

**CITY OF JONESBORO
REGULAR MEETING
170 SOUTH MAIN STREET
May 10, 2021 – 6:00 PM**

MINUTES

The City of Jonesboro Mayor & Council held their Regular Meeting on Monday, May 10, 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	Remote	
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	
Joe Nettleton	Public Works Director	Absent	
Cable Glenn-Brooks	Executive Assistant	Present	
Derry Walker	Chief Code Officer	Present	
Ken Thompson	Finance Director	Present	
Maria Wetherington	Assistant	Present	
Tommy Henderson	Chief of Police	Present	

III. INVOCATION - AT THIS TIME, MAYOR JOY B. DAY READ A SPRING TIME PRAYER BY RALPH WALDO EMERSON.

IV. PLEDGE OF ALLEGIANCE

V. ADOPTION OF AGENDA

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

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

Under Public Hearing: Per Applicants request, remove Item # 1, Conditional Use Permit Application for 21-CU-004 for massage therapy.

Under Old Business: Per Applicants request, remove Item # 2, Conditional Use Permit Application for 21-CU-004 for massage therapy.

VI. PRESENTATIONS - PRESENTATION REGARDING THE ATLANTA REGIONAL COMMISSION'S GEORGIA COMMUTE OPTIONS INITIATIVE.

At this time, Danny Foster was present to update Mayor and Council on the Atlanta Regional Commission's Georgia Commute Options initiative.

VII. PUBLIC HEARING

1. Public Hearing regarding a Conditional Use Permit Application 20-CU-006 for a retail cigar shop and cigar lounge, by Antonio Miller, property owner and applicant, for property at 171 North Main Street (Parcel No. 13240D C002), Jonesboro, Georgia 30236.

RESULT:	CLOSED
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At this time, Mayor Day opened the Public Hearing. The following were present to speak in favor of the Conditional Use Permit application for the retail cigar shop and lounge:

Myron Smith, business partner of Antonio Miller, spoke in favor of the request, additionally ensuring Mayor and Council that all the required conditions will be met.

Antonio Miller, applicant, spoke to ensure Mayor and Council of his effort to bring an upscale business to the City of Jonesboro that will be not only generate revenue for the City but also enhance the area.

Mike Tower, colleague of Mr. Miller, spoke in favor of the cigar lounge additionally expressing that the establishment would be an asset to the City of Jonesboro.

As there were no additional persons wishing to speak, the Public Hearing was duly adjourned.

2. Public Hearing regarding a Conditional Use Permit Application 21-CU-007 for an Air BnB / short term rental, by Kenneth Gipson, property owner and applicant, for property at 111 Stockbridge Road (Parcel No. 13241B C006), Jonesboro, Georgia 30236.

RESULT:	CLOSED
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At this time, Mayor Day opened the Public Hearing. Kenneth Gipson, owner of the property was present to speak asking Mayor and Council to consider approval.

As there were no additional persons wishing to speak, the Public Hearing was duly adjourned.

3. Public Hearing regarding a Conditional Use Permit Application 21-CU-008 for a dance studio and outreach, by Anne H. Choi, property owner, and Benneika Walker, applicant, for property at 1423 Stockbridge Road (Parcel No. 12017B A003), Jonesboro, Georgia 30236.

RESULT:	CLOSED
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At this time, Mayor Day opened the Public Hearing. The following were present to speak in favor of the Conditional Use Permit application for the dance studio:

Sasha Brownlee, parent of a student currently enrolled, expressed the positive influences

Ms. Walker instills in all her students.

Sharon Hill, parent of a student currently enrolled, expressed her gratitude for the impact the program has had on her daughter. Additionally, commending Ms. Walker for going above and beyond with community outreach, transitioning from middle school to high school, resume preparations and essay writing assignments during COVID.

Bashellia Williams, personal friend of Ms. Walker and parent of a student currently enrolled, spoke in high regards of Ms. Walker's character; stating that her program is a gift to the community and would be nothing less than an asset to the City of Jonesboro as well.

Janiyah Williams, current student, junior in high school spoke of the personal impact the program has had on her life. The skills she's gained is beyond being apart of a dance team, it is a positive and productive life changing experience.

