

CITY OF SOUTH FULTON, GEORGIA
VIRTUAL - REGULAR COUNCIL MEETING
Tuesday, October 26, 2021, 4:00 PM



REGULAR MEETING MINUTES

I. Meeting Called to Order

Minutes:

The meeting was called to order by Mayor William Edwards at 4:00 PM.

The meeting is being conducted under special emergency circumstances due to the COVID19 (also known as the Coronavirus) pandemic. City Council members and staff are participating via conference call (Zoom). The meeting is being simulcast in realtime via the City's YouTube channel.

Attendee Name	Title	Status	Arrived
William "Bill" Edwards	Mayor	Present	
Catherine F. Rowell	District 1 Councilmember	Present	
Carmalitha Gumbs	District 2 Councilmember	Present	4:10 PM
Helen Z. Willis	District 3 Councilmember	Present	
Naeema Gilyard	District 4 Councilmember	Present	
Corey A. Reeves	District 5 Councilmember	Present	
khalid kamau	District 6 Councilmember	Present	4:02 PM
Mark Baker	District 7 Councilmember	Present	4:11 PM

Following the roll call by the City Clerk, a quorum was established.

II. Invocation

Minutes:

The invocation was rendered by Pastor Warren Henry, Chaplain.

III. Pledge of Allegiance

Minutes:

The pledge of allegiance was recited in unison.

IV. Adoption of Council Agenda

Motion (Approve as Amended): Councilmember Willis

Second: Councilmember Rowell

[Motion Approved]

Yea: 4 Gilyard, Reeves, Rowell, Willis

Nay: 0

Abstain: 0

Not Voting: 3 Baker, Gumbs, khalid

Minutes:

A motion was made to approve the Council Agenda with a request by Mayor Edwards to remove items 10 (3-17), 18, 19 from the Consent Agenda and item 31 from the Regular Agenda and have them heard at the next Regular Meeting.

The motion with amendments was approved 4-0. Councilmember khalid, Baker and Gumbs did not vote.

V. Approval of City Council Meeting Minutes

Motion (Approve): Councilmember Rowell

Second: Councilmember Reeves

[Motion Approved]

Yea: 4 Gilyard, Reeves, Rowell, Willis

Nay: 0

Abstain: 0

Not Voting: 3 Baker, Gumbs, khalid

Minutes:

A motion was made to approve the following City Council Meeting Minutes:

Regular Meeting from September 28, 2021

Work Session Meeting from October 12, 2021

The motion was approved 4-0-3. Councilmembers Baker, khalid and Gumbs did not vote.

1. Request Council Approval of City Council Regular Meeting Minutes from September 28, 2021 (City Clerk)
2. Request Council Approval of City Council Work Session Minutes from October 12, 2021 (City Clerk)

VI. Public Comments

Minutes:

There were 3 people who submitted public comments as follows:

- 1. Kathy Lichelle Smith, District 1: (Concern expressed regarding the Old National Police Precinct. Request upgrade and remodeling.)**
 - 2. Alvin Reynolds, District 7: (Request denial of zoning cases Z21-009 and use permit case U21-003.)**
 - 3. Michael Venable, District 6 (Request denial of zoning cases Z21-009 and use permit case U21-003.)**
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VII. Public Hearing(s)

- 3. Public Hearing regarding a Request for Alcohol License Revocation: re MRB Inc, dba 50 Yard Line (Police)**

Motion (Approve w/ Conditions): Councilmember khalid

Second: Councilmember Baker

[Motion Not Carried]

Yea: 0

Nay: 0

Abstain: 0

Not Voting: 0

Minutes:

Public Hearing held.

Zenobia Waters, attorney and Harriet Bryant, owner were present for 50 Yard Line Bar ad Grille.

Six comments were received.

- 1. Julia Davis, Non-Resident, works at bar and opposes revocation of license.**
- 2. Nirah Gouch, Non-resident, patron of bar and opposes revocation of license.**
- 3. Brandon Brown, Non-resident, patron of bar and opposes revocation of license.**
- 4. Deshawndra Tolden, Non-resident, patron of bar and opposes revocation of license.**
- 5. Julia Anderson, Non-resident, patron of bar and opposes revocation of license.**
- 6. Tee, District 3: works at bar and opposes revocation of license.**

A motion was made to approve a provisional Alcohol License for 50 Yard Line Bar and Grille located at 7490 Old National Hwy., Riverdale, GA 30296 until such time as the Police investigation is complete and a Court has made a determination of guilt or innocence regarding this case. Additionally, conditions are recommended to include a requirement that at least 2 South Fulton police officers work at the door from opening to closing at the business' expense

and for the business to install cameras on the interior and exterior of the property.

