



**CITY OF JONESBORO
Work Session
VIA ZOOM
February 1, 2021 – 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 should you need assistance.

Join Zoom Meeting
<https://us02web.zoom.us/j/2148237355>

Meeting ID: 214 823 7355
One tap mobile
+19292056099,,2148237355# US (New York)
+13017158592,,2148237355# US (Washington DC)

Agenda

- I. CALL TO ORDER - MAYOR JOY B. DAY**
- II. ROLL CALL - RICKY L. CLARK, JR., CITY MANAGER**
- III. INVOCATION**
- IV. ADOPTION OF AGENDA**
- V. WORK SESSION**

- 1. Discussion regarding Conditional Use Permit Application 21-CU-001, for a dance studio, by Voyles Properties, property owner, and Brionna June, applicant, for property at 272 North Main Street (Parcel No. 13209D F001), Jonesboro, Georgia 30236.
- 2. Discussion regarding the purchase of a Police Sergeant Promotional Exam.
- 3. Discussion regarding the purchase of Corporal badges and die cast.
- 4. Discussion regarding the purchase of firearms for the Jonesboro Police Department
- 5. Discussion regarding proposal from Georgia Power to convert lights at Battleground Park to a Outdoor Lighting LED System.
- 6. Discussion regarding annual approval of SESAC Music Performance License.

7. Discussion regarding 2021 Strategic Planning Retreat.

VI. OTHER BUSINESS

VII. ADJOURNMENT



CITY OF JONESBORO, GEORGIA COUNCIL Agenda Item Summary

Agenda Item #

-1

5.1

COUNCIL MEETING DATE
February 1, 2021

Requesting Agency (Initiator) Office of the City Manager	Sponsor(s)
<p>Requested Action (<i>Identify appropriate Action or Motion, purpose, cost, timeframe, etc.</i>)</p> <p>Discussion regarding Conditional Use Permit Application 21-CU-001, for a dance studio, by Voyles Properties, property owner, and Brionna June, applicant, for property at 272 North Main Street (Parcel No. 13209D F001), Jonesboro, Georgia 30236.</p>	
<p>Requirement for Board Action (<i>Cite specific Council policy, statute or code requirement</i>)</p> <p>Section 86-106 C-1 District Purpose and Standards; Additional Conditional Uses, Article XVII, Sec. 86-515</p>	
Is this Item Goal Related? (<i>If yes, describe how this action meets the specific Board Focus Area or Goal</i>)	
Yes	Economic Development, Community Planning, Neighborhood and Business Revitalization
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.)
<p>Agency recommendation – Approval of Conditional Use application; Recently, the applicant completed a zoning verification form for a dance studio for all ages and types of dance at 272 North Main Street. The property is zoned C-1, Neighborhood Commercial, and has been a standalone building hosting a variety of businesses for many years. The Table of Uses requires a conditional use permit for this particular kind of use in C-1 zoning, with the following conditions:</p> <p>Sec. 86-515. NAICS 711120 – Dance Company Studios, without Theaters</p> <p><i>The following conditions are assigned in the C-1 and C-2 districts:</i></p> <p>(1) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.</p> <p>As per the applicant, the facility would only be operational four days per week. The hours for the Monday, Tuesday & Thursday class would be from 6pm – 9pm and the Saturday class would run from 9-12. Staff does not foresee a parking issue as kids are dropped off and picked up after sessions are over. In addition, the applicant has provided that the average class size is 15.</p> <p>Sec. 86-106. - C-1 neighborhood commercial district.</p> <p>(a) Purpose. The C-1 neighborhood commercial district is established to promote development of limited commercial and service establishments in close proximity to the neighborhoods they are intended to serve. Beyond limiting the range of permitted uses and the scale of individual buildings, the extent of the neighborhood commercial district itself is to be limited to ensure that consumer demand is not generated from outside the immediate neighborhood and that commercial encroachment into the neighborhood does not occur. Parking standards are relaxed to encourage walking, and pedestrian amenities are required to create and enhance a neighborhood atmosphere. The C-1 district is envisioned as a destination environment in which shoppers may access a variety of goods and services, particularly entertainment services such as restaurants. Uses that foster "one-stop" shopping such as auto parts stores are prohibited as are site plans that feature extensive parking along the right-of-way. The dance studio is in alignment with the purpose of being a service establishment (entertainment service), which will hopefully generate interest from the surrounding neighborhoods.</p> <p>(b) Development standards.</p>	

