

CITY OF SOUTH FULTON, GEORGIA
VIRTUAL - REGULAR COUNCIL MEETING
Tuesday, April 27, 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	
Helen Z. Willis	District 3 Councilmember	Present	
Naeema Gilyard	District 4 Councilmember	Present	4:02 PM
Corey A. Reeves	District 5 Councilmember	Present	
khalid kamau	District 6 Councilmember	Present	4:02 PM
Mark Baker	District 7 Councilmember	Present	

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

II. Invocation

Minutes:

A moment of silence was observed.

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 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 the Consent Agenda with the following amendments:

Mayor Edwards requested that item 23 (180-Day Moratorium) be removed from the Agenda.

Councilmember Gilyard requested that item 24 (90-day moratorium) be removed from the Agenda and that items 14 (Agreement with CW Matthews) and 15 (Contract with JAT Consulting Services) be removed from the Consent Agenda to the Regular Agenda for discussion.

The motion to approve the Agenda as amended was approved unanimously.

V. Approval of City Council Meeting Minutes

Motion (Approve): Councilmember Willis

Second: Councilmember Gumbs

[Motion Approved]

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

Nay: 0

Abstain: 0

Not Voting: 1 khalid

Minutes:

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

Regular Meeting from March 23, 2021

Work Session Meeting from April 14, 2021

Zoning Public Hearing from April 14, 2021

Special Called Meeting from April 14, 2021

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

1. Request Council Approval of City Council Regular Meeting Minutes from March 23, 2021 (City Clerk)
2. Request Council Approval of City Council Work Session Minutes from April 14, 2021 (City Clerk)
3. Request Council Approval of City Council Zoning Public Hearing Minutes from April 14, 2021 (City Clerk)
4. Request Council Approval of City Council Special Called Meeting Minutes from April 14, 2021 (City Clerk)

VI. Public Hearing(s)

5. Request Council Approval of an Alcohol License for Andy Food Center, Inc. dba Sam's Supermarket located at 3840 Stonewall Tell Road, Atlanta, GA 30349 (Police)

Motion (Approve): Councilmember Willis

Second: Councilmember Gumbs

[Motion Approved]

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

Nay: 0

Abstain: 0

Not Voting: 2 Gilyard, khalid

Minutes:

Public Hearing held. No comments were received.

The applicant, Zamilur Rahman, was present.

A motion was made to approve the alcohol license application.

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

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6. Public Hearing regarding a Request for Alcohol License Revocation: re Cigaros of Georgia, LLC, dba Cigaros (Police Department)

Motion (Approve w/ Conditions): Councilmember Willis

Second: Councilmember Gumbs

[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.

The owner, Conrad Dobson, was present.

A motion was made to hold this alcohol license revocation request for 30 days to allow the owner to bring current the complete arrearage owed to the City.

The motion was approved unanimously.

VII. Rezoning, Variance and Modification Cases

7. **Z20-007:** Council to consider a rezoning at 0 Butner Rd from R3-A to CUP for the purpose of developing a residential subdivision DISTRICT 2

Motion (Approve w/ Conditions): Councilmember Gumbs

Second: Councilmember Willis

[Motion Approved]

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

Nay: 0

Abstain: 1 Baker

Not Voting: 1 Gilyard

Minutes:

A motion was made to approve Case Z20-007, a rezoning at 0 Butner Rd from R3-A to CUP for the purpose of developing a residential subdivision with conditions spread upon the minutes to include 5 ft. front yard staggered setbacks, an 8 ft fence, and the executed agreement between Legend Oaks Subdivision residents and the builder. The traffic engineer requested that traffic calming mechanisms be considered for installation inside of the community. Councilmember Gumbs asked that this condition be spread across the minutes.

The motion was approved 5-0-2. Councilmember Baker abstained and Councilmember Gilyard did not vote.

8. **CV20-002:** Council to consider a concurrent variance to case Z20-007 at 0 Butner Rd for the purpose of constructing a retaining wall in a buffer area DISTRICT 2

Motion (Approve): Councilmember Gumbs

Second: Councilmember Rowell

[Motion Approved]

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

Nay: 0

Abstain: 1 Baker

Not Voting: 1 Gilyard

Minutes:

A motion was made to approve CV20-002, a concurrent variance to case Z20-007 at 0 Butner Rd for the purpose of constructing a retaining wall in a buffer area.

The motion was approved 5-0-2. Councilmember Baker abstained and Councilmember Gilyard did not vote.

9. **M21-004:** Council to consider a modification at 0 Campbellton Rd to allow for the construction of an apartment complex with commercial outparcels
DISTRICT 1

Motion (Approve w/ Conditions): Councilmember Rowell

Second: Councilmember Gumbs

[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 M21-004, a modification at 0 Campbellton Rd to allow for the construction of an apartment complex with commercial outparcels with the following conditions spread upon the minutes: 1) there shall be no more than 4 commercial buildings fronting Campbellton Road and 2) there shall be no fast food drive-thru restaurants on the site and Campbellton Road.

