#### Council Agenda Regular Meeting of the Mayor and Council City of Chattahoochee Hills, Georgia March 2, 2021 / 6:00 p.m.

Note: Meeting is being held as a virtual meeting only. Please visit www.chatthillsga.us for information on accessing the meeting via teleconference or videoconference.

#### Click <u>HERE</u> for Zoom link ID: 871 5671 6742 Code: 737548 Dial in: 646-558-8656

#### Call to Order

#### **Review and Approval of Agenda**

#### **Approval of Minutes**

1. Minutes of the Regular Meeting of February 2, 2021

#### **Presentations / Proclamations**

1. American Red Cross Month Proclamation and Presentation regarding Red Cross Services

#### Public Comments

#### Staff Reports

Financial Update: Robbie Rokovitz Fire Department Report: Greg Brett Police Department Report: Jim Little Public Works/Parks Report: Darold Wendlandt Community Development Report: Mike Morton

#### **Public Hearing**

1. **Item 21-012:** Public Hearing and Action to consider an application for a Full Pouring Alcohol Beverage License – Distilled Spirits, Wine and Malt Beverages. The name in which the license is to be issued –Gaia, LLC/Licensee – Richard Hammett, III. The location of the premises – 9445 Browns Lake Road.

#### Unfinished Business (None)

#### New Business

1. Item 21-013: Approval of Concept E from "Gateway Signs Concept" proposal.

2. **Item 21-014:** Approval of a Memorandum of Understanding with Community Brickworks for the provision of Community Center and Library Services.

#### **Mayor and Council Comments**

Executive Session (None)

Adjourn Meeting

Town Hall Session

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#### Minutes Regular Meeting of the Mayor and Council City of Chattahoochee Hills, Georgia February 2, 2021 / 6:00 p.m.

#### Call to Order

Mayor Reed called the meeting to order at 6:00 p.m. Councilmembers in attendance were Ruby Foster, Richard Schmidt. Laurie Searle, Camille Lowe, and Troy Bettis. All members were present. Also present was City Attorney Rick Lindsey. The meeting was held via videoconference/teleconference for the public.

#### **Review and Approval of Agenda**

Mayor Reed called for a motion to amend the agenda as follows:

- 1. Postpone Item 20-039, Ordinance to Add a New Chapter 13, Emergency Management, to the Code of Ordinances, to the March 2, 2021 meeting.
- 2. Postpone the American Red Cross Month Proclamation to the March 2, 2021 meeting.

Councilmember Searle made a motion to approve the agenda as amended. Councilmember Bettis seconded. The motion passed unanimously.

#### **Approval of Minutes**

1. Minutes of the Regular Meeting of January 12, 2021 Councilmember Schmidt made a motion to approve the minutes of the Regular Meeting of January 12, 2021. Councilmember Lowe seconded. The motion passed unanimously.

#### Presentations/Proclamations

1. Arbor Day Proclamation

Mayor Reed read a proclamation declaring February 26, 2021 as Arbor Day. Community Development Director Mike Morton said the Georgia Arborist Association approached the city about planting a tree in honor of Hugh Tyer. That tree planting will be done in as part of the Arbor Day celebration on February 26<sup>th</sup>.

2. American Red Cross Month Proclamation Postponed to March 2, 2021.

#### Public Comment

There were no public comments.

#### Staff Reports

Financial Update: City Manager Robbie Rokovitz

Mr. Rokovitz reported on the financials as of January 25, 2021. The city is 57% through the fiscal year. Revenues are 110% including Fund Balance and the proceeds for the capital lease. General Fund expenditures are 53%. He also reported that there is a TSPLOST project planned for this Spring. Staff will make project recommendations to the Council.

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#### Fire Department Report: Greg Brett

Chief Brett reported that the Automatic Aid Agreement with the City of South Fulton is finally in place. The agreement has been placed on the city's website so homeowners can access and provide it to their insurer. He also reported that the Fire Department has begun providing COVID vaccinations in a partnership with YourTown Health, the City of Palmetto, and the City of Fairburn.

#### Police Department Report: Jim Little

Chief Little reported the statistics for January 2021. Call volume, citations, and warnings are down, and there was one motor vehicle accident during the month. He said that he had received a voice message on his office phone over the weekend about a crime in progress and reminded everyone to call 9-1-1 in those instances. He also reported that there are three candidates in background for the two open positions.

#### Public Works/Parks Report: Darold Wendlandt

Mr. Wendlandt said that was nothing to report other than normal operations.

#### Community Development: Mike Morton

Mr. Morton reported the building permit statistics for January 2021. There were a total of 21 permits issued, with 12 of them being for single family dwellings. There will be road closures because of filming on South Fulton Parkway on February 21<sup>st</sup> and March 8<sup>th</sup>. The Rico planning process has started, and the team is currently reaching out to stakeholders. There are currently no action items for the upcoming February 11<sup>th</sup> Planning Commission meeting.

#### Public Hearing

 Item 21-005: Public Hearing regarding the 2021 Comprehensive Plan update – the purpose of the hearing is to brief the community on the process to be used to develop the plan, opportunities for public participation in development of the plan, and to obtain input on the proposed planning process. No action will be taken.
 Mayor Reed opened the Public Hearing. There was no public comment. Mayor Reed closed the Public Hearing.

Keri Stevens, Atlanta Regional Commission, gave a presentation on the Comprehensive Plan Five-Year Update process and schedule and answered questions from City Council.

#### Unfinished Business

1. Item 20-039: Ordinance to Add a New Chapter 13, Emergency Management, to the Code of Ordinances. *Postponed to the March 2, 2021 meeting.* 

#### New Business

1. Item 21-006: Resolution adopting the Historic Crossroads Framework Plan.

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Community Development Director Mike Morton presented the item. The plan was done in cooperation with the City of South Fulton, the Atlanta Regional Commission (ARC), and consultant Pond and Company with a grant from the ARC. The plan considers the history of the area, the existing conditions and prior planning effort, and real estate and market conditions. The master plan framework addresses the physical development of the area and five core implementation strategies.

Mayor Reed called for a motion on Item No. 21-006. Councilmember Schmidt made a motion to approve Item No. 21-006. Councilmember Searle seconded. The motion passed unanimously.

2. **Item 21-007:** Resolution to adopt revisions to the Fiscal Year 2021 Budget. *City Manager Robbie Rokovitz presented the item. These are mid-year budget adjustments recognizing increases in several lines of revenue. The increases in expenditures include an increase in General Administration due to the increase in audit costs and an increase in Community Development to budget for the CDAP Grant expenditures, which are offset by the grant reimbursements.* 

Mayor Reed called for a motion on Item No. 21-007. Councilmember Searle made a motion to approve Item No. 21-007. Councilmember Lowe seconded. The motion passed unanimously.

