



COUNCIL MEETING ACTION MINUTES

MONDAY, JANUARY 9, 2023 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 – Forest Park Councilmember Daboure Antoine**
- III. **Pledge of Allegiance – Recited by all in attendance**
- IV. **Roll Call – All members were present except Councilman Alexander**
- V. **Motion to amend and adopt the Agenda moving Item#21 to be heard following Ceremonial, and Postpone Item #14, 15, 16 and 17 to be heard February 13th: Thomas/Gantt Passed 4-0**
- VI. **REVIEW OF THE MINUTES – Motion to approve: Barber/Thomas Passed 4-0.**
 1. Adoption of the Minutes for the Council Meeting November 14, 2022
 2. Adoption of the Minutes for the Work Session Meeting November 29, 2022

Councilman Alexander joined the meeting.

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

3. Appointment and Swearing-In of Municipal Court Judge
Motion to appoint Matthew McCord – Municipal Court Judge Blount/Gantt Passed 5-0. Followed by Swearing-in by Mayor Ford.

4. Appointment and Swearing-In of Municipal Court Solicitor
Motion to appoint Julie Kert – Municipal Court Solicitor Gantt/Thomas Passed 5-0.
Followed by Swearing-in by Mayor Ford.
5. Appointment of Mayor Pro Tem
Motion to Nominate Yolanda Barber to serve as Mayor Pro Tem:
Thomas/Alexander Passed 3-0-2 (Blount/Gantt Abstained)
6. Appointment of City Attorney
Motion to appoint Bell Washington as the City Attorney:
Thomas/Alexander Passed 5-0
7. Swearing in of Planning Commission Members
Swearing-in of Kathleen Nelson - Term Expires 12/31/2024
Harold Thibodeaux – Term Expires 12/31/2026
8. Swearing-In of Advisory Committee Members
Bonita Adams – Term Expires 12/31/2024
Joc'Quelyn Carter – Term Expires 12/31/2024
Ericka Harvey – Term Expires 12/31/2024
Ayesha Watson – Term Expires 12/31/2024
Tonya Williams – Term Expires 12/31/2024
9. Swearing-In of Main Street Advisory Board Members
Andrea Burnett – Term Expires 12/31/2024
Camille Reynoso Mason – Term Expires 12/31/2023
10. Proclamation – Martin Luther King, Jr. National Holiday
11. Proclamation – National Law Enforcement Appreciation Day
Review of the proclamations read by Mayor Ford prior to the meeting.

PUBLIC HEARING

12. ANNEXATION CASE #AX-2022-01 -- The City of Stockbridge Planning Commission and the City of Stockbridge Mayor and City Council will hear an Annexation Request by S3 Capital Investments, LLC, the Applicant, represented by Battle Law, P.C., the Agent, to annex a parcel, as described below, into the Stockbridge City Limits from unincorporated Henry County in order to allow the parcel to be combined with an adjacent parcel for an age-restricted residential development.
Parcel #071-01034012 – Subject property is in unincorporated Henry County, with frontage on Highway 42 North, across from Summit View Drive. Currently zoned 'MU' (Mixed-Use), with a land use designation of 'MIX' (Mixed-Use). Contains 20.00 +/- acres. Located in Land Lot 31 of District 7.
Planning staff recommended approval of this request, with twenty-four (24) conditions. On August 25, 2022, the Planning Commission recommended APPROVAL of this request. The City Council postponed the vote on this item until the January 9, 2023, meeting, to await the decision of the Henry County Board of

Commissioners, who offered an objection to the annexation. However, at the November 14, 2022, Henry County Board of Commissioners, Henry County rescinded their objection, which allows the City Council to render a final decision on the annexation and accompanying zoning requests for this proposed project. Presented by: Ryan Anderson

Mr. Anderson presented the proposed Annexation case noting staff and the Planning Commission recommend approval with 24 conditions.