The motion was not carried.

Motion (Approve): Councilmember Willis

Second: Councilmember Rowell

[Motion Approved]

Yea: 4 Gumbs, Reeves, Rowell, Willis

Nay: 2 Baker, khalid

Abstain: 1 Gilyard

Not Voting: 0

Minutes:

A substitute motion was made to approve the Police Department's recommendation to revoke the Alcohol License for 50 Yard Line Bar and Grille located at 7490 Old National Hwy., Riverdale, GA 30296.

The motion was approved 4-2-1. Councilmembers khalid and Baker voted in opposition. Councilmember Gilyard abstained. No reason was stated.

4. Public Hearing and request for Council Approval of an Alcohol License for Clifton Station Inc, dba BP for the retail sales of malt beverage and wine at 6890 Campbellton Road, Atlanta, GA 30336 (Police)

Motion (Approve): Councilmember Gumbs

Second: Councilmember Rowell

[Motion Approved]

Yea: 7 Baker, Gilyard, Gumbs, khalid , Reeves, Rowell, Willis

Nay: 0

Abstain: 0

Not Voting: 0

Minutes:

Public Hearing held.

No comments were received.

A motion was made to approve the Alcohol License for Clifton Station Inc, dba BP for the retail sales of malt beverage and wine at 6890 Campbellton Road, Atlanta, GA 30336

The motion was approved unanimously.

5. Public Hearing to consider a text amendment to allow child daycares to operate for 24 hours (Community Development and Regulatory Affairs)

Minutes:

Public Hearing held.

No comments were received.

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6. Public Hearing to consider a text amendment to increase the public notification distance from a quarter mile radius to a one-mile radius from a subject project (Community Development and Regulatory Affairs)

Minutes:

Public Hearing held.

One comment was received.

Sonya Patterson, District 2: Expressed support for increased public notice distance requirements for zoning projects.

VIII. Rezoning, Variance and Modification Cases

7. **U21-003:** Council to consider a Use permit at 5610 Old National for a hair salon (**DISTRICT 6; DEFERRED from March 9, 2021 Meeting**)

Motion (Deny): Councilmember khalid

Second: Councilmember Reeves

[Motion Approved]

Yea: 6 Baker, Gilyard, khalid , Reeves, Rowell, Willis

Nay: 0

Abstain: 0

Not Voting: 1 Gumbs

Minutes:

A motion was made to deny case number U21-003 due to its inconsistency with special use conditions around like uses.

The motion to deny was approved 6-0. Councilmember Gumbs did not vote.

8. **Z21-009:** Council to consider a rezoning at 7445 Old National Highway for the purpose of constructing a mixed use town home and retail development (**DISTRICT 7; Case DEFERRED from August 24, 2021 and September 28, 2021 Meetings**)

Motion (Defer): Councilmember Baker

Second: Councilmember Reeves

[Motion Approved]

Yea: 7 Baker, Gilyard, Gumbs, khalid , Reeves, Rowell, Willis
Nay: 0
Abstain: 0
Not Voting: 0

Minutes:

A motion was made to defer case number Z21-009 until the next Regular Council Meeting (2 weeks) to allow additional community input.

The motion to defer was approved unanimously.

IX. Consent Agenda Items

Motion (Approve as Amended): Councilmember Rowell

Second: Councilmember Willis

[Motion Approved]

Yea: 6 Baker, Gumbs, khalid , Reeves, Rowell, Willis
Nay: 1 Gilyard
Abstain: 0
Not Voting: 0

Minutes:

A motion was made to approve the Consent Agenda - items 9, 10 (1,2,) 11-17, 20-23.

The motion with amendments was approved 6-1. Councilmember Gilyard voted in opposition.

