



Where Community Connects

COUNCIL MEETING

ACTION MINUTES

MONDAY, JUNE 13, 2022 6:00 P.M.

Mayor & City Council

Mayor Anthony S. Ford
Mayor Pro Tem Alphonso Thomas
Councilman Elton Alexander
Councilwoman Yolanda Barber
Councilman John Blount
Councilwoman LaKeisha Gantt

Administration

Frederick Gardiner, City Manager
Vanessa Holiday, City Clerk
John Wiggins, City Treasurer
Quinton Washington, City Attorney
Jeremy T. Berry, City Attorney

Mission: To provide visionary leadership and superior municipal services that enhance the quality of life for citizens while creating a welcoming business atmosphere focused on sustainability and expansion of tourism and cultural events.

- I. **Call to Order – Mayor Ford**
- II. **Invocation – Mayor Pro Tem Thomas**
- III. **Pledge of Allegiance – Recited by all in attendance**
- IV. **Roll Call – All members present**
- V. **Motion to amend the Agenda: to remove Agenda Item #10 and Removed Agenda Items 14-23 Thomas/Alexander Passed 5-0.**
- VI. **Motion to adopt the Agenda: Blount/Barber Passed 5-0.**
- VII. **APPROVAL OF THE MINUTES: Alexander/Barber Passed 5-0.**
 - 1 **Draft** Retreat Minutes March 8, 2022
 - 2 Draft Retreat Minutes March 9, 2022
 - 3 **Draft** Retreat Minutes March 10, 2022
 - 4 Draft Council Meeting Minutes April 11, 2022
 - 5 Draft SCM Minutes April 25, 2022
 - 6 **Draft** Work Session Minutes April 26, 2022

PUBLIC COMMENTS - All persons wishing to speak for public comment must sign in with the City Clerk prior to the beginning of the meeting noting your name, address, and phone number. You will be allotted three (3) minutes. Speakers must respect all members of the elected body, officials, and staff. Defamation, unruliness and/or swearing will not be tolerated. **None**

CEREMONIAL - Proclamations presented by Mayor Ford

7. Proclamations for Juneteenth Celebration and Caribbean Heritage Month

PUBLIC HEARING

8. COMPREHENSIVE PLAN AMENDMENT CASE #CP-2022-01 -- The City of Stockbridge Mayor and City Council will hear a Comprehensive Plan Amendment Request by Remi Rose Development, LLC, the Applicant, represented by Battle Law, P.C., the Agent, to change the future land use designation of certain property from 'Low-Density Vertical Mixed-Use' to 'High-Density Residential' to allow for a mixed-use development. The property contains two parcels, as are listed below, with 68.87 +/- total acres within the Stockbridge City Limits. The City of Stockbridge Planning Commission recommends approval.

#012-01003000 – The smaller parcel. Contains 3.131 +/- acres and comprises the property at 1036 Highway 138 West, across from Spivey Road. Located in Land Lot 55 of District 12.

- Parcel #012-01002000 – The larger parcel. Contains 65.743 +/- acres. Situated adjacent to the western side of the smaller parcel, with frontage on Highway 138 West, across from Tributary Parkway. Located in Land Lot 42 of District 12.

Presented by: Ryan Anderson, Chief Planner

Mr. Anderson presented the Comprehensive Plan Amendment as referenced.

Councilwoman Gantt asked for the date of the last adoption of the City's Future Land Use Map and Comprehensive Plan; Response from Mr. Anderson, 2018.

Councilman Alexander noted Henry County, Clayton County and the City of Stockbridge were working collectively to develop a CID (Community Improvement District) along the Hwy. 138 corridor in an effort to maintain the right-of-way and beautification efforts as part of the Keep America Beautiful program; noted this was the first cohesive effort involving all (3) entities on this type of initiative; noted the idea is to improve the area, noting this is the same program that keeps areas such as the Galleria, Cumberland, and the Battery Atlanta pristine; referenced a Henry County Study noting young people fail to return to the county/city due to a lack of amenities and life style choices they are looking for, and this development is an opportunity to change that with work, life, balance; noted the area needs quality retail and grocers; noted most of the members in the audience are Clayton County residents; stated no member of the Stockbridge City Council will approve cheap, poor quality apartments.

Councilman Blount asked for the percentage or quantity of apartments in the development.