Ms. Michele Battle, attorney for the applicant, noted the development will consist of 100-units, and will be age-restricted 55+ and adjacent to the traumatic brain injury facility; noted the intent is to allow for independent seniors and individuals with traumatic brain injuries to transition back into everyday life, and is much needed housing for seniors in the community and will include two pools and cabanas, and great amenities to include walking trails and two separate clubhouse facilities; and noted the timing is great with Henry County issuing a moratorium on multi-family townhomes and duplex housing.

Councilman Alexander reiterated the importance of an age-restricted 55+ development for the community and referenced the conditions Henry County placed on the development if it were developed in the county.

Attorney Battle noted there were 19 conditions in the City's staff report that are consistent with the Henry County recommendation for 100 units, and will be multi-family fee simple units, and reserve that ability for the declarant to rent, as an affordability component.

Councilman Alexander noted there would be a walkable path along Hwy. 42 with beautification.

Councilman Blount asked if short-term rentals would be allowed.

Attorney Battle noted there will be flexibility for rentals, but not the AirBNB's; and noted the selling price point would be between \$250,000 and \$300,000.

Public Hearing Opened
No Speakers in Favor
No Speakers Opposed
Public Hearing Closed

Motion to approve AX-2022-01 with conditions as recommended by staff:
Alexander/Gantt Passed 5-0.

13. COMPREHENSIVE PLAN AMENDMENT CASE #CP-2022-02 -- Consideration of a Comprehensive Plan Amendment Request by S3 Capital Investments, LLC, the Applicant, represented by Battle Law, P.C., the Agent, to change the future land use designations of certain parcels, as are described below, from 'Light Industrial' and 'Mixed-Use' to 'High-Density Residential' to allow for an age-restricted residential development.

Parcel #071-01034014—Located within the Stockbridge City Limits, with frontage on Highway 42 North and situated at the end of Technology Parkway. Applicant proposes to change the current land use designation from 'Light Industrial' to 'High-Density Residential'. Contains 22.01 +/- acres. Located in Land Lot 31 of District 7.

Parcel #071-01034012 – Subject property is in unincorporated Henry County, with frontage on Highway 42 North, across from Summit View Drive. Applicant proposes to change the current County land use designation of 'Mixed-Use' to the city land use designation of 'High-Density Residential' after the parcel is annexed into the Stockbridge City Limits. Contains 20.00 +/- acres. Located in Land Lot 31 of District 7.

Planning Staff recommended approval of this request. On August 25, 2022, the Planning Commission recommended APPROVAL of this request. This item was delayed in connection with the associated Annexation case.

Presented by: Ryan Anderson

Mr. Anderson presented the proposed Comprehensive Plan Amendment associated with AX-2022-01 noting staff and the Planning Commission recommend approval.

Councilman Alexander noted it is the city's intent to protect the residential areas around the development and asked Mr. Anderson what business would be allowed without approval of this amendment.

Mr. Anderson noted warehouses, trucks stop, and auto repair shops would be allowed without the amendment.

Councilman Alexander asked if there will be research and coordination with GDOT (Georgia Department of Transportation) to determine if a traffic light is feasible.

Attorney Battle noted the applicant is prepared to complete a traffic study and discuss the installation of the traffic light if required by GDOT.

Mr. Anderson noted a recombination of plats would be required and would be processed administratively.

Public Hearing Opened
No Speakers in Favor
No Speakers Opposed
Public Hearing Closed

Motion to approve the Comprehensive Plan Amendment CP-2022-02:
Alexander/Barber Passed 5-0.

14. REZONING CASE #RZ-2022-02 -- Consideration of a Rezoning Request by S3 Capital Investments, LLC, the Applicant, represented by Battle Law, P.C., the Agent, to rezone certain property from 'OI' (Office-Institutional) and 'LI' (Light Industrial) in the Stockbridge City Limits and 'MU' (Mixed-Use) in unincorporated Henry County to 'PUD' (Planned Unit Development) to allow for an age-restricted residential development. The property contains two parcels, as are listed below, with 42.01 +/- total acres.

