

City of Norcross

*65 Lawrenceville Street
Norcross, GA 30071*



Meeting Agenda

Monday, December 7, 2020

6:30 PM

Teleconference

<https://zoom.us/j/97000880870>

Mayor and Council

Mayor Craig Newton

Mayor Pro Tem Josh Bare

Councilmember Andrew Hixson

Councilmember Elaine Puckett

Councilmember Matt Myers

Councilmember Bruce Gaynor

- A. **Call to Order by Mayor Craig Newton**
PLEASE TURN OFF ALL CELL PHONES AND ELECTRONIC DEVICES
- B. **Invocation**
- C. **Pledge of Allegiance to the Flag of the United States of America**
- D. **Roll Call (recorded)**
- E. **Presentation of previous meetings minutes for acceptance**
[20-5951](#) **Approval of Previous Meeting Minutes**

[Mayor and Council - Regular Meeting - Nov 2, 2020 6:30 PM](#)
[Policy Work Session - Regular Meeting - Nov 16, 2020 6:30 PM](#)
[Special Called Meeting - Special Meeting - Nov 13, 2020 8:00 AM](#)
- F. **Set agenda as presented for scheduled meeting.**
[20-5946](#) **Acceptance of the Agenda**
- G. **Ceremonial Presentations, Recognitions, and Swearing in Ceremonies**
[20-5947](#) **Important Announcements and Updates Regarding COVID-19**
The Mayor and Council will be joined by Dr. Arona, District Health Director, and CEO of Gwinnett, Newton, and Rockdale County Health Departments who will present critical information and updates regarding COVID-19.
- H. **Floor Open to Citizens Desiring to Address the Governing Authority**

a. **Comments by Citizens**

b. **Comments by Council**
- PH. **Public Hearings**
[20-5901](#) **Text2020-0004 Recommended Changes to the UDO**
Proposed updates to the Norcross Unified Development Ordinance.

[Text2020-0004 Text Memo v2](#)
[ORD XX-2020 UDO Revision](#)

[20-5902](#) **Text2020-0005 Annual Adoption of Official Zoning Map**
Proposed annual adoption of the Norcross Official Zoning Map

[Text2020-0005 Memo Zoning Map v2](#)
[Text2020-0005 Map Adoption Ordinance](#)
[Norcross UDO Zoning Map 2020-12-07 updated.pdf](#)

J. Reports of the Mayor and Council Members**a. General Announcements****December Calendar of Events****Now through Friday, January 8**

"Sacred Threads" Art Exhibit | The Rectory | Call 678.421.2048/2049 for

Tuesday, December 1 - Wednesday, December 23

Carriage Rides | 6:30 - 8:30 p.m. (Tues/Wed/Fri Only) | Board on S. Peachtree St.

Tuesday, December 1 - Tuesday, December 22

Storytime with Santa | 7:00 - 7:30 p.m. (Tues/Wed/Fri Only) | Facebook Live (@cityofnorcrossga)

K. Board Appointments[20-5949](#)**Board Appointment - Norcross Development Authority**[20-5956](#)**Oath of Office - NDA**[BCA Oath of Office](#)**L. Approval of Consent Agenda****1. [20-5928](#)****Rossie Brundage Safety/Security Policies & Additional Cameras Discussion**

Public Works, Utilities & Parks seeking direction on park policies and approval for additional cameras.

[Agenda item Rossie Brundage Park](#)**2. [20-5930](#)****Gwinnett Metro Task Force - Memorandum of Agreement**

This MOA is an agreement between Gwinnett County's municipal police and the Sheriff's Department and is updated annually to allow for the Norcross Police Department's continued participation. The Gwinnett Metro Task Force (GMTF) is charged with suppression of illegal possession, manufacture, and distribution of controlled substances inside Gwinnett County; specifically in the eight (8) member cities. GMTF acts as a force multiplier for all participating agencies in that they handle more complex problems involving illegal drug activities. The annual MOA requires both Mayor and Chief signatures on page 6.

[MOA for Narcotics and Vice Gwinnett Metro Task Force](#)**3. [20-5931](#)****Tobacco Free Park**

Gwinnett County has amended their Parks and Recreation ordinance banning the use of tobacco products (etc) in all County-owned parks, which includes Cemetery Field. They are asking that we adopt the applicable portion of their ordinance so the Norcross Police Department can enforce it at Cemetery Field.

[M&C Memo - Tobacco Free Parks Nov 16 Policy](#)[New! Gwinnett Park Ordinances - City of Norcross](#)

[RAB Tobacco-Free Park Letter](#)
[Parks and Recreation Ordinance & Resolution](#)

4. [20-5932](#) **Appointment of Retained Professionals**
Pursuant to the requirements of the City Charter, the Mayor and Council are required to fill by appointment the City Attorney, City Auditor, Chief Judge, Associate Judge and Solicitor.

[Memo - Appointed Professionals 2021](#)

5. [20-5933](#) **Text Amendment to Sec. 2-153 Norcross Development Authority**
Text Amendment to amend Sec. 2-153 to correct a scrivener's error.

[ORD xx-2020 Amendment to Sec 2-153](#)

M. **Items for Discussion**

N. **Adjourn in memory of**

- A. [20-5955](#) **Proclamation Honoring Deceased Resident - William "Bill" Barks**
[Proclamation for Mr. Bill Barks](#)

O. **Adjourn to Executive Session for Personnel, Real Estate or Legal**

P. **Signed by**_____ **Mayor Craig Newton**

Q. **Attest:**_____ **Monique Lang, City Clerk**



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMAN **ANDREW HIXSON** • COUNCILWOMAN • **ELAINE PUCKETT**
COUNCILMAN **MATT MYERS** • COUNCILMAN **BRUCE GAYNOR** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK • **MONIQUE LANG**

City of Norcross

Legislation Details (With Details)

File #:	20-5951	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	12/7/2020 6:30 PM	In Control:	Mayor and Council
Title:	Approval of Previous Meeting Minutes		

Sponsors:

Code Sections:

Title
Approval of Previous Meeting Minutes

Motion
A motion to Approve/Deny the November 2nd Regular Council Meeting Minutes and Executive Session, the November 13th Special Called Meeting, and November 16th Policy Work Session and Executive Session.

City of Norcross

65 Lawrenceville Street
Norcross, GA 30071



Meeting Minutes

Monday, November 2, 2020

6:30 PM

Meeting Recording

https://zoom.us/rec/share/MANRMPt8IbLnL1I2FtLTv5_QHPsB759Jn49fXoyixPi6JEz_MEclJCNAGcNyMlfY.F3aCbjemgARZ4g_L?startTime=1604359774000

Teleconference

Mayor and Council

Mayor Craig Newton

Mayor Pro Tem Josh Bare

Councilmember Andrew Hixson

Councilmember Elaine Puckett

Councilmember Matt Myers

Councilmember Bruce Gaynor

Minutes Acceptance: Minutes of Nov 2, 2020 6:30 PM (Presentation of previous meetings minutes for acceptance)

- A. Call to Order by Mayor Craig Newton
- B. Invocation
- C. Pledge of Allegiance to the Flag of the United States of America
- D. Roll Call (recorded)

Attendee Name	Title	Status	Arrived
Craig Newton	Mayor	Present	
Josh Bare	Mayor Pro Tem	Present	
Andrew Hixson	Councilmember	Present	
Elaine Puckett	Councilmember	Present	
Matt Myers	Councilmember	Present	
Bruce Gaynor	Councilmember	Present	

Regular Meeting was called to order at 6:35 PM by Mayor Craig Newton

- E. Presentation of previous meetings minutes for acceptance
 - a. 20-5903: Approval of Previous Meeting Minutes

Motion

A motion to Approve the October 5th Regular Council Meeting Minutes and Executive Session, the October 12th Special Called Meeting and Executive Session, and the October 19th Policy Work Session and Executive Session.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Josh Bare, Mayor Pro Tem
SECONDER:	Andrew Hixson, Councilmember
AYES:	Bare, Hixson, Puckett, Myers, Gaynor

Mayor and Council - Regular Meeting - Oct 5, 2020 6:30 PM

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Josh Bare, Mayor Pro Tem
SECONDER:	Andrew Hixson, Councilmember
AYES:	Bare, Hixson, Puckett, Myers, Gaynor

Special Called Meeting - Special Meeting - Oct 12, 2020 6:30 PM

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Josh Bare, Mayor Pro Tem
SECONDER:	Andrew Hixson, Councilmember
AYES:	Bare, Hixson, Puckett, Myers, Gaynor

Policy Work Session - Regular Meeting - Oct 19, 2020 6:30 PM

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Josh Bare, Mayor Pro Tem
SECONDER:	Andrew Hixson, Councilmember
AYES:	Bare, Hixson, Puckett, Myers, Gaynor

Minutes Acceptance: Minutes of Nov 2, 2020 6:30 PM (Presentation of previous meetings minutes for acceptance)

F. Set agenda as presented for scheduled meeting.**20-5914: Acceptance of the Agenda****Motion**

A motion to Accept the Agenda as Presented with the following items being moved to discussion:

20-5896: Tree Board Plaque Project for Pinnacle Park

20-5874: Wayfinding Update and Recommended Next

20-5894: Norfolk Southern Pedestrian Crossing Design & Construction

20-5911: Resolution to Approve and Authorize the Issuance of a Revenue Refunding Bond of the Downtown Authority Development of the City of Norcross

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Josh Bare, Mayor Pro Tem
SECONDER:	Bruce Gaynor, Councilmember
AYES:	Bare, Hixson, Puckett, Myers, Gaynor

G. Ceremonial Presentations, Recognitions, and Swearing in Ceremonies**20-5904: Proclamation Honoring Chairman Charlotte Nash**

RESULT:	ACKNOWLEDGED AND READ BY MAYOR CRAIG NEWTON
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20-5905: Important Announcements and Updates Regarding COVID-19

RESULT:	PRESENTED BY DR. AUDREY ARONA
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20-5906: Proclamation Recognizing Thrombosis Awareness Month

RESULT:	ACKNOWLEDGED AND READ BY MAYOR CRAIG NEWTON
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H. Floor Open to Citizens Desiring to Address the Governing Authority

a. Comments by Citizens

b. Comments by Council

PH. Public Hearings**20-5898: Notice of Invitation to Bid – West Peachtree Street Property**

A motion Authorizing the Economic Development Department Director to proceed with the attached Invitation for Sealed Bids, for the sale of 1.73 acres city-owned property located at 636, 646, 656, and 658 West Peachtree Street.

RESULT:	TABLED TO [UNANIMOUS]
	Next: 11/16/2020 6:30 PM
TO:	Policy Work Session
MOVER:	Andrew Hixson, Councilmember
SECONDER:	Bruce Gaynor, Councilmember
AYES:	Bare, Hixson, Puckett, Myers, Gaynor

J. Reports of the Mayor and Council Members

a. City Manager Report

b. General Announcements

K. Board Appointments**L. Approval of Consent Agenda****M. Items for Discussion****A. 20-5896: Tree Board Plaque Project for Pinnacle Park**

Motion

A motion to Approve the request to move forward with the Tree Board Plaque Project for Pinnacle Park and for staff to go out third bid with languages to include English, Latin, Spanish with the addition of a QR code for staff to research for purchase.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bruce Gaynor, Councilmember
SECONDER:	Andrew Hixson, Councilmember
AYES:	Bare, Hixson, Puckett, Myers, Gaynor

B. 20-5874: Wayfinding Update and Recommended Next Steps

Motion

A motion to Approve the installation of a digital message center display in the gateway monument sign at the corner of Holcomb Bridge Rd and Peachtree Industrial Blvd at a cost of \$19,400 with funding from approved Capital Improvement Fund - Parks.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Andrew Hixson, Councilmember
SECONDER:	Matt Myers, Councilmember
AYES:	Bare, Hixson, Puckett, Myers, Gaynor

C. 20-5894: Norfolk Southern Pedestrian Crossing Design & Construction

Motion

A motion to Approve the use of \$14,400 (\$12,000 for survey + 20% contingency) of SPLOST Transportation funds for survey work only for this project.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Matt Myers, Councilmember
SECONDER:	Andrew Hixson, Councilmember
AYES:	Bare, Hixson, Puckett, Myers, Gaynor

D. 20-5911: Resolution to Approve and Authorize the Issuance of a Revenue Refunding Bond of the Downtown Authority Development of the City of Norcross

Motion

A motion to Approve and Authorize the attached Resolution to Issue a Revenue Refunding Bond of the Downtown Development Authority of the City of Norcross and terms; and to approve certain documents, including an intergovernmental contract, and related matters.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Josh Bare, Mayor Pro Tem
SECONDER:	Matt Myers, Councilmember
AYES:	Bare, Hixson, Puckett, Myers, Gaynor

O. Adjourn to Executive Session for Personnel, Real Estate or Legal

The meeting was adjourned at 9:20 PM with a motion by Councilmember Andrew Hixson and Seconded by Councilmember Matt Myers. The vote was unanimous 5-0.