Mr. Anderson responded there are 360 apartments proposed.

Councilman Blount noted the majority of the development would be apartments for rent and would be more than 75% of the development, and he supports a development with more ownership.

Councilman Alexander noted renters are already in everyone's neighborhoods, noting investors have purchased hundreds of homes in each and every community and those homes are now being occupied by renters; referenced a developer approved by the city to build a subdivision, built 4-5 homes and sold the remaining lots to an investor who built the homes and did not sell the homes, but instead, rents the homes, reiterating renters are already in every one's neighborhood.

Attorney Battle presented the proposed development and spoke on behalf of the Applicant, Remi Rose Development, and noted the 69-acre tract will be a high-quality, mixed-use development, not a low-end property; noted the Townhome Component will be fee-simple ownership asked the Council to approve the project.

Attorney Battle noted millennials are more fluid with their employment needs to be able to move in/out with flexibility; noted the prices for the apartments would be \$1300 for a one-bedroom unit, \$2000 for a two-bedroom unit, and \$2200 for a three-bedroom unit with a buildout projected around May 2023; and noted the homes would have sale price starting at \$350,000, and would agree to a rental cap.

Attorney Battle noted there needs to be a diversity of housing in the community where it is currently lacking; noted a great many of us started out as renters, which is a step toward ownership; where the property would have one property owner, one management company who could address any/all issues.

Attorney Battle noted this high-end development would draw high-end restaurants and not the typical fast-food restaurant; noting for the high-end restaurants to come to any area, they require rooftops; and noted the commercial area will be 48,000 sq. feet and this would be a quality development.

Mayor Ford expressed his support for the development.

Mayor Pro Tem Thomas thanked Ms. Battle for her presentation and thanked everyone for coming out, noting he grew up in the Stockbridge community and can recall when the area surrounding the proposed development had nothing but peach orchards, and could certainly recall to the progress and growth that has come to the Stockbridge community and surrounding area; noted the community needs to understand the role of the local government and providing growth opportunities and services for the city with quality developments and making sure the governing acts in the best interest of the city of Stockbridge; noting you cannot stop growth, but you can control what does come in and make sure there is good housing stock within the community for everyone, and as a member of the elected body, there are times when there are going to be difficult decisions to be made.

Councilman Blount thanked Ms. Battle for the presentation noting he is a true believer in smart growth and making decisions on behalf of those who put him in office, noting that just because you have the right to do something, does not mean that it is the right thing to do; and asked if a traffic study had been done for the proposed development.

Attorney Battle noted a traffic study was not a requirement for the proposed development; and further noted the 69 acres already has an approved commercial land use designation for the standard old school 2-story apartments, and that this development will provide interior corridors, and will be a high-quality development; noting people choose to buy a home, and some people choose to rent; and noted that when you look at Stockbridge, this type of development is not available in the city's housing stock; and noted home ownership is a heavy burden that some may choose to expend their funds on their business or elsewhere; and note the location is ideal just west of the interstate.

Councilwoman Gantt asked if all the proposed units were in the city limits or were any of the units in Clayton County from this development.

Attorney Battle noted all the proposed units are in the City of Stockbridge jurisdiction.

Councilwoman Gantt noted renting vs ownership is not a concern for her, but more so as a parent; noting legally, schools can't be considered by Georgia law; noted she received data from the principal of Red Oak Elementary where the students of this development would attend, and noted that data currently shows classroom size for Red Oak Elementary to be 25-30 kids per classroom, and 10% or 36 of the units would consist of three-bedroom units would bring in an additional estimated 180 children, and that is a major concern; noted that while the property is currently zoned for low density apartments, she does not believe it would be financially smart for a developer to build apartments there; noted she is interested in quality and would not vote on the development as it is right now; noted the mixed-use development and the city can't determine what types of businesses would go into the mixed-used store fronts; agreed with Councilman Alexander that investors are buying homes in neighborhoods, however, those investors are maintaining the lawns of those rental homes; reiterated that she met with Dr. Akbar at Red Oak Elementary school where they are already busting at the seams and that is a major concern and would vote no.

Councilwoman Barber asked about the Rental Cap Option of 5-10 %; and wanted clarification from the attorneys regarding the legal aspect of denial.

Attorney Battle noted the townhome component is intended for owner occupancy.

