

CITY OF SOUTH FULTON, GEORGIA

VIRTUAL

Tuesday, August 25, 2020, 10:00 AM



REGULAR MEETING MINUTES

I. Meeting Called to Order

Minutes:

The meeting was called to order by Mayor William Edwards at 10:00 AM.

The Mayor recessed the meeting for a 10 minute break at 10:35 AM. The Meeting reconvened at 10:45 AM.

The Mayor recessed the meeting for a 10 minute break at 2:13 PM. The Meeting reconvened at 2:23 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	
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	
Mark Baker	District 7 Councilmember	Present	

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

II. Invocation - Chaplain Warren Henry

Minutes:

The invocation was rendered by Pastor Warren Henry, Chaplain.

III. Pledge of Allegiance

Minutes:

The pledge of allegiance was recited in unison.

IV. Presentations and Announcements

Minutes:

None

V. Adoption of Council Agenda

Motion (): Councilmember Gumbs

Second:

[Motion]

Yea: 0

Nay: 0

Abstain: 0

Not Voting: 0

Minutes:

A motion was made to add the following items to the Regular Meeting Agenda:

Add an alternative resolution establishing the South Fulton Downtown Development Authority (DDA) - Councilmember Gumbs

Add an amendment to the existing moratorium to include small box establishments - Councilmember Willis

Add as a co-sponsor to the ordinance amending the Business License Code - Councilmember Willis

Councilmember khalid requested that these items be considered individually.

Motion (Approve as Amended): Councilmember Gumbs

Second: Councilmember Willis

[Motion Failed]

Yea: 3 Gumbs, Rowell, Willis

Nay: 2 Baker, khalid

Abstain: 0

Not Voting: 2 Gilyard, Reeves

Minutes:

A motion was made to add an alternative resolution establishing the South Fulton Downtown Development Authority (DDA) to the agenda.

The motion failed for a lack of four affirmative votes. Councilmembers Baker and khalid voted in opposition. Councilmembers Gilyard and Reeves did not vote.

Motion (Approve as Amended): Councilmember khalid

Second: Councilmember Rowell

[Motion Approved]

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

Nay: 0

Abstain: 0

Not Voting: 1 Gilyard

Minutes:

A motion was made to add an amendment to the existing moratorium to include small box establishments to the agenda.

The motion was approved 6-0-1. Councilmember Gilyard did not vote.

Motion (Reconsider): Councilmember Willis

Second: Councilmember Gumbs

[Motion Approved]

Yea: 4 Gumbs, Reeves, Rowell, Willis

Nay: 3 Baker, Gilyard, khalid

Abstain: 0

Not Voting: 0

Minutes:

Based upon the opinion of the City Attorney, a motion was made to re-do the vote adding an alternative resolution establishing the South Fulton Downtown Development Authority (DDA) to the agenda due to technical difficulties with Zoom.

The motion was approved 4-3. Councilmembers Baker, Gilyard and khalid voted in opposition.

Motion (Approve as Amended): Councilmember Willis

Second: Councilmember Gumbs

[Motion Approved]

Yea: 4 Gumbs, Reeves, Rowell, Willis

Nay: 3 Baker, Gilyard, khalid

Abstain: 0

Not Voting: 0

Minutes:

A motion was made to add an alternative resolution establishing the South Fulton Downtown

Development Authority (DDA) to the agenda.

The motion was approved 4-3. Councilmembers Baker, Gilyard and khalid voted in opposition.

Motion (Approve as Amended): Councilmember Gumbs

Second: Councilmember Willis

[Motion Failed]

Yea: 3 Gumbs, Rowell, Willis

Nay: 4 Baker, Gilyard, khalid , Reeves

Abstain: 0

Not Voting: 0

Minutes:

A motion was made to move the the two Downtown Development Authority resolutions up on the agenda for consideration.

The motion failed 4-3. Councilmembers Baker, khalid, Gilyard and Reeves voted in opposition.

Motion (Previous Question): Councilmember Gumbs

Second: Councilmember Willis

[Motion Failed]

Yea: 4 Gumbs, Reeves, Rowell, Willis

Nay: 3 Baker, Gilyard, khalid

Abstain: 0

Not Voting: 0

Minutes:

A motion was made to move the previous question.

The motion failed to receive two-thirds majority. 4-3. Councilmembers Baker, Gilyard and khalid voted in opposition.

VI. Approval of City Council Meeting Minutes

1. Council Approval of City Council Regular Meeting Minutes - July 28, 2020
(City Clerk)

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 the Meeting Minutes for July 28, 2020 Council Regular Meeting.

The motion was approved unanimously.