P. Signed by _____ Mayor Craig Newton**Q. Attest: _____ Monique Lang, City Clerk**

City of Norcross

65 Lawrenceville Street
Norcross, GA 30071



Meeting Minutes

Monday, November 16, 2020

6:30 PM

Teleconference

Meeting Recording:

<https://zoom.us/rec/share/4zjvit66kBXwZeLDJv8uOivrl4ToRqjJ20pQZOEe5bE2QJT9g0MouWavH4vqmYyO.6-qxx-2KJvIJIHLA>

Policy Work Session

Mayor Craig Newton
Mayor Pro Tem Josh Bare
Councilmember Andrew Hixson
Councilmember Elaine Puckett
Councilmember Matt Myers
Councilmember Bruce Gaynor

Minutes Acceptance: Minutes of Nov 16, 2020 6:30 PM (Presentation of previous meetings minutes for acceptance)

A. Roll Call (recorded)

Attendee Name	Title	Status	Arrived
Craig Newton	Mayor	Present	
Josh Bare	Mayor Pro Tem	Present	
Andrew Hixson	Councilmember	Present	
Elaine Puckett	Councilmember	Present	
Matt Myers	Councilmember	Present	
Bruce Gaynor	Councilmember	Present	

Regular Meeting was called to order at 6:30 PM by Mayor Craig Newton

B. Citizen Input**C. Board Updates**

Sustainable Norcross Commission - Bea Grossman

D. General Updates

*Important COVID-19 Updates- Dr. Audrey Arona

*Governmental Relations - Michael McPherson

*School Cameras Update - Chief Grogan

*Police Admin/Headquarters Building - Chief Grogan

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

Mayor and Council are asked to consider and approve appointments and re-appointments to the following board, authority or commission:

Discovery Garden Park Board

Historic Preservation Commission

Norcross Development Authority

Sustainable Norcross Commission

G. Monthly Financial Report

Eric Johnson, City Manager presented a monthly financial executive summary for October 2020.

H. Items for Discussion**1. 20-5898: Notice of Invitation to Bid – West Peachtree Street Property**

RESULT: THIS MATTER WAS REFERRED TO

Next: 12/21/2020 6:30 PM

TO: Policy Work Session

2. 20-5927: W. Peachtree Street Development Proposal

RESULT: THIS MATTER WAS REFERRED TO

Next: 12/21/2020 6:30 PM

TO: Policy Work Session

Minutes Acceptance: Minutes of Nov 16, 2020 6:30 PM (Presentation of previous meetings minutes for acceptance)

3. **20-5928: Rossie Brundage Safety/Security Policies & Additional Cameras Discussion**

RESULT: THIS MATTER WAS REFERRED TO

Next: 12/7/2020 6:30 PM

TO: Mayor and Council

4. **20-5881: Norcross Walkable Watershed Trail**

RESULT: THIS MATTER WAS REFERRED TO

Next: 12/21/2020 6:30 PM

TO: Policy Work Session

5. **20-5901: Text2020-0004 Recommended Changes to the UDO**

RESULT: THIS MATTER WAS REFERRED TO

Next: 12/7/2020 6:30 PM

TO: Mayor and Council

6. **20-5902: Text2020-0005 Annual Adoption of Official Zoning Map**

RESULT: THIS MATTER WAS REFERRED TO

Next: 12/7/2020 6:30 PM

TO: Mayor and Council

7. **20-5930: Gwinnett Metro Task Force - Memorandum of Agreement**

RESULT: THIS MATTER WAS REFERRED TO

Next: 12/7/2020 6:30 PM

TO: Mayor and Council

8. **20-5931: Tobacco Free Park**

RESULT: THIS MATTER WAS REFERRED TO

Next: 12/7/2020 6:30 PM

TO: Mayor and Council

9. **20-5932: Appointment of Retained Professionals**

RESULT: THIS MATTER WAS REFERRED TO

Next: 12/7/2020 6:30 PM

TO: Mayor and Council

Minutes Acceptance: Minutes of Nov 16, 2020 6:30 PM (Presentation of previous meetings minutes for acceptance)

10. 20-5933: Text Amendment to Sec. 2-153 Norcross Development Authority**RESULT: THIS MATTER WAS REFERRED TO****Next: 12/7/2020 6:30 PM****TO: Mayor and Council****I. Adjourn to Executive Session for Personnel, Real Estate or Legal**

The meeting was adjourned at 9:30 PM with a motion by Councilmember Andrew Hixson and Seconded by Councilmember Elaine Puckett. The vote was unanimous 5-0.

J. Signed by: _____ Mayor Craig Newton**K. Attest: _____ Monique Lang, City Clerk**

Minutes Acceptance: Minutes of Nov 16, 2020 6:30 PM (Presentation of previous meetings minutes for acceptance)

City of Norcross

65 Lawrenceville Street
Norcross, GA 30071



Meeting Minutes

Friday, November 13, 2020

8:00 AM

Teleconference

Meeting Recording:

https://zoom.us/rec/share/JllusKWov-TvE7rcpdAvDyb5vT9OAxtK0ZYvAlFqFhcV8Kzy_ToQbsRNUvzGnQQ2.ZyRRkVDq_vDwcA6F

Special Called Meeting

Mayor Craig Newton
Mayor Pro Tem Josh Bare
Councilmember Andrew Hixson
Councilmember Elaine Puckett
Councilmember Matt Myers
Councilmember Bruce Gaynor

Minutes Acceptance: Minutes of Nov 13, 2020 8:00 AM (Presentation of previous meetings minutes for acceptance)

A. Call to Order by Craig Newton

Attendee Name	Title	Status	Arrived
Craig Newton	Mayor	Absent	
Josh Bare	Mayor Pro Tem	Present	
Andrew Hixson	Councilmember	Absent	
Elaine Puckett	Councilmember	Present	
Matt Myers	Councilmember	Present	
Bruce Gaynor	Councilmember	Present	

Special Meeting was called to order at 8:06 AM by Mayor Pro Tem Josh Bare

B. Roll Call (recorded)**C. Comments by Citizens****PH. Public Hearings****E. Items for Discussion****1. 20-5942: Certification of the Election Returns**

Motion

A motion to certify the November 3, 2020, General Election Returns as follows:

The certified copy of the consolidated returns submitted to the City Council of the City of Norcross sets forth the following information, to-wit:

General Election**Councilmember (Elaine Puckett's Seat)**

Number of votes for Arlene Beckles: 313

Number of votes for Andrew Hixon, Incumbent: 325

Councilmember

Number of votes for Josh Bare: 449

Number of votes for Sonia Lopez: 294

RESULT:	CERTIFIED [UNANIMOUS]
MOVER:	Bruce Gaynor, Councilmember
SECONDER:	Matt Myers, Councilmember
AYES:	Josh Bare, Elaine Puckett, Matt Myers, Bruce Gaynor
ABSENT:	Andrew Hixson

2. 20-5943: Selection of Primary and Alternate Delegate for ECG Board

Motion

A motion to Approve the attached Resolution to Appoint the Mayor as Primary and the City Manager as Alternate Voting Delegates for the Annual ECG Board of Director's Election.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Matt Myers, Councilmember
SECONDER:	Elaine Puckett, Councilmember
AYES:	Josh Bare, Elaine Puckett, Matt Myers, Bruce Gaynor
ABSENT:	Andrew Hixson

F. Adjourn to Executive Session Legal Personnel, and Real Estate

The meeting was adjourned at 8:11 AM with a motion by Councilmember Elaine Puckett and seconded by Councilmember Bruce Gaynor. The vote was unanimous 4-0.

G. Signed by _____ Mayor Craig Newton

H. Attest _____ Monique Lang, City Clerk

Minutes Acceptance: Minutes of Nov 13, 2020 8:00 AM (Presentation of previous meetings minutes for acceptance)



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMAN **ANDREW HIXSON** • COUNCILWOMAN • **ELAINE PUCKETT**
COUNCILMAN **MATT MYERS** • COUNCILMAN **BRUCE GAYNOR** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK • **MONIQUE LANG**

City of Norcross

Legislation Details (With Details)

File #:	20-5946	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	12/7/2020 6:30 PM	In Control:	Mayor and Council
Title:	Acceptance of the Agenda		

Sponsors:

Code Sections:

Title
Acceptance of the Agenda

Motion

A motion to Accept/Deny the Agenda as Presented with the following items being moved to discussion:



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMAN **ANDREW HIXSON** • COUNCILWOMAN • **ELAINE PUCKETT**
COUNCILMAN **MATT MYERS** • COUNCILMAN **BRUCE GAYNOR** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK • **MONIQUE LANG**

City of Norcross

Legislation Details (With Details)

File #:	20-5947	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	12/7/2020 6:30 PM	In Control:	Mayor and Council
Title:	Important Announcements and Updates Regarding COVID-19		

Sponsors:

Code Sections:

Title
Important Announcements and Updates Regarding COVID-19

Drafter
Dr. Arona



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMAN **ANDREW HIXSON** • COUNCILWOMAN • **ELAINE PUCKETT**
COUNCILMAN **MATT MYERS** • COUNCILMAN **BRUCE GAYNOR** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK • **MONIQUE LANG**

City of Norcross

Legislation Details (With Details)

File #:	20-5901	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	12/7/2020 6:30 PM	In Control:	Planning and Zoning
Title:	Text2020-0004 Recommended Changes to the UDO		

Sponsors:

Code Sections:

Attachments:

1. [TExt2020-0004 Text Memo v2](#)
2. [ORD XX-2020 UDO Revision](#)

Title

Text2020-0004 Recommended Changes to the UDO

Drafter

Tracy Rye

Motion

A motion to Approve/Deny an amendment to Chapter 200, Sec.201-22, 202-2, 203-11, 205-4, Chapter 400, Sec. 401-2, Sec. 401-2.1, and Sec. 406-3 of the Unified Development Ordinance, with the following 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 renumbered to accomplish that intention.



Community Development and Planning

TO: Mayor and Council
 FROM: Tracy Rye, AICP, Community Development and Planning Director
 DATE: December 7, 2020
 SUBJECT: Recommended changes to Norcross Unified Development Ordinance
 CC: Eric Johnson, City Manager

Background:

City staff have been working over the last several months on a package of proposed UDO amendments.

The Economic Development Department proposes a residential density bonus in the CX zoning district in the I-85 Activity Center Corridor Character Area that is an exact mirror of the density bonus allowed in the City's BH zoning district. Economic Development and Community Development feel this density bonus for this district in this character area would be a nice complement to continue a positive redevelopment trend in the area.

The City Engineer proposes a requirement for building permits for retaining walls 4' in height and greater as well as an amendment to include rain sensor shut off switches for irrigation systems, as encouraged by the State of Georgia.

The Community Development Department, after several complaints regarding front yard fences in the National and Historic Districts, proposes to consider no longer allowing fences in the front yards in those two districts. In addition, after working with the Gateway 85 CID, the Department also recommends a variety of landscape and streetscape requirements to include new lighting requirements and landscape buffering requirements for fences and fleet parking, as well as parcel and access management updates for both vehicles and pedestrians along with raising the minimum acreage for auto related uses such as car lots and rental lots, auto repair, car washes from 1.5 acres to 2 acres.

Recommendation:

The Community Development and Planning Department recommends approval of the changes as presented in the attached.

The Planning and Zoning Board, at its November 4, 2020 meeting, recommended approval of all changes as presented by a vote of 5-0.

Ordinance XX-2020

An Amendment to the City Code or Ordinances

Chapter and Purpose: Subpart B Unified Development Ordinance, Section as noted.

Enacting Clause; The Mayor and City Council of the City of Norcross, Georgia hereby ordains that the adopted Code of Ordinance 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 all following provisions shall become and be made part of the Code of the City of Norcross.

- I. Amendment to edit the language as noted below, to add those items shown as underlined and to delete those items as shown by strikethrough:

Sec. 201-22. - CX community mixed-use.

(g) CX residential density bonus incentive (Available in the I-85 Activity Center Character Area Only).

- (1) Structured parking. A density bonus of 40 percent may be applied to the overall residential component if the applicant submits a structured parking plan (garage) that is approved by the Community Development Department, plus an additional 10 percent density bonus if providing Electric Vehicle charging stations for 5% of the parking spaces are provided, with a minimum of 5 charging stations.
- (2) Green building materials. A density bonus of 25 percent may be applied to the overall residential component if the applicant utilizes a minimum of three green building methods as identified by the Green Building Alliance or LEED, or site components that promote energy efficiency, and which reduce surface water run-off. This would include, but not be limited to:
 - a. Green roof components.
 - b. Roof mounted solar panels.
 - c. Cool roofing materials.
 - d. Energy efficient windows.
 - e. Rain gardens or bio-swales.
 - f. Geothermal.
 - g. Permeable pavement.
 - h. Native planting.
 - i. Stormwater planters.
 - j. Parking lot run-off landscaping.
- (3) Calculation of density bonuses.
 - a. Density bonuses are applied to the maximum residential density.
 - b. A density bonus is rounded up on the half, 0.5, unit or above.
 - c. A structured parking bonus and a green building materials bonus may be combined for a maximum 75 percent increase to the maximum residential density.

Sec 202-2

(h) *Fences and walls.* Fences and walls shall be permitted in any zoning district and are not subject to setback requirements, except as provided for in this section.

(1) In a residential zoning district, the following provisions shall apply:

a. No wall or fence shall exceed eight feet in height within a side yard or rear yard.

b. No wall or fence that extends into the front yard shall exceed four feet in height, except that any gate or gatepost within the wall or fence shall not exceed six feet in height. **However, no fence shall extend into or across the front yard of any residence in the National Historic District or Local Historic District, except that parcels located on the corner of two streets may have a fence in the front yard adjacent to the secondary roadway upon authorization of the Community Development Department.**

c. No wall or fence constructed of woven wire or metal fabric (e.g., chainlink, hog wire or barbed wire) shall extend into a front yard, except that woven wire or metal fabric fences may extend into a front yard when the property contains a minimum of three acres, **and only where allowed under this ordinance.**

d. Any wall or fence which extends into the front yard, **where allowed,** on property containing less than three acres shall be ornamental or decorative and may be constructed of brick, stone, wood, stucco, wrought iron or split rail; provided that no wall or fence shall be constructed of exposed concrete block, tires, junk or other discarded materials.

Sample Images of Decorative Fencing



Wood pickets with gate



Masonry and wrought iron



Wrought iron



Simple wooden fence

Any subdivision entrance wall or fence shall not exceed ten feet in height and shall be subject to the approval of the Community Development Director after the submission of a landscape plan and an architectural elevation.

