



# City of Fairburn Council Meeting

## Agenda - Zoom

February 28, 2022, at 7:00 pm

Dial (646) 558-8656

Meeting ID 731 291 3121

Electronic Device

<https://bit.ly/3FDfMto>

### *The Honorable Mayor Mario Avery, Presiding*

The Honorable Mayor Pro-Tem Hattie Portis-Jones  
The Honorable Linda J. Davis  
The Honorable Pat Pallend

The Honorable Alex Heath  
The Honorable Ulysses J. Smallwood  
The Honorable James Whitmore

Mr. Rory Starkey  
Mr. Tony Phillips

**City Attorney**  
**City Administrator**

I. Meeting Called to Order:

**The Honorable Mayor Avery**

II. Roll Call:

**Mrs. Deannia Ray**  
**City Clerk**

III. Invocation

**Pastor Dwight Boone**  
**Crossroads Church**

IV. Pledge of Allegiance

V. Adoption of City Council Minutes:

**Councilmembers**

February 14, 2022 - City Council Meeting Minutes (Zoom)

February 14, 2022 - Executive Session Minutes (Zoom)

VI. Adoption of the City Council Agenda:

**Councilmembers**

VII. Public Comments: Thirty (30) minutes shall be available for public comments. Each speaker shall be limited to three (3) minutes; however, a speaker may transfer his or her three (3) minutes to another speaker, but no speaker shall be permitted to speak for more than (6) minutes; further in the event, if more than ten (10) speakers desire to speak, each speaker shall be limited to two (2) minutes and no speaker may speak more than four (4) minutes. Issues raised at this time are generally referred to City Administration for review. Responses will be provided at a later date.

VIII. Agenda Items:

**1. Office of the Mayor**

**Mayor Mario Avery**

For Mayor and Council to Appoint the City Clerk for the City of Fairburn

2. **Property Management** **Mr. Harvey Stokes**  
For Mayor and Council to Create/Add a Custodian position in the Property Management Department
3. **Community Development** **Mr. Lester Thompson**  
For Mayor and Council to Approve a Contract Award to Southeastern Engineering, Inc. (SEI) to Design the Duncan Park Roadway Extension Project
4. **Community Development** **Mr. Lester Thompson**  
For Mayor and Council to Approve a Task Order with Pond & Company to Design the Lightning Community Pond
5. **City Attorney** **Mr. Rory Starkey**  
For Mayor and Council to Authorize the Mayor and City Administrator to communicate City decisions with respect to the Municipal Competitive Trust by jointly executing written directions to MEAG Power and the Trustee
6. **Planning & Zoning** **Ms. Tarika Peek**  
For Mayor and Council to extend the Highway 74 Moratorium to Monday, March 28, 2022
7. **City Administrator** **Mr. Tony Phillips**  
For Mayor and Council to Approve the 2022 Benefits Renewal for Medical, Dental, Vision & Flexible Spending Accounts (FSA)
8. **City Attorney** **Mr. Rory Starkey**  
For Mayor and Council to Authorize a Form to be Used in Connection with Appeals of Decisions of the Community Development Director and to Authorize the Fee to be Charged for Such Appeals
9. **City Attorney** **Mr. Rory Starkey**  
For Mayor and Council to Authorize the Amendment of Article II of Chapter 20 of the Code of Ordinances of Fairburn, Georgia so as to Reorganize Fairburn Municipal Court; to Establish the Positions of Chief Judge, Court Administrator, Chief Clerk and Bailiff

- |      |                                   |                          |
|------|-----------------------------------|--------------------------|
| IX.  | City Administrator Monthly Report | <b>Mr. Tony Phillips</b> |
| X.   | Council Comments                  | <b>Councilmembers</b>    |
| XI.  | Executive Session                 | <b>N/A</b>               |
| XII. | Adjournment                       | <b>Councilmembers</b>    |

When an Executive Session is required, one will be called for the following issues:  
**(1) Personnel (2) Real Estate or (3) Litigation**





City of Fairburn  
Mayor and Council Meeting- Zoom  
February 14, 2022  
7:00 pm

- I. The meeting was called to order at 7:00 pm by the Honorable Mayor Mario Avery.
- II. Roll Call was taken by City Clerk, Deannia Ray with the following members present:

The Honorable Mayor Mario Avery

The Honorable Mayor Pro Tem Portis-Jones

The Honorable Pat Pallend

The Honorable Ulysses J. Smallwood

The Honorable James Whitmore

The Honorable Alex Heath

The Honorable Linda J. Davis

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

City Attorney, Rory Starkey and City Administrator, Tony Phillips were also in attendance.

- III. The invocation was led by Bishop Aaron B. Lackey with Temple of Prayer Family Worship Cathedral.
- IV. The pledge of allegiance was led by Councilman Ulysses Smallwood.
- V. Adoption of City Council Minutes:  
Motion to approve the January 24, 2022, City Council Minutes (Zoom) was made by Councilman Heath and the second was provided by Councilman Smallwood.  
Vote: 6-0: Motion Carried.
- VI. Mayor Avery asked for a motion to approve the City Council agenda.  
Motion to approve the agenda was made by Councilwoman Davis and the second was provided by Councilman Heath.  
Vote: 6-0: Motion Carried.
- VII. **Public Comments:**  
Marilyn Jackson showed some concern about 410 Lake Dylan Court. She stated that this address is located in a single-family residential area and they have been renting out rooms. She was asking for an update.

Floyd McKenzie lives at 3805 Elder Street and expressed his concerns about a developer building an 86-home subdivision inside an already established neighborhood. He was concerned about the lot sizes and asked council to consider all the comments from the citizens in the area.

Lillie Czegledi resides on Sir Charles Drive and showed her concern about the volume of traffic that the subdivision would create as well as preserving the historical sites on Elder and Strickland Streets.

Donna Phipps resides at 152 Strickland and is a realtor and owns four properties in downtown Fairburn. She showed concerns that if this high dense development is passed, you will be taking



away what little green space we have on Strickland and Elder Streets.

Penelope Ludlow stated that this project would disturb a natural rehab habitat for coyotes and red foxes. Her backyard is also a habitat to the pileated woodpecker and all other woodpeckers that are protected by the U.S. Migratory Act of 1918.

Russell Hargrave expressed concern with the cluster housing being put into an existing community as well as the amount of traffic that will be in this area. He stated that the traffic study would create around 890 more passes of traffic on these roads. He asked Council to consider doing one project at a time and with this cluster housing and traffic, it will be detrimental to that.

James Bodley resides at 63 Somerset. He thanked Mr. Whitmore for his adamant involvement in the Vickers Road project. I keep hearing about a proposed gas station, and it disturbs me. Maybe the City can talk with the property owners so they will reconsider this development. We have signed a petition so our voices could be heard.

Diane Sinkfield resides at 265 Strickland Street and agrees with the people who spoke before her. She opposes the 86 homes being built but does not oppose them developing the property. She cannot imagine having 86 homes put there. She moved to Fairburn two years ago and bought her home in Fairburn because of the quiet neighborhood. She hopes people making this decision would take the time to drive through the community to see exactly what we are talking about and how it will affect us all.

#### **VIII. Public Hearing:**

##### **Planning & Zoning**

**Ms. Tarika Peeks**

For Mayor and Council to consider the rezoning of 18.226 acres from R-2 (Single-Family Residential) to R-4 (Single-Family Residential).

Ms. Peeks stated that DRB Group Georgia, LLC, is requesting to rezone 18.226 acres from R-2 (Single-Family Residential) to R-4 (Single-Family Residential) to develop an 86-lot single-family residential subdivision on Elder Street and Strickland Street with ingress and egress on Elder Street. The six parcels that are assembled for this proposed single family residential development are in the comprehensive plan town center mixed use character area. The Town Center mixed use character area includes the downtown corridor and surrounding core, the appropriate residential zoning districts for the Town Center mixed use character area include RM-12, RM36, R3, R4 and RTC. Staff believes the proposed 86-lot single family residential subdivision conforms with the policies and intent of the 2040 Comprehensive Plan and the future land use map. In addition, single family residential lots ranging from R2 to R4 surrounds the proposed development site.

Ms. Peeks stated that the applicant has hosted two community meetings, one on September 25, 2021, and November 10, 2021. Staff recommendation is approval conditional with 12 site development zoning conditions and the applicant has agreed to the conditions as stated on pages 7 through 9 in the staff report. She added to the record that there was a signature petition in opposition of the rezoning that was submitted to staff with approximately 212 signatures. The Planning Commission reviewed this application on January 11, 2022, and recommended approval conditional and against staff recommendation is approval conditional. However, Council has three options: to approve the rezoning with conditions, to deny the rezoning or to defer the request to a future meeting date.



Mayor Avery opened the public hearing to anyone that wants to speak in support of the rezoning for this property.

Attorney Michelle Battle, with Battle Law is representing the applicant. She stated that we are seeking to rezone from R2 to R4 for 86 single family detached homes. These will be for sale homes and will have recreational areas within the subdivision. She described the land use map in which the property is located. When we started this project, we came in and was seeking to rezone for a townhome community and that townhome community had over 100 lots that we were proposing on the site. After meeting with the community, it was very clear that they wanted less density. We went back and looked at putting in a single family detached product because that was what we were asked to do. We believe that the R4 zoning designation is a permitted designation within the Town Center area. This area has clearly been designated for more intense development or higher density.

Under the R4 designation, the minimum lot size is 5,000 square feet. What that means is that you can literally have up to 8 units per acre at 43,560 square feet as an acre that divided by five thousand square feet gets you roughly 8 units per acre. Our density is under 5 units per acre. We do have access off Elder street but after conversations with the community, we had access off of Strickland as well. But in response to the communities' concerns, we removed that access and put two homes that will be facing Strickland off that street. We have green space areas on Elder and as you move into the community you will see 5,000 square foot lots. We've got stormwater detention as well as the amenity area where the mail kiosk will be located. Towards the interior of the site near what is being proposed as Cedar Drive will have larger lots that surround the site. We know that the market is bearing smaller units and our house sizes are larger than what the minimum requires. The Layla home type is at 2,475 square feet with a two-car garage, a foyer, four bedrooms with a master suite. We have a mixture of textures with both brick and hardy plank and board and batten and shake that is being utilized. There will be options for upgrades for residents who will be moving into the community. They will be able to express those options as they work with the developer on their home.

In the Millhaven layout, we've got a little more brick on the garage units, a little different interior layouts. The Zoey layout is 2,475 square feet and all the units will be three to four bedrooms with two and a half to three and a half baths also with two car garages. These price points will be in the mid three hundreds. It will not be a gated community, but it will be a gorgeous community and if we are approved, we would be looking at nine months to finish out the development with an estimated start date for homes to be on the market sometime in January 2024. That is the end of our part of the presentation. We will continue to work cooperatively with the City and staff, and to the extent that a deferral would be appropriate. We are certainly willing to entertain that because we want to be in this community. We are here to answer any questions that you may have, and we look forward to our continued relationship with the City of Fairburn.

Mayor Avery asked if there was anyone else that wants to speak in support of this item. No one answered. Mayor Avery stated that 30 minutes will now be allocated for those that wish to speak in opposition.

Lydia Glaze stated she came in opposition tonight to speak to the culture that is already in place. Being close to a senior community, two schools, our college, the amount of traffic that would come in and disrupt the culture is more of my concern. I am in opposition of the 86 homes being



built in that small area.

Sherri R stated that this is just something that we don't feel fits well in the neighborhood. This neighborhood is established, older homes with very distinct character. People care about their lawns and I walk my dogs up and down the streets and currently must jump away from traffic. So, I am worried about how the traffic will be. We feel like a cluster of monopoly looking homes just doesn't fit and we also want to bring up rentals. I think Council needs to address the percentage of homes that could be rented and should be considered.

Lloyd McKenzie showed concern about the traffic count. When you try to get out in the mornings to go to work, it's going to be a complete zoo to add another 86 vehicles to the traffic count and wanted to know how this will be controlled.

Homer Knight stated he was speaking against the project. When you bring a subdivision into an older neighborhood, it devalues the older homes. They could put stack homes of four on these lots and it will look like a box little city right among the older homes and the elderly. He asked Council to be more consistent with what they do. Keep the citizens in mind and listen to the citizens if you want to make Fairburn a happy place.

Dacia G stated she would also like to see consistency not just across City Council but when it comes to bringing in certain developers. She moved to Fairburn for a return on investment. We need to stop allowing developers to devalue certain values of homes, bringing in developers that want to build row houses. When you talk about putting eight homes on one acre of land, you may as well be talking about apartments. She would like to see Fairburn put rules in place to allow a certain amount of square footage between homes, which will bring up the value. She would like to see Council be more consistent on how they want Fairburn to look. For those that have invested in Fairburn, we would like to see this long term and not short term.

Mayor Avery asked if there was anymore hands to speak. There were none. Mayor Avery stated that he has spoken to numerous residents that live in that community. He is in total opposition of the R4 but as Mayor, he must give all sides consideration. If the zoning fails, the vendor has 30 days to file in Superior Court, we could be sued if we create a hardship or make it economically impossible for the vendor to build. The judge will review our R2 zoning to determine if the zoning is constitutional. Attorney Valerie Ross stated that the court will remand it back to council if it finds that the existing zoning is not constitutional. Mayor Avery stated that he is only bringing this up for Council to take into consideration prior to them deciding. He asked Council if they had any questions or concerns.

Councilwoman Davis stated that she has listened to the developer, citizens and reviewed the packets of information. We also have 212 petitioners against this project. She commends the developer for having more than one meeting with our citizens to listen to their concerns. She was also concerned about citizens that could not attend these meetings. She is concerned about the high density of this development and does not want to see this many homes on 18 acres.

Councilman Whitmore reviewed the packet and received some phone calls from citizens and he has listened to the applicant. He historically drives to the community to look at everything and hear what the citizens have to say. He is also concerned with the high density in the older neighborhood and agrees with the citizens and does not want to see this development established within the old neighborhood. He appreciated the Mayor reviewing the appeal process



and stated, if the vendor doesn't want to appeal, they have the opportunity to sue the city. He is in agreement with not introducing high density.

Councilman Heath stated he grew up in this area and showed concern about safety for the kids going to Campbell Elementary. He sided with the citizens about not putting 86 homes on 18 acres. Years ago, an acre went with each home and now we are in a different era of time where you want to get the most bang for the buck but at the same token, the streets are too narrow to support all this traffic. I feel at this time, it would not be an appropriate use for that property and sided with the citizens in this area.

Mayor Pro Tem Portis-Jones had a couple of questions for the applicant. It appears that R3 outweighs the R2 and R4 properties in this area, why did you not consider R3 for the rezoning of this area?

Attorney Battle stated that they were looking at the Town Center, mixed use designation and under that designation, R3 and R4 are the options. We thought that because of the R4 as your moving down in the center of town that we were best suited for R4 as that allowed us to meet the infrastructure requirements and the costs of surrounding that but also have a project that was consistent with the R4 properties already there. We would like the opportunity to go back and meet further not only with the Community but with Council. We would like to request a deferral as opposed to anything else that you might be seeking this evening. To deny the request would mean that the current owner would have to wait for the wait period to expire before they could come back.

Mayor Pro Tem Portis-Jones asked Ms. Battle what other comments were made in the Community meetings. Ms. Battle stated that a good portion of the community stated they didn't want the density, which is very challenging throughout the metro Atlanta area. We did drop the townhomes to the single-family detached product. It is clear that we have more work to do and would like to have that opportunity to go back and revisit the plan. We will have to revisit with the owner who is selling the property, DRB does not own this property now and some of what drives up the cost is what factors will go into this.

Mayor Pro Tem Portis-Jones stated that she knew there was not total opposition on the project, but was the issue with the level of density or total opposition to the project and asked Ms. Tarika Peeks for citizen comments that were made during the community meetings.

Ms. Peeks stated based on the conversations, they were not totally in opposition of the development. She only spoke with two or three people and the major concerns were the number of lots, and the size of the lots. The townhomes were in opposition, so they went to single-family homes. Some of the areas concerns that were identified were stormwater, infrastructure, traffic, one exit out of the subdivision, residential types, rental caps, and price points.

Mayor Pro Tem Portis-Jones stated that she also received phone calls and high taxes was a concern to the residents. When you have more expensive homes coming in, the higher property taxes will be and it will affect the neighborhood, can you talk about these conditions?

Ms. Peeks stated that on pages 7-9 in the staff report, development conditions are basically the setbacks. The amenity package shall include a picnic area, benches and the pergola walking trails. The homes can be constructed with a combination of two or more of the following materials:



fiber cement siding, wood shape, clap board, brick and or stone. At least 25% of the front façade shall consist of brick or stone. Two car garages shall be provided for each single-family home. Garage doors with architectural elements shall be utilized. Sidewalks on all street frontages shall be a minimum of five feet and shall be constructed with the requirements of the Americans with Disability standards and the City of Fairburn development standards and five-foot sidewalks shall be provided along both sides of internal streets throughout the development and shall provide interconnectivity to the amenity's areas. Pedestrian scale street lighting shall be provided along both sides of internal streets and all utilities shall be installed underground throughout the development area. Acceleration and deceleration lanes shall be provided at the proposed driveway connections unless a traffic study demonstrates that the total traffic on the existing roadway is less than 2000 vehicles per day, including traffic projected because of the proposed development. Count of existing traffic must have been made within one year of the development plans. Turning lanes shall be required to meet projected traffic demand and or traffic operations as determined by the City Engineer or traffic study when provided. The developer shall construct roadway improvements, pavement signing, striping, curb and gutter and drainage along the existing road across the entire property frontage where required at no cost to the city. The developer shall install a canopy or understory tree in the front yard of each single-family lot. The front and rear yards of the single family lots shall be sodded.

Mayor Pro Tem Portis-Jones stated there has been some confusion about this project. She thinks it is worth allowing the developer to meet the needs of the residents. We have residents who are for this project, but not for the density that's being presented, and we have others who are in opposition to the project and because of the confusion that has been presented and the inconsistency. Ms. Battle is correct in the fact that the city government long before many of us came on board, said as part of the City's comprehensive plan, that we wanted infill housing in our downtown area. So, we need to allow the opportunity for the best projects possible to be considered in our community.

Mayor Pro Tem Portis-Jones made a motion to defer this rezoning item to the March 28, 2022, Council meeting to revisit what is being proposed. Councilwoman Davis seconded the motion with a friendly amendment to include scheduling the meeting times and dates with the citizens, so, they will be able to attend these meetings if they work and what have you. Mayor Avery mentioned again, he discussed the legal ramifications earlier and wanted to make it clear that he is in total opposition of the R4 housing. He showed concerns about setting a precedence and affecting properties that he spoke about earlier that's next to the Renaissance Festival and another area around Avalon.

Vote: 6-0: Motion Carried.

## **IX. Agenda Items**

### **1. Office of the Mayor**

**Mayor Mario Avery**

For Mayor and Council to approve the budget amendment to establish a Deputy City Clerk position. Councilman Heath made a motion to approve the Deputy City Clerk position and the motion was seconded by Councilman Pallend.

Vote: 6-0: Motion Carried.

### **2. Office of the Mayor**

**Mayor Mario Avery**

For Mayor and Council to Re-Appoint Anatavia Benson to the Art Advisory Council. A motion was made by Councilwoman Davis to re-appoint Anatavia Benson to the Art Advisory Council. The second was provided by Councilman Heath.

Vote: 6-0: Motion Carried.



**3. Office of the Mayor**

**Mayor Mario Avery**

For Mayor and Council to appoint Nancy Sanchez to the Art Advisory Council.

A motion was made by Councilman Smallwood to appoint Nancy Sanchez to the Art Advisory Council. The second was provided by Councilwoman Davis. Vote: 6-0: Motion Carried.

**4. Office of the Mayor**

**Mayor Mario Avery**

For Mayor and Council to appoint Michelle James to the Planning and Zoning Commission.

A motion as made by Councilwoman Davis to appoint Michelle James to the Planning and Zoning Commission. The second was provided by Mayor Pro Tem Hattie Portis-Jones.

Vote: 6-0: Motion Carried.

**5. Office of the Mayor**

**Mayor Mario Avery**

For Mayor and Council to make appointments for the Board of Appeals.

Homer Knight, Roselee G. Williams, Thomas Cochran, and Brenda Cooper.

A motion was made by Councilwoman Davis to appoint the appointees as discussed to the Board of Appeals. The second was provided by Councilman Heath.

Vote: 6-0: Motion Carried.

**6. City Clerk**

**Mrs. Deannia Ray**

For Mayor and Council to discuss and approve the 2022 City Council Meeting Schedule.

A motion was made by Mayor Pro Tem Portis-Jones to approve the 2022 City Council meeting schedule as presented. The second was provided by Councilwoman Davis.

Vote: 6-0: Motion Carried.

**7. Utilities**

**Mr. John Martin**

For approval of budget amendments to establish a Utilities Operations Manager position.

A motion was made by Councilman Heath to approve the budget amendment to establish a Utilities Operations manager. The second was provided by Councilwoman Davis.

Vote: 6-0: Motion Carried.

**8. Planning & Zoning**

**Ms. Tarika Peeks**

For Mayor and Council to approve the Project Miles Final Plat. Ms. Peeks stated that the applicant, Red Rock Development, is requesting to subdivide a 98,151-acre parcel at the northwest corner of Creekwood Road and Oakley Industrial Blvd into three (3) lots.

Lot 1 – 73,122 acres, Lot 2 – 20,360 acres, Lot 3 – 4,669 acres. She stated that the Mayor and Council approved the rezoning for the 1,100,000 square foot warehouse, located on lot 1, on November 2, 2017, and the site development plans were approved on September 20, 2020, and the land disturbance permit (LDP) was issued on October 6, 2020. The final plat meets the subdivision regulations and code of ordinances and staff is recommending approval of the Project Miles final plat.

Councilman Heath made a motion to approve the Project Miles Final Plat as presented. The second was provided by Mayor Pro Tem Portis-Jones. Vote: 6-0: Motion Carried.

**9. Community Development**

**Mr. Lester Thompson**

For Mayor and Council to approve Mr. Elijah Thompson as the City of Fairburn's appointment to the South Fulton CID Board. Councilwoman Davis made a motion to

appoint Mr. Elijah Thompson to the South Fulton CID Board. The second was provided by Councilman Heath. Vote: 6-0: Motion Carried.



#### **10. Community Development**

**Mr. Lester Thompson**

For Mayor and Council to Approve the Intergovernmental Agreement (IGA) between the Georgia Department of Transportation (GDOT) and the City of Fairburn for Traffic Signal Operations Programs Coordinator.

Mr. Thompson stated that the South Fulton Community Improvement District (CID), was formed in 1999 by business leaders interested in improving freight access to warehousing, manufacturing and industrial sites along Oakley Industrial Boulevard and connectivity to I-85. The CID is a self-taxing entity that leverages the money collected to fund studies, preliminary engineering (PE) and construction projects. The CID does not replace city and county infrastructure improvement programs but supplements them by providing a means to advance projects with the area.

Mr. Thompson also stated that the CID Board of Directors is made up of elected members representing property owners and appointed representatives from the City of South Fulton, Union City, City of Palmetto, and the City of Fairburn. The board is responsible for managing the CID and determining Funding. The South Fulton CID would like for us to make another board appointment to replace our former Board Member, Aaron Phillips. Aaron's participation in Board Meetings was slacking as of late, and the Board has been struggling to obtain a consistent quorum. Aaron formally resigned from the Board on January 20<sup>th</sup>, 2022. The South Fulton CID Administrator, Joddie Gray is recommending Elijah Thompson, no relation, to replace Aaron. Joddie thought he would add some diversity to the Board. Each municipality within the CID boundaries gets one appointment, which usually translates into one vote to support the respective city's initiatives.

Mayor Pro Tem Portis-Jones made a motion to approve the IGA between GDOT and the City of Fairburn for the Traffic Signal Operations Program Coordinator. The second was provided by Councilman Heath.

Vote: 6-0: Motion Carried.

#### **11. Community Development**

**Mr. Lester Thompson**

For Mayor and Council to approve Task Order #11 with Atlas Technical Consultants (Moreland Altobelli) for Construction Engineering and Inspection (CEI) Services on the Downtown LCI Streetscape Project. Mr. Thompson stated that the City of Fairburn entered into a Master Services Agreement with Moreland Altobelli Associates, LLC on July 22, 2019, for on-call construction management services. The firm subsequently changed its name to Atlas Technical Consultants, LLC on January 1, 2020.

Mr. Thompson stated the agreement with Moreland Altobelli (Atlas) was approved with the understanding that task orders associated with construction management services would be issued on an as need basis. This a supplemental task order, as the funding associated with the initial task order (Task Order #2) for these services is nearly exhausted. As such, Task Order # 11 for said services has been submitted for review and approval. Staff recommends that Council approve Task Order #11 with Atlas Technical Consultants for Construction Engineering and Inspection Services on the Downtown LCI Streetscape Project and authorize the Mayor to sign the task order for an amount not to exceed \$72,000.

Councilman Smallwood made a motion to approve Task Order #11 with Atlas Technical Consultants for Construction Engineering and Inspection (CEI) Services on the Downtown



LCI Streetscape Project for an amount not to exceed \$72,000. The second was provided by Councilwoman Davis. Vote: 6-0: Motion Carried.

**12. City Attorney**

**Mr. Rory Starkey**

For Mayor and Council to authorize the provision of consent of the City of Fairburn, as an active member of Georgia Web, Inc., to approve GPW entering an Asset Purchase Agreement by and between Macquarie Capital and authorizing the Mayor to execute the same on the behalf of the City of Fairburn.

Mr. Starkey stated that the City of Fairburn has been a participant in the Municipal Electrical Authority of Georgia (MEAG) Telecommunications Project Contract since May 1, 1996. The participation of Georgia cities in the contract enabled the authority to finance the cost of acquiring and constructing a telecommunications system on behalf of participants executing telecommunications contracts. The participating Georgia cities and the authority entered a first amendment to the contract, dated February 1, 1997, and a third amendment to the contract on January 1, 2008. The amended contract provides in Article III that the authority shall acquire, own, operate and maintain the telecom project in a prudent manner for the benefit of the participants and for other purposes.

Georgia Public Web, Inc. (GPW) is a non-profit organization owned by thirty-two municipalities across the state of Georgia, including the City of Fairburn. The City of Fairburn's member percentage investment in GPW is calculated at 2.547%. GPW and its member cities have promoted public-private partnerships with a goal of bringing high-speed broadband services to communities that desire to unlock workforce potential, educational and job growth initiatives. The authority entered into a Master Agreement dated January 23, 2001 with GPW wherein the authority granted GPW the right to lease or otherwise utilize the assets comprising the Telecom Project in exchange for GPW agreeing to operate and maintain such assets for the benefit of the participants in the telecommunications project and to assume such other obligations of the authority deemed necessary.

GPW has an opportunity to take GPW's mission to the next level by entering an asset purchase agreement with Macquarie Capital. Most of the member cities of GPW must authorize the approval of the asset purchase agreement. GPW is seeking approval from its member participants to sell all assets, which also requires an authorized sale by MEAG Power of any remaining ownership interest in certain assets which comprise the telecommunications project. In order to effect certain changes to the amended contract, the City has determined to enter a fourth amendment to the telecommunications contract with MEAG Power.

These transactions were discussed during the annual MEAG summit and received unanimous support from GPW's member cities statewide. The Mayor and City Council are requested to authorize the execution and performance of an amendment to the telecommunications project contract and the execution and performance the written consent of the members of Georgia Public Web, Inc., on behalf of the City.

Mr. Starkey recommends for Mayor and Council to adopt the resolution to (1) authorize the execution, delivery, and performance of the Fourth Amendment to the Telecommunications Project Contract with the Municipal Electric Authority of Georgia and to authorize the Mayor to execute the same on behalf of the City of Fairburn; and (2) authorize the provision



of consent of the City of Fairburn, as an active member of Georgia Web, Inc., to approve GPW entering into an Asset Purchase Agreement by and between Macquarie Capital and authorizing the Mayor to execute the same on the behalf of the City of Fairburn.

Mayor Pro Tem Portis-Jones made a motion to authorize the provision of consent of the City of Fairburn, as an active member of Georgia Web Inc., and to approve GPW entering into an Asset Purchase Agreement by and between Macquarie Capital and authorizing the Mayor to execute the same on the behalf of the City of Fairburn. A second was received by Councilman Heath.

Vote: 6-0: Motion Carried.

X. City Administrator's Update:

Mr. Tony Phillips stated that he is working on effectively filling funded positions that are vacant, these vacancies have a direct impact on our service delivery to our residents. He is working with HR on a recruitment plan in order to attract, hire, and retain qualified candidates for these vacant positions.

Mr. Phillips discussed fire department staffing and training to include current vacancies and requirements firefighters is required to complete every year. He also discussed the development update for Fern Dale on Virlyn B. Smith. The price points with Liberty Homes have been revised to \$300K to \$400k.

On the 2022 benefits renewal, Mr. Phillips has been working with our benefits consultant BKS partners to assess viable options and amendable costs for the city's health insurance provider. The initial renewal from United Healthcare, due to utilization, the quotes came in at 25.61% above current. A bundling discount was provided due to the City also having Dental and Vision with United Healthcare, bringing the increase down to 22.5%. This amounted to an initial proposed increase of \$393,000. After negotiations, most importantly due to the tenure and relationship the City has built with United Healthcare over the past several years, has agreed to lower the increase to \$16.3%.

This reduces the increase amount of \$285,000 and there will be no increase to the dental and vision premiums for the upcoming year. We have recommended that the City increase employee contributions, but not to exceed \$30 per month for employee only coverage, \$50 for employee and spouse or employee and children coverage, and \$100 for family coverage. This will help offset a portion of the increased premium. The deductibles will be raised from \$2500 to \$3000 for employee only to family from \$3000 to \$5000. The employee will pay this additional \$500. The 2022 benefits renewal will be voted on in the February 28<sup>th</sup> council meeting.

Discussion of the cost of ground ambulance services in the City was put on the table. Mr. Phillips stated that State law provides that the state is divided into regions, Fairburn is in region 3 and a license is awarded to a sole entity to provide ground ambulance services which in our region, a license was awarded to Grady Memorial. About 95% of the ambulance calls are responded to by Grady. They are not regulated in terms of what they can charge, they are regulated by balanced billing which Grady can set their own rates. If they were to become an in network provider with an insurance company, the insurance company would cap their rate and then it would reduce Grady's revenue. In addition to trying to maximize their revenues, they factor in the fact that they have Medicare and Medicaid patients that pay less or pay nothing at



all because in that license, provides them to provide ground ambulance services, they cannot refuse to transport someone, so they mitigate these low-cost transports by elevating the costs in that scenario.

Councilwoman Davis suggested we need to go to the insurance commissioner or to Legislation, the Governor to see what needs to be done. This is not fair to our citizens, and I will pursue this further. Mr. Joe Harris, benefits advisor stated that this is an issue, a nationwide issue. There are twenty-one states with laws to protect people from surprising medical bills and it affects everything except for ground ambulance services. Mayor Avery stated that last week he met with Fulton County Mayors and Union City mentioned wanting to address ambulance services. He asked Councilwoman Davis to find out what can be done to facilitate some form of change with the Department of EMS when she discusses this with the insurance commissioner.

#### **XI. Council Comments:**

Mayor Pro Tem Portis-Jones had no comment.

Councilwoman Davis had no comment.

Councilman Smallwood had no comment.

Councilman Whitmore - lending ear to comments made by a previous president of this homeowner's association. If there is no pending litigation with Mayor, City Administrator or the City Attorney, can you publicly provide an update on the gas station, liquor store that was before Council last year?

Councilman Heath had no comment.

Councilman Pallend had no comment.

#### **Mayors Comments:**

Mayor Avery reminded everyone of the Council retreat scheduled for April 29<sup>th</sup>. You will be there for two hours on Friday and six hours on Saturday for the retreat.

Also, please reach out to the City Clerk and let her know if you will be attending the GMA conference in Savannah from June 24-28<sup>th</sup>. We will need a head count for dinner on Friday and Saturday night.

#### **XII. Executive Session – Personnel**

A motion was made by Councilman Heath and seconded by Councilwoman Davis to enter Executive Session. Vote: 6-0: Motion Carried.

A motion was made by Councilwoman Davis and seconded by Councilman Heath to exit Executive Session. Vote: 6-0: Motion Carried.

A motion was made by Councilman Heath and seconded by Councilwoman Davis to approve the employment contract for City Administrator, Mr. Tony Phillips.



**XIII. Adjournment:**

A motion was made by Councilwoman Davis to adjourn. A second was provided by Councilman Heath. The meeting adjourned at 9:12 pm. Vote: 6-0: Motion Carried.

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Deannia Ray, City Clerk

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Mario Avery, Mayor

DRAFT





## CITY OF FAIRBURN

### CITY COUNCIL AGENDA ITEM

**SUBJECT: FOR MAYOR AND COUNCIL TO APPOINT A CITY CLERK FOR THE CITY OF FAIRBURN FOR 2022**

☐ AGREEMENT                      ☐ POLICY / DISCUSSION                      ☐ CONTRACT  
☐ ORDINANCE                      ☐ RESOLUTION                      ☒ OTHER

**Submitted: 02/18/2021                      Workshop: N/A                      Council Meeting: 02/28/2022**

**DEPARTMENT:** Office of the Mayor

**BUDGET IMPACT:** 100-1310-51-1100

**PUBLIC HEARING?** ☐ Yes    ☒ No

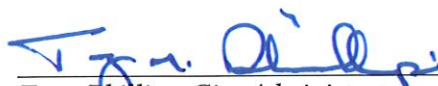
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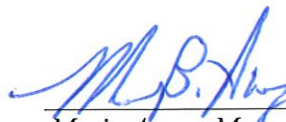
**PURPOSE:** For Mayor and Council to appoint Brenda James as the City Clerk for the City of Fairburn.

**HISTORY:** Per Article IV, Section 28 of the Fairburn City Charter, the Mayor and Council shall elect a person as City Clerk whose duties shall be to keep an accurate record of minutes of all meetings and shall perform all duties prescribed for him/her by the Mayor and Council of the City.

**FACTS AND ISSUES:** The Mayor and Council make annual appointments of the City Clerk pursuant to the City's Charter at a regular meeting of the Mayor and Council each year.

**RECOMMENDED ACTION:** For Mayor and Council to appoint Brenda James as City Clerk for the City of Fairburn for 2022.

  
\_\_\_\_\_  
Tony Phillips, City Administrator

  
\_\_\_\_\_  
Mario Avery, Mayor





## APPOINTMENT OF CITY CLERK

Per Article IV, Section 28 of the Fairburn City Charter, the Mayor and Council shall elect a person as City Clerk whose duties shall be to keep an accurate record of minutes of all meetings and shall perform all duties prescribed for him/her by the Mayor and Council of the City. The Mayor and Council make annual appointments of the City Clerk pursuant to the City's Charter at a regular meeting of the Mayor and Council each year. On February 28, 2022, Brenda James is appointed City Clerk for the City of Fairburn for 2022.

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Mario Avery, Mayor





## CITY OF FAIRBURN

### CITY COUNCIL AGENDA ITEM

**SUBJECT: APPROVAL TO ESTABLISH CUSTODIAN POSITION**

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

Submitted: 02/14/2022                      Work Session: 02/28/2022                      Council Meeting: 02/28/2022

**DEPARTMENT:** Property Management

**BUDGET IMPACT:** The budget impact will be \$0. The proposed expenditures will come out of the Property Management Janitorial Account and moved to Salary and Wages.

**PUBLIC HEARING?** ( ) Yes                      ( X ) No


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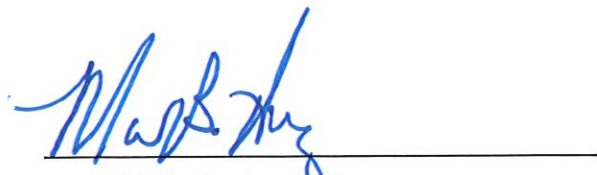
**PURPOSE:** For Mayor and Council to creating/adding a Custodian position in the Property Management Department.

**HISTORY:** At the present time the City of Fairburn have contracts with a couple of vendors to perform janitorial services at the following facilities: City Hall, Municipal Court Building, Police Department, Utility Department (water, sewer, & electric), and the Youth Center. These facilities are cleaned two to three times per week at an annual cost that exceeds \$50k, additionally we provide all the supplies.

**FACTS AND ISSUES:** Creating a position within the Property Management Department budget to hire a full-time staffer that would be responsible to fulfill janitorial duties Monday through Friday during normal business hours with some flexibility with his/her hours to accommodate special events on weekends and after hours if needed, would save the city over \$12k a year.

**RECOMMENDED ACTION:** Staff recommends that the City Council approve creating a full time Custodian position.

  
Tony Phillips, City Administrator

  
Mario B. Avery, Mayor



**CITY OF FAIRBURN  
POSITION REQUEST**

DATE: 02/11/2022

TO: City Council

FROM: Harvey Stokes

**SUBJECT: POSITION REQUEST –**

I do hereby request and submit the following Position Request to be approved.

**INCREASE TO DEPARTMENT:**

<u>Department Name</u>	<u>Current Position Count</u>	<u># of Positions Request</u>	<u>Cost of Position</u>
Property Management	3	1	\$0

**DECREASE TO DEPARTMENT:**

<u>Department Name</u>	<u>Current Position Count</u>	<u># of Positions Removed</u>	<u>Cost of Position</u>
			-

**REASON:** Currently paying two different contracts for janitorial services totaling \$52,920 for only two days a week. Hiring full-time staff will save the city money and provide janitorial services five days a week.

According to the Statement of Policy, the above-listed transfer has been approved.

02.14.2022  
Date

  
Peterson David, Finance Director

2/14/22  
Date

  
Tony Phillips, City Administrator

Vote: Approved # \_\_\_\_\_ Denied # \_\_\_\_\_

Budget Amendment – 01/20/2022



## **Property Management - Budget**

### **FY23 Salary need**

- Current Property Salary: \$134,780
- Facility Manager: \$55,120
- Janitor/Custodian: \$33,676
- Total: \$223,576

### **FY22 Salary Budget**

- Current Budget: \$173,661
- Expenses as of 12.31.21: (\$42,411)
- Balance as of 12.31.21: \$131,250
- Projected 9-month expenses: (\$101,085)
- Balance: \$30,165
- 6-month Facility Manager position: (\$27,564)
- Fiscal year-end balance: \$2,601

### **FY22 funds needed to cover establishing and hiring Janitor/Custodian position**

- \$33,676 / 12 months = \$2,807
- \$2,807 X 6 months = \$12,522
- \$2,601 - \$12,522 = -\$9,921

### **Recommendations**

1. Reallocate funds from Property Management Janitorial line to cover \$9,921 deficit

### **Resolution**

- Property management has enough funds within the department to cover position.
- Position needs to be created, this will require a budget amendment, needs to be approved by council.

### **Notes**

Currently paying two different contracts for janitorial services totaling \$52,920 for only two days a week. Hiring full-time staff will save the city money and provide janitorial services five days a week.



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**POSITION TITLE:** Custodian

**GRADE:** 10

**COMPENSATION:** \$30,492.80 - \$33,675.20

**DEPARTMENT:** Property Management

**REPORTS TO:** Director of Property Management

**POSITION SUMMARY:**

This is a non-exempt hourly position responsible for the cleaning and disinfecting of city owned facilities. Work is performed independently under the general guidance and direction of the Director of Property Management.

**ESSENTIAL DUTIES AND RESPONSIBILITIES:**

Each position in this classification may not include all the duties listed below, nor do the examples cover all duties that may be performed.

**Under general supervision:**

- Maintain inventory of janitorial supplies at each facility.
- Assist with the setup of rooms for meetings and functions. Sets up, cleans up, and takes down tables and chairs.
- Assists in loading, unloading, and moving miscellaneous items such as supplies, equipment, furniture, boxes, etc.
- Place and remove cones, barricades, and/or warning signage to ensure safety of public, such as wet floors, etc.
- Keep tools and equipment in safe and operable condition.
- Safely use/mix/dilute all chemicals according to direction on labels.
- Clean up work area upon completion of job.
- Helps other employees when needed or asked.
- Wears acceptable and clean clothing/uniform.
- Demonstrates acceptable personal hygiene and grooming.
- When operating a vehicle, observe safe driving principles and practices.
- Cleaning of blinds and windowsills to keep free of dusts.
- Sweeps, wet/dry mops, and vacuums floors; clean walls, woodwork, and mirrors; keeps interior windows and blinds clean; dusts bookcases and desks in all offices, Council Chambers, conference rooms, and meeting rooms according to predetermined schedule.
- Picks up grounds trash and debris around each facility, empty trash receptacles, replace trash bags, and take all trash to dumpster.

- Clean up spills.
- Clean and disinfect inside drinking fountains.
- Clean and disinfect the kitchen/break rooms and kitchen equipment (refrigerator, microwave, stove, and ice maker); cleans sinks and counter tops.
- Clean, disinfect, deodorize restrooms, including sinks, urinals, and toilets; replace restroom supplies including towels, soap, toilet tissue, hand sanitizer and seat covers.
- Notify supervisor when: supplies are needed; damage to structure or equipment; repairs/replacement to tools or equipment; questions arise about any work-related issue.
- Provides other functional assistance as needed at the direction of the Director of Property Management.

#### **MINIMUM QUALIFICATIONS REQUIRED:**

- Graduation from high school or possession of a GED.
- Strong organizational and communication skills.
- Possession of a valid Class C, Georgia Driver's License, and must be maintained throughout employment.
- Pre-Employment screening required: criminal background check and drug testing. Including an acceptable Motor Vehicle Record (MVR).
- Must be willing and available to work various hours, and various days of the week, including some weekends.
- Knowledge and understanding of the organizational structure, workflow, and operating procedures.
- Must have some experience in janitorial maintenance and supplies.

#### **KNOWLEDGE, SKILLS AND ABILITIES REQUIRED:**

- Skilled in the use of proper sanitary and safety precautions when handling trash, refuse and other potential hazards.
- Skilled in safely lifting and moving objects.
- Ability to perform the essential duties and responsibilities of the job.
- Ability to learn the specific operations, procedures, and equipment of the job.
- Ability to operate assigned equipment and tools safely and efficiently.
- Ability to perform labor-intensive cleaning tasks.
- Ability to correctly apply and use commercial cleaning products.
- Ability to work independently.
- Ability to be constantly alert and aware of the hazards involved and apply safety practices and principles in reporting and preventing accidents.
- Ability to carry out duties according to city policies, departmental procedures, directives, rules and regulations, and external directives.
- Ability to apply standard solutions to recurring situations.
- Ability to observe and analyze situations quickly and objectively and, using good judgment, determine an effective and efficient course of action to be taken with due regard to the task, hazards, situation, and circumstance.
- Ability to assign priorities to tasks and to reassign priorities as the situation and circumstances change.
- Ability to work within deadlines to complete projects and assignments.
- Ability to analyze, plan, and organize work.



- Ability to communicate effectively and courteously both orally and in writing with internal and external customers.
- Ability to establish and maintain effective working relationships with other co-workers, City employees, local government officials and the general public.
- Ability to read, speak, write, and spell using standard American English grammar.
- Ability to recall and relate details of incidents in order present information to concerned parties.
- Ability to maintain confidentiality.

**Supervisory Controls:**

- Work is performed under the direct supervision of the Director of Property Management.

**Guidelines:**

- Guidelines include City and departmental policies and procedures and applicable ordinances.


**Physical Demands:**

- Frequently required to use their hands to finger, handle, feel or operate objects, tools, or controls—such as to operate a variety of machines and equipment.
- Frequently required to reach with hands and arms.
- Frequently required to sit, stand, and walk.
- Frequently required to talk (to convey information, ask questions, etc.)
- Frequently required to hear ordinary conversations (such as directives from supervisors or questions from the public, etc.)
- Frequent lifting of light items utilizing proper body mechanics and techniques.
- Frequently required to climb stairs and/or ladders.
- Frequently required to kneel, bend, crouch, crawl, stoop, climb, and balance.
- Frequently exposed to outdoor temperatures and weather conditions.

**Supervisory and Management Responsibility:**

- This position has no direct reports.

This job description has been reviewed and approved on \_\_\_\_\_ by:

  
 Tony M. Phillips, City Administrator

\_\_\_\_\_  
 Harvey Stokes, Property Manager

I have read this job description and understand the duties assigned and the expectations of my performance.

Employee Signature \_\_\_\_\_ Date \_\_\_\_\_



## CITY OF FAIRBURN CITY COUNCIL AGENDA ITEM

**SUBJECT: APPROVAL OF A CONTRACT AWARD TO SEI TO DESIGN THE DUNCAN PARK ROADWAY EXTENSION PROJECT**

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

**Submitted: 02/14/2022      Work Session: 02/28/2022      Council Meeting: 02/28/2022**

**DEPARTMENT:** Community Development

**BUDGET IMPACT:** The budget impact of this task order will be \$291,600. The proposed expenditures will come out of the TSPLOST Infrastructure-Roadway Account (360-0000-54-1410).

**PUBLIC HEARING?** ( ) Yes      ( X ) No

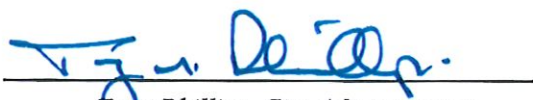
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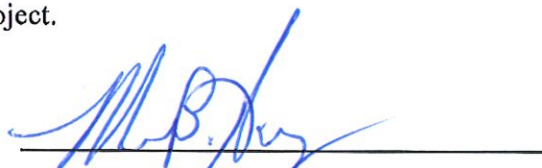
**PURPOSE:** For Mayor and Council to approve a Contract Award to Southeastern Engineering, Inc. (SEI) to Design the Duncan Park Roadway Extension Project.

**HISTORY:** The Park Road Extension Project was included in the approved TSPLOST I Project List. The initial concept was for the Park Road Extension to tie into a proposed road also on the TSPLOST I Roadway that would connect Rivertown Road and Virlyn B. Smith Road, Rivertown Road Connector. Neither project was able to move forward because of the development activities associated with the Fern Dale Subdivision Project. However, a new alignment through undeveloped Renaissance Festival property has been identified that would allow for the construction of a secondary access road to Duncan Park.

**FACTS AND ISSUES:** The City of Fairburn initiated the solicitation of proposals from qualified design firms in November 2021 and three proposals were received. Upon the conclusion of the procurement activities, it was determined that Southeastern Engineering, Inc. was the lowest responsive and responsible respondent with a proposal cost of \$291,600.

**RECOMMENDED ACTION:** Staff recommends that the City Council approve a contract award to SEI to design the Duncan Park Roadway Extension Project.

  
Tony Phillips, City Administrator

  
Mario B. Avery, Mayor



**EXHIBIT A**  
**Fulton County Transportation Sales Tax**  
**Projects and Purposes for Each Jurisdiction**

Jurisdiction	Purpose/Projects	Project Number	Project-Level Costs	SPLOST Purpose Cost	Priority Tier
	<b>TIER 1 PURPOSES/PROJECTS</b>				
City of Fairburn	Maintenance and Safety Enhancements			\$7,737,167	1
	City-Wide Road Resurfacing	FA-101	\$7,737,167		1
City of Fairburn	Pedestrian/Bike Improvements			\$136,891	1
	Pedestrian/Bike Improvements (Phase 1)	FA-102	\$136,891		1
City of Fairburn	Roadway Projects			\$3,295,836	1
	Howell Avenue Extension	FA-103	\$738,602		1
	Rivertown Connector	FA-104	\$937,240		1
	Park Road Extension	FA-105	\$722,685		1
	Oakley Industrial Boulevard Full-Depth Reclamation	FA-106	\$897,309		1
City of Fairburn	Quick Response Projects			\$233,775	1
	To Be Determined	FA-107	\$233,775		1
City of Fairburn	Project Management/Construction Management			\$285,092	1
	<b>TIER 1 TOTAL PURPOSE COSTS</b>			\$11,688,762	
	<b>TIER 2 PURPOSES/PROJECTS</b>				
City of Fairburn	Maintenance and Safety Enhancements			\$552,987	2
	City-Wide Road Resurfacing	FA-201	\$552,987		2
City of Fairburn	Operations and Safety			\$750,000	2
	Quiet Zone R/R Crossings	FA-202	\$750,000		2
City of Fairburn	Pedestrian/Bike Improvements			\$353,171	2
	Pedestrian/Bike Improvements (Phase 1)	FA-203	\$353,171		2
City of Fairburn	Roadway Projects			\$315,000	2
	Oakley Industrial Boulevard Extension (Design Only)	FA-204	\$315,000		2
City of Fairburn	Quick Response Projects			\$41,254	2
	To Be Determined	FA-205	\$41,254		2
City of Fairburn	Project Management/Construction Management			\$50,310	2
	<b>TIER 2 TOTAL PURPOSE COSTS</b>			\$2,062,722	
	<b>TIER 3 PURPOSES/PROJECTS</b>				
City of Fairburn	Congestion Relief			\$450,000	3
	To Be Determined	FA-301	\$450,000		3
City of Fairburn	Operation and Safety Improvements			\$541,902	3
	To Be Determined	FA-302	\$541,902		3
City of Fairburn	Pedestrian/Bike Improvements			\$184,316	3
	Pedestrian/Bike Improvements (Phase 2)	FA-304	\$184,316		3
City of Fairburn	Roadway Projects			\$802,717	3
	Dodd Street Roundabout	FA-305	\$802,717		3
City of Fairburn	Quick Response Projects			\$41,417	3
	To Be Determined	FA-306	\$41,417		3
City of Fairburn	Project Management			\$50,509	3
	<b>TIER 3 TOTAL PURPOSE COSTS</b>			\$2,070,861	
	<b>TOTAL City of Fairburn COSTS - ALL PURPOSES FOR TIERS 1-3</b>			\$15,822,344	



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www.pondco.com

November 18, 2021

Lester Thompson, MPA  
Director, Community Development/Public Works  
City of Fairburn  
26 W. Campbellton St.  
Fairburn, GA 30213

**RE: Duncan Park Extension Road Professional Design Services Fee Proposal**

Pond & Company (Pond) is pleased to submit this proposal for transportation engineering and design services for the above project. The paragraph below describes the professional services and fees to accomplish the work.

**PROJECT UNDERSTANDING:**

Duncan Park is a major public park within the City of Fairburn located east of the City downtown area. This Park currently only has one access point, provided along Rivertown Road. The City wishes to develop another access point from the other side of the park to access along Virlyn B. Smith Road. This would create a new location roadway through the current Georgia Renaissance Festival property to connect to the City Park property. The new roadway would consist of a two and three lane section with 5-foot sidewalks on both sides. Our understanding is the City of Fairburn will locally fund the design and construction of the roadway improvements through the City's TSPLOST program.

**PROFESSIONAL SERVICES:**

The work will consist of design and additional services, including preliminary design, right of way plans, and final design including final stamped submittal. This will also include survey, environmental services, water line design, landscaping, and lighting. Pond will provide all labor, materials, and equipment necessary to assist the City of Fairburn in completing the tasks as described herein.

***Scope of Work***

**Phase 1: Database Preparation**

Pond and its subconsultant will provide topographic and property survey for a 100-foot width along the new location roadway and to either side of Virlyn B. Smith Road to provide right and left turn lanes. Please see the attachment to view the proposed survey area. We do not anticipate SUE to be necessary for this project.

**Phase 2: Preliminary Plans**

The preliminary plans will further develop the approved concept and be based on surveyed data. The plans will be completed with City of Fairburn, AASHTO and GDOT standard design requirements. This phase will also include miscellaneous services outline below and as approved by the City. The preliminary plans phase will conclude with one review by the City.



Preliminary Plans Phase Includes:

- Project Management
- QAQC
  - We will complete a minimum of two internal reviews (one for geometric design and another before preliminary plan submittal to the City)
- Geometric Design
  - Horizontal and vertical alignments, cross sections
- Drainage Design
  - Urban drainage design closed system along the new roadway
  - Rural drainage design along Virlyn B. Smith Road
- Stormwater detention analysis to follow the City of Fairburn requirements
- Driveway Profiles
- Signing and Marking
- Preliminary Right of Way
  - Initial layout to review impacts and constructability and provide for cost estimate
- Preliminary Erosion Control
- Utility Coordination
- Cost Estimates
  - Construction Cost Estimate
  - Include a utility cost estimate as provided by the utility owner
  - ROW cost estimate is not included
- Preliminary plan review by the City
- Misc. Services
  - Environmental screening
  - Preliminary Lighting
  - Preliminary Landscaping
  - Preliminary water line plans

The preliminary plans along Virlyn B. Smith Roadway will be shown as widening with no changes to the vertical or horizontal profile. It is assumed that the existing conditions meet speed design and can simply be widened to provide the left and right turn lanes.

The plans for the new park entrance will be based on a speed design of 25 mph and include curb and gutter, 2 to 3-lanes were applicable, and sidewalks with lighting and landscaping. The waterline will be designed to run parallel to the new park roadway.

There is no anticipated major stream crossings or wetland impacts that would require a bridge or culvert or FEMA coordination, no walls, and existing drainage patterns will be maintained. Staging plans will be provided for Virlyn B. Smith Roadway but cross sections are deemed unnecessary. No traffic volumes or counting will be performed.

The preliminary plan phase will include one submittal to the City for review and subsequent meeting to discuss comments if requested. Comments received at this meeting will be addressed in the final plans phase.

## **Phase II: ROW Plans**

Right of Way plans will be completed following GDOT standard design requirements and documentation. This will include a right of way set of plans with plan view and text tables for all proposed right-of-way and easements. It is assumed that approximately a quarter of the parcels will need some plan revisions for right of way adjustments during negotiations. Pond's Project Manager and Engineers will be available for two property owners' meetings if requested.

The scope and fee do not include cost to cure drawings/exhibits, redesign of adjacent parcels, or right of way staking.

## **Phase III: Final Plans**

The final plans will take the comments from preliminary plans review and finalize the engineering plans. This phase will also include completion of the miscellaneous services as approved by the City. The final plans phase will conclude with one plan review by the City.

Final Plans Phase Includes:

- Project Management
- QAQC
  - We will complete a minimum of two internal reviews (one review to verify that all preliminary design and ROW changes have been completed, and another before final plan submittal to the City)
- Final Geometric Design
- Final Drainage Design
- Final Driveway Profiles
- Final Signing and Marking
- Final Staging
  - Plan view for Viryln B. Smith Road
- Final Erosion Control
- 2<sup>nd</sup> Utility Coordination to include relocation of impacted utilities
- Cost Estimate
  - Construction Cost Estimate
  - Include a utility cost estimate as provided by the utility owner
- Final Field Plan Review
- Other Services
  - Environmental documentation
  - Final Lighting
  - Final Landscaping
  - Final water line plans



The final plans will conclude with a submittal to the City for review and subsequent meeting to discuss comments. The changes will be completed and then resubmitted to the City for a last verification before stamped plans are issued. These stamped plans will be used for the Bid Plans.

Pond assumes that the City will provide the bid document and will host the bidding for the project. Pond will be available to answer questions from contractors during the bidding phase.

#### **Phase IV: Miscellaneous Services**

This Phase includes multiple miscellaneous services including the following:

**Environmental Documentation** – Pond’s in-house environmental services team will conduct a field delineation to identify waters and wetlands as well as suitable habitat for federally-protected species. Pond will also complete a desktop review of known cultural resources in the project vicinity through the Georgia Site Files. Pond will prepare an environmental screening report to summarize methods, findings, and implications. At this time, environmental permitting is not anticipated and is therefore not included. The following services are not included: Phase I Environmental Site Assessment; species-specific surveys for protected species; field studies for cultural resources; environmental permitting; agency consultation.

**MS4 and Stormwater Design** – The MS4 and stormwater design will be completed based on the City of Fairburn’s requirements. It will be assumed that the City will provide review and documentation on the final decision for post construction BMPs. This will be necessary to complete during the preliminary design phase in order to ensure proper placement along the corridor and adequate right of way is proposed.

