



**CITY OF JONESBORO  
Regular Meeting  
170 SOUTH MAIN STREET  
January 14, 2019 – 6:00 PM**

NOTE: As set forth in the Americans with Disabilities Act of 1990, the City of Jonesboro will assist citizens with special needs given proper notice to participate in any open meetings of the City of Jonesboro. Please contact the City Clerk's Office via telephone (770-478-3800) or email at [rclark@jonesboroga.com](mailto:rclark@jonesboroga.com) should you need assistance.

**Agenda**

- I. CALL TO ORDER - MAYOR JOY B. DAY**
- II. ROLL CALL - RICKY L. CLARK, JR., CITY MANAGER**
- III. INVOCATION - LED BY REV. JEREMY MAHAFFEY - ANDREWS CHAPEL UNITED METHODIST CHURCH (YOUTH PASTOR)**
- IV. PLEDGE OF ALLEGIANCE**
- V. ADOPTION OF AGENDA**
- VI. PRESENTATIONS - NONE**
- VII. PUBLIC HEARING**
  1. Public Hearing regarding Variance Application #18-VAR-002 for Speedway gas station, to consider multiple variances concerning parking space location, maximum number of signs, maximum sign area, maximum sign height, sign changeable copy limits, minimum building façade height, and minimum building façade fenestration, by Speedway, LLC for property located at 8500 Tara Boulevard (Parcel No. 05240B A004), Jonesboro, Georgia 30236.
  2. Public Hearing regarding Application #19ALC-001, a request for a Retail Package Dealer license to sell beer and wine beverages for property located at 226 N. Main Street by Marymatha, Inc dba- Exxon Onestop Gas & Grocery, Prathish Jose Licensed Representative.
  3. Public Hearing regarding Application #19ALC-002, a request for an Alcohol Beverage Pouring License to dispense beer and wine for property located at 246 N. Main Street by Sybounhieng Corporation dba- Taste of Thailand, Khamla Akhavong Licensed Representative.
  4. Public Hearing regarding the establishment of an Arts & Entertainment District Overlay.
- VIII. PUBLIC COMMENT (PLEASE LIMIT COMMENTS TO THREE (3) MINUTES)**

**IX. MINUTES**

1. Consideration of the Minutes of the December 10, 2018 Regular Meeting.
2. Consideration of the Minutes of the January 7, 2019 Work Session.

**X. CONSENT AGENDA**

1. Council to consider Resolution #2019-001 calling for the 2019 Municipal Election and establishment of the qualifying fee.
2. Council to consider the purchase of fifteen (15) special event radios from Radio Communications Specialists in the amount of \$2,985.00.

**XI. OLD BUSINESS**

1. Council to consider Variance Application #18-VAR-002 for Speedway gas station, to consider multiple variances concerning parking space location, maximum number of signs, maximum sign area, maximum sign height, sign changeable copy limits, minimum building façade height, and minimum building façade fenestration, by Speedway, LLC for property located at 8500 Tara Boulevard (Parcel No. 05240B A004), Jonesboro, Georgia 30236.
2. Council to consider Application #19ALC-001, a request for a *Retail Package Dealer* license to sell beer and wine beverages for property located at 226 N. Main Street by Marymatha, Inc dba- Exxon Onestop Gas & Grocery, Prathish Jose Licensed Representative.
3. Council to consider Application #19ALC-002, a request for an Alcohol Beverage Pouring License to dispense beer and wine for property located at 246 N. Main Street by Sybounhieng Corporation dba- Taste of Thailand, Khamla Akhavong Licensed Representative.
4. Council to consider Ordinance #2019-002 regarding implementation of the Jonesboro Traffic Safety Camera Program (TSCP) and an agreement by and between the City of Jonesboro and Redspeed.
5. Council to consider Ordinance #2019-001 amending various sections of Chapter 86, Zoning, establishing an Arts & Entertainment District Overlay.

**XII. NEW BUSINESS**

1. Council to consider fee waiver for usage of Lee Street Park by the American Cancer Society for the Relay for Life Event to be held on April 27, 2019.
2. Council to consider adoption of Budget Amendment #19-01 in the amount of \$1,000.00 making needed line item transfers within the Public Works Department.
3. Council to consider authorizing the City Manager to enter into an agreement with Insite Systems, Inc. in the amount of \$2,600 Incode Integrated Property, and Business License software services, including implementation, training, maintenance, support, and hosting.

**XIII. REPORT OF MAYOR / CITY MANAGER****XIV. OTHER BUSINESS**

**XV. ADJOURNMENT**

**CITY OF JONESBORO  
REGULAR MEETING  
170 SOUTH MAIN STREET  
December 10, 2018 – 6:00 PM**

**MINUTES**

The City of Jonesboro Mayor & Council held their Regular Meeting on Monday, December 10, 2018. The meeting was held at 6:00 PM at the Jonesboro Police Station, 170 South Main Street, Jonesboro, Georgia.

**AGENDA**

- I. **CALL TO ORDER - MAYOR JOY B. DAY**
- II. **ROLL CALL - RICKY L. CLARK, JR., CITY MANAGER**

Attendee Name	Title	Status	Arrived
Larry Boak	Councilmember	Present	
Alfred Dixon	Councilmember	Present	
Bobby Lester	Councilmember	Present	
Billy Powell	Councilmember	Present	
Pat Sebo	Councilmember	Present	
Ed Wise	Councilmember	Present	
Joy B. Day	Mayor	Present	
Ricky L. Clark	City Manager	Present	
Pat Daniel	Assistant City Clerk	Present	
Clifford Kelker	Chief of Police	Present	
Joe Nettleton	Public Works Director	Present	
Cable Glenn-Brooks	Executive Assistant	Present	
David Allen	Community Development Director	Present	

- III. **INVOCATION - MOMENT OF SILENCE FOR THE PASSING OF CAROL CANNON - JONESBORO RESIDENT**
- IV. **PLEDGE OF ALLEGIANCE**
- V. **ADOPTION OF AGENDA**

1. Motion to amend the agenda with the following items:

**RESULT: APPROVED [UNANIMOUS]**  
**MOVER:** Pat Sebo, Councilmember  
**SECONDER:** Ed Wise, Councilmember  
**AYES:** Boak, Dixon, Lester, Powell, Sebo, Wise

**Under New Business:**

- Item No. 1 - *Council to consider approval of Resolution #2018-017 authorizing the submission of a Community Development Block Grant for the Central Business District Sidewalk Enhancement project.*
- Item No. 2 - *Council to consider approval of Ordinance #2018-016 amending the Code of*

**Ordinances of the City of Jonesboro, to amend Chapter 74, Traffic and Vehicles, Article III, Speed Zones, to revise provisions on the speed limits for On-System and Off-System Roadways.**

- Item No. 3 - *Council to consider approval of revisions to the City of Jonesboro Pay and Classification Plan.*
- Item No. 4 - *Council to consider approval of a Consulting Agreement by and between the City of Jonesboro and Public-Private Partnership Project Management, Inc (4PM) to provide such consulting and assistance as may be necessary to assist in facilitating the design, financing, development and construction of the new Municipal Complex.*

2. Motion to adopt the agenda with aforementioned amendments.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Ed Wise, Councilmember
<b>SECONDER:</b>	Bobby Lester, Councilmember
<b>AYES:</b>	Boak, Dixon, Lester, Powell, Sebo, Wise

**VI. PRESENTATIONS - NONE**

**VII. PUBLIC HEARING - NONE**

**VIII. PUBLIC COMMENT (PLEASE LIMIT COMMENTS TO THREE (3) MINUTES**

Alex Brock of Sovereign Partners - Spoke in favor of the proposed Grove Subdivision.

**IX. MINUTES**

1. Consideration of the Minutes of the November 12, 2018 Regular Meeting.
2. Consideration of the Minutes of the December 3, 2018 Work Session.

**X. CONSENT AGENDA**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Ed Wise, Councilmember
<b>SECONDER:</b>	Alfred Dixon, Councilmember
<b>AYES:</b>	Boak, Dixon, Lester, Powell, Sebo, Wise

1. Council to consider approval of the FY' 19 Holiday Calendar.
2. Council to consider approval of 2018 audit engagement letter with Fulton & Kozak.
3. Council to consider approval of revisions to the Jonesboro Police Department Standard Operating Procedures.
4. Council to consider approval of City of Jonesboro Employee Medical Benefits opt-out arrangement.
5. Council to consider approval regarding City of Jonesboro Spousal Surcharge Policy.
6. Council to consider approval of regarding #18-TA-006, Ordinance #2018-016 a proposed text amendment to the City of Jonesboro Code of Ordinances, regarding further revisions and updates to Chapter 70 – Telecommunications, of the City of Jonesboro Code of Ordinances.
7. Council to consider approval of Ordinance #2018-015 adopting the FY' 19 proposed budget.

## XI. OLD BUSINESS

1. Council to consider approval of 18-VAR-007, variances for The Grove subdivision, to consider multiple variances concerning the reduction of the minimum front setback, reduction of greenspace width, greenspace location, and the provision of front entry garages on non-corner lots, by Sovereign Holdings, LLC and Key Corp Financial, Inc., for property located at 0 McDonough Street (Parcel No. 13240D A027), Jonesboro, Georgia 30236.

<b>RESULT:</b>	<b>APPROVED WITH THE FOLLOWING CONDITIONS/VARIANCES</b>
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**Motion to approve Variance Request #1 –**

**Reduction of front setback from 20 feet to 17.5 feet from front property line.**

**RESULT:** APPROVED [UNANIMOUS]

**MOVER:** Ed Wise, Councilmember

**SECONDER:** Alfred Dixon, Councilmember

**AYES:** Boak, Dixon, Lester, Powell, Sebo, Wise

**Motion to approve Variance Request #2 –**

***Not all greenspace meets 100-foot width req.; match what is provided on plat and in field. (Although the greenspace total is now 21.6% (20% min. required), some of the greenspace cannot meet the 100-foot minimum requirement, due to existing site constraints.)***

**RESULT:** APPROVED [UNANIMOUS]

**MOVER:** Pat Sebo, Councilmember

**SECONDER:** Ed Wise, Councilmember

**AYES:** Boak, Dixon, Lester, Powell, Sebo, Wise

**Motion to approve Variance Request #4 –**

**Except on designated corner lots, placement of garages for front entry of vehicles.**

**RESULT:** APPROVED [6 TO 1]

**MOVER:** Ed Wise, Councilmember

**SECONDER:** Alfred Dixon, Councilmember

**AYES:** Boak, Dixon, Lester, Powell, Sebo, Wise

**NAYS:** Day

**Motion to approve Final Plat with following conditions:**

**RESULT:** APPROVED [6 TO 1]

**MOVER:** Ed Wise, Councilmember

**SECONDER:** Alfred Dixon, Councilmember

**AYES:** Boak, Dixon, Lester, Powell, Sebo, Wise

**NAYS:** Day

**Conditions of Final Plat:**

1. Written verification shall be obtained from the Fire Marshal's Office that the Wallis Street connection to The Grove can be closed and not built.
2. Minimum 18-foot wide concrete driveways with a minimum 20 feet of driveway length between the garage front and the edge of the sidewalk closest to the garage door shall be achieved for all home lots.
3. Provide 4-foot wide concrete sidewalks with a 2-foot wide grass strip between the sidewalk and back of curb where indicated on the final plat.
4. Greenspace area #1 is required to have a walking trail amenity.
5. Dead-end area for Grove Parkway near the southeast property corner shall become a permanent landscape area, subject to approval by Jonesboro Community Development.
6. This approval connotes approval of the horizontal aspects of The Grove final plat only. Vertical elements, such as house design, streetlight design, and fencing shall be addressed in a new Developer's Agreement approved by Jonesboro City Council prior to the permitting of houses within the subdivision.
7. The design and material type of the required drainage wall along the rear of lots 15 through 20 shall be addressed in the aforementioned developer's agreement.
8. The suitability of the existing streets shall be verified with coring samples at necessary intervals throughout the subdivision.
9. The former portion of Wallis Street connected to Grove Park Lane shall be permanently converted to greenspace and shall be a no-vehicle access area. **The portion of street named "Wallis Street" on The Grove final plat between lots 35 / 36 and 41 / 49 shall be renamed.**
10. The Jonesboro City Council will reserve a decision on whether or not The Grove subdivision will be a gated community at the time of finalization of the new developer's agreement.

## XII. NEW BUSINESS

1. Council to consider approval of Resolution #2018-017 authorizing the submission of a Community Development Block Grant for the Central Business District Sidewalk Enhancement project.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Ed Wise, Councilmember
<b>SECONDER:</b>	Pat Sebo, Councilmember
<b>AYES:</b>	Boak, Dixon, Lester, Powell, Sebo, Wise

2. Council to consider approval of Ordinance #2018-016 amending the Code of Ordinances of the City of Jonesboro, to amend Chapter 74, Traffic and Vehicles, Article III, Speed Zones, to revise provisions on the speed limits for On-System and Off-System Roadways.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Ed Wise, Councilmember
<b>SECONDER:</b>	Alfred Dixon, Councilmember
<b>AYES:</b>	Boak, Dixon, Lester, Powell, Sebo, Wise

3. Council to consider approval of revisions to the City of Jonesboro Pay and Classification Plan.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Pat Sebo, Councilmember
<b>SECONDER:</b>	Ed Wise, Councilmember
<b>AYES:</b>	Boak, Dixon, Lester, Powell, Sebo, Wise

4. Council to consider approval of a Consulting Agreement by and between the City of Jonesboro and Public-Private Partnership Project Management, Inc (4PM) to provide such consulting and assistance as may be necessary to assist in facilitating the design, financing, development and construction of the new Municipal Complex.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Pat Sebo, Councilmember
<b>SECONDER:</b>	Ed Wise, Councilmember
<b>AYES:</b>	Boak, Dixon, Lester, Powell, Sebo, Wise

### XIII. OTHER BUSINESS

#### 1. REPORT FROM MAYOR/CITY MANAGER

At this time, City Manager Clark provided the following updates:

- Broad Street - Mr. Clark advised that plans are underway to complete the construction drawings for the Broad Street plaza project to include the three-restaurant food terminal and the brew pub. Mr. Clark noted that we should be ready to break ground before May of 2019.
- Reminder of the Clayton County Tourism Luncheon Wednesday December 12th.
- Reminder of the Christmas Parade and Tree Lighting Saturday December 15th.

#### 2. REPORT FROM COUNCILMEMBERS

Councilmember Boak - None

Councilmember Lester - None

Councilmember Wise - None

Councilmember Powell - None

Councilmember Dixon - Reminder of Chairman Jeffrey Turner's Holiday Fundraiser and Toy Drive, Thursday December 13<sup>th</sup>, Skyboxx Restaurant and Lounge located, 2180 Mt. Zion Parkway, Morrow, GA from 6:00 p.m. to 9:00 p.m.

Councilmember Sebo-Hand - None

### XIV. ADJOURNMENT

#### 1. Motion to Adjourn

**RESULT: APPROVED [UNANIMOUS]**  
**MOVER:** Ed Wise, Councilmember  
**SECONDER:** Billy Powell, Councilmember  
**AYES:** Boak, Dixon, Lester, Powell, Sebo, Wise

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JOY B. DAY – MAYOR

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RICKY L. CLARK, JR. – CITY MANAGER

**CITY OF JONESBORO  
WORK SESSION  
170 SOUTH MAIN STREET  
January 7, 2019 – 6:00 PM**

**MINUTES**

The City of Jonesboro Mayor & Council held their Work Session on Monday, January 7, 2019. The meeting was held at 6:00 PM at the Jonesboro Police Station, 170 South Main Street, Jonesboro, Georgia.

**AGENDA**

- I. **CALL TO ORDER - MAYOR JOY B. DAY**
- II. **ROLL CALL - RICKY L. CLARK, JR., CITY MANAGER**

Attendee Name	Title	Status	Arrived
Larry Boak	Councilmember	Present	
Alfred Dixon	Councilmember	Present	
Bobby Lester	Councilmember	Present	
Billy Powell	Councilmember	Present	
Pat Sebo	Councilmember	Present	
Ed Wise	Councilmember	Present	
Joy B. Day	Mayor	Remote	
Ricky L. Clark	City Manager	Present	
Pat Daniel	Assistant City Clerk	Present	
Clifford Kelker	Chief of Police	Present	
Joe Nettleton	Public Works Director	Absent	
Cable Glenn-Brooks	Executive Assistant	Present	
Brandon Hermsmeier	Public Works - Interim Director	Present	

- III. **INVOCATION - LED BY MAYOR JOY B. DAY**

- IV. **ADOPTION OF AGENDA**

1. Motion to adopt the agenda with the following amendments:

**RESULT: APPROVED [UNANIMOUS]**  
**MOVER:** Pat Sebo, Councilmember  
**SECONDER:** Alfred Dixon, Councilmember  
**AYES:** Boak, Dixon, Lester, Powell, Sebo, Wise

Table Item No. 11 - Council to consider reappointments to the Jonesboro Historic Preservation Commission.

- V. **ANNUAL APPOINTMENTS**

1. Council to consider appointment of Mayor Pro-Tem for 2019.

At this time, Mayor Day opened the floor for nominations of Mayor Pro Tem.

*Upon a Motion made by Councilman Lester, seconded by Councilman Boak, the nomination of Councilman Dixon as Mayor Pro-Tem was brought forward.*

*Upon a Motion made by Councilman Wise, seconded by Councilwoman Sebo-Hand, the nomination of Councilwoman Sebo as Mayor Pro Tem was brought forward.*

Hearing no further nominations, a motion was made by Councilwoman Sebo-Hand, seconded by Councilman Powell to close nominations.

At this time, Mayor Day called the question to vote on the nominations brought forward.

*Upon a Motion made by Councilman Lester, seconded by Councilman Boak, Councilman Dixon was named Mayor Pro-Tem for 2019. The motion followed with a 4-0 vote with Councilmembers Lester, Boak, Powell & Dixon voting in favor.*

2. Council to consider reappointment of City Manager - Ricky L. Clark, Jr.

**RESULT: APPROVED [UNANIMOUS]**  
**MOVER:** Pat Sebo, Councilmember  
**SECONDER:** Billy Powell, Councilmember  
**AYES:** Boak, Dixon, Lester, Powell, Sebo, Wise

3. Council to consider reappointment of Chief of Police - Cliff Kelker

**RESULT: APPROVED [UNANIMOUS]**  
**MOVER:** Billy Powell, Councilmember  
**SECONDER:** Bobby Lester, Councilmember  
**AYES:** Boak, Dixon, Lester, Powell, Sebo, Wise

4. Council to consider reappointment of Public Works Director - Joe Nettleton

**RESULT: APPROVED [UNANIMOUS]**  
**MOVER:** Billy Powell, Councilmember  
**SECONDER:** Alfred Dixon, Councilmember  
**AYES:** Boak, Dixon, Lester, Powell, Sebo, Wise

5. Council to consider reappointment of Legal Counsel - Fincher Denmark LLC

**RESULT: APPROVED [UNANIMOUS]**  
**MOVER:** Pat Sebo, Councilmember  
**SECONDER:** Bobby Lester, Councilmember  
**AYES:** Boak, Dixon, Lester, Powell, Sebo, Wise

6. Council to consider reappointment of Municipal Court Judge - Keith Wood

**RESULT: APPROVED [UNANIMOUS]**  
**MOVER:** Pat Sebo, Councilmember  
**SECONDER:** Bobby Lester, Councilmember  
**AYES:** Boak, Dixon, Lester, Powell, Sebo, Wise

7. Council to consider reappointment of Municipal Court Solicitor - Jerry Patrick

**RESULT: APPROVED [UNANIMOUS]**  
**MOVER:** Pat Sebo, Councilmember  
**SECONDER:** Alfred Dixon, Councilmember  
**AYES:** Boak, Dixon, Lester, Powell, Sebo, Wise

8. Council to consider reappointment to the Urban Redevelopment Agency of the City of Jonesboro for the following Board Members for a term to expire January 1, 2020: Joy B. Day (Chairman), Jule Segner (Vice-Chairman), Pat Sebo (Board Member), Helen Meadows (Board Member), Ed Wise (Board Member), Ricky L. Clark, Jr. (Secretary).

**RESULT: APPROVED [UNANIMOUS]**  
**MOVER:** Pat Sebo, Councilmember  
**SECONDER:** Alfred Dixon, Councilmember  
**AYES:** Boak, Dixon, Lester, Powell, Sebo, Wise

9. Council to consider appointment of the following Accident Review Committee Members for a term to expire January 1, 2020: Joy B. Day (Chairman), Ricky L. Clark, Jr., (City Manager), Joe Nettleton (Public Works Director), Cliff Kelker (Chief of Police), Accident Reconstructivist or Designee (Lt. Jonathan James), Mayor's Appointee (Councilman Powell).

**RESULT: APPROVED [UNANIMOUS]**  
**MOVER:** Alfred Dixon, Councilmember  
**SECONDER:** Pat Sebo, Councilmember  
**AYES:** Boak, Dixon, Lester, Powell, Sebo, Wise

10. Council to consider reappointment of Jule Segner to the Downtown Development Authority of the City of Jonesboro and the Jonesboro Main Street Advisory Board for a term to expire September 9, 2022.

**RESULT: WITHDRAWN [UNANIMOUS]**  
**AYES:** Boak, Dixon, Lester, Powell, Sebo, Wise

11. Council to consider reappointment of Helen Meadows to the Downtown Development Authority and Jonesboro Main Street Advisory Board for a term to expire September 12, 2022.

**RESULT: APPROVED [UNANIMOUS]**  
**MOVER:** Pat Sebo, Councilmember  
**SECONDER:** Alfred Dixon, Councilmember  
**AYES:** Boak, Dixon, Lester, Powell, Sebo, Wise

## VI. WORK SESSION

1. Discussion regarding Variance Application #18-VAR-002, variances for Speedway gas station, to consider multiple variances concerning parking space location, maximum number of signs, maximum sign area, maximum sign height, sign changeable copy limits, minimum building façade height, and minimum building façade fenestration, by Speedway, LLC for property located at 8500 Tara Boulevard (Parcel No. 05240B A004), Jonesboro, Georgia 30236.

**RESULT: PUBLIC HEARING REQUIRED Next: 1/14/2019 6:00 PM**

2. Discussion regarding Application #19ALC-001, a request for a *Retail Package Dealer* license to sell beer and wine beverages for property located at 226 N. Main Street by Marymatha, Inc dba- Exxon Onestop Gas & Grocery, Prathish Jose Licensed Representative.

**RESULT: PUBLIC HEARING REQUIRED Next: 1/14/2019 6:00 PM**

3. Discussion regarding Application #19ALC-002, a request for an Alcohol Beverage Pouring License to dispense beer and wine for property located at 246 N. Main Street by Sybounhieng Corporation dba- Taste of Thailand, Khamla Akhavong Licensed Representative.

**RESULT: PUBLIC HEARING REQUIRED Next: 1/14/2019 6:00 PM**

4. Discussion regarding implementation of the Jonesboro Traffic Safety Camera Program (TSCP) to include necessary ordinance revisions and an agreement by and between the City of Jonesboro and Redspeed.

**RESULT: OLD BUSINESS Next: 1/14/2019 6:00 PM**

5. Discussion regarding Ordinance #2019-001 Arts & Entertainment District Overlay.

**RESULT: PUBLIC HEARING REQUIRED Next: 1/14/2019 6:00 PM**

6. Discussion regarding Resolution #2019-001 calling for the 2019 Municipal Election and establishment of the qualifying fee.

**RESULT: CONSENT AGENDA ITEM Next: 1/14/2019 6:00 PM**

7. Discussion regarding the purchase of fifteen (15) special event radios.

**RESULT: CONSENT AGENDA ITEM Next: 1/14/2019 6:00 PM**

FY' 19 Contingency Fund will be utilized for this purchase.

## VII. OTHER BUSINESS - NONE

## VIII. ADJOURNMENT

1. Motion to adjourn at 6:43 p.m.

**RESULT: APPROVED [UNANIMOUS]**  
**MOVER:** Pat Sebo, Councilmember  
**SECONDER:** Billy Powell, Councilmember  
**AYES:** Boak, Dixon, Lester, Powell, Sebo, Wise

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JOY B. DAY – MAYOR

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RICKY L. CLARK, JR. – CITY MANAGER

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JOY B. DAY – MAYOR

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RICKY L. CLARK, JR. – CITY MANAGER



## CITY OF JONESBORO, GEORGIA COUNCIL Agenda Item Summary

Agenda Item #

-1

10.1

COUNCIL MEETING DATE  
January 14, 2019

Requesting Agency (Initiator)

Office of the City Manager

Sponsor(s)

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Council to consider Resolution #2019-001 calling for the 2019 Municipal Election and establishment of the qualifying fee.

Requirement for Board Action *(Cite specific Council policy, statute or code requirement)*

City Charter - Article II - Government Structure (Section 2.10)

Is this Item Goal Related? *(If yes, describe how this action meets the specific Board Focus Area or Goal)*

Summary & Background

*(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

A general municipal election will be held in the City of Jonesboro on Tuesday, November 5, 2019, under the provisions of the laws relating to general law cities in the State of Georgia. The Mayor's seat (Joy B. Day) & three councilmember seats (at-large) will be up for reelection (Larry Boak, Alfred Dixon & Ed Wise). The winner of the election will take office January 1, 2020.

Qualifying for candidates will be held at the Jonesboro City Hall, 124 North Avenue, Jonesboro GA 30236 on Monday, August 19, 2019, Tuesday, August 20, 2019, Wednesday, August 21, 2019. The hours of qualifying shall be between the hours 8:30 a.m. and 4:30 p.m. The qualifying fee for the Mayor's seat is \$554.40 & the at-large seats are \$277.20, which is 3% of the total gross salary of the preceding year. Each candidate shall file a notice of candidacy in the office of the City Clerk of Jonesboro and must meet the qualifications of the Charter and Code of the City of Jonesboro, as well as all applicable state and constitutional laws.

Pursuant to O.C.G.A. § 212-131(a)(A), the City Council shall fix and publish the qualifying fees for the municipal offices to be filled in the upcoming election. The qualifying fee shall be equal to three percent (3%) of the total gross salary of the office paid in the preceding calendar year.

### Sec. 2.11. - City Council Terms and Qualifications for Office.

The mayor and councilmembers shall serve for terms of four years or until their respective successors are elected and qualified.

- No person shall be eligible for the office of mayor or councilmember unless he/she, at the time that he/she has qualified to run for office:
- Has been a resident of the city for a period of one year;
- Has reached the age of 21;
- Is a qualified voter; and

### FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title Ricky L. Clark, City Manager	Date January, 14, 2019	01/07/19 ITEM 01/14/19	City Council Next: 01/14/19 City Council APPROVED	CONSENT AGENDA
Signature	City Clerk's Office			

- Has not been convicted of any crime involving moral turpitude.
- No person's name shall be placed on the ballot as a candidate for mayor or councilmember unless such person shall have filed a notice of candidacy and shall have paid the qualifying fee to the city clerk of said city.

**Fiscal Impact**

*(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)*

**Exhibits Attached** (Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)

- Notice - Call for 2019 Municipal Election

**Staff Recommendation** (Type Name, Title, Agency and Phone)**Approval**

**WHEREAS**, the governing authority of the City of Jonesboro, Georgia (the "City") is the Mayor and Council thereof; and

**WHEREAS**, Pursuant to O.C.G.A. § 212-131(a)(A), the City Council shall fix and publish the qualifying fees for the municipal offices to be filled in the upcoming election. The qualifying fee shall be equal to three percent (3%) of the total gross salary of the office paid in the preceding calendar year;

**WHEREAS**, Section 5.13 of the City Charter states that all elections in the City shall be determined by plurality. The person receiving a plurality of votes cast, shall be elected.

**WHEREAS**, the Mayor and the members of the City Council wish to order said General Municipal Election to proceed as provided by law.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the City of Jonesboro and it is resolved by the authority of said City Council that:

Section 1: The City of Jonesboro Municipal Election is hereby called pursuant to the requirements of the Georgia Constitution, State Law and the City Charter; and

Section 2: The Municipal Election shall be held on November 5, 2019; and

Section 3: The Mayor's seat (Joy B. Day) & three councilmember seats (at-large) will be up for reelection (Larry Boak, Alfred Dixon & Ed Wise).

Section 3: Qualifying for candidates will be held at the Jonesboro City Hall, 124 North Avenue, Jonesboro GA 30236 on Monday, August 19, 2019, Tuesday, August 20, 2019, Wednesday, August 21, 2019. The hours of qualifying shall be between the hours 8:30 a.m. and 4:30 p.m. The qualifying fee for the Mayor's seat is \$554.40 & the at-large seats are \$277.20, which is 3% of the total gross salary of the preceding year. Each candidate shall file a notice of candidacy in the office of the City Clerk of Jonesboro and must meet the qualifications of the Charter and Code of the City of Jonesboro, as well as all applicable state and constitutional laws; and

Section 4: All elections in the city shall be determined by plurality. The person receiving a plurality of votes casted, shall be elected. In the event of a tie, said run-off election shall be held on Tuesday, December 3, 2019; and

**SO RESOLVED AND EFFECTIVE**, this 14<sup>th</sup> day of January, 2019.

APPROVED:

ATTEST:

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Ricky L. Clark, Jr., City Manager/Clerk

(SEAL)

## Call for Municipal Election and Qualifying Information

Notice is hereby given that the City of Jonesboro, Georgia shall hold the 2018 Municipal General Election on Tuesday, November 5, 2019 from 7am-7pm. Qualifying for the election shall be held at City Hall, 124 North Avenue, Jonesboro, Georgia beginning on Monday, August 19<sup>th</sup> through Wednesday, August 21<sup>st</sup> from 8:30 a.m. to 4:30 p.m.

OFFICE	SALARY	FEE
<b>Mayor – At Large</b> (Incumbent Joy B. Day)	\$18,480.00	(3%) \$554.40
<b>Council Member - At Large</b> (Incumbent Larry Boak)	\$9,240.00	(3%) \$277.20
<b>Council Member – At Large</b> (Incumbent Alfred Dixon)	\$9,240.00	(3%) \$277.20
<b>Council Member – At Large</b> (Incumbent Ed Wise)	\$9,240.00	(3%) \$277.20

The last day to file and publish a notice of intention to be a write-in candidate in the Municipal General Election is Friday, September 13, 2019.

### **Qualifications to hold public office in the City of Jonesboro**

#### **Pursuant to the Jonesboro City Charter the Qualifications of Council members shall be as follows:**

No person shall be eligible for the office of mayor or councilmember unless he/she, at the time that he/she has qualified to run for office:

- Has been a resident of the city for a period of one year;
- Has reached the age of 21;
- Is a qualified voter; and
- Has not been convicted of any crime involving moral turpitude.
- No person's name shall be placed on the ballot as a candidate for mayor or councilmember unless such person shall have filed a notice of candidacy and shall have paid the qualifying fee to the city clerk of said city.

All persons who are not registered to vote and who desire to register to vote in the general election may register to vote through the close of business on October 7, 2019.

This the 28<sup>th</sup> day of July, 2019

**Ricky L. Clark, Jr., CMC  
Election Superintendent  
City Manager/Clerk**



## CITY OF JONESBORO, GEORGIA COUNCIL Agenda Item Summary

Agenda Item #

-2

10.2

COUNCIL MEETING DATE  
January 14, 2019

Requesting Agency (Initiator)

Office of the City Manager

Sponsor(s)

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Council to consider the purchase of fifteen (15) special event radios from Radio Communications Specialists in the amount of \$2,985.00.

Requirement for Board Action *(Cite specific Council policy, statute or code requirement)*

Is this Item Goal Related? *(If yes, describe how this action meets the specific Board Focus Area or Goal)*

Yes

Recreation, Entertainment and Leisure Opportunities

Summary & Background

*(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

**Staff is recommending the purchase of fifteen (15) mobile radios to utilize for events within the City.**

Over the past few years, the number of events hosted and managed by the City has increased. As we are excited about the additional opportunities to network with our community and event-goers, our radio's, which were once property of the Police Department have run their course. On average, we spend about \$1,000 per year to rent radios from Diversified in Forest Park. The radios are used by our event staffers and are returned at the end of the event. This is how the Site Manager communicates to and with volunteer staff.

We have received two (2) quotes for the purchase of fifteen (15) radios.

- Radio Communications Specialists – 15 Kenwood 4W 16CH portable with belt clip, antenna, lithium-ion batteries, programmed, ready to operate - \$2,985.00
- Diversified Electronics Incorporated - \$6,025.00

If approved, staff recommends that this expense from FY' 19 Contingency.

Fiscal Impact

*(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)*

Exhibits Attached *(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)*

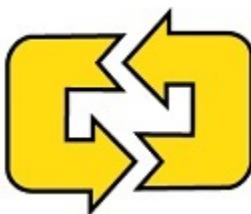
- Diversified Quote - #1 - Radio Purchase
- Radio Communication Specialists Quote - #2 - Radio Purchase

Staff Recommendation *(Type Name, Title, Agency and Phone)*

Approval

### FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title Ricky L. Clark, City Manager	Date January, 14, 2019	01/07/19 ITEM 01/14/19	City Council Next: 01/14/19	CONSENT AGENDA
Signature  City Clerk's Office			City Council APPROVED	



**DIVERSIFIED  
ELECTRONICS  
INCORPORATED**

309C Agnew Drive  
Forest Park, GA 30297  
404-361-4840

**Q U O T E**  
**116001516**

**Bill To:**

CITY OF JONESBORO  
124 NORTH AVE  
JONESBORO, GA 30236

**Ship To:**

CITY OF JONESBORO  
124 NORTH AVE  
JONESBORO, GA 30236

**Contact:**

**Contact #:**

**Contact:**

**Contact #:**

Date: 01/02/2019	Customer Rep: House Account		Terms: Net 10 Days	
Qty	Item	Description	Unit Price	Extended
15	AAH01QDC9JA2 N	CP200D, 403-470 4W ND	601.67	9,025.05
1	Order Discount		-3,000.00	-3,000.00

Subtotal	6,025.05
Tax	0.00
Quote Total	6,025.05

Valid for 90 days



**Radio Communications Specialists**

3045-G East Chestnut Expy.

Springfield, MO 65802

417-866-2622 - Fax: 417-866-7005

**QUOTE**

CUSTOMER	
----------	--

Date	Estimate No.
12/27/2018	7976
P.O. No.	Rep.

Jonesboro, City of  
124 North Ave.  
Jonesboro, GA 30236

QTY	ITEM	DESCRIPTION	UNIT	TOTAL
15	TK-3402UK	Kenwood 4W 16Ch portable with belt clip, antenna, lithium-ion battery, 3 hour charger, programmed, ready to operate.	290.83	4,362.45
15	DISCOUNT	SALES DISCOUNT	-91.83	-1,377.45

**TOTAL**

\$2,985.00



**CITY OF JONESBORO, GEORGIA COUNCIL  
Agenda Item Summary**

**Agenda Item #  
OLD BUSINESS – 1**

**11.1**

**COUNCIL MEETING DATE  
January 14, 2019**

Requesting Agency (Initiator) Office of the City Manager	Sponsor(s) Community Development Director Allen
<b>Requested Action</b> <i>(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)</i> Council to consider Variance Application #18-VAR-002 for Speedway gas station, to consider multiple variances concerning parking space location, maximum number of signs, maximum sign area, maximum sign height, sign changeable copy limits, minimum building façade height, and minimum building façade fenestration, by Speedway, LLC for property located at 8500 Tara Boulevard (Parcel No. 05240B A004), Jonesboro, Georgia 30236.	
<b>Requirement for Board Action</b> <i>(Cite specific Council policy, statute or code requirement)</i> City Code Section 86-107 – C-2 Zoning Standards; City Code Section 86-109 – Tara Boulevard Overlay	
<b>Is this Item Goal Related?</b> <i>(If yes, describe how this action meets the specific Board Focus Area or Goal)</i> Yes      Economic Development	
Summary & Background	<i>(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)</i>
<p><b>Agency recommendation – Approval of some variance requests (see below);</b> In June 2018, this proposed gas station / convenience store development went before the Design Review Commission, and its requested variances (see below) were scheduled to go before the Mayor and City Council in July. The Design Review Commission had some concerns with the site layout, particularly the reduction of the 50-foot wide required buffer at the rear of the property. At Speedway's request, the consideration of the layout and variances were postponed until the site could be re-designed to accommodate the full buffer.</p> <p>The 4.1-acre property was proposed to be divided into two lots and a subdivision plat was created in the spring to reflect this. A revised subdivision plat will have to be provided to reflect the shifted boundary line between proposed lots 1 and 2, which was shifted due to the revised site design.</p> <p>The original variance requests are listed below, with comments in red addressing the revised design and the current status of the variance requests.</p> <p><b>Variance request #1</b> – Reduce number of required parking spaces from 26 spaces required to 18 spaces; Code Section 86-410(7); Staff recommends approval of this request, since an inadequate number of parking spaces will only negatively affect the business, and the amount of impervious cover on the property will be reduced. No parking will be allowed on the shoulder or within the right-of-way of Tara Blvd. Since 26 required parking spaces would require 2 ADA compliant parking spaces, staff will still require two ADA spaces, even though the number of provided parking spaces (18) would only require 1 ADA parking space. One bicycle parking space must be provided, per 86-109 (l).</p> <p><b>December 2018 update: The re-design now contains 27 parking spaces, including two ADA parking spaces, so this variance is no longer needed. One space will have to be labeled as bicycle parking.</b></p> <p><b>Variance request #2</b> – Reduce required landscape buffer between dissimilar uses (Speedway and detached residential subdivision at rear) from 50 feet wide to 10 feet wide with 6-foot high fence along a portion of Lot 1; Code Section 86-454 and 86-109(f)(6)(a); Staff recommends denial of buffer reduction to only 10 feet wide adjacent to the residential property. If the quality of life of the citizens in the residential subdivision is to be adequately protected, then a 10-foot buffer with 6-foot high fence is inadequate. While a full 50-foot buffer may interfere with vehicular circulation (especially trucks) in the rear of the property, perhaps a compromise can be reached between 50 feet and 10 feet. The required buffer width between attached residential housing and commercial uses is 25 feet. Also, the Tara Blvd. Overlay (86-109(p)) mentions a 25-foot wide landscaped buffer between gasoline pump islands and residential properties (with minimum 6-foot high opaque fence or wall). Staff cannot recommend a buffer width any smaller than 25 feet wide. Existing vegetation must remain in the buffer area and shall be supplemented by additional landscape plantings as necessary and as determined by the Community Development Director, conforming to all applicable City buffer requirements. The proposed fencing or wall shall be 8 feet tall and shall extend along the entire property line between Lot 1 and the adjacent residentially zoned property. The fence or wall material shall be opaque, non-climbable, and shall not be wood. The goal of the fence is to provide an effective, durable, low-maintenance, visual barrier between the gas station and the residential property, which prevents a "cut-through" being</p>	

**FOLLOW-UP APPROVAL ACTION (City Clerk)**

Typed Name and Title Ricky L. Clark, City Manager	Date January, 14, 2019	01/07/19 REQUIRED 01/14/19	City Council PUBLIC HEARING Next: 01/14/19 City Council APPROVED WITH THE FOLLOWING CONDITIONS/VARIANCES
Signature	City Clerk's Office		

created between the gas station and the rear of the residential subdivision.

**December 2018 update: The re-design now has a 55-foot wide rear buffer, so this variance is no longer needed. However, staff is still recommending the same 8-foot tall, opaque, non-climbable, non-wood fence as before, and the fence needs to be installed the entire length of the rear property line at the actual property line, not the buffer line in the interior of the property.**

**Variance request #3** – Increase number of signs allowed from a combination of 1 wall sign and 1 ground sign (2 total), to a combination of 6 wall signs and 1 ground sign (7 total); Code Section 86-489(b)(1); Staff recommends approval of this request. Although the Sign Ordinance and the Tara Boulevard Overlay are partly designed to reduce a “cluttered” look on commercial properties, the wall signs proposed are spread out over the property and cannot all be seen in a single view from the road or at any other vantage point on the property. None of the individual wall signs proposed would exceed the 150-square foot limit per wall signs, per Code Section 86-490(b). These signs are referred to as “A1, A2, B, C, D, and F” on the provided signage plan. “G” and “F” are decals on the pavement. “E” is the ground sign proposed for the property.

**December 2018 update: Same request, unchanged. Staff recommendation of approval is also unchanged.**

**Variance request #4** – Provide changeable copy for a wall sign, in addition to a ground sign; Code Section 86-489(c)(1); This refers to sign “F”, an internally illuminated sign with non-electronic, changeable letters on a reader board. Staff recommends approval of this request. The sign will be located on the rear of the building, cannot be seen from the highway, and its small size should not be a detriment to adjacent properties.

**December 2018 update: Same request, unchanged. Staff recommendation of approval is also unchanged.**

**Variance request #5** – Increase ground sign face area from 35 square feet allowed to 260 square feet proposed. Code Section 86-4909a) – this was the code section referenced for general ground signs; however, there is another section, Code Section 86-489(d)(8) which provides for larger commercial signs within the Tara Boulevard Overlay:

In non-residential zoning districts within the Tara Boulevard Overlay District, as defined in section 86-109 of the 2005 Zoning Ordinance, the following shall apply: a. A lot with one building facing a primary arterial, which building is currently occupied pursuant to a current and valid certificate of occupancy issued by the city, shall be permitted one double-sided sign to be located within 100 feet of the right-of-way of the primary arterial, each side of which shall not exceed 150 square feet signage area. The height of the sign shall not exceed 35 feet. (It is assumed that this is a ground sign, since it mentions being “double-sided”.)

**Staff recommends denial of the exact request (260 total square feet).** In essence, there are two, separate ground signs on the same pole, one showing the fuel prices and another advertising “Speedway” and the “Speedy Café”. Thus, then City would have to approve or deny this based on the total square footage for the two separate sign faces. It is suggested that the “Speedy Café” sign portion be eliminated, since it is already prominently advertised on the building in the above approved variance request. Most gas station customers already assume there is a food at a gas station / convenience store. This would reduce the “Speedway sign portion to 71.5 square feet, allowing 78.5 feet for fuel price displays within allowable parameters. Possible alternatives:

- Reduce the entire fuel display face to 78.5 square feet (if there is an actual product that size)
- Eliminate the Ethanol display to make the fuel display, thereby making the fuel display face a total area of 124.9 square feet. If you took the altered “Speedway” sign area of 71.5 square feet and added 124.9 square feet, you would have a combination of 196.4 square feet, 46.4 square feet over the maximum allowed area, which staff believes is a more acceptable variance amount.

**December 2018 update: Same request, unchanged. Staff recommendation of denial is also unchanged. Staff feels that this sign area still needs to be reduced.**

**Variance request #6** – Increase height of ground sign allowed from 6 feet to 60 feet; Code Section 86-490(a); The most relevant code section to this is actually Code Section 86-489(d)(8) which provides for taller commercial signs within the Tara Boulevard Overlay:

In non-residential zoning districts within the Tara Boulevard Overlay District, as defined in section 86-109 of the 2005 Zoning Ordinance, the following shall apply: a. A lot with one building facing a primary arterial, which building is currently occupied pursuant to a current and valid certificate of occupancy issued by the city, shall be permitted one double-sided sign to be located within 100 feet of the right-of-way of the primary arterial, each side of which shall not exceed 150 square feet signage area. The height of the sign shall not exceed 35 feet.

**Staff recommends denial of the exact request (60 feet).** The property is on a hill. Though there is a significant amount of tree cover to the south and north of the property, there is not much commercial competition in the immediate area with other tall signs. Also, the tree cover on adjacent properties may not always be there. In keeping with the goal of adhering as closely as possible to the Tara Blvd. Overlay standards to ensure a quality product along the highway, staff believes that the 35-foot tall maximum on Tara Blvd. needs to be adhered to.

**December 2018 update: Same request, unchanged. Staff recommendation of denial is also unchanged. Staff feels that this sign height still needs to be reduced. There was a discussion at the June Design Review Commission about a monument sign more in the 20-foot**

height range, and this was the recommendation of that Board (to not exceed 20 feet in height).

**Variance request #7** – Increase allowable changeable copy percent from 20% to 58% for ground sign; Code Section 86-490(a); Staff recommends approval of the request; The changeable copy of the fuel prices needs to be displayed prominently, within reasonable parameters.

