



**CITY OF JONESBORO
Regular Meeting
170 SOUTH MAIN STREET
August 9, 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.

Agenda

- I. CALL TO ORDER - MAYOR JOY B. DAY**
- II. ROLL CALL - RICKY L. CLARK, JR., CITY MANAGER**
- III. INVOCATION**
- IV. PLEDGE OF ALLEGIANCE**
- V. ADOPTION OF AGENDA**
- VI. PRESENTATIONS**
- VII. PUBLIC HEARING**
 1. Public Hearing regarding a Conditional Use Permit Application, 21-CU-013, for a church, by the estate of John Mitchell, property owner, and Iyabo Okuribido / Golden Crown C&S Church, applicant, for property at 186 North Avenue (Parcel No. 13239B B005), Jonesboro, Georgia 30236.
- VIII. PUBLIC COMMENT (PLEASE LIMIT COMMENTS TO THREE (3) MINUTES)**
- IX. MINUTES**
 1. Consideration of the Minutes of the June 30, 2021 Special Called Meeting.
 2. Consideration of the Minutes of the July 12, 2021 Regular Meeting.
 3. Consideration of the Minutes of the August 2, 2021 Work Session.
- X. CONSENT AGENDA**
 1. Council to consider approval of Resolution #2021-004 regarding the donation of a little free library from Family Literacy of Georgia at Lee Street Park.

2. Council to consider approval of a proposal from Geotechnical Environmental Consultants, Inc and the City of Jonesboro for construction materials testing and special inspections.
3. Council to consider approval of cancelling the September 6, 2021 Work Session and holding the Regular Meeting on September 13, 2021.

XI. OLD BUSINESS

1. Council to consider approval of Minor Subdivision Plat, 21-SUB-002 for North Main Street (Hearthsider Jonesboro development), OneStreet Residential, LLC, applicant.
2. Council to consider Conditional Use Permit Application, 21-CU-013, for a church, by the estate of John Mitchell, property owner, and Iyabo Okuribido / Golden Crown C&S Church, applicant, for property at 186 North Avenue (Parcel No. 13239B B005), Jonesboro, Georgia 30236.
3. Council to consider approval of Resolution #2021-005 by and between the City of Jonesboro to approve and authorize the Mayor to execute an Intergovernmental Agreement with the County Board of Elections & Registration to allow usage of election equipment to conduct the 2021 Municipal Election.

XII. NEW BUSINESS - NONE

XIII. REPORT OF MAYOR / CITY MANAGER

XIV. REPORT OF CITY COUNCILMEMBERS

XV. OTHER BUSINESS

XVI. ADJOURNMENT

**CITY OF JONESBORO
SPECIAL CALLED MEETING
170 SOUTH MAIN STREET
June 30, 2021 – 6:00 PM**

MINUTES

The City of Jonesboro Mayor & Council held their Special Called Meeting on Wednesday, June 30, 2021. The meeting was held at 6:00 PM at the Jonesboro Police Station, 170 South Main Street, Jonesboro, Georgia.

I. CALL TO ORDER - MAYOUR JOY B. DAY

Attendee Name	Title	Status	Arrived
Pat Sebo-Hand	Mayor Pro-Tem	Present	
Bobby Lester	Councilmember	Present	
Tracey Messick	Councilmember	Present	
Billy Powell	Councilmember	Present	
Donya Sartor	Councilmember	Absent	
Ed Wise	Councilmember	Present	
Joy B. Day	Mayor	Present	
Ricky L. Clark	City Manager	Present	
Pat Daniel	Assistant City Clerk	Present	
Cable Glenn-Brooks	Executive Assistant	Present	

II. ADOPTION OF AGENDA

1. Motion to adopt the agenda as presented.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Pat Sebo-Hand, Mayor Pro-Tem
SECONDER:	Billy Powell, Councilmember
AYES:	Sebo-Hand, Lester, Messick, Powell, Wise

III. AGENDA

A. Executive Session for the Purpose of Discussing personnel related matters

1. Motion to enter into Executive Session at 6:02 PM.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Pat Sebo-Hand, Mayor Pro-Tem
SECONDER:	Ed Wise, Councilmember
AYES:	Sebo-Hand, Lester, Messick, Powell, Wise

2. Motion to adjourn Executive Session at 7:00 PM.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ed Wise, Councilmember
SECONDER:	Billy Powell, Councilmember
AYES:	Sebo-Hand, Lester, Messick, Powell, Wise

IV. ADJOURNMENT

1. Motion to adjourn at 7:07 PM.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Billy Powell, Councilmember
SECONDER:	Ed Wise, Councilmember
AYES:	Sebo-Hand, Lester, Messick, Powell, Wise

JOY B. DAY – MAYOR

RICKY L. CLARK, JR. – CITY MANAGER

**CITY OF JONESBORO
REGULAR MEETING
170 SOUTH MAIN STREET
July 12, 2021 – 6:00 PM**

MINUTES

The City of Jonesboro Mayor & Council held their Regular Meeting on Monday, July 12, 2021. The meeting was held at 6:00 PM at the Jonesboro Police Station, 170 South Main Street, Jonesboro, Georgia.

I. CALL TO ORDER - MAYOR JOY B. DAY

II. ROLL CALL - RICKY L. CLARK, JR., CITY MANAGER

Attendee Name	Title	Status	Arrived
Pat Sebo-Hand	Mayor Pro-Tem	Present	
Bobby Lester	Councilmember	Present	
Tracey Messick	Councilmember	Present	
Billy Powell	Councilmember	Present	
Donya Sartor	Councilmember	Present	
Ed Wise	Councilmember	Present	
Joy B. Day	Mayor	Present	
Ricky L. Clark	City Manager	Present	
Pat Daniel	Assistant City Clerk	Present	
David Allen	Community Development Director	Present	
Cable Glenn-Brooks	Executive Assistant	Present	
Derry Walker	Chief Code Officer	Present	
Kelli Clark	Municipal Court Clerk	Present	
Tommy Henderson	Chief of Police	Present	
Richard Godfrey	Assistant Chief of Police	Present	
Ken Thompson	Finance Director	Present	

III. INVOCATION - LED BY MAYOR JOY B. DAY

IV. PLEDGE OF ALLEGIANCE

V. ADOPTION OF AGENDA

1. Motion to adopt the agenda as presented.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Pat Sebo-Hand, Mayor Pro-Tem
SECONDER:	Ed Wise, Councilmember
AYES:	Sebo-Hand, Lester, Messick, Powell, Sartor, Wise

VI. PUBLIC HEARING

1. Public Hearing regarding a proposed text amendment to the City of Jonesboro Code of Ordinances, 21-TA-010, Ord. 2021-016, with updates and revisions to Section 86-119 "City Center Mixed-Use District" to Chapter 86 - Zoning, Article V – District Standards and Permitted Uses, of the City of Jonesboro Code of Ordinances.

RESULT:

CLOSED

At this time Mayor Day opened the Public Hearing. As none were present to speak, the Public Hearing was duly adjourned

2. Public Hearing regarding Conditional Use Permit application, 21-CU-011, for commercial truck parking, by Don Flanders / Sardis Creek, LLC, property owner, and Dhanram Nahdlal, applicant, for property at 8271 Tara Blvd. (Parcel No. 13239B D008), Jonesboro, Georgia 30236.

RESULT:

CLOSED

At this time Mayor Day opened the Public Hearing.

Property owner and applicant Dhanram Nahdlal was present to speak. Mr. Nahdal informed Mayor and Council that he stated the Handy House business in 2014 and purchased the property two years ago. He stated that trucks have parked there for the past twenty-five years. He stated that he was recently informed by City of Jonesboro Code Enforcement that truck parking was not allowed.

Upon completion of his comments, the Public Hearing was duly adjourned.

3. Public Hearing regarding the 2021 Comprehensive Plan Update.

RESULT:

CLOSED

At this time Mayor Day opened the Public Hearing. As none were present to speak, the Public Hearing was duly adjourned.

4. Public Hearing regarding Alcohol Beverage Pouring license, 21-ALC-001, to dispense beer, wine & distilled spirits at 103 West Mill Street, Jonesboro, Georgia 30236. The legal business name is Nouveau Jonesboro LLC. Ebony Austin has requested to be the License Representative.

RESULT:

CLOSED

At this time Mayor Day opened the Public Hearing. As none were present to speak, the Public Hearing was duly adjourned.

5. Public Hearing regarding Conditional Use Permit Application, 21-CU-012, for a retail cigar shop and cigar bar / lounge with alcohol service, by Robert and Kimberly Lightford, property owners and applicants, for property at 112 South Main Street (Parcel No. 13241D C005), Jonesboro, Georgia 30236.

RESULT:

CLOSED

At this time Mayor Day opened the Public Hearing. As none were present to speak, the Public Hearing was duly adjourned.

At 6:34 PM, Mayor Day re-opened the Public Hearing for Mr. Terrance Madden. Mr. Madden

was delayed at the security checking in while the original Public Hearing was in session. Mr. Madden expressed the following concerns:

- Adequate filtration so that smoke does not flow into the adjoining businesses.
- Hours of operation; particularly relative to outside seating. If outside seating is granted, ensure it does not interfere with his business hours of operation.

Public Hearing regarding Conditional Use Permit Application, 21-CU-012, for a retail cigar shop and cigar bar / lounge with alcohol service, by Robert and Kimberly Lightford, property owners and applicants, for property at 112 South Main Street (Parcel No. 13241D C005), Jonesboro, Georgia 30236.

RESULT:	CLOSED
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6. PRESENTATIONS

1. Presentation relative to the City of Jonesboro 2021 Comprehensive Plan Update, entitled "Jonesboro Forward" – Jared Lombard, Atlanta Regional Commission

RESULT:	DID NOT VOTE
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At this time, Jared Lombard presented an update on the City of Jonesboro's 2021 Comprehensive Plan.

Mr. Lombard worked on the original plan five years ago and informed that the City of Jonesboro has accomplished most of the items in the original plan.

- Revisit the information and data.
- Use computer modeling for the Census data.
- Engage the public on the current issues the City of Jonesboro is facing and what the community would like to see.
- Create a new work program and vision plan for implementation.

Mr. Clark noted that in the past five years, the City of Jonesboro has undergone exciting changes. New investment in downtown, new parks, and new businesses have led to a stronger community. With these changes, it is time to update the City's comprehensive plan to develop new projects and land use policies to continue the success of the past five years. Updating the comprehensive plan offers the City of Jonesboro the opportunity to look beyond the execution of day-to-day services and consider where they want to be in the next five years - as well as what has to be done to get there.

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

At this time, Alfred Dixon, resident of Jonesboro asked for an update on the upcoming City of Jonesboro Election.

Mayor Joy B. Day informed Mr. Dixon that this was comment time, not a question and answer. Mr. Dixon was directed to contact City Hall.

VIII. MINUTES- NONE

IX. CONSENT AGENDA - NONE

X. OLD BUSINESS - NONE

XI. NEW BUSINESS

1. Council to consider approval of a Guaranteed Fixed Price Construction Contract by and between the City of Jonesboro and Hogan Construction Group LLC for the Phase II construction of the Jonesboro City Center.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Tracey Messick, Councilmember
SECONDER:	Donya Sartor, Councilmember
AYES:	Sebo-Hand, Lester, Messick, Powell, Sartor, Wise

Kirby Glaze of 4PM was present to provide an update.

- 27% increase in price related to the building itself.
- 20 to 25% increase in construction cost specifically the price of steel.

Questions and Concerns:

Councilmember Sartor - Asked for clarification relative to the planning process relative to the scope of work and how things were missed; (additional HVAC and glass)

Kirby Glaze informed that the architects took the plans to a 50% design development document and the initial pricing was generated. As plans were completed and more details were included, it resulted in some cost increasing. i.e, details in the design and cost of materials. This is a Guaranteed Fixed Priced Contract, now that the design is complete, there are no be change orders unless The City chooses to change something in the design. The contract includes a contingency line item for anything that may arise as a result of unforeseen conditions.

Mayor Day added the following comments relative to funding for the City Center:

- Additional \$300,000.00 in grant funds available to use for outside amenities.
- We have a choice to adding to our bond, issuing another bond or use some reserve funds.
- Develop City owned properties.

Mr. Clark added that the preference is to add to the existing bond document that would need approval from the Jonesboro Urban Redevelopment Agency.

Final motion includes the financing expiration and a bond issuance for final approval.

2. Council to consider approval of Conditional Use Permit Application, 21-CU-012, for a retail cigar shop and cigar bar / lounge with alcohol service, by Robert and Kimberly Lightford, property owners and applicants, for property at 112 South Main Street (Parcel No. 13241D C005), Jonesboro, Georgia

30236.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Donya Sartor, Councilmember
SECONDER:	Pat Sebo-Hand, Mayor Pro-Tem
AYES:	Sebo-Hand, Lester, Messick, Powell, Sartor, Wise

If approved, the following conditions need to be assigned:

1. All exterior renovations to the building, including signage, the painting of the brick, and the rooftop deck shall be subject to review by the Design Review Commission and Historic Preservation Commission prior to construction.
2. All interior and exterior renovations shall be properly permitted and inspected by all relevant agencies, including the required ventilation system.
3. Alcohol sales and consumption requires separate City approval and must conform to all applicable setbacks.
4. Outdoor activities associated with the sale and use of tobacco products along North Main Street are prohibited.
5. The roof top deck shall have minimum 4-foot-tall decorative railings at the front and back, viewable from both Main Street and Broad Street.
6. All ATF and Health Department requirements shall be met prior to the issuance of a business license.
7. The applicant shall document to the City required ratios of food, alcohol, and tobacco consumption specified in Section 86-642
8. Outdoor activities would be prohibited after 10:00 pm, per City Code Section 34-123.

Questions and Concerns:

Councilmember Powell asked for the clarification of the percentage of food sales.

David Allen advised that 55% of food sales must be maintained in order sell alcohol.

Councilmember Sartor asked if a grease trap is required and who monitors the sale of alcohol?

Mr. Clark advised that each business selling alcohol is required to submit a monthly report and is issued every month for each and a grease trap is required.

Councilmember Messick asked if the entire first floor is considered to be the cigar lounge, where is the proposed location of the kitchen?

David Allen advised that the details of the kitchen will be defined on the final construction plans.

Applicants and property owners, Robert and Kimberly Lightford were present to clarify the following:

- There are plans for a kitchen and detailed drawings will be submitted. For the purpose of this hearing, the presented schematics is a very rough draft.
- The pantry shown on the rough draft will be the humidor.
- The roof top will be accessible from the rear of the building only.

Councilmember Powell inquired what kind of food will be served?

The Lightford's advised that they were still working on the menu as they wanted to focus on acquiring the approval for the Cigar Lounge first.

Councilmember Sartor asked if smoking would be allowed toward the back on Broad Street?

Staff has proposed no smoking on Main Street, there has been no position for smoking outside toward Broad Street.

Upon discussion, the applicant planned for smoking toward Broad Street on the roof-top patio only.

Upon discussion, Mr. Clark added that to allow for outside seating and access to the roof, the current property line will be moved to the curb.

Upon sounding the required conditions;

Condition No. 4 should include Main Street and Broad Street.

Condition No. 8 is not relevant to activities, the referenced code is relevant to Noise Amplification.

