CITY OF STONECREST, GEORGIA

Honorable Mayor Jason Lary, Sr.

Council Member Jimmy Clanton, Jr. – District 1 ***Council Member Rob Turner- District 2***

Council Member Jazzmin Cobble – District 3 ***Council Member George Turner- District 4***

Council Member Tammy Grimes – District 5

CITY COUNCIL MEETING AGENDA

March 9, 2020
7:00 p.m.
3120 Stonecrest Blvd. Suite 190
Stonecrest, Georgia

I. CALL TO ORDER: Mayor Jason Lary

II. ROLL CALL: Megan Reid, City Clerk

III. INVOCATION

IV. PLEDGE OF ALLEGIANCE

V. APPROVAL OF THE COUNCIL AGENDA

VI. MINUTES:

a. Approval of the February 10, 2020 Special Called Meeting Minutes
b. Approval of the February 24, 2020 Council Meeting Minutes
c. Approval of the February 26, 2020 Special Called Meeting Minutes

VII. PRESENTATIONS:

VIII. APPOINTMENTS:

a. **Staff**
b. **Post Office Committee**
c. **Public Safety Committee**
d. **Parks Committee**
e. **SPLOST Citizens Oversight Advisory Committee**
f. **Education Committee**
g. **Sports Authority Committee**
h. **Browns Mill-Panola Overlay Committee**

i. **Stonecrest Technology Committee**
j. **Stonecrest Connect Trails Committee**
k. **Stonecrest Government Centre Architectural Review Committee**
l. **Finance Oversight Committee**

IX. PUBLIC COMMENTS

X. PUBLIC HEARINGS:

XI. NEW BUSINESS:

XII. OLD BUSINESS:

a. Annexation
b. Ordinance Authorizing Conveyance (2nd Read and Approval)

XIII. EXECUTIVE SESSION:

WHEN AN EXECUTIVE SESSION IS REQUIRED, ONE WILL BE CALLED FOR THE FOLLOWING ISSUES: 1) PERSONNEL, 2) LITIGATION, 3) REAL ESTATE

XIV. CITY MANAGER COMMENTS

XV. CITY ATTORNEY COMMENTS

XVI. MAYOR AND COUNCIL COMMENTS

XVII. ADJOURNMENT

Americans with Disabilities Act

The City of Stonecrest does not discriminate on the basis of disability in its programs, services, activities and employment practices.

If you need auxiliary aids and services for effective communication (such as a sign language interpreter, an assistive listening device or print material in digital format) or reasonable modification to programs, services or activities contact the ADA Coordinator, Megan Reid, as soon as possible, preferably 2 days before the activity or event.

Council Meeting

MINUTES:

a. Approval of the February 10, 2020 Special Called Meeting Minutes
b. Approval of the February 24, 2020 Council Meeting Minutes
c. Approval of the February 26, 2020 Special Called Meeting Minutes

CITY OF STONECREST, GEORGIA

Honorable Mayor Jason Lary, Sr.

Council Member Jimmy Clanton, Jr. – District 1 ***Council Member Rob Turner- District 2***

Council Member Jazzmin Cobble – District 3 ***Council Member George Turner- District 4***

Tammy Grimes – District 5

SPECIAL CALLED MEETING MINUTES
February 10, 2020
4:30 p.m.
3120 Stonecrest Blvd. Suite 190
Stonecrest, Georgia

I. CALL TO ORDER: Mayor Jason Lary

ROLL CALL: All members present.

II. AGENDA ITEMS

1. **Excused absences**

There was much discussion regarding excusing absences and if the council was able to retroactively excuse absences.

Motion 1- was made by Council Member Rob Turner to excuse the 2 absences that Council Member Jazzmin Cobble missed on 09/23/2019 and 10/14/2019 and was seconded by Council Member George Turner.

There was much discussion by Mayor and Council as to who could vote on this issue. City Attorney Winston Denmark advised against voting on this issue.

Motion failed 2-2 Council Member Rob Turner and Council Member George Turner voted yay. Mayor Jason Lary and Council Member Jimmy Clanton voted nay.

Council Member Jazzmin Cobble and Council Member Tammy Grimes did not vote after being instructed by Mayor Jason Lary and with advise of City Attorney Winston Denmark.

