



MINUTES OF THE REGULAR CITY COUNCIL MEETING
Monday, December 3, 2018 @ 6:30 pm
City Hall, 875 Main Street, Stone Mountain, Georgia 30083

CALL TO ORDER

Mayor Pro Tem Johnson called the meeting to order at 6:31pm.

DETERMINATION OF A QUORUM

Mayor Pro Tem determined that a quorum was present. Councilmembers Little, Mailman, Hollis, and Bryant were present. Mayor Wheeler and Councilmember Wells were absent.

INVOCATION AND PLEDGE

Invocation was given by Councilmember Hollis and the Pledge of Allegiance was given by Councilmember Mailman.

Councilmember Hollis announced that an Executive Session will be added to the agenda as a new item.

Mayor Pro Tem Johnson moved to depart for an Executive Session to discuss Personnel.

CITIZEN COMMENTS – NON-AGENDA ITEMS ONLY

Lisa Osborn

Business owner at 5380 E. Mountain Street

She would like for there to be a consideration of a business advocate for the business owners. She also expressed a need for an evaluation of services of City vendors such as Safebuilt.

Elizabeth Small

610 Rockborough Drive

She wanted to know what the issues with getting the sign erected at Rockborough subdivision. She is also having problems with a storm run off at her residence and leaves getting down in the storm drains.

Margaret Pickens, 416 N. Rockborough; Claude John, 5282 Rockborough; Beverly Radford, 473 Rockborough Terrace

They wanted to discuss the Rockborough subdivision sign but was told by Council that it could not be discussed during citizen's comments because it was an item on the agenda.

READING AND APPROVAL OF THE JOURNAL

- Minutes of Special Called Meeting 11/2/18

Moved for approval by Councilmember Hollis, seconded by Councilmember Mailman. There was an abstention from voting on these minutes by Councilmember Little because she was absent.

Approved 3-0

- Minutes of Regular City Council Meeting 11/13/18

Moved for approval by Councilmember Hollis, seconded by Councilmember Mailman.

Approved 4-0

- Minutes of Public Hearing 11/20/18

Moved for approval by Councilmember Hollis, seconded by Councilmember Mailman.

Approved 4-0

- Minutes of Special Called Meeting 11/20/2018

Moved for approval by Councilmember Hollis, seconded by Councilmember Mailman.

Approved 4-0

- Minutes of Council Work Session 11/20/18
Moved for approval by Councilmember Hollis, seconded by Councilmember Mailman.

Approved 4-0

READING OF COMMUNICATIONS

None.

Councilmember Hollis announced that there was an action out of Executive Session that will be added to the agenda as a new item

ADOPTION OF THE AGENDA OF THE DAY

Councilmember Hollis moved for the adoption of the agenda of the day with the addition to add by unanimous consent the following:

- D. Approval of the City's Match for the Atlanta Regional Commission Parking Study Assistance Grant in the amount of \$3,200
- E. Placement of Advertisement in Newcomer's Guide & DeKalb Chamber Membership Directory
- F. Purchase of Police Radios/Golf Cart from our SPLOST fund in the amount of \$23,614.70
- G. The Application of the City Sign Ordinance for the Reconstruction of Rockborough Subdivision Entrance Sign at the Intersection of Rockbridge and Rockborough Drive for discussion.

Councilmember Hollis also moved for the addition under New Ordinances and Resolutions – G. Resolution 2018-31 to Amend the General Fund Budget for the Year Ending December 31, 2018.

Seconded by Councilmember Mailman

Motion approved 4-0

UNFINISHED BUSINESS

None

NEW BUSINESS

A. Consent Agenda

Councilmember Hollis moved to remove Item 4 from the Consent Agenda concerning the Visitor's Center Agreement Renewal between the City of Stone Mountain and the Stone Mountain Memorial Services and add Item H for appointments.

Seconded by Councilmember Mailman

Motion approved 4-0

Councilmember Hollis moved to add the appointment of Municipal Court Judge Gina Bernard under Item H.