3. Council to consider approval of proposed text amendment to the City of Jonesboro Code of Ordinances, 21-TA-010, Ord. 2021-016, with updates and revisions to Section 86-119 "City Center Mixed-Use District" to Chapter 86 - Zoning, Article V – District Standards and Permitted Uses, of the City of Jonesboro Code of Ordinances.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Pat Sebo-Hand, Mayor Pro-Tem
SECONDER:	Ed Wise, Councilmember
AYES:	Sebo-Hand, Lester, Messick, Powell, Sartor, Wise

4. Council to consider approval of an proposal from Georgia Power to acquire an easement across property located at 152 Smith Street.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Pat Sebo-Hand, Mayor Pro-Tem
SECONDER:	Billy Powell, Councilmember
AYES:	Sebo-Hand, Lester, Messick, Powell, Sartor, Wise

Georgia Power is seeking an easement across City property for their proposed O'hara Riverdale 115kV Transmission Line (King Street). Should the City approve, our property's evaluation is based on the following:

- a) Total Acreage - 1.02 acres
- b) Easement Area - .06 acres (plus .16 ac remainder)
- c) Price per Acre - \$150,000
- d) Easement Rights Factor - 85%
- e) Total Assessed Value - \$9690

5. Council to consider approval of a non-exclusive license agreement by and between Courtware Solutions, Inc. and the City of Jonesboro to upgrade the current technology system utilized by Municipal Court.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ed Wise, Councilmember
SECONDER:	Pat Sebo-Hand, Mayor Pro-Tem
AYES:	Sebo-Hand, Lester, Messick, Powell, Sartor, Wise

In an effort to streamline processes, the Court Administrator is requesting an additional module within our Court Software to help run court in a more efficient manner. The NCIC functionality built into Courtware's Virtual Court Management System (VCMS) is designed to increase office efficiency and reduce duplicate data entry on the part of staff.

This ability to run histories in batches will make processing tickets for the court staff faster, allow accurate fine information to post to the online payment portal faster, allow offenders wanting to know their fine amounts to look that information up faster, and allow offenders to pay online faster.

Price includes the following services: Installation, Training, Maintenance, Upgrades and non-customized modifications related to these products.

\$ 5.50 dollars per violation or \$ 1100.00 minimum monthly billing, whichever is greater.

6. Council to consider approval of a quote in the amount of \$ 63,784.00 to purchase a box truck for the purpose of storage and transport of tables and chairs. Further, Council to authorize the City Manager to perform the necessary acts to purchase this vehicle under the auspices of the GMA Lease Pool.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Tracey Messick, Councilmember
SECONDER:	Bobby Lester, Councilmember
AYES:	Sebo-Hand, Lester, Messick, Powell, Sartor, Wise

The requested box truck will be used in the transportation of chairs and tables to and from city events. Staff has assessed the functional needs and usage of this vehicle for its planned functions.

On the vehicle identified for purchase, Ryder Truck Sales, was able to provide an overall lower cost. As such, staff is requesting authorization of a purchase order to Ryder Truck Sales with a total cost not to exceed \$63,784.00.

Further requesting Council to authorize the City Manager to perform the necessary acts to purchase this vehicle under the auspices of the GMA Lease Pool.

- Council to consider approval of Budget Amendment #21-003 regarding the CJCC Training Grant in the amount of \$62,500.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Donya Sartor, Councilmember
SECONDER:	Ed Wise, Councilmember
AYES:	Sebo-Hand, Lester, Messick, Powell, Sartor, Wise

Request to amend the budget in order to properly account for the receipt and expenditure of Criminal Justice Coordinating Council grant funds. Acceptance of the grant was previously approved by the Council on June 14, 2021. The grant is being used to purchase a Virtual Training Simulator System for the Police Department.

The cost of the Virtual Training Simulator System is \$62,500 which if fully funded by the grant.

- Council to consider fee waiver for use of Lee Street Park by Alfred Dixon for an event to be held on Sunday, July 25, 2021 from 4:00 p.m. until 9:00 p.m.

RESULT:	DENIED [0 TO 6]
MOVER:	Ed Wise, Councilmember
SECONDER:	Bobby Lester, Councilmember
NAYS:	Sebo-Hand, Lester, Messick, Powell, Sartor, Wise

Questions and Concerns:

Councilmember Sebo-Hand expressed that if we approve the requested waiver, we open ourselves up for waiving fees for other non-profit organizations.

Councilmember Messick inquired if Council has waived fees for Mr. Dixon in the past.

Mayor Day advised that the last request for a fee waiver received from Mr. Dixon was for a Council initiative project when he served on Council.

Councilmember Powell expressed his concern of this event turning into a political event.

- Council to consider the following appointment to the Jonesboro Beautification Commission:

- Michael W. Padgett – (306B West Avenue Jonesboro, GA)** – to fill the unexpired term of Billy Gardner. Term to expire, October 10, 2022.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Billy Powell, Councilmember
SECONDER:	Donya Sartor, Councilmember
AYES:	Sebo-Hand, Lester, Messick, Powell, Sartor, Wise

Michael W. Padgett (306 B. West Avenue) - to fill the unexpired term of Bobby Gardner. Term to expire, October 10, 2022.

10. Council to consider approval of Application 21ALCSUB-001, as submitted by Taylor'd Events, requesting an alcohol sub-permit for the "Miami Day in the A" Event to be held on July 31, 2021 beginning at 2:00 p.m. Said event is to be held at Lee Street Park.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ed Wise, Councilmember
SECONDER:	Bobby Lester, Councilmember
AYES:	Sebo-Hand, Lester, Messick, Powell, Sartor, Wise

Questions and Concerns:

Councilmember Messick inquired if we've had any issues concerning alcohol served at special events as it relates to the location of the Perry Center and Lee Street.

Mr. Clark advised that The City has not had any issues.

Councilmember Sebo-Hand inquired about the set-up and fencing of the park.

Mr. Clark advised that it is a ticketed event and the Farmer's Market area is not included in the fencing.

Councilmember Sartor asked if the playground will be closed.

Mr. Clark advised the playground will be opened.

11. Council to consider approval of Alcohol Beverage Pouring license, 21-ALC-001, to dispense beer, wine & distilled spirits at 103 West Mill Street, Jonesboro, Georgia 30236. The legal business name is Nouveau Jonesboro LLC. Ebony Austin has requested to be the License Representative.

RESULT:	APPROVED [5 TO 1]
MOVER:	Donya Sartor, Councilmember
SECONDER:	Ed Wise, Councilmember
AYES:	Sebo-Hand, Lester, Powell, Sartor, Wise
NAYS:	Messick

Questions and Concerns:

Mr. Clark advised that he and Mr. Allen walked and measured the site; the measurement for were over the limit of the required distances.

Councilmember Messick expressed her concerns with the methods used for verifying the distance requirements relative to serving of alcohol near a church or school. Questioning if state guidelines are being followed specifically measuring; to the nearest property, or the nearest

portion of the ground. Additionally, stating that while measuring you encounter several properties owned by churches before getting to the front entrance.

Mr. Clark advised that he is very confident with standing beside his decision and recommendation for approval for the requested alcohol license and the state requirements are from front door to front door.

Councilmember Sebo-Hand added that measurements were taken in great consideration before the construction of the building began.

12. Council to consider approval of the resolution of the following five (5) vehicle forfeitures:

1. **2003 Ford Taurus**, VIN 1FAFP56U97A177444. Civil Action # 2021CV02000-11, Jonesboro Case # 20-02-00721.
2. **2007 Ford Taurus**, VIN 1FAFP56U97A177444. Civil Action # 2021CV02000-11, Jonesboro Case # 20-02-00721.
3. **2015 Kia Rio LX**, VIN KNADM4A38F6442386. Civil Action # 2020CV0256-10, Jonesboro Case # 20-06-00279.
4. **2009 Honda Civic**, VIN 2HGFA165X9H541597. Civil Action # 2021CV02002-10, Jonesboro Case # 20-09-00717.
5. **2007 Mazda B2300** Pickup Truck, VIN 4F4YR12D37PM05891. Civil Action # 2020CV01749-11, Jonesboro Case # 20-12-00328.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ed Wise, Councilmember
SECONDER:	Tracey Messick, Councilmember
AYES:	Sebo-Hand, Lester, Messick, Powell, Sartor, Wise

13. Council to consider approval of Conditional Use Permit application, 21-CU-011, for commercial truck parking, by Don Flanders / Sardis Creek, LLC, property owner, and Dhanram Nahdlal, applicant, for property at 8271 Tara Blvd. (Parcel No. 13239B D008), Jonesboro, Georgia 30236.

RESULT:	DENIED [0 TO 6]
MOVER:	Pat Sebo-Hand, Mayor Pro-Tem
SECONDER:	Billy Powell, Councilmember
NAYS:	Sebo-Hand, Lester, Messick, Powell, Sartor, Wise

14. Discussion relative to the America Rescue Plan Act.

15. Discussion relative to a Polling Place for the 2021 Municipal Election.

Proposed locations for Upcoming Election; The W Event Center or Lee Street Elementary School.

Councilmember Sebo-Hand: Lee Street Elementary

Councilmember Powell: Lee Street Elementary

Councilmember Messick: Lee Street Elementary

XII. REPORT OF MAYOR / CITY MANAGER

Ricky L. Clark Jr., City Manager:

- Introduction of Nina Robinson, new Director of Finance.
- Ken Thompson attending his last Council Meeting as his last day is July 29th.
- Brandon Hermsmeier has been appointed Interim Public Works Director.
- Nouveau Jonesboro LLC Grand Opening on Sunday July 25, 2021 at 7:00 pm. Tickets are available on Eventbrite.
- Miami in the A event on July 31, 2021.
- Launched an internal onboarding module utilizing talent acquisition.
- Mr. Clark will be out of the country for several days.

XIII. REPORT OF CITY COUNCILMEMBERS

Councilmember Sartor - Annual Back to school Bash on Sunday July 25, 2021. As several residents, teacher, churches and organizations have expressed a need, I plead with Council to donate a portion of your initiative funds in an effort to response to the needs in the community.

Councilmember Wise - No

Councilmember Powell - No

Councilmember Lester - No

Councilmember Messick - Thank You to everyone that wrote a letter to deployed soldiers and first responders for Operation Gratitude. Still in need of letters.

Councilmember Sebo-Hand - Not only giving out school supplies, also providing hair cuts to all the kids. Staples and Office Depot are providing supplies. There are over 60 vendors participating at the Farmers Market as well as live entertainment through music.

Councilmember Wise inquired if City Funds were available to fund the Back to School Bash.

Upon discussion Mr. Clark called for a motion to reimburse in the amount not to exceed \$2,000.00 for the Back to School Event; Councilmember Lester motioned, Councilmember Messick seconded, the motion carried unanimously.

XIV. OTHER BUSINESS

1. Executive Session for the purpose of discussing personnel related matters at 8:15 PM.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ed Wise, Councilmember
SECONDER:	Bobby Lester, Councilmember
AYES:	Sebo-Hand, Lester, Messick, Powell, Sartor, Wise

2. Motion to adjourn Executive Session and resume Regular Meeting at 8:40 PM.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ed Wise, Councilmember
SECONDER:	Billy Powell, Councilmember
AYES:	Sebo-Hand, Lester, Messick, Powell, Sartor, Wise

3. Consider any action(s) if necessary based on decision(s) made in the Executive Session

XV. ADJOURNMENT

1. Motion to adjourn at 8:52 PM.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Billy Powell, Councilmember
SECONDER:	Donya Sartor, Councilmember
AYES:	Sebo-Hand, Lester, Messick, Powell, Sartor, Wise

JOY B. DAY – MAYOR

RICKY L. CLARK, JR. – CITY MANAGER

**CITY OF JONESBORO
WORK SESSION
170 SOUTH MAIN STREET
August 2, 2021 – 6:00 PM**

MINUTES

The City of Jonesboro Mayor & Council held their Work Session on Monday, August 2, 2021. The meeting was held at 6:00 PM at the Jonesboro Police Station, 170 South Main Street, Jonesboro, Georgia.

I. CALL TO ORDER - MAYOR JOY B. DAY

Attendee Name	Title	Status	Arrived
Pat Sebo-Hand	Mayor Pro-Tem	Present	
Bobby Lester	Councilmember	Present	
Tracey Messick	Councilmember	Absent	
Billy Powell	Councilmember	Present	
Donya Sartor	Councilmember	Present	
Ed Wise	Councilmember	Present	
Joy B. Day	Mayor	Present	
Ricky L. Clark	City Manager	Present	
Pat Daniel	Assistant City Clerk	Present	
David Allen	Community Development Director	Present	
Brandon Hermsmeier	Interim Public Works Director	Present	
Cable Glenn-Brooks	Executive Assistant	Present	
Derry Walker	Chief Code Officer	Present	
Tommy Henderson	Chief of Police	Present	
Kelli Duffy	Clerk of Municipal Court	Present	
Richard Godfrey	Assistant Chief of Police	Present	
Nina Robinson	Director of Finance	Present	

II. ROLL CALL - RICKY L. CLARK, JR., CITY MANAGER

III. INVOCATION - MOMENT OF SILENCE

IV. ADOPTION OF AGENDA

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

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Pat Sebo-Hand, Mayor Pro-Tem
SECONDER:	Billy Powell, Councilmember
AYES:	Sebo-Hand, Lester, Powell, Sartor, Wise
ABSENT:	Messick

Under Work Session: Add as Item No.# 3 Discussion regarding the donation of a Little Free Library from Family Literacy of Georgia. Mr. Clark recommended adding this item as number two (2) as the requestor was present to speak regarding the matter.

V. WORK SESSION

1. Discussion regarding the approval of a volunteer honorary officer.

At this time, Chief Henderson appointed Dwayne "Buddy" Divins as an Honorary Police Officer. Buddy is a resident of the City of Jonesboro and is an avid supporter of law enforcement. He is being recognized for his dedicated support and positive relationship with local law enforcement and the civil duties and participation he has performed for our community.

This appointment is given to Honorary Officer Dwayne "Buddy" Divins who is an avid supporter of law enforcement. He shall maintain a professional relationship with the Jonesboro Police Department, as well as the City of Jonesboro. He will maintain good moral character and have no negative interaction with Law Enforcement. (See File for Full Scope of Duty)

2. Council to consider approval of Minor Subdivision Plat, 21-SUB-002 for North Main Street (Hearthsde Jonesboro development), OneStreet Residential, LLC, applicant.

RESULT:

OLD BUSINESS

Next: 8/9/2021 6:00 PM

No preliminary plat is needed since these lots have not been subdivided previously.

- 217, 215, and 211 North Main Street are zoned H-1. Having their rear portions subdivided off will not affect their conformance with the Zoning Code, since there is no minimum lot area for H-1 zoning. The widths and setbacks of these lots are not changing. The other standards are not applicable as the front portions of these lots will not be further developed, and the rear portions of the lots will be combined and be under the standards of the Active Senior Overlay District.
- 205 and 203 North Main Street are zoned H-2. Having their rear portions subdivided off will not affect their conformance with the Zoning Code, since there is no minimum lot area for H-2 zoning. The widths and setbacks of these lots are not changing. The other standards are not applicable as the front portions of these lots will not be further developed, and the rear portions of the lots will be combined and be under the standards of the Active Senior Overlay District.

Questions and Concerns:

Councilmember Powell asked why the Pine Street addresses were on the plans?

Mr. Allen advised that the addresses are not affected, they are just a part of the overall plan presented for this presentation.

Mr. Clark added that this development site has had several complications and the developers have been working hard to move this project along.

Parcel I.D. No.# 4A, 1A and 2A will be deeded to the Downtown Development Authority to build out as they see fit.

Councilmember Sartor inquired if the Cottages are still apart of this development

Mr. Clark advised that along with other site restrictions bound by Federal Regulations, the duplexes and cottages have been eliminated.

Mayor Day inquired about the design of the building facing Main Street and what are the plans for the property on North Avenue?

Based upon continued discussion, the Developer will present full site plans to the City Council at their August 9th Regular Meeting.

- Council to consider approval of Resolution #2021-004 regarding the donation of a little free library from Family Literacy of Georgia at Lee Street Park.

RESULT:	CONSENT AGENDA ITEM	Next: 8/9/2021 6:00 PM
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- Council to consider Conditional Use Permit Application, 21-CU-013, for a church, by the estate of John Mitchell, property owner, and Iyabo Okuribido / Golden Crown C&S Church, applicant, for property at 186 North Avenue (Parcel No. 13239B B005), Jonesboro, Georgia 30236.