9. Mayor/Council Proclamations for Spreading on the Minutes:

Buster Kite Day (**Mayor Edwards**)

Camille Quick Appreciation Day (**Councilmember Gumbs**)

Indigenous People's Activism Day (**Councilmember Baker**)

Inspector General Willie A. Puckett 33^o Day (**Councilmember Gilyard**)

Kendall Rae Johnson Day (**Mayor Edwards**)

Latinx Heritage Month (**Councilmember khalid**)

Retired Educators Day (**Mayor Edwards**)

The University for Parents Day (**Councilmember Gumbs**)

Minutes:

Item approved as a part of Consent Agenda.

10. Request Council Approval of Board/Committee Appointments:

1. Mayor Edwards appoints Roland Render to the Public Buildings Naming Committee.
2. Mayor Pro Tem Willis appoints Barry Slay to the Public Buildings Naming Committee.
3. Sheila Mants appointed to the South Fulton Convention and Visitors Board for an unexpired term ending September 2023
4. Ontia Howard appointed to the Red Oak District Main Street Advisory Board
5. Sylvia D. Carter appointed to the Red Oak District Main Street Advisory Board
6. Josephine Smart appointed to the Red Oak District Main Street Advisory Board
7. Sandra Green appointed to the Red Oak District Main Street Advisory Board
8. Lee Muhammad appointed to the Red Oak District Main Street Advisory Board
9. Douglas Brown appointed to the Red Oak District Main Street Advisory Board
10. Ronald Tolbert appointed to the Red Oak District Main Street Advisory Board
11. Emmanuel Rainey, Jr. appointed to the Old National District Main Street Advisory Board
12. Sherrie Fisher appointed to the Old National District Main Street Advisory Board
13. Sherie Phillis appointed to the Old National District Main Street Advisory Board
14. Phyllis Minter appointed to the Old National District Main Street Advisory Board
15. Johnathan White appointed to the Old National District Main Street Advisory Board
16. Charlston Austin appointed to the Old National District Main Street Advisory Board
17. Linda Hubbert appointed to the Old National District Main Street Advisory Board

Minutes:

Item 10 (1,2) approved as a part of the Consent Agenda.

Item 10 (3-17) was removed from the agenda during the approval of the agenda process

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11. Request Council approval authorizing the Public Works Department to install a total of 8 speed cushions to address excessive speeding and cut-through traffic on Gordon Street and Lees Mill Road in an amount not to exceed \$5,895 (Public Works)

Minutes:

Item approved as a part of Consent Agenda.

12. Request Council approval to execute a Professional Service Agreement with Brindley, Pieters and Associates, Inc. to complete survey and pre-design architectural services for the property located at 5790 Old National Highway in an amount not to exceed \$28,936 (Police)

Minutes:

Item approved as a part of Consent Agenda.

13. Request Council approval authorizing staff to renew the agreement with NAFECO for an additional 1-year team ending September 30, 2022 to supply the City of South Fulton Fire Department uniforms and accessories pursuant to ITB 20-009 in an amount not to exceed \$190,000 (Fire)

Minutes:

Item approved as a part of Consent Agenda.

14. Request Council approval authorizing staff to renew the agreement with Bound Tree Medical, LLC for an additional 1-year team ending September 30, 2022 to supply the City of South Fulton Fire Department with EMS Treatment and Patient Handling Supplies pursuant to ITB 20-004 in an amount not to exceed \$139,732.52 (Fire)

Minutes:

Item approved as a part of Consent Agenda.

15. Request Council approval authorizing staff to renew the agreement with Poole's Pharmacy for an additional 1-year team ending September 30, 2022 to supply the City of South Fulton Fire Department with Pharmaceutical Supply and Sales services pursuant to RFQ 20-003 in an amount not to exceed \$55,405 (Fire)

Minutes:

Item approved as a part of Consent Agenda.

16. Request Council approval to execute the Proposed Project Plan for the American Rescue Funding in the amount of \$11,352,517 and authorize the City Manager to adjust projects and funding allocations based on need and funding availability (City Manager)

Minutes:

Item approved as a part of Consent Agenda.

17. Request Council approval authorizing staff to enter into a Professional Service Agreement with Integrated Science & Engineering to perform Storm Water GIS Mapping, MS4 Inspection and Dry Weather Screening on behalf of the City in an amount not to exceed \$55,680.00 (Public Works)

Minutes:

Item approved as a part of Consent Agenda.

