



## Mayor and City Council Regular Session

Wednesday, November 06, 2024 at 6:30 PM

City Hall, 875 Main Street, Stone Mountain, Georgia 30083

### Minutes

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**Mayor and Council: Dr. Beverly Jones – Mayor | Post 3 :Mayor Pro Tem Ryan Smith**

**Post 1: Council Member Anita Bass | Post 2: Council Member Mark Marianos**

**Post 4: Council Member Gil Freeman | Post 5: Council Member Shawnette Bryant**

**Post 6: Council Member Teresa Crowe**

**Staff: Shawn Edmondson - City Manager - City Clerk | Danny Mai - Assistant City Clerk | Jeff Strickland - City Attorney**

**City of Stone Mountain, GA Facebook page: <https://www.facebook.com/CityofStoneMtn/>**

**Link to join Webinar: [\[LINK\]](#)**

### **Public Hearing**

Mayor Jones started the public hearing at 06:35 PM ET

Discussion and review of Staff Recommendations for Variance at 844 Sheppard Way (Parcel ID: 18 073 01 135) to allow for the construction of a wooden fence within the stream buffers, with the condition that the fence be at least 50% open to allow for water flow.(City Planner Edwards) Pages 5-29

### **Public Hearing – Variance Request**

City Planner Edwards addressed the council, requesting that the two public hearings be combined for discussion.

### **Applicant's Presentation:**

The applicant spoke about the request, explaining the rationale for seeking the variance. The applicant emphasized the desire to store equipment in the yard, hidden behind a fence for privacy and security.

Council Member Bryant raised concerns about establishing a potential precedent with this item. City Planner Edwards responded, noting that some homes in the area already have fences of similar height.

**Council's Questions:**

The council questioned the applicant further, asking for additional reasoning and clarification on why this variance should be considered acceptable.

**In Favor:**

Elizabeth Richmond spoke in favor of the request, citing a previous approval by the Historic Preservation Commission (HPC) for another 6-foot fence in the historic area. She emphasized the fairness of this approach in maintaining consistency.

**In Opposition:**

There were no individuals speaking in opposition to the request.

Discussion and review of Staff Recommendations for Variance Denial at 844 Sheppard Way (Parcel ID: 18 073 01 135) to deny the request for a fence in the front yard to exceed 4 feet in height, as recommended by staff and the Planning Commission. (City Planner Edwards) Pages 30-53 Combined with the initial, first public hearing.

Discussion and review of Staff Recommendations for Variance Denial at 6204 East Ponce de Leon Ave (Parcel ID: 18 125 03 014) to deny the request for a curb cut exceeding 24 feet in width, as recommended by staff and the Planning Commission. (City Planner Edwards)

**Variance Request – Application Withdrawal**

City Planner Edwards spoke on this matter, informing the council that the applicant is withdrawing the application for the variance. Edwards noted that the applicant has decided to proceed with repairing the property as it currently stands, without seeking any changes.

**Applicant:**

There was no presentation from the applicant.

**In Favor:**

There were no individuals speaking in favor of the request.

**In Opposition:**

There were no individuals speaking in opposition to the request.

## **Code of Ordinances Update**

City Planner Edwards spoke to the council, informing them that staff is working to update the Code of Ordinances to align with practices from other cities. Edwards highlighted the various redlining and edits being proposed by staff to improve the city's code.

### **In Favor:**

There were no individuals speaking in favor of the updates at this time.

### **In Opposition:**

**Larry Charles** addressed the proposed definitions in the updates, specifically discussing buildings being used as storage rather than storefronts. He also raised concerns about the ongoing rodent problem in the city. Charles emphasized that in order to have a greater impact, future meetings should be shorter than six hours.

**Ms. Thomas** spoke about the issues with external paint and the increasing blight in the city. She urged the council to consider renters as primary residents and stressed the importance of having a written record of an ordinance to address these concerns.

**Troy Richmond** expressed frustration with the council's treatment of citizens, stating that council members need to show better respect for the public. He called attention to what he considered a lack of respect shown to citizens during meetings.

