



# City of Fairburn Council Meeting Agenda

August 22, 2022  
7:00 pm

## *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  
Ms. Brenda B. James

City Attorney  
City Administrator  
City Clerk

- I. Meeting Called to Order: The Honorable Mayor Avery
- II. Roll Call: City Clerk
- III. Invocation: Pastor Dwight Boone, Crossroads Church
- IV. Pledge of Allegiance:
- V. Presentations and Proclamations:
- VI. Adoption of the City Council Agenda:
- VII. Approval of the Minutes: Special Called Meeting Minutes of August 2, 2022, and Regular Council Meeting Minutes of August 8, 2022
- VIII. 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 later.
- IX. **Public Hearing and Agenda Items:**
  - 1. **Rezoning 2021103 DRB Group, LLC & Bartow Properties, LLC – Curry Bend Development Plan with Concurrent Use Permits 2021113 & 2021114 and Concurrent Variances 2021110 & 2021111**

**Recommendation:** For Mayor and Council to reconsider a court remanded rezoning application and development plan, along with two concurrent use permits and two concurrent variances, to allow a planned development (**Planning & Zoning Department**)

**2. Proposed 2022 Millage Rate**

**Recommendation:** To hear citizen comments on the proposed 2022 millage rate (**Finance Department**)

**3. Proposed FY 2022-2023 Budget**

**Recommendation:** To hear citizen comments on the proposed FY 2022-2023 budget (**Finance Department**)

**4. Resolution Granting Special Counsel Authority to Enter Into a Joint Defense Agreement with the City of Atlanta and the City of Sandy Springs; To File Legal Actions on the City's Behalf as Necessary to Accomplish the Purpose of Securing a Distribution of L.O.S.T.; and for Other Purposes**

**Recommendation:** For Mayor and Council to approve the Resolution granting special counsel authority to enter into a Joint Defense Agreement with the City of Atlanta and the City of Sandy Springs and to file legal actions on the City's behalf as necessary to accomplish the purpose of securing a distribution of L.O.S.T. and other purposes (**Mayor**)

**5. Purchase of Fire Pumper/Tanker for the Fire Department**

**Recommendation:** For Mayor and Council to approve the purchase of a 2005 International Pumper Tanker not to exceed \$249,000 with the first payment of \$130,000 in FY22 and \$119,000 in FY23 (**Fire Department**)

**6. Downtown Façade Improvement Grant**

**Recommendation:** For Mayor and Council to approve the funding to facilitate the implementation of the Downtown Façade Improvement Grant (**Economic Development**)

- X. Finance Director Monthly Report:
- XI. City Administrator Monthly Report:
- XII. Council Comments:
- XIII. Adjournment:

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 Special Called Meeting  
Minutes  
August 2, 2022  
5:30 pm

- I. The meeting was called to order at 5:30 pm by Honorable Mayor Mario Avery.
- II. Roll call by Brenda James, City Clerk, found the following members present:

The Honorable Mayor Mario Avery

The Honorable James Whitmore  
The Honorable Alex Heath  
The Honorable Linda J. Davis

The Honorable Pat Pallend  
Mayor Pro Tem Hattie Portis-Jones (Zoom)

The Honorable Ulysses J. Smallwood-Absent

Also present was City Administrator, Tony Phillips, City Clerk, Brenda James, Attorney, Rory Starkey and Attorney, Serena Nowell.

- III. Adoption of the Agenda:

Councilman Whitmore made a motion to approve the agenda as submitted, with the second provided by Councilwoman Davis. **The motion carried unanimously.**

- IV. Agenda Items/Public Hearings:

1. **Agreement with Charles Abbott Associates for Building Department Services**

Brian Epstein of Charles Abbott Associates, Inc., gave a presentation and stated they have been in business since 1984. They have over twenty-five community partners in Georgia, fourteen building officials, thirty code inspectors, two engineers and other staff members. The equipment they have is owned and maintained by CAA and offer next day inspections. Revenue-sharing ensures City costs will never exceed permit revenue. CAA is requesting that the city adopt a fee schedule that is both an industry standard and inflation proof. The fee schedule is based on construction costs using nationally accepted data.

City Administrator, Tony Phillips stated the City of Fairburn has continued to see an increase in development throughout the city regarding residential and commercial projects. Over the past several years, the city has operated with one employee serving as the building official and inspector which, does not meet the current demand of development and the building permit fee schedule has not been updated since 2003.

Council Member Heath made a motion to approve the agreement with Charles Abbott Associates, Inc. for the Building Department Services and to approve the revised building permit fee

schedule. The second was provided by Mayor Pro Tem Portis-Jones.

Mayor Pro Tem Portis-Jones asked Mr. Epstein to explain the plan review component and to explain why this is important. She also asked if they would be housed in Fairburn and asked about minimum staffing.

Mr. Epstein stated when they have a residential plan review, we assess and evaluate any deficiencies and identify common problems and square footage issues. They try to identify any major issues that we may have upfront on the drawing plans and verifies the square footage is correct. Mr. Epstein stated they work out of city hall or remotely, we will have an inspector here as well as inspectors out in the field. Mr. Epstein will be the project manager for the City of Fairburn.

Councilman Davis asked Mr. Epstein to share any challenges their company has had during the current environment on delivering services. Mr. Epstein stated they have not had any challenges, it has been seamless for them because they are accustomed to working remotely.

Councilwoman Davis advised Mr. Phillips that this is a significant impact on our fees and asked how will we market these changes. Mr. Phillips stated these fees will impact the construction companies that apply for a building permit, at that time, all the information will be readily available to them, these fees will also be on the website.

Councilman Whitmore asked Mr. Phillips about the 60/40% revenue sharing. Mr. Phillips stated that Charles Abbot Associates would get 60% and the City would get 40%, and this ensures the City's costs would not exceed our permitting fees. Councilman Whitmore stated the proposed building permit fee schedule will put the city in a better position, our fees were low, and all the contractors knew it. He asked about the online application and Mr. Phillips stated they are working on that as well. Mayor Avery stated because of a cyber-attack on January 9<sup>th</sup>, as it relates to the upgrade, we are prioritizing cyber security issues that had to be addressed because of information that has been lost, but we are working on the upgrade in technology.

Mayor Pro Tem Portis-Jones asked if CAA will be assisting in documenting, making suggestions and recommendations regarding operations. Mr. Phillips stated yes, and one of the reasons they chose Charles Abbott is because of the depth of their experience.

Mayor Avery stated the motion has been made and properly seconded. **The motion carried unanimously.**

## **2. Resolution Authorizing the Establishment of a COVID-19 Pandemic Leave Policy**

Human Resources Director, Talisha Champagne stated there were two parts of the COVID-19 Policy. The policy was established to develop safety protocols and guidelines due to the surge of COVID cases, not only within the County but within our employee population. We added another component which was to establish a pandemic leave benefit for our employees to incentivize those employees who are currently vaccinated, so they would not have to utilize their own sick time or those who do not have enough sick time.

Councilman Pallend made a motion to approve the Resolution and approve the COVID-19 Policy and Pandemic Leave Benefit and the second was provided by Councilwoman Davis.



Mayor Pro Tem Portis-Jones asked if Ms. Champagne could investigate a broader policy to include other pandemics or epidemics as they occur.

Mayor Avery stated the motion has been made and properly seconded. **The motion carried unanimously.**

### **3. Introduction to Municipal Electric Authority of Georgia (MEAG)**

Stuart Jones, Senior Regional Manager with MEAG gave a presentation. He stated Municipal Electric Systems date back to the 1890s which most of the systems provided wholesale power from a small plant that they owned and operated. Most of that early service was for electric trolleys which eventually led to street lighting. Until MEAG was formed, Fairburn was a wholesale customer of Georgia Power. Georgia Power indicated in the early 1970s that in the event of power shortages, it would provide first for its retail load and could not be responsible for supplying the wholesale requirements of the municipal systems. At the same time, Georgia Power was seeking an operating license for Hatch Unit 2 and construction license for Vogtle Units 1 & 2. The Atomic Energy Act was being amended to require an anti-trust review by the Department of Justice. Under the settlement agreement from the anti-trust review, Georgia Power agreed to sell to the municipalities and to the EMCs appropriate shares of its facilities. As a result, the General Assembly created MEAG, a public corporation and instrumentality of the State, for the purpose of acquiring generation and transmission assets to provide wholesale power supply to the municipalities. MEAG's initial acquisitions in four power plants were financed and the sales were completed in early 1977. To date, there are forty-eight municipal systems and one county that make up MEAG Power and service a population of 634,000 for all forty-nine cities.

MEAG's mission is to provide our participants with competitive and reliable electric power to enhance the quality of life in their communities. Our vision is to be our participants' #1 choice for wholesale power that is essential to their growth and prosperity. Our values are customer focus, integrity, excellence, teamwork, stewardship, and responsiveness.

Councilmember Heath asked what would happen to the coal fired plants, once the coal supply in the U.S. is depleted. Mr. Jones stated that Plant Wansley will be non-operational at the end of this month. The two units there will no longer be in the fleet, that decision was based on the need to add additional environmental controls. The eastern coal is a higher sulfur coal out of central Illinois and Plant Scherer located north of Macon will be closing units three and four. The co-owners of units one and two in Plant Scherer which is MEAG, Georgia Power, and Oglethorpe are evaluating to see if they want to keep Plant Scherer going and that decision needs to be made by 2025.

Councilman Heath asked if those facilities would be revitalized to run natural gas. Steve Jackson, Chief Operating Officer with MEAG stated when you look at shutting a coal plant, it will be demolished. Those sites would be a suitable location for other generating resources because you have transmission infrastructure and other infrastructure that can be used.

Mr. Jones discussed the comparison of emission-free, MEAG is 66% emissions-free whereas Georgia is at 34.3% and US is at 37.7%. Mr. Stuart Jones said in 2020, MEAG Power adopted a new Integrated Resource Plan (IRP), a new roadmap to meet the future capacity and energy requirements of its forty-nine public power participant communities. Our vision is to continue to



transition our resource portfolio to address future requirements, including increasing our emissions-free energy delivered to nearly 90% by 2045.

Mayor Pro Tem Portis-Jones thanked Mr. Jones for his presentation and asked for more information on the integrated plan to become greener. Mr. Steve Jackson stated as we look at the future, 25 years and try and determine what resources may be needed for the system as other units go out of service. What we see primarily is adding solar resources to the system, which will reduce costs and will be added over time. Mayor Pro Tem Portis-Jones asked if there were any grant opportunities through MEAG and Mr. Jackson stated they are trying to have a consultant to help look at potential grant opportunities in the infrastructure act for our participants.

Councilman Heath asked if there will be a rate increase once Vogtle units three and four go online. Mr. Jackson stated, yes there will be rate increases, we provide 10-year projections so you can understand what those impacts are.

Councilman Whitmore inquired about MEAG's policy for customers that want to put up solar at their residence. It was his understanding that a customer inquired about this, and they would be paying more out in surcharges etc. Mr. Jackson stated that we are operating at the transmission and generation level and when we look at solar resources, we are looking at large utility scale resources like the 80-megawatt project. When you look at a residential installation of solar facilities, those policies are set by you as the retail provider, so depending on what your policies are, this is managed at the city level. There are certain state requirements that the city falls under as far as what amount of solar energy they are required to take, but this is managed at the local level.

Mayor Avery stated there has been problematic issues with solar and will have more conversation about this later.

Councilman Whitmore stated that we lost a Police Officer in the City of Fairburn. One of our business owners, the Studio Cigar Lounge will be honoring the life of our dear officer on August 3<sup>rd</sup>, at 6 p.m. They are offering for the officers to come in and dine at the studio as well as Mayor and Council.

V. Adjournment:

Mayor Pro Tem Portis-Jones made a motion to adjourn the meeting with Councilman Heath providing the second. The meeting adjourned at 6:50 p.m. **The motion carried unanimously.**

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Brenda B. James, City Clerk

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Maio Avery, Mayor



# City of Fairburn Mayor and Council Meeting Minutes

August 8, 2022  
7:00 pm

The Meeting was called to order at 7:00pm by the Honorable Mayor Mario Avery.

Roll Call by City Clerk, Brenda B. James found the follow members present:

The Honorable Mayor Pro-Tem Hattie Portis-Jones  
The Honorable Linda J. Davis  
The Honorable James Whitmore

The Honorable Ulysses J. Smallwood  
The Honorable Pat Pallend

The Honorable Alex Heath was absent.

Also present was:

Mr. Rory Starkey  
Mr. Tony Phillips  
Ms. Brenda B. James  
Ms. Serena Nowell

City Attorney  
City Administrator  
City Clerk  
Assistant City Attorney

- I. Invocation was by Pastor Deris Coto, First Baptist Church of Fairburn.
- II. The Pledge of Allegiance was said in unison.
- III. Presentations and Proclamations: N/A
- IV. Adoption of the City Council Agenda:

Council Member Davis made the motion to adopt the agenda with Council Member Smallwood providing the second. **The motion passed unanimously.**

- V. Approval of the Minutes: Special Called Meeting Minutes of July 20, 2022, and Regular Council Meeting Minutes of July 25, 2022

Council Member Whitmore made a motion to approve the minutes of the Special Called Meeting of July 20, 2022, with Council Member Davis providing the second. **The motion passed unanimously.**

Council Member Portis-Jones made a motion to approve the minutes of July 25, 2022, with Council Member Whitmore providing the second. **The motion passed unanimously.**



VI. Public Comments: **None**

VII. **Consent Agenda Items:**

Council Member Whitmore made a motion to approve the Consent Agenda Items with Council Member Davis providing the second. **The motion passed unanimously for the following items:**

**1. Appointment to Development Authority and Downtown Development Authority (Economic Development)**

Todd Ireland, owner operator of IE Coin Laundry of Fairburn was appointed to the Development Authority and Downtown Development Authority. This appointment will replace Paris Hill. The term will begin immediately and will expire January 31, 2026.

**2. Appointment to Development Authority and Downtown Development Authority (Economic Development)**

Jett Hattaway, co-founder of Cochran Mills Brewing Company of Fairburn was appointed to the Development Authority and Downtown Development Authority. This appointment will replace David Orr. The term will begin immediately and will expire January 31, 2024.

**3. Resolution to Adopt the City of Fairburn Community Garden Strategy (Planning & Zoning)**

The Resolution was approved to adopt the Community Garden Strategy that establishes policy preferences that support access to healthy, affordable food through a municipal-sponsored community garden program.

**4. Site License Agreement for Mural Installation (City Administrator)**

The Site License Agreement was approved with Fairburn Pawn, Inc., John Christian and Go Georgia Arts, Inc., for the installation of a painted mural on the side exterior wall of the building located at 41 West Broad Street, Fairburn, Georgia.

VIII. **Regular Agenda Items:**

**5. Task Order #149 with Integrated Science & Engineering for GIS Water Database Update (Utilities/Water & Sewer)**

Utilities Director, John Martin brought forth Task Order # 149 with Integrated Science & Engineering, Inc. (ISE) for the City of Fairburn's Geographic Information System (GIS) map of the water system. He stated the city has experienced significant growth over the years with residential, commercial, and industrial developments. The city owns and maintains the water infrastructure throughout our jurisdiction. The City of Atlanta provides water service to areas directly adjacent to



Fairburn. Currently, the City has a GIS map of the water system, but it is incomplete, inaccurate, and has areas of discrepancies when compared to the City of Atlanta maps. This makes it difficult to accurately determine the availability of water utility service, water locations, knowledge of capacity availability and the processing of rezoning requests. Having a complete and accurate GIS map of the water system is very critical to the future management and expansion of our water system. Additionally, the city is affiliated with the Middle Chattahoochee treatment plant project. Fairburn, Palmetto, and Union City are having to provide a concise and thorough GIS map to receive the accurate amount of water to be delivered to each city. In more ways than one, this information will also equip our city to clearly distinguish ownership boundaries between the different municipalities and provide the necessary data required for analysis in capital improvement planning. We estimate this project be completed within three months.

Mr. Martin stated staff recommends that Mayor and Council approve Task Order # 149 with ISE for the GIS Water Database Update and authorize the Mayor to sign the Task Order for the amount not to exceed \$134,500.00.

Mayor Pro Tem Portis-Jones made a motion to approve Task Order # 149 with ISE for the GIS Water Database Update and authorize the Mayor to sign the Task Order for the amount not to exceed \$134,500.00, with Council Member Davis providing the second.

Mayor Pro Tem Portis-Jones asked if the GIS map would help identify the types and sizes of the pipes and capacity. Mr. Martin stated no, we are analyzing size and capacity. We are outlining the border which encompasses everyone sitting at the table to analyze ownership of the pipes so we can make those decisions work in our jurisdiction to find those things like lead, copper on each end.

City Administrator, Tony Phillips stated the water plant must have accurate costs for Fairburn. This is necessary for the multimillion-dollar project. Mayor Avery stated this is a conversation that came up at the last Water Authority meeting. The other two cities are putting finishing touches on their project that was adopted two years ago. We are the last city standing right now to get this done. This has to be done to get an accurate assessment of what it will cost so we can make a decision, which unfortunately will come after the budget is adopted.

