



CITY OF LITHONIA
MINUTES–CITY COUNCIL VIRTUAL MEETING
Monday, July 6, 2020 @ 5:30 PM

I. Call to Order and Roll Call

The City Council Virtual Meeting was called to order at 5:38 pm by Mayor Shameka S. Reynolds. A roll call was taken and the following City Council Members were present: Diane Howard, Darold Honore, Amelia Inman, Vanerriah Wynn, and Ric Dodd. Zoning Administrator Bill Johnston joined the call.

I. Moment of Silence

A moment of silence was observed.

II. Approval of Agenda

Councilman Dodd motioned to approve the agenda with changes adding Officer Patterson under Presentation letter e; the motion was seconded by Councilwoman Howard, and approved by a vote of 5-0.

III. Approval of Council Meeting Minutes

a. June 15, 2020 – City Council Work Session Virtual Meeting @ 5:30 PM

Councilman Dodd motioned to approve the June 15, 2020 City Council Work Session Virtual Meeting Minutes; the motion was seconded by Councilwoman Inman, and approved by a vote of 5-0.

b. June 24, 2020 – Zoning Public Hearing Virtual Meeting @ 4:00 PM

Councilman Honore motioned to approve the June 24, 2020 Zoning Public Hearing Virtual Meeting Minutes; the motion was seconded by Councilwoman Howard, and approved by a vote of 5-0.

IV. Public Comments (Limit 2-minutes per person)

Ms. Amy Garner at 2580 Reagin Street stated that during the July 4th weekend an incident occurred at the duplex located at Parkway and Reagin Street that Councilwoman Inman is also aware of. There was firework activity which was fine until midnight and thereafter the distinction of shooting took place. She called 911, received an answering machine, no one picked up. Her neighbor then called 911 and finally spoke to a dispatcher however no one ever showed up. On July 5th the fireworks started at about 9:45 pm, she was informed by a dispatcher that after 9:00 pm on a non-holiday fireworks are not allowed. Officer Smith did show up but nothing was resolved, she talked to the occupants and as the Officer drove off the occupants continued to ignite fireworks. Officer Smith never responded to the occupant disobeying her order, nor did she provide a response to me after speaking with the occupant. Ms. Garner called 911 again and asked for Dekalb County to come out. There was a shouting match with occupants at the duplex and neighbors across the street, a lot of slurs were thrown out, there with a lot of witnesses. The landlord was informed, however something needs to be done about the duplex on Reagin Street; cars without tags, visitors that get out of control, etc. The address of the duplex is 2576 Reagin with issues at the other apartments as well. They have photos and videos and would like to sit down with the Mayor and Councilwoman Inman to discuss the situations that are occurring which are getting serious. Interim Chief Minafee indicated there was no report on the call log of the incident and that she will request all the 911-call logs for July 4 and July 5 (24-hour turnaround), that

she would speak with Officer Smith the following day. Mayor and Councilwoman Inman will schedule a time with Ms. Garner to meet this week.

Ms. Paige Sanders at 2579 Reagin Street spoke on the same situation; racial slurs directed at her personally, the landlord was informed in February and has not come out to resolve anything; no one will answer 911-calls. Officer Smith seemed to be insensitive. There was also a shooting and shells were found by their cars and in the yard. Interim Chief Minafee obtained Ms. Sanders information and will meet with her personally on tomorrow.

V. Presentation (Limit 8 minutes per person)

a. Mr. Doug Thompkins, Black Lives Matter

Mr. Doug Thompkins with the participation of businesses, the community, and local schools is proposing to paint the words Black Lives Matter on the street from Main Street in front of Blackdot Bookstore to Main/Wiggins Street in front of Occasion's. The event would begin on a Sunday painting the letters in white and return the following Sunday to paint picture themes on the lettering for a 2-day event to include a musical competition (limit 5-persons) and a poetry competition (limit 5-persons). Councilwoman Howard is requesting a structured format of these ideas in writing. Councilman Honore inquired about the space of the lettering, confirming that it would be in the center of the street, additionally requesting that consideration is given to allow for the poetry competition reading via social media should there be a change in covid numbers, additionally that participants who will paint on the letters submit their intentions in writing to avoid any conflict of interest. Mr. Thompkins is requesting that Council select a Sunday date that the event should begin. Mayor Reynolds thanked Mr. Thompkins for presenting the idea and that she and council would be in touch for further discussion and to provide a Sunday date for the event.