(2) In a nonresidential district, the following provisions shall apply:

a. Any fence or wall to be located in the HX, historic mixed use district shall be subject to the approval of the Community Development Director.

b. No fence or wall shall be allowed in any front yard.

c. Chain link fencing or other similar elements are prohibited, except in the side and rear yards of the M-1 or M-2 districts and only when the fencing elements are not visible from the right of way and are screened according to site landscape standards provided in this UDO. Otherwise all fencing shall be decorative in nature as outlined in this UDO.

(3) In all districts, the following provisions shall apply:

a.

A Building Permit is required for retaining walls that are greater than 4 feet in height from the top of the footing. A building permit is also required for retaining walls less than four feet in height when the slope of backfill materials exceeds a 1 foot rise in 3 feet length or when the wall will be required to support a surcharge load. For tiered walls, the wall height is measured from top of lowest wall footing to top of highest wall unless the tier is set back far enough to allow each tier to act independently.

Sec 202-2(t)

Motor vehicle related uses.

(1) No reductions in buffer requirements are allowed when adjacent to a residential use.

(2) Shall have a minimum lot size of ~~one and one-half~~ **two** acres for **all automotive related uses including car wash, auto repair, auto sales and auto rental.**

(3) Indoor auto repair shall be permitted provided:

a. The gross-square-foot area of the business in the building is less than 3,000 square feet.

b. No auto repairs are conducted outside the building.

c. No car sales or auto brokerage except in the CAR zoning district.

d. No outdoor air compressors.

e. No outdoor incidental uses such as carwashes.

f. All work on vehicles to be completed inside the structure.

g. The sides and rear of the business will be screened from view of surrounding properties with an opaque eight-foot fence.

h. Customer and employee parking allowed in the front.

(4) All vehicles in sales lots are always in operating condition.

(5) Motor vehicles for sale shall be parked in marked, striped spaces only, and only in areas designated for the display of vehicles for sale.

(6) Motor vehicles for sale or rent cannot be parked in areas reserved for customer or employee parking.

Sec. 203-11. - Business vehicle parking.

- (a) In commercial zoning districts, fleet delivery/service vehicles and fleet vehicles displaying advertising must be parked within the side or rear yard and appropriately screened from view of the right of way by approved landscaping and fencing materials and may not be parked within the front yard, except vehicles parked temporarily while making a delivery, providing a service, or purchasing goods or services.
- (b) In all residential districts, the parking of any business vehicle (other than an automobile, pick-up or panel truck used to provide daily transportation to and from work or a business vehicle parked temporarily while making a delivery or providing a service) and any vehicle with a carrying capacity of more than one and one-half tons is prohibited except when the following provisions apply:
 - (1) Such vehicle may park within a fully enclosed structure that meets all other criteria of the zoning district and the city development regulations.
 - (2) Such vehicle may park on the side or to the rear of the primary residential structure on the lot provided that the lot is five acres or larger, but in no case may be located closer than 100 feet from any property line.
 - (3) Such vehicle is used for the primary purpose of transporting children to and from state licensed or accredited elementary, middle or high schools provided such vehicle is parked off any public thoroughfare, on an all-weather surface, and in the side or rear yard.

Sec. 205-4. - Landscaping requirements and tree preservation

F. Streetscape standards

1. Streetscapes shall be installed along public rights-of-way as specified in the streetscape table below, except as provided in "B" immediately below for an alternative multi-use trail. Streetscapes shall include a sidewalk landscape strip adjacent to the roadway, a sidewalk, and a landscape strip at the back of the sidewalk on private property.
2. A multi-use trail may be required instead of a sidewalk landscape strip and sidewalk where identified as a multi-use trail in any plan that has been adopted by the City.
3. Sidewalks shall be constructed with an additional 2-foot by 8-foot concrete pad, located outside of the right-of-way, designed to accommodate existing or future pedestrian amenities such as benches, planters, and trash containers, at the following locations:
 - a. At intersections of roadways with an arterial, major collector or minor collector identified on the Gwinnett County Long Range Road Classification Map.
 - b. At locations along roadways designated for a transit stop or future transit stop by Gwinnett County Department of Transportation.

- c. At locations along roadways designated for a school bus stop by the Gwinnett County Board of Education.
- d. Such pedestrian amenity sidewalk pads shall not be required closer than 300 feet from another such pad on the same side of the roadway.
4. All amenities required and listed above shall be decorative, commercial-quality fixtures. Sidewalk design and placement of any of these amenities shall be reviewed and approved by the appropriate review and approval authority. Locations of pedestrian amenity sidewalk pads shall be coordinated to avoid locations of curb inlets, guardrails, and bridges.
5. All new utility lines shall be buried.
6. Streets lights in conformance with this UDO shall be provided.

Streetscape Table

Street Type	Sidewalk Landscape Strip	Sidewalk	Landscape Strip	Street Lights
<u>Principal Arterial, Major Arterial, Minor Arterial, Major Collector</u>	<u>Min. 2 ft.</u>	<u>Min. 8 ft.</u>	<u>Min. 10 ft. per Sec. 205-4(d)(3)</u>	<u>Required (see Sec. 406-3)</u>
<u>Local</u>	<u>Min. 2 ft.</u>	<u>Min. 5 ft.</u>	<u>Min. 10 ft. per Sec. 205-4(d)(3)</u>	<u>Required (see Sec. 406-3)</u>

Sec. 401-2. - Local amendments.

G. Pedestrian Access

A walkway shall be provided from all buildings to an adjacent public right-of-way, as follows:

1. Parcels under 2 acres shall provide a walkway with a minimum width of 5 feet, except as specified in "C" immediately below.
2. Parcels 2 acres or larger shall provide a walkway that conforms to Sec. 205-4(d)(6), except as specified in "C" immediately below.
3. Walkways and landscape strips are not required for existing buildings or uses when the applicant demonstrates that their installation would do any of the following:
4. Render the parcel non-conforming with regards to parking; or
5. Result in a 10% or more reduction in the number of parking spaces on the parcel; or
6. Require the construction of retaining walls, site grading, site excavation, or site fill; or
7. Is determined by the Director to be infeasible because of topographic or other site-specific constraints.
8. The required or provided walkway surface shall be hardscape but may not be

asphalt.

9. The required or provided landscape strip shall be planted in accordance with the standards of Sec. 205-4.

H. Access management

Driveways.

1. The maximum number of driveways serving a single project shall not exceed one per 400 feet of property frontage, or fraction thereof per street. This is not meant to be a spacing standard but only an expression of the total number of driveways permitted for a single project.

I. Inter-parcel access.

1. Inter-parcel access, joint driveways, cross-access drives, and access easements shall be provided, as follows, except where the [Director] determines that they are infeasible because of topographic or other site-specific constraints:
2. Inter-parcel vehicular connections or provision of a future inter-parcel driveway stub (with appropriate cross-access easements) shall be required between abutting commercial, office, industrial, or attached residential parcels;
3. Joint driveways and cross-access easements shall be established between abutting commercial, office, industrial, or attached residential parcels;
4. Driveways providing inter-parcel shall be designed with a design speed of 25 mph and a two-way travel aisle, with a minimum of 20 feet to accommodate automobiles, service vehicles, and loading vehicles; and
5. Required inter-parcel access shall not be gated or otherwise access controlled.

Sec. 401-2.1 - Adopted portions of the Official Code of Georgia (OCGA)

The following article(s) of the Official Code of Georgia (OCGA) are hereby adopted as a general ordinance of the city to the extent that the development regulations are not inconsistent with this UDO or city local amendments under this UDO:

- A. 10.C.G.A. 12-5-6 (2010) Installation and definition of "rain sensor shut-off switch"; penalty for violations

Sec. 406-3. - Lighting plan

A lighting plan is required of any site plan review application, as identified in [Sec 105-6](#). J. No building permit shall be issued without first obtaining approval of a required lighting plan.

A. Lighting Standards

1. Streetscape Lighting. Required streetscape streets lights shall conform to the following:
 - a. Streetlights shall utilize decorative light poles/fixtures.
 - b. Streetlights shall be staggered, 150 feet on-center, along both sides of the roadway.
 - c. Streetlights shall be subject to review and approval of the appropriate review authority.
 - d. Where applicable, streetlights shall be placed adjacent to required pedestrian amenity sidewalk pads.
 - e. Specifications of light fixtures are provided in Streetscape Light Fixture Requirements Table below, with the exception that street lighting in the Norcross Historic Districts, Downtown Districts as well as areas identified in the Norcross Comprehensive Plan as being in the Town Center Character Area shall conform to the established approved decorative poles and fixtures and are subject to the final approval of the City of Norcross.

Streetscape Light Fixture Requirements Table

<u>Fixture Head</u>	<u>Pole Type (Streetlight)</u>	<u>Max. Pole Height</u>
Box Head	Smooth black	40 <u>ft.</u>

2. Commercial and Residential Parking Lot Lighting. Lighting shall be providing throughout all commercial and residential parking areas and shall conform to the following:
 - a. Lighting shall utilize decorative light poles/fixtures.
 - b. Light source shall be Light Emitting Diodes (LED), Metal Halide, or Color Corrected High-pressure Sodium not exceeding an average of 4.5 foot-candles of light output throughout the parking area.
 - c. A single light source type shall be used for any one site. Other than pedestrian light fixtures which shall be less than 14 feet tall, light fixtures shall be hooded.
 - d. Lighting shall be directed to avoid intrusion on adjacent properties and adjacent rights-of-way.
3. Rope lighting. Rope lighting is prohibited, including on the interior of a building when visible from the exterior.

- II. Severability: If the provisions of any section, subsection, paragraph, subdivision or clause of his ordinance shall be judged invalid by a court of competent

jurisdiction, such order of judgement shall not affect or invalidate the remainder of any ordinance, section, subsection, paragraph, subdivision or clause of this ordinance.

- III. Repealer: All ordinances or parts thereof which are in conflict with any provision or any section, subsection, paragraph, subdivision or clause of this ordinance are hereby repealed to the extent of the conflict.

IN WITNESS WHEREOF, I have hereunto set my hand and cause this seal to be affixed this ____ day of _____, 2020

Craig Newton, Mayor

ATTEST:

Monique Lang, City Clerk



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMAN **ANDREW HIXSON** • COUNCILWOMAN • **ELAINE PUCKETT**
COUNCILMAN **MATT MYERS** • COUNCILMAN **BRUCE GAYNOR** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK • **MONIQUE LANG**

City of Norcross

Legislation Details (With Details)

File #:	20-5902	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	12/7/2020 6:30 PM	In Control:	Planning and Zoning
Title:	Text2020-0005 Annual Adoption of Official Zoning Map		

Sponsors:

Code Sections:

Attachments:

1. [Text2020-0005 Memo Zoning Map v2](#)
2. [Text2020-0005 Map Adoption Ordinance](#)
3. [Norcross UDO Zoning Map 2020-12-07 updated](#)

Title

Text2020-0005 Annual Adoption of Official Zoning Map

Drafter

Tracy Rye

Motion

A motion to Approve/Deny the adoption of the official Zoning Map as presented and to amend Chapter 100, Sec 101-2(C)(1) of the Code of Ordinances, with the following enacting clause:

Enacting Clause; The Mayor and City Council of the City of Norcross, Georgia hereby ordains that the Official Zoning Map as referenced in the Norcross Unified Development Ordinance, Chapter 100, Sec 101-2(C)(1) is hereby adopted as attached and incorporated into the Norcross Unified Development Ordinance by reference.



Community Development and Planning

TO: Mayor and Council
FROM: Tracy Rye, AICP, Community Development and Planning Director
DATE: December 7, 2020
SUBJECT: Annual Adoption of Official Zoning Map
CC: Eric Johnson, City Manager

Background:

The Community Development and Planning Department is responsible for keeping both the working zoning map as well as the city's official Zoning Map. Best practices indicate that every year the City adopt an official zoning map that reflects all changes in zoning that have occurred over the previous year. The Community Development and Planning Department present the proposed official Zoning Map for consideration.

Recommendation:

The Community Development and Planning Department recommends approval of the map as presented in the attached.

The Planning and Zoning Board recommended approval of the adoption of the official Zoning Map by a vote of 5-0 at their November 4, 2020 meeting.

Ordinance XX-2020

An Amendment to the City Code or Ordinances

Chapter and Purpose: Subpart B Unified Development Ordinance

Enacting Clause; The Mayor and City Council of the City of Norcross, Georgia hereby ordains that the Official Zoning Map as referenced in the Norcross Unified Development Ordinance, Chapter 100, Sec 101-2(C)(1) is hereby adopted as attached and incorporated into the Norcross Unified Development Ordinance by reference.