RESULT:	PUBLIC HEARING REQUIRED	Next: 8/9/2021 6:00 PM
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The following conditions are Not met:

- Must be stand-alone buildings (no planned centers, connected storefront sharing a common wall, or lots with zero lot line development or shared parking).
- Must meet applicable buffer requirements of Article XV - Landscaping and Buffers.
- Council to consider approval of a subrecipient agreement for use of Community Development Block Funds between Clayton County and the City of Jonesboro for Lee Street Park improvements in the amount of \$300,000.00.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ed Wise, Councilmember
SECONDER:	Billy Powell, Councilmember
AYES:	Sebo-Hand, Lester, Powell, Sartor, Wise
ABSENT:	Messick

The principal task being undertaken by the subrecipient of this grant will be to address sloping and grading issues in the amphitheater field area by creating a transition from Lee Street Park to the new City Center site. This transition that will help with grading issues and will also create additional seating areas for the general public for park events. Clayton County has awarded a CDBG Grant in the amount of \$300,000 to use towards this project.

The money cannot be used for any other improvement at Lee Street Park.

- Council to consider approval of a proposal from Geotechnical Environmental Consultants, Inc and the City of Jonesboro for construction materials testing and special inspections.

RESULT:	CONSENT AGENDA ITEM	Next: 8/9/2021 6:00 PM
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Scope of Services include the following:

- Earthwork monitoring and testing
- Approval of utility bearing materials and testing of utility backfilling activities
- Foundation evaluation
- Rebar evaluation of foundations and slab-on-grade

- Fresh concrete testing during concrete placement activities
- Compressive strength testing of molded concrete specimens.
- Masonry inspection & testing
- Testing of graded aggregate-based materials prior to concrete or asphalt placement in paved areas.

The estimated cost \$59,652.00

7. Discussion regarding cancelling the September 6, 2021 Work Session and holding both meetings on September 13, 2021 due to the Labor Day Holiday.

RESULT:	CONSENT AGENDA
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8. Discussion regarding 2021 Municipal Election.

- After several meetings, and substantial changes it is important that this body decides how to conduct the upcoming election.
- Clayton County will conduct the elections in a price range not to exceed \$25,000.00.
- We contacted Dominion to provide the accuracy testing of the machines and setting up of the ballots for an estimated cost of \$4,000.00 to \$6,000.00.

VI. OTHER BUSINESS

- A. Executive Session - NONE

VII. ADJOURNMENT

1. Motion to adjourn at 6:47 PM

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Billy Powell, Councilmember
SECONDER:	Ed Wise, Councilmember
AYES:	Sebo-Hand, Lester, Powell, Sartor, Wise
ABSENT:	Messick

JOY B. DAY – MAYOR

RICKY L. CLARK, JR. – CITY MANAGER



CITY OF JONESBORO, GEORGIA COUNCIL Agenda Item Summary

Agenda Item #

-1

10.1

COUNCIL MEETING DATE
August 9, 2021

Requesting Agency (Initiator)

Office of the City Manager

Sponsor(s)

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

Council to consider approval of Resolution #2021-004 regarding the donation of a little free library from Family Literacy of Georgia at Lee Street Park.

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

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.)

Little Free Libraries (LFL's) are "take a book, return a book" free book exchanges popularized by the nonprofit organization Little Free Library. LFL's typically take the form of a small wooden box of books mounted on a post in front of a home or business where passerby can easily access the books. The vast majority of LFL's are installed on private property and maintained by sponsoring community members whom Little Free Library refers to as "stewards." Studies have consistently shown that young children who have access to books in the home achieve markedly higher literacy levels later in life. According to the Children's Literacy Foundation, 61% of low income families do not have age-appropriate books in their homes.

The Family Literacy of Georgia will produce at least one community activity with the City of Jonesboro in the first year of service, such as holding a story hour for kids or a book-centered gathering for your citizens. They will also register and add the library's location to the Little Free Library's national/international world locator map. Little Free Library for 175 new books for the year. The books will be sent to your organization divided among four quarters from the Little Free Library.

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.)

- Resolution 2021-004 - Little Free Library

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 August, 9, 2021	08/02/21 ITEM	City Council CONSENT AGENDA Next: 08/09/21
Signature	City Clerk's Office		

STATE OF GEORGIA
COUNTY OF CLAYTON
CITY OF JONESBORO

RESOLUTION NO. 2021-004

A RESOLUTION AUTHORIZING THE CITY OF JONESBORO TO ACCEPT A DONATION OF A LITTLE FREE LIBRARY FROM FAMILY LITERACY OF GEORGIA AT LEE STREET PARK; TO AUTHORIZE THE MAYOR TO PERFORM ALL OTHER ACTS NECESSARY TO ACCOMPLISH THE INTENT OF THIS RESOLUTION; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, The Little Free Library is an international nonprofit organization originally developed to promote literacy in rural communities which have little access to libraries. As a supporter of this initiative, Family Literacy of Georgia in collaboration with the Little Free Libraries organization would like to install a Little Free Library at Lee Street Park (“the Location”); and

WHEREAS, Family Literacy of Georgia is a 501(c)(3) non-profit organization based in Morrow, GA that was founded in 2016 with a mission to strengthen minority communities by increasing access to books and other literacy resources; and

WHEREAS, The Little Free Library structure will be filled with diverse books to reflect the lives of our Jonesboro community; and

WHEREAS, family members will be able to take and share new books for free; and

WHEREAS, a Little Free Library allows everyone to see themselves in the pages of a book and provides a broader awareness of the diverse life experiences in America, which can break down barriers and nurture a deeper understanding of our society’s inequities; and

WHEREAS, there will be no financial impact; and

WHEREAS, the City Council deems it in the best interest of Jonesboro and the City will be best served by accepting the donation of a Little Free Library from Family Literacy of Georgia at the Location for the above stated purposes.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
JONESBORO, GEORGIA AND IT IS HEREBY RESOLVED**

Section 1. The City Council hereby authorizes the City of Jonesboro to accept the donation of a Little Free Library at Lee Street Park. Further, the City Council hereby authorizes the Mayor to execute all necessary documents, and otherwise to perform all acts necessary to accomplish the intent of this Resolution.

Section 2. This Resolution shall be effective on the date of its approval by the Jonesboro City Council.

SO RESOLVED, this the _____ day of _____, 2021.

CITY OF JONESBORO

JOY B. DAY, MAYOR

ATTEST:

RICKY L. CLARK, JR., CLERK/MAYOR

SO ORDAINED, this _____ day of _____, 2020.

{SIGNATURES ON FOLLOWING PAGE}



June 8, 2021

Mr. Ricky Clark
 City of Jonesboro Georgia
 124 North Avenue
 Jonesboro, GA 30236-3278

Subject: Proposal for Construction Materials Testing/ Special Inspections
 Jonesboro City Center
 Jonesboro, Georgia
GEC/Terracon Proposal Number: PHN211082

Dear Mr. Clark:

Geotechnical & Environmental Consultants, Inc. (GEC), **A Terracon Company** is pleased to present this proposal for Construction Materials Testing / Special Inspection Services during construction of Jonesboro City Center Project located in Jonesboro, Georgia. Per your request, we have prepared this cost estimate for this project. The following paragraphs will detail our proposed scope of services and fees for the project. While our estimate provides a good basis for budgeting purposes, the actual billings will be based on your needs during construction. All services will be provided on an as-needed, unit cost basis. We believe that we are the best qualified firm to the project.

Scope of Services

It is our understanding that the project construction schedule is about 12 months to completion. Based on our review of the plans, we believe that we will be needed on a full-time basis for approximately 1 month and then on call for the remainder of our testing and inspection services.

We anticipate that our scope of services will include the following activities:

- Earthwork monitoring and testing.
- Approval of utility bearing materials and testing of utility backfilling activities.
- Foundation evaluation.
- Rebar evaluation of foundations & slab-on-grade.
- Fresh concrete testing during concrete placement activities.
- Compressive strength testing of molded concrete specimens.
- Masonry Inspection & testing.
- Testing of graded aggregate base materials prior to concrete or asphalt placement in paved areas.
- NPDES Weekly and Significant rainfall inspections.
- Any other quality assurance services required by the project plans and specifications and authorized by the owner.

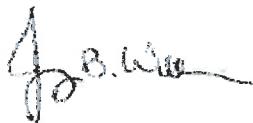
Project Fees

All project fees will be invoiced on a four-week cycle unless otherwise specified and will be billed in accordance with the attached Fee Schedule. In lieu of charging mileage, we have established a daily "trip charge" of \$80.00, which includes both the mileage and vehicle use charges.

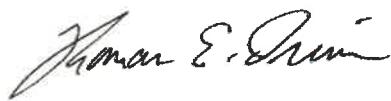
GEC sincerely appreciates the opportunity to provide this proposal to you. As formal authorization to proceed with this project, please sign the attached Authorization to Proceed from and return to our office via email. If you have any questions or need additional information concerning this proposal, please do not hesitate to call. We look forward to working with you.

Sincerely,

GEOTECHNICAL & ENVIRONMENTAL CONSULTANTS, INC., A Terracon Company



Jerry B. Williams
Construction Services Manager



Thomas E. Driver, P.E.
President
Ga. Reg.# 17394

JBW/TED/dkp

Attachments: Budget Estimate/Construction Services Fee Schedule
Authorization to Proceed



BUDGET ESTIMATE						
Jonesboro City Center						
GEC Proposal No. PHN211082						
June 3, 2020						
Service	Est. Quantity	Unit	Est. Quantity	Unit	Unit Rate	Estimate
Soils/Utility Backfill (1705.6)						
NICET Soils Technician	4	weeks	40	hrs/week	\$ 50	\$ 8,000
NICET Soils Technician - OT	3	weeks	10	hrs/week	\$ 75.00	\$ 2,250
Grain Size/ Atterberg Limits	3	each			\$ 175	\$ 525
Standard Proctor tests	3	each			\$ 115	\$ 345
Mileage	20	trips	140	miles/trip	\$ 0.560	\$ 1,568
					Subtotal	\$ 12,688
Structural Concrete (1705.3, 1705.12.2)						
NICET Special Inspector - reinforcing, placement observation, sampling/testing	3	weeks	40	hrs/week	\$ 50	\$ 6,000
NICET Special Inspector - OT	3	weeks	10	hrs/week	\$ 75.00	\$ 2,250
Cylinder testing - compressive strength	40	sets	5	cyls/set	\$ 15	\$ 3,000
Cylinder testing - early breaks	20	each			\$ 15	\$ 300
ACI Technician - cylinder pickup	10	trips	3	hr/trip	\$ 50	\$ 1,500
Mileage	25	trips	140	miles/trip	\$ 0.560	\$ 1,960
					Subtotal	\$ 15,010
Structural Steel Fabrication (1704.2.5)						
CWI - pre-fab visit, document review (local shop)	10	hours			\$ 105	\$ 1,050
Mileage	1	trip	200	miles/trip	\$ 0.560	\$ 112
					Subtotal	\$ 1,162
Structural Steel and Other Than Structural Steel (1705.2, 1705.2.2)						
CWI - Steel/Bolting & Welding, Periodic	8	Trips	10	hrs	\$ 105	\$ 8,400
Mileage	8	trips	180	miles/trip	\$ 0.560	\$ 806
					Subtotal	\$ 9,206
1705.4 Masonry						
Engineering Tech - inspections, sampling/testing	2	weeks	16	hrs/week	\$ 50	\$ 1,600
Technician - sample pickups	8	trips	3	hrs/trip	\$ 55	\$ 1,320
Grout prism compressive strength	12	sets	4	prisms/set	\$ 25	\$ 1,200
Mileage	20	trips	140	miles/trip	\$ 0.560	\$ 1,568
					Subtotal	\$ 5,688
Spray Fire Resistant Materials & Fire Resistant Coatings						
Staff Engineer	2	weeks	10	hrs/week	\$ 85	\$ 1,700
Density Testing and Pull Testing	10	Each	2	hrs/week	\$ 85	\$ 1,700
Mileage	4	trips	140	miles/trip	\$ 0.560	\$ 314
					Subtotal	\$ 3,714
Fire-Resistant Penetrations & Joints (1705.16) (Visual Only)						
Project Engineer: site visits/meetings	2	weeks	10	hrs/week	\$ 85	\$ 1,700
Mileage	4	trips	140	miles/trip	\$ 0.560	\$ 314
					Subtotal	\$ 2,014
Miscellaneous Concrete/Site Testing, Asphalt Pavements						
FF/FL Inspector - FF/FL testing/reporting	3	pours	6	hrs/pour	\$ 85	\$ 1,530
Floor profiling equipment	3	days			\$ 200	\$ 600
Soils Technician - base course sample collection, density testing	2	trips	8	hrs/trip	\$ 75	\$ 1,200
Modified GAB Proctor	1	each			\$ 135	\$ 135
Technician - asphalt field density testing	1	week	15	hrs/week	\$ 50	\$ 750
Mileage	7	trips	140	miles/trip	\$ 0.560	\$ 549
					Subtotal	\$ 4,764
Special Inspections and Materials Testing Oversight, Report Review/Coordination, Meetings						
Project Management	12	weeks	2.5	hrs/week	\$ 125	\$ 3,750
Principal - QA oversight	12	weeks	0.5	hrs/week	\$ 175	\$ 1,050
Mileage	2	trips	140	miles/trip	\$ 0.560	\$ 157
Clerical - Administration	10	hours			\$ 45	\$ 450
					Subtotal	\$ 5,407
Estimated Totals * \$ 59,652						

*The actual cost for our services will be billed in accordance with the unit and hourly rates in the proposal. Our budget does not include cost for unsuitable soils, rock quantification, environmental issues, geotechnical and or testing services for MSE walls, retests and unforeseen conditions.

GEOTECHNICAL & ENVIRONMENTAL CONSULTANTS, INC.
MACON, GEORGIA
2021 CONSTRUCTION SERVICES
FEES SCHEDULE

I. PROFESSIONAL SERVICES*

1	a. Engineering Technician*, per hour	\$ 50.00
	b. Senior Engineering Technician or Engineering Aide, ** per hour	\$ 50.00
	c. Certified Welding Inspector, *** per hour	\$ 105.00
	d. Staff Professional, Engineer or Geologist	\$ 85.00
	e. Registered Engineer or Geologist, per hour	\$ 185.00
	f. Construction Services Manager	\$ 125.00
	g. Administrative Assistant, per hour	\$ 45.00
	h. Stormwater Inspector, per hour	\$ 50.00
	i. Stormwater Coordinator, per hour	\$ 75.00
	j. Laboratory Manager	\$ 70.00
	k. Travel & Overnight Expense	Cost + 15%
	l. Per Diem, Per Man, Per Day	\$ 35.00
	Note: A two hour minimum charge per visit will apply for all projects	
	Overtime rates – Regular rates apply for all time during normal business hours, which are 7:00 a.m. to 5:00 p.m. Monday through Friday, excluding holidays. Overtime rates apply outside of normal business hours or over 8 hours per day.	
	Overtime rates are billed at normal rates multiplied by	
		1.50
2	Mileage charge, per trip (300 miles @.65)	\$ 80.00
3	Routine Laboratory Tests for Soil & Concrete	
	a. Compressive Strength Tests	
	1. Concrete Cylinders, each	\$ 15.00
	2. Concrete Cores, each	\$ 30.00
	3. Grout Cubes or Prisms, each	\$ 25.00
	4. Flexural Strength of Beams, each	\$ 16.00
	5. Tests on specimens made by others, additional cost for each	\$ 1.00
	b. Soil Sieve Analysis (with wash #200), D 1140	\$ 75.00
	c. Hydrometer Analysis, ASTM D 422	\$ 125.00
	d. Atterberg Limits, ASTM D 4318	\$ 100.00
	e. Standard Proctor, ASTM D 698	\$ 115.00
	f. One Point Proctor	\$ 35.00
	g. Modified Proctor, ASTM D 1557	\$ 135.00
4	Concrete or asphalt core sampling (1 man and equipment), per hour (3 hour minimum)	\$ 60.00
	a. Additional man (if needed), per hour	\$ 35.00
	b. Diamond Core Bit cost, per inch diameter per core length (inches)	\$ 1.35
	c. Portable Electric Generator, per day	\$ 75.00
5	Equipment	
	a. Calibrated Torque Wrench, per day	\$ 30.00
	b. Cylinder Molds, per case of 20	\$ 30.00
	c. Floor Flatness profiler, per day	\$ 200.00
	d. NRC Fee for Nuclear Gauge (if requested for RAFB)	\$ 1,800.00
	e. Schmidt (Swiss Rebound) hammer or Windsor Probe, per day	\$ 50.00
	f. Skidmore-Wilhelm, per day	\$ 50.00
	g. Stormwater Monitors, per month	\$ 200.00
	h. Windsor Probe Device, per day	\$ 50.00
	i. Windsor Probes, each	\$ 15.00

* Routinely includes soil density, concrete, and asphalt testing.

