

City of Norcross

*65 Lawrenceville Street
Norcross, GA 30071*



Meeting Agenda

Monday, April 17, 2023

6:30 PM

2nd Floor Conference Room

Policy Work Session

Mayor Craig Newton

Mayor Pro Tem Bruce Gaynor

Councilmember Andrew Hixson

Councilmember Josh Bare

Councilmember Matt Myers

Councilmember Dr. Arlene Beckles

A. Roll Call (recorded)**B. Citizen Input****C. Board Updates**

*Architectural Review Board Update - Jeff Hopper

D. General Updates

*Pedal Norcross Update - Chelsea Youmans

E. Council- General Discussion**F. Board Appointments**

Mayor and Council will consider appointments/reappointments to the following board, authority or commission:

Architectural Review Board

Downtown Development Authority of Norcross

G. City Manager's Report**H. Items for Discussion****1. [23-6693](#) Funding Request from Norcross Library Founders Club**

A request by the Norcross Library Founder's Club for funding of up to \$2,000 to help reduce the cost of two events in April.

1. Rectory event on April 22nd; 6-9 PM

2. Open House, April 30th: all of Norcross is invited to LWP for a drone photo and Open House at the library; 2-5 PM

[Agenda Report - Fund Request - Norcross Library Founder's Club](#)

[Community Sponsorship Application - Norcross Library Foundation](#)

2. [23-6720](#) Funding of Public Art

A recommendation to adopt a strategy for funding public art through the annual budget process and Capital Improvement Program (CIP) to replace a series of past directives.

[Agenda Report - Funding of Public Art](#)

[Prior City Council Directives](#)

[Arts Funding Spreadsheet](#)

3. [23-6721](#) **Personal Transportation Vehicle (PTV) / Golf Cart Ordinance**
Provide direction to staff on whether a Personal Transportation Vehicle (PTV - modified golf cart) ordinance is wanted. If yes, staff recommends approval of QK4's \$12,000 (max) fee proposal to study the impact of PTVs on city streets, as required by State law.

[Agenda Report - Personal Transportation Vehicle \(PTV\) / Golf Cart Ordinance](#)
[Georgia Laws on Personal Transportation Vehicle \(PTV\) Transportation Plans](#)
[Example PTV Ordinance - City of Flowery Branch](#)
[QK4 Fee Proposal](#)

4. [23-6722](#) **Surplus ARPA Funds**
A recommendation to authorize staff to report to the U.S. Department of Treasury that remaining American Rescue Plan Act (ARPA) funds will be used for "revenue replacement" within the guidelines established for ARPA fund usage.

[Surplus ARPA Funds - Small Business Grant Program](#)

5. [23-6723](#) **Right of Way Acquisition**
A recommendation to begin the Request for Proposal process for Right of Way acquisition for PI 0016067 Norcross Greenway LCI project.

[Agenda Report - Right of Way Acquisition](#)
[RFP for Right of Way Acquisition](#)
[Map of PI 0016067](#)

6. [23-6724](#) **Stream Buffer Variance - 258 Lake Drive**
A recommendation to approve the request for a Stream Buffer Variance at 258 Lake Drive.

[Stream Buffer Variance at 258 Lake Drive](#)
[Vicinity Map](#)

7. [23-6725](#) **Ordinance Revisions for Coin Operated Amusement Machines**
Approval of the ordinance as revised and authorization for staff to create procedures and maintain City applications, records, and other documents necessary to implement the regulations.

[Agenda Report - Coin Operated Amusement Machines](#)
[Proposed Amended Ordinance](#)

8. [23-6717](#) **IGA with Gwinnett County Board of Voter Registration and Elections for Use of Election Equipment**
Review of an agreement with the Gwinnett County Board of Registrations and Elections, outlining each party's duties and obligations and the use of election equipment.

[Agenda Report - IGA for lease of election equipment](#)

[2023 Municipal Elections IGA](#)
9. [23-6704](#) **Authorize a New Position – Enterprise Business Manager**
Authorize a new senior position reporting to the City Manager to serve as Enterprise Strategic Business Manager for the development, analysis, and management of enterprise/utility rates and fees for the City's three enterprise operations: electric, solid waste, and stormwater, and to provide strategic management to those operations through the development of short- and long-term business strategies for each enterprise.

[Agenda Report - Authorization of Enterprise Strategic Business Manager Position](#)

[Enterprise Strategic Business Manager Job Description](#)
10. [23-6726](#) **Skin Alley Pedestrian Access**
Develop proposal(s) for restricting through-traffic on Skin Alley during specified periods to facilitate a more pedestrian-friendly environment through the use of bollards or planters.

[Agenda Report - Improving Pedestrian Use of Skin Alley](#)
11. [23-6727](#) **Mayor and Councilmember Pay**
Adopt an ordinance updating annual compensation rates for elected officials, effective January 1, 2024, and authorize staff to present recommended compensation rate increases for consideration in April 2024 based on the employee merit increase for FY24.

[Agenda Report - Mayor and Council Compensation](#)

[Mayor and Council Compensation - All Responses](#)

[Mayor and Council Compensation - 20 Mile Radius](#)

[Council Member Salary Ranges](#)

[Mayor Pro Tempore Salary Ranges](#)

[Mayor Salary Ranges](#)
- I. **Adjourn to Executive Session for Personnel, Real Estate or Legal**
- J. **Signed by:** _____ **Mayor Craig Newton**
- K. **Attest:** _____ **Monique Philip, City Clerk**



MAYOR **CRAIG NEWTON** · MAYOR PRO TEM **BRUCE GAYNOR** · COUNCILMEMBER **ANDREW HIXSON** · COUNCILMEMBER **JOSH BARE**

COUNCILMEMBER **MATT MYERS** · COUNCILMEMBER **ARLENE BECKLES** · CITY MANAGER **ERIC JOHNSON** · CITY CLERK **MONIQUE PHILIP**

City of Norcross

Legislation Details (With Details)

File #:	23-6693	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	4/17/2023 6:30 PM	In Control:	Policy Work Session
Title:	Funding Request from Norcross Library Founders Club		

Sponsors:

Code Sections:

Attachments:

1. [Agenda Report - Fund Request - Norcross Library Founder's Club](#)
2. [Community Sponsorship Application - Norcross Library Foundation](#)

Title
Funding Request from Norcross Library Founders Club

Drafter
Chuck Paul



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **BRUCE GAYNOR** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **JOSH BARE**
COUNCILMEMBER **MATT MYERS** • COUNCILMEMBER **ARLENE BECKLES** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK **MONIQUE PHILIP**

Agenda Report

To: Mayor and Council
From: Chuck Paul, Norcross Library Founders Club
Meeting Date: April 3, 2023, Mayor & Council
Item No.: 23-6693
Title: Funding Request from Norcross Library Founders Club
CC: Eric Johnson, City Manager

Recommendation – A request by the Norcross Library Founder’s Club for funding of up to \$2,000 to help reduce the cost of our two events in April.

1. Rectory event on April 22nd. 6-9 PM
2. Open House, April 30th: all of Norcross is invited to LWP for a drone photo and Open House at the library. 2-5 PM

Background – The Norcross Library Founder’s Club was formed to team up with a non-profit arm of the Gwinnett County Library system. The monies donated to our group will help purchase items for OUR library not funded by the county. As our library is still new, there are many needs. We also (via the Open House) want to showcase all the programs and unique offerings, such as dual language classes, computer classes, learning labs, 3D printers, and much more.

Financial Impact – Up to \$2,000

Consistent with Comprehensive Plan? Absolutely, our library is a source of reading and learning for ALL the children in the Norcross area AND the most utilized library in Gwinnett County. It will speak volumes for the next generation, the better educated our children are.

Next Steps – Approval, at the Mayor and Council Meeting, Monday, April 3rd, 6:30 PM

Attachments – Community Sponsorship Application - Norcross Library Foundation

Update – NA.

City of Norcross Community Request for Funding Form

Please complete the following form, giving as much information as possible.

Section 1: Contact Information

Name of organization:	The Norcross Library Founder's Club
Address:	5735 Buford Highway, Norcross, 30071
Main contact:	Chuck Paul
Position in organization:	Group Leader
Address (if different from above):	110 N. Barton St. Norcross, 30071
Email:	chuck_paul@bellsouth.net
Daytime telephone number:	404-285-0921

Section 2: About your organization

2.1 Is this organization a registered non-profit organization? Yes ☐ No ☒ If no, does your organization have a constitution/ rules which it follows? Yes* ☐ No ☒ *If yes, please include a copy in your application.
2.2 Who does this organization support/benefit? <i>Our Founder's Club will support ALL of the individuals (especially the children) who utilize our new facility on Buford Highway. The monies that we raise will assist our local library to have additional items that will not be in the County's budget.</i> Note: City of Norcross seeks to support charities, non-profit organizations and community groups whose impact pursues to provide positive community development but will view any application form on a case by case basis.

2.3 What are the aims of this organization and what kind of activities/projects does it run?

Our aim is to raise at least \$15,000 for this campaign.

2.4 Description of how the Donation Request Amount will be of benefit to the Norcross Community?

The Donation request will minimize the outlay of funds needed to not only to organize/plan and have a successful Open House at LWP and at the Library on April 30th. It will also defray the cost of the Rectory event on April 22nd where we will thanks all of our new Founder's Club members.

Section 3: The Need

3.1 How much funding is the organization requesting for the Donation?

We are requesting \$2,000 to offset our likely expenses

3.2 Does this Funding from the City of Norcross include Sponsorship for the organization?

Yes ☐ No ☐

If yes, please explain the current sponsorship display format: (Example: City of Norcross Logo in the weekly bulletin?)

Section 4: Confirmation

For our information please specify where you heard about City of Norcross funding initiative: ***Being a City Council member in the past, I was aware of City Sponsorships***

For us to process your application please ensure you have:

- Answered all questions on this form
- Signed the form
- Enclosed a copy of your constitution/non-profit designation if necessary

By signing below, you are confirming:

- **You have read and understood the City of Norcross Funding Request Guidelines.**
- **All the information supplied in this donation application is correct.**
- **The Management Committee (or equivalent) of the organization have agreed to the submission of this application.**

Signature:

Chuck Paul

Print name:

Chuck Paul

Date:	3/12/2023
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City of Norcross Administrator only: Verifies that a City of Norcross Admin has reviewed this application form.	
Signature:	
Print name:	
Date:	



MAYOR **CRAIG NEWTON** · MAYOR PRO TEM **BRUCE GAYNOR** · COUNCILMEMBER **ANDREW HIXSON** · COUNCILMEMBER **JOSH BARE**
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City of Norcross

Legislation Details (With Details)

File #:	23-6720	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	4/17/2023 6:30 PM	In Control:	Policy Work Session
Title:	Funding of Public Art		

Sponsors:

Code Sections:

Attachments:

1. [Agenda Report - Funding of Public Art](#)
2. [Prior City Council Directives](#)
3. [Arts Funding Spreadsheet](#)

Title
Funding of Public Art

Drafter
Councilmember Dr. Arlene Beckles



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **BRUCE GAYNOR** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **JOSH BARE**
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Agenda Report

To: Mayor and Council
From: Councilmember Dr. Arlene Beckles
Meeting Date: April 17, 2023 - Policy Work Session
Item No.: 23-6720
Title: Funding of Public Art
cc: Eric Johnson, City Manager

Recommendation – Adopt a strategy for funding public art through the annual budget process and Capital Improvement Program (CIP) to replace a series of past directives.

Background – Various directives have been made by the City Council over time regarding setting aside funds (“earmarking” funds) for public art. They are not reflected in ordinance/municipal code or in the City’s adopted financial policies. Staff aren’t certain that all related directives have been found in documentation from past meetings. Lacking legal justification for segregation of funds (e.g., federal or State regulations), there is no separate “Public Art Fund” or “Special Fund for the Arts” although references have been made to such a fund.

Instead, staff and outside accountants have tracked certain revenues and expenditures on a spreadsheet that is not subject to annual audits. Rent collected from Lionheart Theatre and from Norcross Gallery and studios carries forward in the General Fund funds at the end of each fiscal year as part of the overall “unassigned fund balance” just as unspent SPLOST funds carry forward. No directive related to designating the rent has been found in a search of past meetings. A designation related to the 2009 SPLOST reflected recreation expenditures.

While earmarking is not a unique concept to Norcross, that approach has some weaknesses: For example, setting aside rent from the management agreements for Lionheart Theatre and Norcross Gallery and Studios (formerly, Kudzu) didn’t appear to recognize that the City has maintenance and repair obligations for the two facilities: the City repaired chronic water leaks in the basement of Lionheart Theater during this past year, and replaced the roof on the shed at Norcross Gallery and Studios in addition to installing exterior safety lighting and repairing drainage issues. Rent from those facilities is optimally aligned with budgets used to maintain

them. There was a request last year to make building improvements to the shed so that it would meet occupancy requirements that is still outstanding.

Similarly, aligning a portion of SPLOST recreation project funding with art didn't appear to be based on planned art projects. A staff report to the City Council in 2010 pointed out the insufficiency of SPLOST funding for potential art needs at that time. That illustrates the disconnect between an arbitrary assignment of revenue to meeting unrelated costs, regardless of which program the intent is to fund – i.e., the designation or earmarking of revenue is not a preferable funding mechanism regardless of whether it is for art or some other program in the absence of a plan for what is needed.

There is a simpler, more transparent means of appropriating funding for public art.

Just as City departments consider operating funding needs and potential capital projects as part of the annual budget process, NPAC can identify requests – both for small expenditures and projects, as well as for major projects. The FY 23 budget includes, for example, \$1,600 for small expenditures and projects based on unplanned costs that NPAC incurred in FY 22. The capital projects list included \$37,000 for the Public Art Master Plan. Additionally, budget and project requests can be considered during the year and that may result from grant opportunities that arise outside of the annual budget process.

Financial Impact – Including an allocation for ongoing operating costs is already reflected in the FY 23 budget and can be revised in the upcoming FY 24 budget. The Public Art Master Plan will serve as a mechanism for considering arts capital projects for added operational requirements in FY 24 and future budgets. If the intent is to place public art in parks, then that can be incorporated within the plans to expend the recreation component of the current SPLOST but not as a designation of a percentage of revenue but based on specific projects.

Consistent with Comprehensive Plan? Yes, consistent with Goal 6: Further the City's Tradition of Strong Leadership and High Level of Quality Services.

Next Steps – Consider operating requests within the FY 24 budget and capital requests based on the Public Art Master Plan.

Attachments –

Prior City Council Directives
Arts Funding Spreadsheet

Prior City Council Directives

Regular meeting, July 6, 2009

3. 09-1828 Proposed Funding for Art in Public Places

With council approval to provide art in Thrasher and Webb parks using unspent contingency funds, it would be appropriate to approve a policy for funding art in other public places. This would both show council support for raising the cultural level in Norcross and provide funding for recommendations from the Imagination Task Force. The proposal is to designate 1% of the amount of approved funding for each capital project (not including those for Enterprise Funds) to go to the Special Fund for the Arts, and in addition specify that ½ of unused contingency funds for each project would go to that same fund. Most of the capital projects would be funded with SPLOST funds, so we could accumulate as much as \$90,000 from the 1% and perhaps the same amount (or more) from the unused contingency funds.

Regular meeting, December 4, 2017

L.1 · 17-4766 : Authorize NPAC to Make Withdrawals from Public Arts Fund

The charter for the Norcross Public Arts Commission currently requires council approval of all funds dispensed from the Public Arts Fund. However, NPAC is periodically asked for contributions to support citizens' public art projects that rely on volunteer donations. Current examples of such projects are the Mitchell Road Wall Mosaic and Lionheart's show for the Gwinnett Bicentennial celebration. Also, there are four repurposed art objects displayed downtown that resulted from a low-cost contest. While NPAC will continue to support major projects like the "Tumblefields" mosaic in Skin Alley, it is clearly in the city's interest to encourage smaller projects that expand public art in Norcross and support our theme of "A Place to Imagine"!

NPAC is asking council to authorize the City Manager to approve use of the Public Arts Funds for individual NPAC requests to contribute up to \$500 each to community art projects, with a limit of \$4,000 total contributions in a calendar year. NPAC will formally interview applicants for these contributions to ensure the projects are desirable, participative, and creative expressions of art.

