

**CITY OF JONESBORO
REGULAR MEETING
1859 CITY CENTER WAY
December 12, 2022 – 6:00 PM**

MINUTES

The City of Jonesboro Mayor & Council held their Regular Meeting on Monday, December 12, 2022. The meeting was held at 6:00 PM at the Jonesboro Police Station, 1859 City Center Way, Jonesboro, Georgia.

I. CALL TO ORDER - MAYOR PRO TEM TRACEY MESSICK

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

Attendee Name	Title	Status	Arrived
Pat Sebo-Hand	Councilmember	Present	
Bobby Lester	Councilmember	Present	
Tracey Messick	Mayor Pro Tem	Present	
Billy Powell	Councilmember	Present	
Donya Sartor	Councilmember	Present	
Ed Wise	Councilmember	Absent	
1009	Mayor	Absent	
Ricky L. Clark	City Manager	Present	
Pat Daniel	Assistant City Clerk	Present	
David Allen	Community Development Director	Present	
Cable Glenn-Brooks	Executive Assistant	Absent	
Derry Walker	Chief Code Enforcement	Present	

III. INVOCATION

Mayor Pro Tem Messick read a poem that she found on-line.

IV. PLEDGE OF ALLEGIANCE

V. ADOPTION OF AGENDA

1. Motion to adopt the agenda with additions of the following items: (1) Fee waiver for city facilities rental and (2) addition of a personnel matters to the Executive Session.

RESULT:	APPROVED [4 TO 1]
MOVER:	Pat Sebo-Hand, Councilmember
SECONDER:	Bobby Lester, Councilmember
AYES:	Sebo-Hand, Lester, Messick, Sartor
NAYS:	Powell

VI. PRESENTATIONS

1. Teacher of the Year Award Presentation - Councilwoman Sartor

At this time, Councilwoman Donya Sartor came forward to make a presentation to the following teachers: Valerie Watson, Anglea Ugbajah, Dawn Parkman & Dr. Diana Moore. A

plaque and flowers were presented to each teacher along with a gift card compliments of McKenzie Brothers Realty. Dawn Parkman was acknowledged as teacher of the year for Clayton County.

VII. PUBLIC HEARING

1. Public Hearing regarding map amendment, 22-MA-004, Ord. 2022-020, to the Official Zoning Map for rezoning of 10.63 acres of multiple parcels along the County portion of Douglass Trail, from Clayton County's UV (Urban Village) to Jonesboro's M-X (Mixed Use) and to annex said acreage in the corporate city limits of Jonesboro.

At this time, Mayor Pro Tem Messick opened the public hearing. The following came forward to speak against the rezoning of 10.63 acres of multiple parcels along the county portion of Douglass Trail, from Clayton County's Urban Village to Jonesboro's Mixed Use and to annex said acreage in the corporate city limits of Jonesboro.

- Dawn Griffin - resident of Old Ivy Place and HOA president came forward and stated that she discovered that the city held a work session on December 5th regarding this rezoning "What is the status of the rezoning". She also voiced concerns regarding an increase in property taxes. Residents in her neighborhood are against the rezoning.

Councilwoman Sartor explained the difference between the City Work Session and the City Regular Session.

- Cradelle Branch - resident of Old Ivy Place and an HOA Board Member. Mr. Branch stated that the residents of Old Ivy Place are against the rezoning and the annexation. Do not want to pay taxes to both city and county.
- Latoya Shannon - resident of Old Ivy Place came forward to inquire about notifications of meetings. This is not what the residents of Old Ivy Place want.

City Manager stated that this annexation was not initiated by the City of Jonesboro.

- Angel Jones - came forward to inquire about the 66 petitions that were received and where did they come from.
- Dawn Griffin - stated that she went door to door to collect petitions. She feels that the percentage is incorrect. She stated that she has the signed consent forms.

City Manager Clark stated that he wants to make certain that information received is correct. At this time, Executive Assistant Melissa Brooks and Dawn Griffin left the chambers to print consent forms.

At this time, developer from McKinley Homes came forward to offer information about the development. He stated that the intent is to unite the Old Ivy Townhome Development under one jurisdiction (City of Jonesboro) and to develop condominium buildings at the

end of Douglass Trail.