**December 2018 update: Same request, unchanged. Staff recommendation of approval is also unchanged.**

**Variance request #8** – Increase wall sign area from 150 square feet to 235.28 square feet; Code Section 86-490(b); This variance request assumes that variance request #3 will be approved for multiple wall signs. The combined total of the 6 proposed wall signs for the gas station would be 235.28 square feet. However, as stated before, the wall signs proposed are spread out over the property and cannot all be seen in a single view from the road or at any other vantage point on the property. Thus, the effect of one, large, 235.28 square foot sign is not achieved. None of the individual wall signs proposed would exceed the 150-square foot limit. Staff recommends approval of this request.

(Note: Proposed signs shall conform to the prohibited signs section 86-487.)

**December 2018 update: Same request, unchanged. Staff recommendation of approval is also unchanged.**

**Variance request #9** – No more than 50% of parking spaces shall be located in the front yard – proposal for 100% of parking spaces to be located in the front yard, due to additional fuel pumps, truck turn-arounds, and required buffers in the rear. Code Section 86-109(l)(1); Staff recommends approval of this request. One of the stated goals for this development was to protect the quality of life of citizens living in the existing detached, residential subdivision behind the subject property (Batiste Garden Circle, etc.). By not having parking in the back, it reduces the chance of the rear of the property becoming a “loitering” area near the adjacent residential area.

**December 2018 update: Same request, unchanged. Staff recommendation of approval is also unchanged.**

**Other items to consider:**

- After variance approval, a pre-development review meeting will need to be arranged with the Clayton County Water Authority to go over storm water detention / retention options. Where is detention area proposed? It cannot be located in the buffers.
- There is a maximum lot coverage of 80%. This needs to be double checked (impervious coverage).
- The minor subdivision plat needs to be approved by both the City and GDOT. Will there be any new driveways or will the development just be using the existing curb cuts? (See Note #3 on Zoning Plan.)

New plat is needed based on change in lot configurations and sizes.

- Will a traffic study be required per Section 86-109(e)(2)(b), since this development would likely generate 100 or more p.m. peak hour trips?
- Front sidewalks required? Anything to connect to? Sidewalks now seem to be shown on new plan.
- Provide street trees and landscape strips per the Tara Boulevard Overlay, including parking lot screening from highway.
- Confirm building height (and canopy height).
- Per the Tara Boulevard Overlay standards, the minimum lot width shall be 100 feet. The lot width on the plat is listed as over 300 feet. This is also the standard for C-2 zoning, with a 1-acre minimum lot area.
- In the parking area, there must be a tree island every twelve spaces. Complied
- The building shall conform to the architectural standards (Section 86-109(k)) of the Tara Boulevard Overlay District. At least 40% of façade facing highway must be clear glass.
- In Section 86-490, a ground sign shall not be located within ten feet of a street right-of-way or within 50 feet of any other sign, structure or building. The proposed ground sign appears to be too close to the proposed front gas canopy. Update: The sign and canopy appear to be 56.73 feet apart at the closest point. Thus, no variance would be needed.

**Design Review Commission recommendation, 12.5.18: Approval of revised site plan, and staying with original recommendations on each variance request.**

- No truck parking; not a truck stop
- Buffer fence to be placed at interior buffer end (high hill); Another security fence to be placed at actual property line. Staff is still recommending the same 8-foot tall, opaque, non-climbable, non-wood fence

- Buffer shall remain as undisturbed as possible.

In addition, staff reviewed the architectural elements and found that two more variances were needed:

1. Minimum required façade height of 18 feet is not maintained. (Max. 19 feet, minimum 12 feet)
2. Minimum 40% required glass on front façade not achieved. (35.7%)

Please add these with your consideration of the seven remaining site variances already described.

Variance summary for January 14, 2019 meeting:

1. Variance request #1 – Reduce number of required parking spaces

No longer needed.

2. Variance request #2 - Reduce required landscape buffer between dissimilar uses.

No longer needed.

3. Variance request #3 - Increase number of signs allowed from a combination of 1 wall sign and 1 ground sign (2 total), to a combination of 6 wall signs and 1 ground sign (7 total).

Recommend for approval.

4. Variance request #4 - Provide changeable copy for a wall sign, in addition to a ground sign. Recommend for approval.

5. Variance request #5 - Increase ground sign face area from 35 square feet allowed to 260 square feet proposed.

Recommend for denial for 260 square feet, do not exceed 200 square feet as variance amount.

6. Variance request #6 - Variance request #6 – Increase height of ground sign allowed from 6 feet to 60 feet.

Recommend for denial for 60 feet, stay at 35-foot height allowed.

7. Variance request #7 - Increase allowable changeable copy percent from 20% to 58% for ground sign.

Recommend for approval.

8. Variance request #8 - Increase wall sign area from 150 square feet to 235.28 square feet.

Recommend for approval.

9. Variance request #9 - No more than 50% of parking spaces shall be located in the front yard.

Recommend for approval.

10. Variance request #10 - Minimum required façade height of 18 feet is not maintained.

Recommend for approval.

11. Variance request #11 - Minimum 40% required glass on front façade not achieved.

Recommend for approval.

Suggested project approval conditions:

1. An 8-foot tall, opaque, non-climbable, non-wood fence shall be required at edge of the entire rear buffer line in the interior of the property. A 6-foot tall security fence shall be required along the entire rear property line between the proposed development and the residential parcels to the east. Vegetation in the 50-foot wide rear buffer shall remain undisturbed as much as practically possible.

**Fiscal Impact**

*(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)*

Private Developer

**Exhibits Attached** (Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)

- Agenda Cover Sheet - Speedway 8500 Tara Blvd REV January 2019
- 100008 Jonesboro, GA - Revised Application
- 100008 Jonesboro, GA-Variance Plans(11-19-18)
- 100008 Color Elevation 4600 v2 right CAFE 04302018
- Clayton News Dec 26 2018 Page 3A CND122618A03 (002)
- 12.26 Afdv city of jonesboro 579392 579393 (002)
- Public Hearing Sign 01\_14\_19
- Agenda Cover Sheet - Speedway 8500 Tara Blvd REV January 14 2019

**Staff Recommendation** (Type Name, Title, Agency and Phone)**Approval**



## CITY OF JONESBORO DESIGN REVIEW COMMITTEE Agenda Item Summary

Agenda It

11.1.a

COUNCIL MEETING DAT

Requesting Agency

Community Development (Speedway, LLC applicant)

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Variances on specific items (see below), relevant to zoning standards (C-2) and the Tara Blvd. Overlay standard

Requirement for Board Action *(Cite specific Council policy, statute or code requirement)*

City Code Section 86-107 – C-2 zoning standards; City Code Section 86-109 – Tara Boulevard Overlay

Is this Item Goal Related? *(If yes, describe how this action meets the specific Board Focus Area or Goal)* Yes  No**Summary & Background***(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

Agency recommendation – **Approval of some variance requests (see below)**; In June 2018, this proposed gas station / convenience store development went before the Design Review Commission, and its requested variances (see below) were scheduled to go before the Mayor and City Council in July. The Design Review Commission had some concerns with the site layout, particularly the reduction of the 50-foot wide required buffer at the rear of the property. At Speedway's request, the consideration of the layout and variances were postponed until the site could be re-designed to accommodate the full buffer.

The 4.1-acre property was proposed to be divided into two lots and a subdivision plat was created in the spring to reflect this. A revised subdivision plat will have to be provided to reflect the shifted boundary line between proposed lots 1 and 2, which was shifted due to the revised site design.

The original variance requests are listed below, **with comments in red** addressing the revised design and the current status of the variance requests.

**Variance request #1** – Reduce number of required parking spaces from 26 spaces required to 18 spaces; Code Section 86-410(7); Staff recommends approval of this request, since an inadequate number of parking spaces would only negatively affect the business, and the amount of impervious cover on the property will be reduced. No parking will be allowed on the shoulder or within the right-of-way of Tara Blvd. Since 26 required parking spaces would require 2 ADA compliant parking spaces, staff will still require two ADA spaces, even though the number of provided parking spaces (18) would only require 1 ADA parking space. One bicycle parking space must be provided, per 86-109 (l). **December 2018 update: The re-design now contains 27 parking spaces, including two ADA parking spaces, so this variance is no longer needed. One space will have to be labeled as bicycle parking.**

(Continued, page 2)

**Fiscal Impact / Funding Source***(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)*

Private Developer

**Exhibits Attached** *(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)*

Variance application, Site plan, Bldg. elevations, Sign information

FOLLOW-UP APPROVAL ACTION (City Manager)		City Manager's Office
Typed Name and Title	Phone	
Signature	Date	

Revised 03/12/09 (Previous versions are obsolete)

**Staff Recommendation  
Approval (of certain items)**

David Allen, Community Development Director, 770.570.2977

**Variance request #2** – Reduce required landscape buffer between dissimilar uses (Speedway and detached residential subdivision at rear) from 50 feet wide to 10 feet wide with 6-foot high fence along a portion of Lot 1; Code Section 86-454 and 86-109(f)(6)(a); Staff recommends denial of buffer reduction to only 10 feet wide adjacent to the residential property. If the quality of life of the citizens in the residential subdivision is to be adequately protected, then a 10-foot buffer with 6-foot high fence is inadequate. While a full 50-foot buffer may interfere with vehicular circulation (especially trucks) in the rear of the property, perhaps a compromise can be reached between 50 feet and 10 feet. The required buffer width between attached residential housing and commercial uses is 25 feet. Also, the Tara Blvd. Overlay (86-109(p)) mentions a 25-foot wide landscaped buffer between gasoline pump islands and residential properties (with minimum 6-foot high opaque fence or wall). Staff cannot recommend a buffer width any smaller than 25 feet wide. Existing vegetation must remain in the buffer area and shall be supplemented by additional landscape plantings as necessary and as determined by the Community Development Director, conforming to all applicable City buffer requirements. The proposed fencing or wall shall be 8 feet tall and shall extend along the entire property line between Lot 1 and the adjacent residentially zoned property. The fence or wall material shall be opaque, non-climbable, and shall not be wood. The goal of the fence is to provide an effective, durable, low-maintenance, visual barrier between the gas station and the residential property, which prevents a “cut-through” being created between the gas station and the rear of the residential subdivision. **December 2018 update: The re-design now has a 55-foot wide rear buffer, so this variance is no longer needed. However, staff is still recommending the same 8-foot tall, opaque, non-climbable, non-wood fence as before, and the fence needs to be installed the entire length of the rear property line at the actual property line, not the buffer line in the interior of the property.**

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Staff recommends denial of the exact request (260 total square feet). In essence, there are two, separate ground signs on the same pole, one showing the fuel prices and another advertising "Speedway" and the "Speedy Café". Thus, then City would have to approve or deny this based on the total square footage for the two separate sign faces. It is suggested that the "Speedy Café" sign portion be eliminated, since it is already prominently advertised on the building in the above approved variance request. Most gas station customers already assume there is a food at a gas station / convenience store. This would reduce the "Speedway sign portion to 71.5 square feet, allowing 78.5 feet for fuel price displays within allowable parameters. Possible alternatives:

- Reduce the entire fuel display face to 78.5 square feet (if there is an actual product that size)
- Eliminate the Ethanol display to make the fuel display, thereby making the fuel display face a total area of 124.9 square feet. If you took the altered "Speedway" sign area of 71.5 square feet and added 124.9 square feet, you would have a combination of 196.4 square feet, 46.4 square feet over the maximum allowed area, which staff believes is a more acceptable variance amount.

**December 2018 update: Same request, unchanged. Staff recommendation of denial is also unchanged. Staff feels that this sign area still needs to be reduced.**

**Variance request #6 – Increase height of ground sign allowed from 6 feet to 60 feet; Code Section 86-490(a); The most relevant code section to this is actually Code Section 86-489(d)(8) which provides for taller commercial signs within the Tara Boulevard Overlay:**

*In non-residential zoning districts within the Tara Boulevard Overlay District, as defined in section 86-109 of the 2005 Zoning Ordinance, the following shall apply: a. A lot with one building facing a primary arterial, which building is currently occupied pursuant to a current and valid certificate of occupancy issued by the city, shall be permitted one double-sided sign to be located within 100 feet of the right-of-way of the primary arterial, each side of which shall not exceed 150 square feet signage area. The height of the sign shall not exceed 35 feet. Staff recommends denial of the exact request (60 feet). The property is on a hill. Though there is a significant amount of tree cover to the south and north of the property, there is not much commercial competition in the immediate area with other tall signs. Also, the tree cover on adjacent properties may not always be there. In keeping with the goal of adhering as closely as possible to the Tara Blvd. Overlay standards to ensure a quality product along the highway, staff believes that the 35-foot tall maximum on Tara Blvd. needs to be adhered to.*

**December 2018 update: Same request, unchanged. Staff recommendation of denial is also unchanged. Staff feels that this sign height still needs to be reduced. There was a discussion at the June Design Review Commission about a monument sign more in the 20-foot height range, and this was the recommendation of that Board (to not exceed 20 feet in height).**

**Variance request #7 – Increase allowable changeable copy percent from 20% to 58% for ground sign; Code Section 86-490(a); Staff recommends approval of the request; The changeable copy of the fuel prices needs to be displayed prominently, within reasonable parameters.**

**December 2018 update: Same request, unchanged. Staff recommendation of approval is also unchanged.**

**Variance request #8 – Increase wall sign area from 150 square feet to 235.28 square feet; Code Section 86-490(b); This variance request assumes that variance request #3 will be approved for multiple wall signs. The combined total of the 6 proposed wall signs for the gas station would be 235.28 square feet. However, as stated before, the wall signs proposed are spread out over the property and cannot all be seen in a single view**

from the road or at any other vantage point on the property. Thus, the effect of one, large, 235.28 square foot sign is not achieved. None of the individual wall signs proposed would exceed the 150-square foot limit. Staff recommends approval of this request.

(Note: Proposed signs shall conform to the prohibited signs section 86-487.)

**December 2018 update: Same request, unchanged. Staff recommendation of approval is also unchanged.**

**Variance request #9** – No more than 50% of parking spaces shall be located in the front yard – proposal for 100% of parking spaces to be located in the front yard, due to additional fuel pumps, truck turn-arounds, and required buffers in the rear. Code Section 86-109(l)(1); Staff recommends approval of this request. One of the stated goals for this development was to protect the quality of life of citizens living in the existing detached, residential subdivision behind the subject property (Batiste Garden Circle, etc.). By not having parking in the back, it reduces the chance of the rear of the property becoming a “loitering” area near the adjacent residential area.

**December 2018 update: Same request, unchanged. Staff recommendation of approval is also unchanged.**

**Other items to consider:**

- After variance approval, a pre-development review meeting will need to be arranged with the Clayton County Water Authority to go over storm water detention / retention options. Where is detention area proposed? It cannot be located in the buffers.
- There is a maximum lot coverage of 80%. **This needs to be double checked (impervious coverage).**
- The minor subdivision plat needs to be approved by both the City and GDOT. Will there be any new driveways or will the development just be using the existing curb cuts? (See Note #3 on Zoning Plan.) **New plat is needed based on change in lot configurations and sizes.**
- Will a traffic study be required per Section 86-109(e)(2)(b), since this development would likely generate 100 or more p.m. peak hour trips?
- Front sidewalks required? Anything to connect to? **Sidewalks now seem to be shown on new plan.**
- Provide street trees and landscape strips per the Tara Boulevard Overlay, including parking lot screening from highway.
- Confirm building height (and canopy height).
- Per the Tara Boulevard Overlay standards, the minimum lot width shall be 100 feet. The lot width on the plat is listed as over 300 feet. This is also the standard for C-2 zoning, with a 1-acre minimum lot area.
- In the parking area, there must be a tree island every twelve spaces. **Complied**
- The building shall conform to the architectural standards (Section 86-109(k)) of the Tara Boulevard Overlay District. At least 40% of façade facing highway must be clear glass.
- In Section 86-490, *a ground sign shall not be located within ten feet of a street right-of-way or within 50 feet of any other sign, structure or building.* The proposed ground sign appears to be too close to the proposed front gas canopy. **Update: The sign and canopy appear to be 56.73 feet apart at the closest point. Thus, no variance would be needed.**

**Design Review Commission recommendation, 12.5.18: Approval of revised site plan, and staying with original recommendations on each variance request.**

- **No truck parking; not a truck stop**
- **Buffer fence to be placed at interior buffer end (high hill); Another security fence to be placed at actual property line. Staff is still recommending the same 8-foot tall, opaque, non-climbable, non-wood fence**

- Buffer shall remain as undisturbed as possible.

In addition, staff reviewed the architectural elements and found that two more variances were needed:

1. Minimum required façade height of 18 feet is not maintained. (Max. 19 feet, minimum 12 feet)
2. Minimum 40% required glass on front façade not achieved. (35.7%)

Please add these with your consideration of the seven remaining site variances already described.

1323 Brookhaven Dr.  
Orlando, FL 327803  
(407)670-2990  
[www.cesoinc.com](http://www.cesoinc.com)



December 13, 2018

City of Jonesboro  
Attn: David Allen  
124 North Ave  
Jonesboro, GA 30236

RE: Speedway 100008 Jonesboro, GA  
Variance Request

Dear Mr. Allen

On behalf of our client, Speedway LLC, CESO is pleased to submit for the City of Jonesboro's consideration a revised request for zoning variance application. Speedway is planning on constructing a 4,600 sq. ft. convenience store with 10 automotive fueling and 2 commercial fueling lanes. Included in this submittal are the following items:

- (1) Revised Application
- (1) List of Required Variances
- (1) Applicant Response
- (2) Site and Signage Plans
- (2) Color Elevations

Please review the application and let me know if you need any additional information or plans. We ask that this request be placed on the next available Mayor & City Council Working Group Session.

Thank you for your consideration of this request and please let me know if you have any questions or comments.

Respectfully,

Christopher Warshaw, P.E.  
Senior Project Manager

Enclosures



**CITY OF JONESBORO**  
 124 North Avenue  
 Jonesboro, Georgia 30236  
 City Hall: (770) 478-3800  
 Fax: (770) 478-3775  
[www.jonesboroga.com](http://www.jonesboroga.com)

## VARIANCE REQUEST

Section 86-38. of the Jonesboro Zoning Ordinance allows for the issuance of an Administrative variances. An administrative variance may be granted up to ten percent of the standards of the above referenced chapter. In addition to the Variance Request, please provide a Letter of Intent to include each needed variance and the section of the City's code that pertains to each variance.

Please contact the Jonesboro City Hall (770) 478-3800 and speak with the City Clerk for further information.

### Property Information:

Address: 8500 Tara Blvd

Parcel Identification Number: 05240B A004

Size: 4.105 acres

Owner: Donnie H & Don Russell

*Note: if applicant is not the owner, the applicant must provide written permission from the owner – notarized, and owner's contact information. See Jonesboro City Hall staff to obtain permissible document.*

### Applicant Information:

Applicant Name: Speedway LLC

Mailing Address: 500 Speedway Drive, Enon, OH 45323

Email Address: pjdoster@speedway.com Telephone: 312-459-7174

**PROJECT INFORMATION:**

Section of Ordinance in which variance is needed:

86-489(b)(1), 89-489(c)(1), 86-490(a), 86-490(b),  
89-109i(1), 86-109(k)(1), 86-109(k)(11)Requesting Variance from: See attached

to: \_\_\_\_\_

Reason for Variance Request: See attached\_\_\_\_\_  
\_\_\_\_\_**VARIANCE REQUEST**

1. What are the extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography that are not applicable to other lands or structures in the same district.

See Attached\_\_\_\_\_  
\_\_\_\_\_

2. List one or more unique characteristics that are generally not applicable to similarly situated properties.

See Attached\_\_\_\_\_  
\_\_\_\_\_

3. Provide a literal interpretation of the provisions of above referenced chapter and/or section that would deprive the applicant of rights commonly enjoyed by other properties of the district in which the property is located.

See Attached\_\_\_\_\_  
\_\_\_\_\_

4. Demonstrate how a variance prevents reasonable use of the property.

See Attached\_\_\_\_\_  
\_\_\_\_\_

5. Please explain the reasoning for the variance and state whether it is a result of the applicant.  
 See Attached

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6. Demonstrate how the variance is the only result to allow reasonable use of the property.  
 See Attached

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7. Will the granting of the requested variance be injurious to the public health, safety or welfare?  
 See Attached

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8. Will the requested variance be in harmony with the purpose and intent of the above referenced chapter and/or section?

See Attached

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Peter Doster

PRINT NAME



SIGNATURE

12-12-18

DATE

\$700

FEE AMOUNT

**FOR OFFICE USE ONLY:**

Date Received: \_\_\_\_/\_\_\_\_/20\_\_\_\_

Information Reviewed By: \_\_\_\_\_

Actions Taken By: \_\_\_\_\_

Misc. Notes: \_\_\_\_\_

## ATTACHMENT -1-

## **PROPERTY OWNER'S AUTHORIZATION**

The Undersigned below, or as attached, is the owner of the property which is subject of this application. The undersigned does duly authorize the applicant named below to act as applicant in the pursuit of a variance for the property.

I swear that I am the owner of the property which is the subject matter of the attached application, as it is shown in the records of Clayton County, Georgia.

Peter Doster

 12/12/18  
SIGNATURE/DATE

**NOTARY:**

---

**SIGNATURE/DATE**

SEAL

**List of Variances:****§86-489(b)(1)****# of Signs Allowed**

Allowed: combination of 1 wall sign and 1 ground sign

Proposed: 6 wall signs and 1 ground sign

**§86-489(c)(1)****Changeable Copy shall be limited to ground signs**

Proposed: changeable copy on wall sign

**§86-490(a)****Ground Sign Area Allowed**

Allowed: 35 sq. ft.

Proposed: 260 sq. ft.

**Ground Sign Height Allowed**

Allowed: 6' in height

Proposed: 60'

**Ground Sign Allowable Changeable Copy**

Allowed: 20%

Proposed: 58%

**§86-490(b)****Wall sign area**

Allowed: 150 sq. ft.

Proposed: 235.28 sq. ft.

**Number of Wall Signs**

Allowed: 1

Proposed: 7

**86-109(I)(1) Location of parking spaces**

Allowed: no more than 50% shall be located in the front yard

Proposed: 100%

**86-109(k)(1) Minimum Façade Height**

Required: 18'

Proposed: 12'

**86-109(k)(11) Fenestration**

Required: 40%

Provided: 35.7%

### Applicant Response:

1. What are the extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography that are not applicable to other lands or structures in the same district?

Response: The existing property has a unique shape which “pinches” along the rear of the site requiring for all parking to be placed in front of the building and limits the ability to place parking on the site. The site is also located along a major arterial roadway, the signage proposed is in a location, quantity, height and design such that potential customers have enough time to identify the site, make a decision to exit to state route and make a safe driving maneuver to enter the site. The property abuts residential properties; therefore, the Speedway building design is meant to mimic a residential construction. Going with a taller building would not be compatible with the adjacent residential uses.

2. List one or more unique characteristics that are generally not applicable to similarly situated properties

Response: The site is located along a Tara Boulevard which has a high volume of traffic and a 45- mph speed limit. The signage proposed is to provide potential customers enough advance notice that they are approaching the store and have enough time to make a decision to exit. The site is at the top of a hill and is partially blocked by wooded areas on the north and south side of the property.

3. Provide a literal interpretation of the provisions of above referenced chapter and/or section that would deprive the applicant of rights commonly enjoyed by other properties in the district in which the property is located.

Response: A literal interpretation of the code would deprive the property owner and Speedway the ability to develop this site as a Speedway Convenience Store as there would not be sufficient space to fit the required parking and also remove a key component of Speedway business. The signage as noted previously is needed so that potential customers can view the site early enough to safely exit the highway.

4. Demonstrate how a variance prevents reasonable use of the property.

Response: The parking variances are needed to allow the property to be subdivided which then allows a potential second business to be developed on the residual property. Without the variances, the residual land would limit the ability for the remaining property to be re-developed in the future. Without the signage variances, potential customers may not see the store with enough time to exit the road and may pass by the site or potentially make an un-safe driving act trying to exit a 45- mph roadway. Without the building design variances, Speedway would be required to design a building which would not be similar in style to the adjacent residential properties.

5. Please explain the reasoning for the variance and state whether it is a result of the applicant.

Response: The variances are needed so that Speedway can construct a Convenience Store within the unusual shape of the property. The signage variances are needed to allow for potential customers to view the site early enough to make a safe decision to exit the road and enter the site. The properties to the north and south are heavily wooded which limits the ability to view the new store. The building design variances are needed to allow for the design and construction of a building which is similar in style to the adjacent residential uses.

6. Demonstrate how the variance is the only result to allow reasonable use of the property.

Response: Without the variances, Customers would not be able to identify the site as a Speedway limiting their ability to draw customers to the site. The building design variances are needed to allow Speedway to construct a building that is the right size and mass for the surrounding area.

7. Will the granting of the requested variance be injurious to the public health, safety or welfare?

Response: No, neither the building design, signage nor site layout will have an impact on the public health, safety, and welfare

8. Will the requested variance be in harmony with the purpose and intent of the above referenced chapter and/or section?

Response: Yes, the variances requested are in line with the intent of the code sections.



**A. GENERAL NOTES**

- ALL MATERIAL NOTED ON DRAWINGS WILL BE SUPPLIED BY THE CONTRACTOR UNLESS NOTED OTHERWISE.
- RESTORE TO ORIGINAL OR BETTER CONDITION ALL AREAS DISTURBED BY CONSTRUCTION. UPON COMPLETION, POWER WASH ALL PAVING TO OWNER'S SATISFACTION.
- SHOW ALL MODIFIED PIPING, CONDUIT RUNS, UTILITIES AND ANY MODIFICATIONS MADE TO THE ORIGINAL DRAWINGS ON "AS-BUILT" PRINT AND TURN OVER TO OWNER'S REPRESENTATIVE UPON COMPLETION.
- THIS LAYOUT IS PARALLEL TO THE N 51° 02' 19" E PROPERTY LINE.
- TOURNOVER MANUAL: ON THE DAY OF THE "TOURNOVER" THE CONTRACTOR WILL PROVIDE (ONE) COPY OF THE COMPLETION MANUALS.
- OWNER SHALL PROVIDE AND THE CONTRACTOR SHALL IMMEDIATELY INSTALL AND MAINTAIN THROUGH OUT CONSTRUCTION (2) TEMPORARY BANNER SIGNS ANNOUNCING SPEEDWAY COMING SOON. THE SIGN SHALL DIRECT CUSTOMERS TO NEAREST SPEEDWAY(S) IF APPLICABLE.
- CONTRACTOR SHALL MAKE EVERY REASONABLE EFFORT TO COORDINATE WITH SPEEDWAY'S VENDOR TO ERECT THE ID SIGN(S) AS EARLY IN THE CONSTRUCTION PROCESS AS POSSIBLE.
- CONTRACTOR SHALL BE RESPONSIBLE FOR LAYOUT OF THE ENTIRE SITE. THE PROPERTY CORNERS SHALL BE MARKED BY OWNER AND PROTECTED AND MAINTAINED BY CONTRACTOR.

**B. BUILDING DETAILS**

- CONSTRUCT C-STORE BUILDING #C4600, QUIK-BRIK PER DRAWINGS LISTED. HVAC SYSTEM SHALL BE GAS AND BE ROOF MOUNTED. THE FOLLOWING OPTIONS SHALL BE INSTALLED: ALLUCOBOND SCREENING PANELS ON ROOFTOP.

- PAINT THE ENTIRE VERTICAL FACE OF THE SIDEWALK HIGHWAY YELLOW (160014) INCLUDING 4" ONTO THE TOP OF SIDEWALK EXCEPT WHERE GRADES ARE FLUSH AT HANDICAP RAMPS OR ADJACENT TO NON-PAVED SURFACES.

- CONSTRUCT BUILDING SIDEWALK AS SHOWN ON PLOT PLAN AND PER DRAWING STD-CPC-1. CONTRACTOR SHALL FOLLOW PLAN DETAILS FOR SIDEWALK REINFORCEMENT IN FRONT OF BUILDING ACCESS POINTS.

- INSTALL SECOND READERBOARD WALL SIGN ON EXTERIOR OF BUILDING.

**C. CANOPY DETAILS**

- COORDINATE WITH VENDOR TO INSTALL NEW AUTO CANOPY PER MCGEE DRAWINGS. CONTRACTOR SHALL BE RESPONSIBLE FOR FOOTERS AND INSTALLING VENDOR SUPPLIED ANCHOR BOLTS.

- USE AUTO CANOPY COLUMN FOUNDATIONS SIZE (20) 3'X 4'X 5' FOR BIDDING PURPOSES IF AUTO CANOPY DRAWINGS ARE NOT AVAILABLE IN TIME FOR BIDDING. AUTO CANOPY DRAWINGS WILL BE AVAILABLE FOR CONSTRUCTION.

- COORDINATE WITH VENDOR TO INSTALL NEW COMMERCIAL FUELING LANE CANOPY PER MCGEE DRAWINGS.

- USE COMMERCIAL FUELING LANE CANOPY COLUMN FOUNDATIONS SIZE (6) 4'X 4'X 7' FOR BIDDING PURPOSES IF COMMERCIAL FUELING LANE CANOPY DRAWINGS ARE NOT AVAILABLE IN TIME FOR BIDDING. COMMERCIAL FUELING LANE CANOPY DRAWINGS WILL BE AVAILABLE FOR CONSTRUCTION.

- INSTALL NEW HEAT TRACE CABLE THERMOSTAT CONTROLLER ON THE TRUCK CANOPY COLUMN OR UNDER THE BUILDING SOFFIT OUT OF DIRECT SUNLIGHT. (1) 3/4" CONDUIT TO BE INSTALLED FROM NEW THERMOSTAT TO BUILDING WIRE WAY.

- INSTALL (2) 3/4" CONDUIT WITH PULLSTRING TO TRUCK CANOPY, STUBBED ABOVE DECKING IN CENTER OF CANOPY, FOR FUTURE INSTALL OF SMARTQ RFID READER.

**D. DISPENSER DETAILS**

- THE CONTRACTOR IS RESPONSIBLE FOR PURGING OF THE FUELING SYSTEM NECESSARY AT START-UP AND DISPENSER CALIBRATION. THE OWNER SHALL PAY FOR (1) THIRD-PARTY LINE TEST FOR EACH PRODUCT LINE AFTER PURGING IS COMPLETE. COST OF ANY ADDITIONAL DISPENSER CALIBRATIONS AND/OR LINE TESTS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. CONTRACTOR SHALL PURGE SYSTEM PER DISPENSER MANUFACTURER'S INSTRUCTIONS AND OWNER'S SPECIFICATIONS. ALL TESTING TO BE COORDINATED WITH SPEEDWAY COMPLIANCE DEPARTMENT. AFTER PURGING IS COMPLETE, CONTRACTOR SHALL REMOVE AND DISCARD SCREENS AND FACTORY FILTERS AND INSTALL NEW FILTERS (MODEL NOTED BELOW), FURNISHED BY OWNER. INSTALLATION DATES SHALL BE CLEARLY MARKED ON FILTER BY CONTRACTOR. FILTER MODELS ARE (A) AUTO: PETROCLEAR 40510A-AD (B) AUTO-DSL AND K-1: PETROCLEAR 40510W-AD (C) FLEX: CIMTEK 70991 (D) HIGHFLOW DSL: PETROCLEAR 51110W. SPEEDWAY'S MAINTENANCE DEPARTMENT SHALL INSTALL DISPENSER FACE LABELS.
- THE CONTRACTOR SHALL COMPLETE THE WAYNE PROVIDED START-UP CALIBRATION REPORT FORM "W2340136" PRIOR TO START-UP. THE 0.1 TEST MUST BE COMPLETED VIA THE ATG PRIOR TO OPENING FUEL SALES. FORM "917653-003" SHALL BE COMPLETED BY WAYNE'S AUTHORIZED SERVICE CONTRACTOR. THE CONTRACTOR IS RESPONSIBLE FOR COORDINATING WITH SPEEDWAY'S PREFERRED AUTHORIZED SERVICE CONTRACTOR (ASC) FOR TRIPS AS FOLLOWS:

TRIP	WAYNE ASC RESPONSIBILITIES	FINANCIAL RESPONSIBILITY
1	PREP DISPENSERS FOR CONTRACTOR TO PURGE PROGRAM WEEDER ROOT AUTOMATIC TANK GAUGE MONITORING SYSTEM	WAYNE
2	REVIEW CONTRACTOR'S PURGE WORK INSTALL EMV KITS	WAYNE
3	REVIEW CONTRACTOR'S COMPLETED WAYNE START-UP CALIBRATION FORM "W2340136" COMPLETE FORM 917653-003* (PRE-POS INTEGRATION)	WAYNE
4	COMPLETE FORM 917653-003* (POST POS INTEGRATION) OPENING DAY SUPPORT (SPEEDWAY REQUIREMENT)	CONTRACTOR

- THE CONTRACTOR WILL BE RESPONSIBLE TO HAVE, AT A MINIMUM, THE SITE SUPERINTENDENT, CERTIFIED ELECTRICIAN, AND PETROLEUM START-UP CONTRACTOR ON-SITE AT OPENING FOR A MINIMUM OF (1) HOUR TO ENSURE PROPER OPERATION OF THE FUELING SYSTEM.
- INSTALL (10) NEW WAYNE 4 PRODUCT (G+1) HIGH HOSE DISPENSER WITH CARD READER. INSTALL (20) HOSES, NOZZLES, SWIVELS AND BREAKAWAY FOR GASOLINE DISPENSERS, (18) HOSES, NOZZLES, SWIVELS AND BREAKAWAY FOR DIESEL DISPENSERS AND (2) HOSES, NOZZLES, SWIVELS AND BREAKAWAY FOR FLEX DISPENSER. PRODUCT PIPING LINE-UP AND FRONT SIDE "A" (F.S."A") OF DISPENSERS SHALL BE AS SHOWN.
- NOT USED.
- INSTALL (1) NEW WAYNE SINGLE PRODUCT "MASTER" DIESEL DISPENSER WITH CARD READER. INSTALL (1) HOSE, NOZZLE, SWIVEL AND BREAKAWAY FOR DIESEL PRODUCT. FRONT SIDE "A" (F.S."A") OF DISPENSER SHALL BE PER DRAWING STD-TF-3.
- INSTALL (1) NEW WAYNE SINGLE PRODUCT "MASTER/SATELLITE" DIESEL DISPENSERS WITH CARD READER. INSTALL (2) HOSE, NOZZLE, SWIVEL AND BREAKAWAY FOR DIESEL PRODUCT. FRONT SIDE "A" (F.S."A") OF DISPENSER SHALL BE PER DRAWING STD-TF-3.
- INSTALL (1) NEW WAYNE SINGLE PRODUCT "SATELLITE" DIESEL DISPENSER. INSTALL (1) HOSE, NOZZLE, SWIVEL AND BREAKAWAY FOR DIESEL PRODUCT. FRONT SIDE "A" (F.S."A") OF DISPENSER SHALL BE PER DRAWING STD-TF-3.
- INSTALL NEW (1) 1" AND (2) 3/4" CONDUITS FROM WIRE WAY IN BUILDING TO EACH DISPENSER. (1) 1" CONDUIT TO BE USED FOR POWER/DATA. (1) 3/4" CONDUIT TO BE USED FOR DISPENSER SUMP SENSOR. OTHER 3/4" CONDUIT TO BE USED FOR INTERCOM AND APPLAUSE MEDIA SYSTEM. PULL NEW WIRE AND WIRE DISPENSER PER MANUFACTURER'S SPECIFICATIONS.
- INSTALL (1) 3/4" CONDUIT FROM WIRE WAY IN BUILDING TO SATELLITE DISPENSER FOR DISPENSER SUMP SENSOR. PULL NEW WIRE AND WIRE PER MANUFACTURER'S SPECIFICATIONS.
- INSTALL (1) 3/4" JUMPER CONDUIT FROM EACH MASTER DISPENSER TO THE NUMBERED SATELLITE DISPENSER. INSTALL CONSOLE AND INTERFACE EQUIPMENT. PULL NEW WIRE AND WIRE DISPENSER PER MANUFACTURER'S SPECIFICATIONS.
- INSTALL ESCO INTERCOM SYSTEM PER DIRECTION OF OWNER'S REPRESENTATIVE AND DRAWING STD-EIW.
- INSTALL END OF LINE HEAT TRACE BEACON LIGHT AT LAST DEF DISPENSER IN PIPE RUN. WIRE PER MANUFACTURER'S SPECIFICATIONS AND STANDARD DEF DETAILS.

**E. PAVING DETAILS**

- CONSTRUCT NEW HIGH STRENGTH CONCRETE TANK SLAB PER DRAWINGS STD-PO-4.1 AND STD-CPC-1.
- CONSTRUCT NEW CONCRETE CAR CANOPY ISLAND SLAB PER DRAWINGS STD-CIS-A AND STD-CPC-1.
- CONSTRUCT NEW HIGH STRENGTH CONCRETE TRUCK CANOPY SLAB PER STD-CIS-CFL AND STD-CPC-1.
- INSTALL NORMAL STRENGTH ASPHALT PAVEMENT WITH AN AGGREGATE BASE PER PAVEMENT SECTION ON STD-CPC-1 AND USE THE RECOMMENDATIONS OF GEOTECHNICAL CONSULTANT FOR ALL OTHER SUBSURFACE CONDITIONS ON THIS SITE. NOTIFY THE OWNER'S REPRESENTATIVE IF THERE ARE ANY CONFLICTS.
- INSTALL HIGH STRENGTH ASPHALT PAVEMENT WITH AN AGGREGATE BASE PER PAVEMENT SECTION ON STD-CPC-1 AND USE THE RECOMMENDATIONS OF GEOTECHNICAL CONSULTANT FOR ALL OTHER SUBSURFACE CONDITIONS ON THIS SITE. NOTIFY THE OWNER'S REPRESENTATIVE IF THERE ARE ANY CONFLICTS.
- INSTALL NORMAL STRENGTH CONCRETE PAVEMENT WITH AN AGGREGATE BASE PER PAVEMENT SECTION ON STD-CPC-1 AND USE THE RECOMMENDATIONS OF GEOTECHNICAL CONSULTANT FOR ALL OTHER SUBSURFACE CONDITIONS ON THIS SITE. NOTIFY THE OWNER'S REPRESENTATIVE IF THERE ARE ANY CONFLICTS.
- INSTALL HIGH STRENGTH CONCRETE PAVEMENT WITH AN AGGREGATE BASE PER PAVEMENT SECTION ON STD-CPC-1 AND USE THE RECOMMENDATIONS OF GEOTECHNICAL CONSULTANT FOR ALL OTHER SUBSURFACE CONDITIONS ON THIS SITE. NOTIFY THE OWNER'S REPRESENTATIVE IF THERE ARE ANY CONFLICTS.

- REFER TO ROADWAY PLANS FOR DRIVEWAY APPROACH DETAILS.
- INSTALL (10) NEW CONCRETE DISPENSER ISLANDS WITH 3' X 5' X 13' ISLAND FORM FOR AUTO DISPENSERS.
- INSTALL (2) NEW CONCRETE DISPENSER ISLANDS WITH 3' X 7' X 13' ISLAND FORM FOR MASTER OR MASTER/SATELLITE DIESEL DISPENSERS. ENTIRE WIDTH OF THE DEF AND DIESEL CABINETS TO BE CENTERED ON THE ISLAND PER STD-TF DETAILS.
- INSTALL (1) NEW CONCRETE DISPENSER ISLAND WITH 3' X 5' X 13' ISLAND FORM FOR SATELLITE DIESEL DISPENSER.

- NOT USED.
- NOT USED.
- CONSTRUCT CAST IN PLACE CONCRETE CURB INSIDE PROPERTY LINES PER DRAWING STD-CPC-1.
- CONSTRUCT RAMP WITH DETECTABLE WARNING SURFACE IN CONCRETE WALK PER APPLICABLE LOCAL, STATE, AND FEDERAL REGULATIONS.
- INSTALL 2'-0" WIDE DETECTABLE WARNING SURFACE ALIGNED ON ACCESSIBLE AISLE PER APPLICABLE LOCAL, STATE, AND FEDERAL REGULATIONS.
- INSTALL CONCRETE SLAB FOR AIR MACHINE PER DRAWING STD-CYE-A. INSTALL (1) 3/4" CONDUIT AND WIRE PER MANUFACTURER'S RECOMMENDATIONS. VERIFY INSTALLATION DETAILS WITH VENDOR.
- CONSTRUCT NEW DEF REMOTE FILL PAD AND 2 8" BOLLARDS PER STD-DEF-5.
- INSTALL CONTRACTOR SUPPLIED ORNAMENTAL FENCE PER DETAIL ON THIS SHEET.
- INSTALL GUARD RAIL PER GDOT STANDARDS AND SPECIFICATIONS. REFER TO GDOT DETAIL ON SHEET 100008###.
- INSTALL WOOD SCREENING WALL PER DETAIL ON SHEET 100008###.

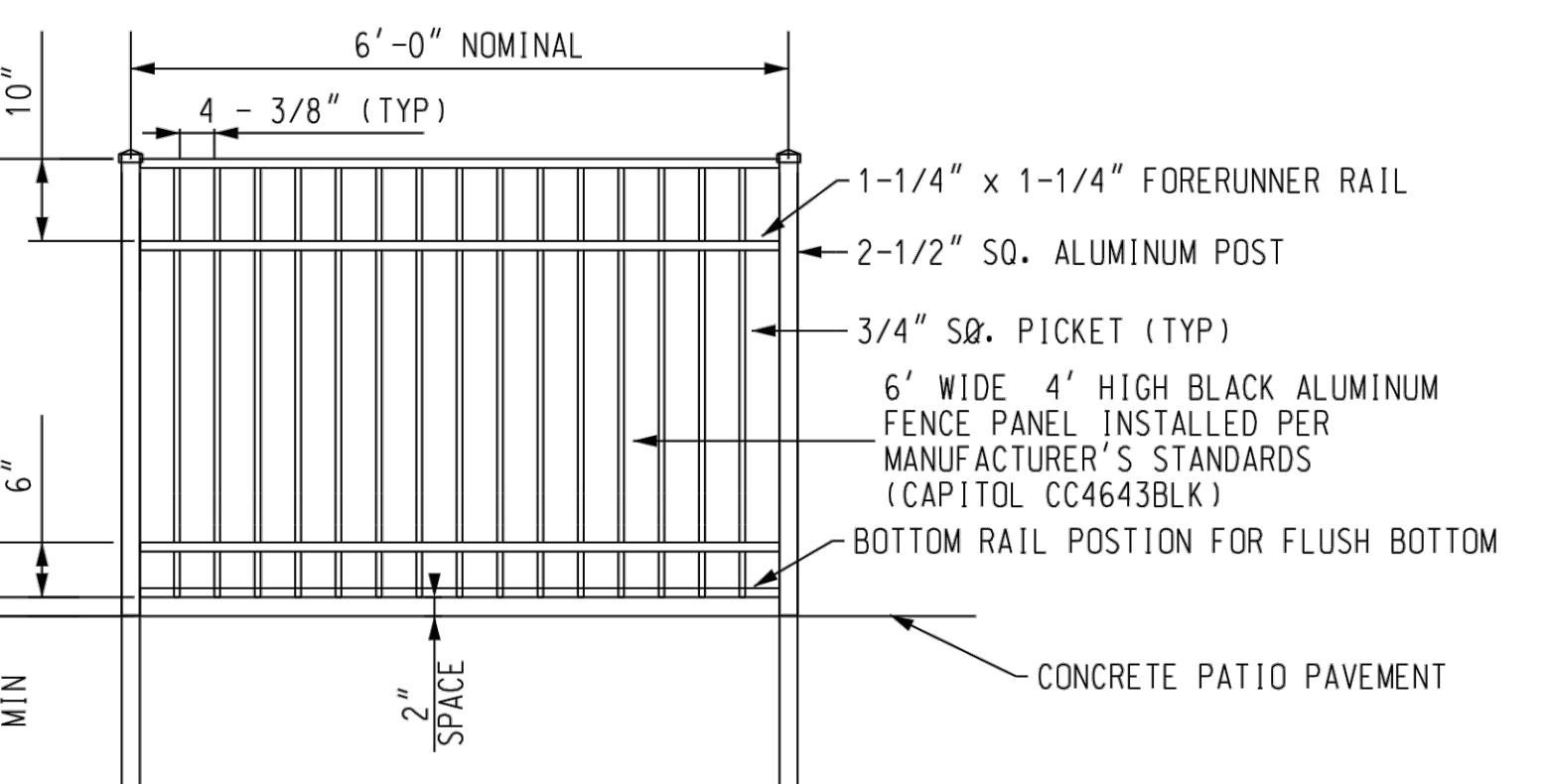
- OWNER TO SUPPLY AND CONTRACTOR TO INSTALL (2) 42" TABLES. EACH TABLE SHALL INCLUDE (4) SEATING POSITIONS AND (1) UMBRELLA. THE SEATING POSITION CLOSEST TO THE FRONT ENTRY IS TO REMAIN OPEN FOR ADA ACCESSIBILITY. INSTALL TABLES AND UMBRELLAS PER DIMENSIONED DETAIL ON THIS SHEET. CONTRACTOR IS RESPONSIBLE FOR INSTALLATION DETAILS OF THE TABLES AND CHAIRS PER OWNER'S REPRESENTATIVE.
- INSTALL APPROXIMATELY 217' LINEAR FEET OF MODULAR BLOCK RETAINING WALL PER STRUCTURAL PLANS.
- OWNER AND CONTRACTOR TO INSTALL (2) 42" TABLES. EACH TABLE SHALL INCLUDE (4) SEATING POSITIONS AND (1) UMBRELLA. THE SEATING POSITION CLOSEST TO THE FRONT ENTRY IS TO REMAIN OPEN FOR ADA ACCESSIBILITY. INSTALL TABLES AND UMBRELLAS PER DIMENSIONED DETAIL ON THIS SHEET. CONTRACTOR IS RESPONSIBLE FOR INSTALLATION DETAILS OF THE TABLES AND CHAIRS PER OWNER'S REPRESENTATIVE.
- INSTALL CONCRETE SLAB FOR AIR MACHINE PER DRAWING STD-CYE-A. INSTALL (1) 3/4" CONDUIT AND WIRE PER MANUFACTURER'S RECOMMENDATIONS. VERIFY INSTALLATION DETAILS WITH VENDOR.
- CONSTRUCT NEW DEF REMOTE FILL PAD AND 2 8" BOLLARDS PER STD-DEF-5.
- BID AS ALTERNATE: PROVIDE A PRICE TO SUBSTITUTE CONCRETE PAVEMENT FOR ASPHALT PAVEMENT AND PROTECT FOR COLD WEATHER INSTALLATION.
- INSTALL END OF LINE HEAT TRACE BEACON LIGHT AT LAST DEF DISPENSER IN PIPE RUN. WIRE PER MANUFACTURER'S SPECIFICATIONS AND STANDARD DEF DETAILS.