100.12.2536
Arts Funds General Fund

@ 08/31/2016				\$21,668.00
12/09/2016	331951	SHERWIN-WILLIAMS		-159.43
12/09/2016	331914	DEREK DONDEVILLE:		-250.00
12/09/2016	331951	SHERWIN-WILLIAMS		-105.26
12/09/2016	331951	SHERWIN-WILLIAMS		-953.10
12/09/2016	331957	SUNBELT RENTALS		-1,102.69
12/09/2016	332120	JON GRAHAM		-3,007.74
12/20/2016	332141	THINK GREATLY, LLC		-3,031.19
12/20/2016	332156	KEIF SCHLEIFER		-885.00
4/2/2018	336889	LIONHEART		-500.00
4/2/2018	337947	JENNIFER FREEMAN		-500.00 Sculpture Project
4/2/2018	337120	JENNIFER FREEMAN		-500.00 Sculpture Project
5/1/2018	338032	JENNIFER FREEMAN		-12,000.00 Sculpture Project
8/31/2018	EOY	Cleanup Entry		-2,076.41
09/01/2018 - 08/31/2019	EOY	Cleanup Entry		41,868.49 See my note below
3/25/2020	346236	Charlie Riehm Jr.		-200.00 Reimbursement
09/01/2019 - 08/31/2020		KUDZU RENT PAYMENTS		4,500.00 \$500 *9
09/01/2019 - 08/31/2020		LIONHEART RENT PAYMENTS		6,375.00 \$750 *8 \$375*1
09/01/2020 - 08/31/2021		KUDZU RENT PAYMENTS		4,500.00 \$500*9
09/01/2020 - 08/31/2021		LIONHEART RENT PAYMENTS		2,250.00 \$750*1 \$375*4
09/01/2021 - 08/31/2022		KUDZU RENT PAYMENTS		500.00 \$500*1
09/01/20201 - 08/31/2022		LIONHEART RENT PAYMENTS		0.00 \$750*0 \$375*0
Due From SPLOST Recreation Projects		PINNACLE PARK	22,316.68	1% of Project Cost
		DISCOVERY GARDEN	1,791.81	1% of Project Cost
		VETERAN'S PARK	4,107.63	1% of Project Cost
		COMMUNITY GARDEN	40.53	1% of Project Cost
		SOCCER COMPLEX	9,532.91	1% of Project Cost
		KABOOM	179.45	1% of Project Cost
Account Balance				\$94,359.68

***This will need to be pulled from Fund Balance in the General Fund. There was audit entry that took this money to Fund Balan

Attachment: Arts Funding Spreadsheet (23-6720 : Funding of Public Art)



MAYOR **CRAIG NEWTON** · MAYOR PRO TEM **BRUCE GAYNOR** · COUNCILMEMBER **ANDREW HIXSON** · COUNCILMEMBER **JOSH BARE**

COUNCILMEMBER **MATT MYERS** · COUNCILMEMBER **ARLENE BECKLES** · CITY MANAGER **ERIC JOHNSON** · CITY CLERK **MONIQUE PHILIP**

City of Norcross

Legislation Details (With Details)

File #:	23-6721	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	4/17/2023 6:30 PM	In Control:	Policy Work Session
Title:	Personal Transportation Vehicle (PTV) / Golf Cart Ordinance		

Sponsors:

Code Sections:

Attachments:

1. [Agenda Report - Personal Transportation Vehicle \(PTV\) / Golf Cart Ordinance](#)
2. [Georgia Laws on Personal Transportation Vehicle \(PTV\) Transportation Plans](#)
3. [Example PTV Ordinance - City of Flowery Branch](#)
4. [QK4 Fee Proposal](#)

Title
Golf Cart Ordinance

Drafter
Bill Grogan



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **BRUCE GAYNOR** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **JOSH BARE**
COUNCILMEMBER **MATT MYERS** • COUNCILMEMBER **ARLENE BECKLES** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK **MONIQUE PHILIP**

Agenda Report

To: Mayor and Council

From: Bill Grogan, Chief of Police

Meeting Date: April 17, 2023 – Policy Work Session

Item No.: 23-6721

Title: Personal Transportation Vehicle (PTV) / Golf Cart Ordinance

CC: Eric Johnson, City Manager

Recommendation

Provide direction to staff on whether a Personal Transportation Vehicle (PTV - modified golf cart) ordinance is wanted. If yes, staff recommends approval of QK4's \$12,000 (max) fee proposal to study the impact of PTVs on city streets, as required by State law.

Background

Golf carts, as designed for golf courses, are not permitted on public streets. Modified golf carts meeting certain equipment requirements and restrictions are considered Personal Transportation Vehicles (PTV) under State of Georgia law. Any local authority desiring to establish operating standards (via ordinance) for PTVs must comply with State law and create a Personal Transportation Vehicle Transportation Plan. In order to create a Plan, a study of the impact PTVs may have on our streets is required.

OCGA 40-6-363. Legislative intent.

The purpose of this part shall be to authorize any local authority to establish a personal transportation vehicle transportation plan for roadways and streets within the local authority's jurisdiction. It is the intent of the General Assembly that these plans be designed and developed to best serve the functional travel needs of the jurisdiction and to have the physical safety of the personal transportation vehicle occupants and their property as a major planning component. No local authority shall be liable for losses resulting from exercising or not exercising its authority to adopt a personal transportation vehicle transportation plan, failing to adopt such plan, making an inadequate plan, or negligently adopting such plan.

Financial Impact

\$12,000 for required impact study as well as any legal fees associated with ordinance review.

Consistent with Comprehensive Plan?

Yes, goals 2 and 6 specific to both providing a safe environment and a high level of quality services for the city.

Next Steps

Direction from Mayor and Council, approval of impact study and funding.

Attachments

- 1) Georgia laws on Personal Transportation Vehicle (PTV) transportation plans
- 2) Example PTV ordinance - City of Flowery Branch
- 3) QK4 fee proposal

Update

40-1-1. Definitions.

As used in this title, the term:

(17.3) “Golf car” or “golf cart” means any motorized vehicle designed for the purpose and exclusive use of conveying one or more persons and equipment to play the game of golf in an area designated as a golf course. For such a vehicle to be considered a golf car or golf cart, its average speed shall be less than 15 miles per hour (24 kilometers per hour) on a level road surface with a 0.5% grade (0.3 degree) comprising a straight course composed of a concrete or asphalt surface that is dry and free from loose material or surface contamination with a minimum coefficient of friction of 0.8 between tire and surface.

(33) “Motor vehicle” means every vehicle which is self-propelled other than a personal delivery device, an electric assisted bicycle, or an electric personal assistive mobility device (EPAMD).

(43.4) “Personal transportation vehicle” or “PTV” means:

(A) Any motor vehicle having no fewer than three wheels and an unladen weight of 1,300 pounds or less and which cannot operate at more than 20 miles per hour if such vehicle was authorized to operate on local roads by a local authority prior to January 1, 2012. Such vehicles may also be referred to as “motorized carts” in such local ordinances; and

(B) Any motor vehicle:

(i) With a minimum of four wheels;

(ii) Capable of a maximum level ground speed of less than 20 miles per hour;

(iii) With a maximum gross vehicle unladen or empty weight of 1,375 pounds; and

(iv) Capable of transporting not more than eight persons.

The term does not include mobility aids, including electric personal assistive mobility devices, power wheelchairs, and scooters, that can be used indoors and outdoors for the express purpose of enabling mobility for a person with a disability. The term also does not include any all-terrain vehicle or multipurpose off-highway vehicle.

(43.5) “Personal transportation vehicle path” or “PTV path” means a right of way under the jurisdiction and control of this state or a local political subdivision thereof designated for use by personal transportation vehicle drivers.

(75) “Vehicle” means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices used exclusively upon stationary rails or tracks.

40-6-330. Standards for operating personal transportation vehicles.

Any local authority desiring to establish operating standards for personal transportation vehicles shall comply with Part 6 of this article.

40-6-330.1. Required equipment for personal transportation vehicles; grandfather clause.

(a) All personal transportation vehicles shall be equipped with:

- (1) A braking system sufficient for the weight and passenger capacity of the vehicle, including a parking brake;
- (2) A reverse warning device functional at all times when the directional control is in the reverse position;
- (3) A main power switch. When the switch is in the "off" position, or the key or other device that activates the switch is removed, the motive power circuit shall be inoperative. If the switch uses a key, it shall be removable only in the "off" position;
- (4) Head lamps;
- (5) Reflex reflectors;
- (6) Tail lamps;
- (7) A horn;
- (8) A rearview mirror;
- (9) Safety warning labels; and
- (10) Hip restraints and hand holds or a combination thereof.

(b) The requirements of subsection (a) of this Code section shall not apply to any personal transportation vehicles operated during daylight hours authorized by local ordinances enacted prior to January 1, 2012.

40-6-331. Designated areas of operation; PTV licensing requirements and operating standards; signage; use by a commercial delivery company.

(a) A local authority may, by ordinance, designate certain public streets or portions thereof or PTV paths that are under its regulation and control for the combined use of PTVs and regular vehicular traffic or the use of PTVs and no other types of motor vehicles and establish the conditions under which PTVs may be operated upon such streets or portions thereof or PTV paths, including without limitation the conditions under which a person may operate PTVs on such designated streets or portions thereof or PTV paths. All operators of PTVs shall be required to possess a valid driver's license except when operating a PTV within a locality whose local authority has enacted an ordinance permitting the use of PTVs or motorized carts on streets without possession of a driver's license prior to January 1, 2012.

(b) Local authority ordinances may establish operating standards but shall not require PTVs to meet any requirements of general law as to registration, inspection, certificate of title, or licensing; provided, however, that a local authority may, by ordinance, require the local registration and licensing of PTVs operated within its boundaries at least once every five years for a fee not to exceed \$15.00. No local authority shall be liable for losses that result from exercising or not exercising inspection powers or functions, including failure to make an inspection or making an inadequate or negligent inspection of a PTV. The provisions of this subsection and the authority granted by this subsection shall not apply to PTVs owned by golf courses, country clubs, or other such organized entities which own such PTVs and make them available to or for use by members or the public on a rental or licensed basis, provided that such PTVs are used only on the premises of such golf courses, country clubs, or other such organized entities.

(c) Each local authority permitting the use of PTVs upon the public streets within its jurisdiction shall erect signs on every highway which comprises a part of the state highway system at that point on the highway which intersects the corporate limits of the municipality or boundaries of the county. Such signs shall be at least 24 by 30 inches in area and shall warn approaching motorists that PTVs are authorized for use on public streets. All costs associated with such signs shall be funded entirely by the local authority. Ordinances establishing operating standards for PTVs shall not be effective unless appropriate signs giving notice are posted as required by this subsection.

(d)

(1) In jurisdictions where PTVs are permitted or otherwise allowed by state law, PTVs may cross streets and highways that are part of the state highway system only at crossings or intersections designated for that purpose and which are constructed as an active grade crossing in accordance with the Manual on Uniform Traffic Control Devices. PTV crossings shall be indicated by warning sign W11-11 of the Standard Highway Signs and be clearly visible in both directions by vehicles traversing the highway which is being crossed or intersected by PTVs.

(2) PTVs may cross streets and highways that are part of a municipal street system or county road system and used by other types of motor vehicles only at crossings or intersections designated for that purpose by the local authority having jurisdiction over such system.

(e)

(1) Regardless of whether a local ordinance has been approved regarding the use of PTVs, delivery personnel for a commercial delivery company which has at least 10,000 persons employed in this state may operate PTVs within a residential subdivision with speed limits of 25 miles per hour or less, provided that any PTV utilized by a commercial delivery company shall:

(A) Include the equipment required in subsection (a) of Code Section 40-6-330.1;

(B) Be marked in a conspicuous manner with the name of the commercial delivery company;

(C) Be operated by a person with a valid driver's license; and

(D) Be utilized only for the delivery of envelopes and packages with a maximum size of 130 inches for the combined length and girth and with a weight no greater than 150 pounds per package.

(2) Any commercial delivery company utilizing PTVs under this subsection shall remit a \$50.00 fee every five years to each local authority where a PTV is operated along with a signed statement that such commercial delivery company operates PTVs within the jurisdiction of such local authority.

(3) Notwithstanding any other provision of law to the contrary, any person operating a PTV under this subsection shall be granted all the rights and shall be subject to all the duties applicable to a driver of any other vehicle under this chapter; provided, however that subsection (b) of Code Section 40-6-315 shall not be applicable to the operator of a PTV under this subsection.

(4) Any PTV authorized to operate pursuant to this subsection shall not pull multiple trailers. Such PTVs shall be limited to pulling one trailer or cargo platform and be limited to hauling weight no greater than the carrying capacity of the PTV as determined by the manufacturer.

Personal Transportation Vehicle Plan

40-6-363. Legislative intent.

The purpose of this part shall be to authorize any local authority to establish a personal transportation vehicle transportation plan for roadways and streets within the local authority's jurisdiction. It is the intent of the General Assembly that these plans be designed and developed to best serve the functional travel needs of the jurisdiction and to have the physical safety of the personal transportation vehicle occupants and their property as a major planning component. No local authority shall be liable for losses resulting from exercising or not exercising its authority to adopt a personal transportation vehicle transportation plan, failing to adopt such plan, making an inadequate plan, or negligently adopting such plan.

40-6-364. Definitions.

As used in this part, the term:

- (1)** "Personal transportation vehicle lane" or "PTV lane" means a portion of the roadway that has been designated by striping, pavement markings, or signage for the exclusive or preferential use of persons operating personal transportation vehicles. Such PTV lanes shall at a minimum meet accepted guidelines, recommendations, and criteria with respect to planning, design, operation, and maintenance as set forth in the American Association of State Highway and Transportation Officials Safety Manual.
- (2)** "Personal transportation vehicle transportation plan" or "PTV plan" means a detailed guide for the operation of personal transportation vehicles upon local streets and road segments passed by a local authority through ordinance or resolution.
- (3)** "Plan area" means the territory designated by a local authority in a personal transportation vehicle transportation plan that provides for use of personal transportation vehicles and may include privately owned land upon the consent of the landowner.

40-6-365. Standards for local authorities to establish personal transportation vehicle transportation plans.

- (a)** A local authority may, by ordinance or resolution, adopt a PTV plan.
- (b)** Prior to the enactment of a PTV plan, a local authority shall submit the plan to any agency having traffic law enforcement responsibilities in the plan area and allow for input and comment upon the PTV plan.
- (c)** A PTV plan shall:
 - (1)** Establish minimum general design criteria for the development, planning, and construction of separated PTV lanes, including, but not limited to, the design speed of the facility, the space requirements of the personal transportation vehicle, and roadway design criteria. This paragraph shall not apply if a local authority's governing body and the law enforcement agency with primary traffic jurisdiction over the street in question concludes that the street or roadway segment is suitable to safely accommodate both regular vehicular traffic and personal transportation vehicles but shall be governed by the requirements listed in Code Section 40-6-368;
 - (2)** Establish uniform specifications and symbols for signs, markers, and traffic control devices consistent with the most current version of the Manual on Uniform Traffic Control Devices to control personal transportation vehicle traffic; to warn of dangerous conditions, obstacles, or hazards; to designate the right of way between personal transportation vehicles, other motor

vehicles, and bicycles; to state the nature and destination of the PTV lane; and to warn pedestrians, bicyclists, and motorists of the presence of personal transportation vehicle traffic;

(3) Include a permitting process for personal transportation vehicles operating within the plan area. Such permitting process may include, but is not limited to, requirements regarding permit posting, permit renewal, operator education, and liability insurance. Local authorities may require a personal transportation vehicle to be permitted at least once every five years for a fee not to exceed \$15.00;

(4) Establish minimum safety criteria for personal transportation vehicle operators, including, but not limited to, requirements relating to personal transportation vehicle maintenance and personal transportation vehicle safety. Unless otherwise allowed by law under local ordinance established prior to January 1, 2012, as authorized by Part 3 of this article, operators shall be required to possess a valid driver's license and comply with the financial responsibility requirements for passenger vehicle operators;

(5) Establish restrictions limiting the operation of personal transportation vehicles to PTV lanes, paths, or other approved streets or road segments in the plan area; and

(6) Provide that any person operating a personal transportation vehicle in the plan area in violation of the PTV plan is guilty of an infraction punishable by a fine as established by law.