Parcel #071-01034014—Located within the Stockbridge City Limits, with frontage on Highway 42 North and situated at the end of Technology Parkway. Currently zoned 'OI' (Office-Institutional) and 'LI' (Light Industrial). Property also lies within the Parkway Mixed-Use Overlay District. Contains 22.01 +/- acres. Located in Land Lot 31 of District 7.

Parcel #071-01034012 – Subject property is in unincorporated Henry County, with frontage on Highway 42 North, across from Summit View Drive. Currently zoned 'MU' (Mixed-Use). Contains 20.00 +/- acres. Located in Land Lot 31 of District 7.

Planning staff recommended approval of this request. On August 25, 2022, the Planning Commission recommended APPROVAL of this request. The City Council postponed the vote on this item until the January 9, 2023, meeting, to await the decision of the Henry County Board of Commissioners, who offered an objection to the annexation. However, at the November 14, 2022, Henry County Board of Commissioners, Henry County rescinded their objection, which allows the City Council to render a final decision on the annexation and accompanying zoning requests for this proposed project. This item was delayed in connection with the associated Annexation request. Presented by: Ryan Anderson

Mr. Anderson presented the proposed Rezoning Case No. RZ-2022-02 associated with AX-2022-01 noting staff and the Planning Commission recommend approval with 19 conditions.

Ms. Carter, Community Development Director, noted the conditions associated with the Rezoning are categorized, noting the Annexation has been approved tonight along with the Comprehensive Plan Amendment, and the Recombination of Plats must be completed to begin the development process; noted there are 19 conditions that are specific to the development when the rezoning was approved by the county several years ago; noted staff did remove conditions, noting the project remains true to the conditions by the county and the city agrees with; noted staff recommends approval.

Councilman Alexander noted the development will enhance the area and provide some traffic relief, noting the road widening project along Hwy. 42 that is a few years out (2027-2028).

Ms. Carter noted the traffic study is a requirement included in the conditions.

Attorney Battle noted the conditions were addressed as part of the zoning.

Ms. Carter noted the name change for the development to: Trauma Brain Facility and is no longer referred to as a Memory Care Facility and noted the new limit for units is 100 and not 60.

Attorney Battle noted there were conditions that she wanted to make sure they were addressed and noted would be three entry points, and that otherwise, the developer could not build 100 units; noting the third entry point is needed; referenced the amenities which will include two pavilions, two cabanas, walking trail and two separate clubhouses in two separate locations with a n indoor and outdoor pool.

Councilman Alexander asked Ms. Carter if staff was agreeable to the requested conditions made by Attorney Battle.

Ms. Carter noted this was the first time she has heard the request to reduce the number of pavilions and was okay with the reduction.

Councilman Blount asked for the size of the pavilions.

Attorney Battle noted they would be no less that 1200 sq. feet.

Councilman Blount asked about security for the facility.

Attorney Battle noted the development is not intended to be gated, noting a great majority of the residents will be independent seniors in an age-restricted facility.

Councilman Alexander referenced the Winding Creek development with public streets.

Attorney Battle reiterated there must be three points of entry for this development.

Councilman Alexander asked if gates are required for multi-family developments.

Ms. Carter noted it is not a requirement and would be determined by the applicant, noting when gated, the homeowner's association takes over the cost of maintaining the roads.

Councilman Alexander motioned to approve Rezoning No. RZ-2022-02 with conditions and asked Council to support a gate as a matter of safety; seconded by Mayor Pro Tem Barber. The motion was withdrawn following discussion.

Ms. Carter noted the conditions include a traffic study and noted if gated, the street would be private.

Councilman Blount noted his community is used as a cut-through, which is the highest amount of traffic in the neighborhood and to gate the community and maintain the roads would be setting a precedent.

Ms. Carter noted she prefers not to have a condition to gate the development.

Attorney Battle noted she understands the safety concern.

Ms. Carter noted the traffic study will take 6-8 weeks to complete.

Councilman Blount asked that the motion on the floor be read, noting the traffic study has no impact on whether a gate is installed.

Councilwoman Gantt agreed.

Attorney Battle noted the applicant opposes a gate, noting the residents are senior residents and a gate would slow down emergency response time and the costs associated with the maintenance of the roads would be assessed to the residents.