Mayor Avery stated the motion has been made and properly seconded. **The motion carried unanimously.**

IX. Council Comments: None

City Administrator, Tony Phillips introduced Mr. Dana Smith, our Project Manager Engineer that was approved through Atlas at the last council meeting.

X. Executive Session:

Council Member Davis made a motion to go into Executive Session to discuss a litigation matter at 7:20 pm with Council Member Smallwood providing the second. **The motion passed unanimously.**

After Executive Session, Mayor Pro Tem Portis-Jones made the following motion: Based upon the information provided by the MEAG Power staff concerning the tender option decision pertaining to the Vogtle Units 3 and 4 Project and after consultation with our internal staff concerning the potential benefits and costs associated with the tender option, I hereby move that the City Council for the City of Fairburn notify MEAG Power that it does not support exercising the tender option by SPV J and it does not support exercising the tender option by SPV P. The second was provided by Council Member Smallwood. **The motion passed unanimously.**

XI. Adjournment:

Council Member Whitmore made a motion to adjourn the meeting with Council Member Smallwood providing the second. The meeting adjourned at 8:40 pm. **The motion passed unanimously.**

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Brenda B. James, City Clerk

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Mario Avery, Mayor





## CITY OF FAIRBURN

### CITY COUNCIL AGENDA ITEM

**SUBJECT: Court Remanded Rezoning 2021103 DRB Group, LLC & Bartow Properties, LLC - Curry Bend Development Plan with Concurrent Use Permits 2021113 & 2021114 and Concurrent Variances 2021110 & 2021111**

( ) AGREEMENT  
( X ) ORDINANCE

( ) POLICY / DISCUSSION  
( ) RESOLUTION

( ) CONTRACT  
( ) OTHER

**Submitted: 08/09/22**

**Work Session: N/A**

**City Council: 08/22/22**

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

**BUDGET IMPACT:** None

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

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**PURPOSE:** For the Mayor and Council to reconsider a court remanded rezoning application and development plan, along with two concurrent use permits and two concurrent variances, to allow a planned development.

**DESCRIPTION:** The applicant seeks to rezone 70.17 acres from PD (Planned Development) to PD (Planned Development) with 114 single-family lots, 126 townhouses, commercial uses, and a convalescent center/nursing home/hospice and personal care home/assisted living/hospice facility, with two concurrent use permits and two concurrent variances as follows:

- **Concurrent Use Permit 2021113:** A request to allow a hospice facility [Chapter 80 Zoning, Article IV Section 80-206 Convalescent center/nursing home/hospice]
- **Concurrent Use Permit: 2021114:** A request to allow a personal care home/assisted living facility [Chapter 80 Zoning, Article IV Section 80-224 Personal care home/assisted living]
- **Concurrent Variance 2021110:** A request to allow parking in the minimum front yard setback [Chapter 80 Zoning, Article II, Section 80-206(5) – Convalescent center/nursing home/hospice; Section 80-224(4) – Personal care home/assisted living]
- **Concurrent Variance 2021111:** A request to reduce the side yard setback from 50' to 25' [Chapter 80-224(3) Personal care home/assisted living]

The subject properties were annexed from unincorporated Fulton County and rezoned to PD (Planned Development) on October 26, 2006. A development plan was not included in the approval of the PD rezoning on the subject properties. Section 80-87 - PD (Planned Development) of the City's Code of Ordinances has specific requirements that must be met in order for the proposed rezoning to be considered by Mayor and City Council. Specifically, Section 80-87(e) states:

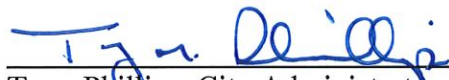


The development plan shall be the zoning control document for features depicted graphically. The site plan requirement applicable to rezoning requests shall be adhered to for PD rezoning requests. A site plan shall become the development plan if the request to rezone is approved without changes or additions. If the approval by the city differs in any way from what is depicted on the site plan submitted for the purpose of seeking rezoning, a revised plan must be certified by the planning and zoning department before development-related permits may be issued. A site plan or development plan shall not substitute for plans which are required as a prerequisite for applying for development-related permits. The location of all use areas shall be shown on the development plan, and the location on the ground shall be as shown on the development plan.

The PD zoning district is heavily based on the ability to, among other things, have creativity and flexibility in site planning. Further, as stated above, the development plan is to be the controlling zoning document for the proposed development. Since there is no related development plan and site plan that serves as the controlling zoning document for the subject properties, the rezoning process for a PD zoning with the required development plan is required in order to meet the standards of the City's zoning ordinance.

#### **Planning and Zoning Commission Recommendation**

The Planning and Zoning Commission reviewed the rezoning petition on Tuesday, July 6, 2021, and recommended **Approval Conditional**. See the attached memo.

  
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Tony Phillips, City Administrator

## APPLICATION INFORMATION

**Court Remanded Rezoning 2021103 DRB Group, LLC & Bartow Properties, LLC – Curry Bend Development Plan with Concurrent Use Permits 2021113 & 2021114 and Concurrent Variances 2021110 & 2021111**

### APPLICANT/PETITIONER INFORMATION

<b>Property Owner</b>	<b>Petitioners</b>
Bartow Properties, LLC	DRB Group, LLC & Bartow Properties, LLC

### PROPERTY INFORMATION

<b>Address:</b>	0 Bohannon Road [parcel ID # 07 400001632170] 6560 Bohannon Road [parcel ID # 07 400001800462]
<b>Land Lot and District:</b>	Land Lot 163, 180, District 7

<b>Frontage:</b>	Bohannon Road
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<b>Area of Property:</b>	70.17 acres
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<b>Existing Zoning and Use:</b>	PD (Planned Development)
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<b>Overlay District:</b>	N/A
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<b>Prior Zoning Cases/History:</b>	The subject property was annexed from unincorporated Fulton and rezoned to PD (Planned Development) on October 26, 2006, and 6560 Bohannon Road was rezoned to PD on October 28, 2019.
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<b>2035 Comprehensive Future Land Use Map Designation:</b>	Greenspace
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### MEETING AND HEARING DATES

<b>Planning and Zoning Commission Meeting</b>	<b>Mayor and City Council Public Hearing</b>
Tuesday, July 6, 2021	Monday, August 22, 2022

### INTENT

A request to rezone 70.17 acres from PD (Planned Development) to PD (Planned Development) and the development plan for a mixed-use development with 114 single-family lots, 126 townhouses, commercial uses, and a convalescent center/nursing home/hospice and personal care home/assisted living facility, with two concurrent use permits and two concurrent variances as follows:

- Concurrent Use Permit 2021113: A request to allow a hospice facility [Chapter 80 Zoning, Article IV Section 80-206 Convalescent center/nursing home/hospice]
- Concurrent Use Permit: 2021114: A request to allow a personal care home/assisted living facility [Chapter 80 Zoning, Article IV Section 80-224 Personal care home/assisted living]



- Concurrent Variance 2021110: A request to allow parking in the front yard setback [Chapter 80 Zoning, Article II, Section 80-206(5) – Convalescent center/nursing home/hospice; Section 80-224(4) – Personal care home/assisted living]
- Concurrent Variance 2021111: A request to reduce the side yard setback from 50' to 25' [Chapter 80-224(3) Personal care home/assisted living]

## SURROUNDING ZONING

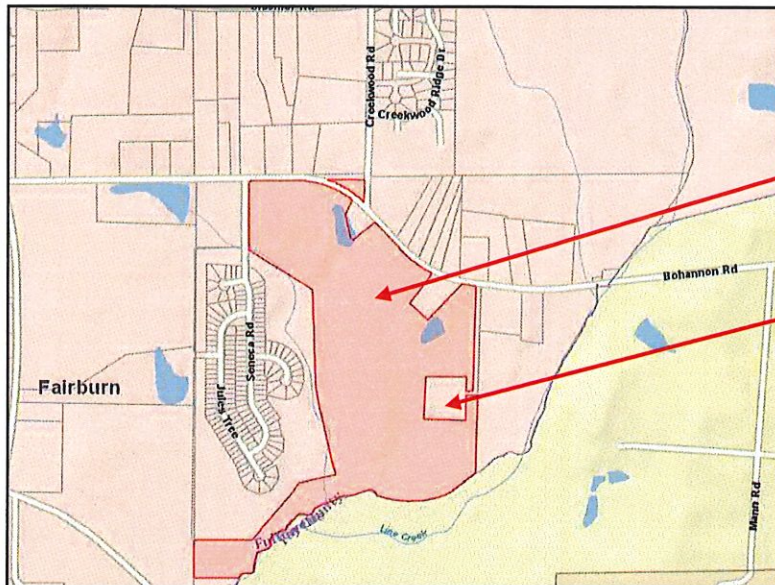
**North:** AG (Agriculture)

**East:** AG (Agriculture)

**South:** Unincorporated Fayette County

**West:** PD (Planned Development) and AG (Agriculture)

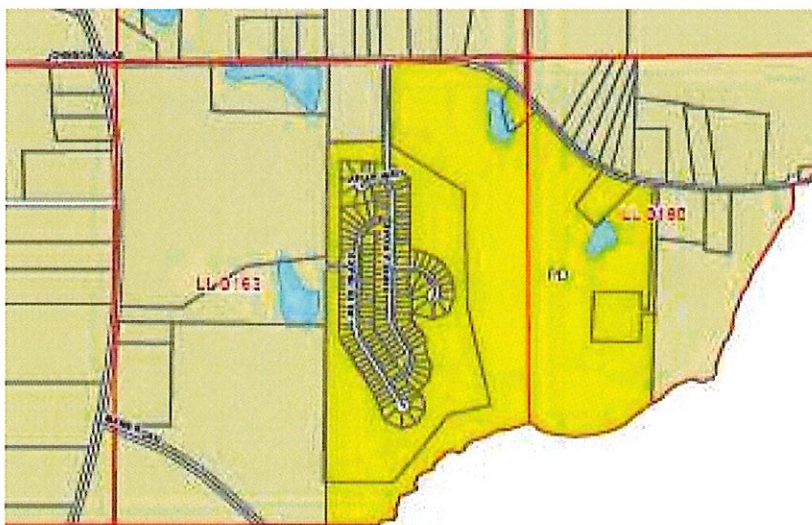
## SITE MAP



0 Bohannon Road  
[parcel ID # 07 400001632170]

6560 Bohannon Road  
[parcel ID # 07 400001800462]

## ZONING MAP OF SUBJECT PROPERTIES



PD



## PUBLIC PARTICIPATION

The applicants held a public meeting on Monday, June 14, 2021, at 6:30 p.m. The meeting was held at 6760 Johnson Road, Fairburn. Property owners within 500 feet of the subject properties were invited to the meeting. There were approximately 118 letters sent by certified mail. Based on the applicant's public participation report, five (5) people attended the meeting.

## STAFF COMMENTS

### Engineering/Public Works:

1. The proposed development aligns with the current zoning.
2. The installation of a 24" curb & gutter and 5' sidewalk will be required along the entire project frontage, from property line to property line (Sec. 71-37, Sec. 71-45, Sec 71-46).
3. The installation of deceleration lanes and left-turn lanes will be required at the proposed entrances to accommodate access to and from the proposed development and to meet projected traffic demand and/or safe operations unless deemed unwarranted by a traffic study (Sec. 71-38).
4. All entrances/curb cuts are subject to the GDOT Regulations for Driveway and Encroachment Control (Sec. 71-42).
5. In the event that a development has access to a substandard street and if that substandard street provides the primary means of access to the development, the substandard street, except as indicated in subsection (c) of this section, shall be fully upgraded and the full width of the roadway overlaid with asphaltic concrete surface course along the entire property frontage and continuing to the nearest standard paved road along the route of primary access (Sec. 71-39).
6. An undisturbed natural vegetative buffer shall be maintained for 50 feet, measured horizontally, on both banks (as applicable) of the stream as measured from the top of the stream bank. An additional setback shall be maintained for 25 feet, measured horizontally, beyond the undisturbed natural vegetative buffer, in which all impervious cover shall be prohibited. Grading, filling, and earthmoving shall be minimized within the setback (Sec. 65-233).

### Fire:

From Station 22 which currently has the primary responsibility to respond to this area, there is a 10-minute response time. From Station 21 which is the secondary station responsible for this area, there is a 12-minute response time. From Station 23, the newly planned station located on Milam Road (next to the Bedford School), would become the primary station to respond to this area, there would be a 7-minute response time. A station on Johnson Road and Seneca Road would reduce the response time to 1-2 minutes.

### Water and Sewer:

1. Water is available along Johnson Road.
2. Sanitary sewer is available. The sanitary sewer line feeds into an existing sanitary sewer pumping station. Pumping station capacity would need to be evaluated.

## ZONING IMPACT ANALYSIS

### **A. Does the proposal permit a use that is suitable in view of the use and development of adjacent and nearby property?**

The subject properties are zoned PD (Planned Development). The PD zoning district requires development projects to contain a combination of three (3) or more of the following uses: single-family residential, multi-family residential, commercial, office, institutional, and conservation. The property currently zoned PD is



located to the west of the subject properties, the property zoned AG (Agriculture) is to the north and east, and the property borders unincorporated Fayette County. Single-family residential uses are adjacent to and nearby the subject properties.

**B. Does the proposal adversely affect the existing use or usability of adjacent or nearby property?**

Staff is of the opinion that the proposal if approved will not have an adverse impact on the use or usability of adjacent or nearby properties.

**C. Does the property have a reasonable economic use as currently zoned?**

Staff is of the opinion that the subject property has a reasonable economic use as currently zoned.

**D. Will the proposal result in a use that could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?**

**Traffic Improvements**

The developer will be required to conduct a traffic study to determine existing traffic operating conditions in the vicinity of the proposed development, project future traffic volumes, assess the impact of the subject development, and develop conclusions and recommendations to mitigate the project traffic impacts and ensure safe and efficient existing and future traffic conditions in the vicinity of the project. The installation of deceleration lanes and left-turn lanes will be required at the proposed entrances to accommodate access to and from the proposed development and to meet projected traffic demand and/or safe operations unless deemed unwarranted by a traffic study. The installation of 5-ft sidewalks along the street frontage (Bohannon Road) and both sides of internal streets throughout the development will be required.

**Impact on Schools**

The home schools for the Curry Bend Planned Development are Evoline C. West Elementary, Bear Creek Middle, and Creekside High Schools. At present, the local elementary school and middle school could be slightly over capacity for the 2021-2022 school year. Any residential development on the subject site, whether the site is developed or remains at its current zoning, could increase the elementary and middle schools' populations above the 2021-2022 baseline numbers. The high school population would not be over capacity with or without the proposed residential development. The school system addresses population increases using "portable classrooms or other measures that may be needed to accommodate the instructional needs of the school," as stated in the Fulton County School's Rezoning Impact Statement.

**E. Is the proposal in conformity with the policies and intent of the land use plan?**

The vision of the 2035 Comprehensive Plan is for the City of Fairburn to be an economically thriving community and a desired destination for residents and visitors of all ages. The applicant's proposed planned development consists of single-family residential lots, townhouse residential units, commercial uses, and a convalescent center/nursing home/hospice and personal care home/assisted living facility. All the proposed land uses will create a mixed-use development that accommodates diverse age groups and housing types, as well as provides passive recreational opportunities. The proposed development includes 17.54 acres of openspace and 3.13 acres of recreational space, as required by the PD zoning district. Also, a pool with a cabana, passive recreational parks, dog parks, a playground, and a 2-mile walking trail are proposed for the mixed-use community.

The Future Land Use Map shows that the proposed planned development lies within the Greenspace Character Area. The Greenspace Character areas are for land dedicated to active or passive recreational uses, as well as for green space and wildlife management. It is in this area that residents have an opportunity to connect with nature through activities that promote physical activity and healthy lifestyles.



The development strategies for the Greenspace Character Area are:

- Creation of a central community park/plaza in Downtown Fairburn.
- Provide accessible and diverse open spaces that allow for Fairburn residents and visitors to meet, interact, and understand the natural environment of the city.
- Connect parks and open spaces with open space corridors and/or a transportation network that is hospitable to and safe for pedestrians and bicyclists.
- Preserve and restore natural drainage patterns and topography that help manage stormwater runoff and maintain or improve water quality.
- Discourage development in the 100-year flood plain.
- Continue to designate riparian buffers for the protection of streams.

**F. Are there existing or changing conditions that affect the use and development of the property which support either approval or denial of the proposal?**

Staff is of the opinion that there are no existing or changing conditions affecting the use and development of the property, which give supporting grounds for approval or denial of the applicant's proposal.

**G. Does the proposal permit a use that can be considered environmentally adverse to the natural resources, environment, and citizens of Fairburn?**

Staff is of the opinion that the proposal would not permit a use that could be considered environmentally adverse to the natural resource, environment, or citizens of Fairburn.