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title Ricky L. Clark, City Manager	Date February, 1, 2021	
Signature	City Clerk's Office	

- (1) Minimum lot area: 43,560 square feet (one acre) **Existing lot**
- (2) Minimum lot width: 80 feet **Existing lot**
- (3) Minimum front yard: 20 feet, when adjoining a residential use, otherwise zero **Existing lot**
- (4) Minimum side yard: 25 feet, when adjoining a residential use, otherwise zero **Existing lot**
- (5) Minimum rear yard: 35 feet, when adjoining a residential use, otherwise zero **Existing lot**
- (6) Maximum building floor area per story: 4,000 square feet **Existing lot, nothing added**
- (7) Maximum building height: 40 feet **Existing lot, nothing added**
- (8) Minimum building separation: per building codes **Existing lot, nothing added**
- (9) Maximum lot coverage: 70 percent **Existing lot, nothing added**

Per the applicant:

My name is Brionna June. I am the founder and Chief Executive Officer of B/ June's Studio Incorporated. We are a nonprofit organization looking to house their location in the Jonesboro area. The purpose of B. June's Dance Studio is to give young ladies between the age of 3 and 18 the opportunity to receive membership, leadership training, promote sisterhood, encourage health and wellness, promote artistic expression, encourage community and team involvement, encourage high standards, and develop or increase skills in dance, responsibility, and self-discipline while competing in nation-wide competitions through competitive dance as a team called "Beauties that Beast."

Sec. 86-515. NAICS 711120 – Dance Company Studios, without Theaters

The following conditions are assigned in the C-1 and C-2 districts:

- (1) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

Staff recommends approval of the application, in that the use can meet the parking requirements, and the nature of the classes will not create high parking demand at any one time, thus protecting other businesses.

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.)*

- Conditional Use - 272 North Main Street - Dance Studio - Legal Notice
- Site Pictures

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

Approval

Legal Notice

Public Hearing will be held by the Mayor and Council of the City of Jonesboro at 6:00 P.M. on February 8, 2021 in the chambers of the Jonesboro Municipal Court facility, 170 South Main Street, Jonesboro, GA, to consider a Conditional Use Permit Application for a dance studio, by Voyles Properties, property owner, and B. June's Studio Incorporated, applicant, for property at 272 North Main Street (Parcel No. 13209D F001), Jonesboro, Georgia 30236. Mayor & Council will first discuss the item at their Work Session, to be held on February 1, 2021 at 6 pm.

David Allen
Community Development Director

Publish 1/20/21

Google Maps 267 N Main St

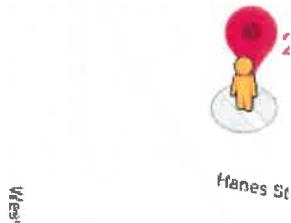


Image capture: Jun 2019 © 2020 Google

Jonesboro, Georgia



Street View



Google Maps 272 N Main St

Image capture: Jun 2019 © 2020 Google

Jonesboro, Georgia



Street View



Google Maps 101 Gloria Dr

Image capture: Jun 2019 © 2020 Google

Jonesboro, Georgia



Street View



Google Maps 106 Gloria Dr



Image capture: Jun 2019 © 2020 Google

Jonesboro, Georgia



Street View

106 Gloria Dr



Hanes St

Google Maps 101 Gloria Dr



Image capture: Jun 2019 © 2020 Google

Jonesboro, Georgia



Street View



Hanes St

View



CITY OF JONESBORO, GEORGIA COUNCIL Agenda Item Summary

Agenda Item #

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5.2

COUNCIL MEETING DATE
February 1, 2021

Requesting Agency (Initiator)

Police

Sponsor(s)

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

Discussion regarding the purchase of a Police Sergeant Promotional Exam.

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

Review

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

Yes Innovative Leadership

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.)

The Jonesboro Police Department is expanding command staff, thus creating opportunity for promotions. The promotion from Police Officer to Police Sergeant will require the completion of a Sergeant's exam, custom to Jonesboro, which consists of both oral and written components.