## Adjournment

Public Meeting Adjourned at 07:22 PM ET

Motion made by Council Member: Post 4 Freeman, Seconded by Council Member: Post 5 Bryant.

Voting Yea: Council Member: Post 1 Bass, Council Member: Post 2 Marianos, Mayor Pro Tem: Post 3 Smith, Council Member: Post 4 Freeman, Council Member: Post 5 Bryant, Council Member: Post 6 Crowe

## **Call to Order**

Mayor Jones called the meeting to order.

## **Determination of Quorum**

PRESENT

Council Member: Post 1 Anita Bass

Council Member: Post 2 Mark Marianos

Mayor Pro Tem: Post 3 Ryan Smith

Council Member: Post 4 Gil Freeman

Council Member: Post 5 Shawnette Bryant

Council Member: Post 6 Teresa Crowe

Mayor Beverly Jones

### **Invocation and Pledge**

Mayor Jones led the Pledge at 07:23 PM ET. Rev Parker led the Invocation at 07:24 PM ET.

### **Citizen Comments – Including comments from public/stakeholders (3 minutes per comment)**

#### *Comments from the Public*

*The public comments are reserved exclusively for comments from the public and not for immediate reply. The purpose of public comment is to allow the public to voice city related requests, concerns or opinions only during the public comment portion of the City Council meeting. I. The Mayor and City Council reserves the right to extend or limit the length of public comments based on: (1) the issue under discussion; (2) the number of items on the agenda; and (3) the extent to which the speaker remains constructive in their comments and questions. II. The public may not directly confront the public speaker but must direct all comments and questions to the Mayor and City Council. III. Public harassment of or confrontation with a public speaker will not be tolerated. Members of the public violating tenets two or three will be asked to sit down or leave the premises.*

#### **Citizen Comment #1 – Joan Monroe:**

Joan Monroe spoke about requesting to meet with the City Manager. Monroe noted that upon arrival, the City Manager complained about his role throughout the meeting. Monroe raised concerns that Chief Westerfield denied safety-related requests from 50 citizens and that all requests from the Police Department were rejected. Monroe further stated that the City Manager's report is a waste of taxpayer funds

**Citizen Comment #2 – Susan Taylor:** Susan Taylor spoke about the success of the Dia de los Muertos event, noting the massive turnout and increased foot traffic that occurred.

#### **Citizen Comment #3 – Elizabeth Richmond:**

Elizabeth Richmond reminded the council that investigations brought forward should be prioritized rather than forgotten. Richmond highlighted the need to investigate the Mayor's credit card usage and unemployment claims. Richmond also raised concerns about religious favoritism during the invocation at council meetings.

#### **Citizen Comment #4 – Ms. Thomas:**

Ms. Thomas noted that the 2023 Audit, as reported by the Community of Public Affairs, showed the city failed the audit. Thomas emphasized the need to investigate the rusted gym. Thomas also expressed concern that council meeting minutes are not always available online, requesting that they be made

more consistently accessible. Thomas mentioned that while documents are provided to the media, citizens often do not receive them. She also alleged that the Assistant City Clerk is not in compliance with state law regarding required training. Thomas noted the importance of the 2023 audit, and requested that they be presented as soon as possible.

**Citizen Comment #5 – Troy Richmond:**

Troy Richmond, an arborist, emphasized the importance of keeping receipts and invoices, noting that losing receipts creates a direct conflict of interest. Richmond argued that it would be unethical not to reject reimbursements in such cases. Richmond also stated that the Mayor should step down due to unethical actions.

**Citizen Comment #6 – Cheryl Dudley:**

Cheryl Dudley stressed the importance of helping the German Restaurant reopen, citing the many people it brought to the city. Dudley reflected that the restaurant would have lasted 50 years if it were still open today. She also mentioned the variety of vendors at the event and noted the success of the mental health event.