**Landscape Design** - At the preliminary design stage, we will then develop an initial plant and design palette (i.e. fencing, etc) to share with the City. This palette can be used when meeting with property owners about rights-of-way and easement acquisition. We will also create an initial tree protection and replacement plan to understand tree impacts and will develop landscape zones for landscape replacement. During the right of way phase, we will be available to meet with for two property owner meetings about specific design modifications to landscaped areas impacted by construction. These ideas will be integrated into the final plan set. During final design, we will refine the tree protection and replacement plan and the landscape plans and details.

**Lighting Design** – lighting design would be added to provide pedestrian lighting along the Duncan Park entrance roadway. The plans will include service locations, electrical details, and standard lighting mounting details.

**Water line Design** – design plans for the water main parallel to the new Duncan Parkway entrance roadway. This will not include any water flow or pressure modeling, or redesign of any other utilities.

#### **Phase V: Construction Administration**

Pond will assist the City during the bid phase by preparing all necessary special provisions, opinion of probable cost, and attend a pre-bid meeting. During the bidding and construction process, Pond anticipates a maximum of 5 RFIs and will respond to these requests. We will prepare for and attend the pre-construction meeting to answer questions. Pond will complete a 7-day inspection per the requirements of the ESPCP plans.

Pond is not liable for contractor workmanship or adherence to specifications. Pond will not direct the contractor or stop work.

### Schedule

Pond has estimated that all tasks above will be completed within 12 months from notice to proceed, with the right to revise the schedule with coordination from the City. This will be dependent on City review times as well as ability to finalize right of way purchasing and utility coordination.

### ASSUMPTIONS

Services or tasks not specifically outlined above are excluded. No additional coordination or permitting is included with GDOT is included in this task order.

### PROFESSIONAL FEES

Pond proposed to accomplish this task order for a proposed total lump sum fee of \$314,500.

• Preliminary Plans	\$85,000
• Stormwater Design	\$15,000
• Right of Way Plans	\$10,000
• Final Plans	\$50,000
• Misc. Services	
o Survey	\$25,000
o Water Line Design	\$40,000
o Landscaping	\$14,500
o Lighting	\$40,000
• Construction Services	\$35,000

If this fee and scope is acceptable, Pond & Company is available to begin work immediately in issuance of a signed Notice to Proceed. If you would like to discuss or modify the scope, please contact us. If you need any additional information, please feel free to contact me at [sabiad@pondco.com](mailto:sabiad@pondco.com) or (404) 748-4809.

Sincerely,



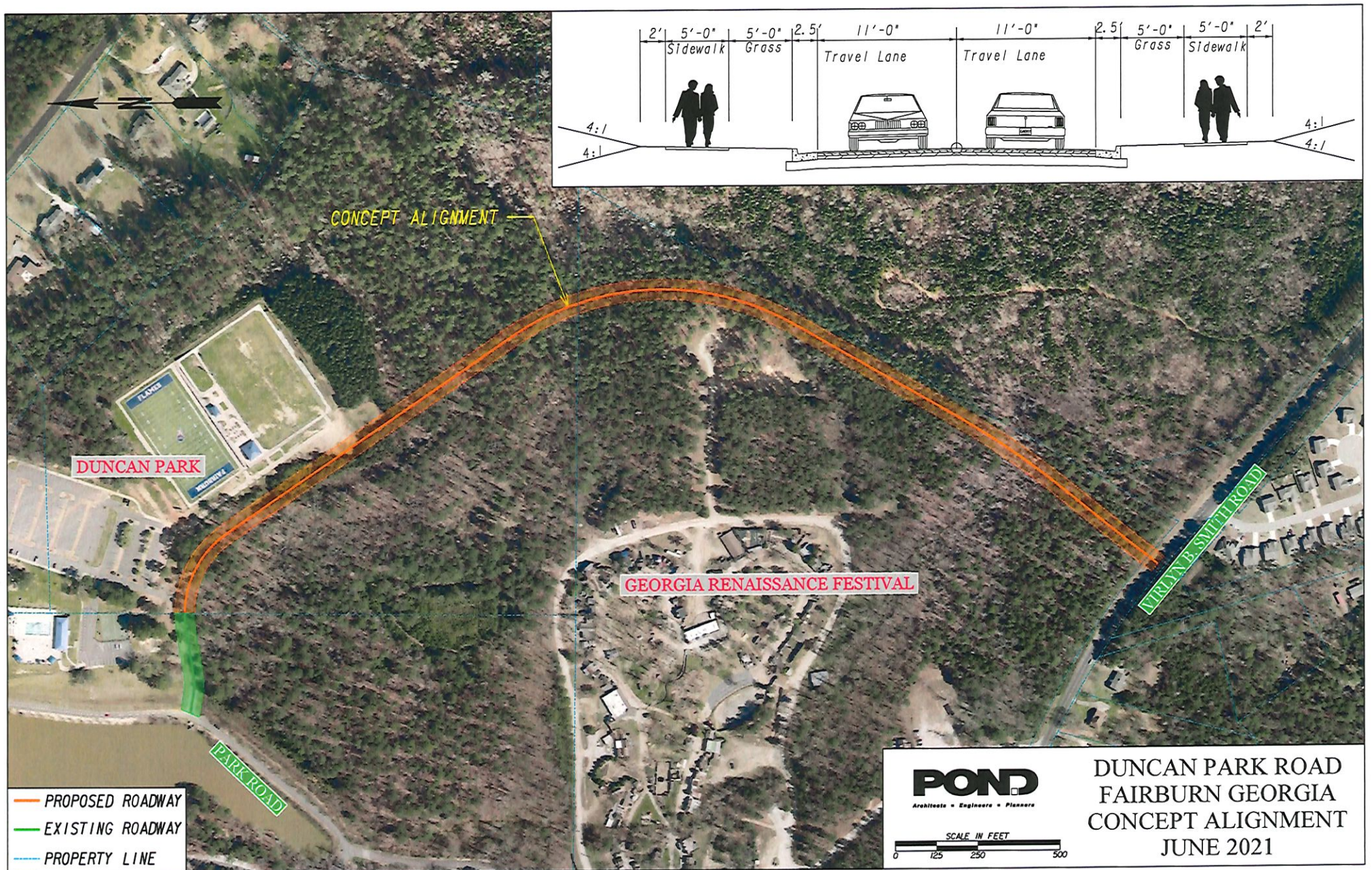
James McNabb, PE  
Senior Vice President, Transportation Manager

CC: Daniel R. Sabia, III, PE

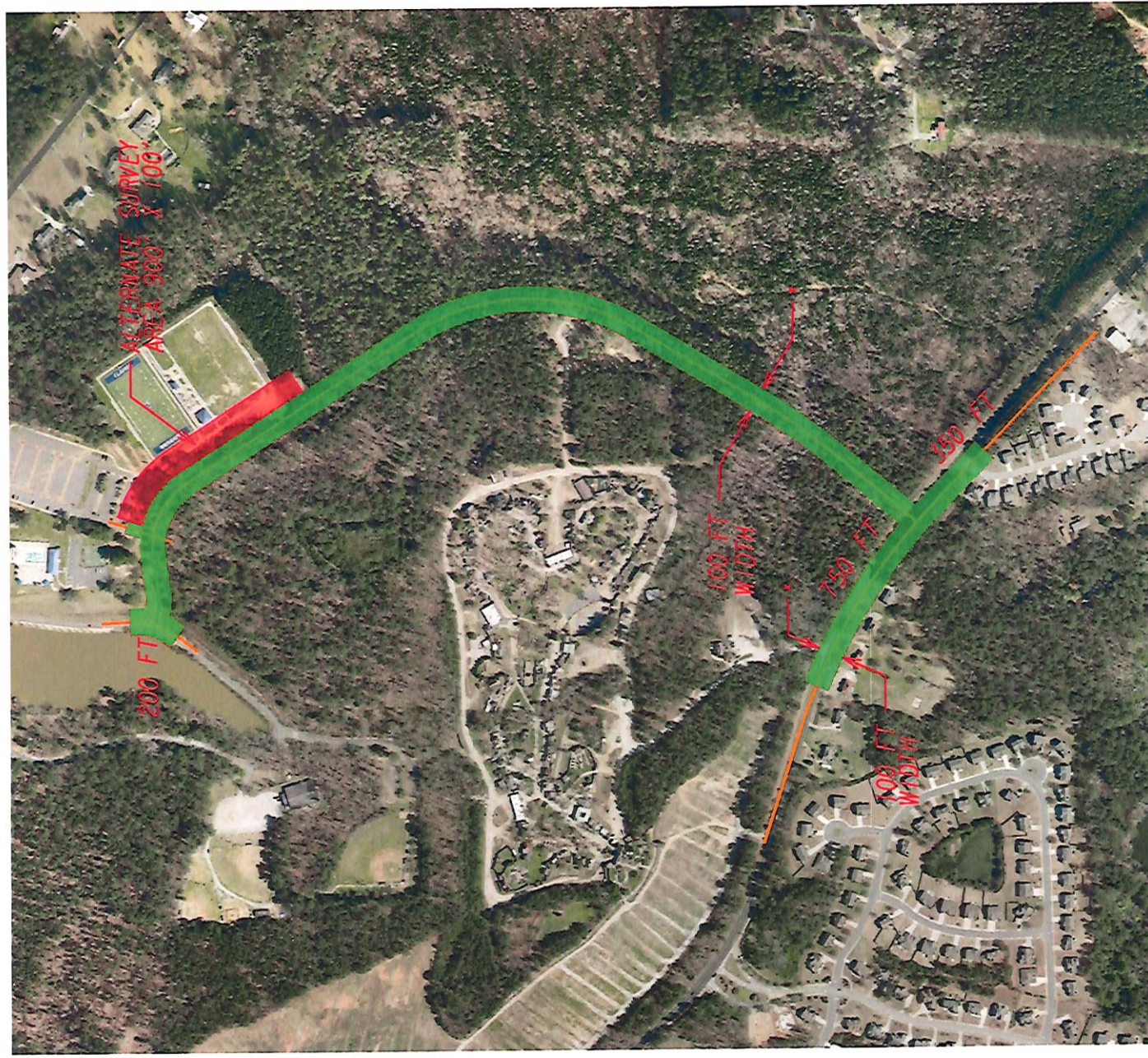
### Attachments:

1. Concept layout
2. Survey Area













2470 Sandy Plains Rd  
Marietta, GA 30066  
P (770) 321-3936  
F (770) 321-3935

## PROFESSIONAL SERVICES AGREEMENT

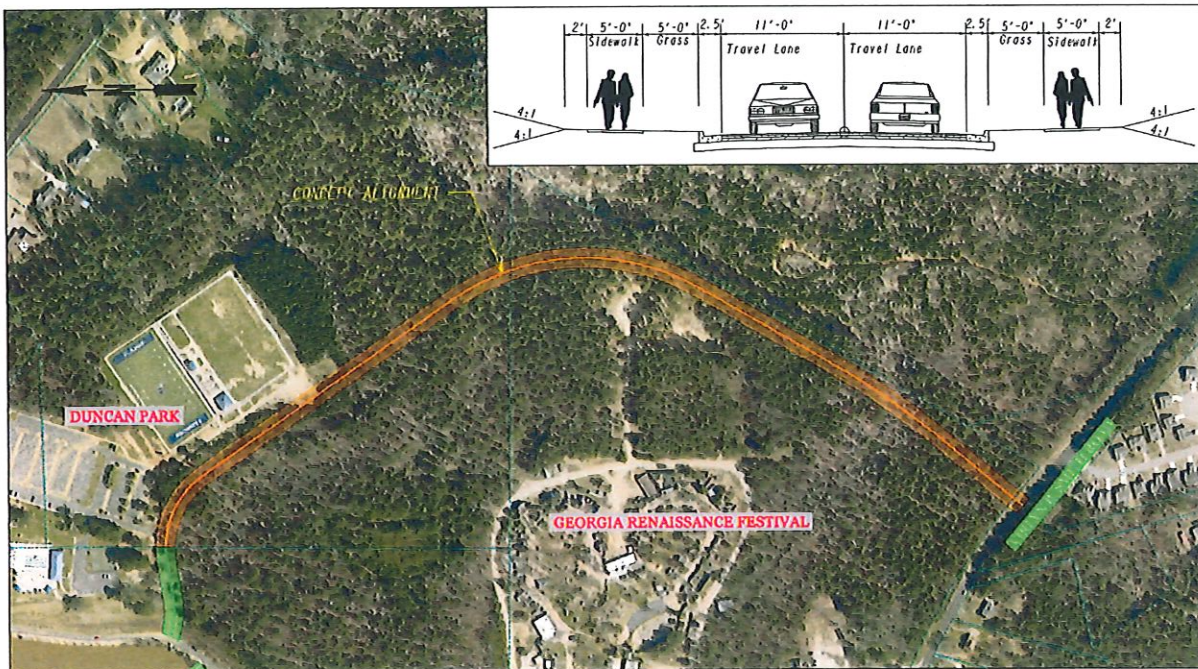
This AGREEMENT made by and between Southeastern Engineering, Inc., and the client identified herein, provides for the following Professional Engineering Services under the Scope of Services section of this agreement.

**CLIENT:** Lester Thompson, MPA  
City of Fairburn Director of Community Development and Public Works  
26 West Campbellton Street  
Fairburn, GA 30213

**PROJECT NAME:** Duncan Park Road Extension

### PROJECT UNDERSTANDING

SEI understands that the City of Fairburn needs Engineering Design for a new location roadway to access Duncan Park from Virlyn B. Smith Road. This a new location roadway would go through the current Georgia Renaissance Festival property to connect to Duncan Park. As shown in the concept below, the new roadway will consist of a two-lane section with 5 ft sidewalks on both sides of the roadway. This project is being locally funded through the City of Fairburn's TPLOST, there will be no GDOT or Federal funding for this project.





## SCOPE OF SERVICES

### Assumptions:

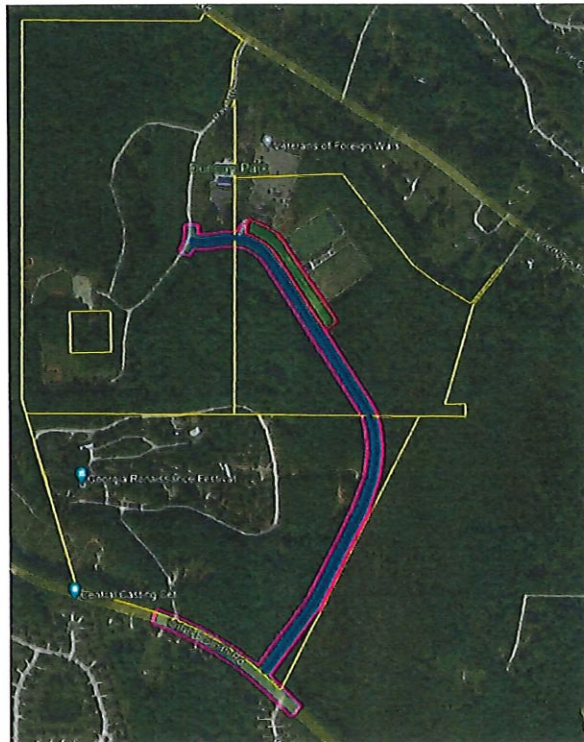
- **Concept** – A concept phase is not anticipated since the proposed alignment has already been established, however a 30% plan submittal is anticipated during the Preliminary Design Phase to validate the proposed concept.
- **Environmental** – An environmental screening has been included to determine if there are any jurisdictional waters within the project limits that need to be addressed during design. From a cursory desktop review there does not appear to be any jurisdictional waters.
- **MS4** – MS4 ponds are the assumed MS4 Postconstruction Stormwater devices.
- **Erosion Control** – Submittal of the Erosion Control Plans to the City of Fairburn is anticipated and not a submittal to EPD since the City is its own issuing authority and since the project site is over an acre of disturbed acreage.
- **Geotechnical** – Since the nature of the project is a new location roadway, a Soil Survey (SS) is recommended and has been included in the scope.

### Exclusions:

- **Traffic** – No new signals are anticipated at Virlyn B. Smith Road or Park Road and no traffic counts have been included for these existing roadways.
- **Structural Design** – Any retaining wall needed to limit property impacts will be either GDOT Standard Gravity Walls (GDOT Standard 9031L) or GDOT Standard Parapet Wall (GDOT Standard 4949D). Structural design for any walls has not been included in the scope.
- **Right of Way Acquisition** – Right of Way acquisition has not been included.
- **Contract and Construction Administration** – Any post-let activities have not been included.

### **Task 1 – Survey**

SEI will collect aerial LiDAR and field run topo as outlined survey display below needed to design the new location roadway. A 100 ft wide corridor will be surveyed along with the existing property resolution needed for the project. Virlyn B. Smith Road will also be surveyed to provide right and left turning lanes. SUE has not been included.





## **Task 2 – Environmental (Kimley-Horn)**

**Environmental Screening and Letter Report:** Kimley-Horn will perform a desktop-level environmental screening utilizing readily available resources and databases to identify potential environmental constraints and issues of concern for the City of Fairburn, Duncan Park Access Road, limited to the project limits (new location roadway from Virlyn B Smith Rd to Park Rd) depicted in a KMZ file provided by SEI via email on 12/19/21. The purpose of the screening will be to identify readily apparent constraints and issues of concern, such as known or potentially eligible historic or archaeological resources, known cemeteries, known jurisdictional/regulated waters (wetlands, streams, open waters, etc.), potential protected species habitat, known hazardous waste sites, etc. In addition, one water resources site visit will be undertaken. Kimley-Horn environmental (KH-ENV) staff will flag wetland boundaries and support the design team in mapping approximate stream and buffer locations in the design plans, using Kimley-Horn field-collected GPS data and surveyor contour data. The surveyor contour data will be provided by others under a separate services task. Findings from the screening and field visit will be summarized in a brief stand-alone letter report. Kimley-Horn will revise the report one time following client review during conceptual design.

**Buffered State Waters Determination:** During the concept or preliminary design phase, one representative from the Kimley-Horn environmental team will meet with representatives from either the Local Issuing Authority or the Georgia Environmental Protection Division (EPD). The purpose of this site visit and coordination is for regulatory confirmation of the presence of buffered state waters, as would be required for a subsequent Georgia Stream Buffer Variance (SBV) application.

**Impact Avoidance and Minimization and Culvert Design Coordination:** During the preliminary design phase, the KH-ENV team will review the preliminary design and communicate recommended changes for water resources and buffer permit compliance. These design changes would avoid or minimize regulated resources adverse impacts and evaluate opportunities to avoid or reduce compensatory mitigation fees. Descriptions of these measures are required to be included in permit applications. To satisfy Section 404 permit's culvert requirements, Kimley-Horn will communicate perennial stream culvert sizing requirements and culvert exhibit requirements to be completed by the design team to accommodate bankfull width and depth and flood prone width. One Microsoft Teams meeting will be held to discuss design constraints and changes, a permitting strategy, and schedule and the KH-ENV team will prepare meeting minutes.

**Jurisdictional Determination and Section 404 General (Nationwide or Regional) Permit Application:** During the final design phase, the KH-ENV team will be limited to preparing either one Aquatic Resource Delineation Verification request or one Preliminary Jurisdictional Determination and will prepare one General 404 permit application for unavoidable federal waters impacts. The application will be submitted to the United States Army Corps of Engineers (USACE). The KH-ENV team will continue design team coordination, review plans, and collect design data such as culvert exhibits and final avoidance and minimization measures. If requested by the USACE to evaluate existing water resources, Kimley-Horn will send one representative for one site visit. During the USACE permit application review, the KH-ENV team will provide follow-up coordination. Upon completion of the permit review, the KH-ENV team will be available to discuss permit limitations, if needed.

**Georgia Stream Buffer Variance Application:** During the final design phase, the KH-ENV team will continue design team coordination, review plans, and collect design data such as erosion control plans and final avoidance and minimization measures. One Georgia 25-foot SBV application will be prepared to include tasks such as preparing a narrative to address critical buffer functions and prepare exhibits. The application will be submitted to the EPD and include follow-up coordination with EPD during their application



review process. Upon completion of application review, the KH-ENV team will be available to discuss permit limitations, if needed. It is anticipated that a County or City SBV will not be required.

### **Task 3 – Soil Survey (S&ME)**

Since the project is located on new location, it is recommended that a soil survey be completed for the project to determine if any special fill requirements are needed for the new roadbed to prevent future settlement of the roadway. Also, the soil survey will determine if there is any rock in the project limits that will need to be accounted for during design. Although poor material or rock is anticipated, the soil survey will provide this necessary information. S&ME will complete the soil survey for the project. The deliverable will be a GDOT style soil survey and will identify any locations within the project limits where special fill material is needed or areas where rock could be anticipated to be encountered by the contractor.

### **Task 4 – Preliminary Plans**

- Latest GDOT Preliminary Field Plan Review (PFPR) Checklist Items
- 1<sup>st</sup> Utility Submittal to obtain existing utility facilities
- Preliminary MS4 Post Construction Stormwater Pond Design
- Prepare Preliminary Plans for review by City of Fairburn consisting of:
  - 01-0001 Cover
  - 02-0001 Index
  - 03-0001 Revision Summary
  - 04-0001 General Notes
  - 05-0001 Typical Sections
  - 06-0001 Summary of Quantities
  - 09-0001 Detailed Estimate
  - 13-0001 Construction Plans
  - 15-0001 Profiles
  - 17-0001 Driveway Profiles – 1 potential driveway
  - 21-0001 Drainage Area Map
  - 22-0001 Drainage Profiles
  - 23-0001 Cross-Sections
  - 24-0001 Utility Plans
  - 26-0001 Signing & Marking Plans
  - 31-0001 Retaining Wall Envelopes (if needed)
  - 32-0001 Retaining Wall Plans (if needed)
  - 50-0001 Erosion Control Plan Cover
  - 51-0001 Erosion Control Plan General Notes
  - 52-0001 Erosion Control Legend and Uniform Code Drawing
  - 53-0001 Erosion Control Drainage Area Map
  - 54-0001 Erosion Control Plans
  - 55-0001 Erosion Control Watershed and Site Monitoring Location
  - 56-0001 Erosion Control Standards and Details
  - 60-0001 Right of Way Plans
- Attend a PFPR with City of Fairburn.
- Preliminary Plan Engineers Construction cost estimate.

### **Task 5 – Right of Way Plans**

- Prepare right-of-way plans based on the Preliminary Plan Review comments for review and approval by City of Fairburn.
- There are potentially 3 parcels affected.
- Perform right-of-way revisions as required for acquisition.

### **Task 6 – Final Plans**

- 2<sup>nd</sup> Utility Submittal to obtain proposed utility relocations



- Latest GDOT Final Field Plan Review (FFPR) Checklist Items
- Prepare FFPR plans, specification, and cost estimates for review by City of Fairburn based on comments received from PFPR and any right of way revisions.
- Attend FFPR with City of Fairburn.
- Final Plan Engineers Construction cost estimate.

#### **Task 7 – Contract Documents, Advertisement, Bid Support & Awarding Contract**

The City of Fairburn anticipates bidding this project out to construction. SEI has set this task up to complete the necessary contract documents and bidding assistance as needed. SEI will assemble all the necessary contract documents required to advertise and to successfully award the project to construction. SEI will advertise the project to available bidders and provide applicable plan sheets & contract documents to all interested bidders. If a Pre-Bid meeting is needed, SEI will attend and conduct the pre-bid meeting. SEI will attend the bid opening and the preconstruction meeting.

SEI will also complete the required 7-day initial best management practice (BMP) inspection as required by the Erosion Control Plans. SEI will also assist with any requests for information (RFI's) through the complete duration of the construction phase of the project.

#### **Task 8 – Miscellaneous Services (Landscape, Lighting & Water)**

If landscape is required for the project, SEI's Registered Landscape Architects will work with SEI's roadway designers to determine the best locations along the corridor to not obstruct sight distance and to recommend native drought resistant planting. The landscaping plans will be included in the Final Plan Review submittal to the city at a design cost of **\$25,000.00**.

If lighting is needed along the new roadway, SEI's trusted lighting design subconsultant Wi-Skies will provide the light design plans. The lighting design plans will be included in the Final Plan Review submittal to the city at a design cost of **\$25,000.00**.

If a proposed waterline is needed along the new roadway, SEI will have a qualified waterline design company provided the needed design. The waterline design plans will be included in the Final Plan Review submittal to the city at a design cost of **\$25,000.00**.

COMPENSATION

**PLEASE INITIAL EACH AUTHORIZED TASK BOX WHERE THERE IS A FEE:**

PROFESSIONAL FEES			
Description	Task Subtotal	Billed	Initials
Task 1 – Survey	\$45,000.00	Monthly, % Complete of Lump Sum	
Task 2 – Environmental (Kimley-Horn)	\$35,000.00	Monthly, % Complete of Lump Sum	
Task 3 – Soil Survey (S&ME)	\$11,600.00	Monthly, % Complete of Lump Sum	
Task 4 – Preliminary Plans	\$65,000.00	Monthly, % Complete of Lump Sum	
Task 5 – Right of Way Plans	\$15,000.00	Monthly, % Complete of Lump Sum	
Task 6 – Final Plans	\$35,000.00	Monthly, % Complete of Lump Sum	
Task 7 – Construction Administration	\$10,000.00	Monthly, % Complete of Lump Sum	
Sub Total	\$216,600.00		
Task 8 – Miscellaneous Services (Landscape, Lighting & Water)	\$75,000.00	Monthly, % complete of Allowance	
Grand Total	\$291,600.00		



## SCHEDULE

SEI can initiate work on this project immediately upon notice to proceed. SEI will provide a schedule with regular updates and will have all information delivered to the client in advance of submission to the jurisdiction.

Direct expenses are included in the fees subtotaled in the above table. Direct expenses not furnished directly by SEI will be billed at cost and may include but are not limited to special fees, permits, insurance, etc., printing, and photographic reproduction, sub-contractors, rental of equipment and vehicles, shipping/transportation, meals and lodging, bonds, laboratory testing and supplies. Exclusions to the contract are noted in Attachment A.

SEI will cease work and notify you as soon as possible if additional professional services are required beyond the scope of work defined in the Scope of Services section above. Additional services will be billed according to the Rate Scheduled in Attachment B.

Payment is due upon receipt of invoice. Finance charges of one and one-half percent (1.5%) will be added to the unpaid balance beginning 30 days after invoice date. Any changes and/or revisions to this contract shall be agreed upon and initialed by all parties. This proposal shall be considered valid for a period of ninety (90) days from the date on page one (1).

IN WITNESS WHEREOF, the Agreement is accepted on the later date written below, subject to the terms and conditions stated above and attached to the Agreement in Attachment C.

CLIENT	SOUTHEASTERN ENGINEERING, INC.
Signed _____	Signed _____
Name (Typed) _____	Name (Typed) _____
TITLE _____	TITLE _____
DATE _____	DATE _____

## ATTACHMENT A

### EXCLUSIONS:

This agreement does not include the following:

- ☒ Zoning or zoning modification applications and coordination
- ☐ GDOT or another agency coordination
- ☒ Community coordination meetings
- ☒ Graphic design
- ☒ Traffic engineering services
- ☐ Land surveying services
- ☒ Structural engineering and inspection
- ☐ Soil testing/geotechnical analysis of existing soils or levels of compaction
- ☒ Subsurface utility location and/or investigation
- ☒ Utility capacity analyses
- ☒ Offsite utility evaluation and/or extension
- ☒ Offsite utility easements
- ☐ Utility coordination
- ☒ Stream buffer variance - variance through EPD and/or local jurisdiction
- ☒ Offsite silt study
- ☒ Dam breach
- ☒ FEMA coordination and/or letter of Map Revision
- ☐ MS4 requirements
- ☒ Architectural services
- ☒ Landscape architectural services
- ☒ Irrigation design
- ☒ Tree survey and/or as-builts
- ☐ Planting plans
- ☒ Inspecting and/or placing plants on site
- ☒ State waters and/or wetland location, delineation and/or permitting through USACE
- ☒ Preparation of Storm Water Management, Inspection and Maintenance Agreement or similar/related documents
- ☒ LDP submittal or revisions
- ☒ Final plat submittal or revisions
- ☐ Cost estimates or Quantity take offs
- ☒ Construction management, contract administration or price/cost negotiations of construction work
- ☒ Settlement of disputes of claims due to contractor default or insolvency or discontinuation of work
- ☒ Maintenance services (post-construction or otherwise)



## ATTACHMENT B

### HOURLY RATE SCHEDULE:

Services shall be invoiced according to the following rates:

#### Environmental Personnel:

Environmental Scientist I:	\$85/hr.
Environmental Services Manager:	\$145/hr.

#### Planning and Landscape Architecture Personnel:

Administrative:	\$60/hr.
Technician:	\$50/hr.
Land Planner:	\$95/hr.
Landscape Architect:	\$95/hr.

#### Engineering Personnel:

Administrative:	\$60/hr.
Technician:	\$50/hr.
Designer I:	\$70/hr.
Designer II:	\$90/hr.
Designer III:	\$105/hr.
Engineer I:	\$85/hr.
Engineer II:	\$105/hr.
Engineer III:	\$135/hr.
Project Manager:	\$140/hr.
Principal:	\$250/hr.

#### Surveying Personnel:

Field Crew: (2 Man)	\$140/hr.
Field Crew: (2 Man OT)	\$210/hr.
Field Crew (3 man):	\$185/hr.
Field Crew: (3 Man OT)	\$277.50/hr.
GPS Field Crew:	\$175/hr.
Senior Land Surveyor:	\$195/hr.
Registered Land Surveyor:	\$135/hr.
Survey Project Manager:	\$115/hr.
Field Manager:	\$95/hr.
Survey Technician 1:	\$75/hr.
Survey Technician 2:	\$85/hr.
Survey Technician 3:	\$95/hr.
Administrative:	\$55/hr.

*Note: Personnel include direct and contract employees.*

## ATTACHMENT C

### GENERAL CONDITIONS:

- A. **ENTIRE AGREEMENT AND ACCEPTANCE:** This CONTRACT comprises the full and entire agreement between the parties affecting all matters herein described, and no other agreement or understanding of any nature concerning the same has been entered into or will be recognized. Except for verbal authorization for additional work (which authorizations subsequently are confirmed in writing by ENGINEER), ENGINEER shall not be bound by any instructions, statements, or writings that are not expressly contained herein. These terms and conditions may be accepted only on the exact terms set forth herein and such terms and conditions supersede all prior discussions, understandings, or agreements related to this CONTRACT. Acceptance is made by CLIENT who either owns the subject project site or has an agreement with or the permission of the property owner which permits the ENGINEER to perform services at or related to the property.
- B. Our professional services shall be performed, our findings obtained, and our recommendations prepared in accordance with generally accepted engineering, surveying and landscape architecture practices. This warranty is in lieu of all other warranties, either implied or expressed. SEI assumes no responsibility for interpretation made by others based upon the work or recommendations made by SEI
- C. **SCOPE OF SERVICES AND EXTRA WORK:** The scope of ENGINEER's services hereunder is strictly limited to the services described in the contract, and ENGINEER shall have no obligations beyond such scope. Further, ENGINEER shall have no obligation to perform, and shall not be liable for any investigations or field observations relating to the project, unless such investigations or field observations are expressly provided in this CONTRACT. The CLIENT shall pay ENGINEER additional fees and reimbursables for work required for the project and for services requested by CLIENT, orally or in writing, if such work or services are not expressly described hereof, including, but not limited to, services involving redesign, change in scope of the project or additional work or services resulting from delays caused by others than the ENGINEER.
- D. It is agreed that the Owner/Client will limit any and all liability for any damage on account of any error, omission or other professional negligence to a sum not to exceed the fee for services provided. For additional liability coverage from the undersigned, a fee of 2% of the liability amount requested must be paid to the undersigned prior to commencement of this project.
- E. The Owner/Client agrees to defend, indemnify and hold SEI harmless from any claims, liability, or defense cost in excess of the limits determined above for injury or loss sustained by any party from exposures allegedly caused by SEI, performance of services hereunder, except for injury or loss caused by the sole negligence or willful misconduct of SEI.
- F. In the event, the Owner/Client makes claim against SEI at law or otherwise, for an alleged error, omission or other act arising out of the performance of our professional services, and the Owner/Client fails to prove such claim, then the Owner/Client shall bear all cost incurred by SEI in defending itself against such claim (s). The reciprocal of this clause (i.e., a claim made by SEI against the Owner/Client where failure of proof of claim is established, financial responsibility for Owner/Client's defense shall rest upon SEI) is hereby made a part of this Agreement.
- G. It is understood and agreed that SEI, shall not be held responsible for any inaccuracies in any materials, data or records of any other person, firm or agency which are provided to it and/or may be utilized by it in the performance of specific services.
- H. Should client be a Corporation or Partnership, the person signing this work order agrees to take full personal financial responsibility for the payment of the amounts specified herein and hereby waives right to personal property exemptions pursuant to collection thereof.
- I. In the event additional services beyond the scope of work listed above are required by Owner/Client, we shall perform these services for an amount equal to normal hourly charges on work actually performed upon approval by Owner/Client. We shall submit monthly invoices for services outlined in this agreement. Payment is due upon receipt of invoice. Finance charges of one, one-half percent (1.5%) will be added to any unpaid balance at the end of 30 days (APR 18%). When an invoice is 60 days in arrears, ENGINEER shall have the further right to discontinue further services and assess an additional 10% of the unpaid balance of \$100.00



minimum charge, whichever is greater, before providing further services of any kind to the subject project or CLIENT. Any inquiries about invoices should be made within 15 days of the invoice date.

- J. Either party may terminate this agreement with ten (10) days written notice. Outstanding fees for services performed prior to termination shall be due and payable upon termination. In the event government regulations are amended or changed in any way, or if the services outlined in this proposal have not been authorized within thirty (30) days of this proposal, fees quoted are subject to revision.
- K. Should the client be a 'Prime Consultant' where SEI is acting as a sub-consultant to the 'Prime Consultant' and the 'Prime Consultant' is a Corporation or partnership, working as consultant to the actual owner of the project, the representative signing this contract agrees that the company for which he is employed and represents will take full financial responsibility for the payment of the amounts specified herein regardless of whether or not the actual owner/developer of the property pays the 'Prime Consultants' own invoices. Note: This clause does not exclude SEI's right to legally pursue the physical owner of the property in the event of non-payment by the Client or 'Prime Consultant.'
- L. All original papers, documents, electronic data and all work product and copies thereof, produced as a result of this contract shall remain the property of SEI and may be used by the SEI without further consent of the Client.
- M. Owner/Client shall pay SEI all costs and expenses incurred or paid by SEI in connection with the collection of any sums due hereunder, including without limitation, reasonable attorneys' fees of no less than 15% of the amount for which collection is sought.
- N. Under no circumstances shall either party be liable to the other party for any indirect, incidental, economic, special, punitive or consequential damages, whether for breach of contract, negligence, or under any other cause of action, that results from the relationship or the conduct of business contemplated herein.
- O. HIDDEN CONDITIONS: A structural condition is hidden if concealed by existing finishes or is not capable of investigation by reasonable visual observation. If the SER has reason to believe that such a condition may exist, the client shall authorize and pay for all costs associated with the investigation of such a condition and, if necessary, all costs necessary to correct said condition. If (1) the client fails to authorize such investigation or correction after due notification, or (2) the SER has no reason to believe that such a condition exists, the client is responsible for all risks associated with this condition, and the SER shall not be responsible for the existing condition nor any resulting damages to persons or property.
- P. AR. Any dispute, claim or controversy arising out of or relating to this Agreement or the breach, termination, enforcement, interpretation or validity thereof, including the determination of the scope or applicability of this agreement to Arbitrate, shall be determined exclusively by Arbitration before the American Arbitration Association-Commercial Division in Atlanta Georgia pursuant to its rules. Judgment on the Award may be entered exclusively in the Fulton County Superior Court of Georgia. This clause shall not preclude or restrict the Parties from seeking provisional remedies in aid of arbitration exclusively from the Fulton County Superior Court of Georgia, and the Parties herein waive any claim(s) that jurisdiction and/or venue is otherwise.
- Q. NO WAIVER: The failure of ENGINEER to enforce, at any time or for any period of time, any one or more of the provisions of the CONTRACT shall not be construed to be, and shall not be, a waiver of any such provision or of its right thereafter to enforce each and every such provision.



January 17, 2022

Lester Thompson, MPA  
Director, Community Development/ Public Works  
City of Fairburn  
26 W. Campbellton St.  
Fairburn, GA 30213

**Re:** *Duncan Park Entrance Road Professional Design Services Fee Proposal*

Kimley-Horn is pleased to submit this proposal for transportation engineering and design services for the above project. The scope of work listed below is what we understand is needed to accomplish the project.

### **Project Understanding:**

Duncan park is a major public park within the City of Fairburn located East of the city downtown area. The park currently only has one access point provided along Rivertown Rd. The City wishes to develop another access point from the other side of the park to access along Virlyn B. Smith Rd. This would create a new location roadway through the current Georgia Renaissance Festival property to connect to the city park property. The new roadway would consist of two and three lane sections with five-foot sidewalks on both sides. Our understanding is the City of Fairburn will locally fund the design and construction of this roadway improvement project through the cities TSPLOST program.

### **Professional Services:**

The work will consist of design and additional services, including preliminary design, right of way plans, and final design including a final stamped submittal. This work will also include survey, environmental services, water line design, landscaping and lighting. Kimley-Horn will provide all labor, materials, and equipment necessary to assist the City of Fairburn and include completing the task as described herein.

### **Scope of Work**

#### **PHASE 1: DATABASE PREPARATION**

Kimley horn and its subconsultant will provide topographic and property survey for a 100-foot width along the new location roadway and to either side of Virlyn B. Smith Rd to provide right and left turn lanes. Please see the attachment to view the proposed survey area. We do not anticipate SUE to be necessary for this project.

#### **PHASE 2: PRELIMINARY PLANS:**

The preliminary plans will further develop the approved concept and be based on surveyed data. The plans will be completed with the city of Fairburn, AASHTO and GDOT standard design requirements. This phase will also include miscellaneous services outlined below and as approved by the City. The preliminary plans phase will be concluded with one review by the city.



**Preliminary Plans Phase Includes:**

- Project Management
- QAQC
- Geometric Design
  - Horizontal and vertical alignments, cross sections
- Drainage Design
  - Urban drainage along new roadway
  - Rural drainage design along Virlyn B. Smith Rd
- Stormwater detention analysis to follow the City of Fairburn requirements
- Driveway Profiles
- Signing and Marking
- Preliminary ROW
- Preliminary Erosion Control
- Utility Coordination
- Opinion of Probable Cost
- Preliminary plan review by the City
- Mis. Services
  - Environmental
  - Preliminary Lighting
  - Preliminary Landscaping
  - Preliminary Water Line Plans

The preliminary plans along Virlyn B. Smith Rd will be shown as widening with no changes to the vertical or horizontal profiles. It is assumed that the existing conditions meet speed design and can simply be widened to provide the left and right turn lanes.

The plans for the new park entrance will be based on a speed design of 25 miles an hour and include curb and gutter, two to three lanes where applicable, and sidewalks with lighting and landscaping. The water line will be designed to run parallel to the new park roadway.

There are no anticipated major stream crossings or wetland impacts that would require a bridge or culvert or FEMA coordination, no walls, and existing draining patterns will be maintained. Staging plans will be provided for Virlyn B. Smith Road, but cross sections are deemed unnecessary. No traffic volumes or counting will be performed.

The preliminary plan phase will include one submittal to the city for review and subsequent meeting to discuss comments if requested. Comments received at this meeting will be addressed in the final plans phase.

**PHASE 3: ROW PLANS**

Right of way plans will be completed following GDOT standard design requirements and documentation. This will include a right of way set of plans with plan view and text tables for all

proposed right of way and easements. It is assumed that approximately a quarter of a parcel will need some plan revisions or right of way adjustments during negotiations. Kimley-Horn's project manager and engineers will be available for two property owners' meetings if requested. The scope and fee do not include cost to cure drawings/exhibits, redesign of adjacent parcels, or right of way staking.

#### **PHASE 4: FINAL PLANS**

The Final plans will take the comments from the preliminary plans review and finalize the engineering plans. This phase will also include completion of the miscellaneous services as approved by the city. The final plans phase will conclude with one per plan review by the city.

Final Plans Phase Includes:

- Project management
- QAQC
- Final Geometric Design
- Final driveway design
- Final drainage design
- Final signing and marking
- Final staging
- Final erosion control
- Second utility coordination to include relocation of impacted utilities
- Opinion of probable cost
- Final field plan review
- Miscellaneous services
  - Environmental documentation
  - Final lighting design
  - Final landscaping
  - Final water line plans

Final plans will conclude with the submittal to the city for review and subsequent meeting to discuss comments. The changes will be completed and then resubmitted to the city for a last verification before stamped plans are issued. These stamped plans will be used for the bid plans.

Kimley-Horn assumes that the city will provide the bid document and will host the bidding of this project. Kimley-Horn will be available to answer questions from contractors during the bidding phase.

#### **PHASE 5: MISCELLANEOUS SERVICES**

**This Phase includes multiple miscellaneous services including the following:**

**Environmental documentation** - See appendix for environmental scope of services.

**MS4 and storm water design** - the MS4 and stormwater design will be completed based on the City of Fairburn's requirements. It will be assumed that the city will provide review and documentation on the final decision for post construction BMPs. This will be necessary to complete during the



preliminary design phase in order to ensure proper placement along the corridor and adequate right of way is proposed.

**Landscape design-** At the preliminary design stage we will then develop an initial plant and design palette to share with the city. This palette can be used when meeting with property owners about right of way and easement acquisition. We will also create an initial tree protection and replacement plan to understand tree impacts and will develop landscape zones or landscape of placement. During the right of way phase, we will be available to meet for two property owner meetings about specific design modifications to landscape areas impacted by construction. These ideas will be integrated into the final plan set. During the final design, we will refine the tree protection and replacement plan and the landscape plans and detail.

**Lighting Design-** Lighting design will be added to provide pedestrian lighting along the Duncan Park entrance road. The plans will include service location, electrical details, and standard lighting mounting details.

**Waterline Design-** Design plans for the water main parallel to the new Duncan Park Road entrance. This will not include any water flow or pressure modeling, or redesign of any other utilities. this does not include permitting with EPD.

## **PHASE 6: CONSTRUCTION SERVICES**

Kimley horn will assist the city during the bid phase by preparing all necessary special revisions, opinion of probable cost, and attend a pre bid meeting. During the bidding and construction process, Kimley Horn anticipates a maximum of 5 RFIs and will respond to these requests. We will prepare for and attend the pre-construction meeting to answer questions, Kimley Horn will complete a 7 day inspection per the requirements of the ESECP plans.

Kimley Horn is not liable for contractor workmanship or adherence to specifications. Kimley-Horn will not direct the contractor or stop work.

## **Schedule:**

All tasks above will be completed within 12 months from notice to proceed, with the right to revise the schedule with coordination from the city. This will be dependent on the city's review times as well as ability to finalize right away purchasing and utility coordination.

## **Assumptions:**

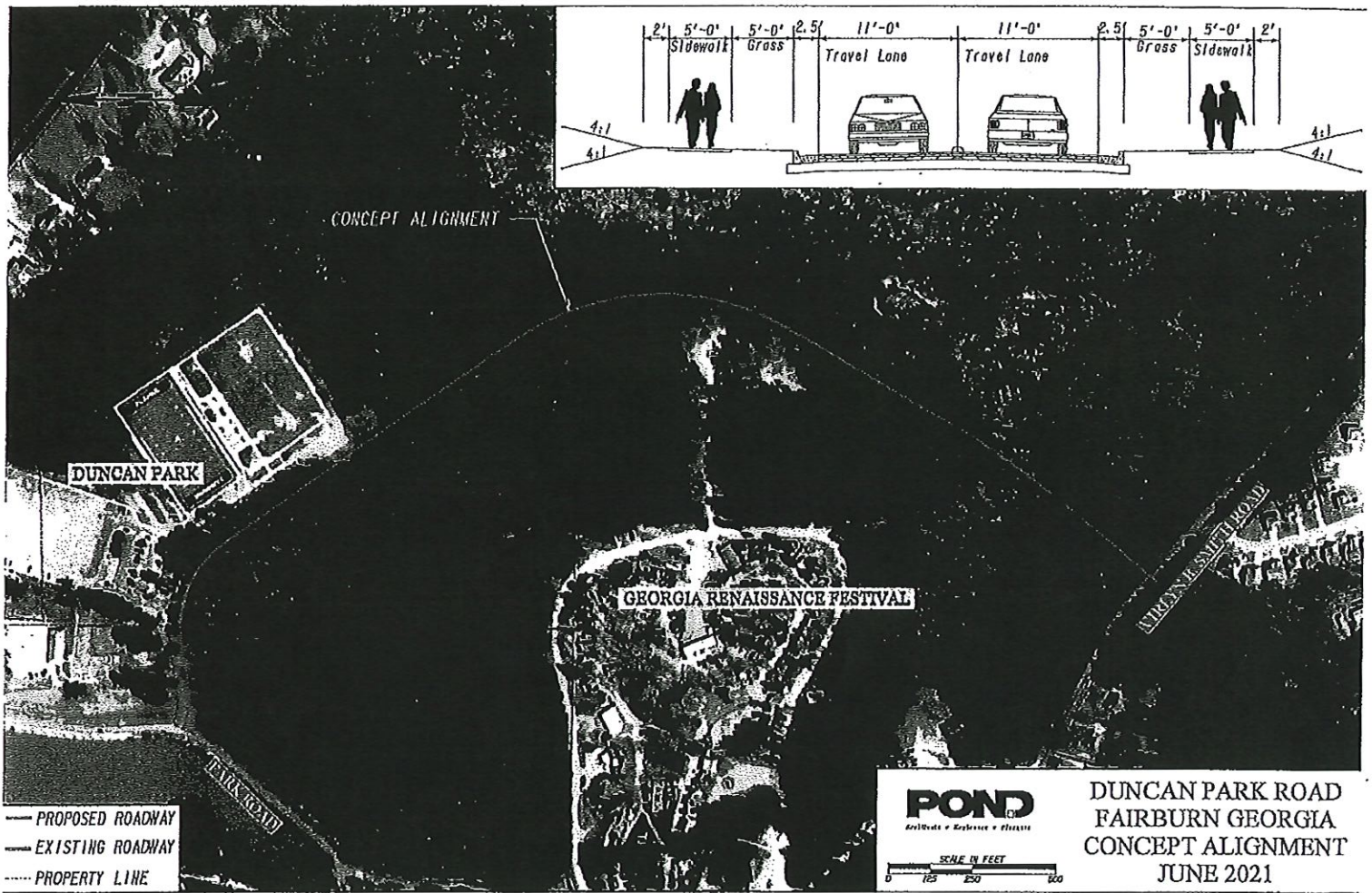
Services For task not specifically outlined above are excluded. No additional coordination or permitting is included with GDOT in this task order.

## Fee:

Preliminary Plans		\$ 100,000.00
Right of Way Plans		\$ 15,000.00
Final Plans		\$ 59,000.00
Misc. Services		
	Survey	\$ 42,500.00
	MS4 Design	\$ 20,000.00
	Water Line Design	\$ 12,500.00
	Landscaping	\$ 20,000.00
	Lighting	\$ 23,000.00
	Environmental	\$ 35,000.00
Construction Services		\$ 9,000.00
<b>Total Lump Sum</b>		<b>\$ 336,000.00</b>



Appendix



**POND**  
Architects & Engineers & Planners

SCALE IN FEET  
0 125 250 500

DUNCAN PARK ROAD  
FAIRBURN GEORGIA  
CONCEPT ALIGNMENT  
JUNE 2021



## Appendix



January 5, 2022

Please see below for our scope and fee proposal for the Duncan Park Access Road.

#### **Environmental Screening and Letter Report**

Kimley-Horn will perform a desktop-level environmental screening utilizing readily available resources and databases to identify potential environmental constraints and issues of concern for the City of Fairburn, Duncan Park Access Road, limited to the project limits (new location roadway from Virlyn B Smith Rd to Park Rd) depicted in a KMZ file provided by SEI via email on 12/19/21. The purpose of the screening will be to identify readily apparent constraints and issues of concern, such as known or potentially eligible historic or archaeological resources, known cemeteries, known jurisdictional/regulated waters (wetlands, streams, open waters, etc.), potential protected species habitat, known hazardous waste sites, etc. In addition, one water resources site visit will be undertaken. Kimley-Horn environmental (KH-ENV) staff will flag wetland boundaries and support the design team in mapping approximate stream and buffer locations in the design plans, using Kimley-Horn field-collected GPS data and surveyor contour data. The surveyor contour data will be provided by others under a separate services task. Findings from the screening and field visit will be summarized in a brief stand-alone letter report. Kimley-Horn will revise the report one time following client review during conceptual design.

#### **Buffered State Waters Determination**

During the concept or preliminary design phase, one representative from the Kimley-Horn environmental team will meet with representatives from either the Local Issuing Authority or the Georgia Environmental Protection Division (EPD). The purpose of this site visit and coordination is for regulatory confirmation of the presence of buffered state waters, as would be required for a subsequent Georgia Stream Buffer Variance (SBV) application.

#### **Impact Avoidance and Minimization and Culvert Design Coordination**

During the preliminary design phase, the KH-ENV team will review the preliminary design and communicate recommended changes for water resources and buffer permit compliance. These design changes would avoid or minimize regulated resources adverse impacts and evaluate opportunities to avoid or reduce compensatory mitigation fees. Descriptions of these measures are required to be included in permit applications. In order to satisfy Section 404 permit's culvert requirements, Kimley-Horn will communicate perennial stream culvert sizing requirements and culvert exhibit requirements to be completed by the design team to accommodate bankfull width and depth and flood prone width. One Microsoft Teams meeting will be held to discuss design constraints and changes, a permitting strategy, and schedule and the KH-ENV team will prepare meeting minutes.

#### **Jurisdictional Determination and Section 404 General (Nationwide or Regional) Permit Application**

During the final design phase, the KH-ENV team will be limited to preparing either one Aquatic Resource Delineation Verification request or one Preliminary Jurisdictional Determination and will prepare one General 404 permit application for unavoidable federal waters impacts. The application will be submitted





to the United States Army Corps of Engineers (USACE). The KH-ENV team will continue design team coordination, review plans, and collect design data such as culvert exhibits and final avoidance and minimization measures. If requested by the USACE to evaluate existing water resources, Kimley-Horn will send one representative for one site visit. During the USACE permit application review, the KH-ENV team will provide follow-up coordination. Upon completion of the permit review, the KH-ENV team will be available to discuss permit limitations, if needed.

#### **Georgia Stream Buffer Variance Application**

During the final design phase, the KH-ENV team will continue design team coordination, review plans, and collect design data such as erosion control plans and final avoidance and minimization measures. One Georgia 25-foot SBV application will be prepared to include tasks such as preparing a narrative to address critical buffer functions and prepare exhibits. The application will be submitted to the EPD and include follow-up coordination with EPD during their application review process. Upon completion of application review, the KH-ENV team will be available to discuss permit limitations, if needed. It is anticipated that a County or City SBV will not be required.

#### **Limitations**

Kimley-Horn has no control over the actions of jurisdictional agencies or other parties. Accordingly, professional opinions as to the required analysis are made solely based on professional experience and available data. Because its opinions are based upon limited site investigation and scope of services, Kimley-Horn does not guarantee the outcome of the regulatory determinations, permits, or that all issues affecting the site have been investigated. Please note that a screening-level investigation alone is not intended nor is it typically sufficient to meet the environmental permitting requirements under NEPA for projects with a federal nexus.

#### **Additional Services**

These Additional Services are assumed to not be required and, therefore, are not included within the environmental scope of services. The proposed services will not include formal evaluations of historic resource eligibility, archaeological investigations, reporting, testing, protected species surveys, any other permit applications such as a county or city buffer variance application, more than the specified meetings, an Individual Section 404 Permit, or compensatory mitigation purchase coordination. No Georgia Department of Transportation (GDOT) or other agency coordination, submittals or NEPA/GEPA documentation is included.

#### **Fee and Expenses**

Kimley-Horn will perform the services for the lump sum fees below. Individual task amounts are informational only. If applicable, all permitting application, compensatory mitigation and similar project fees will be paid directly by the project sponsor.

Environmental Screening & Letter Report	\$ 11,000
Buffered State Waters Determination	\$ 2,000
Impact Avoidance & Minimization & Culvert Design Coordination	\$ 7,000
JD & Section 404 General Permit Application	\$ 7,500



Georgia Stream Buffer Variance Application

\$ 7,500

**Total Lump Sum Fee**

**\$ 35,000**

Best Regards,

Patrick Smith

A handwritten signature in blue ink, appearing to read "Patrick Smith", with a stylized flourish at the end.





2470 Sandy Plains Rd  
Marietta, GA 30066  
P (770) 321-3936  
[thedden@seengineering.com](mailto:thedden@seengineering.com)

## PROFESSIONAL SERVICES PROPOSAL

Date: January 13, 2022

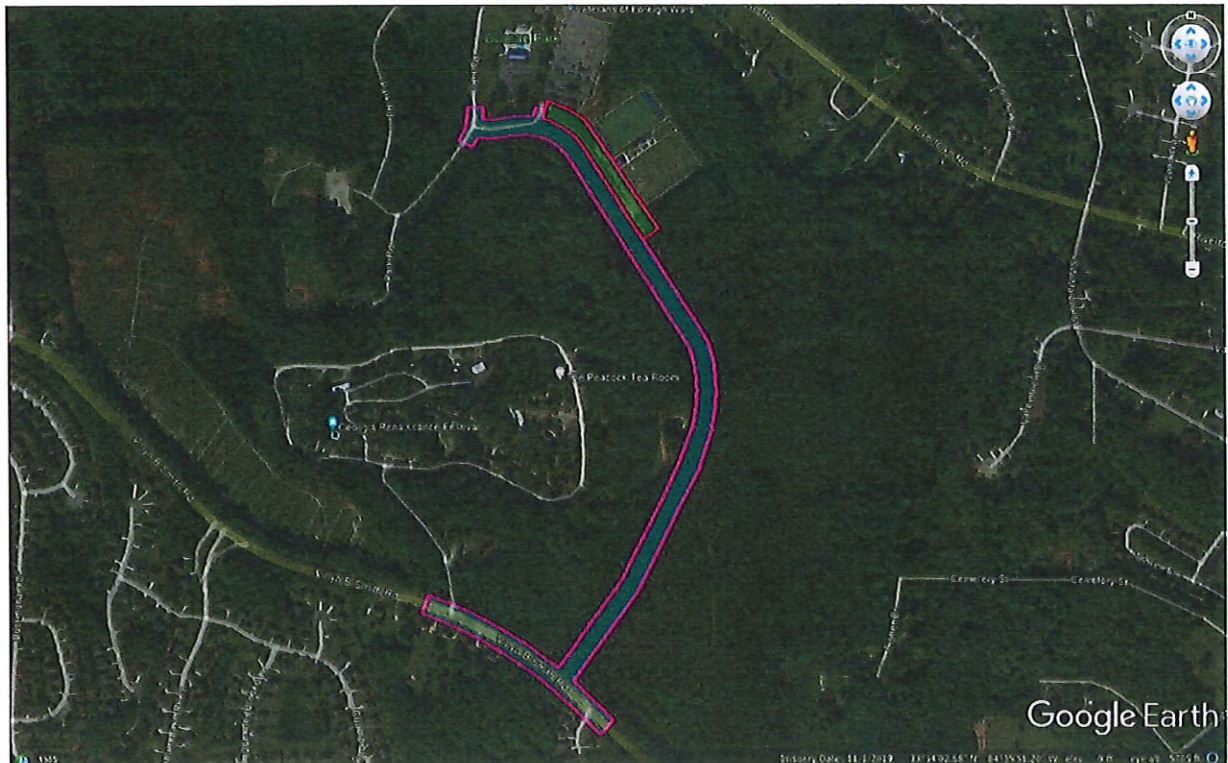
CLIENT: Clark Kennedy, PE, PTOE  
Kimley-Horn  
817 West Peachtree Street NW  
The Biltmore, Suite 601  
Atlanta, GA 30308  
(251) 895.6343  
[Clark.Kennedy@kimley-horn.com](mailto:Clark.Kennedy@kimley-horn.com)

PROJECT NAME: City of Fairburn- Duncan Park Access Road Project

### PROJECT UNDERSTANDING

SEI understands that a Route Survey is required in the area shown on the following survey exhibit.