2. Public Hearing regarding Conditional Use Permit application, 22-CU-017, for condominiums by CBD Investments LLC, property owner, and McKinley Homes LLC, applicant, for property on Douglass Trail (Parcel No. 12015A A062), Jonesboro, Georgia 30236.
3. Public Hearing regarding Conditional Use Permit application, 22-CU-018, for an event center by The Rochester Holding Company of Georgia LLC, property owner and applicant, for property at 254B West Mimosa Drive (Parcel No. 13240B E005) Jonesboro, Georgia 30236. Property owner address is also listed as 254B North Main Street.

RESULT:

CLOSED

At this time, Mayor Pro Tem Messick opened the public hearing. There were no one present to speak. The public hearing was closed.

4. Public Hearing regarding Conditional Use Permit application, 22-CU-019, for health equipment rental by House of Strongwill LLC / JVO, property owner, and Tereca Bivens, applicant, for property at 127 Jonesboro Road (Parcel No. 13240B E001) Jonesboro, Georgia 30236.

RESULT:

CLOSED

At this time, Mayor Pro Tem Messick opened the public hearing. There were no one present to speak. The public hearing was closed.

5. Public Hearing regarding Variance application, 22-VAR-009, for maximum building size and parking requirements by Staffins Properties LLC, property owner, and Charles Staffins, applicant, for property at 135 North Main Street (Parcel No. 13241B A008) Jonesboro, Georgia 30236.

RESULT:

CLOSED

At this time, Mayor Pro Tem Messick opened the public hearing. There were no one present to speak. The public hearing was closed.

6. Public Hearing regarding Variance application, 22-VAR-010, for minimum dwelling size by the City of Jonesboro, property owner, and Southern Crescent Habitat for Humanity, applicant, for properties at 214 and 216 King Street (Parcel Nos. 12016A D012 and 12016A D011) Jonesboro, Georgia 30236.

RESULT:

CLOSED

At this time, Mayor Pro Tem Messick opened the public hearing. There were no one present to speak. The public hearing was closed.

7. Public Hearing regarding Zoning Appeal, 22-ZA-004, for commercial equipment rental with screened outdoor storage, by LaMontagne Properties LLC, property owner, and Scott Smith/33 Holdings LLC, applicant, for properties at 8859 Tara Boulevard (Parcel Nos. 05239 241007, 05239 241006, and 05239 241003), Jonesboro, Georgia 30236.

RESULT:

CLOSED

At this time, Mayor Pro Tem Messick opened the public hearing. There were no one present to speak. The public hearing was closed.

8. Public Hearing regarding the adoption of the FY' 23 Budget.

RESULT:

CLOSED

At this time, Mayor Pro Tem Messick opened the public hearing. There were no one present to speak. The public hearing was closed.

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

Ms. Cynthia Logan came forward to inquire about the non-profit organization - Nourishing Hands' ability to be able to use the city's community room for no cost and perhaps entering a partnership.

IX. FINANCIAL STATEMENTS - NINA ROBINSON, DIRECTOR OF FINANCE

1. Council to consider and approve unaudited Financial Statements for the 10 month period ended October 31, 2022

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

Nina Robinson came forward she apologized for the typo. The agenda item is approval of unaudited Financial Statements for 10 month period ended September 30, 2022.

X. MINUTES

1. Consideration of the Minutes of the December 5, 2022 Work Session.

Approval of December 5, 2022, Work Session Minutes were tabled.

Mayor Pro Tem Messick requested to have Mayor Day's name removed from the minutes

Councilwoman Sartor requested clarification regarding the discussion of the following items:

- Acknowledgement of all Federal Holidays
- Acknowledgement of employees that may have a religious exemption
- Discussion regarding the rental fee waiver

RESULT:	TABLED [UNANIMOUS]
MOVER:	Donya Sartor, Councilmember
SECONDER:	Pat Sebo-Hand, Councilmember
AYES:	Sebo-Hand, Lester, Messick, Powell, Sartor

XI. CONSENT AGENDA

1. Discussion regarding a budget amendment for the appropriation of five (5) additional Avigilon security cameras.

XII. OLD BUSINESS

1. Council to consider map amendment, 22-MA-004, Ord. 2022-020, to the Official Zoning Map for rezoning of 10.63 acres of multiple parcels along the County portion of Douglass Trail, from Clayton

County's UV (Urban Village) to Jonesboro's M-X (Mixed Use) and to annex said acreage in the corporate city limits of Jonesboro.

