



City Council Meeting- Zoom

November 9, 2020 at 7:00 pm

Dial (929) 205-6099
Meeting ID 770 964 2244

Electronic Device
<https://zoom.us/j/7709642244>

The Honorable Mayor Elizabeth Carr-Hurst, Presiding

The Honorable Mayor Pro-Tem Ulysses J. Smallwood
The Honorable Linda J. Davis
The Honorable Alex Heath

The Honorable Hattie Portis-Jones
The Honorable Pat Pallend
The Honorable James Whitmore

Mr. Randy Turner

City Attorney

I. Meeting Called to Order:

The Honorable Mayor Carr-Hurst

II. Roll Call:

Arika Birdsong-Miller
City Clerk

III. Invocation:

Mayor Pro-Tem Ulysses Smallwood

IV. Adoption of City Council Minutes:

Councilmembers

- October 26, 2020 Council Meeting Minutes (Zoom)
- October 26, 2020 Executive Session Minutes (Zoom)

V. Presentation:

1. Presentation to the City of Fairburn's Mayor and Councilmembers: Fulton County District 6 Commissioner Joe Carn

VI. Adoption of the City Council Agenda:

Councilmembers

VII. Public Hearing:

1. Use Permit 2020083 Safeguard Landfill with Two Concurrent Variances (2020135, 2020136)

VIII. Agenda Items:

1. Police Department

Chief Stoney Mathis

For Mayor and Council to Approve an Extension for the Court Services/ Municipal Court City Ordinance Update to January 25, 2021.

2. Engineering

Mr. Lester Thompson

For Mayor and Council to Approve the Proposal from Envirorisk Consultants to Conduct Follow-Up Soil and Groundwater Investigations on the Downtown LCI Streetscape Project in the amount of \$7,750.

3. Park and Recreation

Mr. John Culbreth

For Mayor and Council to Approve the Installation of the Dog Fountain in Honor of Debbie Mullis at Duncan Park in the amount of \$13,392.

IX. Council Comments

Councilmembers

X. Executive Session

Attorney Randy Turner

XI. Adjournment

Councilmembers

*When an Executive Session is required, one will be called for the following issues:

(1) Personnel (2) Real Estate or (3) **Litigation.**

There will be an Executive Session for Litigation.



City of Fairburn
Mayor and Council Meeting- Zoom
October 26, 2020
7:00 pm

- I. The meeting was called to order at 7:00 pm by the Honorable Mayor Carr-Hurst.
- II. Roll Call was taken by City Clerk, Arika Birdsong-Miller with the following members present:

Mayor Elizabeth Carr-Hurst

The Honorable Mayor Pro-Tem Ulysses J. Smallwood

The Honorable Pat Pallend

The Honorable Linda J. Davis

The Honorable Hattie Portis-Jones

The Honorable James Whitmore

The attendance of Council constituted a quorum and the meeting proceeded.

Councilman Alex Heath arrived at the meeting at 7:27 pm due to technical difficulties.

City Attorney Randy Turner was also present.

- III. The invocation was led by Councilman James Whitmore.
- IV. Adoption of City Council Minutes:
Motion to Approve October 12, 2020, Council Meeting Minutes (Zoom) was made by Mayor Pro-Tem Smallwood and the second was provided by Councilwoman Davis.
Vote: 5-0: Motion Carried.
- V. Adoption of the Council Agenda:
Motion to Approve the Council Agenda was made by Mayor Pro-Tem Smallwood and the second was provided by Councilwoman Portis-Jones.
Vote: 5-0: Motion Carried.
- VI. Presentation:
 1. Mr. Dexter Bailey, Jr., Director of Bands at Creekside High School, was presented with a Proclamation from the City of Fairburn by Mayor Pro-Tem Smallwood. Mr. Bailey was recognized for his dedication in securing a safe haven for the band students of Creekside High School during this season of uncertainty caused by the COVID-19 Pandemic. Mayor Carr-Hurst and City Councilmembers thanked Mr. Bailey for his tenacious effort in maintaining the Creekside High School Band in the midst of the Global Pandemic.
- VII. Agenda Items:

1. Engineering

Mr. Lester Thompson

For Mayor and Council to Approve Change Order #3 with Precision 2000 to Install a Planter Based on the Downtown LCI Streetscape Project in the amount of \$3,995.15. Mr. Thompson explained that in order to prevent water from seeping into the building, he is proposing installing an impervious bottom in the planter and weep holes to

address overflow. The installation of a waterproof barrier as well as waterproof joints to prevent future percolation into the building is also proposed. Mr. Thompson stated that this should eliminate the leaching but will also shallow up the planter thus making the landscaping originally proposed less viable. Councilwoman Davis thanked Mr. Thompson for his excellent effort in providing the "gold standard" Motion to Approve Change Order #3 with Precision 200 to Install a Planter Based on the Downtown LCI Streetscape Project in the amount of \$3,995.15 was made by Councilman Whitmore and the second was provided by Councilwoman Davis.

Vote: 5-0: Motion Carried.

2. Utilities

Mr. John Martin

For Mayor and Council to Approve Change Order #140 for Water Supply Sampling in the amount of \$12,500. Mr. Martin explained that the agreement with ISE was approved with the understanding that tasks orders associated with civil engineering, water, wastewater and water resourced engineering would be issued on an as needed basis. Mr. Martin stated that all results will be provided in an Annual Water Quality Monitoring Report and included in the City's 2020-2021 Phase I NPDES (National Pollutant Discharge Eliminating Systems) MS4 Annual Report. Motion to Approve Change Order #140 for Water Supply Sampling in the amount of \$12,500 was made by Councilwoman Davis and the second was provided by Councilwoman Portis-Jones.

Vote: 5-0: Motion Carried.

Councilman Alex Heath arrived at the meeting at 7:27 pm due to technical difficulties.

3. Utilities

Mr. John Martin

For Mayor and Council to Approve Change Order #141 for Phase I MS4 Report and Annual Inspection to address EPD comments in the amount of \$19,870. Mr. Martin explained that this task order is to conduct Phase I MS4 inspections of storm drain structures in the Depp Creek Watershed, inspect 20% of industrial facilities, document conditions and produce the required reports for the City's 2020-2021 Phase I National Pollutant Discharge Elimination System (NPDES) MS4 Annual Report. Motion to Approve Change Order #141 for Phase I MS4 report and Annual Inspection to address EPD comments in the amount of \$19,870 was made by Councilwoman Portis-Jones and the second was provided by Mayor Pro-Tem Smallwood.

Vote: 6-0: Motion Approved.

4. Police Department

Chief Stoney Mathis

For Mayor and Council to Approve the Purchase and Outfitting for three (3) Ford Explorers in the amount of \$122,625. Chief Mathis explained that the Police Department is requesting approval for \$99,900 to purchase three (3) Ford Explorers, plus an additional \$22,725 for aftermarket equipment outfitting. Chief Mathis stated that the purchase of the vehicles is at state contract pricing via Brannen Motors in the amount of \$99,900. The aftermarket equipment outfitting will be through 144th Marketing Group in the amount of \$22,725. Councilwoman Portis-Jones asked if these vehicles are replacement vehicles. Chief Mathis stated that the Police Department currently has three (3) 12-year old Crown Victoria's that has 200,000 miles that these vehicles will replace. Councilman Heath asked what the difference in price for a Dodge Charger is verses a Ford Explorer. Chief Mathis stated that the difference is about \$9,000. Motion to Approve the Purchase and Outfitting for three (3) Ford Explorers in the amount of \$122,625 was made by Councilman Heath and the second was made by Councilwoman Davis.

Vote: 6-0: Motion Carried.

5. Police Department

Chief Stoney Mathis

For Mayor and Council to Approve the Speed Limit Increase on Gullatt Road. Chief Mathis explained that on August 1, 2019, the Police Department requested to have the speed limit reduced from 45 mph to 25 mph on Gullatt Road because the road was narrow and in need of repairs. Chief Mathis stated that to date, the road has been completely resurfaced and is in great shape. Therefore, the Police Department is requesting that the speed limit be increased to 35 mph to remain consistent with both the City of South Fulton and Coweta County speeds on the same road. Motion to Approve the Speed Limit Increase on Gullatt Road was made by Councilman Heath and the second was provided by Councilwoman Davis.

Vote: 6-0: Motion Carried.

VIII. Council Comments:

Councilwoman Davis had no comment.

Councilman Pallend had no comment.

Councilman Whitmore had no comment.

Councilwoman Portis-Jones welcomed back Mr. Harvey Stokes, Property Manager. Councilwoman Portis-Jones stated that she kept him in her prayers during his time of absence.

Councilman Heath had no comment.

Mayor Pro-Tem Smallwood had no comment.

Mayor Carr-Hurst had no comment.

At 7:44 pm a Motion to enter Executive Session for Personnel and Litigation from Regular Meeting was made by Councilman Heath and the second was provided by Councilman Whitmore.

Vote: 6-0: Motion Carried.

Motion to enter Open Session at 8:20 pm was made by Councilwoman Davis and the second was provided by Councilman Heath.

Vote: 6-0: Motion Carried.

IX. Adjournment: At 8:23 pm, with no further business of the City of Fairburn, the Motion to adjourn was made by Councilman Heath and the second was provided by Mayor Pro-Tem Smallwood.

Vote: 6-0: Motion Carried.



CITY OF FAIRBURN

CITY COUNCIL AGENDA ITEM

SUBJECT: USE PERMIT 2020083 SAFEGUARD LANDFILL WITH TWO CONCURRENT VARIANCES (2020135, 2020136)

() AGREEMENT () POLICY / DISCUSSION () CONTRACT
() ORDINANCE () RESOLUTION (X) OTHER

Submitted: 11/03/2020

Work Session: N/A

Council Meeting: 11/09/2020

DEPARTMENT: Community Development/Planning and Zoning Office

BUDGET IMPACT: None

PUBLIC HEARING: (X) Yes () No

PURPOSE: For the Mayor and Council to review the Safeguard Landfill use permit petition with two concurrent variances.

The use permit application was amended on Tuesday, August 4, 2020 to include two concurrent variances from Section 80-220 Landfill, solid waste disposal use permit standards.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission reviewed the use permit and two concurrent variance petitions on Tuesday, October 6, 2020 and recommended the following:

DENIAL of the use permit request for Section 80-220 Landfill, solid waste disposal, to allow the expansion of the existing Safeguard Landfill onto an additional +/-28.17 acres

DENIAL of the concurrent variance request to provide relief from Section 80-220(b)(11) - No portion of a new or expanded landfill shall be located within a one-mile radius of the property line of a residentially zoned or used property

DENIAL of the concurrent variance request to provide relief from Section 80-220(b)(12) - An expanded landfill shall not include any expanded use within the parcel boundaries of an existing site or location

STAFF RECOMMENDATION:

DENIAL of the use permit request for Section 80-220 Landfill, solid waste disposal, to allow the expansion of the existing Safeguard Landfill onto an additional +/-28.17 acres

DENIAL of the concurrent variance request to provide relief from Section 80-220(b)(11) - No portion of a new or expanded landfill shall be located within a one-mile radius of the property line of a residentially zoned or used property

DENIAL of the concurrent variance request to provide relief from Section 80-220(b)(12) - An expanded landfill shall not include any expanded use within the parcel boundaries of an existing site or location


Elizabeth Carr-Hurst, Mayor

APPLICATION INFORMATION

Use Permit Petition 2020083 and Concurrent Variances 2020135, 2020136

APPLICANT/PETITIONER INFORMATION

Property Owners:
Safeguard Landfill Management

Petitioner:
Safeguard Landfill Management
c/o Dillard Sellers

PROPERTY INFORMATION

Address: Parcels 7700 Roosevelt Hwy [07260001540892], 07260001350359,
07260001540736, 07260001540744, 07260001540751,
Land Lot and District: 07290001551516, 07260001540876, 07290001551557,
07290001551540, 0729001551185
Land Lot 154 & 155, District 7th

Frontage: Roosevelt Highway/Highway 29

Area of Property: +/- 28.17 acres

Existing Zoning and Uses: M-2 (Heavy Industrial District)

Overlay District: Not applicable

**2035 Comprehensive Future
Land Use Map Designation:** Industrial

MEETING AND HEARING DATES

Planning and Zoning Commission Meeting
October 6, 2020

City Council Public Hearing
November 9, 2020

INTENT

A request for a use permit, Section 80-220 Landfill, solid waste disposal, to allow the expansion of the existing Safeguard Landfill onto an additional +/-28.17 acres with two concurrent variances:

1. To provide relief from Section 80-220(b)(11) - No portion of a new or expanded landfill shall be located within a one mile radius of the property line of a residentially zoned or used property
2. To provide relief from Section 80-220(b)(12) - An expanded landfill shall not include any expanded use within the parcel boundaries of an existing site or location

EXISTING ZONING AND LAND USE OF ABUTTING PROPERTIES

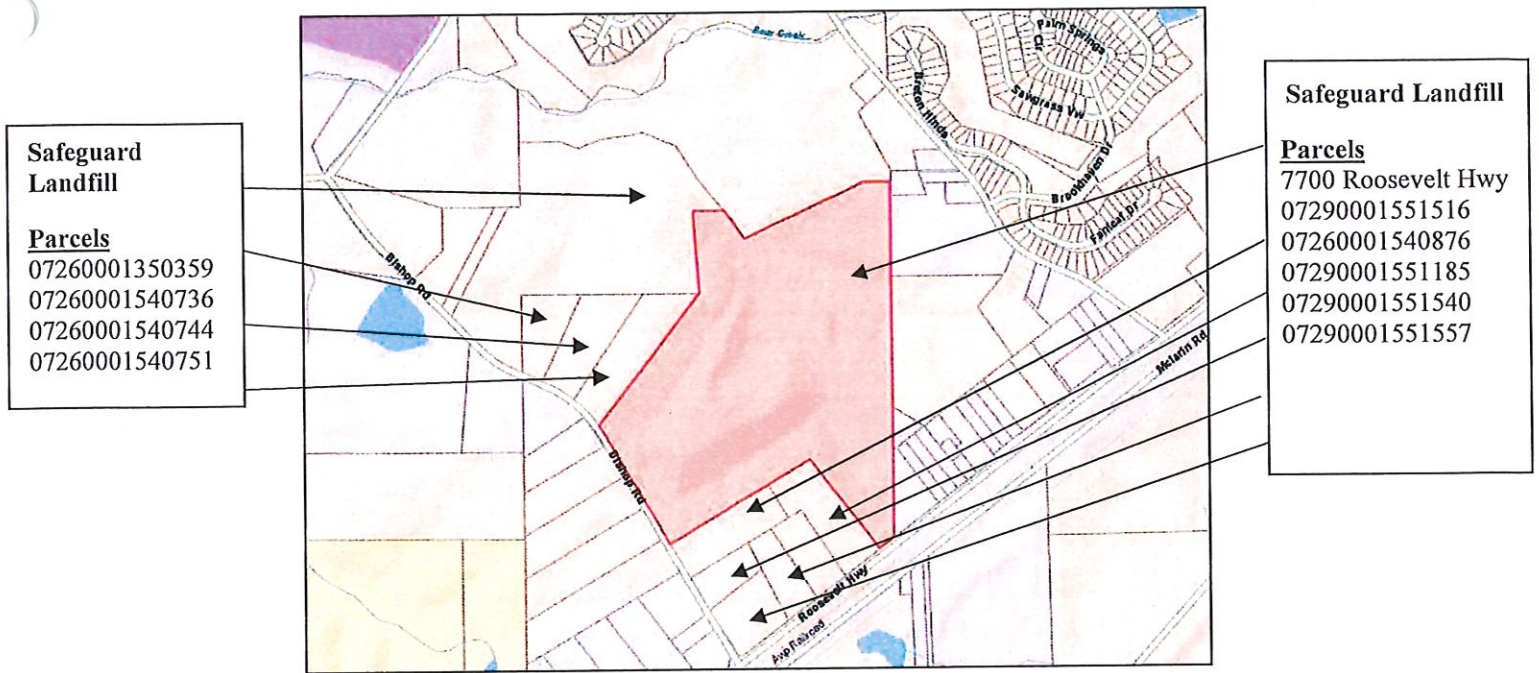
North: M-2 (Heavy Industrial District), AG (Agricultural District), and PD (Planned Development District)

East: M-2 (Heavy Industrial District), City of South Fulton, and PD (Planned Development District)

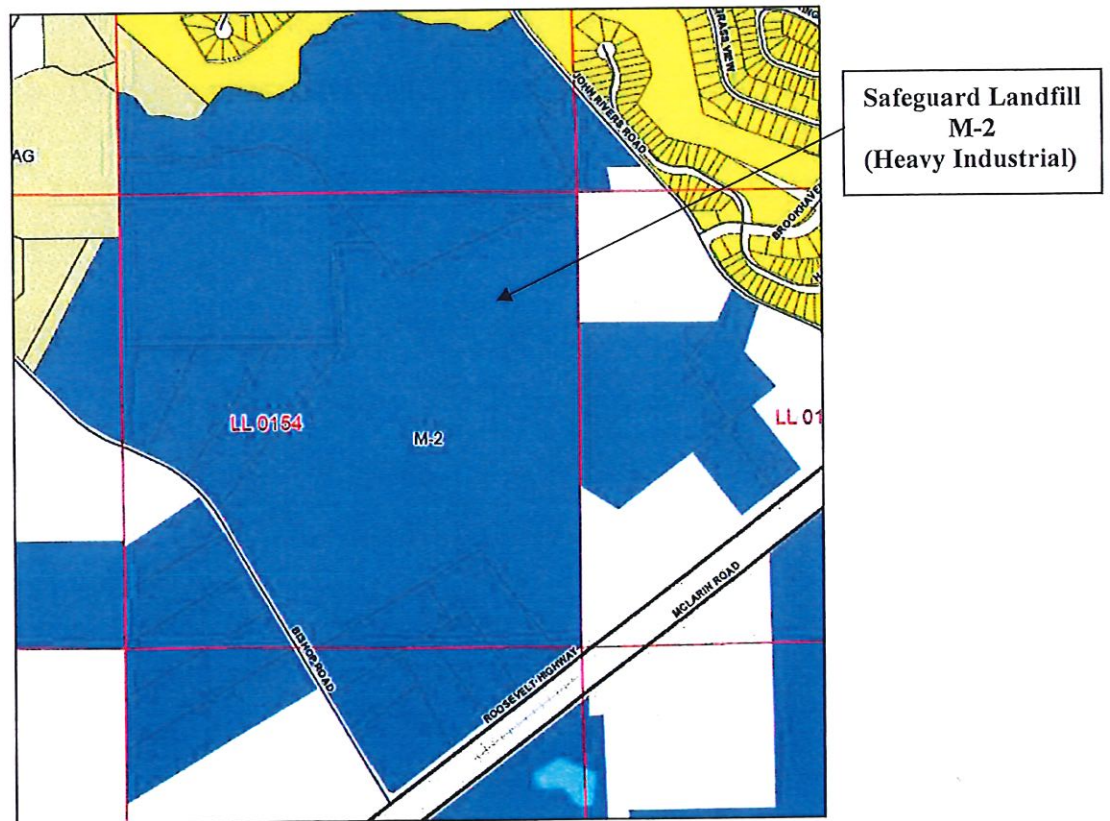
South: M-2 (Heavy Industrial District)

West: M-2 (Heavy Industrial District) and City of South Fulton

PARCEL MAP



ZONING MAP



ARIEL CONCEPTUAL SITE MAP



**Landfill
expansion area
(+/- 28.17 acres)
Five parcels**

PUBLIC PARTICIPATION

Due to the COVID-19 public health pandemic, the applicant hosted a community conference call instead of an in-person meeting. The conference call was held on Thursday, June 25, 2020 at 6:00 p.m. One (1) property owner participated in the conference call.

The following issues and concerns were expressed:

- Nasal ranger reports and odor testing results
 - What did the testing show? Can we discuss these reports and results further?
- Expansion Area
 - Can you further explain the location of the expansion in relation to the residential neighborhoods located north of the subject property?

The petitioner's response to the issues and concerns were as follows:

- Nasal ranger and odor testing occur twice daily; reports and testing can determine presence of off-site odors. The petitioner will provide follow-up on specific results.
- Expansion is located along Roosevelt Hwy/Hwy 29; the expansion will not occur in the direction of the neighborhoods.

USE PERMIT CRITERIA

Section 80-172 Use Permit Considerations: Staff has reviewed said items pertaining to the subject use, and offers the following comments:

1. Whether the proposed use is consistent with the Comprehensive Land Use Plan adopted by the City Council;

Staff is of the opinion that the proposed use is consistent with the Future Land Use Map and the 2035 Comprehensive Plan. The property is in the Office/Industrial Character Area. The Office/Industrial Character Area consist of a mix of light and heavy industrial uses, as well as office uses. Industrial uses may include manufacturing, processing plants, factories, and warehouses.

The Office/Industrial Character Area recommends the following development strategies:

- Create centers of work and innovation;
- Develop true business parks, with a mix of industrial and office uses;
- Functional traffic flow for all modes of traffic, including large trucks on well-designed streets with curbs and landscaping;
- Buffers to provide transition to surrounding, lower intensity surrounding development; and
- Appropriate screening for outdoor storage and activity areas.

2. Compatibility with land uses and zoning districts in the vicinity of the property for which the Use Permit is proposed;

The area consists of M-2 (Heavy Industrial District), AG (Agricultural District), and PD (Planned Development District) to the north; M-2 (Heavy Industrial District), City of South Fulton, and PD (Planned Development District) is to the east, M-2 (Heavy Industrial District) to the south, and M-2 (Heavy Industrial District) and City of South Fulton to the west. Heavy Industrial (M-2) uses surround the property. A conservation area which is owned by the City of Fairburn is located to the north-east of the subject property. Residential zoned and used properties are located within a one-mile radius of the subject property.

3. Whether the proposed use may violate local, state and/or federal statutes, ordinances or regulations governing land development;

Staff is of the opinion that the expansion of the landfill will not violate any local, state, and/or federal statutes, ordinance or regulations. The landfill will be required to adhere to local, state, and/or federal regulations applicable to landfills.

4. The effect of the proposed use on traffic flow, vehicular and pedestrian, along adjoining streets;

The proposed use is not expected to generate many additional hourly trips. There should be limited to no negative impacts to traffic flow on Roosevelt Highway and Bishop Road. The applicant is not proposing any additional curb-cuts (egress/ingress) for the landfill.

5. The location and number of off-street parking spaces;

The applicant is proposing no additional parking spaces with the expansion. The landfill will maintain its current level of operations.

6. The amount and location of open space;

As stated in the petitioner's application, approximately 84 acres of the 207 acre landfill site will exist as undisturbed buffer space.

7. *Protective screening;*

The site currently has a 200-ft undisturbed buffer around the perimeter of the existing landfill boundary. The 200-ft buffer requirement will be imposed on the expanded area as well. There is a 500-ft residential buffer at the northwest corner of the site.

8. *Hours and manner of operation;*

The landfill hours and manner of operations will not change as a result of the proposed expansion. The current operating hours are Monday - Friday 6:00 a.m.- 5:00 p.m., Saturday 6:00 a.m. to 12:00 p.m. and closed on Sunday.

9. *Outdoor lighting; and*

As stated in the petitioner's application, outdoor lighting on the property will be internally focused and controlled. No negative impact from the site lighting will be imposed on surrounding property owners.

10. *Ingress and egress to the property*

The landfill has two ingress/egress points, one on Roosevelt Highway/Hwy 29 and one on Bishop Road. No additionally ingress/egress points will be added to the subject property.

VARIANCE CONSIDERATIONS

Section 80-251 Variances Considerations:

Concurrent variances shall only be granted upon showing that:

- (a) Relief, if granted, would be in harmony with, or could be made to be in harmony with, the general purpose and intent of this chapter; or
- (b) The application of the particular provision of this chapter to a particular piece of property, due to extraordinary and exceptional conditions pertaining to that property because of its size, shape, or topography, would create an unnecessary hardship for the owner while causing no detriment to the public; or
- (c) Conditions resulting from existing foliage or structures bring about a hardship whereby a sign meeting minimum letter size, square footage and height requirements cannot be read from an adjoining public road.

The applicant is requesting two concurrent variances as outlined below.