#### SURVEY EXHIBIT



## SCOPE OF SERVICES

### Task 1 – Route Survey

#### ***ROUTE SURVEY DESCRIPTION:***

A field run topography, as-built, right of way and boundary line determination will be performed along the highlighted area in the Survey Exhibit area above, as requested. The area will include topography and as-built survey along the survey corridor, being 100ft wide. The survey will begin along Virlyn B. Smith Road for Approx. 1,200ft. Then from Virlyn B. Smith Road along the proposed access road Approx. 3,825ft to Park Road. Then Approx. 200ft along Park Road. The proposed corridor area will consist of Approx. 12.3 Acres. The survey area will also consist of an alternate survey area being 100ft wide and Approx. 900ft consisting of Approx. 2 Acres. The utility location will be based on existing above ground utilities.

#### ***ROUTE SURVEY COMPONENTS:***

##### PROPERTY OWNER NOTIFICATION:

SEI will obtain addresses through Fulton County Tax office records for current property owners. A notification letter will be sent to each owner prior to conducting the field survey.

##### PROJECT CONTROL:

SEI will establish the projects primary control by verifying surrounding NGS and/or Cobb County monuments. Site control will then be established utilizing a robotic total station through conventional survey methods. Once site control is established digital leveling will be performed for the entire survey route. All of the data will then be gathered and analyzed for accuracy and adjusted accordingly.

##### TOPOGRAPHIC SURVEY:

A field run 2-foot contour interval topographic survey will be performed on the areas shown above. Horizontal datum will be based on State Plane Grid coordinates and elevations will be based on NAVD88. All main features of the topography along the strips will be noted including but not limited to the following; All creeks, streams, ditches, lakes, all above ground utilities, all marked underground utilities, roadway markings, traffic control devices, speed humps, gates, landscape areas, mailboxes, storm and sanitary sewer fixtures with size, type and invert, edge of pavement, curb lines with top and gutter elevation (irregular stone or rock curb lines will only be located at edge of pavement), bridges, walls, stairs, sidewalks, concrete pads, driveways, buildings, signs, benches, bleachers, fences, power poles and overhead lines, guy wires, pedestals, fire hydrants, valves, meters and other above ground features. Contours shown will be based on random traverses and spot elevations will be taken at an approximate 50' grid pattern to insure such an accuracy that not less than 90% of the contours shown will be out of vertical position by more than 1/2 of the contour interval according to State of Georgia Law.

##### RIGHT OF WAY & BOUNDARY LINE RESOLUTION:

SEI understands that right of way resolution and boundary lines will need to be identified for the entire route. SEI will obtain right of way plans, deeds, plats and any other pertinent information in order to establish this information. Monumentation will then be located during the field survey for right of way and boundary analysis.

Initials \_\_\_\_\_/\_\_\_\_\_



## DELIVERABLES

SEI will provide all required MicroStation/InRoads/OpenRoads files, per GDOT EDG and City of Fairburn requirements, for the subsequent design

## SCHEDULE

SEI can initiate work on this project upon notice to proceed. SEI will provide a schedule with regular updates and will have all information delivered to the client in advance of submission to the jurisdiction.

## COMPENSATION

PROFESSIONAL FEES			
Description	Task Subtotal	Billed	Initials
<b><i>Task 1 – Route Survey- Duncan Park Access Road</i></b>	<b><i>\$42,500.00</i></b>	<b><i>Monthly, % Complete of Lump Sum</i></b>	

\*Note\* Direct expenses are included in the fees subtotaled in the above table

IN WITNESS WHEREOF, the Agreement is accepted on the later date written below, subject to the terms and conditions stated above and attached to the Agreement in Attachment C.

CLIENT

SOUTHEASTERN ENGINEERING, INC.

Signed \_\_\_\_\_

Signed \_\_\_\_\_

Name (Typed) \_\_\_\_\_

Name (Typed) \_\_\_\_\_

TITLE \_\_\_\_\_

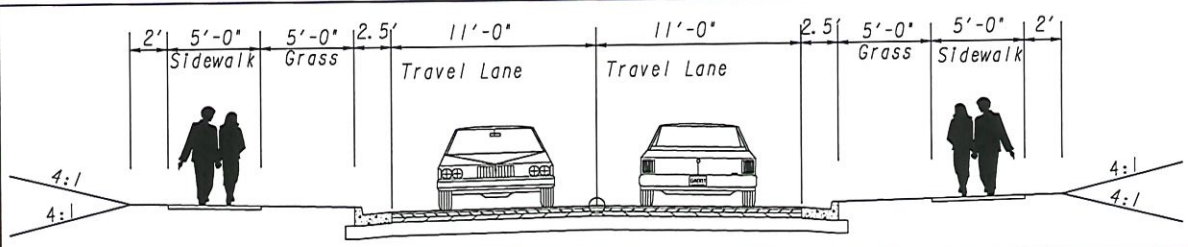
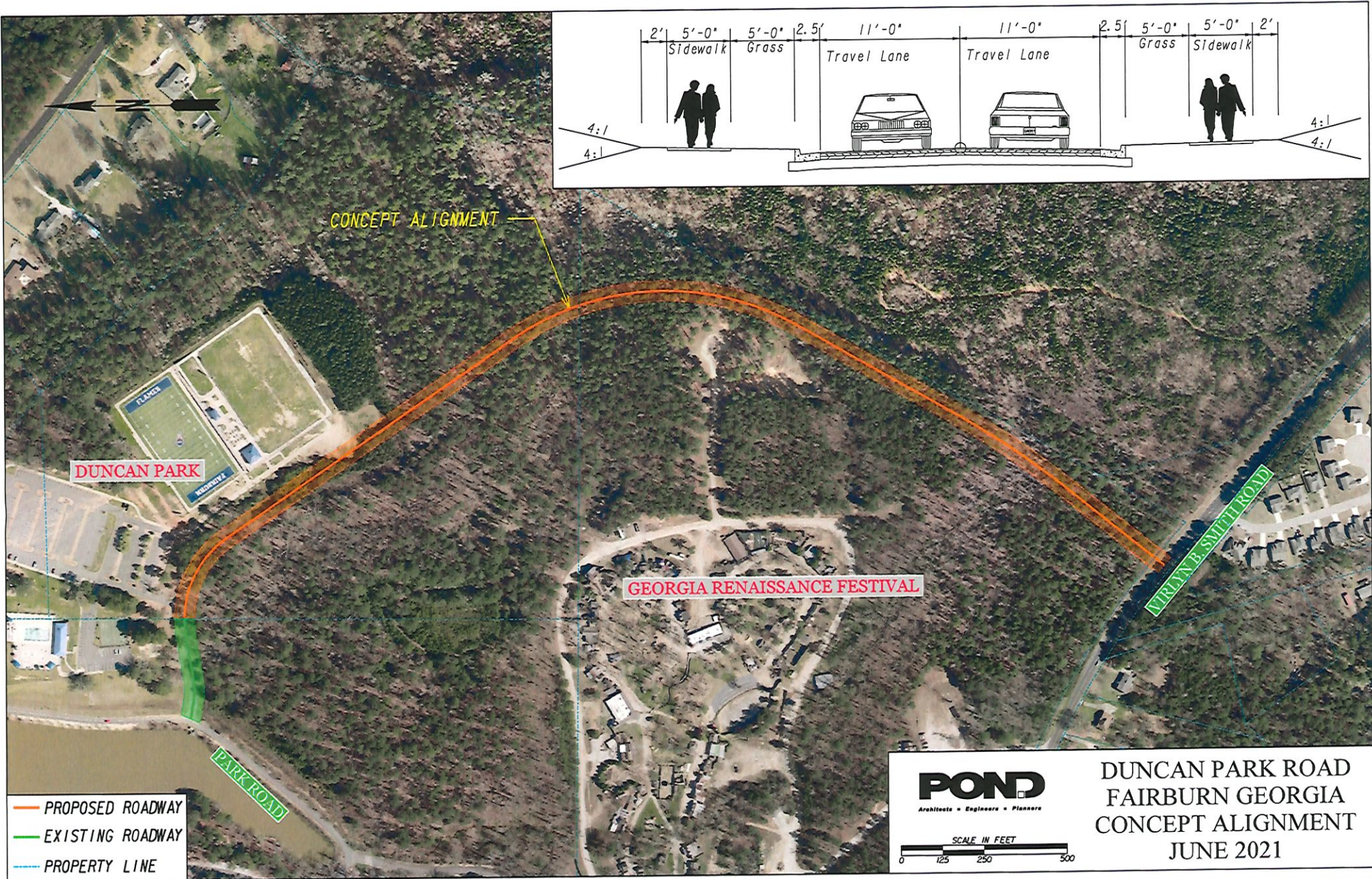
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DATE \_\_\_\_\_

DATE \_\_\_\_\_

Initials \_\_\_\_\_/\_\_\_\_\_





**POND**  
Architects • Engineers • Planners

SCALE IN FEET  
0 125 250 500

DUNCAN PARK ROAD  
FAIRBURN GEORGIA  
CONCEPT ALIGNMENT  
JUNE 2021



## Cost Estimate Budget Class Report

Report v1

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**Cost Estimate:** Duncan Park Road Cost Estimate**Cost Estimation Phase:** 2-DE**Cost Estimate Item Total:** \$2,274,830.11

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**Cost Estimate Budget Class Report - Estimate Level Details**

Budget Class	Amount	Assignment Level
	\$2,274,830.11	Cost Estimate

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Construction Cost:	\$2,274,830.11
Contingency (10%):	\$227,483.01
Total Cost:	\$2,502,313.12

# Cost Estimate Budget Class Report

Report v1

## Cost Estimate Budget Class Report - Item Level Details

Budget Class	Line Number	Item	Item Description	Quantity	Unit	Amount
	5	210-0100	GRADING COMPLETE -	1.000	LS	\$500,000.00
	10	150-1000	TRAFFIC CONTROL -	1.000	LS	\$15,000.00
	15	156-0100	GPS DATA COLLECTION AND SUBMITTAL	1.000	LS	\$17,203.33
	20	402-1812	RECYCLED ASPH CONC LEVELING, INCL BITUM MATL & H LIME	80.000	TN	\$12,510.14
	25	402-3130	RECYCLED ASPH CONC 12.5 MM SUPERPAVE, GP 2 ONLY, INCL BITUM MATL & H LIME	785.000	TN	\$79,381.60
	30	402-3190	RECYCLED ASPH CONC 19 MM SUPERPAVE, GP 1 OR 2, INCL BITUM MATL & H LIME	963.000	TN	\$118,797.57
	35	402-3121	RECYCLED ASPH CONC 25 MM SUPERPAVE, GP 1 OR 2, INCL BITUM MATL & H LIME	1,442.000	TN	\$172,704.74
	40	310-1101	GR AGGR BASE CRS, INCL MATL	5,154.000	TN	\$205,054.72
	45	413-0750	TACK COAT	770.000	GL	\$4,938.62
	50	441-0016	DRIVEWAY CONCRETE, 6 IN TK	55.000	SY	\$3,096.50
	55	441-4020	CONC VALLEY GUTTER, 6 IN	55.000	SY	\$2,805.00
	60	441-0104	CONC SIDEWALK, 4 IN	8,636.000	SY	\$380,638.44
	65	634-1200	RIGHT OF WAY MARKERS	12.000	EA	\$1,977.14
	70	318-3000	AGGR SURF CRS	50.000	TN	\$2,105.27
	75	441-6022	CONC CURB & GUTTER, 6 IN X 30 IN, TP 2	7,772.000	LF	\$163,212.00
	80	432-0205	MILL ASPH CONC PVMT, 1 1/4 IN DEPTH	1,000.000	SY	\$29,000.00



### Cost Estimate Budget Class Report

Report v1

#### Cost Estimate Budget Class Report - Item Level Details

Budget Class	Line Number	Item	Item Description	Quantity	Unit	Amount
	85	446-1100	PVMT REINF FABRIC STRIPS, TP 2, 18 INCH WIDTH	700.000	LF	\$4,200.00
	90	641-1200	GUARDRAIL, TP W	300.000	LF	\$7,071.00
	95	641-5001	GUARDRAIL ANCHORAGE, TP 1	1.000	EA	\$1,339.23
	100	641-5015	GUARDRAIL TERMINAL, TP 12A, 31 IN, TANGENT, ENERGY-ABSORBING	1.000	EA	\$3,026.40
	105	550-1180	STORM DRAIN PIPE, 18 IN, H 1-10	5,000.000	LF	\$200,000.00
	110	550-1240	STORM DRAIN PIPE, 24 IN, H 1-10	1,800.000	LF	\$111,258.00
	115	550-4218	FLARED END SECTION 18 IN, STORM DRAIN	2.000	EA	\$1,470.00
	120	550-4224	FLARED END SECTION 24 IN, STORM DRAIN	1.000	EA	\$980.00
	125	668-1100	CATCH BASIN, GP 1	26.000	EA	\$78,000.00
	130	668-1110	CATCH BASIN, GP 1, ADDL DEPTH	10.000	LF	\$2,369.34
	135	668-2100	DROP INLET, GP 1	4.000	EA	\$14,159.04
	140	668-4300	STORM SEWER MANHOLE, TP 1	3.000	EA	\$8,241.85
	145	603-2181	STN DUMPED RIP RAP, TP 3, 18 IN	60.000	SY	\$3,284.97
	150	603-7000	PLASTIC FILTER FABRIC	60.000	SY	\$344.02
	155	700-9300	SOD	4,318.000	SY	\$38,163.09
	160	700-6910	PERMANENT GRASSING	3.600	AC	\$4,364.98
	165	163-0232	TEMPORARY GRASSING	1.800	AC	\$853.93
	170	700-7000	AGRICULTURAL LIME	9.000	TN	\$1,936.17
	175	700-8000	FERTILIZER MIXED GRADE	1.300	TN	\$520.05
	180	163-0240	MULCH	44.000	TN	\$5,720.00

# Cost Estimate Budget Class Report

Report v1

## Cost Estimate Budget Class Report - Item Level Details

Budget Class	Line Number	Item	Item Description	Quantity	Unit	Amount
	185	700-8100	FERTILIZER NITROGEN CONTENT	225.000	LB	\$731.25
	190	165-0101	MAINTENANCE OF CONSTRUCTION EXIT	1.000	EA	\$660.79
	195	163-0301	CONSTRUCT AND REMOVE CONSTRUCTION EXITS	1.000	EA	\$1,870.52
	200	163-0520	CONSTRUCT AND REMOVE TEMPORARY PIPE SLOPE DRAIN	100.000	LF	\$1,850.23
	205	171-0030	TEMPORARY SILT FENCE, TYPE C	5,000.000	LF	\$18,604.45
	210	165-0030	MAINTENANCE OF TEMPORARY SILT FENCE, TP C	2,500.000	LF	\$2,072.10
	215	163-0550	CONSTRUCT AND REMOVE INLET SEDIMENT TRAP	26.000	EA	\$6,204.92
	220	165-0105	MAINTENANCE OF INLET SEDIMENT TRAP	13.000	EA	\$1,167.87
	225	167-1000	WATER QUALITY MONITORING AND SAMPLING	6.000	EA	\$1,769.59
	230	167-1500	WATER QUALITY INSPECTIONS	12.000	MO	\$7,514.62
	235	653-1501	THERMOPLASTIC SOLID TRAF STRIPE, 5 IN, WHITE	7,772.000	LF	\$5,452.29
	240	653-1502	THERMOPLASTIC SOLID TRAF STRIPE, 5 IN, YELLOW	7,772.000	LF	\$5,829.39
	245	653-1704	THERMOPLASTIC SOLID TRAF STRIPE, 24 IN, WHITE	60.000	LF	\$666.79
	250	653-1804	THERMOPLASTIC SOLID TRAF STRIPE, 8 IN, WHITE	224.000	LF	\$809.06
	255	636-1033	HIGHWAY SIGNS, TP 1 MATL, REFL SHEETING, TP 9	25.000	SF	\$630.65
	260	636-2070	GALV STEEL POSTS, TP 7	50.000	LF	\$755.04
	265	636-1036	HIGHWAY SIGNS, TP 1 MATL, REFL SHEETING, TP 11	25.000	SF	\$814.04



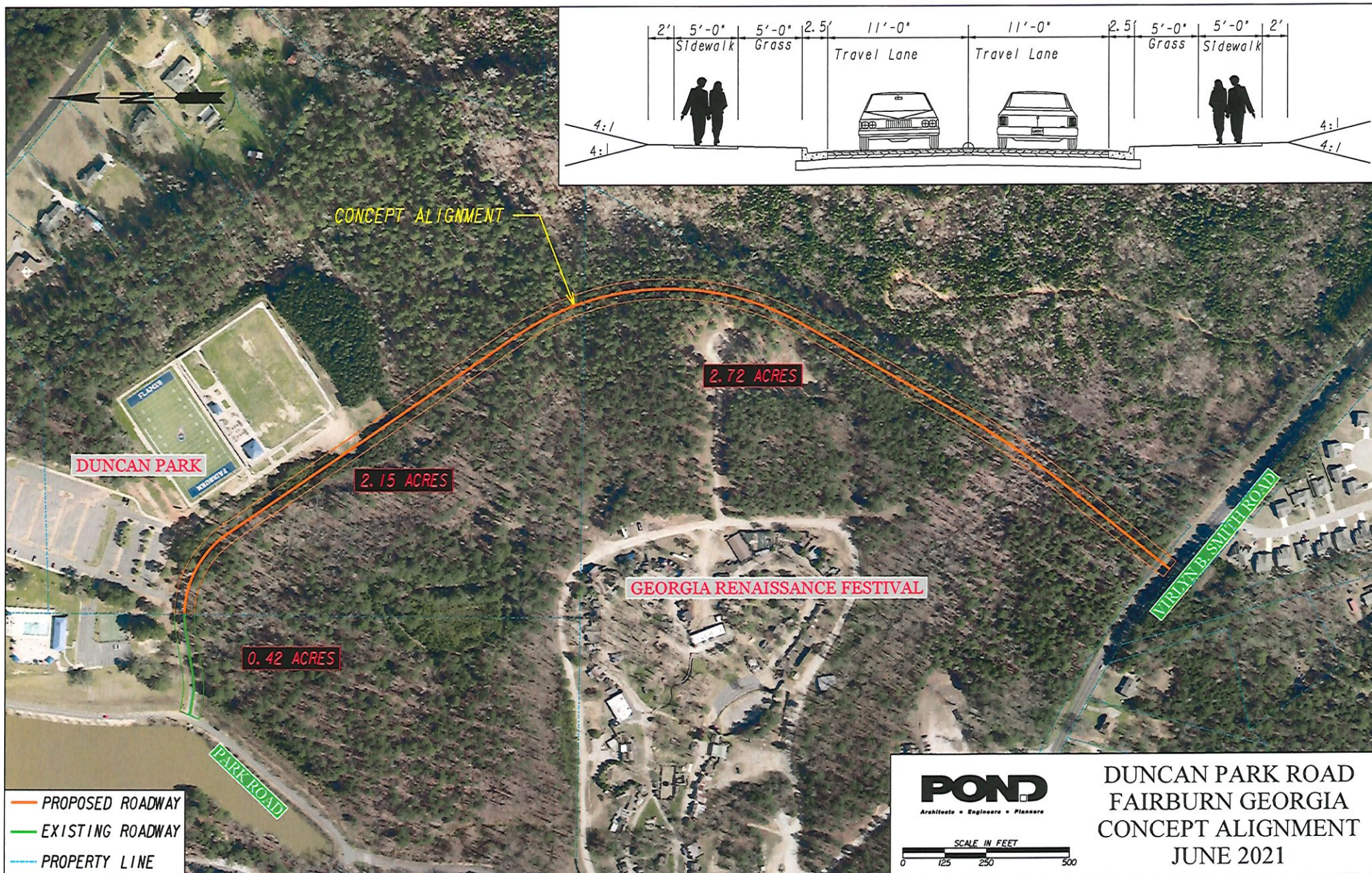
**Cost Estimate Budget Class Report**

Report v1

**Cost Estimate Budget Class Report - Item Level Details**

Budget Class	Line Number	Item	Item Description	Quantity	Unit	Amount
	270	636-2090	GALV STEEL POSTS, TP 9	36.000	LF	\$374.91
	275	550-1300	STORM DRAIN PIPE, 30 IN, H 1-10	200.000	LF	\$20,206.83
	280	550-4130	FLARED END SECTION 30 IN, SIDE DRAIN	1.000	EA	\$1,117.63







CITY OF FAIRBURN  
REVENUE & EXPENSE REPORT (UNAUDITED)  
AS OF: DECEMBER 31ST, 2021

360-T-SPLOST Fund  
Non-Departmental

DEPARTMENTAL EXPENDITURES	CURRENT BUDGET	CURRENT PERIOD	PRIOR YEAR PO ADJUST.	Y-T-D ACTUAL	Y-T-D ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
<u>Purchased-Contracted</u>							
360-0000-52-1100 Admin-Operations & Sa	0.00	0.00	0.00	0.00	0.00	0.00	0.00
360-0000-52-1110 Admin-Program Mgt	208,370.00	22,600.00	0.00	22,600.00	0.00	185,770.00	10.85
360-0000-52-2200 R&M-Maintenance & Saf	0.00	0.00	0.00	0.00	0.00	0.00	0.00
360-0000-52-2220 R&M-Quick Response	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
TOTAL Purchased-Contracted	208,370.00	22,600.00	0.00	22,600.00	0.00	185,770.00	10.85
<u>Capital Outlay</u>							
360-0000-54-1400 Infrastruct-Ped & Str	283,243.00	0.00	0.00	0.00	0.00	283,243.00	0.00
360-0000-54-1410 Infrastruct-Roadway	<u>4,621,682.00</u>	<u>1,052,270.04</u>	<u>0.00</u>	<u>1,052,270.04</u>	<u>0.00</u>	<u>3,569,411.96</u>	<u>22.77</u>
TOTAL Capital Outlay	4,904,925.00	1,052,270.04	0.00	1,052,270.04	0.00	3,852,654.96	21.45
<hr/>							
TOTAL Non-Departmental	5,113,295.00	1,074,870.04	0.00	1,074,870.04	0.00	4,038,424.96	21.02
	=====	=====	=====	=====	=====	=====	=====
TOTAL EXPENDITURES	5,113,295.00	1,074,870.04	0.00	1,074,870.04	0.00	4,038,424.96	21.02
	=====	=====	=====	=====	=====	=====	=====

\*\*\* END OF REPORT \*\*\*



## CITY OF FAIRBURN CITY COUNCIL AGENDA ITEM

**SUBJECT: APPROVAL OF A TASK ORDER WITH POND & COMPANY TO DESIGN THE LIGHTNING COMMUNITY POND**

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

Submitted: 02/14/2022                      Work Session: 02/28/2022                      Council Meeting: 02/28/2022

**DEPARTMENT:** Community Development

**BUDGET IMPACT:** The budget impact of this task order will be \$39,000. The proposed cost will come out of the Public Works Administration Professional Account (100-4100-52-1200).

**PUBLIC HEARING?** ( ) Yes                      ( X ) No

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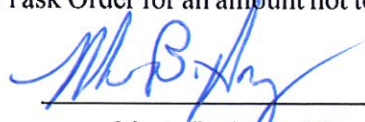
**PURPOSE:** For Mayor and Council to approve a Task Order with Pond & Company to design the Lightning Community Pond.

**HISTORY:** The Lightning Community Strategic Plan completed in June of 2019 was derived from the Lightning Community Development Study. One of the recommendations from the Strategic Plan is the construction of a detention pond on the southside of the intersection of W. Campbellton and Golightly Street to address drainage issues in the area. The pond is proposed to provide flood control and may be stocked with fish to provide recreational fishing for residents and visitors.

**FACTS AND ISSUES:** The City of Fairburn entered into a Master Services Agreement with Pond & Company on July 22<sup>nd</sup>, 2019, for On-Call Professional Engineering and Landscape Architectural Services. The agreement with Pond & Company was approved with the understanding that task orders associated with Professional Engineering and Landscape Architectural Services would be issued on an as need basis. As such, a Task Order for the design the Lightning Community Pond has been submitted for review and approval.

**RECOMMENDED ACTION:** Staff recommends that the City Council approve Task Order #21 with Pond & Company and authorize the Mayor to sign the Task Order for an amount not to exceed \$39,000.

  
\_\_\_\_\_  
Tony Phillips, City Administrator

  
\_\_\_\_\_  
Mario B. Avery, Mayor





3500 Parkway Lane, Suite 500  
Peachtree Corners, Georgia 30092

T: 678.336.7740 | F: 678.336.7744  
www.pondco.com

January 31, 2022

Mr. Lester Thompson  
Director  
The City of Fairburn  
PO Box 145  
Fairburn, GA 30213

**RE: Lightning Community Detention Pond & Greenspace**

**Dear Mr. Thompson,**

The City of Fairburn has funding to make improvements to the Lightning Community to solve significant drainage problems that are negatively affecting the community. The list of drainage improvements is based off a Strategic Plan created by Robert & Company and provided to Pond & Company by the City of Fairburn (See attached 'Exhibit A'). Key goals of the improvements include:

- Resolve drainage issues coming from stormwater flow from Broad Street and Mullis Street.
- Make the drainage improvements aesthetically pleasing and park-like to enhance safety and provide recreational opportunities. See attached "Exhibit B" for concept plan of design completed by Robert and Company.

The pond design is seen as the first in a series of initiatives to alleviate flooding in the Lightning neighborhood. Design of improvements upstream of the pond is not included in this proposal but is a recommended later phase to reduce flooding. Pond can provide guidance about appropriate measures at the City's request.

Specific site design elements include:

- Detention pond
- Pedestrian paths
- Site furnishings
- Community space (community garden or picnic pavilion)

**Scope of Work**

1. Pond will have a survey conducted of the 1.5-acre, city-owned parcel to include boundary of the site, existing trees, utilities (SUE Level C), topography and other above ground appurtenances. See Exhibit A. This will establish the baseline for design and hydrologic studies for the future pond.
2. Pond will conduct a hydrology study to properly size the detention pond and stormwater pipe system. The pond will be sized to provide flood control.
  - a. Pond will develop two options for the detention pond design.
  - b. Pond will set up a coordination call with the City to review the detention pond options.
  - c. The City will choose a preferred concept for Pond to build upon.

Architects  
Engineers  
Planners  
Constructors

3. Pond will develop a standard set of construction plans and take them to 90% completion. These will include:
  - a. Cover Sheet with location/vicinity maps
  - b. Index Sheet, General Notes, Abbreviations, and Legend
  - c. Summary of Quantities
  - d. Site Layout Plan with detail call-outs
  - e. Grading Plan
  - f. Delegated Irrigation Plan if required
  - g. Erosion Sedimentation & Pollution control plans and details as required
  - h. Landscape Plan (including tree protection and recompense plan)
  - i. Site Construction Details (including all hardscape elements and site furnishings)
4. After completion of 90% plans, Pond will provide the plans to the City of Fairburn for review and comment. Upon completion of the review, Pond will address any comments from the City.
5. Pond will produce a final 100% set of plans and provide a PDF to Fairburn.
6. Pond will submit a NOI once plans are complete on behalf of the City.
7. Pond will provide limited construction administration services including:
  - a. Preconstruction meeting
  - b. Up to two site visits
  - c. Replying to RFIs on an as-needed basis

#### Scope Assumptions/Exclusions

- Pond will design the detention pond and associated greenspace in accordance with available GIS data. Topographic survey and SUE are excluded from this contract.
- If any retaining walls are required, it is understood that a standard detail will be used for retaining wall design and no retaining wall design, calculations, or permitting are required. Any wall design that exceeds the height provided on the standard detail (3 feet) is excluded from the cost in this proposal.
- The following items are excluded from this scope with conditions noted:
  - Geotechnical design work, soil studies, environmental studies and evaluations, structural design, traffic and roadway design
  - Utility coordination
  - Permitting costs and associated fees with the exception of Pond submitting a NOI.
  - Right-of-way plans
  - Written technical and front specifications (Specifications will be incorporated into the construction plans)
  - Illustrative renderings, perspectives, and sections
  - Upstream drainage infrastructure design

#### Budget

The following fee includes professional design services and all project related expenses to complete the scope of work outlined above:

○ Survey	\$12,000.00
○ Hydrology study and detention pond design:	\$12,500.00
○ Construction Documents:	\$11,500.00



- o Construction administration: \$3000.00

The total not to exceed budget is \$39,000.00 includes direct labor and reimbursable expenses to perform the scope of work. The city will be billed using the billing rates and expense table included in our on-call proposal.

**Authorization**

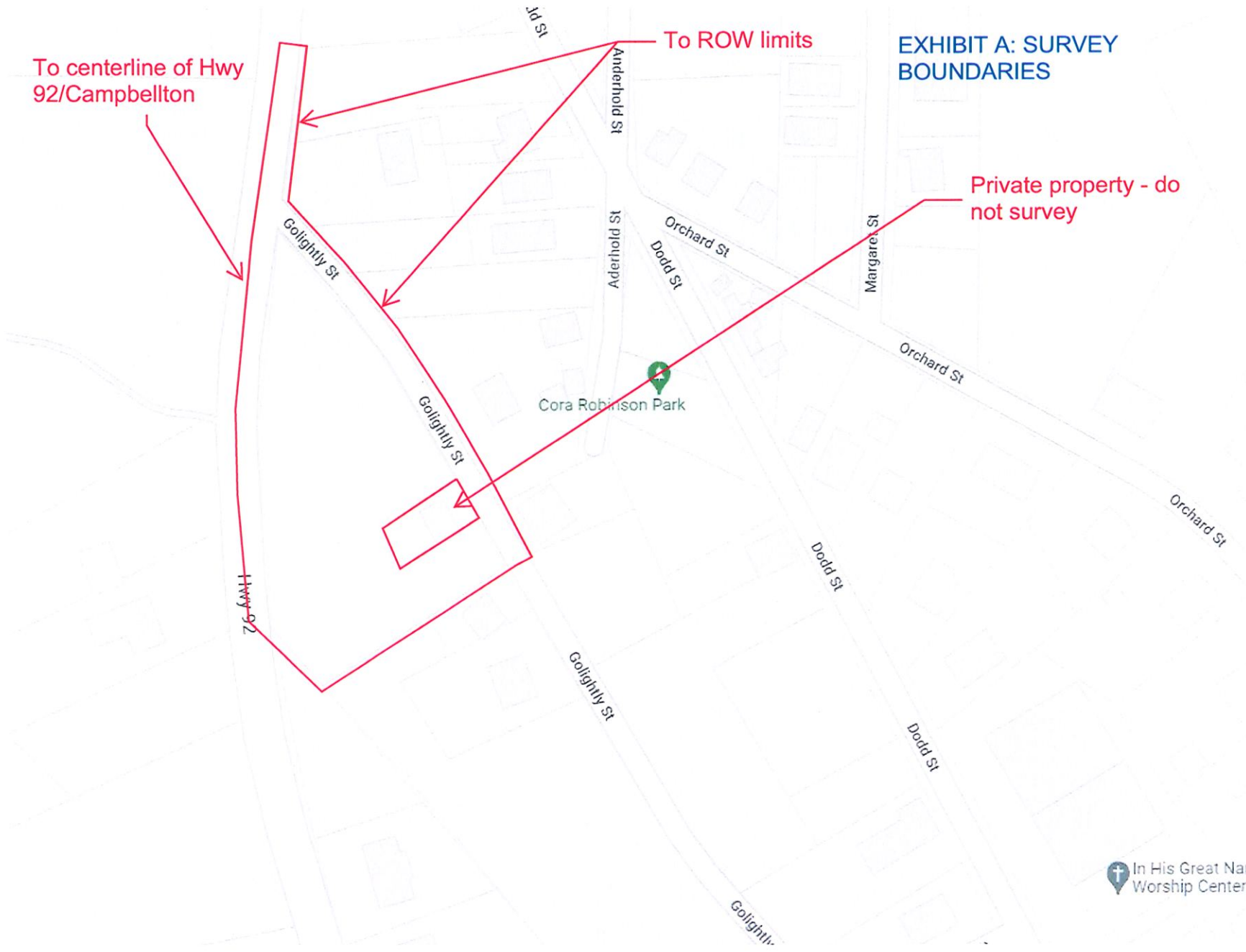
As our authorization to proceed with the scope of work, schedule, and fee structure outlined herein, please sign in the space provided below and return one copy (digital is acceptable) to Pond (c/o Andrew Kohr) for our records.

Authorized by: \_\_\_\_\_

Name: Mario B. Avery, Mayor

Date: \_\_\_\_\_

EXHIBIT A: SURVEY  
BOUNDARIES







# Lightning Community Strategic Plan

---



Sponsored by:  
City of Fairburn

Prepared by:  
Robert and Company

Duckett Design Group, Inc.

Vision Engineering and Planning LLC

**3 June 2019**

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John Ford, AICP

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## City of Fairburn

## Acknowledgements

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Mayor Elizabeth Carr-Hurst

Fairburn City Council

Community Development/

Public Works Director

Lester Thompson, MPA

Director of Planning and

Zoning Tarika Peeks

Junior City Planner/GIS

Analyst Kimberly Mitchell

### Department of Utilities

Tom Ridgeway

### GICH Committee

Pastor Danita Jones

Inga Kennedy

Carol Berry

Carolyn McCall

Councilman Alex Heath

Maya Taylor

Ingrid Thompson

Sidney Douse

Rufus Wells

### Atlanta Habitat

Tia McCoy

### Lightning Neighborhood Association

### Service Donations

### Facility Donations

*The following organizations made their facilities  
available for community and advisory committee  
meetings:*

City of Fairburn



# Lightning Community Strategic Plan

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## Part 1: Introduction

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City of Fairburn

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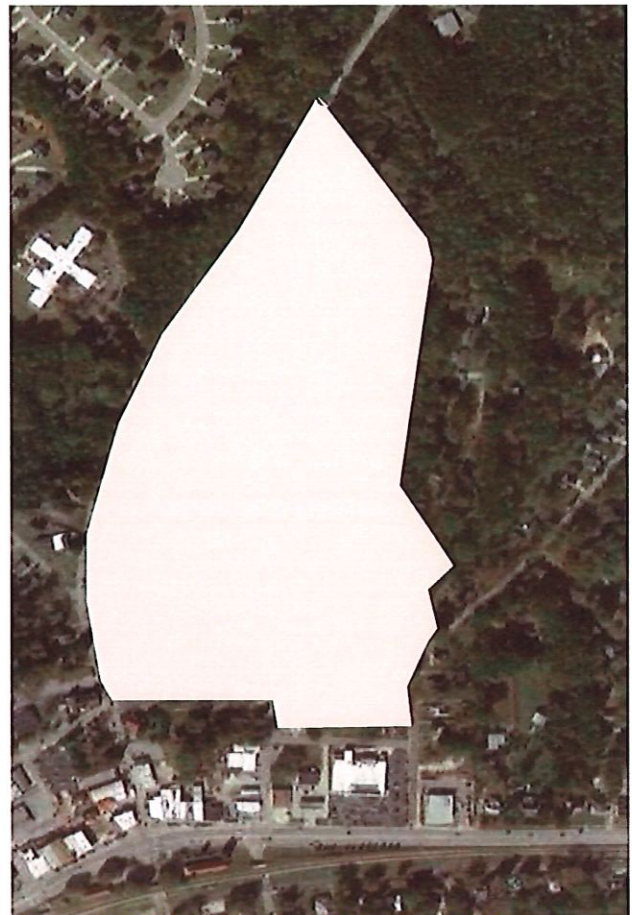
## Introduction

The community of Lightning is a small-scale neighborhood node just 1 block off the northwest side of the historic downtown Broad Street in Fairburn, GA. The community is characterized by narrow streets, empty lots, small cottage craftsman style homes and light commercial parcels. It also contains a recently renovated public pocket park for home owners and children. It holds a pavilion and recreational equipment for play.

This strategic plan is a community-based vision for guiding the growth of and change in the neighborhood. It calls for doing so in a way that preserves and builds on neighborhood strengths, addresses challenges and weaknesses, and takes full advantage of Lightning's potential.

The study area includes all stakeholder-identified properties and boundaries. These were discussed and determined by homeowners and small business owners of the Lightning Community.

The Community of Lightning is in the northwest corner of the City of Fairburn near the major cross streets of West Campbellton Street and West Broad Street. The following streets serve as the boundaries for the community: Mullis Street to the south, Orchard Street to the East, Margaret Street to the Northeast and West Campbellton Street to the West. The community of Lightning is made up of approximately 43 acres and contains 137 parcels.



*Figure 1: Lightning Community Neighborhood Boundaries*



# Lightning Community Strategic Plan

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## Part 2: Historical Perspective

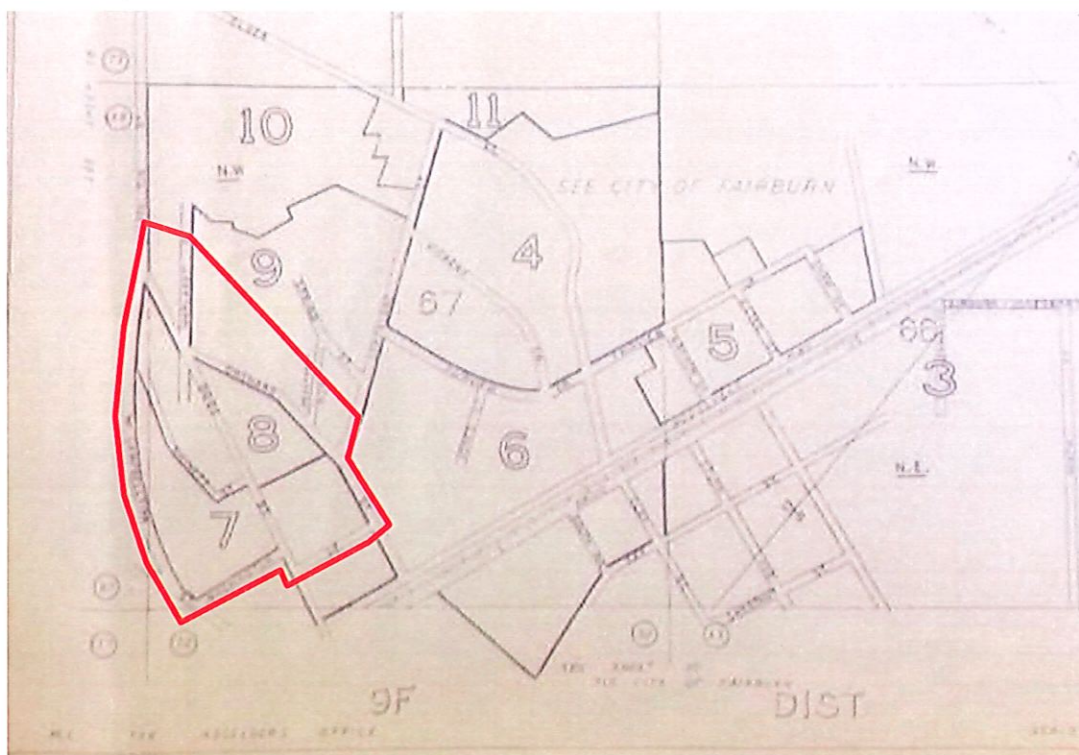
Sponsored by:  
City of Fairburn

## Historical Perspective

The community of lightning finds its beginnings in the early days of settling the lands south of what would become Atlanta. In 1833, the town of Cartersville was formed and then one year later changed its name to Berryville. The state legislature enacted a town charter and Berryville became the now present-day Fairburn. In 1849 the Atlanta – LaGrange railroad had created a charter and brought with it the creation of a train depot. By 1870, Fairburn's total population was 305. The town now had five groceries, four saloons, six dry goods stores, factories, several cotton gins, and an oil mill.

Part of the demographic characteristics of Fairburn was its mixed population of African-Americans and whites. John Toles was the first recorded African-American merchant of the town in the 1890's. He owned a barber shop and a restaurant that was frequented by both blacks and whites of the town. Among one of the stories pertaining to the name of the community of Lightning is that this neighborhood was where folks both black and white also went to purchase bootleg liquor better known as lightning or moonshine.

Another unique perspective taken on the origins of the community's name was the numerous recorded lightning strikes that occurred on what appeared to be a regular basis throughout the towns recorded history. These weather reports and lightning strikes have been recorded in a published memoir of the City of Fairburn and its history.



*Figure 2: Old plat of city with streets forming the Lightning Community. circa 1950*



# Lightning Community Strategic Plan

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## Part 3: Existing Conditions

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City of Fairburn

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## Existing Conditions

The initial planning process included a detailed review of existing conditions and site inventory. Transportation, land use, urban design, historic resources, natural environment, demographics, parks, and other existing conditions were carefully reviewed during the planning process to identify opportunities and issues.

Among the key findings are:

- Neighborhood residents are diverse in terms of age, income, and educational level.
- The neighborhood has a wealth of historic resources
- Historically the neighborhood was primarily made up of single-family homes with some churches and places of business and characterized by a multi-generational African-American population (Some recent single-family residential development activities have occurred in the neighborhood along with the loss of some older deteriorated houses).
- The neighborhood's mix of land uses is dominated by single-family houses, duplexes, and small commercial uses.
- Development pressure is changing the face of many parts of the neighborhood, particularly adjacent to downtown Fairburn and the West Campbellton Corridor.
- The neighborhood is well connected to schools, churches, and public facilities.
- The neighborhood benefits from recent downtown development opportunities and has the potential to generate its own development initiative.
- Bus service exist in and near the neighborhood, and new transportation-oriented development initiatives are proposed, but much remains to be done to maximize use.
- Vehicular traffic is not well-served due to an existing cross grid of streets at odd angles and narrowing side streets, but opportunities exist to create new streets and improve roadway operations.
- High speed cut-through traffic is a problem along Dodd St, Golightly, and several other streets.
- Walking is not supported due to poor sidewalk conditions and non-pedestrian friendly streets, particularly along Dodd Street and Orchard Street, which discourages walking.
- A range of pedestrian opportunities exist, including sidewalks, off-street trails and on-street bike routes, but those opportunities exist as an improvement plan for community conditions.
- Green corridors and tree canopy can play a major role in the potential for developing new greenspaces and pocket parks.

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## Demographics and Employment

Due to the size of the community it was difficult to get accurate demographic data on the Lightning Community. Instead Consultants used census data from the City of Fairburn to establish baseline demographic data. The 2013 -2017 American Community Survey 5-year estimates states that the City of Fairburn had an estimated population of 14,257 in 2017. The American Community Survey also indicates the following about the population:

- The populations are 41.9% male and 58.1% female



- The median age is 32.3
- Out of the population of 14,257 people 77.2% of residence identify as Black or African American, 13.7 % of people identified as Hispanic or Latino, 8.1% of the population identify as White and .5% identified as other.
- The City of Fairburn had a median income of \$43,886.00

In a 2015 US Census Work Area Profile Report the Community of Lightning had 53.1% of males in the workforce and 46.9% females in the workplace. 16.8% percent of people had attained a bachelor's degree or advance degree, 27.74% had some college or Associates degree, 30.1% of people had a high school diploma and 14.2% people had less than a high school education.

The dominant industry for employees were wholesale trade (64.6%) or transportation and warehousing (26.5%). Most of the workforce in the community were between the ages of 30 to 54 (54.9%). The remainder of workforce were adults aged 55 or older (33.6%) and youth 20 and younger (11.5%). Seventy-five percent of workers in the (larger) census area are classified as white, twenty percent are classified as Black or African American and three percent are classified as other. One hundred percent of the workforce in the Lightning Community commute out of the community for work.

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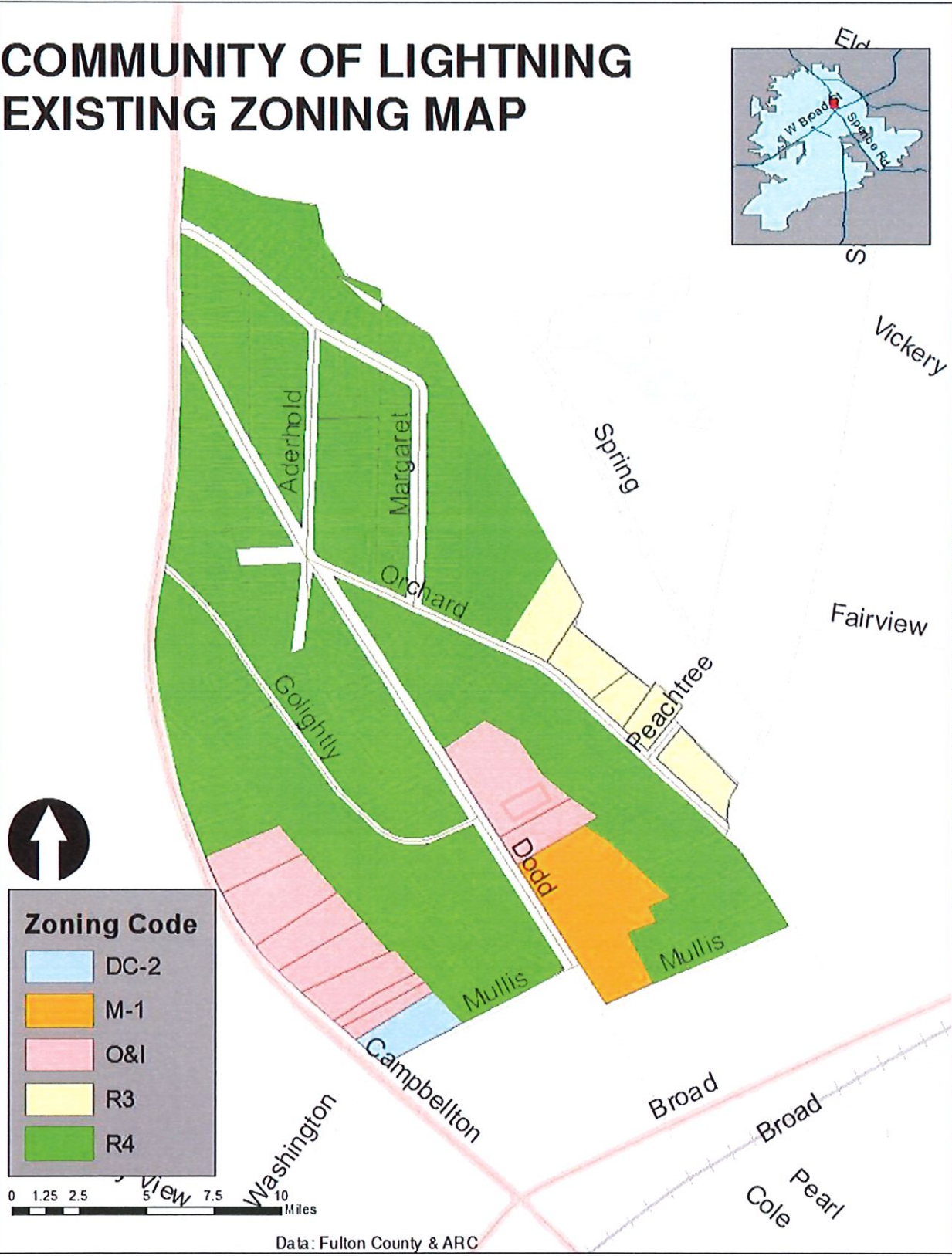
## Land Use & Zoning

The Lightning Community is comprised of five zoning districts: R-3 (Single-Family), R-4 (Single-Family), O&I (Office Institutional), DC-2 (Downtown Commercial District) and M-1 (Light Industrial District). Approximately 86% of the Lightning District is zoned R-4. The City of Fairburn's Ordinance states that "The R-4 District is intended to provide land areas devoted to high density residential uses on small lots. The district also provides for closely related uses. Land areas zoned R-4 are further intended to provide a transition between low and high-density dwelling areas or between low density dwelling areas and non-residential areas." While the R-4 zoning classification is intended for high density development and land uses on small lots, the minimum required lot size does not support the current lot configuration of the Lightning District. As it stands 61% of the lots in the district are non-conforming to the current zoning code. The average lots in Lightning has an average lot size of approximately 1/8<sup>th</sup> of an acre and a street frontage of 52 feet. Most of the non- conforming lots are located in the north of the district along Margaret Street and Aderhold Street.

While R-4 is a dominant zoning in Lightning, there is a sprinkling of R-3, O&I, DC-2, and M-I zoning categories along the edges of the district. These combined zoning districts make up a little less than 25% of zoned property in the community.

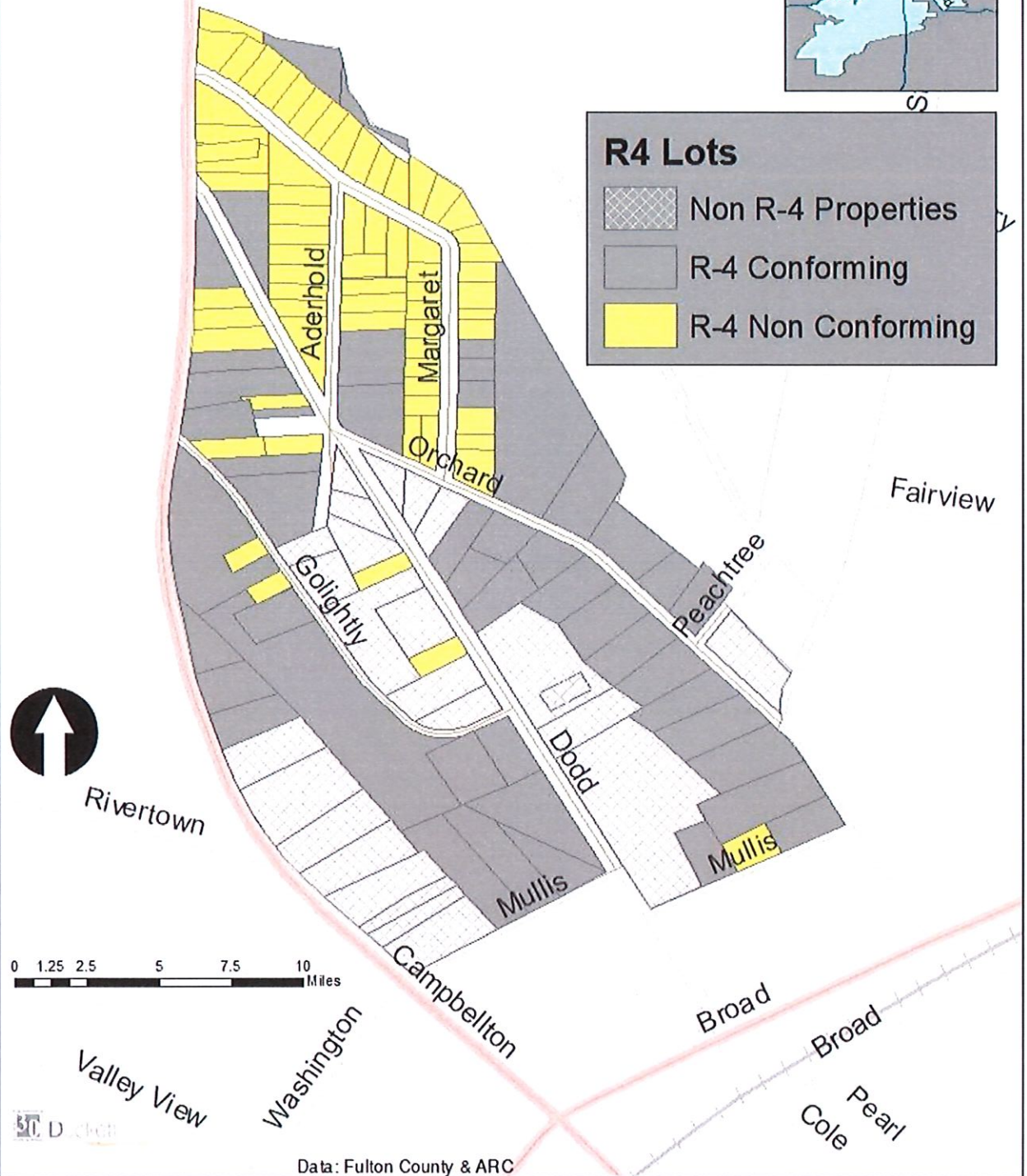
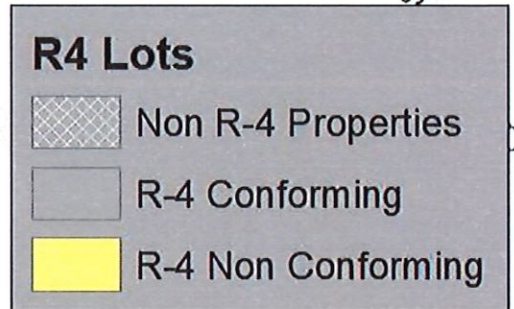
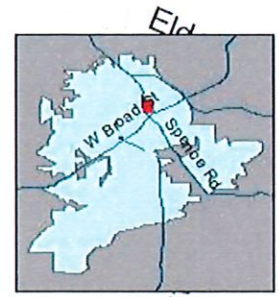
In the 2017 City of Fairburn Zoning Code Housing Inventory Report, the Atlanta Regional Commission recommended incorporating an overlay district into the Lightning District. This district would help promote and articulate pedestrian accessibility and historic preservation. In creating this overlay, suggestions were made to review the following tools: Form Based Code, clarification of district regulations, illustration of district intent and styles, and more flexibility to allow ownership to combine lots and accommodate residential infill.