(d) A PTV plan may include, but is not limited to, the following elements:

(1) Route selection, which includes a finding that the route will accommodate personal transportation vehicles without an adverse impact upon traffic safety, and will consider, among other things, the travel needs of commuters and other users;

(2) Transportation interfacing, which shall include, but not be limited to, coordination with other modes of transportation;

(3) Community involvement in planning;

(4) Flexibility and coordination with long-range transportation planning;

(5) Provision for personal transportation vehicle related facilities including, but not limited to, special access points, charging stations, and personal transportation vehicle crossings;

(6) Provisions for parking facilities, including, but not limited to, community commercial centers, golf courses, public areas, parks, and other destination locations; and

(7) Provisions for special paving, road markings, signage and striping for PTV lanes, road crossings, parking, and circulation.

(e) A PTV plan shall not include the use of any state highway, or any portion thereof, or the operation of personal transportation vehicles except that a crossing of, or a PTV lane along, a state highway may be included in the plan if consistent with accepted guidelines, recommendations, and criteria with respect to planning, design, signage, operation, and maintenance of shared use paths or PTV lanes as set forth in the Manual on Uniform Traffic Control Devices and the American Association of State Highway and Transportation Officials Safety Manual.

40-6-366. Acquisition of property for PTV lanes.

A local authority that adopts a PTV plan may establish PTV lanes through the acquisition of property, including easements or rights of way, by dedication, purchase, or condemnation.

40-6-367. Part inapplicable to certain localities with prior ordinances governing PTV use.

This part shall have no application to any county or municipality that has enacted prior to January 1, 2012, an ordinance authorizing the operation of PTVs.

40-6-368. Requirements for streets or highways on which joint use by regular vehicle traffic and PTVs permitted.

Any street or highway segment upon which the joint use by regular vehicle traffic and personal transportation vehicles is permitted shall:

- (1) Have speed limits of 25 miles per hour or less, as established by an engineering and traffic survey; and
- (2) Have been determined by a qualified traffic engineer to accommodate personal transportation vehicles without adversely impacting traffic safety or the travel needs of commuters and other users.

40-6-369. Manner in which PTVs may be driven.

- (a) All personal transportation vehicles authorized by a PTV plan to operate on a street, road segment, or PTV lane are entitled to full use of a lane, and no motor vehicle shall be driven in such manner as to deprive a personal transportation vehicle of the full use of a lane.
- (b) The operator of a personal transportation vehicle shall not overtake and pass in the same lane occupied by the vehicle being overtaken.
- (c) No person shall operate a personal transportation vehicle between lanes of traffic or between adjacent lines or rows of vehicles.
- (d) Personal transportation vehicles shall not be operated two or more abreast in a single lane.

40-6-369.1. Speed limits on streets authorized for PTV use.

Personal transportation vehicles shall only be operated on highways where the posted speed limit does not exceed 25 miles per hour. The operator of a personal transportation vehicle shall not operate such vehicle on any highway where the posted speed limit exceeds 25 miles per hour.

PART II - CODE OF ORDINANCES
Chapter 47 - TRAFFIC AND VEHICLES
ARTICLE IV. PERSONAL TRANSPORTATION VEHICLES

ARTICLE IV. PERSONAL TRANSPORTATION VEHICLES¹

Sec. 47-70. Definitions.

For the purpose of this article, the following definitions shall apply, unless the context clearly indicates or requires a different meaning.

Personal transportation vehicle (to include golf carts meeting definition and maintaining all equipment standards in section 47-74) means motor vehicle having not less than three wheels in contact with the ground and unladen weight less than 1,300 pounds which is designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of 20 miles per hour and any motor vehicle having no fewer than four wheels and an unladen weight of 1,375 pounds or less and which cannot operate at more than 20 miles an hour. Such vehicles may also be referred to as 'motorized carts.' The term does not include mobility aids, including electric personal assistive mobility devices, power wheelchairs and scooters that can be used indoors and outdoors for the express purpose of enabling mobility for a person with a disability. The term also does not include any all-terrain vehicle or multi-purpose off-highway vehicle.

Driver's license means a valid license to operate a motor vehicle issued by the State of Georgia or any other state.

Proof of insurance means documented (written) proof of liability insurance on the personal transportation vehicle (PTV) insuring against personal injury and damage to property of any nature relative to the operation of a personal transportation vehicle (PTV) on designated city streets and roads in an amount not less than required by Georgia law for motor vehicles operated on public highways in the State of Georgia.

(Ord. No. 548 , § 1, 10-18-2018)

Sec. 47-71. Operation of personal transportation vehicles (PTV).

The City of Flowery Branch adopts O.C.G.A. §§ 40-6-330 through 40-6-369.1 and 40-6-371 "Standards for Operation of Personal Transportation Vehicles (PTV)." Provided all provisions of this article are followed, personal transportation vehicles as defined by O.C.G.A. § 40-1-1 (43.1), also known as motorized carts, may be operated on public roads or on multi-use paths designated by the PTV Route Plan Map adopted by Resolution by the Mayor and City Council.

(Ord. No. 548 , § 1, 10-18-2018)

Sec. 47-72. Operator.

Only persons 17 years of age or older and holding a valid driver's license may operate a personal transportation vehicle (PTV) on the above-described roads and facilities within the city.

¹Editor's note(s)—Ord. No. 548 , § 1, adopted October 18, 2018, set out provisions designated as §§ 47-60—47-72, insofar as keeping with the style of the Code, and at the editor's discretion, these provisions have been designated as §§ 47-70—47-82.

(Ord. No. 548 , § 1, 10-18-2018)

Sec. 47-73. Insurance required.

The operator or owner of a personal transportation vehicle (PTV) shall have written proof of insurance. Documentation of such coverage shall be submitted during the registration process outlined in section 47-79.

(Ord. No. 548 , § 1, 10-18-2018)

Sec. 47-74. Equipment requirements.

- (a) All personal transportation vehicles shall be equipped with:
 - (1) A braking system sufficient for the weight and passenger capacity of the vehicle, including a parking brake;
 - (2) A reverse warning device functional at all times when the directional control is in the reverse position;
 - (3) A main power switch. When the switch is in the "off" position, or the key or other device that activates the switch is removed, the motive power circuit shall be inoperative. If the switch uses a key, it shall be removable only in the "off" position;
 - (4) Head lamps;
 - (5) Reflex reflectors;
 - (6) Tail lamps;
 - (7) A horn;
 - (8) A rearview mirror;
 - (9) Safety warning labels; and
 - (10) Hip restraints and hand holds or a combination thereof.
- (b) A gasoline powered personal transportation vehicle (PTV) shall be equipped with factory installed safety systems, including indicator for gasoline or propane leaks, a speed governor and an exhaust system in good working order and in constant operation, meeting the following specifications:
 - (1) The exhaust system shall include the piping leading from the flange of the exhaust manifold to, and including, the muffler(s) and exhaust pipe(s).
 - (2) The exhaust system and its elements shall be securely fastened.
 - (3) The engine of every cart shall be so equipped, adjusted and tuned, as to prevent the escape of excessive smoke or fumes.
- (c) Electric personal transportation vehicles (PTVs) shall be equipped with, at a minimum, all factory installed safety systems and a charge indicator for low battery.
- (d) All personal transportation vehicles (PTVs) regulated by this article shall be maintained in safe condition at all times.

(Ord. No. 548 , § 1, 10-18-2018)

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(Supp. No. 16)

Sec. 47-75. Prohibited areas of operation.

Personalized transportation vehicles may not be operated on local roads, state roads, or federal highways, unless specifically identified on a PTV Route Plan Map. PTVs are not allowed on multi-use paths or sidewalks, unless specifically identified on an Off-Street Route Plan Map.

(Ord. No. 548 , § 1, 10-18-2018)

Sec. 47-76. Occupants.

- (a) The number of occupants in a personal transportation vehicle (PTV) shall be limited to the number of persons for whom factory seating is installed and provided on personal transportation vehicle (PTV). The operator or any occupant shall be seated in the personal transportation vehicle (PTV) and no parts of the bodies of the operator or any occupant shall extend outside the perimeter of the personal transportation vehicle (PTV) while the personal transportation vehicle (PTV) is being operated.
- (b) Children zero through three years of age riding in a PTV shall be properly protected using a crash-tested, federally approved child restraint device; such restraint device must be a separate carrier or a vehicle manufacturer's integrated child seat. Children four through five years of age shall be restrained using a separate carrier, an integrated child seat, or a seat belt.

(Ord. No. 548 , § 1, 10-18-2018)

Sec. 47-77. Traffic rules.

- (a) The operator of the personal transportation vehicle (PTV) shall comply with all traffic rules and regulations adopted by the State of Georgia (O.C.G.A. Title 40) and the City of Flowery Branch (city code chapter 47) which govern the operation of motor vehicles.
- (b) Pedestrians shall be given due consideration and reasonable right-of-way to ensure safe passage.
- (c) An audible warning shall be given by operators of personal transportation vehicles (PTV) when approaching pedestrians from the rear.
- (d) All laws and ordinances relative to alcohol and the use thereof, including open container laws, apply to the operator and occupants of personal transportation vehicles (PTV).

(Ord. No. 548 , § 1, 10-18-2018)

Sec. 47-78. Hazardous activities.

No individual or group shall engage in hazardous activities on the authorized roads. Such hazardous activities include, but are not limited to, the following:

- (a) Racing of any kind;
- (b) Blocking of public access; and
- (c) Loitering or parking on roads, bridges or in underpasses.

(Ord. No. 548 , § 1, 10-18-2018)

Sec. 47-79. Registration and affidavit of owner; fee.

The owner of a personal transportation vehicle (PTV) shall register the PTV with the city once every five years for a fee not to exceed \$15.00. PTV registration shall be filed with the community development director. The registration shall be completed on forms provided by the community development department. As part of the registration process, each owner shall be required to sign an affidavit that the information provided by the owner on the registration form is true and correct to the best of his knowledge and that the owner will abide by all City of Flowery Branch laws and regulations regarding ownership and operation of a PTV, as well as any applicable state laws. Registration shall be posted in any PTV operated within the City of Flowery Branch.

(Ord. No. 548 , § 1, 10-18-2018)

Sec. 47-80. Penalty.

A violation of any provision of this article shall constitute a violation of the Flowery Branch City Code. An owner, lessee or operator may be cited to appear in the Flowery Branch Municipal Court. Upon finding by such court that an owner, lessee, or operator of a personal transportation vehicle (PTV) has violated any provision of this article, such person shall be subject to a fine not to exceed \$200.00 for each offense, along with court costs in the amount that same now exists, or may hereafter be determined by ordinance or statute.

(Ord. No. 548 , § 1, 10-18-2018)

Sec. 47-81. Liability disclaimer.

This section is adopted to address the interest of public safety. Personal transportation vehicles (PTV) are not designed or manufactured to be used on public streets, and the City of Flowery Branch in no way advocates or endorses their operation on public streets or roads. The city, by regulating such operation is merely trying to address obvious safety issues, and adoption of this section is not to be relied upon as a determination that operating on public streets is safe or advisable if done in accordance with this section. All persons who operate or ride upon personal transportation vehicles (PTV) on public streets or roads do so at their own risk and peril, and must be observant of, and attentive to the safety of themselves and others, including their passengers, other motorists, bicycles, and pedestrians. The City of Flowery Branch has no liability under any theory of liability and the city assumes no liability for permitting personal transportation vehicles (PTV) on public streets and roads. Any person who operates a personal transportation vehicle (PTV) is responsible for procuring liability insurance sufficient to cover the risk involved in using a personal transportation vehicle (PTV) on the public streets and roads.

(Ord. No. 548 , § 1, 10-18-2018)

Sec. 47-82. New street petition process.

From time to time, new or existing streets may be desired to be added to the PTV Route Plan. This process has been created so interested applicants may request the addition of new streets based on meeting minimum criteria for application without the need to update the PTV Route Plan. In order to make a request, minimum standards are required and outlined below. Once it has been determined those standards are met, the petition can be forwarded to city council for review. City council shall use the following criteria in considering whether a route may be added to the PTV Route Plan:

- (a) New streets shall have a maximum speed of 25 mph and a maximum slope of 20 percent.

-
- (b) If the street is already occupied with residents, a minimum of 10 percent of property owners who are addressed off the subject street must sign a petition in favor of adding the street to the PTV Route Plan.

(Ord. No. 548 , § 1, 10-18-2018)

Created: 2023-02-21 09:53:57 [EST]

(Supp. No. 16)



145 Technology Parkway NW
 Suite 210
 Peachtree Corners, Georgia 30092
 Ph. 404-329-5900
 Fx. 502-581-0406
 www.qk4.com

February 20, 2023

Matthew S. Zaki, PE, CFM
 City Engineer
 City of Norcross, GA
 345 Lively Avenue
 Norcross, Georgia 30071

Re: Speed Study Fee Proposal

Dear Mr. Zaki,

Qk4 is pleased to submit our fee to study the City Streets for a City of Norcross Personal Transportation Vehicle (PTV) Ordinance. The ordinance would provide additional restrictions within the City of Norcross than is currently allowed by Georgia State Law.

Our proposed fee to provide the services would be billed hourly on a \$12,000 maximum contract. These services include:

1. Inspect all Roads within the City Limits for compliance with Georgia Code 40-6-13.
2. Examine the feasibility of PTVs ability to cross Buford Highway safely and provide recommendations for any infrastructure changes to do so.
3. Examine the feasibility of traffic calming measures so the posted speed limit of North Peachtree Street south of Reys Miller Road into the City can be reduced to meet Georgia Code 40-3-13.

Qk4 will provide a written report with a map of the City with streets that meet Georgia Code 40-3-13 along with possible infrastructure improvement recommendations.

If you should have any questions or need additional information, please contact me at 404-417-3023.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Andrew C. Ballerstedt'.

Andrew C. Ballerstedt, P.E.
 Regional Manager
 Qk4, Inc.



MAYOR **CRAIG NEWTON** · MAYOR PRO TEM **BRUCE GAYNOR** · COUNCILMEMBER **ANDREW HIXSON** · COUNCILMEMBER **JOSH BARE**

COUNCILMEMBER **MATT MYERS** · COUNCILMEMBER **ARLENE BECKLES** · CITY MANAGER **ERIC JOHNSON** · CITY CLERK **MONIQUE PHILIP**

City of Norcross

Legislation Details (With Details)

File #:	23-6722	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	4/17/2023 6:30 PM	In Control:	Policy Work Session
Title:	Surplus ARPA Funds		

Sponsors:

Code Sections:

Attachments:

1. [Agenda Report - Surplus ARPA Funds – Small Business Grant Program](#)

Title
Surplus ARPA Funds

Drafter
William Corbin



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **BRUCE GAYNOR** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **JOSH BARE**
COUNCILMEMBER **MATT MYERS** • COUNCILMEMBER **ARLENE BECKLES** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK **MONIQUE PHILIP**

Agenda Report

To: Mayor and Council

From: William Corbin, Economic Development Director

Meeting Date: April 17, 2023 – Policy Work Session

Item No.: 23-6722

Title: Surplus ARPA Funds – Small Business Grant Program

CC: Eric Johnson, City Manager

Recommendation

Authorize City staff to report to the U.S. Department of Treasury that remaining American Rescue Plan Act (ARPA) funds will be used for “revenue replacement” within the guidelines established for ARPA fund usage.

Authorize the transfer of funds left over from the City’s ARPA Small Business Grant Program -- \$604,290.32 -- to the city’s General Fund.

Authorize the balance of the unused ARPA funds to be transferred to the Stormwater Fund for pipe relining or replacement, as previously planned.

Background

The City of Norcross has \$604,290.32 in funds left over from its ARPA Small Business Grant Program.

The Federal Government has modified guidelines on what municipalities are able to do with their remaining American Rescue Plan Act funds.

At this time, Mayor & Council, if it chooses, is able to move its remaining ARPA funds into the General Fund after notifying the U.S. Department of Treasury that the funds will be used for revenue replacement.

After that point, the city would no longer be required to make reports to the federal government regarding usage of those funds or any future expenditures relating to the funds.

The City of Norcross received American Rescue Plan Act (ARPA) funds. Mayor & Council allocated \$720,000 of those funds towards a Small Business Grant Program.

\$72,000 of that money was allocated for ACE, per their contract with the city, which means that there was \$648,000 of grant money available for small businesses.