3. Item 21-008: Award a contract to DCW Construction in an amount not to exceed an estimated \$16,425 to renovate three bathrooms at city hall.

Public Works Director Darold Wendlandt presented the item. The proposed renovations are for the upper hallway unisex bathroom, the lower hallway main lobby women's restroom and the lower hallway main lobby men's restroom.

Mayor Reed called for a motion on Item No. 21-008. Councilmember Schmidt made a motion to approve Item No. 21-008. Councilmember Bettis seconded. The motion passed unanimously.

4. **Item 21-009:** Award contract to LODGINGRevs in an amount not to exceed an estimated \$26,016 to provide short-term rental compliance, licensing, and tax collection solutions.

City Manager Robbie Rokovitz presented the item. Staff recommends awarding the contract in order to capture additional short-term rental revenues and to, more importantly, manage the compliance process. The total cost in includes a one-time implementation cost of \$6,950 and an annual cost of \$19,068.

Mayor Reed called for a motion on Item No. 21-009. Councilmember Lowe made a motion to approve Item No. 21-009. Councilmember Searle seconded. The motion passed unanimously.

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- Item 21-010: Ordinance to revise and amend Chapter 4, Alcohol Beverages, Article II to create a new license for retail package licensees and a new license for retail consumption on the premises licensees to deliver alcohol to areas located within the city.
- 6. **Item 21-011:** Resolution calling for a referendum to allow the citizens to vote on whether to authorize package sales of malt beverages, wine, and distilled spirits from 11:00 a.m. to 12:00 midnight and sales of malt beverages, wine and distilled spirits by the drink from 11:00 a.m. to 12:00 midnight on Sundays.

City Attorney Rick Lindsey presented the items. Item 21-010 is an ordinance that would permit establishments that are licensed to sell alcohol beverage to offer home delivery of alcohol under the state regulations. Item 21-011 is a resolution that will call for a referendum on the "Sunday Brunch Law", which would extend the sales of alcohol on Sunday from 11:00 a.m. to midnight.

Mayor Reed called for a motion on Item No. 21-010. Councilmember Schmidt made a motion to approve Item No. 21-010. Councilmember Lowe seconded. The motion passed unanimously.

Mayor Reed called for a motion on Item No. 21-011. Councilmember Schmidt made a motion to approve Item No. 21-011. Councilmember Searle seconded. The motion passed unanimously.

#### Mayor and Council Comments

Councilmember Lowe thanked Councilmembers Foster and Searle for their work organizing and setting up the Black History Month art display.

Councilmember Searle thanked Public Works Director Darold Wendlandt for the installation of the lighting for the artwork display on a moment's notice.

Councilmember Schmidt said everything looks good and he appreciates everyone's hard work.

Councilmember Foster thanked Councilmember Searle for her passion and her efforts helping coordinate the display and other activities. She also thanked staff for their hard work.

Councilmember Schmidt asked about the location for the upcoming Planning Retreat. City Manager Robbie Rokovitz answered that it will be held at Historic Banning Mills February 18<sup>th</sup> – 19<sup>th</sup>.

Mayor Reed said he was reminded again, as he attended the YourTown vaccination program's first day of operations this morning, just how lucky the city is to have the

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staff it has. Because of the fact that Chief Brett instigated the addition of the vaccination site in our area and has such a great relationship with the cities of Palmetto and Fairburn, our cities are now moving ahead faster than anyone else in the county on a vaccination program. This weekend, as he was out driving through the city and checking the roads, he saw Chief Little out cycling the city roads and interacting with folks in the community. He had several interactions with Public Works Director Darold Wendlandt over the last week regarding film crews that are working in the city and we are now changing how they are doing some things because of those conversations with Mr. Wendlandt. An example is the detour for the South Fulton Parkway road closure that will now reroute truck traffic completely outside of the city - keeping it off of our streets. He recently was able to observe Community Development Director Mike Morton talking with several potential developers and see how Mr. Morton fights for the vision of the city. He also said he was reminded of the glue that holds everything together, City Clerk Dana Wicher. When he is visiting other cities, he is often reminded how high we swing above our weight and how good our crew is – it's the best in our area by far! He appreciates the staff and appreciates the Council for helping keep this good crew here. He also commented on a COVID report from Futon County Health Department that he had received the day before. The British variant of COVID, which is much more transmissible, is now in Georgia, and he encouraged everyone to be careful, and everyone who is able to get vaccinated.

#### Executive Session

There was no Executive Session.

#### **Adjourn Meeting**

Councilmember Lowe made a motion to adjourn the meeting. Councilmember Searle seconded. The motion passed unanimously, and the meeting adjourned at 7:15 p.m.

Approved this \_\_\_\_\_ day of \_\_\_\_\_\_, 2021.

Dana Wicher, City Clerk

Tom Reed, Mayor



#### AMERICAN RED CROSS MONTH, 2021 A Proclamation

March is American Red Cross Month, a special time to honor the kindness of our neighbors who aid families in need every day in Fulton County, across the United States and around the world. Their dedication touches millions of lives each year as they carry out the organization's 140-year mission of preventing and alleviating suffering.

During the trying times of the coronavirus pandemic, people have stepped up to help others in need, whether it was responding to this year's record-breaking disasters across the country or rolling up their sleeves to give blood when our country faced a severe blood shortage.

In Fulton County, local families have relied on Greater Atlanta Red Cross volunteers for comfort and hope while coping with home fires, the critical need for blood donations and other emergency needs. Last year, Greater Atlanta volunteers, in Fulton County alone, assisted 1,294 residents after home fires with urgent needs like food, lodging and recovery support – more than any other county in Georgia. They also deployed to disasters such as the tornados in Georgia in the spring of 2021 and other disasters across our nation.

The American Red Cross, with 676 volunteers in Fulton County, has supported local families in other ways too. Last year in Fulton County, the Red Cross performed 1,740 acts of assistance to our members of the military and their families, and conducted 6.260 training sessions in First Aid, CPR and other life-giving skills. All hospitals in Fulton County administer blood collected by the Red Cross, and Fulton County residents made 52,938 blood donations through the Red Cross.

This lifesaving work is vital to strengthening our community's resilience. Nearly 200 years since the birth of American Red Cross founder Clara Barton, we dedicate this month of March to all those who continue to advance her noble legacy, and we ask others to join in their commitment to care for people in need.