- 1. To provide relief from Section 80-220(b)(11) - No portion of a new or expanded landfill shall be located within a one mile radius of the property line of a residentially zoned or used property
- 2. To provide relief from Section 80-220(b)(12) - An expanded landfill shall not include any expanded use within the parcel boundaries of an existing site or location

Findings:

#1 "*Harmony with, the general purpose and intent of this chapter*":

In 2004, Safeguard Landfill original tract was annexed into the City of Fairburn and zoned M-2 (Heavy Industrial). In 2008, landfills were added to the list of permitted uses in the M-2 (Heavy Industrial) zoning district. In 2012, the Zoning Ordinance was amended to remove landfills as a permitted use for M-2 (Heavy Industrial) zoned properties. The current zoning regulations now require a use permit for landfills and includes separate use permit standards. As

a result of the 2012 amendment to the Zoning Ordinance, the petitioner's landfill became a legal non-conforming use.

The 2012 amendment to the city's Zoning Ordinance, which removed landfills as a permitted use from M-2 (Heavy Industrial) zoning district, and made it subject to a use permit was implemented by the city to regulate the negative impact of landfills on the surrounding residential properties. The landfill use permit standards specifically address the location and potential expansion of new or existing landfill(s), stating "no portion of a new or expanded landfill shall be located within a one-mile radius of the property of a residentially zoned or used property and expanded landfills can not include any expanded use within a parcel boundary or location". The intent and purpose of the Zoning Ordinance is clearly stated, in restricting any further expansion of existing landfills and the proximity of a new or expanded landfill to residentially zoned or used property.

As stated in the City's Zoning Ordinance, the zoning regulations have been developed with reasonable consideration of the character of various zoning districts and their peculiar suitability for particular uses, and with the general objective of promoting desirable living environments, stable neighborhoods, sound commercial, and industrial areas and protecting the city's natural resources. Approval of the applicant's variance requests would allow the expansion of an existing landfill onto an additional +/-28.17 acres which would not be in harmony with the general purpose and intent of ordinance.

#2 "Extraordinary and exceptional conditions pertaining to that property because of its size, shape, or topography, would create an unnecessary hardship"

The applicant has not demonstrated an unnecessary hardship due to any extraordinary and exceptional conditions related to the subject property's size, shape, or topography.

USE PERMIT STANDARDS

Section 80-220 Landfill, solid waste disposal

(a) Required district: M-2 (Heavy Industrial)

(b) Standards:

- (1) No access shall be allowed from local streets.
- (2) Access streets shall be paved and shall be able to withstand maximum load limits established by the state as approved by the director of public works.
- (3) No portion of a new landfill shall be located within a three-mile radius of the property lines of an existing landfill.
- (4) The waste disposal boundary of a landfill shall be located at least 500 feet from all property lines, except adjacent to M-1 (light industrial) and M-2 (heavy industrial) zoned districts.
- (5) A minimum 200-foot buffer and ten-foot improvement setback shall be required along all property lines except public rights-of-way.
- (6) A minimum 50-foot buffer and ten-foot improvement setback shall be required along all public rights-of-way.
- (7) A minimum six-foot high solid fence or wall shall be located on property lines or interior to the required buffers and improvement setbacks.
- (8) Limit hours of operation from 6:00 a.m. to 6:00 p.m., Monday through Saturday.
- (9) The owner shall provide the zoning administrator a current copy of all applicable permits from the state department of natural resource upon application for a land disturbance permit.
- (10) Vehicles shall be allowed into a landfill site only if waste is covered to prevent blowing of material from the vehicle.
- (11) No portion of a new or expanded landfill shall be located within a one-mile radius of the property lines of a residentially zoned or used property.
- (12) An expanded landfill shall not include any expanded use within the parcel boundaries of an existing site or location.

- (13) The landfill shall be sited and operated in accordance with the Rules of Georgia, Department of Natural Resources, Environmental Protection Division, Chapter 391-3-4 Solid Waste Management, O.C.G.A. § 12-8-20 Georgia Comprehensive Solid Waste Management Plan, and 40 CFR Part 258 (Subtitle D of RCRA).

STAFF RECOMMENDATION

It is the opinion of staff that the current use permit standards that prohibit expanded landfills located within a one-mile radius of residentially zoned or used properties, as referenced in Section 80-220(b)(11), and expanded landfills that include an expanded use within the boundaries of an existing site or location, as referenced in Section 80-220(b)(12), serves the intent and purpose of this provision of the city's Zoning Ordinance, which is to mitigate the negative impacts of landfills on surrounding residential areas as well as protect the public health, safety and welfare of the city's residents. In addition, the applicant has not clearly demonstrated any extraordinary and exceptional conditions exist that would cause an unnecessary hardship due to the size, shape and/or topography of the subject property. Therefore, staff is recommending:

DENIAL of the use permit request from Section 80-220 Landfill, solid waste disposal, to allow the expansion of the existing Safeguard Landfill onto an additional +/-28.17 acres

DENIAL of the concurrent variance request to provide relief from Section 80-220(b)(11) - No portion of a new or expanded landfill shall be located within a one mile radius of the property line of a residentially zoned or used property

DENIAL of the concurrent variance request to provide relief from Section 80-220(b)(12) - An expanded landfill shall not include any expanded use within the parcel boundaries of an existing site or location

Should the Mayor and Council decide to approve the petitioner's use permit request and two concurrent variances, staff recommends the conditions listed below. The applicant's agreement to these conditions would not change staff recommendations. These conditions shall prevail unless otherwise stipulated by the Mayor and City Council.

A. To the owner's agreement to the following site development considerations:

1. A combination of existing trees and newly planted trees (where insufficient vegetation exists) shall be installed to establish the 200-ft buffer. New trees shall be 8'-10' in height at the time of installation. Newly planted trees shall consist of one or a combination of the following trees: Leyland Cypress, Easter Red Cedar, Southern Magnolia, Virginia Pine, Arborvitae, Savannah Holly, Nellie R. Stevens Holly.
2. Disturbed areas of each cell that remains exposed for more than three (3) month shall be grassed and once each cell is at final grade and upon placement of final soil cover, grassing shall be completed within two (2) weeks.
3. As shown on the Safeguard Landfill SWP Expansion conceptual site plan dated received on February 3, 2020, the requested landfill expansion shall be limited to five (5) parcels at the corner of Bishop Road and Roosevelt Highway, specifically Fulton County Parcel ID Nos. 07-290001551516, 07-260001540876, 07-290001551557, 07- 290001551540, and 07-290001551185.

ATTACHMENTS

Letter of Intent
Impact Analysis [Use Permit and Variance Consideration]
Conceptual Site Plan

REVISED

**First Amendment to Use Permit Application (2020083)
Adding a Concurrent Variance
Seeking Relief from Zoning Ordinance, Sec. 80-220(b)(11)-(12)**

Letter of Intent and Impact Analysis

Fairburn, GA

Use Permit Application
Concurrent Variance

Applicant:
Safeguard Landfill Management
c/o G. Douglas Dillard, Esq.

Property:
7700 Roosevelt Highway
PARCEL ID#: 07-260001350359
PARCEL ID#: 07-260001540892
PARCEL ID#: 07- 260001540736
PARCEL ID#: 07- 260001540744
PARCEL ID#: 07- 260001540751
PARCEL ID#: 07- 290001551516
PARCEL ID#: 07- 260001540876
PARCEL ID#: 07- 290001551557
PARCEL ID#: 07- 290001551540
PARCEL ID#: 07- 290001551185

Submitted for Applicant by:

G. Douglas Dillard
R. Baxter Russell
DILLARD SELLERS
1776 Peachtree Street, Suite 390N
Atlanta, Georgia 30309
(404) 665-1241
ddillard@dillardsellers.com

RECEIVED

AUG 28 2020

Initial: JD

I. INTRODUCTION

Background

As of August 4, 2020, Safeguard Landfill Management ("Applicant") had submitted three applications to City Council: (i) use permit, (ii) text amendment concurrent with the use permit, and (iii) variance request concurrent with the use permit. The Applicant requested City Council's approval of the proposed use permit accompanied by *either* the proposed text amendment *or* concurrent variance request. Applicant's proposed text amendment and concurrent variance request operated as alternative remedy options to authorize the base use permit request.

On August 10, 2020, City Council denied the requested text amendment application. Based upon this denial, the Applicant now submits this revised Letter of Intent and Written Analysis to clarify and outline those remaining applications before Fairburn Planning & Zoning Commission and City Council. The Applicant respectfully requests approval of its two remaining applications—a use permit and a variance request concurrent with the use permit. In presenting these requests, the Applicant maintains its objections and opposition to the language of the landfill use permit criteria in the Zoning Ordinance.

Use Permit & Concurrent Variance Outline

The Applicant submits these use permit and variance requests in order to become a legal conforming use and to expand the Applicant's currently operating construction and demolition landfill ("C&D landfill"). The subject property is approximately +/-207.67 acres and consists of ten (10) separate parcels ("the Property"). The Applicant's existing operations occupy approximately +/-179.5 acres on 5 parcels. The Applicant submits these requests in order to conform to the current zoning regulations and subsequently expand the landfill operation onto an additional +/-28.17 acres on 5 parcels. The entire Property is zoned M-2 in the City of Fairburn.

In 2004, the Applicant's original landfill tract was annexed into the City of Fairburn and zoned M-2. In 2008, Applicant's landfill use was added to the list of permitted uses in the M-2 zoning regulations of the Fairburn Zoning Ordinance. In 2012, the Zoning Ordinance was modified to remove Applicant's C&D landfill use as a permitted use for M-2 properties. As the current regulation for landfill use, the 2012 amendment now requires a use permit for landfill operations and includes separate use permit standards. As a result of the 2012 amendment to the Zoning Ordinance, the Applicant's landfill use became a legal non-conforming use. Following a minor code revision in October 2019, the Zoning Ordinance includes thirteen (13) separate use permit standards.

Applicant now requests approval of the proposed use permit with a concurrent variance granting relief from the hardship imposed by the landfill use permit standards No. 11 and No. 12. Landfill use permit standards No. 11 and No. 12 create an unnecessary hardship for the Applicant. The Applicant is unable to comply with use permit standard No. 11, as the Property and its "expanded landfill" area are located "within a one-mile radius of the property lines of a

- 2) **Compatibility with land uses and zoning districts in the vicinity of the property for which the use permit is proposed?**

The use of the Property as a C&D landfill is consistent and compatible with the other industrial land uses and industrially zoned properties in the surrounding area. Applicant's proposed use will not adversely affect adjacent or nearby properties. The area of proposed expansion is not adjacent to residential properties in the City of Fairburn. Furthermore, the Applicant will maintain substantial buffering around the exterior of the Property to sufficiently separate surrounding properties and any nonindustrial uses from the landfill operations.

- 3) **Whether the proposed use may violate local, state, and/or federal statutes, ordinances or regulations governing land development?**

No—the Applicant's proposed C&D landfill use will not violate any local, state, or federal statutes or regulations. The Applicant seeks the requested use permit with concurrent variance in order to comply with local regulations. Furthermore, the Applicant's use is regulated under specific state and federal guidelines, and the landfill use will fully comply with such regulations.

- 4) **The effects of the proposed use on traffic flow, vehicular and pedestrian, along adjoining streets?**

The Applicant's current use of the Property and the proposed expansion of the C&D landfill use will not have any adverse effect on the traffic flow along either Roosevelt Highway or Bishop Road. As shown on the submitted site plan, the Applicant does not propose any new entrances or points of ingress/egress on the Property. Additionally, the Applicant's landfill operations will not substantially increase traffic in the area, as the Applicant submits these zoning requests in order to maintain its current level of operations on the Property.

- 5) **The location and number of off-street parking spaces?**

The Applicant proposes no additional parking spaces with these land use and zoning requests, as the Applicant will maintain its current level of operations on the Property.

- 6) **The amount and location of open spaces?**

The Applicant currently maintains extensive open space on the Property, including in the buffer areas along the perimeter of the site. As shown on the proposed site plan, approximately 84 acres of the 207-acre landfill site will exist as undisturbed buffer space.

7) Protective screening?

As shown on the proposed site plan, extensive buffering exists along the perimeter of the Property. Applicant will also comply with all additional screening requirements for the landfill use, as described in the use permit requirements.

8) Hours and manner of operation?

Applicant will not expand its hours and manner of operation beyond its current use. Applicant will also comply with all related requirements for the landfill hours and manner operation, as described in the use permit requirements.

9) Outdoor lighting?

Any outdoor lighting on the Property will be internally focused and controlled so as not to disturb or affect surrounding residences and adjacent property owners.