** Routinely includes proofrolling, foundation bearing pressure evaluation, visual weld evaluation, roofing evaluation, etc.

***Charged portal to portal from our Columbus, GA office.

AUTHORIZATION TO PROCEED

CONSTRUCTION MATERIALS ENGINEERING AND TESTING SERVICES

This **AUTHORIZATION TO PROCEED** ("Authorization") is between City of Jonesboro GA ("Client") and Geotechnical & Environmental Consultants, Inc. ("Consultant") for Services to be provided by Consultant for Client on the Jonesboro City Center - Jonesboro, GA Project.

Scope of Services. The scope of Consultant's services is set forth below ("Services"). If frequency of testing is not specified below, it shall be as requested by Client. Scheduling will be done by Client or contractor if Client so designates. Consultant will not be responsible for tests not performed due to a failure to schedule Consultant's services or any resulting effect on construction.

See attached proposal.

Compensation. Unless different rates are specified below, all charges will be billed on a time and materials basis pursuant to Consultant's Standard Fee Schedule. The construction schedule, weather conditions, construction workmanship, etc. will determine the actual cost of Consultant's Services. If the actual quantities exceed any estimated quantities at the request of the Client or its designated contractor, additional fees will be billed in accordance with the fee schedule below.

See attached budget estimate/fee schedule.

TERMS AND CONDITIONS

1. **Testing and Observations.** Client understands that testing, inspection, and observation are discrete sampling procedures, and that such procedures indicate conditions only at the depths, locations, and times the procedures were performed. Consultant will provide test results and opinions based on tests and field observations only for the work tested. Client understands that testing and observation are not continuous or exhaustive, and are conducted to reduce - not eliminate - project risk. Client agrees to the level or amount of testing performed and the associated risk. Client is responsible (even if delegated to contractor) for notifying and scheduling Consultant so Consultant can perform these Services. Consultant shall not be responsible for the quality and completeness of Client's contractor's work or their adherence to the project documents, and Consultant's performance of testing, inspection, and observation services shall not relieve Client's contractor in any way from its responsibility for defects discovered in its work, or create a warranty or guarantee. Consultant will not supervise or direct the work performed by Client's contractor or its subcontractors and is not responsible for their means and methods.
2. **Warranty.** Consultant will perform the Services in a manner consistent with that level of care and skill ordinarily exercised by members of the profession currently practicing under similar conditions in the same locale. **EXCEPT FOR THE STANDARD OF CARE PREVIOUSLY STATED, CONSULTANT MAKES NO WARRANTIES OR GUARANTEES, EXPRESS OR IMPLIED, RELATING TO CONSULTANT'S SERVICES AND CONSULTANT DISCLAIMS ANY IMPLIED WARRANTIES OR WARRANTIES IMPOSED BY LAW, INCLUDING WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.**

By signing this Authorization or ordering the commencement of Services you are affirming that you are authorized to bind Client to the Terms and Conditions of this Authorization and have read and accepted the Terms and Conditions, including restrictions and limitations, as set forth on this page and the subsequent page of Additional Terms and Conditions.

Consultant:	<u>Geotechnical & Environmental Consultants, Inc.</u>		Client:	<u>City of Jonesboro GA</u>	
By:	<u>Jerry B. Williams</u>	Date:	<u>6/14/2021</u>	By:	Date:
Name/Title:	<u>Jerry B. Williams / Department Manager II</u>	Name/Title:	<u>Ricky Clark</u>		
Address:	<u>514 Millcroft Indust. Blvd</u>	Address:	<u>124 North Ave</u>		
Macon, GA 31204-3472		Jonesboro, GA 30236-3278			
Phone:	<u>(478) 757-1606</u>	Phone:	<u>(770) 478-3800</u>	Fax:	
Email:	<u>jwilliams@geconsultants.com</u>	Email:	<u>rclark@jonesboroga.com</u>		

ADDITIONAL TERMS AND CONDITIONS

3. **LIMITATION OF LIABILITY.** CLIENT AND CONSULTANT HAVE EVALUATED THE RISKS AND REWARDS ASSOCIATED WITH THIS PROJECT, INCLUDING CONSULTANT'S FEE RELATIVE TO THE RISKS ASSUMED, AND AGREE TO ALLOCATE CERTAIN OF THE ASSOCIATED RISKS, TO THE FULLEST EXTENT PERMITTED BY LAW, THE TOTAL AGGREGATE LIABILITY OF CONSULTANT (AND ITS RELATED CORPORATIONS AND EMPLOYEES) TO CLIENT AND THIRD PARTIES GRANTED RELIANCE IS LIMITED TO \$50,000, FOR ANY AND ALL INJURIES, DAMAGES, CLAIMS, LOSSES, OR EXPENSES (INCLUDING ATTORNEY AND EXPERT FEES) ARISING OUT OF CONSULTANT'S SERVICES OR THIS AGREEMENT, PRIOR TO ACCEPTANCE OF THIS AGREEMENT AND UPON WRITTEN REQUEST FROM CLIENT, CONSULTANT MAY NEGOTIATE A HIGHER LIMITATION FOR ADDITIONAL CONSIDERATION. THIS LIMITATION SHALL APPLY REGARDLESS OF AVAILABLE PROFESSIONAL LIABILITY INSURANCE COVERAGE, CAUSES(S) OR THE THEORY OF LIABILITY, INCLUDING NEGLIGENCE, INDEMNITY, OR OTHER RECOVERY. THIS LIMITATION SHALL NOT APPLY TO THE EXTENT THE DAMAGE IS PAID UNDER CONSULTANT'S COMMERCIAL GENERAL LIABILITY POLICY.
4. **CONSEQUENTIAL DAMAGES.** NEITHER PARTY SHALL BE LIABLE TO THE OTHER FOR LOSS OF PROFITS OR REVENUE; LOSS OF USE OR OPPORTUNITY; LOSS OF GOOD WILL; COST OF SUBSTITUTE FACILITIES, GOODS, OR SERVICES; COST OF CAPITAL; OR FOR ANY SPECIAL, CONSEQUENTIAL, INDIRECT, PUNITIVE, OR EXEMPLARY DAMAGES.
5. **Change Orders.** Client may request changes to the scope of Services by altering or adding to the Services to be performed. If Client so requests, Consultant will return to Client a statement (or supplemental proposal) of the change setting forth an adjustment to the Services and fees for the requested changes. Following Client's review, Client shall provide written acceptance. If Client does not follow these procedures, but instead directs, authorizes, or permits Consultant to perform changed or additional work, the Services are changed accordingly and Consultant will be paid for this work according to the fees stated or its current fee schedule. If project conditions change materially from those observed at the site or described to Consultant at the time of Authorization, Consultant is entitled to a change order equitably adjusting its Services and fee.
6. **Compensation and Terms of Payment.** Client shall pay compensation for the Services performed at the fees stated in the Compensation section of the Proposal unless fees are otherwise stated in Exhibit C to this Agreement (which section or Exhibit is incorporated into this Agreement). If not stated in either, fees will be according to Consultant's current fee schedule. Fee schedules are valid for the calendar year in which they are issued. Fees do not include sales tax. Client will pay applicable sales tax as required by law. Consultant may invoice Client at least monthly and payment is due upon receipt of invoice. Client shall notify Consultant in writing, at the address below, within 15 days of the date of the invoice if Client objects to any portion of the charges on the invoice, and shall promptly pay the undisputed portion. Client shall pay a finance fee of 1.5% per month, but not exceeding the maximum rate allowed by law, for all unpaid amounts 30 days or older. Client agrees to pay all collection-related costs that Consultant incurs, including attorney fees. Consultant may suspend Services for lack of timely payment. It is the responsibility of Client to determine whether federal, state, or local prevailing wage requirements apply and to notify Consultant if prevailing wages apply. If it is later determined that prevailing wages apply, and Consultant was not previously notified by Client, Client agrees to pay the prevailing wage from that point forward, as well as a retroactive payment adjustment to bring previously paid amounts in line with prevailing wages. Client also agrees to defend, indemnify, and hold harmless Consultant from any alleged violations made by any governmental agency regulating prevailing wage activity for failing to pay prevailing wages, including the payment of any fines or penalties.
7. **Third Party Reliance.** This Authorization and the Services provided are for Consultant and Client's sole benefit and exclusive use with no third party beneficiaries intended. Reliance upon the Services and any work product is limited to Client, and is not intended for third parties. For a limited time period not to exceed three months from the date of the report, Consultant will issue additional reports to others agreed upon with Client, however Client understands that such reliance will not be granted until those parties sign and return Consultant's reliance agreement and Consultant receives the agreed-upon reliance fee.
8. **Indemnity/Statute of Limitations.** Consultant and Client shall indemnify and hold harmless the other and their respective employees from and against legal liability for claims, losses, damages, and expenses to the extent such claims, losses, damages, or expenses are legally determined to be caused by their negligent acts, errors, or omissions. In the event such claims, losses, damages, or expenses are legally determined to be caused by the joint or concurrent negligence of Consultant and Client, they shall be borne by each party in proportion to its own negligence under comparative fault principles. Neither party shall have a duty to defend the other party, and no duty to defend is hereby created by this indemnity provision and such duty is explicitly waived under this Agreement. Causes of action arising out of Consultant's services or this Agreement regardless of cause(s) or the theory of liability, including negligence, indemnity or other recovery shall be deemed to have accrued and the applicable statute of limitations shall commence to run not later than the date of Consultant's substantial completion of services on the project.
9. **Choice of Law.** This Authorization shall be governed by and construed according to Georgia law.
10. **Subsurface Explorations.** Consultant will take reasonable precautions to reduce damage to the site when performing Services; however, Client accepts that invasive services such as drilling or sampling may damage or alter the site. Site restoration is not provided unless specifically included in the Services.
11. **Sample Disposition, Affected Materials, and Indemnity.** Samples are consumed in testing or disposed of upon completion of tests (unless stated otherwise in the Services).
12. **Utilities.** Consultant shall utilize a utility locating service for public utilities. Client shall provide the location and/or arrange for the marking of private utilities and subterranean structures. Consultant shall take reasonable precautions to avoid damage or injury to subterranean structures or utilities. Consultant shall not be responsible for damage to subterranean structures or utilities that are not called to Consultant's attention, are not correctly marked, including by a utility locate service, or are incorrectly shown on the plans furnished to Consultant.
13. **Site Access and Safety.** Client shall secure all necessary site related approvals, permits, licenses, and consents necessary to commence and complete the Services and will execute any necessary site access agreement. Consultant will be responsible for supervision and site safety measures for its own employees, but shall not be responsible for the supervision or health and safety precautions for any other parties, including Client, Client's contractors, subcontractors, or other parties present at the site. In addition, Consultant retains the right to stop work without penalty at any time Consultant believes it is in the best interests of Consultant's employees or subcontractors to do so in order to reduce the risk of exposure to the coronavirus. Client agrees it will respond quickly to all requests for information made by Consultant related to Consultant's pre-task planning and risk assessment processes. Client acknowledges its responsibility for notifying Consultant of any circumstances that present a risk of exposure to the coronavirus or individuals who have tested positive for COVID-19 or are self-quarantining due to exhibiting symptoms associated with the coronavirus.
14. **Termination.** Either party may terminate this Authorization or the Services upon written notice to the other. In such case, Consultant shall be paid costs incurred and fees earned to the date of termination plus reasonable costs of closing the project.
15. **Insurance.** Consultant represents that it now carries and will continue to carry: (i) workers' compensation insurance in accordance state, and employer's liability (\$1,000,000); (ii) commercial general liability (\$1,000,000 occ/ \$2,000,000 agg); (iii) automobile liability (\$1,000,000 B.I. and P.D. combined single limit); excess liability (\$5,000,000 occ/ agg); and (iv) professional liability (\$1,000,000 claim / agg). Client and Consultant shall waive subrogation against the other party on general liability. Client is additional insured with respect to general and auto liability. When requested in writing, Owner is additional insured with respect to general and auto liability.



CITY OF JONESBORO, GEORGIA COUNCIL

Agenda Item Summary

Agenda Item

- 1

11.1

COUNCIL MEETING DATE

August 9, 2021

Requesting Agency (Initiator) Office of the City Manager	Sponsor(s) Community Development Director Allen
Requested Action (<i>Identify appropriate Action or Motion, purpose, cost, timeframe, etc.</i>) Council to consider approval of Minor Subdivision Plat, 21-SUB-002 for North Main Street (Hearthsides Jonesboro development), OneStreet Residential, LLC, applicant.	
Requirement for Board Action (<i>Cite specific Council policy, statute or code requirement</i>) Chapter 44, Article IV Subdivisions and Land Development; Section 86-102, H-1 Standards, Section 86-103, H-2 Standards	
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	(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 minor subdivision plat; The applicant received conditional use approval for an apartment / duplex development in 2020 for a proposed tract of land southwest of the corner of North Avenue and North Main Street. The development will require a minor subdivision plat and a combination plat, because it involves subdividing off the rear portions of several parcels fronting North Main Street and then combining them with several other parcels fronting North Avenue. Though more than three parcels will be subdivided off of North Main Street, this is still presented before Council as a minor subdivision plat, because the subdivided parcels will be quickly combined into the unified development tract and will not be developed individually. The net result of all the platting will be less lots than what is out there now.</p> <p>So, in summary the following steps will be taken to achieve the unified property for the Hearthsides Jonesboro development:</p> <ol style="list-style-type: none"> 1. Subdivision of the rear of several parcels along North Main Street to be absorbed into the total development property. 2. Combination plat of all parcels involved into one unified development tract. 3. Subdivision of single-family lot on North Avenue separate from the unified development tract. (Near future) <p>Before the Mayor and Council is review of step #1, the subdivision of the rear of several parcels along North Main Street.</p> <p>Subdivision, minor: A subdivision of three or fewer lots, which does not involve the construction of a new public or private street. The final plat will show less lots than what is there now. There will wind up being one unified parcel. This is not like a subdivision plat for a single-family residential subdivision where <u>more</u> lots are created.</p> <p>Sec. 44-128. - Limitations on minor subdivisions.</p> <p>(a) <i>Purpose. Minor subdivisions provide certain advantages to the applicant, such as a shorter application process and less public scrutiny, that tend to favor their use over the filing of major subdivision applications. Given these advantages, the prospect exists that subdivider may seek to divide a parcel via consecutive and/or contiguous minor subdivisions instead of filing for a major subdivision. It is the intent of the mayor and city council to prohibit the practice of such "chain" subdivisions where the same land owner subdivides land and then files minor subdivision applications on common contiguous parcels, which collectively total more than three lots. It is also the intent of the mayor and city council to prohibit adjacent minor subdivisions within a three-year time period, in cases where part of an original tract of land is now owned by another person or entity and was transferred or sold to another owner with the apparent intent to circumvent the major subdivision process.</i></p> <p>(b) <i>Common contiguous parcels shown on minor subdivision plats. Contiguous common parcels, as defined by</i></p>	

FOLLOW-UP APPROVAL ACTION (City Clerk)

TYPED OR PRINTED SIGNATURE (City Clerk)		08/02/21	CITY COUNCIL	OLD BUSINESS
Typed Name and Title Ricky L. Clark, City Manager	Date August, 9, 2021		City Council Next: 08/09/21	
Signature	City Clerk's Office			

(c) **Limitations.** Land within a minor subdivision, including all contiguous parcels owned by the subdivider, shall not be further divided for a period of three years unless a preliminary plat application is filed and approved as a major subdivision pursuant to the requirements of these regulations. If property proposed to be subdivided was part of an original tract, and if the property proposed to be subdivided abuts land that has been divided as a minor subdivision in the last three years, then minor subdivision of said property shall be prohibited. This provision shall not be construed to prohibit the approval of two contiguous minor subdivisions under separate ownership; however, this provision is intended to be construed liberally so that one property owner does not develop a minor subdivision on part of an original tract and transfer or sell another part of the original tract for the purposes of minor subdivision within a three-year period. It is the intent that land abutting a minor subdivision that was owned by the subdivider of the abutting minor subdivision shall not be subdivided as a minor subdivision for a period of three years, regardless of ownership.