RESULT:	TABLED [UNANIMOUS]	Next: 1/9/2023 12:00 AM
MOVER:	Tracey Messick, Mayor Pro Tem	
SECONDER:	Bobby Lester, Councilmember	
AYES:	Sebo-Hand, Lester, Messick, Powell, Sartor	

At this time, the council circled back to agenda item request to amend the official zoning map for rezoning of 10.63 acres of multiple parcels along the County portion of Douglass Trail, from Clayton County's Urban Village to Jonesboro's Mixed Use and to annex said acreage in the corporate city limits of Jonesboro. Staff reviewed forms received from the residents of Old Ivy Place Town homes. It was confirmed that some individuals signed a consent (voting in favor of) and the same individuals signed a I do not consent (vote against). Residents have the ability to withdraw their consent within 3 days after the public hearing. City Manager Clark recommended that the City Council do not take action on this agenda item tonight. City Manager Clark requested additional time to review information and to seek legal council. City Manager Clark reiterated that this annexation was not initiated by the City of Jonesboro.

Attorney Matricardi stated that based on information in front of her, council do not have the authority to proceed. The city is not required to hold another public hearing.

Attorney Jesse Van Sant came forward to answer any questions.

This item was tabled to allow City Manager Clark additional time to review.

2. Council to consider Conditional Use Permit application, 22-CU-017, for condominiums by CBD Investments LLC, property owner, and McKinley Homes LLC, applicant, for property on Douglass Trail (Parcel No. 12015A A062), Jonesboro, Georgia 30236.

RESULT:	TABLED [UNANIMOUS]	Next: 1/9/2023 12:00 AM
MOVER:	Tracey Messick, Mayor Pro Tem	
SECONDER:	Bobby Lester, Councilmember	
AYES:	Sebo-Hand, Lester, Messick, Powell, Sartor	

This item was tabled to allow additional review by City Manager Clark.

3. Council to consider Conditional Use Permit application, 22-CU-018, for an event center by The Rochester Holding Company of Georgia LLC, property owner and applicant, for property at 254B West Mimosa Drive (Parcel No. 13240B E005) Jonesboro, Georgia 30236. Property owner address is also listed as 254B North Main Street.

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

The Table of Uses requires a conditional use permit for this particular kind of use in C2 zoning, with the following current conditions. (Note: these conditions have changed in the past two years.)

Sec. 86-532. NA/CS 531120 - Lessors of Nonresidential Building (except Mini-warehouses), including Event Centers (Excluding funerals and wakes)

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

In terms of parking, Section 86-410 (28) most closely applies:

(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.

The applicant has stated that 1200 square feet of the inside will be used for events, with moveable chairs. $1200 / 25 = 48$, plus $1200 / 150 (8)$ equals 56 total required. However, this is a maximum parking number. The applicant has said that his typical baby shower events bring in 25 to 30 people.

29 spaces are shown on the site plan provided, some in the existing area in front of the building and some new parking shown along the side of the property abutting West Mimosa Drive. The applicant has stated that all of these parking spaces are on his property. The driveway at Mimosa Drive (west side) is a shared driveway for Swint's delivery trucks and the entrance to the subject property. There is an access easement that serves the subject property (see enclosed deed and plat). Nevertheless, if the use is approved, the City will need to make sure that the new parking spaces comply with the City code, and the applicant will need to coordinate events with the delivery trucks of Swint's Feed and Seed.

(2) Any alcohol service and consumption on the premises must conform to Chapter 6 standards, Alcoholic Beverages.

The applicant has indicated that food alcohol will be on the premises, served by a supervisor. However, there has been a church in the shopping center in front of the subject property for several years, and the approximate straight line measurement from the door of the proposed event center to the rear of the church is 185 feet.

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

The event center would be located in the only building (standalone) on the property, owned entirely by the applicant.

(4) A minimum 50-foot-wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.

The building and paving are pre-existing, and the back of the building (away from parking) is closest to the residential property. The front half of the building where the events will be hosted is 50 feet from the property line abutting the residential property. The other back corner is approximately 47 feet away from the property line, but again, the events will be inside and the entrance to the events is facing away from the property line.