2. Council Approval of City Council Special Called Meeting Minutes - August 10, 2020 (City Clerk)

Motion (Approve): Councilmember Rowell

Second: Councilmember Gilyard

[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 Special Called Meeting Minutes for August 10, 2020.

The motion was approved unanimously.

3. Council Approval of City Council Special Called Meeting Minutes - Aug. 12, 2020 (City Clerk)

Motion (Approve): Councilmember Rowell

Second: Councilmember Gilyard

[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 Special Called Meeting Minutes for August 12, 2020.

The motion was approved unanimously.

4. Council Approval of City Council Work Session Meeting Minutes - Aug. 12, 2020 (City Clerk)

Motion (Approve): Councilmember Rowell

Second: Councilmember Gumbs

[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 Work Session Minutes for August 12, 2020.

The motion was approved unanimously.

VII. Public Hearing(s)

5. **PUBLIC HEARING** - Council Approval of Alcohol License for VVS
Restaurant and Bar located at 6175 Old National Hwy, Suite 340. (Police)

Motion (Approve): Councilmember khalid

Second: Councilmember Reeves

[Motion Approved]

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

Nay: 0

Abstain: 0

Not Voting: 0

Minutes:

Public Hearing held. No comments received.

A motion was made to approve the alcohol license for 6175 Old National Highway.

The motion was approved unanimously.

6. **PUBLIC HEARING** and 1st Reading of FY21 Budget (Finance)

Minutes:

Presentation by Frank Milazi, CFO and Treasurer.

Public Hearing held. One comment received.

Barbara and Clarence Lewis, District 7: Support raising property tax to 12.899 and support South Perimeter Development Authority.

VIII. Public Comments

Minutes:

There were 22 speakers who submitted public comment as follows:

Dionne Williams: Objection to implementation of HB 921 and 1019

Judieth Hunt: Objection to implementation of HB 921 and 1019

Zandra Johnson: Objection to implementation of HB 921 and 1019

Windia Wilbert: Concern regarding proposed closure of Jacanar Lane
Tanya Spicer: Objection to implementation of HB 921 and 1019
Betty Spicer: Objection to implementation of HB 921 and 1019
Venetta Thomas, District 7: Opposition to rezoning of the property located at 8185 Spence Road.
Donald Hindman, District 7: Opposition to rezoning of the property located at 8185 Spence Road.
Lucille Hindman, District 7: Opposition to rezoning of the property located at 8185 Spence Road.
Jewel Johnson, District 1: Objection to implementation of HB 921 and 1019; Concerned about changes to the Zoning Commission
Dimitri Andre, District 6: Support development authority for Old National Highway.
Michael Venable, District 6: Opposition to Old National DDA in current form; Concerns expressed regarding changes to the Planning Commission
Charles Mitchell, District 4: Concerns expressed regarding changes to the Planning Commission
Kenneth Terry, District 4: Concerned about expansion of commercial warehouses and industrial structures in District 4
Trahiya Bullard Miller, District 7: Request support for the Fife Community; Opposition to rezoning of the property located at 8185 Spence Road.
Elizabeth Miller, District 7: Opposition to rezoning of the property located at 8185 Spence Road.
Gary E. Miller, District 7: Opposition to rezoning of the property located at 8185 Spence Road.
Kalvin Bennett, District 5: Support for Old National DDA
Drew de Man, District 7: Opposition to rezoning of the property located at 8185 Spence Road.
Andre Legister, District 5: Support for Old National DDA
Toni R. Stenson: Concerned about lack of service from the City
Michael Dendy, District 7: Opposition to rezoning of the property located at 8185 Spence Road.

IX. Council Comments

Minutes:

Councilmember Willis thanked volunteers and civic organizations for their support of the Feeding the City Food Initiative. The next food distribution will be Friday, August 28, 2020 at Welcome All Park.

X. Chief Financial Officer's Monthly Report

7. Chief Financial Officer's July 2020 Financial Report

Minutes:

REPORT PRESENTED.

XI. City Manager's Monthly Report

8. City Manager's July 2020 Report

Minutes:

XII. City Attorney's Monthly Report

Minutes:

No Report.

XIII. Consent Agenda Items

9. Council Approval of Proclamations Previously Presented
- Rev. Walter Kimbrough - Mayor Edwards
 - Mary Hastie - CM Willis

Motion (Approve): Councilmember Willis

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 the Consent Agenda - Items #9 through #13.

The motion was approved unanimously.

10. Council Approval of Conservation Easement Agreement with D. R. Horton for the purpose of meeting the City's recompose requirements for the project known as The Enclave at Regency Oaks (CDRA)

Motion (Approve): Councilmember Willis

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 the Consent Agenda - Items #9 through #13.