10) Ingress and egress to the property?

The Applicant's current landfill operations employ one ingress/egress point on Roosevelt Highway and one ingress/egress point on Bishop Road. As shown on the proposed site plan, ingress and egress on the Property will remain unchanged. No additionally ingress/egress points will be added with this use permit.

III. CONCURRENT VARIANCE CONSIDERATIONS

As described in the City of Fairburn Zoning Ordinance, Section 80-171(5)(d), Fairburn City Council is authorized to consider variances to use permit standards. In accordance with these regulations, the Applicant amended its Use Permit Application (Application No. 2020083) to add a concurrent variance request seeking relief from the landfill use permit standards for expanded landfills, described by Zoning Ordinance, Section 80-220(b)(11)-(12).

In granting variance requests, Fairburn City Council's review is limited to three considerations. *See* Zoning Ordinance, Section 80-251. These considerations must be reviewed independently, and the Applicant is only required to satisfy one of the three considerations for the variance request to be granted.

Variance Considerations in Section 80-251:

- 1) Relief, if granted, would be in harmony with, or, could be made to be in harmony with, the general purpose and intent of this chapter; or
- 2) The application of the particular provision of this chapter to a particular piece of property, due to extraordinary and exceptional conditions pertaining to that

property because of its size, shape, or topography, would create an unnecessary hardship for the owner while causing no detriment to the public; or

- 3) Conditions resulting from existing foliage or structures bring about a hardship whereby a sign meeting minimum letter size, square footage and height requirements cannot be read from an adjoining public road.

As shown by these variance considerations, only considerations (1) and (2) apply to the Applicant's variance request seeking relief from the landfill use permit standards for expanded landfills. Consideration (3) applies to sign variance requests, which the Applicant does not seek. Despite the requirement that only one consideration be satisfied, the Applicant fully satisfies variance considerations (1) and (2), such that Fairburn City Council should approve the Applicant's variance request.

- 1) **Relief, if granted, would be in harmony with, or, could be made to be in harmony with, the general purpose and intent of this chapter; or**

Applicant requests relief from the strict application of landfill use permit standards as such relief from an unnecessary hardship is consistent with the general purpose of the Fairburn Zoning Ordinance and the intent of variance requests, outlined in Sections 80-3 and 80-244. Applicant's variance request is in harmony with the general purpose and intent of the City's zoning regulations and future planning documents—satisfying those purposes outlined in the City's code. Applicant's proposed variance is limited in scope and represents the minimum action required to afford relief from those burdens imposed by the current expanded landfill standards. Applicant's proposed variance will not permit a use that is inconsistent with the City's zoning regulations or uses in the surrounding area. Rather, the relief granted by the proposed variance and the proposed landfill expansion will allow a productive and beneficial use to continue and to expand into an area appropriately suited for this use. As described in the Applicant's materials and evidence submitted, the landfill use permit standards in question apply to and harm the Applicant and its landfill operation *alone*. No other landfill operation or property in the City of Fairburn is impacted by these regulations. Furthermore, the proposed expansion—directed to additional property surrounded by the existing landfill and away from residential neighborhoods, will not negatively impact the public health, safety, convenience, and general welfare. Instead, Applicant's requested variance and proposed expansion promote sound industrial development in an industrial area.

- 2) **The application of the particular provision of this chapter to a particular piece of property, due to extraordinary and exceptional conditions pertaining to that property because of its size, shape, or topography, would create an unnecessary hardship for the owner while causing no detriment to the public; or**

Strict application of the landfill use permit standards for expanded landfills imposes an unnecessary hardship for the Applicant. Without relief these burdensome standards, specifically standard No. 11 and No. 12, the Applicant is barred from receiving a use permit and thus cannot: (i) establish its current use as a legal conforming use in the City and (ii) expand its operation onto additional land appropriately zoned and situated for C&D landfill use. The size and

topography of the expansion property severely limit future development of this property for any use other than the proposed landfill expansion use. The proposed expansion area and property is surrounded by a landfill, with only other industrial uses adjacent to this property where it is untouched by the surrounding landfill. The size and topography of this property render it virtually unusable, unless relief is granted from the hardship imposed by the expanded landfill use permit standards.

As the only landfill in the City limits, Applicant requests relief from these targeted, arbitrary regulations. As applied to the Applicant and the Property, the expanded landfill standards prevent receipt of a use permit and development of land for a beneficial, legal use. Applicant's proposed expansion will cause no detriment to the public, as the proposed expansion is directed away from residential neighborhoods north of the Property. Additionally, the proposed expansion will not increase the intensity of the landfill operation and no additional traffic will be generated.

IV. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests approval of the proposed use permit accompanied by the concurrent variance request. If there are any questions about this request, you may contact me at 404-665-1241 or ddillard@dillardsellers.com.

Sincerely,

DILLARD SELLERS

/s/ G. Douglas Dillard

G. Douglas Dillard

R. Baxter Russell

Exhibit A

REQUIRED CONSTITUTIONAL AND ANTE LITEM NOTICE

Georgia law and the procedures of the City of Fairburn require us to raise Federal and State constitutional objections during the public hearing application process. While the Applicant anticipates a smooth application process, failure to raise constitutional objections at this stage may mean that the Applicant will be barred from raising important legal claims later in the process. Accordingly, we are required to raise the following constitutional objections at this time:

The portions of the Fairburn Zoning Ordinance, facially and as applied to the Property, which restrict the Property to any uses, land use designations, conditions, development standards, or to any zoning districts other than that proposed by the Applicant are unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph I and Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the Fairburn Zoning Ordinance, facially and as applied to the Property, which restricts the Property to any uses, conditions, land use designations, development standards, or to any zoning classifications other than in accordance with the application as proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking and inverse condemnation of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States; Article I, Section I, Paragraph I, and Section III, Paragraph I of the Constitution of the State of Georgia of 1983; and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would be unconstitutional under the Takings Clause of the Fifth Amendment to the Constitution of the United States and the Just Compensation Clause of Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983. A refusal by the City of Fairburn to grant the Application as requested would constitute a taking of the Applicant's property and inverse condemnation. Because of this unconstitutional taking, the City of Fairburn would be required to pay just compensation to the Applicant.

A denial of this Application would constitute an arbitrary and capricious act by the Fairburn Mayor and City Council, without any rational basis therefore constituting an abuse of discretion in violation of Article I, Section I, Paragraph I and Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States. A refusal to grant Applicant's requests would lack objective justification and would result only from neighborhood opposition, which would constitute an unlawful delegation of the zoning power to non-legislative bodies in violation of the Georgia Constitution, Article IX, Section II, Paragraph 4.

A refusal by Fairburn Mayor and City Council to grant Applicant's requests in accordance with the criteria requirements as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of the similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any approval of the Application, subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the Property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Property to a unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

A denial of the applications outlined above would be unconstitutional. This notice is being given to comply with the provisions of O.C.G.A. § 36-33-5 to afford the City an opportunity to approve the applications as requested by the Applicant. If action is not taken by the City to approve the applications within a reasonable time, a claim will be filed in the Superior Court of Fulton County demanding just and adequate compensation under Georgia law for the taking of the Property, inverse condemnation, diminution of value of the Property, attorney's fees and other damages arising out of the unlawful deprivation of the Applicant's property rights.

Re: USE PERMIT 20-20083
Concurrent Variances 20-20135 & 20-20136
Property of Safeguard Landfill Management
7700 Roosevelt Highway 07260001540892
07260001350359, 07260001540736,
07260001540744, 07260001540751,
07290001551516, 07260001540876,
07290001551557, 07290001551540,
0729001551185
28.17 acres; Land Lots 154 & 155
District 7
Fairburn, Fulton County, Georgia

AN ORDINANCE GRANTING THE APPLICANT, SAFEGUARD LANDFILL MANGEMENT, A USE PERMIT WITH TWO CONCURRENT VARIANCES FOR AN M-2 (HEAVY INDUSTRIAL) DISTRICT USE, SUBJECT TO CERTAIN CONDITIONS, TO ALLOW THE EXPANSION OF AN EXISTING LANDFILL ONTO AN ADDITIONAL 28.17 ACRES; TO IDENTIFY THE CONDITIONS ATTACHED TO THE GRANT OF THE USE PERMIT; TO ESTABLISH AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FAIRBURN, GEORGIA, AND IT IS HEREBY ORDAINED BY AUTHORITY OF THE SAME THAT:

Whereas, Chapter 80. Article II, Zoning Districts, Section 80-86 – M-2 (Heavy Industrial) District requires that, pursuant to Section 80-220- Landfill, solid waste disposal, a Use Permit be obtained for a landfill located within the City of Fairburn as a M-2 (Heavy Industrial) use; and

Whereas, Chapter 80, Article IV, Section 80-171 of the City of Fairburn Zoning Ordinance requires approval of the Use Permit by the City of Fairburn City Council; and

Whereas, Chapter 80, Article IV, Section 80-196 through Section 80-239 of the City of Fairburn Zoning Ordinance allows for the operation of certain uses, including heavy and/or light industrial uses, within the M-2 (Heavy Industrial) District, within the City of Fairburn only by way of a use permit, describes the objective criteria to be evaluated in deciding whether to grant a requested use permit, and permits City Council to attach other conditions that it deems necessary to protect the environment as well as the public health, safety and welfare; and

Whereas, the Applicant, Safeguard Landfill Management seeks a use permit with two (2) concurrent variances, 20-20135 and 20-20136, for an M-2 (Heavy Industrial) District use, in accordance with its petition, 20-20083, in order to expand its existing landfill onto 28.17 additional acres located at 7700 Roswell Road with parcel identification number 07260001540892 in the M-2 (Heavy Industrial) District as described in Exhibit A; and

Whereas, pursuant to the requirements of the Zoning Procedures Act and the City of Fairburn Zoning Ordinance, a properly advertised public hearing was held not less than 15 nor more than 45 days from the date of publication of notice, and which public hearing was held on the 9th day of November, 2020; and

Whereas, pursuant to Chapter 80. Article IV, Section 80-171(5)(b) of the City of Fairburn Zoning Ordinance, the Use Permit, if granted, shall expire within three years from the date of approval of this resolution, unless a land disturbance permit, building permit, business license or certificate of occupancy has been issued.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and City Council of the City of Fairburn, Georgia:

Section 1. That a use permit is granted to the Applicant, Safeguard Landfill Management, in accordance with Chapter 80, Article IV.- Administrative Permits and Use Permits of the City of Fairburn Zoning Ordinance in order to expand its existing landfill at the location 7700 Roosevelt Highway with parcel identification number 07260001540892, in the M-2 (Heavy Industrial) District, the City of Fairburn City Council concluding that the use permit should be granted, subject to certain conditions.

Section 2. That the granted use permit is limited by the following conditions:

A. To the owner's agreement to restrict the use of the subject property as follows:

1. A combination of existing trees and newly planted trees (where insufficient vegetation exists) shall be installed to establish the 200-ft buffer. New trees shall be 8'-10' in height at the time of installation. Newly planted trees shall consist of one or a combination of the following trees: Leyland Cypress, Easter Red Cedar, Southern Magnolia, Virginia Pine, Arborvitae, Savannah Holly, Nellie R. Stevens Holly.
2. Disturbed areas of each cell that remains exposed for more than three (3) months shall be grassed and once each cell is at final grade and upon placement of final soil cover, grassing shall be completed within two (2) weeks.
3. As shown on the Safeguard Landfill SWP Expansion conceptual site plan dated received February 3, 2020, the requested landfill expansion shall be limited to five (5) parcels at the corner of Bishop Road and Roosevelt Highway, specifically Fulton County Parcel ID Nos. 07-290001551516, 07-260001540876, 07-290001551557, 07-290001551540, and 07-290001551185.

Section 3. That concurrent variance 20-20135 to the use permit be granted as follows:

To provide relief from Section 80-220(b)(11) in order to allow the existing Safeguard landfill to expand within a one-mile radius of the property line of a residentially zoned or used property.

Section 4. That concurrent variance 20-20136 to the use permit be granted as follows:

To provide relief from Section 80-220(b)(12) in order to allow an expanded use within the parcel boundaries of the expanded Safeguard landfill at its existing site or location.