NOW, THEREFORE, I, Tom Reed, Mayor of Chattahoochee Hills, by virtue of the authority vested in me by the laws of the city of Chattahoochee Hills, the county of Fulton and the state of Georgia, do hereby proclaim March 2021 as Red Cross Month. I encourage all Americans to reach out and support its humanitarian mission.

IN WITNESS WHEREOF, I have hereunto set my hand this second day of February, in the year of our Lord two thousand twenty-one, and in the county of Fulton in the state of Georgia.

Tom Reed, Mayor

#### City of Chattahoochee Hills, GA FY2021 Budget Budget to Actual as of February 22, 2021 - 64.7% of Year Lapsed

Revenues:		FY2020 Amended	FY2020 (YTD) Feb 22	% Collected		FY2021 Amended		FY2021 (YTD) Feb 22	% Collected
Property Taxes	\$	1,750,000	\$ 1,701,570	97.2%	\$	1,792,012	\$	1,826,055	101.9%
L.O.S.T.	\$	660,000	\$ 406,759	61.6%	\$	480,000	\$	382,673	79.7%
Intangible Tax	\$	27,000	\$ 20,981	77.7%	\$	32,232	\$	40,207	124.7%
Motor Vehicle Tax	\$	6,400	\$ 5,203	81.3%	\$	10,000	\$	5,669	56.7%
Motor Vehicle Tax - Ad Valorem	\$	19,038	\$ 24,541	128.9%	\$	40,635	\$	40,635	100.0%
Real Estate Transfer Tax	\$	10,000	\$ 9,882	98.8%	\$	12,515	\$	15,946	127.4%
Business & Occupation Tax	\$	16,000	\$ 10,443	65.3%	\$	25,000	\$	9,677	38.7%
Insurance Premium Tax	\$	200,615	\$ 200,615	100.0%	\$	211,701	\$	211,701	100.0%
Alcohol Beverage Tax	\$	20,000	\$ 14,100	70.5%	\$	15,000	\$	13,865	92.4%
Franchise Fees	\$	145,228	\$ 136,229	93.8%	\$	145,000	\$	137,421	94.8%
Licenses & Permits	\$	100,000	\$ 74,549	74.5%	100	113,029	\$	126,317	111.8%
Charges for Service	s	75,000	\$ 34,488	46.0%		60,000	\$	45,205	75.3%
Charges for Service (Parking Fees)	S	60,000	\$ 48,156	80.3%		79,541	s	87,676	110.2%
Charges for Service (Hunting Lease)	Ś	-	\$	0.0%	1.0		Ś	-	0.0%
Intergovernmental (Conservation)	\$	651,540	\$ 651,540	100.0%	100	125,000	Ś	-	0.0%
Intergovernmetnal (Federal)	s		\$ -	0.0%	100	139,607	\$	139,940	0.0%
Intergovernmental (LMIG Grant)	\$	110,102	\$ 126,067	114.5%		134,126	\$	134,126	100.0%
Intergovernmental (RTP)	¢	110,102	\$ 120,007	0.0%	1.	10 1/120	s		0.0%
Intergovernmental (CDAP)	¢		\$ \$	0.0%	18.	33,592	\$	33,259	100.0%
Fines & Forfeitures	ç	145,000	\$ 120,589	83.2%		125,000	Ś	93,179	74.5%
Insurance Proceeds	\$		and the second se	1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.	1.0	125,000	ې د	55,175	
	\$	28,729	\$ 28,729	0.0%		10 707	Ş ¢	10.017	0.0%
Contributions & Donations	Ş	1,000	\$ 305	30.5%	1.5	19,787	\$	19,817	100.0%
Interest	\$	18,000	\$ 10,662	59.2%	Ş	4,410	\$	2,621	59.4%
Other Revenues	\$	16,125	\$ 19,134	0.0%	\$	33,290	\$	33,290	100.0%
PoliceTech Fees	\$	-	\$ 7,888	100.0%	\$	60,934	\$	57,801	100.0%
Proceeds from Capital Lease	\$	-	\$ -	0.0%	\$	249,632	\$	249,632	0.0%
Running Fund Balance From Prior Year	\$	1,609,630	\$ 977,948	60.8%	\$	1,288,512	\$	1,267,616	98.4%
GF Revenue Subtotal:	\$	5,669,407	\$ 4,630,377	81.7%	\$	5,230,553	\$	4,974,327	95.1%
Other Financing Sources:		114.5							
Hotel/Motel Tax		155,000	131,499	84.8%	\$	97,630	\$	117,029	120%
Hotel/Motel Tax Fund Balance	\$	189,239	156,344	82.6%	\$	215,401	\$	215,401	100%
TSPLOST		450,000	251,792	56.0%	1.5.11	357,000	\$	259,637	73%
TSPLOST Fund Balance	\$	120,431	244,932	0.0%	1000	346,782		346,782	100%
Subtotal Other Financing Sources:	\$	914,670 6,584,077		85.8%	-	1,016,813		938,849	92%
Total Operating Revenue:	\$	0,364,077	\$ 5,414,944	82.2%	\$	6,247,366	\$	5,913,176	95%
Expenditures:		FY2020 Amended	FY2020 (YTD) Feb 22	% Expended		FY2021 Amended		FY2021 (YTD) Feb 22	% Expended
Mayor & Council	\$	125,284	\$ 75,082	59.9%	\$	126,546	\$	54,127	42.8%
City Clerk	\$	56,231	\$ 31,459	55.9%	1.00	61,576		26,552	43.1%
City Manager	\$	145,403	\$ 96,602	66.4%	\$	146,397		91,817	62.7%
General Administration	\$	159,065	\$ 106,089	66.7%	1.25	162,333		108,325	66.7%
IT	\$	31,968	\$ 21,258	66.5%	I Detter	34,720	\$	24,570	70.8%
Non-Departmental Insurance	\$	91,593	\$ 90,028 \$ 47,622	98.3%	10.00	71,962	\$	71,962	100.0%
Municipal Court Police	\$	99,806 889,292	\$ 47,622 \$ 552,574	47.7% 62.1%	12.00	92,095 863,513	\$ \$	56,970 454,960	61.9% 52.7%
Fire	\$	909,279	\$ 631,328	69.4%	115.2	845,578	Ş	589,555	69.7%
Public Works	\$	528,114	\$ 295,653	56.0%	115.2	524,255	Ś	331,049	63.1%
Engineering	\$	5,000	\$ 181	3.6%	10.00	5,000	\$	3,199	64.0%
Parks & Recreation	\$	99,422	\$ 59,009	59.4%	\$	104,986	\$	54,775	52.2%
Community Development	\$	245,529	\$ 106,371	43.3%	-	258,839	\$	99,641	38.5%
Subtotal:	\$	3,385,987	\$ 2,113,256	62.4%	\$	3,297,800	\$	1,967,503	59.7%
Other GF Financing Uses:									
Other Gr Financing Uses:		and the second second	¢ 15.007	91.5%	\$	11,868		10,460	88.1%
Interest - Capital Lease	\$	16,504							00.40
Interest - Capital Lease Capital Lease Payment	\$	145,341	\$ 136,292	93.8%	1.0	126,866		117,196	
Interest - Capital Lease Capital Lease Payment Capital Fund	\$	145,341 957,331	\$ 136,292 \$ 668,252	93.8% 69.8%	\$	1,145,480	\$	312,510	27.3%
Interest - Capital Lease Capital Lease Payment Capital Fund Grants	\$ \$ \$	145,341 957,331 202,072	\$ 136,292 \$ 668,252 \$ -	93.8% 69.8% 0.0%	\$ \$	1,145,480 263,801	\$ \$		27.3% 15.8%
Interest - Capital Lease Capital Lease Payment Capital Fund	\$	145,341 957,331 202,072 1,083,297	\$ 136,292 \$ 668,252	93.8% 69.8%	\$ \$ \$	1,145,480	\$ \$ \$	312,510	92.4% 27.3% 15.8% 0.0% <b>22.6%</b>