Motion 2- was made by Council Member George Turner to make a substitute motion that if a Council Member attends one-third of the meetings that the attendance threshold has been met and was seconded by Council Member Rob Turner.

Motion not eligible to be voted on since it was not an item on the agenda.

2. **Withdrawal of Lawsuit**

There was no action taken since there weren't any lawsuits filed.

III. ADJOURNMENT:

Motion 3- was made by Mayor Jason Lary to adjourn the Special Called Meeting and a second was provided by Council Member Jimmy Clanton.

Motion passed unanimously.

Read and adopted in the regular meeting of the City Council held on this _____ day of _____, 2020.

_____
Mayor Jason Lary

ATTEST:

_____
Megan P. Reid, City Clerk

CITY OF STONECREST, GEORGIA

Honorable Mayor Jason Lary, Sr.

Council Member Jimmy Clanton, Jr. – District 1 ***Council Member Rob Turner- District 2***

Council Member Jazzmin Cobble – District 3 ***Council Member George Turner- District 4***

Tammy Grimes – District 5

CITY COUNCIL MEETING MINUTES

February 24, 2020
7:00 p.m.
3120 Stonecrest Blvd. Suite 190
Stonecrest, Georgia

I. CALL TO ORDER: Mayor Jason Lary

II. ROLL CALL: All members present.

III. INVOCATION: Invocation was led by Council Member Rob Turner.

IV. PLEDGE OF ALLEGIANCE

V. APPROVAL OF THE COUNCIL AGENDA:

Motion 1- was made by Council Member George Turner to remove VIII. Appointments- Consent Agenda and to remove XI. New Business a. Annexation and to add under New Business: a. Code Enforcement Discussion and b. Resolution for Charter Amendment for Discussion only and was seconded by Council Member Rob Turner.

Motion passed unanimously.

VI. MINUTES:

a. January 27, 2020 City Council Minutes

Motion 2- was made by Council Member George Turner to approve the minutes with a correction to change to his comments pertaining to Countywide SPLOST and change it to Countywide Census and was seconded by Council Member Tammy Grimes.

Motion passed unanimously.

b. February 10, 2020 Special Called Meeting

Motion 3- was made by Council Member Jazzmin Cobble to defer to the next Council Meeting to clarify "Motion 1 to state that the Mayor instructed Council Member Grimes and Council Member Cobble that they were not eligible to vote and that City Attorney Denmark advised them not to vote" and seconded by Council Member Grimes.

Motion passed unanimously.

c. February 10, 2020 Council Meeting

Motion 4- was made by Council Member Rob Turner to approve the minutes from the City Council Meeting on February 10, 2020 and was seconded by Council Member George Turner.

Motion passed unanimously.

d. February 13, 2020 Special Called Meeting

Motion 4- was made by Council Member Rob Turner to approve the minutes from the Special Called Meeting on February 13, 2020 and was seconded by Council Member Jimmy Clanton.

Motion passed unanimously.

VII. PRESENTATIONS:

a. Mayor Jason Lary made the following presentations

Acknowledged Tiffany Adams' resignation and wished her well and thanked her for being an employee from the start.

Recognized DaKarta Richardson as the new Court Clerk.

Recognized Sean Jones, Senator Vernon Jones, Plez Joyner, Attorney Bernard Knight, Attorney Thom Kurrie, and Joel Thibodeaux for their efforts in the creation of Stonecrest.

VIII. ~~APPOINTMENTS:~~

~~**Consent Agenda**~~

~~**a. Development Authority**~~
~~**b. 2020 Complete Count census Committee**~~
~~**c. Post Office Committee**~~
~~**d. Public Safety Committee**~~
~~**e. Parks Committee**~~

~~**f. SPLOST Citizens Oversight Advisory Committee**~~
~~**g. Film Committee**~~
~~**h. Education Committee**~~
~~**i. Sports Authority Committee**~~
~~**j. Commercial Industrial District Committee (CID)**~~
~~**k. Browns Mill-Panola Overlay Committee**~~
~~**l. Stonecrest Technology Committee**~~
~~**m. Stonecrest Connect Committee**~~