City Manager, Frederick Gardiner noted under Georgia Law, you cannot consider schools or roads.

Councilwoman Barber asked if the applicant would consider reducing the number of units in the development.

Attorney Battle noted she would need to confer with her client, noting the applicant received a recommendation of approval from the city's staff and planning commission; and noted if the number of units decreased, the cost per unit would increase.

Councilwoman Gantt noted for clarification that her vote of no is not because of the schools and is because low density is what has been approved.

Councilman Alexander noted there is currently a similar 306 apartment development under construction at the Bridges at Jodeco, along with a big-box retailer because you must have rooftops to attract quality grocers, quality retail and quality restaurants: and asked Ms. Carter, the Director of Community Development to explain why staff and the planning commission made the recommendation to approve.

Ms. Carter noted staff looked areas close to the interchange, high-density character of the area, noted there is not much residential in the proposed location, and bring in the facts based on a professional review of the product, noting there are not units of this type anywhere close to the interchange or in the city of Stockbridge, with the exception of the development underway at the Bridges of Jodeco.

The applicant, Kyle Brock, noted they have developed properties all over the country and they were attracted to Stockbridge noting the property being adjacent to the interstate; noted similar characteristics to a development in Covington, GA; confirmed 10' multi-use paths; and noted the outdoor amenities people like, having learned that as a result of the pandemic with people wanting to get outside and a huge component; and noted high-end development in West Midtown - Atlanta.

Councilman Alexander noted the development would attract quality grocers and noted the CVS at the corner has a non-compete agreement whereas there cannot be a grocer with a pharmacy component.

Councilman Blount

Mayor Pro Tem Thomas asked that citizens speak to what they would like to see in the area, noting the land is currently vacant.

Mayor for opened the Public Hearing.

Speakers in Favor

- Robert Russell – 1028 Hwy 138 Liquor Store, Stockbridge, GA
- Vicki Simmons – Eagle Ridge Subdivision

Encouraged development to increase revenue so the city could maintain roads; noted the site is currently being used as an unsightly dump site; and the revenue would help maintain the roads; and this type of development would encourage young adults to return/stay in the area and promote economic development.

Speakers Opposed

- Janet Burney – Pembroke Terrace
- Mr. & Mrs. Roberts 2803 Club House Way, Lake Spivey
- Name – Unintelligible
- Henry Pettway
- Melissa (Unintelligible) 358 Emerald Trace
- Maria Epps – Lake Spivey
- Name – Unintelligible
- Randy Hill – Lake Spivey

- Susan (Unintelligible) Glen Devon Rd.
- Shirley Rose – Glen Devon Rd.
- Dave Murphy – 2877 Spivey Cove Ct. - Lake Spivey
- Angela (Unintelligible) 719 Stoney Ridge Place – Spivey Glen
- Troy Finley – Clayton County
- Mickey Ford – Spivey Glen
- Sandy Wayne 843 Marina Bay Court – Lake Spivey
- Camille (Unintelligible) Claire Drive
- (Unintelligible) McCullough – Lake Spivey

Understands growth, but there are concerns with abandoned projects in the area, apartments being built on Mt. Zion Rd., and referenced apartments behind Kroger, noted additional public safety personnel and equipment would be required, traffic and accident concerns, too much coming at one time, I-75, Hwy. 138 heavily congested, no control over the mixed-use businesses, noise concerns, dangerous intersection, litter, crime associated with renters, concern with infrastructure to support the development, HOA not mentioned, increased cars and modulars for additional students, growth ordinance.

Mayor Ford closed the Public Hearing.

Councilwoman Barber noted as the newest member of the Council, she is still in the learning process and noted you cannot just deny a development, noting there are legal aspects, and suggested decreasing the number of units.

Attorney Battle noted the applicant would agree to the following (3) conditions:

1. Reduce the number of units from 360 to 315
2. Reduce the number of three-bedroom units to 5%
3. Restrict the commercial/mixed-use to exclude nails salons, barber shops and vape shops.

Councilman Alexander noted the Comp Plan must be voted on first.

Mr. Gardiner noted the Council must take legislative action.

Attorney Washington noted the Council needed to first vote on the Comp Plan. As this is a 2-step process.

Motion to approve: Alexander – No Second. Motion Failed.