**USE PERMIT CRITERIA**

**Concurrent Use Permit 202113 - Convalescent center/nursing home/hospice**

The applicant is proposing to develop a 2,500-square-foot convalescent center/nursing home/hospice facility. The City of Fairburn Code of Ordinances requires a use permit for this land use.

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

**1. Whether the proposed use is consistent with the Comprehensive Land Use Plan and/or Economic Development Revitalization plans adopted by the City Council:**

The applicants are proposing to develop a 2,500-square-foot hospice facility with approximately ten (10) beds. The proposed use is permitted in the PD zoning district. According to the city's Economic Development Strategic Plan (2016), health care services and medical professionals in the City of Fairburn, given its continuing population growth, suggests that the healthcare sector should be included in the City's business attraction and recruitment strategy. The health care industry is projected to grow faster and add more jobs than any other sector. Fairburn has the opportunity to attract and recruit more healthcare professionals and healthcare providers but should also look at creating and attracting public and private resources that provide a diverse range of health and wellness programs and services. Pursuing health care as a target industry not only ties into the City's current needs but supports 15% of Fairburn's aging boomer generation.

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

The area consists of PD (Planned Development) to the west and AG (Agriculture) to the north and east and unincorporated Fayette County to the South. The PD zoning district allows single-family residential, multi-family residential, commercial, office, institutional, and conservation. The proposed convalescent center/nursing home/hospice use is allowed in the PD zoning district.

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

The proposed use does not violate any known statutes, ordinances, or regulations governing land development. Applicable local, state, and federal regulations and/or permits to operate a hospice facility will be required prior to the issuance of a certificate of occupancy and occupational tax license.

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

The proposed use is not expected to generate many hourly trips. Most of the anticipated traffic flow into the development will consist of employees and visitors. There should be no negative impact on traffic flow along adjacent streets.

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

The off-street parking area is located on the east side of the site with one access point (ingress/egress) proposed on Bohannon Road. There are 36 off-street parking spaces proposed for the development. The applicant will be required to meet the off-street parking requirements.

**6. The amount of location of open space:** A stream, pond, and wetlands area is located to the rear of the subject property and will serve as a natural open space area.

**7. Protective screening:** Located in the rear of the site are a stream, pond, and wetlands area which serves as a natural buffer from the single-family residential lots.

**8. Hours and manner of operation:** The facility will operate 24 hours and 7 days a week.

**9. Outdoor lighting:** The parking lot lighting will be required to meet the minimum requirements of the ordinance. Outside lighting will not impose any negative effects on the surrounding residential uses.

**10. Ingress and egress to the property:** The proposed use will have one access point (ingress/egress) on Bohannon.

## USE PERMIT CRITERIA

### Concurrent Use Permit 202114 - Personal care home/assisted living

The applicant is proposing to develop a 10,000-square-foot personal care home/assisted living facility. The City of Fairburn Code of Ordinances requires a use permit for this land use.

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

**1. Whether the proposed use is consistent with the Comprehensive Land Use Plan and/or Economic Development Revitalization plans adopted by the City Council:**



The applicants are proposing to develop a 10,000-square-foot personal care home/assisted living facility with approximately twenty-four (24) beds. The proposed use is permitted in the PD zoning district. According to the city's Economic Development Strategic Plan (2016), "health care services and medical professional with the City of Fairburn, given its continuing population growth, suggests that the health care sector should be included in the City's business attraction and recruitment strategy. The health care industry is projected to grow faster and add more jobs than any other sector. Fairburn has the opportunity to attract and recruit more healthcare professionals and healthcare providers but should also look at creating and attracting public and private resources that provide a diverse range of health and wellness programs and services. Pursuing health care as a target industry not only ties into the City's current needs but supports 15% of Fairburn's aging boomer generation."

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

The area consists of PD (Planned Development) to the west and AG (Agriculture) to the north and east and unincorporated Fayette County to the South. The PD zoning district allows single-family residential, multi-family residential, commercial, office, institutional, and conservation. The proposed personal care home/assisted living use is allowed in the PD zoning district.

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

The proposed use does not violate any known statutes, ordinances, or regulations governing land development. Applicable local, state, and federal regulations and/or permits to operate a personal care home/assisted living facility will be required prior to the issuance of a certificate of occupancy and occupational tax license.

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

The proposed use is not expected to generate many hourly trips. There should be no negative impact on traffic flow along adjacent streets.

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

The off-street parking area is located on Bohannon Road with one access point [ingress/egress] proposed on Bohannon Road. There are 36 off-street parking spaces proposed for the development.

**6. The amount and location of open spaces:** A stream, pond, and wetlands area is located to the rear of the subject property and will serve as a natural open space area.

**7. Protective screening:** Located in the rear of the site are a stream, pond, and wetlands area which serves as a naturally vegetated buffer from the single-family residential lots.

**8. Hours and manner of operation:** The facility will operate 24 hours and 7 days a week.

**9. Outdoor lighting:** The parking lot lighting will be required to meet the minimum requirements of the ordinance. Outside lighting will not impose any negative effects on the surrounding residential uses.

**10. Ingress and egress to the property:** The proposed use will have one access point (driveway) on Bohannon.

## VARIANCE CONSIDERATIONS



### **Standards for Variance Consideration**

Section 80-287 of the City's Zoning Ordinance includes one or more criteria, which must be met before a variance can be approved.

**Concurrent Variance - 2021110** - A request to allow parking in the minimum front yard setback [Chapter 80 Zoning, Article II, Section 80-206(5) - Convalescent center/nursing home/hospice; Section 80-224(4) – Personal care home/assisted living]

The use permit standards for convalescent center/nursing home/hospice and personal care home/assisted living facilities do not allow parking in the minimum front yard setback. The front yard setback for the proposed development is 30' and two parking spaces are encroaching in the 30' front yard setback.

**A. *“Relief, if granted, would be in harmony with, or, could be made to be in harmony with, the general purpose and intent of this chapter.”***

Not applicable.

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

The applicant is requesting relief from the convalescent center/nursing home/hospice and personal care home/assisted living use permit standards that prohibit parking in the minimum front yard setback. Only two of the thirty-six (36) proposed parking spaces are encroaching in the 30' front yard setback. The off-street parking area is located on the east side of the building which places most of the parking spaces outside of the front yard setback.

The subject property is approximately three (3) acres and to the rear of the site is a stream, pond, and wetlands area. The buildable area of the proposed site is limited due to the location of the wetlands and the stream. Therefore, the only appropriate location for the off-street parking area is on the east side of the site, which positions a very small portion of the parking lot (2 parking spaces) within the front yard setback.

Based on these considerations, the staff believes this condition has been satisfied.

**C. *“Conditions resulting from existing foliage or structure brings about a hardship whereby a sign meeting minimum letter size, square footage, and height requirements cannot be read from adjoining public road”.***

Not applicable.

**Concurrent Variance - 2021111** - A request to reduce the side yard setback from 50' to 25' [Chapter 80-224(3) Personal care home/assisted living]

The use permit standards for personal care home/assisted living facilities require a 50-foot building setback from single-family districts and/or the AG (Agriculture) districts when used for single-family. The proposed side yard setback for the proposed personal care home/assisted living facility is 25'.



- A. *“Relief, if granted, would be in harmony with, or, could be made to be in harmony with, the general purpose and intent of this chapter.”*

Not applicable.

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

The applicant is requesting to develop the personal care home/assisted living facility with a 25' side yard setback. Adjacent to the subject property is an AG (Agriculture) zoned parcel that is currently used as a single-family residential home. The use permit standards require a 50' setback from AG districts when used for single-family. The buildable area for the proposed personal care home/assisted living facility is limited due to the stream, pond, and wetlands areas located in the rear of the site. The proposed building is approximately 22,500 square feet and if the building is shifted by an additional 25' it will impede the off-street parking area, which will reduce the number of parking spaces. To provide a visual buffer between the facility and AG zoned property, an undisturbed vegetated buffer, and a berm with trees will be planted to screen the facility from the view of the adjacent lot and mitigate any negative effects on the adjacent property.

Based on these considerations, the staff believes this condition has been satisfied.

- C. *“Conditions resulting from existing foliage or structure brings about a hardship whereby a sign meeting minimum letter size, square footage, and height requirements cannot be read from adjoining public road”.*

Not applicable.

#### STAFF RECOMMENDATION

**APPROVAL CONDITIONAL** of the Curry Bend Development Plan [Rezoning 2021103].

**APPROVAL** of Concurrent Use Permit 2021113: To allow a convalescent center/nursing home/hospice.

**APPROVAL** of Concurrent Use Permit: 2021114: To allow a personal care home/assisted living.

**APPROVAL** of Concurrent Variance 2021110: To allow parking in the minimum front yard setback.

**APPROVAL** of Concurrent Variance 2021111: To reduce the side yard setback from 50' to 25'.

To restrict the use of the subject property as follows:

1. See Bartow Properties, LLC and DRB Georgia, LLC v. City of Fairburn, Georgia and Tarika Peeks, Director of Planning and Zoning in her official capacity, Civil Action File No: 2021CV354860 - General Mutual Release Settlement Agreement, dated June 13, 2022, attached and incorporated hereto as Exhibit A to this Staff Report.

## ATTACHMENTS

Development Plan  
Elevations and Floor Plans



IN THE SUPERIOR COURT OF FULTON COUNTY  
STATE OF GEORGIA

BARTOW PROPERTIES, LLC and  
DRB GROUP GEORGIA, LLC

Plaintiffs,

vs.

THE CITY OF FAIRBURN, GEORGIA  
and TARIKA PEEKS, Director of  
Planning and Zoning in her Official  
Capacity,

Defendants.

Civil Action File No.  
2021CV354860

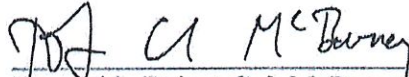
**FINAL CONSENT JUDGMENT AND ORDER**

The Plaintiffs and Defendants having settled their disputes in this present action, in accordance with the General Mutual Release and Settlement Agreement, attached as Exhibit A to this Order, and it being the wishes of the parties to incorporate the provisions of the General Mutual Release and Settlement Agreement into this Judgment and it appearing that all parties have consented to this Judgment it is hereby,

ORDERED AND ADJUDGED that all parties shall abide by the provisions of the General Mutual Release and Settlement Agreement, as they are approved and incorporated herein by reference, to the Final Consent Judgment and Order of this Court in this action as if each term thereof were quoted verbatim herein. The parties are ordered to comply with each and every term of said agreement. It is the further Order of this Court that the Plaintiffs' Rezoning Application with two Concurrent Use Permits, two Concurrent Variances and the Development Plan, as referenced in the General Mutual Release and Settlement Agreement, are hereby remanded to the

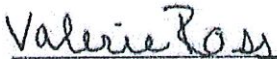
City of Fairburn for reconsideration and the City is ordered to rezone the Subject Property, with its two (2) concurrent use permits and its two (2) concurrent variances and approve the Development Plan as referenced in the General Mutual Release and Settlement Agreement attached as Exhibit A to this Order, within sixty (60) days of the entry of this Final Consent Judgment and Order.

SO ORDERED, this 6th day of JULY, 2022.



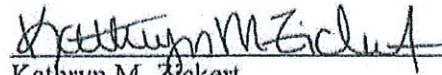
Honorable Robert C. I. McBurney  
Fulton County Superior Court  
Atlanta Judicial Circuit

Prepared by and Consented to:



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Revised by and Consented to:



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## **GENERAL MUTUAL RELEASE AND SETTLEMENT AGREEMENT**

This General Mutual Release and Settlement Agreement (hereinafter the "Agreement") is made and entered into this 13<sup>th</sup> day of June, 2022, by and among Bartow Properties, LLC, DRB Group Georgia, LLC (hereinafter collectively referred to as "Plaintiffs") and the City of Fairburn, Georgia and Tarika Peeks, Director of Planning and Zoning in her official capacity (hereinafter collectively referred to as "Defendants").

**WHEREAS**, Plaintiff Bartow Properties, LLC owns 70.17 acres of land (hereinafter "Subject Property") that is zoned to the PD (Planned Development) zoning district within the City of Fairburn, Georgia, as described in the legal description attached as Exhibit A;

**WHEREAS**, on May 7, 2021, and at the direction of the City, Plaintiff DRB Group Georgia, LLC, the potential purchaser of part of the Subject Property, filed a rezoning application as Rezoning Number 2021103 with Concurrent Use Permit Numbers 2021113 and 2021114 and Concurrent Variances 2021110 and 2021111, along with the Development Plan, pursuant to City of Fairburn Zoning Ordinance, Section 80-87(e) seeking to rezone the Subject Property to the PD (Planned Development) zoning district, as per Exhibit B attached and incorporated by reference;

**WHEREAS**, on August 23, 2021, the governing body of the City of Fairburn, in its legislative discretion, denied the rezoning application, along with the concurrent use permits and concurrent variances, as well as the Development Plan required for PUD developments;

**WHEREAS**, on September 21, 2021, Bartow Properties, LLC and DRB Group Georgia, LLC, filed a lawsuit in the Superior Court of Fulton County, Georgia styled as Civil Action No. 2021CV354860 (hereinafter the "Action") asserting certain claims at both law and equity concerning the City's final zoning decision regarding the Subject Property;

**WHEREAS**, pursuant to O.C.G.A. § 9-11-4(d)(3) and O.C.G.A. § 9-11-4(d)(5), on November 24, 2021, Defendants filed an Answer in the Action;

**WHEREAS**, the Plaintiffs and the Defendants herein mutually desire and agree to settle, without further court intervention, any and all claims, allegations, demands, disputes, damages, rights or causes of action, and lawsuit(s), whether known or unknown, now existing or that might arise in the future, directly or indirectly, of whatever kind or nature, against each other both jointly and severally concerning the Action and the factual circumstances set forth therein and anything relating, directly or indirectly, expressly or impliedly, thereto;

**WHEREAS**, the parties herein mutually agree that this settlement fully and finally satisfies any and all claims and counts asserted in the Action;

**NOW, THEREFORE**, in consideration of the mutual promises and releases set forth herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

### **1. Conditions of Approval**

Should the City exercise its authority to approve the Development Plan, then the City of Fairburn Zoning Ordinance and the official zoning maps established in connection therewith shall be changed so that the property located in the City of Fairburn as indicated on Exhibit "A" to this

Ordinance be changed from PD (Planned Development) Zoning District to PD (Planned Development) Zoning District with two concurrent use permits, 2021113 and 2021114 and two concurrent variances, 2021110 and 2021111, subject to the following conditions:

A. To restrict the use of the Subject Property as follows:

**1. Single-family detached lots:**

- a. Up to 114 lots shall have a minimum lot square footage of 4,200 square feet.
- b. The minimum heated floor area of each home shall be a minimum of 1,700 square feet.

**2. Townhouse units:**

- a. 126 units shall have a minimum lot size of 2,500 square feet and no building shall contain more than eight (8) units.
- b. The minimum heated floor area of each townhouse shall be a minimum of 1,500 square feet.

**3. Commercial:**

- a. Permitted uses under C-1 (Neighborhood Commercial)
- b. Permitted uses under C-2 (General Commercial) except liquor stores, car/truck rental or sale/leasing, auto repair/tire/body shop, auto supply store, parking lot/garage, recycling center, gasoline service stations, and funeral services are specifically prohibited.

**4. Convalescent center/nursing home/hospice and personal care home/assisted living/hospice facility.**

- a. Not to exceed seventy (70) bedrooms or 210 beds in the facility.
- b. Provide applicable local, state and federal regulations and permits to the Community Development/Building Department prior to the issuance of certificate of occupancy.

B. To abide by the following:

1. The Subject Property shall be developed in conformity with the Development Plan prepared by Moore Bass and as approved by City Council on June 13, 2022. The Development Plan, attached as Exhibit B, shall become the zoning control document for features and development standards depicted on the plan as it relates to the Subject Property described in Exhibit A. Any deviation from the Development Plan shall be approved by the Director of Planning and Zoning.
2. Property maintenance shall be accomplished through a homeowner's association in which membership shall be mandatory. Such maintenance (exterior and yard)\* shall encompass all individual townhome units and all common areas that are contained within the boundaries of the townhome area. Property maintenance for the single-family detached units shall be accomplished by the individual property owners with the exception of common areas to be maintained by a homeowner's association. A 6% rental cap shall be included in the detached units' by laws and a 6% rental cap shall be included in the attached units' by-laws. Such association by-laws shall be subject to review by the City Administrator and shall be recorded with covenants that also shall be subject to review by the City Administrator.