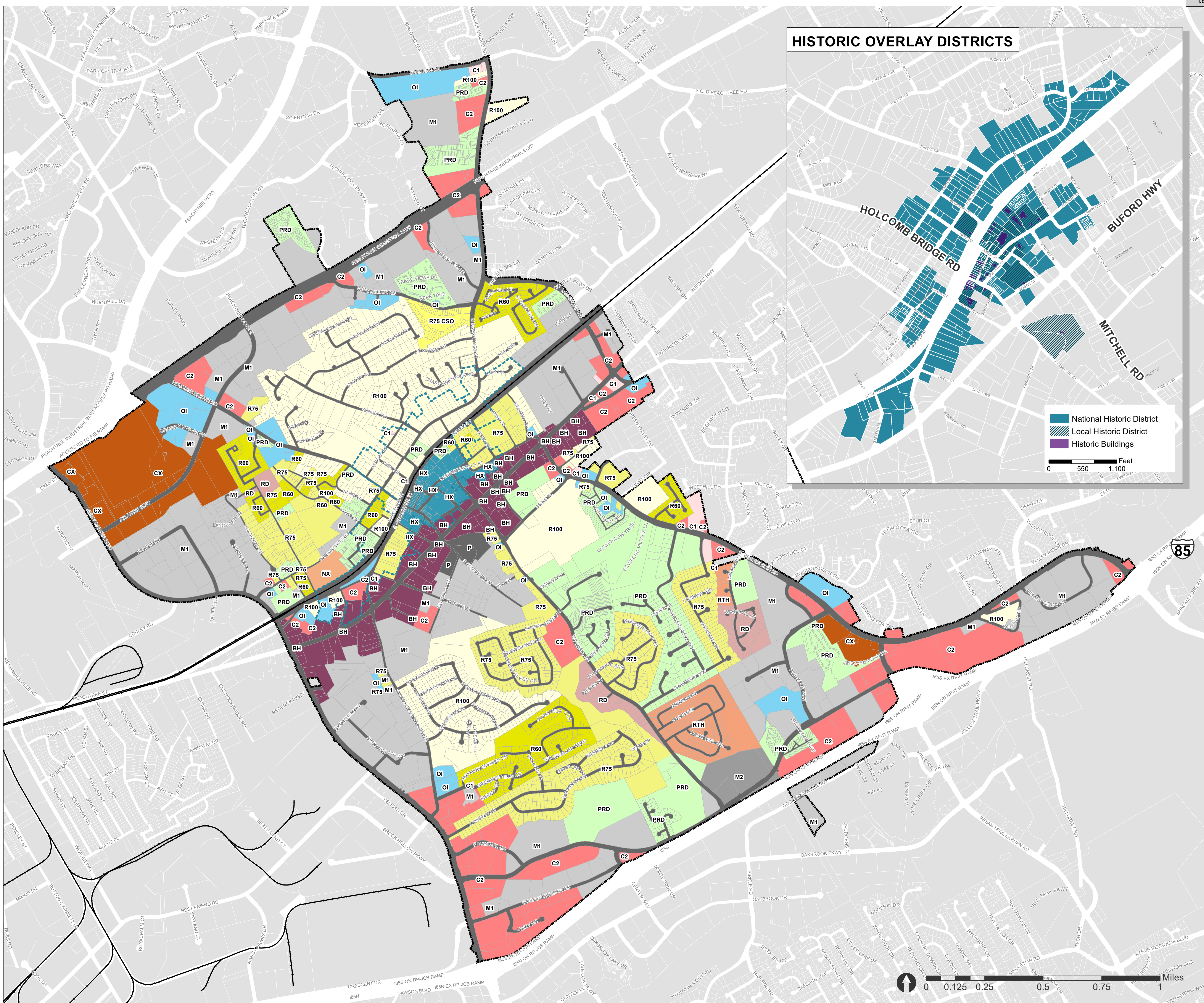
- I. Severability: If the provisions of any section, subsection, paragraph, subdivision or clause of his ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgement shall not affect or invalidate the remainder of any ordinance, section, subsection, paragraph, subdivision or clause of this ordinance.
- II. Repealer: All ordinances or parts thereof which are in conflict with any provision or any section, subsection, paragraph, subdivision or clause of his ordinance are hereby repealed to the extent of the conflict.

IN WITNESS WHEREOF, I have hereunto set my hand and cause this seal to be affixed this ____ day of December 2020

Craig Newton, Mayor

ATTEST:

Monique Lang, City Clerk



OFFICIAL ZONING MAP

of the

CITY OF NORCROSS, GEORGIA

ADOPTED BY THE MAYOR AND CITY COUNCIL ON

DATE

MAYOR

CITY CLERK

This certifies that this is the Official Zoning Map referred to in the Norcross Unified Development Ordinance.

ZONING CATEGORIES

- Historic District
- City of Norcross
- Railroads

- | | | | |
|------|---------|-----|----|
| HX | R75 CSO | PRD | BH |
| P | R60 | OI | NX |
| R100 | RD | C1 | CX |
| R75 | RTH | C2 | M1 |
| | | | M2 |

Note: The location of the FH - Flood Hazard Overlay District is the same as the FEMA 100-year floodplain. The location of the floodplain can be viewed on the Gwinnett County Geographic Information System Data Browser, at <https://www.gwinnettcountry.com/web/gwinnett/departments/informationtechnologyservices/geographicinformationsystems/gisdatabrowser>

MAP AMENDMENTS

Proposed Map Adoption December 7, 2020



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMAN **ANDREW HIXSON** • COUNCILWOMAN • **ELAINE PUCKETT**
COUNCILMAN **MATT MYERS** • COUNCILMAN **BRUCE GAYNOR** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK • **MONIQUE LANG**

City of Norcross

Legislation Details (With Details)

File #:	20-5949	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	12/7/2020 6:30 PM	In Control:	Mayor and Council
Title:	Board Appointment - Norcross Development Authority		

Sponsors:

Code Sections:

Title
Board Appointment - Norcross Development Authority

Motion

A motion to Approve/Deny the appointment of the following board members and terms as presented:

Norcross Development Authority

Mark Klafter	12/6/2022
Kathleen Allen	12/6/2024
Sophie Gibson	12/6/2022
Thad Thompson	12/6/2024
Rocky Gibson	12/6/2024
Matt Myers	12/6/2022
Jim Eyre	12/6/2024



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMAN **ANDREW HIXSON** • COUNCILWOMAN • **ELAINE PUCKETT**
COUNCILMAN **MATT MYERS** • COUNCILMAN **BRUCE GAYNOR** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK • **MONIQUE LANG**

City of Norcross

Legislation Details (With Details)

File #:	20-5956	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	12/7/2020 6:30 PM	In Control:	Mayor and Council
Title:	Oath of Office - NDA		

Sponsors:

Code Sections:

Attachments:

1. [BCA Oath of Office](#)

Title
Oath of Office - NDA



65 Lawrenceville St. • Norcross, Georgia 30071
Telephone (770)-448-2122 • Fax 770-242-0824
www.norcrossga.net

K.a

City of Norcross

Oath of Office

Board, Commission, or Authority Member _____

I, _____ do solemnly swear that I will faithfully and impartially discharge and perform all duties encumbered on me as a member of the City of Norcross **Norcross Development Authority** according to the best of my abilities and understanding and agree to uphold local ordinances, the laws and the Constitution of the State of Georgia and the Constitution of the United States of America, so help me God.

Attachment: BCA Oath of Office (20-5956 : Oath of Office - NDA)



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMAN **ANDREW HIXSON** • COUNCILWOMAN • **ELAINE PUCKETT**
 COUNCILMAN **MATT MYERS** • COUNCILMAN **BRUCE GAYNOR** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK • **MONIQUE LANG**

City of Norcross

Legislation Details (With Details)

File #:	20-5928	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	12/7/2020 6:30 PM	In Control:	Policy Work Session
Title:	Rossie Brundage Safety/Security Policies & Additional Cameras Discussion		

Sponsors:

Code Sections:

Attachments:

1. [Agenda Item Rossie Brundage Park](#)

Title

Rossie Brundage Safety/Security Policies & Additional Cameras Discussion

Drafter

Mary Beth Bender/Bill Grogan

Motion

A motion to Approve/Deny the installation of five additional cameras at Rossie Brundage Park at a cost of \$34,922.

Funding source TBD



MARY BETH BENDER, ASSISTANT CITY MANAGER
DIRECTOR
PUBLIC WORKS, UTILITIES & PARKS

TO: Mayor and City Council

FROM: Mary Beth Bender, Director

DATE : November 9, 2020

SUBJECT: Rossie Brundage Park

CC : Eric Johnson, City Manager

Presented by: Mary Beth Bender, Assistant City Manager/Director of PWUP

Project Description

The Parks Division of Public Works, Utilities & Parks would like to present an update and request direction regarding Rossie Brundage Park. As suggested at the last Mayor & Council meeting, an additional sign has been installed at the basketball court advising the park is under video surveillance. Chief Grogan received an estimate for five additional cameras at a cost of \$34,922. Currently, two soccer teams and one softball team have reserved the park for the Fall season. The park is being utilized by these organized recreation teams on every day but Saturday; revenue for the City is \$5,275. The basketball court does not require reservations.

Staff Recommendation: Cameras installed

Funding Source: TBD

Project Cost: \$34,922



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMAN **ANDREW HIXSON** • COUNCILWOMAN • **ELAINE PUCKETT**
COUNCILMAN **MATT MYERS** • COUNCILMAN **BRUCE GAYNOR** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK • **MONIQUE LANG**

City of Norcross

Legislation Details (With Details)

File #:	20-5930	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	12/7/2020 6:30 PM	In Control:	Policy Work Session
Title:	Gwinnett Metro Task Force - Memorandum of Agreement		

Sponsors:

Code Sections:

Attachments:

1. [MOA for Narcotics and Vice Gwinnett Metro Task Force](#)

Title

Gwinnett Metro Task Force - Memorandum of Agreement

Drafter

Bill Grogan

Motion

A motion to Approve/Deny the attached proposed Memorandum of Agreement as presented.

MEMORANDUM OF AGREEMENT
INTERAGENCY AGREEMENT FOR NARCOTICS AND VICE
GWINNETT/METRO TASK FORCE

PURPOSE

As a result of the settlement in the Services Delivery Strategy case, it is incumbent on the cities to identify resources to handle complaints and investigate incidents of narcotics use and abuse as well as violations of vice laws occurring within the various municipalities located in Gwinnett County. Accordingly, the cities enumerated below have agreed to form a Task Force to respond to, investigate and prosecute the offenders through mutual aid and the terms of this agreement within the respective municipalities. It is the intent of this Task Force to forward information on cases, known violations and intelligence occurring in unincorporated Gwinnett County to the Gwinnett County Police Department for enforcement action.

Persons engaged in criminal activities and enterprises do not respect geographical jurisdictional boundaries. Therefore, membership in this Task Force is open to the Gwinnett County Police Department and any other local, state or federal agency desiring to partner with us in this effort.

Gwinnett Metro Task Force Mission Statement

The Gwinnett Metro Task Force (GMTF) is charged with the suppression of illegal possession, manufacture, and distribution of controlled substances. To counter the threat of illegal narcotics-related violence and crime, GMTF has developed multifaceted strategies and initiatives targeting and attacking all levels of this complex problem. The suppression of such narcotics activity is accomplished through proactive investigations utilizing intelligence gathering capabilities, surveillance, confidential informants, and undercover operations. GMTF will file asset seizure cases against narcotics traffickers whenever possible. GMTF will cooperate with other law enforcement agencies – local, state or federal – in order to provide for the effective investigation of narcotics related cases. The primary consideration of any operation or arrest is the safety of the officer.

Authority and Responsibility

Pursuant to the Georgia Constitution Art. IX, Sec. III, Para. I and O.C.G.A. 36-69-1 *et. seq.*, the following departments enter into this Interagency Agreement to operate the Gwinnett Metro Task Force (GMTF):

1. Auburn Police Department
2. Duluth Police Department
3. Gwinnett County Sheriff's Department
4. Lawrenceville Police Department
5. Lilburn Police Department
6. Norcross Police Department
7. Snellville Police Department
8. Suwanee Police Department

The Chief Law Enforcement Officials, of the above eight entities, shall comprise the Board of Directors of the Task Force and shall direct the operations of said Task Force. The head of any other approved law enforcement entity shall assume a seat on the Board once approved by the sitting Board. A Chairman of the Board and a Secretary/Treasurer of the Task Force will be elected by the Board every January and serve for a term of one year; however, other Board Members may be appointed and or elected to these positions should either become unable to serve out the one-year term. The Board shall convene on the 4th Tuesday of each month at 10:00 a.m. or as soon as practicable after the Gwinnett Chief's meeting that begins at 9:00 a.m. on the same day in the conference room of the Gwinnett County Sheriff's Office. Other meetings will be held at a time and location specified by the Chairman upon adequate notice to the other Board members. Attendance by four members of the Board shall constitute a quorum and are authorized to conduct business on behalf of the entire Board.

Membership is open to members of the Gwinnett County Police Department, the City of Braselton, the City of Loganville, the Georgia Bureau of Investigation (G.B.I.), and any duly constituted law enforcement agency with jurisdiction in Gwinnett County or any other state or federal entity having an interest in the Task Force or working with the Task Force in any capacity. Associate membership in the Task Force is authorized for other local, state or federal entities as approved by the Board. The District Attorney, or his designee, shall sit on the board as an associate member in a non-voting capacity to provide assistance to the Board.

SECTION I

Once constituted, the Board will establish written policies and procedures for the Gwinnett Metro Task Force and shall ensure that such policies and procedures are provided to each member of the Board and each employee of the various agencies assigned to the Task Force. The Board shall review the written policies and procedures at such time as may be required for the successful operation of the Gwinnett Metro Task Force and make changes or modification deemed appropriate or necessary by the Board.

Agency personnel will adhere to their agency's policies where GMTF's policies do not exist. See GMTF policy 01-07.3 - In any circumstance where GMTF Policy contradicts a member's agency policy, the member shall notify a supervisor immediately. Officers/Employees will refer to their Departmental Policies and Procedures when a matter is not covered in the GMTF Policies and Procedures Manual.

SECTION II

Custody of all records, checkbooks and funds shall remain with the Secretary/Treasurer, or his or her designee, and may be assigned to a fulltime accountant. Said accountant shall monitor all funds or seized assets and maintain accounting records as required and or recommended by the Board. The Secretary/Treasurer or his designee shall be responsible for all state and federal reporting requirements.

The Secretary/Treasurer, as custodian of the records, shall make recommendations to the Board as to the depository or depositories to be used by the Board for all funds, including those seized or forfeited. Upon approval by the board, the Secretary/Treasurer or his or her designee is authorized to open accounts as may be required in any banking institution insured by the Federal Depositors Insurance Corporation (F.D.I.C.)