No preliminary plat is needed. since these lots have not been subdivided previously.

Sec. 86-102. - H-1 historic district.

(j) **Development standards.**

(1) **Minimum lot area:** None

(2) **Minimum lot width:** 20 feet

(3) **Setbacks:**

Front: Minimum and maximum setbacks shall be zero.

Side: Minimum and maximum setbacks shall be zero, except on corner lots, whereby the setback shall be no less than 20 feet to accommodate pedestrian amenities. Such amenities are required on corner lots and include decorative planters, benches, landscaping, patios, knee walls, or other architectural features that are compatible with the historic and pedestrian character of the district. The proposed number, type, and arrangement of amenities shall be reviewed and approved by the director of downtown development.

Rear: Zero, except when abutting a residential zoning district where there is no intervening right-of-way, the setback is 20 feet.

(4) **Maximum height:** Three stories or 35 feet.

(5) **Minimum height:** Two stories.

(6) **Minimum floor area:** None for non-office uses; minimum floor area for office uses shall be 1,000 square feet.

(7) **Maximum floor area:** 3,500 square feet.

217, 215, and 211 North Main Street are zoned H-1. Having their rear portions subdivided off will not affect their conformance with the Zoning Code, since there is no minimum lot area for H-1 zoning. The widths and setbacks of these lots are not changing. The other standards are not applicable as the front portions of these lots will not be further developed, and the rear portions of the lots will be combined and be under the standards of the Active Senior Overlay District.

Sec. 86-103. - H-2 historic district.

(j) **Development standards.**

(1) **Minimum lot area:** None

(2) **Minimum lot width:** 50 feet

(3) **Minimum setbacks:**

Front: Building setbacks that have been established over time by historic structures, as listed on the most recent inventory of historic buildings kept on file at the office of downtown development, shall establish the minimum front setback.

Side: Five feet, except when abutting a residential zoning district where there is no intervening right-of-way, the setback requirement is ten feet.

Rear: 20 feet

(4) **Maximum height:** Three stories or 35 feet

(5) **Minimum height:** Two stories

205 and 203 North Main Street are zoned H-2. Having their rear portions subdivided off will not affect their conformance with the Zoning Code, since there is no minimum lot area for H-2 zoning. The widths and setbacks of these lots are not changing. The other standards are not applicable as the front portions of these lots will not be further developed, and the rear portions of the lots will be combined and be under the standards

Update: The Mayor and Council have now been provided the latest renditions of the site plan and apartment elevations. Due to site constraints, the duplexes have been removed.

Fiscal Impact

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

Private developer

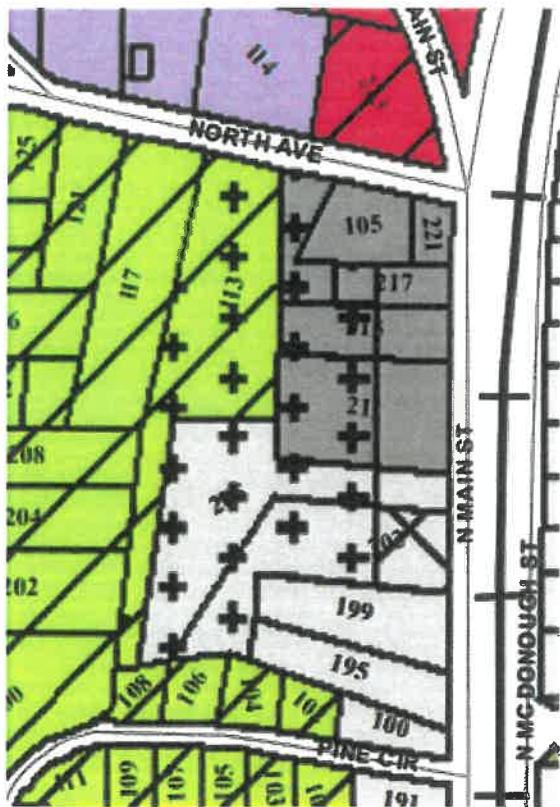
Exhibits Attached (Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)

- Zoning
- Property Phases
- 18-10_210518 -- ALTA
- Minor Subdivision Plat
- Acceptance Letter
- 2021-07-23 - Site Plan - HS Jonesboro
- 2104- Elevation Long 1
- 2104- Elevation Long 2
- 2104- Elevation Long 3
- 2104- Elevation Short 1
- 2104- Elevation Short 2

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

Approval

13240D D008 H-2	A	203	N MAIN ST
13240D D009 H-2		205	N MAIN ST
13240D D010 H-1		211	N MAIN ST
13240D D011 H-1		215	N MAIN ST
13240D D012 H-1		217	N MAIN ST

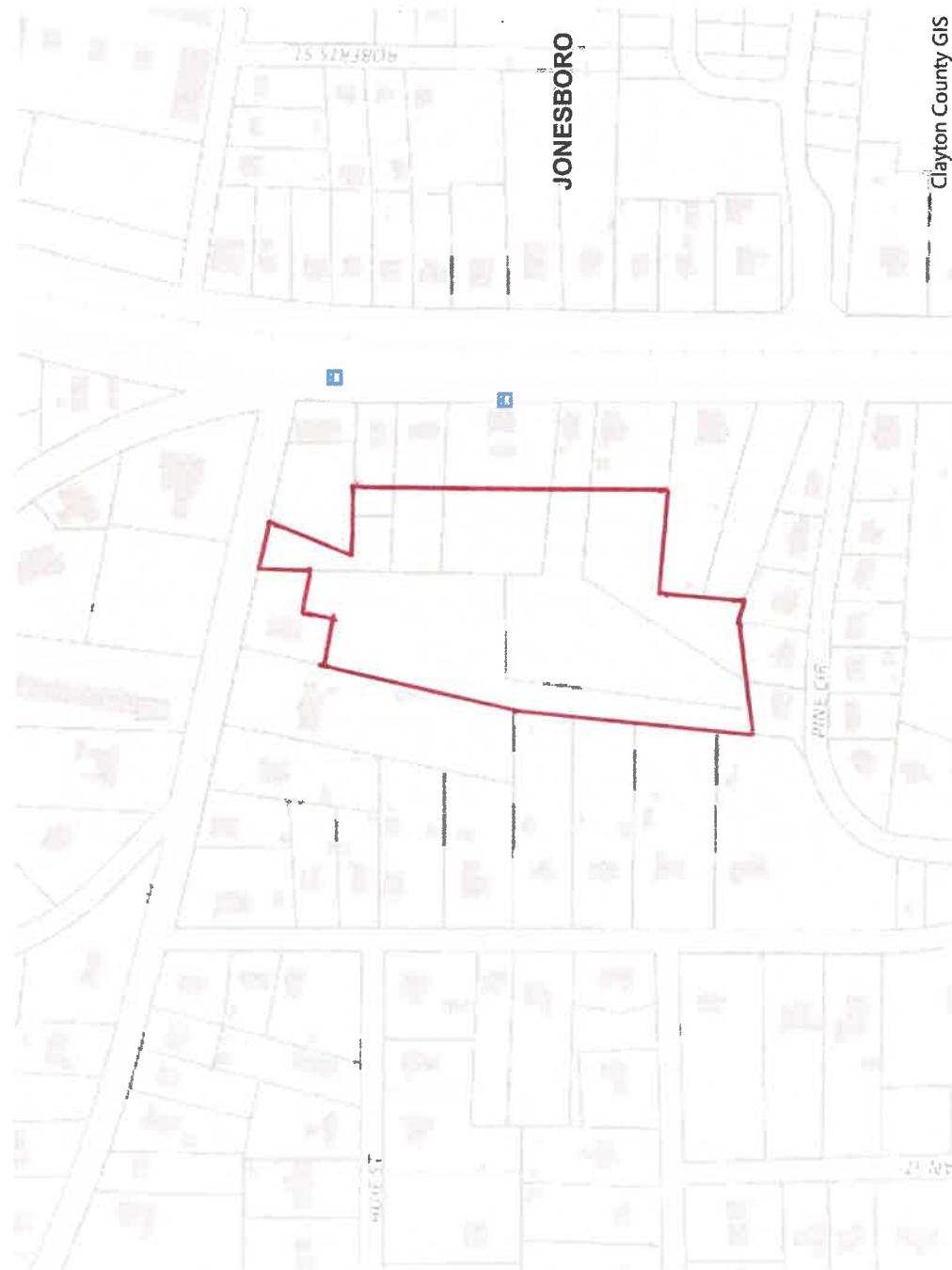


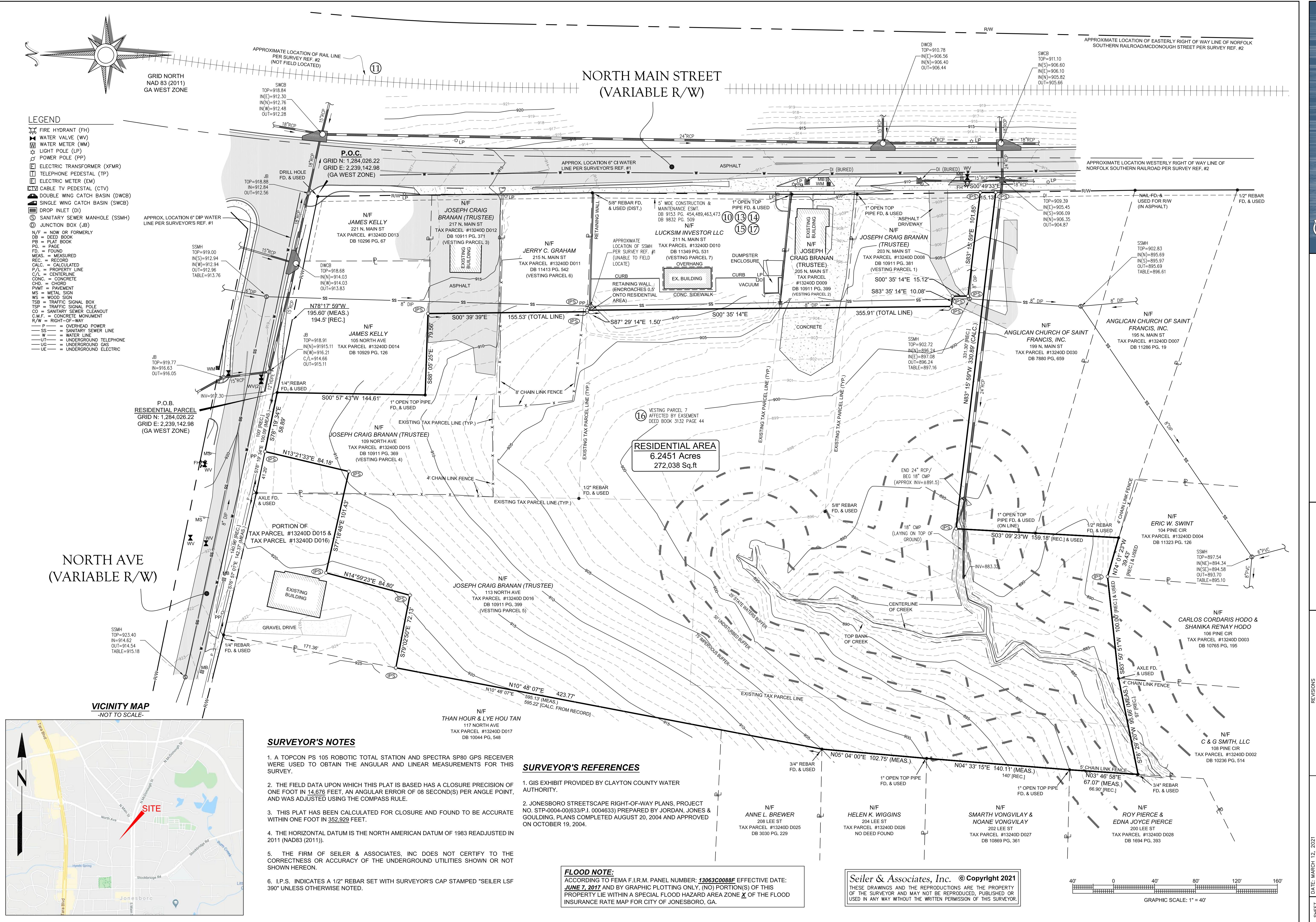




Subdivision

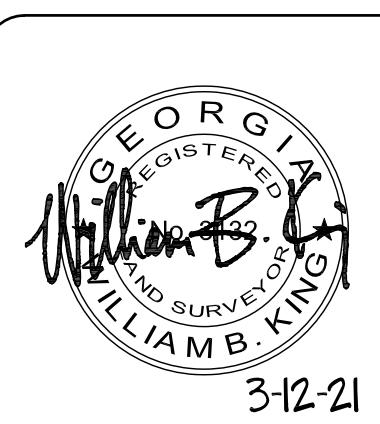
Attachment: Property Phases (1941 : Hearthsides Jonesboro Minor Subdivision Plat)





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ONESTREET RESIDENTIAL
AND
FIRST AMERICAN TITLE
INSURANCE COMPANY



Attachment: 18-10-210518 - AITA (1941 - Hartsides Jonesboro Minor Subdivision Plat)

DATE	SCALE	VERT. 1=40	NO.	DESCRIPTION	REVISIONS	DATE	BY APR.
1	FIELD BOOK: PROJECT: MARCH 9, 2021 LAND LOT(S): 240 SECTION: N/A COUNTY: CLAYTON (CITY OF JONESBORO) SUBDIVISION: AG DRAWN: BOM, WKS CHECKED: WKS APPROVED: WKS PROJECT NO.: 20-011 DWG NAME: 2021-120-201-0-dwg						



MEMORANDUM

To: OneStreet Residential, LLC
2000 RiverEdge Parkway, Suite 450
Atlanta, GA 30360

From: David D. Allen
City of Jonesboro
124 North Avenue
Jonesboro, GA 30236

Date: July 23, 2021

Re: Notification of Request for Minor Subdivision Plat; Tax Map Parcel Nos. 13240D D008, 13240D D009, 13240D D010, 13240D D011, and 13240D D012.