Seconded by Councilmember Mailman

Motion approved 4-0

Councilmember Hollis moved to approve under the Consent Agenda the following:

1. Appointments by the City Council
 - a. City Auditor – James Whitaker, P.C.
 - b. City Engineers – Clark, Patterson, Lee
Lord, Aeck, & Sargent
 - c. City Attorney – Joe Fowler
 - d. Assistant City Attorney – Solicitor Otanya Clarke
 - e. Municipal Court Judge – Mark Gaffney
 - f. Municipal Court Judge – Warren Hoffman
 - g. Municipal Court Judge – L'erin Barnes Wiggins
 - h. Municipal Court Judge - TBD
 - i. Legal Organ – The Champion Newspaper

2. Contract for Services Renewal – City of Stone Mountain Art Station, Inc.
3. Contract for Services Renewal – City of Stone Mountain and Professional Probation Services, Inc.
4. Lease Agreement – City of Stone Mountain and VFW Park Stone Mountain Community Garden
5. Renewal Agreement – City of Stone Mountain and Property Registration Champions, LLC

Seconded by Councilmember Mailman

Motion Approved 4-0

B. Request for Sewer line Easement - Discussion Only

City Manager Thornton stated that there was no further information from the requestor, so requesting to be removed from the Agenda until the appropriate time.

C. Consider a Variance Application for 838 Beaver Run, Stone Mountain, GA 30083; parcel 18 074 07 022

City Manager Thornton gave an update on the application for a variance to a single-family dwelling new construction in the Historic Shermantown district. The owner needed a variance of 403 sq ft in reduction of the lot size and a reduction of lot width from 50 ft to 45.7 ft and an increase of the building height from 30 ft to 32 ft. She stated that his variance was presented to Planning and Zoning and their recommendation was to allow for the variance of Items 1 and 2 and not Item 3. City Manager Thornton advised Council that the applicant did have neighbors at the meeting who were not in opposition of the building height variance; and that Mr. Collins would speak with his architect to see if they could make the 30ft height of the building work without changing the pitch of the house.

Mayor Pro Tem wanted to clarify that the approval would be for Item 1 and Item 2 but not Item 3. Therefore, there were no further questions after the discussion.

Variance of Item 1 and Item 2 approved 4-0

Council decided to wait on the architect's decision on the height of the house to stay within the 30ft and not make a decision to go against the recommendation of Planning and Zoning at this time.

D. Councilmember Hollis moved for the approval of the City's Match for the Atlanta Regional Commission Parking Study Assistance Grant for \$3200; seconded by Councilmember Little.

Mayor Pro Tem discussed that DDA reached out to ARC for a parking study grant and the grant was received with a match of \$3200. DDA felt that it was better suited for the City to take the lead on the study and not DDA since it could impact City ordinances. She stated that if this is approved then we would need to finalize our scope and get started on the actual study and then implement within the next year depending on findings.

City Manager Thornton advised that upon Council's approval she will bring an amendment to the budget for the \$3200.00 in a special called meeting.

Approved 4-0

E. Councilmember Hollis moved for the Placement of Advertisement in Newcomer's Guide & Dekalb Chamber Membership Directory

City Manager Thornton gave explanation of the item and suggested anywhere from a ¼ page to a ¾ page advertisement by the City and it would come out of General Government Advertising.

Council agreed on a ½ page advertisement.

Councilmember Hollis moved for the placement of a ½ page advertisement in the Newcomer's Guide & DeKalb Chamber Membership Directory in the amount of \$800.00; seconded by Councilmember Little.
No further discussion.

Approved 4-0

F. Councilmember Hollis moved for the Purchase of Police Radios/Golf Cart from our SPLOST fund in the amount of \$23,614.70; seconded by Councilmember Mailman.

City Manager Thornton explained that a few years ago it was put into place to phase out the radios because their obsolete, so a couple are bought every year since then; therefore, SPLOST funds will allow the City to get the rest of the necessary radios at one time. The cost of the replacement of the radios will be \$16,777.70. She stated that since this is a golf cart community the Police Department has been wanting a golf cart and for the need for the Administration Department as well if needed. Chief Troutman advised that the golf cart would be outfitted with lights. Councilmember Hollis questioned the fee for outfitting the golf cart with lights, and City Manager Thornton stated that a quote has not been received as of yet for the lights.

Approved 4-0

G. Councilmember Hollis moved for the discussion of the Application of the City Sign Ordinance – Reconstruction of Rockborough Subdivision Entrance Sign at the Intersection of Rockbridge and Rockbrough Drive.