**Review of the Journal (Assistant City Clerk Mai)**

1. Request Minutes from City Council Meeting [10.15.2024] be approved

Assistant City Clerk Mai requested that the minutes be approved.

Council Member Marianos motioned to approve the minutes.

Council Member Bass seconded the motion.

Council Member Crowe interjected and motioned to postpone the approval of the minutes until the next council session on November 19, 2024.

**MOTION**

Motion made by Council Member: Post 6 Crowe, seconded by Council Member: Post 2 Marianos.

Voting Yea: Council Member: Post 1 Bass, Council Member: Post 2 Marianos, Mayor Pro Tem: Post 3 Smith, Council Member: Post 4 Freeman, Council Member: Post 5 Bryant, Council Member: Post 6 Crowe.

**Reading of Communications**

## **Adoption of The Agenda of The Day**

City Manager Edmondson noted that staff is requesting various amendments to the agenda, as outlined below:

### **Amendments:**

New Business Item #1 moved to precede Old Business.

Add Item #11 to Old Business: Discussion and signing of IGA.

Removal of Item #6 from New Business.

Item #8 moved to Item #1 in New Business.

### **MOTION TO APPROVE THE REQUESTED AGENDA AMENDMENTS**

Motion made by Council Member: Post 1 Bass, seconded by Council Member: Post 2 Marianos.

**Voting Yea:** Council Member: Post 1 Bass, Council Member: Post 2 Marianos, Mayor Pro Tem: Post 3 Smith, Council Member: Post 4 Freeman, Council Member: Post 5 Bryant, Council Member: Post 6 Crowe.

### **City Manager's Report**

2. City Manager - Shawn Edmondson

The City Manager's report is included in the Agenda Package.

#### **Mayor Jones' Remarks:**

Mayor Jones addressed the council, noting that the bathrooms in the city facilities were not ADA accessible. She requested that the Parks and Recreation Chair come forward to speak on behalf of the Parks and Recreation Department. Mayor Jones also highlighted concerns about safety, mentioning that wires were hanging from the ceiling and that the floors were not completed.

### **Council Policy Discussion Topics**

#### **Unfinished Business**

3. 2ND READING: Discussion and review of Staff Recommendations for Variance at 844 Sheppard Way (Parcel ID: 18 073 01 135) to allow for the construction of a wooden fence within the stream buffers, with the condition that the fence be at least 50% open to allow for water flow. (City Planner Edwards) Page 72-96

### **Variance Request – Approval with Conditions**

City Planner Edwards noted that there were no further comments from the public hearing. Edwards recommended approval of the variance, subject to the following conditions:

#### **MOTION TO APPROVE THE VARIANCE CONTINGENT ON STAFF CONDITIONS**

Motion made by Council Member: Post 6 Crowe, seconded by Council Member: Post 1 Bass.

**Voting Yea:** Council Member: Post 1 Bass, Council Member: Post 2 Marianos, Mayor Pro Tem: Post 3 Smith, Council Member: Post 4 Freeman, Council Member: Post 6 Crowe.

**Voting Nay:** Council Member: Post 5 Bryant.

4. 2ND READING: Discussion and review of Staff Recommendations for Variance Denial at 844 Sheppard Way (Parcel ID: 18 073 01 135) to deny the request for a fence in the front yard to exceed 4 feet in height, as recommended by staff and the Planning Commission. (City Planner Edwards) Pages 97-120

### **Variance Request – Denial with Conditions**

City Planner Edwards noted that there were no further comments from the public hearing. Edwards indicated that staff recommends denial of the variance request. Should council seek to approve, staff would recommend approval with the following conditions:

#### **MOTION FOR APPROVAL WITH STAFF CONSIDERATIONS BUT FOR A 6-FEET FENCE RATHER THAN A 4-FEET FENCE**

Motion made by Council Member: Post 2 Marianos, seconded by Council Member: Post 1 Bass.

**Voting Yea:** Council Member: Post 1 Bass, Council Member: Post 2 Marianos, Council Member: Post 4 Freeman, Council Member: Post 6 Crowe.

