

**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
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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

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
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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
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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.

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
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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 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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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 Glazed 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

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.

7. 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.

8. 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.

9. 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