We ended up exhausting \$50,709.68 of the \$72,000 contract with ACE, which equals \$21,290.32 of funds leftover.

The city ended up awarding five \$10,000 grants and one \$15,000 grant to small businesses, totaling \$65,000 out of the \$648,000 available – and thus has \$583,000 in funds leftover.

There are **\$604,290.32 in funds leftover from the ARPA Small Business Grant Program:**

- \$21,290.32 remaining on ACE service contract
 - \$583,000 in funds leftover that M&C allocated for small businesses
- = \$604,290.32 (Total funds leftover from ARPA Small Business Grant Program)**

Financial Impact

\$604,290.32

Consistent with Comprehensive Plan?

N/A

Next Steps

Report to the U.S. Department of Treasury that remaining American Rescue Plan Act (ARPA) funds will be used for “revenue replacement” within the guidelines established for ARPA fund usage.

Transfer \$604,290.32 to the city’s General Fund, then transfer \$604,290.32 from the city’s General Fund to the Stormwater Fund for pipe relining or replacement.

Attachments

None

Update

N/A



MAYOR **CRAIG NEWTON** · MAYOR PRO TEM **BRUCE GAYNOR** · COUNCILMEMBER **ANDREW HIXSON** · COUNCILMEMBER **JOSH BARE**

COUNCILMEMBER **MATT MYERS** · COUNCILMEMBER **ARLENE BECKLES** · CITY MANAGER **ERIC JOHNSON** · CITY CLERK **MONIQUE PHILIP**

City of Norcross

Legislation Details (With Details)

File #:	23-6723	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	4/17/2023 6:30 PM	In Control:	Policy Work Session
Title:	Right of Way Acquisition		

Sponsors:

Code Sections:

Attachments:

1. [Agenda Report - Right of Way Acquisition](#)
2. [Right of Way RFP](#)
3. [Map of PI 0016067](#)

Title
Right of Way Acquisition

Drafter
Antonio Harris



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **BRUCE GAYNOR** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **JOSH BARE**
COUNCILMEMBER **MATT MYERS** • COUNCILMEMBER **ARLENE BECKLES** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK **MONIQUE PHILIP**

Agenda Report

To: Mayor and Council
From: Tony Harris, City Engineer
Meeting Date: April 17, 2023 – Policy Work Session
Item No.: 23-6723
Title: Right of Way Acquisition
CC: Eric Johnson, City Manager

Recommendation

To begin the Request for Proposal process for Right of Way acquisition for PI 0016067 Norcross Greenway LCI project

Background

This project addresses regional community needs through the integration of regional storm water improvements with a proposed bicycle and pedestrian network for the south side of Norcross. The trail will connect downtown Norcross with Buford Highway and Beaver Ruin Road, which will address identified needs and opportunities that will impact the City's growth over the next twenty years.

The City and Georgia DOT have started preliminary engineering on the Norcross Greenway LCI project. Preliminary plans are approved, and the next steps are to identify affected parcels throughout the project and start acquiring land to keep the project on schedule. In the next six (6) weeks, Georgia DOT will review the Right of Way plans and provide comments if necessary. The City and the Atlanta Regional Commission (ARC) are in a Project Framework agreement of 80/20 split and the City is responsible for acquiring the Right of Way. Right of Way acquisition is expected to begin May of 2023 and end May of 2024.

The Norcross Greenway LCI project will play an important role in defining and implementing the City's future vision and will be undertaken with extensive public input as the City acquires the Right of Way. Throughout the process, Mayor and City Council will be regularly updated.

Financial Impact

PI 0016067 Norcross Greenway LCI project Capital Projects Budget (existing allocation) Update \$1,520,600 ARC: \$380,150 City 80/20 split. Another financial impact is the unknown RFP.

Consistent with Comprehensive Plan?

Yes. Goal 2 – Continue to strengthen Norcross as a Livable, Inclusive, and Safe environment.

Policy 2-3: Promote walkable, bicycle friendly, safe neighborhoods.

PI 0016067 Norcross Greenway LCI project: This project is priority one network segments with the City's goal to define Norcross as a Sense of Place by updating the City's Livable condition incentives.

Next Steps

Write a Request for Proposal and have our Purchasing Agent advertise it on the Georgia procurement website and the City's website.

Attachments

RFP for Right of Way Acquisition

Map of PI 0016067

Update

N/A

City of Norcross
Department of Public Works & Utilities

Request for Proposal (PWUP 23-13)

Right of Way Acquisition

INSTRUCTIONS

All sealed bids must be submitted (date and time - TBD) to the address below: Please submit two hard (paper) copies and one electronic copy (USB) of your bid package to:

Tony Harris
PWUP 23-13
Department of Public Works, Utilities & Parks
345 Lively Avenue
Norcross, GA 30071

Please request bidding documents/specifications and submit questions via e-mail only. Submit questions/requests to Christabel Ghansah via e-mail at christabel.ghansah@norcrossga.net.

All questions/requests must be submitted via e-mail prior to (TBD)

MANDATORY: Pre-Bid Meeting

All bidders are required to attend pre-bid meeting on (date and time- TBD) at 65 Lawrenceville St. Norcross, GA 30071.

We appreciate your interest in the City of Norcross!

Project Description

This project includes an approximate 3.3 mile shared-use path offering a commute and recreational transport alternative that will serve and connect multiple neighborhoods, workplaces/offices, schools, religious institutions, and parks between Buford Highway/Historic Downtown Norcross on the western side, and the Beaver Ruin Road Shared-Use Trail. When fully installed, this project will connect to the Beaver Ruin Road Shared-Use Trail in two locations, providing a continuous 4.8-mile loop.

The typical section consists of an 8 to 10 foot wide concrete shared-use path, to be constructed on one side of existing Cemetery Street, Mitchell Road, Pinnacle Way, and Price Place. Several retaining walls as well as pedestrian bridges and boardwalks are included. No off-site detour is needed, and the Right of Way acquisition services is 12 to 18 months. Construction time is 18 to 24 months.

Submission Guidelines

Please submit two printed copies of the proposal as well as an electronic version of the proposal on a USB drive, in a sealed package to the following address:

Tony Harris
Ref: Right of Way Acquisition
Public Works, Utilities & Parks
345 Lively Avenue
Norcross, GA 30071

PROPOSALS ARE DUE BY (date and time – TBD).

Proposals submitted after the deadline and incomplete proposals will not be accepted or reviewed.

Pre-Proposal Meeting

Proposers are encouraged to attend the pre-proposal meeting, which will be held at 345 Lively Avenue on **(date and time – TBD)**.

Proposal Questions

Please submit any questions related to this RFP to the Capital Projects Manager via email only at christabel.ghansah@norcrossga.net.

Email Subject: Question – Right of Way Acquisition.

All questions should include the Proposer's name and the referenced RFP section in the following format:

Proposer/Firm Name
1. Question
Citation of relevant section of the RFP
2. Question
Citation of relevant section of the RFP

Q/A will be posted as an addendum on the City of Norcross' [Bid Posting](#) page.

Please submit all questions by (TBD).

Scope of Work

Provide Land Acquisition services for PI 0016067 Norcross Greenway LCI project. The project has 66 parcels, and land acquisition is needed to complete the project. These parcels have a direct effect on the progress of the project and will need to be acquired before Bidding. The City of Norcross is responsible for acquiring Right of Way from property owners and the selected firm will work on behalf of the City.

Proposal Submission Requirements:

No more than 15 pages exclusive of resumes and fee proposals

1. **Cover Letter** (indicating interest and identifying the primary point of contact)
2. **Basic Screening Information** (about the firm, office location, size, and contact information)
 - 5 to 20 years of Land Acquisitions and Engineering services.
 - 5 to 10 years of Real Estate experience with license.
 - Organizational chart (where applicable, to show team and personnel for the project)
 - Resumes/Portfolio (pertaining to key personnel on the project)
3. **Experience & Qualifications** (5 to 20 years of experience acquiring land for Government projects. Experience in Real Estate appraisals. Experience in eminent domain. Able to speak on behalf of the City during court proceedings. Minimum of 4 staff members with experience)
4. **Technical Considerations** (Knowledge of legal terms for land acquisition. Experience in condemnation and court processes.)
5. **Recommendations** (provide at least 3 references for a similar-scope project)
 - a. References should include organization, address, contact name, email, phone number
6. **Fee Proposal** (total cost and line-item breakdown)

Deliverables

The selected firm will be required to provide regular updates as agreed upon and present final recommendations to Mayor & Council. The PWUP Department reserves the right to request an interim report for review and discussion, prior to the submission of the final report.

Qualifications

The City will accept and only review applications from qualified and experienced firms with prior experience in work of this magnitude. As stated in the Proposal Packet Checklist, proposers must:

- Have and submit evidence of 5 to 20 years of experience acquiring land for government projects
- Experience in real estate appraisals
- Experience in eminent domain
- Ability to speak on behalf of the City during court proceedings
- Minimum of four (4) staff members with experience

Evaluation Criteria

Criteria	Max Score
Experience & Qualification	30
Strength of overall proposal	25
Technical Consideration	25
References	15
Fee Proposal	5
Total	100

The 10 Most Critical Things to Keep in Mind When Responding to an RFQ for the City of Norcross:

1. _____ **Read the entire document.** Note critical items such as: mandatory requirements; supplies/services required; submittal dates; number of copies required for submittal; funding amount and source; contract requirements (i.e., contract performance security, insurance requirements, performance and/or reporting requirements, etc.).
2. _____ **Note the City of Norcross' staff member's name, address, phone numbers and e-mail address.** This is the **only** person you are allowed to communicate with regarding the RFQ and is an excellent source of information for any questions you may have.
3. _____ **Attend the Pre-Bid Meeting** if one is offered. These meetings provide an opportunity to ask clarifying questions, obtain a better understanding of the project, or to notify the City of any ambiguities, inconsistencies, or errors in the RFQ.
4. _____ **Take advantage of the "question and answer" period.** Submit your questions to the Issuing Officer by the due date and view the answers given in the formal "addenda" issued for the RFQ. All addenda issued for this RFQ will be posted on the City's website and will include all questions asked and answered concerning the RFQ.
5. _____ **Follow the format required in the RFP** when preparing your response. Provide point- by-point responses to all sections in a clear and concise manner.
6. _____ **Provide complete answers/descriptions.** Read and answer all questions and requirements. Do not assume the City or evaluation committee will know what your company capabilities are or what items/services you can provide, even if you have previously contracted with the City. Proposals will be evaluated based solely on the information and materials provided in your response.
7. _____ **Use the forms provided**, i.e., sample budget form, certification forms, etc.
8. _____ **Check the City website for RFQ addenda.** Before submitting your response, check the City website at <https://www.norcrossga.net/bids.aspx> to see whether any addenda were issued for the RFQ.
9. _____ **Review and read the RFQ document again** to make sure that you have addressed all requirements.
10. _____ **Submit your response on time.** Note all the dates and times listed and be sure to submit all required items on time. Late and incomplete proposals are never accepted.

This checklist is provided for assistance only and should not be submitted with Proposal.

Attachment: Right of Way RFP (23-6723 : Right of Way Acquisition)

I. GENERAL CONDITIONS

BIDDERS ARE ADVISED TO THOROUGHLY UNDERSTAND THE GENERAL CONDITIONS AND SPECIAL PROVISIONS, PRIOR TO SUBMITTING THEIR BID

A. Qualifications

1. Bids will be considered only from experienced and well-equipped Contractor(s) engaged in work of this type and magnitude.
2. Bidders may be required to submit evidence setting forth qualifications, which entitle his or her company for consideration as a responsible contractor. A list of work of similar character successfully completed within the last two years may be required giving the location, size and listing of equipment available for use on this work. Before accepting any bid, the City may require evidence of the Contractor's financial ability to successfully perform the work to be accomplished under the contract.

B. Guarantee to Accompany Bid

1. If the proposer's bid is greater than \$30,000.00, Bids must be accompanied by a certified check or cashier's check or acceptable bid bond in an amount not less than five percent (5%) of the amount bid per section, and failure to submit a bid bond will be cause for rejection.

C. Authority to Sign

1. The Bidder should ensure that the legal proper name of his proprietorship, firm, partnership and/or corporation is printed or typed in the space provided on the Schedule of items.

D. Rights Reserved

1. The City of Norcross reserves the right to reject all Bids, to waive informalities or to re-advertise. It is understood that all Bids are made subject to this agreement, that the City of Norcross reserves the right to decide which Bid it deems lowest and best. In arriving at this decision, full consideration will be given to the reputation of the Bidder, their financial responsibility, and work of this type successfully completed and past performance with the City of Norcross.
2. Bidders are advised to examine Plans and Specifications carefully and to make examinations of the site of the proposed work as are necessary to familiarize themselves with location conditions, which may affect the proposed work. Bidders are also advised to inform themselves fully regarding the conditions under which the

work will be performed. The City of Norcross will not be responsible for the Bidders errors or misjudgment, nor for any information on location conditions or general laws and regulations.

3. Any unauthorized additions, conditions, limitations, or provisions attached to the Bid shall render it informal and may be cause for rejection.

E. Award of Contract

1. The contract will be awarded to the lowest responsive and responsible bidder whose bid will be most advantageous to the City, price and other factors considered. The City is to make the determination.
2. The bid evaluation will be made on the following criteria:
 - i. Bid price
 - ii. Compliance with specification
 - iii. Qualifications of personnel
 - iv. Commitment to complete work on a timely basis
 - v. References
3. Prior to award of the Contract, the successful bidder will be required to submit a construction schedule to the City, demonstrating the bidder's ability to commence and proceed in a timely manner. A bidder's failure to demonstrate the ability to proceed as required may result in the award to the next lowest, responsive, and responsible bidder, as deemed in the City's best interest.
4. Failure to demonstrate the ability for contract execution and progression will result in, at the City's discretion, the award of any and/or all the Bidder's contracts to the next lowest responsible bidder or the re-advertisement and re-bidding of any and/or all of these contracts.
5. Prior to execution of a Contract, if the contract amount is greater than \$30,000.00, a Contract Performance Bond and a Payment Bond, each equal to 100% of the Contract amount per section, must be provided by the successful bidder by a surety company qualified to do business in the State of Georgia with an AM Best rating of B+ or higher and satisfactory to the City of Norcross. Bonds given shall meet the requirements as listed in this Bid package.
6. Prior to execution of a Contract, a Utility Coordination Meeting is required between Contractor(s), utility agencies and City of Norcross Public Works to ensure clarity and commitments concerning inter-related construction work schedules.

F. Production Requirements

1. Time is of the utmost importance for this project. The successful bidder will be required to commence work within ten (10) calendar days from the receipt of the

Notice to Proceed and must carry on with utmost diligence to complete the work within 90 Days.

G. Progress Payments and Retainage

1. After work has commenced, progress payments shall be made least monthly, based on the value of work completed as provided in the contract documents plus the value of materials and equipment suitably stored, insured, and protected at the construction site, less retainage.
1. The City shall retain a maximum of 10 percent of each progress payment; provided, however, when 50 percent of the contract value including change orders and other additions to the contract value provided for by the contract documents is due and the manner of completion of the contract work and its progress are reasonably satisfactory to the City, the City shall withhold no more retainage. At the discretion of the City and with the approval of the Contractor, the retainage of each subcontractor may be released separately as the subcontractor completes his or her work.

H. Location and Site

1. The site of the proposed work is within City of Norcross, Georgia.
2. The Contractor shall accept the site in its present condition and carry out all work in accordance with the requirements of the specifications as indicated on the drawings or as directed by the Department of Public Works.
3. The Contractor, before submitting a bid is required to visit the site and acquaint himself with the actual conditions and the location of any and/or all obstructions that may exist on the site. The site visit must be confirmed by the Project Manager.
4. The Contractor is responsible for the location of above and below ground utilities and structures, which may be affected by the work.

I. Compliance with OSHA Standards and Regulations

1. The work connected with this Contract shall be performed in accordance with all applicable OSHA regulations and standards including any additions or revisions thereto, until the job is completed and accepted by the City of Norcross.

J. Non-Collusion

1. Vendor(s), by submitting signed bid, certify that the accompanying bid is not the result of, or affected by, any unlawful act of collusion with any other person or company engaged in the same line of business or commerce, or any other fraudulent act punishable under Georgia or United States law.

