



MINUTES OF THE REGULAR CITY COUNCIL MEETING
Tuesday, May 7, 2019 @ 6:30 pm
City Hall, 875 Main Street, Stone Mountain, Georgia 30083

CALL TO ORDER

Mayor Wheeler called the meeting to order at 6:33pm.

DETERMINATION OF A QUORUM

Mayor Wheeler determined that there was a quorum. Councilmembers Little, Mailman, Hollis, Johnson, Waller and Bryant were present.

INVOCATION AND PLEDGE

Councilmember Hollis gave the Invocation and Councilmember Waller led the Pledge of Allegiance.

CITIZEN COMMENTS – NON-AGENDA ITEMS ONLY

No citizen comments.

READING AND APPROVAL OF THE JOURNAL

- Minutes of Regular City Council Meeting 04/02/19

Mayor Pro Tem Johnson moved to approve the minutes of the Regular City Council Meeting for April 2, 2019; seconded by Councilmember Hollis. There were no additions or corrections by Council.

Approved 6-0.

- Minutes of Special Called Meeting 04/16/19

Mayor Pro Tem Johnson moved to approve the minutes of the Special Called Meeting for April 16, 2019; seconded by Councilmember Hollis. There were no additions or corrections by Council.

Approved 6-0.

- Minutes of Work Session Meeting 04/16/19

Mayor Pro Tem Johnson moved to approve the minutes of the Work Session Meeting for April 16, 2019; seconded by Councilmember Hollis. There were no additions or corrections by Council.

Approved 6-0.

- Minutes of Special Called Meeting 04/23/19

Mayor Pro Tem Johnson moved to approve the minutes of the Special Called Meeting for April 23, 2019; seconded by Councilmember Hollis. There were no additions or corrections by Council.

Approved 5-0. Councilmember Little abstained because she was not present for meeting.

READING OF COMMUNICATIONS

Mayor Wheeler had no communications to read.

ADOPTION OF THE AGENDA OF THE DAY – Request to add by unanimous consent New Business Item F. Hearthstone Subdivision Covenant Restrictions, and New Business Item G. Bid Award and Contract Execution– Ridge Avenue Milling and

Paving (SPLOST) Project – H.E.H. Paving, Inc. - \$288,159.44 (bid award) plus \$20,000 (project contingencies) – Total Estimated Project Cost \$308,159.44

Mayor Pro Tem Johnson moved for the adoption of the Agenda of the day with the request to add by unanimous consent under New Business Item F. Hearthstone Subdivision Covenant Restrictions, and New Business Item G. Bid Award and Contract Execution for Ridge Avenue Milling and Paving (SPLOST) Project for H.E.H. Paving, Inc. in the amount of \$288,159.44 (bid award) plus \$20,000 (project contingencies) for a total estimated project cost of \$308,159.44; seconded by Councilmember Hollis.

Approved 6-0.

UNFINISHED BUSINESS

A. Development of Interactive Zoning Map – update

City Manager Thornton gave an update only on two proposals received so far for the Development of the Interactive Zoning Map. Administration is waiting on one more proposal in accordance with the City's purchasing policy and once received a recommendation will be given to Council. City Manager Thornton presented to Council the description of both companies' scope of work; a digitized map one for internal use and one for external use which is for the public. The maps will include overlay districts and the ability to make amendments to the map in real time as well as an overlay of our historic district, Downtown Development district and maybe even a mapping of our storm water system.

NEW BUSINESS

A. Professional Services Agreement between the City of Stone Mountain and Newborn Permitting Services, LLC for Permitting Technician Services

Mayor Pro Tem Johnson moved for the approval of the Professional Services Agreement between the City of Stone Mountain and Newborn Permitting Services, LLC for Permitting Technician Services; seconded by Councilmember Hollis.

No questions by Council.

Approved 6-0.

B. Request to Dispose of City Surplus Property by Sale – 1992 Asplundh Timberwolf Commercial Woodchipper

Mayor Pro Tem Johnson moved for the approval of the request to dispose of City Surplus Property by sale of a 1992 Asplundh Timberwolf Commercial Woodchipper; seconded by Councilmember Hollis.

No questions by Council.

Approved 6-0.

C. Parks & Recreation Committee – Establishment of Committee and Member Appointment (2-yr Term)

Mayor Pro Tem Johnson moved for the approval of the Parks and Recreation Committee establishment of a committee and member appointment for 2-year term. Committee members to be Sara Abrams, Mark Lenters, Gina Cox, Katrina Jarrell, Rev. Orea Parker, Councilmember Bernie Waller, and Director Jim Tavenner; seconded by Councilmember Hollis.

No questions by Council.

Approved 6-0.

D. Virtual Academy Solution Agreement – To Permit the Stone Mountain Police Department to Offer Training Online

Mayor Pro Tem Johnson moved for the approval of the Virtual Academy Solution Agreement to permit the Stone Mountain Police Department to Offer Training Online; seconded by Councilmember Hollis.

No questions by Council.

Approved 6-0.

- E. Application for Rezone on 5380 E. Mountain Street, Stone Mountain, GA 30083, Parcel 18 089 21 013; Rezone from OPI – Office Professional Institutional to VCM – Village Center Mixed Use

Mayor Pro Tem Johnson moved for the approval of rezone on 5380 E. Mountain Street, Stone Mountain, GA 30083, Parcel 18 089 21 013; a rezone from OPI – Office Professional Institutional to VCM – Village Center Mixed Use; seconded by Councilmember Hollis for discussion.