**F. YARD AREA DETAILS**

- CONSTRUCT DUMPSTER ENCLOSURE AND COLLECTION PAD WITH ATTACHED STORAGE SHED AND RELATED WIRING AND CONDUITS PER DRAWING STD-SMB-1 AND STD-SS-QB-A1. GATE SHALL BE CHAIN LINK W/ BROWN VINYL SLATS. ENCLOSURE SHALL BE SAME AS BUILDING MATERIAL.
- SUPPLY AND INSTALL (11) 6' BOLLARDS PER DETAIL ON DRAWING STD-CYE-A AND STD-SS SERIES DRAWING. BOLLARD SHALL BE PAINTED RED PER OWNER'S SPECIFICATIONS.
- SUPPLY AND INSTALL (14) 8' BOLLARDS PER DETAIL ON DRAWING STD-CYE-A. BOLLARD SHALL BE PAINTED RED PER OWNER'S SPECIFICATIONS.
- PAINT INDICATED ACCESSIBLE PARKING STALLS AND INSTALL SIGNAGE PER APPLICABLE CODES. PAINT ALL OTHER PARKING STRIPES YELLOW.
- INSTALL 3" PVC PIPE TO HOLD TANK STICK PER OWNER'S REPRESENTATIVE.
- PROVIDE AND INSTALL CODE APPROVED FIRE EXTINGUISHER(S) (1 MINIMUM) WITH PLASTIC BOX HOLDER IN APPROVED LOCATIONS AS REQUIRED BY LOCAL FIRE OFFICIALS. FIRE EXTINGUISHERS SHALL BE LOCATED SUCH THAT AN EXTINGUISHER IS NOT MORE THAN 75 FEET FROM PUMPS, DISPENSERS, OR STORAGE TANK FILL OPENINGS. FIRE EXTINGUISHER MINIMUM RATING SHALL BE 2-A:20-B:C.
- CONSTRUCT (4) 18" DIAMETER LIGHT POLE BASES 2'-0" HIGH FOR 15 HIGH LIGHTS PER DETAILS ON DRAWING STD-CYE-A. INSTALL (1) 3/4" CONDUIT TO EACH BASE FROM ELECTRICAL PANELS PER THE OWNER'S REPRESENTATIVE AND WIRE FIXTURES. CONTRACTOR IS RESPONSIBLE FOR TOUCH-UP PAINTING ON POLES, ANCHORS BOLTS, ETC.

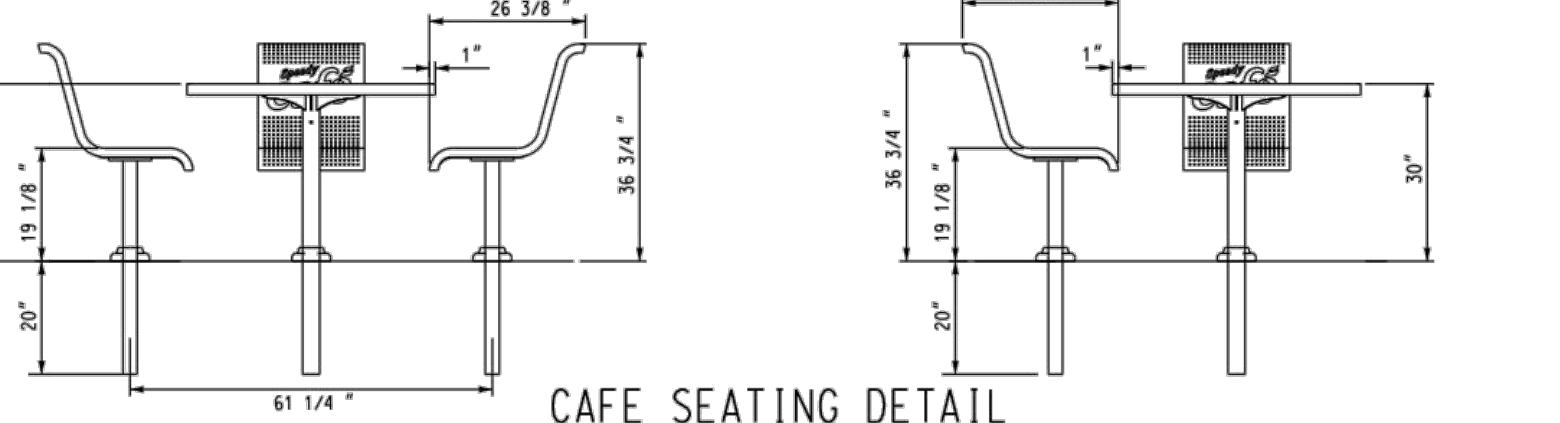
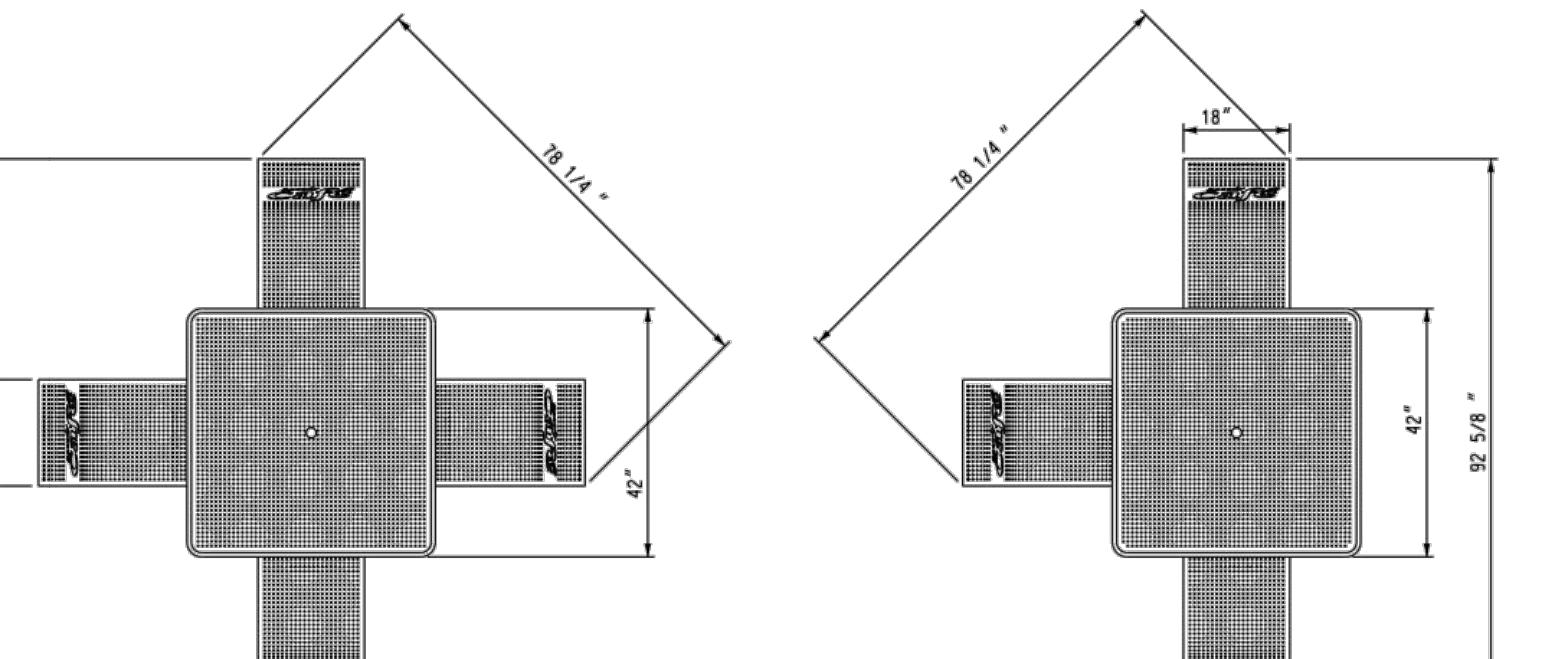
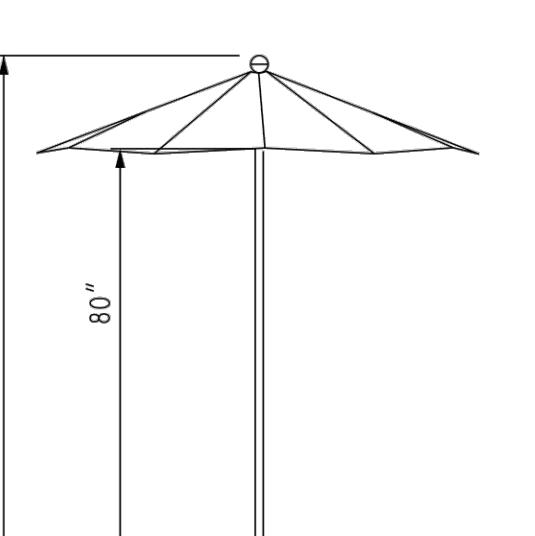
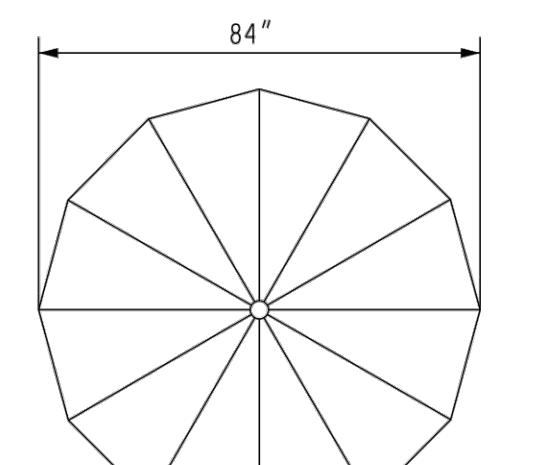
- CONSTRUCT (12) 24" DIAMETER LIGHT POLE BASES 2'-0" HIGH FOR 30' HIGH LIGHTS PER DETAILS ON DRAWING STD-CYE-A. INSTALL (1) 3/4" CONDUIT TO EACH BASE FROM ELECTRICAL PANELS PER THE OWNER'S REPRESENTATIVE AND WIRE FIXTURES. CONTRACTOR IS RESPONSIBLE FOR TOUCH-UP PAINTING ON POLES, ANCHORS BOLTS, ETC.
- PROVIDE AND INSTALL (1) 1" CONDUIT (OR LARGER BASED ON NEC CODES) AND WIRING FROM ELECTRICAL PANEL TO MID RISE SIGN FOR 120V POWER.
- CONTRACTOR SHALL SUPPLY AND INSTALL CONDUIT (SIZED PER NEC CODES), AND RG59/18-2 SIAMESE CABLE FOR YARD SECURITY CAMERAS TO THESE LOCATIONS. SECURITY CAMERAS SHALL BE INSTALLED BY SPEEDWAY MAINTENANCE DEPT.
- CONTRACTOR SHALL INSTALL CONDUIT (SIZED PER NEC CODES) AND INSTALL PULL STRING FOR FUTURE YARD SECURITY CAMERAS TO THESE LOCATIONS.
- INSTALL APPROXIMATELY 217' LINEAR FEET OF MODULAR BLOCK RETAINING WALL PER STRUCTURAL PLANS.
- OWNER TO SUPPLY AND CONTRACTOR TO INSTALL (2) 42" TABLES. EACH TABLE SHALL INCLUDE (4) SEATING POSITIONS AND (1) UMBRELLA. THE SEATING POSITION CLOSEST TO THE FRONT ENTRY IS TO REMAIN OPEN FOR ADA ACCESSIBILITY. INSTALL TABLES AND UMBRELLAS PER DIMENSIONED DETAIL ON THIS SHEET. CONTRACTOR IS RESPONSIBLE FOR INSTALLATION DETAILS OF THE TABLES AND CHAIRS PER OWNER'S REPRESENTATIVE.
- INSTALL GUARD RAIL PER GDOT STANDARDS AND SPECIFICATIONS. REFER TO GDOT DETAIL ON SHEET 100008###.
- INSTALL WOOD SCREENING WALL PER DETAIL ON SHEET 100008###.

- NOTES:
  - ORNAMENTAL FENCE TO BE 4' MINIMUM HEIGHT BLACK ALUMINUM FENCE.
  - FENCE & ACCESSORIES TO BE INSTALLED PER MANUFACTURER'S RECOMMENDATION.
- CONTRACTOR SHALL INSTALL CONDUIT (SIZED PER NEC CODES) AND INSTALL PULL STRING FOR FUTURE YARD SECURITY CAMERAS TO THESE LOCATIONS.
- INSTALL APPROXIMATELY 217' LINEAR FEET OF MODULAR BLOCK RETAINING WALL PER STRUCTURAL PLANS.
- OWNER TO SUPPLY AND CONTRACTOR TO INSTALL (2) 42" TABLES. EACH TABLE SHALL INCLUDE (4) SEATING POSITIONS AND (1) UMBRELLA. THE SEATING POSITION CLOSEST TO THE FRONT ENTRY IS TO REMAIN OPEN FOR ADA ACCESSIBILITY. INSTALL TABLES AND UMBRELLAS PER DIMENSIONED DETAIL ON THIS SHEET. CONTRACTOR IS RESPONSIBLE FOR INSTALLATION DETAILS OF THE TABLES AND CHAIRS PER OWNER'S REPRESENTATIVE.
- INSTALL GUARD RAIL PER GDOT STANDARDS AND SPECIFICATIONS. REFER TO GDOT DETAIL ON SHEET 100008###.
- INSTALL WOOD SCREENING WALL PER DETAIL ON SHEET 100008###.



NOTES:

- ORNAMENTAL FENCE TO BE 4' MINIMUM HEIGHT BLACK ALUMINUM FENCE.
- FENCE & ACCESSORIES TO BE INSTALLED PER MANUFACTURER'S RECOMMENDATION.

**FENCE DETAIL****CAFE SEATING DETAIL****PLOT PLAN NOTES**

NEW BUILD STORE  
6500 TARA BOULEVARD  
CLAYTON COUNTY  
JONESBORO, GA

BLDG TYPE & VERSION	C4600-C2.0
PROJECT ID NO.	104627
SCALE	NO SCALE
DESIGN TEAM	DATE
DGNR. P. DENTON	4/5/2018
PMGR. C. WARSHAW	4/5/2018
RWVR. C. WARSHAW	4/5/2018
DRWGS. NO.	100008-CSI

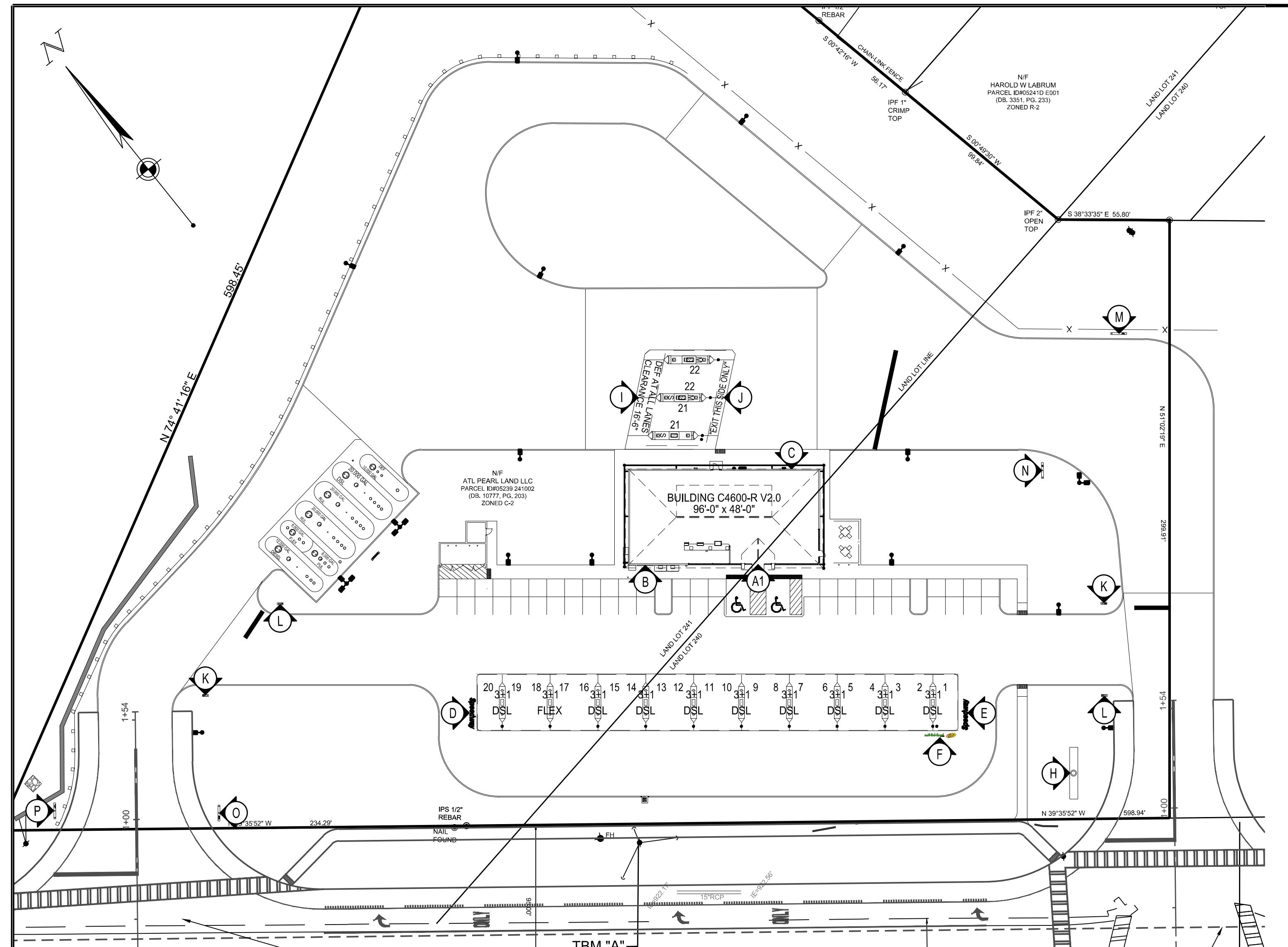
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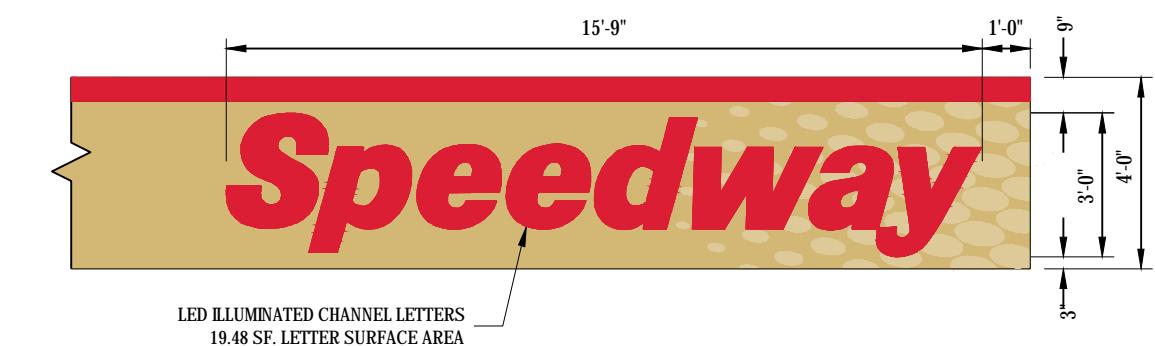
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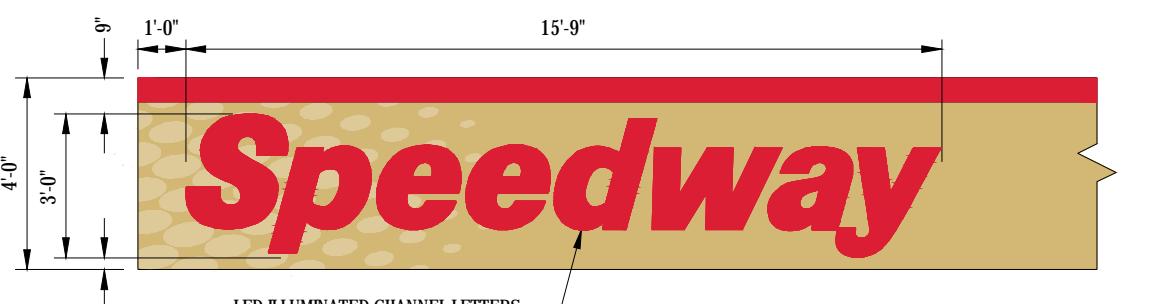
(A) 36" X 67.69" CAFE SIGN ELEVATION  
NOT TO SCALE



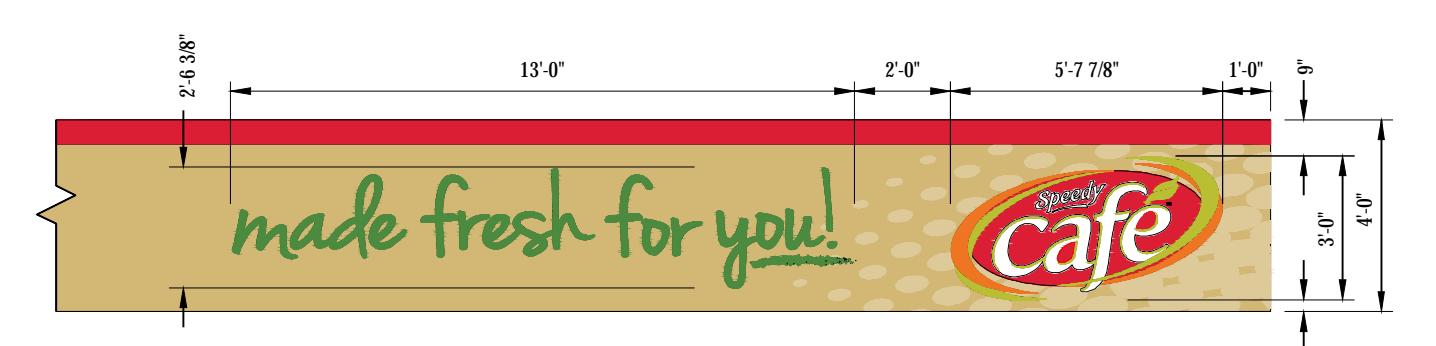
(D) CANOPY FASCIA WITH "SPEEDWAY" CHANNEL LETTERS  
NOT TO SCALE



(B) 51" X 96" CAFE SIGN ELEVATION  
NOT TO SCALE



(E) CANOPY FASCIA WITH "SPEEDWAY" CHANNEL LETTERS  
NOT TO SCALE

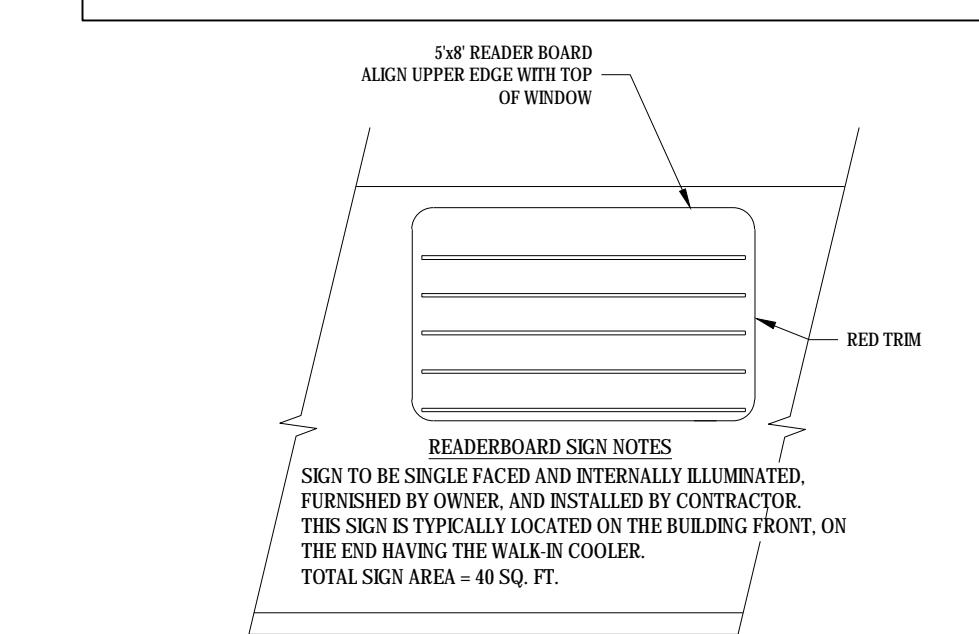
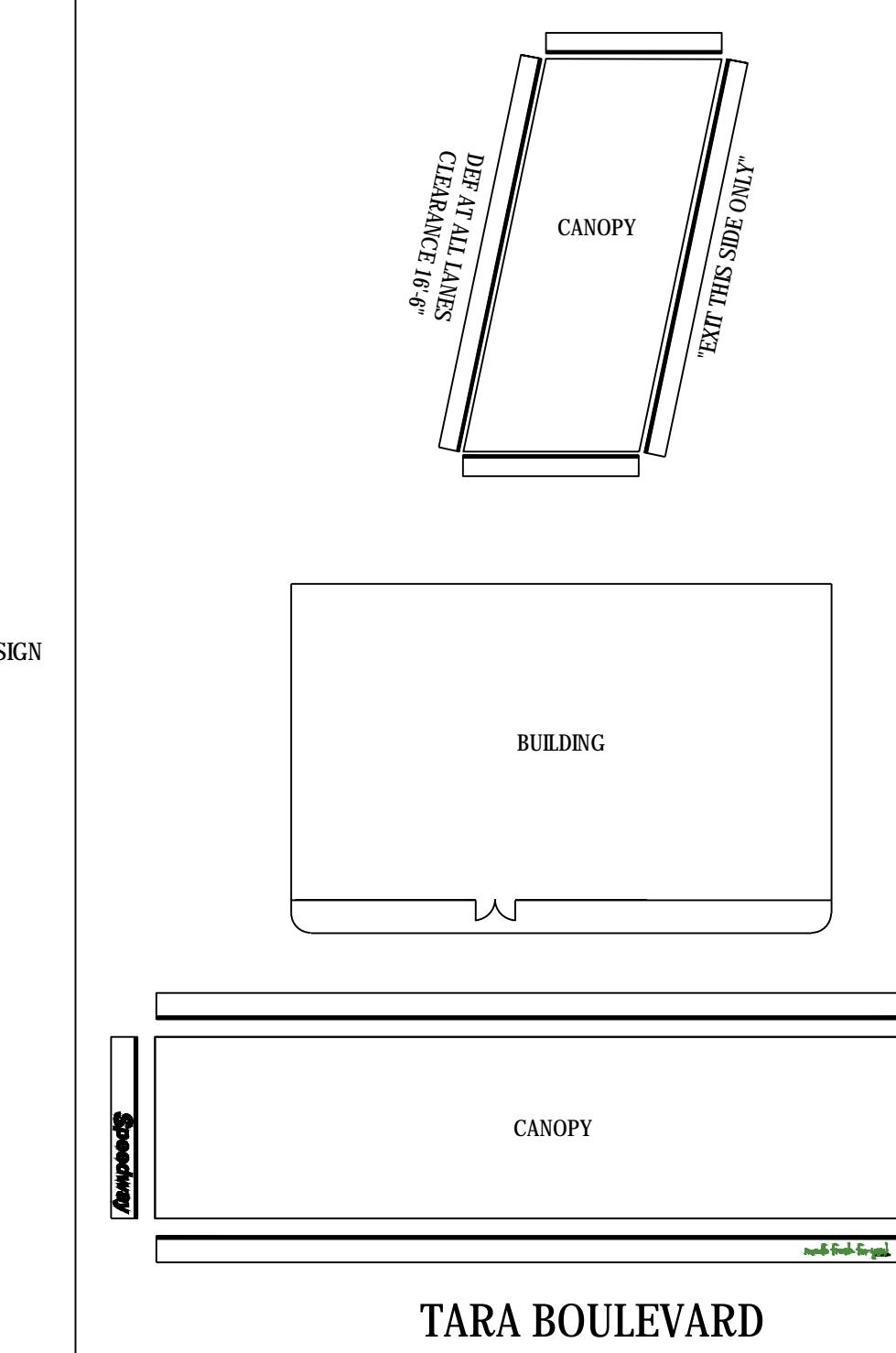
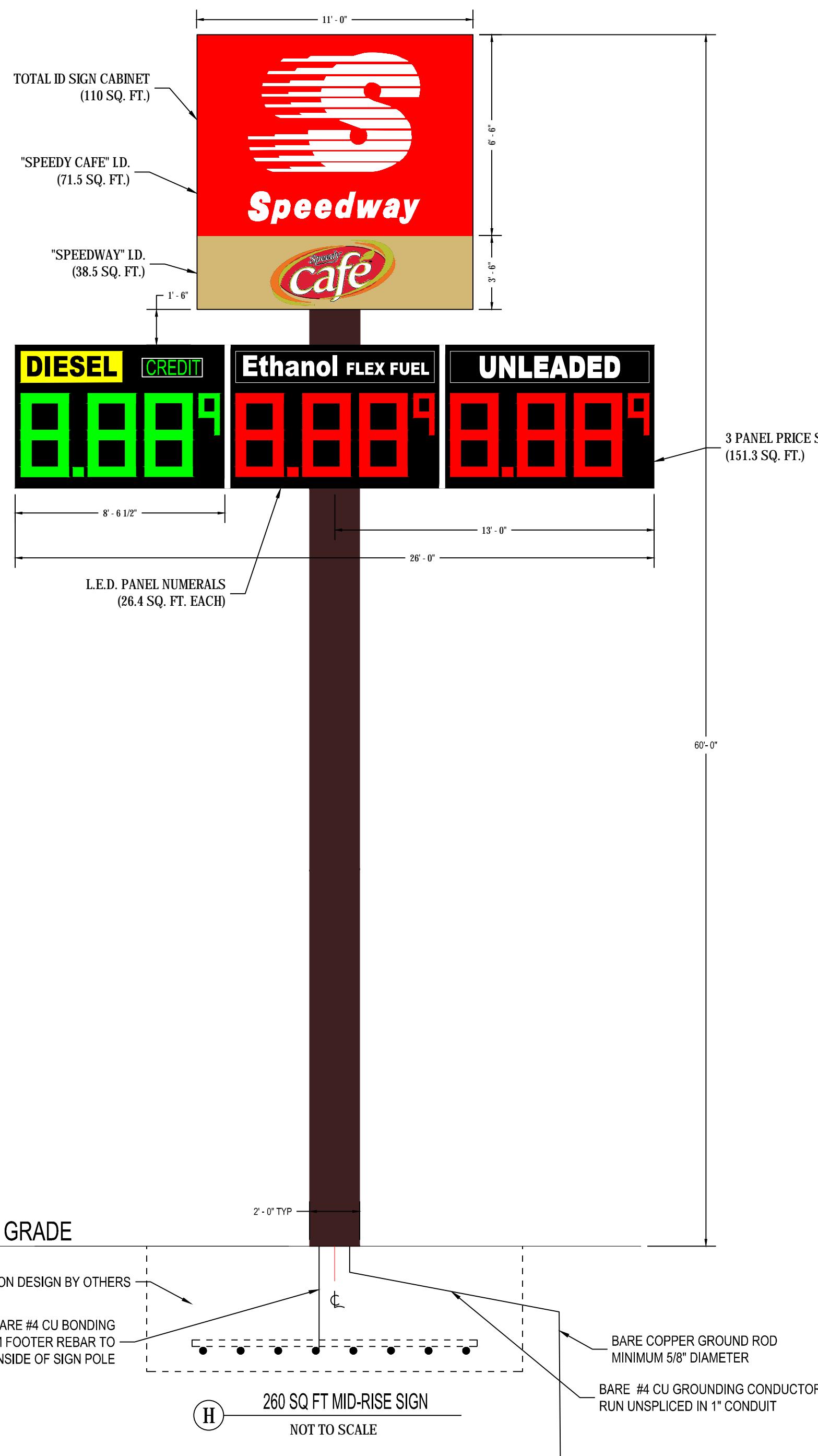


(F) CANOPY FASCIA WITH "SPEEDY CAFE" LOGO  
NOT TO SCALE

GRAPHICS - INSTALLATION				
ITEM	FURNISHED BY:	INSTALLED BY:	REMARKS	
DISPENSER DECALS	V	V		
FIRE MARCHAL SIGN	O	C	SEE SITE EQUIPMENT PLAN	
LANE NUMBER PLATES	O	C	SEE SITE EQUIPMENT PLAN	
BUILDING READERBOARD	O	V		
CANOPY FASCIA SIGNS	V	V	ELECTRICAL BY CONTRACTOR	
BUILDING ADDRESS NUMERALS	O	V		
O - OWNER V - OWNER'S VENDOR C - CONTRACTOR				

CONTRACTOR SHALL REVIEW THE  
COMPLETE DRAWING SET AND NOTIFY  
THE DESIGN PROFESSIONAL IN  
WRITING PRIOR TO CONSTRUCTION, IF  
ANY DISCREPANCIES ARE FOUND  
WITHIN THE DRAWINGS OR WITH  
ACTUAL FIELD CONDITIONS.

**GEORGIA811**  
www.Georgia811.com



(C) READER BOARD  
NOT TO SCALE

SIGNAGE PLAN AND DETAILS NEW BUILD STORE 8500 TARA BOULEVARD CLAYTON COUNTY JONESBORO, GA				
REF. LET.	LOCATION	MESSAGE	ILLUMINATION	DIMENSION
A	BUILDING WALL	SPEEDY CAFE LOGO	ILLUMINATED	36" x 67.69"
B	BUILDING WALL	SPEEDY CAFE LOGO	ILLUMINATED	51" x 36"
C	BUILDING WALL	READER BOARD	ILLUMINATED	60" x 96"
				BUILDING TOTAL 90.92 SF
D	SHORT SIDE (NW)	SPEEDWAY	ILLUMINATED	189" x 36"
E	SHORT SIDE (SE)	SPEEDWAY	ILLUMINATED	189" x 36"
F	LONG SIDE (SW)	SPEEDY CAFE	ILLUMINATED	67.86" x 36"
G	LONG SIDE (SW)	MFFY	NON-ILLUMINATED	156" x 30.36"
				CANOPY TOTAL 144.36 SF
H	SOUTHEAST CORNER	MID-RISE SIGN	ILLUMINATED	261.3 SF
K	SOUTH AUTO ENTRANCE	AUTO ENTRANCE	ILLUMINATED	36.5" x 17.5"
K	NORTH AUTO ENTRANCE	AUTO ENTRANCE	ILLUMINATED	36.5" x 17.5"
L	SOUTH AUTO EXIT	AUTO EXIT	ILLUMINATED	36.5" x 17.5"
M	NORTH AUTO EXIT	AUTO EXIT	ILLUMINATED	36.5" x 17.5"
N	TRUCK ENTRANCE	TRUCK ENTRANCE	ILLUMINATED	97" x 47.5"
O	TRUCK EXIT	TRUCK EXIT	ILLUMINATED	97" x 47.5"
P	R/TO ACCESS	AUTO/TRUCK ENTRANCE	ILLUMINATED	97" x 47.5"
				SITE TOTAL 407.06 SF
				PROJECT TOTAL 642.34 SF

**CESO**  
www.cesoinc.com

NOT FOR  
CONSTRUCTION

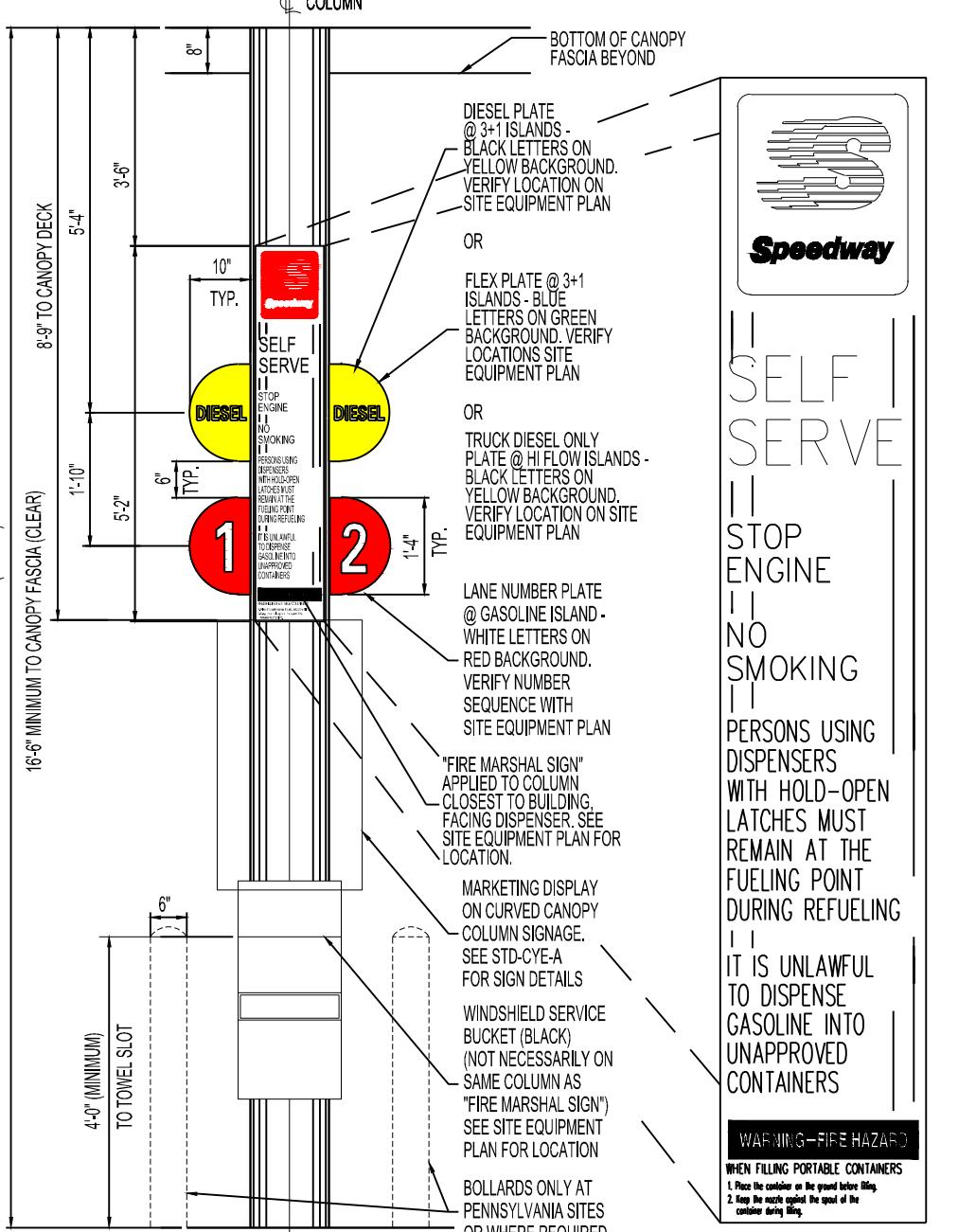
**Speedway®**

Proposed by:  
Speedway  
Engineering and Construction Dept.  
Erlinton, OH 45223

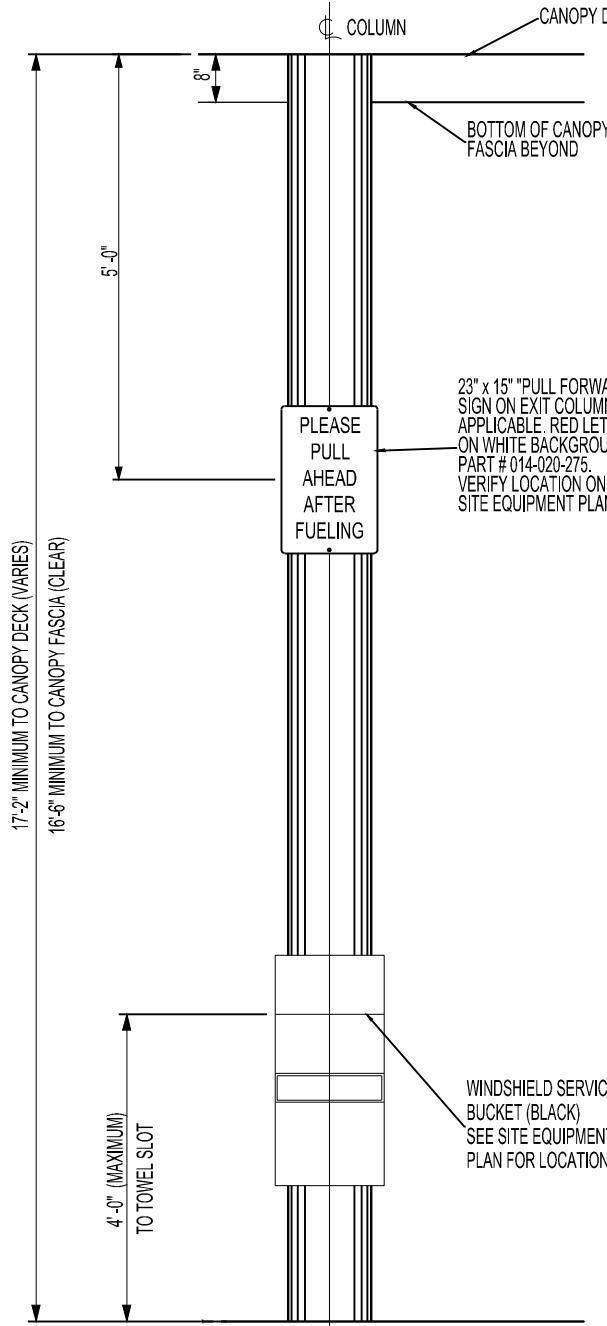
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PROJECT NO. 7545