9. REZONING CASE #RZ-2022-01 -- The City of Stockbridge Planning Commission and the City of Stockbridge Mayor and City Council will hear a Rezoning Request by Remi Rose Development, LLC, the Applicant, represented by Battle Law, P.C., the Agent, to rezone certain property from the C-1 (Neighborhood Commercial), C-2 (General Commercial), and PMU (Parkway Mixed-Use Overlay) districts to the PUD (Planned Unit Development) and PMU (Parkway Mixed-Use Overlay) districts to allow for a mixed-use development. The property contains two parcels, as are listed below, with 68.87 +/- total acres within the Stockbridge City Limits.

- Parcel #012-01003000 – The smaller parcel. Currently zoned ‘C-1’ and ‘PMU’. Contains 3.131 +/- acres and comprises the property at 1036 Highway 138 West, across from Spivey Road. Located in Land Lot 55 of District 12.
- Parcel #012-01002000 – The larger parcel. Currently zoned ‘C-2’ and ‘PMU’. Contains 65.743 +/- acres. Situated adjacent to the western side of the smaller parcel, with frontage on Highway 138 West, across from Tributary Parkway. Located in Land Lot 42 of District 12.

Presented by: Ryan Anderson, Chief Planner

Motion to approve: Alexander – No Second. Motion Failed.

OLD BUSINESS

10. Cultural Arts Center Funding Recommendation

Presented by: Frederick Gardiner, City Manager

Item removed from the Agenda

NEW BUSINESS

11. Council Consideration to approve updated and revised policies in sections of the employee manual.

Presented by: Renee Wheeler, Human Resources Manager

Motion to approve: Blount/Gantt Passed 3-1-1 (Thomas Opposed, Barber Abstained)

12. Council Consideration to fill a vacancy and appoint a member to the Youth Council Advisory Committee to fill an expired term.

Presented by: Quinton Washington, City Attorney

Item to be heard following Executive Session

13. Council Consideration to approve a Youth Council Partnership with CaJo’s FamFest and Radio One to host a Gospel Concert on October 15, 2022, utilizing the Stockbridge Amphitheater.

Presented by: Ericka Harvey, Canton Jones

Motion to approve with \$10,000.00 with the contingency of approval of the policy and contract by the City Council: Blount/Gantt Passed 3-0-2 (Barber/Thomas Abstained).

Mayor Ford tasked the City Manager with submitting the policy/contract to the City Council on June 14, 2022, for review.

14. Council consideration to amend Stockbridge Code of Ordinances, Chapter 9.16, Pawnshops and Secondhand Dealers.

Presented by: Chief Frank Trammer

Item removed from the Agenda

15. Council Consideration to amend Stockbridge Code of Ordinances, Chapter 11.04, Section 11.04.010 - Disorderly Conduct.

Presented by: Chief Frank Trammer

Item removed from the Agenda

16. Council Consideration to amend Stockbridge Code of Ordinances Chapter 11.04.100 General Offenses Weapons Discharge Prohibited.

Presented by: Chief Frank Trammer

Item removed from the Agenda

17. Council Consideration to amend Stockbridge Code of Ordinances - Chapter 11.04 General Offenses - Section 11.04.140- General Offenses - Defecating or urinating on public property or in certain areas.

Presented by: Chief Frank Trammer

Item removed from the Agenda

18. Council Consideration to add a new ordinance under Stockbridge Code of Ordinances, Chapter 11.04, Section 11.04.150 Monetary Solicitation.

Presented by: Chief Frank Trammer

Item removed from the Agenda

19. Council Consideration to add a new ordinance under Stockbridge Code of Ordinances, Chapter 11.04, Section 11.04.160 False representation to police or any city department.

Presented by: Chief Frank Trammer

Item removed from the Agenda

20. Council Consideration to amend Stockbridge Code of Ordinances, Chapter 11.04, Section 11.06, Section 11.06.010- Administration of state offenses in municipal courts to add clarifying language and to remove duplicate phrasing.

Presented by: Chief Frank Trammer

Item removed from the Agenda

21. Council Consideration to add a new ordinance under the Stockbridge Code of Ordinances, Chapter 11.20, Section 11.20.030 Loitering for Illegal Sexual Purposes.