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

10. **CV21-002:** Council to consider a concurrent variance to case M21-004 to reduce parking requirements from 1.96 spaces per unit to 1.62 spaces per unit
DISTRICT 1

Motion (Approve): Councilmember Rowell

Second: Councilmember Gumbs

[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 CV21-002, a concurrent variance to case M21-004 to reduce parking requirements from 1.96 spaces per unit to 1.62 spaces per unit.

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

VIII. Public Comments

Minutes:

There were 10 speakers who submitted public comments as follows:

- 1. Marcus Coleman, Districts 3 and 7: 4 Year Anniversary**
- 2. Gloria Willaims, District 2: Rezoning Cases**
- 3. Susan Myers, District 2: Briar Creek Rezoning**
- 4. Joseph Santoro, Council for Quality Growth: Moratorium**
- 5. Jacqueline Brown, District 3: School Zone Issue**
- 6. Michael Venable, District 6: Concerns about New Zoning Public Hearing Process**
- 7. Juliette Rankins, District 4: Congratulations to Councilmember khalid for completing demolishing of blighted properties**
- 8. Mrs. Jewel Johnson, District 1: Request accounting of TSPLOST spending and seeks resolution regarding services to Loch Lomond**
- 9. Charles Mitchell, District 4: Opposed to Z20-007 and CV20-002 Rezoning Cases**
- 10. Angela James, District 2: Opposed to M21-004 and CV21-002 Rezoning Cases**

Mayor Edwards requested that the City Manager through the Public Works Department conduct a study of the Butner Road Corridor. Additionally, Mayor Edwards requested that the City Manager provide a response to citizens who ask questions or express concerns during Public Comment.

Councilmember Gilyard requested that staff include a transportation study of Rivertown Road and Cedar Grove Road as well.

Councilmember Willis suggested that the public comment portion is moved up before the zoning cases for future Regular Meetings.

IX. Council Comments

Minutes:

Mayor:

Congratulations to the Langston Hughes High School Debate team on their State Debate Championship for 2 second straight year. Madison Webb was awarded the Varsity State Champion.

District 1:

Councilmember Rowell thanked the residents for a successful Earth Day. Over 600 books were collected.

The Community Clean-up Day has been rescheduled for May1, 2021 from 10 AM-12PM at the Cascade Driving Range.

On June 5, 2021, a Trail Build Day will be held in partnership with the Southwest Trust for Parks and Land.

Encouraged citizens to take advantage of vaccine distribution in partnership with CORE at Zion Hill

District 2:

The District Two Quarterly Meeting will be held on May 27, 2021 at 6:30 PM and a survey will be distributed in early May.

Expressed a shoutout to the Westlake Lady Lions Basketball team and requests residents to support the Parade.

Expressed a shoutout to the Valedictorian and Salutatorian for Westlake High School.

End of the year testing is underway throughout Fulton County schools. Urges that students obtain rest and study.

Happy Birthday to the City of South Fulton.

District 3:

Councilmember Willis thanked the residents and employees for their prayers during her mother's recent illness.

The Feeding Our City Food Distribution Program at Burdett Park was a success. The next event will be held at Sandtown Park on May 7, 2021.

Congratulations to the Westlake Lady Lions Basketball team on their National Championship. Expressed appreciation to Lashandra Little for her work in organizing the parade.

Request citizens to speak up and comment regarding zoning cases in the future.

On May 15, 2021, District 3 will host a Job Youth Fair in partnership with Commissioner Marvin Arrington at Welcome All Park.

On May 11 – 13, 2021, residents can obtain vaccinations at Solid Rock Pentecostal Church.

Citizens can go to SouthFultonD3.com for more information.

District 4:

Announced that a citizen has over 700 girl scouts cookies available for distribution. Will coordinate with Councilmember Willis to determine if they can be distributed at the next Feed the City event.

Has received citizen comments and concerns including maintenance of detention ponds, traffic congestion, lack of lights, trash, controversial zoning cases and opposition to additional warehouses.

District 5:

Happy Birthday to the City of South Fulton.

The Georgia Environmental Justice Awareness and Education Forum was a success.

Congratulations to the Burdett Park 10U basketball team on their State Championship.

District 6:

Congratulations to Nadia Jackson on her achievement as the Valedictorian for Tri-Cities High School.

The City Council looks forward to returning to in-person meetings in July 2021.

Urged citizens to visit the City's website to see the list of public meetings regarding the Comprehensive Plan. The fits meeting is scheduled for May 4, 2021.