18. Request Council approval for the formation of the Red Oak District Main Street Advisory Board and adoption of the Red Oak District Board Bylaws (Destination South Fulton)

Minutes:

Item 18 was removed from the agenda during the approval of the agenda process

19. Request Council approval for the formation of the Old National District Main Street Advisory Board and adoption of the Old National District Board Bylaws (Destination South Fulton)

Minutes:

Item 19 was removed from the agenda during the approval of the agenda process

20. Request Council Approval of A Resolution Providing For Health Insurance Benefits Coverage For City Elected Officials (**Sponsored by Councilmember khalid**)

Minutes:

Item approved as a part of Consent Agenda.

21. Request Council Approval of A Resolution Authorizing The City Manager To Apply For And Receive The Georgia Public Safety Officials And First Responder Supplement Grant From The State Of Georgia On Behalf Of The Eligible Employees Of The City Of South Fulton, Georgia; And For Other Purposes **(Sponsored by Councilmember Willis and Councilmember Reeves)**

Minutes:

Item approved as a part of Consent Agenda.

22. Request Council Approval of A Resolution To Provide For Measures To Protect And Preserve Historic Cemeteries In The City For Historical And Genealogical Purposes; And For Other Purposes **(Sponsored by Councilmember Rowell)**

Minutes:

Item approved as a part of Consent Agenda.

23. Request Council Approval of A Resolution In Opposition Of The Georgia Board Of Education's Resolution Limiting Discussion On Race In Classroom; And For Other Purposes **(Sponsored by Councilmember Baker)**

Minutes:

Item approved as a part of Consent Agenda.

X. Previous Agenda Items

24. Request Council Approval of an Ordinance Declaring A State of Emergency in the City of South Fulton; Providing for City Meetings to be Held Virtually; Providing for an Effective Date and for Other Purposes **(Sponsored by Mayor Edwards)**

Motion (Approve): Councilmember Willis

Second: Councilmember Rowell

[Motion Approved]

Yea: 6 Baker, Gilyard, Gumbs, Reeves, Rowell, Willis

Nay: 1 khalid

Abstain: 0

Not Voting: 0

Minutes:

A motion was made to approve An Ordinance Declaring A State of Emergency in the City of South Fulton; Providing for City Meetings to be Held Virtually; Providing for an Effective Date

The motion was approved 6-1. Councilmember khalid voted in opposition.

25. Request Council Approval Of An Resolution Approving the Exercise of Eminent Domain for the Enon Road Sidewalk Project T-268, Parcel 10 (Parcel ID 14F0122 LL0173) **(Councilmember Gumbs) (Item was held from the September 28, 2021 Regular Council Meeting)**

Motion (Approve): Councilmember Gumbs

Second: Councilmember Reeves

[Motion Approved]

Yea: 7 Baker, Gilyard, Gumbs, khalid , Reeves, Rowell, Willis

Nay: 0

Abstain: 0

Not Voting: 0

Minutes:

A motion was made to approve A Resolution Exercising the use of Eminent Domain for the Enon Road Sidewalk Project T-268, Parcel 10 (Parcel ID 14F0122 LL0173).

The motion was approved unanimously.

26. Second Reading and Request Council approval of An Ordinance To Amend Appendix C, Zoning, Article 3, Restrictions On Particular Uses, Section 302, Restrictions On Principal Uses, Section 302.12 Day Care Facility Of The Code Of Ordinances, City of South Fulton, Georgia, So As To Remove Certain Restrictions On Hours Of Operation For Day Care Facilities; And For Other Lawful Purposes **(Sponsored by Councilmember khalid)**

Motion (Approve): Councilmember khalid

Second: Councilmember Rowell

[Motion Approved]

Yea: 7 Baker, Gilyard, Gumbs, khalid , Reeves, Rowell, Willis

Nay: 0

Abstain: 0

Not Voting: 0

Minutes:

A motion was made to approve An Ordinance To Amend Appendix C, Zoning, Article 3, Restrictions On Particular Uses, Section 302, Restrictions On Principal Uses, Section 302.12 Day Care Facility Of The Code Of Ordinances, City of South Fulton, Georgia, So As To Remove Certain Restrictions On Hours Of Operation For Day Care Facilities.