Discussion was had between Council, City Manager Thornton and the residents of the Rockborough subdivision. Sign will require a sign permit, which has never been submitted by the representative of the HOA of Rockborough subdivision. A stop work order is currently on the construction of the sign because no sign permit was ever obtained and the materials of the sign are not in compliance with ordinance; therefore, a Variance Application would need to be submitted to the Council or another option would be to make changes to the Sign ordinance which will require two reads. In order for the sign permit to be obtained, a Certificate of Liability will have to be submitted in the amount of a \$1,000,000. There was also questioning if the City would be willing to place the sign under their Certificate of Liability being that the sign is in the right of way; however, that would open the City up to insuring every other subdivision sign within the City limits. Council decided that they would look into amending the code and there would be a meeting between City Manager Thornton and Mr. John Claude to receive the sign permit application, as well as looking at the issue of the Certificate of Liability.

H. Councilmember Hollis moved for the approval of the Municipal Court Judge Gina Bernard.

No discussions or questions.

Approved 4-0

NEW ORDINANCES AND RESOLUTIONS

A. Ordinance 2018-09 To Amend Chapter 4 Animals (Discussion of Council Review)

There were no comments or questions from Council. There will be further discussion, additions or corrections at the Work Session before there is adoption of the ordinance.

B. Councilmember Hollis moved for the approval of Ordinance 2018-10 Budget for Fiscal Year 2019 (Second Reading and Adoption), seconded by Councilmember Mailman.
No discussion.

Approved 4-0

C. Councilmember Hollis moved for the approval of Ordinance 2018-11 To Amend Chapter 3 Alcoholic Beverages, Section 3-9 Times for sales (Second Reading and Adoption), seconded by Councilmember Little.
No discussion.

Approved 4-0

- D. Councilmember Hollis moved for the approval of Resolution 2018-25 The Annual Appointment of an Election Superintendent for 2019, seconded by Councilmember Mailman.
No discussion.

Approved 4-0

- E. Councilmember Hollis moved for the approval of Resolution 2018-26 Setting the Official Holiday Schedule for 2019, seconded by Councilmember Mailman.
No discussion.

Approved 4-0

- F. Councilmember Hollis moved for the approval of Resolution 2018-27 Appointment Prosecuting Attorney and Assistant Prosecuting Attorney, seconded by Councilmember Little.

City Manager Thornton advised that she spoke with current City Solicitor Clark and she has agreed to serve as Assisting Prosecuting Attorney. Joe Fowler will be Prosecuting Attorney.
No further discussion.

Approved 4-0

- G. Councilmember Hollis moved for the approval of Resolution 2018-31 to Amend the General Fund Budget for the Year Ending December 31, 2018, seconded by Councilmember Mailman.

City Manager Thornton explained that Councilmember Wells did give permission to move funds from his travel line item to Councilmember Bryant's travel line item for education for Mayor's Day. There is also a transfer in Court Services line items for equipment and computers. Total amendment to General Fund Budget is \$1928.00 in transfers.
No further discussion.

Approved 4-0

COMMITTEE DISCUSSION ITEMS

A. Planning and Zoning

City Manager Thornton stated that Christopher Hunt is scheduled to go back to P & Z with a current site plan for the third Monday of this month.

B. Economic Development/Downtown Development Authority

Mayor Pro Tem Johnson advised that DDA will have a meeting on December 10 and they will have a work plan session scheduled for January 10.

C. Historic Preservation Commission

City Manager Thornton advised that there will be a meeting this third Wednesday of the month to hear two items.

REMARKS OF PERSONAL PRIVILEGE

Councilmember Little spoke on there being an advocate to speak for the businesses in the City. Mayor Pro Tem then spoke on the liaison between Kim Cumbie and the Business Association as being that advocacy and if it is not working then a larger conversation needs to happen.

Councilmember Mailman spoke on the food co-op at the Methodist church and helping to provide food. He also spoke on paying off the lunch accounts at the local school for those that were delinquent and that 75% of those funds will come from the Masonic Lodge.

Mayor Pro Tem stated that they are tentatively looking at January 31 at 6:00pm for the Town Hall State of the City Address.

City Manager Thornton stated that there needs to be a date set for the SPLOST workshop as well.

ANNOUNCEMENTS BY THE MAYOR

None.

ADJOURNMENT

Councilmember Hollis moved to adjourn, seconded by Councilmember Mailman.

Unanimous

Meeting adjourned at 8:09pm.

Patricia Wheeler, Mayor

Alicia Daniels, Assistant City Clerk