# COMMUNITY OF LIGHTNING EXISTING ZONING MAP

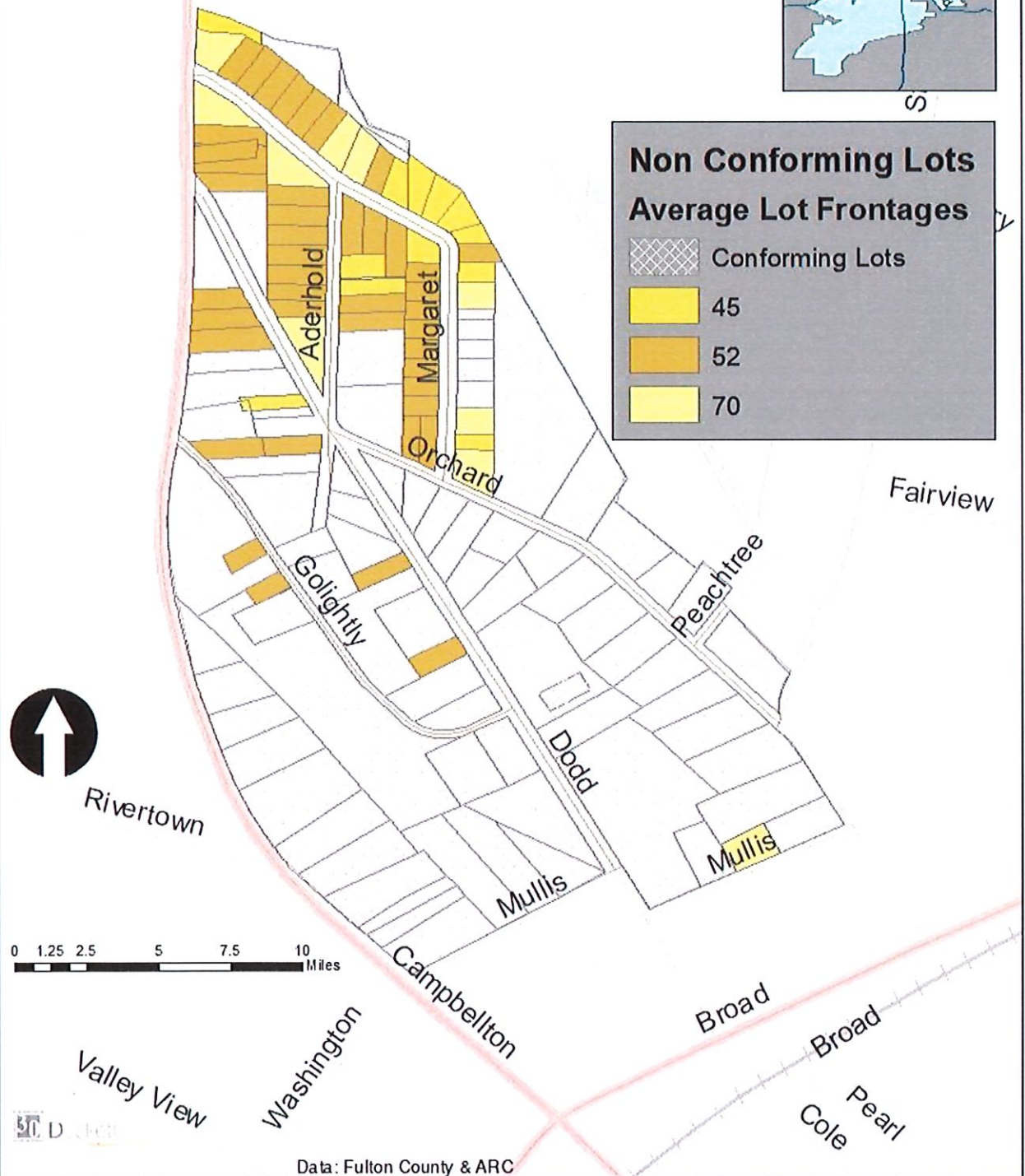
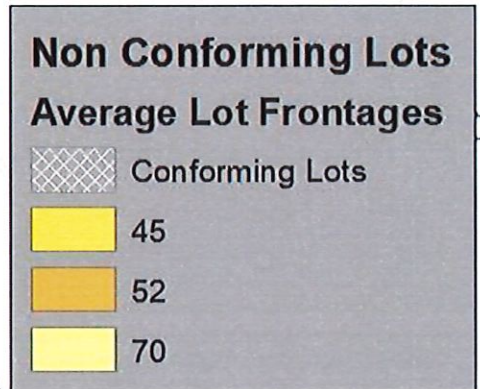
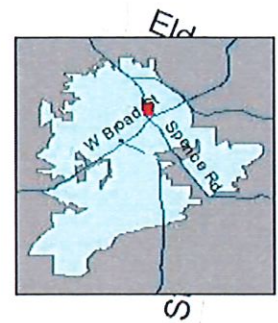




# COMMUNITY OF LIGHTNING R-4 NON - CONFORMING LOTS



# COMMUNITY OF LIGHTNING LOT FRONTAGES





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## Housing

The Atlanta Regional Commission conducted a housing analysis in 2016, City of Fairburn Housing Inventory Report 2016. In their analysis the ARC documented 137 parcels of which majority were either single family homes or vacant lots. They assessed the following property types: Single Family Homes which made up 60 % of the Lighting District, Duplexes (4%), Multi-Family (1%), Institutional (4%), Commercial (3%) and Vacant Lots (28%). The goal of their study was to assess the housing and frontage characteristics in the Lightning District and parcels along Highway 29 Overlay District.

The housing conditions were broken into three different categories: Adequate, Deteriorating and Dilapidated. Adequate structures were structures that were well maintained and had few deficiencies. Deteriorating structures were structures that had substandard critical, major or minor defects. Dilapidated structures were structures which suffered major neglect. The report found that out of 99 parcels with structures 74% of the homes were considered adequate, 3% were deteriorating and 23% of the homes were classified a dilapidated.

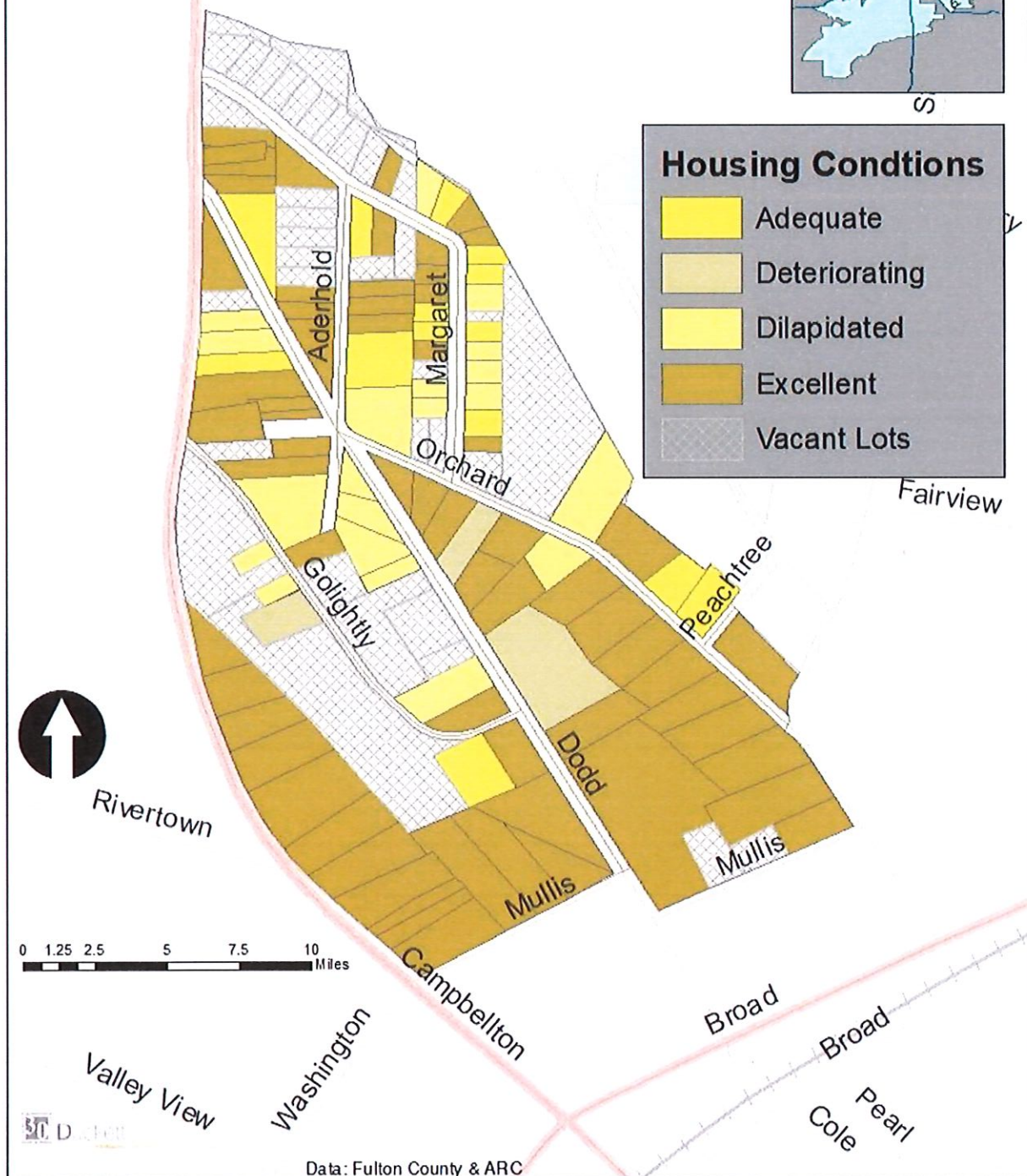
There are 137 parcels in the Community of Lighting. Out of these parcels, 38% of the parcels are owned by 9 different groups/individuals. The two largest property owners are the City of Fairburn and Chinh Nguyen. The City of Fairburn owns 5.9 acres along Golightly and at the intersection of Orchard Street, Dodd Street, and Aderhold Street. These parcels include a 2.52-acre vacant parcel along Golightly Street and the park at the intersection of Aderhold Street, Dodd Street and Orchard Street. Chinh Nguyen owns the 20 single parcels between Aderhold Street, Margaret Street and Golightly. Nguyen's property is primarily made up of vacant single family lots along Margaret Street and Aderhold Street.

The housing styles range from minimal traditional, shotgun, American vernacular, bungalow, ranch, Tudor and folk Victorian. For this study minimal traditional, shotgun, habitat homes and homes with no academic style were grouped into one group. This grouping made up the largest classification of homes in the Lighting District. These homes are located throughout the district except for at the southern portion of Orchard Street. In this area there is a large cluster of housing diversity. Home styles in this area are the following: folk Victorian cottage, Tudor, ranch, bungalow and American vernacular.

The age of homes in the Lighting District ranges from the 1800s –2017. Most of the homes built between 1800 and 1950 are located along Orchard Street and Aderhold Street. The age of homes coincides with the housing diversity in the district. The older homes vary in style from Tudor, folk Victorian cottage, bungalow and American vernacular. The northern and western portion of the district along Dodd Street has a home stock that was mainly built between 1951-2017. In contrast to the Southeastern portion of the district these homes do not have a distinct architectural style.

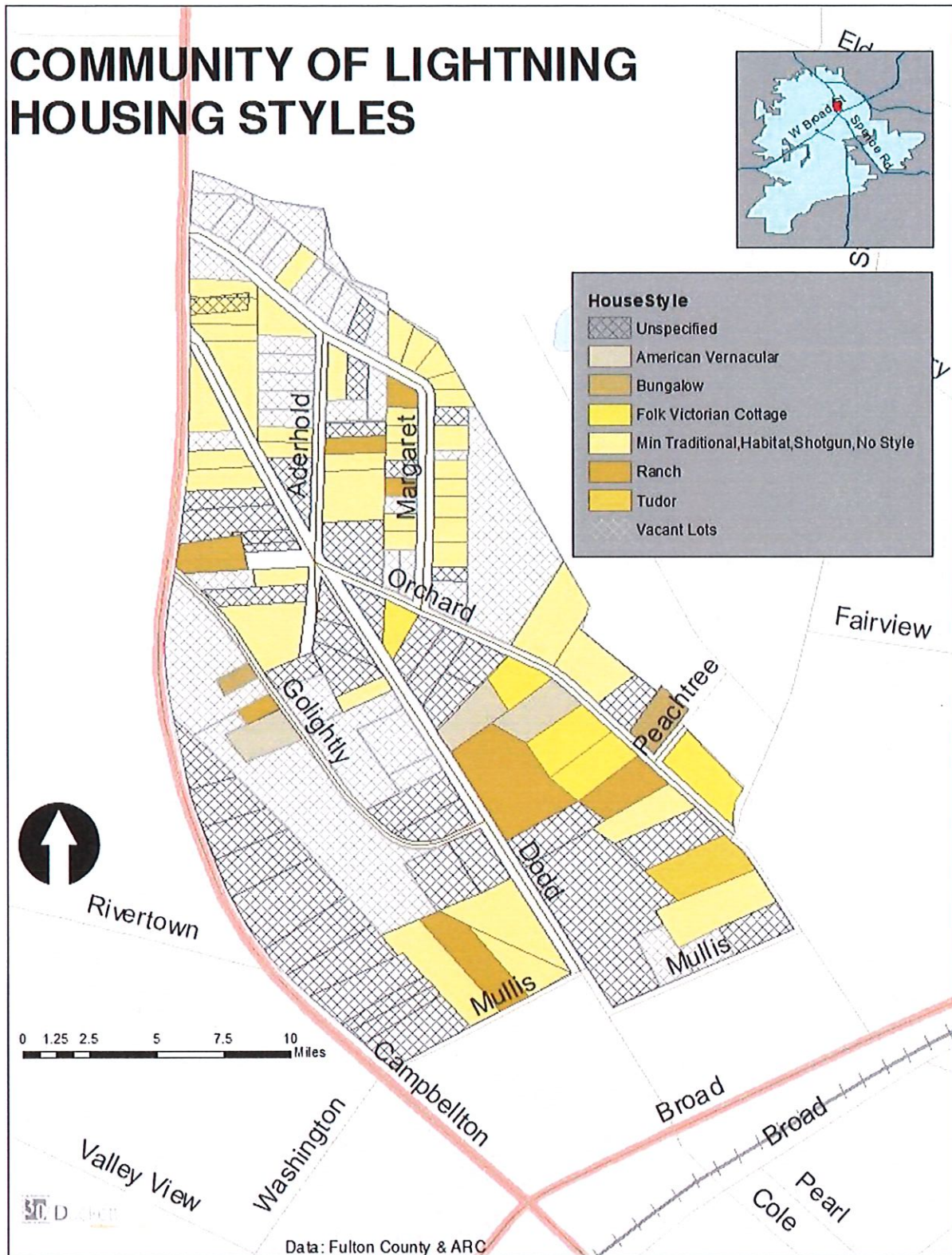
The housing market in the district has been relatively slow. There were 16 real estate transactions between August of 2017 and September of 2018. The average sales price in the district was \$36,332.81. Seventy five percent of the purchases were from non-residents of the Lightning District. The majority of the purchases were single family homes classified with the one of the following house styles: Minimal traditional, Habitat, Shotgun or no style.

# COMMUNITY OF LIGHTNING HOUSING CONDITIONS

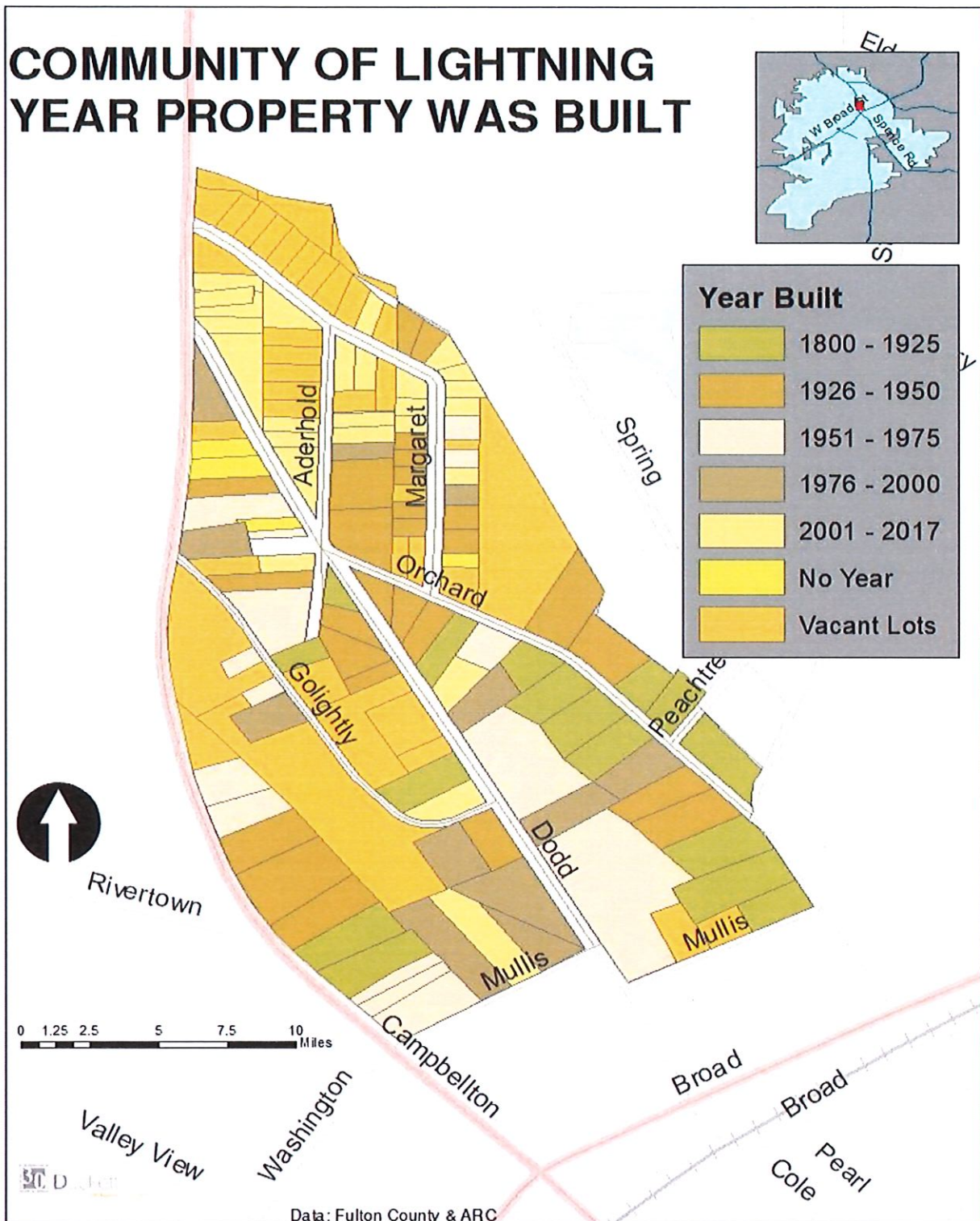




# COMMUNITY OF LIGHTNING HOUSING STYLES

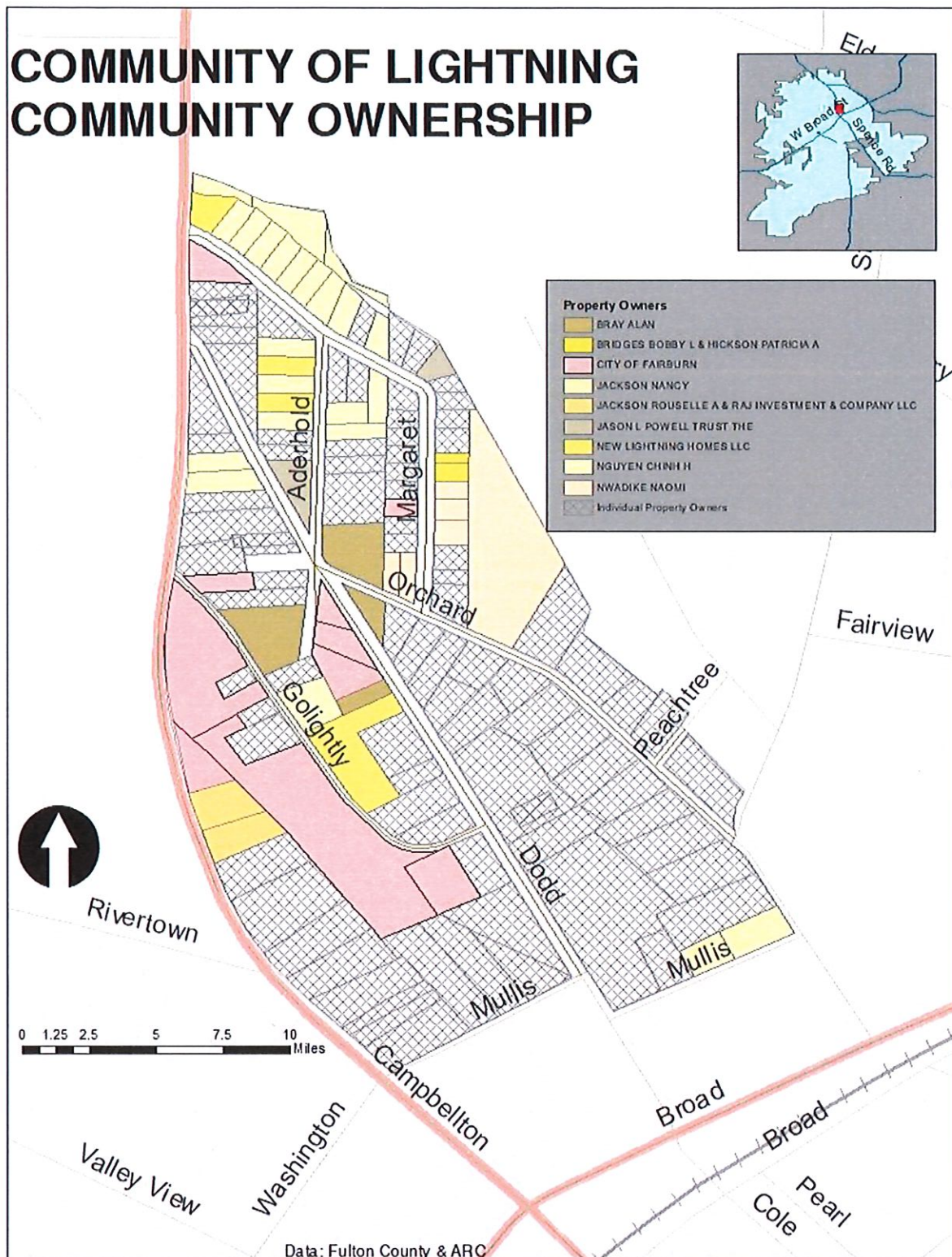


# COMMUNITY OF LIGHTNING YEAR PROPERTY WAS BUILT

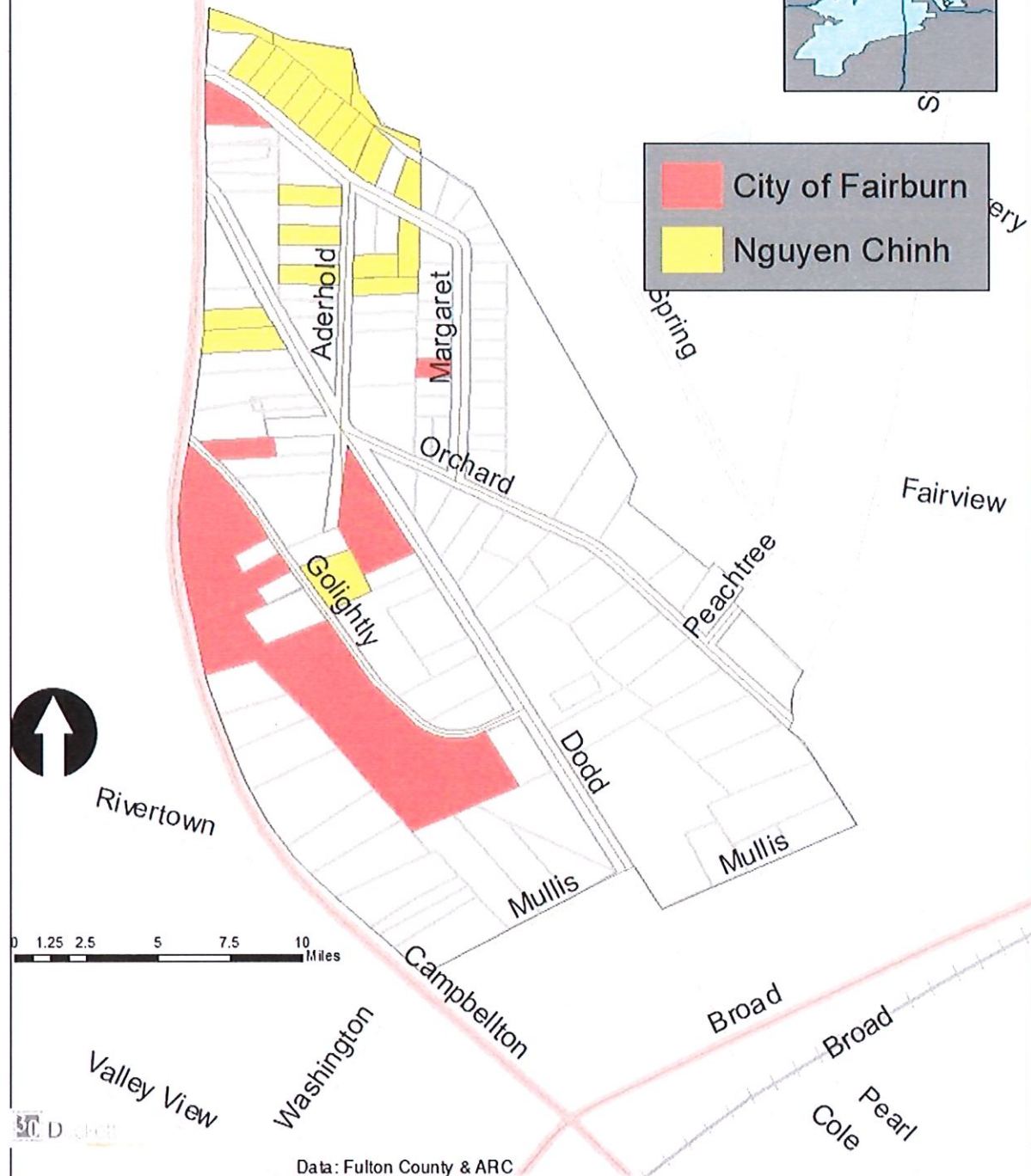




# COMMUNITY OF LIGHTNING COMMUNITY OWNERSHIP



# COMMUNITY OF LIGHTNING LARGEST PROPERTY OWNERS





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## Walkability

The community of Lightning presents a very unfavorable environment when considering walkability and pedestrian conveniences. The community does have one or two main thoroughfares with Dodd Street and Orchard Street. However, the majority of the streetscapes are unwalkable with any measure of safety or protection for the pedestrian. There are no established sidewalk corridors. Some of the streets are barely wide enough to allow two cars to pass each other.

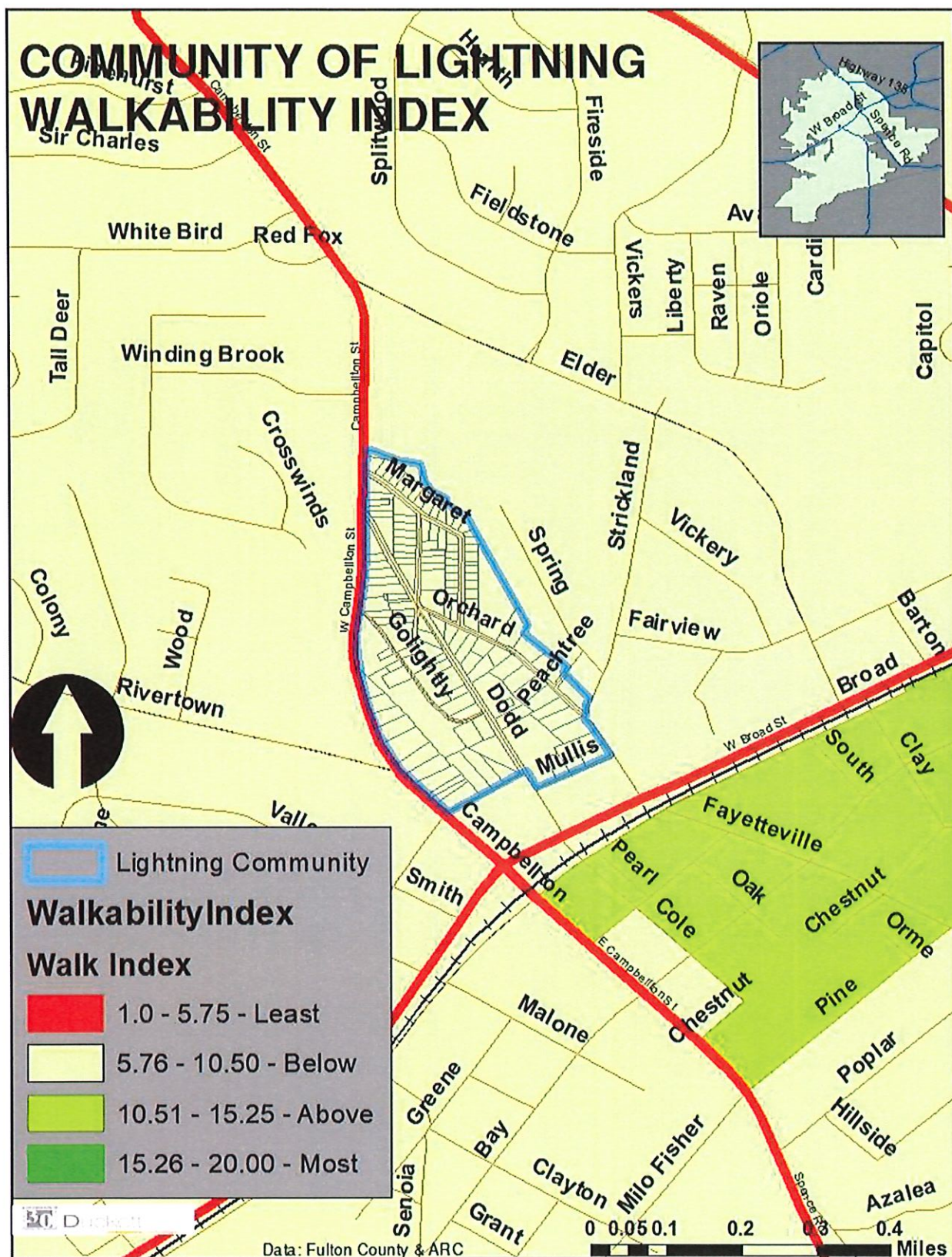
A Walkability Index was recorded for this area by the Environmental Protection Agency. The Walkability Index dataset characterizes every Census 2010 block group in the U.S. based on its relative walkability. Walkability depends upon characteristics of the built environment that influence the likelihood of walking being used as a mode of travel. The Walkability Index is based on the EPA's previous data product, the Smart Location Database (SLD). Block group data from the SLD was the only input into the Walkability Index and consisted of four variables from the SLD weighted in a formula to create the new Walkability Index. This dataset shares the SLD's block group boundary definitions from Census 2010.

The map provided has the walkability factors divided into 4 main categories based on a scoring system. A score of twenty (20) would be considered the MOST walkable environment for pedestrians. A score of one (1) would be the LEAST. The Lightning Community scored BELOW across the entire community with a score ranging from 5.75 – 10.5.



**The pictures above represent the street conditions and walkability encountered by the residents.**







---

## Greenspace

Greenway trails provide a unique partnership opportunity to join the people of a community with the natural environment in which that community dwells. There are a variety of possible systems that can be defined as a “greenway” trail system. Some greenway trail systems are defined by their innovative utilization of decommissioned or abandoned rail road beds. These old rail beds are used as foundational surfaces for a potential greenway trails, such as the Silver Comet Trail in Cobb County, Georgia.



*Figure 3: Silver Comet Trail. Image provided by [www.garail.com](http://www.garail.com)*

A variety of greenway systems exist that can utilize any of these available models or a combination of available models in order to achieve a comprehensive greenway trail system that essentially is a custom fit approach for the community in which it resides.

An environmental corridor such as a greenway trail can connect people to a place. It can potentially affect the development and vibrancy of that place. Jack Ahern (1996), author of Greenways in the USA: Theory, Trends, and Prospects states that “the most abstract benefit of greenway connectivity is the psychological one – of linking people with nature, close to where they live and work.” He continues by stating “greenways are a network of lands that are planned, designed, and managed for multiple purposes including ecological, recreational, cultural, aesthetic, or other purposes compatible with the concept of sustainable land use.”

In recent decades, contemporary land development initiatives lead by groups like the US Green Building Council have published guidelines and initiatives designed to aid in the efforts of land use planners and developers to consciously consider the resiliency and sustainability of the natural environments when implementing plans. This effort, in turn, helps develop communities to be more environmentally conscious to the sensitivities of existing natural ecological systems in which they dwell. Since these initiatives ultimately affect land use, the decision to incorporate elements such as green spaces and green corridors must work in conjunction with the green building movement.



*Figure 4: Bear Grass Greenway – Louisville, Kentucky. Image provided by [www.neighborhoodky.com](http://www.neighborhoodky.com)*

Dedicated greenspace is land that is permanently dedicated for greenspace purposes through ownership or deed restriction. It includes lands used for active recreation, lands used for informal or passive recreation, and natural areas that protect environmentally sensitive resources while also providing public access for the enjoyment of these resources. These areas may include dedicated open space reserves or protected areas or land areas that are certified by the US Green Building Council as part of the LEED process or by other organizations and certification programs. The relatively small size of potential areas that may be dedicated as greenspace in the Lightning Community are not likely to require certification, but dedication can be accomplished informally through property acquisition or easements to protect natural corridors that could potentially be repurposed for dedicated greenspace and pedestrian trails.

There is a small park and playground located at the intersection of South Aderhold Street and Dodd Street, but there are no larger areas currently dedicated as greenspace within the Lightning Community. The nearby dedicated areas of greenspace are located at Duncan Park (about  $\frac{3}{4}$  miles to the northwest) and City Lake Park (about 2 miles south) of the Lightning Community. The Lightning Community does possess several natural corridors that could be repurposed and dedicated for greenspace to enhance the local accessibility to greenspace and recreation.

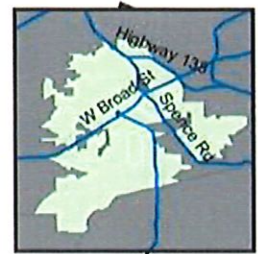




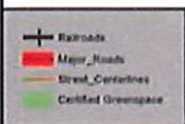
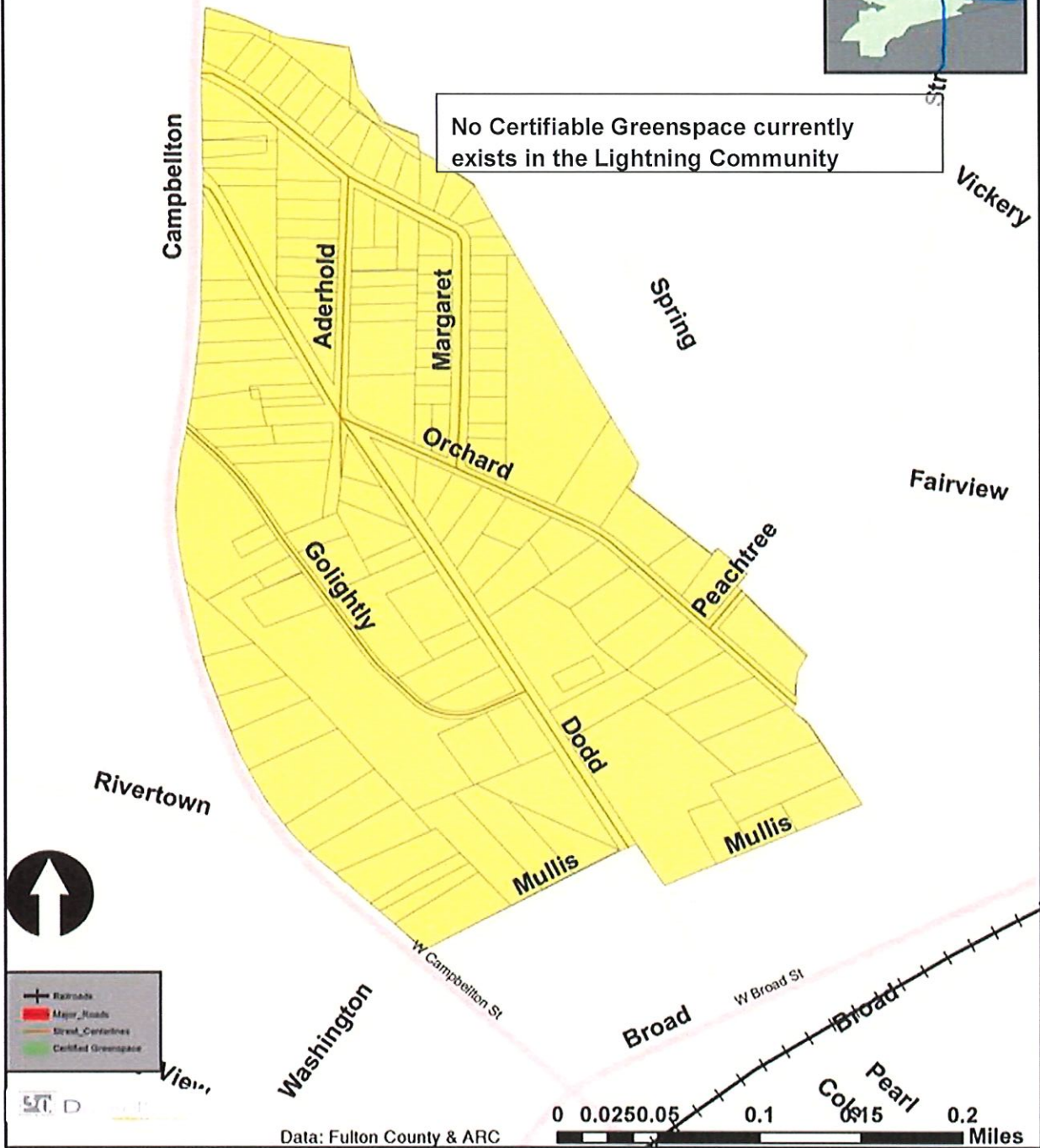
Potential areas in the Lightning Community that could be utilized to establish greenspaces and greenway corridors may be found by identifying the location of current tree canopy coverage for the community. Several existing parcels that are now owned by the city and are no longer suitable for home construction or other residential development represent additional assets that can provide added greenspace.



# COMMUNITY OF LIGHTNING CERTIFIED GREENSPACE



No Certifiable Greenspace currently exists in the Lightning Community



Data: Fulton County & ARC

0 0.0250.05 0.1 0.15 0.2 Miles



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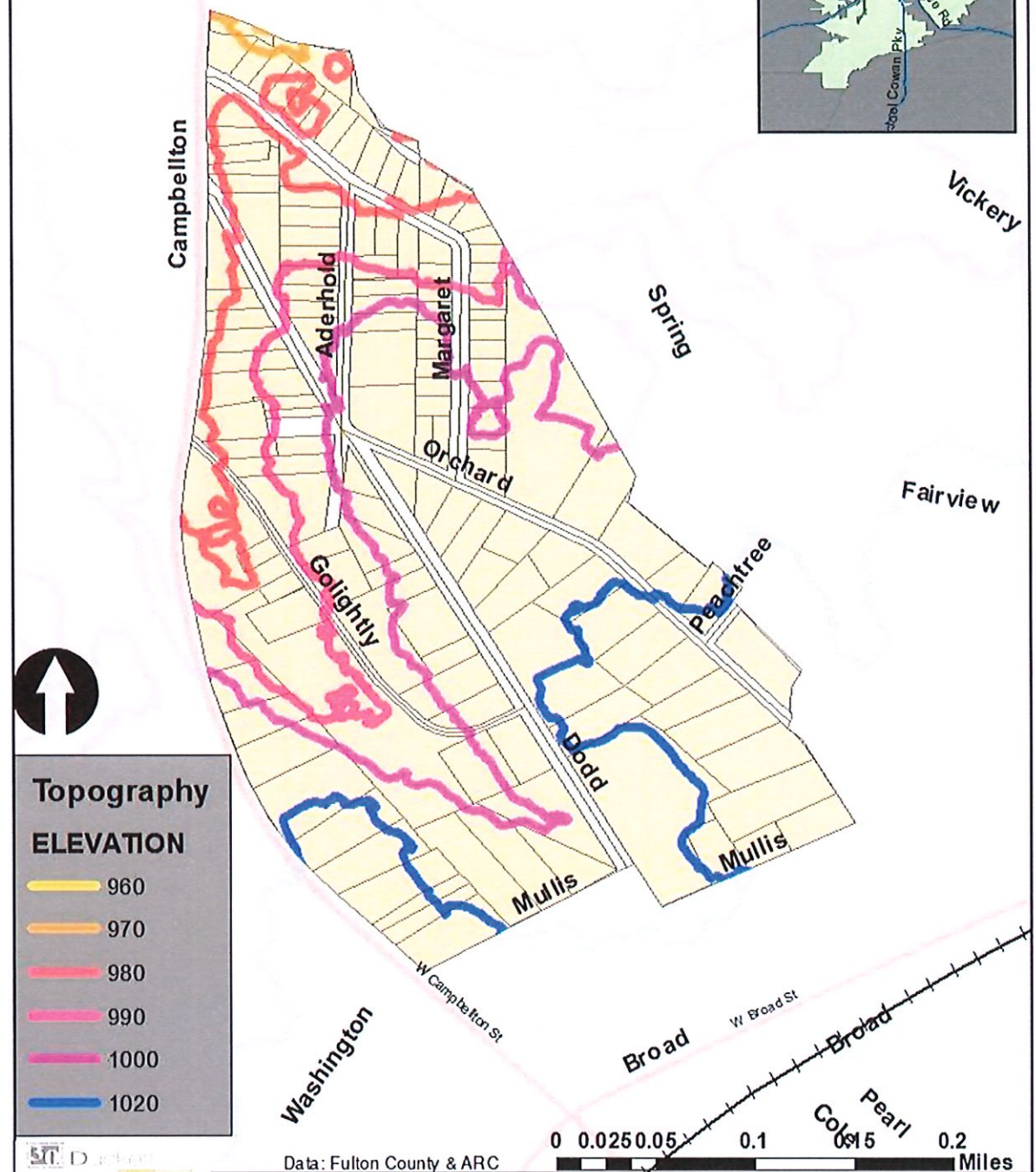
## Topography

The topography of the Lightning Community is defined by two or three key characteristics. First, along the west boundary of the study area there is a quick drop in elevation due to a pronounced swale that has its beginning at Mullis Street. It is also noted that at this location exists a known spring that produces ground water saturation year-round and it is visible through the heavy rain months. It was also noted and recorded that several structures along this location at Mullis Street where this natural swale begins have historically had to deal with the mitigation of ground water affecting their foundations

Secondly, Lightning is predominantly a raised plateau along the route of Dodd Street from the downtown corridor traveling north until you reach the six-street intersection at the apex of Lightning where there currently is a park and pavilion at the intersections of Dodd, Orchard, and Aderhold Streets. From here moving north and northeast the plateau's elevation begins to drop at a steady rate to the creek along the north boundary of the community. If one follows this creek as it drops, it eventually reaches a confluence where it joins the previously mention swale that carries water from time to time.

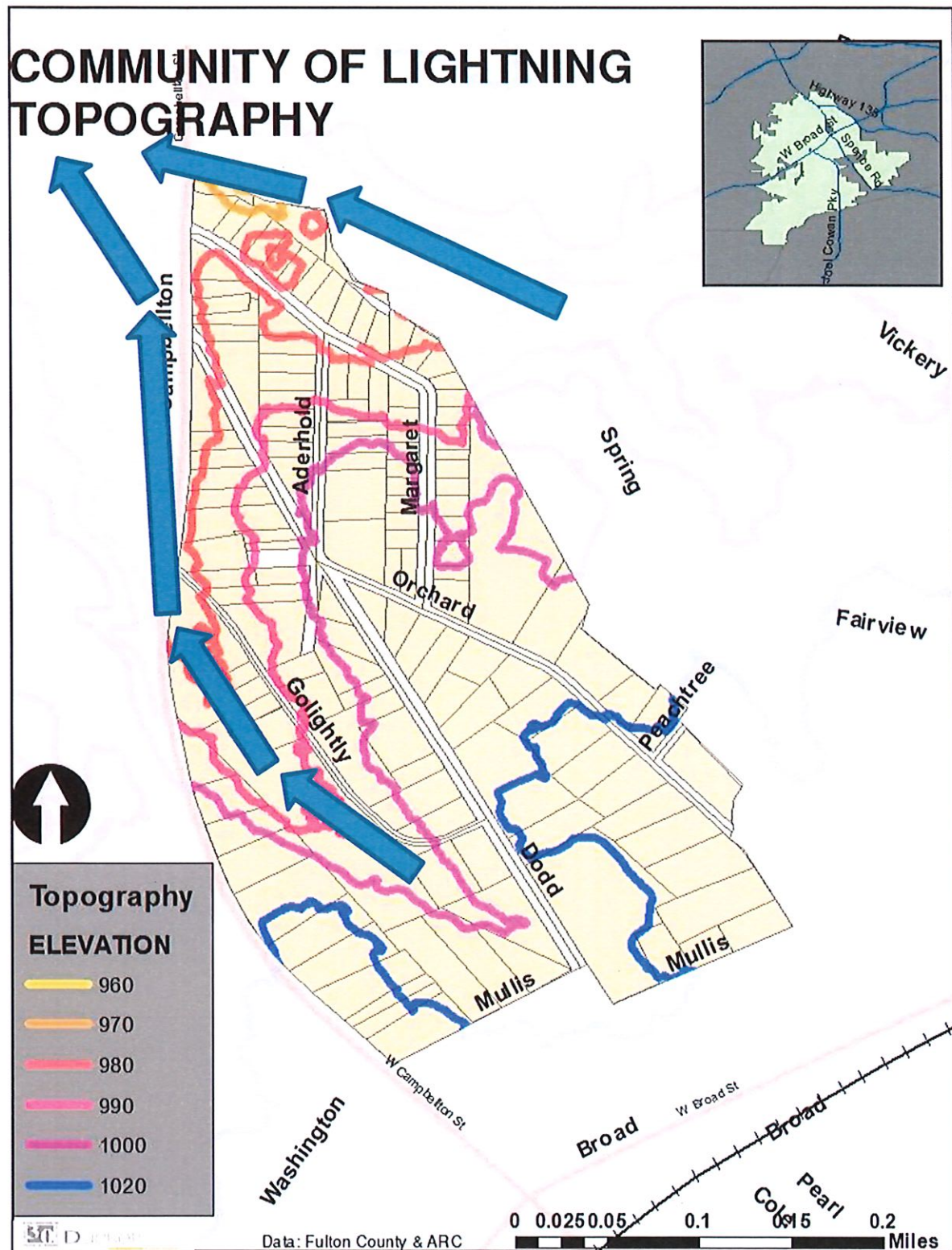


# COMMUNITY OF LIGHTNING TOPOGRAPHY



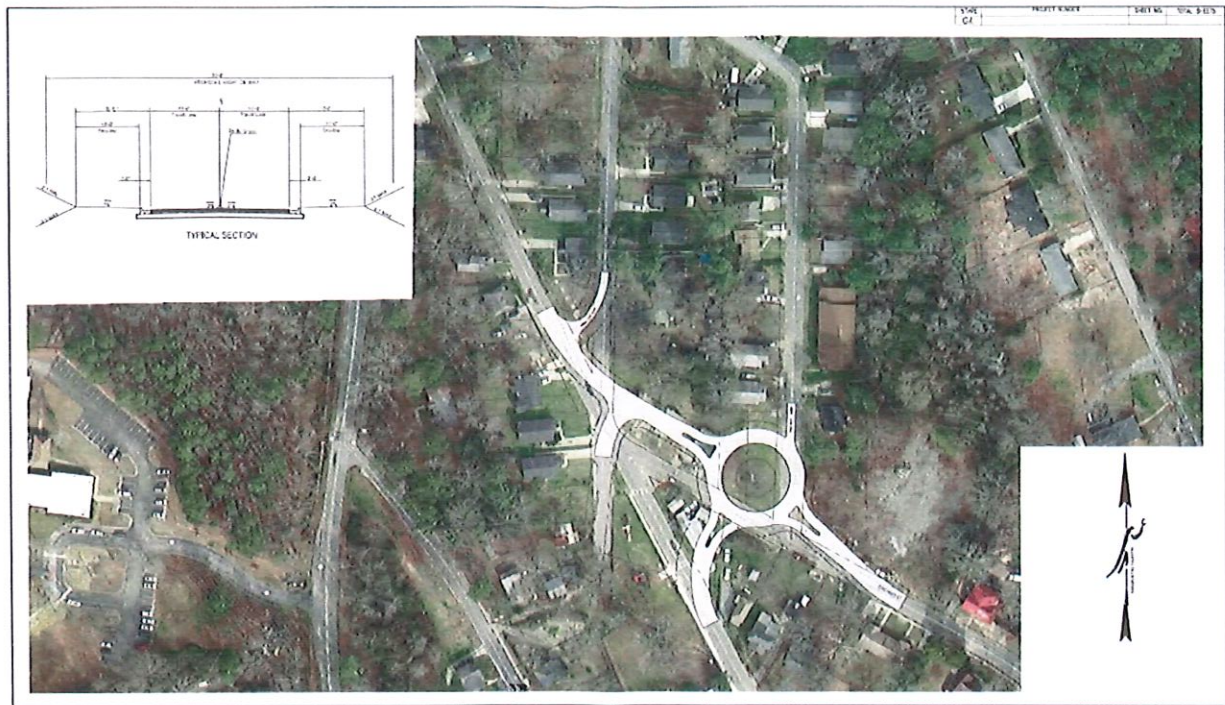


# COMMUNITY OF LIGHTNING TOPOGRAPHY



# Lightning Community Strategic Plan

## Part 4: Transportation



### Community of Lightning Development Study Transportation Impact Analysis

PREPARED BY





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## TRAFFIC IMPACT STUDY GLOSSARY

**Access Point** - An intersection, driveway, or opening on a public street providing entry to a private development or property.

**ADA** - Americans with Disabilities Act

**Adjacent Street Traffic** - All traffic with direct access to a development site

**Arterial** - A signalized street that primarily serves through traffic and that secondarily provides access to abutting properties, with signal spacing of 2.0 miles or less.

**At-Grade Intersection** - The location at which two roadways cross and join at the same vertical elevation; access through the intersection may be controlled by traffic signals or stop/yield signs

**Background Conditions** - Conditions affecting the performance of the transportation network not directly related to the subject development over a designated time period, such as growth in existing traffic volumes, other planned, approved or current developments in the study area, and planned improvements to the transportation network

**Capacity** - The maximum sustainable flow rate at which vehicles or persons reasonably can be expected to traverse a point or uniform segment of roadway during a specified time period under given roadway, geometric, traffic, environmental, and control conditions, usually expressed as vehicles per hour.

**Collector**- A roadway with no control of access linking residential communities with the arterial system

**Cycle** - The time period required for one complete sequence of traffic signal indications

**Delay**- The additional time experienced by a roadway user, typically motorists as a result of constrained movements and deviation from ideal or free flow speeds

**Generator** - a land use that attracts vehicle, pedestrian, or other modes of traffic

**Highway Capacity Manual** - A publication of the National Academy of Sciences Transportation Research Board that provides a collection of the state-of-the-art techniques for estimating the capacity and determining the level of service for transportation facilities; first published in the 1950s and most recently published in 2000.

**Internally Captured Trip** - A trip originating and destined for different land uses within the same development but not traveling on a public street

**Level of Service** - A qualitative measure describing operational conditions within a traffic stream, based on service measures such as speed, travel time, freedom to maneuver, traffic interruption, comfort and convenience.

**Modal Split** - The percentage of people using a particular means of transport, such as auto, transit, or walking, to make a trip

**Multi-modal** - A transportation facility for different types of users, modes, or vehicles.

**Pass-by Trip** - An intermediate stop on the way from an origin to a primary trip destination without a route diversion. Pass-by trips are attracted from traffic passing the site on an adjacent street or roadway that offers direct access to the development.

**Peak Hour** - The one-hour period of greatest utilization of a transportation facility; weekdays normally have two peaks, one in the morning and one in the afternoon

**Phase** - A portion of a traffic signal cycle allocated to any traffic movement or combination of traffic movements

**Split-Phased Mode** - A type of signal control where all movements from one side street at a time move concurrently

**Trip/Trip End** - A single or one-direction movement by any mode of travel with the origin or destination (exiting or entering) inside the study development.

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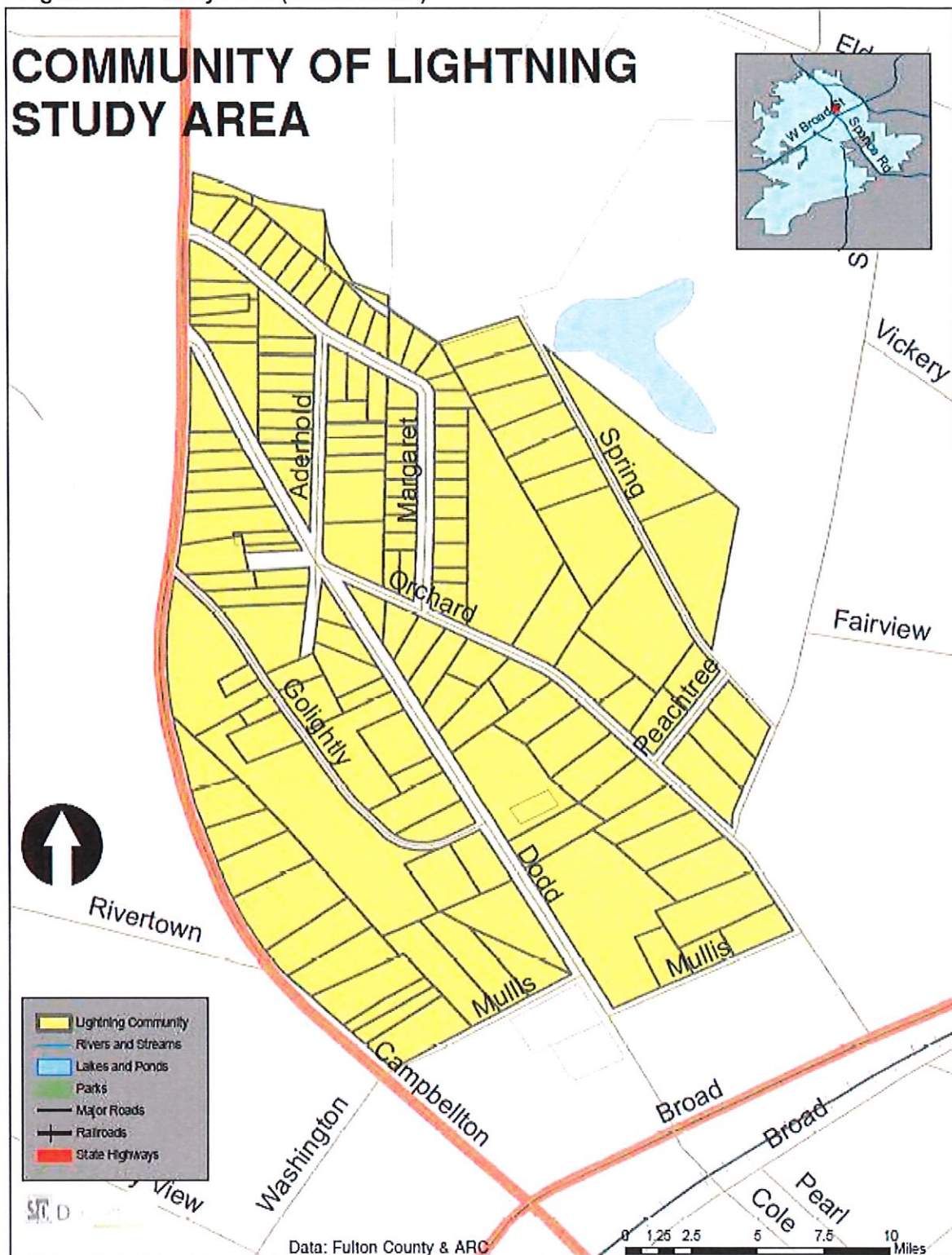
## INTRODUCTION

The Community of Lightning is located in Fairburn, Georgia, approximately 20 miles southwest of Downtown Atlanta and 5 miles south of Hartsfield-Jackson International Airport. The study area is located northeast of the intersection of West Campbellton Street and Broad Street. The focal point of the development plan will be around the proposed roundabout at Dodd Street and Orchard Street. The land use in the study area is primarily single family residential with some commercial and light industrial land uses on Dodd Street north of Mullis Street. The roadways in the study area are two lane residential roads with stop signs as the predominant traffic control.

The report is divided in two sections; first the existing conditions are evaluated and documented including the existing roadway network, existing traffic volumes, and existing intersection capacity and level of service. Secondly, the Year 2025 conditions were analyzed to include the regional growth in existing traffic volumes, traffic from nearby planned, approved, or current development activity, and planned improvements to the transportation network.



Figure 4.1 – Study Area (Not to Scale)



Sources of data for this study include traffic counts collected by Vision Engineering and Planning, LLC and roadway and intersection conditions as inventoried in the field by Vision Engineering and Planning, LLC.

Analysis was conducted for the existing conditions. The Highway Capacity Manual 2010 (HCM) methodology was employed through Synchro version 9.0 for all capacity analysis.