#### GF Revenues in Excess of Expenditures

#### **Other Financing Uses:**

Hotel Motel TSPLOST Subtotal Other Financing Uses:

#### Total ALL FUNDS Expenditures Total ALL FUNDS Revenues Revenues in Excess of Expenditures

Capital Category	Expenditure		
Police (Vehicles)	\$	36,300	
Police (Capital)	\$	14,218	
Fire (Apparatus/Capital)	\$	261,991	
PW Vehicle(s)	\$	-	
LMIG (Capital)	\$		
CDAP Grant	\$	41,574	
PW Capital (TSPLOST)	\$	-	
TSPLOST (Contract Mgt)	\$	-	
TSPLOST Fund	S		

Expenditure		
\$ -		

(121,125)	\$	1,697,480		\$	(198,563)	\$	2,525,084	-
223,115	\$	43,878	19.7%	\$	165,000	\$	56,796	34.4%
570,431	\$	365,688	0.0%	\$	653,250	\$	-	0.0%
793,546	\$	409,566	51.6%	\$	818,250	\$	56,796	6.9%
6,584,078	\$	3,342,462	50.8%	\$	6,247,366	\$	2,506,039	40.1%
6,584,077	\$	5,414,944	82%	\$	6,247,366	\$	5,913,176	95%
(1)	\$	2,072,482		\$	(0)	\$	3,407,136	
	223,115 570,431 <b>793,546</b> 6,584,078 6,584,077	793,546 \$ 6,584,078 \$	223,115       \$       43,878         570,431       \$       365,688         793,546       \$       409,566         6,584,078       \$       3,342,462         6,584,077       \$       5,414,944	223,115       \$       43,878       19.7%         570,431       \$       365,688       0.0%         793,546       \$       409,566       51.6%         6,584,078       \$       3,342,462       50.8%         6,584,077       \$       5,414,944       82%	223,115       \$       43,878       19.7%       \$         570,431       \$       365,688       0.0%       \$         793,546       \$       409,566       51.6%       \$         6,584,078       \$       3,342,462       50.8%       \$         6,584,077       \$       5,414,944       82%       \$	223,115       \$       43,878       19.7%       \$       165,000         570,431       \$       365,688       0.0%       \$       653,250         793,546       \$       409,566       51.6%       \$       818,250         6,584,078       \$       3,342,462       50.8%       \$       6,247,366         6,584,077       \$       5,414,944       82%       \$       6,247,366	223,115       \$       43,878       19.7%       \$       165,000       \$         570,431       \$       365,688       0.0%       \$       653,250       \$         793,546       \$       409,566       51.6%       \$       818,250       \$         6,584,078       \$       3,342,462       50.8%       \$       6,247,366       \$         6,584,077       \$       5,414,944       82%       \$       6,247,366       \$	223,115       \$       43,878       19.7%       \$       165,000       \$       56,796         570,431       \$       365,688       0.0%       \$       653,250       \$       -         793,546       \$       409,566       51.6%       \$       818,250       \$       56,796         6,584,078       \$       3,342,462       50.8%       \$       6,247,366       \$       2,506,039         6,584,077       \$       5,414,944       82%       \$       6,247,366       \$       5,913,176

Month To Date	Cash Flow
July 27, 2020 (Balance)	\$ 904,059
August 31, 2020 (Balance)	\$ 937,190
September 30, 2020 (Balance)	\$ 819,879
October 31, 2020 (Balance)	\$ 923,855
November 30, 2020 (Balance)	\$ 1,906,157
January 04, 2021 (Balance)	\$ 2,467,887
January 30, 2021 (Balance)	\$ 2,635,709
February 22, 2021 (Balance)	\$ 2,524,846
March 31, 2021 (Balance)	
April 30, 2021 (Balance)	
May 31, 2021 (Balance)	
June 30, 2021 (Balance)	

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### ALCOHOL BEVERAGE LICENSE

Name of Business	Gara, UC/Trey Harry.	nett-licensee
Application Date	1-20-21	_
Review Deadline	2-5-21	_
Agenda Date	3-2-21	
Picture Date	2-15-21	

	Initials	Date	Approved	Denied
Finance Review	m	1-21-21	/	
Community Development Review – Zoning	_ <u>M</u>	1/11/01		
Community Development Review - Distance	Mu	1/27/21		<u></u>
Public Safety Review	<u>1</u> M_	1/27/2		
City Manager Review	S	62/09/21	V	

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6505 Rico Road Chattahoochee Hills Georgia 30268

#### ALCOHOL BEVERAGE LICENSE New License Application

Attached is the application and supplemental documents needed to apply for a new Alcohol Beverage License. Please complete forms and instructions as indicated. For details on Chattahoochee Hills regulations on alcohol licenses, please refer to the Code of Ordinances, Chapter 4: Alcohol Beverages available on the City website at http://www.chatthillsga.us/government/city-code/

Date: 12-14-20
Contact Name: Trey Hammett
Contact Phone:
Business Name: Gaig, LLC
DBA (If applicable):

Before submitting your application, please make sure all check-list items have been completed.