IX. PUBLIC COMMENTS

1. **Harriet Harris-** Asked for Council to settle their personal issues outside of the public eye and disappointed in the walk out on 2/10/2020.
2. **Jeremy-Scott-** Code Enforcement needs to observe the violations in District Also very disappointed and embarrassed by the walk out because there were 2 High Schools here to present their project that they have worked on for Parks and Recreation
3. **Faye Coffield-** Stated she believes in protest sometimes. Would like for the City to investigate the study provided for Atlanta Police Department called Midnight Blue. Also stated she was against the construction of a gas station on Turner Hill Road.
4. **Dave Marcus-** Would like to compliment the Mayor for listening to the Council and removing the Committees from the Agenda. Would like to see measurable goals in the Comprehensive Plan.
5. **Bill Bruckner-** Disappointed in those members of the Council who walked out on 02/10/2020 Council Meeting.
6. **Susan Lee-** Disappointed and embarrassed by those members of the Council who walked out on 02/10/2020 Council Meeting. She asked the Council that walked out to invite the High Schoolers back and apologize and see their presentation.
7. **Renee Cail-** was called up in error and wanted to speak at the Public Hearing.

X. PUBLIC HEARING

1. Ordinance for Rezoning Application RZ-19-010/SLUP-19-009

Chris Wheeler, Planning and Zoning Director, advised the Mayor and Council that the applicant has asked for an approval to withdraw the application.

Motion 5- was made by Council Member Jimmy Clanton to open the public Hearing for RZ-19-010/SLUP-19-009 and was seconded by Council Member George Turner.

Motion passed unanimously.

Mayor called for those in favor of denying the application:

Renee Cail, Nichelle Stephens-Smith, Faye Coffield, Dave Marcus all spoke in favor of denial of the Rezoning Application.

Mayor called for those in favor of approving the Withdrawal of the application:

Bernard Knight and Michelle Battle both spoke in favor of approving the withdrawal of the application.

Motion 6- was made by Council Member Jimmy Clanton to close the Public Hearing and was seconded by Council Member George Turner.

Motion passed unanimously.

Motion 7- was made by Council Member Jimmy Clanton to approve the withdrawal of the application and was seconded by Council member George Turner.

Motion passed unanimously.

XI. NEW BUSINESS

a. Code Enforcement Discussion
1. Alcohol Sales Hours for Consumption on Premises Sales
2. Shopping Cart Ordinance
3. Donation Box Ordinance

Alejandro Ferrell, Code Enforcement Manager, advised the Mayor and Council that he has concerns about the Hours that the Late Night Establishments are staying open and may be casing criminal activity. Mayor and Council asked for more information and statistics.

The other 2 items were not discussed due to time constraints and were asked to be put on to the next Work Session for discussion.

b. Resolution for Charter Amendment for Discussion Only

There was much discussion as to either approve a resolution to clear up the ambiguity relating the unexcused absences or approve a resolution to add all the charter changes that were sent in earlier.

Motion 8- was made by Council Member Jazzmin Cobble to approve the resolution of support for the General Assembly to clear up ambiguity in the Charter.

The Mayor said he did not recognize the Motion because it was put on the agenda for discussion only. Council Member Jazzmin Cobble asked Council Member Rob Turner if when he added the item was the intention to vote and Council Member Rob Turner replied yes.

Council member Rob Turner seconded the motion.

Council Member Jimmy Clanton did not want to vote on a resolution that he hasn't seen. He said that this should be treated the same was as the committees and the Council needs to be able to have the chance to read and give input on the resolution.

The Mayor asked for a copy of the resolution in writing and Council Member Cobble stated she would send him a copy. He asked to see it immediately and she did not respond.

Council Member George Turner state that the Council was invited to the State Capitol for the Senate Meeting and they were given a copy of the draft senate bill entitled An Act to Amend the Articles of Incorporation and it is LC470399 and all five Council Members received it and read it and have a reasonable understanding of the bill.

Council Member Jimmy Clanton disagreed that they had the final bill ready and were still making changes to it when he left the meeting.

Council Member Jazzmin Cobble then stated that Bill has already dropped.

Council Member Jimmy Clanton states that the ambiguity of the "failure to attend 1/3 of the meetings" potion of the Charter is still left in the Bill. He is not satisfied with the draft or sending a resolution of support for the bill.

Council Member Cobble reiterated that the bills has been dropped and that the ambiguity that was brought up was to be used against council and to remove them from their seat.

Council Member George Turner stated that once the bills are dropped that they can still be amended several times before they will be final. He is ready to move forward and set it into motion with a resolution of support for the bill.