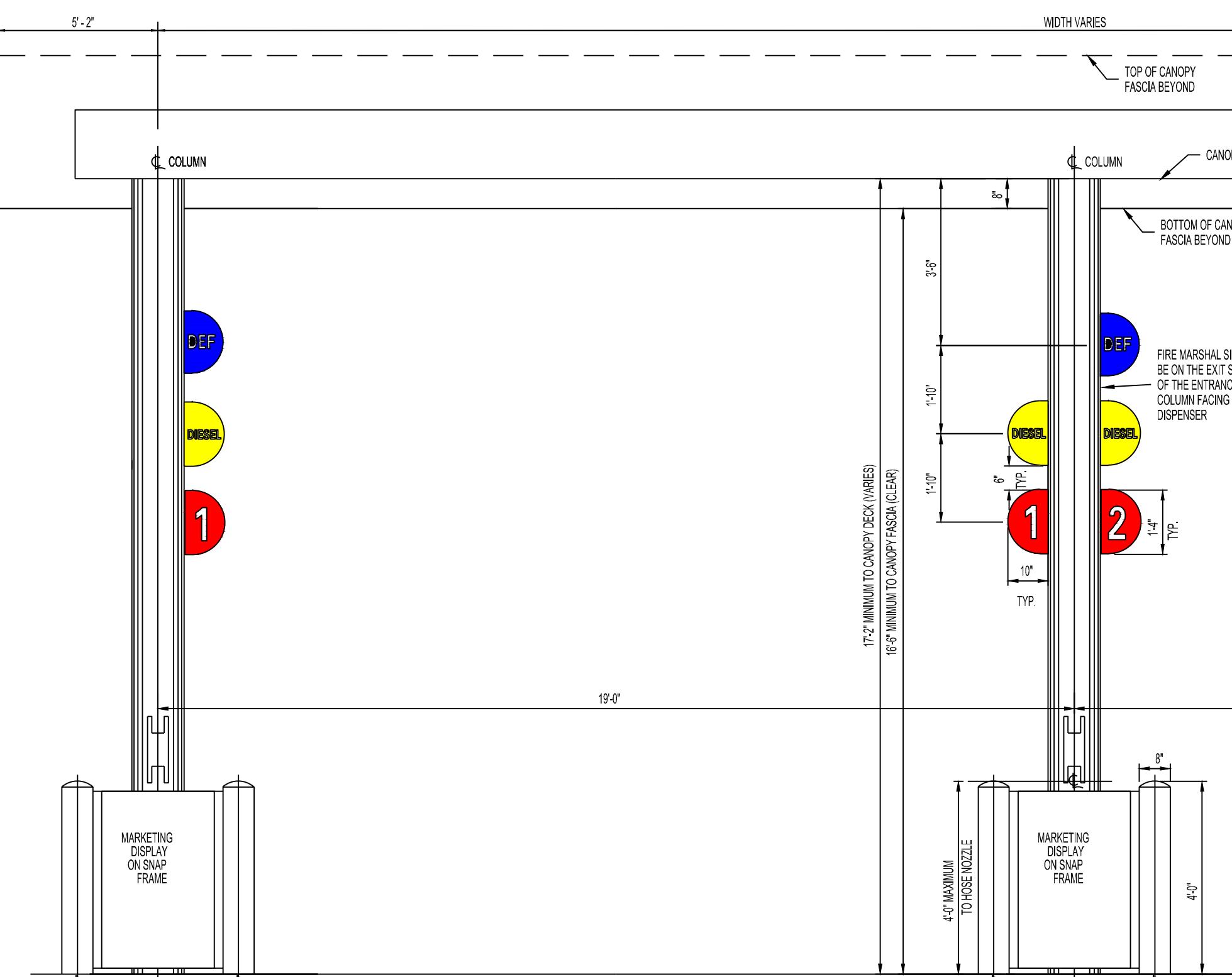
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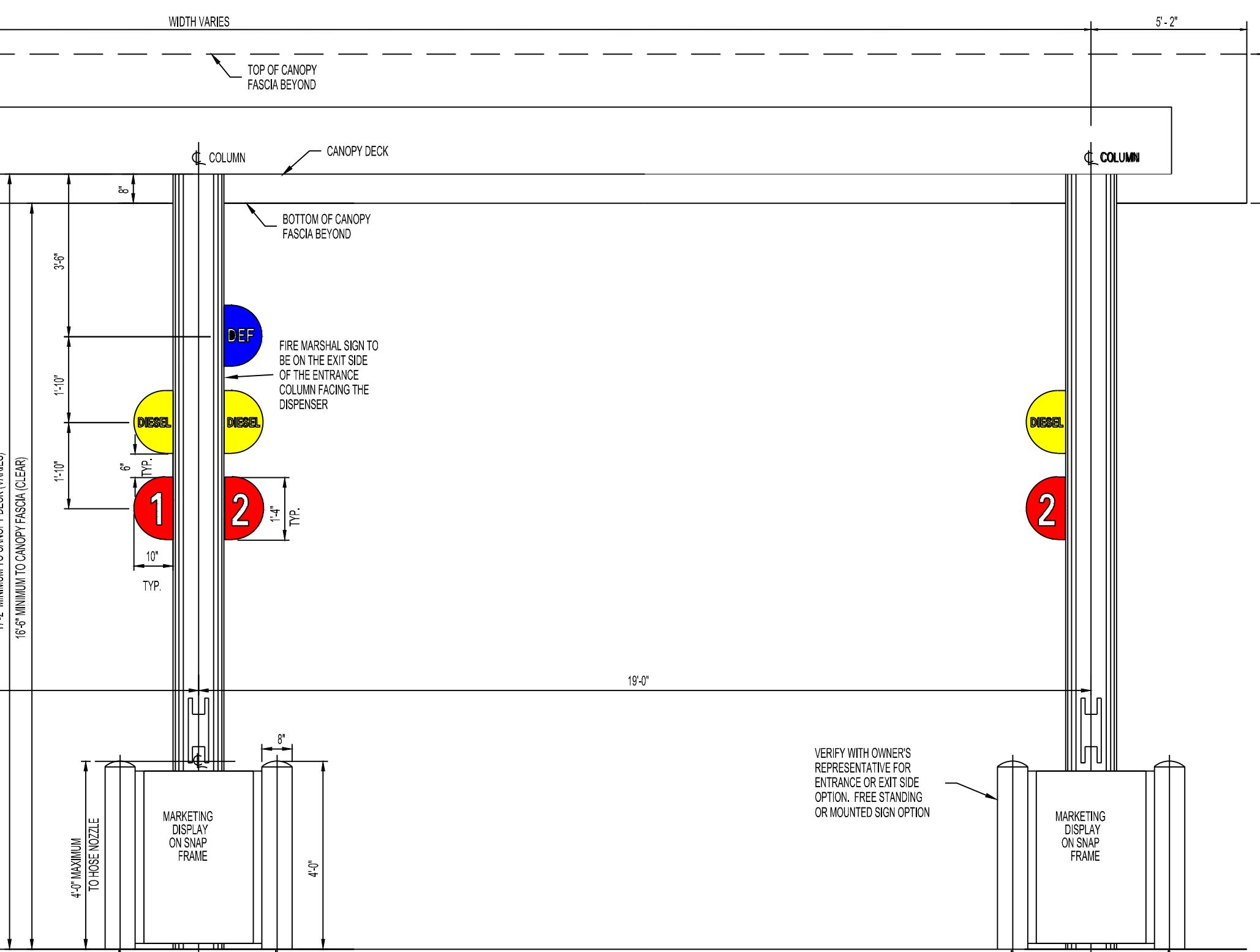
FRONT ELEVATION @ FIRE MARSHAL SIGN  
WITH AUTO DSE LANE IDENTIFIERS  
NOT TO SCALE



COMMERCIAL FUELING LANES  
CANOPY EXIT COLUMN ELEVATION  
NOT TO SCALE

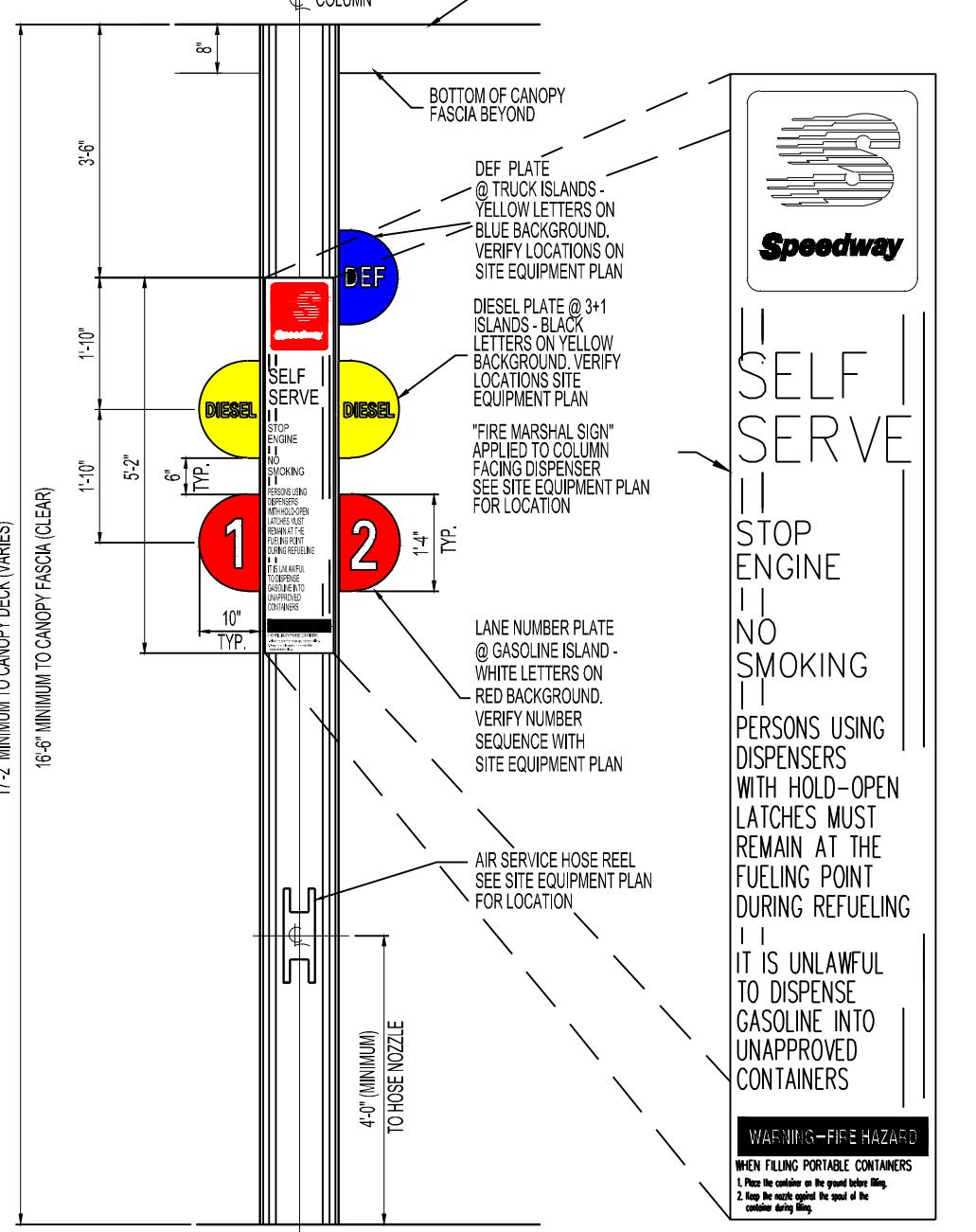


ENTRANCE ELEVATION @  
MASTER DISPENSER

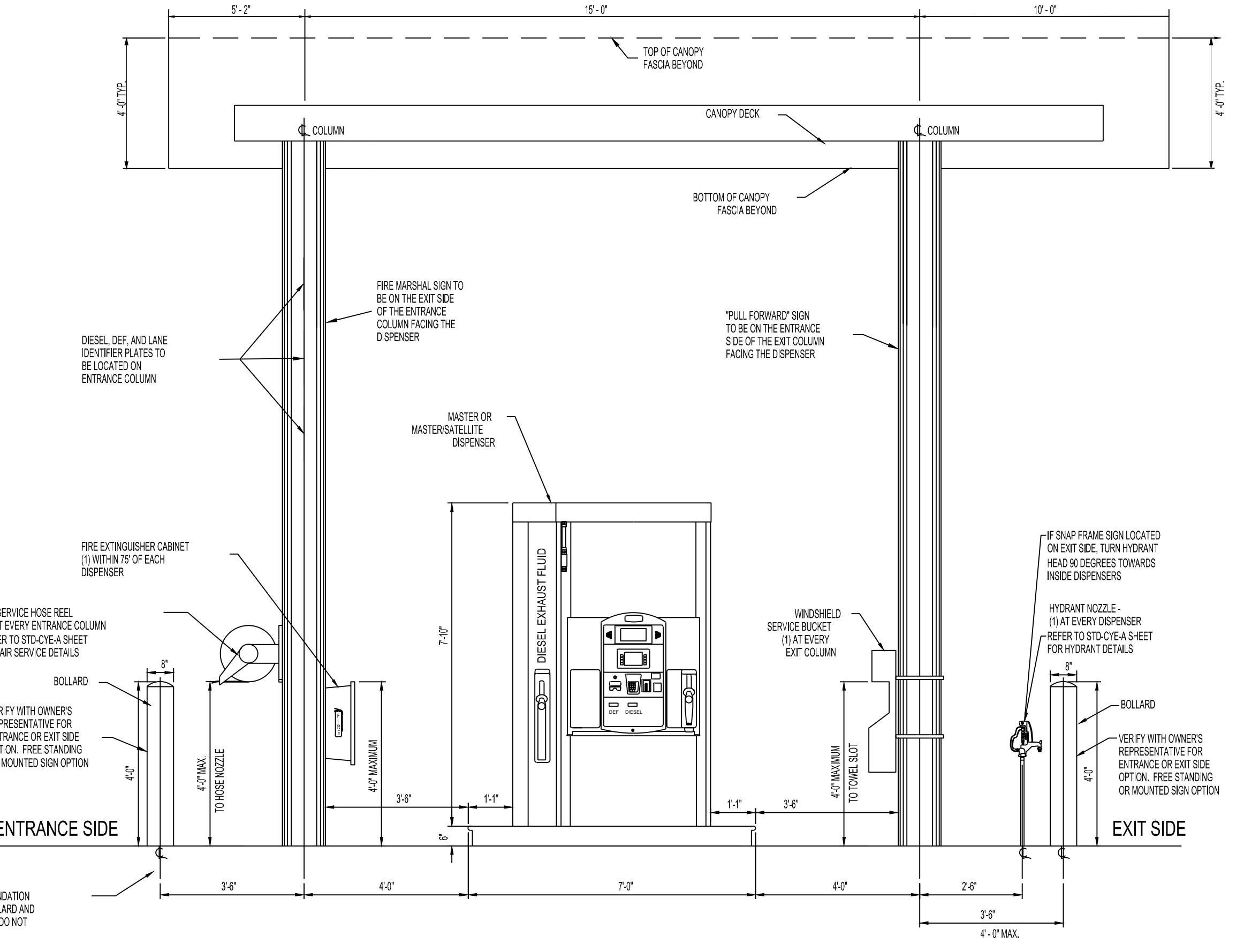


ENTRANCE ELEVATION @  
MASTER/SATELLITE DISPENSER

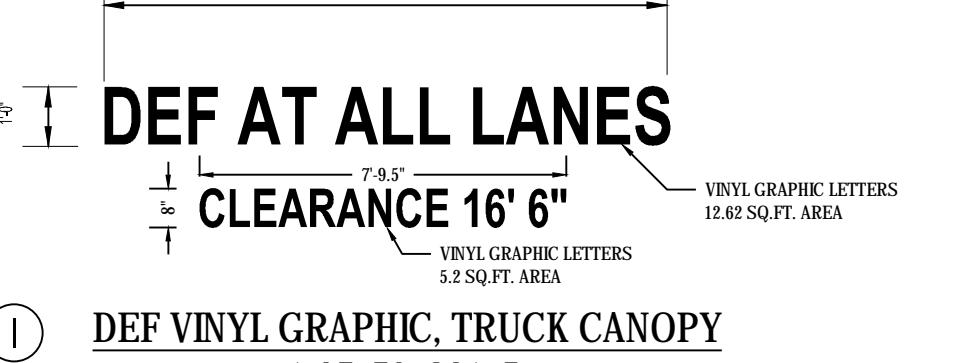
ENTRANCE ELEVATION @  
SATELLITE DISPENSER



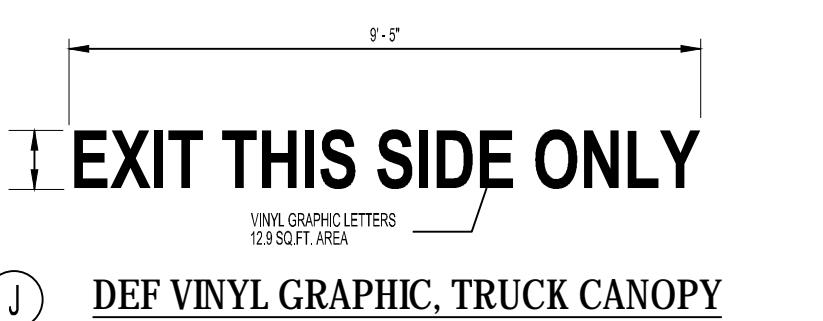
ENTRANCE ELEVATION @ FIRE MARSHAL SIGN FOR  
COMMERCIAL FUELING LANES W/ DEF LANE IDENTIFIERS  
NOT TO SCALE



COMMERCIAL FUELING LANES SIDE  
ELEVATION @ MASTER DISPENSER  
NOT TO SCALE



DEF VINYL GRAPHIC, TRUCK CANOPY  
NOT TO SCALE



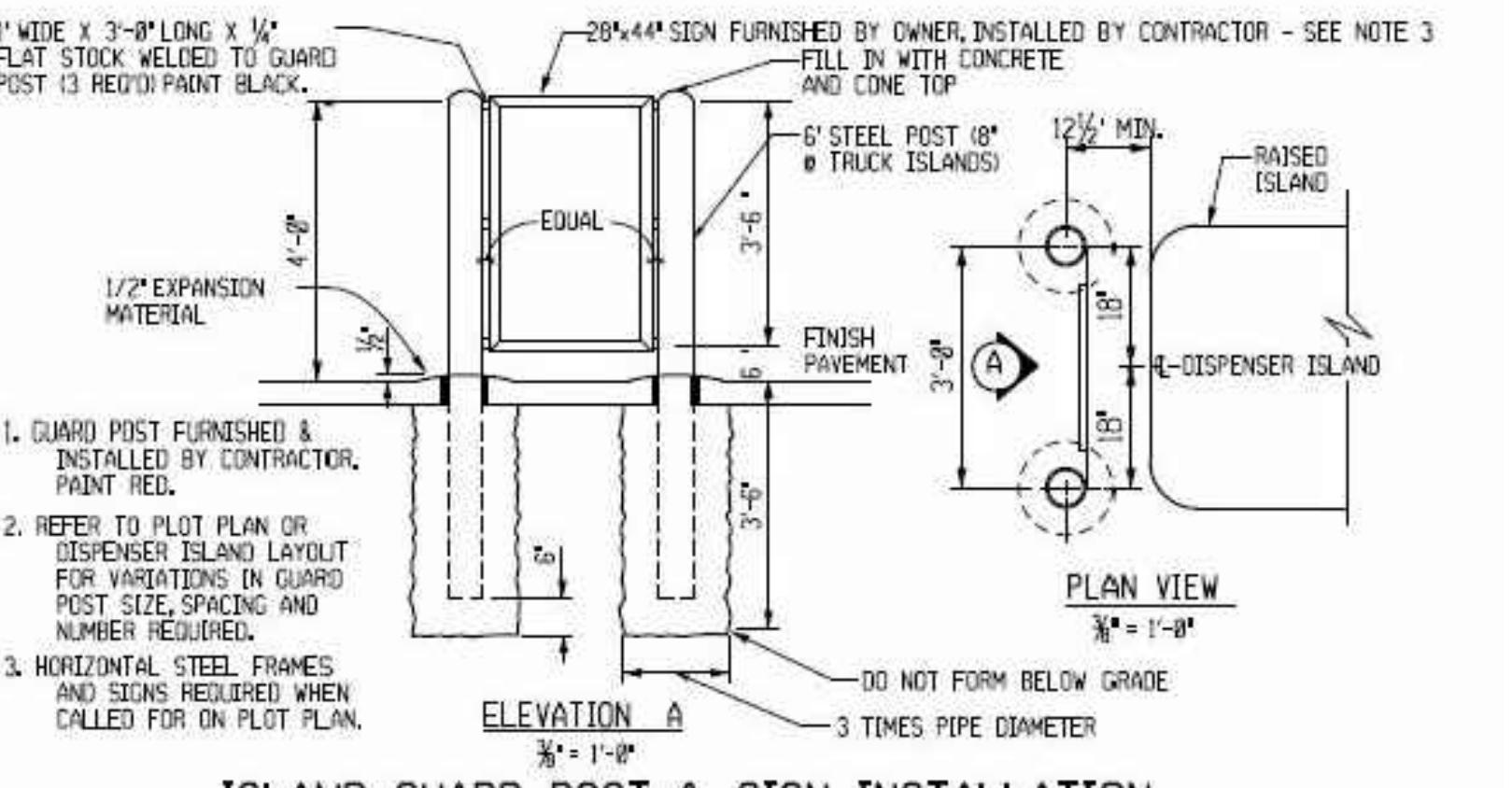
DEF VINYL GRAPHIC, TRUCK CANOPY  
NOT TO SCALE

ITEM	DESCRIPTION	REVISIONS	REVISION DATE	REVISION DATE
1	COVERAGE PLAN SUBMITAL		TMC21/18	CB/4/18
2	ZONING PLAN SUBMITAL		EG/4/18	CB/4/18
3	PERMITTING PLAN SUBMITAL		EG/14/2018	CB/11/2018

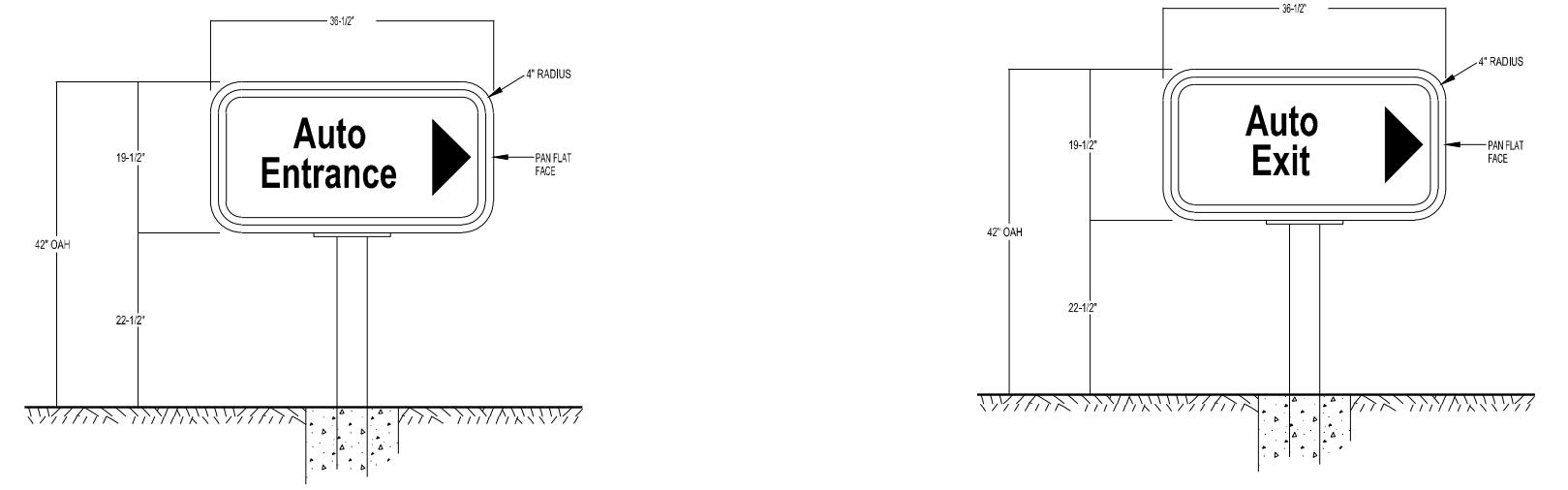
Attachment: 100008\_Jonesboro\_GA-Variance Plans(11-19-18) (1327 : Variances - Speedway Gas Station - 8500 Tara Blvd.)

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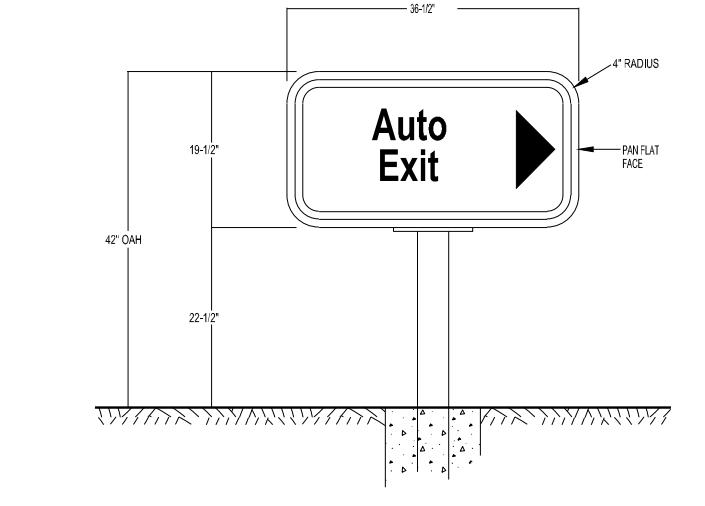
SPEEDWAY PAINT SCHEDULE - REV. 12/11/17					
ITEM #	REF	SUBSTRATE	PRIMER	INTERMEDIATE	TOPCOAT
1.00		METAL BOLLARDS	"PRO-CRYL, B66-310 COLOR: OFF-WHITE 2.0 - 4.0 MILS DFT"	"SHER-CRYL, B66R300 COLOR: SW4081 SAFETY RED 2.5 - 4.0 MILS DFT"	"SHER-CRYL, B66R300 COLOR: SW4081 SAFETY RED 2.5 - 4.0 MILS DFT"
2.00		"METAL SIGN POLES AND FRAMES"	"PRO-CRYL, B66-310 COLOR: OFF-WHITE 2.0 - 4.0 MILS DFT"	"SHER-CRYL, B66R300 COLOR: MATCH PMS 4975 2.5 - 4.0 MILS DFT"	"SHER-CRYL, B66R300 COLOR: MATCH PMS 4975 2.5 - 4.0 MILS DFT"
3.00		METAL AREA LIGHT POLES	"DTM BONDING PRIMER B66A50 COLOR: OFF-WHITE 2.0 - 5.0 MILS DFT"	"SHER-CRYL, CLEAR BASE COLOR: SATIN BRONZETONE 2.5 - 4.0 MILS DFT"	"SHER-CRYL, CLEAR BASE COLOR: SATIN BRONZETONE 2.5 - 4.0 MILS DFT"
4.00		"METAL STRUCTURAL CANOPY COLUMNS"	"DTM BONDING PRIMER B66A50 COLOR: OFF-WHITE 2.0 - 5.0 MILS DFT"	"SHER-CRYL, B66W351 COLOR: SW6134 NETSUKE 2.5 - 4.0 MILS DFT"	"SHER-CRYL, B66W351 COLOR: SW6134 NETSUKE 2.5 - 4.0 MILS DFT"
4.10		"CANOPY DOWNSPOUTING GASOLINE ISLAND CANOPIES"	"DTM BONDING PRIMER B66A50 COLOR: OFF-WHITE 2.0 - 5.0 MILS DFT"	"SHER-CRYL, B66W351 COLOR: SW6134 NETSUKE 2.5 - 4.0 MILS DFT"	"SHER-CRYL, B66W351 COLOR: SW6134 NETSUKE 2.5 - 4.0 MILS DFT"
4.20		"CANOPY GUTTERS GASOLINE ISLAND CANOPIES"	"DTM BONDING PRIMER B66A50 COLOR: OFF-WHITE 2.0 - 5.0 MILS DFT"	"SHER-CRYL, B66W351 COLOR: SW7006 EXTRA WHITE 2.5 - 4.0 MILS DFT"	"SHER-CRYL, B66W351 COLOR: SW7006 EXTRA WHITE 2.5 - 4.0 MILS DFT"
5.00	ARRIVE ON SITE POWDER COATED	"GUTTERS STANDARD C3900/C4600 BLOCK OR BRICK COLOR SCHEMES"		DMI - BRITE RED	
6.00		"DOWNSPOUTING STANDARD C3900/C3000 BLOCK OR BRICK COLOR SCHEMES"	"DTM BONDING PRIMER B66A50 COLOR: OFF-WHITE 2.0 - 5.0 MILS DFT"	"SHER-CRYL, CLEAR BASE COLOR: SATIN BRONZETONE 2.5 - 4.0 MILS DFT"	"SHER-CRYL, CLEAR BASE COLOR: SATIN BRONZETONE 2.5 - 4.0 MILS DFT"
7.00		METAL EXTERIOR DOORS	"PRO-CRYL, B66-310 COLOR: OFF-WHITE 2.0 - 4.0 MILS DFT"	"SHER-CRYL, CLEAR BASE COLOR: SATIN BRONZETONE 2.5 - 4.0 MILS DFT"	"SHER-CRYL, CLEAR BASE COLOR: SATIN BRONZETONE 2.5 - 4.0 MILS DFT"
8.00		"PARKING LOT STRIPING & CURB TRANSITIONS (NON ADA)-STANDARD"	NOT REQUIRED	NOT REQUIRED	"PRO-PARK™ WATERBORN E TRAFFIC MARKING PAINT COLOR: YELLOW B97YD2467"
8.00		"PARKING LOT STRIPING (ADA) STANDARD"	NOT REQUIRED	NOT REQUIRED	"PRO-PARK™ WATERBORN E TRAFFIC MARKING PAINT COLOR: BLUE B97LD2022"
8.00		"PARKING LOT STRIPING (NON-ADA) - ONLY WHEN WHITE IS REQUIRED"	NOT REQUIRED	NOT REQUIRED	"PRO-PARK™ WATERBORN E TRAFFIC MARKING PAINT COLOR: WHITE B97WD2434"
11.00		METAL CANOPY DECKING	"DTM BONDING PRIMER B66A50 COLOR: OFF-WHITE 2.0 - 5.0 MILS DFT"	NOT REQUIRED	"SHER-CRYL, B66W311 COLOR: SW7006 EXTRA WHITE 2.5 - 4.0 MILS DFT"



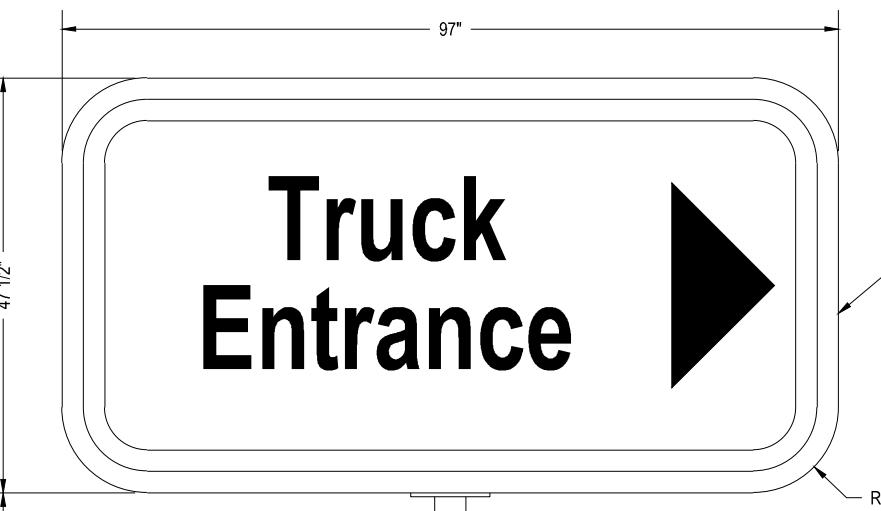
ISLAND GUARD POST &amp; SIGN INSTALLATION

K DOUBLE FACE DIRECTIONAL SIGN  
NOT TO SCALE

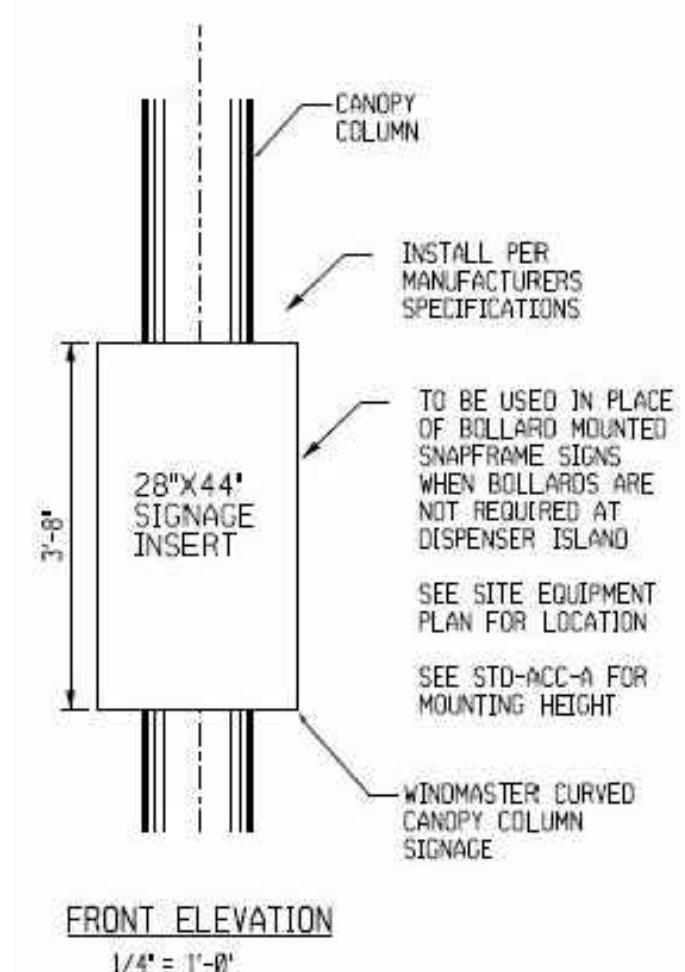
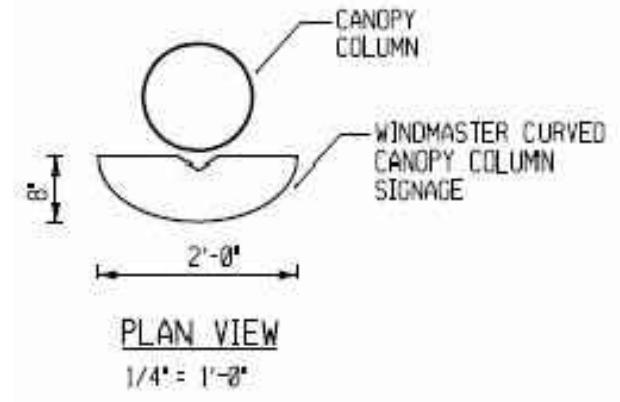
NOTE: SEE EVERBRITE DRAWING NUMBER IN01591P FOR ADDITIONAL DETAILS

L DOUBLE FACE DIRECTIONAL SIGN  
NOT TO SCALE

NOTE: SEE EVERBRITE DRAWING NUMBER IN01591P FOR ADDITIONAL DETAILS



Truck Entrance



CURVED CANOPY SIGN OPTION

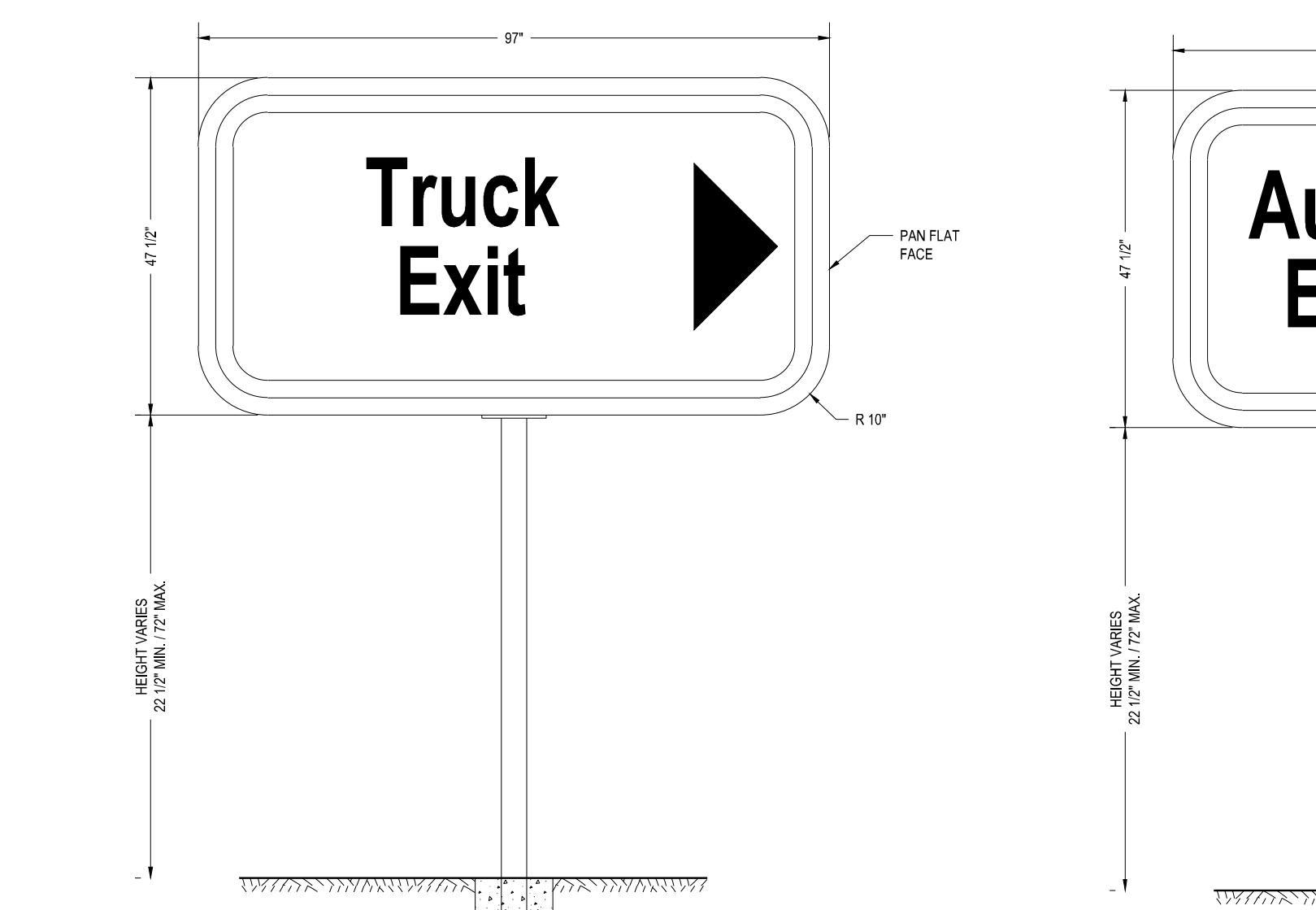
**CESO**  
www.cesoinc.com

**Speedway®**  
Proposed by:  
Speedway  
Engineering and Construction Dept.  
Enon, OH 45223

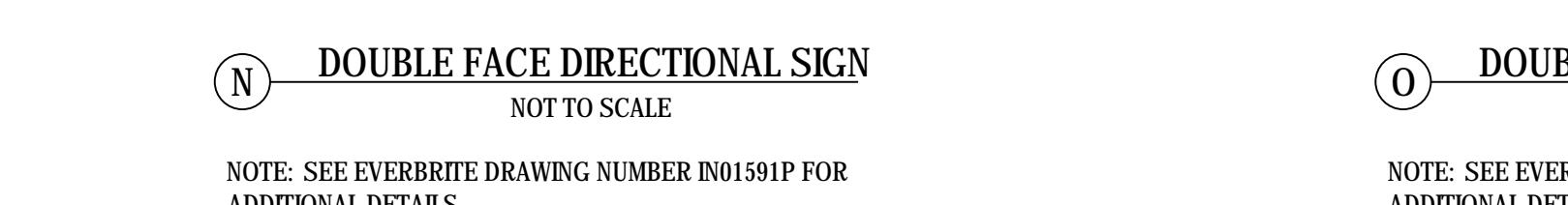
REVISIONS	REVISIONS	REVISIONS
1.0: COPIED FROM SUBMITAL	1.0: ZONING PLAN SUBMITAL	1.0: FEASIBILITY SUBMITAL
2.0: COPIED FROM SUBMITAL	2.0: ZONING PLAN SUBMITAL	2.0: FEASIBILITY SUBMITAL
3.0: COPIED FROM SUBMITAL	3.0: ZONING PLAN SUBMITAL	3.0: FEASIBILITY SUBMITAL
4.0: COPIED FROM SUBMITAL	4.0: ZONING PLAN SUBMITAL	4.0: FEASIBILITY SUBMITAL

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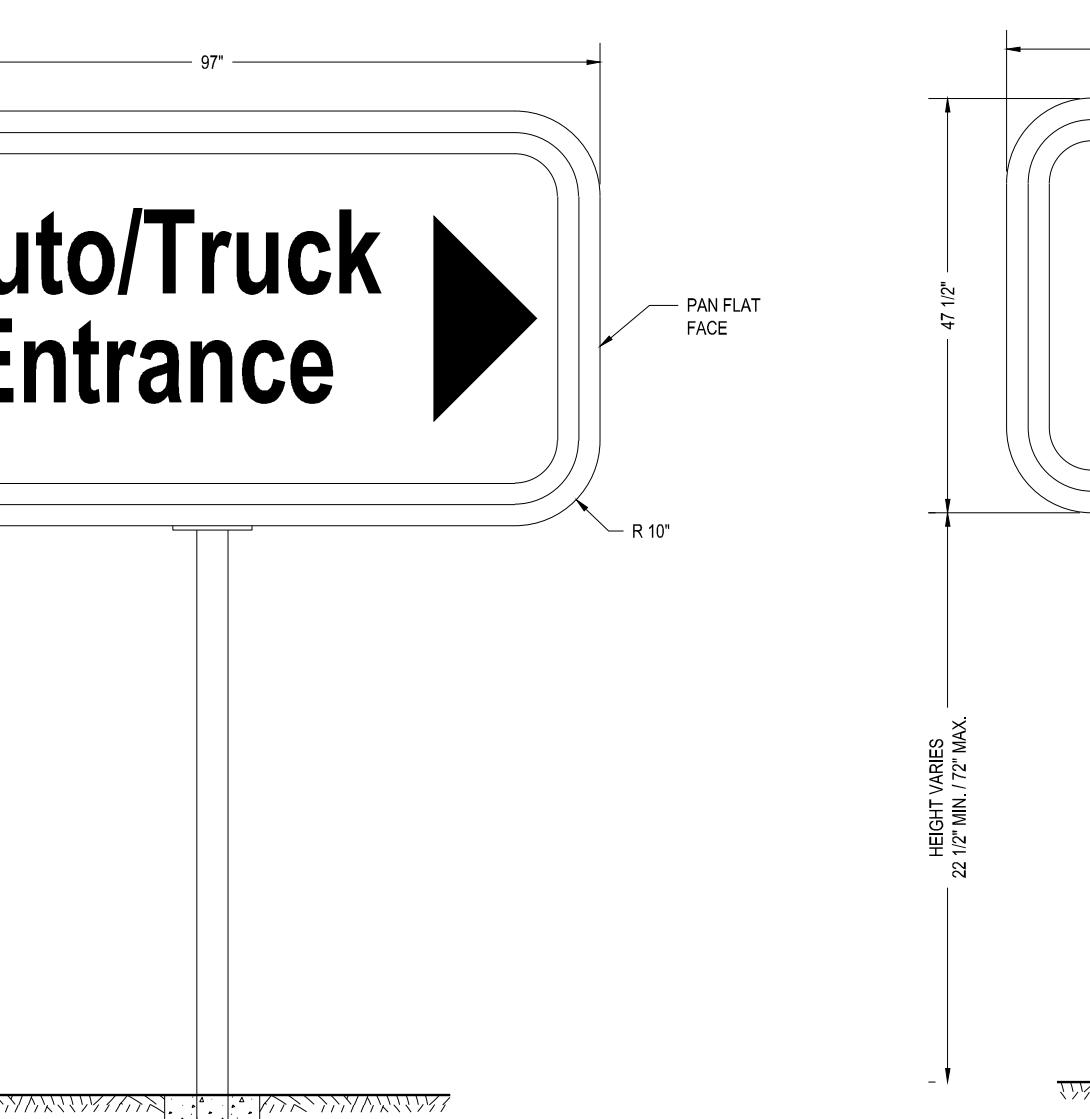
Attachment: 100008\_Jonesboro\_GA-Variance Plans(11-19-18) (1327 : Variances - Speedway Gas Station - 8500 Tara Blvd.)