*clw*  
*6-29-22*  
*LC*  
*KMZ*



C. To the following site development considerations:

1. Building setbacks for the single-family lots are as follows:
  - a. Front: 20 feet
  - b. Side: 5 feet
  - c. Rear: 25 feet
2. Building setbacks for the townhouse units are as follows:
  - a. Front: 20 feet
  - b. Side: 0 feet
  - c. Rear: 18 feet
  - d. Separation between buildings: 15 feet
3. Building setbacks for the commercial use are as follows:
  - a. Front: 30 feet
  - b. Side: 25 feet
  - c. Rear: 25 feet
4. Building setbacks for the personal care/assisted living/hospice use are as follows:
  - a. Front: 30 feet
  - b. Side: 25 feet
  - c. Rear: 25 feet
5. Minimum lot widths as follows:
  - a. Single-family lot width shall be forty-two (42) feet
  - b. Townhouse lot width shall be twenty-five (25) feet
  - c. Commercial lot width shall be eighty (80) feet
  - d. Convalescent center/nursing home/hospice/ Personal care/assisted living/hospice lot width shall be eight (80) feet.
6. Amenity package to include a pool with cabana, passive recreation parks, dog park(s), walking trail system, greenspace, playground, and mail kiosk (CBU).
7. Facades of the detached units and attached units shall be constructed with a combination of two or more of the following materials: fiber-cement siding, wood shake, clapboard, brick, and/or stone. The use of vinyl, stucco or EIFS (synthetic stucco) is strictly prohibited. At least 25% of the front façades shall consist of brick or stone. No lot shall contain a single-family unit that is identical to that of an adjacent lot.
8. Two-car garages shall be provided for each single-family house and townhouse unit. Upgraded garage doors with architectural elements shall be utilized.
9. Sidewalks on all street frontages shall be a minimum of five-feet in width and shall be constructed to comply with the requirements of the Americans with Disabilities Act (ADA) standards and the City of Fairburn development standards. Five-foot sidewalks shall be provided along both sides of internal streets throughout the development and shall be designed to provide inter-connectivity to amenity areas.

10. Pedestrian scale street lighting shall be provided along both sides of internal streets throughout the development.
11. All utilities shall be installed underground throughout the development area.
12. The Developer shall conduct a traffic study and submit the study to the Community Development Department prior to the issuance of the land disturbance permit.
13. Turning lanes may be required to meet projected traffic demand and/or safe operations, as determined by the City Engineer and/or traffic study. When provided, turning lanes shall meet the following criteria:
  - a. Provide not less than 150 feet of storage length for arterial roadways. Provide not less than 100 feet of storage length for collector roadways.
  - b. Provide taper lengths of not less than 100 feet.
  - c. Longer storage and taper lengths may be required when traffic projections indicate they are justified.
14. 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.
15. 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 and townhouse units shall be sodded.
16. Fencing of at least six (6) feet shall be installed along the outer perimeter of the tracts designated for commercial and institutional uses adjacent to residentially used properties to maximize screening and sound remediation.
17. A 50-foot undisturbed vegetated buffer shall be installed to provide a visual buffer between the commercial use and residentially used properties. A combination of existing trees and newly planted trees (where insufficient vegetation exists) shall be installed to establish the buffer. New trees shall be 8'-10' in height at the time of installation. Newly planted trees shall consist of one or a combination of the following trees: Leyland Cypress, Easter Red Cedar, Southern Magnolia, Virginia Pine, Arborvitae, Savannah Holly, Nellie R. Stevens Holly. In addition to tree planting, a vegetated earthen berm shall be installed to screen the commercial use from the view of adjacent residents as much as reasonably possible.
18. A 25-foot undisturbed vegetated buffer shall be installed to provide a visual buffer between the adjacent property and personal care home/assisted living/hospice facility. A combination of existing trees and newly planted trees (where insufficient vegetation exists) shall be installed to establish the buffer. New trees shall be 8'-10' in height at the time of installation. Newly planted trees shall consist of one or a combination of the following trees: Leyland Cypress, Easter Red Cedar, Southern Magnolia, Virginia Pine, Arborvitae, Savannah Holly, Nellie R. Stevens Holly, depending upon availability. If unavailable comparable trees of like size will be planted. In addition, a berm shall be installed to screen the facility from the view of the adjacent lot as much as reasonably possible.



19. Lighting on the exterior of the commercial and institutional used properties shall be directed downward and internal to the subject property.
20. Roof-mounted equipment of the commercial and institutional used properties shall be located and/or screened to minimize visibility from public streets and surrounding residentially used properties.
21. The front façade of the commercial and institutional used buildings shall be all brick material. The use of stucco or EIFS (synthetic stucco) is prohibited. Burglar bars, steel gates, metal awnings, and steel roll-down curtains are prohibited.
22. Refuse areas (dumpsters) shall be placed in the least visible location from the public streets and shall be enclosed on three (3) sides with brick similar to the brick used on the front façade of the building.
23. A standard sign package shall be created for the entire project. Internal sign lighting shall be prohibited.

## **2. Concurrent Use Permits**

That the granted concurrent use permits shown as 2021113 & 2021114 are subject to the following conditions:

1. Convalescent center/nursing home/hospice and personal care home/assisted living/hospice facility.
  - a. Not to exceed seventy (70) units or 210 beds in the facility, whichever is greater.
  - b. Provide applicable local, state, and federal regulations and permits to the Community Development/Building Department prior to the issuance of a certificate of occupancy.

## **3. Concurrent Variances**

That the granted concurrent variances shown as 2021110 and 2021111 are subject to the following conditions:

1. Variance 2021110 - A variance from Section 80-206(5) to allow parking in the minimum front yard setback [Chapter 80 Zoning, Article, Article II, Section 80-206(5) – Convalescent center/nursing home/hospice; Section 80-224(4) – Personal care home/assisted living].
2. Variance 2021111 - A variance from Section 80—224(3) to reduce the side yard setback from 50' to 25' [Personal care home/assisted living].

## **4. Resolution of Action**

For and in exchange for the promises, agreements and obligations of Defendants under this agreement, Plaintiffs agree to the entry of a consent judgment in a form attached hereto as Exhibit C in the Action.

## **5. Mutual Release by the Parties**

### **Release by Plaintiffs**

For and in consideration of the mutual promises and agreements contained herein, Plaintiffs hereby release, acquit and forever discharge the City of Fairburn, Georgia and Tarika Peeks, Director of Planning and Zoning, in her official capacity, and their agents, servants, employees, executors, administrators, personal representatives, heirs, successors, insurers, members, shareholders, equity owners and attorneys from any and all past or present claims, demands, obligations, actions, causes of action, rights, damages, costs, losses of service and any other claims arising from or involved in the Action, whether sounding in tort, contract, civil rights, or other theory of recovery, which Plaintiffs now have or had, or which may accrue up through and including the date upon which this Agreement is executed by Plaintiffs, including, but not limited to, those claims on account of or related to the allegations involved in the Action, which have resulted, or may result, from any alleged acts or omissions of Plaintiffs prior to the date of the execution of this Agreement, including but not limited to, any claims for delay or other damages as a result of Plaintiffs being unable to begin work on the Subject Property as a result of the Action or otherwise. This General Mutual Release and Settlement Agreement shall be binding upon Plaintiffs and their heirs, administrators, executors, assigns and successors.

### **Release by Defendants**

For and in consideration of the mutual promises and agreements contained herein, Defendants hereby release, acquit and forever discharge Plaintiffs Bartow Properties, LLC and DRB Group Georgia, LLC and their agents, servants, employees, executors, administrators, personal representatives, heirs, successors, insurers, members, shareholders, equity owners and attorneys from any and all past or present claims, demands, obligations, actions, causes of action, rights, damages, costs, losses of service and any other claims arising from or involved in the Action, whether sounding in tort, contract, civil rights, or other theory of recovery, which Defendants now have or had, or which may accrue up through and including the date upon which this Agreement is executed by Defendants, including, but not limited to, those claims on account of or related to the allegations involved in the Action, which have resulted, or may result, from any alleged acts or omissions of Defendants prior to the date of the execution of this Agreement. This General Mutual Release and Settlement Agreement shall be binding upon Defendants and their heirs, administrators, executors, assigns and successors.

### **6. Denial of Liability**

This General Mutual Release and Settlement Agreement shall not be deemed to be an admission of liability by any party to this Agreement. Rather, this Agreement is being executed in good faith to end the legal differences between the parties.

### **7. Complete Agreement**

This Agreement contains the entire agreement of the parties in regard hereto, and no waiver, modification, or amendment of this Agreement shall be valid unless it is in writing and signed by the parties hereto. All prior and contemporaneous representations, promises and inducements are merged herein.

### **8. Enforceability of this Agreement**

Notwithstanding anything herein to the contrary, each party shall have the right to enforce this Agreement, and each of its terms or conditions. Such right of enforcement shall include the



right to seek an injunction for specific performance and or damages resulting from the breach of this Agreement. The parties further acknowledge that the City of Fairburn may enforce all terms of this Agreement through its development review and permitting process.

**9. Full Accord, Satisfaction and Final Compromise and Settlement**

This Agreement shall constitute a full accord, satisfaction and final compromise and settlement of the disputes between the parties contained in or related to the Action.

**10. Severability**

The parties intend for this Agreement to be severable, and if any provision shall be construed to be illegal or invalid for any reason, such illegal or invalid part of this Agreement shall not affect the legality or validity of the other provisions.

**11. Capacity and No Reliance**

The parties and the signatories hereto hereby represent and warrant that they have full capacity to execute this agreement and to bind the entities for which they are executing this agreement (where applicable). The parties further represent and acknowledge that in executing this Agreement, they do not rely upon, and have not relied upon any representations or statements made by any other party or by any other parties' agents, representatives or attorneys with regard to the subject matter, basis or effect of this Agreement except as may be specifically contained herein. The parties further represent and warrant that they have not heretofore assigned or transferred or purported to assign or transfer to any person or entity any claim or any portion thereof of interest therein any claim related to the Action or this Agreement.

**12. Headings**

All captions, headings, sections and subsection numbers and similar reference items contained herein are solely for the purpose for facilitating reference to this Agreement and shall not supplement, limit or otherwise vary in any respect, the text of this Agreement.

**13. Governing Law**

This Agreement is made and entered into in the State of Georgia and shall in all respects be interpreted, enforced and governed in accordance with the laws of the State of Georgia.

**14. Notices**

Any notices required or permitted to be given hereunder shall be sufficient if in writing and sent by personal delivery, overnight mail, such as Federal Express, or by First Class United States Mail, postage prepaid, to the party being given such notice, with copies where designated, at the following address:

If to Plaintiffs:

Kathryn M. Zickert, Esq.  
Dennis J. Webb Jr., Esq.  
SMITH GAMBRELL & RUSSELL, LLP  
1105 West Peachtree Street, NE

Suite. 1000  
Atlanta, GA. 30309

If to Defendant:

Rory K. Starkey, Esq.  
Hilliard Starkey Law  
561 Thornton Road  
Suite G  
Lithia Springs, GA. 30122

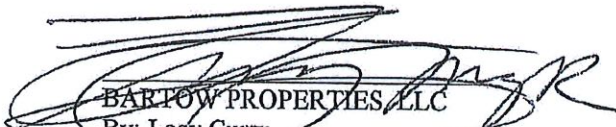
**15. Counterparts**

This Agreement may be executed in one or more counterpart, each of which shall be deemed an original, but all shall constitute one and the same Agreement, provided, however, this Agreement shall not be effected until executed by all parties.

**WHEREFORE**, this General Mutual Release and Settlement Agreement is hereby agreed to by all parties, and such parties consent to this agreement being affirmed by their signatures being placed heretofore.

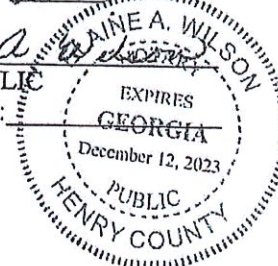
**IN WITNESS WHEREOF**, the undersigned have affixed their respective hands and seals this 22 day of JUNE, 2022.

Affirmed and Agreed to by this 22 day of JUNE, 2022:

  
BARTOW PROPERTIES, LLC  
By: Lacy Curry  
Title: Manager


Sworn to and subscribed before me,  
this 22 day of June, 2022.

Elaine A. Wilson  
NOTARY PUBLIC  
My seal expires:





Affirmed and Agreed to by this 29 day of June, 2022:

  
\_\_\_\_\_  
DRB Group Georgia, LLC  
By: Christopher Knight  
Title: VP

Sworn to and subscribed before me,  
this 29 day of June, 2022.



NOTARY PUBLIC

My seal expires: \_\_\_\_\_

Darrell Blandshaw  
NOTARY PUBLIC  
Fayette County, GEORGIA  
My Commission Expires 10/01/2023

Affirmed and Agreed to by this 11 day of July, 2022:

Mario Avery  
CITY OF FAIRBURN  
BY: Mario Avery  
TITLE: MAYOR

Sworn to and subscribed before me,  
this 11<sup>th</sup> day of July, 2022.

Dinna Lynn Roberson  
NOTARY PUBLIC  
My seal expires: 9-28-24

ATTESTED TO BY:

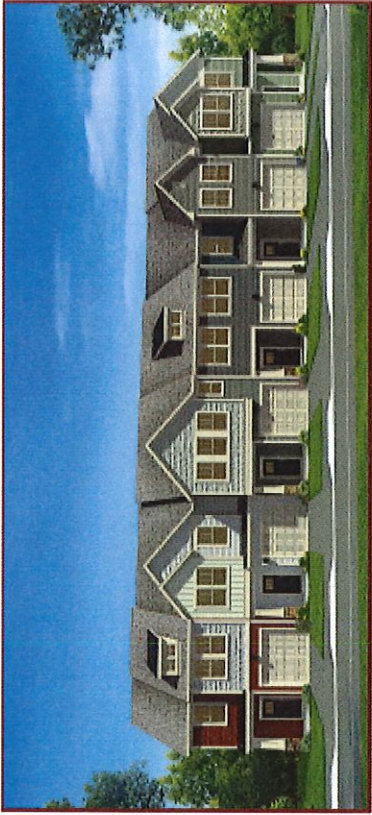
Kathryn M. Zickert  
Kathryn M. Zickert, Esq.  
Ga Bar No. 785040  
Attorney for Plaintiffs

Rory K. Starkey  
Rory K. Starkey, Esq.  
Ga Bar No. 676450  
Attorney for Defendants







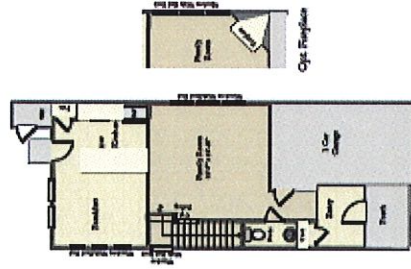


REVISION 01 REVISION 02 REVISION 03 REVISION 04 REVISION 05

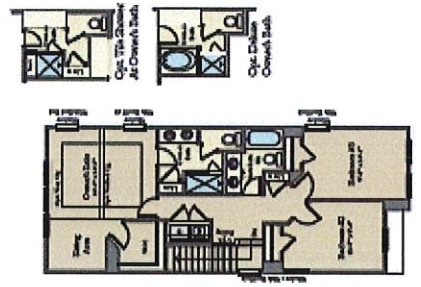
NOTE: REVISIONS SHOWN WITH ORIGINAL DETAILS

APPROXIMATE SQ. FT. 1,894 TO 1,940

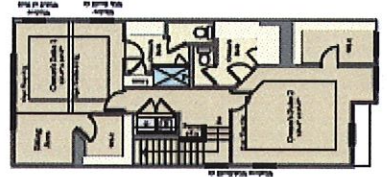
## MAIN LEVEL



## UPPER LEVEL



## ALT. UPPER LEVEL















LAYLA II

MILLHAVEN

ZOEY II

NOTE: ELEVATIONS SHOWN WITH OPTIONAL FEATURES









## CITY OF FAIRBURN

### CITY COUNCIL AGENDA ITEM

**SUBJECT:** Public Hearing 2022 Millage Rate

☐ AGREEMENT  
☐ ORDINANCE

☐ POLICY / DISCUSSION  
☐ RESOLUTION

☐ CONTRACT  
☒ OTHER

**Submitted:** 08/16/2022

**Work Session:** N/A

**Council Meeting:** 08/22/2022

**DEPARTMENT:** Finance

**BUDGET IMPACT:** Setting the 2022 Milage Rate.

**PUBLIC HEARING?** ☒ Yes ☐ No

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**PURPOSE:** To hold a public hearing for Mayor and Council to hear citizen comments.

**HISTORY:** The City of Fairburn host a public hearing each fiscal year to allow citizens the opportunity to comment on the proposed millage rate.

**FACTS AND ISSUES:** This public hearing is for the proposed 2022 millage rate .

**FUNDING SOURCE:** N/A.

**RECOMMENDED ACTION:** N/A.

  
\_\_\_\_\_  
Tony M. Phillips, City Administrator

## CITY OF FAIRBURN

### NOTICE OF FIVE YEAR HISTORY

The Mayor and Council of the City of Fairburn will announce and adopt the millage rate which will be set at the regular Council Meeting on Monday, September 12, 2022 at 7:00 p.m. at City Hall, 56 Malone Street, S.W. Fairburn, Georgia and pursuant to the requirements of O.C.G.A. Section 48-5-32 does hereby publish the following presentation of the Estimated Current Year's Tax digest and levy for the past five (5) years.