Council Member Jimmy Clanton stated that it doesn't matter if they send a support of a resolution or not as Council Member Cobble stated the bill has already dropped. He also mentioned the he felt the Council would be setting a precedence of how they conduct business. He strongly suggested that this subject should have been discussed at the work session and the resolution should have been made available.

Council Member Cobble stated that the litigation did not follow that procedure.

Mayor Lary stated that he took extraordinary efforts to make sure the litigation was handled quietly so that it would not be out in the general public and in the news.

Council Member Cobble stated that she never received notification of the litigation until it was drafted and given to her by Attorney Denmark. She also reiterated that this is just a resolution to clear up ambiguity in the Charter under the General Assembly and it's in support of changing the Charter and it's not earth shattering.

Mayor Lary disagreed and said that the bill was more than just the unexcused absences. He also stated that the General Assembly has had very important bills sitting there for 3 years and they didn't do anything with them, and he doesn't understand why they decided to pick this? He stated again that he met with Council two on two as to not break the Sunshine Laws and stated that the other Council Members broke the sunshine laws by meeting and discussing this bill. He also stated again that he tried to go about the litigation eloquently to let the Court decide on the ambiguity of the Charter and that once the Court decided if an infraction had taken place there would have been options. Mayor Lary said he didn't have anything else to say about the topic except that the Senator is bringing forth this bill is mad that the City was created. He agrees with Council Member Jimmy Clanton that they shouldn't vote on a resolution that isn't available especially if they can't vote on Committees for the same reason.

Council Member Cobble asked for a call for the question with the motion on the floor.

Council Member Clanton stated that inn Robert's Rules of Order the Chair doesn't have to recognize the Call for Question. He also stated that the Resolution needs to be clear as to what they are voting on and as of now the bill wasn't even complete. He believes there needs to be a Called Meeting to discuss this with the Resolution available.

Council Member George Turner stated that Robert's Rules of Order calls for two-thirds of the Council to override the Call for a Question that isn't recognized by the Mayor.

Substitute Motion was made by Mayor Jason Lary to add to the resolution to the things they want for with regards to the council and the citizens and was seconded by Council Member Jimmy Clanton.

Council member Rob Turner questioned when this would be discussed.

Mayor Lary stated that he would be open to a Called Meeting or Regular Meeting or Workshop.

Council Member George Turner stated that this was time sensitive matter.

Council Member Jimmy Clanton suggested combining two documents for the resolution.

There was much discussion about the resolution that was sent in prior years.

Substitute Motion Failed- 2-4 with Council Member Rob Turner, Council Member Jazzmin Cobble, Council Member George Turner and Council member Grimes all voting nay.

Mayor Lary instructed Council Member George Turner as the Mayor Pro-tem to call for the original Motion.

Mayor Pro-Tem George Turner restated the motion to support the charter changes relative to attendance. He asked Council member Cobble if that was accurate and she stated yes. He reaffirmed that their was already a second on the table and that was confirmed. He then called for the vote.

Motion 7 passed 4-1 Council Member Jimmy Clanton voted nay. Mayor Jason Lary did not vote.

Mayor Lary stated that he would not sign the resolution.

XII. OLD BUSINESS

a. Tax Anticipation Note- 1st Read

Read aloud by Deputy City Manager Plez Joyner.

b. Urban Redevelopment Agency

1. Schedule

City Attorney Winston Denmark gave the information regarding the schedule.

2. Appointments

Motion 8- was made by Council Member George Turner to appoint Mayor Lary at the Chair of the Urban Redevelopment Agency and was seconded by Council member Jimmy Clanton.

Motion passed unanimously.

Motion 9- was made by Mayor Jason Lary to appoint Council Member Jimmy Clanton as the Vice- Chair of the Urban Redevelopment Agency and was seconded by Council Member George Turner.

Motion passed unanimously.

Motion 10- was made by Mayor Jason Lary to appoint Council Member George Turner as the Secretary of the Urban Redevelopment Agency and was seconded by Council Member Jimmy Clanton.

Motion passed unanimously.

c. Final Plat for Flat Rock Hills Phase 2B

Motion 11- was made by Council Member George Turner to approve the Final Plat for Flat Rock Phase 2B and was seconded by Council Member Jimmy Clanton.

d. Memorandum of Agreement for Summer Camp

Motion 12- was made by Mayor Jason Lary to approve the MOA for Summer Camp and was seconded by Council Member Rob Turner.