Should the Mayor and Council approve the use, the following minimum conditions should apply:

- 1. No parking within the right-of-way or on the shoulder of West Mimosa Drive or North Main Street shall occur.**
- 2. No parking in the 50-foot buffer behind the building shall occur.**
- 3. New parking spaces shall comply with City codes.**
- 4. Sprinkler system requirement shall be clarified by the County Fire Marshal's office.**
- 5. Approval of the use does not connote approval of any future alcohol service, which is a separate approval conforming to the standards of Chapter 6, Alcoholic Beverages.**

Per the applicant, events will occur only on weekends, not weekdays. Swints do not have deliveries on weekends.

4. Council to consider Conditional Use Permit application, 22-CU-019, for health equipment rental by House of Strongwill LLC / JVO, property owner, and Tereca Bivens, applicant, for property at 127 Jonesboro Road (Parcel No. 13240B E001) Jonesboro, Georgia 30236.

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

Sec. 86-549. NAICS 532283 - Home Health Equipment Rental

The following conditions are assigned in the O&I and C-1 districts:

(1) *Must be located on a street having a classification of collector or greater. Jonesboro Road is a collector road.*

(2) *No outdoor display or storage of merchandise or materials shall be permitted. Anything equipment stored for pending delivery will always be inside.*

This business should have limited daily activity, and the landlord can determine where best any equipment can be stored inside.

- **Approval conditions above already stipulate no outdoor storage.**

- **This should have minimal impact on parking and other activity at the property. One parking space needed, during hours when there will not be events going on.**

5. Council to consider Variance application, 22-VAR-009, for maximum building size and parking requirements by Staffins Properties LLC, property owner, and Charles Staffins, applicant, for property at 135 North Main Street (Parcel No. 13241B A008) Jonesboro, Georgia 30236.

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

Based on the analysis above, one definite variance for maximum building size is necessary, and likely one for minimum parking requirements is necessary.

In terms of building size, the H-1 development standards require a minimum two-story building height for new buildings. Despite the fact that the most directly adjacent buildings on North Main Street are one-story, the buildings on "lawyer's row" a little further south are two-story. This building can serve as a nice two-story "anchor" for the end of the downtown district. The proposed building is a full two-story building and not a split level; thus, with the proposed size of the first level, the total square footage of the new building will need to be 4390 square feet enclosed, 25% more than the 3500 square foot maximum allowed in the H-1 development standards.

In terms of parking, around 95 total spaces appear to be needed, at peak capacity. Obviously, these cannot be achieved on the 0.20-acre parcel. Per Section 86-414, some relief from this may be provided "within public parking facilities provided such facilities are located within 500 feet of the non-residential use."

Pet the enclosed Parking drawing, there is potentially available public parking across the street from the subject property, 16 angled parking spaces that the depot museum also uses. In addition, there is public

parking owned by the City of Jonesboro along West Mill Street that is potentially available. Total parking in this area is approximately 145 spaces, but these would also be used by the Nouveau restaurant. This parking area is between 300 to 450 feet (straight line measurement) from the subject property, and patrons of the restaurant at 135 North Main could use the sidewalks along West Mill Street and Main Street.

Staff believes that the proposed use is a good viable use for the downtown, and more restaurant variety is definitely a must.

Should the Mayor and Council approve the use, the following minimum conditions should apply:

1. Any parking or driving area on the subject property shall be paved.
2. The exterior design is subject to Design Review Commission and Historic Preservation Commission review and approval.
3. Dumpsters shall be placed to the rear of buildings and shall be screened from public view by fencing or walls utilizing traditional materials.
4. Off-street parking areas, not located in a parking deck, and screened from public view by a wall by fencing, or by vegetation comprised of a minimum eight-foot-high landscape buffer of trees and shrubbery or a minimum four-foot-high continuous hedge.
5. All applicable Clayton County stormwater regulations shall apply.
 - For clarification, this is not a City-owned restaurant building like Nouveau.
 - While the exterior will remain brick, some minor design elements could occur during review by the Design Review Commission and Historic Preservation Commission.
6. Council to consider Variance application, 22-VAR-010, for minimum dwelling size by the City of Jonesboro, property owner, and Southern Crescent Habitat for Humanity, applicant, for properties at 214 and 216 King Street (Parcel Nos. 12016A D012 and 12016A D011) Jonesboro, Georgia 30236.