All citizens of Fairburn are invited to attend.

### CURRENT 2022 TAX DIGEST AND FIVE YEAR LEVY

	2018	2019	2020	2021	2022
Real & Personal	1,254,193,691	1,648,631,489	1,595,435,835	2,064,379,620	2,351,560,010
Motor Vehicle	8,421,280	6,944,070	5,799,410	4,199,340	3,745,450
Mobile Homes	3,920	3,920	3,920	3,920	3,920
Timber 100%	-	-	-	-	-
Heavy Duty Equipment	72,725	123,451	732,270	-	461,840
Gross Tax Digest	1,262,691,616	1,655,702,930	1,601,971,435	2,068,582,880	2,355,771,220
Exemptions - M & O	549,214,180	836,250,780	206,595,790	991,188,080	1,052,446,560
Net Tax Digest	713,477,436	819,452,150	1,395,375,645	1,077,394,800	1,303,324,660
Gross Millage	16.696	17.666	17.830	16.360	17.240
Less Roll Back	8.596	9.560	9.730	8.260	9.140
Net Millage	8.100	8.100	8.100	8.100	8.100
Net Tax Levy 100%	5,779,167	6,637,562	11,302,543	8,726,898	10,556,930
Net Increase/(Decrease)	1,059,181	858,395	3,638,450	(2,575,645)	1,830,032
Net Levy %	22.44%	14.85%	54.82%	-22.79%	20.97%





## CITY OF FAIRBURN CITY COUNCIL AGENDA ITEM

**SUBJECT: Public Hearing FY 2022-2023 Proposed Budget**

☐ AGREEMENT  
☐ ORDINANCE

☐ POLICY / DISCUSSION  
☐ RESOLUTION

☐ CONTRACT  
☒ OTHER

**Submitted: 08/16/2022**

**Work Session: 08/15 – 8/16/2022**

**Council Meeting: 08/22/2022**

**DEPARTMENT:** Finance

**BUDGET IMPACT:** Creation of FY 2022-2023 Budget.

**PUBLIC HEARING?** ☒ Yes ☐ No

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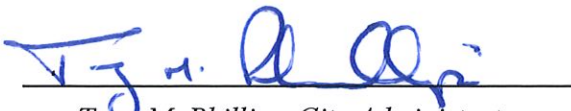
**PURPOSE:** To hold a public hearing for Mayor and Council to hear citizen comments.

**HISTORY:** The City of Fairburn host a public hearing each fiscal year to allow citizens the opportunity to comment on the proposed budget.

**FACTS AND ISSUES:** This public hearing is for the proposed Fiscal Year 2022-2023 budget.

**FUNDING SOURCE:** There are multiple funding sources, please see attached.

**RECOMMENDED ACTION:** N/A.

  
\_\_\_\_\_  
Tony M. Phillips, City Administrator

Total Revenues	60,521,712	63,018,457
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## Revenues

<b>Total Expenditures Budget</b>	<b>60,521,712</b>	<b>63,018,457</b>
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STATE OF GEORGIA  
COUNTY OF FULTON

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

**A RESOLUTION GRANTING SPECIAL COUNSEL AUTHORITY TO ENTER INTO A JOINT DEFENSE AGREEMENT WITH THE CITY OF ATLANTA AND THE CITY OF SANDY SPRINGS; TO FILE LEGAL ACTIONS ON THE CITY'S BEHALF AS NECESSARY TO ACCOMPLISH THE PURPOSE OF SECURING A DISTRIBUTION OF L.O.S.T.; AND FOR OTHER PURPOSES.**

**W I T N E S S E T H:**

**WHEREAS**, the City of Fairburn ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia, and is charged with providing public services to its residents; and

**WHEREAS**, the City wishes to cooperate with the City of Atlanta and the City of Sandy Springs (collectively, the "Cities") through Special Counsel by joining those Cities in a Joint Defense Agreement wherein the Cities agree to share and exchange among themselves joint defense materials that are within the "common interest" and are therefore confidential and protected from disclosure to any third party by the attorney-client privilege, work product doctrine and other applicable privileges protected by law; and

**WHEREAS**, the City wishes to cooperate with its fellow cities in negotiation, alternative dispute resolution, and possible legal action and work jointly with and through Special Counsel to achieve a fair distribution of L.O.S.T. proceeds in accordance with the L.O.S.T. statute; and

**WHEREAS**, the Mayor and City Council in the exercise of their sound judgment and discretion, after giving thorough thought to all implications involved, and keeping in mind the public interest and welfare of the citizens of the City, have determined it to be in the best interest of the citizens of the City, that this Resolution be adopted.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRBURN AS FOLLOWS:**

1. Authorization to Special Counsel. In addition to the authority granted under the Resolution appointing Special Counsel on June 13, 2022, the City hereby authorizes Special Counsel to enter into a Joint Defense Agreement with the City of Atlanta and the City of Sandy Springs which will allow for the sharing of information without waiving any privilege held by the City except to the extent authorized in said Agreement and file any legal action, including appeal, as necessary to secure a L.O.S.T. distribution certificate consistent with and in accordance the L.O.S.T. statute as well as choosing a qualified mediator and arbitration panelist.

2. Representation of City to Special Counsel. The City represents that it will pay its portion of legal fees, expert witness fees, and all other costs and expenses of such legal action incurred by Special Counsel pursuant to the June 13, 2022 Resolution appointing Special Counsel.

3. Additional Documents. The City Council authorizes the Mayor to execute any documents, including those necessary for legal action, which may be necessary to effectuate this Resolution.

4. Attestation. The City Council does hereby authorize the City Clerk to attest the signature of the Mayor appearing on this Resolution and any related documents, to affix the official seal of the City thereto, as necessary, and to place this Resolution and an executed copy of any related documents among the official records of the City for future reference.

5. Severability. To the extent any portion of this Resolution is declared to be invalid, unenforceable, or nonbinding, that shall not affect the remaining portions of this Resolution.

6. Repeal of Conflicting Provisions. All City resolutions are hereby repealed to the extent they are inconsistent with this Resolution.

7. Effective Date. This Resolution shall take effect immediately.

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

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

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Brenda B. James, City Clerk

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





## CITY OF FAIRBURN CITY COUNCIL AGENDA ITEM

**SUBJECT:**

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

Submitted:08-16-22

Work Session:N/A      Council Meeting:08-22-22

**DEPARTMENT:** Fire

**BUDGET IMPACT:** FY 2021-2022 & FY 2022-2023

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

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**PURPOSE:** To approve the purchase of 1 Pumper/Tanker for the fire department.

**HISTORY:** This unit will aid us in firefighting operations, major water supply response in the southwestern area of the city and provide water for fire protection during major water main breaks.

**FACTS AND ISSUES:** On the southwest area of the city we have limited fire hydrants and water which at times makes fire protection a difficult task. Also over the years we have had our main feed from the City of Atlanta suffer major water main breaks leaving us with limited water to provide fire protection throughout the city.

**FUNDING SOURCE:** General Fund- Vehicles 100-3500-54-2200 (Sourcewell)

**RECOMMENDED ACTION:** Fire Department is requesting approval for the purchase of this unit not to exceed \$249,000 with the first payment of 130,000 in FY22 and 119,000 in FY23.

  
Tony M. Phillips, City Administrator

  
8/17/22



## Sales Agreement

Brindlee Mountain Fire Apparatus (Seller) hereby agrees to sell one 2005 4 Guys International Pumper Tanker with 2022 Modifications and Updates (Apparatus) to Fairburn Fire Department, GA (Buyer) for the sum of \$249,000.00 (Two Hundred Forty Nine Thousand Dollars and no cents).

**Apparatus:** 2005 4 Guys International Pumper Tanker, Stock #15661, VIN: 1HTWGAT45J046900

**Buyer Info:** Fairburn Fire Department, 19 NE Broad St., Fairburn, GA 30213

**Seller Info:** Brindlee Mountain Fire Apparatus, 15410 Highway 231, Union Grove, AL 35175

### Terms and Conditions of Sale:

**(1) Services Included:** Seller will complete all items listed on the attached Addendum.

**(2) Warranty:** Apparatus will have a one (1) year warranty beginning with date of pick up. Warranty will cover any single component repair due to catastrophic failure in which the cost exceeds \$3,000.00 (Three Thousand Dollars and no cents) unless repairs are due to operator error, equipment misuse, or substandard maintenance. Apparatus must be maintained to manufacturer's recommended standards or warranty is voided. Total warranty costs paid by Seller to Buyer in the one (1) year warranty period shall not exceed \$12,000.00 (Twelve Thousand dollars and no cents). Apparatus components are engine, transmission, pump, electrical system, axles, and body structure.

**(3) Payment and Title:** Buyer will submit a 25% down payment of the sales price at the execution of this sales agreement. Buyer will make payment in full to Seller prior to the release of Apparatus for pick up or delivery. Seller will provide title free of lien to Buyer following receipt of payment.

**(4) FOB Seller, Freight Collect:** Buyer assumes the responsibility of the Apparatus upon pick up by carrier or other designated representative. Buyer is responsible for all freight charges.

**(5) Jurisdiction:** This contract shall be governed by, construed, and enforced in accordance with the laws of Alabama. The undersigned by execution and delivery of this Agreement do hereby submit to the exclusive jurisdiction and venue of the state and federal courts of Marshall County, Alabama.

This agreement is valid for execution by July 29, 2022.

  
\_\_\_\_\_

Sales Representative  
Brindlee Mountain Fire Apparatus

7/29/2022  
\_\_\_\_\_  
Date

  
\_\_\_\_\_

Authorized Representative  
Fairburn Fire Department, GA

7/30/2022  
\_\_\_\_\_  
Date





Image 2 of 48





image 4 of 48





Image 5 of 48





image 9 of 48





image 8 of 48





Image 7 of 48





image 6 of 48





image 10 of 48





**CITY OF FAIRBURN**  
**CITY COUNCIL AGENDA ITEM**  
**SUBJECT: DOWNTOWN FAÇADE IMPROVEMENT GRANT**

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

Submitted: 8/17/2022      Work Session: 8/8/2022      Council Meeting: 8/22/2022

**DEPARTMENT:** ECONOMIC DEVELOPMENT

**BUDGET IMPACT:** \$50,000

**PUBLIC HEARING:** ☐ Yes      ☒ No

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**PURPOSE:** For Mayor and City Council to approve funding of the Downtown Façade Grant Program. The Façade Grant Program implements transformative strategies that promote business growth within the downtown Historic Commercial District, revitalize historic buildings, and provide opportunities for Artists to help in the district's conceptual design and placemaking strategies.

**HISTORY:** The City of Fairburn has a rich history that is well-preserved within its downtown. Preservation projects that maintain its historic character offer capital improvements, which stimulate growth; while beautifying the space, providing an opportunity to showcase Fairburn's central business district. Façade improvements bring vibrancy to the downtown area and help cultivate unique spaces for residents and visitors.

**FACTS AND ISSUES:** The City of Fairburn developed the Façade Grant Program to allow business owners to apply for financial grant funds to facilitate area improvements. The Main Street Board and Downtown Development Authority (DDA) will administer the grant program. Consideration may be given to applicants showing financial hardship and will require a separate application.

**FUNDING SOURCE:** Budget Account # 230-000-52-3995

**RECOMMENDED ACTION:** Approval by the Mayor and City Council for funding to facilitate the implementation of the Downtown Façade Improvement Grant.



*Tony M. Phillips, City Administrator*



## **CITY OF FAIRBURN FAÇADE GRANT PROGRAM**



**Department of Economic Development  
26 West Campbellton Street  
Fairburn, Georgia 30213  
[www.fairburn.com](http://www.fairburn.com)**



## PROJECT OVERVIEW

### PURPOSE:

- To implement transformative strategies that promote business growth within the downtown Historic Commercial District.
- To revitalize historic buildings and provide opportunities for Artists to help in the conceptual design and placemaking strategies within the district.

**FUNDING SOURCE:** American Rescue Plan Act (ARPA)

### JUSTIFICATION:

The City of Fairburn has a rich history that is well-preserved within its downtown. Preservation projects that maintain its historic character offer capital improvements, which stimulate growth; while beautifying the space, providing an opportunity to showcase Fairburn's central business district. Façade improvements bring vibrancy to the downtown area and help cultivate unique spaces that will make residents and visitors proud.

PROGRAM ELEMENTS	OBJECTIVES	TIMELINE
Phase I		
Business Recruitment	<ul style="list-style-type: none"><li>• Introduce pilot project and solicit grant applications.</li><li>• Provide pre-application orientation.</li></ul>	October 2022 – March 2023
Phase II		
Design Partners and Technical Consultants	<ul style="list-style-type: none"><li>• Establish design concept and guidelines.</li><li>• Call for contractors and design consultants.</li><li>• Identify Design &amp; Development Group to partner with to facilitate grants to businesses.</li></ul>	October 2022 – March 2023
Phase III		
Build-Out	<ul style="list-style-type: none"><li>• Selection process</li><li>• Discuss implementation and construction schedule with businesses</li></ul>	April 2023 – July 2023

## FREQUENTLY ASKED QUESTIONS:

- **What is the Façade Grant Program?** Created by the Fairburn Downtown Development Authority (DDA) to incentivize business owners to rehabilitate the facades of businesses located within the designated Historic Downtown District for economic growth and vitality.
- **What types of projects are approved to receive the grant?** The program was specifically designed to assist commercial businesses with façade improvements.
- **How are matching grants awarded?** The Façade Grant Program awards up to 50% percent of the total project costs with a maximum grant award of \$10,000. Applicants must contribute at least fifty 50% percent of total expenses.
- **How long does it take before my project is completed?** The process begins with a pre-submittal conference, which is a meeting with the Planning and Zoning staff before the Façade Grant Program application to familiarize applicants with the process and policies. Once an applicant is awarded the grant, the applicant has sixty project and up to one (1) year after the award for completion. Extensions will be granted upon written documentation and approval. Once the project is complete, grants will be funded as a reimbursement within 30-45 business days of submission. Copies of all applicable bills and invoices must be attached.
- **Are there any program restrictions?**  
The Façade Grant Program is reimbursement for approved exterior rehabilitation and renovation of historic and modern buildings within the downtown Historic Commercial District. Projects within the scope include masonry cleaning or painting and landmark preservation and stabilization. Grant funds can only be applied to approved exterior improvements at a maximum of \$10,000 within an award year. Funds are awarded at the discretion of the Downtown Development Authority (DDA), and the program scoring is as specified by the Grant Review & Incentives Team.
- **How do I obtain an extension?** Extensions may be accepted in writing, explaining the reasons for the delay. Applicants must complete projects within one year of the approval date.
- **Where do I apply?** Applicants should complete the 'Façade Grant Application' based on the program requirements described herein. Applications must be submitted and approved before the start of work for which funding is requested. Grants will not be awarded to projects that are under construction or completed. Nine (9) copies of the application, together with all required documentation, should be delivered to the following address:

City of Fairburn  
Economic Development Department  
Attention: Façade Grant Program  
26 W. Campbellton Street  
Fairburn, Georgia 30213

- **What is the deadline for submissions?** March 31, 2023



## **INTRODUCTION:**

Fairburn's Historic Downtown District has a rich architectural legacy as one of the early destination points for the CSX railroad. The City's continued growth has attracted many of the nation's largest manufacturers and transportation distribution companies while still preserving the historical landmarks that make the area an emerging destination point. Fairburn's Downtown Historic District is prime for revitalization and plays a vital role in improving the economy and image of the City.

Cultivating a sense of community that honors the past while moving towards the future relies on Fairburn showcasing its attractiveness and good quality of life to developers and residents alike. Thus, the exterior improvements of downtown businesses must be coordinated and organized to ensure the appropriate image and foster revitalization.

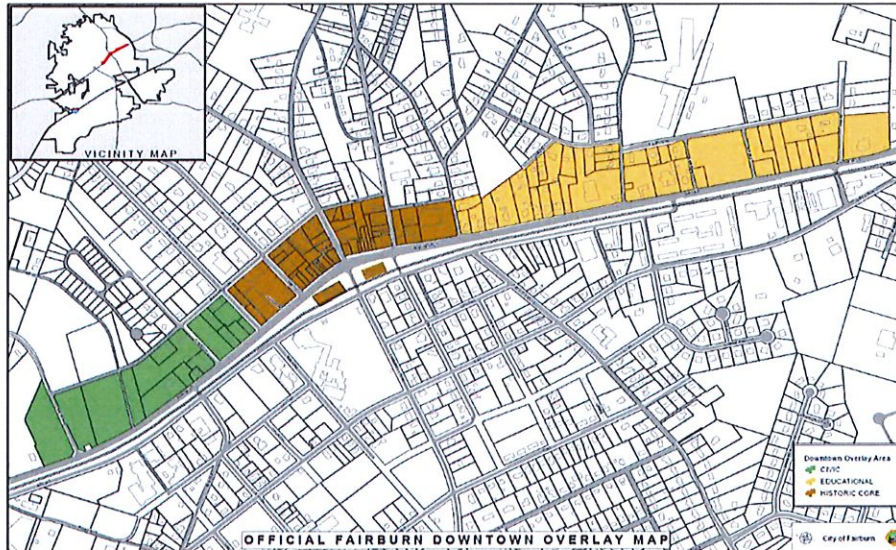
The City of Fairburn developed the Façade Grant Program to allow business owners to apply for financial grant funds to facilitate area improvements. The following information and guidelines will aid applicants in improving or rehabilitating the exterior facades of buildings within the Facade Program eligibility area. The grant program is being administered by the Main Street Program and Downtown Development Authority (DDA). Questions relating to the program should be directed to Sylvia Abernathy, Economic Development Director, at (770) 964-2244 ext. 127 or by email at [sabernathy@fairburn.com](mailto:sabernathy@fairburn.com).