The motion was approved unanimously.

XI. Agenda Items

27. Request Council Approval of the Proposed 2022 Legislative Agenda for the City of South Fulton (City Manager)

Motion (Approve as Amended): Councilmember Rowell

Second: Councilmember Willis

[Motion Approved]

Yea: 5 Baker, Gumbs, Reeves, Rowell, Willis

Nay: 2 Gilyard, khalid

Abstain: 0

Not Voting: 0

Minutes:

A motion was made to approve the Proposed 2022 Legislative Agenda for the City of South Fulton with a friendly amendment to require that only the City Manager, City Attorney and Mayor/Council attend the meeting with the South Fulton Legislative Delegation.

The motion was approved 5-2. Councilmembers khalid and Gilyard voted in opposition.

Councilmember Reeves suggested that provisions are made to allow any new Councilmember-Elect to attend the meeting to view only if they win their election outright.

28. First Reading of An Ordinance To Amend Various Sections Of The City Of South Fulton Zoning Ordinance For The Purpose Of Expanding Notice Requirements Related To Rezoning And Special Use Approvals; And For Other Lawful Purposes (**Sponsored by Councilmember Gilyard**)

Minutes:

First Read

29. First Reading of An Ordinance To Amend Title 6 – Health And Sanitation, Of The City Of South Fulton Code Of Ordinances, To Provide For Enforcement Of Air Quality Standards; And For Other Purposes (**Sponsored by Councilwoman Gilyard**)

Minutes:

First Read

Councilmember Gilyard indicated she will be working with the City Attorney's office to discuss the inclusion of enforcement provisions.

Councilmember Reeves requested to be listed as a co-sponsor.

30. First Reading of An Ordinance To Amend Title 15 – Criminal Offenses, Chapter 2-Offenses Involving Property Rights, Section 15-2006 – Graffiti And Vandalism Of The Code Of Ordinances, City Of South Fulton, GA To provide For Penalties For Defacing And/Or Desecrating Grave Sites And Cemetery Property; And For Other Lawful Purposes **(Sponsored by Councilmember Rowell, Councilmember Reeves and Councilmember Willis)**

Minutes:

First Read

31. First Reading of An Ordinance To Amend Title 6 – Health And Sanitation, Of The Code Of Ordinances, City Of South Fulton, Georgia For The Purpose Of Adding A Chapter 6 To Regulate Vegetation; And For Other Lawful Purposes **(Sponsored by Councilmember Khalid, Councilmember Reeves and Councilmember Rowell)**

Minutes:

Item 31 was removed from the agenda during the approval of the agenda process

32. First Reading of An Ordinance Setting Out The Requirements For Blasting Within The City Of South Fulton City Limits; And For Other Lawful Purposes **(Sponsored by Councilmember Rowell and Co-Sponsored by Councilmember Gumbs)**

Minutes:

First Read

XII. Executive Session

Motion (Recess): Councilmember Willis

Second: Councilmember Reeves

[Motion Approved]

Yea: 6 Baker, Gilyard, Gumbs, Reeves, Rowell, Willis

Nay: 0

Abstain: 0

Not Voting: 1 khalid

Minutes:

A motion was made at 5:40 PM to recess for an Executive Session for Litigation, Personnel and Real Estate.

The motion was approved 6-1. Councilmember khalid did not vote.

Motion (Reconvene): Councilmember Willis

Second: Councilmember Baker

[Motion Approved]

Yea: 5 Baker, Gumbs, Reeves, Rowell, Willis
Nay: 0
Abstain: 0
Not Voting: 2 Gilyard, khalid

Minutes:

A motion was made to reconvene from Executive Session at 6:01 PM.

The motion was approved 5-0-2. Councilmembers Gilyard and khalid did not vote.

XIII. Adjournment of Meeting

Motion (Adjourn): Councilmember Reeves

Second:

[Motion Approved]

Yea: 4 Baker, Gumbs, Rowell, Willis
Nay: 0
Abstain: 0
Not Voting: 3 Gilyard, khalid , Reeves

Minutes:

A motion was made to adjourn the Regular Meeting at 6:01 PM.

The motion was approved 4-0-3. Councilmembers khalid, Gilyard and Reeves did not vote.



Corey E. Adams, Sr., City Clerk