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## **EXISTING CONDITIONS**

### ***Existing Road Network***

The focal point of the development plan will be at the proposed roundabout at Dodd Street and Orchard Street which is near the center of the community. The roadways in the study area are two lane residential streets with posted speed limits of 25 miles-per-hour (mph).

The following is a description of some of the roads in the vicinity of the site:

- *Orchard Street*  
Orchard Street is a residential two-lane street with a posted speed limit of 25 mph.
- *Dodd Street*  
Dodd Street is a residential two-lane street with a posted speed limit of 25 mph.

Vision Engineering and Planning, LLC conducted field reconnaissance to obtain the existing lane usage and traffic controls at the intersections within the study area. Figure 2 presents the local roadway network of the study area and existing lane use and configurations.

### ***Existing Traffic Volumes***

Turning movement traffic counts were conducted at the intersections of Dodd Street at Aderhold Street and Orchard Street at Margaret Street during the month of November between 7:00 a.m. and 9:00 a.m., and 4 p.m. and 6 p.m. The results of the traffic counts are summarized on Figure 3.

### ***Existing Capacity Analysis***

Capacity analyses were performed to determine the existing Level of Service (LOS) and volume-to-capacity (v/c) ratios for the a.m. and p.m. peak hours for the study intersections. A LOS grade is essentially a measure of the quality of service to the user through a letter grade based on the average delay experienced by motorists traveling through a particular intersection. Levels of service results range from LOS A being the best to LOS F being the worst. LOS D is typically used as the acceptable LOS threshold for many cities and counties. Sometimes LOS E and F are accepted in certain highly urbanized and constrained areas.

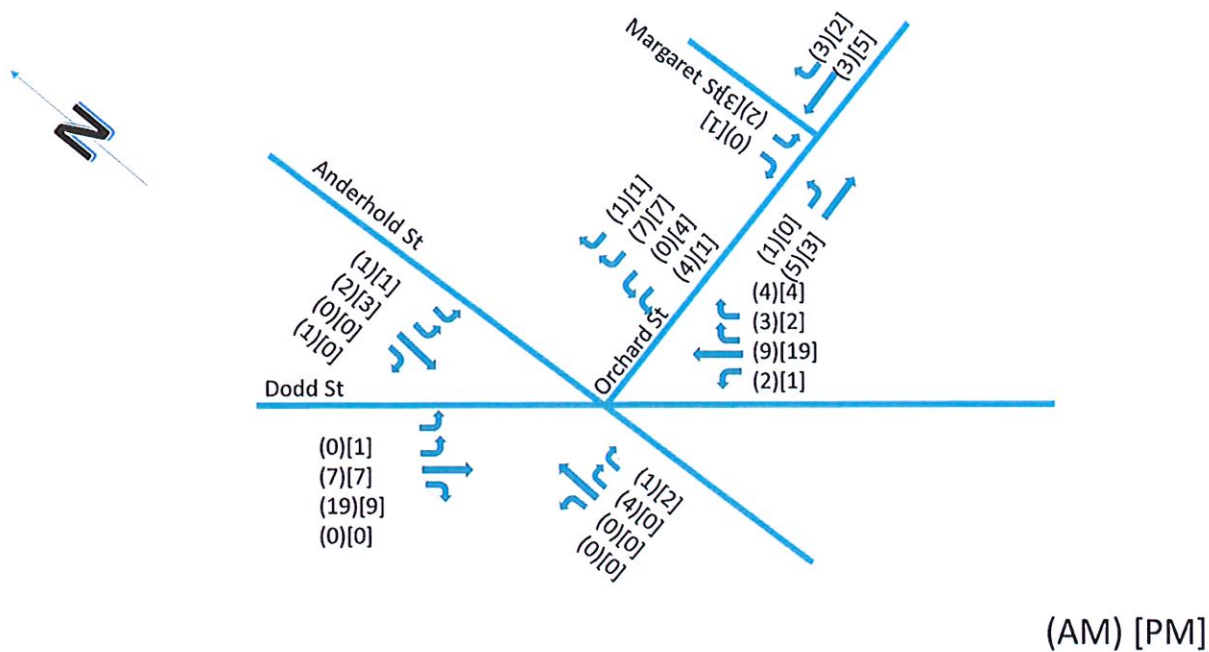


Figure 4.2 – Existing Lane Use and Traffic Controls



The volume-to-capacity ratio is an indicator and measure of the adequacy of the capacity of the intersection. This included the physical geometry design features and the signal operations. If the value of the  $v/c$  ratio is closer to zero, then this represent “under capacity” operations; if the value of the  $v/c$  ratio approaches 1 or the value is 1, then this implies that the intersection operates “near” or “at” capacity, respectively. If the  $v/c$  ratio is above 1, then the intersection is over its capacity or congested. The *Highway Capacity Manual 2010* (HCM) methodology, through Synchro, was used for all analyses. For unsignalized intersections, the LOS is reported for the minor street or left turn movement that experiences the highest delay at the intersection.

Figure 4.3 – Existing Traffic Counts



The existing LOS capacity analyses were based on: (1) the existing lane use, and traffic controls shown on Figure 2; (2) the peak hour traffic volumes at each study intersection on Figure 3; and (3) the *Highway Capacity Manual 2010* (HCM) methodologies (using Synchro 9 software).

Table 4.1 summarizes the results of the capacity analyses.

Table 4.1 – Existing Levels of Service Results

Study Intersections	Summary of Results			
	Existing			
	AM	PM		
Dodd Street at Aderhold Street	A	A		
Orchard Street at Margaret Street	A	A		

The analysis shows that the study intersections currently operate at LOS A during the AM and PM peak hours.

## FUTURE CONDITIONS

The Year 2025 Future Conditions includes the following assumptions:

- ✓ Growth in existing traffic volumes over the study period due to regional growth,
- ✓ Other planned, approved or current developments in the study area,
- ✓ Planned improvements to the transportation network by the City/County and/or State in the study area



#### A. Growth in Existing Traffic Volumes

The existing traffic counts were collected in November 2018. Given historical traffic counts in the area have illustrated stable or declining trends, and the study area roadways are local in nature, no growth factor was applied to the existing traffic volumes to account for regional growth.

#### B. Future Developments

Based on information obtained from the City of Fairburn and the Public Involvement process, more residential infill development is expected in the Lightning study area. Most of this development is expected to remain single family homes with smaller lots. The small commercial node located along Dodd Street at the southern edge of the Lightning Community area has some potential to redevelop to provide more current commercial resources if the small tank repair facility and the area adjacent to Mullis Street can address a problem with stormwater flow coming from the ridge line along downtown's Broad Street and flowing northwest across Mullis Street and through the Lightning Community towards Line Creek.

#### C. Trip Generation and Distribution

Projecting the number of new vehicular trips generated by proposed development is the most critical aspect of assessing traffic impact. The objective of a trip generation analysis is to forecast the number of new trips that will begin or end at a proposed land use. A primary source for data on vehicular trip generation is the Institute of Transportation Engineers Trip Generation 10th Edition handbook. The handbook compiles data from numerous studies of vehicular trip rates at hundreds of specific types of land uses such as recreational, residential, commercial, office, institutional, and industrial throughout the country. The data is sorted by various time periods such as morning and evening peak hour, and plotted against independent variables for specific land uses such as square feet of commercial space, number of hotel rooms, number of dwelling units, etc. The data is presented in chart format with mean trip rates, standard deviations, and fitted curve linear regression equations, where enough data is available.

Several site-specific factors can reduce the number of new personal vehicular trips generated by a new development or land use. These include 1) the availability of alternative modes of transportation such as sidewalks, bicycle facilities, and public transportation, 2) the effect of pass-by traffic which includes personal vehicles already on the roadway network making an intermediate stop on the way from an origin to a primary trip destination without a route diversion, and 3) the effect of internally captured trips composed of traffic originating and destined for different land uses within the same development that do not travel on the public roadway network. An example of an internal trip would be a trip from an office building to a restaurant or from a hotel to an office building within the same development.

For this study, the ITE Trip Generation Manual, 10th Edition peak hour trip generation rates were determined based on current land use categories. The average number of vehicular trip ends and percentage of entering and exiting volumes were calculated using the land uses for General Retail Center and Single Family Residential to estimate the future trips in the study area.

Information for pass-by and internal capture trip rates for mixed-use developments can also be found in the Trip Generation Handbook. In addition, if there are multiple land uses and specialty retail within the development which would also effectively reduce vehicular trips, pass-by and/or internal capture reductions were calculated for the subject developments. To be conservative from a traffic analysis perspective, it was assumed that the commercial node could redevelop into 28,875 square feet of additional retail space and that approximately fifty (50) additional residential units could be added to the study area to reflect the expected residential infill development. This assumes 35 new residential units would be developed based on existing available lots, and that approximately 15 abandoned homes in the study area would be redeveloped to establish an understanding of the potential trips that could be generated.

After applicable trip reduction factors, these proposed (hypothetical) developments may be projected to generate a total of 1719 new daily vehicular trips, of which 79 will occur during the AM peak hour and 148 will occur during the PM peak hour.

#### D. Distribution of Site Trips

The distribution of site trips is based on existing traffic patterns, land uses and access points to the Lightning Study Area.

#### E. Transportation Network Improvements

The focal point of the development plan will be at the proposed roundabout at Dodd Street and Orchard Street which is near the center of the community. This roundabout is the only planned transportation improvement in the study area.

#### F. Future Intersection Capacity and Level of Service

A capacity analysis was performed for the future conditions with the results summarized in Table 2.

**Table 4.2 – Future Levels of Service Results**

Study Intersections	Summary of Results							
	Existing		Future					
	AM	PM	AM	PM				
Dodd Street at Aderhold Street	A	A	A	A				
Orchard Street at Margaret Street	A	A	A	A				

The results of the future year 2025 conditions capacity analysis indicate that the roundabout will operate at a LOS A during the AM and PM peak hours with the development plan implemented.



Figure 4.4 – Future Traffic Volumes - AM Peak Hour



Figure 4.5 – Future Traffic Volumes - PM Peak Hour



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## CONCLUSION AND RECOMMENDATIONS

### *Conclusions*

The capacity analyses contained in this report provided the following results:

- *Existing Conditions*

Under existing conditions the study intersections operate at a LOS A during the AM and PM peak hours.

- *Future Conditions*

The results of the future capacity analyses show that the study intersections would operate at a LOS A during the AM and PM peak hours with the additional infill development.

Based on these results, vehicular traffic generated by the proposed infill residential development and commercial redevelopment will not require mitigation measures as the proposed roadway network including the proposed roundabout will operate at an acceptable LOS.

### *Recommendations*

- Add and improve sidewalks in the study area to provide safer pedestrian access throughout the study area. Fill in remaining sidewalk gaps to encourage safe pedestrian travel. Improve pedestrian connections between study area and existing MARTA bus stops.
- Add bicycle lanes and Wayfinding to encourage and accommodate safe bicycle travel in the study area. Bike lanes could be striped on a number of existing study area streets at a relatively low investment by the city.
- Add pedestrian scale streetlighting to the study area to increase visibility and improve safety for pedestrians.



# Lightning Community Strategic Plan

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## Part 5: Public Involvement

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## Meeting #1

The first public participation meeting was held on the evening of November 15, 2018. The City of Fairburn hosted the event at the Fairburn City Hall and provided the Council Chambers as the meeting space. The community of Lightning was represented by 25 members. The members were a mix of home owners, renters, business owners, and local worship leaders. All were greeted and welcomed as valid stakeholders of the Lightning Community.

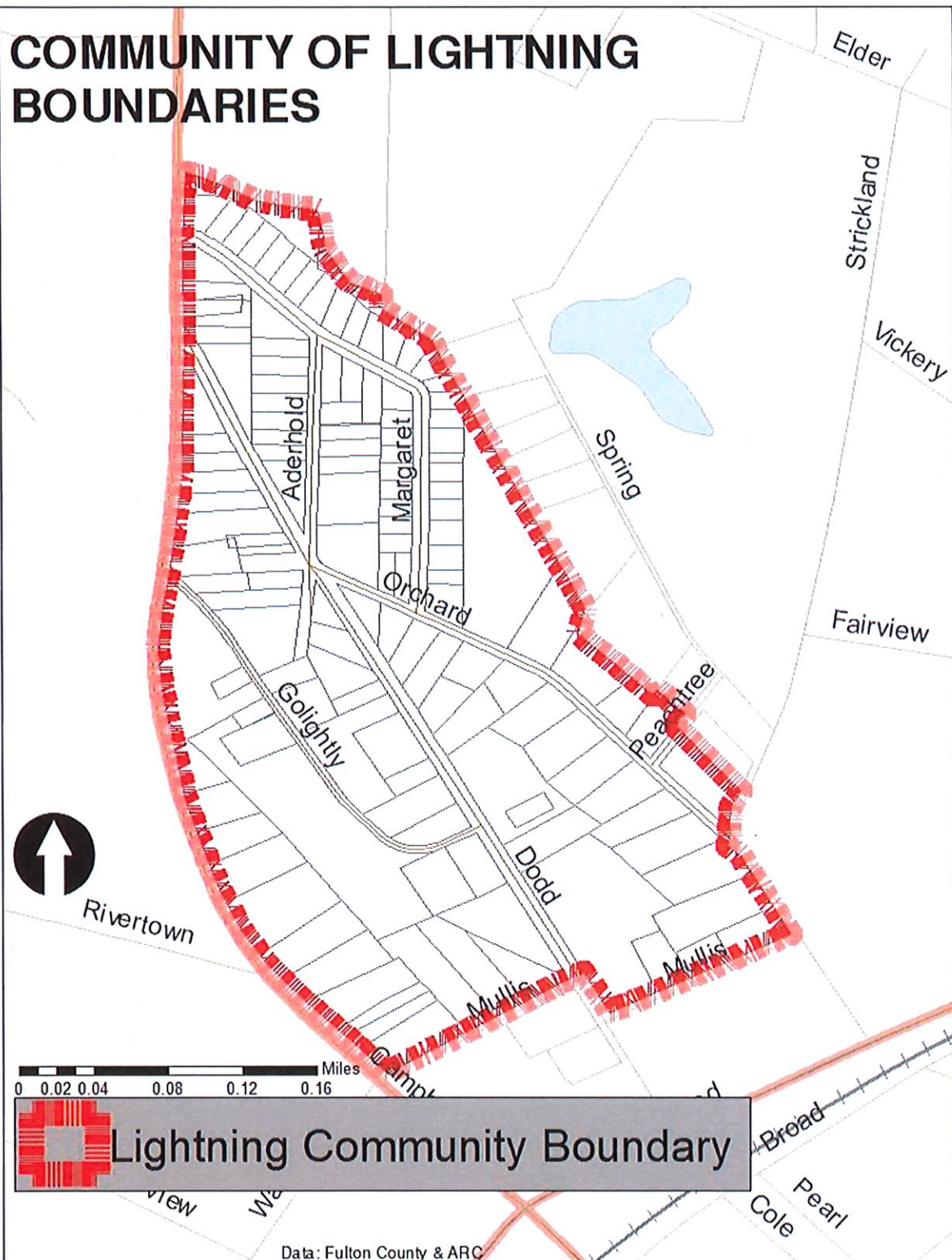
In addition to these community residents, there were also members and representatives of the Fairburn City Council, Atlanta Habitat, and Georgia's Initiative on Community Housing. They too were present to offer guidance and additional community-based advocacy for the Lightning community.

The main objectives of this first meeting were to introduce the planning team to the community and ask the community to help us define an agreeable boundary for the Lightning Community. With the aid of crayons, markers, and several maps, the stakeholders were randomly broken into two independent groups to work on defining the community boundary. Once each team was complete, we then compared the two to find that both agreed very closely as to the understood boundary of Lightning. We then had our true area of study defined by the very people that live there.

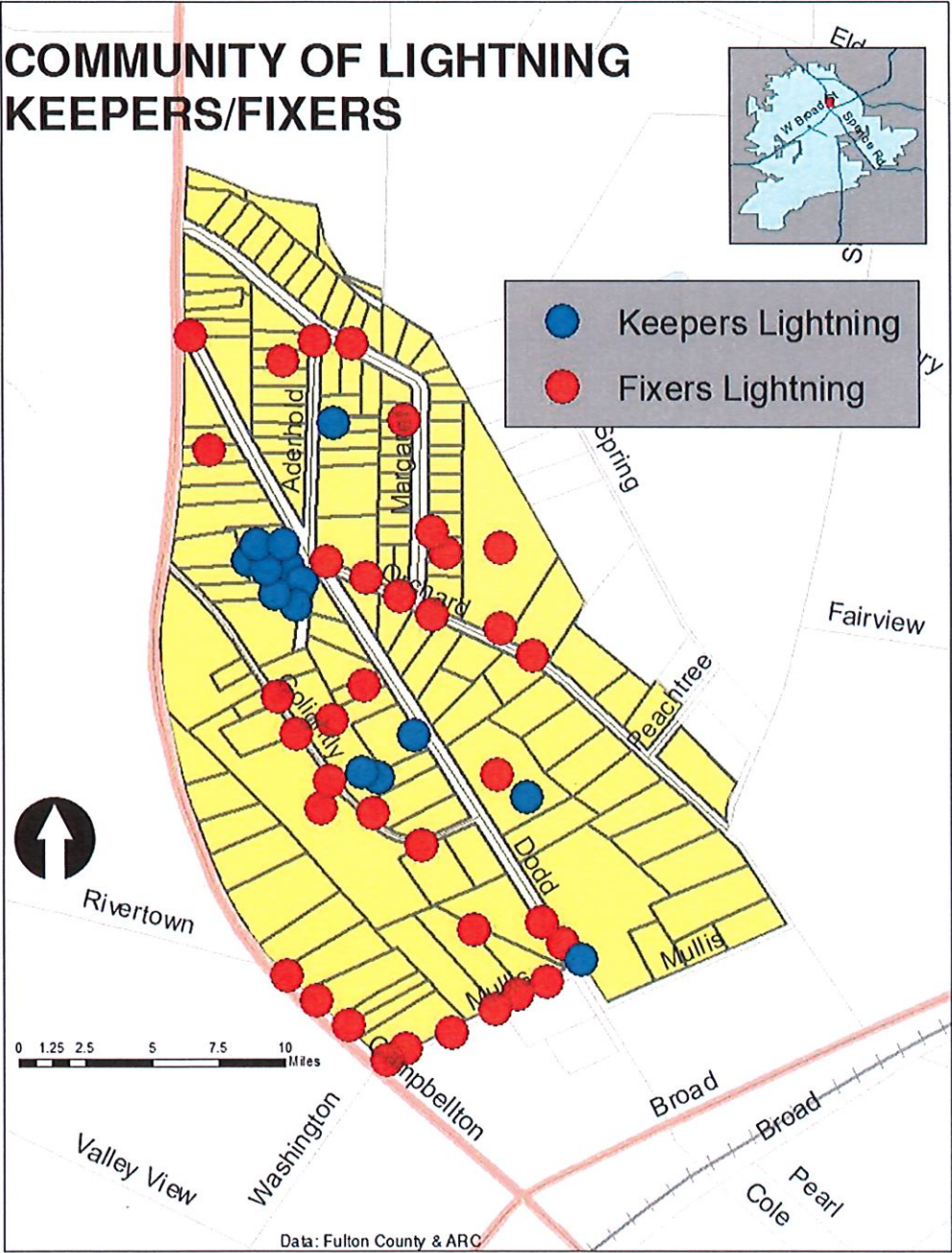




# COMMUNITY OF LIGHTNING BOUNDARIES



Next, we worked with the community stakeholders to help us identify and define the various “Keepers” and “Fixers” within the neighborhood. “Keepers” are things that the community wishes to protect and keep and “Fixers” are items that need repair, rehabilitation, or replacement. The members went back to their tables and began assessing several items in their community that addressed the following items:



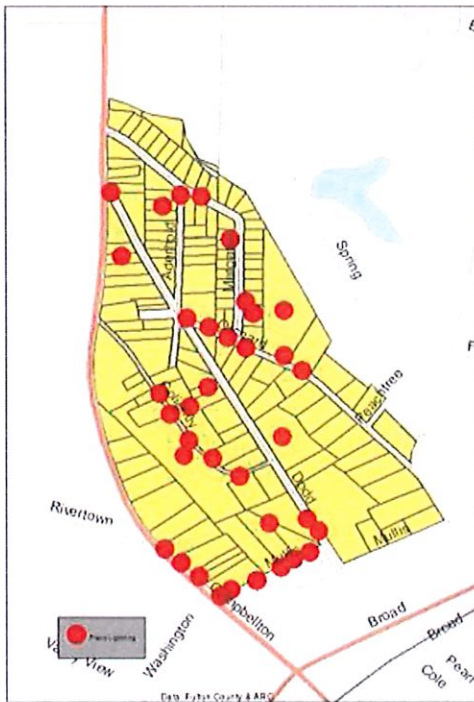




## Keepers Summary

- Park
- Housing Diversity
- Existing Commercial Parcels on Dodd Street (Potential Mix Use)
- Housing Diversity
- Street Plan for Dodd Street
- Affordability
- Existing Single Family Homes





## Fixers Summary

- Remove vacant and depilated homes
- Fix street flooding on Mullis
- Remove church on Margret
- Slow Traffic on Dodd, Orchard, Mullis and Golightly
- Access to community center/community place



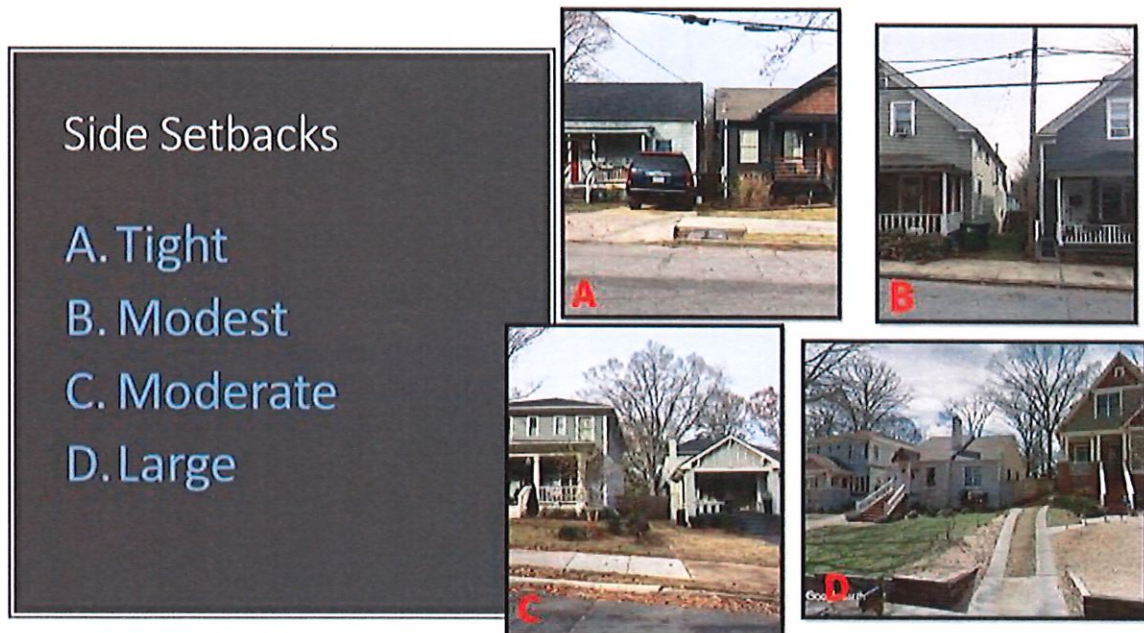
## Meeting #2

The second public participation meeting was once again hosted by the City of Fairburn and the turnout was just as good as the first. Every stakeholder came to the meeting ready to be engaged and involved in the process of collaboratively planning for their neighborhood.

In the second meeting we put together a Polling Package for the residents to review and vote on various characteristics that would directly affect the recommendations developed as part of the final strategic plan. The polling questions were presented on a large projection display as well as each person was handed a print out to have something tangible in their hand to circle and vote. Each stakeholder was instructed to review the pictures and circle the ones that they thought would "fit" in their vision of a future Lightning Community. They could vote for more than one choice. If two or more scenarios were plausible in their personal vision, they could circle them.

The following images are each of the polling questions. At the end is the feedback and data from the polling.

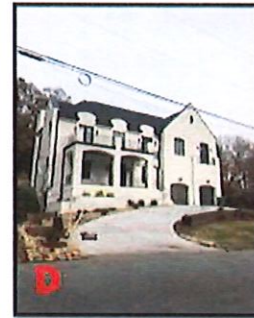
### SETBACKS & SIDE SETBACKS FOR HOUSING



## HOUSING SCALE

### Housing Scale

- A. Small - Modest
- B. Modest - Moderate
- C. Moderate - Large
- D. Large +



## HOUSING STYLE

### Housing Style

- A. Traditional Only
- B. New Craftsman
- C. Modern
- D. Modular





## HOUSING TYPE

### Housing Types

- A. Single Family Detached
- B. Single Family Attached
- C. Multifamily – Small Scale
- D. Multifamily – Large Scale



## SIDEWALK & STREETS

### Sidewalk and Streets

- A. No Sidewalks
- B. Sidewalks
- C. Sidewalks & Landscaping
- D. Sidewalks, Landscaping, Furnishings



## GREENSPACE

### Greenspace

- A. Natural Trail
- B. Paved Trail
- C. Amenities
- D. Connectivity



## COMMERCIAL SPACE

### Commercial Space

- A. Light Commercial
- B. Light Commercial Mixed
- C. Light Comm. Market
- D. Medium Commercial Mixed



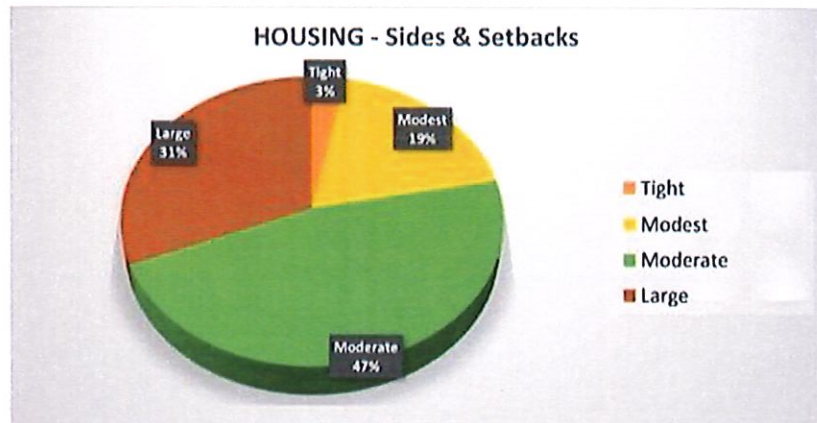


## Polling Results

The results of the polling were interesting. Although the planning team physically witnessed the opinions of the stakeholders emphasizing only one or two options openly when discussing the choices, the outcomes of the voting were much more open to choices beyond those verbally expressed in the meeting.

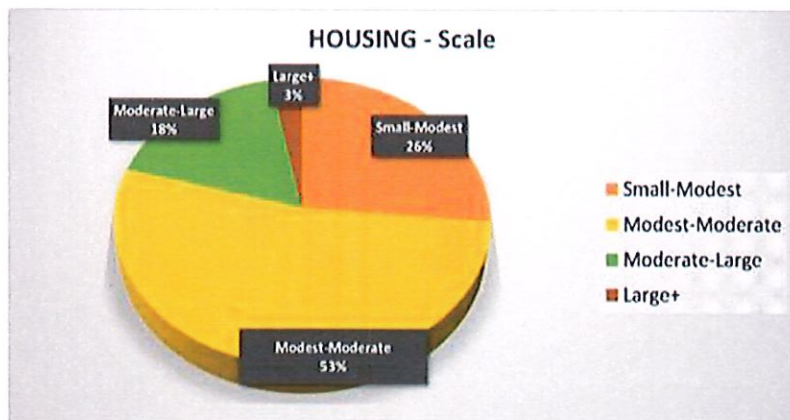
Lightning Community - Meeting 2 Polling

Housing - Sides and Setbacks		Count
Tight		1
Modest		6
Moderate		15
Large		10



Lightning Community - Meeting 2 Polling

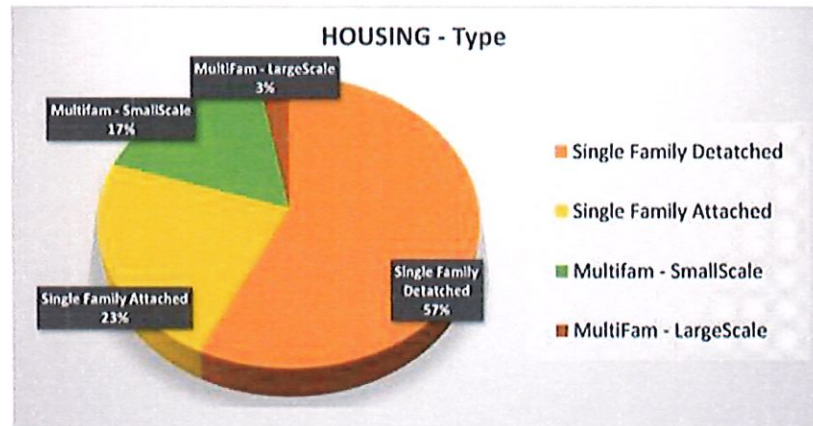
Housing - Scale		Count
Small-Modest		9
Modest-Moderate		18
Moderate-Large		6
Large+		1



Lightning Community - Meeting 2 Polling

Housing - Types

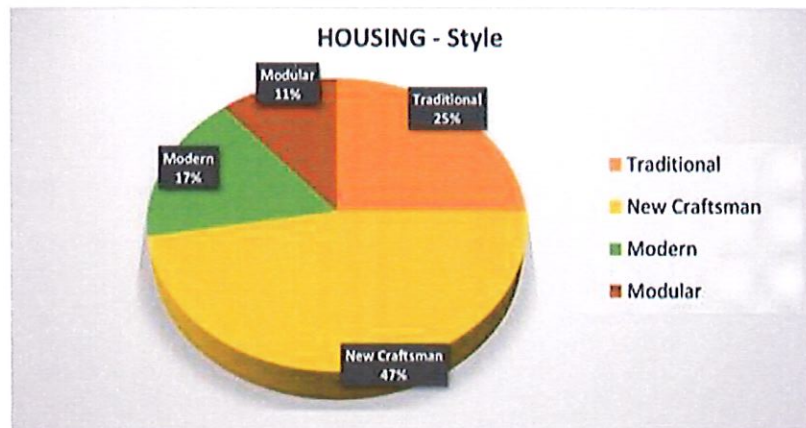
Single Family Detached	20
Single Family Attached	8
Multifam - SmallScale	6
MultiFam - LargeScale	1



Lightning Community - Meeting 2 Polling

Housing - Style

Traditional	9
New Craftsman	17
Modern	6
Modular	4

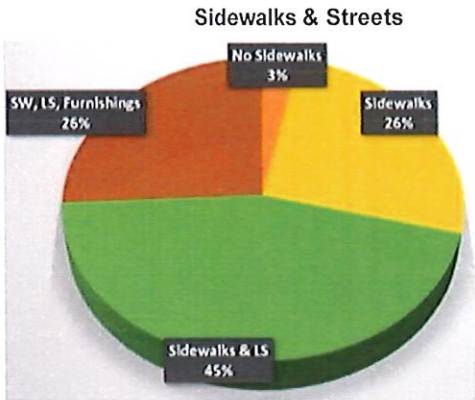




Lightning Community Meeting 2 Polling

Sidewalks and Streets

No Sidewalks	
Sidewalks	6
Sidewalks & LS	14
Sidewalks, LS, furnishings	6

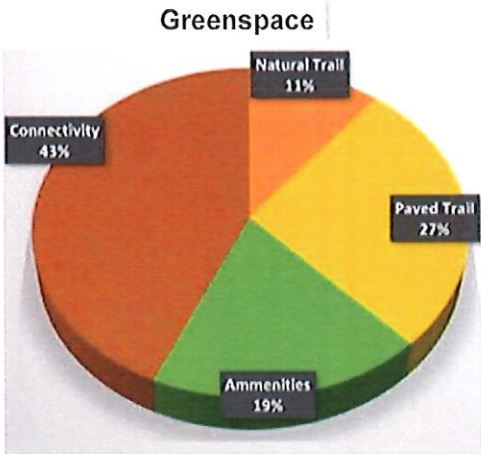


No Sidewalks & LS  
SW, LS, & Furnishings

Lightning Community - Meeting 2 Polling

Greenspace

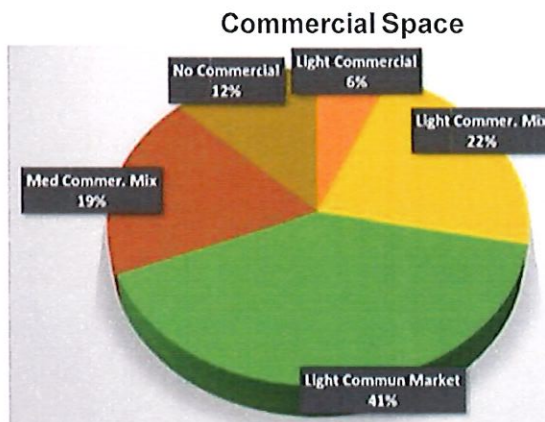
Nature Trail	4
Paved Trail	10
Amenities	7
Connectivity	16



Natural Trail  
Paved Trail  
Amenities  
Connectivity

#### Commercial Space

Light Commercial	2
Light Comm. Mix	7
Light Comm.	13
Med Comm. Mix	6
No Commercial	4



Light Commercial  
Light Comm. Mix  
Light Comm.  
Market  
Med. Comm. Mix  
No Commercial

#### Housing - Sides and Setbacks

A. Tiny	1
B. Small-Modest	6
C. Average	19
D. Large	T10

#### Housing Scale

A. Small- Modest	9
B. Modest-Modern	18
C. Mod/Prate-lar te	6
D. Large	1

#### Housing

A. Traditional	9
B. New Craftsman	12
C. Modern	6
D. Modular	4

#### Housing Types

A. Single Family Detached	20
B Single Family Attached	8
C. Multi-Family -Small Scale	6
D. Multi-Family -Large Scale	1

#### Sidewalks and Streets

A. No Sidewalks	
S. Sidewalks	8
C. Sidewalks & LS	14
D. SW, LS, Furnishings	6

#### Greenspace

A. Natural Trail I	4
B. Paved Trail	10
C. Amenities	7
D. Connectivity	16

#### Commercial Scale

A. Light Commercial	2
B. Light Comm. Mix	7
C. Lt. Community Market	13
D. Med Comm. Mix	6
E. No Commercial	4

Maintain Existing Scale  
Mix of Incomes in Multi-Family  
Dodd Street Connectivity  
Connectivity will not work on Mullins Street.  
No Commercial that would encourage truck traffic  
Ownership / No rental  
Connectivity close to City

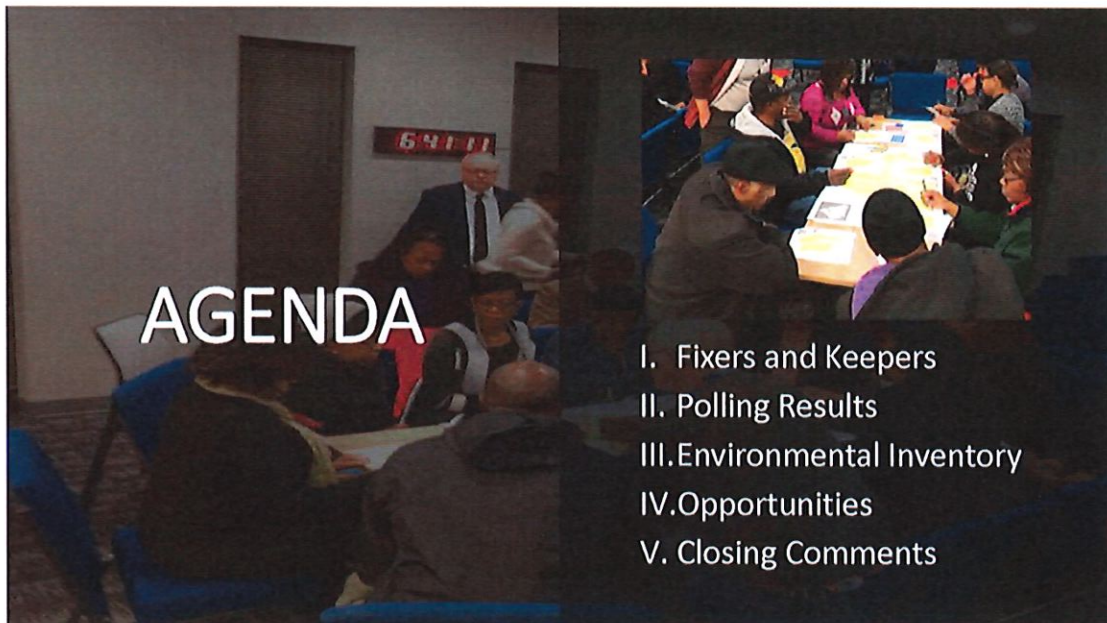


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## Meeting #3

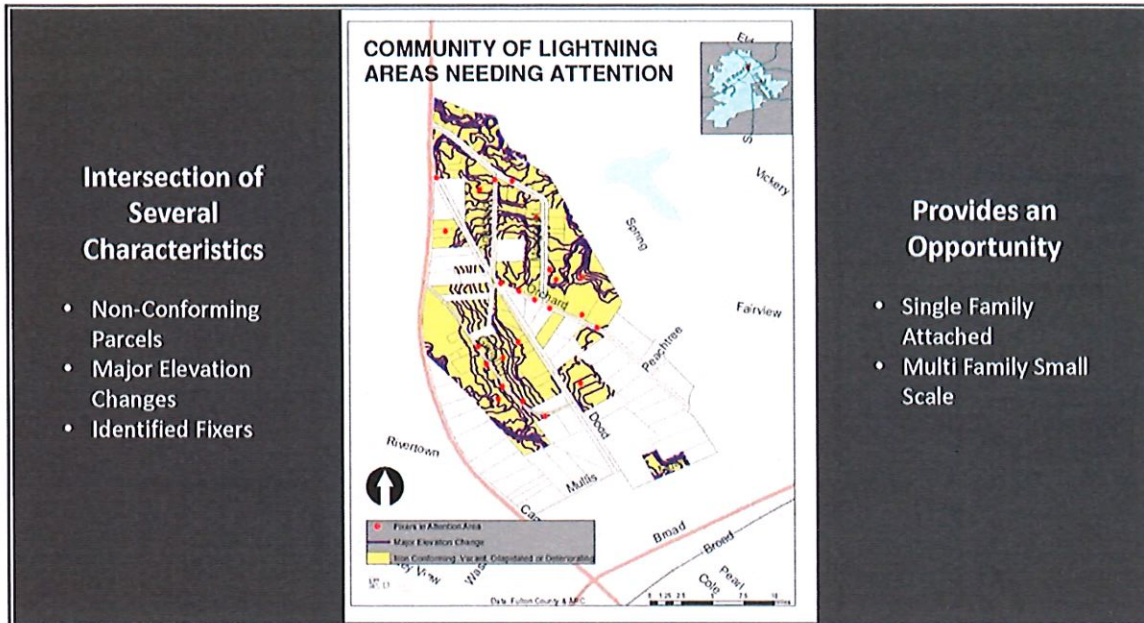
The third public participation meeting was held on the evening of January 31, 2019. The event was held at the City Hall. The community of Lightning was represented by 20 persons, including a mix of homeowners, renters, business owners, and local worship leaders and members and representatives of the Fairburn City Council.

The objectives of the third meeting were to confirm the opportunities available to the community and prioritize major issues to be accomplished through implementation of community plans. The polling analysis was presented to the community and included a strong consensus regarding the preservation of single-family housing in the community and repair or removal and replacement of dilapidated housing. Better management of traffic is needed on Dodd Street, Orchard Street, Mullis Street, and Golightly Street, and improvements to drainage are needed to avoid stormwater affecting the existing houses and streets.



A street plan for Dodd Street to provide safety and speed management and improvements to the small park area in the community were important elements in planning. Also, the community supported affordable housing and some housing diversity in the Lightning community. The continued use of the existing commercial properties located in the neighborhood are acceptable if they could maintain the properties and limit negative impacts affecting their surroundings.

The community values the connectivity to downtown Fairburn and desires sidewalks and landscaping to enhance area appearance and reinvestment in housing. Moderate setbacks from the street and between houses were also identified as acceptable. Desired single-family housing types included traditional and new craftsman styles. Some community members stated that they were interested in goals for a positive, livable, and walkable neighborhood.



The major issues affecting the community are important to establishing the opportunities for redevelopment.





## Meeting #4

The fourth public participation meeting was held on the evening of February 28, 2019 at the Fairburn City Hall chambers. The meeting was a presentation of the draft recommendations for the community of Lightning. The meeting gave participants an opportunity to comment on the proposed plan recommendations. Approximately 25 persons attended the meeting and listened to the planners' presentation and made comments in response to the suggested projects and recommendations.

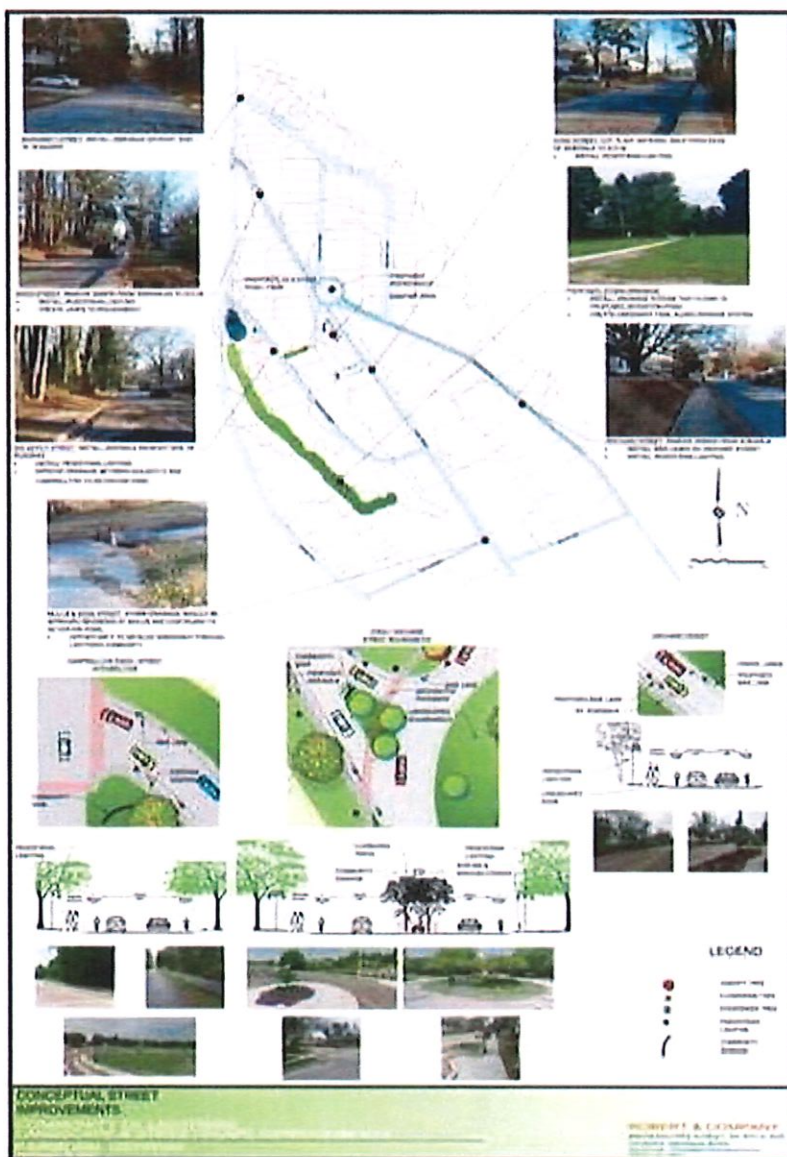
The objective of this meeting was to introduce several planning recommendations to the community to determine if projects were viable and to determine priorities.

Proposed projects include:

- Sidewalk Improvements
- New Sidewalks
- Improved Drainage
- Improved Intersection of Dodd at Campbellton Road
- Dodd/Orchard Intersection Improvements of Roundabout
- Opportunity for a Neighborhood Garden

Most improvements were welcomed by the attending representatives of the community. However, the proposed roundabout was strongly opposed by some of the community residents. The discussions were expanded to identify an alternative to the roundabout.

*The adjacent map is illustrated at larger size on Page 73*



# Lightning Community Strategic Plan

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## Part 6: Recommendations

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City of Fairburn



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## Strategic Plan Recommendations

The recommendations for the Lightning Community Strategic Plan were created on the basis of the opportunities and priorities identified in the public participation element of the study. The priorities were to maintain and enhance the quality of life of the community residents and visitors, and to preserve the character of the neighborhood. Key components of desired improvements were identified:

- Resolve drainage issues coming from stormwater flow from Broad Street and Mullis draining through the community.
- Manage the design of the roadways for the neighborhood and provide better lighting and safety improvements for pedestrians.
- Expand the Park to enhance safety and social activities, including interactive spaces, artwork, and community gardening.
- Resolve zoning issues for non-conforming lot sizes and uses.

### Drainage Improvements

The primary drainage issues are generated off site to the south along the ridge line including Broad Street and the railroad. Natural storm water flow is to the northwest along drainage swales through the Lightning Community towards a stormwater culvert near Dodd Street, and then to a tributary of Line Creek that crosses West Campbellton Street (Highway 92) about 200 feet north of the Margaret Street intersection with West Campbellton Street. The capacity of existing drainage in the community is surpassed during heavy rains with significant flow occurring along Dodd and Orchard Streets and some flooding into yards along Mullis Street and other streets.

Storm drainage should be improved beginning at Mullis Street and continuing to a new detention pond located in the apex angle between West Campbellton Street and Golightly Street. This presents an opportunity to develop a greenway through the Lightning Community. These storm drainage improvements should be installed along the greenway corridor along the rear of the lots between West Campbellton Street and Golightly Street from the corner of Mullis and Dodd Streets to the detention pond. See the attached drawing 1: Conceptual Street Improvements for the location of the drainage improvements.

The detention pond is proposed to be constructed on the south side of the intersection of West Campbellton and Golightly Streets. The pond is proposed to provide flood control and may be stocked with fish to provide recreational fishing for residents and visitors. The pond will require access control and fencing to provide protection from accidental falls into the water by children or adults. The attached Drawing 2: Conceptual Drainage Improvements illustrates the conceptual planning regarding this proposed water feature.

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## Roadway Improvements

Attached drawing 1: Conceptual Street Improvements also illustrates the proposed roadway improvements for the Lightning Community. The drawing identifies typical sections for streets, sidewalks, pedestrian lighting, and bicycle lanes. The drawings also identify locations for canopy trees, flowering trees, evergreens, lighting, and signage. These improvements include the following projects:

- Install sidewalk on the south side of Margaret Street to Aderhold Street
- Remove debris from the sidewalks to edge of right-of-way on Dodd Street between West Campbellton and Aderhold (Five Points) and install pedestrian lighting. Mark Dodd Street as a bicycle route.
- Cut plant material back from edge of sidewalks to edge of right-of-way on Dodd Street between Aderhold (Five Points) and Mullis Street and install pedestrian lighting.
- Install sidewalk on the east side of Golightly Street from Dodd Street to West Campbellton Street and install pedestrian lighting.
- Remove debris from sidewalk and install pedestrian lighting on Orchard Street. Stripe Orchard Street for a bicycle lane from Dodd Street to Mullis Street.
- Improve intersection of West Campbellton Street at Dodd Street including crosswalk Improvements

### The Five Points intersection

The planning team was initially provided with a plan to place a roundabout at the Five Points intersection of Dodd, Orchard, and Aderhold Streets. The roundabout plan was presented at the 4<sup>th</sup> public meeting, but there were several comments in opposition to the roundabout that were raised at the meeting. Therefore, several alternative ideas were identified at the meeting to address a different concept for the Five Points intersection.

After the meeting, the planning team identified two additional alternatives for improving the intersection. The roundabout alternative was one, and basic street crosswalks, signage, and marking improvements provided a “fallback” alternative. A revised concept was to link Orchard Street and the north leg of Aderhold Street using some of the properties on the east side of the proposed roundabout and then providing a short linking road to the intersection with Dodd Street and the south leg of Aderhold Street at the current Five Points location. Although the connecting street would be very short, it would divide the current intersection into two right-angle intersections. It also would create a small square on the east side of Dodd Street that could provide a small open space for gatherings or the placement of an arts feature.

The three alternatives are provided below illustrating the roundabout, the short connector street between Dodd Street and the combined Orchard and Aderhold Streets, and the “no-build” alternative that provides minimal improvements to Five Points .



The recommendation of the planning team is for the City of Fairburn to consider Alternative Two as a means to enhance the Lightning Community and to improve controls over through traffic flow along Orchard and Dodd Streets.

## **Park Expansion**

It is recommended that the City expand the existing park located at the "Five-Points" intersection. There appears to be an opportunity to obtain land south of the existing park and adjacent to Dodd Street. Once the land is acquired, it is recommended that a large community pavilion be constructed with parking for eighteen (18) vehicles. The pavilion is recommended to be placed near the back of the proposed park site so that a large open green space could be constructed between the parking lot and the pavilion.

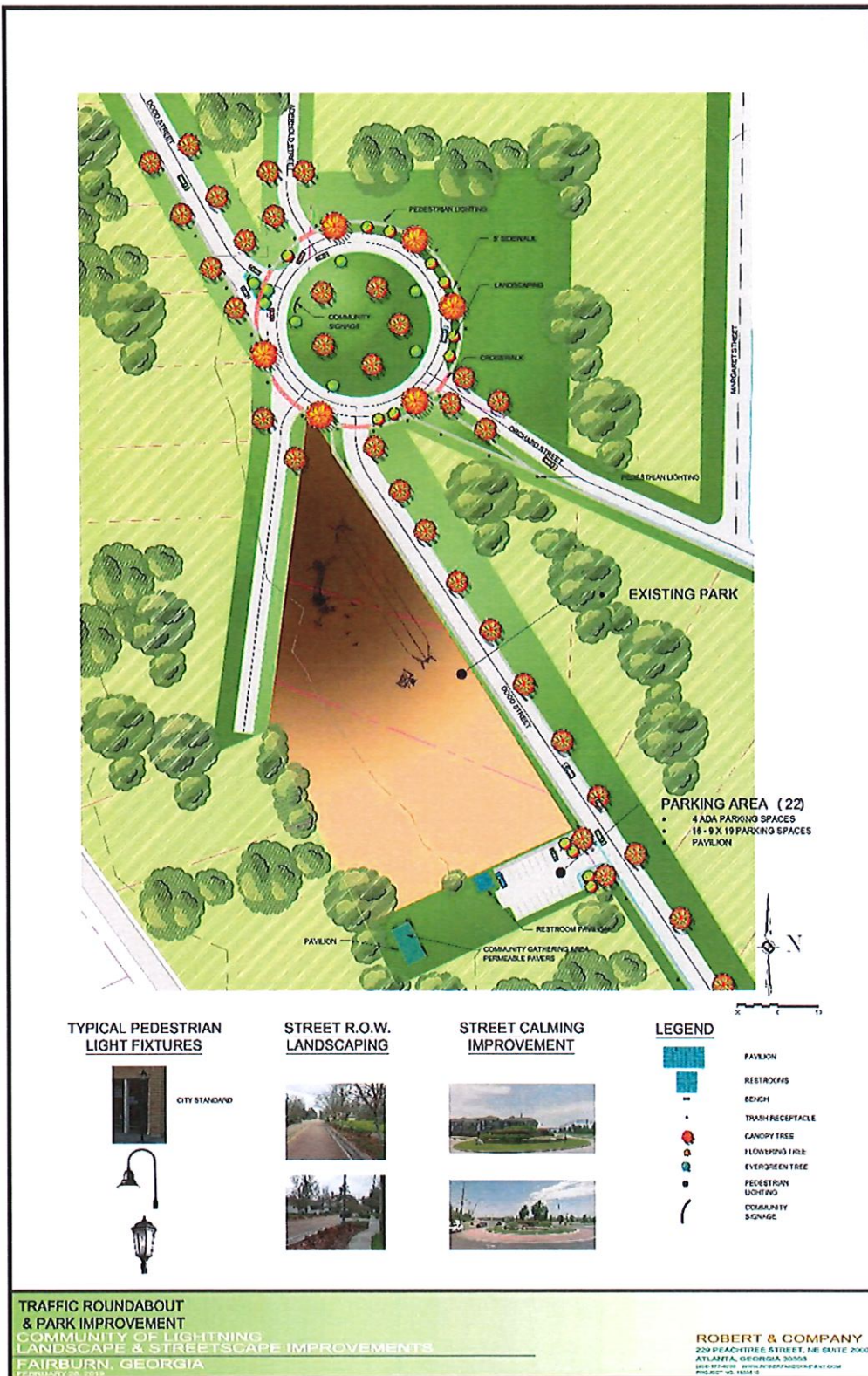
As part of the expansion it is recommended that a trail to connect the park to Golightly Street be developed. This connection would allow pedestrians to walk from Dodd Street to Golightly and to the proposed park.

Another park recommendation is to develop a small park at the intersection of Golightly and West Campbellton Streets. The park site is an ideal location for the development of community garden plots. Each plot should be approximately 10 feet wide and 20 feet long with a 4-5' space on either side to allow for walking and maintaining the individual plots. The park should also provide a hose bib connection for gardeners to water their plots. It is recommended that a 20' x 20' pavilion be placed on site to provide shade. Another recommendation is to allow parking for approximately five (5) vehicles.

The terminus of the drainage greenway that extends from Dodd and Mullis to Golightly and Campbellton Streets would be located at this park and the greenway would be developed at the same time as the redevelopment of the drainage way occurs. The park and the proposed greenway are in the flood prone areas mentioned in community discussions, and the greenway would be well suited to address the drainage and flooding issues in the Lightning Community area.