K. Materials

1. Unless otherwise specified in the Contract Documents, Contractor shall provide and assume full responsibility for all services, materials, equipment, labor, transportation, construction equipment and machinery, tools, appliances, fuel, power, light, heat, telephone, water, sanitary facilities, temporary facilities, and all other facilities and incidentals necessary for the completion of the Work.
2. All materials and equipment incorporated into the Work shall be of good quality and new, except as otherwise provided in the Contract Documents. All special warranties and guarantees required by the Specifications shall expressly run to the benefit of Owner.

L. Inspection

The City of Norcross does not commit to having a full-time inspection or testing of work while in progress or at sources of materials furnished. Any lack of inspection and/or testing will in no way relieve the Contractor of his responsibility to provide quality workmanship in accordance with the specifications. Base placement and subgrade prep will be inspected by the City of Norcross, at the City's cost. Any test ordered under the supervision of the City that fail to meet standards and retesting is required will be at the Contractors expense.

M. Contract Requirements

1. Successful vendor is required to do the following within ten (10) days of Notice:
 - a) Return to Department of Public Works contract documents executed by the authorized representative attested by the corporate secretary treasurer.
 - b) Provide Insurance Certificates as specified in the bid documents.
 - c) Provide bonding as required by the bid documents
2. Failure to execute the Contract, Contract Performance Bond, and Payment Bond, or furnish satisfactory proof of carriage of the insurance required within ten days after the date of Notice of Award of the Contract may be just cause for the annulment of the award and for the forfeiture of the bid guaranty of City of Norcross, not as a penalty, but as liquidation of damages sustained. At the discretion of the City, the award may then be made to the next lowest, responsible bidder, or the work may be re-advertised or constructed by City forces. The Contract and Contract Bonds shall be executed in duplicate.

N. Miscellaneous Provisions

1. Permits: All permits, including Land Disturbance Permits, can be obtained through the City's Community Development Department at 770-448-2122. It is the responsibility of the contractor to obtain permits needed. There is no fee for permits for City projects. For design/build projects, it is the responsibility of the contractor to obtain necessary permitting from the fire marshal.

2. Schedule: The Contractor shall provide to christabel.ghansah@norcrossga.net a schedule of construction activities. The schedule must be presented at least seven (7) days prior to work commencing in order to notify residents and/or businesses.
3. **Work Hours:** No work shall take place on Sunday unless approved by the City of Norcross. The contractor shall submit to the City of Norcross a written request at least seven (7) days prior to the weekend work. See City Ordinance Sec. 26-22.
4. Detour/Closures: All road closures and detours shall be approved by the Norcross Department of Public Works.
5. Residential Refuse: The Contractor is required to contact Norcross Public Works department at 678-421-2069, to obtain sanitation schedules to reduce inconveniences to the citizens of Norcross.
6. Disposal of Refuse: The Contractor shall be solely responsible for disposing of materials and shall consider, before bidding, the compliance with the above stated ordinances and regulations. Disposal of debris must be done in a lawful manner, in accordance with all applicable federal, state and/or local laws, statutes, rules, ordinances, and/or regulations. All trash and debris shall be collected and removed from the site(s) daily. The Contractor will not be permitted to burn any of the materials on site or within the boundary limits of Norcross, Georgia. The City is contracted with Waste Management; thus, the contractor must use their services for waste removal.

BID PACKET CHECKLIST

PROJECT: _____

BID DATE: _____

Enclosed with this Bid Packet are the following Forms and instructions. Use this checklist to ensure you have properly completed all Forms. You must return the following pages to be eligible for consideration of this project.

- _____ Two Hard Copies & One Electronic Copy of Bid
- _____ Bid Form
- _____ Bid Bond or Certified Check if bid is over \$30,000
- _____ Certificate of Liability Insurance
- _____ E-Verify Contractor & SAVE Affidavits
- _____ Reference Page
- _____ Mail or Deliver Proposal to:

 Tony Harris
 Ref: Right of Way Acquisition
 City of Norcross
 PWUP Department
 345 Lively Ave
 Norcross, GA 30071

Attachment: Right of Way RFP (23-6723 : Right of Way Acquisition)

References for _____

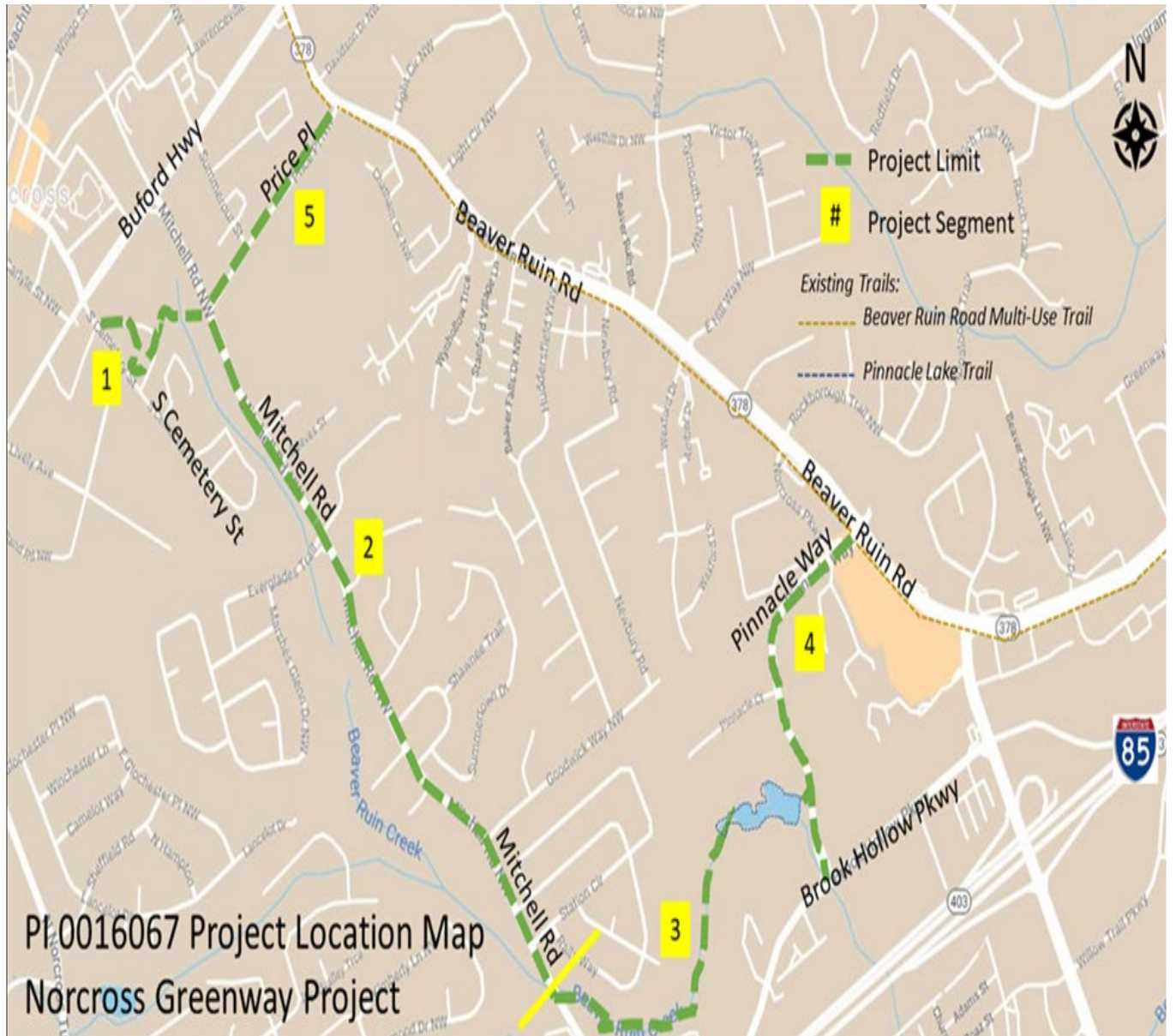
The Contractor must provide at the time of bid opening a list of contact numbers, addresses and a contact person from three (3) jobs completed having similar specification within the metro Atlanta area.

City of Norcross requests a minimum of three (3) references where work of a similar size and scope has been completed.

1. Company Name: _____
 Description of Project: _____
 Completion Date: _____
 Contact Person: _____
 Telephone: _____ Fax: _____
 Email address: _____

2. Company Name: _____
 Description of Project: _____
 Completion Date: _____
 Contact Person: _____
 Telephone: _____ Fax: _____
 Email address: _____

3. Company Name: _____
 Description of Project: _____
 Completion Date: _____
 Contact Person: _____
 Telephone: _____ Fax: _____
 Email address: _____



Attachment: Map of PI 0016067 (23-6723 : Right of Way Acquisition)



MAYOR **CRAIG NEWTON** · MAYOR PRO TEM **BRUCE GAYNOR** · COUNCILMEMBER **ANDREW HIXSON** · COUNCILMEMBER **JOSH BARE**
 COUNCILMEMBER **MATT MYERS** · COUNCILMEMBER **ARLENE BECKLES** · CITY MANAGER **ERIC JOHNSON** · CITY CLERK **MONIQUE PHILIP**

City of Norcross

Legislation Details (With Details)

File #:	23-6724	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	4/17/2023 6:30 PM	In Control:	Policy Work Session
Title:	Stream Buffer Variance - 258 Lake Drive		

Sponsors:

Code Sections:

Attachments:

1. [Agenda Report - Stream Buffer Variance at 258 Lake Drive](#)
2. [Vicinity Map](#)

Title

Stream Buffer Variance - 258 Lake Drive

Drafter

Antonio Harris



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **BRUCE GAYNOR** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **JOSH BARE**
COUNCILMEMBER **MATT MYERS** • COUNCILMEMBER **ARLENE BECKLES** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK **MONIQUE PHILIP**

Agenda Report

To: Mayor and Council

From: Tony Harris, City Engineer

Meeting Date: April 17, 2023 – Policy Work Session

Item #: 23-6724

Title: Stream Buffer Variance at 258 Lake Drive, Parcel 6254 046F

CC: Eric Johnson, City Manager

Recommendation

Mayor and Council, to approve the request for a Stream Buffer Variance at 258 Lake Drive.

Background

258 Lake Drive is a vacant lot with an outdoor shed on it. In the past years, the lot had a mobile home with a gravel driveway. The lot was recently sold to the current owner, and the owner would like to build a new 3500 square foot home with a garage, front porch, and patio. The new home will be constructed within the 75-foot buffer zone and impede the 50-foot buffer zone by 1202 Square feet.

Financial Impact

The City of Norcross doesn't have any financial impact for the Stream Buffer Variance. We are the Local Issuing Authority for issuing a Variance near state waters. A Notice of Intent and a Notice of Termination will be issued to the property owner through the Georgia Department of Natural Resources. The current land value is assessed at \$19,200 and other homes in the area range from \$200K to \$600k.

Consistent with Comprehensive Plan?

This project is consistent with the City of Norcross Comprehensive Plan and the 400 Land Development Division 2 Stream Buffer Projection

Next Steps

Mayor and Council meeting, Monday, May 1, 2023, 6:30 PM

Attachments

Vicinity Map

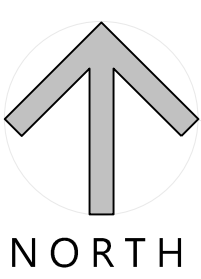
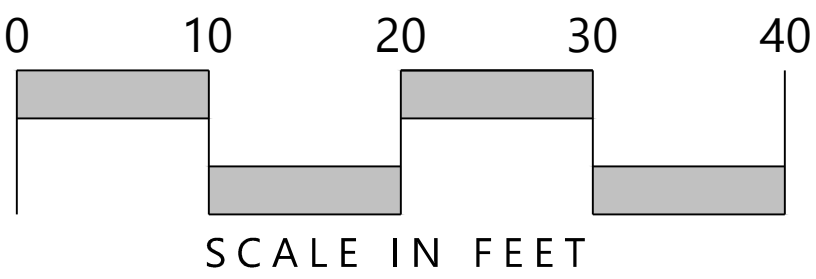
Update

N/A

Attachment: Agenda Report - Stream Buffer Variance at 258 Lake Drive (23-6724 : Stream Buffer Variance - 258 Lake Drive)



PLANTING SCHEDULE			
Quantity	Botanical Name	Common Name	Size
TREES			
1	Cercis canadensis 'Forest Pansy'	Forest Pansy Redbud	2" cal
1	Chionanthus virginicus	Virginia Fringetree	15 gal
3	Magnolia virginiana	Sweetbay Magnolia	2" cal
1	Nyssa sylvatica	Blackgum	2" cal
SHRUBS / PERENNIALS / GROUNDCOVER			
11	Calliocalpa americana	American Beautyberry	3 gal
8	Clethra alnifolia 'Hummingbird'	Hummingbird Clethra	3 gal
7	Hydranagea quercifolia	Oakleaf Hydrangea	3 gal
28	Hypericum calycinum	St. Johns Wort (groundcover)	1 gal
17	Ilex vomitoria 'Nana'	Dwarf Yaupon Holly	3 gal
9	Itea virginica 'Henry's Garnet'	Henry's Garnet Sweetaspire	3 gal
25	Thelypteris kunthii	Southern Shield Fern	1 gal





GEORGIA SOIL AND WATER
CONSERVATION COMMISSION

Ridley H Hailey

Level II Certified Design Professional

CERTIFICATION NUMBER

0000097327

ISSUED: 02/25/2022

EXPIRES: 02/25/2025



LANDSCAPE ARCHITECT:
RIDLEY HAILEY
404-749-0610

MITIGATION PLAN

258 LAKE DRIVE
Norcross, Georgia 30071

MUTUAL HOME SOLUTIONS, LLC
438 LANGFORD DRIVE
NORCROSS, GA 30071
404-643-4606
EMAIL: musah.mhs@gmail.com

March 31, 2023

SHEET

L-1



MAYOR **CRAIG NEWTON** · MAYOR PRO TEM **BRUCE GAYNOR** · COUNCILMEMBER **ANDREW HIXSON** · COUNCILMEMBER **JOSH BARE**

COUNCILMEMBER **MATT MYERS** · COUNCILMEMBER **ARLENE BECKLES** · CITY MANAGER **ERIC JOHNSON** · CITY CLERK **MONIQUE PHILIP**

City of Norcross

Legislation Details (With Details)

File #:	23-6725	Version:	
Type #:	Agenda Item	Status:	
On Agenda:	4/17/2023 6:30 PM	In Control:	Policy Work Session
Title:	Ordinance Revisions for Coin Operated Amusement Machines		

Sponsors:

Code Sections:

Attachments:

1. [Agenda Report - Coin Operated Amusement Machines](#)
2. [Proposed Amended Ordinance](#)

Title

Ordinance Revisions for Coin Operated Amusement Machines

Drafter

J. Patrick O'Brien, William J. Diehl Thompson, O'Brien, Kappler & Nasuti, PC



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **BRUCE GAYNOR** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **JOSH BARE**
COUNCILMEMBER **MATT MAYERS** • COUNCILMEMBER **ARLENE BECKLES** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK **MONIQUE PHILIP**

Agenda Report

To: Mayor and Council

From: J. Patrick O'Brien, William J. Diehl Thompson, O'Brien, Kappler & Nasuti, PC

Meeting Date: April 17, 2023 – Policy Work Session

Item No.: 23-6725

Title: Ordinance Revisions for the Regulation of Coin Operated Amusement Machines

CC: Eric Johnson, City Manager

Recommendation

Approval of the ordinance as revised and authorization for staff to create procedures and maintain City applications, records, and other documents necessary to implement the regulations.

Background

State law regulates commercial operations' use of Coin Operated Amusement Machines (COAMs). See, O.C.G.A. § 50-27-70 *et seq.* COAMs include "every machine of any kind or character used by the public to provide amusement or entertainment" that requires payment, tokens, cards, or tickets to play—whether or not those machines afford an award to a successful player (i.e., coupons, vouchers, goods, prizes, merchandise, etc.). While the statute addresses all COAMs, the machines are divided into two classes: Class A machines (traditional "arcade" style games) and Class B machines (COAMs where the player receives an award commensurate with his or her success).