Forfeited funds deposited in such accounts shall be used by the Board in the operation of the Gwinnett Metro Task Force. Funds may be used for any purpose permitted by O.C.G.A. 16-13-49 including, but not limited to, paying informant fees, providing investigators with "buy money", costs related to investigations of illegal narcotics and vice operations, approved equipment or training for the members of the Task Force, other members of participating agencies, and an Assistant District Attorney or investigator assigned to the unit or any other expense authorized by the Board for the operation of the Gwinnett Metro Task Force.

Disbursement of any funds from the accounts shall be made by issuance of a check drawn on the appropriate account bearing the signature of the Chairman and Secretary/Treasurer as approved by the Board. The Board will also authorize other signatories, in its discretion, to sign only when the Chairman and/or Secretary are unavailable to ensure timely processing of any funds for the efficient operation of the Task Force. In accordance with GMTF policy, expenditure of funds under \$500.00 may be made by the Task Force Commander or his/her designee. These expenditures may be made by either cash on hand "buy money", or use of a debit card linked to the account.

Forfeited funds derived from either the Department of Justice or the Department of the Treasury Equitable Sharing Program shall be distributed equally amongst all participating agencies with GMTF. Funds from the State Asset Forfeiture Account not used in support of GMTF's operations can be distributed equally to participating agencies with the task force at the discretion of the Board.

SECTION III

The Gwinnett Metro Task Force will operate combined narcotics, vice and intelligence units within the Task Force. Lieutenant Dean Boone of Snellville Police Department is designated as the Task Force Commander and shall report to the Board. Supervisors in the unit will be designated by the Task Force Commander and approved by the Board. The total number of investigators and or analyst assigned to the Task Force will be determined at the discretion of the Chief Law Enforcement Officer of each member agency.

SECTION IV

Should seizures occur as contemplated and authorized by the Official Code of Georgia Annotated, the civil proceedings required for the forfeiture shall be handled under the authority of the District attorney or his designee. The current officer assigned to the District Attorney's Office, (currently, a Gwinnett County Police Officer) shall investigate, handle any administrative matters including preparation of documents or other pleadings. Any applicable fees will be paid from the proceeds as provided in O.C.G.A. 16-13-49.

SECTION V

Any member of the Board of Directors or the Gwinnett Metro Task Force can opt out of this is agreement and participation in the Task Force by submitting a notice to separate or resignation to the Board for action. The Board will approve any notice submitted in writing upon receipt of

notice provided the notice is submitted at least thirty (30) days prior to the intended withdrawal from the Board or Task Force.

Chief, Auburn Police Department

Date: _____

Mayor, City of Auburn

Date: _____

Chief, Duluth Police Department

Date: _____

Mayor, City of Duluth

Date: _____

Sheriff of Gwinnett County

Date: _____

Chief, Lawrenceville Police Department

Date: _____

Mayor, City of Lawrenceville

Date: _____

Chief, Lilburn Police Department

Date: _____

Mayor, City of Lilburn

Date: _____

Chief, Norcross Police Department

Date: _____

Mayor, City of Norcross

Date: _____

Chief, Snellville Police Department

Date: _____

Mayor, City of Snellville

Date: _____

Chief, Suwanee Police Department

Date: _____

Mayor, City of Suwanee

Date: _____



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMAN **ANDREW HIXSON** • COUNCILWOMAN • **ELAINE PUCKETT**
COUNCILMAN **MATT MYERS** • COUNCILMAN **BRUCE GAYNOR** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK • **MONIQUE LANG**

City of Norcross

Legislation Details (With Details)

File #:	20-5931	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	12/7/2020 6:30 PM	In Control:	Policy Work Session
Title:	Tobacco Free Park		

Sponsors:

Code Sections:

Attachments:

1. [M&C Memo - Tobacco Free Parks Nov 16 Policy](#)
2. [New! Gwinnett Park Ordinances - City of Norcross](#)
3. [RAB Tobacco-Free Park Letter](#)
4. [Parks and Recreation Ordinance & Resolution](#)

Title

Tobacco Free Park

Drafter

Bill Grogan

Motion

A motion to Approve/Deny the adoption of language in our City Parks and Recreation ordinance, chapter 28, to ban the use of tobacco products in Gwinnett County-owned Cemetery Field located in the city limits.



NORCROSS POLICE DEPARTMENT

BILL GROGAN, CHIEF OF POLICE

TO: Mayor and Council
Eric Johnson, City Manager

FROM: Bill Grogan, Chief of Police

DATE: October 21st, 2020

REF: Tobacco Free Parks, Gwinnett County ordinance change

Gwinnett County has amended their Parks and Recreation ordinance banning the use of tobacco products (etc) in all County-owned parks, which includes Cemetery Field. They are asking that we adopt the applicable portion of their ordinance so the Norcross Police Department can enforce it at Cemetery Field.

We are looking for the Council's guidance on how you wish to proceed. My recommendation is to adopt the same language in our City Parks and Recreation ordinance, chapter 28, so that we (NPD) can uniformly apply it to all parks in the City, including County owned Cemetery Field.

I have attached their email (request) sent to me, the complete Gwinnett County Parks and Recreation ordinance as amended, and a letter from the County's Recreation Authority Board to the County Board of Commissioners for your review.

Attachment: M&C Memo - Tobacco Free Parks Nov 16 Policy (20-5931 : Tobacco Free Park)

From: Tina.Fleming@gwinnettcountry.com
To: [Bill Grogan](#)
Subject: New! Gwinnett Park Ordinances - City of Norcross
Date: Monday, October 19, 2020 10:33:40 AM
Attachments: [Chapter_70__PARKS_AND_RECREATION Original Complete Articles I to III Tina final edits.doc](#)
[image001.png](#)
[Parks and Recreation Ordinance&ResolutionFinal2.doc](#)
[RAB Tobacco-Free Park Letter.pdf](#)

Caution: This email came from outside Norcross Networks. Do not open attachments or click on links if you do not recognize the sender.

Good Morning Bill,
Hope this email finds you well!

Gwinnett's Park Ordinances will go before the BOC on Tuesday, October 20 for several operational updates, but also included is a change to the Park System to a Tobacco Free System. Attached you will find the Resolution/Ordinance, Ordinance Changes (Redline) and the Tobacco Free Recommendation from the Recreation Authority Board. Since there are Gwinnett Parks within the City Limits of Norcross, we will need to have the adoption of the Resolution/Ordinance Changes so that Norcross PD can enforce them, can you help with getting this agenda item set up?

We will be meeting with our PD safety liaisons later this month, and review of the ordinance changes will be part of that agenda.

Please let me know, what else you need from me to create this agenda item for Norcross City Council and what date it will appear. If you have any additional questions, don't hesitate to contact me.

Have a great week!



Tina Fleming | Director, Community Services | Gwinnett County
 Government
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 | www.gwinnettcountry.com
Follow us @GwinnettGov and sign up for email newsletters!

Attachment: New! Gwinnett Park Ordinances - City of Norcross (20-5931 : Tobacco Free Park)



TO: The Members of the Gwinnett County Board of Commissioners

FROM: Steve Flynt, PhD, Chairman
Gwinnett County Recreation Authority Board *Steve Flynt*

DATE: September 1, 2020

SUBJECT: Ordinance Change Request: Tobacco-free Parks and Recreation System

During its August 13 regularly scheduled meeting, the Recreation Authority Board (RAB) voted to recommend an ordinance change to adopt a tobacco-free policy for Gwinnett's Parks and Recreation. The motion passed 6 – 1. Since this initiative would require a policy change, the Board is requesting the Board of Commissioner's approval to update the parks and recreation ordinances.

Gwinnett County Parks and Recreation provides high quality, broad-based parks, facilities, programs, and services creating a sense of community, enabling a safe and secure environment, and enhancing Gwinnett's quality of life. In an effort to recognize our growing responsibility in promoting healthy communities, the RAB is encouraging the establishment and maintenance of a tobacco-free system. This will not only protect the health of our workforce, users and the environment, but align with industry best practices of forward-thinking agencies, states and public-health officials.

Gwinnett's parks and outdoor public spaces act as a relaxing refuge for all; for many these outdoor spaces may be the only available places to be in-touch with nature and enjoy access to clean, fresh air. Gwinnett Parks and Recreation and Live Healthy Gwinnett are uniquely positioned as they interact with community members and families on a daily basis, providing healthy places to play and enjoy the fresh air. Advocacy of tobacco-free policies in our parks and open spaces is the logical next step in the stewardship of community health and well-being.

This would enhance Parks and Recreation's current Tobacco-Free 'Areas of Play' which only prohibits use on all playgrounds, youth and adult sports fields, dog parks, skate complexes, outdoor pools, river channels, interactive fountains, community gardens, outdoor courts including basketball, sand volleyball, and tennis courts, historic sites, and enclosed public spaces. A system-wide Tobacco-Free Policy would restrict the use of any tobacco product that contains tobacco or nicotine on any Parks and Recreation property. This excludes FDA approved cessation aids. However, this does include the following: cigarettes, cigars, pipe, snuff, chewing tobacco, dipping tobacco, bidis, snus, dissolvable tobacco products and electronic cigarettes/vaping.

The attached documents include policy background research provided by Live Healthy Gwinnett and a letter of support from the Gwinnett County Health Department.

The Board appreciates your consideration of this initiative and looks forward to your response.



TOBACCO-FREE PARK SYSTEM INFORMATION

Per request of the Recreation Authority Board

Smoke vs. Tobacco: According to the [University of Texas MD Anderson Cancer Center](#), a smoke-free policy restricts the use of any tobacco or other plant product which its intended use is for inhalation in any manner. A smoke-free policy would restrict cigarettes, cigars, pipes, or any other lighted or heated tobacco product. A tobacco-free policy restricts the use of any tobacco product that contains tobacco or nicotine. This excludes FDA approved cessation aids. However, this does include the following: cigarettes, cigars, pipe, snuff, chewing tobacco, dipping tobacco, bidis, snus, dissolvable tobacco products and electronic cigarettes/vaping.

According to the [U.S. Surgeon General](#), there is no safe level of exposure to secondhand smoke. It has been shown that there are many health risks due to exposure of secondhand smoke including cancer, stroke, heart disease, asthma, and other respiratory infections. According to the [Respiratory Health Association](#) (RHA), secondhand smoke contains over 7,000 chemicals; 70 of which are known as human carcinogens. By enforcing tobacco-free policies, it helps protect non-smokers from potentially being subjected to the damaging results that come with inhaling tobacco smoke. Parks are healthy spaces for community members of all ages. By increasing tobacco-free places, there are fewer opportunities for youth to be exposed to its harmful effects and for youth to potentially start using. Not only are individuals affected by smoking, there are many environmental concerns associated with smoking. Cigarette butts are the most littered items in the United States. Discarded cigarettes can also be a source of fires. It is important to note that cigarettes are also not biodegradable. Although they are photodegradable, it can take 10–15 years for one cigarette to fully photodegrade. Tobacco product litter can also contaminate the environment with heavy metals; this can have a negative impact on nearby aquatic life.

It is for all of these reasons that in July of 2015, [Portland Parks and Recreation](#) implemented a smoking and tobacco ban throughout their entire parks system. This includes natural areas, community centers, trails, golf courses, and recreation areas. They prohibited smoking and tobacco products including, but not limited to, the following: bidis, cigarettes, cigarillos, cigars, clove cigarettes, e-cigarettes, nicotine vaporizers, nicotine liquids, hookahs, kreteks, pipes, chew, snuff, smokeless tobacco, and marijuana. They also prohibit smoking within 25 feet of any play structure, picnic table or designated children's play area. Anyone who violates their policy will not be subject to exclusion or criminal enforcement, but they will be asked to leave for the remainder of the day. The rules are enforced only by Portland Parks and Recreation staff. The RHA and New York City Parks Department also mention that the smoke-free policies are largely self-enforced. In Washington State, as many as 15 county parks have adopted tobacco-free policies since 2001. These policies generally include smoke-free playgrounds with at least a 25'-50' smoke-free area around the perimeter of the playground. Signs are posted around the playground and other smoke-free areas to notify the public about the policy. Skagit County Parks and Thurston County Parks are both entirely smoke-free with compliance being voluntary. All counties that have adopted the program prohibit any tobacco products and any unapproved nicotine delivery products. Much like Portland Parks and Recreation, policies are only enforced by Parks and Recreation staff, and are largely self-enforced.

When implementing a tobacco-free park policy, it is recommended that local data is used to encourage the community to quit and/or refrain from smoking. For example, "In Georgia, 11,700 adults die from smoking related illnesses each year. Another example, "According to the CDC, in 2017, 19.5% of U.S. high school youth reported currently using any tobacco product, including e-cigarettes." It is also beneficial to mention the benefits of smoke and tobacco free spaces, which there are many. Currently, Gwinnett Parks and Recreation has designated Tobacco-Free 'Areas of Play'. Tobacco use is prohibited on all playgrounds, youth and adult sports fields, dog parks, skate complexes, outdoor pools, river channels, interactive fountains, community gardens, outdoor courts including basketball, sand volleyball, and tennis courts, historic sites, and enclosed public spaces. In accordance with the [Gwinnett County Clean Indoor Air Ordinance](#), smoking is prohibited indoors and must be at least 25 feet from any entrance of a facility or entrance gate. There are many Gwinnett cities that have implemented and enforce tobacco free and smoke-free park policies. Cities such as [Berkeley Lake](#), Buford, Grayson, Lilburn, Snellville and [Sugar Hill](#) have smoke-free park. The city of Duluth enforces both smoke-free and tobacco-free parks. By implementing a smoke-free policy, Gwinnett Parks and Recreation can create healthier and safer environments for residents, visitors, and staff to play, live, and learn. It can help reduce environmental pollution, reduce fires, and help support those who may be trying to quit smoking in addition to showing a consistent message of promoting healthy green spaces throughout the county.