Councilmember Hollis advised that she had sent out an email to the Council, but no responses and she thought there was not enough time to discuss this item and wanted to table until the work session.

Councilmembers discussed and had concerns about hours of operation, a buffer/barrier to be installed for noise and concerns with sanitation for the property.

Mayor Pro Tem Johnson recommended restricting hours on Monday -Thursday till 9:00pm and open till late on Fridays and Saturdays as discussed in the Public Hearing and during last work session.

The motion was restated by Councilmember Little to approve with the following conditions to be open until 9pm, Monday - Thursday; Friday and Saturday till 11pm and till 7pm on Sunday; seconded by Councilmember Mailman.

There was then some further discussion regarding to the property's occupational tax certificate not including event center. City Manager advised that the code allows for a business to amend their business license as well as apply to Council for text amendments, variance and rezone.

Approved 5-1.

- F. Hearthstone Subdivision Covenant Restrictions

Mayor Pro Tem Johnson moved for discussion of the Hearthstone Subdivision covenant restrictions only.

City Manager Thornton explained that the sale of the properties should be owner occupied only according to the order by the court.

Attorney Joe Fowler elaborated on the court order. He made a point that no original parties are around except for the City and maybe we can negotiate an amendment to these covenants and even maybe limit a certain percentage of the homes for lease.

Mr. James MacDowell came up to speak and advised that he is only the builder and not the developer. He is building to sell houses and not to rent. He asked how they will police owner-occupied homes and this responsibility would fall on the HOA.

There was a question by Mayor Pro Tem Johnson that if they put the restrictions in place to limit the number of rentals, if an HOA is formed at some time can't they vote to change the restriction? If that is the case, can Council put a time limit on how long this restriction would have to remain in effect?

- G. Bid Award and Contract Execution– Ridge Avenue Milling and Paving (SPLOST) Project – H.E.H. Paving, Inc. - \$288,159.44 (bid award) plus \$20,000 (project contingencies) – Total Estimated Project Cost \$308,159.44.

Mayor Pro Tem Johnson moved to approve the bid award and Contract Execution for the Ridge Avenue Milling and Paving (SPLOST) Project – H.E.H. Paving, Inc. in the amount of \$288,159.44 (bid award) plus \$20,000 (project contingencies) for a total estimated project cost of \$308,159.44; seconded by Councilmember Hollis.

There was a request from Council to do a press release for this project.

City Manager Thornton advised that the agreement provided has not been completed by the contractor but asking that it be the Administration's responsibility to collect all of the bond documents to be received before execution of the agreement and is expected to be done within a week or so.

Approved 6-0.

NEW ORDINANCES AND RESOLUTIONS

- A. Resolution 2019-14 – ~~To Reset the Terms for~~ To Appoint Joy Pittman Harris to the Downtown Development Authority Board Members – 4-Year Term to End 09/17/2022

Mayor Pro Tem Johnson moved for the adoption of the Resolution 2019-14 to appoint Joy Pittman Harris to the Downtown Development Authority Board with a 4-year term to end 09/17/2022; seconded by Councilmember Hollis.

Approved 6-0.

Oath of Office was held to the end of the meeting.

- B. Ordinance 2019-04 – To Annex Property into the City of Stone Mountain, GA Pursuant to Chapter 36 of Title 36 of the Official Code of Georgia Annotated – Second Reading - Postpone until Tuesday, June 4th, 2019

Mayor Pro Tem Johnson moved for the approval of Ordinance 2019-04 to Annex Property into the City of Stone Mountain, GA Pursuant to Chapter 36 of Title 36 of the Official Code of Georgia Annotated to provide for an effective date and for other purposes; seconded by Councilmember Hollis.

City Manager explained the next steps in the process to the ordinance to the County for map amendments. Once we get approval from DCA then the annexation will be effective.

The property addresses were called out for voting purposes, 1203 Park Blvd., 1187 Park Blvd, 1177 Park Blvd., 1169 Park Blvd, and 1176 Park Blvd.

Approved 6-0.

COMMITTEE DISCUSSION ITEMS

- A. Planning and Zoning

No report.

- B. Economic Development/Downtown Development Authority

Mayor Pro Tem Johnson advised that the next meeting will be held next Monday at 6:30pm.

- C. Historic Preservation Commission

No report.

REMARKS OF PERSONAL PRIVILEGE

Mayor Pro Tem Johnson announced that she was accepted into the 2020 class for Leadership of DeKalb.

ANNOUNCEMENTS BY THE MAYOR

Mayor Wheeler invited everyone to the Art Station from 9am – 10am to meet the Product Development Team of Community Affairs to ask questions of them.

Councilmember Little advised that Council needs to look into the overall code for our businesses in the city as well as our residents.

Assistant City Clerk, Alicia Daniels advised Council that HPC did meet last night for a special called meeting to approve demolition of 964 Fourth Street house.

ADJOURNMENT

Mayor Pro Tem Johnson moved to adjourn the meeting; seconded by Council Member Hollis.

Approved 6-0.

Meeting adjourned at 7:22pm.

Patricia Wheeler, Mayor

Alicia Daniels, Assistant City Clerk