In general, COAMs are regulated by applicable state law and regulatory agencies which preempt local legislation. However, O.C.G.A. § 50-27-86 allows local governments to enact and enforce regulations concerning eleven discrete circumstances. The City's current ordinances do not make any such regulation concerning COAMs, although other jurisdictions have availed themselves to this authority and enacted ordinances consistent with state law. As Norcross continues to experience growth in its commercial and retail sectors, an ordinance regulating the use and prevalence of these machine could be appropriate.

This text amendment presented here would allow the City to regulate all eleven (11) circumstances permitted by O.C.G.A. § 50-27-86 (though Council may decline to make any one

of these regulations and pursue only certain regulations). This text amendment follows the model ordinance created by the Georgia Municipal Association, with only stylistic changes made to the model ordinance.

Financial Impact

The ordinance is not expected to have a direct financial impact. Indirect impacts on the implementation of these regulations and the enforcement of the same are anticipated, although they are not believed to be significant. Violations of the ordinances may permit the City's imposition of fines.

Consistent with Comprehensive Plan?

Yes. The ordinance adoption is consistent with the Comprehensive Plan goals 1 and 2.

Next Steps

Approve ordinance adaptation and direct staff to implement procedures necessary to implement the regulations.

Attachments

1. Proposed Amended Ordinance

Update

ORDINANCE NO.

AN AMENDMENT TO THE CITY CODE OF ORDINANCES CHAPTER 8 TO CREATE AN ARTICLE WHICH SHALL BE CODIFIED AS ARTICLE XIII “COIN OPERATED AMUSEMENT MACHINES”, WHICH SHALL PROVIDE FOR THE REGULATION OF COIN OPERATED AMUSEMENT MACHINES; TO PROVIDE FOR A LIMITATION ON THE ALLOWABLE NUMBER OF SUCH MACHINES AT ONE LOCATION; TO REQUIRE OWNERS AND OPERATORS OF SUCH MACHINES TO COMPLY WITH CERTAIN REGULATIONS; TO PROVIDE FOR THE SUSPENSION AND REVOCATION OF LICENSES; TO PROVIDE FOR FINES; TO MANDATE REPORTING REQUIREMENTS; TO MANDATE SIGN POSTING; TO PROVIDE FOR MINIMUM DISTANCE RESTRICTIONS; TO PROVIDE REQUIREMENTS FOR PLACEMENT OF MACHINES; TO REQUIRE DISCLOSURE OF CERTAIN CONTACT INFORMATION OF THE OWNER AND/OR OPERATOR OF MACHINES; TO PROVIDE FOR LICENSING POSTING; TO PROVIDE FOR SEVERABILITY; REPEAL CONFLICTING LAW AND PROVIDE FOR AN EFFECTIVE DATE.

ENACTING CLAUSE. The Mayor and City Council of the City of Norcross, Georgia, hereby ordains that the adopted Code of Ordinances is hereby amended as more particularly set forth below. It is the intention of the Mayor and City Council, and it is hereby ordained that the following provisions shall become and be made a part of the Code of the City of Norcross, and the Sections in the Code in the Ordinance be numbered to accomplish that intention.

I. AMENDMENT.

The Chapter 8 of the City Code of Ordinances shall be amended to add the following as Section XIII “Coin Operated Amusement Machines” such amendment shall be codified and divided by sections as follows:

Sec. 8-600. Short title.

This article shall be known as the "Norcross, Georgia Bona Fide Coin Operated Amusement Machine Ordinance."

Sec. 8-601. Gambling devices prohibited.

Gambling devices, as that term is defined in O.C.G.A. § 16-12-20(2) are prohibited in the City, and the ownership, use, or transport thereof shall be a misdemeanor pursuant to state law, except as exempted pursuant to O.C.G.A. § 16-12-35(a) through (k).

Sec. 8-602. Gambling places prohibited.

Gambling places, as that term is defined in O.C.G.A. § 16-12-20(3) are prohibited in the City, and the operation thereof shall be a misdemeanor pursuant to state law.

Sec. 8-603. Definitions.

Defined terms in O.C.G.A. § 50-27-70 shall have the same meaning in this ordinance unless otherwise defined herein.

Sec. 8-604. License required.

No person, firm or corporation shall engage in the business of an owner or proprietor of an amusement game room, as the term is herein defined, without first having obtained an amusement game room license, without first having paid the applicable occupation tax and obtained an occupational tax certificate required under this article. A separate amusement game room license must be obtained for each location in the jurisdiction in which bona fide coin operated amusement machines are operated.

Sec. 8-605. Issuance of license.

Application for a license for operating an amusement game room within the corporate limits of the City shall be made to the City Clerk upon a form to be supplied by the City Clerk for this purpose. The license application shall include the following information:

- (1) Name, address, and age of the applicant and the date of the application;
- (2) Address or place where the bona fide coin operated amusement machine or machines are to be offered to the public for play and the other business or businesses operated at that place or places;
- (3) Name and address of the owner of the machine or machines and a copy of the owner's master license;
- (4) Name and address of any other business owned or operated by applicant within the corporate limits of the City; and
- (5) List of any other licenses or permits from the City held by the applicant.

Upon issuing a license for an amusement game room, the City official or employee shall provide the licensee with a copy of this article. The City shall not require a fee for an amusement game room license or registration. A license issued in accordance with this article shall be valid until December 31st of the year in which the license was issued. The owner or operator of an amusement game room shall be required to pay occupation taxes in accordance with chapter 7 of the Code of Ordinances of the City.

Sec. 8-606. Occupation tax required.

No person, firm or corporation shall engage in the business of an owner or proprietor of amusement game room, as the term is herein defined, without first having completed the occupation tax certificate application form, paid the required occupational tax and obtained an occupational tax certificate.

Sec. 8-607. Minimum distance requirements.

- (a) Every amusement game room in the City shall comply with the proximity provision for business licensed to sell alcohol set out in O.C.G.A. § 3-3-21. At a public meeting, the mayor and council may waive the application of this provision to an individual location if no alcohol is served or sold at such location.

- (b) Every amusement game room in the City shall comply with the proximity provision for businesses licensed to sell alcohol as set out in chapter 3 of the Code of Ordinances of the City. At a public meeting, the mayor and council may waive the applicability of this provision to an individual location if no alcohol is served at such location.

Sec. 8-608. Number of bona fide coin operated amusement machines at a location.

No amusement game room in the City shall offer to the public more than nine (9) class B bona fide coin operated amusement machines (as defined in O.C.G.A. § 50-27-70) offering non-cash redemption in accordance with state law at the same location. At a public meeting, the mayor and council may, after consideration of the nature and character of the business, waive the applicability of this provision to an individual location.

Sec. 8-609. Gross receipts from bona fide coin operated amusement machines and from business.

- (a) Every amusement game room shall keep records available for inspection by City officials that set out separately annual gross receipts for the class B amusement games and the other products and services sold at the location.
- (b) Any location owner or location operator subject to O.C.G.A. § 50-27-84(b)(1) is hereby required to provide a monthly report to the City's finance department. Such report shall indicate the monthly gross retail receipts for each business location located within the jurisdiction of the City and shall be due by the twentieth (20th) day of each month, subsequent to the month in which the sales have taken place. In addition, each owner or operator must allow the local government an annual audit of the reports from the owner or operator to the Lottery Corporation.
- (c) No location owner or location operator may derive more than fifty (50) percent of such location owner's or location operator's monthly gross retail receipts for this business location in which the class B machines are situated from such class B machines and any location owner or location operator found in violation of such provision may be fined and may have any City issued license suspended or revoked as allowed under this article. Compliance with this section requires both the availability of records for inspection and compliance with the fifty (50) percent of gross retail receipts requirement. Any violations of this provision shall be reported to the Georgia Lottery Corporation. Sec. 8-610. Notice requirements.
- (a) Every amusement game room shall post a conspicuous sign with the following or substantially similar language:
- "GEORGIA LAW PROHIBITS GIVING OR RECEIPT OF ANY MONEY FOR WINNING A GAME OR GAMES ON AN AMUSEMENT MACHINE; GIVING OR RECEIPT OF MONEY FOR FREE REPLAYS WON ON AN AMUSEMENT MACHINE; GIVING OR RECEIPT OF MONEY FOR ANY MERCHANDISE, PRIZE, TOY, GIFT CERTIFICATE, OR NOVELTY WON ON ANY AMUSEMENT MACHINE; OR AWARDING ANY MERCHANDISE, PRIZE, TOY, GIFT CERTIFICATE, OR NOVELTY OF A VALUE EXCEEDING \$5.00 FOR A SINGLE PLAY OF AN AMUSEMENT MACHINE."

- (b) Every amusement game room shall post the license issued by the City conspicuously and permanently.
- (c) The owner or proprietor of each amusement game room shall inform every employee of the acts and omissions prohibited by state law and by this article, and of the penalties for violation of state law and this article.

Sec. 8-611. Compliance with state law relating to master licenses, location licenses, and stickers for individual machines.

Bona fide coin operated amusement machines may be used in an amusement game room within the City only if the machines are owned by a person who holds a valid master license in accordance with O.C.G.A. § 50-27-71, and each machine offered to the public for play has a valid permit sticker in accordance with O.C.G.A. § 50-27-78. In addition, the business owner where the machines are available for play by the public must pay a location license fee in order to obtain a valid location license in accordance with O.C.G.A. § 50-27-71(a.1) and (b). The City official in charge of issuing business licenses shall notify the state commissioner of revenue of any observed violation of O.C.G.A. § 50-27-71 or § 50-27-78.

Sec. 8-612. License suspension and revocation.

- (a) The City may suspend or revoke the City issued license of any location owner or location operator to manufacture, distribute, or sell alcoholic beverages as a penalty for the conviction of the business owner or business operator of a violation of state law.
- (b) The City may suspend or revoke the license of any location owner or location operator of any other license granted by the municipality as a penalty for the conviction of the business owner or business operator of a violation of state law.
- (c) The suspension or revocation of licenses under this Code section shall be in accordance with the following guidelines of due process:
 - (1) No license which has been issued or which may be issued pursuant to this article shall be suspended or revoked except for due cause and after providing the licensee with an opportunity for a hearing and upon prior three-day written notice to the holder of the license of the time, place and purpose of the hearing and a statement of the charges upon which the hearing shall be held.
 - (2) The term "due cause" for the purposes of this section shall include, but not be limited to:
 - a. Conviction of, or the entering of a plea of guilty or nolo contendere by, the licensee or any of his employees or any person holding an interest in the license for any felony, any law, administrative regulation or ordinance involving alcoholic beverages, gambling or narcotics, or tax laws.
 - b. Conviction of, or the entering of a plea of guilty or nolo contendere by, the licensee or any of his employees or any person holding an interest in the license for any sex offense when the licensed business is for on-premises consumption.

- c. Suspension or revocation of any state license required as a condition for the possession, sale or distribution of alcoholic beverages.
 - d. Material falsification of any fact given in an application for a license issued under this chapter or bearing upon the licensee's qualification therefor. Any act which may be construed as a subterfuge in an effort to circumvent any of the qualifications for a license under this chapter shall be deemed a violation of the requirement attempted to be circumvented.
 - e. Failure to meet or maintain any standard prescribed by this article as a condition or qualification for holding a license.
 - f. Any other factor known to or discovered by the City whereby it is objectively shown the licensee, any of the licensee's employees or any person holding an interest in a license, has engaged in conduct at or involving the licensed business or has permitted conduct on the licensed premises that constitutes a violation of federal or state law, local ordinance or administrative regulations involving alcoholic beverages, gambling or narcotics for all alcohol licensed businesses and including any sex offense under state law or local ordinances with respect to businesses licensed for on-premises consumption. With respect to this section, it shall be rebuttably presumed that the violative act was done with the knowledge or consent of the licensee; provided, however, that such presumption may be rebutted only by evidence which precludes every other reasonable hypothesis save that such licensee did not know, assist or aid in such occurrence, or in the exercise of full diligence that such licensee could not have discovered or prevented such activity.
- (3) Notice of suspension or revocation and the opportunity for a hearing shall be served on the person named as licensee in the application. Notice shall be in writing. The notice may be served personally or by first class mail. If by mail, the notice shall be addressed to the licensee at its address as provided by the licensee to the municipality. The burden shall be on the licensee to provide notice, in writing, of any change of address for service of notices and process. In the case of service by mail of any notice required by this chapter, the service is complete at the time of deposit in the United States Postal Service.
- (4) The hearing shall be conducted by a hearing officer appointed by the Mayor and City Council. The hearing officer shall be an attorney licensed to practice in the state who is disinterested in the proceeding.
- (5) Hearings shall be only as formal as necessary to preserve order and shall be compatible with the principles of justice. The City attorney shall present the City's case and bear the burden of proving by a preponderance of the evidence that due cause exists to suspend or revoke the license. At the hearing the licensee shall have the right to represent itself or be represented by counsel, may cross examine all witnesses offered by the City, and may call witnesses and present evidence in its own behalf. Formal rules of evidence shall not apply to hearings under this section, although the hearing officer shall have the right to exclude evidence which carries no indicia of reliability. All testimony shall be offered under oath or affirmation.

- (6) The hearing officer shall make his final determination within ten (10) business days of the completion of the hearing. The decision shall be placed in writing and contain the hearing officer's findings of fact, conclusions of law, and decision as to sanction, if any. Such sanction may include one (1) or more of the following: revocation of the license, suspension of the license for no more than twelve (12) months, imposition of a probationary period not to exceed twelve (12) months, and/or a civil monetary penalty not to exceed the amount allowed under the City charter. Progressive sanctions, depending on the severity of the violation, are encouraged but not required. Where the remaining term of the license is less than twelve (12) months, imposition of suspension or probation for a period in excess of the term of the existing license shall be applied to any renewal license. A subsequent violation within a probationary period shall be cause for revocation and/or denial of license renewal. A total of three (3) separate and unrelated violations within twenty-four (24) months, whether or not within a probationary period, shall be grounds for permanent revocation.
- (7) The hearing officer's decision shall be personally served or mailed by certified mail, return receipt requested to the licensee and his attorney, with a copy to the City attorney, within ten (10) business days of the close of the hearing. The decision of the hearing officer shall constitute final action by the City, subject to review upon petition for certiorari to the superior court.
- (8) Upon receipt of notice of adverse action against the licensee under this section, the licensee may waive its right to a hearing and stipulate to a sanction, as recommended by the City manager, in consultation with the chief of police. Any stipulation entered under this subsection shall be in writing, signed by the licensee, and non-appealable.

Sec. 8-613. Criminal penalties for violations by owners or operators of amusement game rooms.

- (a) Penalties for violation of the provisions of this article by the owner or operator of an amusement game room, after conviction in the municipal court of the City, or other court of competent jurisdiction are as follows:
 - (1) *First offense*: Fine not to exceed five hundred dollars (\$500.00) for each violation.
 - (2) *Second offense*: Fine not to exceed seven hundred fifty dollars (\$750.00) for each violation, suspension of the owner or operator's license for offering any amusement game at the location for not more than three (3) months, or both.
 - (3) *Third offense*: Fine not to exceed one thousand dollars (\$1,000.00) for each violation, suspension or permanent revocation of the owner or operator's license for offering any amusement game at the location, or suspension of other permits and licenses granted by the City for not more than six (6) months, or any combination of these penalties.
- (b) The fines listed in the penalties for violation of this article may be imposed by the judge of the municipal court of the City, or the judge of any other court of competent jurisdiction. Suspension or revocation of the owner or operator's license for offering any amusement game at the location where the violation occurred, and suspension of other permits and licenses granted by the City may be imposed by the mayor and council after the opportunity for a public hearing as described in section in this article.

- (c) Offering one (1) or more bona fide coin operated amusement machine games in violation of an order suspending or revoking the license for the offering of any amusement game at the location is punishable, after conviction in the municipal court of the City, by a fine not to exceed one thousand dollars (\$1,000.00), imprisonment not to exceed thirty (30) days, or both such fine and imprisonment.

Sec. 8-614. Penalties for violations by those who play bona fide coin operated machines in violation of law or ordinance.

The municipal court of the City, or any other court of competent jurisdiction is authorized to impose the following penalties on any person convicted of receiving money as a reward for the successful play or winning of any bona fide coin operated amusement machine from any person owning, possessing, controlling or overseeing such bona fide coin operated amusement machine or any person employed by or acting on behalf of a person owning, possessing, controlling or overseeing a bona fide coin operated amusement machine.