- $\checkmark$  1. Application sworn by applicant before notary public or other officer authorized to administer oaths.
- 2. MasterCard, Visa, check or money order for advertising, background check and license fees.  $\rho_{UU}$  A 300. $\bar{n}$
- ✓ 2. Completed GCIC (Georgia Crime Information Center) consent form. Each manager and all persons owning twenty percent or more of the business must complete this form.
  - 1 3. Completed Land Survey form and site map of the business location. and a flidaui f
- N/4 4. Signed affidavit (for restaurants only).

MAYOR Tom Reed

#### CITY COUNCIL

Ruby Foster Richard Schmidt Laurie Searle Camille Lowe Troy Bettis

CITY MANAGER Robert T, Rokovitz

www.chatthilisga.us (770) 463-8881 Fax (770) 463-8550

#### ALCOHOL BEVERAGE LICENSE Fee Schedule

`**T** 

Administrative Fees: Application Fee Advertising Fee GCIC Background Check per person	$\frac{1}{(\text{Number})} \times \begin{array}{c} \$100 \\ \$200 \\ x \\ \$20 \\ \$20 \\ \end{array} \times \begin{array}{c} \times \\ \$20 \\ \end{array}$	
<b>Consumption on Premises:</b> Limited Pouring - Wine and Malt Beverages Limited Pouring - Distilled Spirits Only Full Pouring - Wine, Malt Beverages and Distill Additional Bar (each)	\$1,300 \$3,200 #4,500 \$1,000	
Package: Wine Malt Beverages Distilled Spirits	\$ 400 \$ 400 \$3,000	
Other: Ancillary Wine/Beer Tasting	\$100	
Wholesale: Wine Malt Beverage Wine & Malt Beverage Distilled Spirits Wine, Malt Beverage and Distilled Spirits	Outside City Limits \$100 \$100 \$100 \$100 \$100	Inside City Limits \$ 500 \$ 500 \$1,000 \$3,500 \$4,500
Manufacturer: Brewery Farm Winery Distillery	\$1,300 \$1,300 \$1,300	
Total Fees Due:Administrative Fees (see above):\$ 320.00License Fees:\$ 5500Total Amount Due:\$ 5,820	pard ruli	12/21/20 12/21/20 #6,500.00

6505 Rico Road Chattahoochee Hills, Georgia 30368 770-463-8881

#### INSTRUCTIONS: PLEASE PRINT OR TYPE APPLICATION & ANSWER ALL QUESTIONS

#### Please fill out entire application leaving no sections blank; please mark sections that do not apply N/A.

#### TYPE OF BUSINESS: (Check all appropriate spaces)

[]Restaurant	[ ]Bar or Lounge	[]Liquor Store
∭Private	[ ]Food Store	[]Service Station
[]Hotel/Motel	Kunday Sales	[]Service Station Nother, specify: Special Event Facility

**TYPE OF LICENSE:** (Check all appropriate spaces)

Retail/Package: []Malt Beverage []Wine []Distilled Spirits

Consumption On The Premises (by the drink): Malt Beverage Wine Distilled Spirits

Manufacturer: [] Brewery []Farm Winery []Distillery

Special Event Retail/Package: []Malt Beverage []Wine []Distilled Spirits

Special Event (by the drink): [ ]Malt Beverage [ ]Wine [ ]Distilled Spirits

Other: [ ]Wholesaler [ ]Brew Pub (subject so wholesale excise) [ ]Ancillary Wine/Beer Tasting

1.	Full Name of Business <u>Gaia</u> , LLC
2.	Under what name is the Business to be operated
3.	Is the business a proprietorship, partnership or corporation? Corporation
4.	New business [] Existing business purchase
	If change of ownership, effective date of this change
	(If change of ownership, enclose a copy of the sales contract and closing statement)
6.	Domestic or foreign? Domestic
7.	Address: Physical: 9445 Browns Lake Rd. Chattahochee Hills, GA 30213
	Mailing: P.O. Box 4449 Dalton, GA 30719
8.	PhoneBeginning Date of Business in Chattahoochee Hills
9.	Federal Tax ID Number 20-2153316 Georgia Sales Tax Number 308-620185
10.	Full name of Applicant Carl M. Bouckgert
11.	Full name of Spouse, if Married
12.	Are you a U.S. Citizen or Alien Lawfully Admitted for Permanent Resident? Yes or [] No

13. Current Address

- 14. Home Telephone
- 15. Number of years at present address \_\_\_\_\_
- 16. Do you reside in Fulton County? Yes or [] No If yes, how long? 12
- 17. What is the name of the person who, if the license is granted, will be the active manager of the business and on the job at the business? List name and phone number:

Trey Hampett

- 18. Has the applicant, spouse or any individual having an interest either as owner, partner or stockholder, been arrested, convicted or entered a plea of nolo contendere within ten (10) years immediately prior to the filing of this application for any felony or misdemeanor of any state or of the United States or of any municipal ordinance except traffic violations? If yes, describe in detail and give dates:
- 19. Do you own the land and building on which this business is to be operated? Xes or [] No Date purchased \_\_\_\_\_\_ Amount\_\_\_\_\_

If not, provide the name of the owner and agent, if any. (Attach a copy of the lease and any other pertinent documents)

20. How is the proposed location zoned?

Does this establishment have a patio/open area intended to be used for consumption of alcohol beverages? X Yes or [] No

If yes, provide a site plan indicating the location of the patio in relation to the building, the height of the fence and any entrances or exits.

21. If operating as a corporation or limited liability company (LLC), state name and address of corporation/LLC, when and where incorporated, and the names and addresses of the officers and directors, social security numbers and the office held by each:

Gaia, LLC. P.D. Box 4449 Dalton, GA 30719

6505 Rico Road Chattahoochee Hills, Georgia 30268 770-463-8881 22. If operating as a corporation/LLC, list the stockholders who own 20% or more of the outstanding shares, complete addresses, area code and telephone numbers (residential, cell and business) and the amount of interest of each stockholder in the corporation:

Bouckaert - 100% Carl

- 23. If operating as a partnership, list the partners with complete addresses, area code and telephone numbers (residential, cell and business), and the amount of interest or percent of ownership of each partner:
  N 1A
- 24. If not already disclosed in responses to #22 or 23 above, state names of any other persons or firms owning any interest or receiving any funds from the business:
- 25. Does applicant, any owner of 20% of the corporation/LLC or the spouse of such person received any financial aid or assistance from any manufacturer or wholesaler of alcohol beverages?
  ( ) Yes X No If yes, please explain.
- 26. Does applicant, any owner of 20% of the corporation/LLC or the spouse of such person any financial interest in any manufacturer or wholesaler of alcohol beverages?

