thompson.

Penalties added to Ordinance for violations of this Code.

Legal inquiry made by Councilmember Jazzmin Cobble.

Preamble read by Attorney Alicia Thompson.

**Motion 1** - Councilmember Rob Turner motioned to Approve the Decorum Ordinance after the Second Read; seconded by Councilmember Tammy Grimes.

**Motion 1 carried unanimously 5-0.**

- c. Approval – RZ-21-00 Withdrawal – *Jim Summerbell*.

Brief explanation of withdrawal provided by Planning and Zoning Direction Summerbell.

**Motion 1** - Councilmember Jazzmin Cobble motioned to Approve to Accept RZ-21-00 Withdrawal; seconded by Councilmember Jimmy Clanton.

**Motion 1 carried unanimously 5-0.**

### XIII. NEW BUSINESS:

- a. Approval – of Staff Instructions Regarding Financial Request.

Presentation of clarity provided by Councilmember Jazzmin Cobble.

**Motion 1** – Councilmember Jazzmin Cobble motioned to Approve to Instruct Acting City Manager and City Staff to Deny all Requests made by Mayor Lary for the expenditures of City funds, including payments to third party vendors, pending the outcome of the Mayor's federal criminal prosecution, as well as the ongoing contract negotiations with Jacobs Engineering, and that all such following denial of request to be Forwarded to City Council; seconded by Councilmember Tammy Grimes.

Comments allowed to be made by Mayor Lary.

**Motion 1 carried unanimously 5-0.**

- b. Approval – of Discover Dekalb Contract – *Johnathan Bartlett*.

Informational presentation and discussion led by Economic Development Director Bartlett.





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No inquiries by City Council.

**Motion 1** - Councilmember Rob Turner motioned to Approve the Discover DeKalb Contract; seconded by Councilmember Tammy Grimes.

**Motion 1 Approved 4-1. Councilmember Clanton Absent due to Technical Difficulties.**

Greetings from James Tsismanakis.

- c. Approval – of City Participation in GMA Retirement System – *Steven McClure*.

Discussion led by Acting HR Director McClure.

City Attorney Denmark recommended that each Agreement be voted on separately.

**Motion 1** - Councilmember Jazzmin Cobble motioned to Approve the 401a Defined Contribution Resolution and Adoption Agreement; seconded by Councilmember Rob Turner.

**Motion 1 carried unanimously 5-0.**

**Motion 2** - Councilmember Jazzmin Cobble motioned to Approve the 457 Deferred Resolution Plan and Adoption Agreement; seconded by Councilmember Rob Turner.

**Motion 2 carried unanimously 5-0.**

**Motion 3** - Councilmember Jazzmin Cobble motioned to Approve the Roth 457b Deferred Compensation Plan and Adoption Agreement; seconded by Councilmember Rob Turner.

**Motion 3 carried unanimously 5-0.**

- d. Approval – of CDW Contract Approval for Tablets – *Gia Scruggs*.

Discussion led by Finance Director Scruggs.

No questions or comments made by City Council.

**Motion 1** - Councilmember Rob Turner motioned to Approve the CDW Contract Approval for Tablets; seconded by Councilmember Jimmy Clanton.

**Motion 1 carried unanimously 5-0.**

### XIV. CITY MANAGER UPDATE

Acting City Manager Janice Allen Jackson provided City Manager Update.

### XV. MAYOR AND COUNCIL COMMENTS

Comments made by Mayor and City Council.

### XVI. EXECUTIVE SESSION:

**Motion 1** - Councilmember Jazzmin Cobble motioned to convene into Executive Session to Discuss



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Litigation and Personnel Matters; seconded by Councilmember Jimmy Clanton.

**Motion 1 carried unanimously 5-0.**

Mayor *Pro Tem* George Turner called to convene into the Executive Session of the Regular City Council Virtual Meeting to order at 9:22pm on November 22, 2021.

### MEMBERS OF THOSE IN ATTENDANCE

All City Councilmembers Only, Mayor attended Personnel Matters Only

Acting City Manager Janice Allen Jackson

Deputy City Clerk Sonya Isom

City Attorney Winston Denmark

Finance Director Gia Scruggs, for Litigation Matters Only

**Motion 2** - Councilmember Jimmy Clanton motioned to adjourn Executive Session; seconded by Councilmember Jazzmin Cobble.

**Motion 2 carried unanimously 5-0.**

Executive Session adjourned and resumed Regular City Council Virtual Meeting at 11:10pm.

No Executive Action.

## **XVII. ADJOURNMENT**

**Motion 1** - Councilmember Jazzmin Cobble motioned to adjourn the November 22, 2021, Regular City Council Virtual Meeting; seconded by Councilmember Rob Turner.

**Motion 1 carried unanimously 5-0.**

The Regular City Council Virtual Meeting adjourned at 11:19pm.