Section 5. In the event any section, subsection, sentence, clause, or phrase of this Ordinance shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the previously existing provisions of the other sections, subsections, sentences, clauses or phrases of this Ordinance, which shall remain in full force and effect as if the section, subsection, sentence, clause or phrase so declared or adjudicated invalid or unconstitutional were not originally a part thereof. The City Council declares that it would have passed the remaining parts of this Ordinance or retained the previously existing Ordinance if it had known that such part of parts hereof would be declared or adjudicated invalid or unconstitutional.

Section 6. This Ordinance shall become effective on the 9th day of November, 2020.

Section 7. All Ordinances and parts of Ordinances in conflict with this Ordinance are repealed to the extent of the conflict.

APPROVED this 9th day of November, 2020, by the Mayor and Council of the City of Fairburn, Georgia.

Elizabeth Carr-Hurst, Mayor

ATTEST:

Arika Birdsong-Miller, City Clerk

APPROVED AS TO FORM:

William R. (Randy) Turner, City Attorney



CITY OF FAIRBURN

CITY COUNCIL AGENDA ITEM

**SUBJECT: FOR MAYOR AND COUNCIL TO EXTEND THE COURT SERVICE/
MUNICIPAL COURT CITY ORDINANCE UPDATE TO JANUARY 25, 2021.**

() AGREEMENT (X) POLICY / DISCUSSION () CONTRACT
() ORDINANCE () RESOLUTION () OTHER

Submitted: 11/03/2020 Work Session: N/A Council Meeting: 11/09/2020

DEPARTMENT: Police

BUDGET IMPACT: N/A

PUBLIC HEARING? () Yes (X) No

PURPOSE: For Mayor and Council to extend the date to January 25, 2021 of revisiting language update in Court Services / Municipal Court City Ordinance.

HISTORY: On August 24, 2020, the Police Department had an agenda item regarding the language of the Court Services / Municipal Court City Ordinance. The item was tabled for 90 days and that time is set to expire on November 24, 2020. The Police Department is requesting an extension and is requesting to revisit the update at the January 25, 2021 City Council Meeting.

RECOMMENDED ACTION: Approve of the extension for the update in Court Services/Municipal Court City Ordinance to January 25, 2021.


Elizabeth Carr-Hurst, Mayor



CITY OF FAIRBURN

CITY COUNCIL AGENDA ITEM

SUBJECT: FOR MAYOR AND COUNCIL TO APPROVE THE PROPOSAL FROM ENVIRORISK CONSULTANTS TO CONDUCT FOLLOW-UP SOIL & GROUNDWATER INVESTIGATIONS ON THE DOWNTOWN LCI STREETSCAPE PROJECT

() AGREEMENT () POLICY / DISCUSSION (X) CONTRACT
() ORDINANCE () RESOLUTION () OTHER

Submitted: 11/03/2020 Work Session: N/A Council Meeting: 11/09/2020

DEPARTMENT: Engineering

BUDGET IMPACT: The budget impact will be \$7,750. The project expenditures will come out of the LCI Implementation Grant Account, expenditure line item 250-4203-54-1403.

PUBLIC HEARING? () Yes (X) No

PURPOSE: For Mayor and Council to approve a proposal from Envirorisk Consultants, Inc. to conduct follow-up soil and groundwater investigations on the Downtown LCI Streetscape Project for an amount of \$7,750.

HISTORY: After receiving initial test results which were over the clearance soil thresholds, Envirorisk Consultants over-excavated approx. 38 tons of petroleum impacted soil mostly from the southern and SE sides of the tank pit to depths of 13-14 feet. Deeper excavation was prohibited by weathered bedrock and sidewall access since they could not widen the excavation. The normal procedure for sites with these concentrations is to do a Corrective Action Plan – Part A, which involves the installation of 3-4 permanent groundwater monitoring wells and possibly long-term groundwater monitoring. Since the soil concentrations are not excessively high and no groundwater receptors are located nearby, Envirorisk Consultants contacted Upendra Giri of the Environmental Protection Division (EPD) and asked if they could collect either a groundwater sample or one or two top of bedrock samples. Mr. Giri said that would be fine but if Envirorisk cannot collect groundwater due to bedrock refusal, they would need to collect two deeper soil/top-of-rock samples.

FACTS AND ISSUES: The purpose of the proposed testing is to establish that the petroleum release has not migrated vertically into the deeper soil/bedrock or groundwater. Target depths for soil or groundwater sample collection are expected to range from 20-30 feet, depending on

drilling refusal depths and groundwater depth. Provided the results of either a groundwater sample or two soil samples are below the threshold limits, EPD can grant a "No Further Action" (NFA) release and no further environmental investigations would be required.

Below is a breakdown of the costs incurred for soil over-excavation in excess of the \$18,300.00 that was previously approved and the proposed costs for drilling and sample collection. Some draft figures are also attached.

Soil over-excavation, transportation, landfill disposal & follow-up confirmation sampling –
\$3,550.00

Drilling, field screening with PID meter, soil and/or groundwater sampling, lab testing –
\$3,250.00

Additional data evaluation, reporting, follow-up correspondence with Georgia EPD – \$950.00

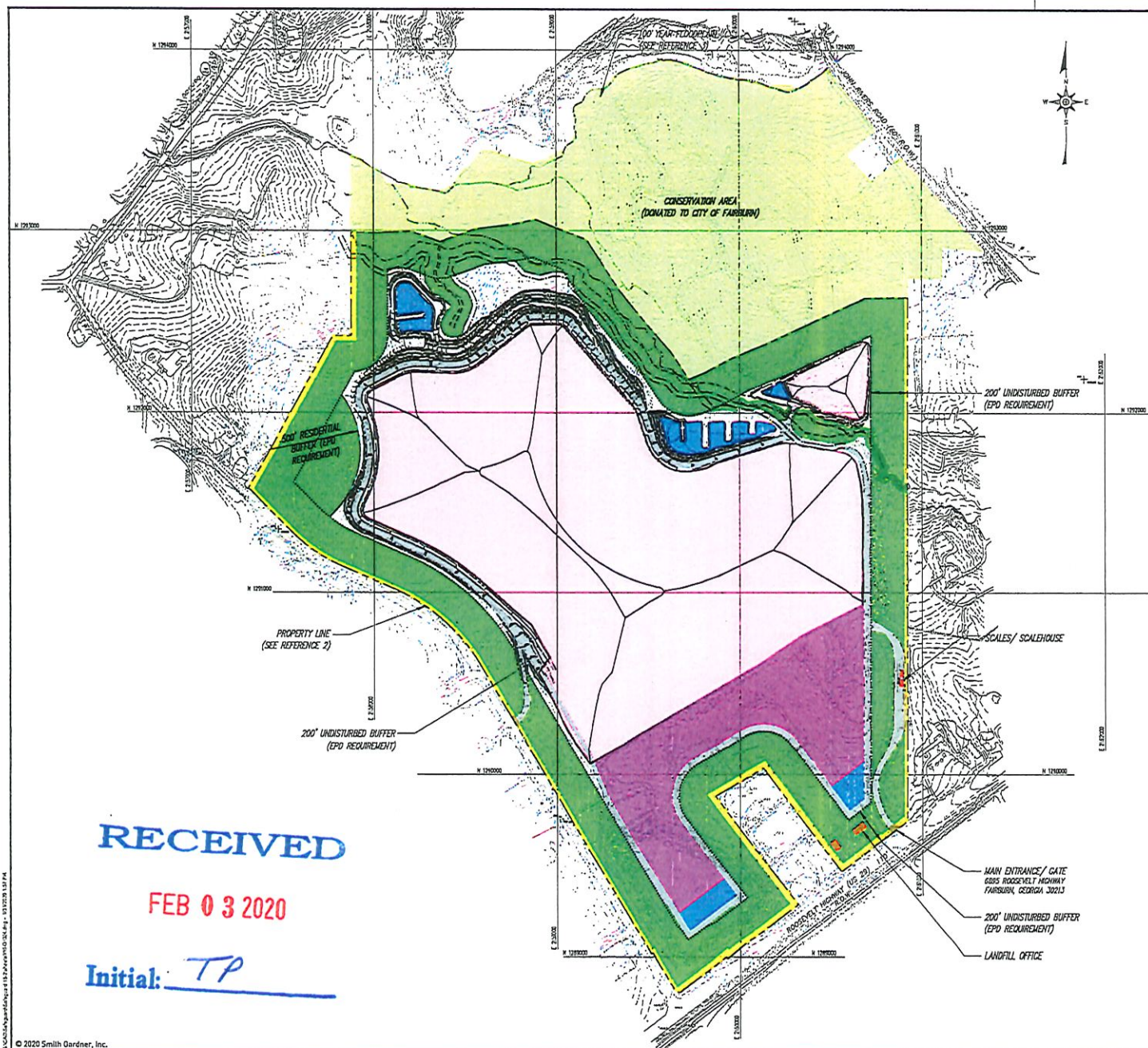
TOTAL – \$7,750.00

If approved Envirorisk plans to advance the borings on the unpaved side of the backfilled tank excavation.

RECOMMENDED ACTION: Staff recommends that Mayor and Council approve the proposal from Envirorisk Consultants for \$7,750.



















Elizabeth Carr-Hurst, Mayor



SITE INFORMATION	
EXISTING LANDFILL PROPERTY	
TOTAL	= 179.50 ACRES
LANDFILL	= 105 ACRES
LANDFILL BUFFER	= 75 ACRES
PROPOSED LANDFILL PROPERTY	
TOTAL	= 207.67 ACRES
LANDFILL	= 124 ACRES
LANDFILL BUFFER	= 84 ACRES
PROPERTY ZONING:	M2
IMPERVIOUS SURFACES:	12 AC
PROPOSED PARKING SPACES:	NO ADDITIONAL PARKING

FACILITY CONTACT INFORMATION	
DEVELOPER:	<p>SAFEGUARD LANDFILL MANAGEMENT, LLC ATTN: GEORGE GIBBONS 6885 ROOSEVELT HIGHWAY FAIRBURN, CA 30213 PHONE: (770) 234-3108</p>
ENGINEER:	<p>SMITH GARDNER, INC ATTN: JOHN M. GARDNER, P.E. 14 N. BOTLAN AVENUE RALEIGH, NC 27603 PHONE: (919) 828-0577</p> <p>BROWNE AND COMPANY, LLC ATTN: JEFFREY M. BROWNE, P.E. 2719 SHERATON DRIVE, BUILDING C, SUITE 210 MACON, GA 31204 PHONE: (478) 743-4843</p>

LEGEND	
	DISTING 1ST CONTOUR (REFERENCE 1)
	DISTING 2ND CONTOUR (REFERENCE 2)
	PROPERTY LINE (REFERENCE 3)
	300 FT UNDISTURBED BUFFER
	50 FT STREAM/WETLAND BUFFER AND 50 FT NON-IMPACTED SETBACK
	500 FT RESIDENTIAL BUFFER
	ADJACENT PROPERTY LINE
	LAKE/LOT LINE
	LINE OF MECHANICAL/TOP OF STREAM BANK (SEE NOTE 2) (SEE REFERENCE 4)
	100-FT FLOOD PLAIN BOUNDARY (SEE REFERENCE 5)
	JURISDICTIONAL SHELTER
	DISTING. POCKETED LAKE/LOT FIND OTHER BOUNDARY
	LAKE/LOT PROPERTY PARCEL DESIGNATION (SEE REFERENCE 2)
	CONSERVATION AREA
	EPS/STREAM BUFFERS
	ACCESS ROADS
	DISTING. POCKETED LAKE/LOT
	CONCEPTUAL LAKE/LOT DIVISION
	STORMWATER POND
	FAVORABLE SETBACKS
	BUILDINGS

NOTES

1. FINAL PLAT ATTACHED TO THIS SITE PLAN TO MEET THE REQUIREMENTS OF THE CITY OF FAIRBURN.

REFERENCES

1. OVERALL SITE TOPOGRAPHY PROVIDED BY GEODEATA CORPORATION, DATED JANUARY 27, 2018. Aerial PHOTOGRAPHIC EVIDENCE OF 1968 ACTING AS BASIS FOR GEODEATA CORPORATION BASED ON JANUARY 2, 2018 Aerial PHOTOGRAPHIC. HORIZONTAL VERTICAL DATUM BASED ON ASSIGNED SITE DATUM.
2. PROPERTY LINE FROM FIELD PLAT, REMOVED SARGENT LANDFILL, DATED DECEMBER 18, 2018 BY INTEGRATED SCIENCE AND ENGINEER, FAYATVILLE, CA (SEE WORK).
3. THE ONE-ENDED HORN FLOOD PLAIN IS BASED ON FLOOD PLAIN INSURANCE RISK MAP NUMBER 1321010641, C, EFFECTIVE DATE JUNE 16, 1996, REVISED TO REFLECT LATEST MAP REVISION EFFECTIVE DATE 16, 2002.
4. THE STEVEN BARK AND WILKINS LIFT FROM FIELD SURVEY, DATED AUGUST 5, 2008 BY INTEGRATED SCIENCE AND ENGINEER, FAYATVILLE, CA.