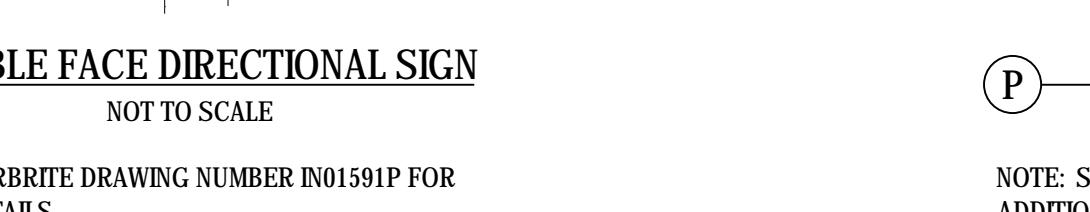
Truck Exit

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NOT TO SCALE

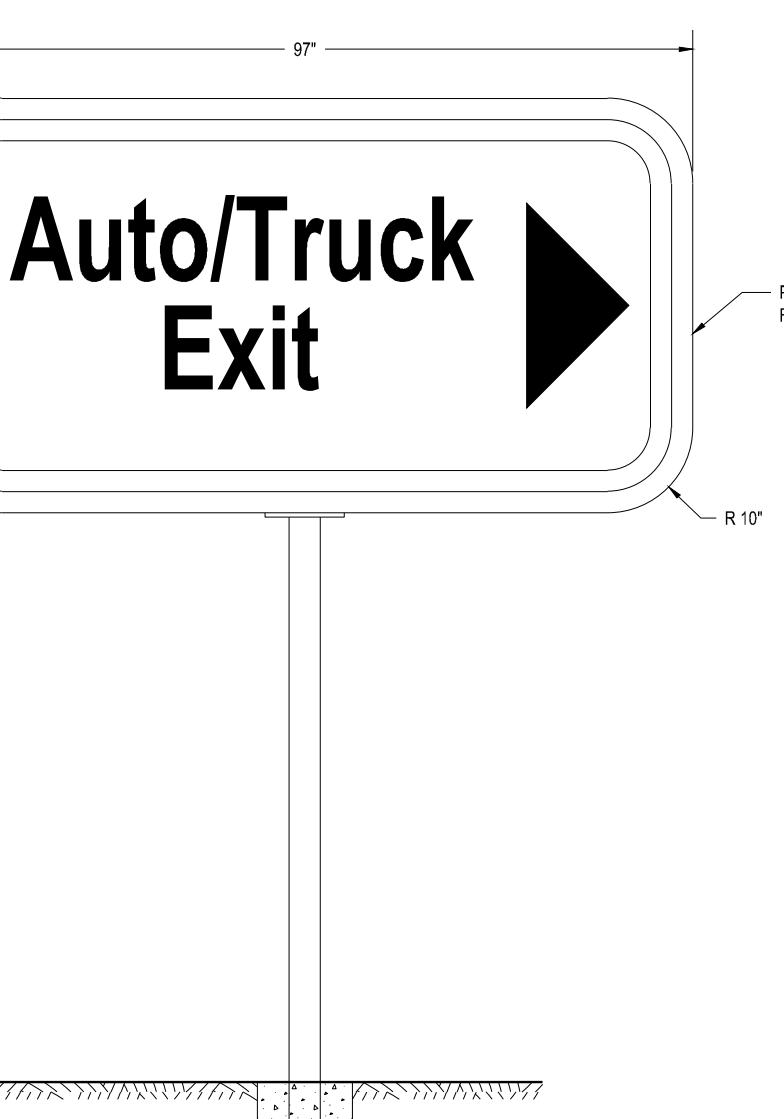
NOTE: SEE EVERBRITE DRAWING NUMBER IN01591P FOR ADDITIONAL DETAILS



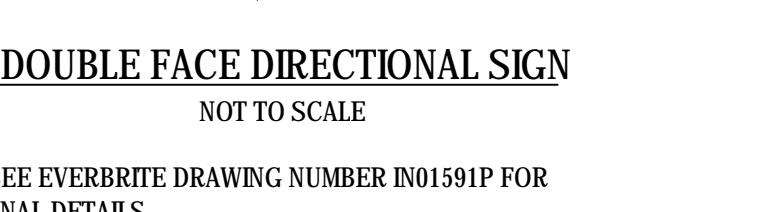
Auto/Truck Entrance

O DOUBLE FACE DIRECTIONAL SIGN  
NOT TO SCALE

NOTE: SEE EVERBRITE DRAWING NUMBER IN01591P FOR ADDITIONAL DETAILS



Auto/Truck Exit

P DOUBLE FACE DIRECTIONAL SIGN  
NOT TO SCALE

NOTE: SEE EVERBRITE DRAWING NUMBER IN01591P FOR ADDITIONAL DETAILS

**NEW BUILD STORE**  
6500 TARA BOULEVARD  
CLAYTON COUNTY  
JONESBORO, GA

BLDG TYPE & VERSION	C4600-C2.0
PROJECT ID NO.	104627
SCALE	NO SCALE
DESIGN TEAM	DATE
DGNR. P. DENTON	4/5/2018
PMGR. C. WARSHAW	4/5/2018
RWVR. C. WARSHAW	4/5/2018
DRWGS. NO.	100008-SS3

CONTRACTOR SHALL REVIEW THE COMPLETE DRAWING SET AND NOTIFY THE DESIGN PROFESSIONAL IN WRITING PRIOR TO CONSTRUCTION, IF ANY DISCREPANCIES ARE FOUND WITHIN THE DRAWINGS OR WITH ACTUAL FIELD CONDITIONS.

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FRONT ELEVATION



REAR ELEVATION



LEFT ELEVATION



RIGHT ELEVATION

**Speedway**®

Prepared By:  
Speedway  
Engineering and Construction Dept.  
Enon, OH 45323

Attachment: 100008 Color Elevation 4600 v2 right CAFE 04/02/2018 (1327 : Variances - Speedway Gas Station - 8500 Tara Blvd.)

NO.	REV/S	REVISIONS	REVISION DATE	REVISION BY

### BUILDING ELEVATION NEW BUILD

8500 TARA BOULEVARD  
CLAYTON COUNTY  
JONESBORO, GA

STORE OR BLDG NO.	100008
VERSION OR PROJECT ID	4600 V2
SCALE	0 8'
	18" = 1'-0"
DESIGN TEAM	DATE
DGNR.	STORTENBECKER 4/30/18
P. MCR.	
RWRC.	
DRWG. NO.	100008 - ELEV



Above left, the Jonesboro High School Class of 1975 time capsule was unearthed and opened Dec. 8. The capsule contained several items including letters, magazine photos. Above right, several photographs were part of the Jonesboro High School class of 1975 time capsule. (Staff Photos: Heather Middleton)

## Capsule

### From Page 1A

now lives in Washington state, but when he heard that Jonesboro High is set to undergo a \$45.8 million renovation he knew the capsule had to be saved. The majority of the school will be razed, including the vocational building.

Boddie wrote a letter to the Kiwanis Club letting them know where to find the time capsule. Then-President Bob McCullough headed up the search. With the help of a metal detector, he found it.

"He gave me pretty good directions as to where to start," McCullough said.

The plan was to dig up, what initially was thought to be a small metal box from the Class of 1976.

But what McCullough and others found was actually the time capsule from the Class of 1975. And it was a lot bigger than anyone had remembered.

The digging started on Nov. 30 with McCullough and Jonesboro High's head custodian Jared Johnson.

Current students picked up a shovel and joined in. After two hours of digging, Principal Felicia Brown called on the construction crew at the school. It took a skid steer to get the capsule out of the ground.

The idea was to open it on Dec. 1, with former students and teachers present. But the Class of 1975 did such a good job sealing it, they were unable to open it. What's another week of



Robert McCullough, left, and Jonesboro High School head custodian Jared Johnson began digging up what they thought was a small time capsule in the front year of the Career, Technical and Agricultural Education building.

waiting after 43 years?

For a week, the school's maintenance crew worked to remove 20 large, rusted bolts that held the memories all those years.

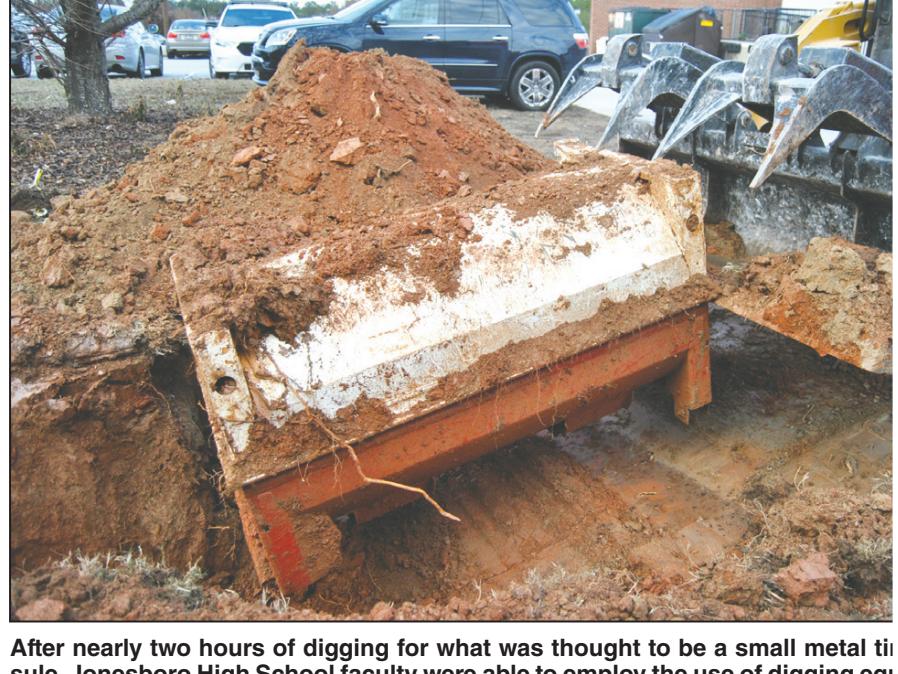
On the chilly and rainy morning of Dec. 8, faculty and students from several grades gathered to see what was put away for the future.

"The senior class was instructed to write a letter to their future selves," said David Worley, member of

the Key Club. He said the metal box sat outside the lunchroom and students could drop off their letters or trinkets in the box.

"I don't remember it being that big though," he said laughing.

As McCullough pulled the items out one by one, there was laughter and excitement. Nostalgia for days gone by bubbled up as did the memories of old friends. For just a moment the past



After nearly two hours of digging for what was thought to be a small metal time capsule, Jonesboro High School faculty were able to employ the use of digging equipment to pull what turned out to be a large metal box out of the ground.

became present.

Eddie Hunter, Class of 1976, found his signature on the first item pulled from the capsule — a roster full of student signatures.

"It just takes me back," he said. "Those were some of the best days of my life. I had great friends, and we had great times together."

Hunter reminisced about racing his 1969 Plymouth Road Runner in front of the school.

"We turned that road into a drag strip out there," he said, referring to Mount Zion Boulevard.

Hunter pointed to his best friend's signature, Richard Craig, right above his on the roster.

"We've stayed in touch all these years thanks to

Facebook," he said.

Though they're using technology nowadays to keep in touch, Hunter said he was glad he attended school before social media came about.

"Back then, people had to actually talk to each other, and we made great friends," he said.

Steve Lundquist, 1979 JHS graduate, said he attended the capsule opening out of curiosity.

"It was neat to see all this," he said.

Lundquist said he recognized many of the names and faces as friends.

"Back then people moved here and stayed here," he said.

Several items unearthed will remain at the school,

while the letters will be mailed to students.

After a few stops and starts, finding and digging out the capsule, McCullough said the work was worth it.

"It's always fun to back in the past," he said. "It's been like a treasure hunting adventure."

One more treasure may be on the horizon. Jonesboro High before construction begins. The Class of 1976, too, buried a capsule on the property.

Carol Bridewell, Class of 76, said she's sure the class created a time capsule because they were in the Bicentennial class.

"I feel certain we'll be in our own in front of the pole," she said.

### LEGAL NOTICE

An application has been submitted to the City of Jonesboro Mayor and City Council for an Alcohol Beverage Pouring License to dispense beer and wine at 246 N. Main Street. The legal business name is Sybounhieng Corporation dba Taste of Thailand. Khamla Akhavong has requested to be the License Representative. The application will be granted or denied by Mayor and City Council at 6:00 p.m. on the fourteenth day of January 2019. The required Public Hearing will also be held at that time. The City Council will first hear the item at their Work Session held on January 7, 2019.

Ricky L. Clark, Jr.  
City Manager

### Legal Notice

Public Hearing will be held by the Mayor and Council of the City of Jonesboro at **6:00 P.M. on January 14, 2019** in the chambers of the Jonesboro Municipal Court facility, 170 South Main Street, Jonesboro, GA, to consider multiple variances concerning parking space location, maximum number of signs, maximum sign area, maximum sign height, sign changeable copy limits, minimum building facade height, and minimum building facade fenestration, by Speedway, LLC for property located at 8500 Tara Boulevard (Parcel No. 05240B A004), Jonesboro, Georgia 30236.

David Allen  
Zoning Administrator / Community Development Director

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Insurance Policy P150 (GA: P150GA; NY: P150NY; OK: P150OK; TN: P150TN)

MB17-NM008E

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### LEGAL NOTICE

An application has been submitted to the City of Jonesboro Mayor and City Council for a Retail Package Dealer license to sell beer/wine at 246 N. Main Street. The legal business name is Marymatha, Inc. dba E: Onestop Gas & Grocery. Prathish Jose has requested to be the License Representative. The application will be granted or denied by Mayor and City Council at 6:00 p.m. on the fourteenth day of January, 2019. The required Public Hearing will also be held at that time. The City Council will first hear the item at their Work Session held on January 7, 2019.

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David Allen  
Zoning Administrator / Community Development Director

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</

# Clayton News

11.1.f

## AFFIDAVIT

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State of Georgia  
County of Clayton

### **Legal Notice**

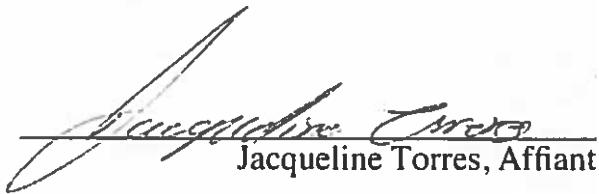
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David Allen  
Zoning Administrator / Community Development Director

Personally appeared before the undersigned **Jacqueline Torres** who after being first duly sworn states that she is the **Legal Advertising Clerk for the Clayton News**, official legal organ of **Clayton County, Georgia**, and that upon her own personal knowledge knows that the advertisement, a true copy of which is hereto annexed, was published in said newspaper of general circulation on the following dates:

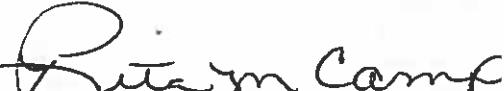
Run Dates: Dec 19 & 26 - 2018

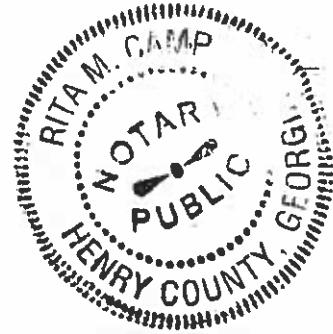
Newspaper Ad # 579392



Jacqueline Torres, Affiant

Sworn to and subscribed before me this the  
26th day of December, 2018

Signed   
Rita M. Camp, Notary Public  
My commission expires November 23, 2020



# Clayton News

11.1.f

State of Georgia  
County of Clayton

## AFFIDAVIT

Attach Copy of Advertisement

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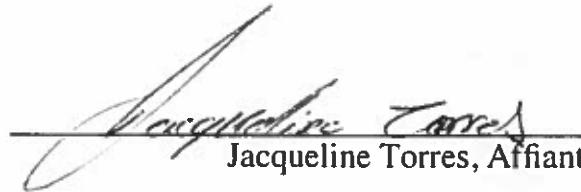
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David Allen  
Zoning Administrator / Community Development Director

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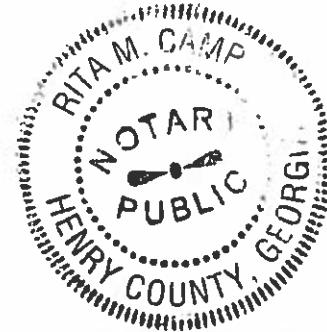
Run Dates: Dec. 19 & 26 - 2018

Newspaper Ad # 579393

  
Jacqueline Torres, Affiant

Sworn to and subscribed before me this the  
26th day of December, 2018

Signed   
Rita M. Camp, Notary Public  
My commission expires November 23, 2020



**CITY OF JONESBORO, GEORGIA**  
PUBLIC HEARING FOR Variance  
Concerning Parking Space Location  
Maximum Number of Signs, Sign Height,  
Building Face and Building Elevation  
Residential 8000 Tara Blvd. Jonesboro, GA 30236  
LOCATION  
170 SOUTH MAIN STREET, JONESBORO, GEORGIA 30236  
DATE: 01-14-2019 TIME: 6:00 PM  
FOR MORE INFORMATION PLEASE CONTACT CITY HALL AT 770-478-3800



## CITY OF JONESBORO DESIGN REVIEW COMMITTEE Agenda Item Summary

Agenda It

11.1.h

COUNCIL MEETING DAT

Requesting Agency

Community Development (Speedway, LLC applicant)

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Variances on specific items (see below), relevant to zoning standards (C-2) and the Tara Blvd. Overlay standard

Requirement for Board Action *(Cite specific Council policy, statute or code requirement)*

City Code Section 86-107 – C-2 zoning standards; City Code Section 86-109 – Tara Boulevard Overlay

Is this Item Goal Related? *(If yes, describe how this action meets the specific Board Focus Area or Goal)* Yes  No**Summary & Background***(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

Agency recommendation – **Approval of some variance requests (see below)**; In June 2018, this proposed gas station / convenience store development went before the Design Review Commission, and its requested variances (see below) were scheduled to go before the Mayor and City Council in July. The Design Review Commission had some concerns with the site layout, particularly the reduction of the 50-foot wide required buffer at the rear of the property. At Speedway's request, the consideration of the layout and variances were postponed until the site could be re-designed to accommodate the full buffer.

The 4.1-acre property was proposed to be divided into two lots and a subdivision plat was created in the spring to reflect this. A revised subdivision plat will have to be provided to reflect the shifted boundary line between proposed lots 1 and 2, which was shifted due to the revised site design.

The original variance requests are listed below, **with comments in red** addressing the revised design and the current status of the variance requests.

**Variance request #1** – Reduce number of required parking spaces from 26 spaces required to 18 spaces; Code Section 86-410(7); Staff recommends approval of this request, since an inadequate number of parking spaces would only negatively affect the business, and the amount of impervious cover on the property will be reduced. No parking will be allowed on the shoulder or within the right-of-way of Tara Blvd. Since 26 required parking spaces would require 2 ADA compliant parking spaces, staff will still require two ADA spaces, even though the number of provided parking spaces (18) would only require 1 ADA parking space. One bicycle parking space must be provided, per 86-109 (l). **December 2018 update: The re-design now contains 27 parking spaces, including two ADA parking spaces, so this variance is no longer needed. One space will have to be labeled as bicycle parking.**

(Continued, page 2)

**Fiscal Impact / Funding Source***(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)*

Private Developer

**Exhibits Attached** *(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)*

Variance application, Site plan, Bldg. elevations, Sign information

FOLLOW-UP APPROVAL ACTION (City Manager)		City Manager's Office
Typed Name and Title	Phone	
Signature	Date	

Revised 03/12/09 (Previous versions are obsolete)

**Staff Recommendation  
Approval (of certain items)**

David Allen, Community Development Director, 770.570.2977

**Variance request #2** – Reduce required landscape buffer between dissimilar uses (Speedway and detached residential subdivision at rear) from 50 feet wide to 10 feet wide with 6-foot high fence along a portion of Lot 1; Code Section 86-454 and 86-109(f)(6)(a); Staff recommends denial of buffer reduction to only 10 feet wide adjacent to the residential property. If the quality of life of the citizens in the residential subdivision is to be adequately protected, then a 10-foot buffer with 6-foot high fence is inadequate. While a full 50-foot buffer may interfere with vehicular circulation (especially trucks) in the rear of the property, perhaps a compromise can be reached between 50 feet and 10 feet. The required buffer width between attached residential housing and commercial uses is 25 feet. Also, the Tara Blvd. Overlay (86-109(p)) mentions a 25-foot wide landscaped buffer between gasoline pump islands and residential properties (with minimum 6-foot high opaque fence or wall). Staff cannot recommend a buffer width any smaller than 25 feet wide. Existing vegetation must remain in the buffer area and shall be supplemented by additional landscape plantings as necessary and as determined by the Community Development Director, conforming to all applicable City buffer requirements. The proposed fencing or wall shall be 8 feet tall and shall extend along the entire property line between Lot 1 and the adjacent residentially zoned property. The fence or wall material shall be opaque, non-climbable, and shall not be wood. The goal of the fence is to provide an effective, durable, low-maintenance, visual barrier between the gas station and the residential property, which prevents a “cut-through” being created between the gas station and the rear of the residential subdivision. **December 2018 update: The re-design now has a 55-foot wide rear buffer, so this variance is no longer needed. However, staff is still recommending the same 8-foot tall, opaque, non-climbable, non-wood fence as before, and the fence needs to be installed the entire length of the rear property line at the actual property line, not the buffer line in the interior of the property.**

**Variance request #3** – Increase number of signs allowed from a combination of 1 wall sign and 1 ground sign (2 total), to a combination of 6 wall signs and 1 ground sign (7 total); Code Section 86-489(b)(1); Staff recommends approval of this request. Although the Sign Ordinance and the Tara Boulevard Overlay are partly designed to reduce a “cluttered” look on commercial properties, the wall signs proposed are spread out over the property and cannot all be seen in a single view from the road or at any other vantage point on the property. None of the individual wall signs proposed would exceed the 150-square foot limit per wall signs, per Code Section 86-490(b). These signs are referred to as “A1, A2, B, C, D, and F” on the provided signage plan. “G” and “F” are decals on the pavement. “E” is the ground sign proposed for the property.

**December 2018 update: Same request, unchanged. Staff recommendation of approval is also unchanged.**

**Variance request #4** – Provide changeable copy for a wall sign, in addition to a ground sign; Code Section 86-489(c)(1); This refers to sign “F”, an internally illuminated sign with non-electronic, changeable letters on a reader board. Staff recommends approval of this request. The sign will be located on the rear of the building, cannot be seen from the highway, and its small size should not be a detriment to adjacent properties.

**December 2018 update: Same request, unchanged. Staff recommendation of approval is also unchanged.**

**Variance request #5** – Increase ground sign face area from 35 square feet allowed to 260 square feet proposed. Code Section 86-4909a) – this was the code section referenced for general ground signs; however, there is another section, Code Section 86-489(d)(8) which provides for larger commercial signs within the Tara Boulevard Overlay:

*In non-residential zoning districts within the Tara Boulevard Overlay District, as defined in section 86-109 of the 2005 Zoning Ordinance, the following shall apply: a. A lot with one building facing a primary arterial, which building is currently occupied pursuant to a current and valid certificate of occupancy issued by the city, shall be permitted one double-sided sign to be located within 100 feet of the right-of-way of the primary arterial, each side of which shall not exceed 150 square feet signage area. The height of the sign shall not exceed 35 feet. (It is assumed that this is a ground sign, since it mentions being "double-sided".)*

Staff recommends denial of the exact request (260 total square feet). In essence, there are two, separate ground signs on the same pole, one showing the fuel prices and another advertising "Speedway" and the "Speedy Café". Thus, then City would have to approve or deny this based on the total square footage for the two separate sign faces. It is suggested that the "Speedy Café" sign portion be eliminated, since it is already prominently advertised on the building in the above approved variance request. Most gas station customers already assume there is a food at a gas station / convenience store. This would reduce the "Speedway sign portion to 71.5 square feet, allowing 78.5 feet for fuel price displays within allowable parameters. Possible alternatives:

- Reduce the entire fuel display face to 78.5 square feet (if there is an actual product that size)
- Eliminate the Ethanol display to make the fuel display, thereby making the fuel display face a total area of 124.9 square feet. If you took the altered "Speedway" sign area of 71.5 square feet and added 124.9 square feet, you would have a combination of 196.4 square feet, 46.4 square feet over the maximum allowed area, which staff believes is a more acceptable variance amount.

**December 2018 update: Same request, unchanged. Staff recommendation of denial is also unchanged. Staff feels that this sign area still needs to be reduced.**

**Variance request #6 – Increase height of ground sign allowed from 6 feet to 60 feet; Code Section 86-490(a); The most relevant code section to this is actually Code Section 86-489(d)(8) which provides for taller commercial signs within the Tara Boulevard Overlay:**

*In non-residential zoning districts within the Tara Boulevard Overlay District, as defined in section 86-109 of the 2005 Zoning Ordinance, the following shall apply: a. A lot with one building facing a primary arterial, which building is currently occupied pursuant to a current and valid certificate of occupancy issued by the city, shall be permitted one double-sided sign to be located within 100 feet of the right-of-way of the primary arterial, each side of which shall not exceed 150 square feet signage area. The height of the sign shall not exceed 35 feet. Staff recommends denial of the exact request (60 feet). The property is on a hill. Though there is a significant amount of tree cover to the south and north of the property, there is not much commercial competition in the immediate area with other tall signs. Also, the tree cover on adjacent properties may not always be there. In keeping with the goal of adhering as closely as possible to the Tara Blvd. Overlay standards to ensure a quality product along the highway, staff believes that the 35-foot tall maximum on Tara Blvd. needs to be adhered to.*

**December 2018 update: Same request, unchanged. Staff recommendation of denial is also unchanged. Staff feels that this sign height still needs to be reduced. There was a discussion at the June Design Review Commission about a monument sign more in the 20-foot height range, and this was the recommendation of that Board (to not exceed 20 feet in height).**

**Variance request #7 – Increase allowable changeable copy percent from 20% to 58% for ground sign; Code Section 86-490(a); Staff recommends approval of the request; The changeable copy of the fuel prices needs to be displayed prominently, within reasonable parameters.**

**December 2018 update: Same request, unchanged. Staff recommendation of approval is also unchanged.**

**Variance request #8 – Increase wall sign area from 150 square feet to 235.28 square feet; Code Section 86-490(b); This variance request assumes that variance request #3 will be approved for multiple wall signs. The combined total of the 6 proposed wall signs for the gas station would be 235.28 square feet. However, as stated before, the wall signs proposed are spread out over the property and cannot all be seen in a single view**

from the road or at any other vantage point on the property. Thus, the effect of one, large, 235.28 square foot sign is not achieved. None of the individual wall signs proposed would exceed the 150-square foot limit. Staff recommends approval of this request.

(Note: Proposed signs shall conform to the prohibited signs section 86-487.)

**December 2018 update: Same request, unchanged. Staff recommendation of approval is also unchanged.**

**Variance request #9** – No more than 50% of parking spaces shall be located in the front yard – proposal for 100% of parking spaces to be located in the front yard, due to additional fuel pumps, truck turn-arounds, and required buffers in the rear. Code Section 86-109(l)(1); Staff recommends approval of this request. One of the stated goals for this development was to protect the quality of life of citizens living in the existing detached, residential subdivision behind the subject property (Batiste Garden Circle, etc.). By not having parking in the back, it reduces the chance of the rear of the property becoming a “loitering” area near the adjacent residential area.

**December 2018 update: Same request, unchanged. Staff recommendation of approval is also unchanged.**

**Other items to consider:**

- After variance approval, a pre-development review meeting will need to be arranged with the Clayton County Water Authority to go over storm water detention / retention options. Where is detention area proposed? It cannot be located in the buffers.
- There is a maximum lot coverage of 80%. **This needs to be double checked (impervious coverage).**
- The minor subdivision plat needs to be approved by both the City and GDOT. Will there be any new driveways or will the development just be using the existing curb cuts? (See Note #3 on Zoning Plan.) **New plat is needed based on change in lot configurations and sizes.**
- Will a traffic study be required per Section 86-109(e)(2)(b), since this development would likely generate 100 or more p.m. peak hour trips?
- Front sidewalks required? Anything to connect to? **Sidewalks now seem to be shown on new plan.**
- Provide street trees and landscape strips per the Tara Boulevard Overlay, including parking lot screening from highway.
- Confirm building height (and canopy height).
- Per the Tara Boulevard Overlay standards, the minimum lot width shall be 100 feet. The lot width on the plat is listed as over 300 feet. This is also the standard for C-2 zoning, with a 1-acre minimum lot area.
- In the parking area, there must be a tree island every twelve spaces. **Complied**
- The building shall conform to the architectural standards (Section 86-109(k)) of the Tara Boulevard Overlay District. At least 40% of façade facing highway must be clear glass.
- In Section 86-490, *a ground sign shall not be located within ten feet of a street right-of-way or within 50 feet of any other sign, structure or building.* The proposed ground sign appears to be too close to the proposed front gas canopy. **Update: The sign and canopy appear to be 56.73 feet apart at the closest point. Thus, no variance would be needed.**

**Design Review Commission recommendation, 12.5.18: Approval of revised site plan, and staying with original recommendations on each variance request.**

- **No truck parking; not a truck stop**
- **Buffer fence to be placed at interior buffer end (high hill); Another security fence to be placed at actual property line. Staff is still recommending the same 8-foot tall, opaque, non-climbable, non-wood fence**

- Buffer shall remain as undisturbed as possible.

In addition, staff reviewed the architectural elements and found that two more variances were needed:

1. Minimum required façade height of 18 feet is not maintained. (Max. 19 feet, minimum 12 feet)
2. Minimum 40% required glass on front façade not achieved. (35.7%)

Please add these with your consideration of the seven remaining site variances already described.

Variance summary for January 14, 2019 meeting:

1. **Variance request #1 – Reduce number of required parking spaces**  
No longer needed.
2. **Variance request #2 - Reduce required landscape buffer between dissimilar uses.**  
No longer needed.
3. **Variance request #3 - Increase number of signs allowed from a combination of 1 wall sign and 1 ground sign (2 total), to a combination of 6 wall signs and 1 ground sign (7 total).**  
Recommend for approval.
4. **Variance request #4 - Provide changeable copy for a wall sign, in addition to a ground sign.**  
Recommend for approval.
5. **Variance request #5 - Increase ground sign face area from 35 square feet allowed to 260 square feet proposed.**  
Recommend for denial for 260 square feet, do not exceed 200 square feet as variance amount.
6. **Variance request #6 - Variance request #6 – Increase height of ground sign allowed from 6 feet to 60 feet.**  
Recommend for denial for 60 feet, stay at 35-foot height allowed.
7. **Variance request #7 - Increase allowable changeable copy percent from 20% to 58% for ground sign.**  
Recommend for approval.
8. **Variance request #8 - Increase wall sign area from 150 square feet to 235.28 square feet.**  
Recommend for approval.
9. **Variance request #9 - No more than 50% of parking spaces shall be located in the front yard.**  
Recommend for approval.
10. **Variance request #10 - Minimum required façade height of 18 feet is not maintained.**  
Recommend for approval.
11. **Variance request #11 - Minimum 40% required glass on front façade not achieved.**  
Recommend for approval.

Suggested project approval conditions:

1. An 8-foot tall, opaque, non-climbable, non-wood fence shall be required at edge of the entire rear buffer line in the interior of the property. A 6-foot tall security fence shall be required along the entire rear property line between the proposed development and the residential parcels to the east. Vegetation in the 50-foot wide rear buffer shall remain undisturbed as much as practically possible.
2. A revised minor subdivision plat needs to be approved by both the City and GDOT, based on change in lot configurations and sizes.



# CITY OF JONESBORO, GEORGIA COUNCIL

## Agenda Item Summary

## Agenda Item #

### OLD BUSINESS – 2

11.2

**COUNCIL MEETING DATE**  
January 14, 2019

<b>Requesting Agency (Initiator)</b> Office of the City Manager	<b>Sponsor(s)</b> Community Development Director Allen
--	---

**Requested Action** (*Identify appropriate Action or Motion, purpose, cost, timeframe, etc.*)

Council to consider Application #19ALC-001, a request for a *Retail Package Dealer* license to sell beer and wine beverages for property located at 226 N. Main Street by Marymatha, Inc dba- Exxon Onestop Gas & Grocery, Prathish Jose Licensed Representative.

**Requirement for Board Action** (Cite specific Council policy, statute or code requirement)

City Ordinance - Chapter 6. Alcoholic Beverages

**Is this Item Goal Related?** (If yes, describe how this action meets the specific Board Focus Area or Goal)

## Yes Economic Development

## Summary & Background

*(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

## Approval

## **PURPOSE:**

To request Mayor and Council's consideration for a request for a Retail Package Dealer license to sell beer and wine beverages for property located at 226 North Main Street Jonesboro, Georgia.

## HISTORY:

1. Currently, the property serves as a gas station that has been approved for beer/wine packaged sales.
2. Our records show that the site has served as home to Next Level Food Mart since before 2008.

## **FACTS & ISSUES:**

1. The alcoholic beverage license application was submitted by Marymatha, Inc DBA – Exxon Onestop Gas & Grocery.
2. City Administrator Ricky Clark has reviewed the application packet. All requirements, per Chapter 6 - Alcoholic Beverages, were met.
3. The Clayton County Sheriff's Department has conducted a computerized criminal history records check for the applicant and the results were found to be clear of any arrest within the State of Georgia (excludes a National record search).
4. There were no deficiencies found in Exxon's application. Based on all findings, the application was found to be sufficient and ready for Mayor and Council's consideration.

The annual license fee will be \$2,000.00

**Fiscal Impact** *(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)*

\$2,585.00 – License, Application, Fingerprinting, and Background Check

## **FOLLOW-UP APPROVAL ACTION (City Clerk)**

Typed Name and Title Ricky L. Clark, City Manager	Date January, 14, 2019	01/07/19 01/14/19	City Council Next: 01/14/19 City Council	OLD BUSINESS APPROVED
Signature	City Clerk's Office			

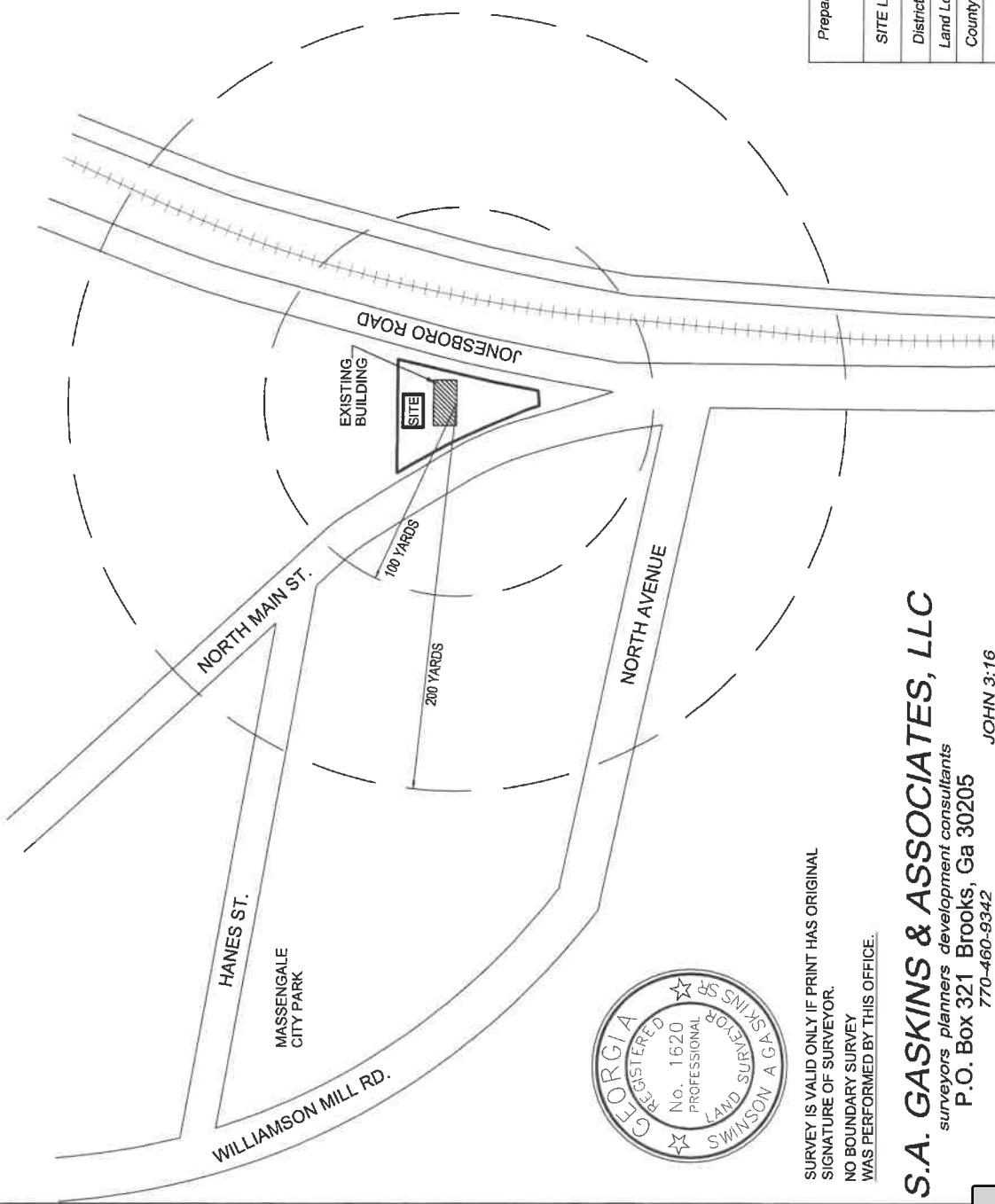
**Exhibits Attached** (Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)

- Plat
- Legal Notice 226 North Main Street-January 2019
- Public Hearing Sign 01\_14\_19

**Staff Recommendation** (Type Name, Title, Agency and Phone)

**Approval**

# ALCOHOL PERMIT SURVEY



Prepared For: **GLORIOUS BUSINESS LLC d.b.a.  
NEXT LEVEL FOOD MART**

SITE LOCATION: **226 NORTH MAIN STREET - JONESBORO, GA**

<b>District:</b>	<b>13TH</b>	<b>Date:</b>	<b>01/12/15</b>
<b>Land Lot:</b>	<b>240</b>	<b>County:</b>	<b>CLAYTON, GA</b>
<b>Scale:</b>	<b>1" = 200'</b>	<b>F.W.P.D.</b>	<b>12/18/14</b>
		<b>Job No:</b>	<b>SA14-247</b>

## Legal Notice

An application has been submitted to the City of Jonesboro Mayor and City Council for a Retail Package Dealer license to sell beer/wine at 226 N. Main Street. The legal business name is Marymatha, Inc. dba Exxon Onestop Gas & Grocery. Prathish Jose has requested to be the License Representative. The application will be granted or denied by Mayor and City Council at 6:00 p.m. on the fourteenth day of January, 2019. The required Public Hearing will also be held at that time. The City Council will first hear the item at their Work Session held on January 7, 2019.

Ricky L. Clark, Jr.  
City Manager

Publish 12/26 & 01/02

REGULAR  
2.08 9/10  
CREDIT  
DIESEL 3.10 9/10

EXXON



**CITY OF JONESBORO, GEORGIA**  
PUBLIC HEARING FOR:  
Retail Beverage Package Dealer for the  
Sell of Beer and Wine by Marymartha, Inc.  
DBA: Exxon Onestop Gas and Grocery  
226 North Main St. Jonesboro Ga. 30236  
LOCATION  
170 SOUTH MAIN STREET, JONESBORO, GEORGIA 30236  
DATE: 01-14-2019 TIME: 6:00 PM  
FOR MORE INFORMATION, PLEASE CONTACT CITY HALL AT 770-478-3800



# CITY OF JONESBORO, GEORGIA COUNCIL

## Agenda Item Summary

## Agenda Item #

11.3

**Requesting Agency (Initiator)**

**Sponsor(s)**  
Community Development Director Allen

**Requested Action** (*Identify appropriate Action or Motion, purpose, cost, timeframe, etc.*)

Council to consider Application #19ALC-002, a request for an Alcohol Beverage Pouring License to dispense beer and wine for property located at 246 N. Main Street by Sybounhieng Corporation dba- Taste of Thailand, Khamla Akhavong Licensed Representative.

**Requirement for Board Action** (*Cite specific Council policy, statute or code requirement*)

## City Ordinance - Chapter 6. Alcoholic Beverages

**Is this Item Goal Related?** (If yes, describe how this action meets the specific Board Focus Area or Goal)

## Yes Economic Development

**Summary & Background** (First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

## Approval

## PURPOSE:

To request Mayor and Council's consideration for a request for an Alcohol Beverage Pouring license to dispense beer and wine beverages for property located at 246 North Main Street Jonesboro, Georgia.

## HISTORY·

1. Currently, the property is unoccupied but has served as a restaurant in the past.

## FACTS & ISSUES:

1. The alcoholic beverage license application was submitted by Sybounhieng Corporation DBA – Taste of Thailand.
2. City Administrator Ricky Clark has reviewed the application packet. All requirements, per Chapter 6 - Alcoholic Beverages, were met.
3. The Clayton County Sheriff's Department has conducted a computerized criminal history records check for the applicant and the results were found to be clear of any arrest within the State of Georgia (excludes a National record search).
4. There were no deficiencies found in Taste of Thailand's application. Based on all findings, the application was found to be sufficient and ready for Mayor and Council's consideration.

The annual license fee will be \$2,000.00

**Fiscal Impact** (Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)

\$2710.00 – License, Application, Fingerprinting, and Background Check

**Exhibits Attached** (Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)

- Legal Notice 246 North Main Street-January 2019

## **FOLLOW-UP APPROVAL ACTION (City Clerk)**

Typed Name and Title Ricky L. Clark, City Manager	Date January, 14, 2019	01/07/19 01/14/19	City Council Next: 01/14/19 City Council	OLD BUSINESS APPROVED
Signature	City Clerk's Office			

- Public Hearing Posting 01\_14\_18
- Plat
- Inc.