Fiscal Impact

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

\$4,250.00

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

- Quote

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

February, 1, 2021

Signature

City Clerk's Office

The Jonesboro Police Department is expanding command staff, thus creating opportunity for promotions. The promotion from Police Officer to Police Sergeant will require the completion of a Sergeant's exam, custom to Jonesboro, which consists of both oral and written components.

Cost

\$2,250.00 - Written Exam

(Includes 75 items for a 50-item exam, four (4) distractors for each item, and a map of the test.

\$2,000.00 - Oral Board Competency-based Structured Interview Questions

(Includes 15 questions and response standards to select from.)

\$4,250.00 - Total cost (Second exam in same or following year - \$800.00)

A 45% retainer is required up-front to begin drafting the exam (\$1912.00)

Other incidentals:

- Divide the exam into sections based on the sources (**no more than 4 sources or the given price**)
- The final exam will be comprised of 50 multiple-choice items with four distractors.
- Provide the police department with one exam with the answers and one without the answers.
- The Chief or his/her designee and one or more Lts will serve as Subject Matter Experts (SMEs) and review the **DRAFT** exam items in a meeting with Drs. Willis and Sloat. The meeting should take no more than 2.5 hours.
- The city is responsible to ensure the confidentiality of the review process even though no copies will leave the room during the review process.
- Provide the police department with one copy of each exam one with the answers and one without the answers.
- Provide the police department with the scan sheets.
- Provide the city at no charge, a set of examination instructions, if applicable.
- Scan and score all exam sheets and provide a rank order list for each examination.
- Share item analysis report with department if applicable.
- Confer with the Chief and/or his designees during the process.
- **The aforementioned does not include an item appeal process.**

EXHIBIT A

Deliverables for Customized Sergeant Written Exam:

- Write 75 items for exam a 50 item exam.
- Write only four distractors (e.g., A-D) for each item. This makes the exam easier.
- Ensure that the map of the test represents the number of items that should be written from each source (i.e., % weight out of 50 items).

A Few Supervisory Textbooks:

1. "The Leadership Challenge, 6th Edition" by Kouzes & Posner
2. "Police Ethics, the Corruption of Noble Cause 4th Edition" by Caldero, Dailey, & Withrow

Note: We can provide you with a comprehensive list of books other than the above.

- Divide the exam into sections based on the sources (**no more than 4 sources or the given price**)
- The final exam will be comprised of 50 multiple-choice items with four distractors.
- Provide the police department with one exam with the answers and one without the answers.
- The Chief or his/her designee and one or more Lts will serve as Subject Matter Experts (SMEs) and review the **DRAFT** exam items in a meeting with Drs. Willis and Sloat. The meeting should take no more than 2.5 hours.
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- Provide the police department with one copy of each exam one with the answers and one without the answers.
- Provide the police department with the scan sheets.
- Provide the city at no charge, a set of examination instructions, if applicable.
- Scan and score all exam sheets and provide a rank order list for each examination.
- Share item analysis report with department if applicable.
- Confer with the Chief and/or his designees during the process.
- **The aforementioned does not include an item appeal process.**
- My firm is not responsible for making sure the candidates have a sufficient number of books to read and study from.

Price: \$2,250.00

Second exam in same or following year: \$800.00

Oral Board Competency-based Structured Interview Questions and Rater Guide (off-the-shelf): \$2,000.00

- We will provide you with 15 questions and response standards to select from.
- We will make the changes based on your review and changes to the material.

TOTAL: \$4,250.00

We require a **45%** retainer to start the work.

Dr. Linsey C. Willis, SPHR
 President
 L.J. Craig & Associates, Inc.
 Designers of People Management Systems

779 Saint Albans Dr.
 Boca Raton, Florida 33486
 Ph: 561-750-8669 Fax: 561-391-5077
 Web: <http://www.ljcraig.com>
 Email: lcwillis@ljcraig.com



CITY OF JONESBORO, GEORGIA COUNCIL Agenda Item Summary

Agenda Item #

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5.3

COUNCIL MEETING DATE

February 1, 2021

Requesting Agency (Initiator)

Police

Sponsor(s)

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

Discussion regarding the purchase of Corporal badges and die cast.

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

Review

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.)