Motion passed unanimously.

e. Parks and Recreation Camera System at Browns Mill Recreation & Aquatic Centers, License Plate Readers at five (5) Parks

Motion 13- was made by Council Member Jimmy Clanton to approve the bid for $94,982 out of SPLOST proceeds and was seconded by Council Member Tammy Grimes.

Motion passed unanimously.

f. SLUP-19-007-3620 Klondike Road

Motion 14- was made by Council Member Jimmy Clanton to approve SLUP-19-007 at 3620 Klondike Road with the conditions outlined in the staff report.

Motion passed unanimously.

XIII. EXECUTIVE SESSION

Motion 15- was made by Council Member Jimmy Clanton to go into Executive Session for Real Estate and Personnel Matters and was seconded by Council Member George Turner.

Motion passed unanimously.

Motion 16- was made by Council Member George Turner to go back into Regular Session and was seconded by Council Member Jimmy Clanton.

Motion passed unanimously.

Deputy City Manager gave an update on the city's basketball team, the GA Kangaroos.

Council Member Cobble thanked everyone who came to the District 3 Community Meeting.

Council Member Rob Turner invited everyone to a Town Hall Meeting on Thursday, February 27.

Council Member Jimmy Clanton reminded everyone of the District 1 Community Meetings on the first Saturday of every month at the AEI Start Up Factory. He also gave his condolences to the Kobe Bryant Family.

Council Member George Turner was invited to attend Big Miller Grove Church on March 8 to celebrate Bishop Fowler for his 80th Birthday. New Birth Missionary Baptist Church is going to become a Census Center and he is trying to get other churches to follow suit. Spreading the word to the schools and even getting the census to be taught in civics.

Council Member Tammy Grimes- asked everyone to keep the family of Tesfaye Birru, owner of the Tic Toc Convenience Store who was murdered over the weekend. District 5 has lots of going on , but she has updated her Facebook page for updates.

Mayor Jason Lary so glad to be able to promote from within and would like to recognize Iris Settle for her great work on the executive level.

XIV. ADJOURNMENT

Motion 17- was made by Council Member Jimmy Clanton to adjourn and was seconded by Council Member George Turner.

Motion passed unanimously.

Signatures on following page

Read and adopted in the regular meeting of the City Council held on this _____ day of _____, 2020.

_____
Mayor Jason Lary

ATTEST:

_____
Megan P. Reid, City Clerk

CITY OF STONECREST, GEORGIA

Honorable Mayor Jason Lary, Sr.

Council Member Jimmy Clanton, Jr. – District 1 ***Council Member Rob Turner- District 2***

Council Member Jazzmin Cobble – District 3 ***Council Member George Turner- District 4***

Tammy Grimes – District 5

SPECIAL CALLED MEETING MINUTES
February 26, 2020
6:00 p.m.
3120 Stonecrest Blvd. Suite 190
Stonecrest, Georgia

I. CALL TO ORDER: Mayor Jason Lary

ROLL CALL: All members were present.

II. AGENDA ITEMS

1. Tax Anticipation Note- 2nd reading

Motion 1- was made by Mayor Lary to approve the Tax Anticipation Note Ordinance and was seconded by Council Member Jimmy Clanton.

Motion passed 4-2 with Council member Cobble and Council Member Grimes voting nay.

2. Development Authority Appointments
    a. Jimmy Clanton, Post 1

Motion 2- was made by Mayor Jason Lary to appoint Council Member Jimmy Clanton as ex-officio non-voting member Council Member Rob Turner.

There was discussion regarding Council Member Tammy Grimes' appointment and the Mayor explained that the member did not want to serve until the seat was vacant.

Motion passed unanimously.

3. Film Committee Appointments
    b. Rob Turner, Post 2
    c. Jazzmin Cobble, Post 3
    d. Patreece DeChabert
    e. Verda Watson

f. Stacy Thibodeaux
g. Clarence Boone
h. Will Settle
i. LaRonda Sutton
j. Victoria Turner
k. District 5 Representative

Motion 3- was made by Council member Rob Turner to appoint the Film Committee as stated on the agenda and was seconded by Council Member Jimmy Clanton.