BROWNE
AND COMPANY, LLC
2719 Sherrison Drive • Building C, Suite 210
Macon, Georgia 31204 PNFx: 478-743-4843

**SMITH+
GARDNER**
ENGINEERS
1418 Bayland Avenue, Raleigh NC 27603 | 919.826.0277

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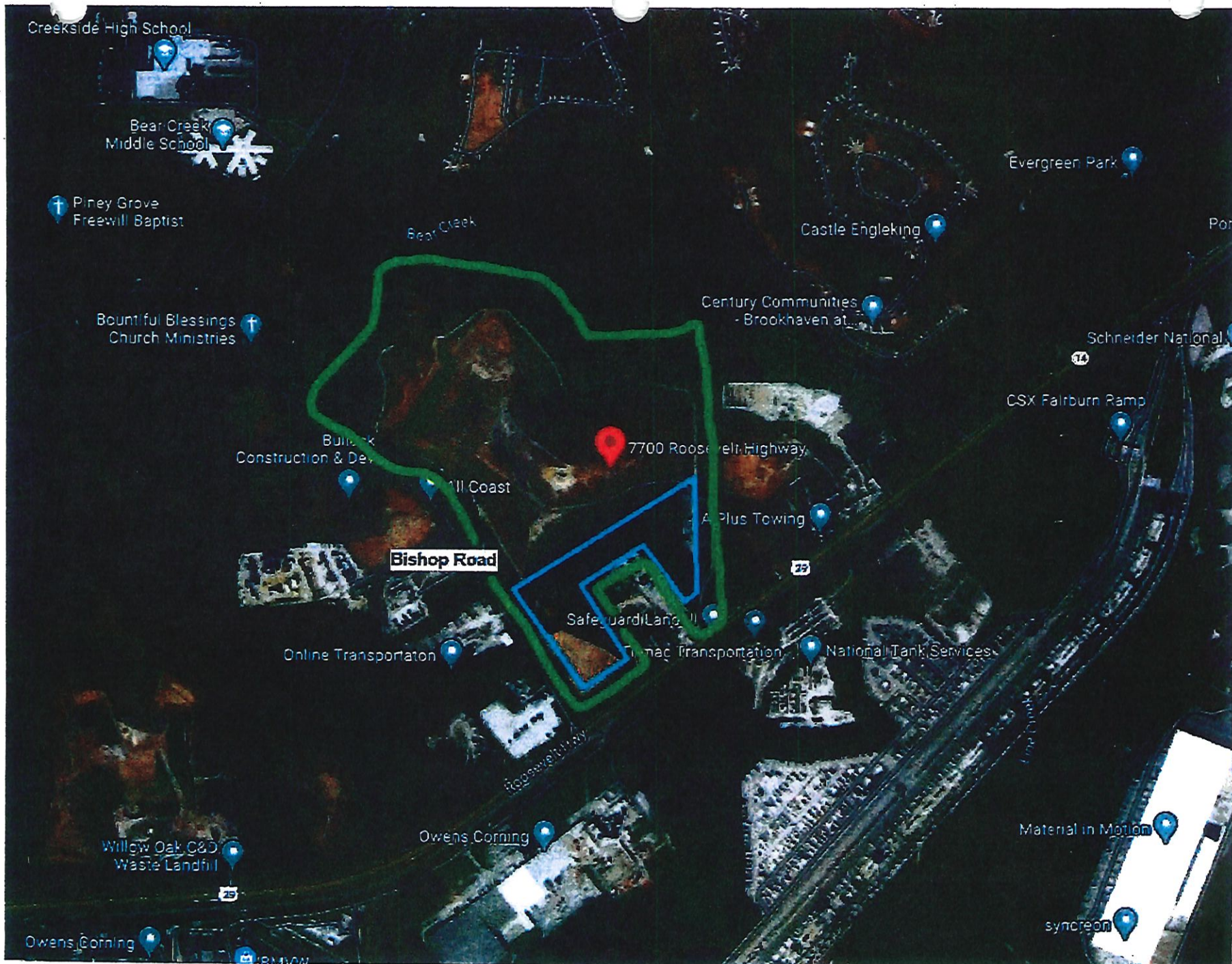
PROJECT TITLE

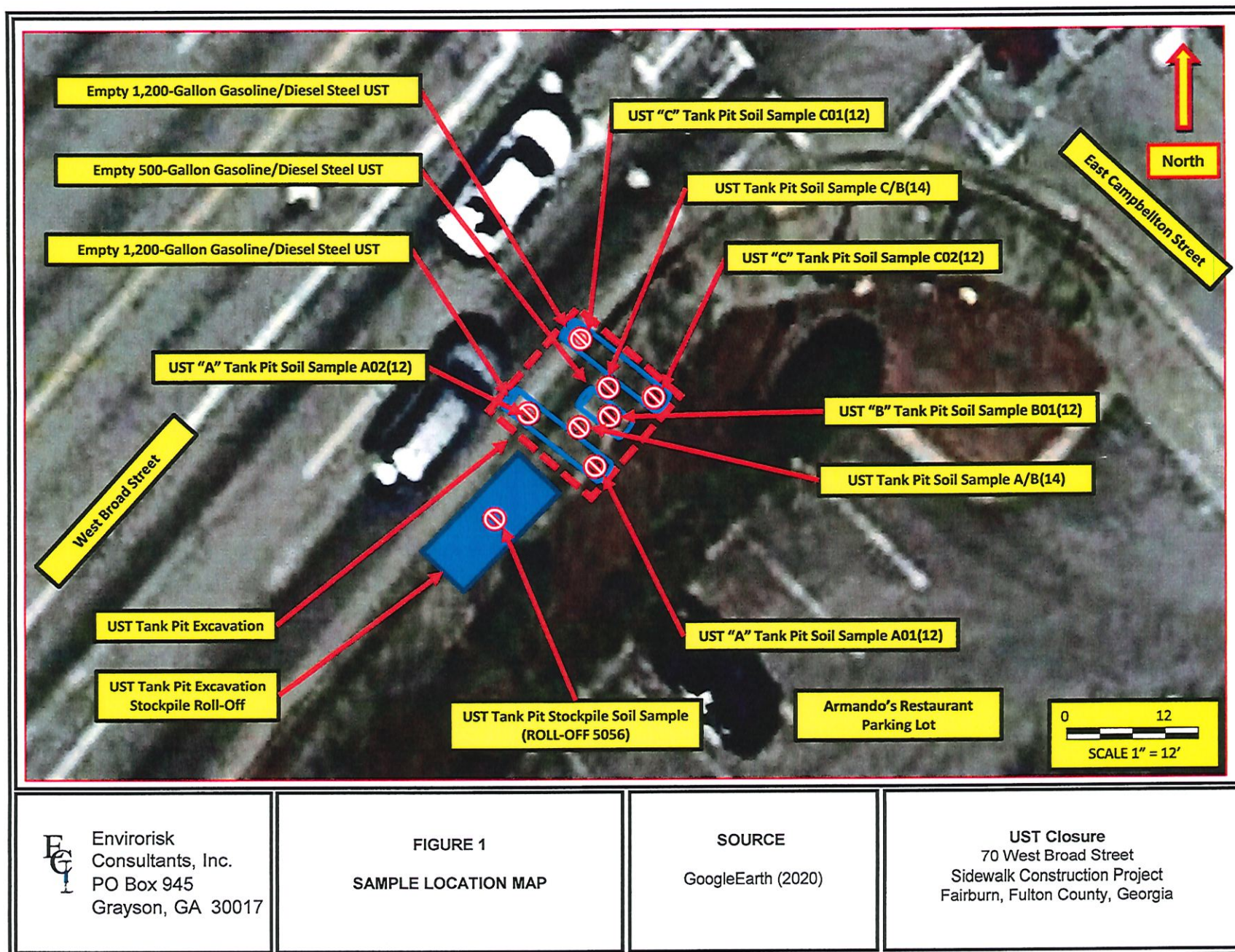
**SAFEGUARD CGO LANDFILL
SWP EXPANSION**

DRAWING TITLE

CONCEPT PLAN

Signature	J.R.F.	Patrol No.	SAFEGUARD 16-3
Officer	C.T.J.	Notes	AS SHOWN
Arrested		Date	JULY 2018
W1-D1324			
Is a demand?	(Number) number		
	DP1		



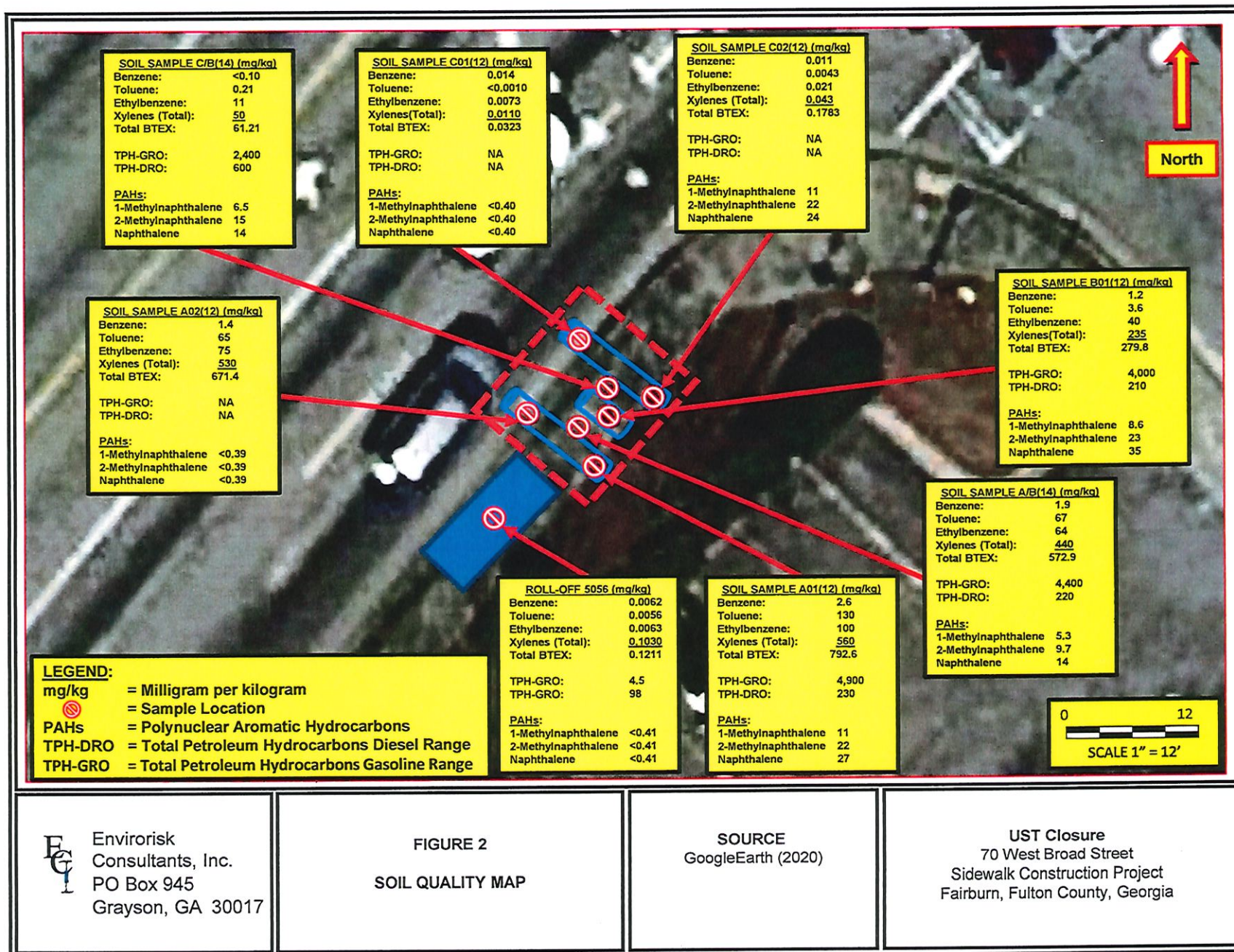


Envirorisk
Consultants, Inc.
PO Box 945
Grayson, GA 30017

FIGURE 1
SAMPLE LOCATION MAP

SOURCE
GoogleEarth (2020)