If yes, please explain.\_\_\_\_\_ () Yes X No

27. State whether or not applicant, partner, corporate officer, stockholder, or the spouse of such person holds any alcohol beverage license in other jurisdiction or has ever applied for a license and been denied. (Submit full details):

None have been denied in any jurisdiction A

6505 Rico Road Chattahoochee Hills, Georgia 30268 770-463-8881

- 28. Do you or your spouse or any of the other owners, partners, or stockholders or their spouses have an interest in other liquor stores? If so, state in how many stores cach is interested and where stores are located. Explain fully:
  - NO
- 29. Do you, your spouse, any partner or any stockholder have any financial interest in any wholesale liquor business? ( ) Yes ( No If so give details:
- 30. All beer, wine and liquor retailers shall only purchase alcohol beverages from a State of Georgia
   Licensed Wholesaler as per Georgia Alcohol Beverage Laws and Regulations, 1996 Edition, as now or hereafter amended, Chapter 560-2-2.04. Initial here
- 31. Do you have any questions or comments regarding the ordinánces, laws, regulations or application?
  ( ) Yes X No
- 32. Are you familiar with the City of Chattahoochee Hills ordinances, state laws and, regulations, federal laws and regulations governing the operation of this type of business? (Yes ( ) No
- 33. Have you made application for a State license? ( ) Yes 🚫 No
- 34. Have you answered all questions? ( ) No

#### FOOD SALES AND ALCOHOL BEVERAGE SALES AFEIDAVIT

FOOD S	SALES AND ALCOHOL BEV	/ERAGE SALES AFFIDAVIT	, Γ.Δ.
NAME OF ESTABLISHMENT:			NHT
ADDRESS OF ESTABLISHMENT:			
LICENSEE'S NAME:	BUSINESS L	ICENSE #:	_
or CPA certification must be con	npleted attesting to the report	eports must be attached to support the sed sales totals. This information must s or such period during which the establish	be provided from the
PERIOD FOR WHICH INFORMATIC (If existing business, must be 12-month	ON IS PROVIDED:	e 12-month estimate)	
Gross Receipts from Food Sales this	period: \$	%	
Gross Receipts from Alcohol Beverag	ge Sales this period: \$	%	
Total Food Sales and Alcohol Bevera	ge Sales this period: \$	%	
Briefly describe the method by which r	eccipts are segregated daily into	food sales & alcohol beverage sales:	
I certify that I have a working knowledge best of my knowledge the figures prese CPA Name (Printed)		e establishment whose name appears above les totals for the period specified.	ve, and that to the
CrA Name (rimed)	CrA Signature	Name of CFA Firm	
Business Address			
Sworn under oath thisday of	,20		
		My commission expires;	
Notary Public Signature		· · · · · · · · · · · · · · · · · · ·	
(Midnight) requires a valid alcohol bev	erage pouring license, valid Sun	bhol beverages on Sundays from 12:30 p day Sales pouring license, and that at lea erived from the sale of prepared meals and	st 50% of the license
prepare and maintain records of food sa	les and alcohol beverage sales is ng license. I further affirm that I	l beverage sales must be prepared and m s cause for denial or revocation of an alco I understand that the City of Chattahooch	hol beverage pouring
Signature, Licensee/Owner			
•			

Notary Public Signature

My commission expires;\_\_\_\_\_

6505 Rico Road Chattahoochee Hills, Georgia 30268 770-463-8881

#### ALCOHOL BEVERAGE LICENSE Contact Information

Name	Business Address	Business Phone
TR	5D	
		· · · · · · · · · · · · · · · · · · ·
		·
<u></u>	(If more, please indicate on the back of this	s form)
Solid Waste Haulers (1	for restaurants only)	
Name	Business Address	<b>Business Phone</b>
	(If more, please indicate on the back of this	s form)

.

#### ALCOHOL BEVERAGE LICENSE Application Affidavit

#### TO BE SIGNED BY BUSINESS OWNER AND A NOTARY OF THE PUBLIC

Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. Signer agrees to operate his/her business according to the law and that the rights and responsibilities conferred by the license(s), if granted will not be assigned to another. The applicant agrees to notify Chattahoochee Hills of any change as it applies to this application within thirty (30) days of change. Failure to make such amendments shall be cause for the revocation of any license issued pursuant to this application. Further, the applicant agrees to abide by all laws, rules, and regulations of the Unites States, the State of Georgia, and of the City of Chattahoochee Hills, now in force or which may hereafter be enacted, which regulate and govern the sale of alcohol beverages and liquors. The applicant understands that issuance of license hereby applied for be granted, shall be constituted only as a privilege and not a right and that said license may be revoked or suspended by the City Manager of Chattahoochee Hills. The applicant also fully understands that any license issued shall cover the period of one (1) year commencing the 1<sup>st</sup> day of January and expiring December 31<sup>st</sup> or shorter period expiring on December 31<sup>st</sup> if this is the first year of the license. All license fees are nonrefundable.

As an applicant for an Alcohol Beverage License, I understand that my license application will be publicly advertised and presented to the City Council for approval at one public hearing.

The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application; that the undersigned has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to state laws and city ordinances of Chattahoochee Hills, Georgia shall be void, and under penalty of state law, the undersigned may be prosecuted for submitting false statement and affidavits in connection with this application.

Signature of applicant

M. BOUCKAERS

Printed

. . . .

Subscribed and sworn to before me this  $21^{st}$  day of *December*, 2020.

MUNUM I CHUR

Clerk/ Notary Public

\_\_\_\_\_ My commission expires; *December 18, 909*7

#### ALCOHOL BEVERAGE LICENSE Report of Land Survey

This form must be signed by Georgia Registered Land Surveyor and returned with a boundary line survey clearly indicating that the proposed retail establishment meets Chattahoochee Hills's City Code of Ordinances regarding distance requirements.

The attached boundary line survey should be prepared by a Georgia Registered Land Surveyor and include the following information.