**Voting Nay:** Mayor Pro Tem: Post 3 Smith, Council Member: Post 5 Bryant

5. 2ND READING: Discussion and review of Staff Recommendations for Variance Denial at 6204 East Ponce de Leon Ave (Parcel ID: 18 125 03 014) to deny the request for a curb cut exceeding 24 feet in width, as recommended by staff and the Planning Commission. (City Planner Edwards) Pages 121-129

### **Variance Request – Withdrawal**

City Planner Edwards noted that this item has been withdrawn based on staff recommendations.

## **MOTION TO ACCEPT THE WITHDRAWAL**

Motion made by Council Member: Post 1 Bass, seconded by Council Member: Post 6 Crowe.

**Voting Yea:** Council Member: Post 1 Bass, Council Member: Post 2 Marianos, Mayor Pro Tem: Post 3 Smith, Council Member: Post 4 Freeman, Council Member: Post 5 Bryant, Council Member: Post 6 Crowe.

6. Discussion regarding DDA (CM Freeman)

Tabled to special called joint meeting.

7. Discussion on SPLOST I AND SPLOST II (Mayor Jones)

Discussion occurred on the matter; however, no action was taken.

## **New Business**

### **New Item #10: Discussion Regarding Cat's Cradle Media Production Company**

A discussion occurred regarding the Cat's Cradle media production company.

### **MOTION TO APPROVE THE CAST PRODUCTION ON THE 7TH AND 8TH OF NOVEMBER**

Motion made by Council Member: Post 2 Marianos, seconded by Council Member: Post 5 Bryant.

**Voting Yea:** Council Member: Post 1 Bass, Council Member: Post 2 Marianos, Mayor Pro Tem: Post 3 Smith, Council Member: Post 4 Freeman, Council Member: Post 5 Bryant, Council Member: Post 6 Crowe.

### **New Item #11: Approval and Signing of the IGA for Capital Outlay Projects in Avondale Estates, Lithonia, Pine Lake, and Stone Mountain**

#### **MOTION TO APPROVE AND SIGN THE IGA**

Motion made by Council Member: Post 1 Bass, seconded by Council Member: Post 2 Marianos.

**Voting Yea:** Council Member: Post 1 Bass, Council Member: Post 2 Marianos, Mayor Pro Tem: Post 3 Smith, Council Member: Post 4 Freeman, Council Member: Post 5 Bryant, Council Member: Post 6 Crowe

#### **Executive Session item vote:**

Motion made by Mayor Pro Tem: Post 3 Smith, seconded by Council Member: Post 2 Marianos.

**Voting Yea:** Council Member: Post 1 Bass, Council Member: Post 2 Marianos, Mayor Pro Tem: Post 3 Smith, Council Member: Post 6 Crowe

**Voting Nay:** Council Member: Post 4 Freeman, Council Member: Post 5 Bryant



8. Discussion with Forensic Audit Firm: Forensic Brothers Investigative Services (FBIS) regarding Council's requested Scope of Work and Engagement with FBIS, along with a presentation overview. (City Manager Edmondson)

City Manager Edmondson introduced the team to the Council.

Tony Smith spoke on behalf of the firm, and Vic Hartman presented a slide to the Council, which is included in the agenda package. Hartman noted that the agreement would include an amendment allowing unfettered access to all records. Additionally, the firm requested the inclusion of a statute of limitations, with a clearly defined scope of work, covering past years. Hartman explained the process and answered questions from Council. He emphasized that the length of the process would be contingent on the scope of the work involved.

9. Discussion on spending of the City Credit Card by Council and Staff (Mayor Jones)

No Action Taken

10. Review and Discussion regarding the contractual renewal regarding the City Attorney role for the upcoming Fiscal Year (City Manager Edmondson) Pages 130-132

City Attorney Strickland spoke on the updated fee schedule, noting a \$15 increase across all services provided by the City Attorney's Office.

Mayor Jones inquired whether a commission would be allowed to contact the City Attorney directly. City Attorney Strickland clarified that all contact should be funneled through the City Manager's Office.