SMOKE-FREE/TOBACCO-FREE CITY INFORMATION

- **Berkeley Lake:** Smoke-Free
 - o [Sec. 46-10.](#) – Prohibited activities in city parks: Smoking
- **Duluth:** Tobacco-Free/Smoke-Free
 - o Prohibited: It shall be unlawful to use any form of tobacco, hemp, marijuana, or any smoke emitting substance and or device including but not limited to; cigarettes, e-cigarettes, smokeless tobacco, pipes and or pens, at or on any city-owned or operated buildings, indoor or outdoor recreational facilities, including but not limited to playgrounds, restrooms, athletic fields, rivers, parks, walking/hiking trails, agency owned vehicles, spectator and concession areas or public plazas, public sidewalks or public parking areas within the downtown entertainment district as described in article II, [section 3-268](#), subsection (b) of the Code of Ordinances.
- **Lawrenceville:** Tobacco-Free/Smoke-Free Areas
 - o [Sec. 28-48.](#) – Smoking in prohibited areas: It shall be a violation of this article for persons to smoke or use tobacco products in enclosed buildings in all parks or recreation facilities and in areas posted within a park or recreation facility to restrict smoking or tobacco products in such areas.
- **Lilburn:** Tobacco-Free/Smoke-Free Areas
 - o [Sec. 46-54.](#) – Smoking in prohibited areas: It shall be a violation of this article for persons to smoke or use tobacco products in enclosed buildings in all parks or recreation facilities, and in areas posted within a park or recreation facility to restrict smoking or tobacco products in such areas.
- **Snellville:** Tobacco-Free/Smoke-Free Areas
 - o [Smoking](#) – It shall be unlawful to smoke or use any tobacco products within 100 feet of (a) any recreational activity sanctioned or carried out by the city, (b) any playground, (c) any walking trail, (d) any athletic field or (d) any other area where a "No Smoking" sign is posted.
- **Sugar Hill:** [Smoke-Free](#)

Sources:

<https://resphealth.org/wp-content/uploads/2017/08/RHA-Smoke-free-Parks.pdf>
https://www.kingcounty.gov/depts/health/tobacco/~/_media/depts/health/tobacco-vapor/documents/tobacco-free-parks-toolkit.ashx
<https://www.cdc.gov/tobacco/about/osh/state-fact-sheets/georgia/>
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<https://parks.arlingtonva.us/parksfacilities/smoke-free-park-initiative/>
<https://www.tpchd.org/healthy-places/tobacco-and-vape-free-places/smoke-and-vape-free-parks>
<https://www.gachd.org/programs-services/health-promotion-disease-prevention/smoke-free-ordinance-information/>
<https://www.livehealthygwinnett.com/wp-content/uploads/2018/04/GCPR-Health-and-Wellness-Standards.pdf>
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Audrey Arona, M.D., District Health Director

7/20/2020

On behalf of Gwinnett, Newton, & Rockdale County we fully stand in support of tobacco-free parks and recreational areas in Gwinnett County. A tobacco -free system sends a strong message that we care about the health of our community, especially our youth. Because the negative health effects of secondhand smoke exposure are well documented and supported by data, one of the most significant steps a community can take to improve the health of its residents is to create more tobacco-free places.

Exposure to secondhand smoke is unhealthy even outdoors. According to NIH, there are more than 7,000 chemicals in tobacco smoke, 250 are known to be harmful, and at least 69 can cause cancer. There is no risk-free level of exposure to secondhand smoke, as it is attributable to more than 41,000 deaths from secondhand exposure. Studies have also shown that concentrated amounts of secondhand smoke outdoors can cause respiratory irritation, breathing difficulties, eye irritation and may trigger asthma attacks.

Tobacco-free parks also mean less litter. Cigarette butts are most commonly littered throughout the United States and poses health hazards particularly for children and animals. Creating a tobacco-free policy will help prevent children and animals from ingesting tobacco waste and it will also help keep the area attractive, reduce pollution, and reduce clean-up cost.

GNR Health Department stands firm on our belief that everyone deserves to breathe in clean air, including outdoors. It is imperative to maintain tobacco-free parks, playgrounds, and outdoor eating areas which will allow residents equitable access to clean and healthy outdoor public spaces. Families will be afforded the opportunity to take their children to the park to play, participate in sports, relax and just enjoy the outdoors free of harmful toxins. Creating tobacco-free parks is an excellent way for communities to make outdoor spaces more conducive to healthy living!

Attachment: RAB Tobacco-Free Park Letter (20-5931 : Tobacco Free Park)

GWINNETT COUNTY
BOARD OF COMMISSIONERS
LAWRENCEVILLE, GEORGIA

ORDINANCE ENTITLED: Parks and Recreation

ADOPTION DATE: OCTOBER 20, 2020

At the regular meeting of the Gwinnett County Board of Commissioners held in the Gwinnett Justice and Administration Center, Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

Name	Present	Vote
Charlotte J. Nash, Chairman		
Jace W. Brooks, District I		
Ben Ku, District 2		
Tommy Hunter, District 3		
Marlene M. Fosque, District 4		

On motion of Commissioner _____, which carried a ____ vote, the Code of Ordinances of Gwinnett County is hereby amended by repealing **Chapter 70**, entitled “**PARKS AND RECREATION**,” and replacing it with a new **Chapter 70**, entitled “**PARKS AND RECREATION**,” as set forth below, is hereby adopted:

WHEREAS, pursuant to Article IX, Section II, paragraph III(a)(5) of the Georgia Constitution, Gwinnett County is authorized to enact laws and exercise powers to provide parks, recreational areas, programs, and facilities for the citizens of unincorporated Gwinnett County; and

WHEREAS, Gwinnett County is authorized by state law, Official Code of Georgia Annotated Section 36-64-1 et seq., to establish a system of supervised recreation to provide, maintain, and conduct recreational activities and facilities; and

WHEREAS, Gwinnett County has adopted a Parks and Recreation Ordinance in accordance with the Georgia Constitution and state law; and

WHEREAS, the Gwinnett County Board of Commissioners finds it necessary to amend the Ordinance to update terminology, definitions, and rules; and

Ordinance Number PR-2020
GCID Number: 2020-1014

WHEREAS, the Board of Commissioners finds that the list of County parks and recreational facilities where the possession, use or consumption of alcoholic beverages should be expanded to provide for the overall welfare of individuals who visit the facilities; and

WHEREAS, the Board of Commissioners also finds that additional animal restrictions and dog park rules are required to protect the health and safety of visitors of County parks; and

WHEREAS, the Gwinnett County Recreation Authority has recommended that the County implement a tobacco-free policy throughout its indoor and outdoor recreational facilities; and

WHEREAS, the Board of Commissioners finds that the ordinance amendments better safeguard the public health, safety, and general welfare of the citizens within Gwinnett County; and

WHEREAS, the Board of Commissioners finds that adoption of a new Parks and Recreation Ordinance is in the best interests of the residents of Gwinnett County.

NOW, THEREFORE, BE IT RESOLVED that Chapter 70 of the Gwinnett County Code of Ordinances, entitled "Parks and Recreation," is hereby amended by repealing it in its entirety and replacing it with a new Chapter 70, entitled "Parks and Recreation," which is attached hereto as Exhibit A.

NOW, THEREFORE, BE IT FURTHER RESOLVED that this Ordinance shall be effective on December 1, 2020.

BE IT FURTHER RESOLVED that all ordinances, regulations or parts of the same in conflict with this Ordinance are hereby rescinded to the extent of said conflict.

GWINNETT COUNTY BOARD OF COMMISSIONERS

By: _____
 CHARLOTTE J. NASH, CHAIRMAN

ATTEST:

APPROVED AS TO FORM:

By: _____
 DIANE KEMP, COUNTY CLERK
 ATTORNEY
 (SEAL)

By: _____
 SENIOR ASSISTANT COUNTY

Attachment: Parks and Recreation Ordinance & Resolution (20-5931 : Tobacco Free Park)

EXHIBIT A

Chapter 70 of the Gwinnett County Code of Ordinances is hereby amended by repealing Chapter 70 in its entirety and replacing it with the following new Chapter 70.

CHAPTER 70 – PARKS AND RECREATION

ARTICLE I. - IN GENERAL

Sec. 70-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alcoholic beverage means intoxicating beverage, malt beverage, wine or any other beverage containing any alcohol whatsoever.

Building means any structure attached to the ground which has a roof and which is designed for the shelter, housing or enclosure of persons, animals or property of any kind.

Dog Park means a fenced in outdoor area designated as a “Dog Park” with signage, for dogs to exercise and play off leash under the close supervision of their owner or handler.

Handler means a person aged sixteen (16) or older who is not the owner of the dog they are with, but who is in charge of the care of the dog.

Litter means garbage, refuse, paper, rubbish, debris, trash and all other waste material whether natural or artificial.

Park and/or recreation facility means all recreation areas in parks, including land, buildings, lakes, ponds, streams, swimming pools, sports fields, cemeteries, and all other property and buildings owned, leased, or managed by the county, the county recreation authority, the designated agents or departments of the county or the county recreation authority, and including all recreation areas and parks in the county owned by the state or federal government and managed by the county.

Personal watercraft means as defined by the U.S. Coast Guard any craft which is less than 16 feet in length and designed to be operated by person or persons sitting, standing or kneeling in the hull.

Tobacco use means the use of the tobacco plant leaf and any tobacco product including smoking cigarettes, cigars, chewing tobacco and vaping.

Vehicle means any motor-driven or engine-driven equipment, such as an automobile, truck, motorcycle, bicycle, sled, go-cart, scooter, skateboard, ATV, child's toy vehicle, or Segway.

Weapon means firearm, rifle, pistol, revolver, paintball gun, or any weapon designed or intended to propel a shot, bullet, or other missile of any kind, or any device capable of discharging a projectile by air, spirit, gas or explosive, or any explosive substance or harmful

solid, liquid and gaseous substance, or any spear, arrow, bow and arrow, slingshot, crossbow, spear or spear gun, or any knife, as defined by state law, dirk, Bowie knife, switchblade knife, ballistic knife, or any other knife, straight-edged razor, spring stick, metal knuckles, blackjack, any bat, club or other bludgeon-type weapon, or any flailing instrument or any disk which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart, or any weapon of like kind, and any stun gun, taser or similar device.

Sec. 70-2. - Enforcement of chapter.

This chapter shall be enforced by any authorized law enforcement officer of the county unless otherwise stated. Where there has been a violation of any provisions of this chapter, the law enforcement officer in his discretion may issue a citation, warning and/or order the person to leave the park or recreation area.

Sec. 70-3. - Penalties for violation of chapter.

- (a) Any person found to have violated any provision of this chapter shall be punished by a fine and/or imprisonment in accordance with the maximum limits established in O.C.G.A. § 36-1-20.
- (b) Any person convicted of a violation of this chapter may further be denied any park permit or other permission to utilize the facilities of any park or recreation facility for a period of 60 days following such conviction.

Sec. 70-4. - Community services director; powers and duties.

The community services director or employees under the direction of the director shall:

- (1) Establish, operate, and maintain a countywide parks and recreation system.
- (2) Provide for public recreational programming and management of the park and recreational facilities owned or controlled by the county.
- (3) Conduct the design and master planning for park and recreation facilities and provide for the maintenance and improvement of these areas.
- (4) Cooperate with community partners in the provision of recreational opportunities, including the local school board, youth and adult associations, nonprofits, other governmental entities, businesses, volunteers and others.
- (5) Consult with the recreation authority on the development and operation of the countywide parks and recreation system.
- (6) Otherwise assist in the operation and enforcement of this chapter.

Secs. 70-5—70-26. - Reserved.

ARTICLE II. - USE OF RECREATION FACILITIES

Sec. 70-27. - Littering prohibited.

It shall be unlawful for any person to throw or deposit litter on the grounds, streets, sidewalks, fountains, ponds, lakes, swimming pools, streams or other body of water in any park or recreation facility, except within public receptacles and in such a manner that the litter will be prevented from being carried or deposited by the elements upon any part of the park or recreation facility. Where public receptacles are not provided, all such litter shall be carried away from the park or recreation facility by the person responsible for its presence and shall be properly disposed of elsewhere. It shall be unlawful to take into, carry through, or put into a park or recreation facility, any litter generated outside the park or recreation facility.

Sec. 70-28. - Discharging weapons prohibited.

It shall be unlawful for any person to discharge any weapon or similar device in a park or recreation facility.

Sec. 70-29. - Throwing objects prohibited.

It shall be unlawful for any person to throw any stone or missile at any person or at any public or private building in a park or recreation facility.

Sec. 70-30. - Improper use of sound producing devices.

It shall be unlawful for any person to operate or use any sound producing or motorized equipment, including, but not limited to, generators and vehicles, or play or operate any sound amplification devices, including, but not limited to, radios, television sets, stereos, musical instruments, public address systems and the like, in such a manner as to unreasonably annoy, disturb, injure, or endanger reasonable persons, or to otherwise destroy the comfort, repose, peace or safety of other reasonable persons in a park or recreation facility.

Sec. 70-31. - Improper personal conduct.

It shall unlawful for any person to engage in any violent, abusive, lewd, profane, vulgar, wanton, obscene or otherwise disorderly speech or conduct that is or may be disturbing or annoying to other persons, or that could cause injury to other persons while in a park or recreation facility, which conduct may include, but is not limited to, loitering, fighting, throwing or breaking articles, indecent exposure, inappropriate sexual acts, urinating or defecating in public, or public drunkenness. No person shall upon or in connection with a recreation facility by act or speech willfully or unreasonably hinder, interrupt or interfere with any duly permitted

activity or unreasonably or willfully intrude on any areas or into the structures designated for the use of a certain person or persons to the exclusion of others by written permit of the director.