The police department is adding the rank of Corporal to expand the chain of command, thus allowing room for growth and promotions throughout the department. The additional rank will produce four (4) new positions, making a direct impact within the Jonesboro community. With the new rank, it becomes necessary to purchase badges to reflect the changes, distinguishing the new rank from ranks previously recognized on the Jonesboro Police Department's roster. Additionally, there is the need to create a new die cast for the badge. The creation of the die cast is a one-time charge, with unlimited usage, regardless of rank indication on the top pane of the badge. The new badges also include a life-time warranty.

Fiscal Impact

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

\$2,930.00, 2021 Fiscal Budget

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

- Quote

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

February, 1, 2021

Signature

City Clerk's Office

The police department is adding the rank of Corporal to expand the chain of command, thus allowing room for growth and promotions throughout the department. The additional rank will produce four (4) new positions, making a direct impact within the Jonesboro community. With the new rank, it becomes necessary to purchase badges to reflect the changes, distinguishing the new rank from ranks previously recognized on the Jonesboro Police Department's roster. Additionally, there is the need to create a new die cast for the badge. The creation of the die cast is a one-time charge, with unlimited usage, regardless of rank indication on the top pane of the badge. The new badges also include a life-time warranty.

The intended goal of purchasing the new badges are:

- 1. To expand the chain of command within the department.
- 2. To distinguish the addition of the new rank of Corporal from all previously existing ranks.
- 3. The creation of a new die cast for the badges will eliminate the previous welded badge, producing a lighter, single layer badge, thus cutting the cost of future badges and reducing the likelihood of repair to the badge.
- 4. The die cast comes with a life-time warranty with unlimited usage. The police department will own the rights to the die cast, and will also be provided digital images of the badge, thus allowing for it to be re-produced on stationary, awards, etc.

Cost

Die Cast Charge: \$2,500.00 (One-Time Fee)

Badges: \$107.50 per unit (QTY. 4)

Total Cost: 2,930.00

EXHIBIT A

T&T Uniforms, Inc.

285A North Main Street
Jonesboro, GA 30236
866-568-2638 (toll free)
770-210-3399



January 29, 2021

To: Assistant Chief Richard Godfrey, Jonesboro Police Department

Subject: Custom Badge – Jonesboro Police Department

In working with Smith & Warren Badge Company, a custom die cast will be done to your specifications – Example image below. Jonesboro Police Department/City of Jonesboro will own the die upon purchase.