11.3

**Staff Recommendation** *(Type Name, Title, Agency and Phone)*

**Approval**

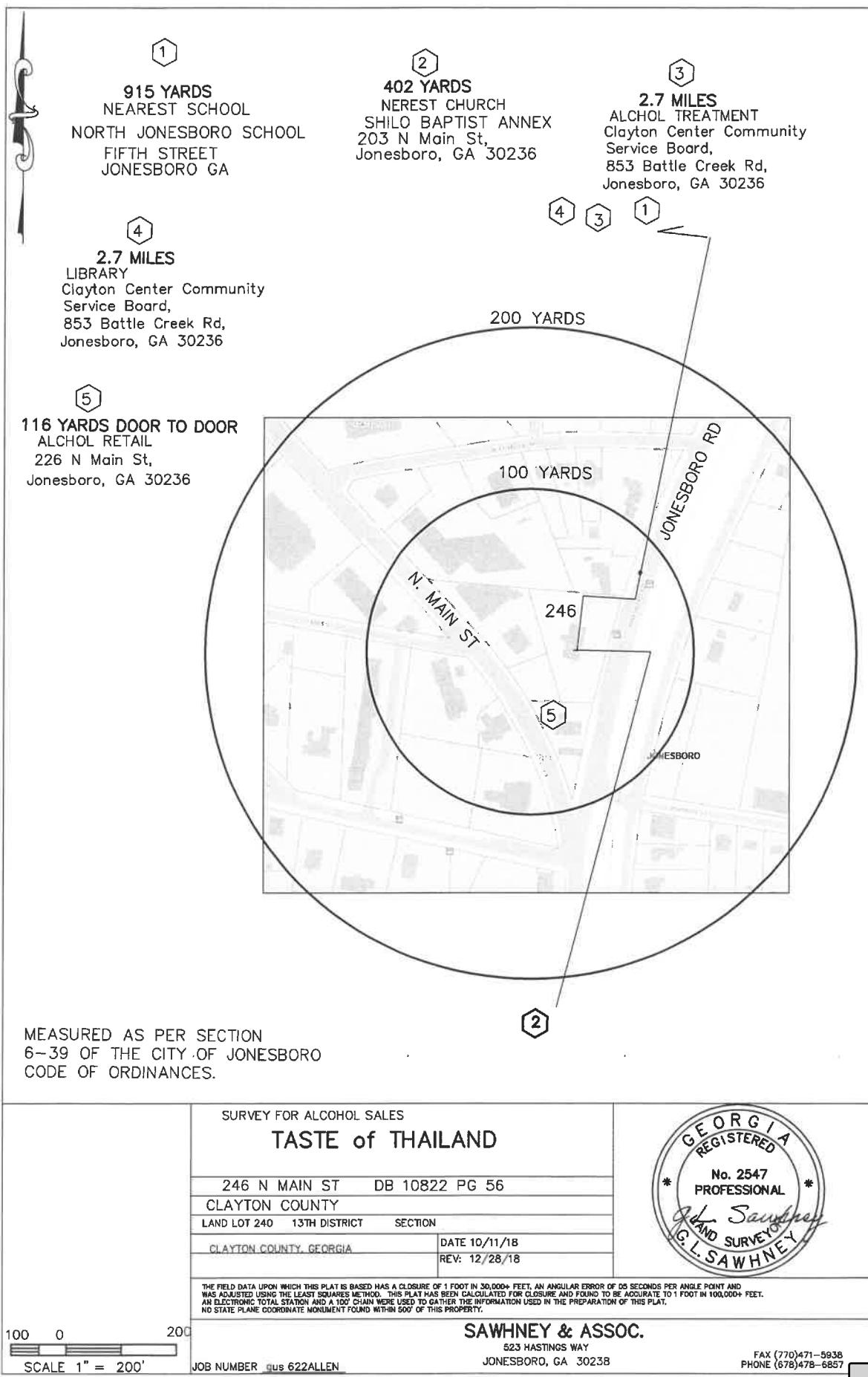
## Legal Notice

An application has been submitted to the City of Jonesboro Mayor and City Council for an Alcohol Beverage Pouring License to dispense beer and wine at 246 N. Main Street. The legal business name is Sybounhieng Corporation dba Taste of Thailand. Khamla Akhavong has requested to be the License Representative. The application will be granted or denied by Mayor and City Council at 6:00 p.m. on the fourteenth day of January 2019. The required Public Hearing will also be held at that time. The City Council will first hear the item at their Work Session held on January 7, 2019.

Ricky L. Clark, Jr.  
City Manager

Publish 12/26 & 01/02







# GEORGIA CORPORATIONS DIVISION

GEORGIA SECRETARY OF STATE

ROBYN A.  
CRITTENDEN[HOME \(/\)](#)

## BUSINESS SEARCH

### BUSINESS INFORMATION

Business Name:	<b>Sybounhieng Corp</b>	Control Number:	<b>14110066</b>
Business Type:	<b>Domestic Profit Corporation</b>	Business Status:	<b>Active/Compliance</b>
Business Purpose:	<b>NONE</b>		
Principal Office Address:	<b>105 Batiste Park Road, Jonesboro, GA, 30236, USA</b>	Date of Formation / Registration Date:	<b>11/10/2014</b>
State of Formation:	<b>Georgia</b>	Last Annual Registration Year:	<b>2018</b>

### REGISTERED AGENT INFORMATION

Registered Agent Name:	<b>Khamla Akhavong</b>
Physical Address:	<b>105 Batiste Park Road, Jonesboro, GA, 30236, USA</b>
County:	<b>Clayton</b>

### OFFICER INFORMATION

Name	Title	Business Address
Khamla Akhavong	CEO	105 Batiste Park Road, Jonesboro, GA, 30236-4958, USA
Khamla Akhavong	CFO	105 Batiste Park Road, Jonesboro, GA, 30236-4958, USA
Khamla Akhavong	Secretary	105 Batiste Park Road, Jonesboro, GA, 30236-4958, USA

Back

[Filing History](#)[Name History](#)[Return to Business Search](#)

Office of the Georgia Secretary of State Attn: 2 MLK, Jr. Dr. Suite 313, Floyd West Tower Atlanta, GA 30334-1530, Phone: (404) 656-2817 Toll-free: (844) 753-7825, WEBSITE: <http://www.sos.ga.gov/>

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# CITY OF JONESBORO, GEORGIA COUNCIL

## Agenda Item Summary

## Agenda Item #

### OLD BUSINESS – 4

11.4

**Requesting Agency (Initiator)**

### Sponsor(s)

**Requested Action** (*Identify appropriate Action or Motion, purpose, cost, timeframe, etc.*)

Council to consider Ordinance #2019-002 regarding implementation of the Jonesboro Traffic Safety Camera Program (TSCP) and an agreement by and between the City of Jonesboro and Redspeed.

**Requirement for Board Action (Cite specific Council policy, statute or code requirement)**

## Approval and Authorization to Move Forward with Program

**Is this Item Goal Related?** (If yes, describe how this action meets the specific Board Focus Area or Goal.)

## Yes Safety, Health and Wellbeing

## Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

House Bill 978 allows for automatic traffic enforcement devices in the form of traffic cameras to be used in appropriately designated school zones. The school safety system includes cameras, various speed detection systems and signage, and is designed to alert and issue citations to vehicles speeding in excess of 10 miles an hour above the posted limit in a school zone, during school hours. All violations will be civil, not criminal, violations. The fine for the first offense is \$75, the second \$125 and the third or subsequent violation is \$125, plus an additional payment of service fees of up to \$25.

Specifically, Sections 3 through 9 of HB 978 amend O.C.G.A. § 40-14-2 to allow Counties, Municipalities and law enforcement agencies (and authorized agents) with approved permits to operate automated traffic enforcement safety devices in designated school zones. A detailed description of each section of the Bill regarding the Traffic Safety Camera Program is described below.

HB 978 provides that any law enforcement agency or its agent (like the Company) must provide notice in the form of appropriate signage in the school zone subject to the TSCP. Specifically, the Bill provides that signs must warn of the use of a stationary speed detection device within the approaching school zone.

The signs must be at least 24 by 30 inches in area, shall be visible plainly from every lane of traffic, shall be viewable in all traffic conditions, and shall not be placed in such a manner that the view of such sign is subject to being obstructed by any other vehicle on such highway. The signs must be placed within 500 feet prior to the warning sign announcing the reduction of the speed limit for the school speed zone.

During the initial implementation phase of the Company's TSCP program, the Company will not charge for the installation of the safety zone equipment. Importantly, Section 9 of the Bill provides that the revenues collected and remitted to the Governing Body by the Company shall be used by the governing body to fund local law enforcement or public safety initiatives. The Company is reimbursed for the installation, operation and monitoring of the system by a fee per violation and a monthly rental fee for each license plate reader located on TSCP equipment at each school. These amounts will be deducted from amounts recovered by the Company prior to submission of payment to the Governing Body.

The Jonesboro Police Department is requesting the Mayor and City Council to approve the

## **FOLLOW-UP APPROVAL ACTION (City Clerk)**

Typed Name and Title Ricky L. Clark, City Manager	Date January, 14, 2019	01/07/19 01/14/19	City Council Next: 01/14/19 City Council	OLD BUSINESS APPROVED
Signature	City Clerk's Office			

implementation of the Jonesboro Traffic Safety Camera Program (TSCP). The program is designed to keep our kids safe from vehicular accidents in our city. The TSCP is a Traffic Speed Enforcement Program which uses cameras placed in each school zone to capture the speed of vehicles moving in excess of 10 miles per hour over the posted speed limit. The program will then generate a citation that will be mailed to the owner of the vehicle. The owner of the vehicle will be fined \$75 (65% for the city and 35% for the company) for the first offense and \$150 for the second offense.

11.4

The tickets will be processed through an automated system and the police department will supply personnel to confirm the violation prior to it being mailed to the vehicle owner. The program works in a similar manner as red light and school bus cameras. The program is implemented at no cost to the city if we agree to operate throughout the terms of service which is 1-year increments. The fees are divided 33% for the company and 66% for the city.

The program is designed to keep kids safe with the option of multiple other uses due to the quality of the camera system. The system will minimize the number of speeders in the school zones in the City as proven with other similar programs. License Plate Reader use is also a solution offered by the program at a small upcharge. This program will help keep the city safe and provide for future technological advances in fighting crime.

**Fiscal Impact**

*(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)*

All violations will be civil, not criminal, violations. The fine for the first offense is \$75, the second \$125 and the third or subsequent violation is \$125, plus an additional payment of service fees of up to \$25.

**Exhibits Attached** (Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)

- REDSPEED PROFESSIONAL SERVICES AGREEMENT JTO Edits -PROOFED (CC)
- SUDER ELEMENTARY SCHOOL JONESBORO (1)
- EULA PONDS PERRY SCHOOL JONESBORO (1)
- J.R.Arnold-Jonesboro-Middle-School-Jonesboro
- GA Ordinance.first edit JTO Edits-PROOFED (CC)

**Staff Recommendation** *(Type Name, Title, Agency and Phone)*

**Approval of Professional Services Agreement and New Ordinance**

After a speed zone study was conducted at the request of the Jonesboro Police Department it was determined that actions were necessary to improve the pedestrian safety in our school zones. There was a large number of vehicles that travel through the school zones in excess of 10 miles per hour over the speed limit while kids and parents walked and drove through these areas. As a result of the studies it was determined the most cost effective and the best use of resources was to utilize technology to keep our families safe in the city.

House Bill 978 allows for automatic traffic enforcement devices in the form of traffic cameras to be used in appropriately designated school zones. The school safety system includes cameras, various speed detection systems and signage, and is designed to alert and issue citations to vehicles speeding in excess of 10 miles an hour above the posted limit in a school zone, during school hours. All violations will be civil, not criminal, violations. The fine for the first offense is \$75, the second \$125 and the third or subsequent violation is \$125, plus an additional payment of service fees of up to \$25.

Specifically, Sections 3 through 9 of HB 978 amend O.C.G.A. § 40-14-2 to allow Counties, Municipalities and law enforcement agencies (and authorized agents) with approved permits to operate automated traffic enforcement safety devices in designated school zones. A detailed description of each section of the Bill regarding the Traffic Safety Camera Program is described below.

- Section 3 authorizes police departments, school districts and their agents to operate automated traffic enforcement safety devices in school zones.
- Section 4 amends O.C.G.A. § 40-14-5 to exempt automated traffic enforcement safety devices from the requirement of an accuracy check at the beginning and end of each duty tour, and the right of a driver to have the device checked for accuracy on the side of the road. Please note that Section 4 provides that automated traffic enforcement safety devices have to be self-tested once every 30 days and logged, and then independently calibrated every 12 months.
- Section 5 adds a subsection to O.C.G.A. § 40-14-6, involving warning signs, to require all agencies using speed cameras in school zones to post a sign 500 feet from a school zone speed limit sign advising motorists of the use of speed detection cameras.
- Section 6 exempts speed cameras from the requirement of O.C.G.A. § 40-14-7 requiring an unobstructed view of signs to approaching motorists of 500 feet.
- Section 7 adds after -school programs to the times when school zone speed limits are in force under O.C.G.A. § 40-14-8. This means that an automated speed zone camera can operate later than just school hours and may operate one hour prior to the commencement of the school day and one hour after normal school operation (or during programs for care and supervision of

- Section 8 exempts civil monetary penalties for use of speed cameras from O.C.G.A. § 40-14-8's presumption that speed detection devices are used improperly when imposed fines exceed 35% of a law enforcement agency's budget.
- Section 9 adds O.C.G.A. § 40-14-18, allowing speed camera enforcement in school zones for violations of at least 10 mph over the limit. The penalty, including the \$25 processing fee, for each violation shall be \$100 for a first offense and \$150 for a second or subsequent offense. Violations of this section shall not be treated as moving violations.

### Discussion of

#### **III. Required Signage.**

HB 978 provides that any law enforcement agency or its agent (like the Company) must provide notice in the form of appropriate signage in the school zone subject to the TSCP. Specifically, the Bill provides that signs must warn of the use of a stationary speed detection device within the approaching school zone.

The signs must be at least 24 by 30 inches in area, shall be visible plainly from every lane of traffic, shall be viewable in all traffic conditions, and shall not be placed in such a manner that the view of such sign is subject to being obstructed by any other vehicle on such highway. The signs must be placed within 500 feet prior to the warning sign announcing the reduction of the speed limit for the school speed zone.

#### **IV. Revenue From Project.**

During the initial implementation phase of the Company's TSCP program, the Company will not charge for the installation of the safety zone equipment. Importantly, Section 9 of the Bill provides that the revenues collected and remitted to the Governing Body by the Company shall be used by the governing body to fund local law enforcement or public safety initiatives. The Company is reimbursed for the installation, operation and monitoring of the system by a fee per violation and a monthly rental fee for each license plate reader located on TSCP equipment at each school. These amounts will be deducted from amounts recovered by the Company prior to submission of payment to the Governing Body. Redspeed will provide the following:

#### **SITE SELECTION AND ANALYSIS**

24-hour speed analysis of each location, accident diagram analysis, engineering feasibility study

#### **CAMERA INSTALLATION**

Permit acquisition including local and state bodies, installation coordination between civil contractors and municipality

Initial violation screening based on municipal rules, registered owner name/address retrieval and verification for all 50 states, printing and mailing

#### PAYMENT PROCESSING

Lockbox, online, phone and in-person payment processing of credit cards, checks and cash

#### CALL CENTER

Multilingual call center can process payments, schedule hearings and respond to general questions

#### ADJUDICATION SUPPORT

Full municipal adjudication support options

#### WEB-ENABLED TOOLS

#### Conclusion

The use of this technology will increase our pedestrian and vehicular safety in school zones without cost to our budget. It also provides other areas to expand our law enforcement goals through the use of this technology. It is the Police Department's recommendation that we reach an acceptable agreement with Redspeed and utilize this technology.



## PROFESSIONAL SERVICES AGREEMENT

January 1<sup>st</sup>, 2019

This AGREEMENT (the “Agreement”) made this 1<sup>st</sup> day of February 2019, (herein the “Commencement Date”), between RedSpeed Georgia, LLC, a Georgia Limited Liability Company (herein “REDSPEED”), with its principal place of business at 400 Eisenhower Lane North, Lombard, IL 60148, and **City of Jonesboro** a political subdivision authorized and created by the State of Georgia (herein “CITY OF JONESBORO”), with principal offices at 124 North Ave, Jonesboro, GA 30236.

### WITNESSETH:

WHEREAS, REDSPEED has the exclusive knowledge, possession, and ownership of certain equipment, licenses, and processes referred to collectively as the “Speed Photo Enforcement System” (herein “SPE System”); and

WHEREAS, CITY OF JONESBORO desires to use the SPE System to monitor and enforce school zone speed, and may, in the future, desire to monitor and enforce red light violations or other traffic movements and to issue citations for traffic violations; and

WHEREAS, on or about May 8, 2018, the Governor of the State of Georgia signed 2017 6a. HB 978 into law, resulting in Section 40-14-18 of the Official Code of Georgia Annotated taking effect on July 1, 2018; and

WHEREAS, Section 40-14-18 of the Official Code of Georgia Annotated expressly authorizes municipalities to use traffic infraction detectors to enforce certain provisions of Section 40-14-8 of the Official Code of Georgia Annotated, subject to certain requirements; and

WHEREAS, CITY OF JONESBORO’s Council plans to adopt an ordinance, which authorizes CITY OF JONESBORO’s Traffic Safety Camera Program (“TSCP”) and provides for the implementation and operation of such program as an agent of REDSPEED.

NOW, THEREFORE, in consideration of the mutual covenants and agreements set forth herein and for other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, REDSPEED and CITY OF JONESBORO agree that the Agreement shall be as provided herein:

### TERMS AND CONDITIONS

#### 1. DEFINITIONS:

As used in this Agreement, the following words and terms shall, unless the context otherwise requires, have the respective meanings provided below:

**“Motor Vehicle”** means any self-propelled vehicle not operated upon rails or guide-way, but not including any bicycle or electric personal assisted mobility device.



**“Notice of Violation”** means a citation or equivalent instrument issued by a competent state or municipal law enforcement agent or agency or by a court of competent jurisdiction relating to a violation documented or evidenced by SPE System or REDSPEED as an agent of such law enforcement agent, agency or court.

**“Motor Vehicle Owner”** means the person or entity identified by the Georgia Department of Motor Vehicles, or other state vehicle registration office, as the registered owner of a vehicle. Such term shall also mean a lessee of a motor vehicle pursuant to a motor vehicle lease or rental agreement.

**“Recorded Images”** means photographic, electronic, digital or video images of a Motor Vehicle recorded by a SPE System and establishing a time sequence of the Motor Vehicle entering the intersection and its speed.

**“RedCheck”** means web-based violation processing system used by Traffic Infraction Enforcement Officer.

**“Speed Photo Enforcement System”** (herein “SPE System”) means an electronic system that captures recorded images of Motor Vehicles speeding in designated school zone and consisting of, at a minimum, one radar, IR panel, and up to seven (7) individual video cameras capable of monitoring up to seven (7) lanes of enforcement.

**“Traffic Infraction Enforcement Officer”** means an employee of CITY OF JONESBORO’s police department who meets the qualifications of Section 40-14-1.1 of the Official Code of Georgia Annotated.

**“Unamortized Costs”** means the historical cost of a fixed asset less the total depreciation shown against that asset up to a specified date. Unamortized costs for this Agreement may include, but are not limited to, design/engineering plans, camera foundation construction and installation, restoration of camera location to its original condition and cost of equipment.

**“Violation”** means a violation of Section 40-14-8 or Section 40-14-18 of the Official Code of Georgia Annotated or a violation of CITY OF JONESBORO’s Code of Ordinances, as may be amended from time to time.

2. REDSPEED AGREES TO PROVIDE:

The scope of work identified in “Exhibit A, Section 1”.

3. CITY OF JONESBORO AGREES TO PROVIDE:

The scope of work identified in “Exhibit A, Section 2”.

4. SERVICE FEES:

The service fee schedule identified in “Exhibit B”.



## 5. TERM AND TERMINATION:

This Agreement shall be effective on the Commencement Date. The term of this Agreement shall be for twelve months beginning on the date of issuance of the first Notice of Violation (the "Start Date") and ending on December 31, 2019. However, CITY OF JONESBORO may terminate this Agreement for convenience as provided for in Subsection "d" below.

REDSPEED's services also may be terminated:

- a. By mutual written consent of the parties.
- b. For cause, by either party where the other party fails in any material way to perform its obligations under this Agreement and the defaulting party fails to cure the default within thirty (30) days after receiving written notice. The terminating party must provide written notice to the other party of its intent to terminate and state with reasonable specificity the grounds for termination.
- c. For convenience of the parties, by either party if state legislation or a decision by a court of competent jurisdiction prohibits the deployment of the SPE Systems that is the subject of this Agreement.
- d. For convenience of CITY OF JONESBORO. CITY OF JONESBORO reserves the right to terminate by giving written notice to REDSPEED thirty (30) days prior to the effective date of such termination.

Upon termination of this Agreement, either for breach or because it has reached the end of its term, the parties recognize that CITY OF JONESBORO will have to process traffic law violations that occur prior to the notice of termination of the Agreement and that REDSPEED must assist CITY OF JONESBORO in this regard. Accordingly, the parties shall take the following actions, and shall have the following obligations, which survive termination during the windown period: CITY OF JONESBORO shall cease using the SPE System, shall return or allow REDSPEED to recover all provided equipment within a reasonable time, not to exceed ninety (90) days, and shall not generate further images to be processed. Unless directed by CITY OF JONESBORO not to do so, REDSPEED shall continue to process all images taken by CITY OF JONESBORO before termination and provide all services associated with processing in accordance with this Agreement and shall be entitled to all Fees specified in the Agreement as if the Agreement were still in effect. REDSPEED shall provide CITY OF JONESBORO with all revenues owed to CITY OF JONESBORO accruing prior to the date of termination and REDSPEED shall be entitled to its fees pursuant to this Agreement, from said accrued revenues provided to CITY OF JONESBORO.

## 6. ASSIGNMENT:

Neither party may assign all or any portion of this Agreement without the prior written consent of the other, which consent shall not be unreasonably withheld or delayed. Provided, however, that CITY OF JONESBORO hereby acknowledges and agrees that



delivery and performance of REDSPEED's rights pursuant to this Agreement shall require a significant investment by REDSPEED, and that in order to finance such investment, REDSPEED may be required to enter into certain agreements or arrangements including, but not limited to, acknowledgments and/or consents with equipment lessors, banks, financial institutions or other similar persons or entities. CITY OF JONESBORO hereby agrees that REDSPEED shall have the right to assign, pledge, hypothecate or otherwise transfer its rights to the equipment, but not the service provided under this Agreement, to any of the aforesaid financial institutions without CITY OF JONESBORO's prior written approval. CITY OF JONESBORO further acknowledges and agrees that in the event that REDSPEED provides any such acknowledgment or consent to CITY OF JONESBORO for execution, and in the event that CITY OF JONESBORO fails to execute and deliver such acknowledgment or consent back to REDSPEED within thirty (30) calendar days after its receipt of such request from REDSPEED to execute such acknowledgment or consent, CITY OF JONESBORO shall be deemed to have consented to and approved such acknowledgment or consent and REDSPEED is granted a limited power of attorney, coupled with an interest, to execute the acknowledgment and/or consent on behalf of CITY OF JONESBORO and deliver such document to its financial institution.

#### 7. FEES AND PAYMENT:

CITY OF JONESBORO shall pay for all equipment, services and maintenance based on the fee schedule indicated in Exhibit B, Schedule 1 ("Fees").

#### 8. COMMUNICATION OF INFORMATION:

REDSPEED agrees that all information obtained by REDSPEED through operation of the SPE System shall be made available to the CITY OF JONESBORO at any time during REDSPEED's normal working hours, excluding trade secrets and/or intellectual property as defined by Georgia law and other information that is confidential pursuant to Georgia law or exempt from disclosure pursuant to Georgia law and not reasonably necessary for the prosecution of citations or the fulfillment of CITY OF JONESBORO's obligation under this Agreement.

#### 9. CONFIDENTIAL INFORMATION:

No information given by REDSPEED to CITY OF JONESBORO will be of a confidential nature, unless specifically designated in writing as proprietary and confidential by REDSPEED and either confidential pursuant to Georgia law or exempt from disclosure pursuant to Georgia law. Nothing in this paragraph shall be construed contrary to the terms and provisions of any Georgia law governing public records or similar laws, insofar as they may be applicable, and CITY OF JONESBORO shall disclose all documents required of it by the Georgia Open Records Act and/or any lawful subpoena. REDSPEED shall not use any information acquired by this program with respect to any violations or CITY OF JONESBORO's law enforcement activities for any purpose other than the program encompassed by this Agreement.



#### 10. OWNERSHIP OF SYSTEM:

It is understood by CITY OF JONESBORO that the SPE System being installed by REDSPEED is, and shall remain, the sole property of REDSPEED, unless separately procured from REDSPEED through a lease or purchase transaction. The SPE Systems are provided to CITY OF JONESBORO only under the terms and for the term of this Agreement.

#### 11. RECORDS AND AUDIT:

REDSPEED shall maintain during the term of the Agreement all books of account, reports, and records in accordance with generally accepted accounting practices and standards for records directly related to this Agreement. The form of all records and reports shall be subject to the approval of CITY OF JONESBORO's Internal Auditor. REDSPEED agrees to make available to CITY OF JONESBORO's Internal Auditor, during normal business hours and in CITY OF JONESBORO, Georgia, all books of account, reports and records relating to this Agreement for the duration of the Agreement and retain them for a minimum period of three (3) years beyond the last day of the Agreement term or such other period required by the Georgia public records law and Georgia public records retention schedules, whichever is longer.

#### 12. INDEMNIFICATION AND INSURANCE:

REDSPEED shall comply with all laws, ordinances, and regulations governing the use of photo enforcement systems applicable to this Agreement and shall comply with the maintenance procedures and manufacturer recommendations for operation of SPE System equipment which affect this Agreement. REDSPEED shall indemnify and save harmless the CITY OF JONESBORO against claims arising from the violations of the maintenance procedures and manufacturer recommendations for operation of the equipment as a result of the gross negligence, recklessness, or willful or intentional misconduct of REDSPEED, its officers and directors, agents, attorneys, and employees, but excluding any employees or agents of CITY OF JONESBORO.

REDSPEED agrees to protect, defend, indemnify, and hold harmless CITY OF JONESBORO and CITY OF JONESBORO's officers, employees, and agents from and against any and all losses, penalties, damages, settlements, fines, claims, costs, charges for other expenses, or liabilities of every and any kind, including any award of attorney fees and any award of costs in connection with or arising from any gross negligence, intentional or reckless act or omission by REDSPEED or any of REDSPEED's officers, employees, agents, contractors, or subcontractors in performing the work agreed to or performed by REDSPEED under the terms of this Agreement. Without limiting the foregoing, any and all claims, suits or other actions relating to personal injury, death, damage to property, defects in materials or workmanship, actual or alleged violations of any applicable statute, ordinance, administrative order, rule or decree of any court in connection with or arising from any gross negligence, intentional or reckless act or omission by REDSPEED shall be included in this indemnity.



REDSPEED shall maintain the following minimum scope and limits of insurance:

- a. Commercial General Liability Insurance including coverage for bodily injury, property damage, premises and operations, products/completed operations, personal and advertising injury, and contractual liability with a combined single limit of \$1,000,000 per occurrence. Such insurance shall name CITY OF JONESBORO and CITY OF JONESBORO's officers, employees, volunteers and elected officials as additional insured for liability arising from REDSPEED's operation.
- b. Workers' Compensation, as required by applicable state law, and Employers Liability Insurance with limits of not less than \$500,000 for each accident. REDSPEED shall always maintain Workers' Compensation insurance coverage in the amounts required by law but shall not be required to provide such coverage for any actual or statutory employee of CITY OF JONESBORO, and no employee, agent, contractor or subcontractor (or their employees) of REDSPEED shall be considered employees of the CITY OF JONESBORO for purposes of Workers Compensation Insurance.
- c. Comprehensive Business Automobile Liability Insurance for all owned, non-owned and hired automobiles and other vehicles used by REDSPEED with a minimum \$1,000,000 per occurrence combined single limit bodily injury and property damage.

REDSPEED shall require any subcontractors doing work under this Agreement to provide and maintain the same insurance, which insurance shall also name CITY OF JONESBORO and CITY OF JONESBORO's officers, agents, employees and elected officials as additional insureds.

Certificates showing REDSPEED is carrying the above described insurance, and evidencing the additional insured status specified above, shall be furnished to CITY OF JONESBORO within thirty (30) calendar days after the date on which this Agreement is made. Such certificates shall show that CITY OF JONESBORO shall be notified at least thirty (30) days in advance of all cancellations of such insurance policies. REDSPEED shall forthwith obtain substitute insurance in the event of a cancellation.

In as much as CITY OF JONESBORO is a body politic and corporate, the laws from which CITY OF JONESBORO derives its powers, insofar as the same law regulates the objects for which, or way, or the concerns under which CITY OF JONESBORO may enter into this Agreement, shall be controlling and shall be incorporated by reference into this Agreement. CITY OF JONESBORO shall be responsible for vehicle insurance coverage on any vehicles driven by CITY OF JONESBORO employees. Coverage will include liability and collision damage.

REDSPEED will require all its subcontractors to provide the coverage as well as any other coverage that REDSPEED may consider necessary, and any deficiency in the coverage or policy limits of said subcontractors shall be the sole responsibility of REDSPEED.

**13. STATE LAW TO APPLY:**

This Agreement shall be governed by and construed in accordance with the laws of the State of Georgia. The parties waive the privilege of venue and agree that all litigation between them in the state courts shall take place in Clayton County, Georgia and that all litigation between them in the federal courts shall take place in the State of Georgia.

**14. DISPUTE RESOLUTION:**

In the event the parties are unable to resolve any dispute by good-faith negotiation, such dispute may be resolved by litigation only in the state court sitting in Clayton County, Georgia or the Northern District of Georgia. The parties agree that jurisdiction and venue are proper in said County.

**15. AMENDMENTS TO THE AGREEMENT:**

CITY OF JONESBORO may from time to time consider it in its best interest to change, modify or extend term, conditions or covenants of this Agreement or require changes in the scope of the Services to be performed by REDSPEED, or request REDSPEED to perform additional services regardless of and without invalidating the process that was used to procure the services enumerated under this Agreement. Any such change, addition, deletion, extension or modification, including any increase or decrease in the amount of REDSPEED's compensation, which are mutually agreed upon by and between CITY OF JONESBORO and REDSPEED, shall be incorporated in written amendments (herein called "Amendments") to this Agreement that are duly executed by both parties. Such Amendments shall not invalidate the procurement process or this Agreement nor relieve or release REDSPEED or CITY OF JONESBORO of any of its obligations under this Agreement unless stated therein.

**16. EFFECT OF AMENDMENT(S) ON AGREEMENT:**

Except as expressly amended or modified by the terms of an Amendment, all terms of the Agreement shall remain in full force and effect. Unless a different meaning is specified in an Amendment, all capitalized terms used herein shall have the meaning described in the Agreement. In the event of a conflict between the terms of this Amendment and the Agreement, the Agreement shall prevail and control.

**17. LEGAL CONSTRUCTION AND REQUIREMENTS:**

In case any one or more of the provisions contained in this Agreement shall for any reason, by a court of competent jurisdiction, be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision thereof and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had not been contained herein.

**18. NO AGENCY:**

Except as specifically provided otherwise herein, REDSPEED is an independent contractor under this Agreement and acts an agent of CITY OF JONESBORO. Personal services shall be provided by employees of REDSPEED, who shall be subject to supervision by REDSPEED and not as officers, employees or agents of the CITY OF JONESBORO. Personnel policies, tax responsibilities, social security, health insurance, employee benefits, workers compensation insurance, purchasing policies and other similar administrative procedures applicable to services rendered under this Agreement shall be those of REDSPEED.

#### 19. FORCE MAJEURE:

CITY OF JONESBORO and REDSPEED will be excused from the performance of their respective obligations under this Agreement when, and to the extent that, their performance is delayed or prevented by any circumstances beyond their control

Under this Agreement "Force Majeure" shall mean:

- a) An act of God, including hurricanes, tornadoes, landslides, lightning, earthquakes, weather conditions, fire, flood, explosion, act of terrorism, sabotage or similar occurrence, acts of a public enemy, extortion, war, blockade or insurrection, riot, civil disturbance, strike or other labor disturbances, governmental actions or regulations, governmental requests or requisitions for national defense, or breakdown or injury to, or shortage in, facilities used for the handling, processing or transportation of Solid Waste or any other cause beyond the reasonable control of either Party;
- b) The order or judgment of any federal, State, or local court, administrative agency or governmental body (excluding decisions of federal courts interpreting federal tax laws, and decisions of State courts interpreting State tax laws) if it is not also the result of the willful misconduct or negligent action or inaction of the Party relying thereon, provided that neither the contesting in good faith of any such order or judgment nor the failure to so contest shall constitute or be construed as a measure of willful misconduct or negligent action or inaction of such Party;
- c) The suspension, termination, interruption, denial, or non-renewal of any permit or approval essential to the operation of Harris; or
- d) A Change in Law. "Change in Law" means (i) the adoption, promulgation, or modification or reauthorization after the date of this Agreement of any law, regulation, order, statute, ordinance, rule or binding judicial or administrative ruling that was not adopted, promulgated, modified or reissued on or before the date of this Agreement, or (ii) the imposition of any material conditions in connection with the issuance, renewal, or modification of any permit, license, registration, notice of intent or approval after the date of this Agreement, which in the case of either (a) or (b) establishes requirements affecting a Party's operation under this Agreement more burdensome than the requirements that are applicable to such Party and in effect as of the date of this Agreement. A change in any federal, State, county, or other tax law or workers compensation law shall not be a Change of Law, provided that the non-performing party gives the other party prompt written notice describing the particulars of the Force Majeure, including, but not limited to, the nature of the occurrence and its expected duration, and the non-performing party continues to furnish timely reports with respect thereto during the period of the Force Majeure.



The excuse of performance is of no greater scope and no longer duration than is required by the Force Majeure; and no obligations of either party that arose before the Force Majeure causing the excuse of performance are excused as a result of the Force Majeure; and the non-performing party uses its best efforts to remedy its inability to perform.

Notwithstanding the above, performance shall not be excused under this Section for a period in excess of two (2) months, provided that in extenuating circumstances, CITY OF JONESBORO may excuse performance for a longer term at the City's sole discretion. Economic hardship of REDSPEED will not constitute Force Majeure. The term of the Agreement shall be extended as allowed by Georgia for a period equal to that during which either party's performance is suspended under this Section.

**20. PERMITS, FEES, AND LICENSES:**

REDSPEED shall, at its own expense, obtain all necessary permits and pay all licenses and fees required to comply with all local ordinances, state and federal laws, rules and regulations applicable to business to be carried out under this Agreement.

**21. NON-DISCRIMINATION:**

There shall be no discrimination as to race, sex, color, creed, age, disability, marital status, or national origin in the operations conducted under this Agreement.

**22. SUBCONTRACTORS:**

REDSPEED must be capable of performing all the services contained within this Agreement. If REDSPEED uses a subcontractor in the performance of these services, REDSPEED shall submit complete information on any/all proposed subcontractors. The same qualification requirements, and all other terms and conditions of the Agreement shall also apply to the subcontractor. CITY OF JONESBORO reserves the right to approve or disapprove of any subcontractor proposed.

REDSPEED shall ensure that all REDSPEED's subcontractors perform in accordance with the terms and conditions of this Agreement. REDSPEED shall be fully responsible for all REDSPEED's subcontractors' performance and liable for any of REDSPEED's subcontractors' non-performance and all REDSPEED's subcontractors' negligent, intentional or reckless acts, and omissions. REDSPEED shall defend, counsel being subject to CITY OF JONESBORO's approval or disapproval, indemnify, and hold harmless CITY OF JONESBORO and CITY OF JONESBORO's officers, employees, and agents from and against any claim, lawsuit, third party action, settlement, or judgment, including any award of attorney fees and any award of costs, by or in favor of any of REDSPEED's subcontractors for payment for work performed for CITY OF JONESBORO by any of such subcontractors and from and against any claim, lawsuit, third party action, settlement, or judgment, including any award of attorney fees and any award of costs, occasioned by or arising out of any negligent, intentional or reckless act or omission by any of REDSPEED's subcontractors.

**23. ENTIRE AGREEMENT:**



The provisions of this Amendment, including the recitals, comprise all the terms, conditions, agreements, and representations of the parties with respect to the subject matter hereof. All representations and promises made by any party to another, whether in writing or orally, concerning the subject matter of this Amendment, are merged into this Amendment. Except as amended by this Amendment, the terms of the Agreement shall continue in full force and effect.

24. NOTICES:

Any notice or demand, which under the terms of this Agreement or under any statute, must or may be given or made by REDSPEED or CITY OF JONESBORO shall be in writing and shall be given or made by personal service, first class mail, overnight delivery, or by certified or registered mail to the parties at the following respective addresses:

City of Jonesboro  
124 North Ave.  
Jonesboro, GA 30236  
Attn: Ricky L. Clark

RedSpeed Georgia, LLC  
400 Eisenhower Lane North  
Lombard, Illinois 60148  
Attn: Robert Liberman, Manager

IN WITNESS THEREOF, the parties have duly executed this Agreement on the day and year first written above.

**Jonesboro, Georgia**

By: \_\_\_\_\_, \_\_\_/\_\_\_/\_\_\_  
[PRINT NAME]

By: \_\_\_\_\_, \_\_\_/\_\_\_/\_\_\_  
[PRINT NAME]

**RedSpeed Georgia, LLC**

By: \_\_\_\_\_, \_\_\_/\_\_\_/\_\_\_  
Robert Liberman  
Manager

Exhibit A  
SECTION 1.

**REDSPEED SCOPE OF WORK**

1. REDSPEED agrees to provide a turnkey solution for SPE Systems to CITY OF JONESBORO wherein all reasonably necessary elements required to implement and operate the solution are the responsibility of REDSPEED, except for those items identified in Section 2 titled "CITY OF JONESBORO Scope of Work." REDSPEED and CITY OF JONESBORO understand and agree that new or previously unforeseen requirements may, from time to time, be identified and that the parties shall negotiate in good faith to assign to the proper party the responsibility and cost for such items. In general, if work is to be performed by CITY OF JONESBORO, unless otherwise specified, CITY OF JONESBORO shall not charge REDSPEED for the cost. All other in-scope work, external to CITY OF JONESBORO, is the responsibility of REDSPEED.
2. REDSPEED agrees to make every effort to adhere to the Project Time Line agreed upon between the parties and based on the Best and Final Offer.
3. REDSPEED will install SPE Systems at several intersections or grade crossing approaches to be agreed upon between REDSPEED and CITY OF JONESBORO after completion of site analyses. In addition to any initial locations, the parties may agree from time to time to add to the quantities and locations where SPE Systems are installed and maintained.
4. REDSPEED will operate each SPE System on a 24-hour basis, barring downtime for maintenance and normal servicing activities.
5. REDSPEED agrees to provide a secure website ([www.SpeedViolations.com](http://www.SpeedViolations.com)) accessible to recipients who have received Notices of Violation by means of a Notice #, which will allow violation image and video viewing.
6. REDSPEED shall provide technician site visits to each SPE System once per month to perform preventive maintenance checks consisting of: camera enclosure lens cleaning, camera, strobe, and controller enclosure cleaning, inspection of exposed wires, and general system inspection and maintenance.
7. REDSPEED shall repair a non-functional SPE System within forty-eight (48) business hours of determination of a malfunction.
8. REDSPEED shall repair the SPE System within one (1) business day from the time of the outage. Outages of CITY OF JONESBORO internet connections or infrastructure are excluded from this service level.
9. REDSPEED will establish a demand deposit account bearing the title, "RedSpeed Georgia LLC as agent for CITY OF JONESBORO" at CIBC Bank. All funds collected on behalf of CITY OF JONESBORO, excluding REDSPEED's monthly fees, will be deposited in this account and transferred by wire on or about the 15<sup>th</sup> calendar day of the month to CITY OF JONESBORO's primary deposit bank. CITY OF JONESBORO will identify the



account to receive funds wired from First Midwest Bank. CITY OF JONESBORO shall sign a W-9 and blocked account agreement, to be completed by CITY OF JONESBORO, to ensure CITY OF JONESBORO's financial interest in said bank account is preserved.

10. REDSPEED will design, fabricate, install, obtain permits, and maintain one speed warning sign for each monitored approach.
11. REDSPEED or subcontractors will be responsible for any costs associated with building, construction, electrical, street use, and/or pole attachment permits.
12. REDSPEED shall assign a project manager who will be the liaison between CITY OF JONESBORO and REDSPEED and will be responsible for project activities such as development of a project plan and tracking of deliverables. CITY OF JONESBORO shall reserve the right to request a new project manager.
13. REDSPEED shall provide CITY OF JONESBORO with RedCheck, an automated web-based citation processing system that includes image processing, color printing, and mailing of a Notice of Violation per chargeable event. Each Notice of Violation shall be delivered by first class mail to the Motor Vehicle Owner within the statutory period. Mailings to Motor Vehicle Owners responding to Notices of Violation identifying drivers in affidavits of non-liability or by rental car companies are also included.
14. REDSPEED shall provide the Traffic Infraction Enforcement Officer with access to RedCheck for the purposes of reviewing Violations Data within five (5) days of the gathering of the Registered Vehicle Owner Information, but, in any event, no less than fifteen (15) days after the violation has occurred.
15. REDSPEED hereby acknowledges and agrees that the decision to issue Notice of Violation shall be the sole unilateral and exclusive decision of the Traffic Infraction Enforcement Officer consistent with State Law.
16. RedCheck shall apply an electronic signature to a Notice of Violation when authorized to do so by an approving Traffic Infraction Enforcement Officer.
17. REDSPEED shall obtain in-state vehicle registration information necessary to issue citations if it is named as CITY OF JONESBORO's agent.
18. REDSPEED shall seek records from out-of-state vehicle registration databases and apply records found by RedCheck to issue citations for CITY OF JONESBORO.
19. If CITY OF JONESBORO is unable to or does not desire to integrate REDSPEED data into its adjudication system, REDSPEED shall provide an on-line adjudication processing module which will enable the adjudication function to review cases, related images, correspondence, and other related information required to adjudicate the disputed Notice of Violation.
20. REDSPEED shall provide to CITY OF JONESBORO access to RedCheck system, which provides CITY OF JONESBORO with ability to run and print all standard system reports.

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21. If required by CITY OF JONESBORO, REDSPEED shall, at REDSPEED's expense, provide and train CITY OF JONESBORO with a local expert witness able to testify in administrative proceedings and in court on matters relating to the accuracy, technical operations, and effectiveness of the SPE System until judicial notice is taken.
22. In those instances where damage to a SPE System is caused by negligence on the part of CITY OF JONESBORO or its authorized agent(s), REDSPEED will provide CITY OF JONESBORO an estimate of the cost of repair. Upon authorization to proceed with the repairs or replacement, REDSPEED shall replace or repair any damaged equipment and invoice for the pre-approved repair cost. REDSPEED shall bear the cost to replace or repair equipment damaged in all other circumstances.
23. REDSPEED shall provide a toll-free, CITY OF JONESBORO specific help line to help CITY OF JONESBORO resolve any problems encountered regarding its SPE System and/or citation processing. The help line shall function during normal business hours. Call Center hours for violators is Monday-Friday 9:00 AM to 5 PM EST.
24. REDSPEED shall provide Motor Vehicle Owners with the ability to view Recorded Images of Violations involving their motor vehicles online. This online viewing system shall include a link to the REDSPEED payment website(s).
25. REDSPEED shall charge, collect, and retain a maximum convenience fee of 3.5% each for electronic payments provided. Such fee is paid by the violator. CITY OF JONESBORO will not receive any of said convenience fee. CITY OF JONESBORO assumes no liability, responsibility, or control for said fee sought by REDSPEED.



**SECTION 2.**  
**CITY OF JONESBORO'S SCOPE OF WORK**

26. Within seven (7) business days of execution of the Agreement, CITY OF JONESBORO shall provide REDSPEED with the name and contact information for a project manager with authority to coordinate CITY OF JONESBORO responsibilities under the Agreement.
27. Within seven (7) business days of the Agreement, CITY OF JONESBORO shall provide REDSPEED with the name and contact information for an Appeals Coordinator or staff responsible for oversight of all related program requirements.
28. Within seven (7) business days of execution of the Agreement, CITY OF JONESBORO shall provide REDSPEED with the name(s), contact information, and electronic signature(s) of all Traffic Infraction Enforcement Officers authorized by CITY OF JONESBORO's police or sheriff's department to approve and issue Notices of Violation.
29. CITY OF JONESBORO shall establish a method by which a Motor Vehicle Owner who has received a Notice of Violation may review the images and video evidencing the Violation at [www.SpeedViolation.com](http://www.SpeedViolation.com) free of charge. This may be at a publicly available terminal at CITY OF JONESBORO's facility or by appointment with the Police Department.
30. REDSPEED will relocate a SPE System at no cost to new enforcement location once it has been mutually agreed upon between REDSPEED and CITY OF JONESBORO.
31. CITY OF JONESBORO shall endeavor to approve or reject REDSPEED submitted plans within seven (7) business days of receipt. REDSPEED and CITY OF JONESBORO will endeavor to approve the plans in a timely manner.
32. CITY OF JONESBORO will endeavor to issue all needed permits to REDSPEED and its subcontractors in an expedited fashion of plan approval.
33. If use of private property right of way is needed, CITY OF JONESBORO shall assist REDSPEED in acquiring permission to build in existing utility easements as necessary. Any additional cost for private property right of way lease/rental costs shall be borne by REDSPEED. REDSPEED reserves the right to not install on private property if the costs are unreasonable.
34. CITY OF JONESBORO may allow REDSPEED to build needed infrastructure in an existing CITY OF JONESBORO owned easement as necessary, and only after required permits have been approved.
35. CITY OF JONESBORO's Traffic Infraction Enforcement Officer(s) shall process each potential violation in accordance with State Law and/or CITY OF JONESBORO's Ordinances within five (5) days (excluding Saturday, Sunday and CITY OF JONESBORO observed holidays) of its appearance in the Law Enforcement Review Queue, using RedCheck to determine which Violations will be issued as Notices of Violation.