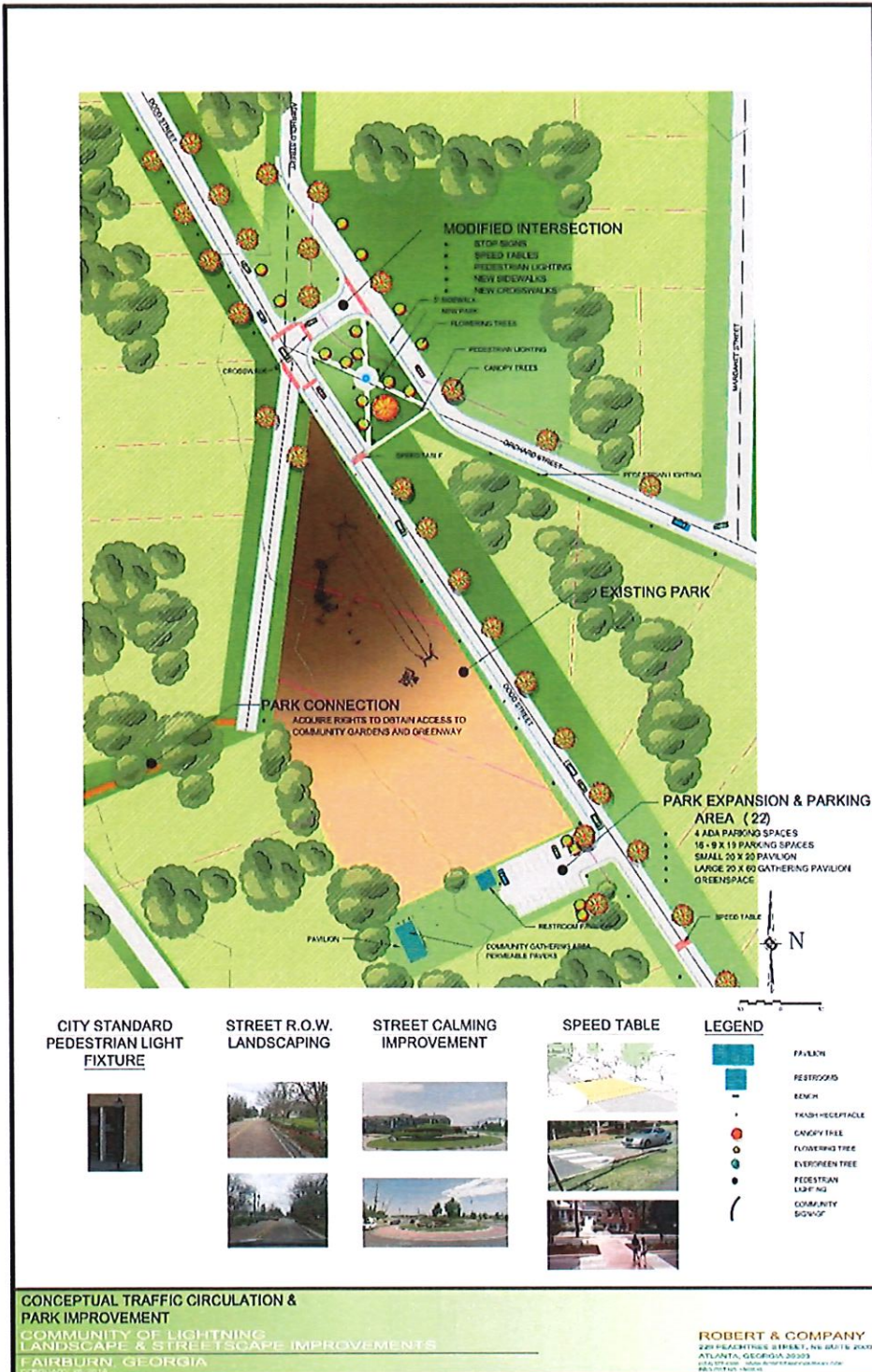
The attached drawings illustrate the location and potential development of the park space in the community.

## Alternate One- Roundabout

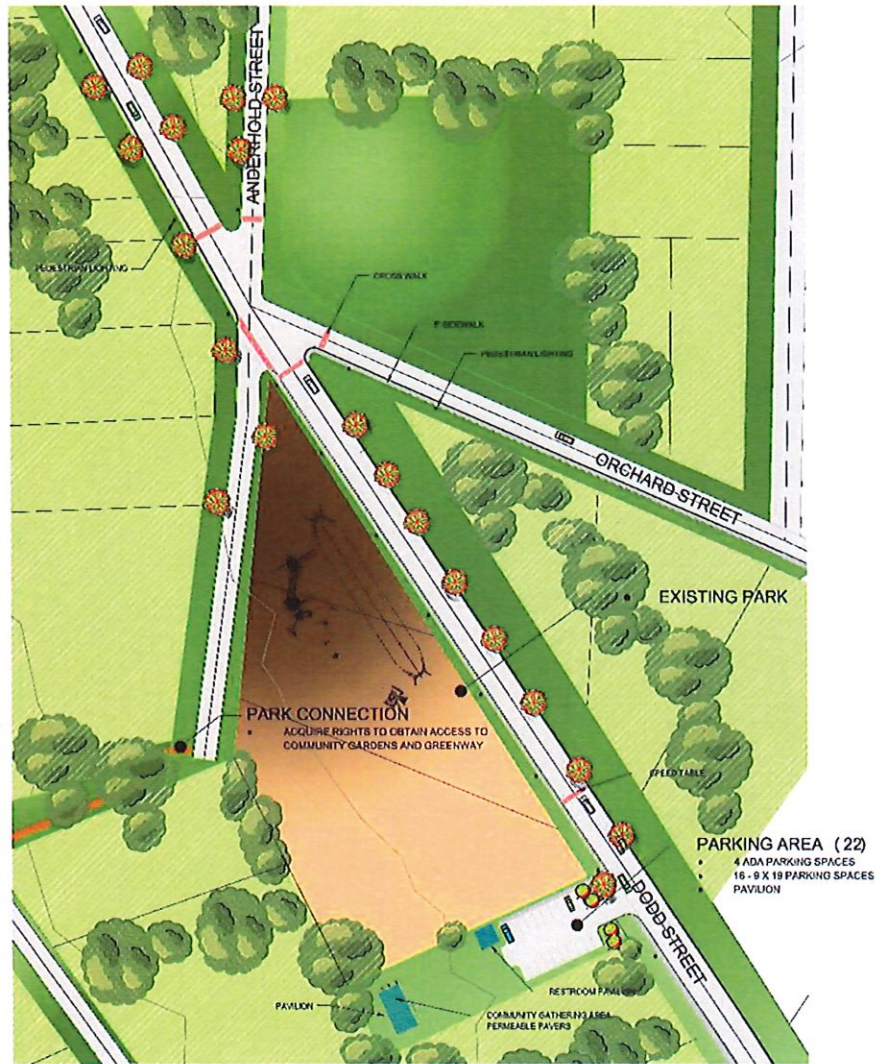




## Alternate Two-Square Intersection based on discussions with residents



## Alternate Three- Five Points with Traffic Enhancements



### LEGEND

- PAVILION
- RESTROOMS
- FENCE
- TRASH RECEPTACLE
- CANOPY TREE
- FLOWERING TREE
- EVERGREEN TREE
- PEDESTRIAN LIGHTING



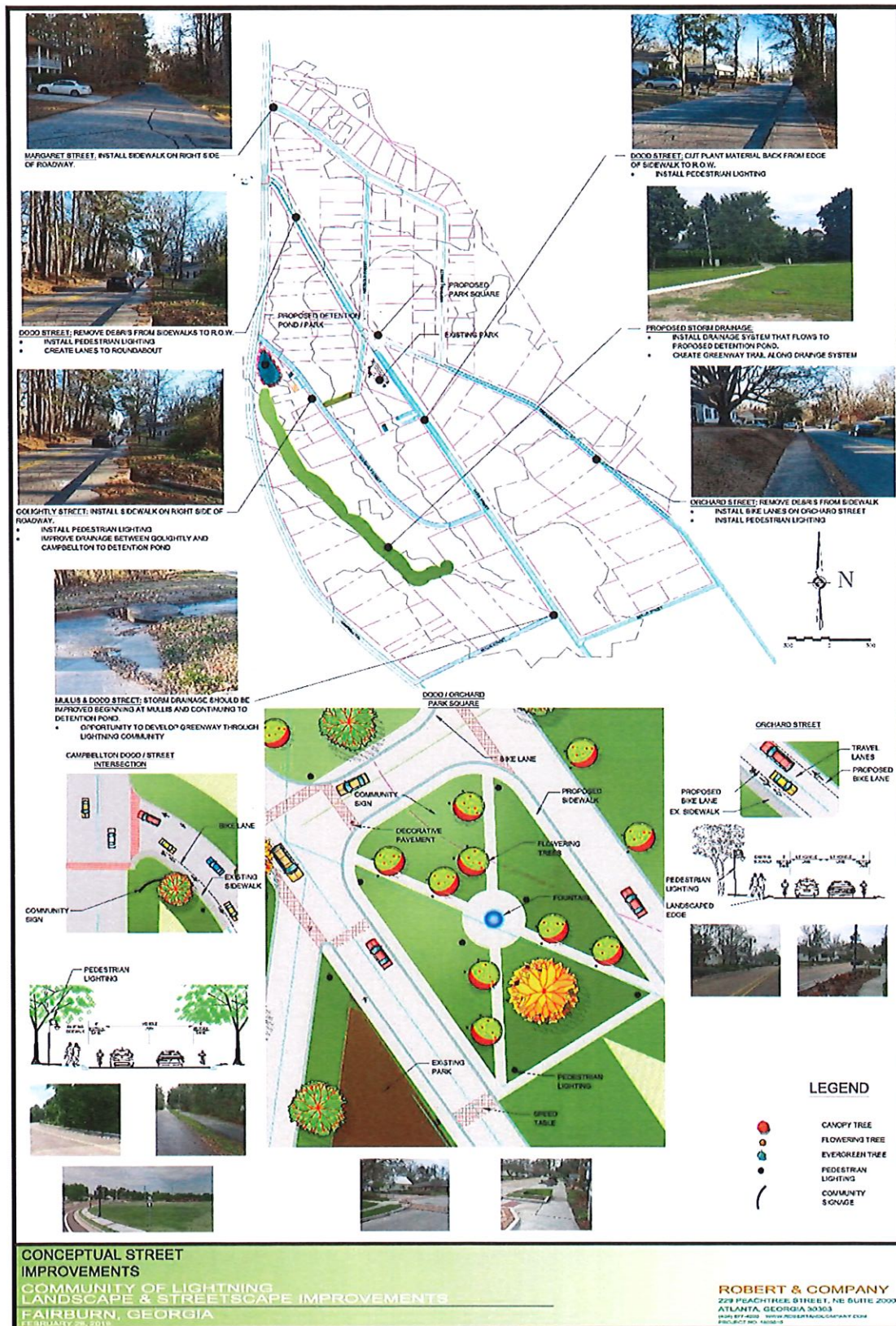
### FIVE POINTS & PARK IMPROVEMENT

COMMUNITY OF LIGHTNING  
LANDSCAPE & STREETScape IMPROVEMENTS  
FAIRBURN, GEORGIA

ROBERT & COMPANY  
220 P. CASHWEE STREET, MC SUITE 2000  
ATLANTA, GEORGIA 30303  
904.877.4270 404.877.4271 404.877.4272  
WWW.RC.COM



## Street Improvements

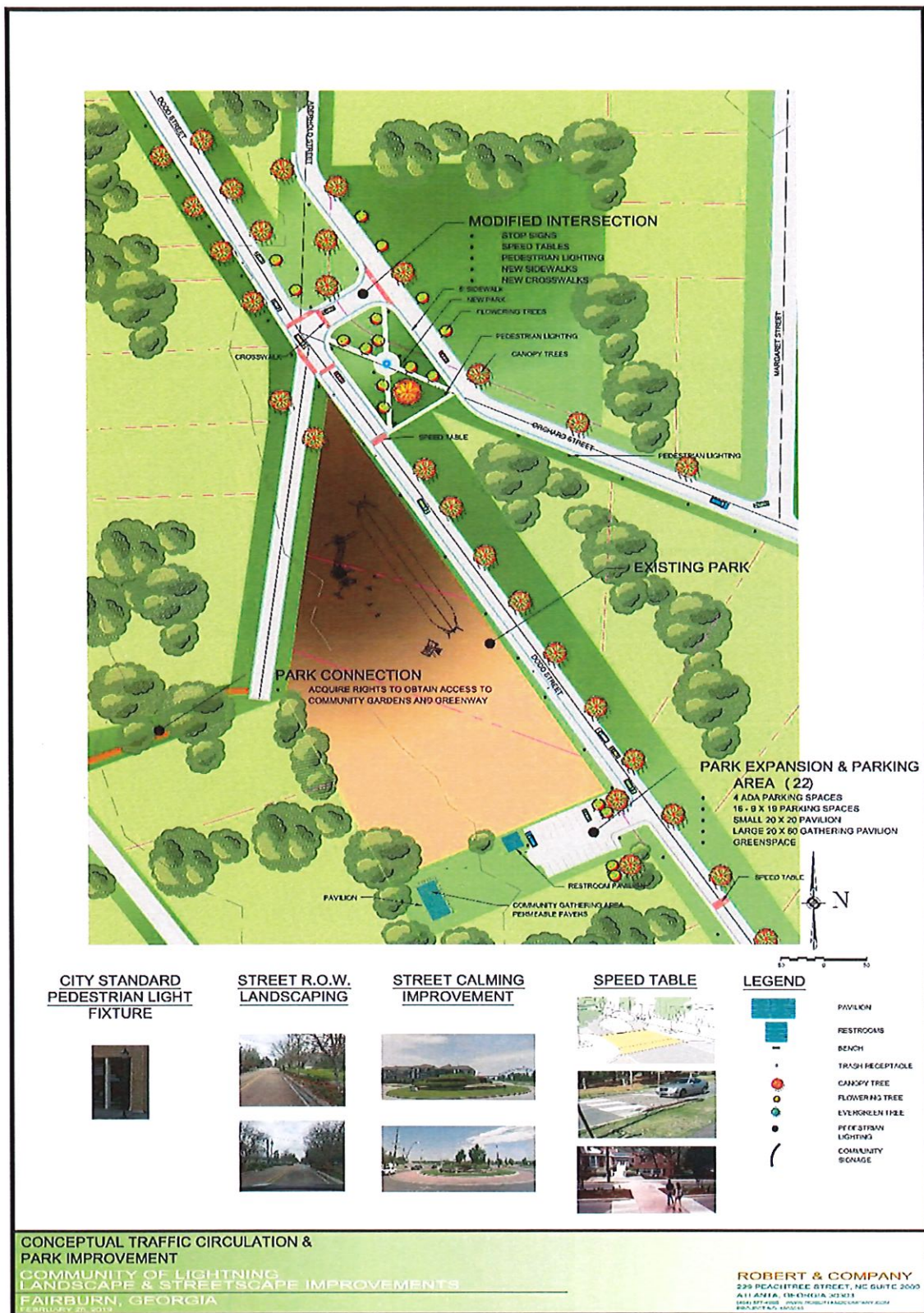


## Drainage Improvements and Neighborhood Gardens





## Traffic Circulation and Park Improvements





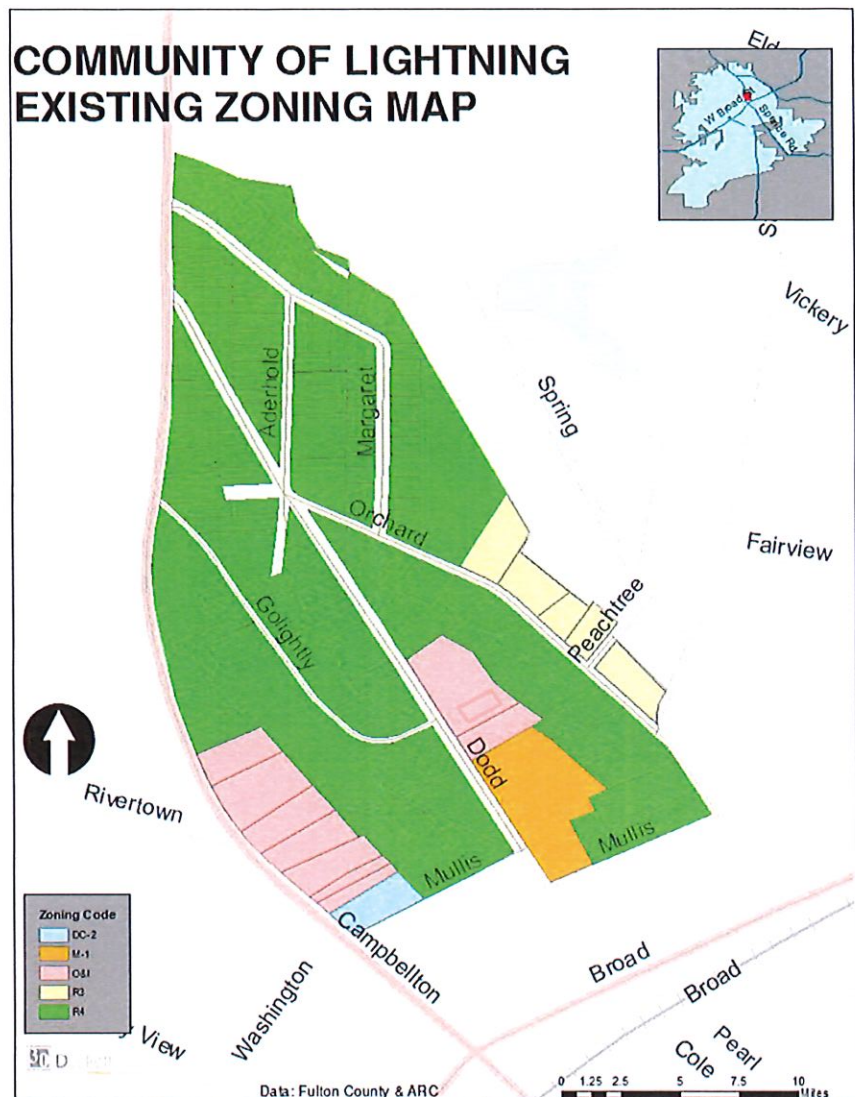
## Zoning and Non-Conforming Lots and Uses

The zoning in the Lightning Community includes one parcel zoned DC-2 (Downtown Commercial District), one parcel zoned M-1 (Light Industrial), and 10 parcels zoned O&I (Office and Institutional). Five parcels along Orchard Street are zoned R-3 (Single-Family Residential) and 120 lots (the majority of the study area) are zoned R-4 (Single-Family Residential). The zoning in the study area is illustrated by the adjacent map (a larger version is located on page 13 above).

The DC-2 (Downtown Commercial District) zoning category shown in blue represents land and structures that are to provide retail and office use that complement the historic downtown core of Fairburn. The city's zoning ordinance specifically permits 126 different uses for properties with this zoning designation. There are no minimum setbacks although the structure may not exceed 50% of the

lot area. The single property within the Lightning Community area is at the northeast corner of West Campbellton Street and Mullis Street and is a conforming use.

M-1 (Light Industrial District) zoning shown in orange is intended to provide sites for manufacture, storage, sale, and distribution of goods and conducting related commercial and industrial activities. Permitted uses include agriculture, animal hospitals and grooming, auto-oriented sales and services, commercial and cultural facilities, electric supply, fuel facilities, food processing, laundries, lumber, manufacturing, offices, paint stores, plumbing, printing, restaurants, retail, warehousing, wholesale, and accessory uses. All M-1 uses require a minimum front yard setback of 35 feet, a rear yard setback of 30 feet, and a side yard of 20 feet. M-1 structures abutting a residential district must maintain a 50 foot rear and/or side yard. Additional conditions apply for some of the specific uses. The minimum lot size is one acre. The single parcel zoned M-1 is located at the northeast corner of Dodd Street and Mullis Street and is a conforming use.





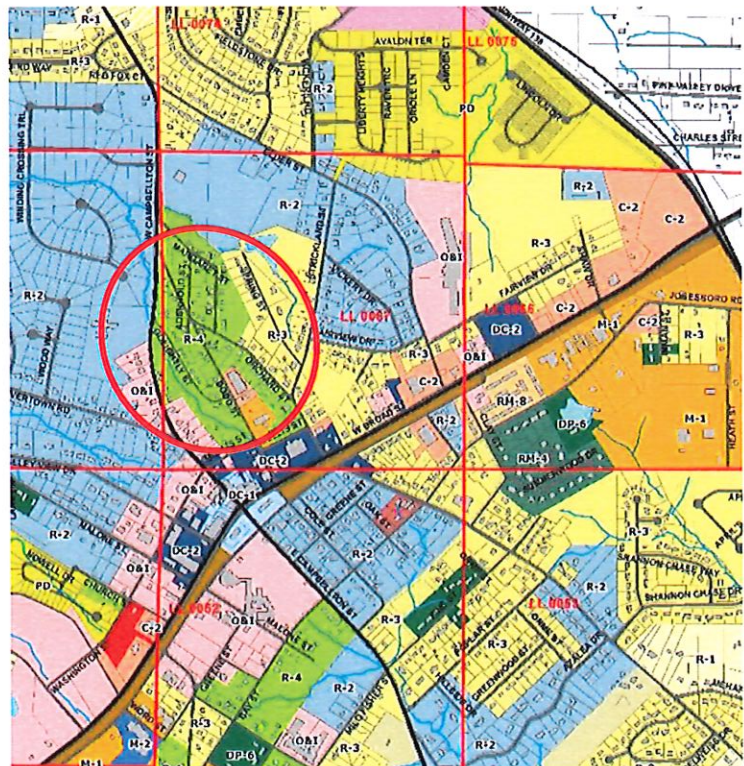
O&I (Office and Institutional) zoning illustrated in pink includes seven parcels located on the eastern side of West Campbellton Street and two parcels that front on the eastern side of Dodd Street. One additional parcel is located within one of the Dodd Street parcels. The O&I category provides for the compatible transition from commercial and residential development to limited office and institutional development at selected locations within the city. Permitted uses allow banks, child day-care centers, churches, funeral homes, group residences, office parks, medical care services, educational services, government buildings and accessory uses. Minimum front yard set-backs are 35 feet (40 feet along a thoroughfare such as West Campbellton Street). The minimum rear yard setbacks are 25 feet, and minimum side yards are 15 feet. Lot frontage at the building line is 50 feet, and the minimum lot size is 20,000 square feet. The properties zoned O&I are conforming uses.

Five parcels identified in yellow in the map above along Orchard Street are zoned R-3. (Single-Family Residential) to provide for development of medium density single-family residential uses on relatively small lots. Permitted uses are for single-family dwellings, small day-care centers and accessory uses and structures. Minimum front yard set-backs are 45 feet, minimum rear yards are 30 feet, and minimum side yards are 10 feet. Lot frontage at the building line is 85 feet, and the minimum lot size is 14,520 square feet (1/3 acre). These five properties are conforming uses.

The R-4 (Single Family Residential) district shown in green comprises the majority of the Lightning Community as defined by this study covering 120 parcel lots. The R-4 category permits single-family dwellings, non-profit recreational uses, institutional uses, child daycare centers, and accessory uses. Structure heights are limited to 48 feet. Minimum front yard set-backs are 35 feet, minimum rear yards are 25 feet, and minimum side yards are 10 feet. Lot frontage at the building line is 75 feet, and the minimum lot size is 10,890 square feet (¼ acre).

The five zoning categories identified above are specified in the City of Fairburn Zoning Ordinance which includes 30 different zoning districts, each with specific allowances and requirements. Therefore, some additional context is provided in the adjacent map that includes the community (see the red circle for location of the Lightning Community) and its surroundings with downtown Fairburn to the south and West Campbellton Street running north-south through the area. Areas to the west and north of the Lightning study area are predominately R-2 (Single Family Residential) as shown in light blue. The area to the east is mostly R-3 (Single Family Residential).

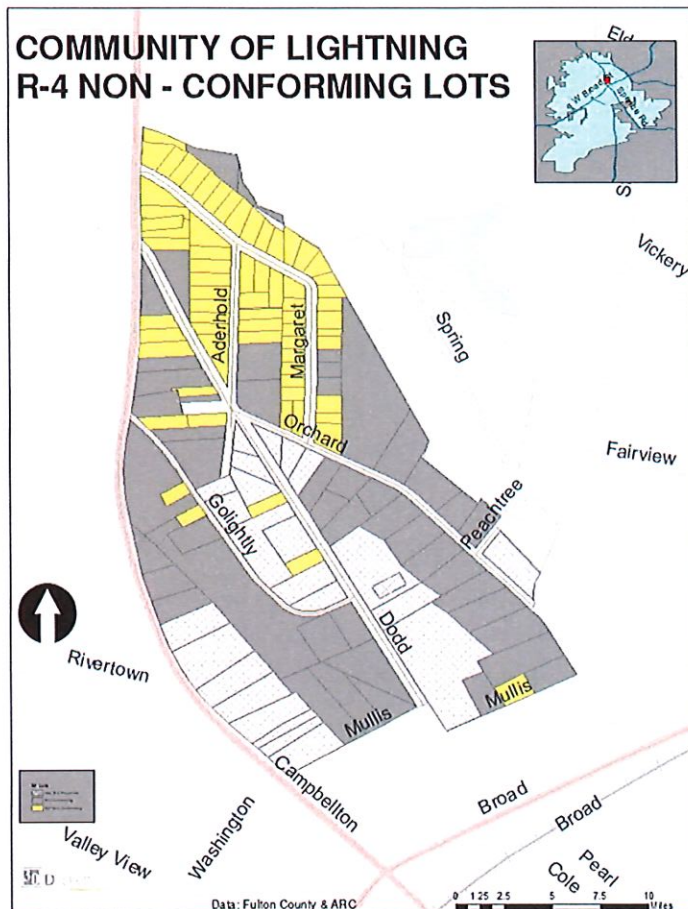
As may be noted, the R-4 zoning in the Lightning Community forms a unique pocket surrounded by other types of residential zoning (although other areas of R-4 zoning are found in other parts of the city). The R-3 zoning district to the east requires larger (1/3 acre) lots with larger setbacks and the R-2 zoning to the north and west (across West





Campbellton Street) requires a minimum lot size of ½ acre and even larger setbacks although the allowed uses are relatively the same for all three districts.

Unfortunately, many of the past divisions of properties in the Lightning Community are not consistent with the R-4 zoning district requirements as it currently exists. A review showed that 69 of 120 parcels zoned R-4 in the Lightning Community are non-conforming due to insufficient lot size, setbacks, or yard depth and width requirements. Many of the parcels located along Margaret and Aderhold Streets and a few parcels on Orchard, Dodd and Golightly Streets do not meet the frontage width requirements and average about 52' in width versus the 75' wide requirements. One parcel on Mullis Street does not provide the appropriate depth for front and rear lots.



Article V – Nonconforming Lots, Uses and Structures (Section 80-243) of the City of Fairburn Zoning Ordinance states that pre-existing lots, structures, and uses of both land and structures that were lawful prior to adoption of the ordinance but which would be prohibited, regulated, or restricted by the current zoning code may be permitted to continue until they are removed. Article V further states: *“It is the intent of this article to permit these nonconformities to continue until they are removed, but not to encourage their survival. It is further the intent of this article that nonconformities shall not be enlarged upon, extended, or expanded, nor be used as grounds for adding other structures or uses prohibited in the same district.”*

Thus, nonconforming lots, structures, and/or uses may continue in their nonconforming status with limitations and requirements specifically defining the conditions for (1) nonconforming lots, (2) nonconforming uses of land, (3) nonconforming uses of structures, and (4) nonconforming structures (see the

City of Fairburn Zoning Ordinance for details).

Based on the above intent and the language of the zoning ordinance, existing single-family structures are allowed to be built on a nonconforming lot if the lot is in separate ownership and not adjacent to another property owned by the same owner even though the property may fail to meet the requirements for area or width (or both) that are applicable to the district. The provisions of the ordinance also state that the requirements for nonconforming lots where single family dwellings are permitted states that any variance of yard requirements must be approved by the Planning and Zoning Commission.

The section regarding nonconforming use of structures states that a nonconforming use of a structure may be continued as long as it is not changed to another nonconforming use and is not



reestablished after discontinuing occupation in that use for one year or more. The owner is also not allowed to expand the nonconforming use or occupy a greater area of land than at the time the ordinance took effect.

The planning team interprets the requirements of the City of Fairburn Zoning Ordinance as allowing existing dwellings to continue use as provided by the ordinance. However, where several properties have been assembled by a single owner, the ordinance would trigger the provisions to consolidate or redevelop lots into appropriate yard widths if there are no existing dwellings or if the existing dwellings are removed prior to allowing new construction permits to build new structures. Therefore, eight of the current property lots along the north side of Margaret Street between 251 Margaret Street and West Campbellton Street would be subject to revising the lot dimensions since they share common ownership. This option is considered important for the development of these properties to ensure that they have appropriate yard dimensions and to address possible issues that may arise from their proximity to the floodplain on their northern side.

Other lots on the north side of Margaret Street are nonconforming, including 251, 225, 219, and 211 Margaret Street on the north side; 260, 248, 240, and 216 on the south side of Margaret Street; and the lots on the east and west sides of Margaret Street to Orchard Street. The church at 175 Margaret Street actually occupies three of these lots. In addition, the properties on both sides of Aderhold Street, including 201, 207, and 217 Aderhold are nonconforming, as well as 200 and 196 Dodd Street, and 120 Aderhold Street (on the southwest corner of Five Points). Some of these houses are aging and several are boarded up. Some of the adjacent properties between Dodd and West Campbellton Streets meet setback criteria but are also deteriorating. Other dwellings within this area are being well-maintained albeit expansions or additions are not allowed under the R-4 zoning.

The R-4 zoning category allows the smallest lot size single family residential category in the City of Fairburn's ordinance. R-CT allows single family dwellings with a minimum lot size of 3,000 square feet, but also allows multi-family condominiums and the density is significantly greater than the ¼ acre (10,890 square feet) allowed in R-4.

In order to maintain the character of the existing development, a new zoning overlay is proposed for the portions of the Lightning Community described as including the east side of West Campbellton Street, all lots south of Margaret Street and including the north and east sides of Margaret Street from 251 Margaret Street to Orchard Street, and north of Orchard Street and an extended line to the west from Dodd Street including 120 Aderhold Street to West Campbellton Street. This overlay is recommended to be identified as **Category R-4.5: Lightning Community Single Family Residential** of the Fairburn Zoning ordinance. The new R-4.5 zoning category would allow single-family dwellings, non-profit recreational uses, institutional uses, child daycare centers, and accessory uses as allowed for the R-4 category. Structure heights are limited to 48 feet, minimum front yard set-backs are 25 feet, minimum rear yards are 25 feet, and minimum side yards are 10 feet with a lot frontage at the building line required to be 50 feet. The minimum lot size is proposed as 5,500 square feet (1/8 acre).

This change to the zoning ordinance will require an amendment to the current zoning ordinance to be approved by city staff, the City's Planning and Zoning Commission, and Fairburn City Council. The planning team recommends that the amendment ordinance be prepared by city staff and reviewed by the city's legal counsel.

# Lightning Community Strategic Plan

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## Part 7: Implementation Cost Estimates

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City of Fairburn



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## **Costs for Implementation**

Estimated construction costs for the projects identified above were prepared by the planning team to assist the City of Fairburn in developing a capital program to implement the planning program recommendations. The cost estimates provide relative order of magnitude for construction and assumes a 10% contingency. The total construction is estimated to be just under \$2,000,000 dollars assuming current 2019 dollar values.

Design costs may be assumed to require an additional increase over these costs by 5% to 10%. Therefore, the total costs are estimated to be about \$2.2 Million.

The zoning update can primarily be completed in-house by the City of Fairburn Planning and Zoning staff and legal counsel. The effort should be in the form of an amendment to the zoning ordinance introduced by Fairburn City Council. This effort can be reviewed, edited, and adopted as part of the City's normal zoning review process. The planning team estimates that approximately 80 hours of professional staff time will be required as part of the zoning update effort.

## Lightning Community Strategic Plan Construction Cost Estimates:

### Five Point Intersection Improvements

<u>Description</u>	<u>Unit</u>	<u>Quantity</u>	<u>\$/unit</u>	<u>Total</u>
<b>Mobilization</b>				
Traffic control Bonds	LS	1	\$15,000.00	\$15,000.00
Mobilization	LS	1	\$10,000.00	\$10,000.00
<b>Sub-Total</b>				<b>\$25,000.00</b>

### **Landscape & Erosion Control**

Temporary Grassing	Ac	0.52	\$400.00	\$208.00
Mulch - Straw	TN	10	\$500.00	\$5,000.00
Maint. of Temp Silt Fence Type C	LF	1500	\$1.00	\$1,500.00
Temp. Silt Fence Typ. C	LF	2600	\$3.33	\$8,658.00
Landscaping	LS	1	\$3,000.00	\$3,000.00
<b>Sub-Total</b>				<b>\$18,366.00</b>

<b>Grading Complete</b>	LS	1	\$50,000.00	\$50,000.00
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### **Sidewalk and Roadway Pavement**

Gra. Agg Base Course 6"	SY	1275	\$16.50	\$21,037.50
Recycled asphl. Conc. Patch	SY	1275	\$110.00	\$140,250.00
Conc. Sidewalk 4"	SY	355	\$45.00	\$15,975.00
Concrete Curb and Gutter 24"	LF	1040	\$50.00	\$52,000.00
ADA Ramps	EA	7	\$900.00	\$6,300.00
Road	TN	258	\$110.00	\$28,380.00
Drop Inlet GP 1	EA	7	\$1,900.00	\$13,300.00
18" RCP	LF	1330	\$55.50	\$73,815.00
Crosswalk Pavers	SF	1050	\$15.00	\$15,750.00
Pedestrian Lighting	LS	15	\$2,000.00	\$30,000.00
Utility Work	LS	1	\$15,000.00	\$15,000.00
<b>Sub-Total</b>				<b>\$411,807.50</b>

### **Traffic Striping / Signage**

Community Signage	LS	1	\$5,000.00	\$5,000.00
Galv Steel Post typ 7	LF	10	\$12.50	\$125.00
Stop Bar	LF	180	\$38.00	\$6,840.00



Thermo solid traffic strip 5" wht	LF	350	\$1.13	\$395.50
Thermo solid traffic strip 8" wht	LF	1500	\$13.30	\$19,950.00
<b>Sub-Total</b>				<b>\$32,310.50</b>

**Extended Total Intersection Improvements** **\$537,484.00**

*10% Contingency and Consultant fee* *\$134,371.00*

**Grand Total Five Points Intersection** **\$671,855.00**

**Five Points Square Park**

<u>Description</u>	<u>Quantity</u>	<u>\$/unit</u>	<u>Total</u>
Grading Complete			
Grading Complete	1	\$15,000.00	\$15,000.00

**Sidewalk and Roadway Pavement**

Community Signage	LS	1	\$5,000
Conc. Sidewalk 4"	325	\$45.00	\$14,625.00
Fountain	1	\$10,000.00	\$10,000.00
Benches	3	\$1,200.00	\$3,600.00
Landscaping	1	\$12,000.00	\$12,000.00
Pedestrian Lighting	4	\$2,000.00	\$8,000.00
Utility Work	1	\$5,000.00	\$5,000.00
<b>Sub-Total</b>			<b>\$58,225.00</b>

**Extended Total Five Points Square Park** **\$73,225.00**

*10% Contingency and Consultant fee* *\$18,306.25*

**Grand Total Five Points Square Park** **\$91,531.25**

**Park Expansion**

<u>Description</u>	<u>Unit</u>	<u>Quantity</u>	<u>\$/unit</u>	<u>Total</u>
Traffic Control	LS	1	\$0.00	\$0.00
Mobilization	LS	1	\$2,500.00	<u>\$2,500.00</u>
<b>Sub-Total</b>				<b>\$2,500.00</b>

**Landscaping & Erosion Control**

Temporary Grassing	Ac	0.06	\$400.00	\$24.00
Landscaping	LS	1	\$10,000.00	\$10,000.00

Sod	SY	150	\$4.50	<u>\$675.00</u>
<b>Sub-Total</b>				<b>\$10,699.00</b>
 <b>Grading Complete</b>	 LS	 1	 \$20,000.00	 \$20,000.00
 <b>Sidewalk and Roadway Pavement</b>				
Conc. Sidewalk 4"	SY	100	\$45.00	\$4,500.00
Concrete Curb and Gutter 24"	LF	100	\$50.00	\$5,000.00
Asphalt Parking	TN	158	\$110.00	\$17,380.00
ADA Ramp	EA	2	\$900.00	\$1,800.00
Pavilion with picnic tables and conc.	LS	1	\$25,000.00	\$25,000.00
Large Pavilion with Restrooms	LS	1	\$55,000.00	\$55,000.00
Pedestrian Lighting	LS	3	\$2,000.00	\$6,000.00
Utility Work -Electrical, Plumbing	LS	1	\$12,000.00	<u>\$12,000.00</u>
<b>Sub-Total</b>				<b>\$126,680.00</b>
 <b>Extended Total Park Expansion</b>				<b>\$159,879.00</b>
<i>10% Contingency and Consultant fee</i>			<i>\$39,969.75</i>	
<b>Grand Total Park Expansion</b>				<b>\$199,848.75</b>

**Park Detention Pond & Gardens**

Description	Unit	Quantity	S/unit	Total
Traffic Control	LS	1	\$3,000.00	\$3,000.00
Mobilization	LS	1	\$10,000.00	<u>\$10,000.00</u>
<b>Sub-Total</b>				<b>\$13,000.00</b>
 <b>Erosion Control</b>				
Temporary Grassing	Ac	2	\$400.00	\$800.00
Erosion Control	LS	1	\$10,000.00	\$10,000.00
Landscaping-Sod, Trees, Garden Preparation	LS	1	\$20,000.00	<u>\$20,000.00</u>
<b>Sub-Total</b>				<b>\$30,800.00</b>
 <b>Grading Complete</b>	 LS	 1	 \$50,000.00	 \$50,000.00
 <b>Sidewalk and Roadway Pavement</b>				
Gra. Agg Base Course 6"	SY	252	\$16.50	\$4,158.00



C C & G 24"	LF	140	\$50.00	\$7,000.00
Parking lot	TN	51	\$110.00	\$5,610.00
4" Concrete Sidewalk	SY	1395	\$45.00	\$62,775.00
ADA Ramps	EA	2	\$900.00	\$1,800.00
Fencing	LF	750	\$15.00	\$11,250.00
Utility Work - plumbing, electrical	LS	1	\$5,000.00	\$5,000.00
Drop Inlet GP 1	EA	2	\$1,900.00	\$3,800.00
Storm Drainage	LF	215	\$55.50	\$11,932.50
Small Pavilion w/picnic tables	EA	1	\$27,500.00	\$27,500.00
Pedestrian Lighting	EA	2	\$2,000.00	<u>\$4,000.00</u>
<b>Sub-Total</b>				<b>\$144,825.50</b>

#### **Traffic Stripping / Signage**

Hwy Signs, Tp 1 Material Refl sht tp 11	SF	12	\$35.00	\$420.00
Galv Steel Post typ 7	LF	30	\$12.50	\$375.00
Parking Lot striping	LF	40	\$38.00	\$1,520.00
Community Signage	LS	1	\$5,000.00	<u>\$5,000.00</u>
<b>Sub-Total</b>				<b>\$7,315.00</b>

<b>Extended Total Detention Pond &amp; Garden</b>				<b>\$245,940.50</b>
<i>10% Contingency and Consultant fee</i>			<i>\$61,485.13</i>	
<b>Grand Total Detention Pond &amp; Gardens</b>				<b>\$307,425.63</b>

#### **Pedestrian Trail System Golightly Trail**

Description	Unit	Quantity	S/unit	Total
Traffic Control	LS	1	\$3,000.00	\$3,000.00
Mobilization	LS	1	\$10,000.00	<u>\$10,000.00</u>
<b>Sub-Total</b>				<b>\$13,000.00</b>

#### **Erosion Control**

Temporary Grassing	Ac	3	\$400.00	\$1,200.00
Erosion Control	LS	1	\$20,000.00	\$20,000.00
Landscaping-Sod	LS	1	\$10,000.00	<u>\$10,000.00</u>
<b>Sub-Total</b>				<b>\$31,200.00</b>

#### **Grading Complete**

Grubbing & Grading Complete	LS	1	\$100,000.00	\$100,000.00
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<b>Trail</b>				
10' asphalt trail	TN	1875	\$110.00	\$206,250.00
Utility Work - plumbing, electrical	LS	1	\$10,000.00	\$10,000.00
Storm Drainage Improvements	LF	2500	\$45.00	\$112,500.00
Pedestrian Lighting	EA	25	\$2,000.00	\$50,000.00
<b>Sub-Total</b>				<b>\$378,750.00</b>

<b>Traffic Striping / Signage</b>				
Hwy Signs, Tp 1 Matl Refl sht tp 11	SF	20	\$35.00	\$700.00
Galv Steel Post typ 7	LF	50	\$12.50	\$625.00
<b>Sub-Total</b>				<b>\$1,325.00</b>

<b>Extended Total Pedestrian Trail</b>				<b>\$524,275.00</b>
20% Contingency and Consultant fee			\$183,496.25	
<b>Grand Total Pedestrian Trail</b>				<b>\$707,771.25</b>

**Golightly Connector Trail**

Description	Unit	Quantity	S/unit	Total
Traffic Control	LS	1	\$1,000.00	\$1,000.00
Mobilization	LS	1	\$5,000.00	\$5,000.00
<b>Sub-Total</b>				<b>\$6,000.00</b>

<b>Erosion Control</b>				
Temporary Grassing	Ac	1	\$400.00	\$400.00
Erosion Control	LS	1	\$5,000.00	\$5,000.00
Landscaping-Sod	LS	1	\$5,000.00	\$5,000.00
<b>Sub-Total</b>				<b>\$10,400.00</b>

<b>Grading Complete</b>				
Grubbing & Grading Complete	LS	1	\$20,000.00	\$20,000.00

<b>Trail</b>				
10' asphalt trail	TN	58	\$110.00	\$6,380.00
Utility Work - plumbing, electrical	LS	1	\$10,000.00	\$10,000.00
Pedestrian Lighting	EA	3	\$2,000.00	\$6,000.00
<b>Sub-Total</b>				<b>\$22,380.00</b>

<b>Traffic Striping / Signage</b>				
Hwy Signs, Tp 1 Matl Refl sht tp 11	SF	10	\$35.00	\$350.00
Galv Steel Post typ 7	LF	20	\$12.50	\$250.00
<b>Sub-Total</b>				<b>\$600.00</b>



Extended Total Golightly Trail Connector		\$59,380.00
20% Contingency and Consultant fee	\$20,783.00	
<b><u>Grand Total Golightly Trail Connector</u></b>		<b>\$80,163.00</b>
<b><u>Strategic Plan Grand Total</u></b>		<b>\$2,058,595</b>

# Lightning Community Strategic Plan

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## Appendices

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City of Fairburn



100-General 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
<hr/>							
<u>Personal Services</u>							
100-4100-51-1100 Salaries & Wages	224,561.00	16,259.20	0.00	51,954.92	0.00	172,606.08	23.14
100-4100-51-1200 Temporary Employee	0.00	0.00	0.00	0.00	0.00	0.00	0.00
100-4100-51-1300 Overtime	300.00	41.48	0.00	303.66	0.00 (	3.66)	101.22
100-4100-51-1900 Allocate to Stormwater	0.00	0.00	0.00	0.00	0.00	0.00	0.00
100-4100-51-2100 Group Insurance	51,000.00	3,367.00	0.00	11,784.50	0.00	39,215.50	23.11
100-4100-51-2150 Health Reimbursement	1,152.00	0.00	0.00	1,179.55	0.00 (	27.55)	102.39
100-4100-51-2200 F.I.C.A. & Medicare T	17,948.00	1,107.48	0.00	3,509.45	0.00	14,438.55	19.55
100-4100-51-2400 Retirement	14,391.00	0.00	0.00	0.00	0.00	14,391.00	0.00
100-4100-51-2600 Unemployment	0.00	0.00	0.00	0.00	0.00	0.00	0.00
100-4100-51-2700 Workers Comp	6,000.00	0.00	0.00	0.00	0.00	6,000.00	0.00
100-4100-51-2800 Comp Time	0.00	0.00	0.00	0.00	0.00	0.00	0.00
100-4100-51-2905 Incentive Pay	1,800.00	0.00	0.00	0.00	0.00	1,800.00	0.00
100-4100-51-2910 Other Employee Benefi	0.00	0.00	0.00	0.00	0.00	0.00	0.00
100-4100-51-2920 Other Emp Ben-Ins Opt	0.00	0.00	0.00	0.00	0.00	0.00	0.00
TOTAL Personal Services	317,152.00	20,775.16	0.00	68,732.08	0.00	248,419.92	21.67
 <u>Purchased-Contracted</u>							
100-4100-52-1200 Professional	120,000.00	4,421.50	0.00	4,421.50	0.00	115,578.50	3.68
100-4100-52-1205 Stormwater Management	0.00	0.00	0.00	0.00	0.00	0.00	0.00
100-4100-52-1242 Pre-Employment Scree	500.00	0.00	0.00	0.00	0.00	500.00	0.00
100-4100-52-1300 Technical	0.00	0.00	0.00	0.00	0.00	0.00	0.00
100-4100-52-2100 Cleaning Service	0.00	0.00	0.00	0.00	0.00	0.00	0.00
100-4100-52-2110 Disposal	0.00	0.00	0.00	0.00	0.00	0.00	0.00
100-4100-52-2130 Janitorial	0.00	0.00	0.00	0.00	0.00	0.00	0.00
100-4100-52-2140 Landscaping	0.00	0.00	0.00	0.00	0.00	0.00	0.00
100-4100-52-2200 R & M Building	0.00	0.00	0.00	0.00	0.00	0.00	0.00
100-4100-52-2205 R & M Equipment	0.00	0.00	0.00	0.00	0.00	0.00	0.00
100-4100-52-2210 R & M Vehicle	0.00	0.00	0.00	0.00	0.00	0.00	0.00
100-4100-52-2320 Rental of Equipment &	0.00	0.00	0.00	0.00	0.00	0.00	0.00
100-4100-52-3200 Telephone	1,500.00	40.83	0.00	81.66	0.00	1,418.34	5.44
100-4100-52-3300 Advertising	5,000.00	0.00	0.00	0.00	900.90	4,099.10	18.02
100-4100-52-3400 Printing & Binding	1,500.00	0.00	0.00	0.00	0.00	1,500.00	0.00
100-4100-52-3450 Postage	500.00	0.00	0.00	0.00	0.00	500.00	0.00
100-4100-52-3500 Travel	2,500.00	0.00	0.00	0.00	0.00	2,500.00	0.00
100-4100-52-3600 Dues & Subscriptions	250.00	0.00	0.00	0.00	0.00	250.00	0.00
100-4100-52-3700 Education & Training	8,500.00	0.00	0.00	0.00	0.00	8,500.00	0.00
100-4100-52-3705 Business Meetings	0.00	0.00	0.00	0.00	0.00	0.00	0.00
100-4100-52-3850 Contract Labor	0.00	0.00	0.00	0.00	0.00	0.00	0.00
100-4100-52-3900 Other Contract Servic	5,828.00	276.00	0.00	276.00	0.00	5,552.00	4.74
TOTAL Purchased-Contracted	146,078.00	4,738.33	0.00	4,779.16	900.90	140,397.94	3.89
 <u>Supplies</u>							
100-4100-53-1100 Office Supplies	3,000.00	0.00	0.00	0.00	140.56	2,859.44	4.69
100-4100-53-1220 Natural Gas	0.00	0.00	0.00	0.00	0.00	0.00	0.00
100-4100-53-1230 Electricity	0.00	0.00	0.00	0.00	0.00	0.00	0.00
100-4100-53-1270 Gasoline	1,000.00	0.00	0.00	62.27	0.00	937.73	6.23
100-4100-53-1300 Food	0.00	0.00	0.00	0.00	0.00	0.00	0.00

100-General Fund  
Public Works Admin

[illegible]





## CITY OF FAIRBURN

### CITY COUNCIL AGENDA ITEM

**SUBJECT:** Consider resolution by the Mayor and City Council of the City of Fairburn, Georgia, to authorize the Mayor and City Administrator to communicate City decisions with respect to the Municipal Competitive Trust by jointly executing written directions to MEAG Power and the Trustee; and for other purposes.

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

Submitted: 02/21/2022

Work Session: 02/28/2022

Council Meeting: 02/28/2022

**DEPARTMENT:** City Attorney's Office

**BUDGET IMPACT:** N/A

**PUBLIC HEARING?** ( ) Yes      (X) No

---

**PURPOSE:** For the Mayor and Council to authorize the Mayor and City Administrator to communicate City decisions with respect to the Municipal Competitive Trust by jointly executing written directions to MEAG Power and the Trustee.

**FACTS AND ISSUES:** The City is a Beneficiary of the Municipal Competitive Trust (the "Trust") that MEAG Power established as of January 1, 1999. Pursuant to the terms of the Trust, the City is allowed to transfer certain funds between accounts and withdraw certain funds from accounts by written direction to MEAG Power and the Trustee. The City previously delegated authority to a City official to make deposits to the Trust and to communicate City decisions with respect to the Trust to MEAG Power and the Trustee. In order to improve the notification process, MEAG Power has requested that all written directions communicating City decisions with respect to the Trust be executed by two independent City officials. The City, after due consideration, has determined that the requested procedural changes are in the best interest of the City.

**RECOMMENDED ACTION:** Recommendation for Mayor and Council to adopt the resolution to authorize (1) the Mayor and City Administrator to communicate City decisions with respect to the Trust by jointly executing written directions to MEAG Power and the Trustee; and (2) the Mayor and City Administrator to execute, and the City Clerk to attest and deliver, certificates specifying the names, titles, terms of office and specimen signatures of the Mayor and City Administrator and other certificates and documents that MEAG Power may require from time to time to effect the purposes of the Trust and the resolution.

A handwritten signature in blue ink, appearing to read "Tony M. Phillips", written over a horizontal line.

*Tony M. Phillips, City Administrator*

A handwritten signature in blue ink, appearing to read "Mario B. Avery", written over a horizontal line.

*Mario B. Avery, Mayor*

1 STATE OF GEORGIA  
2 COUNTY OF FULTON  
3

RESOLUTION NO: \_\_\_\_\_

4 **A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF THE CITY OF**  
5 **FAIRBURN, GEORGIA, TO AUTHORIZE THE MAYOR AND CITY**  
6 **ADMINISTRATOR TO COMMUNICATE CITY DECISIONS WITH RESPECT TO THE**  
7 **MUNICIPAL COMPETITIVE TRUST BY JOINTLY EXECUTING WRITTEN**  
8 **DIRECTIONS TO MEAG POWER AND THE TRUSTEE; AND FOR OTHER**  
9 **PURPOSES.**

10  
11 **WHEREAS**, the City is a Beneficiary of the Municipal Competitive Trust (the "Trust") that  
12 MEAG Power established as of January 1, 1999; and  
13

14 **WHEREAS**, pursuant to the terms of the Trust, the City is allowed to transfer certain funds  
15 between accounts and withdraw certain funds from accounts by written direction to MEAG Power  
16 and the Trustee; and  
17

18 **WHEREAS**, by official action of the City, a City official was delegated authority to make deposits  
19 to the Trust and to communicate City decisions with respect to the Trust to MEAG Power and the  
20 Trustee; and  
21

22 **WHEREAS**, in order to improve the notification process, MEAG Power has requested that all  
23 written directions communicating City decisions with respect to the Trust be executed by two  
24 independent City officials; and  
25

26 **WHEREAS**, the City, after due consideration, has determined that such procedural changes are  
27 in the best interest of the City.  
28

29 **NOW, THEREFORE, BE IT RESOLVED**, that henceforth the Mayor and City Administrator  
30 (meaning the individuals presently holding the office of Mayor or City Administrator of the City,  
31 as the case may be, and any successor who might hereafter hold such office, and any individual,  
32 body, or authority to whom or which may hereafter be delegated by law the duties, powers,  
33 authority, obligations, or liabilities of such offices) (together, the "Authorized Officials") are  
34 authorized to communicate City decisions with respect to the Trust by jointly executing written  
35 directions to MEAG Power and the Trustee; and  
36

37 **BE IT FURTHER RESOLVED** that the City hereby authorizes the Authorized Officials to  
38 execute, and the City Clerk to attest and deliver, certificates specifying the names, titles, terms of  
39 office and specimen signatures of the Authorized Officials and other certificates and documents  
40 that MEAG Power may require from time to time to effect the purposes of the Trust and this  
41 Resolution in substantially the form attached hereto as **Exhibit A**, and incorporated herein by this  
42 reference; and  
43

44 **BE IT FINALLY RESOLVED**, that any and all resolutions in conflict with this resolution be  
45 and the same are hereby repealed, only to the extent of such conflict.  
46



47 This \_\_\_\_ day of \_\_\_\_\_, 2022.

48

49

50

51

52

53

54 ATTEST:

55

56

57

58 \_\_\_\_\_  
Deannia Ray, City Clerk

\_\_\_\_\_  
Mario B. Avery, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Rory K. Starkey, City Attorney

**EXHIBIT A**

**FORM OF INCUMBENCY CERTIFICATE**



## INCUMBENCY AND SIGNATORY CERTIFICATE

I, the undersigned, **Deannia Ray**, DO HEREBY CERTIFY that I am the duly appointed and acting City Clerk of the City of Fairburn, Georgia (the "City"). I HEREBY FURTHER CERTIFY that the below named persons have been duly appointed or elected, as applicable, have been qualified, are duly holding the offices set opposite their names on this day and the signatures set opposite their names are their genuine signatures:

<u>Name</u>	<u>Office</u>	<u>Term Expires</u>	<u>Signature</u>
Mario B. Avery	Mayor	December 31, 2025	_____
Tony M. Phillips	City Administrator	At the pleasure of Council	_____

IN WITNESS WHEREOF, I have hereunder subscribed my name and affixed the official seal of the City this \_\_\_\_ day of \_\_\_\_\_, 2022.

[SEAL]

\_\_\_\_\_  
By: Deannia Ray  
Its: City Clerk



## CITY OF FAIRBURN CITY COUNCIL AGENDA ITEM

**SUBJECT: EXTENSION OF THE HIGHWAY 74 MORATORIUM**

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

Submitted: 02/24/22

Work Session: N/A

Council Meeting: 02/28/22

**DEPARTMENT:** Community Development/Planning and Zoning Office

**BUDGET IMPACT:** None

**PUBLIC HEARING:** ( ) Yes      ( X ) No

---

**PURPOSE:** For the Mayor and City Council to extend the Highway 74 Moratorium to Monday, March 28, 2022.

**DISCUSSION:** The Highway 74 moratorium, which expires on February 28, 2022, was approved by Council on Monday, December 13, 2021. The moratorium is a temporary moratorium on accepting rezoning applications, building permits, land disturbance permits, and all other permits and/or applications that relate to the new development of parcels within the Highway 74 Overlay District boundary.


Staff is requesting an extension of the moratorium to Monday, March 28, 2022. The extension will allow adequate time to present the proposed amendments to the Planning and Zoning Commission as well as adhere to the public notification requirement for amendments to the zoning ordinance.

The proposed amendments to the zoning ordinance will be presented to the Mayor and Council at the Monday, March 28, 2022, City Council meeting.

**RECOMMENDED ACTION:** Staff is requesting for the Mayor and Council to extend the Highway 74 moratorium to Monday, March 28, 2022.

Attachment: Highway 74 Moratorium Ordinance

  
Mario Avery, Mayor

  
Tony Phillips, City Administrator



1 STATE OF GEORGIA

2  
3 COUNTY OF FULTON  
4

5 AN ORDINANCE BY THE MAYOR AND COUNCIL OF THE CITY OF FAIRBURN,  
6 GEORGIA EXTENDING A TEMPORARY MORATORIUM ON ACCEPTING  
7 REZONING APPLICATIONS, BUILDING PERMITS, LAND DISTURBANCE PERMITS  
8 AND ANY AND ALL OTHER PERMITS AND/OR APPLICATIONS AS IT RELATES TO  
9 NEW DEVELOPMENT OF PARCELS ADJACENT TO IDGHWAY 74, INCLUDING,  
10 BUT NOT LIMITED TO, PARCELS OF LAND LYING WITHIN THE IDGHWAY 74  
11 OVERLAY DISTRICT; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER  
12 PURPOSES.  
13

14 WHEREAS, the City of Fairburn has been vested with substantial powers and rights  
15  
16 to generally regulate the practice, conduct or use of property for the purposes of maintaining  
17  
18 health, morals, safety, peace and the general welfare of the City of Fairburn; and  
19

20 WHEREAS, Georgia law recognizes that local governments may impose moratoria on  
21  
22 zoning decisions, building permits and other development approvals where exigent  
23  
24 circumstances warrant the same, pursuant to City of Roswell v. Outdoor Systems, Inc., 274 Ga.  
25  
26 130 (2001); Taylor v. Shetzen, 212 Ga. 101 (1955); and  
27

28 WHEREAS, the courts take judicial notice of a local government's inherent ability to  
29  
30 impose moratoria on an emergency basis; and  
31

32 WHEREAS, the Georgia Supreme Court, in DeKalb County v. Townsend, 243 Ga. 80  
33  
34 (1979), held that, "To justify a moratorium, it must appear first, that the interests of the public  
35  
36 generally, as distinguished from those of a particular class, require such interference;  
37  
38 and second, that the means are reasonably necessary for the accomplishment of the purpose,  
39  
40 and not unduly oppressive upon individuals"; and  
41

42 WHEREAS, the City of Fairburn has found that the interests of the public necessitate  
43  
44 the enactment of a moratorium for health, safety, morals and general welfare purposes by means  
45  
46 which are reasonable and not unduly oppressive; and  
47

1           **WHEREAS**, the Governing Authority of the City of Fairburn, as part of its planning,  
2 zoning and growth management responsibilities, finds there is an immediate need to review the  
3 City's Comprehensive Plan, Zoning Ordinance and associated economic development plans for  
4 the Highway 74 corridor (Planned Development, Commercial and Highway 74 Overlay District);  
5 and

6           **WHEREAS**, the Governing Authority of the City of Fairburn deems it necessary to  
7 develop a Zoning Ordinance which integrates each of these concerns and, therefore, considers and  
8 approves this moratorium a proper exercise of their powers under law; and

9           **WHEREAS**, the Governing Authority of the City of Fairburn deems it necessary to extend  
10 this moratorium in order to address the nature and composition of development along the Highway  
11 74 corridor as same relates to the overall economic plan for such development, so as to study and  
12 ensure that development in the subject area is aligned with the City's overall and long term  
13 economic development goals.