The motion was approved unanimously.

11. Council Approval to Extend Intergovernmental Agreement IGA with Fulton County for inspecting and permitting services for the Anthem at Riverside Project of Senior Citizens (CDRA)

Motion (Approve): Councilmember Willis

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 the Consent Agenda - Items #9 through #13.

The motion was approved unanimously.

12. Council Approval to Accept 2019 Assistance Firefighters Grants (AFG) in the amount of \$106,909.09 with a required 10% Non-Federal match of \$10,690.91 (Fire)

Motion (Approve): Councilmember Willis

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 the Consent Agenda - Items #9 through #13.

The motion was approved unanimously.

13. Council Approval to Accept Scrap Tire Reimbursement Grant sponsored by the Environmental Protection Division in the amount of \$3,453.79 for cost incurred upcoming cleanup project and \$43,281.31 for unused tire collection and disposal along the right-of-ways. (Public Works)

Motion (Approve): Councilmember Willis

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 the Consent Agenda - Items #9 through #13.

The motion was approved unanimously.

XIV. Previous Agenda Items

14. Council's 2nd Reading and Adoption of Amending Title 2, Chapter 5 Business and Occupation Taxes (CDRA)

Motion (Approve): Councilmember Willis

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 amendment of Title 2, Chapter 5 Business and Occupation Taxes. Councilmember Willis requested to be added as a co-sponsor.

The motion was approved unanimously.

15. Council 2nd Reading and Adoption of Amending Title 6 Creating Property Maintenance Regulations (CMs Rowell and Reeves)

Motion (Approve): Councilmember Rowell

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 an amendment of Title 6 Creating Property Maintenance Regulations.

The motion was approved unanimously.

16. Council 2nd Reading to Amend Title 14 Regulation and Protection of Floodplains (CMs Rowell and Gilyard)

Motion (Approve): Councilmember Rowell
Second: Councilmember Gilyard
[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 amendment of Title 14 Regulation and Protection of Floodplains.

The motion was approved unanimously.

XV. Agenda Items

17. Council Approval of Resolution Requesting \$250,000 in CDBG funding from Fulton County for Parks Public Facilities Improvements (City Manager)

Motion (Approve): Councilmember Willis
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 a Resolution Requesting \$250,000 in CDBG funding from Fulton County for Parks Public Facilities Improvements.

The motion was approved unanimously.

18. Council Approval of Resolution Temporarily Suspending the Enforcement of Single Plastic Ordinance (**Gumbs**)

Motion (Approve): Councilmember Willis
Second: Councilmember Gumbs
[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 Temporarily Suspending the Enforcement of Single Plastic Ordinance

The motion was approved unanimously.

19. Council Approval of Resolution Recognizing COVID-19 Housing Crisis **(Reeves)**

Motion (Approve): Councilmember Baker

Second: Councilmember khalid

[Motion Approved]

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

Nay: 0

Abstain: 0

Not Voting: 1 Gilyard

Minutes:

A motion was made to approve a Resolution Recognizing COVID-19 Housing Crisis.

The motion was approved 6-0. Mayor Edwards also requested that the record reflect his support for this item. Councilmember Gilyard noted after the vote that she supports this resolution.

20. Council Approval for Resolution Recognizing #8 Can't Wait Campaign **(Baker)**

Motion (Approve): Councilmember Baker

Second: Councilmember khalid

[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 Recognizing #8 Can't Wait Campaign.

The motion was approved unanimously. Mayor Edwards also requested that the record reflect his support for this item.

21. Council Approval of Resolution for Police Weapon Accountability **(Gumbs)**

Motion (Approve): Councilmember Gumbs

Second: Councilmember Gilyard

[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 for Police Weapon Accountability.

The motion was approved unanimously. Mayor Edwards also requested that the record reflect his support for this item.

22. Council Approval of Resolution Activating a Downtown Development Authority (CMs khalid and Baker)

Motion (Approve as Amended): Councilmember khalid
Second: Councilmember Baker
[Motion Failed]

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

Minutes:

A motion was made to approve a Resolution Activating a Downtown Development Authority with an amendment to replace the current funding language to read that \$150,000 will be allocated to this Authority from proceeds from the sale of the Old National Park property earmarked for the City.

The motion failed for a lack of four affirmative votes. Councilmembers Willis, Gumbs, Rowell and Reeves voted in opposition.

23. Council Approval to Adopt an Emergency Penalties Ordinance (Court)

Motion (Approve): Councilmember Willis
Second: Councilmember Gumbs
[Motion Approved]

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

Minutes:

A motion was made to adopt an Emergency Penalties Ordinance.