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36. Police Department workstation computer monitors for citation review and approval should provide a minimum resolution of 1280 x 1024.
37. For optimal data throughput, Police Department workstations should be connected to a high-speed internet connection with bandwidth of 300 MB download or greater.
38. Police Department shall provide signatures of all authorized police users who will review events and approve citations on forms provided by REDSPEED.
39. CITY OF JONESBORO shall handle inbound and outbound phone calls and correspondence from defendants who have questions about disputes, and other issues relating to citation adjudication. CITY OF JONESBORO may refer citizens with questions regarding REDSPEED or SPE System technology and processes to websites and/or toll-free telephone numbers provided by REDSPEED for that purpose.
40. If remote access to a REDSPEED SPE System is blocked by CITY OF JONESBORO's network security infrastructure, CITY OF JONESBORO's contractor of Information Technology shall coordinate with REDSPEED to facilitate appropriate communications while maintaining required security measures.



## Exhibit B

### SCHEDULE 1 SERVICE FEE SCHEDULE

CITY OF JONESBORO agrees to pay REDSPEED the Fee(s) as itemized below:

1. Description of Pricing

Fee includes all costs required and associated with SPE system installation, maintenance and ongoing field and back-office operations. Fees also includes camera equipment, installation, maintenance, violation processing services, DMV records access, mailing of required documents, lockbox and credit card processing services, call center support for general program questions, public awareness program support, and access to web-based SPE System for Traffic Infraction Enforcement Officer review:

33% service fee for each paid violation

2. Optional Services

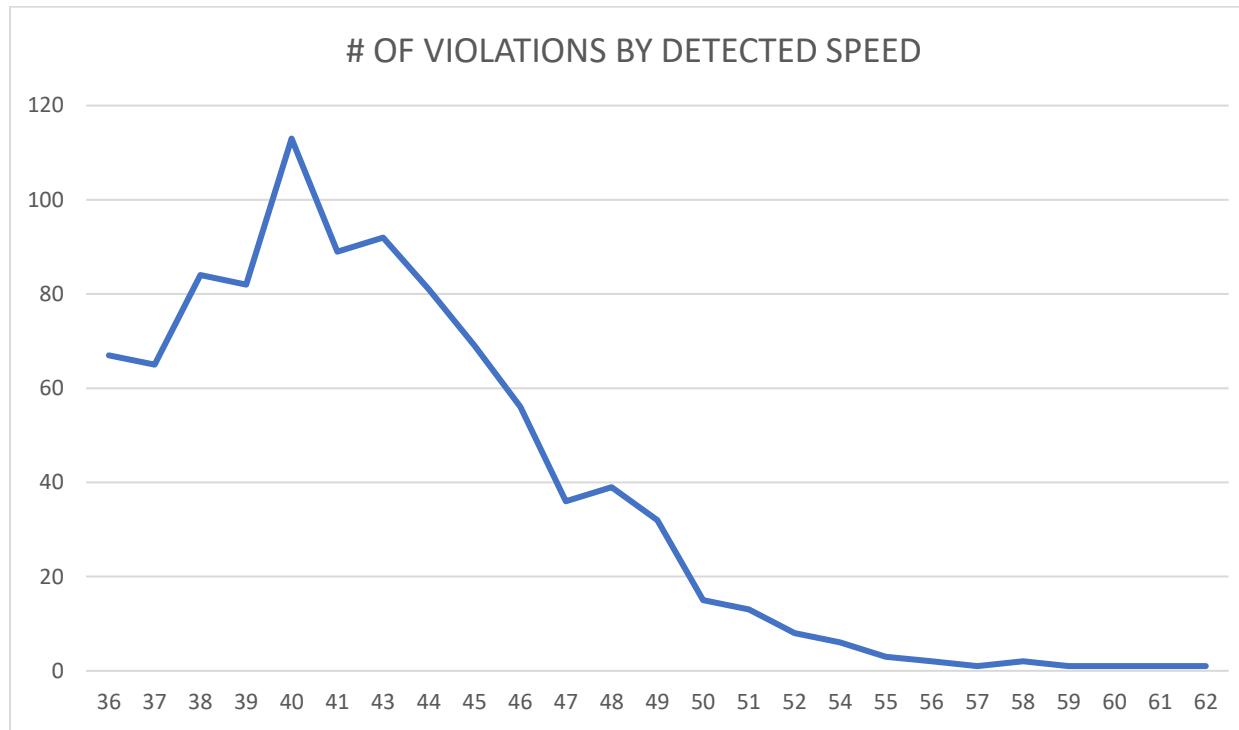
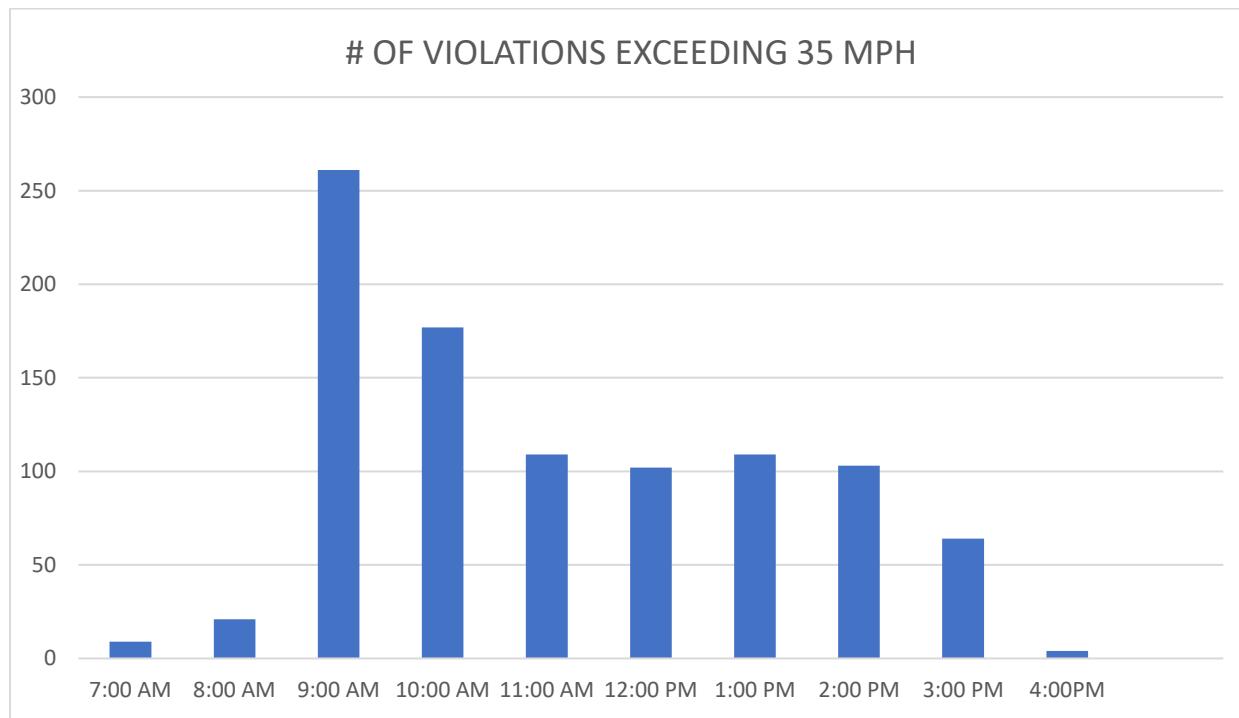
License Plate Reader (LPR) module: 2% service fee for each paid violation

## SUDER ELEMENTARY SCHOOL, JONESBORO, GA SPEED STUDY

1440 LAKE JODECO ROAD	
<b>SPEED LIMIT (During enforced hrs)</b>	25 MPH
<b>SPEED TRIGGER</b>	35 MPH
<b>SPEED LIMIT (Normal)</b>	35 MPH / 45MPH (Respectively)
<b>SCHOOL ZONE HOURS OF OPERATION</b>	7AM-8AM/ 1:45PM-2:45PM
<b>DATE/TIME</b>	12-05-2018, 7:00 AM – 3:00 PM
<b>AVERAGE DAILY TRAFFIC COUNT</b>	10,700
<b>WEATHER CONDITIONS</b>	CLEAR & DRY
<b># OF LANES</b>	ONE LANE IN EACH DIRECTION
<b>TOTAL VIOLATIONS DETECTED</b>	<b>368</b>



## SUDER ELEMENTARY SCHOOL, JONESBORO, GA SPEED STUDY

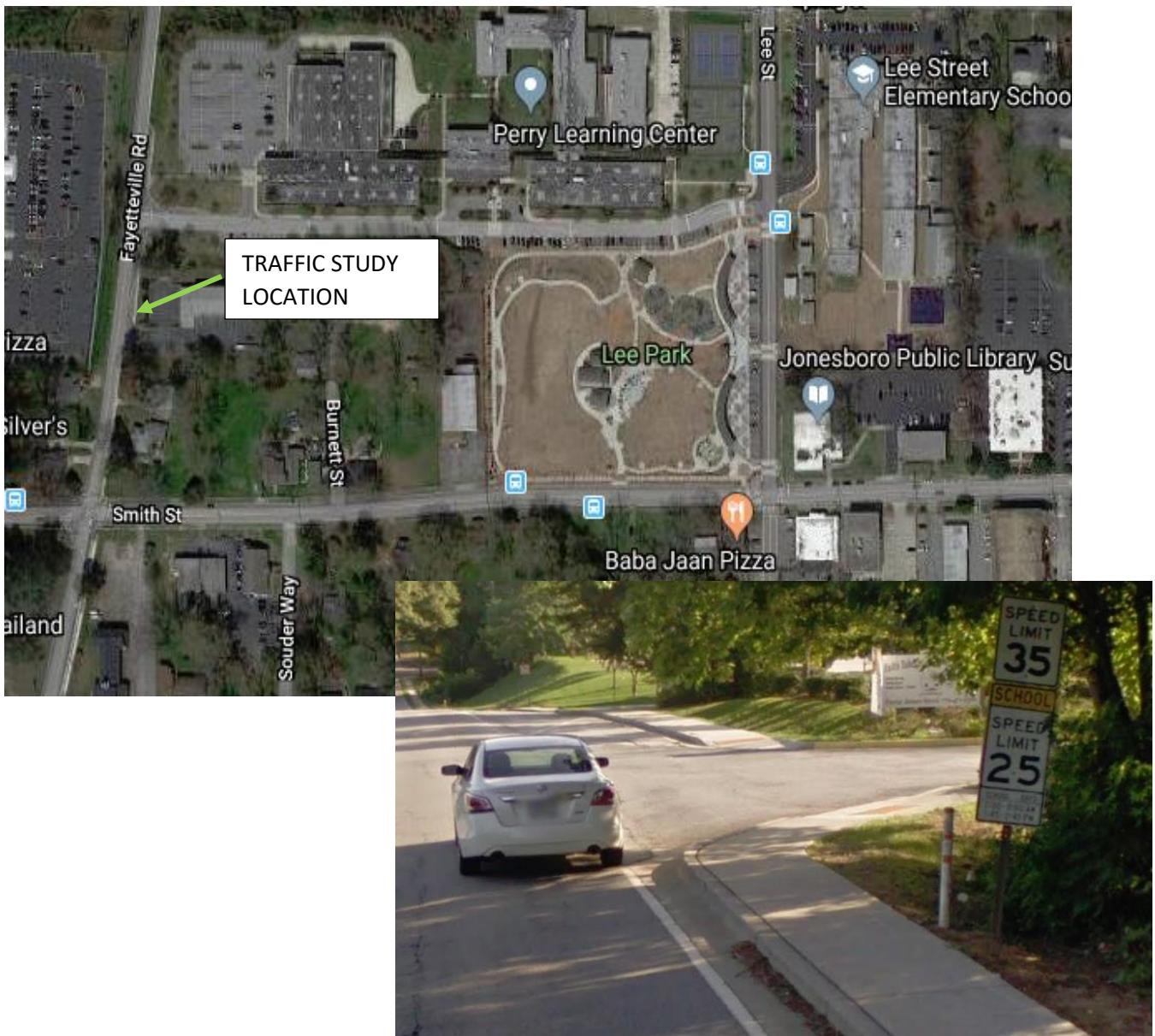


## SUDER ELEMENTARY SCHOOL, JONESBORO, GA SPEED STUDY

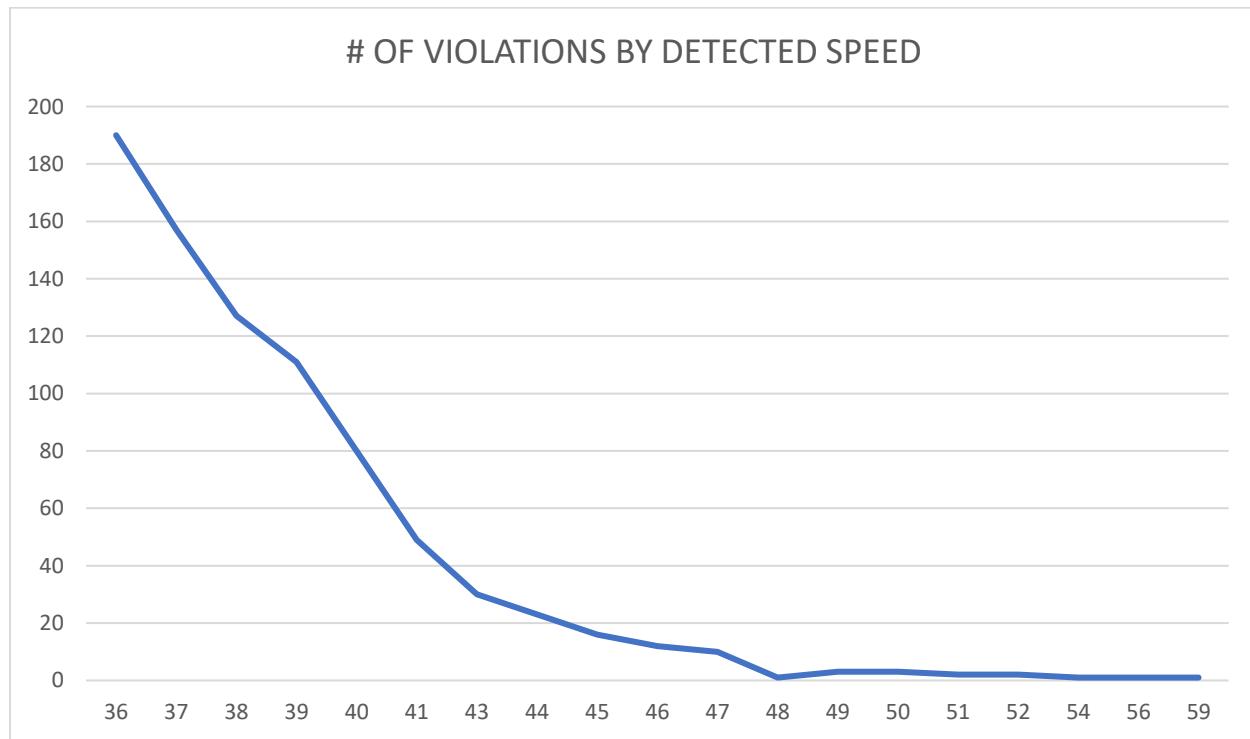
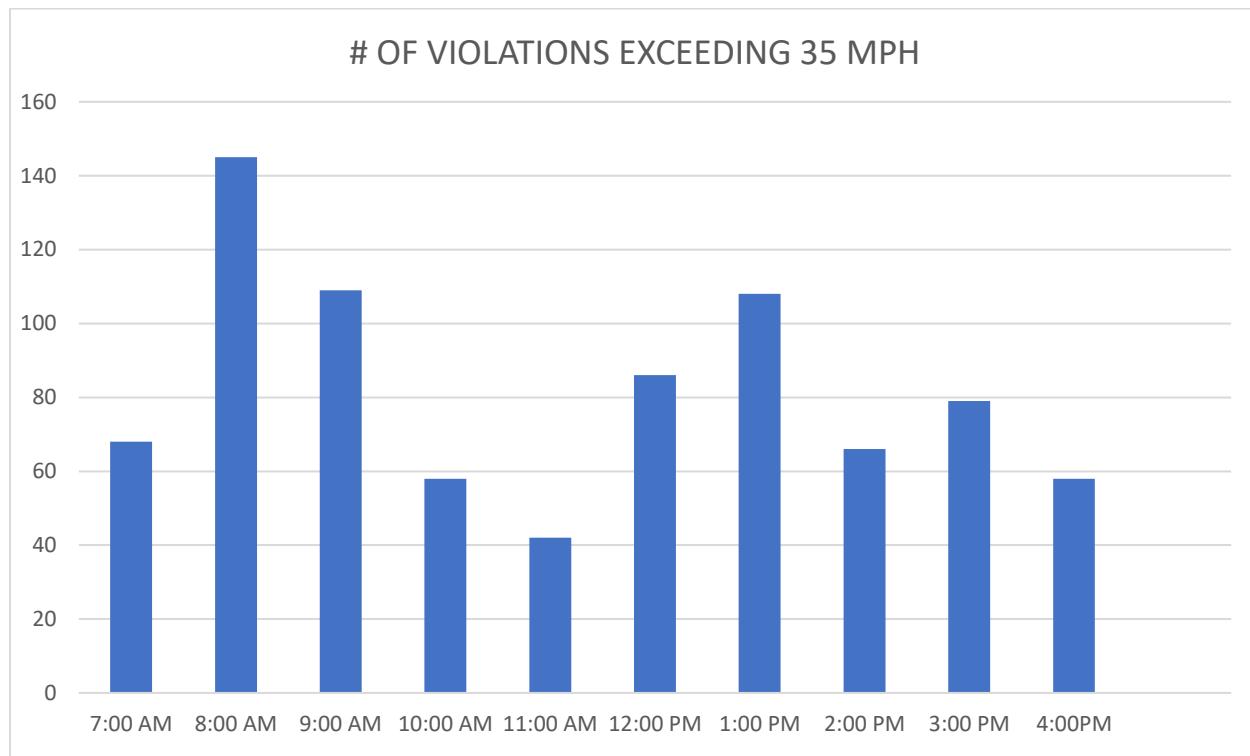
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38	0	3	24	18	7	7	8	9	7	9
39	1	3	15	21	10	8	11	7	5	8
40	0	4	29	22	12	16	11	7	10	7
41	2	3	25	14	11	8	6	18	2	20
43	2	1	29	14	12	10	11	9	4	11
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50	1	0	6	4	0	0	0	4	0	15
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52	0	0	3	1	0	2	1	1	0	8
54	0	0	1	3	0	0	1	0	1	6
55	0	0	0	0	0	1	1	0	1	3
56	0	0	0	0	0	1	1	0	0	2
57	0	0	0	1	0	0	0	0	0	1
58	0	0	0	0	0	0	0	1	1	2
59	0	0	1	0	0	0	0	0	0	1
60	0	0	1	0	0	0	0	0	0	1
61	0	0	0	0	0	1	0	0	0	1
62	0	0	1	0	0	0	0	0	0	1
<b>Total</b>	<b>9</b>	<b>0</b>	<b>93</b>	<b>51</b>	<b>33</b>	<b>33</b>	<b>36</b>	<b>103</b>	<b>10</b>	<b>368</b>

## EULA PONDS & LEE STREET SCHOOLS, JONESBORO, GA SPEED STUDY

Fayetteville Rd	
<b>SPEED LIMIT (During enforced hrs)</b>	25 MPH
<b>SPEED TRIGGER</b>	35 MPH
<b>SPEED LIMIT (Normal)</b>	35 MPH / 45MPH (Respectively)
<b>SCHOOL ZONE HOURS OF OPERATION</b>	7-8AM/10:15-12:15 & 1:45-2:45 / 3:30 - 4:30PM
<b>DATE/TIME</b>	12-06-2018, 7:00 AM – 4:30 PM
<b>AVERAGE DAILY TRAFFIC COUNT</b>	8,300
<b>WEATHER CONDITIONS</b>	CLEAR & DRY
<b># OF LANES</b>	ONE LANE IN EACH DIRECTION
<b>TOTAL VIOLATIONS DETECTED</b>	<b>620</b>



## EULA PONDS & LEE STREET SCHOOLS, JONESBORO, GA SPEED STUDY

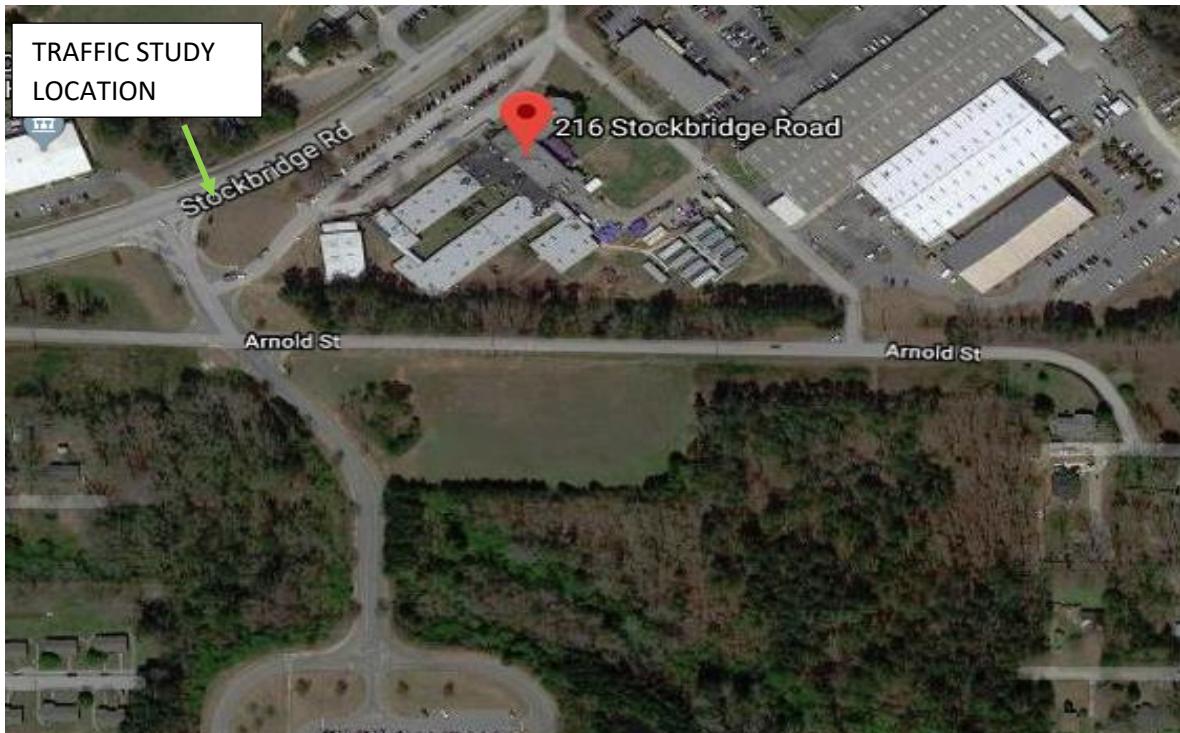


## EULA PONDS & LEE STREET SCHOOLS, JONESBORO, GA SPEED STUDY

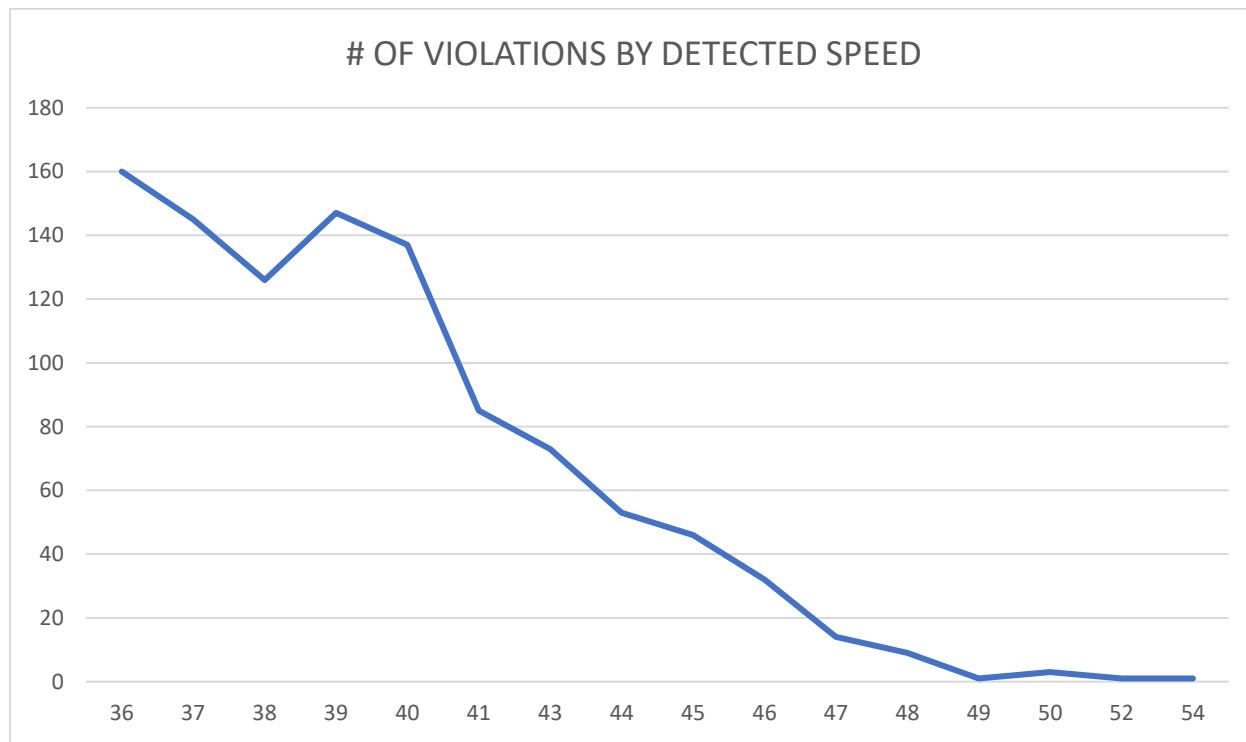
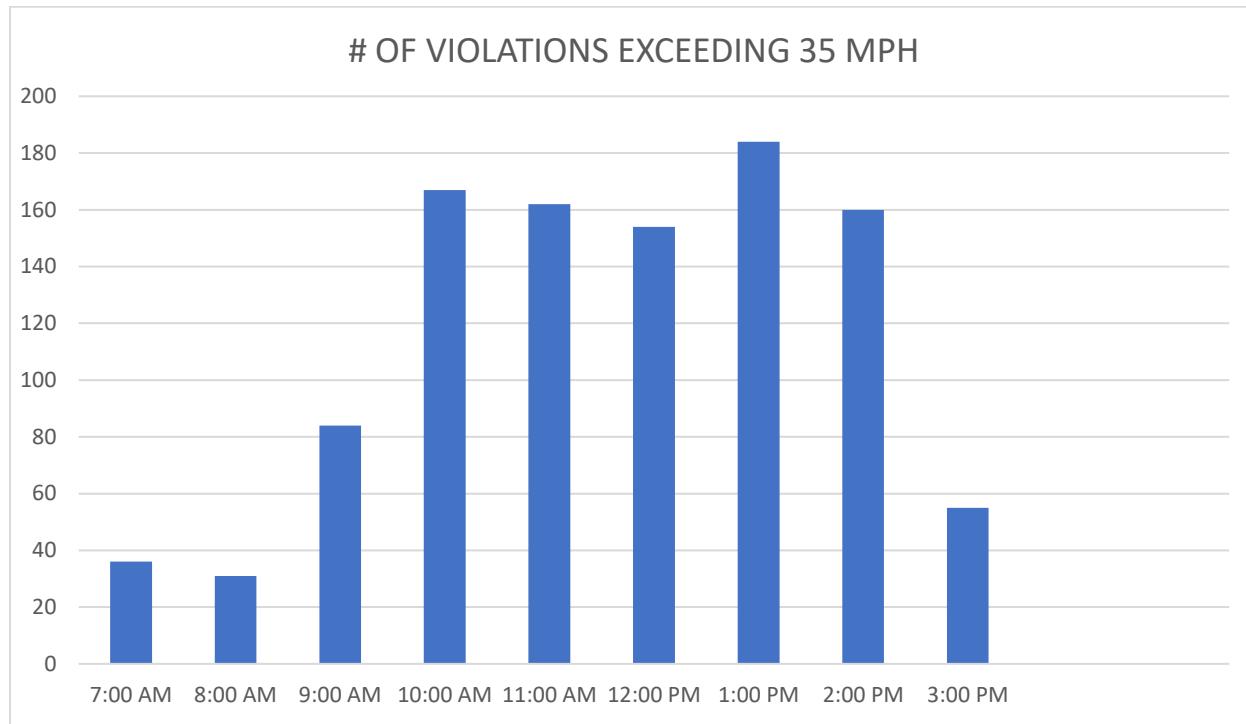
	07:00	08:00	09:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	Total
36	17	30	32	15	12	17	19	14	18	16	139
37	15	25	24	12	9	15	13	15	15	14	120
38	10	25	16	12	4	15	16	13	11	5	95
39	11	22	8	5	8	17	15	9	8	8	88
40	9	17	8	2	4	5	11	9	11	4	61
41	3	8	7	6	2	3	10	2	4	4	32
43	1	4	7	2	1	4	6	1	2	2	17
44	0	4	3	2	1	4	4	0	4	1	16
45	1	1	1	0	1	3	5	0	1	3	16
46	0	3	0	2	0	0	4	2	1	0	12
47	0	2	1	0	0	2	2	1	2	0	10
48	1	0	0	0	0	0	0	0	0	0	1
49	0	1	1	0	0	0	0	0	1	0	3
50	0	0	0	0	0	1	1	0	1	0	3
51	0	2	0	0	0	0	0	0	0	0	2
52	0	0	0	0	0	0	2	0	0	0	2
54	0	0	1	0	0	0	0	0	0	0	1
56	0	1	0	0	0	0	0	0	0	0	1
59	0	0	0	0	0	0	0	0	0	1	1
<b>Total</b>	<b>68</b>	<b>145</b>	<b>4</b>	<b>58</b>	<b>42</b>	<b>86</b>	<b>14</b>	<b>66</b>	<b>79</b>	<b>58</b>	<b>620</b>

## J.W. ARNOLD ELEMENTARY & JONESBORO MIDDLE SCHOOLS, JONESBORO, GA SPEED STUDY

STOCKBRIDGE ROAD	
<b>SPEED LIMIT (During enforced hrs)</b>	25 MPH
<b>SPEED TRIGGER</b>	35 MPH
<b>SPEED LIMIT (Normal)</b>	35 MPH / 45MPH (Respectively)
<b>SCHOOL ZONE HOURS OF OPERATION</b>	7:00 AM – 8:00 AM & 1:45PM - 2:45 PM
<b>DATE/TIME</b>	12-07-2018, 7:00 AM – 3:00 PM
<b>AVERAGE DAILY TRAFFIC COUNT</b>	6,940
<b>WEATHER CONDITIONS</b>	CLEAR & DRY
<b># OF LANES</b>	ONE LANE IN EACH DIRECTION
<b>TOTAL VIOLATIONS DETECTED</b>	<b>283</b>



**J.W. ARNOLD ELEMENTARY & JONESBORO MIDDLE SCHOOLS,  
JONESBORO, GA SPEED STUDY**



**J.W. ARNOLD ELEMENTARY & JONESBORO MIDDLE SCHOOLS,  
JONESBORO, GA SPEED STUDY**

	07:00	08:00	09:00	10:00	11:00	12:00	13:00	14:00	15:00	Total
36	5	9	17	36	20	20	22	19	12	24
37	3	7	15	24	18	15	26	28	9	31
38	7	5	9	18	22	20	19	18	8	24
39	7	6	17	28	11	21	27	24	6	31
40	8	3	7	16	31	23	29	15	5	23
41	3	0	7	15	18	9	11	18	4	21
43	0	1	3	7	13	19	14	12	4	12
44	0	0	2	9	6	13	11	9	3	9
45	2	0	2	7	8	5	11	8	3	46
46	1	0	1	3	5	7	9	5	1	32
47	0	0	4	2	5	1	1	1	0	14
48	0	0	0	1	4	1	1	2	0	9
49	0	0	0	0	1	0	0	0	0	1
50	0	0	0	1	0	0	2	0	0	3
52	0	0	0	0	0	0	0	1	0	1
54	0	0	0	0	0	0	1	0	0	1
<b>Total</b>	<b>36</b>	<b>0</b>	<b>7</b>	<b>14</b>	<b>23</b>	<b>14</b>	<b>25</b>	<b>160</b>	<b>4</b>	<b>283</b>

## ORDINANCE NO. 2019-\_\_\_\_\_

AN ORDINANCE OF THE CITY OF JONESBORO (THE "CITY") TO AMEND CHAPTER 74 OF THE CODE OF THE CITY BY ADDING A NEW ARTICLE V ENTITLED "AUTOMATED TRAFFIC ENFORCEMENT SAFETY SYSTEM" FOR THE PURPOSE OF AUTHORIZING THE USE OF AUTOMATED TRAFFIC ENFORCEMENT SAFETY DEVICE IN SCHOOL ZONES WITHIN THE CITY; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN ADOPTION DATE; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES ALLOWED BY LAW.

WHEREAS, The City of Jonesboro (the City) is a municipal corporation of the State of Georgia; and

WHEREAS, the City is authorized to establish and enact an automated traffic enforcement safety device programs in School Zones, pursuant to O.C.G.A. §40-14-1, et al and in properly marked historic districts pursuant to O.C.G.A. §, and in properly marked residential zones, pursuant to O.C.G.A. § 20-2-65; and

WHEREAS, there are currently four (4) School Zones where school-related activity occurs within the corporate limits of the City, more specifically located at Eula Ponds Perry Learning Center at 137 Spring Street; and at Lee Street Elementary at 178 Lee Street; and at J.W. Arnold Elementary at 246 Stockbridge Road; and at Suder Elementary at 1400 Lake Jodeco Road; and

WHEREAS, driving in excess of the posted speed limit is a major cause of accidents, deaths, and injuries; and

WHEREAS, studies show that an automated traffic enforcement safety device significantly reduce the number of speeding violations and crashes, and provides for traffic calming; and

WHEREAS, traditional enforcement forces police officers to follow and stop a violator in order to cite the violator; and

WHEREAS, an automated traffic enforcement safety device provides safe and consistent enforcement at a reasonable cost, while allowing police officers to focus on other enforcement efforts; and

WHEREAS, the City Council did recognize a concern relating to the volume of traffic and the public safety, health, and welfare of school children brought forward by the City Police Department; and

WHEREAS, at their meetings on January 7, 2019 and January 14, 2019, the Council did consider and acknowledge the necessity of installing an automated traffic enforcement safety device on Fayetteville Road, Stockbridge Road, and Lake Jodeco Road within the Clayton County School Zone due to the increased volume of traffic for the school; and

**WHEREAS**, the Council deems it to be in the best interest of the public safety, health, and welfare of the residents of the City to amend Chapter \_\_\_\_\_ of the Code of the City of \_\_\_\_\_ by adding a new Article \_\_\_\_\_ entitled "Automated Traffic Enforcement Safety Systems" for the purpose of authorizing the use of Automated Traffic Enforcement Safety Device in designated School Zones within the City.

**NOW, THEREFORE BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL** that Chapter 74 of the Code of the City is hereby amended as follows, with new language shown in *italics* and underlined and deleted language shown in (parenthesis) and with a strikethrough:

**Section 1.**

**ARTICLE V.**  
**Speed Monitoring Systems**

§ 74-121 Definitions. For the purposes of this article, the following terms, phrases and their derivatives shall have the meanings given herein:

- A. "Automated Traffic Enforcement Safety Device" means a speed detection device that:(A) Is capable of producing photographically recorded still or video images, or both, of the rear of a motor vehicle or of the rear of a motor vehicle being towed by another vehicle, including an image of such vehicle's rear license plate; (B) Is capable of monitoring the speed of a vehicle as photographically recorded pursuant to subparagraph (A) of this paragraph; and (C) Indicates on each photographically recorded still or video image produced the date, time, location, and speed of a photographically recorded vehicle traveling at a speed above the posted speed limit within a marked School Zone.
- B. "City" shall mean the City of Jonesboro.
- C. "Police" or "City Police" shall mean the City of Jonesboro Police Department
- D. "School zone" means the area within 1,000 feet of the boundary of any public or private elementary or secondary school.

§ 74-122 Authorized. Speed camera enforcement, using automated traffic enforcement safety device that is fixed is authorized within School Zones in the City between the hours of 7:00 a.m. and 5:00 p.m., Monday through Friday.

§ 74-123 Administration.

- A. The City Police, or agent on behalf of the City Police, operating an automated traffic enforcement safety device provided for under Code Section 40-14-18 shall maintain a log for the automated traffic enforcement safety device attesting to the performance of such device's self-test at least once every 30 days and the results of such self-test pertaining to the accuracy of the automated traffic enforcement safety device. Such log shall be admissible in any court proceeding for a violation issued pursuant to Code Section 40-14-18.

B. The City Police, or agent on behalf of the City Police shall perform an independent calibration test on the automated traffic enforcement safety device at least once every 12 months. The results of such calibration test shall be admissible in any court proceeding for a violation issued pursuant to Code Section 40-14-18.

C. Prior to the placement of a device within a School Zone, each school within whose School Zone such automated traffic enforcement safety device is to be placed shall first apply for and secure a permit from the Department of Transportation for the use of such automated traffic enforcement safety device. Such permit shall be awarded based upon need. The Department of Transportation shall promulgate rules and regulations for the implementation of this paragraph.

D. If a automated traffic enforcement safety device is moved to or placed in a location where an automated traffic enforcement safety device had not previously been moved to or placed in, no citation shall be issued for a violation recorded by that automated traffic enforcement safety device until:

(1) The City erects signs warning of the use of a stationary speed detection device within the approaching School Zone. Such signs shall be

a. at least 24 by 30 inches in area

b. shall be visible plainly from every lane of traffic

c. shall be viewable in all traffic conditions, and

d. shall not be placed in such a manner that the view of such sign is subject to being obstructed by any other vehicle on such highway. Such signs shall be placed within 500 feet prior to the warning sign announcing the reduction of the speed limit for the school speed zone;

(2) There shall be a rebuttable presumption that the warning signs described in Subsection (1)(a) are properly installed pursuant to this subsection at the time of any alleged violation under this article; and

(3) that no citation shall be issued for the first 30 days after such signage is installed for the initial automated traffic enforcement safety device authorized by this article.

#### § 74-124 Violations and penalties.

Any person who shall violate any provision of this article shall be subject to the penalties set forth in Official Code of Georgia Annotated, Section 40-14-18(b)(1), as amended, including a fine in the amount of \$75 for a first violation and \$125 for a second or any subsequent violation, in addition to fees associated with the electronic processing of such civil monetary penalty which shall not exceed \$25.00.

**Section 2.** The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

**Section 3.** (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their

enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

**Section 4.** All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

**Section 5.** This Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City.

**Section 6.** Penalties in effect for violations of the Zoning Ordinance of the City of Jonesboro at the time of the effective date of this Ordinance shall be and are hereby made applicable to this Ordinance and shall remain in full force and effect.

**Section 7.** The effective date of this Ordinance shall be the date of adoption unless otherwise specified herein.

**ORDAINED** this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

**CITY OF JONESBORO, GEORGIA**

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**JOY B. DAY**, Mayor

**ATTEST:**

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**RICKY L. CLARK, JR.**, City Administrator

**APPROVED AS TO FORM:**

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City Attorney



# **CITY OF JONESBORO, GEORGIA COUNCIL**

## **Agenda Item Summary**

**Agenda Item #**  
**OLD BUSINESS – 5**

11.5

**Requesting Agency (Initiator)**

**Sponsor(s)**

**Requested Action** (Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)

**Requested Action** (Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)  
Council to consider Ordinance #2019-001 amending various sections of Chapter 86, Zoning, establishing an Arts & Entertainment District Overlay.

**Requirement for Board Action (Cite specific Council policy, statute or code requirement)**

**Is this Item Goal Related?** (If yes, describe how this action meets the specific Board Focus Area or Goal)

## Yes Economic Development, Recreation, Entertainment and Leisure Opportunities

## Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

## Executive Summary

At a time when numerous planning efforts are aligning, the City of Jonesboro has an opportunity to fundamentally change the day-to-day experience for residents and visitors, by the creation of an arts and entertainment district. As highlighted in Blueprint Jonesboro, there is a strong concentration of arts and cultural entities, small creative enterprises, excellent independent restaurants and shops, and numerous festivals and special events planned for the Downtown Core. It speaks to a corps of creative and committed individuals – civic leaders, municipal leaders, elected officials, business owners, artists and arts leaders - who understand the benefits of an arts and entertainment district.

The City Manager and Staff have kicked off the planning process for Jonesboro to begin creating and launching an Arts and Entertainment District in the Central Core. This placemaking strategy is the intersection between community development, economic development and cultural development so cities develop arts and entertainment districts for many reasons including:

- Supporting the revitalization of downtown or some area of a city
- Creating greater evening and weekend activity
- Creating an identity around an existing concentration of cultural, dining, and shopping resources
- Enhancing tourist destinations
- Strengthening local arts and cultural organizations
- Developing economic vitality

For Jonesboro, creating an arts and entertainment district provides a cohesive placemaking strategy linking the numerous current civic development efforts and ultimately creating an opportunity for increased economic development through the identity of a district.

## Purpose

The purpose of the Arts & Entertainment District Overlay is to facilitate creation of an arts destination, sustain established arts and cultural uses and promote new arts and cultural uses. The Arts & Entertainment District Overlay seeks integration of the arts into the fabric of the community and is conceived as the location of art galleries and art studios forming the core of an arts district. A complementary mix of shops, restaurants and entertainment venues will support these uses. These elements are expected to generate interest in downtown Jonesboro and attract arts and cultural events as well as increased economic activity.

## **FOLLOW-UP APPROVAL ACTION (City Clerk)**

Typed Name and Title Ricky L. Clark, City Manager	Date January, 14, 2019	01/07/19 01/14/19	City Council Next: 01/14/19 City Council	OLD BUSINESS APPROVED
Signature	City Clerk's Office			

The Arts & Entertainment District Overlay features an expanded range of permitted uses focused on the arts while retaining all property rights established by the underlying zoning. The Arts & Entertainment District Overlay encourages adaptive reuse of historic buildings and new construction technologies, affording owners expanded development options. These measures will enhance the market attractiveness of the arts district.

Arts venues, community festivals, expanded arts uses and pedestrian character are expected to promote an arts district. Planned investment in public art, lighting, sidewalks and off-street parking will leverage private investment and enhance public safety. This combination of public and private investment is expected to advance Jonesboro's position in regional leadership in the arts and stimulate broad economic revitalization. Importantly, the Arts & Entertainment District Overlay features walkable distances from nearby neighborhoods to small-scale establishments and live entertainment venues accommodated by the Arts & Entertainment District Overlay and compatible with the neighborhood character.

### **Geography:**

Generally, the Arts & Entertainment District Overlay radiates from downtown Jonesboro running along Main Street (i.e. from Spring Street south to Church Street), South McDonough Street (from King Street south to Key Street) and Broad Street (to include the Firehouse Museum and adjoining property) and west of Main Street and north of West Mill Street to include Lee Street Park. The District is more specifically identified in Exhibit A entitled "Jonesboro Arts & Entertainment District Overlay Zone."

### **Key Highlights:**

- Gas Stations, Tire Stores, Motor Vehicles Service or repair are not allowed within District.
- Food Truck Court Establishment
- Display of Public Art
- Juried Commission

### **Staff Recommendation**

In launching a designated arts and entertainment district, it is critical that a clear and compelling identity be established that communicates to the public all aspects of the District – what it is, where it is and how to recognize it. It is imperative that a recognizable brand emanate throughout all communications, and establishes the baseline for all design elements (e.g., logos, banners, advertising, signage and wayfinding, gateways).

At the August 6, 2018 Meeting the City Manager is solely requesting discussion and input on the proposed Overlay District by Mayor & Council. From this point, Staff will take back the recommendations and will solicit public input via surveymonkey regarding the proposed overlay district. After the comment period is over, Staff will bring back the Overlay District for final approval by Mayor & Council in September.