14 **BE IT ORDAINED BY THE CITY COUNCIL OF FAIRBURN, GEORGIA** and it  
15 is **HEREBY ORDAINED** by authority of same as follows:

16 **Section I.**     There is hereby extending the moratorium on the acceptance of proposed site plans,  
17 development plans, rezoning applications and applications for building permits or any other  
18 license or permit regarding new development of the subject parcels along the Highway 74 corridor  
19 / Highway 74 Overlay District.

20 **Section II.**    The duration of this moratorium shall be until the City reviews development in the  
21 subject area, as well as the City's Comprehensive Plan, Zoning Ordinance and overall and long-  
22 term economic development goals for the area.



1 **Section III.** Unless sooner terminated or extended, the moratorium shall expire at 11:59 P.M. on  
2 March 28, 2022.

3 **Section IV.** The effective date of this Ordinance shall be the date of adoption unless otherwise  
4 specified herein.  
5

6  
7 **BE IT ORDAINED** by the City Council of Fairburn, this 28<sup>th</sup> day February, 2022.  
8

9 CITY OF FAIRBURN, GEORGIA  
10

11  
12 \_\_\_\_\_  
13 Mario B. Avery, Mayor

14 APPROVED AS TO FORM

ATTEST:

15  
16 \_\_\_\_\_  
17 Rory K. Starkey, City Attorney

\_\_\_\_\_  
Deannia Ray, City Clerk



## CITY OF FAIRBURN

### CITY COUNCIL AGENDA ITEM

**SUBJECT:** Fulton County Elections Contract – Special Election May 22, 2018

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

**Submitted:** February 24, 2022   **Work Session:**                      **Council Meeting:** February 28, 2022

**DEPARTMENT:** City Administrator

**BUDGET IMPACT:** \$214,000

**PUBLIC HEARING?** ( ) Yes                      ( X ) No

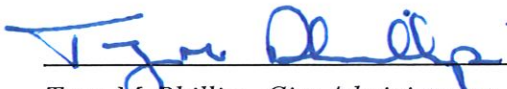
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**PURPOSE:** Consideration and action on 2022 Benefits Renewal: Medical, Dental, Vision & Flexible Spending Accounts (FSA)

**HISTORY:** Pursuant to the detailed presentation and discussion at the February 14, 2022 Work Session the City must consider its benefit renewal options for 2022

After conducting due diligence on all available renewal options it is the recommendation of the City's benefits broker, BKS Partners, that the City renew the current Medical, Dental, Vision, Health Reimbursement Arrangement and Flexible Spending Account with the current providers for the upcoming plan year at a 11.31% increase.

**RECOMMENDED ACTION:** Approval of the renewal of the current benefits with the recommended changes

  
Tony M. Phillips, City Administrator

  
Mario B. Avery, Mayor



# Recommended Renewal Action

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- It is the recommendation of BKS Partners that the City renew the current Medical, Dental, Vision, Health Reimbursement Arrangement and Flexible Spending Account with the current providers for the upcoming plan year.
- For Medical, our recommendation is that the City move to the recommended renewal option (increasing the deductible/out-of-pocket).
- In addition, we recommend that the City increase employee contributions, but not to exceed \$30 per month for employee only coverage, \$50 for employee & spouse or employee & children coverage, and \$100 for family coverage. This will help offset a portion of the increased premium; however, we want to limit the deduction increases as much as possible.
  - Note – there were no increases to deductions in 2021.
- For the HRA, the recommendation is that the City keep the HRA at the current \$2,500 individual / \$5,000 family reimbursement toward the front-end of the in-network deductible. If an individual maxes out their HRA, they would then have a responsibility of \$500 individual / \$1,000 family on the back-end for any additional deductible charges.
- For the FSA, the recommendation is that the City increase the limit to the IRS limit of \$2,850.

# United Healthcare Renewal

- The annual premium based on current enrollment, including HRA utilization, is \$1,890,000.
- The as-is renewal premium based on current enrollment and expected 2022 HRA utilization is \$2,180,000 – an increase of nearly \$290,000.

In-Network		Current	Renewal
Deductible (Individual / Family)		\$2,500 / \$5,000	
Carrier Coinsurance		80%	
Out-of-Pocket Max (Ind./Fam.)		\$5,000 / \$10,000	
Prescription Drugs		Advantage 4-Tier PDL Rx UE	
- Tier 1		\$15	
- Tier 2		\$45	
- Tier 3		\$85	
- Tier 4		\$125	
Mail Order		2.5x Retail Copay	
Coverage Type	Enrolled		
Employee Only	64	\$738.08	\$858.39
Employee & Spouse	15	\$1,468.29	\$1,707.63
Employee & Child(ren)	25	\$1,395.10	\$1,622.51
Family	19	\$2,198.56	\$2,556.93
HRA Administration	123	\$0.00	\$0.00
Monthly Total		\$145,911.61	\$169,695.83
Estimated HRA Utilization		\$138,673.47	\$141,050.00
Annual Total		\$1,889,612.79	\$2,177,399.96
			15.23%
Annual Difference from Current			\$287,787.17



# United Healthcare Recommended Plan for 4/1/22

- The recommended renewal plan with United Healthcare is to keep all copayments & prescription drug plans the same but increase the in-network deductible from \$2,500 to \$3,000 for individuals and from \$5,000 to \$6,000 for families. The recommendation would be to keep the HRA at \$2,500 individual / \$5,000 family.
- The increase for this option would be 11.31%, which amounts to \$214,000 above current (approximately \$76,000 savings from the as-is renewal).

In-Network		Renewal Opt.2
Deductible (Individual / Family)		\$3,000 / \$6,000
Carrier Coinsurance		80%
Out-of-Pocket Max (Ind./Fam.)		\$6,000 / \$12,000
Prescription Drugs		Advantage 4-Tier PDL Rx UE
- Tier 1		\$15
- Tier 2		\$45
- Tier 3		\$85
- Tier 4		\$125
Mail Order		2.5x Retail Copay
Coverage Type	Enrolled	
Employee Only	64	\$827.17
Employee & Spouse	15	\$1,645.52
Employee & Child(ren)	25	\$1,563.50
Family	19	\$2,463.94
HRA Administration	123	\$0.00
Monthly Total		\$163,524.04
Estimated HRA Utilization		\$141,050.00
Annual Total		\$2,103,338.48
		11.31%
Annual Difference from Current		\$213,725.69

# Current Deductions (4/1/21 – 3/31/22)

---

Coverage Type		Total Monthly Premium	City Contribution	Employee Contribution	Employee Payroll Deduction
<b>MEDICAL</b>					
Employee Only	64	\$738.08	\$668.08	\$70.00	\$32.31
Employee & Spouse	15	\$1,468.29	\$1,068.29	\$400.00	\$184.62
Employee & Children	25	\$1,395.10	\$1,095.10	\$300.00	\$138.46
Family	19	\$2,198.56	\$1,548.56	\$650.00	\$300.00
		<b>\$145,911.61</b>	<b>\$115,581.61</b>	<b>\$30,330.00</b>	
<b>DENTAL</b>					
Employee Only	62	\$41.88	\$10.47	\$31.41	\$14.50
Employee & Spouse	17	\$85.90	\$10.47	\$75.43	\$34.81
Employee & Children	20	\$75.40	\$10.47	\$64.93	\$29.97
Family	20	\$129.22	\$10.47	\$118.75	\$54.81
		<b>\$8,149.26</b>	<b>\$1,245.93</b>	<b>\$6,903.33</b>	
<b>VISION</b>					
Employee Only	48	\$8.36	\$0.00	\$8.36	\$3.86
Employee & Spouse	12	\$14.66	\$0.00	\$14.66	\$6.77
Employee & Children	15	\$15.91	\$0.00	\$15.91	\$7.34
Family	15	\$24.28	\$0.00	\$24.28	\$11.21
		<b>\$1,180.05</b>	<b>\$0.00</b>	<b>\$1,180.05</b>	
<b>Monthly Total</b>		<b>\$155,240.92</b>	<b>\$116,827.54</b>	<b>\$38,413.38</b>	



Coverage Type		Total Monthly Premium	City Contribution	Employee Contribution	Employee Payroll Deduction	Per Pay Increase from Current
<b>MEDICAL</b>						
Employee Only	64	\$827.17	\$727.17	\$100.00	\$46.15	\$13.85
Employee & Spouse	15	\$1,645.52	\$1,195.52	\$450.00	\$207.69	\$23.08
Employee & Children	25	\$1,563.50	\$1,213.50	\$350.00	\$161.54	\$23.08
Family	19	\$2,463.94	\$1,713.94	\$750.00	\$346.15	\$46.15
		\$163,524.04	\$127,374.04	\$36,150.00		
<b>DENTAL</b>						
Employee Only	62	\$41.88	\$10.47	\$31.41	\$14.50	\$0.00
Employee & Spouse	17	\$85.90	\$10.47	\$75.43	\$34.81	\$0.00
Employee & Children	20	\$75.40	\$10.47	\$64.93	\$29.97	\$0.00
Family	20	\$129.22	\$10.47	\$118.75	\$54.81	\$0.00
		\$8,149.26	\$1,245.93	\$6,903.33		
<b>VISION</b>						
Employee Only	48	\$8.36	\$0.00	\$8.36	\$3.86	\$0.00
Employee & Spouse	12	\$14.66	\$0.00	\$14.66	\$6.77	\$0.00
Employee & Children	15	\$15.91	\$0.00	\$15.91	\$7.34	\$0.00
Family	15	\$24.28	\$0.00	\$24.28	\$11.21	\$0.00
		\$1,180.05	\$0.00	\$1,180.05		
<b>Monthly Total</b>		<b>\$172,853.35</b>	<b>\$128,619.97</b>	<b>\$44,233.38</b>		
<b>% Increase from Current</b>		<b>11.3%</b>	<b>10.1%</b>	<b>15.2%</b>		
<b>Annual Increase from Current</b>		<b>\$211,349.16</b>	<b>\$141,509.16</b>	<b>\$69,840.00</b>		

# Recommended Deductions for 2022 (4/1/22 – 3/31/22)

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## CITY OF FAIRBURN

### CITY COUNCIL AGENDA ITEM

**SUBJECT:** Consider Resolution by the Mayor and City Council of the City of Fairburn, Georgia, to Prescribe the Form for Appeals Pursuant to Fairburn Code of Ordinances Section 77-194; To Establish the Application Fee for Such Appeals Pursuant to Fairburn Code of Ordinances Section 1-14; and For Other Purposes.

<input type="checkbox"/> AGREEMENT	<input type="checkbox"/> POLICY / DISCUSSION	<input type="checkbox"/> CONTRACT
<input type="checkbox"/> ORDINANCE	<input checked="" type="checkbox"/> RESOLUTION	<input type="checkbox"/> OTHER

Submitted: 02/24/2022

Work Session: 02/28/2022

Council Meeting: 02/28/2022

**DEPARTMENT:** City Attorney's Office

**BUDGET IMPACT:** N/A

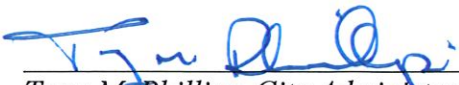
**PUBLIC HEARING?** ☐ Yes ☒ No

---

**PURPOSE:** For Mayor and Council to authorize a form to be used in connection with appeals of decisions of the Community Development Director and to authorize the fee to be charged for such appeals.

**FACTS AND ISSUES:** Section 77-194 of the Code of Ordinances of the City of Fairburn provides that decisions of the community development director concerning the administration, interpretation or enforcement of regulations related to the subdivision of land within the City may be appealed to the City Administrator. That section also provides that such appeals should be submitted on a form prescribed by the City. Section 1-14 of the Code of Ordinances provides for the amount of fees or charges imposed by the City to be established by resolution of the City Council from time to time, as the Council deems necessary. By adopting this resolution, the Mayor and Council will confirm that they have determined it to be in the best interest of the City to prescribe an appeal application form and to establish the fee for submission of such applications.

**RECOMMENDED ACTION:** Recommendation for Mayor and Council to adopt the resolution to authorize a form to be used in connection with appeals of decisions of the Community Development Director and to establish and authorize the fee to be charged for such appeals.

  
Tony M. Phillips, City Administrator

  
Mario B. Avery, Mayor



1 STATE OF GEORGIA  
2 COUNTY OF FULTON  
3

RESOLUTION NO: \_\_\_\_\_

4 **A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF THE CITY OF**  
5 **FAIRBURN, GEORGIA, TO PRESCRIBE THE FORM FOR APPEALS PURSUANT TO**  
6 **FAIRBURN CODE OF ORDINANCES SECTION 77-194; TO ESTABLISH THE**  
7 **APPLICATION FEE FOR SUCH APPEALS PURSUANT TO FAIRBURN CODE OF**  
8 **ORDINANCES SECTION 1-14; AND FOR OTHER PURPOSES.**  
9

10 **WHEREAS**, Section 77-194 of the Code of Ordinances of the City of Fairburn (the “Code of  
11 Ordinances”) provides that decisions of the community development director concerning the  
12 administration, interpretation or enforcement of regulations related to the subdivision of land  
13 within the City may be appealed to the City Administrator; and  
14

15 **WHEREAS**, Section 77-194 of the Code of Ordinances further provides that such appeals should  
16 be submitted on a form prescribed by the City; and  
17

18 **WHEREAS**, Section 1-14 of the Code of Ordinances provides that the amount of fees or charges  
19 imposed by the City shall be established by resolution of the City Council from time to time, as  
20 the Council deems necessary; and  
21

22 **WHEREAS**, the Mayor and City Council of the City of Fairburn, Georgia have determined that  
23 it is in the best interest of the City to prescribe an appeal application form and to establish the fee  
24 for submission of such application.  
25

26 **NOW THEREFORE BE IT RESOLVED**, that the City Administrator is hereby authorized to  
27 use an appeal application form in substantially the form attached hereto as **Exhibit A** for appeals  
28 of decisions of the Community Development Director pursuant to Section 77-194 of the Code of  
29 Ordinances; and  
30

31 **BE IT FURTHER RESOLVED**, that the City’s fee schedule is hereby amended to include the  
32 following fee for appeals pursuant to Section 77-194 of the Code of Ordinances:  
33

34 **Appeal Application Fee (Sec. 77-194)      [\$250.00]; and**  
35

36 **BE IT FURTHER RESOLVED**, that the City Administrator is authorized to take any further  
37 actions necessary to carry out the purposes of this Resolution; and  
38

39 **BE IT FINALLY RESOLVED**, that any and all resolutions in conflict with this resolution be  
40 and the same are hereby repealed, only to the extent of such conflict.  
41

42 This \_\_\_\_ day of \_\_\_\_\_, 2022.  
43

44 **REMAINDER OF PAGE INTENTIONALLY LEFT BLANK**  
45 **SIGNATURES APPEAR ON FOLLOWING PAGE**  
46

47  
48  
49  
50  
51  
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53  
54  
55  
56  
57

ATTEST:

\_\_\_\_\_  
Deannia Ray, City Clerk

\_\_\_\_\_  
Mario B. Avery, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Rory K. Starkey, City Attorney



**EXHIBIT A**

**FORM OF APPLICATION FOR APPEAL OF DECISION  
OF COMMUNITY DEVELOPMENT DIRECTOR**



Office of City Administrator  
56 Malone Street, SW  
Fairburn, Georgia 30213  
(770) 964-2244

## APPLICATION FOR APPEAL OF DECISION OF COMMUNITY DEVELOPMENT DIRECTOR

- ☐ Complete **application** with notarized signatures. (*Appellant is not required to use the form provided by the City. However, if the form is not used, similar information should be submitted as your application.*)
- ☐ Include a **summary** of the events leading to the appeal, the reason for the appeal, and the date of the decision of the Community Development Director or his/her designee against which the appeal is made.
- ☐ Provide **documentation of the decision that is appealed**, e.g., site development plan or plat.
- ☐ Provide **documents that support appeal**, e.g., historic records, affidavits. [\_\_\_\_\_] **folded copies** of all documents larger than 8 ½" x 11" must be submitted to ensure distribution to all parties involved.
- ☐ If an attorney represents the appeal, complete the attached **Authorization of Attorney**.
- ☐ **File application** with the City Administrator.
- ☐ Pay fee of [**\$250.00**]. The following forms of payment are acceptable: check (payable to "City of Fairburn"), cashier's check, credit card or money order. **Applications will not be processed without the fee.**
- ☐ Upon filing the appeal, staff will provide the applicant with a notice acknowledging receipt of the appeal and the date by which a decision will be rendered.
- ☐ All site plans must be to a scale no smaller than 1 inch = 30 feet. **If the "to scale" site plan is 8 ½" x 11, submit 1 copy. If it is larger than 8 ½" x 11", submit [\_\_\_\_\_] folded copies.** Site plans should show all existing and proposed conditions including streets, footprints of buildings, parking layout, driveways, north arrow, streams, wetlands, riparian buffers, floodplains and must contain a seal of professional preparer.
- ☐ Communicate with the City Administrator regarding any amendments, additions, withdrawal or deferral requests.

APPEALS ARE ACCEPTED DURING NORMAL BUSINESS HOURS  
MONDAY-FRIDAY FROM 8:30 AM - 5:00 PM AND MUST BE SUBMITTED WITHIN TEN  
(10) CALENDAR DAYS AFTER THE DECISION OF THE COMMUNITY DEVELOPMENT  
DIRECTOR WAS MADE.



## APPEAL PROCEDURES

Appeals are considered and decided on a monthly basis by the City Administrator. All inquiries regarding your application should be directed to the [REDACTED] at (770) 964-2244.

- 1) **Pursuant to Section 77-194 of the City of Fairburn Code of Ordinances – Appeals:** “A decision of the director of community development concerning the administration, interpretation, or enforcement of these regulations may be appealed to the city administrator within ten calendar days of that decision. Appeals may be made by an affected owner/developer or by any legal resident of the city who feels he has been adversely affected by that decision. All appeals shall be submitted in a form prescribed by the city and shall include a fee established by the city. The city administrator shall render a decision on an appeal within 30 calendar days after the appeal is accepted for review by the city administrator.”
- 2) **Application.** Appeals shall be submitted on the form prescribed by the City Council. The form is available online at [www.fairburn.com/](http://www.fairburn.com/) [REDACTED], or from the Office of the City Administrator located at 56 Malone Street, SW, Fairburn, Georgia 30213 during normal business hours.
- 3) **Fees.** For appeals of a decision of the Community Development Director, the application fee is [\$250.00].
- 4) **Refunds on Withdrawn Cases.** Requests for withdrawal received within 14 calendar days of submission of an application for appeal may be considered for a refund of the application fee. A refund will not be issued for requests for withdrawal received after that time.

# APPLICATION FOR APPEAL OF DECISION OF COMMUNITY DEVELOPMENT DIRECTOR

Date Filed \_\_\_\_\_ Application Number \_\_\_\_\_  
Applicant Name \_\_\_\_\_ Daytime Phone \_\_\_\_\_  
Company Name \_\_\_\_\_ Email \_\_\_\_\_  
Address \_\_\_\_\_  
Property Owner Name \_\_\_\_\_ Phone \_\_\_\_\_  
Address \_\_\_\_\_

Please describe the nature of the applicant's appeal:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*(Attach additional pages if necessary)*

**Applicant Acknowledgement:** I swear that all statements herein and attached hereto are true and correct to the best of my knowledge and belief.

\_\_\_\_\_  
OWNER OR AGENT FOR OWNER (APPLICANT)

\_\_\_\_\_  
PRINT NAME OF OWNER

Sworn to and Subscribed Before Me  
This \_\_\_\_ Day Of \_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_(SEAL)  
Notary Public

My Commission Expires \_\_\_\_\_



**AUTHORIZATION OF ATTORNEY**  
(Required only if the appellant is represented by an attorney.)

---

**NAME OF APPELLANT:**

LAST NAME \_\_\_\_\_ FIRST NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_

APPELLANT'S TELEPHONE NUMBER \_\_\_\_\_

**NAME OF ATTORNEY:**

LAST NAME \_\_\_\_\_ FIRST NAME \_\_\_\_\_

FIRM NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_

ATTORNEY'S TELEPHONE NUMBER \_\_\_\_\_

**I SWEAR, AS AN ATTORNEY AT LAW, THAT I HAVE BEEN AUTHORIZED BY THE  
APPELLANT TO FILE THE ATTACHED APPEAL APPLICATION.**

\_\_\_\_\_  
SIGNATURE OF APPELLANT'S ATTORNEY



## CITY OF FAIRBURN

### CITY COUNCIL AGENDA ITEM

**SUBJECT:** Consider an ordinance to amend Chapter 20 of the Code of Ordinances of Fairburn, Georgia so as to reorganize Fairburn municipal court; to establish the positions of chief judge, court administrator, chief clerk and bailiff; to provide for severability; to repeal conflicting ordinances; to provide an effective date; and for other purposes.

<input type="checkbox"/> AGREEMENT	<input type="checkbox"/> POLICY / DISCUSSION	<input type="checkbox"/> CONTRACT
<input checked="" type="checkbox"/> ORDINANCE	<input type="checkbox"/> RESOLUTION	<input type="checkbox"/> OTHER

Submitted: 02/24/2022

Work Session: 02/28/2022

Council Meeting: 02/28/2022

**DEPARTMENT:** City Administrator's Office

**BUDGET IMPACT:** N/A

**PUBLIC HEARING?** ☐ Yes ☒ No


---

**PURPOSE:** For the Mayor and Council to authorize the amendment of Article II of Chapter 20 of the Code of Ordinances of Fairburn, Georgia so as to reorganize Fairburn municipal court; to establish the positions of chief judge, court administrator, chief clerk and bailiff.

**FACTS AND ISSUES:** The Fairburn Municipal Court was established by Art. VI, Sec. 46 of the Charter of the City of Fairburn as a Recorder's Court. Pursuant to O.C.G.A. §36-32-1(a), the term "recorder's court" was stricken wherever the term appeared in any local law of the state, and the term "municipal court" was inserted in place of the term "recorder's court". Reorganization of the Municipal Court will bring the court in alignment with state and national best practices related to an independent court structure and administration. The reorganization will further enhance the City's ability to ensure the fair administration of justice in matters which come before the court. Therefore, the reorganization of the Municipal Court is in the best interest of the City of Fairburn and per the City Attorney, restructuring the court by amending the existing ordinance is legally permissible and in compliance with state and local laws.

**RECOMMENDED ACTION:** Recommendation for Mayor and Council to adopt the amended ordinance to accomplish the reorganization of the Municipal Court by adding new sections, to be numbered 20-27 through 20-29, setting forth the positions, qualifications and duties of the Chief Judge, Court Administrator, Chief Clerk, Deputy Clerk(s) and Bailiff.

  
Tony M. Phillips, City Administrator

  
Mario B. Avery, Mayor



1 STATE OF GEORGIA  
2 COUNTY OF FULTON

ORDINANCE NO: \_\_\_\_\_

3  
4 **AN ORDINANCE TO AMEND CHAPTER 20 OF THE CODE OF ORDINANCES OF**  
5 **FAIRBURN, GEORGIA SO AS TO REORGANIZE FAIRBURN MUNICIPAL COURT;**  
6 **TO ESTABLISH THE POSITIONS OF CHIEF JUDGE, COURT ADMINISTRATOR,**  
7 **CHIEF CLERK AND BAILIFF; TO PROVIDE FOR SEVERABILITY; TO REPEAL**  
8 **CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR**  
9 **OTHER PURPOSES.**

10  
11 **WHEREAS**, the Fairburn Municipal Court was originally established by Art. VI, Sec. 46 of the  
12 Charter of the City of Fairburn as a Recorder's Court; and

13  
14 **WHEREAS**, pursuant to O.C.G.A. §36-32-1(a), the term "recorder's court" was stricken wherever  
15 the term appeared in any local law of the state, and the term "municipal court" was inserted in  
16 place of the term "recorder's court"; and

17  
18 **WHEREAS**, reorganization of the Municipal Court will bring the court in alignment with state  
19 and national best practices and enhance the City's ability to ensure the fair administration of justice  
20 in matters which come before the court; and

21  
22 **WHEREAS**, the City, after due consideration, has determined that reorganization of the Municipal  
23 Court is in the best interest of the City.

24  
25 **NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE**  
26 **CITY OF FAIRBURN**, that Chapter 20 of the Code of Ordinances is amended by adding the  
27 following sections to Article II thereof, to be numbered 20-27 through 20-29:

28  
29 **Section 1.** The following new Section 20-27 shall be added to Chapter 20, Article II of the Code  
30 of Ordinances:

31  
32 **Sec. 20-27. Chief Judge of the Municipal Court.**

33  
34 (a) *Judges.* The municipal court shall be presided over by a chief judge. The  
35 city council shall provide by resolution for the appointment of such  
36 assistant judges as shall be deemed necessary to provide for the efficient  
37 operation of the court.

38 (b) *Qualifications.* To qualify for appointment as chief judge of the  
39 municipal court, a person shall be at least twenty-five (25) years of age,  
40 a member of the State Bar of Georgia in good standing, a practicing  
41 attorney with a minimum of ten (10) years' experience, and a resident of  
42 Fulton County at the time of and during his or her appointment. To  
43 continue to hold office as a chief judge after appointment, a person shall  
44 continue to possess all of the foregoing qualifications.

45 (c) *Oath.* Before discharging his or her duties, the chief judge shall take the  
46 same oath as judges of the superior courts of the state.

47 (c) *Term.* The chief judge shall be appointed by majority vote of the city  
48 council for a term of four (4) years and until his or her successor is  
49 appointed and qualified; provided, nothing contained herein shall affect  
50 the term of the present incumbent(s). The chief judge may be  
51 reappointed without limit to the number of terms.

52 (d) *Removal.* The chief judge may be removed from office during a 4-year  
53 term of office by a two-thirds' vote of the city council for the following  
54 reasons:

55 (1) Willful misconduct in office;

56 (2) Willful and persistent failure to perform duties;

57 (3) Habitual intemperance;

58 (4) Conduct prejudicial to the administration of justice which  
59 brings the judicial office into disrepute; or

60 (5) Disability seriously interfering with the performance of  
61 duties, which is, or is likely to become, of a permanent  
62 character.

63 (e) *Salary of chief judge.* The chief judge of the municipal court shall  
64 receive an annual salary and benefits fixed by the city council in the  
65 city's classification plan, which shall be paid in the same manner and at  
66 the same interval as other municipal employees. Any assistant judge  
67 shall be paid on a basis for services actually rendered in an amount and  
68 manner determined from time to time by the city council by resolution  
69 and shall be memorialized in a duly authorized and executed contract  
70 for professional services.  
71

72 **Section 2.** The following new Section 20-28 shall be added to Chapter 20, Article II of the Code  
73 of Ordinances:  
74

75 **Sec. 20-28. Court Administrator; Chief Clerk and Deputy Clerks; other**  
76 **court personnel.**  
77

78 (a) *Court Administrator.* The office of the court administrator is hereby  
79 created. The court administrator shall be appointed by, report to, and be  
80 directly supervised by, the chief judge of the municipal court.

81 1) Qualifications. To qualify for appointment as court administrator, a  
82 candidate must possess a high school diploma, have five (5)  
83 consecutive years of progressively responsible experience in a  
84 municipal court system including three years as a Deputy Municipal  
85 Court Clerk, Chief Clerk and/or Court Administrator, be GCIC  
86 ("Georgia Crime Information Center"), CJIS Network Operator  
87 ("Criminal Justice Information Services") and CCHS  
88 ("Computerized Criminal History System") certified. Prior to  
89 application for appointment, the candidate must have satisfactorily



completed a minimum of sixteen (16) hours of training related to the operation of municipal court as prescribed by the Georgia Municipal Courts Training Council. Each year thereafter during his or her tenure, the court administrator shall complete a minimum of eight (8) hours of training related to the operation of municipal court as prescribed by the Georgia Municipal Courts Training Council on an annual basis. All reasonable costs and expenses of attending mandatory training shall be paid by the city.

2) Duties. The duties of the court administrator shall consist of submitting to the chief judge recommendations for improving the efficiency and operation of the court; being the official custodian of records of the court; assisting the chief judge in the preparation of the budgeting and fiscal reports and documents as may be necessary and proper for the operation and maintenance of the court; and such other duties as assigned by the chief judge.

(b) *Chief Clerk and Deputy Clerks*. The office of the clerk of court shall consist of a chief clerk and up to two deputy clerks. The chief clerk shall be appointed by the chief judge of the municipal court, and shall report to, and be directly supervised by, the court administrator.

1) Qualifications. The chief clerk and all deputy clerks shall satisfactorily complete a minimum of sixteen (16) hours of training related to the operation of municipal court as prescribed by the Georgia Municipal Courts Training Council within his or her first year of service as chief clerk or deputy clerk. Each year thereafter during his or her tenure, the chief clerk or deputy clerk shall complete a minimum of eight (8) hours of training related to the operation of municipal court as prescribed by the Georgia Municipal Courts Training Council on an annual basis. All reasonable costs and expenses of attending mandatory training shall be paid by the city.

2) Duties. The duties of the chief clerk shall consist of being the official custodian of records of the court; collecting and compiling data, including cases filed and disposed of, and information on the expenditures and receipts of the court; maintaining the docket of cases in such form and manner as required by law; supervising the work of all deputy clerks; such other duties as assigned by the chief judge. The chief judge may appoint two deputy clerks, who shall be directly supervised by the chief clerk.

(c) *Other court personnel*. The court administrator shall employ, subject to the city's personnel policy, such employees and staff of the court as shall be authorized by the council by resolution.

(d) *Prohibition*. Unless provided otherwise in this Code, personnel of the municipal court shall not be employed by, members of, or under the jurisdiction of the city's police department or be actively engaged in the

134 practice of law before the court except in the actual discharge of their  
135 official duties.  
136

137 **Section 3.** The following new Section 20-29 shall be added to Chapter 20, Article II of the Code  
138 of Ordinances:  
139

140 **Sec. 20-29. Bailiffs.**

141 There shall be at least one bailiff for the municipal court, who may be an employee  
142 of the city's police department. The bailiff shall be appointed by and serve at the  
143 discretion of the chief judge, shall attend all sittings of the court, and shall perform  
144 such other duties as may be prescribed by the chief judge.  
145

146 **Section 4.** In the event any section, subsection, sentence, clause, or phrase of this Ordinance shall  
147 be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect  
148 the previously existing provisions of the other sections, subsections, sentences, clauses or phrases  
149 of this Ordinance, which shall remain in full force and effect as if the section, subsection, sentence,  
150 clause or phrase so declared or adjudicated invalid or unconstitutional were not originally a part  
151 thereof. The City Council declares that it would have passed the remaining parts of this Ordinance  
152 or retained the previously existing Ordinance if it had known that such part or parts hereof would  
153 be declared or adjudicated invalid or unconstitutional.  
154

155 **Section 5.** This ordinance shall become effective immediately upon signature by the Mayor.  
156

157 **Section 6.** All Ordinances and parts of Ordinances in conflict with this Ordinance are repealed to  
158 the extent of the conflict.  
159

160 ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2022.  
161  
162

163 \_\_\_\_\_  
164 Mario B. Avery, Mayor  
165

166  
167 ATTEST:  
168  
169

166  
167 APPROVED AS TO FORM:  
168  
169

170 \_\_\_\_\_  
171 Deannia Ray, City Clerk

170 \_\_\_\_\_  
171 Rory K. Starkey, City Attorney





# City Administrator's Monthly Report

January 2022

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Fairburn, GA

Authored by: Tony M. Phillips







**City of Fairburn**  
**56 Malone Street S.W.**  
**Fairburn, GA 30213**  
**Phone: (770) 964-2244**  
**Fax: (770) 969-3484**

## **Government of the City of Fairburn**



Greetings Honorable Mayor & City Council Members,

I am honored to present a summary of the City's monthly administrative activities. Fairburn is a great city that remains Situated to Succeed. A city that combines multiple assets into one of the state's best live, work, play communities. From the historic train depots built in 1917, to our courtyard and stage for events and community gatherings, to a thriving business district, our Downtown is thriving. The Fairburn Education Campus serves as the home for the Atlanta campus of Georgia Military College and Brenau University, giving residents and other communities an opportunity to receive higher education in Liberal Arts. The Highway 74 corridor is a vibrant and growing commercial district with a diverse offering of restaurants, hotels, upscale apartment homes, and retail shopping. With a thriving industrial district and over 16,000 estimated residents in Fairburn we continue working together to build one of the best cities in Georgia. Our staff is committed to ensuring our residents receive best in class customer service, while being responsive to our neighborhoods, communities, and local businesses to support a safe, inclusive, innovative, and economically vibrant city.

This report summarizes activities through the end of January 2022. The City has taken positive steps through the transition to the new administration under the leadership of the Honorable Mayor Mario Avery.

- We have reestablished City Council work sessions to insure that we keep our elected officials informed on all key operational issues.
- We have created bi-weekly department director's meetings to maintain focus on delivering tangible outcomes and building positive interdepartmental cooperation.
- We have addressed pay and class equity pursuant to the cost-of-living increases approved by Mayor & Council as part of the FY21-22 budget.





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- We are proactively recruiting for all open positions in the City to help elevate departmental service delivery.
- We are moving forward with the renovation of Fire Station 21.
- We have recently purchased a much-needed Peirce fire engine to augment our fleet. The unit contains a heavy rescue compartment for carrying specialized equipment for extractions and other specific rescue needs. This unit will cover response for fire, heavy rescue and haz-mat for South and West sides of the city which includes I-85 South of Senoia Road and I-85 North just south of exit 64. It also has pump and roll capability, meaning the engine can both move and spray simultaneously when needed. The unit will be ready for deployment within the next 30 days.

I am excited, working with our dedicated staff, to continue to implement innovative ways to connect with our citizens and provide opportunities to make Fairburn our region's most accessible government. This report highlights our initial and ongoing efforts to improve delivery of services in line with your collective vision. Please review a summary of the City's successful outcomes from January 2022.

A handwritten signature in blue ink, which appears to read "Tony M. Phillips".

**Tony M. Phillips, CPM®**  
City Administrator  
City of Fairburn



**City of Fairburn**  
**56 Malone Street S.W.**  
**Fairburn, GA 30213**  
**Phone: (770) 964-2244**  
**Fax: (770) 969-3484**

## **Monthly Department Updates**

### **Monthly Status Report**

**To: Tony Phillips, City Administrator**

**From: Deannia Ray**

**Department: City Clerks Office**

**Subject: Monthly Report (January 1 – 31, 2022)**

### **Activities/projects Completed:**

- Processed 98 open records requests for the month of January, 2022.
- Processed invoices for City Clerk, City Manager's office and City Council.
- Processed Council and City Clerk credit card statements for payment.
- Researched Councilman Whitmore's CCDD last submission.
- Uploaded council members CCDD reports to Ethics
- Called Marvin Bynoe for open records request ORR-7-2022-sent report
- Called Davante Parks to make sure microphones work in the Council chambers
- Provided Mayor Carr Hurst with the Pandemic plan/City of Fairburn Emergency Operation Plan
- Researched the Emergency Operations Pandemic Plan
- Spoke with Ashton Hollingsworth with VC3; restored shared drive
- Prepared action minutes for January 10<sup>th</sup> council meeting
- Created spreadsheet on ORR for Ms. Walker to fill out and send to me every Monday
- Registered Councilman Whitmore for the NLC conference in Washington DC
- Called Alex Heath to come sign Oath of Office
- Called VC3 to be able to access clerks/clerkdocs/arika birdsong miller's files





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- Prepared agenda for 1/24/22 and assembled agenda packets
- Registered Councilwoman Linda Davis for the LOST training 2/28/22 and prepared travel per diem

**Activities/projects in Progress:**

- Organization of the City Clerk's office
- Conduct Training: Open Records Request

**Long Term Projects:**

- Index four (4) filing cabinets with contracts and agreements
- Locate files since 2018
- JustFoia training with all departments
- Research alcohol licensing procedures –revised by the Georgia Department of Revenue
- Research Occupational Tax Certificate/Business License procedures



**City of Fairburn**  
**56 Malone Street S.W.**  
**Fairburn, GA 30213**  
**Phone: (770) 964-2244**  
**Fax: (770) 969-3484**

## **Monthly Department Updates**

### **Bi-Weekly Status Report**

**To: Tony Phillips, City Administrator**

**From: Lester Thompson, Director of Community Development/Public Works**

**Department: Community Development, Engineering/Public Works Division**

**Subject: Monthly Status Report (January 1<sup>st</sup>, 2022 – January 31<sup>st</sup>, 2022)**

#### **Activities/projects Completed This Period:**

- Issued Right-of-way Encroachment Permits
  - 202200, 2022002, 2022003, 2022008, 2021189, 2021177
- Attended the Fulton County Public Hearing for the Draft 2022 Annual Action Plan on 1/6/22
- Submitted the Project Close Out and Monitoring Documents for the Dodd Street Sidewalks Improvement Project to the Fulton County Department of Community Development on 1/10/22
- Processed Reimbursements
  - Margaret Street Pedestrian Improvements Project: \$239,004.68
  - Cora Robinson Park Improvements Project: \$51,104.70
  - Dodd Street Community Plaza Project: \$19,822.50
  - Oakley Industrial Boulevard Full-Depth Reclamation Project: \$370,010.08
- Participated in the AeroATL Community Development Collective Meeting on 1/11/22
- Participated in the Bi-weekly CDBG Cora Robinson Park Improvements Project, the CDBG Margaret Street Pedestrian Improvements Project and all CDBG COVID Projects Update Meeting with the Fulton County Department of Community Development on 1/11/22
- Conducted a Downtown LCI Streetscape Project Status Meeting with P2K, Stantec, and Atlas Technical Consultants on 1/12/22
- Participated in the FHWA Compliance Desk Audit for the I-85 @ SR 74/Senoia Road Interchange Project with GDOT and TranSystems on 1/12/22





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- 2021 LMIG Report of Accomplishment and Statement of Final Project Expenditures were submitted to the GDOT District 7 State Aid Coordinator on 1/18/22.
- Permit Review Meeting to discuss comments provided to the applicant regarding a Right-of-way Encroachment Permit for the proposed Greystar South Fulton Multifamily Development on Oakley Industrial Boulevard on 1/21/22.
- Bi-weekly CDBG Cora Robinson Park Improvements Project, the CDBG Margaret Street Pedestrian Improvements Project and all CDBG COVID Projects Update Meeting with the Fulton County Department of Community Development on 1/25/22
- 2022 Local Maintenance Improvement Grant (LMIG) Application submitted 1/25/22
- Regional Transportation Systems Management & Operations (TSMO) Subcommittee Meeting on 1/27/22.
- Issued Right-of-way Encroachment Permit (2022015) to Comcast of Georgia for proposed utility work on Oakley Industrial Boulevard on 1/27/22
- Participated in the South Fulton CID Board Meeting on 1/28/22
- The City of Fairburn's LMIG Application for an amount of \$200,796.42 was approved on by the Georgia Department of Transportation 1/31/22

**Activities/projects in Progress:**

**COMMUNITY DEVELOPMENT/SITE DEVELOPMENT PROJECTS – Under Design/Review**

**Note: As an update please note the following details with respect to the two commercial developments previously proposed on Durham Lakes Parkway.**

There are no pending legal documents for the proposed curb cuts on Durham Lakes Parkway associated with the proposed Liquor Store (Du Monde Plaza) and the proposed Gas Station (St. Charles Square).

Curb cuts are only officially authorized by approved permits; right-of-way encroachment permits, land disturbance permits, or building permits. No permit has been approved for either project. As such, the applicant is not authorized to move forward with the installation of the proposed curb cuts, until such time that authorization is granted through the issuance of an approved permit.





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The proposed locations of the two curb cuts associated with the proposed Liquor Store (Du Monde Plaza) and the proposed Gas Station (St. Charles Square) within the Durham Lakes Golf & Country Club Community are not binding. These location(s) never received formal approval because the Conceptual Site Plan(s) were "not approved" by the Planning & Zoning Commission on 6/1/21, at the Planning & Zoning Commission Meeting. The "conditional" review approvals of the Conceptual Site Plans provided by Staff are in no way binding unless they are followed by an approval by the Planning & Zoning Commission.

If the the Planning & Zoning Commission were to approve the Conceptual Site Plans at any point, then the site development plans submitted thereafter would have been required to be reviewed in substantial conformity with the approved Conceptual Site Plans, to include the locations of the two proposed curb cuts. The proposed curb cuts, however, would not have been officially authorized until after the Site Development Plans associated with each project had been approved and the respective Land Disturbance Permit (LDP) had been issued.

It is important to note that the Staff reviews Conceptual Site Plans to solely to determine conformity with the City of Fairburn's codes, ordinances, and regulations. After review of a Conceptual Site Plan has been completed, Staff prepares a report for the Planning & Zoning Commission which explains the proposed project and make recommendations as to whether the Conceptual Site Plan should be approved, and, if so, what conditions should be included with that approval.

The Planning & Zoning Commission makes the final determination on proposed Conceptual Site Plans.

If a Conceptual Site Plan is approved by the Planning & Zoning Commission, the applicant is then authorized to prepare the necessary plans and specifications for the construction of the building. These are divided into two separate submittals:

- a. The first submittal is for a site development permit/land disturbance permit (LDP); and
- b. The second is for a building construction permit.

If a Conceptual Site Plan is not approved by the Planning & Zoning Commission, the applicant may begin the review process over again. To date, the applicant has not requested to start the process over again.





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**Du Monde Plaza** – The applicant is proposing to construct a 2,590 square feet commercial/retail building on 1.06 acres off Virlyn B. Smith Road within the Durham Lakes Country Club Subdivision.

- o The fourth revision of the Conceptual Plan was Approved with Conditions by Staff on May 14<sup>th</sup>, 2021.
- o The Conceptual Plan was "not approved" on June 1<sup>st</sup>, 2021, at the Planning and Zoning Commission (PZC) Meeting.

**St. Charles Square** – The applicant is proposing to construct a 5,800 square feet convenience store with eight (8) gas pumps on 1.94 acres off Virlyn B. Smith Road within the Durham Lakes Country Club Subdivision.

- o The fourth revision of the Conceptual Plan was Approved with Conditions by Staff on May 14<sup>th</sup>, 2021.
- o The Conceptual Plan was "not approved" on June 1<sup>st</sup>, 2021, at the Planning and Zoning Commission (PZC) Meeting.

**1000 Logistics Center Drive – Site Security and Parking Improvements** – Proposed improvements at an existing storage/logistics facility (Buckingham \_Google) on Logistics Center Drive. Comments on the Site Development Plans were provided to the applicant on 1/19/22

**Milam Village Lot 2, Popeye's Restaurant** – Proposed construction of a Popeye's Louisiana Restaurant and 6,300 sq. ft. building to be divided for three (3) uses on Highway 74/Senoia Road. The Renaissance Parkway Extension will provide access to Milam Road. Comments on the Site Development Plans were provided to the applicant on 11/8/21.

**Package Depot Plaza** – Proposed construction of an 8,200 sq. ft. retail building and the renovation of an existing 8,400 square feet building on Highway 74/Senoia Road. The revised Traffic Study was approved on 8/20/21. The third revision of the Site Development Plans was approved on 9/28/21.

**1162 Hwy 54 East, LLC** – Proposed truck parking facility on Bohannon Road and Howell Avenue Extension.



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The Conceptual Site Plan was approved by the Planning and Zoning Commission on 1/25/21.

The revised traffic study was approved on August 3<sup>rd</sup>, 2021.

The third revision of the Site Development Plans was approved on 1/15/21.

A Tree Bank contribution of \$52,800 is required prior to the issuance of the LDP.

The fourth revision of the Site Development Plans was Approved with Conditions on October 26<sup>th</sup>, 2021.

Based on this plan revision, a Tree Bank contribution is no longer required.

**The fifth revision of the site development plans were approved on January 24<sup>th</sup>, 2022.**

**Fairburn DC – Howell Avenue Extension** – The applicant is proposing to construct an 81,983 SF warehouse and associated parking on Howell Avenue Extension.

The Conceptual Site Plans were approved by Staff on 10/11/21.

The Conceptual Site Plan was approved at the Planning and Zoning Commission Meeting - Tuesday, 11/2/21.

Comments on the Site Development Plans were provided to the applicant on 11/23/21

The Landscape Plan Review comments were provided to the applicant on 12/1/21

**Comments on the revised Site Development Plans were provided to the applicant on 1/4/22**

**The Site Development Plans were approved on 1/18/22.**

**Fairburn Station** – Proposed 7,350 square foot multi-tenant commercial development located on Hwy 74/Senoia Road on a tract zoned C-2 within the Highway 74 Overlay District.

The revised Traffic Impact Report was approved on 9/17/21.

The Conceptual Site Plans were approved by Staff on 10/21/21.

The Conceptual Site Plan was approved at the Planning and Zoning Commission Meeting - Tuesday, 11/2/21.

The proposed development will contain a Peach Cobbler Café; they have two remaining spaces available.

**Comment on the second revision of the Site Development Plans were provided to the applicant on 1/11/22.**

**The Site Development Plans were Approved with Conditions on 1/24/22.**





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**Dollar General** – The applicant is proposing to construct a Dollar General Store on a tract zoned PD within the Highway 74 Overlay District. The property is located on the west side of SR 74/Senoia Road, just north of Meadow Glen Parkway. The Conceptual Site Plan was Approved with Conditions by Staff on 10/25/21. The Conceptual Site Plan was "not approved" at the Planning and Zoning Commission Meeting - Tuesday, 11/2/21.

**Tractor Supply Company** – The applicant is proposing to construct a Tractor Supply Company Store on a tract zoned PD within the Highway 74 Overlay District. The property is located on the west side of SR 74/Senoia Road, just north of Meadow Glen Parkway. The Conceptual Plans were approved by the Planning and Zoning Commission on 5/4/21. The fourth revision of the Site Development Plans were Approved with Conditions on 10/19/21.

**Copart - Fairburn** – The applicant is proposing to convert the Pick-A-Part/Junk car Junky located at 6737 Roosevelt Highway into a Copart Automobile Salvage Facility. The third revision of the Conceptual Site Plans was approved by Staff on 10/2/21. The Conceptual Site Plan was approved at the Planning and Zoning Commission Meeting - Tuesday, November 2<sup>nd</sup>, 2021.

**Nestle Purina Sidewalk and Drainage Project** – Nestle Purina previously submitted a set of plans to build a "Zero Waste to Landfill Building", and the City requested that they make site improvements including the installation of turn lanes, sidewalk, curb & gutter, and drainage improvements. They indicated that the cost of those improvements were more than any net profits that building project could support so they scrapped that plan. They have now submitted plans intended to capture the required improvements, hoping that those enhancements will enable them to permit future projects. Over the coming year or two, they plan to submit permit requests for projects which may include a Zero Waste to Landfill Building, a warehouse expansion, a freezer expansion, and/or a corn silo expansion, and likely more projects not yet scoped. Plan review comments on the revised Site Development Plans were provided to the applicant on April 30<sup>th</sup>, 2021.



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**Fairburn Medi-Plex** – Proposed medical offices and recreational facility complex on Senoia Road/SR74 between the Georgia Power Easement and Surelock Self Storage of Fairburn.

Plan review comments on the second revision of the Clearing & Grading Plans were provided to the applicant on September 14<sup>th</sup>, 2020.

#### **PUBLIC WORKS/CAPITAL IMPROVEMENT PROJECTS – Under Design/Review**

**I-85 @ SR 74/Senoia Road Interchange Project** – Interchange reconstruction at I-85 and SR 74 designed to reduced congestion and provide capacity; Partial cloverleaf interchange (ParClo).

Schedule:

Management Let – October 15<sup>th</sup>, 2022

The project is currently in the right-of-way phase:

The right-of-way (ROW) plans were approved by GDOT on August 27<sup>th</sup>, 2018.

The right-of-way (ROW) funds were authorized on April 1<sup>st</sup>, 2019.

The project currently has 53 parcels. GDOT has closed on nineteen (19) parcels, six (6) parcels are pending condemnation with one (1) filed, thirteen (13) options are with their attorney for closing, seventeen (17) parcels are still being negotiated, ten (10) parcels will need to be reappraised.

Preliminary Engineering (PE) activities continue:

Supplemental Agreement #3 to the Project Framework Agreement (PFA) with the Georgia Department of Transportation (GDOT) for an increase of \$574,966.00 in PE funding was approved at the February 22<sup>nd</sup>, 2021, City Council Meeting.

An Amendment Agreement with TranSystems Corporation for \$574,966.33 for additional professional services was approved at the February 22<sup>nd</sup>, 2021, City Council Meeting.

The Executed Supplemental PFA dated August 10<sup>th</sup>, 2021, was received on August 11<sup>th</sup>, 2021, from the Georgia Department of Transportation (GDOT).

#### **COMMUNITY DEVELOPMENT/SITE DEVELOPMENT PROJECTS – Under Construction**

**Trillium Reserve Subdivision** – Proposed 53-lot single-family subdivision on Fayetteville Road.

The Site Development Plans were approved on September 16<sup>th</sup>, 2021.

Conducted the Preconstruction Meeting on September 29<sup>th</sup>, 2021, after which time the Land Disturbance Permit (LDP) was issued.





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**TEREX (TRX) – USA – Fairburn** – Proposed light industrial building for a maintenance and repair facility specializing in hydraulic equipment located at Bohannon Road and Oakley Industrial Boulevard.

The revised Site Development Plans and the Stormwater Management Report were approved on August 5<sup>th</sup>, 2021.

The Preconstruction Meeting was conducted on August 17<sup>th</sup>, 2021. The Land Disturbance Permit (LDP) was issued on August 20<sup>th</sup>, 2021.

**Graham Road Site** – Proposed 253,618 SF warehouse building, and trailer parking located Graham Road.

The 5<sup>th</sup> revision to the Site Development Plans was approved on March 26<sup>th</sup>, 2021.

The preconstruction meeting was conducted on April 1<sup>st</sup>, 2021. The Land Disturbance Permit (LDP) was issued on April 2<sup>nd</sup>, 2021.

**Fern Dale (Formerly Virlyn B. Smith Tract)** – Proposed Single Family Residential Development on Virlyn B. Smith Road adjacent to the Renaissance Festival property (171-lot subdivision).

The Site Development Plans were approved on December 14<sup>th</sup>, 2020.

The Preconstruction Meeting was conducted on March 31<sup>st</sup>, 2021; the Land Disturbance Permit was issued thereafter.

**Strack Development & Henderson Lake Modifications Project** – The applicant is proposing to develop seven (7) industrial lots around the proposed Howell Avenue Extension Project.

The Site Development Plans were approved on August 13<sup>th</sup>, 2020.

The Preconstruction Meeting was conducted on August 24<sup>th</sup>, 2020, after which time the Land Disturbance Permit (LDP) was issued.

The fourth revision to the Site Development Plans was approved on September 15<sup>th</sup>, 2021.

**Iron Horse Storage Fairburn** – Proposed 109,608-SF Storage Facility on SR 74/Senoia Road.

The Site Development Plans were approved on March 6<sup>th</sup>, 2020.

The Land Disturbance Permit (LDP) was issued on May 6<sup>th</sup>, 2020.

The original LDP expired on November 6<sup>th</sup>, 2020, due to inactivity. If work has not begun within six (6) months of the date of issuance, permits automatically expire.

The Land Disturbance Permit (LDP) was re-issued on April 20<sup>th</sup>, 2021.

The fifth revision to the Site Development Plans was approved on August 5<sup>th</sup>, 2021.



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**Project Miles** – Proposed 1,100,000-SF warehouse facility located off Oakley Industrial Boulevard and Creekwood Road.  
The full Site Development Plans were approved on September 29<sup>th</sup>, 2020.  
The Land Disturbance Permit (LDP) was issued on October 6<sup>th</sup>, 2020.  
A final Visual Infrastructure/Site Development Re-Inspection was conducted on yesterday Wednesday, December 15<sup>th</sup>, 2021; minor corrective action required.  
**The project as-builts were approved on January 6<sup>th</sup>, 2022.**

**South STEM School** – Proposed STEM (Science, Engineering, Technology, & Math) School located at 155 Shaw Drive.  
The Preconstruction Meeting was conducted on October 30<sup>th</sup>, 2019, at which time the Land Disturbance Permit (LDP) was issued.  
Conducted the Final Visual Infrastructure/Site Development Re-Inspection on July 30<sup>th</sup>, 2021; corrective action required.  
Comments on the revised as-builts were provided to the applicant on December 2<sup>nd</sup>, 2021.

**Legend Creek Subdivision** – Single Family Residential site development on White Mill Road. There is a total of 185 lots proposed in this development.  
The revised Site Development Plans were approved on April 23<sup>rd</sup>, 2019.  
The Land Disturbance Permit (LDP) was issued on October 15<sup>th</sup>, 2020.  
Comments on the revised plans were provided to the applicant on January 20<sup>th</sup>, 2022.

**South Fulton Bus Yard Improvements (South Transportation and Maintenance Facility Phase 2)** – Expansion of bus & vehicular parking; building improvements & additions; infrastructure improvement at existing facility located at 107 Heath Street.  
The preconstruction meeting was conducted on November 21<sup>st</sup>, 2018, at which time the Land Disturbance Plan (LDP) was issued.  
Conducted the Final Visual Infrastructure/Site Development Inspection on July 29<sup>th</sup>, 2021; corrective action required.  
Comments on the project as-builts were provided to the applicant on August 23<sup>rd</sup>, 2021.

#### **PUBLIC WORKS/CAPITAL IMPROVEMENT PROJECTS – Under Construction**

**Downtown LCI Streetscape Project [SR 14; CS 4130/W CAMPBELLTON ROAD & CS 4050/SMITH STREET-LCI] (19-005/ PI #0012636)**





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The Preconstruction Conference was conducted on June 23<sup>rd</sup>, 2020. The Notice to Proceed (NTP) with Construction was issued to Precision 2000, Inc. on July 6<sup>th</sup>, 2020, at which time, time charges began.

**Based on the revised schedule provided on January 12<sup>th</sup>, 2022, the new Substantial Completion date is April 13<sup>th</sup> 2022 ; Final Completion by May 22<sup>nd</sup>, 2022.** It is important to note that the Change Orders approved at the October 25<sup>th</sup>, 2021, City Council Meeting provided the Contractor **one hundred and twenty (120) calendar days of additional time** to complete the project.

#### **CHANGE MANAGEMENT**

Change Order #1 for an amount of \$28,046 to black powder coat the traffic signal mast arms

Change Order #2 for an amount of \$17,563.95 to provide traffic control and backfill associated with the removal of the USTs.

Change Order #3 for an amount of \$3,935 to install an impervious planter base adjacent to the Wiley Property.