As there were no additional persons wishing to speak, the Public Hearing was duly adjourned

4. Public Hearing regarding City-initiated map amendments to the Official Zoning Map 21-MA-003 Ord. 2021-010, and corresponding Zoning Map Update, for re-zonings of properties located at 155 Lee Street (Parcel 13241A A016), Jonesboro, Georgia 30236, and 144 Smith Street (Parcel 13241A A013) from Office & Institutional (O-I) to City Center Mixed Use (CCM).

RESULT:	CLOSED
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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 City-initiated map amendments to the Official Zoning Map 21-MA-004 Ord. 2021-011, and corresponding Zoning Map Update, for re-zonings of properties located at 152 Smith Street (Parcel 13241A A012), Jonesboro, Georgia 30236, 102 Burnett Street (Parcel 13241A A011), 103 Burnett Street (Parcel 13241A A010), 101 Burnett Street (Parcel 13241A A009), 0 Burnett Street (Parcel 13241A A008), 156 Smith Street (Parcel 13241A A007), and 206 Fayetteville Road (Parcel 13241A A003) from Single-Family Residential (R-4) to City Center Mixed Use (CCM).

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

6. Public Hearing regarding a Conditional Use Permit Application 21-CU-005 for massage therapy, by McKenzie Brothers Realty, LLC, property owner, and Nikki Fisher, applicant, for property at 120 North McDonough Street (Parcel No. 13241B F004), Jonesboro, Georgia 30236.

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

7. Public Hearing regarding City Zoning Map update and re-adoption Ord. 2021-012, based on recent rezonings.

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

VIII. PUBLIC COMMENT (PLEASE LIMIT COMMENTS TO THREE (3) MINUTES) - NONE

IX. MINUTES

X. CONSENT AGENDA

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

1. Council to consider approval of a Memorandum of Understanding by and between the City of Jonesboro and Clayton County to provide for the transfer of responsibilities for the permits, inspections, reviews, issuances of certificates of occupancy and submittals for the proposed Clayton County Fuel Station project located at 1030 Post Way.
2. Council to consider approval of Local Maintenance and Improvement Grant Projects for FY' 2021. Project includes the following roads:
 - Cloud Street between Church Street and South Avenue
 - Mercer Court between Mercer Drive and Cul-de-sac
 - Mercer Drive between Lake Jodeco Road and Dead End
 - North Lake Drive between N. McDonough Street and Dead End
 - West Avenue between North Avenue and Spring Street

Please note: West Avenue will be removed from the list based on the general cost.

3. Council to consider approval of the acquisition of three additional software modules from ADP to be funded through savings from a guaranteed three-year price agreement.
4. Council to consider approval of a Lighting Services Agreement by and between the City of Jonesboro and Georgia Power for the installation of 13 LED Post Tops & 14 Area Lights for the Jonesboro City Center facility.
5. Council to consider approval of an agreement by and between the Atlanta Gas Light Company (Southern Company Gas) and the City of Jonesboro for non-residential gas extension at the new Jonesboro City Center.
6. Council to consider approval of the purchase of training and duty ammunition for 9mm pistols.

XI. OLD BUSINESS

1. Council to consider a Conditional Use Permit Application, 20-CU-012, for an outdoor event center, by Cyrel D. Foote, Jr. for property at 127 Jonesboro Road (Parcel No. 13240B E001), Jonesboro, Georgia 30236.

RESULT:	APPROVED [4 TO 1]
MOVER:	Donya Sartor, Councilmember
SECONDER:	Pat Sebo-Hand, Mayor Pro-Tem
AYES:	Sebo-Hand, Lester, Sartor, Wise
NAYS:	Powell
RECUSED:	Messick

Upon Discussion Mr. Allen reminded Mayor and Council of the conditions if approved.

1. No parking shall occur on either West Mimosa Drive or Jonesboro Road.
2. Hours of operation for parties will be from 12 pm to 7 pm, Friday and Saturday, and 12 pm to 6 pm on Sundays. This includes cleanup time and participants packing up and leaving the property.
3. Outside fence shall not be chain-link and shall be at least four feet tall.
4. Any new or altered impervious surface over 5000 square feet will require Water Authority approval.
5. Distance between new elements of event area and property line abutting residentially zoned property shall be field verified.
6. Angled parking near building will need to be re-striped to accommodate West Mimosa traffic flow into property.
7. New sign construction pending approval by Design Review Commission.

Questions and Concerns

Councilmember Powell - expressed safety concerns relative to kid's play in the area.