The Façade Grant Program is looking for projects that will have a significant aesthetic impact on the commercial environment; it reserves the right to reject any application at its sole discretion and reserves the right to provide funding at a lesser amount than requested.

## **PURPOSE:**

The purpose of the Facade Grant Program is to provide an economic incentive to commercial businesses for exterior improvements:

- To implement transformative strategies that promote business growth within the downtown Historic Commercial District.
- To revitalize historic buildings and provide opportunities for Artists to help in the conceptual design and placemaking strategies within the district.
- Assist business owners and residents with façade improvements of specific commercial properties within targeted revitalization areas by improving the appearance of economic vitality, marketability, and aesthetics to increase property values.
- Encourage good design projects that promote rehabilitation, maintaining the original design and fabric of existing historic properties.
- Preserve the unique character of Fairburn's Historic Downtown District.



### **PROGRAM BOUNDARIES:**

The boundaries were determined based on areas with the most redevelopment potential within the Historic Downtown District and included four blocks from Church Street to Dodd Street, as defined by the Mayor and City Council and referenced in the 2009 Fairburn Historic downtown LCI Study.

### **TIME FRAME:**

The Façade Program Grant Program application period is October 3, 2022 – March 31, 2023, and is advertised on the City's media platforms, including the website Facebook, Instagram, and Twitter. Awards are made open and given to qualifying applicants on a first-come-first-served basis or until funds are depleted.

### **ELIGIBILITY:**

This grant program intends to provide financial incentives to property owners or tenants (requires the property owner's consent) to revitalize historic areas through rehabilitation of buildings and signage enhancement(s). The Façade Grants will be awarded for exterior renovation and restoration of buildings within the downtown overlay district. The applicable code ordinance will govern applicant eligibility for signage, which requires that the grantee is the recorded owner, and that the property is within the Façade Grant Program's defined boundary, with preference to frontage properties. Additional eligibility requirements include:

- Businesses that are operating within the program boundaries and having an active street presence.
- Façade Grant Program applicant(s) must provide at least three (3) bids for all eligible improvements; and
- For-profit and Non-profit retail businesses are eligible.

### **ELIGIBLE PROJECTS:**

- Historic Storefront restoration
- Historic masonry stabilization
- Awnings & Paint
- Fresh facades
- Non-conforming feature removal



## **CRITERIA OF EVALUATION – CATEGORIES RANGING FROM TIER 1 TO TIER III:**

### **Tier I. Major Renovation (Improvements of \$20,000 or greater)**

- Façade enhancements of \$20,000 or greater
- Stabilization of historic property

### **Tier II. Minor Improvement (Rehabilitation project)**

- New awning or recovery of existing awning
- Storefront of masonry stabilization
- Repainting of existing façade
- Fresh facade

### **Tier III. Grant Incentive (Non-conforming renovation or preservation projects)**

- Preservation of historic storefront
- Removal of slum and blight conditions
- Restoration of documented historic features
- Removal of non-conforming feature

## **OTHER CONSIDERATIONS:**

1. Facade design and installation must come from a professional, licensed, and bonded contractor.
2. All eligible projects will follow the City's sign ordinance, Highway 29 Overlay District, and other applicable codes. To request a meeting with a member of the Planning and Zoning Staff, please contact the Planning and Zoning Office at (770) 964-2244.
3. The project should positively contribute to the appearance and vitality of Downtown Fairburn.
4. There is a demonstrated need for the new façade.
5. The project must comply with City of Fairburn codes and receive related permit approvals.
6. Successful applicants will be required to obtain appropriate permits before receiving grant funds.

## **GRANT AMOUNTS:**

The City of Fairburn's downtown Façade Grant is a reimbursement program providing 50% percent, up to \$10,000 per grant recipient for the cost of a façade improvement.

## **APPLICATION AND AWARD PROCESS:**

- **PRE-SUBMITTAL CONFERENCE**
  - The applicant must meet with Planning and Zoning staff for application review and submission.
- **APPLICATION SUBMITTAL**
  - The Façade Grant application process will begin on October 3, 2022, until March 31, 2022, or until funding is depleted. Once an applicant is selected for a grant, they will have six months to complete the project.
- **DESIGN REVIEW**
  - Applicants must submit three quotes from contractors for projects \$1,000 dollars and greater.
  - Quotes must be on the contractor's letterhead.
- **COMMITTEE REVIEW AND APPROVAL**
  - Applicants who are awarded a grant will receive notification by April 14, 2023

- The Downtown Development Authority (DDA) will convene an architectural committee of at least three members to review all applications and assign award amounts.
  - Projects are not approved until the grantee has obtained the appropriate permits to start work.
- **GRANT AWARD**
  - No grant award will exceed 50% of the eligible project costs.
  - Grantees will receive a 50% percent reimbursement up to \$10,000, whichever is lesser.
- **NEEDS BASED APPLICATION**
  - Consideration may be given to applicants who show financial hardship. Financial hardship shall be determined by a needs assessment, and separate application that must be approved by the City of Fairburn's Procurement Office.



# CITY OF FAIRBURN

FINANCIALS FOR MONTH

ENDED JULY 31, 2022

AS OF AUGUST 22, 2022

PRESENTED BY

PETERSON M. DAVID, MBA, MSFS

DIRECTOR OF FINANCE



Fairburn

Situated to Succeed



# CITY OF FAIRBURN GENERAL FUND

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## FINANCIAL HIGHLIGHT

YEAR TO DATE (YTD)  
JULY 31, 2022

1. The City of Fairburn's General Fund (GF) concludes its 10<sup>th</sup> month of 2022 operation with \$4.8M in net cash flow.
2. To date the General Fund has generated \$19.7M in Revenue with \$14.9M in General Fund Expenditures.
3. As of July 31, 2022, the City has collected 90% of its YTD Revenues, a 4% increase from last month.
4. To date the City has expensed 68% of its budget.
5. Property and Local Option Sales Tax Revenue represents the City's General Fund primary source of operating resources.
  - Real Property Tax represents 41% of GF Revenue
  - L.O.S.T represents 22% of GF Revenue



# CITY OF FAIRBURN GENERAL FUND

## Statement of Revenues & Expenditures

FOR MONTH ENDING  
JULY 31, 2022

ACCOUNT DESCRIPTION	2022 BUDGET	YTD REVENUE
Real Property Tax	\$7,878,307	\$8,114,093
Motor Vehicle Tax	\$550,000	\$708,275
Franchise Tax	\$1,100,000	\$1,307,991
Local Option Sales Tax	\$3,800,000	\$4,414,486
Business & Occupation Tax	\$750,000	\$915,741
Other Taxes	\$2,180,946	\$2,015,982
Licenses & Permits	\$580,890	\$369,352
Charges for Services	\$149,500	\$58,994
Fines & Forfeitures	\$507,000	\$727,233
Other Revenues	\$4,427,527	\$1,089,738
<b>TOTAL REVENUES</b>	<b>\$21,924,170</b>	<b>\$19,721,885</b>



# CITY OF FAIRBURN GENERAL FUND

## Summary of Revenues

FOR MONTH ENDING  
JULY 31, 2022

ACCOUNT DESCRIPTION	2022 BUDGET	JULY 2022	YTD REVENUE	% OF YTD REVENUE
Real Property Tax	\$7,878,307	\$9,402	\$8,114,093	41.14%
Motor Vehicle Tax	\$550,000	\$139,877	\$708,275	3.59%
Franchise Tax	\$1,100,000	\$86,442	\$1,307,991	6.63%
Local Option Sales Tax	\$3,800,000	\$460,846	\$4,414,486	22.38%
Business & Occupation Tax	\$750,000	\$3,869	\$915,741	4.64%
Other Taxes	\$2,180,946	\$69,277	\$2,015,982	10.22%
Licenses & Permits	\$580,890	\$22,423	\$369,352	1.87%
Charges for Services	\$149,500	\$9,466	\$58,994	0.30%
Fines & Forfeitures	\$507,000	\$74,955	\$727,233	3.69%
Other Revenues	\$4,427,527	\$4,203	\$1,089,738	5.53%
<b>TOTAL REVENUES</b>	<b>\$21,924,170</b>	<b>\$880,760</b>	<b>\$19,721,885</b>	<b>100%</b>



# CITY OF FAIRBURN GENERAL FUND

## Statement of Revenues & Expenditures

FOR MONTH ENDING  
JULY 31, 2022

ACCOUNT DESCRIPTION	2022 BUDGET	YTD EXPENDITURES	% OF BUDGET
Mayor & Council	\$414,332	\$224,568	54.20%
City Clerk	\$218,612	\$148,836	68.08%
City Administrator	\$1,234,630	\$879,668	71.25%
Finance	\$802,129	\$574,609	71.64%
Technology	\$340,000	\$211,033	62.07%
Human Resources	\$419,393	\$284,605	67.86%
Property Management	\$998,435	\$553,793	55.47%
Court Services	\$785,385	\$499,149	63.55%
Police	\$4,833,807	\$3,828,713	79.21%
Fire	\$4,194,967	\$2,830,043	67.46%
Public Works Administration	\$525,230	\$307,849	58.61%
Streets	\$1,550,813	\$1,087,143	70.10%
Maintenance & Shop	\$306,648	\$199,498	65.06%
Recreation Programs	\$744,101	\$437,748	58.83%
Inspection & Enforcement	\$333,580	\$216,725	64.97%
Planning & Zoning	\$393,921	\$165,126	41.92%
Economic Development	\$288,575	\$236,378	81.91%
Downtown Development Authority	\$20,700	\$1,801	8.70%
Non-Departmental	\$3,518,912	\$2,263,058	64.31%
<b>TOTAL EXPENDITURES</b>	<b>\$21,924,170</b>	<b>\$14,950,343</b>	<b>68.19%</b>

# PROPERTY TAX REVENUE

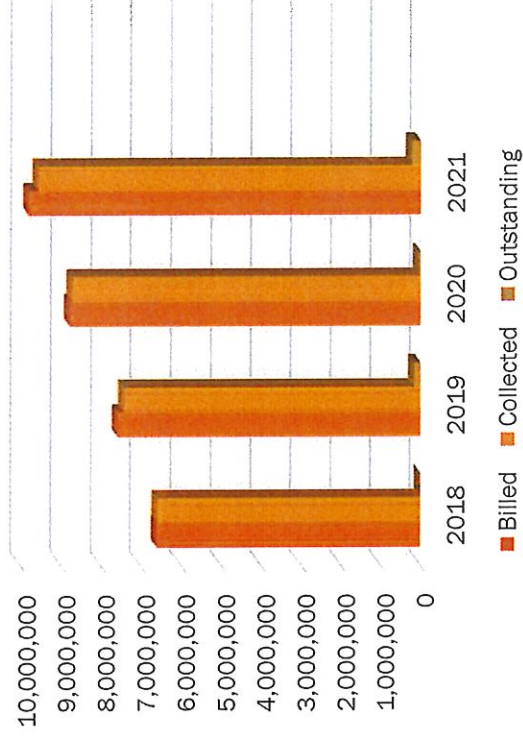
## Tax year billing amounts

- ❖ 2021 - \$9,821,364
- ❖ 2020 - \$8,793,791
- ❖ 2019 - \$7,581,072
- ❖ 2018 - \$6,600,373

## Tax year collection amounts and rate %

- ❖ 2021 - \$9,590,812 (97.65%)
- ❖ 2020 - \$8,736,702 (99.35%)
- ❖ 2019 - \$7,419,372 (97.87%)
- ❖ 2018 - \$6,582,720 (99.73%)

Property Tax Year Comparison





# CITY OF FAIRBURN ENTERPRISE FUND

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## FINANCIAL HIGHLIGHT

YEAR TO DATE (YTD)  
JULY 31, 2022

1. The City of Fairburn's Enterprise Fund (EF) concludes its 10<sup>th</sup> month of 2022 operation with roughly \$536 thousand in net cash flow.
2. To date the Enterprise Fund has generated \$16.5M in Revenue with \$16M in Enterprise Fund Expenditures.
3. As of July 31, 2022, the City has collected 81% of its YTD Revenues, an 8% increase from last month.
4. To date the City has expensed 78% of its budget.

# CITY OF FAIRBURN ENTERPRISE FUND

## Statement of Revenues & Expenditures

FOR MONTH ENDING  
JULY 31, 2022

ACCOUNT DESCRIPTION	2022 BUDGET	YTD REVENUE
Charges for Services	\$19,314,571	\$16,207,757
Investment Income	\$154,722	\$3,117
Miscellaneous Revenue	\$522,233	\$33,571
Other Financing Sources	\$312,249	\$309,464
<b>TOTAL REVENUES</b>	<b>\$20,303,775</b>	<b>\$16,553,909</b>



# CITY OF FAIRBURN ENTERPRISE FUND

## Summary of Revenues

FOR MONTH ENDING  
JULY 31, 2022

ACCOUNT DESCRIPTION	2022 BUDGET	JULY 2022	YTD REVENUE	% OF YTD REVENUE
Charges for Services	\$19,314,571	\$1,830,309	\$16,207,757	97.91%
Investment Income	\$154,722	\$0	\$3,117	0.02%
Miscellaneous Revenue	\$522,233	(\$257)	\$33,571	0.20%
Other Financing Sources	\$312,249	\$0	\$309,464	1.87%
<b>TOTAL REVENUES</b>	<b>\$20,303,775</b>	<b>\$1,830,052</b>	<b>\$16,553,909</b>	<b>100%</b>

# CITY OF FAIRBURN ENTERPRISE FUND

## Statement of Revenues & Expenditures

FOR MONTH ENDING  
JULY 31, 2022

ACCOUNT DESCRIPTION	2022 BUDGET	YTD EXPENDITURES	% OF BUDGET
Water & Sewer	\$8,838,437	\$5,750,010	65.06%
Stormwater	\$859,687	\$496,725	57.78%
Water & Sewer Bond	\$331,700	\$63,350	19.10%
Electric	\$9,423,951	\$9,021,143	95.73%
Sanitation	\$850,000	\$686,213	80.73%
TOTAL EXPENDITURES	\$20,303,775	\$16,017,441	78.89%





# QUESTIONS?





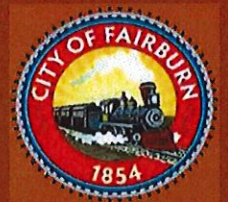
# City Administrator's Monthly Report

July 2022

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Fairburn, GA

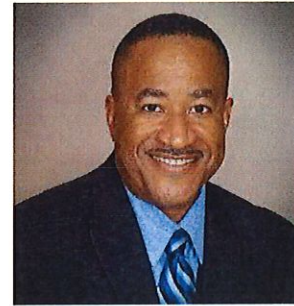
Authored by: Tony M. Phillips, CPM®





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## 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 for July 2022. Fairburn continues to make positive strides in city operations and service delivery. The current operating environment brings with it some very specific challenges for all organizations. Increasing covid infection data, and inflationary economic indicators have not muted our progress. Fairburn continues to utilize its many assets to build, maintain, and promote one of the state's best live, work, play communities. Our staff is dedicated to our commitment to provide each resident best in class customer service, while listening to our neighborhoods, communities, and local businesses. Our goal is to support a safe, inclusive, innovative, and economically vibrant city.

This report summarizes activities through the end of July 2022. The City continues its "Fairburn Forward" focus under the leadership of the Honorable Mayor Mario Avery.

- Downtown Development Authority (DDA) and Development Authority Training with new board members at University of Georgia, Carl Vinson Institute of Government in Dublin, GA, regarding role of DA/DDA as a developer, financial incentive tools, project management and development and more.
- Human Resources developed and City Council approved a COVID-19 policy inclusive of a pandemic leave benefit which provides up to five (5) days of paid leave for employees who meet the eligibility requirements.
- Benefits Event "Getting to Know Your Benefits" was held on July 25, 2022 facilitated by our benefits broker and United Health Care account manager.
- Wellness Wednesday Fitness Initiative Completed – over 100 participants for season.
- Rebecca Keefer and Richard Edwards named Interim Director of Planning and Zoning and Interim Senior Planner, respectively.