- (1) *First offense:* Fine not to exceed two hundred fifty dollars (\$250.00) for each violation.
- (2) *Second and subsequent offense:* Fine not to exceed five hundred dollars (\$500.00) for each violation.

Sec. 8-615. Operating regulations.

All businesses operating as an amusement game room hereunder shall be subject to the following regulations:

- (1) *Devices to be kept in plain view; gambling devices prohibited.* All bona fide coin operated amusement machines shall at all times be kept and placed in plain view of and open and accessible to any person(s) who may frequent or be in any place of business where such machines are kept or used. Nothing in this section shall be construed to authorize, permit or license any gambling device of any nature whatsoever.
- (2) *Inspection.* The chief of police may inspect or cause the inspection of any location in which any such bona fide coin operated amusement machine(s) are operated or set up for operating, and may inspect, investigate and test such machines as needed.
- (3) *Attendant required.* It shall be unlawful for any location owner or location operator to open the location to the public unless an attendant is present. Said attendant shall be of sufficient mental and physical capacity so as to be able to provide aid to patrons if needed or desired. Said attendant shall not be less than eighteen (18) years of age.
- (4) *Loitering.* As used in this section, "loitering" shall mean remaining idle in essentially one (1) location and shall include the concepts of spending time idly, loafing or walking about aimlessly, and shall be unlawful for any person, firm or corporation licensed to operate an amusement game room to permit loitering on or in the immediate vicinity of any machine or business premises regulated hereunder in such a manner as to:
 - a. Create or cause to be created a danger of a breach of the peace;
 - b. Create or cause to be created any disturbance of the peace, as defined by law;
 - c. Obstruct the free passage of pedestrians or vehicles;

- d. Obstruct, molest or interfere with any person lawfully in a public place.
 - e. Shirt and shoes required. All location owners and location operators shall require shirts and shoes to be worn at all times by any person frequenting their location. Sec. 8-616. Licenses and permits nontransferable.
- (a) Licenses required in this article are nontransferable. All businesses that have bona fide coin operated amusement machines on the premises shall display, in plain view, the current amusement game room license and occupational tax certificate issued by the City.
 - (b) The issued license shall not be transferred to another owner at the same site within the City. A new owner or proprietor must first obtain a new license if they are going to operate in the same or different location in the City. Sec. 8-617. Enforcing officer.

The chief of police and City clerk or their designees are hereby designated as the enforcement officers and shall work together to execute all requirements of this article.

Secs. 8-618—8-699. Reserved

II. REPEALER.

All ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed.

III. EFFECTIVE DATE.

This Ordinance shall become effective immediately and shall remain in effect until revised or repealed by further action the Mayor and Council of the City of Norcross.

IN WITNESS WHEREOF, I have hereunto set my hand and cause this seal to be affixed this ____ day of _____, 2023.

Craig Newton, Mayor

ATTEST:

Monique Lang, City Clerk



MAYOR **CRAIG NEWTON** · MAYOR PRO TEM **BRUCE GAYNOR** · COUNCILMEMBER **ANDREW HIXSON** · COUNCILMEMBER **JOSH BARE**

COUNCILMEMBER **MATT MYERS** · COUNCILMEMBER **ARLENE BECKLES** · CITY MANAGER **ERIC JOHNSON** · CITY CLERK **MONIQUE PHILIP**

City of Norcross

Legislation Details (With Details)

File #:	23-6717	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	4/17/2023 6:30 PM	In Control:	Policy Work Session
Title:	IGA with Gwinnett County Board of Voter Registration and Elections for Use of Election Equipment		

Sponsors:

Code Sections:

Attachments:

1. [Agenda Report - IGA for Lease of Election Equipment](#)
2. [2023 Municipal Elections IGA](#)

Title

IGA with Gwinnett County Board of Voter Registration and Elections for Use of Election Equipment

Drafter

Monique Philip



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **BRUCE GAYNOR** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **JOSH BARE**
COUNCILMEMBER **MATT MYERS** • COUNCILMEMBER **ARLENE BECKLES** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK **MONIQUE PHILIP**

Agenda Report

To: Mayor and Council

From: Monique Philip, City Clerk

Meeting Date: April 17, 2023 – Policy Work Session

Item No.: 23- 6717

Title: IGA with Gwinnett County Board of Voter Registration and Elections for the use of Election Equipment

CC: Eric Johnson, City Manager

Recommendation

Approve an IGA with Gwinnett County Board of Registrations and Elections to outline the duties and obligations of each party and for the use of election equipment (optical scanners).

Background

Following the recommended guidelines of the Georgia Secretary of State office, the city, and county enter into an IGA annually to delineate the responsibilities and obligations of the city's election superintendent and the county's election superintendent to conduct the municipal elections. The agreement includes a request to lease Optical Scanners for the tabulation of voted ballots.

Financial Impact

All costs to conduct the municipal elections are budgeted and borne by the city. Therefore, there are no costs associated with this agreement.

Consistent with Comprehensive Plan?

Yes, Goal 6 - Further the City's Tradition of Strong Leadership and High Level of Quality Services

Next Steps

- (1) Approve IGA - Mayor and Council
- (2) Approve IGA - Gwinnett County Board of Registrations and Elections

Attachments

[Agenda Report - IGA for lease of election equipment](#)

[2023 Municipal Elections IGA](#)

Update

n/a



STATE OF GEORGIA

COUNTY OF GWINNETT

INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF _____ AND THE
GWINNETT COUNTY BOARD OF VOTER REGISTRATIONS AND ELECTIONS FOR USE OF
ELECTION EQUIPMENT

THIS AGREEMENT entered into between the City of _____, Georgia, a
Municipal Corporation, lying within the County of Gwinnett, Georgia, hereinafter referred
to as "City" and the Gwinnett County Board of Registrations and Elections, hereinafter
referred to as "Board."

WITNESSETH

WHEREAS, the Georgia General Assembly created the Gwinnett County Board of
Registrations and Elections having jurisdiction over the conduct of primaries and
elections (1988 Ga. Laws, p. 4296, as amended), and provided that the Board was
empowered with all the powers and duties relating to the conduct of elections and
registration of voters as election superintendent and board of registrars pursuant to the
provisions of Title 21 of the Official Code of Georgia; and

WHEREAS, pursuant to 1988 Ga. Laws, p. 4296, as amended, the Board has the
authority to contract with any municipal corporation located within Gwinnett County for
the holding by the Board of any primary or election to be conducted within the municipal
corporation; and

WHEREAS, recommended guidelines of the Secretary of State concerning
municipal use of election equipment recommend that cities and counties enter into
intergovernmental agreements outlining the responsibilities and obligations of the
election superintendent of the city and the election superintendent of the county; and

WHEREAS, the City and the Board, in the performance of their electoral functions,
desire to enter into this contract outlining the duties and obligations of each party to this
Agreement in the conduct of any 2023 Municipal Elections for the citizens of the City
(hereinafter referred to as the "City Election") as hereinafter described; and

NOW, THEREFORE, in consideration of the premises contained herein, the
sufficiency of which is hereby acknowledged, it is hereby agreed by the City and the
County as follows:

(1) Conduct of City Election

This Agreement shall govern the use of the Board's Election Equipment by the City
for the Election in the City of _____. It is the intent of the parties that the use of



the Election Equipment in conduct of the City Election shall be in compliance with all applicable federal, state and local legal requirements.

(2) Term of Agreement

The duties and obligations to be performed pursuant to this Agreement shall commence on _____, 2023 and end on December 31, 2023.

(3) Duties and Responsibilities

As used in this subsection the term "City" shall be construed to include the City's designee, agent, or authorized representative. The term "Board" shall be construed to include the Board's designee, agent, or authorized representative.

(a) City

1. The City will be responsible for ordering any and all ballots from its vendor.
2. The City will be responsible for contracting with State approved vendors for programming election equipment and creating Absentee by mail ballots, Provisional voting ballots, Challenge voting ballots and Election Day voting and Advance in person voting.
3. The City will be responsible for obtaining all material forms for the conduct of the election from the Secretary of State's Election Division.
4. The City will be responsible for complying with any and all bilingual election requirements in accordance § 203 of the Voting Rights Act including but not limited to translation and dissemination of election-related materials, Spanish language assistance, and appropriate election/poll official training.
5. The City shall provide the Board with a written request indicating specifically the number of Ballot Marking Devices (hereinafter referred to as BMDs), if any, that the City needs to borrow, as soon as possible, but no less than 60 days prior to election date.
6. The City shall provide the Board with a written request indicating specifically the number of Optical Scanners (hereinafter referred to as "OS Units") for use in scanning and tabulation of absentee, challenge, advance in person and provisionally voted ballots.
7. The City may use a Ballot Marking Device for ballot marking purposes.
8. The City may use printers to print ballots created by the Ballot Marking Device.
9. The City may use optical scanners to scan the printed ballot generated from the printer and created by the Ballot Marking Device
10. The City will be responsible for purchasing specialized security ballot paper from state approved vendor, if BMDs are used for ballot marking purposes.
11. The City will be responsible for and will conduct its own Logic and Accuracy Testing on all equipment.
12. The City will be responsible for hiring and training its own poll officials.
13. The City will be responsible for any training of its staff through _____ and/or the Secretary of State's Office.



- 14. The City will be responsible for conducting all aspects of the City Election.
- 15. The City will be responsible for certifying its own election results.

(b) Board and/or Elections Supervisor

- 1. The Board shall provide the City with an Electors List.
- 2. The Board shall provide the City with the specified number of BMD's and/or OS units and peripheral items as requested.

(c) The Board and the City agree that designated staff shall discuss and schedule dates and times for the City to pick-up the requested equipment. The Board and the City further agree that staff shall set mutually agreeable date and time for the City will return the requested equipment to the Board.

(4) Costs

Any and all costs associated with the conduct of the City Election shall be the responsibility of the City.

(5) Legal Responsibilities

To the extent permitted under Georgia Law, the City shall be solely responsible for any liability resulting from any claims or litigation arising from or pertaining to the City Election. In the event that any of the equipment and/or components become damaged, corrupted, or no longer usable due to the City's use of such equipment and/or components, the City agrees that it will reimburse the County's replacement costs.

(6) Miscellaneous

- (a) The terms of this Agreement shall not be altered, amended, or modified except in writing signed by duly authorized officers or representatives of the parties.
- (b) This Agreement shall be construed under the laws of the State of Georgia.
- (c) If any paragraph, subparagraph, sentence, clause, phrase, or any portion of this Agreement shall be declared invalid or unconstitutional by any court of competent jurisdiction, such invalidity shall not be construed to affect the portions of this Agreement not held to be invalid.
- (d) Any notice of communications hereunder shall be in writing, addressed as follows:

City: _____

Board: Grayson Davis, Assistant Elections Supervisor
 455 Grayson Highway Suite 200
 Lawrenceville, GA 30046



Grayson.Davis@GwinnettCounty.com

- (e) This Agreement shall be exclusively for the benefit of the City and the Board and shall not provide any third parties with any remedy, claim, liability, reimbursement, cause of action, or other right.
- (f) The performance of either party hereunder shall be excused if such party is reasonably precluded from performance by the occurrence of an Uncontrollable Circumstance, which shall be defined as follows: Any act, event, or condition, or any combination thereof, that is beyond the reasonable control of the party relying on the same and that materially interferes with the performance of the party's obligations, to include, but not be limited to, (i) acts of God; (ii) fire, flood, hurricane, tornado, and earthquakes; (iii) the failure of any utility provider to provide and maintain utility services through no fault of the party; and (iv) the preemption, confiscation, diversion, destruction, or other interference in possession or performance or supply of materials or services, by or on behalf of, or with the authority of, a governmental body in connection with a declared or asserted public emergency by an entity other than one of the parties; (v) the calling of a special election in Gwinnett County pursuant to O.C.G.A. § 21-2-540 which requires the Board to conduct such special election and use the election equipment for its own purposes thereby rendering said equipment unavailable to fulfill the contractual obligations set forth in this Agreement.
- (g) Each of the individuals who execute this Agreement agrees and represents that he or she is authorized to execute this Agreement on behalf of the respective party.

IN WITNESS WHEREOF, the parties have hereunto set their hands and affixed their seals this ____ day of _____, 2023.

City of _____:

By: _____, Mayor

Attest:

City Clerk, Seal

Gwinnett County Board of Registrations and Elections:



By: Dr. Wendy Taylor, Chairwoman

Attest:

Zach Manifold, Elections Supervisor



MAYOR **CRAIG NEWTON** · MAYOR PRO TEM **BRUCE GAYNOR** · COUNCILMEMBER **ANDREW HIXSON** · COUNCILMEMBER **JOSH BARE**

COUNCILMEMBER **MATT MYERS** · COUNCILMEMBER **ARLENE BECKLES** · CITY MANAGER **ERIC JOHNSON** · CITY CLERK **MONIQUE PHILIP**

City of Norcross

Legislation Details (With Details)

File #:	23-6704	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	4/17/2023 6:30 PM	In Control:	Policy Work Session
Title:	Authorize a New Position – Enterprise Business Manager		

Sponsors:

Code Sections:

Attachments:

1. [Agenda Report - Authorization of Enterprise Strategic Business Manager Position](#)
2. [Enterprise Strategic Business Manager Job Description](#)

Title
Authorize a New Position – Enterprise Business Manager

Drafter
Eric Johnson



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **BRUCE GAYNOR** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **JOSH BARE**
COUNCILMEMBER **MATT MYERS** • COUNCILMEMBER **ARLENE BECKLES** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK **MONIQUE PHILIP**

Agenda Report

To: Mayor and Council

From: Eric Johnson, City Manager

Meeting Date: April 17, 2023 - Policy Work Session

Item No.: 23-6704

Title: Authorization of new Enterprise Strategic Business Manager Position

Recommendation – Authorize a new senior position reporting to the City Manager to serve as Enterprise Strategic Business Manager for the development, analysis, and management of enterprise/utility rates and fees for the City's three enterprise operations: electric, solid waste, and stormwater, and to provide strategic management to those operations through the development of short- and long-term business strategies for each enterprise.

Background – The City manages three “enterprise” operations – activities that operate much like a business and rely on revenues they generate to pay for operations as well as capital investments, and whose revenue and expenditures are managed separately: the electric fund, solid waste fund, and the stormwater fund. The electric fund alone accounts for \$13.5 million in FY 23 – more than the City's General Fund, the main operating fund for City operations – due to the sale of electricity.

Each enterprise operation requires the ability to set fees or rates as well as model “what if” scenarios. Current operations should be consistent with short- and long-term strategic priorities developed for each enterprise and subsequently adopted by Mayor and Council.

As an illustration: while Electric Cities of Georgia (ECG) performs rates studies, the frequency is very limited and the two new nuclear power units due to come online within the next year will present new cost structure issues – likely increasing the need for the City to shift the focus of residential electric rates from variable rates for power consumption to fixed rates heavily driven by power unit construction costs and other infrastructure costs.

The City negotiates annual sale of surplus capacity and surplus energy both to other cities that participate through the Municipal Electric Authority of Georgia (MEAG), but also sells energy at market rates. The impact of increasing sales of electric vehicles (EVs) and the potential for sales

of electricity through EV charging stations must also be contemplated, and appropriate strategies based on regular assessment of market conditions developed for presentation to policymakers.

The City has historically pursued “customer choice” clients outside City limits that the City can serve through access to substations owned and operated by other electric utilities. Each of these clients provides potential net revenue to the electric enterprise but also creates maintenance obligations that compete with service to local customers. Future competition for such clients should be consistent with business strategies.

Solid Waste rates will likely be impacted by new cost structure resulting from an RFP for collection services currently under way and the City must balance cost recovery between residential and non-residential customers while determining what is optimal to outsource versus operate in-house.

Stormwater fees have not been adjusted in several years and will require a staff lead even if new fees are developed externally due to the calculations of impervious service that go into those rates. Once the current push to reline or replace existing infrastructure is completed, a different fee structure is likely justified going forward as near-term stormwater maintenance requirements diminish.

A job description is in the early stages of being developed but key elements will include prior experience in strategic business planning as well as in developing fully loaded rates and fees since this is a new function that requires analytical skills as well as understanding of how such calculations and analysis are developed. Some of that understanding may come from prior consulting or in-house experience with the cost and rate structure of public or private utilities.