Councilman Alexander asked that staff work with GDOT to determine if a gate is needed.

Councilman Blount noted the gate is irrelevant as it pertains to the traffic study and should not be included in any motion.

Councilwoman Gantt agreed, noting if the traffic study includes a gate, the development is on hold.

Councilman Thomas expressed his concerns for the senior residents and the costs associated with maintenance of the roads.

Ms. Carter noted staff will add security cameras as a condition.

Attorney Battle noted the applicant agrees with adding security cameras as a condition.

Public Hearing Opened

No Speakers in Favor

No Speakers Opposed

Public Hearing Closed

Motion to approve RZ-2022-02 with 19 conditions as recommended by staff and modified to add security cameras as a condition: Alexander/Gantt Passed 5-0.

15. CITY OF STOCKBRIDGE – ADOPTION OF THE OFFICIAL ZONING

MAP- #OZM-2022-01. To consider Staff amendments to the Official Zoning Map, in accordance with the Resolution and Referendum annexation method, voted upon during the November 8, 2022, election. There are approximately 1640+/- new parcels to be added to Stockbridge City boundaries, as indicated within House Bill 612, including but not limited to 23 subdivision communities, and parcels primarily consisting of 1507+/- single-family residential, 105 combined commercial and industrial, etc.

This item was advertised as being presented to the City Council on January 9, 2023. However, because the Planning Commission has been postponed, this item will be presented to the City Council at the February 13, 2023, meeting.

NO ACTION

16. CITY OF STOCKBRIDGE – ADOPTION OF THE OVERLAY DISTRICT

MAP #ODM-2022-01. To consider Staff amendments to the Overlay District Map, in accordance with the Resolution and Referendum annexation method, voted upon during the November 8, 2022, election. There are approximately 1640+/- new parcels to be added to Stockbridge City boundaries, as indicated within House Bill 612, including but not limited to 23 subdivision communities, and parcels primarily consisting of 1507+/- single-family residential, 105 combined commercial and industrial, etc.

This item was advertised as being presented to the City Council on January 9, 2023. However, because the Planning Commission has been postponed, this item will be presented to the City Council at the February 13, 2023, meeting.

NO ACTION

17. CITY OF STOCKBRIDGE – ADOPTION OF THE FUTURE LAND USE

MAP #FLUM-2022-01 To consider Staff amendments to the Future Land Use Map, in accordance with the Resolution and Referendum annexation method, voted upon during the November 8, 2022, election. There are approximately 1640+/- new parcels to be added to Stockbridge City boundaries, as indicated within House Bill 612, including but not limited to 23 subdivision communities, and parcels primarily consisting of 1507+/- single-family residential, 105 combined commercial and industrial, etc.

This item was advertised as being presented to the City Council on January 9, 2023. However, because the Planning Commission has been postponed, this item will be presented to the City Council at the February 13, 2023, meeting.

NO ACTION

18. CITY OF STOCKBRIDGE – UNIFIED DEVELOPMENT CODE -- TEXT

AMENDMENT TX-2022-01 To allow the use of “Computer and data processing services” within the C-3 Heavy Commercial District as a permitted use and update other applicable references to this use throughout the Unified Development Code. This item was advertised as being presented to the City Council on January 9, 2023. However, because the Planning Commission has been postponed, this item will be presented to the City Council at the February 13, 2023, meeting.

NO ACTION

NEW BUSINESS

19. Council consideration to approve Yellowstone Landscape to perform the Campground Road and Hudson Bridge Road Median Enhancement Project in the amount of \$70,158.96. Funding source from Fund Balance.

Presented by: Decius Aaron

Motion to Table: Gantt/Barber Passed 4-0. (Blount was not present for the vote).

20. Council consideration to approve the annual contract (RFP 2020-0026) with Site Engineering, Inc. for on-call water & sewer emergency & operational repair/maintenance and construction services in the amount of \$300,000.00 as approved in the FY2023 Stormwater budget. The funding source is from the Stormwater budget account number 510-42500-542515 (Stormwater Repair).