Sec. 70-32. - Fires restricted.

It shall be unlawful for any person to build or maintain a fire in a park or recreation facility except in designated areas which are clearly marked by signs or defined with fire rings, fireplaces, grills or other facilities designated for the purpose of safely maintaining a fire, except by written permit by the director. Fires shall be confined to those areas so designated, shall not be left unattended and must be completely extinguished prior to departure.

Sec. 70-33. - Damaging or removal of any park property or vegetation prohibited.

It shall be unlawful for any person to deface, graffiti, harm or damage any park buildings, wildlife, property, equipment or signs; or dig up, cut, damage or remove any trees, tree limbs, shrubbery, flowers, rocks, mulch, water, historical artifacts or other vegetation in a park or recreation facility except in special designated areas such as McDaniel Farms, Food Forest and Community Gardens or if personnel are employed or the organization was granted permission by the director or director's agent to engage in a county approved project for the enhancement of a park or other areas owned or operated by the county.

Sec. 70-34. - Possession, use or consumption of alcoholic beverages.

It shall be unlawful for any person to possess, use, sell or consume any alcoholic beverage in a park or recreation facility, other than at the leased Vines Mansion and grounds, a publicly-owned golf course, an indoor publicly-owned civic and cultural center/arena or publicly-owned stadium or when approved, by permit, at the Gwinnett Historic Courthouse, Pinckneyville Park Community Recreation Center, Lawrenceville Female Seminary, Isaac Adair House and Preservation Lawn, Simpsonwood Park Chapel and Grounds or the Gwinnett Environmental and Heritage Center.

Sec. 70-35. - Vehicles restricted.

It shall be unlawful for any person to drive any unauthorized vehicle in a park or recreation facility except upon designated roadways and parking areas maintained for vehicular traffic. Approved personal mobility devices for those persons with disabilities are allowed on pedestrian trails and walkways or when permitted and approved by the director. Law enforcement or other public safety officials, and parks and recreation employees whose duties require them to drive maintenance vehicles and equipment shall be exempt from the limitations set forth in this section. All persons operating any vehicle in a park or recreation facility upon roadways designated and maintained for vehicular traffic must operate such vehicle in a safe manner and must obey all posted speed limits and traffic signs. It shall be a violation of this article for any

person to operate any vehicle in a park and/or recreation facility at an excessive speed, in a reckless and unsafe manner, or in violation of posted traffic signs.

Sec. 70-36. - Parking restricted.

It shall be unlawful to park a vehicle in a park or recreation facility except in those areas designated by the appropriate signs as vehicle parking areas or in marked parking spaces. It shall be unlawful to leave a vehicle standing or parked in a park or recreation facility during hours when the park or recreation facility is closed. It is unlawful for any person to park a vehicle in a parking space or location designated for handicapped parking unless the vehicle properly displays a handicapped parking permit. In all such instances, the vehicle may be towed and impounded from the park or recreation facility at the owner's expense.

Sec. 70-37. - Parking limited to park and recreation facility users.

It shall be unlawful for any person to park in a park or recreation area if the owner of the vehicle is not utilizing the park or recreation facility unless authorized by the director or the director's agent. It shall be unlawful for persons to congregate within a parking area of a park or recreation facility so as to disrupt traffic or other persons, or so as to create a safety hazard.

Sec. 70-38. - Commercial activity restricted.

It shall be unlawful for any person to sell or offer for sale any merchandise or operate or attempt to operate a concession or engage in any commercial activity in a park or recreation facility unless approved by permit, by the director or the director's agent.

Sec. 70-39. - Hours open to public restricted.

- (a) It shall be unlawful for any person or vehicle to enter or be within a park or recreation facility outside of the posted hours of operation unless approved by permit, by the director or unless such person is participating in authorized and scheduled programs, classes, special events or meetings.
- (b) Park hours of operation are sunrise until 11:00 p.m., or sunrise to sunset, as determined by the park designation, unless posted otherwise as authorized by the director.

Sec. 70-40. - Golfing regulated.

It shall be unlawful for any person to practice, play or otherwise participate in the game of golf, except at a park or recreation facility designated for such use and only in accordance with the rules, regulations and restrictions promulgated by the director or the director's agent.

Sec. 70-41. - Swimming and watercraft regulated.

- (a) It shall be unlawful for any person not to leave a swimming area when so directed by a lifeguard on duty or not to cease any activity which would be hazardous to others when so directed by a lifeguard. It is unlawful for any person to engage in any activity within a swimming pool or swimming area that could cause injury or damage to a person or to other persons using the swimming facility.
- (b) It shall be unlawful for any person to launch or travel in watercraft, swim, bathe or wade in any body of water in a park or recreation facility unless designated for such use and then only in accordance with the rules, regulations and restrictions promulgated and posted at the recreation area.

Sec. 70-42. - Violation of facility regulations.

It shall be unlawful for any person to violate any rules or regulations relating to the use of the park or recreation facility as established by the director or by the board of commissioners.

Sec. 70-43. - Animals.

(1) Animals Restricted

- (a) It shall be the duty of every animal owner or custodian whose animal is in a park or recreation facility to have physical control of the animal by leash or lead line at all times unless in designated dog park areas where off leash is permitted or approved otherwise, by permit, by the director or the director's agent. It shall be unlawful for any person with an animal, other than service animals (such as guide dogs) as necessary, to access areas of a park or recreation facility which are restricted to animals. It shall be the duty of every animal owner or custodian of any animal whose animal is in a park or recreation facility to immediately and properly dispose of solid waste deposited by the animal, except for horses on designated equestrian trails.
- (b) It shall be the duty of every animal owner or custodian of any animal whose animal is in a recreation facility to have in their possession proof of a current rabies vaccination as required by State law for their animal. It shall be the duty of every horse owner or custodian whose horse is in a park or recreation facility to have in their possession proof of a current negative Coggins test vaccination as required by State law for their horse.
- (c) It shall be the duty of every animal owner or custodian of such animal in a park or recreation facility to immediately remove from such park or recreation facility such animal upon such animal exhibiting aggressive behavior toward any person or toward any other domesticated animal. For the purposes of this subsection, aggressive behavior includes, but is not limited to, barking, growling, baring of teeth or fangs, biting or attempts to bite, or any other behavior that could reasonably be expected to scare or intimidate any person or domesticated animal and includes but is not limited to pinning down or attacking.

- (d) This section shall be equally enforceable by any authorized law enforcement officer as well as Animal Control Officers.

(2) Dog Park Rules

- (a) Animal Control Officers shall have the right to enforce any and all provisions of these rules by removing the dog from the dog park or from the larger park wherein the dog park is contained. Animal control officers also have the right to issue warnings and citations for enforcement of these provisions. In the discretion of the Animal Control Officer, a dog may also be permanently banned from the dog park and/or be required to wear a cage-style muzzle to the dog park, if the Animal Control Officer deems the muzzle and/or the ban necessary to protect the public safety.
- (b) The following are prohibited in the dog park and will subject a dog to removal from the park, and will subject the dog owner and/or handler to the issuance of a warning or citation from an Animal Control Officer.
- (i) A dog who has or appears to have a contagious health condition;
 - (ii) A dog who is exhibiting aggressive behavior as described herein in Section 70-43(1)(c) toward a person or other dog;
 - (iii) A dog who while unprovoked, has inflicted any physical injury on a person or another dog while in the dog park, or while in the larger park wherein the dog park is contained;
 - (iv) A dog wearing one or any combination of the following collars: spiked, choke or pronged;
 - (v) Any dog on a leash that is longer than six (6) feet in length or on a retractable leash;
 - (vi) A dog that is in heat;
 - (vii) A dog that is less than six (6) months old;
 - (viii) Dog treats or any type of food;
 - (ix) Dog toys or any type of toys;
 - (x) Vehicles or bicycles;
 - (xi) Glass containers;
 - (xii) Excessive barking such that another user of the dog park complains to the park staff or to an Animal Control Officer, or if witnessed by an Animal Control Officer without any such complaint;
 - (xiii) Digging holes;
 - (xiv) Any animal other than a dog;
 - (xv) Any child under the age of ten (10) years.

- (c) The dog owner or handler must closely supervise their dog in order to prevent injuries to another person or dog. The owner or handler must hold the dog's leash at all times, to enable the dog to be under their control.
- (d) If the dog park contains more than one area for dogs such that there are two (2) separate fenced areas one designated for "Small Dogs" and the other designated for "Large Dogs" owners and handlers shall abide by any guidelines for dog weight and/or height noted on those signs in relation to which area their dog may use for recreation.
- (e) Any child between the ages of ten (10) and sixteen (16) who is in the dog park must be accompanied and properly supervised by an adult.
- (f) No more than two (2) dogs are permitted to be brought into the dog park by any one owner or handler.
- (g) All dogs in the dog park must wear a collar at all times, with the current rabies tag attached.
- (h) Gwinnett County, its agents and employees are not liable for any injuries sustained by any dog or person in the use of any dog park. All persons and dogs enter and use the dog park at their own risk.

Sec. 70-44. - Pyrotechnics restricted.

It shall be unlawful for any person to possess, display, use, set off or attempt to ignite any firecracker, fireworks, smoke bombs, rockets, black powder guns or other pyrotechnics, unless approved by written permit by the director or the director's agent.

Sec. 70-45. - Engine powered models or toys restricted.

It shall be unlawful for any person to start, fly or use any fuel powered engine, jet-type or electric powered model aircraft, drone, boat or rocket or like powered toy or model, except at those areas designated by the director for such use and then only in accordance with such rules, regulations and restrictions promulgated by the director or the director's agent.

Sec. 70-46. - Launching hot air balloons and hobby rockets restricted.

It shall be unlawful for any person to launch hot air balloons and hobby rockets from a park or recreation facility unless approved by written permit by the director or the director's agent.

Sec. 70-47. - Park and recreation facility restrictions.

Ordinance Number PR-2020
GCID Number: 2020-1014

It shall be unlawful for anyone to enter a locked or closed park or recreation facility, including any sports field (by field closed signage), unless approved by permit, by the director or the director's agent.

Sec. 70-48. - Use or possession of controlled substance.

No person shall possess or use any drug or any other controlled substance, as defined in the laws of this state, except as permitted by the laws of this state, in any park or recreation facility.

Sec. 70-49. - Camping.

It shall be a violation of this article for persons to camp in a park or recreation facility, except at sites or areas specifically designated for camping within the park or recreation facility, and unless such person has first purchased or obtained a permit to camp in the park or recreation facility from the director or his designee.

Sec. 70-50. – Use of Tobacco prohibited.

It shall be a violation of this article for persons to use any form of tobacco including E-Cigarettes and smokeless tobacco at any County owned or operated indoor and/or outdoor recreational facilities, including but not limited to the restrooms, athletic fields, beaches, aquatic areas, parks, walking/hiking trails, agency owned vehicles, bodies of water, spectator and concession areas.

Sec. 70-51. - Hunting and trapping prohibited.

It shall be a violation of this article for any person to hunt or trap animals, or attempt to hunt or trap animals, within a park or recreation facility except where the director or the director's agent has authorized said action to remove said animals from within a county owned or operated park or recreation facility.

Secs. 70-52—70-75. - Reserved.

Ordinance Number PR-2020
GCID Number: 2020-1014

ARTICLE III. - PERMITS

Sec. 70-76. - Guidelines for issuance.

Permits for special events in a park or recreation facility shall be obtained by application to the director or employees under the direction of the director. Guidelines for the issuance of permits by the director include:

- (1) That the proposed activity or use of the park or recreation facility will not unreasonably interfere with or detract from the enjoyment of the park or recreation facility;
- (2) That the proposed activity or use of the park or recreation facility will not unreasonably interfere or detract from the promotion of public health, welfare, safety and recreation of a park or recreation facility;
- (3) That the proposed activity or use of the park or recreation facility is not reasonably anticipated to incite violence, crime, or disorderly conduct;
- (4) That the proposed activity or use of the park or recreation facility will not entail unusual, extraordinary, or burdensome expenses or policy operation by the county;
- (5) That the proposed activity or use of the park or recreation facility will not conflict with existing parks and recreation services;
- (6) That the proposed activity or use of the park or recreation facility desired has not been reserved for other use;
- (7) That the permitting person or persons will abide by all other state, county and parks and recreation laws, ordinances, rules and regulations and shall be liable for any loss, damage, or injury sustained by any person whatsoever by reason of negligence of the person or persons to whom such permit shall have been issued;
- (8) That the director or the director's agent shall have the authority to revoke any permit upon the finding of a violation of any laws, ordinances, rules or regulations or upon good cause shown; and
- (9) Persons may apply for a permit for a proposed activity or use of the park or recreation facility under the following categories: picnicking, fundraising, special event, food service for approved activities, and park or recreation facility rentals.



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMAN **ANDREW HIXSON** • COUNCILWOMAN • **ELAINE PUCKETT**
 COUNCILMAN **MATT MYERS** • COUNCILMAN **BRUCE GAYNOR** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK • **MONIQUE LANG**

City of Norcross

Legislation Details (With Details)

File #:	20-5932	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	12/7/2020 6:30 PM	In Control:	Policy Work Session
Title:	Appointment of Retained Professionals		

Sponsors:

Code Sections: City Charter, Sec. 3.14
 City Charter, Sec. 3.16
 City Charter, Sec. 4.11

Attachments:

1. [Memo - Appointed Professionals 2021](#)

Title

Appointment of Retained Professionals

Motion

A motion to Approve/Deny the attached list of Appointed Professionals for FY2021 as presented.