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

Per the applicant, the heated sq ft for the Maple (216 King Street) is 1593 and the heated sq ft for the Aspen (214 King Street) is 1365. Therefore, variances for minimum dwelling sizes are required.

Despite the need for variances, the Aspen would still be as large as the two largest houses on King Street, and significantly larger than the average house size on the street - 1077 square feet. These houses can serve as a catalyst for quality infill on the rest of King Street and other areas in the City.

The exterior design and materials of the proposed houses will need to be further reviewed and approved by the City after the variance hearing. Vinyl siding will not be allowed in the Historic District.

Should the Mayor and Council approve the use, the following minimum conditions should apply:

1. The exterior design is subject to Design Review Commission and Historic Preservation Commission review and approval, since the properties lie within the Historic Residential Overlay.
2. No parking is allowed on the street.
7. Council to consider Zoning Appeal, 22-ZA-004, for commercial equipment rental with screened outdoor storage, by LaMontagne Properties LLC, property owner, and Scott Smith/33 Holdings LLC, applicant, for properties at 8859 Tara Boulevard (Parcel Nos. 05239 241007, 05239 241006, and 05239 241003),

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

Mr. Scott Smith came forward to make his request.

Request was approved with conditions:

- Developer must submit a landscape plan for approval
- Developer must install a certain caliber of trees
- Developer must add sidewalks

8. Council to consider approval of the FY' 2023 Employee Holiday Calendar.

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

9. Council to consider the adoption of the Fiscal Year 2023 City of Jonesboro Budget.

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

10. Discussion regarding facility use policy.

The City Council discussed the following:

- 80% reduction for Non-profit rental of the Community Room
Non-profits must have proof of 501c3 status and must submit certificate of insurance
- Setting days and times for the community room to be available at the reduced rate for non-profits
Tuesdays and Wednesday
- Non-profits will pay \$50.00 per hour plus a deposit. Setup and cleanup will be the responsibility of applicant.

Attorney Matricardi stated that she and the City Manager Clark will create standards and policies regarding charitable donations to ensure compliance.

XIII. NEW BUSINESS

There were no new business.

XIV. REPORT OF MAYOR / CITY MANAGER

City Manager Clark gave updates on upcoming events and staff vacancies.
Thanked the council for adopting the budget and supporting employees with a 2% increase.
Thanked the council for approving the vesting period from 10 years to 7 years.
Thanked the council for an amazing year.

XV. REPORT OF CITY COUNCILMEMBERS

Mayor Pro Tem Messick - Wished everyone a Merry Christmas. She also encouraged everyone to get involved with giving back to those who are less fortunate. Appreciative to end the year with this council.

Councilwoman Sebo-Hand - Wished everyone a Merry Christmas and Happy New Year.

Councilman Powell - Wished everyone a Merry Christmas and to be safe.

Councilman Lester - Wished everyone a Merry Christmas and Happy Holidays.

Councilwomen Sartor - Thanked staff for their hard work. Also, thankful for her colleagues. Thankful to see residents in the audience.

City Manager Clark acknowledged DeVante Jennings and thanked him for assisting staff with moving items last week.

City Manager acknowledged Clayton County Commissioner Davis.

XVI. OTHER BUSINESS

1. Executive Session for the purpose of discussing the conveyance of real estate.

2. Motion to enter into Eecutive Session at 8:14 p.m.

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

3. Motion to reconvene Regular Session at 8:57 P.M.

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

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

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

The City Council is requesting Conveyance of the following properties to the Jonesboro Downtown Development Authority: 204 & 206 Fayetteville Road, 160, 156 & 158 Smith Street, 101 Burnette St. & 0 Brunette St. Comprising of 2.4 +- acres for the

purpose of redevelopment. In addition, City Council is requesting conveyance of 124 North Ave to the Jonesboro Downtown Development Authority for the purpose of renting. And to grant the City Manager authority to work with legal to accomplish all request.

XVII. ADJOURNMENT

1. Motion to adjourn at 9:00 P.M.

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

JOY B. DAY – MAYOR

RICKY L. CLARK, JR. – CITY MANAGER