Presented by: Decius Aaron

Motion to approve: Gantt/Alexander Passed 3-0-1 (Barber Abstained) (Blount was not present for the vote).

21. Council consideration to approve the award of Request for Proposal (RFP) Number 2022-0017, Wastewater Treatment Plant Pole Barn to Diversified Construction of Georgia, Inc., in the amount of \$1,271,650.00. Funding source is from Water and Sewer department fund balance account 505-43300-541462 (WWTP Facility Improvements).

Presented by: Decius Aaron

Motion to approve: Gantt/Barber Passed 4-0 (Blount was not present for the vote).

22. Council consideration to ratify the Resolution to extend a consultant contract to Harold Young effective January 1, 2023.

Presented by: Quinton Washington, City Attorney

Item was heard following Ceremonial on the Agenda

Motion to approve a Resolution to enter into a contract agreement:

Thomas/Gantt Passed 4-0-1 Barber Abstained)

Motion to approve the contract between the City of Stockbridge and Harold

Young for consulting services: Thomas/Gantt Passed 4-0-1 (Barber Abstained)

23. Council Consideration to appoint members to the Youth Council Advisory Committee.

Presented by: Quinton Washington, City Attorney

Motion to Table: Thomas/Barber Passed 4-0 (Blount was not present for the vote).

ANNOUNCEMENTS OF UPCOMING MEETINGS & EVENTS

UPCOMING MEETINGS & ANNOUNCEMENTS: Council meetings will be held in the City Council Chamber. Meeting dates, locations 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.

- City Council Meeting - 2nd Monday of each month – City Hall Council Chamber (Jan 9)
- Youth Council Meeting - 6:30 p.m. - 2nd Monday of each month City Hall Levi Meeting Room - City Hall (Jan 9)
- Downtown Development Authority Meeting- 6:00 p.m. Via Zoom - *Special Day* (Jan 10) - Tuesday Via Zoom
- Citywide Development Authority Meeting - 6:00 p.m. City Hall Levi Meeting Room 2nd Tuesday of each month (Jan 10)
- Main Street Advisory Board Meeting 2nd Friday of each month at 9:00 a.m. City Hall Levi Meeting Room (Jan 13)
- Youth Council Advisory Committee Meeting, 6:30 p.m. - 3rd Tuesday of each month Levi Meeting Room - City Hall (Jan 17)
- Planning Commission Meeting - 4th Thursday at 6:30 p.m. City Hall Council Chamber – (Jan 26)
- City Council Work Session Meeting - Tuesday at 6:00 p.m. – City Hall Council Chamber (Jan 31)

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: Rosalynd Rawls at rrawls@cityofstockbridge-ga.gov Thank you for your service!
- Please join Councilman Alexander for the Annual Martin Luther King, Jr. Service Project on Saturday, January 14th at Hudson Bridge Rd. @ I-75 (Parking at Walmart) from 10am - 12pm.
- Please join Councilman Blount for Bingo Bash on Wednesday, January 18th at the Merle Manders Conference Center from 10am - noon.
Here is your opportunity to *Meet the Mayor* and talk with Mayor Ford on Tuesday, January 24th from 10am to noon. Please contact Rosalynd Rawls to schedule an appointment at 678-833-3348 or via email at rrawls@cityofstockbridge-ga.gov

MAYOR'S COMMENTS (Mayor Anthony Ford)

Mayor Ford noted we are still in a pandemic and encouraged everyone to get COVID vaccinations, boosters and flu shots; wished everyone a Happy New Year; welcomed the new residents to the city who were annexed via the Senate Bill 612 Referendum and noted the New Resident Guide that they should have received and is available online and in city hall; noted there will now be (5) five council districts as a result of the approved referendum, and looks forward to providing great service throughout the city; and wished the Georgia Bulldogs a victory.

EXECUTIVE SESSION (Exemptions to the Georgia Open Meetings Acts)

ADJOURNMENT

Motion to adjourn: Thomas/Gantt Passed 4-0 (Blount was not present for the vote).