- Building location within boundaries of property.
- Indicate location of main/front entrance of building to determine appropriate distance requirements.
- Name, address, and telephone number of applicant.
- Date of survey, graphic scale, and north arrow.
- Location of tract (land district and land lot) and acreage.
- Signature and certification statements as listed below on survey for related alcohol beverage use.
- Include one (1) of the certification statements as listed below on survey for related alcohol beverage use.
  - 1. Certified that RETAIL SALES (Package Distilled Spirits) is not located within 100 yards of a church building or alcohol treatment center; within 200 yards of any school building, educational building, school grounds, or college campus; or within 500 yards of another licensed package distilled spirits business.
  - 2. Certified that RETAIL SALES (Package Wine, Package Malt Beverage, consumption on the premises) is not located within 100 yards of any school building, school grounds, or college campus.
  - 3. Certified that RETAIL SALES (Brewery, Farm Winery) is not located within 100 yards of any school building, school grounds, or college campus.
  - 4. Certified that RETAIL SALES (Distillery) is not located within 100 yards of a church building or alcohol treatment center; within 200 yards of any school building, educational building, school grounds, or college campus; or within 500 yards of another licensed package distilled spirits business.

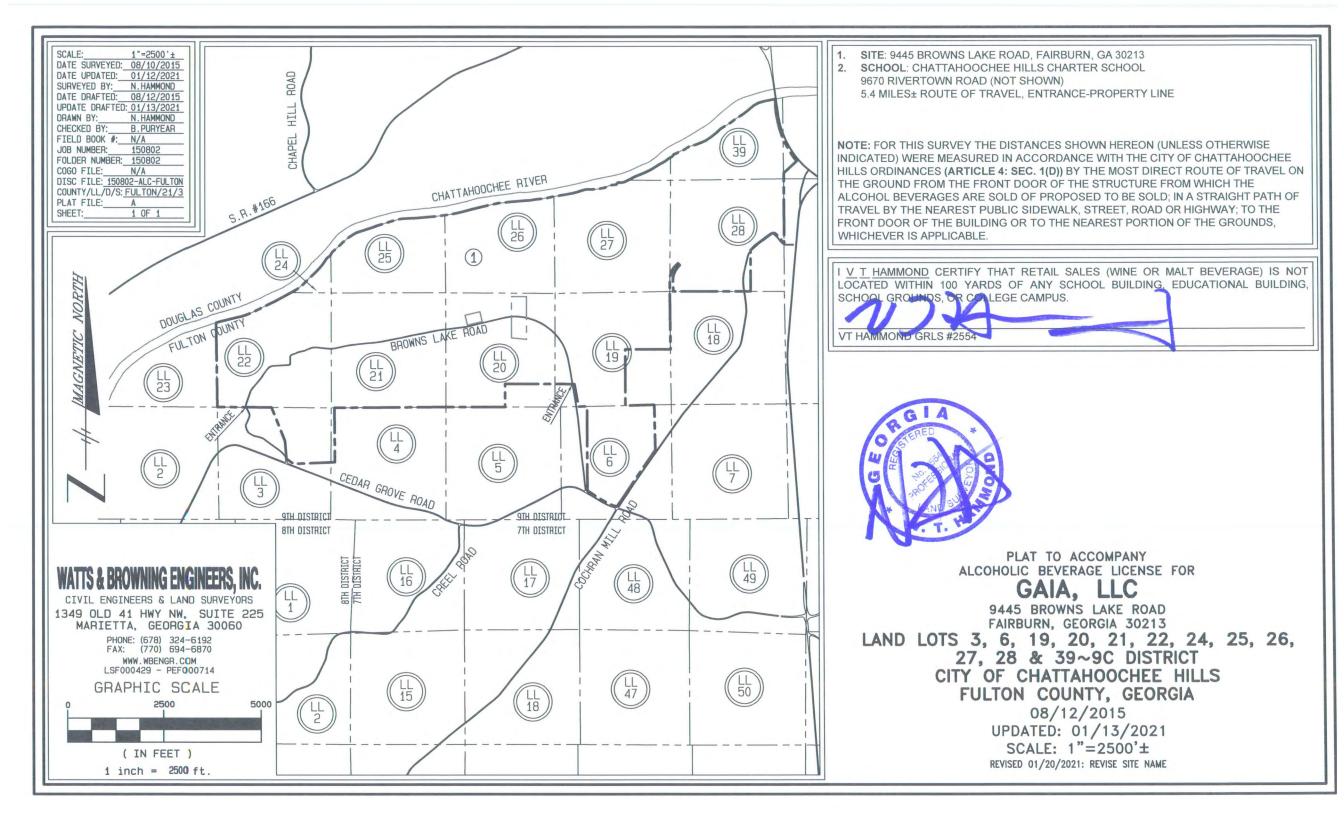
#### GAIA, INC.

Business Name (Business applying for license)

#### 9445 Browns Lake Road, Fairburn, GA 30213

Location Address





#### Dana Wicher

From: Sent: To: Subject: Attachments: Trey Hammett <**dammark - genetic genetics and** Friday, February 12, 2021 5:46 PM Dana Wicher Fwd: IMG\_2153.jpg; IMG\_2154.jpg; IMG\_2155.jpg