b. Ms. Maxine Young – Alcohol License approval for 6972 Main Street, and 7027 Swift Street

Ms. Maxine Young is requesting a license for her 2 event centers to legally protect those businesses so that when hiring a bartender to pour, she can control and manage the process. The proper protocol was not taken by City Clerk Robinette Blount to obtain recommendation approval through the Zoning Administrator. The action item is tabled pending the zoning administrator's findings.

c. Ms. Dawn Massey – Seeking Amendment to the Event Ordinance for Historical Properties The Women's Club, and The Camellia House

Ms. Dawn Massey is asking that council vote on an amendment instead of a variance, as advised by Bill Johnston Zoning Administrator. Bill Johnston then read the ordinance (as basis, not of opinion) to provide the distinction of an amendment and a variance. Mayor Reynolds stated there would be follow up to provide a solution.

d. Ms. Cora Fortuchang – Seeking to allow her tenant at 6836 Main Street to utilize the parking lot on the property to park commercial vehicles for his landscaping business

Ms. Cora Fortuchang stated that she is the property owner of 6836 Main Street, the property has been in her family since 1989, the company Johnson Concrete was a contractor for DeKalb County for over 46-years, the property was designed to accommodate parking for commercial vehicles, behind the building is a

rock gravel lot, gated, and fenced on 4-sides for the past 31 years. She was told that the lot could be used for storage only in Dec. 2017 by Chief Smith and others. Her son has used the property for his towing yard. Her tenant moved on the property with the intention to store their commercial vehicles. The tenant received a warning citation to remove his trucks, trailers, and bus that are used for his landscaping business. Ms. Fortuchang is asking for a waiver or to reconsider the current zoning ordinance for the property. Mayor Reynolds will be speaking with Zoning Administrator Bill Johnston and return this item to the Work Session Agenda on July 20 for a conclusion. City Administrator Lathaydra Sands will be in contact with Code Enforcement to prevent any legal action prior to the Work Session meeting.

e. Officer Patterson

Officer Patterson stated that he has been working for the City of Lithonia 4 years with no history of disciplinary action. He had an incident happen with his daughter in January; she was sick so he called off sick and ended up coming into work regardless. Officer Patterson feels that he was not being heard clearly when speaking with his superiors when the incident happened, and introduced Ms. Tanesia Patterson as a representative who would speak on his behalf. Ms. Tanesia Patterson stated that she was speaking as a representative (non-legal) for Officer Patterson on misinformation of what happened, and that he was not being heard clearly on the basis of this incident, and it appears that Officer Patterson seems to be targeted at this time. He did have an incident happen in January but it was not brought up until 6-months later in May. He has not been treated fairly, requesting that an interior investigation is opened on how the Interim Chief and Captain are handling things for the City at this point. The issues are that there was misinformation on what exactly happened to Officer Patterson; he contacted Captain Minafee to request a sick-day so that he could accompany Tanesia to see about his daughter as she was sick. Turned out that she was diagnosed with a virus which was not as serious as they thought and they were in/out of the hospital, there after Officer Patterson proceeded to go into work. He was told that he lied about where he was. The issue is that proper protocol was not carried out, there was no tangible evidence to say that he lied about his whereabouts, there was a written statement provided by Captain Minafee, there was no recorded evidence, and that he was served 6 months later who's to say that Captain Minafee could recall what had exactly occurred after 6-months. The point that she came in to automatically assume that he was lying, does not understand why they were so quick to provide an extreme disciplinary action, had no problems working with the 3 previous chiefs, and then the new interim chief and captain come on board and there seem to be a lot of issues. He is not the type of person to cause, start, make, or create problems. During the appeals, it was stated that Interim Chief Newton was in that meeting but standing outside the door listening and not present in the meeting, and therefore Newton's statement is not credible. Also, it is said that Administrator Sands was in the meeting and she also was outside the doorway and not present in the meeting. It appears that a lot of deceptive techniques are being employed. It seems suspicious that she chose to have him serve his suspension on his off-day, that he serve his suspension before a new full-time chief was chosen, and that he start serving his suspension on his off-day. That he was given a directive by Mayor Reynolds, however the directive was delivered by Interim Chief Minafee and not the Mayor. An appeal was denied and he was told that his suspension take place that following day. Minafee seemed not to care that he had to be there at noon on his off-day as he had made plans with his family, so Officer Patterson not wanting to stir up anything, figured out a way to make it happen. Ms. Tanesia Patterson feels

that Minafee does not know how to speak with people if she is to be the head of a department. There appears to be a vendetta, likened to a situation of former Chief Smith. Mayor Reynolds thanked the Patterson's and indicated that she would be in touch.