Memo

November 5, 2020

To: Mayor and Council
From: Eric Johnson/City Manager
Subject: Appointment of Retained Professionals

Pursuant to the requirements of the City Charter, the following positions are required to be filled by appointment by the Mayor and Council for year 2021:

City Attorney
City Auditors
Municipal Court Judge

Pursuant to the City Charter, Sec. 3.14, please consider the following person for City Attorney:

J. Patrick O'Brien

Pursuant to the City Charter, Sec. 3.16, please consider the following firm for City Auditor:

Rushston & Company, LLC

Pursuant to the City Charter, Sec. 4.11, please consider the following persons for the position of Municipal Court Judge and Associate Judges as well as the City Solicitor position and Associated Solicitors:

Chief Judge
 Kenneth E. Wickham

Associate Judges
Ethan Pham
E.R. Lanier
Bill Brogdon
 Jennifer Mann
 Jacques Barker

Prosecutors
 Erica Dove

Assistant Solicitor
Karen West
Gary Vey

Attachment: Memo - Appointed Professionals 2021 (20-5932 : Appointment of Retained Professionals)



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMAN **ANDREW HIXSON** • COUNCILWOMAN • **ELAINE PUCKETT**
COUNCILMAN **MATT MYERS** • COUNCILMAN **BRUCE GAYNOR** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK • **MONIQUE LANG**

City of Norcross

Legislation Details (With Details)

File #:	20-5933	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	12/7/2020 6:30 PM	In Control:	Policy Work Session
Title:	Text Amendment to Sec. 2-153 Norcross Development Authority		

Sponsors:

Code Sections:

Attachments:

1. [ORD xx-2020 Amendment to Sec 2-153](#)

Title

Text Amendment to Sec. 2-153 Norcross Development Authority

Drafter

William Corbin

Motion

A motion allowing staff to correct scrivener's errors within the attached ordinance administratively.

ORDINANCE NO. ____ - 2020

An Amendment to Article V of Chapter 2 of the City Code of Ordinances to amend Section 2-153 to activate the Norcross Development Authority and to function in conformity with O.C.G.A. § 36-62-1 *et seq.*, the Development Authorities Law, and for the purposes set forth therein, including but not limited to serving and providing investment capital to Low Income Communities or Low Income Persons as those terms are defined in the law and regulations of the Economic Development Administration, HUD, New Markets Tax Credit Program and other federal government programs, , and for Other Purposes as Stated Herein:

WHEREAS, on June 1, 2020, the Mayor and Council of the City of Norcross formerly resolved to reactivate the Norcross Development Authority **by resolution**, subsequent to the approval of said resolution to enact an ordinance to establish the number of members of said authority at seven (7), to establish the qualifications of the members of the board of the Norcross Development Authority, as well as their terms, and for other purposes incidental to the operation and organization of the Norcross Development Authority; and

WHEREAS, on September 8, 2020, the Mayor and Council of the City of Norcross voted to amend Article V of Chapter 2 of the Code of Ordinances of the City of Norcross entitled “Boards, Commissions and Authorities.” to add a new Section 2-153 to activate the Norcross Development Authority, establishing the number of members of said authority at seven (7), to establish the qualifications of the members of the board of the Norcross Development Authority, as well as their terms, and for other purposes incidental to the operation and organization of the Norcross Development Authority; and

WHEREAS, the Mayor and Council of the City of Norcross have not yet appointed any members to the Norcross Development Authority as of the date of this amendment to Section 2-153 of the Code of Ordinances of the City of Norcross; and

WHEREAS, the Mayor and Council of the City of Norcross find that it is in the best interest of the City of Norcross to amend Section 2-153 to amend Section 2-153 (d)(1) to correct a scrivener’s error;

NOW THEREFORE, the Mayor and Council hereby amend Article V of Chapter 2 of the Code of Ordinances of the City of Norcross to amend Section 2-153, subsection (d)(1) as set forth above and as more particularly set forth below.

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 renumbered to accomplish that intention.

I. Amendment.

Article V of Chapter 2, entitled “Boards, Commissions and Authorities” of the Code of Ordinances for the City of Norcross, Section 2-153 subsection (d)(1) as follows:

By deleting Section 2-153, ~~subsection (d)(1)~~ in its entirety and substituting the following in lieu thereof”

“Sec. 2-153. Norcross Development Authority.

....

- (a) **Finding of Need and Creation.** There is hereby determined and declared to be a present and future need for a Development Authority to function in the City which shall henceforth be named the Norcross Development Authority and the same shall be and function in conformity with O.C.G.A. § 36-62-1 *et seq.*, the Development Authorities Law.
- (b) **Purpose.** The Authority is created for nonprofit and public purposes as set forth in O.C.G.A. § 36-62-1 *et seq.*, including but not limited to serving and providing investment capital to Low Income Communities or Low Income Persons as those terms are defined in the law and regulations of the Economic Development Administration, HUD, New Markets Tax Credit Program and other federal government programs.
- (c) **Qualifications of Members of the Board of Directors.** The Authority shall consist of a board of directors having seven (7) members. Experience in affordable housing, commercial lending, banking and real estate is desirable but not required. All directors shall be appointed by the Mayor and City Council by resolution as follows:
 - (1) All members shall be taxpayers residing in the municipal corporation for which the authority is created; and
 - (2) One member who is a member of the governing authority of the City of Norcross (i.e., either the Mayor or a City Councilmember).
- (d) **Terms of Office.**
 - (1) The terms of all initial directors appointed pursuant to subsection (c) shall be four years.
 - (2) At the expiration of the current terms of office of the first four members of the board of directors appointed, the Mayor and City Council shall appoint successors to such members by resolution to serve for initial terms of two years and shall appoint successors to the

remaining members of the board for initial terms of four years. Thereafter, the terms of all directors shall be for four years.

- (3) The term of any member of the board of directors who is also a member of the governing authority of the City of Norcross shall end when such member is no longer the Mayor or a member of the City Council of the City of Norcross. The unexpired term of the member who was a member of governing authority shall be appointed from the currently elected members of the governing authority of the City of Norcross.
- (4) If, at the end of any term of office of any member of the board of directors, a successor thereto has not been appointed, the member whose term of office has expired shall continue to hold office until his successor is appointed.
- (e) **Quorum.** A majority of the directors shall constitute a quorum, but no action may be taken by the board without the affirmative vote of a majority of the full membership of the board.
- (f) **Election of Officers.** The Board of Directors shall elect one of their members as chairman and another as vice-chairman and shall also elect a secretary-treasurer, whom may be either a member of the board of directors or a City employee designated by the City Manager as administrative staff.
- (g) **Compensation.** Members of the Directors shall not receive a salary, but they may be reimbursed for their expenses.
- (h) **Powers.** The Board of Directors shall organize itself, carry out its duties and responsibilities and exercise its powers and prerogatives in accordance with the terms and provisions of the Development Authorities Law (O.C.G.A. § 36-62-1 et seq.) as it now exists and as it might hereafter be amended or modified.
- (i) **Bylaws.** Board of Directors may make bylaws and regulations for its governance and may delegate to one or more of its officers, agents, and employees such powers and duties as may be deemed necessary and proper as provided in O.C.G.A. § 36-62-5(d).
- (j) **Standing Committees.** Two (2) standing committees, the Executive Committee of the Norcross Development Authority and the Loan Administration Committee of the Norcross Development Authority are hereby created with the limitations on their authority set forth below:
 - (1) **Executive Committee.** The chairman, vice-chairman and secretary-treasurer shall form the Executive Committee of the Authority. The members of the Executive Committee shall meet the same organizational and representational requirements of the Board of Directors.
 - a. The Executive Committee shall be empowered solely to make recommendations to the full Board of Directors. The delegation of

authority to the Executive Committee shall not relieve the Board of Directors of its responsibilities.

- b. The Executive Committee shall not have the authority to cause the Treasurer to disburse funds for (1) any single capital or operating expenditure exceeding two thousand dollars (\$2,000.00) which is not provided for in any capital or operating budget or (2) any series of capital or operating expenditures exceeding fifty thousand dollars (\$50,000.00) in a calendar year which are not provided for in any capital or operating budget.

(2) **Loan Administration Committee.** The Board shall nominate three (3) of its members as its Loan Administration Committee, including the Chairman and one member with commercial lending experience.

- a. The Loan Administration Committee shall be empowered solely to make recommendations to the full Board of Directors concerning the approval, default or modification of a loan, or other final action concerning a loan and said committee shall in no way diminish the power of the Board of Directors to make such decisions.
- b. For any loan programs administered by the Norcross Development Authority, the Loan Administration Committee's maximum approval authority is \$50,000.00.
- c. The Loan Administration Committee's credit approval is limited to \$2,000,000. For loans of \$1 to \$2,000,000 the Loan Administration Committee actions must be ratified by the Board of the Executive Committee prior to debenture closing.

(k) **Staff Liaison.** The City Manager shall designate one or more City employees to serve as a liaison between the City and the Norcross Development Authority. The duties of Staff Liaison include, but are not limited to, the following functions:

- (1) Attend Norcross Development Authority board meetings;
- (2) Communicate with the City Manager, Mayor and City Council members regarding the status of projects and other relevant Norcross Development Authority activities; and
- (3) Serve as a resource for the Norcross Development Authority regarding potential and ongoing projects that the board chooses to undertake.

(l) **Attorney for the Authority.** The Mayor and Council do hereby appoint the person who holds the office of City Attorney from time to time and/or the person who holds the office of City Clerk from time to time to act as the hearing officer duly empowered to conduct such public hearings as may be necessary regarding matters involving the Norcross Development Authority, and empowers either of them to take such actions as may be

necessary or appropriate in the conduct of such office. The Mayor is authorized to approve the issuance of revenue bonds of the issuer.

- (m) **Advisors to the Authority.** The Mayor and Council may appoint one or more persons as unpaid volunteer advisors to the Authority, who, by virtue of their training and experience may offer suggestions, opinions and advice on particular projects or subject that may be helpful to the Authority. Such Advisors shall not be members of the Board of Directors, shall not be counted as members for the purpose of determining a quorum.
- (n) **Dissolution of the Authority.** The Mayor and Council shall have the power to dissolve the Norcross Development Authority by ordinance, subject to the limitations in O.C.G.A. § 36-62-14.

State law references: Development Authorities Law, O.C.G.A. § 36-62-1 *et seq.*”

II. SEVERABILITY.

In the event that any section, subsection, sentence, clause or phrase of this Ordinance shall be declared or adjudged invalid or unconstitutional, such adjunction shall in manner affect the other sections, sentences, clauses, or phrases of this Ordinance, which shall remain in full force and effect, as if the section, subsection, sentence, clause or phrase so declared or adjudged invalid or unconstitutional were not originally part thereof.

III. REPEALER.

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

IV. 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 _____, 2020.

Craig Newton, Mayor

ATTEST:

Monique Lang, City Clerk



MAYOR **CRAIG NEWTON** • MAYOR PRO TEM **JOSH BARE** • COUNCILMAN **ANDREW HIXSON** • COUNCILWOMAN • **ELAINE PUCKETT**
COUNCILMAN **MATT MYERS** • COUNCILMAN **BRUCE GAYNOR** • CITY MANAGER **ERIC JOHNSON** • CITY CLERK • **MONIQUE LANG**

City of Norcross

Legislation Details (With Details)

File #:	20-5955	Version:	
Type #:	Agenda Item	Status:	Agenda Ready
On Agenda:	12/7/2020 6:30 PM	In Control:	Mayor and Council
Title:	Proclamation Honoring Deceased Resident - William "Bill" Barks		

Sponsors:

Code Sections:

Attachments:

1. [Proclamation for Mr. Bill Barks](#)

Title

Proclamation Honoring Deceased Resident - William "Bill" Barks

Proclamation

The City of Norcross, Georgia
In Loving Memory of

Mr. William "Bill" Barks

WHEREAS, on behalf of the City of Norcross, we wish to extend our sincere condolences over the passing of Mr. William "Bill" Barks and honor his memory by reflecting fondly upon his remarkable works and dedication to the community; and

WHEREAS, born in Pomona, California, on April 15, 1937, to William G. Barks, Jr. & Ruth Sampson Barks. Mr. Barks attended elementary, Jr. High and one year of high school in Monrovia, California, until 1952 when he transferred to Wiesbaden American High School in Wiesbaden, Germany, as his family had moved there after his father accepted an appointment with the United States Government; and

WHEREAS, Mr. Barks attended and graduated from Arizona State University in 1963 with majors in Industrial Engineering & Management; and

WHEREAS, Mr. Barks along with his wife, Julia Ames Barks, have raised four wonderful children who have now blessed them with eleven grandchildren & thirteen great-grandchildren; and

WHEREAS, Mr. Barks was an active and devout member of St. Barnabas Anglican Church in Dunwoody, Georgia, where he served on the Vestry from 2009 thru 2012; and

WHEREAS, in February 2020, Mr. Barks retired after fifty triumphant years in the business world where he previously held many notable titles such as founder and president of SEF in Norcross; and

WHEREAS, Mr. Barks' commitment to public service and volunteerism is evident in light of the list of civic organizations to which he devoted his time and energy, which include him serving as President of the Tempe, Arizona Municipal Buildings Corporation in 1966, President of the Tempe Jaycees in 1967, Vice President of the Arizona Jaycees in 1968, member of the Norcross PDC, Master Mason and member of the Norcross Masonic Lodge, and publisher of the Norcross Times since it was founded in 2003, to name a few; and

WHEREAS, Mr. Barks will be missed both professionally and as a friend, as he leaves behind an indelible legacy of integrity and triumph, which has earned him the respect, admiration, and friendship of Norcross's citizens.

NOW, THEREFORE, We, the Mayor and Council of Norcross, Georgia, in memory of Mr. Bill Barks, hereby express our sincere appreciation for his dedication to the progression of this community and extend to his family our deepest sympathy upon his passing.

Craig Newton, Mayor

Attest: Monique Lang, City Clerk