Financial Impact – The total cost of this position, with benefits, might cost \$150,000 on an annual basis, depending on expertise. The cost for the remainder of FY 23 is more likely to be \$50,000 for four months (May through August). The proposed initial allocation of cost between the three enterprises is 80% electric fund, 15% solid waste fund, and 5% stormwater fund. Those percentages will be modified in subsequent periods based on how much time is spent in each program area.

Consistent with Comprehensive Plan? Yes, consistent with Goal 6: Further the City’s Tradition of Strong Leadership and High Level of Quality Services.

Next Steps – Finalize a job description and initiate a recruitment.

Attachments – Enterprise Strategic Business Manager Job Description

Update – NA.



POSITION DESCRIPTION

Title: Enterprise Strategic Business Manager	
Level:	
Department: City Manager	
Position Summary: The purpose of this position is to centralize oversight of the development, analysis, and management of enterprise/utility rates and fees for the City's three enterprise operations -- electric, solid waste, and stormwater -- and to provide strategic management to those operations through the development of short- and long-term business strategies for each enterprise. The incumbent coordinates with other consultants and contractors as appropriate to facilitate in-house problem-solving. The position shall also assist the City Manager in developing other cross-organizational and functional area strategies. Successful performance constitutes bringing internal and external expertise – operational and financial – together in a focused strategy for each enterprise and for other functional areas where strategic opportunities may exist – e.g., lease vs. purchase decisions, and payback analysis associated with capital investments and other forms of strategic procurement. Each enterprise operation requires the ability to set fees or rates as well as model “what if” scenarios. Current operations should be consistent with short- and long-term strategic priorities developed for each enterprise and subsequently adopted by Mayor and Council. The incumbent will adhere to appropriate city operating procedures, benefit rules, employment, and safety policies and practices. Responsibilities include but are not limited to: coordinating between directors and superintendents in operational areas and finance and administration, as well as external consultants including Electric Cities of Georgia (ECG), and Municipal Electric Authority of Georgia (MEAG) to develop models and test alternative rate and fee strategies.	
Reports to: City Manager	
☒ Full-time ☐ Part-time	☐ Nonexempt ☒ Exempt
Essential Duties and Responsibilities: ■ Assesses mission, vision, values and strategies related to operation of municipal functions with particular focus on utilities – solid waste, stormwater, and electric operations. ■ Develops strategies for allocating costs among a variety of utility customers, taking into consideration the short- and long-term impacts of such strategies. ■ Considers implications of changing markets (e.g., what can be effectively recycled), new technology (e.g., electric vehicles, solar energy), and competitive advantages (e.g., sources of non-emitting energy). ■ Calculates payback on potential investments. ■ Considers advantages/disadvantages of lease versus purchase of equipment, and of internal versus contracted services. ■ Creates models to assess alternative assumptions and decisions.	



POSITION DESCRIPTION

- Identifies indirect impacts/consequences of potential business decisions.
- Manages relationships with external consultants to integrate their expertise into recommendations and options presented.
- Develops recommendations regarding competing for potential “customer choice” customers outside the Norcross Power service area.
- Develops annual residential and non-residential solid waste fees for adoption by the City Council.
- Coordinates with outside consultant(s) regarding potential changes in storm water fees.
- Makes formal presentations in support of recommendations to elected officials, senior management, industry groups, and the public.

Education and/or Work Experience Requirements:

- Bachelors Degree. Five to seven years of related experience. Equivalent combination of education and experience. Masters degree preferred in business administration, engineering, finance, accounting, or public administration.
- Progressively responsible experience in strategic planning, rate and fee analysis, and/or operation of public or private utilities. Prior consulting experience related to government services is a plus.
- Experience and proficiency with applicable software, including but not limited to: MS Office and Outlook.

Additional Duties and Responsibilities:

Any other duties as assigned by the City Manager.

Scope and Impact:

Position has recurring work situations involving high degrees of discretion. The need for accuracy is high. Errors in judgment will waste resources, negatively influence policy decisions, and adversely impact financial performance. Incumbent operates independently but with consultation with both City staff and external organizations. Content of work priorities are determined by supervision. The purpose of this position is to conduct technical assessments related to business units to influence policymakers on business and strategic issues critical to the operations and finances of the City.

Communications/Customer Contact:

Frequently in contact with other City staff including Superintendents and Department heads, and external consultants and customers. Ability to communicate clearly and effectively with people in a courteous, tactful, and fair manner under all conditions. Ability to provide information and explanations of the processes and procedures of municipal government to the public. Makes presentations to elected officials and the public.



POSITION DESCRIPTION

Competencies:

- Knowledge of strategic planning and its implementation.
- Knowledge of the City of Norcross' service areas for utilities.
- Knowledge of modern principles and practices of utility operations.
- Ability to establish and maintain effective working relationships with officials of other utilities and with officials of other city departments.
- Ability to handle difficult situations in an effective, safe, timely, and legal manner.
- Skill in problem-solving.
- Ability to develop complex models for setting rates and fees associated with business/utility activities.
- Ability to balance operational and financial considerations in developing strategic recommendations.
- Ability to distill complex issues into presentations and reports oriented towards the public.

Working Conditions:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this position. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

- Frequently required to sit; use hands to finger, handle or feel; reach with hands and arms; and talk and hear clearly.
- Occasionally required to stand; walk; climb or balance, and stoop, kneel, crouch, or crawl.
- Occasionally lift and/or move up to 10 pounds.
- Specific vision abilities required by this job include close vision, distance vision, color vision, depth perception, and the ability to adjust focus.
- The noise level in the work environment is usually low.

Limitations and Disclaimer:

The above position description is meant to describe the general nature and level of work being performed. It is not intended to be an exhaustive list of all responsibilities, duties and skills required for the position.

All job requirements are subject to modification to reasonably accommodate individuals with disabilities. Some requirements may exclude individuals who pose a direct threat or significant risk to the health and safety of themselves or other employees.

This position description in no way states or implies that these are the only duties to be performed by the employee occupying this position. Employees will be required to follow any other job-related instructions and to perform other job-related duties requested by their supervisor in compliance with Federal and State Laws.

Requirements are representative of minimum levels of knowledge, skills and/ or abilities. To perform this position successfully, the employee must possess the abilities or aptitudes to perform each duty proficiently. Continued employment remains on an "at-will" basis.



POSITION DESCRIPTION

Acknowledgement of Receipt and Understanding	
Employee (print name):	
Employee Signature:	Date:
Approved by Department Head:	
Received by Human Resources:	

Attachment: Enterprise Strategic Business Manager Job Description (23-6704 : Authorization of New Enterprise Strategic Business Manager



MAYOR **CRAIG NEWTON** · MAYOR PRO TEM **BRUCE GAYNOR** · COUNCILMEMBER **ANDREW HIXSON** · COUNCILMEMBER **JOSH BARE**
 COUNCILMEMBER **MATT MYERS** · COUNCILMEMBER **ARLENE BECKLES** · CITY MANAGER **ERIC JOHNSON** · CITY CLERK **MONIQUE PHILIP**

City of Norcross

Legislation Details (With Details)

File #:	23-6726	Version:	
Type #:	Agenda Item	Status:	
On Agenda:	4/17/2023 6:30 PM	In Control:	Policy Work Session
Title:	Improving Pedestrian Use of Skin Alley		

Sponsors:

Code Sections:

Attachments:

1. [Agenda Report - Improving Pedestrian Use of Skin Alley](#)

Title
Improving Pedestrian Use of Skin Alley

Drafter
Councilmember Andrew Hixson



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **BRUCE GAYNOR** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **JOSH BARE**
COUNCILMEMBER **MATT MYERS** • COUNCILMEMBER **ARLENE BECKLES** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK **MONIQUE PHILIP**

Agenda Report

To: Mayor and Council

From: Councilmember Andrew Hixson

Meeting Date: April 17, 2023 - Policy Work Session

Item No.: 23- 6726

Title: Improving Pedestrian Use of Skin Alley

CC: Eric Johnson, City Manager

Recommendation – Develop proposal(s) for restricting through-traffic on Skin Alley during specified periods to facilitate a more pedestrian-friendly environment through the use of bollards or planters.

Background – The City improved Skin Alley to allow a pedestrian walkway in the downtown business district. While access is required at both ends, the ability of vehicles to drive the entire length of Skin Alley makes it less pedestrian friendly. By installing bollards or planters, through traffic could be prevented during specific times or days – e.g., on weekends. To allow full access at other times, there would need to be a process for moving any barrier.

Consistent with Comprehensive Plan? Yes, consistent with Goal 6: Further the City's Tradition of Strong Leadership and High Level of Quality Services.

Next Steps – Staff will obtain cost estimates for any proposed improvements on Skin Alley.

Attachments – NA.



MAYOR **CRAIG NEWTON** · MAYOR PRO TEM **BRUCE GAYNOR** · COUNCILMEMBER **ANDREW HIXSON** · COUNCILMEMBER **JOSH BARE**

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City of Norcross

Legislation Details (With Details)

File #:	23-6727	Version:
Type #:	Agenda Item	Status:
On Agenda:	4/17/2023 6:30 PM	In Control: Policy Work Session
Title:	Mayor and Councilmember Pay	

Sponsors:

Code Sections:

Attachments:

1. [Agenda Report - Mayor and Council Compensation](#)
2. [Mayor and Council Compensation - All Responses](#)
3. [Mayor and Council Compensation - 20 Mile Radius](#)
4. [Council Member Salary Ranges](#)
5. [Mayor Pro Tempore Salary Ranges](#)
6. [Mayor Salary Ranges](#)

Title
Mayor and Councilmember Pay

Drafter
Eric Johnson and Charlene Marsh



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **BRUCE GAYNOR** • COUNCILMEMBER **ANDREW HIXSON** • COUNCILMEMBER **JOSH BARE**
COUNCILMEMBER **MATT MYERS** • COUNCILMEMBER **ARLENE BECKLES** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK **MONIQUE PHILIP**

Agenda Report

To: Mayor and Council

From: Eric Johnson, City Manager
Charlene Marsh, Assistant to City Manager

Meeting Date: April 17, 2023

Item No.: 23- 6727

Title: Mayor and Council Compensation

Recommendation

- A. Adopt an ordinance updating annual compensation rates for elected officials, effective January 1, 2024
- B. Authorize staff to present recommended compensation rate increases for consideration in April 2024 based on the employee merit increase for FY24

Background

The most recent updates to elected official compensation rates were adopted by the Mayor and Council in May 2013 and took effect January 1, 2014. Following staff review of municipal elected official pay in 42 metro-Atlanta cities, salaries increased from \$5,400 to \$8,100 for Council members, \$6,000 to \$9,000 for the Mayor Pro Tempore, and \$6,900 to \$10,350 for the Mayor. Prior to this action, the last salary increase for elected officials was adopted in 1995. Authorizing staff to present recommended compensation rate increases for consideration based on the previous fiscal year's employee merit increase offers the city the opportunity to review and determine the appropriateness of elected official compensation on a more frequent basis.

In December 2022 staff distributed a request for information on elected official compensation in the Atlanta metropolitan area and received responses from 29 cities. Of the 29 cities, 19 are located within a 20 miles radius of the City of Norcross. Annual salaries for elected officials in the 19 cities range from \$900 to \$18,000 for Council members, \$1,200 to \$30,000 for the Mayor Pro Tempore, and \$5,000 to \$40,000 for the Mayor.

Since the present salaries went into effect in 2014, the City of Norcross has seen a nearly 12% increase in population, from an estimated 15,963 in 2014 to an estimated 17,642 in 2021. Similarly, adopted budget expenditures have grown 67.7%, from \$25.08 million (FY13) to \$42.06 million (FY23). The Consumer Price Index (CPI) from January 2013 to January 2023 saw a 29.9% increase. As the city's population and budget expenditures continue to increase, so do the responsibilities and complexity of the issues tackled by its elected officials. Methods for updating elected official salaries may include the consideration of trends in population, budget expenditures, CPI, and employee merit increases.

Financial Impact

If Mayor and Council update elected official compensation rates, the financial impact will not be seen until January 2024.

Consistent with Comprehensive Plan?

Goal 6: Further the City's Tradition of Strong Leadership and High Level of Quality Services

Next Steps

Staff recommends the consideration of the item at the June regular Council meeting. Per O.C.G.A. § 36-35-4(a)(3) the city must publish a notice of intent to take action at least once per week, three weeks prior to the meeting at which the adoption will take place.

Attachments

Mayor and Council Compensation – All Responses
Mayor and Council Compensation – 20 Mile Radius
Council Member Salary Ranges
Mayor Pro Tempore Salary Ranges
Mayor Salary Ranges

Update

All responses - Cities within the Atlanta-Sandy Springs-Alpharetta Metropolitan Statistical Area

City:	Population Estimate (2021)	Budget Expenditures (2022)	Council Member Annual Salary:	Mayor Annual Salary:	Mayor Pro Tempore Annual Salary:
Berkeley Lake	2,054	\$2,737,356	\$900	\$5,000	\$1,200
Duluth	31,864	\$30,838,479	\$2,400	\$6,000	\$2,400
Lilburn	15,168	\$13,984,809	\$3,500	\$5,000	\$3,500
Sugar Hill	25,259	\$50,159,922	\$3,600	\$5,400	\$4,500
Avondale Estates	3,496	\$4,752,800	\$4,800	\$7,200	\$4,800
Cartersville	23,222	\$157,480,915	\$4,800	\$7,200	N/A
Loganville	14,720	\$33,561,606	\$6,000	\$12,000	\$6,000
Snellville	20,753	\$13,610,000	\$8,000	\$12,000	\$8,000
Peachtree Corners	42,108	\$33,599,450	\$8,000	\$9,000	\$8,000
Norcross	17,642	\$42,015,543	\$8,100	\$10,350	\$9,000
Fairburn	16,597	\$59,623,418	\$9,000	\$18,000	\$9,000
Suwanee	21,918	\$18,896,420	\$9,000	\$15,000	\$11,100
Lawrenceville	30,516	\$149,330,226	\$10,200	\$12,600	\$10,200
Woodstock	36,198	\$61,287,270	\$11,400	\$14,400	\$11,400
Covington	14,391	\$142,104,611	\$12,000	\$18,000	N/A
Clarkston	14,538	\$12,973,624	\$12,000	\$15,000	\$12,000
Powder Springs	17,083	\$12,783,547	\$12,000	\$18,000	\$12,000
Decatur	24,569	\$65,774,370	\$12,000	\$15,000	\$12,000
Chamblee	29,781	\$48,497,779	\$12,000	\$18,000	\$12,000
Kennesaw	33,049	\$25,887,587	\$12,000	\$19,200	\$13,800
Dunwoody	50,901	\$53,366,280	\$12,000	\$16,000	\$12,000
Brookhaven	55,366	\$63,032,921	\$12,000	\$16,000	\$12,000
Douglasville	35,561	\$103,309,066	\$12,900	\$39,600	\$12,900
Doraville	10,889	\$20,656,610	\$14,000	\$18,000	N/A
Alpharetta	66,127	\$149,253,265	\$15,000	\$30,000	\$30,000
Johns Creek	82,065	\$61,968,619	\$15,000	\$25,000	\$15,000
East Point	38,141	\$48,178,021	\$16,000	\$20,000	\$16,000
Roswell	92,530	\$150,086,435	\$18,000	\$40,000	\$18,000

Sandy Springs	107,180	\$107,317,777	\$18,000	\$40,000	N/A
Marietta	61,497	\$372,200,000	\$18,900	\$25,200	\$20,400

Cities within 20-mile radius

City:	Population Estimate (2021)	Budget Expenditures 2022	Council Member Annual Salary	Mayor Annual Salary	Mayor Pro Tempore Annual Salary
Berkeley Lake	2,054	\$2,737,356	\$900	\$5,000	\$1,200
Duluth	31,864	\$30,838,479	\$2,400	\$6,000	\$2,400
Lilburn	15,168	\$13,984,809	\$3,500	\$5,000	\$3,500
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Brookhaven	55,366	\$63,032,921	\$12,000	\$16,000	\$12,000
Doraville	10,889	\$20,656,610	\$14,000	\$18,000	\$14,000
Alpharetta	66,127	\$149,253,265	\$15,000	\$30,000	\$30,000
Johns Creek	82,065	\$61,968,619	\$15,000	\$25,000	\$15,000
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Sandy Springs	107,180	\$107,317,777	\$18,000	\$40,000	\$18,000