Citizens may sign up for his newsletter by texting [Fulton3377](tel:7063377).

District 7:

Congratulated Feeding Families of Georgia for their participation in the Community Unity Series. Over 20 pounds of food was distributed. The next event is scheduled for May 21, 2021 where the featured guest will be Riza Islam.

Citizens may sign up for his newsletter by e-mailing mark.baker@cityofsouthfultonga.gov

X. Consent Agenda Items

Motion (Approve): Councilmember Rowell

Second: Councilmember khalid

[Motion Approved]

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

Nay: 0

Abstain: 0

Not Voting: 1 khalid

Minutes:

A motion was made to approve the Consent Agenda - items 11-13, 16-18.

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

11. Mayor/Council Proclamations for Spreading on the Minutes:
 - American Descendants of Slavery (ADOS) (**Councilmember Gilyard**)
 - Burdett Park 10U Major City of South Fulton Champions (**Councilmember Reeves**)
 - Fredericka Jones (**Councilmember Rowell**)
 - Jill Lindsey (**Councilmember Baker**)
 - Shanequa Gay (**Mayor Edwards**)
 - Sonya Halpern (**Councilmember Baker**)
 - Umar Johnson (**Councilmember Baker**)
 - Westlake Lady Lions (**Mayor and Full Council**)
 - Yusef Salaam (**Councilmember Baker**)
12. Request Council Approval to award the contract and execute an Agreement with Comanche Construction of Georgia, LLC to provide repairs to Demooney Road over Deep Creek for Abutment Wall Repairs in an amount not to exceed \$317,400 (Public Works)
13. Request Council Approval to award the contract and execute an Agreement with The M Mitchell Group, LLC to provide repairs to Stacks Rd over CSX Railroad for Abutment Wall Repairs and Road Drainage Improvements in an amount not to exceed \$277,194.23 (Public Works)
14. Request Council Approval to award the contract and execute an Agreement with C. W. Matthews Contracting Co., Inc. to perform TSPLOST Road Resurfacing throughout the City in an amount not to exceed \$15,827,366 (Public Works)

Motion (Approve): Councilmember Willis

Second: Councilmember Gumbs

[Motion Approved]

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

Nay: 1 khalid

Abstain: 0
Not Voting: 1 Gilyard

Minutes:

Item pulled from Consent Agenda to Regular Agenda. Item heard later in the meeting.

A motion was made to approve the award of a contract and execution of an Agreement with C. W. Matthews Contracting Co., Inc. to perform TSPLOST Road Resurfacing throughout the City in an amount not to exceed \$15,827,366.

The motion was approved 5-1-1. Councilmember khalid voted in opposition and Councilmember Gilyard did not vote.

Councilmember khalid requested that staff provide the estimated completion dates or timeline with any project list submitted.

15. Request Council Approval to execute Service Authorization #2 for JAT Consulting Services, Inc. to provide guidance and assistance during the FY22 budget process in an amount not to exceed \$25,000 (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:

Item pulled from Consent Agenda to Regular Agenda. Item heard later in the meeting.

A motion was made to approve the execution of Service Authorization #2 for JAT Consulting Services, Inc. to provide guidance and assistance during the FY22 budget process in an amount not to exceed \$25,000.

The motion was approved unanimously.

16. Request Council Approval to accept the Old National LCI Grant from ARC and commit to the required match of \$30,000 (CDRA)
17. Request Council Approval of a Resolution Authorizing An Agreement with LaDawn Jones to Serve As the City's Interim Court Administrator of the Municipal Court of the City of South Fulton
18. Request Council Approval of a Resolution Authorizing An Agreement with Christina Sears to Serve As the City's Interim Solicitor for the Municipal Court of the City of South Fulton

XI. Previous Agenda Items

19. Second Reading and Request Council Approval of Amended Parking Ordinance (**Mayor Edwards and Mayor Pro Tem Willis**)

Motion (Approve): Councilmember Willis

Second: Councilmember Rowell

[Motion Approved]

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

Nay: 0

Abstain: 0

Not Voting: 1 khalid

Minutes:

A motion was made to approve the Second Reading of Amended Parking Ordinance.

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

20. Second Reading and Request Council Approval of Proposed Changes to the False Alarm Ordinance (Police)

Motion (Approve): Councilmember Willis

Second: Councilmember Gumbs

[Motion Withdrawn]

Yea: 0

Nay: 0

Abstain: 0

Not Voting: 0

Minutes:

A motion was made to approve the Second Reading of Proposed Changes to the False Alarm Ordinance.

The motion was withdrawn.

Motion (Table): Councilmember Willis

Second: Councilmember Gumbs

[Motion Tabled]

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

Nay: 0

Abstain: 0

Not Voting: 0

Minutes:

A motion was made to table the Proposed Changes to the False Alarm Ordinance.