Die Cast Charge – One Time Fee: \$2500.00

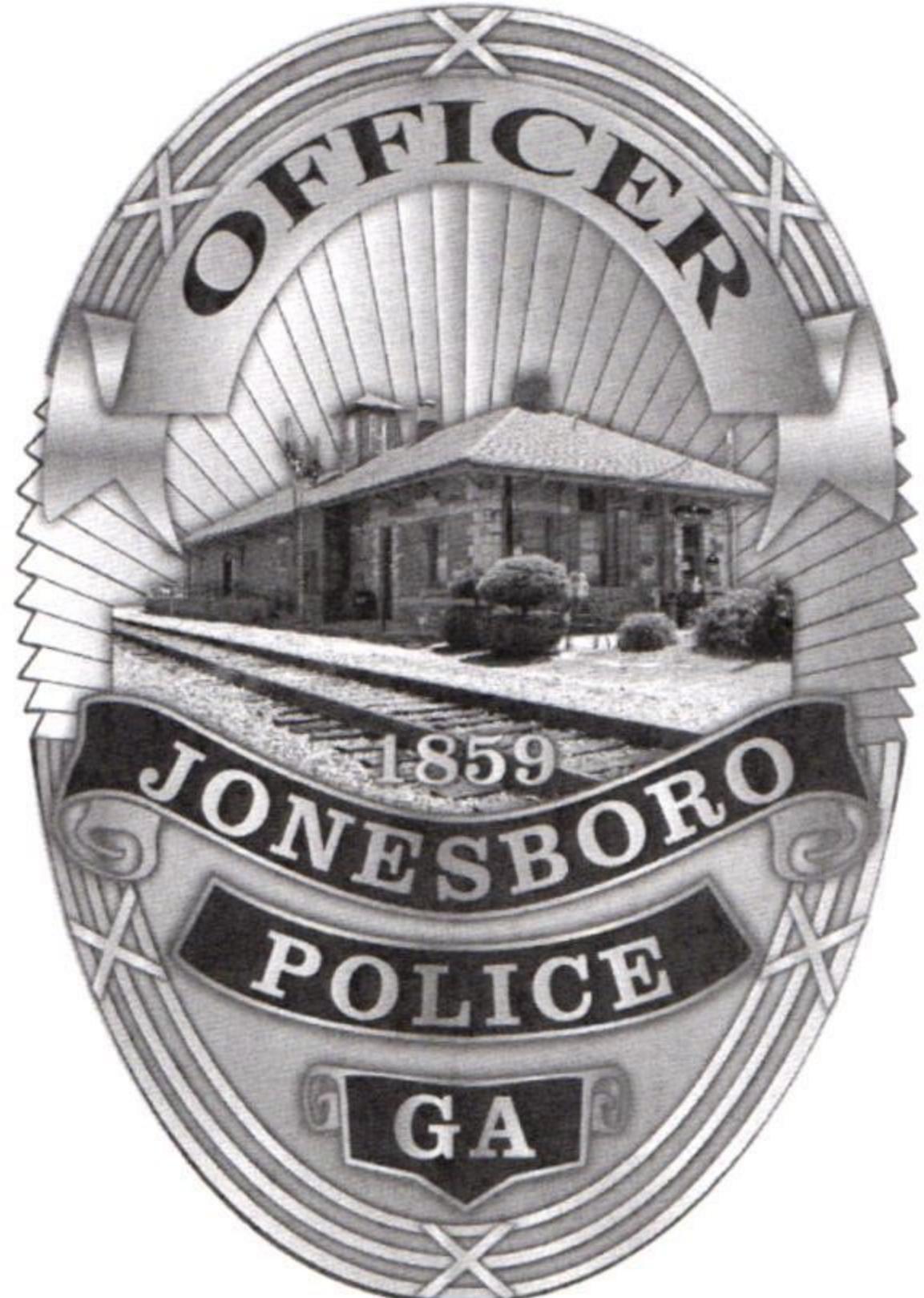
Estimated cost per badge is \$107.50

There is no extra cost to change rank in the top pane. For example, if the department adds a different rank to its roster, there is no extra cost to create this rank/panel.

Each badge produced by Smith & Warren carries a life-time warranty.

If I can help answer any question, please don't hesitate to let me know.

Sincerely yours,
Kevin McDonough





CITY OF JONESBORO, GEORGIA COUNCIL Agenda Item Summary

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COUNCIL MEETING DATE
February 1, 2021

Requesting Agency (Initiator) Police	Sponsor(s)
Requested Action <i>(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)</i> Discussion regarding the purchase of firearms for the Jonesboro Police Department	
Requirement for Board Action <i>(Cite specific Council policy, statute or code requirement)</i> Yes	
Is this Item Goal Related? <i>(If yes, describe how this action meets the specific Board Focus Area or Goal)</i> Yes Safety, Health and Wellbeing	
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> Upon reviewing firearms throughout the department, it has become apparent that there is an immediate need to update the handguns that are carried while on duty. Currently, members of the department are carrying various generations of Glock Brand pistols. Some officers are using generations 3 and 4, which are outdated models, spanning as late as 20 years. Because of this, two different caliber weapons are being used. For the safety of our officers and the effectiveness of our weapons and ammunition, we must standardize the firearms that are being utilized, ensuring that all officers are using the same weapon.
Fiscal Impact	<i>(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)</i> \$2,747.50 (Confiscated Funds)
Exhibits Attached <i>(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)</i> • Scanned doc_003	
Staff Recommendation <i>(Type Name, Title, Agency and Phone)</i> Approval	

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title Ricky L. Clark, City Manager	Date February, 1, 2021
Signature	City Clerk's Office

Upon reviewing firearms throughout the department, it has become apparent that there is an immediate need to update the handguns that are carried while on duty. Currently, members of the department are carrying various generations of Glock Brand pistols. Some officers are using generations 3 and 4, which are outdated models, spanning as late as 20 years. Because of this, two different caliber weapons are being used. For the safety of our officers and the effectiveness of our weapons and ammunition, we must standardize the firearms that are being utilized, ensuring that all officers are using the same weapon.