Dear Applicant,

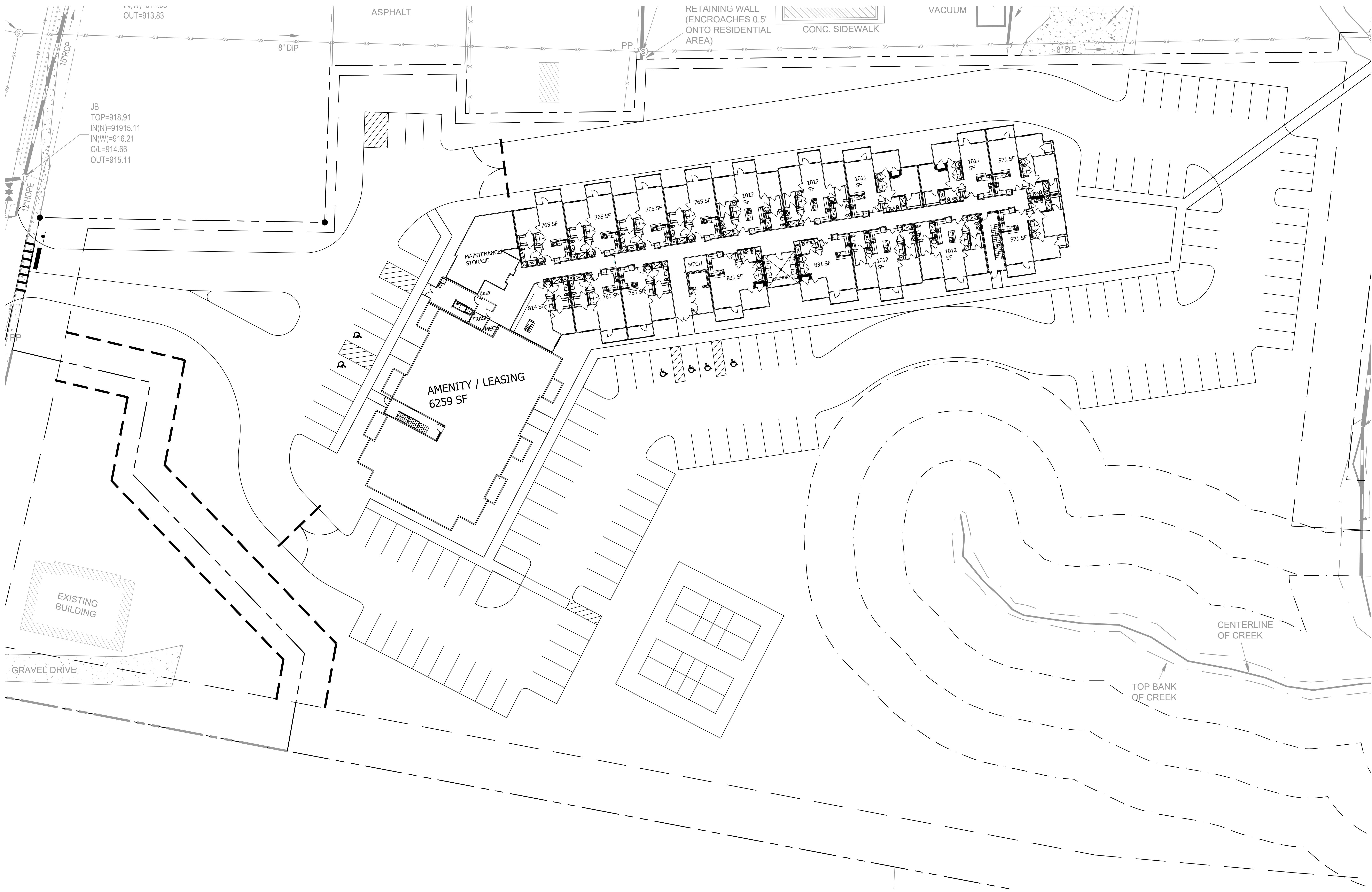
This letter is to serve as notification that the City of Jonesboro has received your request for the following requested minor subdivision plat for the above referenced property.

A decision will be made for this item on Monday, August 9, 2021 at 6:00 p.m. before the Jonesboro Mayor and City Council. The Jonesboro Mayor and City Council will first discuss this item at their next Work Session on Monday, August 2, 2021 at 6:00 p.m. The meetings will be conducted in the chambers of the Jonesboro Municipal Court facility, 170 South Main Street, Jonesboro, Ga. If you have any questions, please do not hesitate to contact me at 770-570-2977 or at dallen@jonesboroga.com.

Sincerely,

A handwritten signature in black ink, appearing to read "D Allen".

David D. Allen
Community Development Director / Zoning Administrator















CITY OF JONESBORO, GEORGIA COUNCIL Agenda Item Summary

Agenda Item #

11.2

-2

COUNCIL MEETING DATE

August 9, 2021

Requesting Agency (Initiator)

Office of the City Manager

Sponsor(s)

Community Development Director Allen

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

Council to consider Conditional Use Permit Application, 21-CU-013, for a church, by the estate of John Mitchell, property owner, and Iyabo Okuribido / Golden Crown C&S Church, applicant, for property at 186 North Avenue (Parcel No. 13239B B005), Jonesboro, Georgia 30236.

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

Section 86-107 C-2 District Purpose and Standards; Conditional Uses, Article VI, Sec. 86-183

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

Yes

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.)

Agency recommendation – **Denial of Conditional Use application;** In June, the applicant completed a zoning verification form for a church at 186 North Avenue, Suite 102. The property is zoned C-2, Highway Commercial, and has several buildings with multiple suites within, 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-2 zoning, with the following conditions:

Sec. 86-183. - NAICS 8131, 81311 Churches, other places of worship, and religious organizations.

The following conditions are assigned in the H-1, H-2, O&I, MX, C-1, C-2, and M-1 districts:

(1) Must be located on a street having a classification of collector or greater.

(2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.

(3) Must conform to Chapter 6 setbacks, Alcoholic Beverages.

(4) Must be stand-alone buildings (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

(5) Must meet the requirements of Article XIII – Parking, Loading, and Interior Circulation.

(6) Must meet applicable buffer requirements of Article XV – Landscaping and Buffers.

(7) No paved parking area shall be established within 25 feet of a lot that is zoned residential or contains a residential use.

(8) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-107. - C-2 neighborhood commercial district.

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title Ricky L. Clark, City Manager	Date August, 9, 2021	08/02/21 REQUIRED	City Council PUBLIC HEARING Next: 08/09/21
Signature	City Clerk's Office		

(a) Purpose. The C-2 highway commercial district is established to accommodate **intense retail and service commercial uses** along Jonesboro's arterial highways. A broad range of such uses anticipates traffic from surrounding areas traveling through the city and affords a broad segment of the business community access to the large customer volumes associated with such locations. The automobile is the principal means of transit for shoppers in this district, and **convenient on-premises parking is a primary concern**. Given the value of arterial locations intended to capture heavy retail traffic, such industrial uses as manufacturing, distribution and processing are prohibited in order to reserve high visibility and enhanced access locations for highway commercial uses. **A church is not one of the targeted purposes of the C-2 Highway Commercial district.**

(b) Development standards.

- (1) Minimum lot area: 43,560 square feet (one acre) **Overall property is 2 acres.**
- (2) Minimum lot width: 100 feet **The lot width is approximately 275 feet.**
- (3) Minimum front yard: 40 feet **Existing building**
- (4) Minimum side yard: 30 feet, when adjoining a residential use, otherwise zero **Existing building**
- (5) Minimum rear yard: 40 feet, when adjoining a residential use, otherwise zero **Existing building**
- (6) Maximum building floor area per story: none **Existing building**
- (7) Maximum building height: 40 feet **Existing building**
- (8) Minimum building separation: per building codes **Existing building**
- (9) Maximum lot coverage: 80 percent **Existing building and parking**

In doing research for the application, it was discovered that a unrelated, small church was in the same suite from the summer of 2019 until May 2021 (see attached documents). There are no records of any zoning procedures or inspections for this former church, New Deliverance Deliverance Ministries, save for a small window sticker near the entrance. The inside of the suite still has portable chairs and a pulpit from the former church, which the present applicant said they purchased. Due to the fact that the former church was never officially approved by the City, the "60-day continuance clause" of Section 86-121 would not apply and the Golden Crown C&S Church must seek its own approval just like a church was never there.

Sec. 86-121. - Generally.

Conditional uses may be permitted upon a finding by Mayor and Council that the proposed use conforms to the minimum listed conditions and the standards of review of this article. Approval of conditional uses is subject to the procedural requirements of property rezoning of Article XII. A conditional use will continue so long as the use thereby allowed is actually being conducted on the property to which it applies or as subsequently modified by the Mayor and Council pursuant to the provisions of this chapter, **once activity authorized by a conditional use has been discontinued for a period of 60 days, the conditional use shall expire without further action by the Mayor and Council and such use may not thereafter be made on premises without reapplication therefore and approval thereof by the Mayor and Council.** In making the decision regarding whether or not a conditional use has been discontinued, the Zoning Administrator shall base his judgment upon objective criteria gained from observation of the premises. The subjective intent of the owner or lessee of the property shall not be considered.

For the current application:

Sec. 86-183. - NAICS 8131, 81311 Churches, other places of worship, and religious organizations.

The following conditions are assigned in the CCM, H-1, H-2, O&I, MX, C-1, C-2, and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater. **Condition met; North Avenue is a collector street.**
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet. **Condition met. The total acreage is 2.20 acres for the whole property, but this is shared by three buildings and a common parking lot.**
- (3) Must conform to Chapter 6 setbacks, Alcoholic Beverages. **Condition met; The Palace Event Center in the adjacent building is not approved to serve alcohol. The QuikTrip across North Avenue sells package beer and**

(4) Must be stand-alone buildings (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking). Condition not met. Though 186 North Avenue is one of three standalone buildings on the property, it has multiple suites sharing common walls (and parking) within it.

(5) Must meet the requirements of Article XIII – Parking, Loading, and Interior Circulation. Per Sec. 86-410 (28): “Theaters, auditoriums, places of worship, libraries, museums, art galleries, funeral homes, gymnasiums, stadiums and other places of assembly shall provide the larger of one space for each four fixed seats or one space for each 25 square feet of floor area available for the accommodation of moveable seats in the largest assembly room, whichever is greater, plus one space for each 150 square feet of ground area used for assembly.” With the amount of seats to be used or participants unknown at this time, the amount of assembly space will have to be used (800 square feet). $800 \text{ square feet} / 25 = 32 \text{ spaces}$. Plus, one space per 150 square feet of ground area used for assembly = $800 / 150 = 5.33 = 6 \text{ spaces required}$. Thus, the minimum number of total parking spaces required would be 38 spaces. At most, there are 8 spaces in the front and 9 spaces in the back, for a total of 17 spaces provided. There are only 29 total parking spaces provided for the entire building. (Of course, the Sunday hours of operation would likely not conflict with other adjacent businesses. However, the parking for the church could potentially conflict with events at The Palace event center.) There are 96 total parking spaces between the three buildings.

(6) Must meet applicable buffer requirements of Article XV – Landscaping and Buffers. Condition not met. There would need to be a 25-foot-wide buffer along the northern property line (adjacent to attached residential) where there is none now to comply with this requirement. There is about 50 feet of space between the rear of the subject building and the rear of the closest apartment building. With the existing paved alley at the rear of the subject building, there is not enough room to install a 25-foot-wide planted buffer to shield apartment residents from church activity.

(7) No paved parking area shall be established within 25 feet of a lot that is zoned residential or contains a residential use. **The parking lot is existing and is already over 25 feet away from the residential near the northern property line.**

(8) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet. **Condition met. Existing building with no planned additions.**

The Future Land Use Map shows “Tara Blvd. Corridor” along this portion of North Avenue, which is intended for a mix of office, commercial / retail, government, and industrial.

Staff recommends denial of the application, in that the use cannot meet the standalone building and buffer requirements. Parking may also be a concern if the participation level reached a high number. Also, the proposed use does not align with the purposes of C-2 zoning or the Future Land Use Map.

Fiscal Impact	(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)
Private Owner	
Exhibits Attached (Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)	
<ul style="list-style-type: none"> • Zoning Info • Property Pictures 	

- Letter of Explanation
- Former Church
- Future Land Use
- Legal Notice
- Zoning Sign
- Acceptance Letter

11.2

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

Denial



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

[Handwritten signature]

ZONING VERIFICATION REQUEST

Important Notice:

BEFORE leasing, purchasing, or otherwise committing to a property you are STRONGLY ADVISED to confirm that the zoning and physical layout of the building and site are appropriate for the business use intended and will comply with the City's Zoning Ordinance. This includes having a clear understanding of any code restrictions, limitations or architectural guidelines that may impact your operation and any building and site modifications that may be necessary to open your business. This document does not authorize a business to conduct business without an Occupational Tax Certificate. This could result in closure and/or ticketing.

Applicant's Information

Name of Applicant: YABO SUZAN OKURIBIDO
 Name of Business: GOLDEN CROWN C8S CHURCH
 Property's Address: 186 north avenue H 102 Jonesboro GA 302
 Email Address: Susanokuribido@gmail.com
 Phone: (Day): 6186514825 (Evening): _____

Property Information

Current Use of Property: CHURCH VACANT
 Proposed Use of Property (Please provide in great detail the intended use of the property):
CHURCH
CHURCH

06-21-2021

Applicant's Signature

Date

FOR OFFICE USE ONLY:

Current Zoning: C2

NAICS Code: 813

Required Zoning: H1, H2, H3, M1, M2, C1, C2

Conditional Use Needed? Yes or No

APPROVED DENIED

Comments:

REQUIRED CONDITIONAL USE PERMIT and Must Comply with
Sec. 96-183

Zoning Official Signature

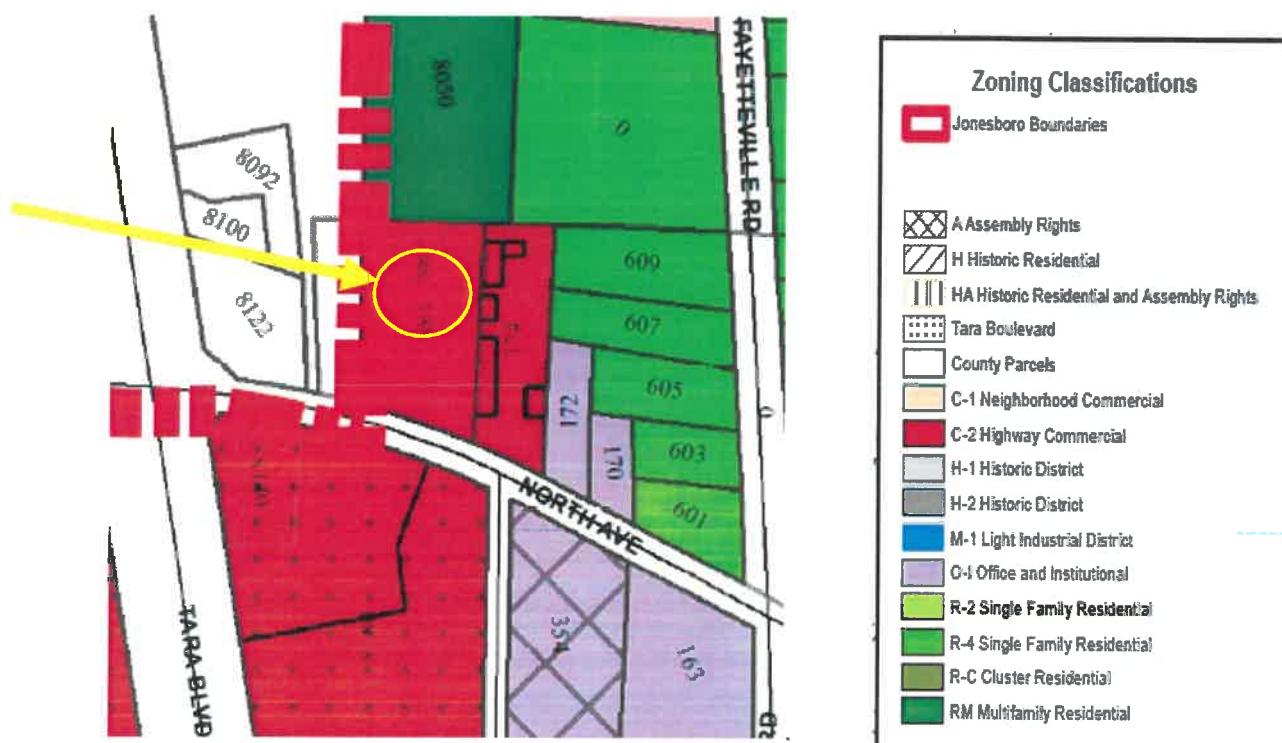
Date

6/22/21

Applicant – Iyabo Suzan Okuribido
 Name of Business – Golden Crown C&S Church
 Address - 186 North Avenue, Suite 102
 Zoning District – C-2
 NAICS Code: 8131
 Proposed Use: Church

Use is permitted "by right" in the district indicated = P; Use is permitted as a conditional use (section indicated) = C; Use is not permitted = N

NAICS Code	USES	R-2	R-4	R-C	CCM	RM	H-1	H-2	O&I	MX	C-1	C-2	M-1	Code Section
8131	Churches and Other Places of Worship	N	N	N	C	N	C	C	C	C	C	C	C	Sec. 86-183



Attachment: Zoning Info (1940 : 186 North Avenue Church)

Sec. 86-183. - NAICS 8131, 81311 Churches, other places of worship, and religious organizations.