Mr. Allen advised that the safety concerns were addressed in the updated site plan; The kids play area will be fenced in on the side; no party activities will be conducted outside the fenced area. West Mimosa Drive will become a entrance only and the driveway on Jonesboro Road will be an exit only.

Councilmember Sartor asked about stipulations for fencing.

Mr. Allen advised fencing can be wood, vinyl or iron and chain link fencing will not be allowed.

Councilmember Lester asked expressed his concerns of the kids getting out of the fenced in area.

Mr. Allen advised that he will work with the applicant to ensure the fencing is low to the ground and spaced so that there are no large gaps for kids to squeeze through.

Mr. Clark opened a discussion of condition number 2, hours of operations, stating we do not have a legal right to restrict hours of operation as we currently do not restrict hours of operation for similar businesses.

Mark Shepard resident of 109 W. Mimosa Drive spoke advising he has no opposition with the hours of operation of the business.

Upon final discussion, the hours of operation will remain as the applicant originally requested; 12:00 pm to 8:00 pm Monday through Saturday and 12:00 pm to 7:00 pm on Sunday.

Mr. Cyrel Foote spoke to ensure Mayor and Council that safety is a priority and he will work with the City to ensure necessary enhancements are made.

2. Council to consider a Conditional Use Permit Application 20-CU-006 for a retail cigar shop and cigar lounge, by Antonio Miller, pending property owner and applicant, for property at 171 North Main Street (Parcel No. 13240D C002), Jonesboro, Georgia 30236.

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

Noted: The ventilation system will need to be permitted, installed and inspected.

3. Council to consider a Conditional Use Permit Application 21-CU-007 for an Air BnB / short term rental, by Kenneth Gipson, property owner and applicant, for property at 111 Stockbridge Road (Parcel No. 13241B C006), Jonesboro, Georgia 30236.

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

4. Council to consider a Conditional Use Permit Application 21-CU-008 for a dance studio and outreach, by Anne H. Choi, property owner, and Benneika Walker, applicant, for property at 1423 Stockbridge Road (Parcel No. 12017B A003), Jonesboro, Georgia 30236.

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

5. Council to consider a City-initiated map amendments to the Official Zoning Map 21-MA-003 Ord. 2021-010, and corresponding Zoning Map Update, for re-zonings of properties located at 155 Lee Street (Parcel 13241A A016), Jonesboro, Georgia 30236, and 144 Smith Street (Parcel 13241A A013) from Office & Institutional (O-I) to City Center Mixed Use (CCM).

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

6. Council to consider City-initiated map amendments to the Official Zoning Map 21-MA-004 Ord. 2021-011, and corresponding Zoning Map Update, for re-zonings of properties located at 152 Smith Street (Parcel 13241A A012), Jonesboro, Georgia 30236, 102 Burnett Street (Parcel 13241A A011), 103 Burnett Street (Parcel 13241A A010), 101 Burnett Street (Parcel 13241A A009), 0 Burnett Street (Parcel 13241A A008), 156 Smith Street (Parcel 13241A A007), and 206 Fayetteville Road (Parcel 13241A A003) from Single-Family Residential (R-4) to City Center Mixed Use (CCM).

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

7. Council to consider approval of the City Zoning Map update and re-adoption Ord. 2021-012, based on recent rezonings.

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

8. Council to consider a Conditional Use Permit Application 21-CU-005 for massage therapy, by McKenzie Brothers Realty, LLC, property owner, and Nikki Fisher, applicant, for property at 120 North McDonough Street (Parcel No. 13241B F004), 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

Mayor Joy B. Day voted as not in favor of the Conditional Use Permit Application for a massage therapy for property located 120 North McDonough Street.

9. Council to consider a revised text amendment, 21-TA-006, Ord. 2021-009, to the City of Jonesboro Code of Ordinances, with the addition of 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

Noted Conditions of approval.

1. Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
2. All individuals performing massage therapy must be licensed by the State of Georgia

10. Council to consider approval of a proposal by and between the City of Jonesboro to develop a custom iphone and android app to allow for ease of city services.

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

Questions and Concerns

Councilmember Wise asked if See Click Fix will be dropped?

Mayor Day advised, yes.

Councilmember Sartor expressed her concern relative to the RFQ process.

Mr. Clark advised that a RFQ was not submitted for this item.