The intended goals of purchasing updated firearms will resolve the following issues associated with the use of disparate handguns:

- 1. It eliminates the potential of not being able to share ammunition during emergency situations.
- 2. The purchase of ammunition for the department will be simplified, and more cost-effective for the department.
- 3. The newer handguns will encourage better success rates at annual qualification with the lighter recoil of the .9mm ammunition.

The list of requested purchases are as follows:

1. 1. Glock 17 GENS, 3-17rnd MAGS, 5.5lb trigger, Glock Night Sights QTY: 35 \$428.50/Unit \$14,997.50

BUY-BACK/TRADE-IN CREDIT
traded QTY: 23 - \$350/Discount toward purchase per unit

(12,250.00 Total Discount)

Total: \$2,747.50 (after trade-in units)

EXHIBIT A



775 GA-42 N.
McDonough, GA 30253
Phone: 800-333-0695 Ext. 116
Cell: 678-274-8433
Email: kenny.wesley@amchar.com

Quotation For: JONESBORO POLICE DEPARTMENT
JONESBORO, GA

Contact Name: CHIEF T. HENDERSON
Email: thenderson@jonesboroga.com>
Phone: 770-478-7407
Fax:

Prepared by:[Kenny Wesley] Email: [kenny.wesley@amchar.com]

SALESPERSON	CUSTOMER ID	SHIP VIA	F.O.B. POINT	TERMS
CKW			Your Dept	N30

QUANTITY	DESCRIPTION	UNIT PRICE	DISCOUNT	AMOUNT
35	GLOGLAWPA175S302AB: GLOCK 17 G17 GEN5 HGA 9MM 4.9IN BBL w/AMG BOLD SIGHTS	\$428.50		\$14,997.50
	GLOCK 22 23 TRADES - Upon receipt of the used Glock 22 - 23 handguns the agency will be issued a credit of \$350.00 per gun traded. The total credit amount will be determined by the final number of trades. ALL guns shouod include 3 magazines	-\$350.00		

If you choose to purchase the above listed items, we will require a department purchase order as well as any federal excise tax exempt forms required. Some orders will require ORIGINAL INK signed paperwork per the request of the manufacturer. Orders will not be placed until the proper paperwork has arrived.

All paperwork should be faxed ATTENTION TO BILL @ Amchar Wholesale Inc.

SUBTOTAL	\$14,997.50
SHIPPING	
TOTAL DISCOUNT	\$12,250.00
TOTAL	\$2,747.50

All Quotes subject to factory price stability and may change without notice. Prices quoted are contingent to signed acceptance of this quotation

To accept this quotation, sign here and return By Fax:

THANK YOU FOR YOUR BUSINESS!



CITY OF JONESBORO, GEORGIA COUNCIL Agenda Item Summary

Agenda Item #

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5.5

COUNCIL MEETING DATE
February 1, 2021

Requesting Agency (Initiator) Office of the City Manager	Sponsor(s)
Requested Action <i>(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)</i> Discussion regarding proposal from Georgia Power to convert lights at Battleground Park to a Outdoor Lighting LED System.	
Requirement for Board Action <i>(Cite specific Council policy, statute or code requirement)</i>	
Is this Item Goal Related? <i>(If yes, describe how this action meets the specific Board Focus Area or Goal)</i> Yes Beautification	
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> In an effort to reduce costs and energy savings, Staff is seeking to convert the lights at Battleground Park to LED. This will assist in improved illumination and enhance safety and reliability for our lighting. In addition, it will require far less maintenance. In speaking with our Georgia Power lighting representative, this process would include removing (14) 150 w HPS Post Tops and replacing them with (14) 71 w LED Post Tops. At current our monthly energy cost for Battleground Park averages around \$400.00 per month. With us converting to LED, our monthly cost would be around \$447.16; however, this includes no upfront cost and we will never have to replace bulbs. It is our goal to bring forth to council in coming months, several other proposals to convert all of our Park facilities to LED lighting.
Fiscal Impact	<i>(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)</i>
Exhibits Attached <i>(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)</i> <ul style="list-style-type: none">• PROPOSAL.THE CITY OF JONESBORO.WALKING TRAIL (004)	
Staff Recommendation <i>(Type Name, Title, Agency and Phone)</i> Approval	

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title Ricky L. Clark, City Manager	Date February, 1, 2021	
Signature	City Clerk's Office	



November 30, 2020

CITY OF JONESBORO
 JONESBORO PARK WALKING TRAIL
 0 STREET LIGHTS
 JONESBORO, GA 30236

UNMETERED LIGHTING

Thank you for being a valued Georgia Power customer. We look forward to servicing all of your outdoor lighting needs. The following proposal is for install a new Georgia Power Company owned Outdoor Lighting LED System.