Council Member Rob Turner stated this Committee will act in the same manner as they have in previous years.

Motion passed unanimously.

4. 2020 Complete Count Census Committee Appointments
    a. George Turner, Post 4
    b. Jazzmin Cobble, Post 3
    c. Kendra Price
    d. Melva Hubbard
    e. Adrion Bell
    f. Al Franklin
    g. Barbara Lee
    h. Francis Savoy
    i. Ramonda Raven
    j. Laveeta Branche
    k. Patsi Turner
    l. Angela Wilson
    m. Donna Douglas
    n. Sandra Edwards
    o. Gertrude Morgan
    p. LaDetra Burks
    q. Patricia Smith
    r. Frank Bush
    s. Terry Lee

Motion 4- was made by Council Member George Turner to appoint the 2020 Complete Count Census Committee as stated on the agenda and was seconded by Council Member Jimmy Clanton.

Council Member George Turner provided the Mayor and Council with the purpose of this Committee and stated that the need for more members is badly needed.

Motion passed unanimously.

5. Community Improvement District (CID) Committee Appointments
    l. Jimmy Clanton, Post 1

m. Rob Turner, Post 2
n. Will Settle
o. Chris Wheeler
p. Plez Joyner
q. Bernie Knight
r. Greg Flannigan

Motion 5- was made by Mayor Jason Lary to appoint the Community Improvement District Committee as stated on the agenda and was seconded by Council Member Jimmy Clanton.

Mayor Jason lary stated this Committee will act in the same manner as they have in previous years previously known as the East Metro CID.

Motion passed unanimously.

III. ADJOURNMENT:

Motion 6- was made by Council Member Jimmy Clanton to adjourn the Special Called Meeting and a second was provided by Mayor Jason Lary.

Motion passed unanimously.

Read and adopted in the regular meeting of the City Council held on this _____ day of _____, 2020.

_____
Mayor Jason Lary

ATTEST:

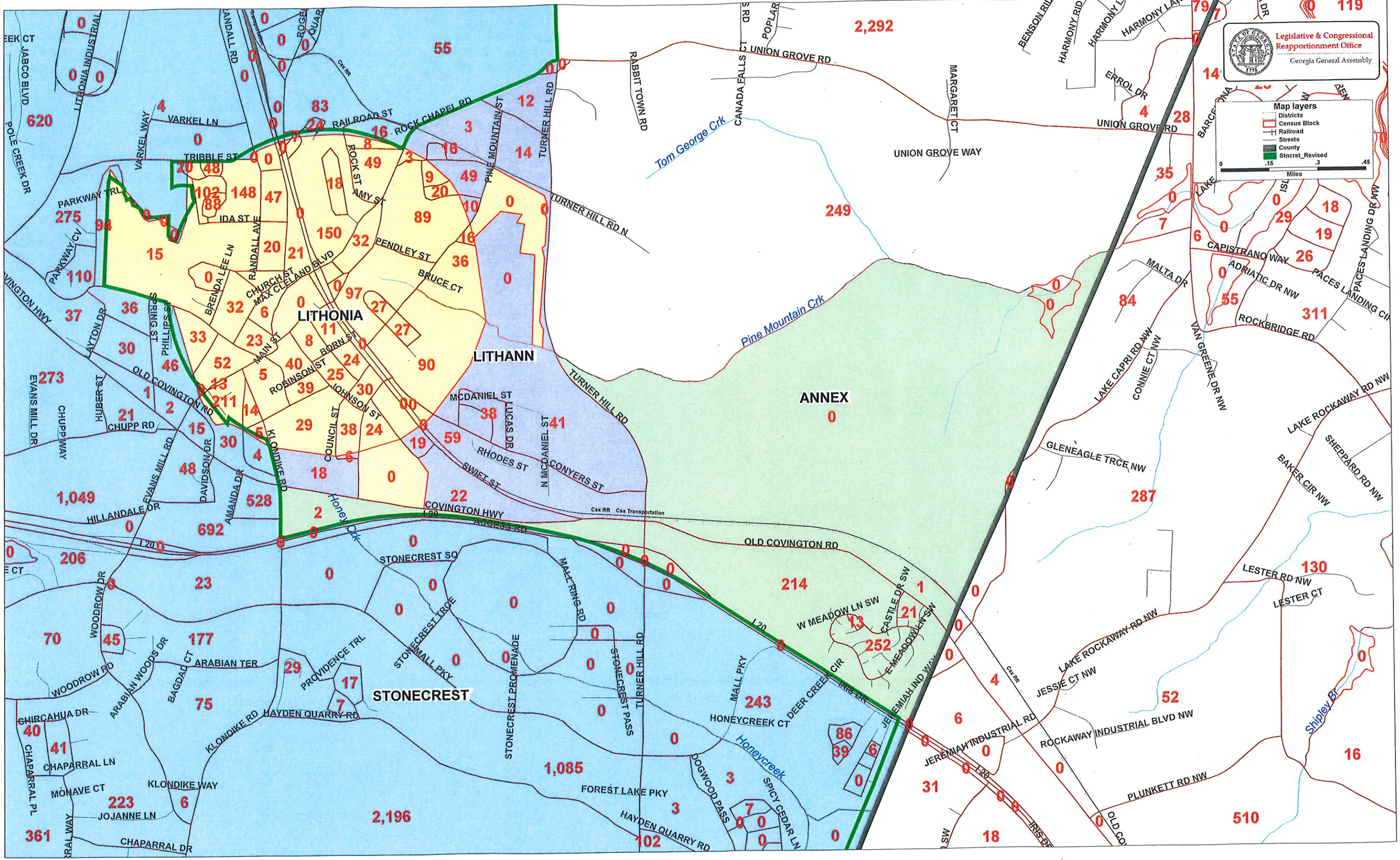
_____
Megan P. Reid, City Clerk

Old Business:

a. Annexation

Included in this are the rules for annexation and the proposed annexation. Mayor and Council will decide whether or not to proceed with the proposed annexation and have the City Attorney start the process.

Proposed Lithonia and Stonecrest Annexation



Proposed City of DeKalb

Client: S010
Plan: city-dekalb-2020
Type: Local

District	Population	Deviation	% Deviation	18+_Pop	TREG18	TVOTED18
DEKALB	318466	145,472	84.09%	236269	263282	141323

EXISTING

LEGEND
Districts
CITIES2017
VTD2018
County
ALL MAJOR ROADS
0 1 2
Miles

Legislative & Congressional Reapportionment Office
Georgia General Assembly

REPORT OF THE GEORGIA HOUSE ANNEXATION, DEANNEXATION, AND INCORPORATION STUDY COMMITTEE

COMMITTEE MEMBERS:

Honorable Jan Tankersley, Chair
Representative, District 160

Honorable Ed Rynders
Representative, District 152

Honorable Tom Taylor
Representative, District 79

Honorable Mary Margaret Oliver
Representative, District 82

Honorable Beth Beskin
Representative, District 54

TABLE OF CONTENTS:

I. Introduction

II. Executive Summary

III. Findings

IV. Recommendations

III. FINDINGS

This committee recognizes local government authority comes with multiple benefits to Georgia. To understand the process, opportunities, and challenges the committee heard testimony from experts on local government policy. Discussion from the committee focused on different strategies and approaches to the development of county and municipal government.

Annexation

Traditionally, annexations in Georgia have been accomplished by local act of the General Assembly. Local legislation amends the charter of the city to extend the corporate limits and include territory adjacent to the city once approved by referendum. Dillon's Rule states that municipalities can exercise only the powers that the state specifically grants and only if those powers are lawfully granted. [10] Municipal governments use annexation as part of a long-term growth strategy and to accommodate or control urban expansion. Benefits of annexation include contiguity, land management, environmental protection, economic interests, expanding the tax base and promoting economic growth.

In counties that provide few services or low levels of service, annexation alleviates public pressure to supply urban services that are already available from a municipality. For property owners, annexation may offer the opportunity to receive services, or a higher level of service, not currently available from the county. Others may consider the new services to be unequal to the increased tax burdens and may oppose annexation proposals. Urban counties may face more complicated issues than rural counties such as zoning regulations and changes in land use. Annexation laws in Georgia provide methods which require the consent of at least a majority of the citizens living in an area to be annexed into a city.

The 100 percent method allows a city to annex qualified parcels if it receives approval from all property owners in the proposed annexed area. This law is a common technique of annexation that must have city council support. In the past, a city could use the "spoke" method that takes place along the length of a road, river, or right-of-way to reach a desirable piece of property distant from the boundary of the city if the county agrees. As of 2000, either one-eighth of the area boundary or 50 feet of the area to be annexed must directly touch the municipality in order to legitimately change city boundaries.