- 
- We are continuing our proactive recruitment and making significant progress for all open positions in the City to help elevate departmental service delivery.

I am enthusiastic and dedicated to our path forward in Fairburn. We are continuing to put together a superb management team and staff to serve our residents with excellence. Each day we are focused on ways to connect with our citizens and provide opportunities to make Fairburn our region's most accessible government.

We have something *exceptional* in the city of Fairburn. This report highlights our initial and ongoing efforts to improve delivery of services in line with your collective vision as our elected leaders. Please review a summary of the City's successful outcomes from July 2022.

**Tony M. Phillips, CPM®**

City Administrator

City of Fairburn





## City Clerk

Director: Brenda James

July 2022

### **Department Highlights/Accomplishments:**

Received 80 open records request for July 2022 – researched and processed

Processed incident reports to Travelers insurance

Processed City Council Credit Card Requests.

Prepared City Council Meeting packets for July 11<sup>th</sup> , July 20<sup>th</sup> and July 25<sup>th</sup>, 2022

Reviewed ordinances sent to Municode

Emailed weekly open requests report to Attorney, Mayor, City Administrator

Prepared City Council Minutes

Demo on Zoom with JustFoia for Administrative Training 3 people in Office

Budget Meeting with Finance Director

Clear Gov Training

Working on Charter updates

Signed all Business Licenses

Continue to Setup each department person for JustFoia training

### **Project Status:**

Continue to work with open records request several times a day

Continue to organize City records

Continue to work on the Charter updates



## Economic Development

Director: Sylvia Abernathy

July 2022

- Participated in Downtown Development Authority (DDA) and Development Authority Training with new board members at University of Georgia, Carl Vinson Institute of Government in Dublin, GA, regarding role of DA/DDA as a developer, financial incentive tools, project management and development and more.
- Completed the planning and production of Third Fridays on Main Street – Summer Music Festival featuring live music and performance arts to promote downtown arts and entertainment. – July 15th
- Prepared and wrote August City Newsletter, featuring the City of Fairburn's policy position on L.O.S.T, Main Street Accreditation and Affiliate Status.

### Department Updates:

- Participated in meeting Assistant Administrator regarding Fulton County CDBG CV3 Covid and City of Fairburn updates, project status and annual reporting for Digital Toolkit program.
- Agenda Item for Mayor and Council: Approval of plaque installation, updating regarding different stages and lettering for the Education Building, honoring former Mayor Betty Hannah. Obtained quotes for two additional dedication plaques, one replacement plaque, and building lettering for the education building. – July 11th

**Off-Premises Special Event Permit:** In response to business owners' desire to participate in ongoing downtown events, research, and planning as to the benefits to the city. – **Agenda item submitted and approved for July 11th**

- Distillery Special Permit – **Agenda Item Submitted and approved on July 11th**
- Completed July Community Activities Report for Georgia Main Street/ Department of Community Affairs (DCA), which includes data on job creation, real estate sales, housing, new construction, rehab, and public improvement projects for Main Street reporting.
- Soofa System digital wayfinding kiosk installation. A pilot project to enhance pedestrian traffic within the downtown district and community engagement regarding governmental services, community announcements, special events, business services, and more. Agenda Item for August 3, 2022 City Council Meeting

### Project Status:





- Adopt-A-Planter Program – submitted a proposal for the implementation of the program.
- Façade Grant Program – Draft Proposal for review and submission. – July 14th
- Utility Box Murals – Draft Request for Proposals submitted for review.
- Downtown Catalytic Site Development:
  - Review of potential Catalytic Site in downtown Fairburn, Off Broad. **-In Process**
  - Retail Strategies meeting regarding retail recruitment and downtown implementation efforts. Review of case studies with comparable Fairburn communities. – **In Process**
  - Urban Pulse to discuss upcoming projects with downtown development, funding incentives, and economic development activities - May 27th
  - Redevelopment of downtown parcels.

Business Development and Activation: Ongoing discussions with business and property-owner stakeholders.

**Upcoming Events/Actions/Meetings:**

- Economic Development Strategic Plan Update
- Business Alliance Meeting - TBA
- Planter Program/ Adopt-A-Spot
- Main Street Board Meeting
- Frankie Arnold Stage Lettering Dedication – TBA (tentative August 19th)
- Betty Hannah Building Lettering Dedication Ceremony- TBA (tentative September 6th)
- Hotel Motel Tax/Funds Report
- Economic Development Strategic Plan
- Third Friday Events & Concert Series
  - Summer Music Festival – July 15th
  - Back to School Celebration – August 19th
  - Hispanic Cultural Celebration Month – September 16th
- Fall Festival & Taste of Fairburn – October 1st
- DDA/DA Board Meeting – 23rd (Upcoming Training on August 3rd)



## Finance

Director: Peterson David

July 2022

### **Department Updates:** Month of July, 2022

#### Daily Operations

- One on one Department head budget meetings
- Finalized FY22-23 Proposed Budget
- Homestead Ordinance presented & approved by Mayor & Council
- Budget Amendment Ordinance – Retention Bonus presented & approved by Mayor & Council
- Procurement Manager started July 6<sup>th</sup>
- Registered entire Finance department for Pryor Training
- Business Licenses
  - New Licenses: 4
  - Renewals: 6
  - Outstanding: 113
- New services
  - Electric: 25
  - Water: 57
  - Garbage: 39

#### Personal Property Tax

- Collected: \$2,752,839.12
- Outstanding: \$43,790.10

#### Real Property Tax

- Collected: \$6,609,313.52
- Outstanding: \$113,987.90

#### Public Utility Tax

- Collected: \$224,227.74
- Outstanding: \$12,851.41

### **Project Status:**

FY20-21 Single Audit: Finished

### **Upcoming Events/Actions/Meetings:**

1. Policies
- a. Fund Balance
- b. Reserve
- c. P-Card





## Fire Department

Director: Chief Cornelius Robinson

July 2022

### **Department Highlights/Accomplishments:**

- Hired 4 New Members of Personnel
- Provided Emergency Medical Services for 3<sup>rd</sup> Fridays on Main Street
- Participated in city-wide Open Records Training
- Received 15 plans for review
- 1 Fire Investigation Completed
- Deployed Emergency weather radios to city buildings

### **Department Updates:**

- The fire department has started back providing blood pressure checks at New Beginnings Senior Center. They take place every Tuesday at 10 am.
- Received 10 New Sets of Gear

### **Project Status:**

- Floors at Station 21 have been completed
- Engines 21 & 22 in process of repair at Ten-8

### **Upcoming Events/Actions/Meetings:**

- Bi-weekly meetings with Assistant City Administrator
- New members of personnel slated for hire: recruitment in progress
- 3 people are being sent to CPR Instructor Training



## Human Resources

**Director:** TaLisha Champagne

**July 2022**

### **Department Highlights/Accomplishments:**

- Developed COVID-19 policy inclusive of a pandemic leave benefit which provides up to five (5) days of paid leave for employees who meet the eligibility requirements.
- Benefits Event “Getting to Know Your Benefits” was held on July 25, 2022 facilitated by our benefits broker and United Health Care account manager.
- Employee Navigator benefits module went live. Current employee benefit and dependent election were finalized on July 30<sup>th</sup> with benefits audit being conducted.

### **Department Updates:**

- ✚ Leadership Training event “Workers’ Comp Made Easy” to be held on August 10, 2022; training event will be facilitated by Georgina Municipal Association (GMA).
- ✚ City’s Hiring & Turnover stats for June 2022:
  - New Hires – fifteen (15) employees
  - Separations – seven (7) employees; 5-Voluntary, 1-Involuntary, 1- Deceased
- ✚ Extended six (6) conditional offers to new hires for the August new hire orientations; Various offers included the hiring incentive pay; a total of 12 potential new hires for August 2022 (total inclusive of two (2) Police Officers and four (4) Firefighter recruits).

### **Project Status:**

- Classification & Compensation Study kick off to be held on August 1st. Employee orientation sessions and focus groups to be held on August 3<sup>rd</sup>. The Job Assessment Tool to be completed by all employees and supervisors will launch on August 8<sup>th</sup> and conclude on August 19<sup>th</sup>. Market analysis to begin on August 22<sup>nd</sup>.
- Policy updates in progress (Pandemic Leave, Standards of Conduct, Military Leave, Maternity/Parental Leave, On-Call Policy, Telework policy, Workers’ Comp policy, Comp Plan/Incentive Pay policy).
- HR Staff training for Employee Navigator benefits module to be held on August 3<sup>rd</sup>. Next phase is new hire online benefit election option by August 17<sup>th</sup>.





## GOVERNMENT OF THE CITY OF FAIRBURN

### **Upcoming Events/Actions/Meetings:**

- ✚ Employee event “Understanding Your Retirement Benefits” to be held on August 22, 2022 and facilitated by Georgia Municipal Association (GMA).
- ✚ Employee Appreciation Day to be held on Sept 9, 2022 in Dunkin Park from 11:00am – 2:00pm.
- ✚ Mental Health awareness leadership training in FY23; date to be determined.



## Parks & Recreation

Director: Chapin Payne

JULY 2022

### **Department Highlights/Accomplishments:**

- Fairburn Flames Football/Cheer season registration completed- 250 participants
- Wellness Wednesday Fitness Initiative Completed – over 100 participants for season
- Summer Teen Retrieve 22 participants- Completed
  - Program paused due to A/C installation at the Youth Center
  - Teen Session – Leadership through Music
- Water Aerobics – 170 July participants
- Program Launch – Sensational Senior Summer
  - Walking Club – 35 senior participants
  - Jewelry Making Class – 25 senior participants
  - Tote Bag Decorating Class- 22 senior participants
  - Chair Aerobics - 20 senior participants
- Afterschool Services RFP released – proposals received; RFP canceled
- Fall Festival Save the Date released – October 1, 2022
  - Theme: Yes, its Back!
  - Vendor Applications Received- 7
  - 4 – College Bands confirmed/ 3- High School bands confirmed
  - Carnival rides – confirmed

### **Department Updates:**

- Pool & Splash Pad Information
  - Back to School Splash – \$2.00 admission with a packaged school supply donation - Completed
  - Last weekday at the pool July 29<sup>th</sup> – Weekends only
  - Pool closes – Sunday, Sept. 4<sup>th</sup>
- Fall Festival – Planning Meeting #3 held
- New Program: Fairburn After School Enrichment Program - Applying for After School Boost Grant through GRPA





## GOVERNMENT OF THE CITY OF FAIRBURN

- New Program: Senior Walking Club – Every Monday & Wednesday / May – August
- New Program: Wellness Wednesdays – Every 1<sup>st</sup> and 3<sup>rd</sup> Wednesday June – July
- New Program: Fairburn Flames Football/Cheer – Monday through Thursday July- November
- New Program: Fairburn Cross Country – Beginning September- Registration now open

### **Project Status:**

- Youth Center HVAC installation –Complete
- Duncan Park entrance gate repair – Complete
- Outdoor basketball court fence repair – Complete
- Duncan Park field maintenance – on going
- Youth Center landscape – Complete
- Fall Festival planning – on-going
- Youth Center access control – Moved to D. Parks
- Dedication Signs – Duncan Park Pool – Received, scheduling installation

### **Upcoming Events/Actions/Meetings:**

- August 20<sup>th</sup> – Art in Lights
- August 24<sup>th</sup> – Senior Self Defense
- Oct. 1<sup>st</sup> – Fairburn Fall Festival



## GOVERNMENT OF THE CITY OF FAIRBURN

### Marketing Materials:

Fairburn  
Sustained to Succeed

# FALL FESTIVAL AND THE Taste of Fairburn

Parade Vendors Live Music

FOOD

SAVE THE DATE  
**OCTOBER 1, 2022**

## Fairburn Parks and Recreation Youth Cross Country

**REGISTRATION  
NOW OPEN!**

\$75.00  
PRACTICE HELD TUESDAY & THURSDAY  
6:15pm - 7:15pm (starting Sept. 27th)

**AGES: 7-14**

Register Online @ [www.fairburn.com](http://www.fairburn.com)  
"How Do I?"



MORE INFO & REGISTRATION:  
CONTACT: (770) 964-2244 EXT. 450  
OR [Cpayne@fairburn.com](mailto:Cpayne@fairburn.com)

Fairburn  
Sustained to Succeed

DASH in partnership with  
Art in the Alley present

# Life In Lights

A one-night community art experience by  
**Elise Williams**

Celebrating Fairburn and the 50th anniversary  
of the Southside Theater Guild

Featuring music by Santiago Páramo

Saturday, August 20, 2022  
6:30 - 10:30 PM  
Frankie Arnold Alley  
15 W. Broad Street  
Fairburn, GA 30213



## SELF DEFENSE FOR SENIORS

Learn Techniques  
of Self Defense &  
Feel Confident

Instructor:  
Fairburn Police  
Department

August 24, 2022  
11:00 AM - 1:00 PM

Fairburn Youth Center  
149 S.W. Broad Street

Register by calling (770) 964-2244 ext. 133 or email  
[shjackson@fairburn.com](mailto:shjackson@fairburn.com)







## Planning and Zoning

Interim Director: Rebecca Keefer

July 2022

### **Department Highlights/Accomplishments:**

1. Successful transition of department
2. Rebecca Keefer and Richard Edwards named Interim Director of Planning and Zoning and Interim Senior Planner, respectively
3. Begin recruiting for permanent director

### **Boards & Commissions Meetings**

1. The Planning and Zoning Commission meeting was held on July 12<sup>th</sup>.

### **Community Meetings and other Meetings:**

### **Department Updates:**

Permit Type & Other	Number Issued
Sign Permit	2
Film Permit	0
Short Term Rental Permit	0
Special Event Permit	0
Occupational Tax License Review	6
Zoning Verification Letter	5
Yard Sale Permit	0



South Park Building B – A request to approve the conceptual site plan for the development of a 206,960 square feet warehouse.

**Meeting Date: Planning and Zoning Commission - July 12<sup>th</sup>, 2022 – CONDITIONAL APPROVAL**

### **Upcoming Rezoning Petitions**

MCRT SFR Investment/Battle Law - A request to rezone 41.89 acres from AG (Agriculture) to RM-12 (Multi-family Residential) for a 194-unit multi-family townhouse development.

**Meeting Dates: Planning and Zoning Commission – September 13, 2022 (tentative)**  
**City Council – October 10, 2022**

### **Upcoming Variance Petitions**

Rhys Black & Shannon Loe - A request to reduce the side yard setback to allow the renovation of an existing structure into an accessory dwelling structure.

**Meeting Dates: Planning and Zoning Commission – September 13, 2022**

Bohannon Road Distribution Center – Requests to encroach 23,186 square feet into the 25' impervious stream buffer and to encroach 26,058 square feet into the 25' stream buffer feet.

**Meeting Dates: Board of Appeals – September 15, 2022**

### **Upcoming Plats**

Evergreen Subdivision Concept Plat – **September 13, 2022**

### **Proposed Text Amendments**

1. Add liquor stores to the list of prohibited uses within the Highway 74 Overlay District
2. Revise the text for prohibited tire treading and recapping uses to add tire repair shops and add a separation distance requirement for automobile repair shops (to include oil change, body repair, and tire repair shops)
3. Notice of public hearing letters to property owners distance increase from 500 feet
4. Zoning Procedures Law procedural amendments

*The above-mentioned text amendments are under legal review.*

### **Creative Placemaking and Public Art Initiatives**

1. Call for Artists for Creative Crosswalks

#### **SCHEDULE**

1. Publish Call for Artist on **June 22, 2022**
2. Deadline for all artist proposal submissions on **July 21, 2022**, by 5:00 p.m. EST
3. Proposal reviewed and selected by City Staff and Art Advisory Council late **August 2022**
4. Final designs and artists presented to Fairburn City Council in late **September 2022**





**Project Status:**

**Community Development Projects Under Review**

<b>Project Name</b>	<b>Plan Type</b>
Popeye's	Site Development Plan
South Park Bldg. A	Site Development Plan
Buckingham - Google	Site Development Plan
South Park Bldg. B & C	Conceptual Site Plan
Copart	Clearing and Grading
Project Miles Trailer Space	Site Development Plan
Renaissance Park Apartments	Conceptual Site Plan

**Upcoming Events/Actions/Meetings:**

**Upcoming Planning and Zoning Commission meetings – September 13<sup>th</sup> (Rescheduled from September 6)**

**Upcoming Board of Appeals meetings – September 15<sup>th</sup>**

**Life In the Lights: August 20<sup>th</sup>**

**Fairburn Community Yard Sale: July 23<sup>rd</sup>, August 6<sup>th</sup> and August 20<sup>th</sup> Friday August 19<sup>th</sup> – Back to School Celebration – Main Street**

**Processed Rezoning Petitions**

**Meeting Dates: Planning and Zoning Commission - **June 7, 2022** – DENIAL  
City Council - **July 11, 2022****

South City Partners - A request to rezone 14.979 acres from C-2 (General Commercial) to PD (Planned Development) for 288 multi-family units with a clubhouse, 4,000 square feet of retail space, and conservation open space with a concurrent variance to reduce the number of parking spaces from 2 per unit to 1.5 per unit.