Per your request, Georgia Power Company proposes the following estimate:

BILLING OPTIONS:

Standard Operating Lease: 1-month agreement, automatically renews month to month, lease price is fixed. Georgia Power retains ownership of the system. **All materials, labor, energy & maintenance to operate the system are included.**



- Remove (14) 150 w HPS Post Tops
- Install (14) 71 w LED Post Tops

The option for receptacles and banner arms is not possible due to time length of 16 weeks not available for material to arrive. The City of Jonesboro is aware that the poles installed for this job, will not have banners arms or receptacles, however, each pole will be mounted on bases.

PAYMENT OPTIONS:**No Upfront payment required - \$0.00****Monthly lease amount (energy included) - \$447.16**

Please let me know if you have any questions. This proposal is valid for (30) days from the above date.

Should you have any questions, please call me at the number listed below or email me at your convenience.

Sincerely,

Jennifer L. Williams

Account Executive

Georgia Power Outdoor Lighting

C: 678-218-8940

jennwill@southernco.com

<https://www.georgiapower.com/business/electric-products/outdoor-lighting/>



CITY OF JONESBORO, GEORGIA COUNCIL

Agenda Item Summary

Agenda Item

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5.6

COUNCIL MEETING DATE

February 1, 2021

Requesting Agency (Initiator) Office of the City Manager	Sponsor(s)
Requested Action <i>(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)</i> Discussion regarding annual approval of SESAC Music Performance License.	
Requirement for Board Action <i>(Cite specific Council policy, statute or code requirement)</i> Contractual Service	
Is this Item Goal Related? <i>(If yes, describe how this action meets the specific Board Focus Area or Goal)</i> Yes	Community Planning, Neighborhood and Business Revitalization
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> As a music venue that contracts the artists to play the music, we are required to pay annual music licensing fees. There are three different publishing companies: Sesac, Ascap & BMI. We have been contacted by Sesac that we have yet to obtain our license for our venues.
Some Copyright Law Basics: The Constitution authorizes Congress "to Promote the Progress of Science and the Useful Arts" by granting exclusive rights to authors. This insures that creators can earn a living from their work and provides incentive for the creation of more works. The Copyright Law of the United States, Title 17 USC, establishes property rights in musical works and grants creators and owners of copyrighted musical works the exclusive right to perform or authorize the performance of their works publicly (17 U.S.C. 106(4)). This means that, generally, other parties cannot publicly perform or authorize others to perform copyrighted works without the permission of the copyright owner. Also, as the case with other property rights, the owner has the right to be paid for the use of his property.	
What is a public performance? The Copyright Law defines a public performance as one "in a place open to the public or at any place where a substantial number of persons outside of a normal circle of a family and its social acquaintances is gathered." Performances transmitted or otherwise communicated by means of any device or process (for example via broadcast, telephone wire, or other means) to the public are also public performances (17 U.S.C. 101). The law requires users to obtain authorization not only for performances by live musicians, but also for performances by mechanical means including DVD's, CD's, tapes, music on hold, karaoke, jukeboxes and radio and TV reception.	
What Happens If You Play Copyrighted Music Without Permission? If you choose to use someone's musical property without permission, the law provides that a court can assess damages from \$750 to \$30,000 for each work infringed, require you to pay the copyright owners' attorney's fees and court costs, and enter an injunction against you.	
Why Are You Responsible for Obtaining a License? Under the law, owners or operators of facilities or presenters of concerts and other events are responsible for performances on their premises. Technically, everyone who participates in an infringing performance is liable and copyright owners can sue the event presenter or owner of an establishment as well as the members of the band or the disc jockey who actually gave the unauthorized performance. In practice, the owners and presenters obtain licenses as a cost of doing business.	
Fiscal Impact	<i>(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)</i>

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title Ricky L. Clark, City Manager	Date February, 1, 2021	
Signature	City Clerk's Office	

\$483.00 licensing fee

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

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

Approval