The motion was approved unanimously.

24. Council Approval of 1st Reading of Penalties Ordinance (Court)

Minutes:

FIRST READ

25. Council Approval of 1st Reading to Amend Title 3 Building Regulations_Economic Development Incentive Ordinance **(Gilyard)**

Minutes:

FIRST READ

26. Council Approval of 1st Reading to Amend Title 14 Environment_Illicit Discharge and Illegal Connection Ordinance **(Gilyard)**

Minutes:

FIRST READ

27. Council Approval of 1st Reading to Amend Title 5-Planning Commission Duties **(Rowell)**

Minutes:

FIRST READ

XVI. Addendum Items

28. Council Approval of Resolution Activating South Fulton Downtown Development Authority **(Gumbs, Willis and Rowell)**

Motion (Hold): Councilmember Baker

Second:

[Motion Failed for Lack of Second]

Yea: 0

Nay: 0

Abstain: 0

Not Voting: 0

Minutes:

A motion was made to hold an alternative Resolution Activating the South Fulton Downtown Development Authority.

The motion failed for the lack of a second.

Motion (Approve as Amended): Councilmember Willis

Second: Councilmember Gumbs

[Motion Failed]

Yea: 3 Gumbs, Rowell, Willis

Nay: 4 Baker, Gilyard, khalid , Reeves

Abstain: 0

Not Voting: 0

Minutes:

A motion was made to approve an alternative Resolution Activating the South Fulton Downtown Development Authority with an amendment to replace the current funding language to read that \$150,000 will be allocated to this Authority from proceeds from the sale of the Old National Park property earmarked for the City.

The motion failed for a lack of four affirmative votes. Councilmembers Baker, khalid, Gilyard and Reeves voted in opposition.

Motion (Previous Question): Councilmember Willis

Second: Councilmember Gumbs

[Motion Failed]

Yea: 3 Gumbs, Rowell, Willis

Nay: 4 Baker, Gilyard, khalid , Reeves

Abstain: 0

Not Voting: 0

Minutes:

A motion was made move the previous question.

The motion failed to receive two -thirds majority. 3-4. Councilmembers Baker, khalid, Gilyard and Reeves voted in opposition.

29. Council Approval of Resolution to Extend Moratorium to include Small Box Establishments (CM Willis)

Motion (Approve as Amended): Councilmember Willis

Second: Councilmember Rowell

[Motion Approved]

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

Minutes:

A motion was made to approve a Resolution to Amend the Zoning Moratorium to include Small Box Establishments with a further amendment to extend the moratorium until November 1, 2020.

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

XVII Executive Session

Motion (Recess): Councilmember Baker
Second: Councilmember Willis
[Motion Approved]

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

Minutes:

A motion was made to recess for an Executive Session at 4:25 PM for Litigation, Personnel and Real Estate.

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

Motion (Reconvene): Councilmember Gilyard
Second: Councilmember Baker
[Motion Approved]

Yea: 4 Gilyard, Gumbs, Reeves, Rowell
Nay: 2 Baker, khalid
Abstain: 0
Not Voting: 1 Willis

Minutes:

A motion was made to reconvene from Executive Session at 6:53 PM.

The motion was approved 4-2-1. Councilmembers Baker and khalid voted in opposition. Councilmember Willis did not vote.

Motion (Approve): Councilmember Gilyard

Second: Councilmember Baker

[Motion Approved]

Yea: 5 Baker, Gilyard, Gumbs, khalid , Reeves

Nay: 1 Willis

Abstain: 1 Rowell

Not Voting: 0

Minutes:

A motion was made to approve a Professional Service Agreement with Malikah Waajid, Ph.D., MPH for testing and health assessment for the Bishop Road Landfill subject to review and non-substantive changes to be made by the City Attorney.

The motion was approved 5-1-1. Councilmember Willis voted in opposition. Councilmember Rowell abstained.

XVIIAdjournment of Meeting

Motion (Adjourn): Councilmember Baker

Second: Councilmember khalid

[Motion Withdrawn]

Yea: 0

Nay: 0

Abstain: 0

Not Voting: 0

Minutes:

A motion was made to adjourn the Regular Meeting at 4:24 PM.

The motion was withdrawn.

Motion (Adjourn): Councilmember Baker

Second: Councilmember khalid

[Motion Approved]

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

Nay: 0

Abstain: 0

Not Voting: 0

Minutes:

A motion was made to adjourn the Regular Meeting at 6:56 PM.

The motion was approved unanimously.



S. Diane White, City Clerk