XII. NEW BUSINESS

1. Council to authorize the execution of an Agreement between the City and DDA effectuating the lease of the Jonesboro Firehouse Museum to Nouveau Bar and Grill, LLC and to instruct the City Manager to prepare documents in accordance with the terms prescribed and authorize the Mayor to execute final document relative to the transaction.

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

Questions and Concerns:

Mayor Day pointed out the following portions of the contract

Page 14. Rent Abatement - In the event of business closing by local, state, or federal closing; (i.e. a pandemic) the City would have to pay the rent.

Page 16. Removal of building fixtures - The City does not own any fixtures inside the building.

Page 17. Insurance documents prior to lease signage - All insurance documents will be provided by the applicant prior to the City signing the lease.

Page 18. General Liability Insurance

Page 18. 6.4 The renter has to provide and keep insurance current.

Page 31. First right of refusal - value of the building years later.

Councilmember Messick inquired regarding the length of the lease and what happens if the restaurant owner changes; can they take any of the equipment with them.

Mr. Clark advised that the term of the lease is 20 years; Unless there is a breach in the contract, all items purchased by the tenant belong to them, any improvements to the building must be approved by The City of Jonesboro. The hood system was installed by the City of Jonesboro and they cannot remove that.

Councilmember Lester inquired what happens to the \$50,000.00 provided to the tenant for improvements?

Mayor Day confirmed that the funds are drawn down in 25% increments after the work for renovations is completed.

Councilmember Messick inquired if there is a special agreement in the lease that indicates the green space belongs to the city?

May Day stated that the City will work cooperatively with the tenant; The City will sponsor events

jointly and help them promote the success of their business.

Mr. Clark advised that if we are going to move forward with this lease; we need to start making preparation to remove out items from the side building. The tenant is ready to start red-lining their plans to begin the interior renovations.

Councilmember Messick suggested in light of the current pandemic and looking towards the future, add a clause in the lease that states that if the tenant receives local, state or federal relief funds not designated for payroll, they will have to pay the rent. If they receive funds to stay closed, rent payment is required. (Mayor Day stated that the lease must say that it is ear marked funds specifically)

Councilmember Sartor inquired relative to Landlords receiving rent relief funds, can the City receive any type of funds?

Mr. Clark will check to see if the URA can receive funding.

Upon Discussion, a conversation began relative to purchasing a trailer to store tables and chairs for ease of storage and transport for events at The Green and Downtown Jonesboro.

2. Council to consider approval of a fee waiver for the use of Lee Street Park by Chairman Jeff Turner for the annual CASA 5k Fitness Run/Walk on Saturday, August 21, 2021.

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

3. Council to consider approval of a requested fee waiver for usage of Lee Street Park by Clayton County Public School District for a Teacher/Staff Appreciation Event (Wind Down Wednesday) to be held on May 26, 2019 from 5:00 p.m. until 9:00 p.m. (**Shakira Rice, applicant**)

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

Clayton County Public School will be required to obtain liability insurance, will provide two resource officers and will clean up after the event.

XIII. REPORT OF MAYOR / CITY MANAGER

Mayor Day - None

Ricky L. Clark Jr.:

- City of Jonesboro is hosting a concert in partnership with Clayton County on July 3, 2021, the County will pay for fireworks. We will continue to ask for sponsorships and sell the tables as we have in the past.
- Consideration to keep events active at Broad Street; possible Karaoke and Paint, additional Pop Up Shop events.

Several requests are coming in to rent Broad Street Plaza

XIV. REPORT OF CITY COUNCILMEMBERS

Councilmember Sebo-Hand:

- Announcement of grandbaby, Asher Paul Sebo.
- Thank You to everyone who supported the opening of the Farmers Market on Saturday, approximately 47 vendors currently participating and going; will eventually have to occupy the both sections of the Market Pavilion. Additionally a Facebook page has been created, please visit the website for updates and visit the market to support the vendors through October.

Councilmember Sartor:

- Thank You to Mayor and Council for Yoga in the Park, it was a huge success and hope to schedule another one in June.

XV. OTHER BUSINESS - NONE.

- Executive Session for the purpose of discussing the conveyance of real estate and potential litigation at 8:02 PM..

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

- Motion to reconvene regular session at 8:17 PM.

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

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

XVI. ADJOURNMENT

- Motion to adjourn at 8:18 PM.

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

JOY B. DAY – MAYOR

RICKY L. CLARK, JR. – CITY MANAGER