The following conditions are assigned in the CCM, H-1, H-2, O&I, MX, C-1, C-2, and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Must conform to Chapter 6 setbacks, Alcoholic Beverages.
- (4) Must be stand-alone buildings (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (5) Must meet the requirements of Article XIII – Parking, Loading, and Interior Circu
- (6) Must meet applicable buffer requirements of Article XV – Landscaping and Buffers.

(7) No paved parking area shall be established within 25 feet of a lot that is zoned residential or contains a residential use.

(8) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

David D. Allen, Zoning Administrator / Community Development Director
June 22, 2021



Imagery ©2021 Maxar Technologies, Map data ©2021

20 ft



Image capture: Feb 2018 © 2021 Google

Google
Street View

Attachment: Property Pictures (1940: 186 North Avenue Church)



I noticed church furniture already in the suite. Is this from the old church? How long has that church been gone?

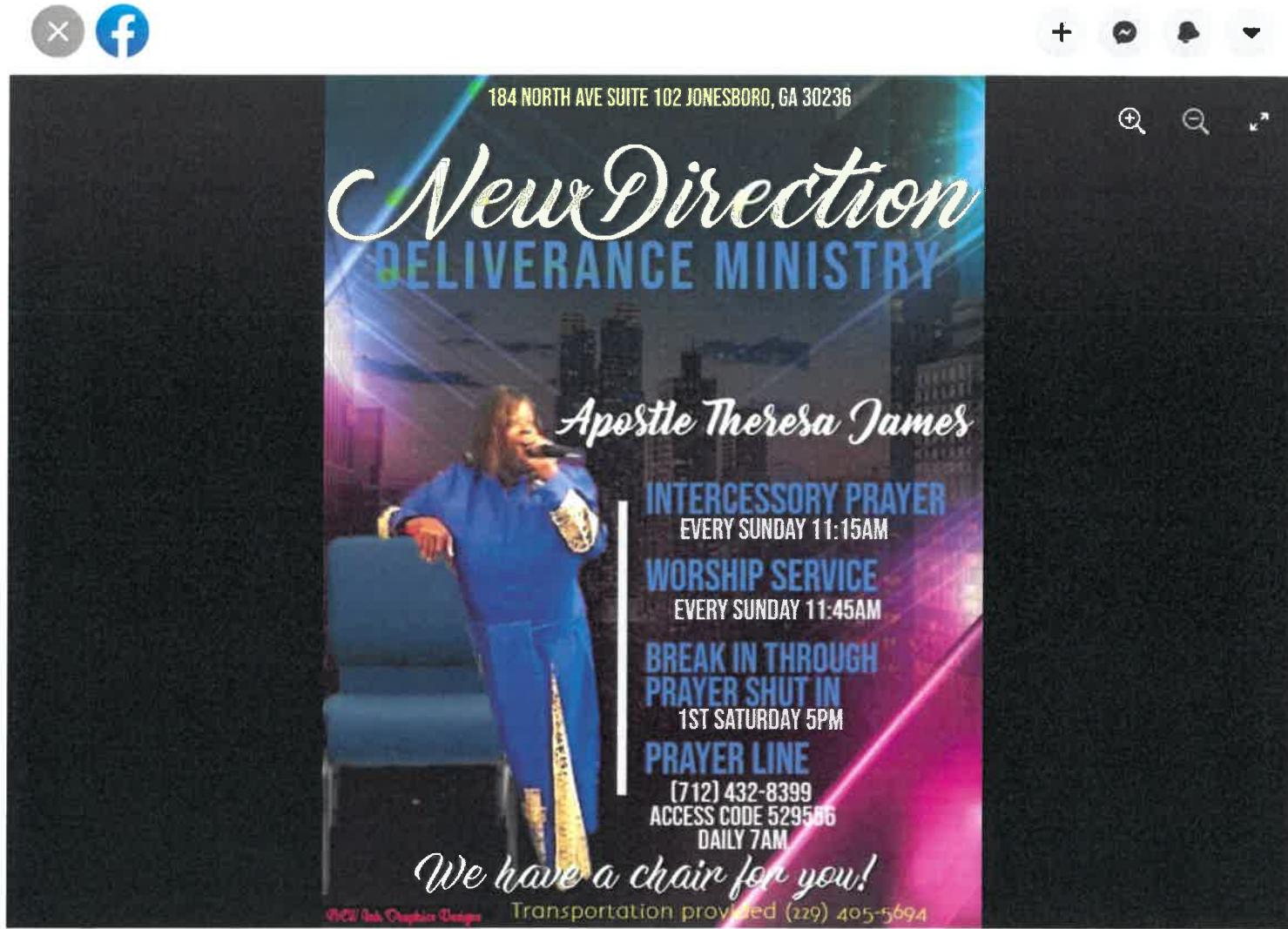
Good morning sir; the furniture is for the old old church that left the church. We bought everything from them. They left the place in the month of May. That was why we came to the Jonesboro county to register our own church.

Thank you. What would the days and hours operation for the church? What is the approximate size of the congregation?

We only do Sunday service from 10am for Sunday school and 11am-2pm and December 31 for the crossover nite. We don't do week service. The square meters is 800 square meters. Thank you sir.

Thank you. About how many attendees would you say you would have any given service?

When we get the approval we will know how many people that will attend the service.



Theresa James
July 13, 2019 ·

New Direction New Location

Join us tomorrow love to see you there
A chair just for you

Teaching....

Building A Foundation of Prayer

— with Mary Armstead and 4 others at New Directions.

19

3 Comments 3 Shares

Like

Share

Theresa James
Natoisha Watson you did this

Like · 2y

1

Felicia Haire
Love it

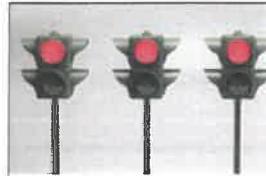
Like · 2y

Deanthony Myrick
Need to come vist

Like · 2y



Advertising



22
NOV

NEW DIRECTION DELIVERANCE MINISTRY Celebration in Honor of
Elect Pastor, Elder Travis Tobias Clark

15

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(http://www.facebook.com/10202923505353309_5425770308539620389_n.jpg?oh=830679423b45eef82c262daebf53a04&oe=54B39E9A&_gda_=1420737471_571c567ca3ec08e101c9ac02ec35c541)

Advertising

Low Fixed Rate
No Deposit
No Connection!



GAS SOUTH

10

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Report this event

Event in Douglasville

8285 Courtland Street Douglasville, Georgia 30134 New Direction Deliverance Ministry

(http://maps.google.com/maps?q=8285+Courtland+Street+Douglasville,+Georgia+30134+New+Direction+Deliverance+Ministry)

Saturday 22 November 2014, 18:00 till Sunday 23 November 2014, 19:00

Organized by : Apostle Theresa James (http://www.facebook.com/1373301023)

[Sign-in / Sign-up](#)

[Submit an event](#)

Activities Douglasville / Description

8285 Courtland Street Douglasville, Georgia 30134

New Direction Deliverance Ministry

& Overseer, Apostle Theresa James

Presents

A Weekend of Celebration and Praise in honor of Elect Pastor, Travis Tobias Clark

The Celebration will kick off with the

"Blue Night Event"

[Read more](#)

(https://www.facebook.com/sharer/sharer.php?u=https://www.wherevent.com/detail/Apostle-Theresa-James-NEW-DIRECTION-DELIVERANCE-MINISTRY-Celebration-in-Honor-of-Elect-Pastor-Elder-Travis-Tobias-Clark&p=https://fbcdn-sphotos-h.akamaihd.net/hphotos-ak-xap1/v/t1.0-9/c0.12.50.50/p50x50/10675613_10202923505353309_5425770308539620389_n.jpg?oh=830679423b45eef82c262daebf53a04&oe=54B39E9A&_gda_=1420737471_571c567ca3ec08e101c9ac02ec35c541)

2 Chronicles 7:14
 "If my people, which are called by my name, shall humble themselves, and pray, and seek my face, and turn from their wicked ways, then will I hear from heaven, and will forgive their sin, and will HEAL THE LAND."

We Are Open
 We Beech You to Let
 NOTING Stop Your
 Worship

Sunday Morning
Sunday School
Sunday Worship 11 AM
Tuesday 12 Noon Bible Study
Friday Night Worship
www.thehotatl.org

Habakkuk 2:20
 "But the LORD is in his *holy temple*; let all the earth keep silence before him."

Hebrews 10:25
 "Not forsaking the assembling of ourselves together, as the manner of some is; but exhorting one another; and so much the more, as ye see the day approaching."



The House of Transformation Miracle Ministries

www.thehotatl.org

@thehotatl · Religious Organization

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...



The House of Transformation Miracle Ministries www.thehotatl.org

January 17

...

Join us today for Bishop L. D. Parker's 58th Birthday Celebration. Gospel group Genesis will be our musical guests and Apostle Theresa James of New Direction Deliverance Ministry of Jonesboro, GA will be our keynote speaker.

It will be a HALLELUJAH time in the Spirit of God with laughter, love, fellowship, the Word, and high praises.

Service begins at 4:00pm.

The House of Transformation Miracle Ministries
 500 S Lee Street, LaGrange, GA 30240
www.thehotatl.org

Want to bless this man of God?

Sow your seed by Cash App / Paypal / Zelle and mark it for "Pastor Aide"

Cash App | \$thehotatl

Paypal | www.thehotatl.org/donate.html

Zelle | Use our special email: Give@thehotatl.org

Prayer Requests

Send in your prayer requests by inbox or email them to prayers@thehotatl.org

Our prayer warriors are waiting to intercede on your behalf.

Join Us!

BIRTHDAY CELEBRATION

For

Sunday
January 17, 2021 | 4PM

Guest Speaker
Apostle Theresa James
New Direction Deliverance Ministry
Jonesboro, GA

The House of Transformation Miracle Ministries
500 S Lee Street | LaGrange, GA 30240
www.thehotatl.org

Blessed is the man who remains steadfast under trial, for when he has stood the test he will receive the crown of life, which God has promised to those who love him.
James 1:12

2

3 Shares

Like

Comment

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Write a comment...



OTHER POSTS

The House of Transformation Miracle Ministries www.thehotatl.org

was live.

May 23 ·

May 23, 2021 Morning Service at The H.O.T.



1

1 Share

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Comment

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Write a comment...

The House of Transformation Miracle Ministries www.thehotatl.org

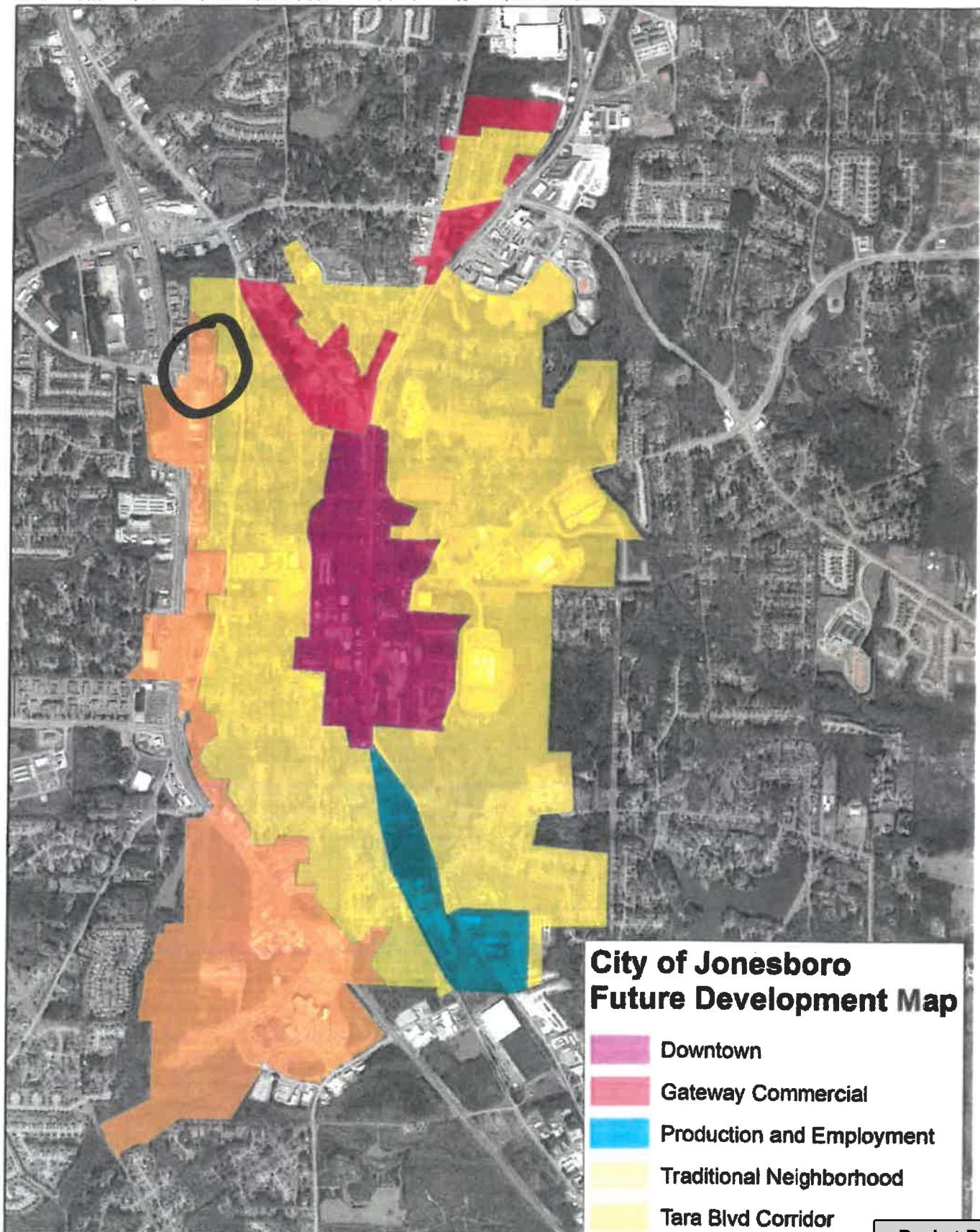
was live.

April 25 ·

Morning worship at The H.O.T.