UST Closure
70 West Broad Street
Sidewalk Construction Project
Fairburn, Fulton County, Georgia

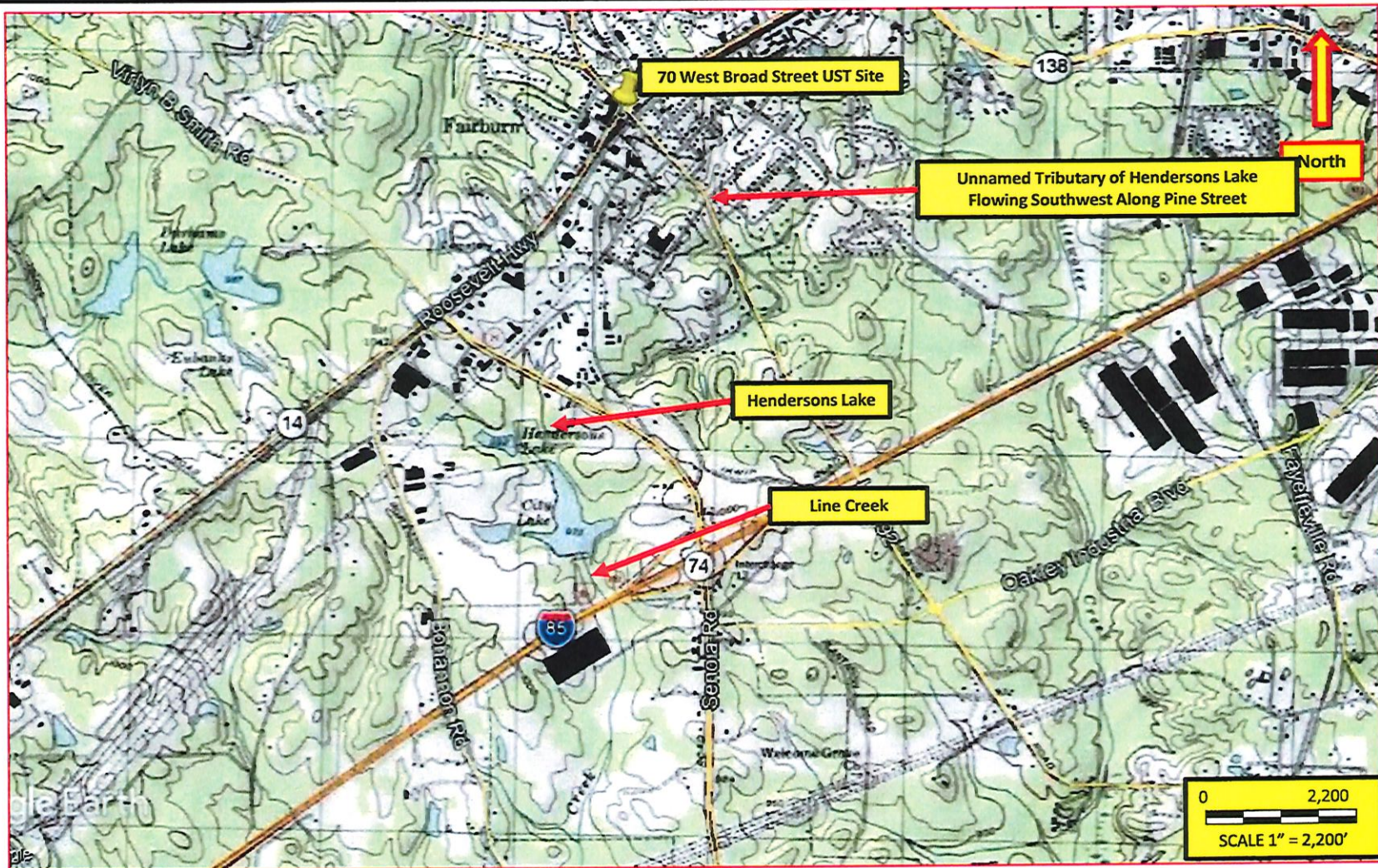


EnviroRisk
Consultants, Inc.
PO Box 945
Grayson, GA 30017

FIGURE 2
SOIL QUALITY MAP

SOURCE
GoogleEarth (2020)

UST Closure
70 West Broad Street
Sidewalk Construction Project
Fairburn, Fulton County, Georgia



Enviroisk
Consultants, Inc.
PO Box 945
Grayson, GA 30017

FIGURE 2
DOWNGRAIDENT SURFACE
WATER MAP

SOURCE
GoogleEarth (2020)

UST Closure
70 West Broad Street
Sidewalk Construction Project
Fairburn, Fulton County, Georgia

ENVIRORISK CONSULTANTS, INC.
GENERAL TERMS AND CONDITIONS

1. SCOPE OF WORK

Envirorisk Consultants, Inc. (Envirorisk) shall perform *Follow-up Soil & Groundwater Investigations* associated with the recent UST Closure performed as described in the *August 6, 2020 Proposal for Abandoned UST Closure*. These services are described in detail in the Proposal Acceptance Agreement (attached on Page 3). Any estimate of cost to the Client as stated in this contract shall not be considered as a fixed price, but only an estimate (unless otherwise specifically stated in this contract). Envirorisk may provide additional services under this contract as requested by the Client and invoice the Client for those additional services as described or at the listed standard rates. The prices shown will be valid for thirty (30) days unless otherwise stated in the proposal.

2. RIGHT OF ENTRY

The Client will provide for right of entry of Envirorisk personnel and all necessary equipment to the project site or sites, in order to complete the work.

3. INVOICES

Envirorisk will complete all services as described and will submit a lump sum invoice of **\$7,750.00**, based on the line item breakdown and assumptions provided, for immediate payment, PRIOR TO electronic submittal of the UST Closure Report, unless other payments arrangements are made. Report submittal will require a secure login set-up by the tank owner on the Georgia EPD database (GEOS). One hard copy of the UST Closure will be provided to the Client. Interest charges will start to accrue ten (10) days from invoice date. Client agrees to pay an interest charge of one and one-half percent (1-1/2%) per month, or the maximum rate allowed by law, on past due accounts. Any attorney's fees, collection fees or other costs incurred in collecting any delinquent amount shall be paid by Client. The Client agrees to pay Envirorisk for its services in accordance with this agreement.

4. OWNERSHIP OF DOCUMENTS

The results of Envirorisk's services under this agreement shall be the exclusive property of Client, and all documents (including, without limitation, all writings, drawings, blueprints, picture, recordings, and all copies or reproductions thereof) that describe or relate to the services performed or to be performed pursuant to this agreement or the results thereof, including, without limitation, all notes, data, reports or other information received or generated in the performance of this agreement, shall be the exclusive property of Client and shall be delivered to Client upon request, (except for one copy, which may be retained by Envirorisk for its files). No articles, papers, treatises, or presentations pursuant to this agreement shall be presented or submitted for publication without the prior written consent of Client. Client agrees that all reports and other work furnished to Client or his agents which are not paid for will be returned upon demand and will not be used by Client for any purpose whatsoever.

5. DISPUTES

All claims, disputes and controversies arising out of or in relation to the performance, interpretation, application or enforcement of this agreement, including but not limited to breach thereof, shall be referred to mediation under the then current Construction Industry Mediation Rules of the American Arbitration Association. Should mediation not successfully resolve the dispute, the dispute shall be brought in the Superior Court of Walton County. The parties irrevocably submit to the jurisdiction of said court and waive any defenses relating to personal jurisdiction or venue. This Agreement shall be interpreted under the laws of the state of Georgia.

6. STANDARD OF CARE

Service performed by Envirorisk under this Agreement will be conducted in a manner consistent with that level of care and skill ordinarily exercised by members of the profession currently practicing under similar conditions. No other warranty, express or implied, is made.

7. LIMITATION OF LIABILITY

ENVIRORISK CONSULTANTS, INC.
GENERAL TERMS AND CONDITIONS

For any damage caused by negligence, including errors, omissions, or other acts; or for any damages based in contract; or for any other cause of action, Envirorisk's liability under this Agreement, including that of its employees, agents, directors, officers, and subcontractors, shall not exceed the total cost shown on the proposal. In no event shall Envirorisk be liable to Client for consequential damages, including, but not limited to, lost profits.

8. TERMINATION

Client reserves the right to terminate the project at any time upon ten (10) days written notice. If termination is for convenience, Client shall reimburse Envirorisk for services performed to the termination notice date plus reasonable expenses of termination. The expenses of termination shall include all direct costs of Envirorisk and reasonable expenses to demobilize. Either party may terminate this agreement upon ten (10) days written notice in the event of substantial failure by the other party to form in accordance with the terms herein. Such termination shall not be effective if that substantial failure has been remedied before expiration of the period specified in the written notice. If this agreement is terminated due to Envirorisk's failure to perform, Client shall pay Envirorisk for services performed to the termination notice date; provided that any disputed work performed, or services rendered by Envirorisk shall be subject to the provisions of Section 5 of this agreement.

9. ASSIGNS

Neither the Client nor Envirorisk may delegate, assign, sublet or transfer its duties or interest in this Agreement without the written consent of the other party. Furthermore, this agreement contains each and every agreement and understanding between the parties relating to its subject matter. It may not be altered or amended except in writing and signed by both the Client and Envirorisk.

10. CONFLICTS

Should any element of the Terms and Conditions be deemed in conflict with any element of the above-mentioned contract, wording of the Terms and Conditions shall govern unless the contract clearly and expressly voids the conflicting element in the Terms and Conditions. Any element of this agreement later held to violate a law or regulation shall be deemed void, but all remaining provisions shall remain valid and continue in force.

11. SAFETY

Envirorisk is only responsible for the safety on site of its own employees and subcontractors during the performance of the work, and compliance with OSHA regulations. Neither the professional activities of Envirorisk, nor the presence of Envirorisk's employees and subcontractors shall be construed to imply Envirorisk has any responsibility for any activities on site performed by personnel other than Envirorisk's employees or its subcontractors. Envirorisk will contact the local Utility Protection Center prior to the start of subsurface activities, as required by local laws or ordinances. Envirorisk nor its subcontractors are responsible for damage to unmarked utilities or subsurface structures.

12. DELAYS IN WORK

Envirorisk will pursue the work in an efficient and expeditious manner consistent with good quality practices. Envirorisk will not be responsible for delays in the work caused by Client or Client's agents, consultants, contractors or subcontractors. Stand-by or non-productive time for delays in our work caused by Client will be charged as work time unless provided for as a separate item in the contract or other mutually agreed upon document.

ENVIRORISK CONSULTANTS, INC.
GENERAL TERMS AND CONDITIONS

PROPOSAL ACCEPTANCE AGREEMENT

Project Name: Follow-up Soil & Groundwater Investigations – City of Fairburn

Project Location: W. Campbellton Rd & SC 4050/Smith Street

Proposal Amount: \$7,750.00, based on the breakdown provided and proposed assumptions

Scope: Following removal and closure of the three petroleum USTs as described in the *August 6, 2020 Proposal for Abandoned UST Closure* and contract amendments, petroleum impacted soils were encountered which required over-excavation and resampling. A total of approximately 38 tons of petroleum impacted soil was excavated to depths of 13-14 feet where partially weathered bedrock was encountered. Additional soil samples were collected with detections over the closure threshold values which requires groundwater sample collection and/or deep soil sampling. In an effort to obtain a "No Further Action" (NFA) status, one to two soil borings will need to be drilled to anticipated depths of 20-30 feet for collection of either deep soil, top-of-rock samples or groundwater samples for petroleum constituent analysis. The borings would be advanced on the unpaved side of the backfilled tank excavation to avoid additional road blockage. The purpose of this testing is to satisfy Georgia EPD by establishing that the UST petroleum release has not migrated vertically into the deeper soil/bedrock or groundwater. The findings will be provided to EPD along with the closure report and a request for NFA, provided the results are below EPD threshold limits. Additional investigations may be required based on the findings of this investigation. Below is a breakdown of the costs.