Presented by: Chief Frank Trammer

Item removed from the Agenda

22. Council Consideration to add new ordinance under Stockbridge Code of Ordinances, Chapter 11.24, Section 11.24.030 Urban Camping.

Presented by: Chief Frank Trammer

Item removed from the Agenda

23. Council Consideration amend the Stockbridge Code of Ordinances, Chapter 11.26, Section 11.26.040- Noise Nuisances- Specific prohibitions.

Presented by: Chief Frank Trammer

Item removed from the Agenda

24. Council consideration to approve the award of RFP No. 2021-0011 to Diversified Contract for the renovation of 114 Martin Luther King, Sr. Heritage Trail in the amount of \$368,113.40. Funding Source: 353-15650-541336

Presented by: Alan Peterson, Economic Development Director

Revisit following Executive Session

COMMENTS FROM THE MAYOR

Mayor Ford noted we are still dealing with COVID with testing taking place at Red Hawk Field on Henry Parkway, and the Department of Health administering the Moderna and Pfizer from 9am – 11:30 am and 1:00pm – 2:30 pm – contact number is 470-661-0005; noted the July 4th celebration will feature fireworks and a concert featuring Confucius; and referenced the upcoming Juneteenth celebration from 4-7pm on June 19th; and gave a special shout to Stockbridge High School baseball alum Michael Harris doing great things for the Atlanta Braves.

UPCOMING MEETINGS & ANNOUNCEMENTS: Meetings will be held via Zoom unless otherwise noted. Meeting dates and times are subject to change. Please visit the city's website www.cityofstockbridge.com for the meeting invitation link, Facebook page or contact City Hall offices at 770-389-7900 for updates.

- Downtown Development Authority Meeting, 6:00 p.m. Via Zoom - 3rd Tuesday of each month Via Zoom (Jun 21)
- Youth Council Advisory Committee Meeting, 6:30 p.m. - 3rd Tuesday of each month Patrick Henry Meeting Room - City Hall Jun 21)
- Planning Commission Meeting, 4th Thursday at 6:30 p.m. Via Zoom – (Jun 23)
- City Council Work Session Meeting, REVISED DATE – **WEDNESDAY** (Jun 29) at 6:00 p.m.
- Main Street Advisory Board Meeting, 2nd Friday of each month 9:00 a.m. Via Zoom (Jul 8)
- City Council Meeting, Second Monday of each month – Via Zoom (July 11)
- Youth Council Meeting, 5:30 p.m. - 2nd Wednesday of each month Levi Meeting Room - City Hall (Jul 13)

UPCOMING CITY EVENTS/INITIATIVES

- *A Continuous Salute to Veterans:* Please forward pictures of Veterans including name, branch, rank, and years of service as Mayor Pro Tem Thomas presents a special tribute to our local veterans. Pictures should be submitted to: rrawls@cityofstockbridge-ga.gov Thank you for your service!
- Please join Councilwoman Barber for FREE Zumba on every Saturday morning at Clark Community Park at 8:00 a.m. Come out for fitness in the park!
- Join us for Tasty Tuesday Food Truck Takeover at Clark Park Tuesday, June 14th, June 28th, July 12th, July 26th, August 2nd, August 9th, August 23rd and August 30th, each day from 5:30 – 8:30 p.m. Come out and enjoy great food and family fun!
- Here is your opportunity to *Meet the Mayor*, and voice your questions and/or concerns Wednesday, June 29, 2022, from 10 a.m. to noon (In-Person). Call Rosalyn Rawls to schedule an appointment. 770-389-7900 ext. 248.
- Join Mayor Pro Tem Thomas for a Sip 'n See Tour of the City's Amphitheater,

Tuesday, June 21st from 4pm – 7pm. Here is an opportunity for the community to see seating layout, get information on upcoming events, enjoy live music and refreshments.

Motion to convene Executive Session for Real Estate, Personnel and Potential Litigation: Gantt/Blount Passed 4-0-1 (Barber Abstained).

Motion to adjourn Executive Session: Gantt/Blount Passed 5-0.

Motion to reconvene the meeting: Gantt/Blount Passed 5-0.

Motion to appoint Tonya Williams to the Youth Council Advisory Committee to fill an unexpired term through December 31, 2022. Gantt/Blount Passed 5-0.

Motion to adjourn: Blount/Gantt Passed 5-0.