**Meeting Dates: Planning and Zoning Commission - **June 7, 2022** – APPROVAL  
City Council - **July 11, 2022****

Vickers Point Subdivision – A request to approve the preliminary plat for Vickers Point Subdivision

**Meeting Date: Planning and Zoning Commission **July 12<sup>th</sup>, 2022** CONDITIONAL  
APPROVAL**



5. Selected Artist(s) notified, public announcement and showcase of artists and design late **September 2022**
6. Crosswalks completed by late **October 2022**
2. Summer Art Event in the Alley - August 20, 2022 (rain date August 21<sup>st</sup>)





## Police Department

Director: Chief James A. McCarthy

July 2022

### **Department Highlights/Accomplishments:**

- 8/02 National Night Out, Villages at Fairburn

### **Department Updates:**

- Currently have 3 vacancies
- Response to active shooter training next week at 13 Stories in Newnan

### **Project Status:**

- Electronic door lock conversion complete
- Power DMS software upcoming

### **Upcoming Events/Actions/Meetings:**

- Command Staff meeting every Wednesday at 10 AM
- Senior self-defense class 8/24 at youth center



# Fairburn Police Department

James McCarthy

Chief of Police

## Executive Summary July 2022



- **Uniform Patrol Division**
  - Total Calls Answered: 814
    - Self-Initiated 1,712
    - Dispatched 814
  - Arrests 33
  - Arrest – Released 70
  - Citations 720
  - Warnings 974
  - Incident Reports 328
  - Accident Reports 84
- **Special Services**
  - N/A for June, units assigned to patrol division
- **Criminal Inv. Division – July**
  - Cases Assigned 61
  - Ex-Cleared 1
  - Cleared by Arrest 1
  - Unfounded 1
  - Inactivated 15
- **CID – Cases Prior to July**
  - Carry Over 176
  - Ex-Cleared 9
  - Cleared by Arrest 9
  - Unfounded 2
  - Inactivated 22
- **Internal Affairs**
  - Vacancies
    - 3 police officers
    - 1 code enforcement
  - 1 military leave (PD)
  - 1 officer in academy

### Police

#### July 2020

- Citations 406
- Warnings 1,253
- Arrests 4
- A/R 69

#### July 2021

- Citations 661
- Warnings 1,242
- Arrests 22
- A/R 47

#### July 2022

- Citations 720
- Warnings 974
- Arrests 33
- A/R 70

*July '21 compared to July '22  
37.5% Part 1 crime decrease*

### Code Enforcement

#### July 2022

- Care of Prem. 105
- Self-Initiated 160
- Stop Work 2
- Signs Rmvd 62
- Door Hngrs 49
- 5 Day Notice 157
- Citations 3
- Complaints Resolved 9
- Closed cases 91





# Fairburn Police Department

James McCarthy

Chief of Police

191 SW Broad Street  
Fairburn, GA 30213

Phone: 770-964-1441  
Fax: 770-774-7908



## July 2022 Crime Report

### Total Part 1 Crime Incidents

○ 2022 YTD	185
○ 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, 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
February 2022	- 8%	23
March 2022	- 9.6%	27
April 2022	4.7%	22
May 2022	30.7%	34
June 2022	17.2%	34
July 2022	- 37.5	20



## Property Management

Project Manager: Dana Smith

July 2022

### **Department Highlights/Accomplishments:**

- Exterior soffit repaired at the Out-Building #2 at the Educational Campus.
- Fire Station 21 modification/renovations completed per latest scope of work.
- Met with Fire Chief to review temporary Fire Station Location.
- Replaced the defective wiring on the HVAC system in Planning and Zoning suite.
- RFP for design services for Fire Station 23 published for solicitation.

### **Department Updates:**

- Facility Manager position, vacant for over two years is advertised to fill the vacancy for this department.

### **Project Status:**

- Finalizing RFP for City Facility Property Assessment.
- Working on roofing assessments of Police HQ, Fire Station HQ and Fire Station 21.
- Pricing temporary housing structures for temporary Fire Station.
- Pricing installation of exterior hose bibs at Armando's.
- Pricing brick dumpster enclosures at Armando's and Casablanca.
- Acquire and install generator for Fire Station 22/Youth Center Building.
- Coordinating annual elevator inspection for Educational Campus Administration building with Georgia Department of Insurance and Safety Fire.

### **Upcoming Events/Actions/Meetings:**

- Publish RFP for On Call Design services.
- Begin design of utilities for temporary Fire Station.
- Publish RFP for on Call/Preferred Contractor services.





## GOVERNMENT OF THE CITY OF FAIRBURN

- Publish RFP for Preventive Maintenance contracts.
- Spatial planning of unused Fairburn Educational buildings (Brenau and Shell buildings).



## Public Relations & Community Engagement Consultant

Contractor: Ashley Nicole Communications, LLC

July 2022

### Department Updates:

#### Written and Distributed Press Releases

- Press Release: City of Fairburn Third Fridays on Main Street Presents the Summer Concert Series
  - Distribution Date: July 7<sup>th</sup>
  - South Fulton Neighbor News:
  - [https://www.mdjonline.com/neighbor\\_newspapers/south\\_metro/community/fairburn-kicks-off-summer-with-main-street-concerts/article\\_c58e54bc-febc-11ec-950c-a714ca730469.html](https://www.mdjonline.com/neighbor_newspapers/south_metro/community/fairburn-kicks-off-summer-with-main-street-concerts/article_c58e54bc-febc-11ec-950c-a714ca730469.html)
- Press Release: City of Fairburn Opposes Fulton County Board of Commissioners Local Option Sales Tax (L.O.S.T.) Increase
  - Distribution Date: Friday, July 15<sup>th</sup>
  - South Fulton Neighbor News:
  - [https://www.mdjonline.com/neighbor\\_newspapers/south\\_metro/news/fulton-cities-unite-to-oppose-countys-increased-l-o-s-t-share/article\\_a4bb50a0-06dc-11ed-9cc8-ef6985524999.html](https://www.mdjonline.com/neighbor_newspapers/south_metro/news/fulton-cities-unite-to-oppose-countys-increased-l-o-s-t-share/article_a4bb50a0-06dc-11ed-9cc8-ef6985524999.html)
- Press Release: City of Fairburn Mourns Loss of Decorated Officer, Sgt. Jean-Harold Astree
  - Distribution Date: Thursday, July 28<sup>th</sup>
  - South Fulton Neighbor News:
  - [https://www.mdjonline.com/neighbor\\_newspapers/south\\_metro/news/fairburn-mourns-death-of-decorated-police-sergeant/article\\_4d073a56-0e9b-11ed-adb7-af7440698471.html](https://www.mdjonline.com/neighbor_newspapers/south_metro/news/fairburn-mourns-death-of-decorated-police-sergeant/article_4d073a56-0e9b-11ed-adb7-af7440698471.html)

#### Created and Posted Social Media Content (some posts scheduled multiple days)

- July 4<sup>th</sup> Closure Notice
- Pool Closure Notice
- Loss of Sgt. Jean-Harold Astree Post
- Event Post: Push-In Ceremony Recap Post
- Event Posts: Third Fridays on Main Summer Concert Series
- Event Posts: Fairburn Community Yard Sale
- Water Aerobics Class Cancellation
- Parks & Recreation Newsletter Post
- Planning & Zoning Director Position





- Important Notice: Lane Closure on E. Broad Street
- Important Notice: Duncan Park Pool & Splash Pad Capacity
- Juneteenth Closure Notice

### **Projects & Marketing Materials Created**

- Project: GMA Press Release Quote
  - Materials Created
    - Created the quote
- Project: Third Fridays on Main Summer Concert Series
  - Materials Created
    - Flyer
    - Social Media Post
    - Eventbrite
- Project: Fall Festival & Taste of Fairburn
  - Worked with design vendor to create event logo
  - Created Save the Date
  - Created Social Media Post
- Project: GFL Sanitation Services
  - Materials Created:
    - City's Statement on Services
- Project: Human Resources Understanding Your Retirement Benefits
  - Materials Created:
    - Flyer
- Project: City Newsletter – provided edits and suggestions
- Project: City Hall Face Mask Requirement
  - Materials Created:
    - Flyer
- Loss of Decorated Officer, Sgt. Jean-Harold Astree
  - Materials Created:
    - Email Image
    - Social Post
    - Press Release
- Project: Human Resources Employee if the Quarter
  - Materials Created:
    - Employee Certificate Template
- Provided edits to the GFL Work session Presentation

### **Website Management**

- Removed the previous holiday trash pick-up schedule
- Added City Administrator's Monthly Report
- Added Planning & Zoning Interim Team Pictures and Contact Information



## GOVERNMENT OF THE CITY OF FAIRBURN

- Added that Fairburn's Georgia Main Street was recently recognized s a 2022 Affiliate Program
- Added all special events as web banners and pop-up alerts





## STREET DEPARTMENT

Director: Gale Higgs

July 2022

### Department Highlights/Accomplishments:

**One New Employee Hired**

### Department Updates:

**5 Trees Have Been Removed From Duncan Park**

**Walk Bridge Pressure Washed**

**Sidewalk Repaired on Senoia Rd**

**Playground Mulch Installed @ Cora Robinson Park**

**Road Patchwork Complete on Oakley Ind Blvd**

### Project Status: Pending

**Paint the Walk Bridge on E Broad St**

**Road Patchwork on John Rivers Rd**

**Monument Landscaping**

**Fuel Software Upgrade**

**Tree Analysis for Duncan Park**

### Upcoming Events/Actions/Meetings:

**City Concert Scheduled for 8/19/2022**

**City Arts Event Scheduled for 8/20/2022**



## Utilities Department

Director: John D. Martin, QWLA

July 2022

### **Department Highlights/Accomplishments:**

#### **Director's Office:**

- Attended Cleargov FY23 Budget Utilities Meeting (July 1<sup>st</sup>)
- Utilities Department Weekly Leadership Meeting (Every Monday)
- GFL Work Session Presentation Review (July 5<sup>th</sup>)
- Interviews: Groundman, and Electric Lineman (July 15<sup>th</sup> and 16<sup>th</sup>)
- Mayor Avery Meeting with Council and Directors (City Hall) -(July 19<sup>th</sup>)
- Fairburn Utilities Pump Station Meeting with Engineers (July 26<sup>th</sup>)
- Bi-weekly Department Meeting with Asst. City Administrator (July 6<sup>th</sup>)
- Attended Outdoor Conversation Lunch and Learn (Fulton County) - (July 27<sup>th</sup>)
- Personnel Discussion Meeting (July 25<sup>th</sup>)
- Budget Meeting (City Hall) -(July 19<sup>th</sup>)
- Budget Meeting (Microsoft Teams) -(July 27<sup>th</sup>)
- Cintas Safety Meeting (July 25<sup>th</sup>)
- Water Needs Projections Meeting for Middle Chattahoochee Authority (July 27<sup>th</sup>)
- Zoom Meeting Elan South Fulton Power (July 28<sup>th</sup>)
- Monthly Project Meeting with Integrated Science Engineering (July 14<sup>th</sup>)
- EPD submittal of Fairburn 2021 Water Loss Audit (July 27<sup>th</sup>)
- Department Leadership meeting (July 20<sup>th</sup> & July 27<sup>th</sup>)
- MEAG Power 101 (July 27<sup>th</sup>)

#### **Customer Service/Meter Reading:**

#### **Meetings**

- Annual budget review meeting for the Utilities Department, with City Administrator's Office, Finance and Human Resources.
- Meeting with Northstar Support & VC3 for software installation.
- Safety Meeting with Cintas representatives and City Administration's Office; to discuss program and equipment options.
- Meeting with Electric Cities of Georgia (ECG) representatives (Chau & Tory) to discuss Fulton County School accounts.
- Phone conference with Russell Holly to discuss and review billing matters for Fulton County School accounts.





## GOVERNMENT OF THE CITY OF FAIRBURN

- Zoom meeting with ECG representative (Chau) to review and rectify billing issues for some of the “special-billed” large commercial customers.
- Attended the City Meeting to discuss upcoming water meter change out program and deficiencies with GFL services.
- Phone conference with Erin Elsen (Online Information Services) to discuss bad debt/collections payment process and to schedule future training.
- Meter Replacement Program Meeting with Kevin Purcell & Contractor, Mr. Charles Bowden (June 9<sup>th</sup>)
- Meeting about Meter Change out Program with City Administrator’s Office & Kevin Purcell (June 9<sup>th</sup>)
- Cintas Safety Meeting with Ryan McLelland (June 15<sup>th</sup>)
- Meeting with Incode Leadership Team (Alea Karnbach) about Migration Issues (June 21<sup>st</sup>)
- Meeting with the Paymentus Team (Peter Guido) & Finance Team for payment system demo (June 28<sup>th</sup>)

### **Tasks**

- Worked closely with GFL Leadership Team to rectify escalated service issues.
- Conducted “Citywide” field audits to gather information for yard waste, recycling, waste, and bulk scheduling.
- Implemented “Route Assignment” schedules for the Meter Reader Staff’s work distribution.
- Established relationship with key contacts at “Fulton Atlanta Community Action Authority” for the LIHWAP program (utility assistance).
- Drafted the job description for the proposed “Utilities Collections Specialist” position for FY 2023.
- Received/installed the new medical cabinet for employee use.
- Reached out to Fulton County Sewer Department to inquire about the new sewer connections, for the newly constructed townhomes, in the Renaissance South subdivision.

### **Billing Information**

- Utility Bill Count: 7,032 (TOTAL), 6,409 (MAILED)
- **248 work order requests** were completed for the month of July
- Meter Reading Staff successfully collected **1,138 visual reads for billing**.

### **Electric:**

- Tree trimming by contractual agreement completed on the following streets: Willow Creek, Greenwood, Orme, Azalea, Fayetteville, Spence, East Campbellton, Pine, Shannon Chase, and Lake Esther. Trimmed hot spots on Bohannon and Hwy 74
- Received overhead transformers from February order with Solomon
- Groundman, Jesse Cox promoted to Electric Lineman
- Security locks applied to equipment and enclosures in Lake Esther, Magnolia, Colony Trail, Wood Way, St. Johns, Creekwood, Smucker’s, Google, SC Johnson, NEFAB, Bohannon Road and Evergreen Apartments



- Met with Brian Jaynes and Greg Lee of ECG along with Brian Thompson (G.C.) on movement of circuit W-1222 due to encroachment boundaries on private property for Greystar properties at Ella Lane and Oakley industrial Blvd
- Met with Pro Source, Jody Bennett for quote on movement of W-1222 Circuit
- Met with UTEC, David Mathis for quote on movement of W- 1222 circuit
- Installed 3 phase line in coordination for A/C at Youth center
- Repaired lights and power at Duncan Park at Pavilion #1
- Prepared for Juneteenth holiday at Frankie Arnold Stage
- Interviewed Matthew Cole for Journeyman Lineman position
- Met with Brian Jaynes of ECG at Google to test transformer hotspot with infrared camera
- Completed yearly preventive maintenance on fleet vehicles through ALTEC
- Monthly On-calls: 110
- Completed Work orders: 25

Water/Sewer:

- Flushed fire hydrant on 109 Meadow Court
- Unclogged sewer lateral: None
- Rereads: 6
- Meter Leaks: 9
- Meter Installations: 4
- Locates: 1
- Check Low Water Pressure: 1
- Meter Maintenance: 7
- Replaced meter lids: 3
- Monthly On-calls: 11
- Sewer Back-ups: 1

Stormwater:

- Identifying and inspecting of damaged storm drains
- Jetted overflowing storm drains
- Repaired storm drain-Meadow Glen and Castle Way





COVID-19:

- Water and Sewer personnel are maintaining restrictions and social distancing.
- Utilities buildings are wiped down on Mondays and Thursdays to prevent exposure.

**Department Updates:**

- Customer Service/Meter Reader Work orders completed: 248
- Water/Sewer Work orders completed: 92

**Project Status:**

- FOG (Fats, Oils, and Grease) software implemented
- Fire Hydrant Replacement Project (06/13/22). Council approved for lowest bidder. Shockley Plumbing, Inc. Kick-off Meeting scheduled for August 17<sup>th</sup>
- Upgrade Power Grid (Elder & Poplar)-Bid preparation
- 2021 Storm Drain Lining Project (*In Progress-awaiting easements*)

**Upcoming Events/Actions/Meetings:**

- Upgrade Power Grid (Elder & Poplar)
- Overhead to Underground Power Installation (Rivertown Road) FY23
- Implementation of the Backflow software (*On-going*)
- Prepare Backflow Ordinance for Mayor and Council approval (*In Progress*)
- Review meter details for new developments and renovations-Scheduled for August 17<sup>th</sup> meeting