[10] John Forrest Dillon, The Law of Municipal Corporations, 1872

The 60 percent method allows municipalities with populations of at least 200 the power of annexation under the following requirements:

1. The application for annexation must be signed by the owners of not less than 60 percent of the property sought to be annexed, by acreage.
2. Not less than 60 percent of the electors living in the area must sign the application for annexation.
3. The municipality must prepare a plan for extending municipal services to the area annexed.

Property owners or voters may request a Superior Court declaratory ruling on the legitimacy of the annexation ordinance. The city council must also approve the annexation.

To utilize the ***Resolution and Referendum method***, municipalities must hold a public hearing, present the annexation and service plan to the residents of both the unincorporated area and the city, adopt a resolution annexing the area, and hold a referendum in the area proposed to be annexed. Georgia law requires the annexing municipality to create a basic plan for extending police and fire protection, garbage, water, sewer, and street maintenance services to the annexed area on substantially the same basis and in the same manner as they were required to before the annexation. [11] The area must be adjacent or connecting to the city's boundaries and at least one-eighth of the aggregate external boundaries of the area must coincide with the city's boundary. No part of the area may be in another city or county and no part of the area may be receiving water, sewer, police, or fire protection from any unit of government other than the annexing city, unless an intergovernmental agreement is established. This method is applicable for urban areas with a population density of at least two persons per square acre. [12]

In 1992, the Georgia General Assembly enacted an additional method of annexation to address the issue of unincorporated islands. To improve service-provisions efficiency, municipalities of at least 200 people were permitted to annex unincorporated islands. Georgia cities were permitted to individually annex property without the application of property owners or voters or the provision of a public hearing as long as the property met the definition of an unincorporated island and was contiguous to the annexing city. Cities were prohibited from

[11] Official Code of Georgia Annotated O.C.G.A 36-36-51 (4)
[12] Georgia State University, Andrew Young School Fiscal Research Center, Report on Laws of Incorporation and Annexation of Georgia Municipalities, 2014

creating new unincorporated islands by any future annexations or deannexations. Municipalities have the discretion to annex unincorporated islands, but are not obligated to do so. [13] If more than one city surrounds an unincorporated island, then the city with the largest percentage along its external border is permitted to annex the area unless a different agreement is created with another city.

Annexation laws do have requirements and restrictions relative to when annexations become effective and require the annexing municipality to provide maps and surveys of the annexed area to both the Secretary of State and the county governing authority. Municipalities must acquire any county-owned property or facilities within an annexed area if the property or facility is no longer usable for service to the county as a result of the annexation. Furthermore, the municipality must assume ownership, control, care and maintenance of a county right-of-way when it annexes land on both sides of the right-of-way, unless the city and county agree on different arrangements.

Since 2007, a county may object to an annexation if there is clear evidence there will be an increase burden on the county due to planned changes in zoning or land use. Other reasons for a county objection include possible increase in density and greater infrastructure demands. One problem that arises in annexations is when an area is designated as residential and suddenly becomes commercial when the city takes control. Another problem is that some counties and cities have had difficulty coming up with a procedure to resolve land use disputes. However, objections do not apply to annexations by local act of the General Assembly which may inspire this annexation method to circumvent county objections.

Local legislation that proposes an annexation where more than half of the acreage annexed is property less than five acres containing a house may not have a requirement for a referendum. If the proposed annexed area has more than 500 people or more than 3 percent of the city's population, then the local legislation must require a referendum to approve the proposed annexation. When a city proposes the annexation, it is required to pay for the cost of the referendum. [14] Before the annexation takes place, the city must provide zoning for the annexed property after the city receives notice of intention to introduce local legislation on the proposed annexation from the General Assembly.

[13] Official Code of Georgia Annotated O.C.G.A 36-36-92
[14] Official Code of Georgia Annotated O.C.G.A 36-36-7

Old Business:

b. Ordinance Authorizing Conveyance (2nd Read and Approval)

This is the 2nd read of the Conveyance Ordinance which essentially gives the Urban redevelopment Agency the ability to obtain Bonds for Sears and Sam's Buildings.

City Attorney Denmark's office will provide the ordinance.