- Soil over-excavation, landfill disposal, & follow-up sampling - **\$3,550.00**
- Drilling, field screening, soil and/or groundwater sampling - **\$3,250.00**
- Additional data evaluation, reporting, EPD correspondence - **\$950.00**

TOTAL - \$7,750.00

For Approval and Payment of Charges:

Firm: City of Fairburn

Address: 26 W. Campbellton Street

City: Fairburn

State: GA

Zip Code: 30213

Attention: Elizabeth Carr-Hurst (Mayor), mayorhurst@fairburn.com

This AGREEMENT, including the terms and conditions attached hereto, together with the proposal constitutes the entire agreement between client and Envirorisk and supersedes all prior written or oral understandings. This AGREEMENT is accepted by:

Client: City of Fairburn

Envirorisk Consultants, Inc.

Signature: _____

Signature: 

By (Print): _____

By: Kenneth C. Summerour, PG

Title: _____

Title: VP/Principal Geologist

Date: _____

Date: November 2, 2020

250-Grants Fund
FINANCIAL SUMMARY

	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
REVENUE SUMMARY							
Intergovernmental	920,142.60	72,240.00	0.00	341,513.85	0.00	578,628.75	37.12
Miscellaneous Revenue	4,362,752.00	0.00	0.00	227,493.00	0.00	4,135,259.00	5.21
Other Financing Sources	1,172,912.00	150,000.00	0.00	150,000.00	0.00	1,022,912.00	12.79
TOTAL REVENUES	6,455,806.60	222,240.00	0.00	719,006.85	0.00	5,736,799.75	11.14
EXPENDITURE SUMMARY							
Non-Departmental	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Police	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Fire Department	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Public Works Admin	244,617.00	459.55	0.00	27,777.22	0.00	216,839.78	11.36
LMIG	390,525.60	0.00	0.00	187,964.00	0.00	202,561.60	48.13
CDBG	663,926.00	131,776.20	0.00	163,763.10	0.00	500,162.90	24.67
LCI Implementation	5,156,738.00	113,503.58	0.00	211,529.68	0.00	4,945,208.32	4.10
Recreation Programs	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES	6,455,806.60	245,739.33	0.00	591,034.00	0.00	5,864,772.60	9.16
REVENUE OVER/(UNDER) EXPENDITURES	0.00	(23,499.33)	0.00	127,972.85	0.00	(127,972.85)	0.00

REVENUES	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
<u>Intergovernmental</u>							
250-0000-33-1410 SR 74 Interchange Des	244,617.00	0.00	0.00	0.00	0.00	244,617.00	0.00
250-0000-33-3060 CDBG	285,000.00	72,240.00	0.00	72,240.00	0.00	212,760.00	25.35
250-0000-33-4000 GEMA/FEMA	0.00	0.00	0.00	0.00	0.00	0.00	0.00
250-0000-33-4055 LMIG - Road Resurfaci	390,525.60	0.00	0.00	202,561.60	0.00	187,964.00	51.87
250-0000-33-4100 LCI Downtown Master P	0.00	0.00	0.00	0.00	0.00	0.00	0.00
250-0000-33-6000 CDBG Grant	0.00	0.00	0.00	66,712.25	0.00	(66,712.25)	0.00
TOTAL Intergovernmental	920,142.60	72,240.00	0.00	341,513.85	0.00	578,628.75	37.12
<u>Miscellaneous Revenue</u>							
250-0000-38-1000 Grant Revenue - Polic	0.00	0.00	0.00	0.00	0.00	0.00	0.00
250-0000-38-1001 Grant Revenue - Fire	0.00	0.00	0.00	0.00	0.00	0.00	0.00
250-0000-38-1002 LWCF - Grant Recreati	0.00	0.00	0.00	0.00	0.00	0.00	0.00
250-0000-38-8000 Insurance Claim Proce	0.00	0.00	0.00	0.00	0.00	0.00	0.00
250-0000-38-9000 TE Project Hwy 29/138	0.00	0.00	0.00	0.00	0.00	0.00	0.00
250-0000-38-9010 Interchange Study SR-	0.00	0.00	0.00	0.00	0.00	0.00	0.00
250-0000-38-9013 LCI Implementation Gr	4,362,752.00	0.00	0.00	227,493.00	0.00	4,135,259.00	5.21
TOTAL Miscellaneous Revenue	4,362,752.00	0.00	0.00	227,493.00	0.00	4,135,259.00	5.21
<u>Other Financing Sources</u>							
250-0000-39-5800 Transfer from General	1,172,912.00	150,000.00	0.00	150,000.00	0.00	1,022,912.00	12.79
TOTAL Other Financing Sources	1,172,912.00	150,000.00	0.00	150,000.00	0.00	1,022,912.00	12.79
<u>** TOTAL REVENUES **</u>							
	6,455,806.60	222,240.00	0.00	719,006.85	0.00	5,736,799.75	11.14

250-Grants Fund
Non-Departmental

[illegible]

250-Grants Fund
Police

[illegible]

[illegible]

CITY OF FAIRBURN
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: SEPTEMBER 30TH, 2020

250-Grants Fund
Public Works Admin

DEPARTMENTAL EXPENDITURES	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
Capital Outlay							
250-4100-54-1100 REBC Expense	0.00	0.00	0.00	0.00	0.00	0.00	0.00
250-4100-54-1300 TE Project Hwy 29/138	0.00	0.00	0.00	0.00	0.00	0.00	0.00
250-4100-54-1405 Interchange Study SR	244,617.00	459.55	0.00	27,777.22	0.00	216,839.78	11.36
250-4100-54-1410 Interchange Design -	0.00	0.00	0.00	0.00	0.00	0.00	0.00
250-4100-54-1415 Interchange - Acquisi	0.00	0.00	0.00	0.00	0.00	0.00	0.00
250-4100-54-1420 Interchange Construct	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL Capital Outlay	244,617.00	459.55	0.00	27,777.22	0.00	216,839.78	11.36
TOTAL Public Works Admin	244,617.00	459.55	0.00	27,777.22	0.00	216,839.78	11.36

CITY OF FAIRBURN
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: SEPTEMBER 30TH, 2020

250-Grants Fund
LMIG

DEPARTMENTAL EXPENDITURES	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR FO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
Capital Outlay							
250-4201-54-1404 LMIG - Road Resurfac	390,525.60	0.00	0.00	187,964.00	0.00	202,561.60	48.13
250-4201-54-1415 Interchange Acquisiti	0.00	0.00	0.00	0.00	0.00	0.00	0.00
250-4201-54-1420 Interchange Construct	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL Capital Outlay	390,525.60	0.00	0.00	187,964.00	0.00	202,561.60	48.13
TOTAL LMIG	390,525.60	0.00	0.00	187,964.00	0.00	202,561.60	48.13

[illegible]

CITY OF FAIRBURN
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: SEPTEMBER 30TH, 2020

250-Grants Fund
LCI Implementation

DEPARTMENTAL EXPENDITURES	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
Capital Outlay							
250-4203-54-1403 LCI Implementation Gr	5,156,738.00	113,503.58	0.00	211,529.68	0.00	4,945,208.32	4.10
250-4203-54-2500 LWCF - Grant Purchase	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL Capital Outlay	5,156,738.00	113,503.58	0.00	211,529.68	0.00	4,945,208.32	4.10
TOTAL LCI Implementation	5,156,738.00	113,503.58	0.00	211,529.68	0.00	4,945,208.32	4.10

CITY OF FAIRBURN
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: SEPTEMBER 30TH, 2020

250-Grants Fund
Recreation Programs

DEPARTMENTAL EXPENDITURES	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
Capital Outlay							
250-6100-54-2500 LWCF - Grant Purchase	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL Capital Outlay	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL Recreation Programs	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES	6,455,806.60	245,739.33	0.00	591,034.00	0.00	5,864,772.60	9.16

*** END OF REPORT ***



CITY OF FAIRBURN CITY COUNCIL AGENDA ITEM

SUBJECT: FOR MAYOR AND COUNCIL TO APPROVE THE INSTALLATION OF A DOG FOUNTAIN IN HONOR OF DEBBIE MULLIS AT DUNCAN PARK IN THE AMOUNT OF \$13,392.

() AGREEMENT () POLICY / DISCUSSION () CONTRACT
() ORDINANCE () RESOLUTION (X) OTHER

Submitted: 11/03/2020

Work Session: N/A

Council Meeting: 11/09/2020

DEPARTMENT: Parks and Recreation

BUDGET IMPACT: \$ 13,392: \$10,000 donation from Ms. Debbie Mullis. Utilities Department's Other Contracted Services 505-0000-52-3900 in the amount of \$3,392.

PUBLIC HEARING? () Yes (X) No

PURPOSE: To develop a fountain for drinking water for dogs and their owners.

HISTORY: Ms. Debbie Mullis, a resident of Fairburn, donated \$10,000 for a dog fountain in Duncan Park.

FACTS AND ISSUES: This fountain will be utilized by individuals using Duncan Park while walking their dogs in the park. The Utilities Department will assist in the connection to the water main, the cooper pipe layout, hookup to the fountain, and the landscaping

RECOMMENDED ACTION: For Mayor and Council to approve the installation of a dog fountain in Duncan Park.


Elizabeth Carr-Hurst, Mayor





Google Maps Park Rd

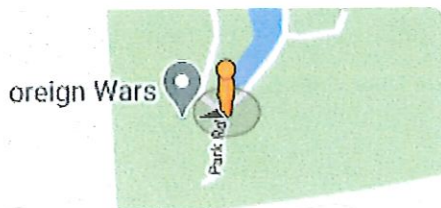


Image capture: Apr 2016 © 2020 Google

Fairburn, Georgia



Street View



Google Maps

Park Rd

Park Rd

Park Rd

Park Rd

Park Rd

Park Rd

Park Rd

Pinpoint

Park Rd

Google

Map data ©2020 20 ft



CRAWFORD
GRADING & PIPELINE, INC.
(770) 927-0413 Office (770) 927-2533 Fax
1505 Dunlap Road, Lithersville, GA 30251
www.crawfordgrading.com

Proposal

Submitted To: John Martin
City of Fairburn
jmartin@fairburn.com

Date: October 9, 2020

Job Name	Job Location	Plan Information
Duncan Park Fountain	Fairburn, Ga	N/A

WATER FOUNTAIN

OPTION 1 - 440 SM

Description	Quantity	Unit of Measure
440 SM	1	EA
4"X3/4" SADDLE	1	EA
3/4" CORP	1	EA
3/4" WHEEL VALVE W/ VALVE BOX	1	EA
3/4" COPPER	50	LF
3/4"X1/2" CONNECTOR	1	EA
CONCRETE SLAB	1	LS
1 1/2" DRAIN PIPE	1	EA
MISC FITTINGS	5	EA
GRASSING	1	EA

OPTION #1 TOTAL: \$12,972.00

OPTION 2 - 440 SMSS

Description	Quantity	Unit of Measure
440 SMSS	1	EA
4"X3/4" SADDLE	1	EA
3/4" CORP	1	EA
3/4" WHEEL VALVE W/ VALVE BOX	1	EA
3/4" COPPER	50	LF
3/4"X1/2" CONNECTOR	1	EA
CONCRETE SLAB	1	LS
1 1/2" DRAIN PIPE	1	EA
MISC FITTINGS	5	EA
GRASSING	1	EA

OPTION #2 TOTAL: \$13,392.00

PROJECT NOTES:

- 1) NO EROSION CONTROL INCLUDED.

Notes:

Price does not include permits, bonds, license, engineering, staking, surveying, silt fence, clearing, landscaping, pavement, testing, curb or sidewalk replacement unless noted above. Rock Excavation is \$60.00 per Cubic Yard. Minimum Rock Excavation Fee is \$2,500.00

This Proposal may be withdrawn if not accepted within 30 days.

If any additional testing or any intermediate testing is required, then an additional fee will be charged.

To accept this quotation, sign here and return: _____

This fountain is dedicated on behalf of:

Debbie Mullis

For her love in the area of
dog training and care.

Dedicated this day, _____

By

Mayor Elizabeth Carr-Hurst

Mayor Pro Tem Ulysses Smallwood

&

City Councilmembers

Linda J. Davis, Alex Heath, Pat Pallend,
Hattie Portis- Jones, and James Whitmore