The renewal date for the updated fee schedule is set for January 1, 2025

11. Review and Discussion regarding the contractual renewal regarding the Finance Director role for the upcoming Fiscal Year (City Manager Edmondson)

No Action Taken.

12. Discussion of the hiring process for city staff (Mayor Jones)

No Action Taken.

13. Discussion on the Status of City Cell phones in association with Staff and Council Members (Mayor Jones)

Removal of Item #6 from New Business.

14. Discussion on personnel representation with the Media (Mayor Jones)

No Action Taken.

15. Discussion on adding the City Attorney to be listed on the monthly work session agenda (Mayor Jones)

City Attorney Strickland noted that it may be beneficial for the work session agenda, to add a City Attorney report.

16. Discussion on Parks and Recreation (Mayor Jones)

No Action Taken.

### **New Ordinances and Resolutions**

17. 1ST READING: Ordinance 2024-08 to amend Chapter 5, Article 6, Division 12 – Community Redevelopment Tax Incentive Program of the City of Stone Mountain Code of Ordinances. (City Planner Edwards) Pages 133-141

MOTION TO APPROVE THE FIRST READING AS PRESENTED, WITH THE EDITS AS PRESENTED BY STAFF

Motion made by Council Member: Post 6 Crowe, Seconded by Council Member: Post 1 Bass.

Voting Yea: Council Member: Post 1 Bass, Council Member: Post 2 Marianos, Mayor Pro

Tem: Post 3 Smith, Council Member: Post 6 Crowe

Voting Nay: Council Member: Post 4 Freeman, Council Member: Post 5 Bryant

18. Budget amendment resolution to allocate remaining funds in ARPA, prior to deadline of 12.31.2024 (City Manager Edmondson)

MOTION TO APPROVE THE REMAINING ARPA FUNDS AS STATED:

Motion made by Council Member: Post 2 Marianos, Seconded by Council Member: Post 1 Bass.

Voting Yea: Council Member: Post 1 Bass, Council Member: Post 2 Marianos, Mayor Pro

Tem: Post 3 Smith

Voting Nay: Council Member: Post 4 Freeman, Council Member: Post 5 Bryant

19. Resolution 2024-09 regarding the creation of two new roles within City Administration (City Manager Edmondson) Page 142

MOTION TO APPROVE THE RESOLUTION AS IS

Motion made by Council Member: Post 2 Marianos, Seconded by Council Member: Post 1 Bass.

Voting Yea: Council Member: Post 1 Bass, Council Member: Post 2 Marianos, Mayor Pro

Tem: Post 3 Smith

Voting Nay: Council Member: Post 4 Freeman, Council Member: Post 5 Bryant, Council Member: Post 6 Crowe, Mayor Jones

MOTION FAILED

MOTION TO APPROVE AS AMENDED TO REMOVE THE RECORDS MANAGEMENT SPECIALIST

Motion made by Council Member: Post 6 Crowe, Seconded by Council Member: Post 2 Marianos.

Voting Yea: Council Member: Post 1 Bass, Council Member: Post 2 Marianos, Mayor Pro

Tem: Post 3 Smith, Council Member: Post 6 Crowe

Voting Nay: Council Member: Post 4 Freeman, Council Member: Post 5 Bryant

Voting Abstaining: Mayor Jones

### **Remarks of Privilege**

### **Announcements by The Mayor**

### **Executive Session to Discuss Personnel, Legal, Cyber Security and/or Real Estate (if needed)**

#### 20. Executive Discussion regarding Cyber Security & Personnel (Mayor Jones)

Motion made by Council Member: Post 2 Marianos, Seconded by Council Member: Post 1 Bass.

Voting Yea: Council Member: Post 1 Bass, Council Member: Post 2 Marianos, Mayor Pro

Tem: Post 3 Smith, Council Member: Post 4 Freeman, Council Member: Post 5 Bryant,

Council Member: Post 6 Crowe

### **Adjournment**