Future Development Map



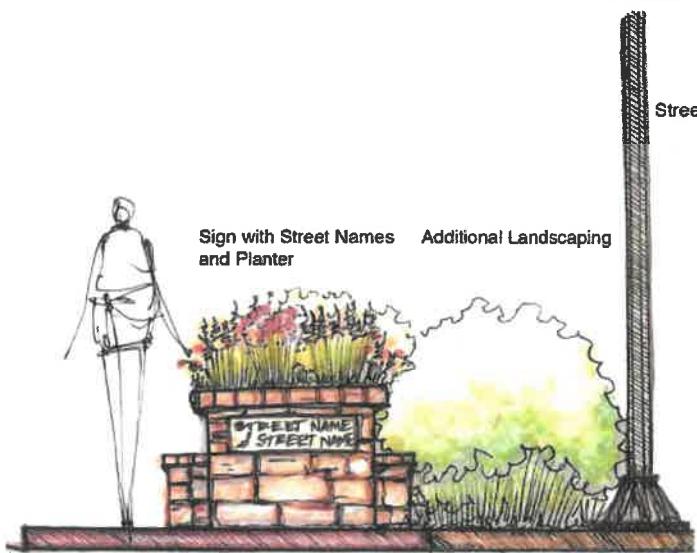
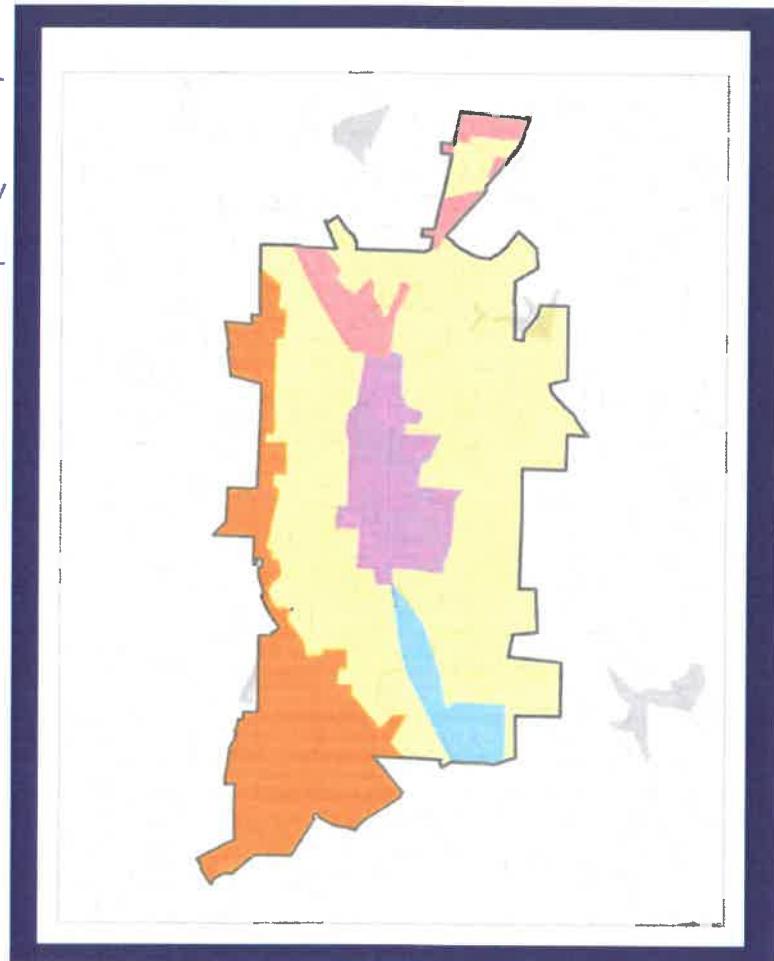
Tara Boulevard Corridor

City of Jonesboro: Land Use and Future Development

The Tara Boulevard Corridor is the main commercial corridor within Clayton County. It contains many commercial as well as government uses. While this corridor is only partially within Jonesboro, many people associate it with the city and they view it as the main commercial thoroughfare within the city.

Uses:

- Commercial=Retail
- Office
- Government
- Industrial



Implementation Measures:

- All development should be well-connected by access roads, interparcel connections, and shared drives.
- Complete and integrate pedestrian improvements and crosswalks throughout the corridor
- Promote high standards of architecture, landscaping, and sign controls to improve corridor appearance and maintain traffic speeds and capacity through access management and inter-parcel access.
- Disallow additional curb cuts onto Tara Boulevard

Legal Notice

Public Hearing will be held by the Mayor and Council of the City of Jonesboro at 6:00 P.M. on August 9, 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 church, by the estate of John Mitchell, property owner, and Iyabo Okuribido / Golden Crown C&S Church, applicant, for property at 186 North Avenue (Parcel No. 13239B B005), Jonesboro, Georgia 30236. Mayor & Council will first discuss the item at their Work Session, to be held on August 2, 2021 at 6 pm, also in the chambers of the Jonesboro Municipal Court facility, 170 South Main Street, Jonesboro, GA.

David Allen
Community Development Director

Publish 7/21/21

5/15/21

CITY OF JONESBORO, GEORGIA**PUBLIC HEARING FOR:**

Conditional Use Permit For A Church By The Estate
OF JOHN MITCHELL, Property Owner, And YABO OKURIBIDO /
GOLDEN CROWN C+S CHURCH, Applicant For Property At
186 North Avenue (Parcel 13239B 5005), Jonesboro

LOCATION

170 SOUTH MAIN STREET, JONESBORO, GEORGIA 30236

DATE: 8-9-21 TIME: 6:00 PM

FOR MORE INFORMATION, PLEASE CONTACT CITY HALL AT 770-478-3800

CITY OF JONESBORO, GEORGIA

PUBLIC HEARING FOR:

Conditional Use Permit For A Church By The Estate

of JOHN MITCHELL, Property Owner, And IYABO OKURIBIDO /

GOLDEN CROWN C+S CHURCH, Applicant, For Property At

186 North Avenue (Parcel 13239B Block), JONESBORO

LOCATION

170 SOUTH MAIN STREET, JONESBORO, GEORGIA 30236

DATE: 8-9-21 TIME: 6:00 PM

FOR MORE INFORMATION, PLEASE CONTACT CITY HALL AT 770-478-3800



MEMORANDUM

To: Iyabo Okuribido
 Golden Crown C& S Church
 5052 Lower Elms Street
 Atlanta, GA 30349

From: David D. Allen
 City of Jonesboro
 124 North Avenue
 Jonesboro, GA 30236

Date: July 22, 2021

Re: Notification of Request for Conditional Use – Church, 186 North Avenue; Tax Map Parcel No. 13239B B005

Dear Applicant,

This letter is to serve as notification that the City of Jonesboro has received your request for the following requested conditional use for the above referenced property:

- Church

A Public Hearing has been scheduled for Monday, August 9, 2021 at 6:00 p.m. before the Jonesboro Mayor and City Council to consider the request as described above. The Jonesboro Mayor and City Council will first discuss this item at their next Work Session on Monday, August 2, 2021 at 6:00 p.m. The meetings will be conducted in the chambers of the Jonesboro Municipal Court facility, 170 South Main Street, Jonesboro, Ga. If you have any questions, please do not hesitate to contact me at 770-570-2977 or at dallen@jonesboroga.com.

Sincerely,

A handwritten signature in black ink, appearing to read "D Allen".

David D. Allen
 Community Development Director / Zoning Administrator



CITY OF JONESBORO, GEORGIA COUNCIL Agenda Item Summary

Agenda Item #

-3

11.3

COUNCIL MEETING DATE

August 9, 2021

Requesting Agency (Initiator)

Office of the City Manager

Sponsor(s)

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

Council to consider approval of Resolution #2021-005 by and between the City of Jonesboro to approve and authorize the Mayor to execute an Intergovernmental Agreement with the County Board of Elections & Registration to allow usage of election equipment to conduct the 2021 Municipal Election.

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 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 purpose of this agreement is for the County Elections Department to provide the City of Jonesboro with equipment to conduct its Municipal Election with the State owned equipment, on loan from the Clayton County Board of Elections. In order to facilitate the City of Jonesboro's election process, the parties must agree as follows:

The County Election Superintendent shall supply equipment to the City of Jonesboro for the Special Election & Municipal Election:

1. Responsibilities of Parties.

A. The County Election Superintendent shall supply the following equipment to the City of Jonesboro:

1. Eight (8) Image Cast X (ICX);
2. Eight (8) Ballot Marking Printer;
3. Four (4) Uninterrupted Power Supply (UPS);
4. Four (4) Memory Cards (2 per ICP);
5. Two (2) Poll Worker Smart Cards;
6. One (1) Audio Tactile Interface Kit (ATI) which includes the following:
ATI USB, ATI cable, and ATI headphones;
8. Two (2) Technician Smart Cards;
9. Forty (40) Voter Smart Cards;
10. Two (2) Image Cast Precinct Scanner (ICP);
11. Two (2) Ballot Plastic Box for ICP;
12. One (1) USB Flash Drive;
13. Ten (10) Privacy Screen;
14. Two (2) ICP Scanner Paper Roll; and
15. Other peripherals associated with the ICX Voting System (Dominion Voting System)

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title

Ricky L. Clark, City Manager

Date

August, 9, 2021

Signature

City Clerk's Office

B. The County Election Superintendent shall supply to the City of Jonesboro one (1) Ballot **11.3**
Device and all equipment needed to be used as a Demonstrator Unit.

C. The County Election Superintendent shall designate a date, time and place for the City of Jonesboro to retrieve and return the items listed under Section 1(A) of this agreement.

City Staff has identified Dominion Voting Systems to assist with the programming of the ballots, training of staff, conducting the Logic & Accuracy Testing and Technical Support on Election Day.

This agreement is in advance of our 2021 Municipal Election.

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.)

- RES 2021-005 - Election Equipment IGA (Jonesboro)

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

Approval

STATE OF GEORGIA
COUNTY OF CLAYTON
CITY OF JONESBORO

RESOLUTION NO. 2021-005

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF JONESBORO, GEORGIA TO APPROVE AND AUTHORIZE THE MAYOR TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH THE CLAYTON COUNTY BOARD OF ELECTIONS AND REGISTRATION FOR ELECTION EQUIPMENT; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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

WHEREAS, the City is permitted under Georgia law to conduct municipal elections; and

WHEREAS, the Clayton County Board of Elections and Registration (“Board”) is the custodian of certain State-owned election equipment that can be loaned to various municipalities in Clayton County to conduct elections.

WHEREAS, the City has its own Electronic Voting Units and desires to utilize the Board’s State-owned election equipment to accommodate the electors of the City; and

WHEREAS, the City and the Board are authorized by Art. IX, Sec. III, Par. I of the Constitution of the State of Georgia to contract for any period not exceeding fifty (50) years for the provision of facilities, services, or equipment which they are authorized by law to provide; and

WHEREAS, pursuant to such legal authority, the City desires to enter into an intergovernmental agreement with the Board to utilize such election equipment.

**NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED BY THE MAYOR
AND COUNCIL OF THE CITY OF JONESBORO, GEORGIA, as follows:**

Section 1. The governing authority hereby approves and authorizes the Mayor to execute the Intergovernmental Agreement with Clayton County Board of Elections and Registration for Election equipment, which is attached hereto as Exhibit "A" and incorporated herein by reference.

Section 2. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Resolution 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 Resolution is severable from every other section, paragraph, sentence, clause or phrase of this Resolution. 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 Resolution is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Resolution.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Resolution 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 Resolution and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Resolution shall remain valid, constitutional, enforceable, and of full force and

effect.

Section 3. All resolutions and parts of resolutions in conflict herewith are hereby expressly repealed.

Section 4. The Preamble of this Resolution shall be considered to be and is fully incorporated by reference herein.

Section 5. The effective date of this Resolution shall be the date of adoption unless otherwise specified herein.

SO RESOLVED, this _____ day of _____, 2021.

CITY OF JONESBORO, GEORGIA,

Joy Day, Mayor

ATTEST:

Ricky L. Clark, Jr., City Clerk

APPROVED AS TO FORM BY:

City Attorney

EXHIBIT "A"**Intergovernmental Agreement Attached**

INTERGOVERNMENTAL AGREEMENT

This agreement made and entered into this _____ by and between Clayton County Board of Elections and Registration (hereinafter referred to as "the Board") and the City of Jonesboro, a political subdivision of the State of Georgia (hereinafter referred to as "Jonesboro").

ARTICLE 1

PURPOSE OF AGREEMENT

The purpose of Intergovernmental Agreement is to provide the City of Jonesboro with equipment to conduct its municipal election with State-owned equipment on loan from the Clayton County Board of Elections. In order to facilitate the City of Jonesboro's municipal election process the parties have agreed as follows:

1. Responsibilities of Parties.
 - A. The County Election Superintendent shall supply the following equipment to the City of Jonesboro:
 1. Eight (8) Image Cast X (ICX);
 2. Eight (8) Ballot Marking Printer;
 3. Four (4) Uninterrupted Power Supply (UPS);
 4. Four (4) Memory Cards (2 per ICP);
 5. Two (2) Poll Worker Smart Cards;
 6. One (1) Audio Tactile Interface Kit (ATI) which includes the following:
ATI USB, ATI cable, and ATI headphones;
 8. Two (2) Technician Smart Cards;
 9. Forty (40) Voter Smart Cards;
 10. Two (2) Image Cast Precinct Scanner (ICP);
 11. Two (2) Ballot Plastic Box for ICP;
 12. One (1) USB Flash Drive;
 13. Ten (10) Privacy Screen;
 14. Two (2) ICP Scanner Paper Roll; and
 15. Other peripherals associated with the ICX Voting System (Dominion Voting System)
 - B. The County Election Superintendent shall supply to the City of Jonesboro one (1) Ballot Marking Device and all equipment needed to be used as a Demonstrator Unit.
 - C. The County Election Superintendent shall designate a date, time and place for the City of Jonesboro to retrieve and return the items listed under Section 1(A) of this agreement.
 - D. A State Election Equipment Log, attached herein as "Exhibit A" shall be maintained by both parties of this agreement.

E. Dominion Voting Systems will be the contractor for the City of Jonesboro to supply the following:

1. Provide programming services.
2. Training of Election Superintendent, Deputy Election Superintendent, Poll Manager, two (2) Assistant Managers and two (2) Clerks.
3. Conducting the Logic and Accuracy Testing.
4. Technical Support on Election Day.
5. Chain of Custody report, attached herein as “Exhibit B” shall be executed.

F. The City of Jonesboro shall be responsible for retrieving and returning voting equipment.

G. The City of Jonesboro shall be responsible for the printing of Absentee Ballots.

H. The City of Jonesboro shall hire an experienced poll manager and two assistant managers

I. The City Election Superintendent shall train the Poll Clerks.

J. The City Election Superintendent and staff shall attend the state mandated training prior to the election.

K. All of the City of Jonesboro election’s staff shall sign an Oath of Custodians and Deputy custodians of Ballot Marking Devices as required by the Georgia Elections Code, attached herein as “Exhibit C.”

2. Costs to the City of Jonesboro:

- A. There is no charge to Jonesboro for actual use of the state-owned voting systems.
- B. Jonesboro is responsible for any damage to the voting units and peripherals in its possession that is not covered under the State of Georgia’s warranty. (Note: The voting machines are no longer under warranty with the State)

ARTICLE II

DURATION OF AGREEMENT

This Agreement shall be effective from _____, 2021 to December 31, 2021. This Agreement shall terminate absolutely and without further obligation on the part of either party upon expiration of aforementioned period.

ARTICLE III

MISCELLANEOUS

1. This Agreement in no way is deemed to create a debt incurred by the City of Jonesboro for the payment of any sum.
2. This Agreement constitutes the entire Agreement and understanding among the parties hereto and supersedes and revokes any prior agreement or understanding relating to the subject matter of this Agreement. No change, amendment, termination, or attempted waiver of any of the provisions herein shall be binding upon the other parties unless reduced to writing and signed by all parties hereon.
3. Nothing contained in the Agreement shall create a contractual relationship with or a cause of action in favor of a third party against Jonesboro.
4. This Agreement may not be assigned by either party hereto without written agreement by both parties. This Agreement and the rights of the parties hereunder shall be binding upon and inure to the benefit of the parties hereto and their respective successors and, if applicable, or assigns.
5. Any notices or communications required or permitted hereunder shall be sufficiently given if sent by Registered or Certified Mail, Return Receipt Requested, Prepaid Postage, and addressed as follows:

As to the Clayton County Board of Elections and Registration:

Shauna Dozier, Director of Elections and Registration
 Jonesboro Historical Courthouse
 Main Floor
 121 South McDonough Street
 Jonesboro, Georgia 30236

As to the City of Jonesboro, Georgia:

Ricky L. Clark, Jr., City Manager
 124 North Avenue
 Jonesboro, Georgia 30236

6. The captions used in this Agreement are inserted for convenience only and shall not constitute a part hereof.
7. No waiver by either party of any default by the other party in the performance of any provision of this Agreement shall operate as to be construed as a waiver of any future default, whether like or difference in character.

8. This Agreement shall be governed and construed in accordance with the laws of the State of Georgia.
9. If any provision of this Agreement, or application thereof to any person or circumstance, shall to any extent be invalid, then such provision shall be modified if possible, to fulfill the intent of the parties as reflected in the original provision, the remainder of this Agreement or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby, and each provision of this Agreement shall be valid and enforced to the fullest extent permitted by law.

IN WITNESS WHEREOF, the parties hereto have each executed and delivered this Agreement on this _____ day of _____ 2021.

CITY OF JONESBORO

By:

Joy B. Day, Mayor

Attested by:

Ricky L. Clark, Jr., City Manager

Approved as to form:

City Attorney

CLAYTON COUNTY BOARD OF ELECTIONS AND REGISTRATIONS

By:

Clayton County Board of Elections and Registration

Attested by:

Shauna Dozier, Director

Approved as to form:

E. Charles Reed, Jr., Chief Staff Attorney