VI. Action Items

a. Mural Ordinance

Councilman Honore motioned to approve Mural Ordinance 2020-05-19 with the inclusion of the grandfather provision that would allow existing murals to remain with the condition of applying a sealant to maintain integrity of the mural, the motion was seconded by Councilwoman Howard; the motion was approved by a vote of 5-0.

b. Police Vehicles

Councilman Honore motioned to place the purchase of a police vehicle on hold; the motion was seconded by Councilman Dodd, and approved by a vote of 5-0.

c. FY2020 Millage Rate

Councilwoman Inman motioned to approve the FY2020 Millage Rate of 11.081%; the motion was seconded by Councilwoman Wynn; and approved by a vote of 5-0.

~~d. Maxine Young — Alcohol License approval for 6972 Main Street, and 7027 Swift Street~~

VII. Other Business

a. Pay Increase for Quinton Monson

Mr. Monson received a \$2.00 pay increase for his promotion to public works director on July 1, 2018. On January 1, 2019 all public works staff received a pay increase of \$1.50 with the exception of Mr. Monson who was on medical leave at that time and was overlooked. Councilwoman Howard is requesting a review of the minutes to determine if there was an oversight or if intentionally omitted based on the 2018 increase. City Administrator Lathaydra Sands will review the minute records for that time period. Councilman Dodd recalled that no one in the public works department was excluded in receiving a raise.

Councilman Dodd motioned to approve the \$1.50 pay increase for Mr. Quinton Monson providing if nothing is found to determine that his pay increase was intentionally withheld, effective immediately or back-dated to present; the motion was seconded by Councilman Honore, the motion was approved by a vote of 5-0.

b. Revenue Enhancement Opportunities/Audit

Mr. Marshall Mitchell a representative from Attorney Fincher Denmark's office provided presentation on the discussion of entering into a contract that would entail discovering/identifying opportunity areas to generate new revenue (fees) that produce income for the city. Mayor Reynolds thanked Mr. Mitchell for his time and indicated that further discussion would take place during the July 20, 2020 Work Session. In the meantime, Mr. Mitchell will provide a FCC printout listing of cell towers located in the Lithonia area.

c. Fees for landscape maintenance of abandoned residential lots

Councilwoman Inman provided City of Clarkston's process and fees as an example. Mayor and Council are in agreement to amend the current ordinance. Mayor Reynolds indicated that further discussion would take place during the July 20, 2020 Work Session.

d. Changing Mayor and Council stipend for Direct Deposit

Councilwoman Inman made the suggestion to request the stipend check is set up for direct deposit due to COVID-19 in lessening outside interaction.

Councilwoman Inman motioned to change the Mayor and Council stipend from live check to direct deposit; the motion was seconded by Councilwoman Howard,

e. Mayors Report: COVID-19 Update, Council Member District Update

Mayor Reynolds stated that COVID numbers are the same with an increase and asked that everyone remain prayerful and mindful. Mayor asked if council was ready to return to council chambers or to utilize zoom for teleconference. Accountant Craig Lymburner will retire December 31, 2020; administration will start to solicit RFP's. Mayor, Council, and Amphitheatre Manager Annette Radford are in agreement that the park should remain closed, also noting that the Governor has not granted permission to open any parks, will revisit conversation monthly.

VIII. Executive Session (if needed)

Councilman Dodd motioned to adjourn for executive session to discuss personnel matters; the motion was seconded by Councilwoman Howard, and approved by a vote of .5-0. The council entered executive session at 8:11 pm.

Executive Session reconvened at 9:03 pm.

After discussion on personnel matters, Mayor Reynolds announced that the selection process for Chief of Police is narrowed down to 2 candidates with selection pending the results of the background checks.

IX. Adjournment

Councilwoman Howard motioned to adjourn the meeting, the motion was seconded by Councilman Dodd; the motion was approved by a vote 5-0, and the meeting was adjourned at 9:05 pm.