#### **Fiscal Impact**

*(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)*

*To be Determined*

#### **Exhibits Attached** (Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)

- Proposed A and E District Overlay (002)

#### **Staff Recommendation** *(Type Name, Title, Agency and Phone)*

#### **Presentation from City Manager**

## FINDINGS

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF JONESBORO, GEORGIA; TO AMEND VARIOUS SECTIONS OF CHAPTER 86, ZONING; TO ESTABLISH AN ARTS & ENTERTAINMENT DISTRICT OVERLAY; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN ADOPTION DATE; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES ALLOWED BY LAW.**

**WHEREAS**, the governing authority of the City of Jonesboro, Georgia (the “City”) are the Mayor and Council thereof; and

**WHEREAS**, the Mayor and Council have, as a part of planning, zoning and growth management, been in review of the City's zoning ordinances and have been studying the City's best estimates and projections of the type of development which could be anticipated within the City; and

**WHEREAS**, the Mayor and Council therefore consider it paramount that land use regulation continue in the most orderly and predictable fashion with the least amount of disturbance to landowners and to the citizens of the City. The Mayor and Council have always had a strong interest in growth management so as to promote the traditional police power goals of health, safety, morals, aesthetics and the general welfare of the community; and in particular the lessening of congestion on City streets, security of the public from crime and other dangers,

promotion of health and general welfare of its citizens, protection of the aesthetic qualities of the City including access to air and light, and facilitation of the adequate provision of transportation and other public requirements; and

**WHEREAS**, the Mayor and Council are, and have been interested in, developing a cohesive and coherent policy regarding certain uses in the City, and have intended to promote community development through stability, predictability and balanced growth which will further the prosperity of the City as a whole; and

**WHEREAS**, the City has determined that to serve the needs of the community, certain amendments are needed in the Zoning Ordinance, including the creation of an Arts & Entertainment District Overlay; and

**WHEREAS**, the City desires to amend its standards, permitted uses, and non-permitted uses within certain zoning districts.

**NOW THEREFORE**, be it and it is hereby ordained by the Mayor and Council of the City of Jonesboro:

**Section 1. The City’s Code of Ordinances is hereby amended by adding the following Section 86-114 “A-E Zone (Arts & Entertainment District Overlay),” to Chapter 86, “Zoning,” of the City’s Code of Ordinances, which new Section 86-114 shall be inserted immediately after Section**

**Section 86-114. - Factual .** In adopting the Jonesboro Arts & Entertainment District Overlay Zone (the "Arts & Entertainment District Overlay"), the City of Jonesboro seeks to reinvent itself as a cultural destination, particularly its walkable downtown. The downtown has declined over the past 40 or more years. This effectively eliminated Jonesboro as a recipient of a very significant consumer market generated by east coast travelers and local commuters. Jonesboro has also suffered from the general lack of investment characterizing Atlanta's Southside, reinforced by a failure of Southside incomes and housing values to keep pace with Atlanta's north side.

As the regional and national economy rebounds, the City of Jonesboro seeks to create an in-town, arts identity that will attract air travelers, local visitors and as importantly, bolster consumer offerings for Jonesboro residents. The Arts & Entertainment District Overlay will become a significant element of an economic development strategy that will capitalize on Jonesboro's location, sense of place, walkability and small-town charm.

An important aspect of that development strategy is the assignment of property rights not available to owners outside the Arts & Entertainment District Overlay. This reflects an emphasis on compact development supported by such public investment as streetscapes, public parking, public art, wayfinding signs, kiosks, film festivals and community events. The flexibility of building and site design and planned public investment are intended to

foster an arts & entertainment district that will establish downtown Jonesboro as a regional destination for the arts and for community celebrations, dining and shopping.

#### **(a) Definitions**

*Arts.* The interpretation of imagination and creativity in a physical form or performance.

*Art Gallery.* An establishment that engages in the sale, loan or display of paintings, sculptures, photographs, video art or other works of art. "Art gallery" does not include a cultural facility such as a library, museum or non-commercial gallery that may also display works of art or an arts studio.

*Art Center.* A facility whose mission is to promote the arts and make them available to the public. An arts center may host art exhibits and shows, provide studio space for the use of artists and engage in public education and exposure to the arts.

**Art Use.** Creation or assembly of visual art, including two- and three- dimensional works of fine craft, or other fine art objects created or assembled for purposes of sale, display, commission, or trade by artists or artisans. Art use may also include classes held for art instruction. 11.5

**Artist Studio.** An area in a building used for creation, production, rehearsal, study or teaching of any visual art or craft, including but not limited to painting, drawing, graphic design, photography, video, film, sculpture and pottery; written works of fiction or nonfiction; or any performing art, whether for live or recorded performance, including music, dance and theater. Arts studio may include performance space related to classes taught on-site and recording studios; a studio for artisan related crafts, such as small-scale metalworking, glassblowing, furniture making, pottery, leather craft and similar activities. Artist Studio may also include accessory sales of art produced on the premises.

**Artist.** A person who practices one of the fine arts, design, graphic, musical, literary, computer, or performing arts; or a person whose profession relies on application of these skills to produce a creative product. The term includes, but is not limited to, individuals who practice visual arts, such as painters, print makers, illustrators, sculptors, potters, jewelry makers, glass makers, craft artists and photographers; performing arts, such as musicians, composers, playwrights, choreographers and dancers; literary arts, such as creative writers and literary translators; architecture and design, such as architects, landscape architects, engineers, urban designers and planners, interior designers and decorators, industrial designers, graphic designers and fashion designers; and media arts, such as filmmakers, video and audio artists and web-based designers.

**Consignment Store.** An enclosed retail establishment, whether operated by a for or not for profit organization or entity, engaged in selling used merchandise, such as clothing, furniture, jewelry, books, shoes, or household appliances, etc., on consignment. Consignment stores do not include those selling vehicles, auto parts, scrap, or waste.

**Drive-through.** Any facility that may be accessed directly by means of a motor vehicle for transacting business.

**Entertainment, live.** Any musical act, including karaoke; theatrical act, including a play, revue or stand-up comedy; dance; magic act; disc jockey or similar activity performed live by one or more persons, whether or not for compensation or an admission charge.

*Food Truck.* A motorized vehicle or trailer drawn by a motorized vehicle used to prepare and sell food to the public directly from the vehicle or trailer. 11.5

*Food Truck Court.* An area designated in a private parking lot that is accessory to a permitted use conducted in a building on the lot or a freestanding commercial parking lot.

*Food Truck Vendor.* Any person or entity that prepares and sells food from a Food Truck in a designated Food Truck Court.

*Juried Commission.* The commission that determines whether individual(s) are eligible to occupy Live-Work and Artist Housing unit(s) in the Arts & Entertainment District Overlay. The Juried Commission will consist of five members. Three of these members must be an artist, architect, landscape architect, arts educator, or gallery owner. Lay persons with sufficient knowledge, experience, and judgment who have an interest in public art shall make up the balance of the Juried Commission. The members of the Juried Commission shall each be appointed by the Mayor and Council of the City of Jonesboro. Three of the initial five members shall be appointed for a term of two years, and two of the initial five members shall be appointed for a term of three years. Thereafter, each new member shall be appointed for a term of two years.

*Makerspace.* An indoor or outdoor facility or both intended to be used by artists as studio and retail space. Makerspaces often combine production, equipment, community, and education for the purposes of enabling participating individuals to design, prototype, and create works that said individuals would have difficulty producing if working alone due to a lack of resources, tools, artistic input, and/or space. Such space may be in a residential, commercial, mixed use or a live/work building and often provides tools for community use. Makerspaces are characterized by consistent design elements, such as high ceilings, large windows, durable surfaces and wide entrances. These spaces are designed to accommodate and foster a variety of creative activities. Makerspaces may also include common space such as galleries, meeting rooms and open space that encourages resident engagement and community involvement.

*Microbrewery.* Any establishment where malt beverages are produced or brewed (as further defined and regulated in Chapter 5, “Alcoholic Beverages,” of the Jonesboro City Code).

*Outdoor arts market.* A temporary event held on private or public property where artwork is offered for sale.

*Small power tools.* Hand equipment driven by other than human means. Examples include ci 11.5  
saws, power drills, portable mitre saws, routers, electric belt sanders and wood lathes. Not defined as  
small power tools are chain saws, mounted mitre saws, band saws, jackhammers and similar power tools.

*Thrift Store.* An enclosed retail establishment, whether operated by a for or not for profit organization or entity, engaged in selling previously owned or used goods and merchandise from an area greater than 25 percent of the total floor area devoted to retail sales and whose merchandise is acquired principally by donation. Thrift stores do not include those selling vehicles, auto parts, scrap, or waste.

### **Sec. 86-114**

The purpose of the Arts & Entertainment District Overlay is to facilitate creation of an arts destination, sustain established arts and cultural uses and promote new arts and cultural uses. The Arts & Entertainment District Overlay seeks integration of the arts into the fabric of the community and is conceived as the location of art galleries and art studios forming the core of an arts district. A complementary mix of shops, restaurants and entertainment venues will support these uses. These elements are expected to generate interest in downtown Jonesboro and attract arts and cultural events.

The Arts & Entertainment District Overlay features an expanded range of permitted uses focused on the arts while retaining all property rights established by the underlying zoning. The Arts & Entertainment District Overlay encourages adaptive reuse of historic buildings and new construction technologies, affording owners expanded development options. These measures will enhance the market attractiveness of the arts district.

Arts venues, community festivals, expanded arts uses and pedestrian character are expected to promote an arts district. Planned investment in public art, lighting, sidewalks and off-street parking will leverage private investment and enhance public safety. This combination of public and private investment is expected to advance Jonesboro's position in regional leadership in the arts and stimulate broad economic revitalization. Importantly, the Arts District Overlay features walkable distances from nearby neighborhoods to small-scale establishments and live entertainment venues accommodated by the Arts District Overlay and compatible with the neighborhood character.

### **Applicability**

Unless expressly modified by regulations in this Article establishing the Arts & Entertainment District Overlay, the regulations governing the use of land and structures shall be as set forth in the underlying zoning districts and as regulated by other provisions of the Jonesboro City Code. The Architectural Design Standards shall control development in the Arts & Entertainment District Overlay, unless an alternate provision is adopted in the Arts & Entertainment District Overlay. Where a conflict with other Jonesboro City Code and ordinance provisions exists, the more permissive standard shall apply.

## Geography

Generally, the Arts & Entertainment District Overlay radiates from downtown Jonesboro running along Main Street (i.e. from Spring Street south to Church Street), South McDonough Street (from King Street south to Key Street) and Broad Street (to include the Firehouse Museum and adjoining property). The District is more specifically identified in Exhibit A entitled “*Jonesboro Arts & Entertainment District Overlay Zone*.”

## Scale

Downtown Jonesboro is the focus of the Arts & Entertainment District Overlay. Jonesboro was established at a time when walking was the primary means of travel, and the downtown is characterized by a pedestrian scale. This scale is preserved by height limits inherent in the development intensity assigned to the downtown on Jonesboro’s Future Development Map and development standards of the Arts & Entertainment District Overlay. A sense of place will be maintained by adherence to these height limits. Preservation of pedestrian scale is important as arts districts are typically designed to encourage walking to a variety of venues.

## Additional Uses Encouraged in the Arts & Entertainment District Overlay

Uses permitted by the underlying zoning are unaffected by adoption of the Arts & Entertainment District Overlay; the following uses shall be specifically permitted in the Arts & Entertainment District Overlay:

### Arts Uses

1. Art gallery
2. Artist studio
3. Artist studio workspace
4. Artist co-op to allow multiple artist spaces that are not bazaars, junk stores, specialty shops and flea markets, etc.
5. Arts and crafts retail sales
6. Arts center

7. Arts related businesses and services such as craft shops, galleries and studios within which conducted the preparation, display, or sale of art products such as antiques, collectibles, custom apparel, jewelry, paintings, photography, picture framing, pottery, sculpture, stained glass and similar arts, crafts merchandise, and activities such as set design and restoration of artwork. 11.5

8. Arts supply store

9. Cabaret, concert hall or other performing arts space, dinner theater, legitimate theater or movie theater

10. Craftsman or artisan shop

11. Music store, Musical instruments store

12. Performing arts ticket office or Booking agency

13. Photographic studio

14. Recording studios, provided appropriate soundproofing is installed

15. Television and Radio broadcast studio

16. Video and movie production

### **Retail Uses**

1. Farmers market or Green market
2. Framing shop
3. Pottery and ceramics shop
4. Growler shop

### **Cultural and Entertainment Uses**

1. Brew pubs, including outdoor seating
2. Microbreweries, subject to the provisions of Chapter 6, "Alcoholic Beverages & Tobacco Products," of the Jonesboro City Code

3. City-sponsored and/or approved outdoor cultural events and performances that feature art, music, dance, theater, performance art, science, design or cultural heritage
4. Live entertainment, provided that all establishments hosting live entertainment shall comply with any and all applicable noise regulations and ordinances of the City of Jonesboro

11.5

### **Educational Uses**

1. Art school and other visual and performing arts instruction including school of dance, photography, filmmaking, music, writing, painting, sculpting and printmaking, but excluding adult entertainment and erotic dance
2. Educational or instructional activities, including training, vocational or craft schools, the arts and personal development
3. Libraries
4. Museums
5. Social and philanthropic institutions
6. Training studios, including martial arts studios, gymnastics and yoga

### **Prohibited Uses**

The following uses shall be prohibited in the Arts & Entertainment District Overlay:

1. Any drive-through facility
2. Any outdoor storage of materials or any outdoor processing, fabricating or repair work with the exception of work performed with hand tools or small power tools
3. Use of any structure primarily for storage (meaning no more than 25% of the total interior space of said structure may be used for storage of goods, materials, or equipment)
4. Car wash
5. C-Store selling fuel
6. Gas station
7. Motor vehicle service or repair

8. Tire stores
9. Any use that involves the outdoor storage of materials or products. The production of offensive noise, vibration, smoke, dust or other particulate matter, heat, humidity, glare or other objectionable effect shall also be prohibited.

### **Accessory Uses Permitted**

1. Outdoor display of artwork and merchandise during hours of operation of the primary business or activity on the property.
2. Power tools. The use of hand tools is encouraged; the use of small power tools is allowed. All tools shall be used in compliance with the noise regulations and ordinances of the City of Jonesboro.
3. Street performers, subject to the development standards in Sec. \_\_\_\_\_ of the Jonesboro City Code.
4. Food Trucks, in designated Food Truck Courts only, and subject to the development standards in \_\_\_\_\_ of the Jonesboro City Code.
5. Consignment stores and Thrift stores, subject to the development standards in \_\_\_\_\_ of the Jonesboro City Code.
6. Makerspaces, subject to the development standards in Sec. \_\_\_\_\_ of the Jonesboro City Code.

### **Public Art**

Placement or installation of outdoor sculpture and other art forms on private property intended to be viewed from a public right-of-way or other public property shall not be subject to setback standards of the applicable zoning district and shall not require a permit, provided that:

1. The art is not offered for sale.
2. The art does not constitute an advertisement; and
3. The placement does not impede the flow of pedestrian, bicycle or vehicle traffic or block motorist visibility at intersections, alleys or driveways.

## Use Specific Standards

The following standards shall control the development and manner of operation of the following uses within the Arts & Entertainment District Overlay:

1. Food Truck Court.
  - a. Food Truck Courts may be established in free-standing commercial parking lots accessory to an operating, permitted use provided that (a) the lot has been designated for Food Truck Courts, (b) the property is zoned H-1 or H-2 and (c) parking supply exists in excess of that required by ordinance or code for uses or commercial space existing on the site *and* two (2) off-street parking spaces shall be reserved for the exclusive use of customers of each Food Truck Vendor. Such designation shall be subject to review and approval by the City Manager who shall maintain the following database:
    - i. Property address and number of spaces designated as a “Food Truck Court.”
    - ii. Site sketch depicting the building, parking spaces and parking spaces so designated.
    - iii. Dimensions and color photos (front, both sides and rear) of the dispensing vehicle.
    - iv. A copy of all lease agreements between the property owner and/or landlord and any Food Truck Vendor, including the specific space being leased which shall be marked on the ground.
    - v. Proof of compliance with all Clayton County Health Department regulations.
    - vi. An occupational tax permit issued by the City of Jonesboro, which permit shall be posted in the front window of the Food Truck Vendor vehicle or trailer while in use.
  - b. Food Trucks shall not be permitted on the premises before 7:00 AM or after 10:00 PM.
  - c. Each Food Truck Vendor shall obtain an annual Transient Merchants License prior to operating in any area designated as a Food Truck Court.

d. No minimum or maximum number of Food Trucks shall be established; Food Courts need not be contiguous and may be designated in several locations within a single lot. 11.5

e. No wastes of any kind shall be discharged from a Food Truck. Trash receptacles shall be provided by the Food Truck Vendor for customers to dispose of food wrappers, food utensils, paper products, cans, bottles, food and other such waste. Such receptacles shall be located no more than ten (10) feet from the Food Truck. The Food Truck Vendor shall be responsible for removing all trash, litter and refuse from the site at the end of each business day.

f. No LED strip lighting shall be used in conjunction with any Food Truck Court.

g. No loudspeakers shall be used for announcements or hawking of products in conjunction with any Food Truck Court.

h. The property owner and/or landlord may provide limited seating on the Food Truck Court to customers of the Food Truck Vendor(s). Canopies for the protection of customers from the elements may also be provided by the property owner and/or landlord or the Food Truck Vendor(s). Such canopies shall be temporary, located within three feet of the Food Truck, not exceed an area of one hundred and forty-four (144) square feet and shall be subject to approval by the City Manager.

i. A minimum distance of one hundred (100) feet shall be maintained between any Food Truck and the entrance to any permanent restaurant building.

j. The Food Truck shall not be located within any required setback, any sight distance triangle or required buffer. Access aisles sufficient to provide emergency access to any Food Truck shall be provided subject to approval by the Fire Marshall.

k. Sales of articles other than food shall be prohibited.

2. Kilns.

a. The total volume of kiln space shall not exceed twenty-four (24) cubic feet and no individual kiln shall exceed eight (8) cubic feet.

b. Kilns may be located outside. Outside kilns shall be set back a minimum of twenty-five (25) feet from any boundary common to property zoned residential or in residential use.

- a. Street performers shall obtain a permit from the City of Jonesboro.
- b. Performers shall operate only in designated areas.
- c. No street performer shall impede movement along a public sidewalk; a minimum sidewalk width of five feet, independent of the performance area, shall be maintained throughout any performance.

### **Signs**

Signs with lights and movable elements that contribute to the unique character of the district shall be permitted. Such signs shall be subject to approval by the Design Review Commission.”

**Section 3.** (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the

extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

**Section 4.** All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

**Section 5.** The effective date of this Ordinance shall be the date of its adoption by the Mayor and Council unless otherwise stated herein.

**Section 6.** The Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City of Jonesboro.

**Section 7.** It is the intention of the governing body, and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the Code of Ordinances, City of Jonesboro, Georgia and the sections of this Ordinance may be renumbered to accomplish such intention.

[SIGNATURES CONTAINED ON FOLLOWING PAGE]

**ORDAINED this** \_\_\_\_\_ day of \_\_\_\_\_, 2019.

**CITY OF JONESBORO, GEORGIA:**

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**Joy B. Day, Mayor****ATTEST:**

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**Ricky L. Clark, Jr., City Manager/Clerk****APPROVED BY:**

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**Steve Fincher, City Attorney****EXHIBIT A***Jonesboro Arts District Overlay Zone*

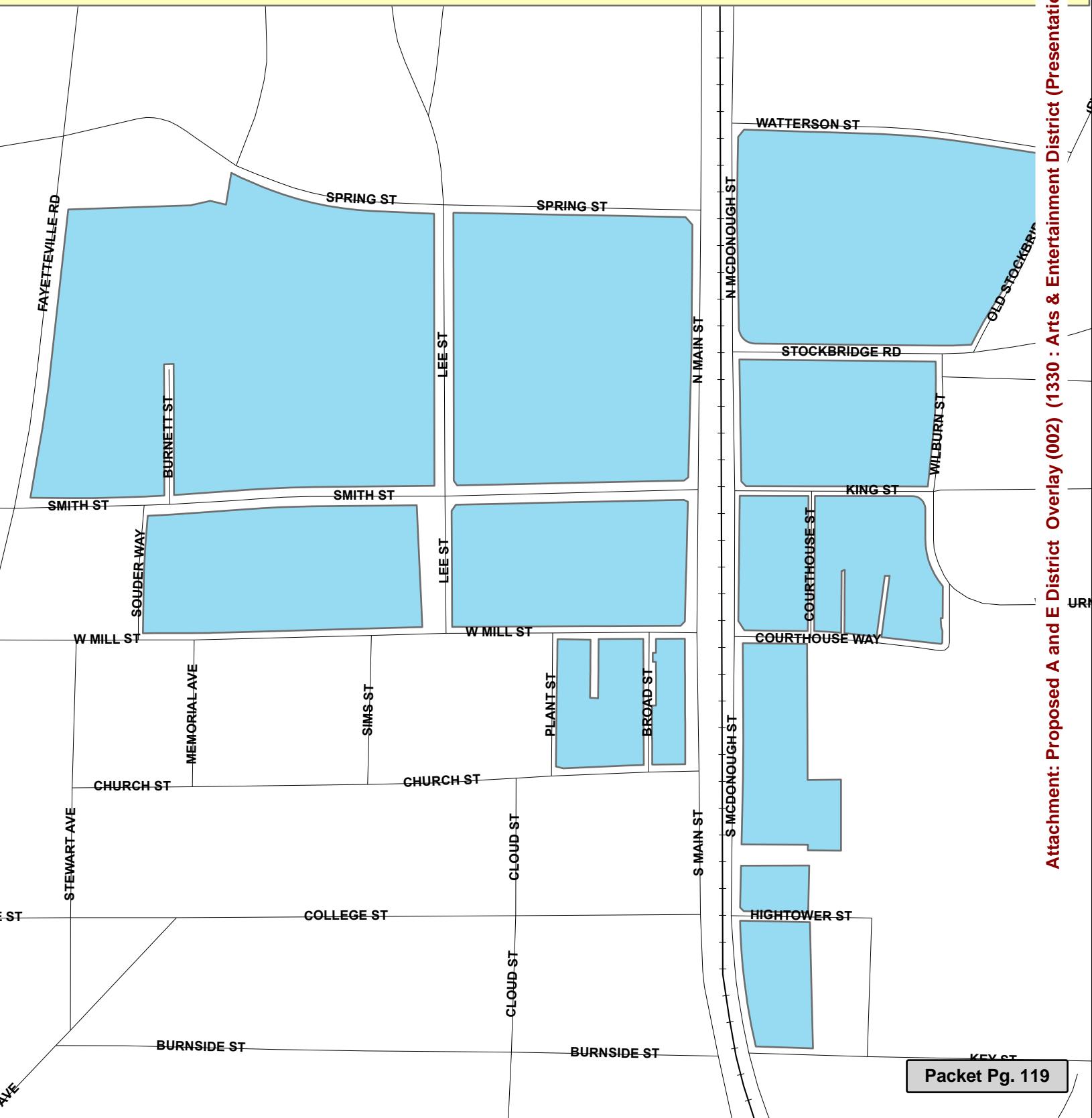
[See Attached]

# City of Jonesboro

Georgia



## EXHIBIT A: Jonesboro Arts and Entertainment District Overlay





## CITY OF JONESBORO, GEORGIA COUNCIL Agenda Item Summary

Agenda Item #

-1

12.1

COUNCIL MEETING DATE  
January 14, 2019

Requesting Agency (Initiator)

Office of the City Manager

Sponsor(s)

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Council to consider fee waiver for usage of Lee Street Park by the American Cancer Society for the Relay for Life Event to be held on April 27, 2019.

Requirement for Board Action *(Cite specific Council policy, statute or code requirement)*

Fee Waivers Must be Ratified by Council

Is this Item Goal Related? *(If yes, describe how this action meets the specific Board Focus Area or Goal)*

Yes

Recreation, Entertainment and Leisure Opportunities

Summary & Background

*(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

### Recommendation

It is recommended that the City Council approve the request and fee waiver for Lee Street Park and equipment from the American Cancer Society Relay for Life with conditions as listed under the Staff Analysis.

### Background

The 2019 American Cancer Society Relay for Life event is scheduled for April 27, 2019 from 12:00 noon until 12:00 am. American Cancer Society is a qualified 501(c)(3) tax-exempt organization. The Clayton County Annual Relay for Life event was held at Lee Street Park last year with a very large turnout. The relay consists of participants raising funds for cancer research and walking in support of awareness. The money raised at this event goes towards helping save over 500 lives a day, uniting communities to celebrate people who have battled cancer and remember loved ones.

### Staff Analysis

Staff has spoken with the organizers and have reached an agreement whereby the City would be listed as a Presenting Sponsor and we would allow usage of Lee Street Park for free plus the cost of security. This partnership would allow more visibility of our Park and would also show our efforts to support this cause. For the event, the organizers will set up tents, host survivors laps around the Park, a DJ and more programming. The night is rounded out with a Luminaria ceremony as a time to reflect on all of those that have lost their battle with cancer.

Staff has reviewed the conditions at and around the event and recommends the following:

- Approval of the Fee Waiver for utilization of Lee Street Park including the large Amphitheatre, small amphitheater, concession stand and farmers market area.
- Relay for Life to provide detailed plan for parking, logistics, etc.
- The American Cancer Society will be required to obtain insurance listing the City of Jonesboro as additional

### **FOLLOW-UP APPROVAL ACTION (City Clerk)**

Typed Name and Title Ricky L. Clark, City Manager	Date January, 14, 2019	01/14/19	City Council	APPROVED
Signature	City Clerk's Office			

- Shared police services with the Clayton County School Police.

**Fiscal Impact**

*(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)*

- Lee Street Park cost (waived) estimated at \$3,600 (large amphitheater)

**Exhibits Attached** (Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)

- Lee Street Park Rental - Relay for LIfe 2019

**Staff Recommendation** *(Type Name, Title, Agency and Phone)***Approval**



**CITY OF JONESBORO**  
124 North Avenue  
Jonesboro, Georgia 30236  
[www.jonesboroga.com](http://www.jonesboroga.com)

## APPLICATION FOR USE OF LEE STREET PARK

"OFFICE OF THE CITY MANAGER"

- ✓ Please print legibly or type and fill out form completely.
- ✓ Submit application and pay all fees at least 30 days prior to use.
- ✓ Make payment by Credit Card, Cash or Cashier's Check payable to City of Jonesboro.
- ✓ If applicable, attach a copy of the Certificate of Liability naming the City as an additional Insured, Temporary Sales License, Liquor Liability Insurance, Food Handlers Permit.

**Area(s) Requested**  
(Please Check)

Large Amphitheater   
Small Amphitheater   
Market Area   
Pavilion

### APPLICANT INFORMATION

Organization Name (If Applicable) American Cancer Society Relay for Life Clayton County Public S.	Person Responsible for Reservation Erin Lacey Community Development Manager
Address: American Cancer Society 233 12th St. Suite 710 Columbus, GA 31901	Home Phone #: 706.549.2439 Other Phone #:
City/Zip Code: Columbus, GA 31901	Email Address: erin.lacey@cancer.org

### RESERVATION INFORMATION

Day of Week (circle): M T W TH F  S SU REQUESTED DATE: 04/27/19

Reservation • START TIME: 12:00 AM/PM (including set-up) END TIME: 12:00 AM/PM (Including clean-up)

Event Name: Relay for Life of Clayton County Total Expected Attendance: 200-250  
Contact Person on Day of Event: Erin Lacey Contact # on Day of Event: 228-5910-3200

Type of Activity:

Birthday Party  Company Picnic  Concert  Fundraiser  Wedding  Other

Community event w/ on-site fundraising

This event will be: (check all that apply)

Closed to the public/invited guest only  Open to the public  Generating Sales (i.e. admission fees, concessions, or entry fees)

Use of Electricity

Please Indicate any other special assistance from our Public Works Department you will need (ex. Extra garbage receptacles, etc.):

Garbage, recycling, toilet tissue for restrooms, hand soap

LEE STREET PARK RENTAL AGREEMENT |

Are there any entertainment features related to your event?  No  Yes\*

\* Number of Performers: 10-15 Performer Name(s): Local schools + churches Performance Type: Singing, dancing, setup

Will sound amplification be used?  No  Yes\*

\* Start Time: 4:00PM End Time: 10:00PM Describe Sound equipment used: DJ equipment

Will you be erecting and using any tents or other temporary equipment?  No  Yes\*

\* Describe Equipment used: pop-up tents, tables + chairs

Will you request any street closures or alterations?  No  Yes\* (Time of Closure or Alteration: \_\_\_\_\_ AM/PM to \_\_\_\_\_ AM/PM)

\* Location/Affected Street:

Does your event involve the use of alcoholic beverages?  No  Yes\*

\* Please check all that apply:  Free/Host Alcohol  Alcohol Sales  Host & Sales  Beer  Wine

Provide the name of the licensed bartender/caterer to serve the alcoholic beverages.

\* Name of Caterer/Licensed Bartender: \_\_\_\_\_ Liquor License #: \_\_\_\_\_

If your event includes the use of alcohol on City Property, Host Liquor Liability Insurance of at least \$1,000,000 per occurrence is required. For alcohol sales, you must also obtain a City of Jonesboro Temporary Sales License and an approved City Alcohol Permit. To serve alcohol, you must also obtain an approved City Alcohol Permit.

Will Food and/or refreshments be served?  No  Yes\*

\* What type of food and/or refreshments will be served? Hot dogs, nachos, donuts

Will you be hiring a caterer to serve food?  No  Yes\*

\* Caterer Name: \_\_\_\_\_ Address: \_\_\_\_\_ Contact #: \_\_\_\_\_

Will food and/or refreshments be sold?  No  Yes\*

\* What type of food and/or refreshments will be sold? Hot dogs, nachos, donuts

Who will prepare the food being served?  Caterer  Other: Participants of a Four Relay for Life team.

\* Does the caterer have a current Food Handlers Permit?  No  Yes

#### FOR OFFICE USE ONLY

A copy of the following supplement documents are required:

<input type="checkbox"/> Proof of Liability Insurance -	Due Date: _____	Received On: _____
<input type="checkbox"/> Proof of Host Liquor Liability Insurance -	Due Date: _____	Received On: _____
<input type="checkbox"/> City Approved Alcohol Permit -	Due Date: _____	Received On: _____
<input type="checkbox"/> Jonesboro Temporary Sales License -	Due Date: _____	Received On: _____
<input type="checkbox"/> Current Food Handlers Permit -	Due Date: _____	Received On: _____

NOTE: All required documents must be submitted to the City at least 30 days prior to reservation date for the reservation to be confirmed.

## LEE STREET PARK AMPHITHEATRE / PAVILION RENTAL PACKET

"OFFICE OF THE CITY MANAGER"

## STATEMENT OF USER RESPONSIBILITY

For Lee Street Park Rental

## PARK USE

In consideration for the use of the City of Jonesboro Park Areas and Facilities, all users agree to the following:

1. The user assumes entire responsibility and liability for losses, damages and claims arising out of injury or damage to the user's display, equipment and other property brought onto the premises of the City facility reserved and shall indemnify and hold harmless the City from any and all such losses, damages and claims arising out of such use.
2. Any group sponsoring or using a City-owned facility assumes all liability for any accidents that occur during the scheduled reservation time of the facility.
3. The user shall be responsible for the conduct of the participants attending the activity/event, with regard to the control and containment of litter, and for any damage to the premises beyond ordinary wear and tear.
4. Amplified music or other amplified sound is not allowed to be played at a volume that causes a nuisance for the area. No sound shall be permissible after 10:30 pm.
5. The user shall conduct all activities on the premises in accordance with any applicable federal, state or local laws, ordinances and rules, including all park regulations, and shall comply with the requirements stated in the "Lee Street Park Amphitheater Rental Packet."
6. If approval is granted to the user to bring in any special portable devices (i.e., Bounce House) for use in conjunction with the reservation, the reserving party must submit a letter releasing the City of liability and must also post a sign at the device during the reservation time that the device is not the City's and the City is not responsible. However, if your event consists of more than 100 people, the authorized user shall submit a Certificate of Liability Insurance in the amount of at least \$1,000,000 per occurrence, naming the City of Jonesboro as an additional insured, no later than 30 days prior to the event.
7. It is unlawful for any person to use fireworks, firecrackers, explosives of any kind in any park.
8. The park rules require that you promptly remove any dog waste deposited on public or private property.
9. The park rules require that all dogs be leashed and barking must not become a nuisance.
10. No motorized vehicles are allowed in the park except in areas approved for such use.
11. No person may move any City owned equipment and/or supplies without written permission from the Director of Public Works.

The undersigned hereby makes application to the City of Jonesboro for use of the facility described above and certifies that the information given in the application is correct. The undersigned further states that he/she has the authority to make this application for the applicant and agrees that the applicant will observe the rules/regulations & policies/procedures of the City of Jonesboro. The applicant agrees to exercise the utmost care in the use of the premises and property and to defend and hold the City of Jonesboro harmless from all liability resulting from the use of said facilities. The applicant further agrees to reimburse the City of Jonesboro for any damage arising from the applicant's use of said facilities. The applicant signing this agreement will be considered the responsible party in case of damage, theft, or disturbances during the usage period. Applicant further agrees to pay any and all court costs, attorney fees and other fees related to the collection of damages for said facility including insufficient funds payment, stop payment or any other refusal to pay.

I have read, understand, and accept all procedures and regulations placed upon me for the rental of the listed rental location. I further acknowledge that I am 21 years of age or older and I understand that failure to comply with the established facility use guidelines (and within the established time frames) puts my meeting or event at risk of cancellation.

Erin Lacey

(Print Name)

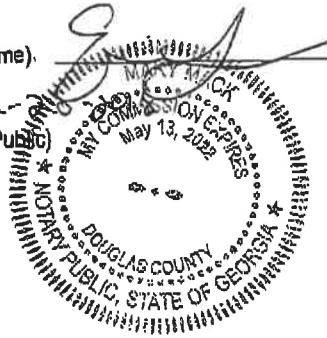
(Sign Name)

12/2018

(Date)

May Mail

(Notary Public)



LEE STREET PARK RENTAL AGREEMENT |



# CITY OF JONESBORO, GEORGIA COUNCIL Agenda Item Summary

Agenda Item #

-2

12.2

COUNCIL MEETING DATE  
January 14, 2019

Requesting Agency (Initiator)  
Office of the City Manager

Sponsor(s)

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Council to consider adoption of Budget Amendment #19-01 in the amount of \$1,000.00 making needed line item transfers within the Public Works Department.

Requirement for Board Action *(Cite specific Council policy, statute or code requirement)*

In Accordance with Government Auditing Standards, All Amendments Require Approval.

Is this Item Goal Related? *(If yes, describe how this action meets the specific Board Focus Area or Goal)*

No Safety, Health and Wellbeing

Summary & Background

*(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

See attached Budget Amendments Handouts.

Fiscal Impact

*(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)*

N/A

Exhibits Attached *(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)*

- #2019-01 - Budget Amendments - Public Works
- 2018 Pricing Sheet (002)- CDL School

Staff Recommendation *(Type Name, Title, Agency and Phone)*

Approval

## FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title Ricky L. Clark, City Manager	Date January, 14, 2019	01/14/19	City Council	APPROVED
Signature	City Clerk's Office			

# CITY OF JONESBORO FY2019 BUDGET AMENDMENTS

## Amendment

DEPARTMENT: Public Works DATE: 01/14/19  
FUND: 4100

**LINE ITEM TRANSFER FROM:**

Dept. Number Account Name

ITEM TRANSFER TO:					
Dept.	Account Number	Account Name	Original Budget	Amended Budget	Net Change
4100	53.1150	Landscaping	\$10,000.00	\$9,000.00	\$1,000.00
<b>TOTAL</b>					<b>\$1,000.00</b>

## LINE ITEM TRANSFER TO:

**JUSTIFICATION:** Public Works Director is requesting the aforementioned line item transfer to allow for two (2) Public Works employees to attend the CDL Training. At current, our only employee certified will be retiring this year.

Department Director: <b>Joe Nettleton</b> Date: January 14, 2019	City Manager  Recommend Approval: Yes Date: January 11, 2019	Mayor Yes / No	City Council Meeting Date: <b>01/14/2019</b> Action: Staff:
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## CDL Training Tuition Plans

Class A Financed Plan: 3995.00  
 Application Fee: + 600.00  
**Total:** \$ 4595.00

Class A Cash Discount Plan: 2995.00  
 Application Fee: + 600.00  
**Total:** \$ 3595.00

Class B Financed Plan: 1995.00  
 Application Fee: + 600.00  
**Total:** \$ 2595.00

Class B Cash Discount Plan: 995.00  
 Application Fee: + 600.00  
**Total:** \$ 1595.00

### ***Required State Fee's NOT included in tuition price:***

D.O.T. Drug Screen	75.00	(Paid or provided by first Day of Class)
D.O.T. Physical	75.00	(Paid or provided by first Day of Class)
C.D.L. Permit	45.00	(Paid to DDS Per each permit test)
C.D.L. Road Test	50.00	(Each test pd to Daly's before test is scheduled)
CDL Lamination Fee	32.00	(Paid to DDS when licensed)
<b>Total:</b>	<b><u>\$ 277.00</u></b>	



**CITY OF JONESBORO, GEORGIA COUNCIL**  
**Agenda Item Summary**

## Agenda Item #

- 3

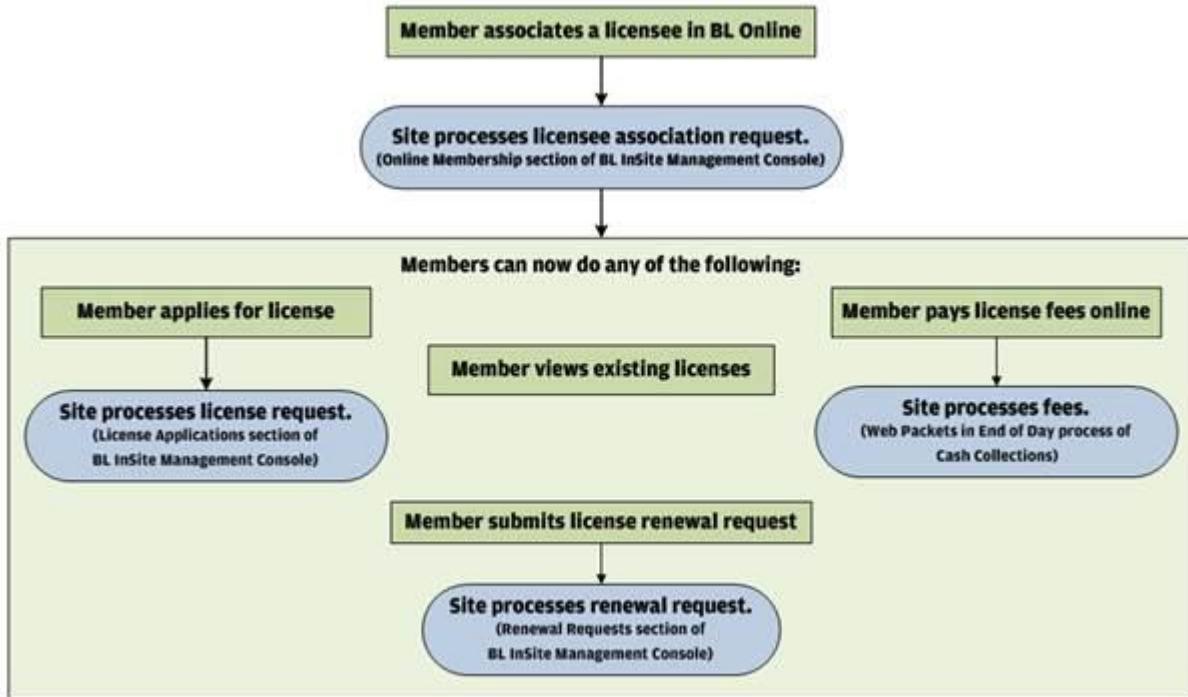
## **COUNCIL MEETING DATE**

January 14, 2019

<b>Requesting Agency (Initiator)</b> Office of the City Manager	<b>Sponsor(s)</b>
<b>Requested Action</b> <i>(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)</i> Council to consider authorizing the City Manager to enter into an agreement with Insite Systems, Inc. in the amount of \$2,600 Incode Integrated Property, and Business License software services, including implementation, training, maintenance, support, and hosting.	
<b>Requirement for Board Action</b> <i>(Cite specific Council policy, statute or code requirement)</i>	
<b>Is this Item Goal Related?</b> <i>(If yes, describe how this action meets the specific Board Focus Area or Goal)</i>	
Yes	Innovative Leadership
<b>Summary &amp; Background</b>	<i>(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)</i>
<b>REQUESTED ACTION/RECOMMENDATION:</b> Authorize the City Manager to enter into an agreement with Insite Systems, Inc. in the amount of \$2,600 Incode Integrated Property, and Business License software services, including implementation, training, maintenance, support, and hosting.	
<b>DISCUSSION/ANALYSIS:</b> To improve staff efficiency and customer service, the City wishes to integrate the various separate software systems used to manage and track Business Licenses & Property Taxes. Due to the restrictive licensing model, the data in the current system does not correlate with other modules within Incode. This system will offer customers 24/7 access and the option to pay online via credit card or eCheck (utilities only). All payments made after 4:00 p.m. will be credited to the account the next business day. The city is pleased to present our citizens with the convenient and quick way to access their utility, permit, licenses and property tax balances. With this service our citizens will be able to take care of their payments 24/7, 365 days a year.	
A majority of jurisdictions use software that is specifically designed for on-line applications and payment of business licenses. Staff has been discussing the need for a modern, more-efficient business-license process to assist with making the operations more streamlined.	
Business License Online displays license status, license for payment, has Security-SSL (Secure Socket Layer) and payment processing via credit card. Payment packet is created to be imported to business license system. Customer pays \$1.25 fee per transaction for payment on-line.	
Property Tax Online allows searches by name, receipt number, and /or parcel number. It displays paid and unpaid parcels, has Security-SSL (Secure Socket Layer), and payment processing via credit cards. Note that the customer pays \$3.50 fee per transaction for payment on-line.	

## **FOLLOW-UP APPROVAL ACTION (City Clerk)**

RECEIPT OF APPROVAL ACTION (City Clerk)			
Typed Name and Title Ricky L. Clark, City Manager	Date January, 14, 2019	01/14/19	City Council APPROVED
Signature	City Clerk's Office		

**Fiscal Impact**

(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)

**Exhibits Attached** (Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)

- City of Jonesboro GA-Business Licensse Propert Tax-1-9-19 (004)

**Staff Recommendation** (Type Name, Title, Agency and Phone)**Approval**



Quoted By: Dylan Schwantes  
 Quote Expiration: 7/8/2019  
 Quote Name: City of Jonesboro-LGD-Business License and Property Tax  
 Quote Number: 2019-64120  
 Quote Description:

**Sales Quotation For**

City of Jonesboro  
 124 North Ave  
 Jonesboro , GA 30236-8409  
 Phone: +1 (770) 478-3800

**Tyler Software and Related Services - Annual**

Description	One Time Fees			
	Impl. Hours	Impl. Cost	Data Conversion	Annual Fee
<b>Tyler Hosted Applications</b>				
Business License Online Component	0	\$0	\$0	\$900
Property Tax Online Component	0	\$0	\$0	\$900
	<i>Sub-Total:</i>	\$0	\$0	\$1,800
	<b>TOTAL:</b>	<b>0</b>	<b>\$0</b>	<b>\$1,800</b>
<b>Other Services</b>				
Description	Quantity	Unit Price	Extended Price	Maintenance
	1	\$800	\$800	\$0
	<b>TOTAL:</b>		<b>\$800</b>	<b>\$0</b>

**Summary**

Total Tyler Annual  
 Total Tyler Services  
 Total Third Party Hardware, Software and Services  
**Summary Total**  
**Contract Total**

One Time Fees	Recurring Fees
\$0	\$1,800
\$800	\$0
\$0	\$0
<b>\$800</b>	<b>\$1,800</b>
<b>\$2,600</b>	

**Comments**

The signee(s) certify that funds have been reserved and/or encumbered for the full amount of the items quoted above and will be remitted based on the terms below. Otherwise, all terms and conditions and payment schedules of the Agreement remain in full force and effect. Tyler will invoice Client for any License Fees listed above upon delivery of the software. Service items will be billed as incurred. Any Maintenance Fees listed above will be invoiced upon one (1) year from the effective date and annually thereafter on the anniversary of that date. The first year's maintenance is waived. All payment terms are net thirty (30) days.

- Business License Online displays license status, license for payment, has Security-SSL (Secure Socket Layer) and payment processing via credit card. Payment packet is created to be imported to business license system. Customer pays \$1.25 fee per transaction for payment on-line.
- Property Tax Online allows searches by name, receipt number, and /or parcel number. It displays paid and unpaid parcels, has Security-SSL (Secure Socket Layer), and payment processing via credit cards. Note that the customer pays \$3.50 fee per transaction for payment on-line.