The motion was approved unanimously.

21. Second Reading and Request Council Approval of Amendments to Title 2 – Taxation of the City’s Ordinance regarding the Procedures for Denial, Suspension or Revocation of Occupation Tax Certificate. **(Mayor Pro Tem Willis)**

Motion (Approve): Councilmember Willis

Second:

[Motion Failed for Lack of Second]

Yea: 0

Nay: 0

Abstain: 0

Not Voting: 0

Minutes:

A motion was made to approve the Second Reading of Amendments to Title 2 – Taxation of the City’s Ordinance regarding the Procedures for Denial, Suspension or Revocation of Occupation Tax Certificate.

The motion did not receive a second.

Motion (Reconsider): Councilmember Willis

Second: Councilmember Reeves

[Motion Approved]

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

Nay: 0

Abstain: 2 Baker, khalid

Not Voting: 0

Minutes:

Item re-heard later in the meeting.

A motion was made to reconsider Item 21 - the Second Reading of Amendments to Title 2 – Taxation of the City’s Ordinance regarding the Procedures for Denial, Suspension or Revocation of Occupation Tax Certificate.

The motion was approved 5-0-2. Councilmembers Baker and khalid abstained.

Motion (Approve): Councilmember Willis

Second: Councilmember Reeves

[Motion Approved]

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

Nay: 0
Abstain: 2 Baker, khalid
Not Voting: 0

Minutes:

Item re-heard later in the meeting.

A motion was made to approve (reconsidered) Item 21- the Second Reading of Amendments to Title 2 – Taxation of the City’s Ordinance regarding the Procedures for Denial, Suspension or Revocation of Occupation Tax Certificate.

The motion was approved 5-0-2. Councilmembers Baker and khalid abstained.

Mayor Edwards requested that the City Attorney draft a parliamentary opinion addressing the legality of the reconsideration motion and subsequent vote.

XII. Agenda Items

22. Request Council Approval of A Resolution Denouncing Domestic Terrorism (Councilmember Baker)

Motion (Approve): Councilmember Baker

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 Denouncing Domestic Terrorism.

The motion was approved unanimously.

23. Request Council Approval of Resolution Establishing a 180 Day Moratorium on the Acceptance of any Rezoning Applications, Site Plans, Construction Permit Applications Related to New Developments and/or Construction of Single-Family Homes Intended for Residential Rental Purposes (Mayor Edwards and Councilmember Gumbs)

Minutes:

This item was removed from the agenda.

24. Request Council Approval of a Resolution Establishing a Ninety (90) Day and/or Three (3) Month Zoning and Development Moratorium Pertaining to District 4 Overlays of Cedar Grove, Cedar Grove Agricultural and Applicable Portions South Fulton Parkway (**Councilmember Gilyard**)

Minutes:

This item was removed from the agenda.

25. Request Council Approval of A Resolution Establishing An Enterprise Fund for High School Graduations, Ceremonies (**Mayor Pro Tem Willis**)

Motion (Approve): Councilmember Willis

Second: Councilmember Rowell

[Motion Approved]

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

Nay: 0

Abstain: 1 Gilyard

Not Voting: 0

Minutes:

A motion was made to approve a Resolution Establishing An Enterprise Fund for High School Graduations, Ceremonies.

The motion was approved 6-0-1. Councilmember Gilyard abstained.

26. First Read of An Ordinance Regulating Resident-Initiated Parking Zones (**Councilmember khalid**)

Minutes:

First Read

27. First Reading of Ordinance to Amend the Fiscal Year 2020 Final Budget (Finance)

Minutes:

First Read

Councilmember Gilyard requested that staff explain the \$1.6 million deficit in the Finance Department for FY2020 Final Budget.

XIII. Executive Session

Motion (Recess): 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 at 5:56 PM to recess for an Executive Session for Litigation, Personnel and Real Estate to begin at 6:05 PM.

The motion was approved unanimously.

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

Yea: 6 Baker, Gilyard, Gumbs, Reeves, Rowell, Willis
Nay: 0
Abstain: 0
Not Voting: 2 Edwards, khalid

Minutes:

A motion was made to reconvene from Executive Session at 6:55 PM.

The motion was approved 6-0-1. Councilmember khalid did not vote. Mayor Edwards was absent.

XIV. Adjournment of Meeting

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

Yea: 6 Baker, Gilyard, Gumbs, Reeves, Rowell, Willis
Nay: 0
Abstain: 0
Not Voting: 2 Edwards, khalid

Minutes:

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

The motion was approved 6-0-1. Councilmember khalid did not vote. Mayor Edwards was absent.



Corey E. Adams, Sr., City Clerk