#### **Recent Change Order Approvals:**

Change Order #4 to address a conflict with an existing drainage system for an amount of \$12,972.00 was approved at the October 25<sup>th</sup>, 2021, City Council Meeting.

Change Order #5 to paint the CSX Railroad underpasses located at SR 92 (E. Campbellton Street) and Cole Street for an amount of \$47,600.00 was approved at the October 25<sup>th</sup>, 2021, City Council Meeting.

Change Order #6 to increase the turning radii at the intersection of W. Broad Street and W. Campbellton Street from 25-feet to 35-feet for an amount of \$148,987.45 was approved at the October 25<sup>th</sup>, 2021, City Council Meeting.

#### **Construction Status:**

Completed installation of project landscaping.

Completed the asphalt paving mill & inlay operations on W. Broad Street (from Malone Street to Strickland Street), on Dodd Street, on Smith Street, and on Malone Street.

The mill & inlay of W. Campbellton Street will be conducted after the work associated with Change Order #6 has been completed.

#### **Recent Construction Activities:**

Continued the reconstruction of the intersection of W. Broad Street and W. Campbellton Street. This work is associated with Change Order #6.

Formed and installed retaining wall W3 and the retaining wall under the abandoned Smith Street underpass.

The painting of the underpasses at both Cole Street and E. Campbellton Streets were scheduled for the week of January 17<sup>th</sup> -22<sup>nd</sup>, 2022. However, due





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to the low temperatures, the proposed painting activities were postponed. According to Primer Product Data, the material can't be installed below 50 degrees.

**Oakley Industrial Full Depth Reclamation Project (21-001)** – This is a TIER I TSP/LOST Roadway Project. The work consists of full-depth reclamation, asphalt paving and striping on Oakley Industrial Boulevard Road from the deceleration lane of the Solstice Apartment Complex to SR 74. In addition, (#1) Oakley Industrial Boulevard (from SR 74 to SR 92), (#2) Oakley Industrial Boulevard (from SR 92 to Fayetteville Road), (#3) Oakley Industrial Boulevard (from Fayetteville Road to Stalwart Road), (#4) Oakley Industrial Boulevard (from just west of Bohannon Road to Creekwood Road), and (5) Gullatt Road (from the bridge over I-85 to McLarin Road) was bid as add alternates.

**Construction Status:**

The project has been completed.

**Recent Construction Activities:**

The Final Visual Inspection was conducted on November 11<sup>th</sup>, 2021; minor corrective action required.

**Rivertown Road Pedestrian Improvements Project (21-002)** – The project entails the installation of five-foot sidewalk along the north side of Rivertown Road from the bridge just south of Magnolia Lane to Vogue Circle (approximately 3,100 linear feet). An Add Alternate to extend sidewalk along Rivertown Road from Vogue Circle to Virlyn B. Smith Road was included in the plans (approximately 1,600 linear feet). A second add alternate to add a Rectangular Rapid Flashing Beacon (RRFB) or a HAWK (High-Intensity Activated Crosswalk) and high visibility crosswalk at the existing ADA ramps near the bridge by Magnolia Lane was also included in the plans.

The Contract Award to The Corbett Group for the Rivertown Road Pedestrian Improvements Project for an amount of \$760,532.50 was approved at the August 23<sup>rd</sup>, 2021, City Council Meeting.

The Notice of Award was issued to the Corbett Group on September 7<sup>th</sup>, 2021. The Notice to Proceed (NTP) date was October 4<sup>th</sup>, 2021, at which point time charges began. The Contractor is to have all work associated with the Project, fully complete within One Hundred and Fifty (150) consecutive calendar days of the NTP date.





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The preconstruction Meeting was conducted on September 28<sup>th</sup>, 2021.

**Construction Status:**

**The installation on curb & gutter and sidewalk from Vogue Circle to Virlyn B. Smith Road (Add Alternate #1) has been completed.**

**Recent Construction Activities:**

The installation of the stamped colored beauty strip from Vogue Circle to Virlyn B. Smith Road has been completed.

The construction activities associated with the Base Bid, the east side of Rivertown Road from the west of Magnolia Lane to the west side of Vogue Circle have begun.

**Cora Robinson Park Improvements Phase II Project (21-003)** – The project entails the removal of the existing gazebo and replacing it with a new pavilion constructed on a concrete slab containing picnic tables and seating units. The project also proposes the demolition approximately 500 linear feet of chain-link fencing and replacing it with wrought iron fencing with intermittent brick columns to align with decorative fencing installed on a previous project. Lastly, the project proposes the replacement of the existing wood sign with a decorative sign/monument structure.

As an Add-Alternate to the project, the City Owned Property directly across the street from Cora Robinson Park will be converted into a new park space with sidewalk, pedestrian lighting, landscaping, and a proposed fountain (*Dodd Street Community Plaza Project*).

The Contract Award to Frontier Design Build for an amount of \$427,637.00 was approved at the August 23<sup>rd</sup>, 2021, City Council Meeting.

The Notice of Award was issued to Frontier Design Build on August 25<sup>th</sup>, 2021.

The Preconstruction Meeting was conducted on September 14<sup>th</sup>, 2021.

The Notice to Proceed date was September 27<sup>th</sup>, 2021. The Contractor will have one hundred and twenty (120) calendar days to complete the project.

**Construction Status:**

**Demolition and clearing activities have been completed.**

**The rough grading activities have been completed.**

**The installation of the Belgard Diamond Pro Retaining Wall has been completed.**

**Recent Construction Activities:**

**The pier columns for the proposed concrete pad of the pavilion have been installed.**





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**Dodd Street Community Plaza Project (21-003)** – Across the street from Cora Robinson Park, there is a triangular shaped, city owned parcel that is envisioned to be a small plaza. The proposed improvements include pedestrian walkways, a plaza area with a fountain, a small pavilion with brick piers on a concrete pad, seat walls and benches, hardscaping, raised community garden beds, new trees, and landscaping.

The Contract Award to Frontier Design Build was approved as an Add Alternative of the Cora Robinson Park Improvements Project Contract Award at the August 23<sup>rd</sup>, 2021, City Council Meeting.

The Notice of Award was issued to Frontier Design Build on August 25<sup>th</sup>, 2021.

The Preconstruction Meeting was conducted on September 14<sup>th</sup>, 2021.

The Notice to Proceed date was September 27<sup>th</sup>, 2021. The Contractor will have one hundred and twenty (120) calendar days to complete the project.

**Construction Status:**

The rough grading activities have been completed.

Installation of the footing for the proposed perimeter seat wall has been completed.

The pier columns for the proposed concrete pad of the pavilion have been installed.

The proposed parking lot has been fine graded.

**Roadway Improvements on Various City Roads Project (21-004), 2021 Local Maintenance Improvement Grant (LMIG)/TSPLOST City-Wide Resurfacing Project**

The Contract Award to Blount Construction Company for an amount of \$1,649,113.11 was approved at the August 23<sup>rd</sup>, City Council Meeting.

The Notice of Award was issued to Blount Construction Company on August 25<sup>th</sup>, 2021.

The Notice to Proceed date was September 20<sup>th</sup>, 2021. The Contractor will have 120 consecutive calendar days to complete the project.

**Construction Status:**

The 1.5" mill & inlay operations on Edelweiss Drive, Alps Court, Mehaffey Drive, Trotters Farm Road (Fayetteville Road to Fellowship Road), Trotters Farm Road (Fayetteville Road to Dead End), Harvest Circle, Fellowship Road, Cora Court, Jerome Road, Francis Lane, Shaw Drive, Heath Street, Inman Street, Fireside Way, Colony Trail (Entrance Only), and Fayetteville Road have all been completed.

**Recent Construction Activities:**

The installation of the thermoplastic striping and the Traffic Print Textured Paving Crosswalks is outstanding.





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**Margaret Street Pedestrian Improvements Project (21-005)** – The work includes the removal of existing curb & gutter and header curb, and the installation of new header curb and sidewalk. This contract also includes preparation of sub-grade, saw-cutting and demolition of existing asphalt as well as clean up and backfilling. The scope of Add Alternate #1 includes pedestrian crosswalks to the north (W. Campbellton Street) and south (Orchard Street) of Margaret Street. Add Alternate #2 includes milling, asphalt paving, the installation of traffic-print textured paving crosswalks, manhole adjustments and associated tasks.

The Contract Award to The Corbett Group for an amount of \$303,836.00 was approved at the August 23<sup>rd</sup>, 2021, City Council Meeting.

The Notice of Award was issued to The Corbett Group on August 27<sup>th</sup>, 2021.

The Notice to Proceed (NTP) date was September 27<sup>th</sup>, 2021, at which point time charges began. The Contractor is to have all work associated with Project fully complete within seventy-five (75) consecutive calendar days of the NTP date.

**Construction Status:**

The installation of the curb & gutter and sidewalk on Margaret Street from Orchard Street to W. Campbellton Street has been completed.

The 1.5" mill & inlay operations on Margaret Street, from Orchard Street to W. Campbellton Street have been completed.

The installation of the thermoplastic striping and raised pavement markers (RPMs) have been completed.

**Recent Construction Activities:**

The installation of the Traffic Print Textured Paving Crosswalks is outstanding.



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### Bi-Weekly Status Report

To: Tony Phillips, City Administrator

From: Sylvia Abernathy

Department: Economic Development

Subject: Monthly Status Report (January 1- January 31st) \_\_\_\_\_

### Bi-Weekly Department Updates

#### **Completed Tasks**

##### ***Economic Development Activities:***

- Completed January Community Activities Report for the Department of Community Services (DCA) Georgia Main Street regarding new businesses, real estate, and improvement projects.
- Participated in Aerotropolis Alliance Economic Development Collective, working on economic development initiatives within the region that include:
  - o Completed update of Fairburn economic development activities for Blueprint 2.0.
  - o Using GIS system, prepared map of Fairburn's catalytic sites for South Fulton Bus Tour scheduled for March 22<sup>nd</sup>.
  - o Completed Fairburn jurisdiction scope of work and presentation for proposed LCI Roosevelt Highway Study.
- Conducted preliminary property research and facilitated information gathering for prospective new businesses downtown and along Hwy 74.
- Completed content and draft of 2021-2022 Economic Development Annual Report, in accordance with reporting requirements for DCA.
- Conducted Main Street Board meeting regarding business development opportunities, 2022 annual work plan, Main Street Assessment, business activation and recruitment, and wayfinding system. – January 18<sup>th</sup>
- Conducted monthly meetings with downtown business owners.
- Conducted meetings to interview performers and talent for Third Friday on Main Street concert series. Obtained bids for contractors to manage event production.





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- Edited and completed article(s) for January City Newsletter. Interviewed Georgia's Youngest Certified Farmer, Kendall Rae Johnson, and completed article for City newsletter.
- Completed Community Beautification Ambassadors (CBA) monthly meeting with presentation regarding Eden Program Community Gardens and Engagement.
- Participated in Georgia Main Street Third Thursdays in conjunction with DCA, regarding statewide technical resources related to ongoing redevelopment and revitalization projects. – January 25th
- Attended City Council Meetings. – January 10th & 24th
- Completed special events and community partner event collaboration:
- **Fulton County Schools, College & Career Academy** conducted meeting regarding workforce development opportunities and apprenticeship for ready-to-work students. -January 5th
- **Taste of Fairburn** – conducted weekly project management meeting regarding upcoming special event; completed business development meeting with local restaurants obtaining participation contracts; sponsorships; advertisement; and program development. January 12th, 19th, & 26th
- **On-going Community Partnership & Health and Wellness Programs** – Conducted meeting with Piedmont Healthcare regarding continued collaboration of community program – resuming Doctor's walk and lunch & learn webinars. – January 25th



#### Completed Tasks [continued]:

Project Activity	Date	Meeting Outcome
Economic Development Collaboration meeting	January 25th	Planning session with IMI Industrial Services Group regarding contracting opportunities within Fairburn's industrial park for major craft trades, including machining and fabrication to enhance supply chain production.



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Economic Development Meeting with City Administrator	January 14th	Discussed economic development priorities and strategic plan. Followed up with submission of work plan, communications proposal, wayfinding system presentation, and proposal related to design technical assistance.
Senior Leadership Meeting	January 20th	Discussed inclement weather and telework policies; administrative review and decision memo processes; implementation of work session; and department projects. Monthly reporting and updates.
District 4	January 18th	Monthly community meeting and planning session; in conjunction SGC Campbell.
SGC Board Meeting	January 27th	Campbell Elementary programs & Initiatives. Early learning workforce development activities in conjunction with STEM curriculum.
Economic Development – Community Partner Meeting	January 19th	Retail strategies economic advancement meeting regarding continued commercial real estate development and small business recruitment downtown and along Hwy 74.





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**Activities /projects in Process:**

- History Project: Historic Preservation Activities to promote Campbell Courthouse, Downtown Historic District, and
- Identify areas for possible Redevelopment projects.
- Work with downtown district property owners to implement façade program and good design and beautification initiatives.
- Encourage arts in underutilized spaces, coordinating and implementing DREAM Arts and Cultural program: utility box design, mural, neighborhood navigational system.
- Coordinate with nearby cities for promotion of murals and art installations.
- Complete inventory of property available for infill and redevelopment opportunities.
- Community Events Calendar for tourism and promotions.
- Working with local business to create internships and apprenticeships for high school and college students.
- Community Town Hall Meetings
- Keep Fairburn Beautiful – Community Beautification Ambassadors Activities & Projects
- Partners in Education workforce development activities.
- Fairburn Merchants Association: Collaboration with director of economic development director regarding city-wide business network and commerce-supply chain consortium.
- Develop property owner database and business inventory.
- Marketing analysis to identify downtown marketability; identifying businesses that support the "Fairburn Experience."
- Coordinate and implement Main Street work plan with DDA, city of Fairburn departmental leadership, and businesses to complete qualifying requirements for Georgia Main Street Classic status, and national accreditation.
- Ongoing business, residential, and community volunteers for Keep Fairburn Beautiful, Community Ambassadors Program in conjunction with task force, to assign clean zones.
- Ongoing Monthly reporting to GA Main Street Association regarding performance measures.
- Create incentives and grant opportunities for niche businesses and industries, in conjunction with placemaking initiatives.
- Complete business Main Street directory of Fairburn's downtown businesses
- "Guide to Starting a New Business in Fairburn Downtown District."
- "Planning for Economic Growth & Development," presentation for Merchants Association virtual meeting.



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- o Main Street – Downtown Signage Grant (DSG) program – collaboration with Fairburn Downtown Development Authority (DDA).
- o Main Street program 2022 work plan for DDA review and comments

**Long Term Projects:**

- o Initiate partnerships with senior group stakeholders to identify housing alternatives to meet ongoing demand for Fairburn's senior population.
- o Update Fairburn's Housing Inventor Report.
- o Work with Downtown Development Authority (DDA) to facilitate development incentives for land acquisition, investments, and additional public infrastructure.
- o Identify Public-Private Partnerships for development, redevelopment, and rehabilitation projects in Downtown.
- o Identify technical design support for creation of Campus Plan for Fairburn's educational system.
- o Joint ATL Airport District, for destination marketing for promotions and economic development.
- o Identify funding sources and potential incentives for historic restorative adaptive reuse projects in Downtown Historic District (DHD)
- o Collaborate with County and state workforce development to provide relevant training and professional development.
- o Work with Historic Preservation Commission and other agencies to develop cultural museum in the old Campbell County Courthouse.
- o Establish business awards luncheon.
- o Coordinate and implement with DDA and planning director, Historic Preservation review committee for downtown district revitalization and redevelopment projects.
- o Partner with educational institution(s) for workforce development in film industry.
- o Work with Historic Preservation Society, Fulton County, and other governmental agencies towards cultural events, museum, and related activities at Fairburn's historic places within the downtown commercial district (i.e., Campbellton County Courthouse).
- o Coordinate and implement along with DDA, planning director, economic development director on wayfinding system plan for driving and walking.





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## **Monthly Department Updates**

### **Monthly Status Report**

**To: Tony Phillips, City Administrator**

**From: Peterson David, Finance Director**

**Department: Finance**

**Subject: Monthly Report (Jan 1 - Jan 31, 2022)**

#### **Activities/Projects:**

- Reviewing all departmental check request
- Daily cash deposit verifications
- A/P Check Runs
- Responding to customer inquiries
- Monitored and assisted customers by taking outside payments to eliminate long lines at drive thru
- Processing of all utility payments
- Processing of all tax payments
  - Personal Property Tax
    - Collected: \$2,748,569.54
    - Outstanding: \$76,472.76
  - Real Property Tax
    - Collected: \$6,328,431.03
    - Outstanding: \$412,837.55
- Sent out December Budget updates
- Team Meeting
- FY20-21 Single Audit started
- Processing bank reconciliations, journal entries, and budget line item transfers
- Established workstations for staff
- Updated Homestead exemption memo
- Bring position back into Finance Department from Police that handles Alcohol & Business Licenses.
- New services for the month of January 1 – January 31, 2022
- Electric: 26
- Water: 45
- Garbage: 40

#### **Long Term Projects/Upcoming Activities**

SOPs

Complete FY20-21 Audit

Office buildout

Advertise for two vacant positions

Establish Monthly Budget meetings



# Fairburn Police Department

James McCarthy

Chief of Police

## Executive Summary January 2021



- **Uniform Patrol Division**
  - Total Calls Answered: 677
    - Self-Initiated 1,524
    - Dispatched 677
  - Arrests 30
  - Arrest – Released 41
  - Citations 414
  - Warnings 898
  - Incident Reports 275
  - Accident Reports 92
- **Special Services**
  - Total Calls Answered: 19
    - Self-Initiated 67
    - Dispatched 19
  - Arrests 2
  - Arrest – Released 2
  - Citations 58
  - Warnings 35
  - Incident Reports 6
  - Accident Reports 18
- **Criminal Inv. Division – January**
  - Cases Assigned 75
  - Ex-Cleared 1
  - Cleared by Arrest 3
  - Unfounded 3
  - Inactivated 6
- **CID – Cases Prior to January**
  - Carry Over 101
  - Ex-Cleared 3
  - Cleared by Arrest 4
  - Unfounded 4
  - Inactivated 18
- **Internal Affairs**
  - Hired 1
  - Vacancies 4
    - 4 police officers
  - Resign / Termination 2
    - Tony Mays, Larry Arnold

### Police

#### January 2020

- Citations 968
- Warnings 2,256
- Arrests 61
- A/R 75

#### January 2021

- Citations 829
- Warnings 1,621
- Arrests 28
- A/R 82

#### January 2022

- Citations 472
- Warnings 933
- Arrests 32
- A/R 43

*Jan. '21 compared to Jan. '22  
7% Part 1 crime increase*

### Code Enforcement

#### January 2022

- Site Insp 14
- Stop Work 0
- Signs Rmvd 52
- Door Hngs 7
- 5 Day Notice 2
- Citations 2





# Fairburn Police Department

James McCarthy

Chief of Police

191 SW Broad Street  
Fairburn, GA 30213

Phone: 770-964-1441  
Fax: 770-774-7908



## January 2022 Crime Report

### Total Part 1 Crime Incidents

○ 2022 YTD	28
○ 2021	328
○ 2020	416
○ 2019	589
○ 2018	709
○ 2017	824

Part 1 crimes are murder, manslaughter, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, and arson

Month	Increase / Decrease Same Month Prior Year	Total Part 1 Crimes
January 2021	- 56.9%	26
February 2021	- 7.4%	25
March 2021	- 19.4%	31
April 2021	- 22.2%	21
May 2021	4%	26
June 2021	- 9.6%	29
July 2021	- 14.2%	32
August 2021	- 35.2%	24
September 2021	- 30.5%	26
October 2021	- 31%	27
November 2021	36%	32
December 2021	- 23.6%	28
January 2022	7%	28



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## **Monthly Department Updates**

### **Monthly Status Report**

**To: Tony Phillips, City Administrator**

**From: Fairburn Fire Department**

**Department: Fire**

**Subject: FFD monthly activities Jan 1-31, 2022**

#### **Activities/projects Completed This Month: Fire Chief Robinson**

- Mayoral Inauguration & 1<sup>st</sup> Council Meeting of 2022
- Tracking devices removed from Administration vehicles
- Met with Chief of Staff & City Administrator about Station 21 upgrades
- South Fulton Chief's Meeting in Union City
- Employee Fun Day observed
- All shifts attended Amazon Union City walkthrough with UCFD
- Loaner returned to Brindlee Mountain
- Met with Cobb County Fire for final review of engine being purchased
- Coweta County Funeral detail
- Weekly meeting with AFCEMA discussing Covid-19
- Met with City Administrator to help find and establish temporary location for Station 23 until permanent Station 23 is built

#### **Activities/projects Completed This Month: Deputy Chief/Fire Marshal Raper**

- |   |                                       |
|---|---------------------------------------|
| • Updated and cleaned up inspection files and plans | • CO inspection – 0 completed (0-TCO) |
| • Occupational Tax Inspection – 6 completed         | • Inspections – 1 completed           |
| • 80% inspection – 0 completed                      | • AirBNB inspection – 0 completed     |





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- Sprinkler inspections – 2 completed
- Fire alarm inspection – 1 completed
- Ceiling Coverup inspections – 0 completed
- Kitchen Hood inspection – 0 completed
- Fire wall inspection – 0 completed
- Fire pump inspection – 1 completed
- Construction meetings – 4 completed
- Code Request – 2 completed
- Code enforcement – 2 completed
- Open records request – 9 completed
- Report review – 5 completed
- Site visit – 9 completed
- Plans for review – 9 completed
- Incident response – 1 MVC's, 2 structure fires, 1 water problem
- ID's – 16 pass completed, 9 pouring completed, 12 employees completed
- B21 – 1/2 day of coverage
- Training – 4 hours training fire investigations/police interviewing
- Gear wash – 5 Sets
- Fire Investigation – 2 completed
- Christmas Decorations at center stage – 1/2 days
- Storm prepared – vehicle chains 1/2 day
- Supplies – 2 half days moving
- Tools and equipment – 1/4 day
- Budget – 3 days
- Holiday – 1 day
- Off – 2 days

**Activities/projects Completed This Month: Captain Ribot**

- Payroll – 2 completed
- Time clock management - Daily
- Recruit NPQ1 Testing (Madison County) 12 hours
- Inspections – 1 completed
- Safety Home Inspection – 1 completed
- Open records request – 1 completed
- Incident response – 1 MVC's, 2 structure fires
- B21 – 1/2 day of coverage
- Multi-jurisdiction training coordination (Union City, South Fulton, and Fairburn Fire)
- Training – 4 hours NIMS
- Engine 21 coverage/Training – 3 hours
- Supplies – 2 half days moving
- Tools and equipment – 1/4 day
- Budget – 3 days
- Temperature Log submittal
- Covid-19 documentation and testing
- SOG Committee meeting – 1 completed
- Holiday – 1 day

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# Monthly Department Updates

## Monthly Status Report

**To:** Tony Phillips, City Administrator

**From:** Chapin Payne, Parks and Recreation Director

**Department:** Parks and Recreation

**Subject:** Monthly Report Jan. 1, 2022 – Jan. 31, 2022.

### **Activities/Projects Completed**

Winter /Spring Program registration opened  
Youth Basketball – modified participation numbers  
3 teams  
Youth Track & Field: ages 7-14  
Youth Tee Ball: ages 5-6  
Youth TOT Ball: ages 3-4  
Girls Softball: ages 9-11  
Teen Community Service Club: High School Students  
Holiday Fit Series – **15 adult participants**  
Canvas & Coffee – **13 senior participants**  
Indoor Track & Field Season – **10 youth participants**  
Daily Park landscape  
Line Dancing for Seniors – **23 senior participants**  
2022 Master Event Calendar  
Participated in City Council Meeting  
Dam removal at Duncan Park  
Youth Center interior lights repaired  
2022 Pavilion Reservations – open for reservations

### **Activities/Projects In Progress:**

Ongoing planning for Spring 2022 Events  
Hiring  
Seasonal pool positions  
(2) full time staff positions  
Duncan Park Field Maintenance  
HVAC system for gym at youth center – (1) quote received  
Landscape at the Youth Center  
Fairburn Teen Empowerment  
Fairburn Senior Programs  
Grants for infrastructure and program funding  
Janitorial Plan for Duncan Park & Fairburn Youth Center  
Youth Community Service Team



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Teen High Arts Training program  
Partnership with Creekside High School  
Partnership with Landmark Christian Athletic Department  
Fairburn Career Fair  
Spring Youth Sports  
Duncan Park Pool – prep

### **Projected Programs:**

Canvas & Coffee – Feb. 2<sup>nd</sup>  
Golden Hearts Brunch – Feb. 10<sup>th</sup>  
GA Cares Informational – Feb. 16<sup>th</sup>  
Popcorn & A Movie – Feb. 23<sup>rd</sup>  
Fairburn Career Fair – March 8<sup>th</sup>

### **Staff Notes:**

Restock janitorial supplies  
Issue permits for Duncan Park reservations  
Continued partnership with the Fairburn Athletic Association to facilitate youth football  
Weekly POs for Department  
Monthly staff schedule  
Process check request for budgetary expenditures  
City Council Meeting preparation  
Monitor cameras at Duncan Park (cameras repaired)

### **Staff Duties:**

Sherri Jackson – Admin Tasks and Facility Reservations  
Jada Berry – Youth Athletics & Special Events  
Carlesia Hill – Fairburn Teen Empowerment & Special Event Support  
Rance Davis – Park Maintenance  
James Berry – Athletic assistance & Senior Programs

### **Marketing Materials:**



# CAREER FAIR 2022

MARCH 8TH

Connect With Fairburn  
Employers

## SAVE THE DATE

Pre-register by using the QR Code →



**FAIRBURN PARKS & RECREATION**

**YOUTH**

**TRACK & FIELD**



**2022 OUTDOOR TRACK & FIELD SEASON**

REGISTRATION NOW OPEN!



AGES: 7 - 14  
REGISTER ONLINE AT  
[WWW.FAIRBURN.COM](http://WWW.FAIRBURN.COM) OR  
USE QR CODE BELOW

**\*PAYMENT PLAN AVAILABLE\***

For more information contact the Fairburn Parks &  
Recreation Department at (770) 964-2244 ext. 134 or  
EMAIL [Jaberry@fairburn.com](mailto:Jaberry@fairburn.com)







## Fairburn Teen Empowerment Teen Community Service Club

Fairburn Teen Empowerment (FTE) focuses on providing teens with skills that will help shape their lives as they progress through young adulthood.

**Grades: 8th - 12th**  
**- One Service Project Per Month**  
**- Free Program**

Register online at [www.fairburn.com](http://www.fairburn.com)  
or by using the QR Code

**Register Today!**





## GEORGIA CARES

LOCAL HELP FOR PEOPLE WITH MEDICARE



**Understand your benefits with Paul Lee, Certified Georgia SHIP Counselor**

- The Medicare Advantage Open Enrollment Period
- Medicare General Enrollment Period
- Medicare Preventive Services
- Covid-19 Medicare Benefits

**FEBRUARY 16, 2022**  
**11 A.M. - 12:30 P.M.**  
**FAIRBURN YOUTH CENTER**  
**149 S.W. BROAD ST.**

Register by calling (770) 961-2244 ext. #133  
or by email at [shjackson@fairburn.com](mailto:shjackson@fairburn.com)



Fairburn Parks & Recreation Presents

# GOLDEN HEARTS BRUNCH

*With Mayor Avery*

February 10, 2022  
11:00AM - 1:00PM

**Fairburn Youth Center**

149 S.W. Broad Street

Register by calling (770) 964-2244 ext. 133  
or by emailing [shjackson@fairburn.com](mailto:shjackson@fairburn.com)

Seating is limited  
Space is limited



## Movie & Popcorn

Celebrate Black History Month by joining us for an  
inspiring movie!

**Wednesday, February 23rd**  
**11:00 am - 1:00pm**

**Fairburn Annex: 40 Washington Street**

RSVP:  
770-964-2244 Ext. 133  
or email  
[shjackson@fairburn.com](mailto:shjackson@fairburn.com)

Free  
Event





**Fairburn Parks and  
Recreation**

**Tot and Tee Ball  
Registration  
NOW OPEN**

Tot Ball: Ages 3-4  
\$55

Tee Ball: Ages 5-6  
\$85

\*Price includes insurance



This is an introductory league  
for boys and girls to learn  
the sport of baseball.

- Register online at [Fairburn.com](http://Fairburn.com)
- Click "How do I"
- Select "Register for a activity"

For more information Contact the Fairburn Parks and  
Recreation Department at 770-564-2244 ext. 133 or  
[email.jaberry@fairburn.com](mailto:email.jaberry@fairburn.com)

Only with Photo My Account

Fairburn Parks & Recreation Department

**FAIRBURN  
GIRLS  
SOFTBALL**  
Ages: 9 & 10



**REGISTRATION NOW OPEN!**

Register Online At  
[www.fairburn.com](http://www.fairburn.com) or  
Use QR Code below



For more information contact the Fairburn Parks & Recreation  
Department at (770) 564-2244 ext. 133

# **Monthly Department Updates**

## **Monthly Status Report**

**To: Tony Phillips, City Administrator**

**From: Tarika Peeks, Director of Planning and Zoning**

**Department: Community Development, Planning and Zoning Office**

**Subject: Monthly Update [January 1-31, 2021]**

### **Activities/projects Completed This Week:**

- Prepared and submitted legal ads for zoning petitions – January 4<sup>th</sup>
- Conference call with Oshun Layne (Dashboard) to discuss future art initiatives – January 4<sup>th</sup>
- Attended the Community Garden Project Team Meeting with ARC Staff – January 6<sup>th</sup>
- Prepared public hearing signs for upcoming rezoning cases – January 7<sup>th</sup>
- Attended the City Council Meeting – January 10<sup>th</sup> and 24<sup>th</sup>
- Attended a virtual meeting with Sean Rosko and Will Cassidy to discuss a mixed-used development – January 7<sup>th</sup>
- Attended the AeroATL Community Development Collective Meeting – January 11<sup>th</sup>
- Prepared the agenda, minutes, and staff report for the Planning and Zoning Commission Meeting – January 3-4, 2022
- Planning and Zoning Commission meeting – January 11<sup>th</sup>
- Art Advisory Council Meeting – January 20<sup>th</sup>
- Processed Planning and Zoning Commission stipends for January Meeting – January 12<sup>th</sup>
- Attended the Community Garden Steering Committee Meeting – January 12<sup>th</sup>
- Conducted a Short-Term Rental meeting with Tyshay Briley to discuss the permitting process - January 13<sup>th</sup>
- Meeting with Val Akins (Liberty Communities) to discuss a proposed single-family rezoning petition - January 13<sup>th</sup>
- Senior Leadership Meeting – January 20<sup>th</sup>
- Conducted a Short Term Rental meeting with Tyshay Briley and Granicus representatives to discuss the permitting process – January 18<sup>th</sup>
- Meeting with Valerie Ross (City Zoning Attorney) and Tony Phillips (City Administrator) to discuss zoning matters – January 19<sup>th</sup>
- Department Meeting with Tony Phillips – January 14<sup>th</sup>
- Attended the virtual LUCC meeting hosted by ARC – January 27<sup>th</sup>
- Occupational tax license applications processed: 4
- Film permit applications processed: 1
- Sign permit applications processed: 1



- Yard Sale Signs: 0
- Plans Reviewed: Buckingham\_Google – Logistic Center, Fairburn Station, Fairburn DC Howell Avenue Extension, Popeye's, Legend Creek
- Plan approvals: 1
- Open Records Requests: 2
- Zoning verifications letters prepared: 0
- Short Term Rental Zoning Verifications: 0
- Responded to numerous calls/emails from citizens, real estate brokers, and developers related to zoning, permits, and development regulations.

#### **Activities/projects in Progress:**

Mural Project (John Christian, Go Georgia Arts)

LCI Downtown Master Plan - **Adopted by Council on November 8<sup>th</sup>**

Text Amendments - Small Box Discount Retail Store Ordinance, Restaurants with Drive-throughs, R-4 Single-family Residential zoning district

Community Garden Plan - **Virtual Community Meeting on February 22<sup>nd</sup> at 6:30 pm**

#### **ies/projects to Be Started:**

Subdivision Regulation Amendments

#### **Long Term Projects:**

Small Cell Tower Ordinance

Amendments to the Off-Street Parking Regulations

#### **SUBMITTED ZONING APPLICATIONS - MEETINGS WILL BE HELD VIRTUALLY VIA ZOOM VIDEO CONFERENCING**

Lennar Georgia, Inc.

The applicant is requesting to rezone 26.665 acres from C-1 (Neighborhood Commercial) to R-CT (Residential Condominium Townhouse) for 50 detached single-family residential units and 112 attached single-family residential units.

Meeting Dates: Planning and Zoning Commission – **December 7, 2021 - APPROVAL**

**City Council – January 24, 2022 - APPROVED**

DRB Group Georgia, LLC

The applicant is requesting to rezone 18.26 acres from R-1 (Single-family Residential) to R-4 (Single-family Residential) for 86 single-family residential lots.

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Meeting Dates: Planning and Zoning Commission – January 11, 2022 -  
APPROVAL

**City Council – February 14, 2022**

2021186 A Step at A Time Early Learning Center

The applicant is requesting a use permit for a child daycare center.

Meeting Dates: Planning and Zoning Commission – February 1, 2022 -  
APPROVAL

**City Council – March 14, 2022**

SUBMITTED VARIANCE APPLICATIONS - MEETINGS WILL BE HELD VIRTUALLY VIA  
ZOOM VIDEO CONFERENCING

#### TEXT AMENDMENTS

Sign Ordinance - Amend sign ordinance regulations for the downtown overlay district and reformat the regulations into a layout that is easier to read and illustrated to depict signage styles, measuring distances, etc. – **ON HOLD**

Special Event Venue Ordinance – Completed. Scheduled for the review by the Planning and Zoning Commission on October 5<sup>th</sup> and City Council on November 8<sup>th</sup> - **Approved by the Mayor and Council on November 8, 2021.**

Mural Ordinance – The creation of an ordinance to regulate the installation of murals - **In progress**

Small Box Discount Retail Store – The creation of an ordinance to establish a distance separation for retail stores under 15,000 square feet that sell discounted merchandise. **In progress - Scheduled to be reviewed by the Planning and Zoning Commission on March 1<sup>st</sup> and City Council on March 28, 2022.**

Restaurants with drive-throughs – A review of the existing distance separation for restaurants with drive-throughs. **In progress - Scheduled to be reviewed by the Planning and Zoning Commission on March 1<sup>st</sup> and City Council on March 28, 2022.**

R-4 (Single-family Residential) zoning district – An amendment to the minimum heated square footage and setbacks for the R-4 (Single-family Residential) zoning district. **In progress - Scheduled to be reviewed by the Planning and Zoning Commission on March 1<sup>st</sup> and City Council on March 28, 2022.**

#### SITE DEVELOPMENT PROJECTS/PLAN REVIEW

- **185 Aderhold Subdivision Plat [20P-001]**

The applicant is proposing to subdivide one residential zoned parcel into two parcels. The plat

was submitted on November 15, 2019. Comments were provided to the applicant on



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December 18<sup>th</sup>.

o **Fern Dale [20-004LDP]**

The applicant is proposing to construct a 171-lot subdivision on Virlyn B. Smith Road. The plans were submitted on December 13<sup>th</sup> and the first set of plan review comments were provided to the developer on January 10<sup>th</sup>. Plan review comments were provided to the applicant on June 18, 2020. Revised plans were submitted for review on August 7, 2020. Plan review comments were submitted to the developer on November 3<sup>rd</sup>. The plan review comments were approved on December 14, 2020. – The pre-construction meeting was held on March 31, 2021, and the LDP was issued.

o **Package Depot [2020101C]**

The applicant is proposing to construct a new 8,200 square feet building and renovate an existing 8,400 square feet building on Highway 74/Senoia Road. The plan was submitted on June 17<sup>th</sup>. Comments were provided to the applicant on July 1, 2020, and the plan was approved on July 7, 2020, and is scheduled for the August 4, 2020, Planning and Zoning Commission meeting. The conceptual plan was approved by the Planning and Zoning Commission on August 4, 2020.

o **Trillium Reserve [2020167LDP]**

The applicant is developing a 54 lot single-family development on Fayetteville Road. The constructions plans were submitted on October 27<sup>th</sup>. The plan review comments were provided to the applicant on November 13, 2020, March 10, 2021, and July 6, 2021. Revised plans were submitted on June 9<sup>th</sup>. The plans were approved on September 16, 2021. The pre-construction meeting was held on September 29, 2021, and the LDP was issued.

o **TEREX USA [2020200C]**

The applicant is developing a 21,000 sq ft building for a maintenance and repair facility specializing in hydraulic equipment on Oakley Industrial Blvd. The conceptual plan was submitted on November 30<sup>th</sup>. The Planning and Zoning Commission approved the conceptual site plan on January 5, 2021.

o **Nestle Purina [19-008/2020190LDP]**

The applicant is proposing to install sidewalks along the frontage of Fayetteville Road. The construction plans were submitted on November 17<sup>th</sup>. Plan review comments were provided to the

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applicant on April 30, 2021.

o **Package Depot [2020206LDP]**

The applicant is proposing to construct an 8,200 sq. ft. retail building on Hwy 74/Senoia Road. The construction plans were submitted on December 17, 2020. The plan review comments were submitted to the applicant on January 4, 2021, April 1, 2021, and June 29, 2021. The plans were approved on September 28, 2021.

o **Du Monde Plaza [2021037C]**

The applicant is proposing to construct a 2,590 square feet commercial/retail building on 1.06 acres. The conceptual plan was submitted on February 2, 2021. The conceptual plan review comments were provided to the applicant on February 12, 2021. The revised plan (revision #1) was submitted on February 19<sup>th</sup> and the plan review comments were submitted to the applicant on March 2<sup>nd</sup>. Revised plans were submitted on May 3, 2021. The plan was approved on May 14<sup>th</sup>. The plan was reviewed at the June 8<sup>th</sup> PZC meeting, and it was not approved. The plan will be scheduled for review again by the PZC on July 6<sup>th</sup>. The applicant decided to remove the conceptual plan from the review process. Therefore, the application was not placed on the July 6<sup>th</sup> PZC agenda.

o **St. Charles Square [2021038C]**

The applicant is proposing to construct a 5,800 square feet convenience store with eight (8) gas pumps on 1.94 acres. The conceptual plan was submitted on February 2, 2021. Conceptual plan review comments were provided to the applicant on February 12, 2021. The revised plan was submitted on February 19<sup>th</sup> and the plan review comments were submitted to the applicant on March 2<sup>nd</sup>. Revised plans were submitted on May 3, 2021. The plan was approved on May 14<sup>th</sup>. The plan was reviewed at the June 8<sup>th</sup> PZC meeting, and it was not approved. The plan will be scheduled for review again by the PZC on July 6<sup>th</sup>. The applicant decided to remove the conceptual plan from the review process. Therefore, the application was not placed on the July 6<sup>th</sup> PZC agenda.

o **Copart – Fairburn [2021055C] and Clearing and Grading Permit [2022014CG]**



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The applicant is proposing to convert the Pick-A-Part located at 6737 Roosevelt Highway into a Copart automobile salvage/auction facility. The conceptual site plan review comments

were submitted to the developer on March 16, 2021, and September 7, 2021. The conceptual site plan was approved by the Planning and Zoning Commission on November 2, 2021.

The clearing and grading plans were submitted on February 1, 2022.

- o **1162 Hwy 54 East [2020213] and [2020206]**

The applicant is proposing to construct a truck parking facility with 112 truck parking spaces. The conceptual site plan was submitted and was approved by the Planning and Zoning Commission on January 5, 2021. The construction plans were submitted, and review comments were provided

to the developer on December 29, 2020, March 31<sup>st</sup>, and June 16, 2021. Landscaping comments were provided to the developer on October 11, 2021. The plan review approval letter was provided to the developer on October 26, 2021.

- o **Tractor Supply [2021057] and [2021120LDP]**

The developer is proposing to construct a 22,136 square foot retail store at the northwest

corner of the intersection of Highway 74/Senoia Road and Meadow Glen Parkway. The conceptual site plan was approved by the Planning and Zoning Commission on May 4, 2021. The construction plans were submitted on June 30, 2021. Plan review comments were submitted to the applicant on July 19, 2021, August 17, 2021, and September 2, 2021. The conditional plan approval letter was provided to the applicant on October 19, 2021. The plan approval letter was provided to the applicant on February 10, 2022. The pre-construction meeting will be held on February 11, 2022, and the LDP was issued.

- o **Highway 74 & Meadow Glen Pkwy Final Plat [2021128]**

The developer is proposing to subdivide the 9.511-acre parcel at the intersection of Highway 74/Senoia Road and Meadow Glen Parkway into three (3) tracts. The plat was approved by the Planning and Zoning Commission on September 7, 2021, and continued by the Council on September 27<sup>th</sup> and October 25, 2021. The plat is scheduled for December 13<sup>th</sup>. The plat was denied by the Council on December 13<sup>th</sup>. The applicant revised the plat, reducing the subdivision from three tracts to two tracts. The Planning and Zoning Commission will review the plat on January 11<sup>th</sup> and Council will review the plat on January 24<sup>th</sup>. The final plat was approved on January 24, 2022.

- o **Iron Horse [20-002LDP]**

The developer is constructing a self-storage facility on 2.65 acres at 7935 Senoia Road. The previously approved plans were resubmitted for staff review on June 29, 2021. Plan



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review comments were provided to the developer on July 14, 2021.

o **Fairburn Station [2021141C] and [2021179LDP]**

The applicant is proposing to construct a 7,350 SF multi-tenant retail building on Senoia Road. The plan was submitted on August 12, 2021. The plan review comments were submitted to the

applicant on August 26, 2021. The conceptual site plan was approved by the Planning and Zoning Commission on November 2, 2021. The construction plans were submitted, and plan review comments were provided to the developer on December 1<sup>st</sup> and 28<sup>th</sup>, 2021. The conditional plan approval letter was provided to the applicant on January 24, 2022. The plan approval letter was provided to the applicant on February 24, 2022.

o **Howell DC Fairburn [2021144C] and [2021172LDP]**

The applicant is proposing to construct an 81,983 SF warehouse and associated parking on Howell Avenue. The plan review comments were submitted to the applicant on September 7,

2021. The conceptual site plan was approved by the Planning and Zoning Commission on November 2, 2021. The construction plans were submitted on November 5<sup>th</sup> and December 16<sup>th</sup>, and plan review comments were submitted to the developer on November 23<sup>rd</sup>. The pre-construction meeting was held on February 10, 2022.

o **Milam Village Phase 2 - Popeye's [2021164LDP]**

The applicant is proposing to construct a 3,130 SF Popeye's restaurant with a future 6,000 SF building. The plans were submitted on October 19, 2021. The plan review comments were provided to the developer on November 8 & 9, 2021.

o **Legend Creek Subdivision [17-006LDP]**

The applicant is proposing to develop a single-family residential development on White Mill Road. There is a total of 185 lots proposed in this development. The Land Disturbance Permit (LDP) was issued on October 15, 2020. Revised plans were submitted on December 17, 2021, and January 28, 2022. Plan review comments were provided to the applicant on January 20, 2022, and February 4 & 8, 2022

• **South Park Building A [20220113LDP]**

The applicant is proposing to develop a 255,420 square foot warehouse building on Whitewater Place. The plans were submitted on January 21, 2022.



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# **Monthly Department Updates**

## **Monthly Status Report**

**To: Tony Phillips, City Administrator**

**From: Harvey Stokes, Director of Building and Property Management**

**Department: Property Management**

**Subject: Staff Report for January, 2022**

### **➤ Activities/projects Completed:**

- Elevator repairs and servicing at the Educational Campus
- HVAC system balanced, Academic bldg. at the Education Campus.
- Sneeze guards provided in the Council Chambers.
- Damaged Gateway monument repairs completed at SR 29&138
- Finished closing out 2021 permits
- Installed new controlled access system at the 26 West Campbellton Street Bldg. including an external intercom system.
- Renovations at the Utility Building on Howell Avenue, underway nearing completion
- Office area for Streets Director
- Receptionist area
- Storage closet
- Work space for facility personnel
- Restroom renovations
- Modifications to the HVAC system
- Data circuits
- New lighting throughout
- Flooring, drywall, painting and framing
- Installation of a new store front entry/ egress

### **➤ Building Inspections:**

- Hudson Plaza, working with a new Structural Engineer in the design and to rebuild the failed parapet wall that fell earlier this year. (no Changes)
- New Home Constructions
- Repairs and Alterations residential projects
- Solar Systems
- Temporary and permanent power releases
- Iron Horse Storage, nearing completion
- Graham Road Warehouse, nearing completion
- TEREX, at 1400 Oakley Industrial tilt up wall panels

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➤ **Commercial Permits Issued:**

- Quik-trip renovations permits issued

➤ **Commercial Plans Reviewed:**

- Copart Roosevelt Hwy (Review completed ready for pickup)
- Tractor Supply Co. (Review completed waiting for the issuing of the LDP)
- Lovely Bodies Gym (pending Fire Marshal approval)

➤ **Activities/Projects in progress:**

- Install a keyless access system on all doors at City Hall, including an external intercom system (Scheduled)
- Repairs and renovations at Station 21 (phase one starts week of 2/14)
- Replace both Infer-red heaters in bay at station 22 (awaiting units to come in)
- Repairing of bay lights at Station 22
- Repairing of Roof leak over the Evidence Room at PD
- Realignment of personnel and office space at City Hall
- Replace water heater at the football field concession stand at Duncan Park
- Replace outside GFCI receptacles and weatherproof covers at the pool house at Duncan Park
- Replace flag at Avery Park
- Replace lock on warehouse man-door at the Utility Dept
- Replace the defective roof decking at the Annex Building
- Replace garage man-door at the Street Dept
- Painting of upstairs portion of the patio above Oz Pizza
- Repair PA system at Drive thru window at City Hall
- Landscaping needed at the Passenger Depot "Casablanca" restaurant



➤ Permits Issued FY 2022

Permit Types	Ja n	Fe b	Ma r	Ap r	M a	Ju n	Ju l	Au g	Se p	Oc t	No v	De c	Su m
New Residential Bldg	7												7
Residential R & A	9												9
Fences	3												3
New Comm Bldg													
Commercial R & A	1												1
Electrical	7												7
Mechanical	6												6
Plumbing	3												3
Pools													
Demolitions	1												1
Misc.	2												2
Fire Sprinklers													
Multi-Family													
<b>2021 Totals:</b>	<b>39</b>												<b>39</b>

➤ Projects to be started:

- Parking lot improvements at Freight Depot "Armando's " restaurant
- Modifications of old PD Training Center for staff
- Access Control at the Police Dept
- Access control at the Youth Center
- Install a door between City Manage office and Assist City Manager office at City Hall
- Dumpster enclosure at Casablanca restaurant
- Dumpster enclosure at Armando's restaurant
- Painting of the exterior walls on the Annex Building
- Repair lighting in the Annex Building
- Repair gutters and down spouts at the Passenger Depot "Casablanca" restaurant

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# Monthly Department Updates

## Monthly Status Report

**To:** Tony Phillips

**From:** Gale Higgs, Director of Streets Department, Maintenance and Shop

**Department:** Streets Department

**Subject:** Monthly Report (January 2022)

### **Activities/projects Completed:**

- Conducted Christmas tree pickup throughout the city (1/3-1/14 2022)
- Removed the downed tree blocking the road on Tennis Rd (1/3/2022)
- Assisted with flooded Rd cleanup on Spence Rd (1/4/2022)
- Repaired Fence damaged by trees from the storm (1/5/2022)
- Painted the bay doors and staircase at the Utilities Building (1/6/2022)
- Painted the bollards at the Maintenance Shop (1/7/2022)
- Cleaned the retention pond at GMC (1/7/2022)
- Participated in the virtual Council meeting (1/10/2022)
- Repaired damaged sidewalks on Oakley Industrial Blvd, E Broad St, Creekwood Rd, and Washington St (1/10/2022)
- Installed Speed Bumps near Global Academy (1/10/2022)
- Assisted with Margie's House Cleanup (1/15/2022)
- Had city decals added to the electric department vehicles (1/17/2022)
- Removed several trees from storm damage on Renaissance Pkwy and Meadow Glen Way (1/18/2022)
- Cleaned drains on Valleybrook Rd, Milo Fisher, Black Diamond, and W Campbellton St (1/20/2022)
- Assisted with Margie's House Cleanup (1/22/2022)
- Prepared the baseball fields at Duncan Park (1/24-25/2022)
- Repaired benches and and replaced rails at Duncan Park (1/27/2022)
- Secured the playground equipment at Duncan Park (1/27/2022)
- Cleaned and cleared all curb lines on Hwy 138 (1/28/2022)
- Cleaned the retention pond on Revere Turn (1/29/2022)



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- Assisted with Margie's House Cleanup (1/29/2022)
  - Removed Gates to playground at Duncan Park (1/31/2022)

### **Activities/projects in Progress:**

- Street repairs on Fayetteville Rd
- Tree Removals on Renaissance Pkwy
- Ditch Drain Cleanouts on Hwy 92
- Reactivation of Community Service program

### **Continuous Projects:**

- Pothole repairs
- Street Sign Repairs and Replacements
- Litter and debris cleanup
- Sewer crain Clean out

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# **Monthly Department Updates**

## **Monthly Status Report**

**To: Tony Phillips, City Administrator**

**From: John Martin, Utilities Director**

**Department: Utilities**

**Subject: Department Updates from 01/01/2022 through 01/31/2022**

### **Director's Office**

#### **Activities/Projects:**

- Fairburn Utilities Monthly Progress Meeting with Integrated Science and Engineering (01/20/2022)
- Submitted Utilities Department Temperature Checks-(01/07/2022, 01/14/2022, 01/21/2022, & 01/28/2022)
- City Council Teleconference meeting (01/10/2022 & 01/24/2022)
- Attended Senior Leadership Meeting (01/20/2022)
- Utility Outage Plan for Possible Ice Storm- (01/12/2022)
- One-on-One meeting with the City Administrator-(01/13/2022)
- Interview for Electric Journeyman- (01/13/2022)
- Middle Chattahoochee Regional WSA Meeting (01/11/2022)
- Submitted Fairburn winter rates to Georgia Public Service Commission (01/03/2022)
- On-site investigations: 3868 Meadow Glen Way-(01/07/2022), Chipotle & IHOP- (01/14/2022)
- Waypoint Analytical Water Sampling Distribution Report- (01/17/2022 & 01/24/2022)
- Meeting with Duke's Root Control (01/19/2022)



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- Acquired GIS User Login Credentials for usage- (01/14/2022)
  - Implemented new Office Lunch Schedule (01/07/2022)
  - Mass Power Outages- (01/03/2022 & 01/14/2022)
  - Level 1 Assessment Completed- (01/12/2022)
  - 1042 Shadow Glen -Resolved Landscaping Issue (01/25/2022)
  - Sent MNGWPD Model Litter Ordinance and Post-Construction Ordinance (01/25/2022)

## **Customer Service**

### **Activities/Projects:**

- Sent out Weekly "On-Call" Contact Listings.
- Sent email correspondence to customers via email regarding bill discrepancies, payment arrangements, general information, and follow-up(s) for pending investigations.
- Administered field/system audit for water accounts due to billing errors.
- Worked closely with the Incode Team to troubleshoot, review, make updates and training on certain tasks/setups in the Incode billing system.
- Fairburn Billing Team set up data and gather reads for billing. Compiled data and forwarded items (as needed) for troubleshooting and different testing.
- Processed meter change-outs for electric and water meters
- Compiled information documents on tasks within the Incode Billing System.
- Compiled information for the "January 2022 Monthly Report".
- Worked closely with Billing Team to review and process utility billing for February 2022
- Analyzed "manual read" spreadsheet for High-Level Customers and Top Priority Reads.
- Processed ERTs for Water Meters that needed to be installed in the system.
- Usage of the "Service Order Job Codes" document that includes description and acronyms for all system service orders.
- Verified "bill warning setting" in Incode for bill threshold amount for discrepancy bills.
- Disconnection service orders were issued for "seriously delinquent" customers:
- \*01/2022 – 01/31/2022 → 65 orders completed.
- Granted payment arrangements to customers with outstanding balances that have been impacted by COVID-19.
- Training: N/A

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- Meetings: N/A

### **Electric Division**

- Jan 3<sup>rd</sup> / Mass outage FO872, tree on Valley View/ Framed pole to replace broke pole from car on Senoia Rd. All employees in Line Section returned from Covid quarantine. Conference with Director.
- Jan 4<sup>th</sup> / Removed Christmas banners for Sylvia/ Moved jumpers on pole at Senoia Road for pole replacement. Began pole replacement.
- Jan 5<sup>th</sup> / Finished pole installation on Senoia Road/Prepped job at Reynolds construction on Roberts Street.
- Jan 6<sup>th</sup> / High pot test of underground at Reynolds Construction / Primary line bad. Scheduled locate. Wey Delta bank at Larry's Tire identified as bad, Rebuilt with new transformers and switches.
- Jan 7<sup>th</sup> / Unloaded trucks/ fleet maintenance/ completed new service on Rivertown Road/ Transformer banking class for crew.
- Jan 10<sup>th</sup> / Pulled transferred poles in various parts of the city.
- Jan 11<sup>th</sup> / Set pole on Woodland Drive, bushhogged ROW to swamp line on Woodland Drive, framed single phase pole for installation on Woodland Drive.
- Jan 12<sup>th</sup> / Hand dug pole hole on Woodland Drive, installed pole, ran primary wire and neutral to pole and energized wire.
- Jan 13<sup>th</sup> / Pulled poles in yard and demoed old training area/ dropped and re-connected service for tree removal on Fieldstone / cut trees on Vickery in entire R.O.W. / Interview with Blake Johnson for Journeyman Lineman position.
- Jan 14<sup>th</sup> / Phase bank pole for U.S. post office damaged and caught fire/suspect vehicle/rebuilt bank and replaced bad 75kva transformer. Also prepped for impending winter storm.
- Jan 18<sup>th</sup> / Work orders/began spotting gas line on Woodland Drive to install primary cable.
- Jan 19<sup>th</sup> / Begin digging on Woodland /work orders
- Jan 20<sup>th</sup> / Rain/ fleet maintenance/work orders/ class on various overhead banks.
- Jan 21<sup>st</sup> / Installed primary cable in ditch and closed ditch on Woodland.
- Jan 24<sup>th</sup> / Terminated pothead pole on Woodland/ transformer pickup from Florida transformer/work orders
- Jan 25<sup>th</sup> / Worked at Duncan Park on field lighting issues for Chapin Payne
- Jan 26<sup>th</sup> / Worked at Duncan Park removing old riser at pole VFW
- Jan 27<sup>th</sup> / Fleet maintenance/ work orders/ received stock
- Jan 28<sup>th</sup> / Completed terminations at Woodland underground, received stock shipment, work orders.
- Jan 31<sup>st</sup> / Replaced broken pole on Word Street/ Outage-East Point assisted.



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## Water and Sewer Division

### **Activities/Projects:**

#### **Water**

- Billing Re-reads: 52
- Meter Installations: 31
- Emergency Cut-offs: 6
- Valve Marker Replacement: 0
- Locates: 2
- Meter Leaks: 9
- Check for Leaks: 18
- Water Main Leak Repair: 2
- Replaced meter lids: 1
- Water Inspections: 15

#### **Sewer**

- Sewer Backups: 5
- Manhole Cover Replacements: 0
- Daily Lift Station Inspection and Maintenance
- Sewer Repair: 1
- Sewer Inspections: 15

#### **Stormwater**

- Check and inspection of culverts, drains, etc. for rainwater overflows in creeks and streams.
- Phase I Storm Drain Lining (In Progress)
- Stormwater Inlet Repair ed for

#### **COVID-19**

- Water and Sewer personnel are maintaining restrictions and social distancing.
- Utilities building are wiped down on Mondays and Thursdays to prevent exposure.