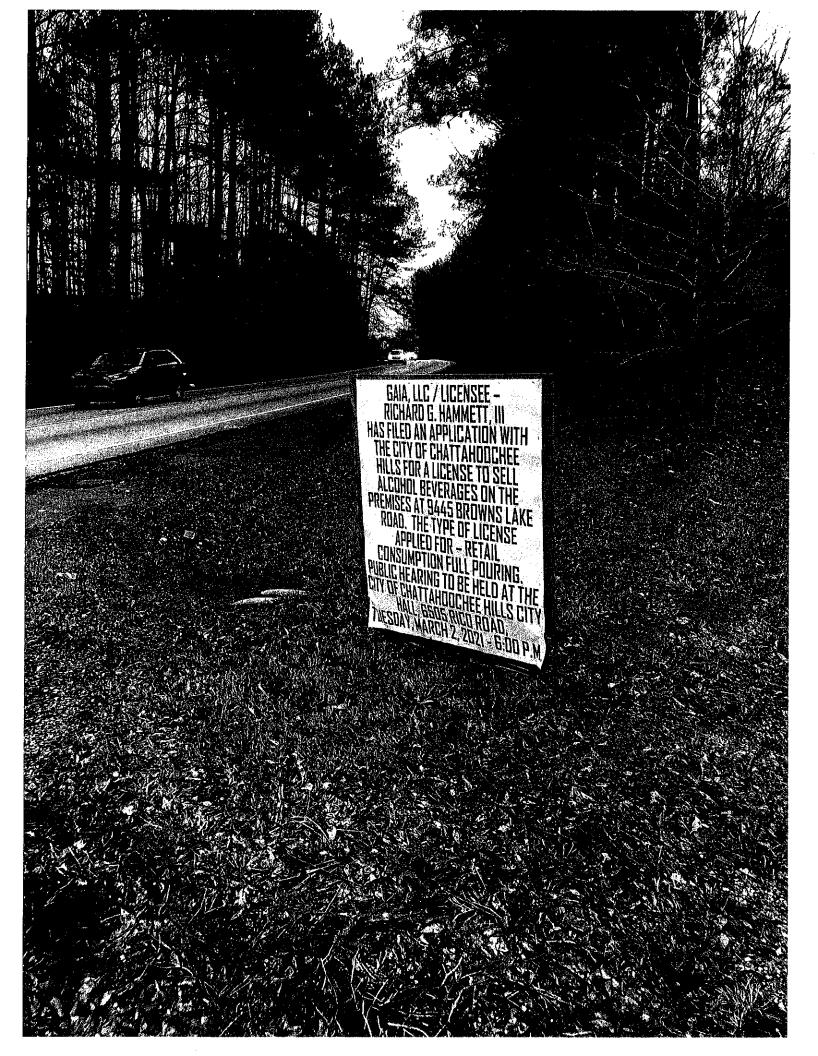
Hi Dana -

Advertising signs are out as of Friday evening the 12th - see attached. Posted on Hwy 92, Cedar Grove & Browns Lake, and Cedar Grove and West Entrance.

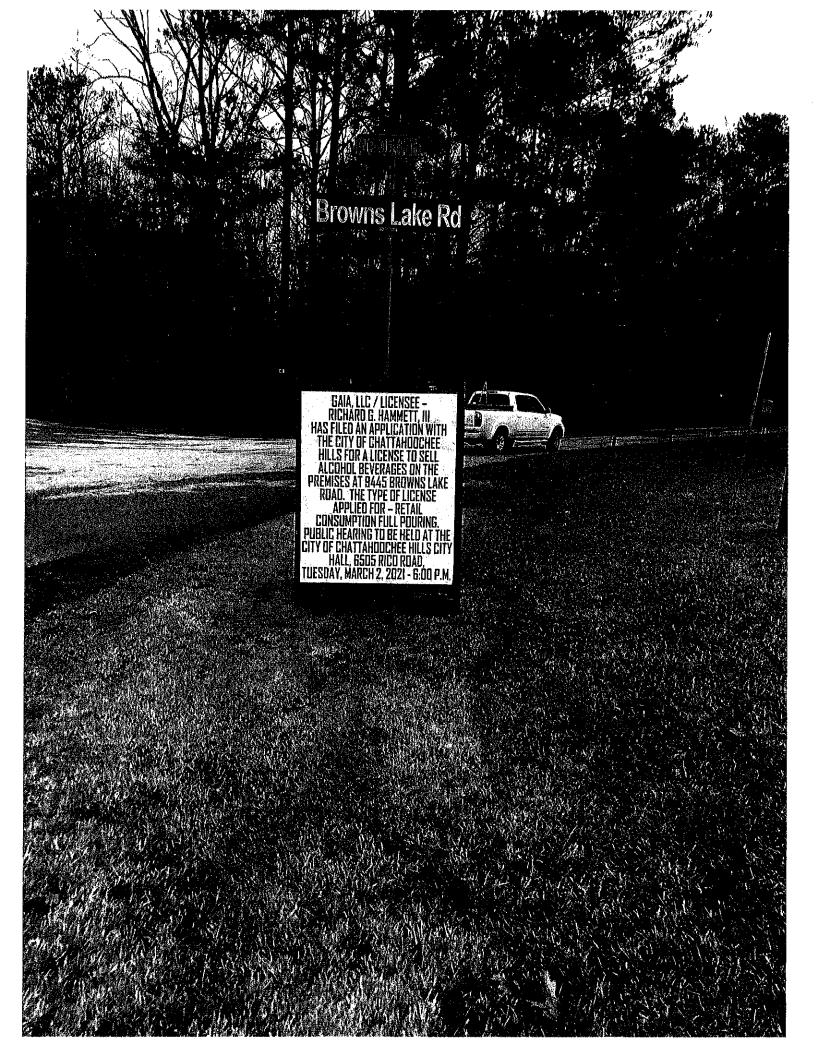
Please let me know if there are any issues.

Thanks,

Trey









6505 Rico Road Chattahoochee Hills Georgia 30268

MAYOR Tom Reed

CITY COUNCIL

Ruby Foster Richard Schmidt Laurie Searle Camille Lowe Troy Bettis

CITY MANAGER Robert T. Rokovitz

#### www.chatthillsga.us

(770) 463-8881 Fax (770) 463-8550 March 2, 2021

Trey Hammett Gaia, LLC 9445 Browns Lake Road Fairburn, GA 30213

Dear Mr. Hammett:

This letter is to clarify the scope of your proposed alcohol license. The application is for a special events facility. Due to the current zoning of the property, the license would apply only to agricultural (equestrian) events or to events for which the city has issued a Special Events Permit. The alcohol license, if approved, neither implies nor grants permission for any other events or other public use of the property.

If at a future date the property is entitled as a special event facility by rezoning or by a Special Permit, the alcohol license may also cover this use. On the other hand, any future alcohol service in conjunction with any other use of the property would require a separate alcohol license.

If you have questions about the permit or the limitations described here, please do not hesitate to contact me.

Sincerely,

Mike Morton Community Development Director

cc: Carl Bouckaert

City of Chattahoochee Hills 6505 Rico Road Chattahoochee Hills, Georgia 30268					
	Hill	s 6505 Rico Ro	oad Chattahoochee Hills, Georgia 30268		
	TO:	Mayor and Council			
MAYOR Tom Reed	CC:	Dana Wicher			
	DATE:	February 23, 2021 for March 2 <sup>nd</sup> , 2021 Council Meeting			
CITY COUNCIL	RE:	Wayfinding Signage Recon	nmendation		

#### Staff Recommendation:

Staff recommends Council's consideration to authorize ASI to proceed with the fabrication of signage using "*Concept E*" provided on February  $17^{\text{th}}$ , 2021 and presented at the City Council Annual retreat on Friday, February  $19^{\text{th}}$ .

#### Background:

The wayfinding program discussions started back in 2013 with City leaders and community stakeholders partnering with the Atlanta Regional Commission and the "Our Town" grant that the National Endowment for the Arts (NEA). These discussions culminated in design services by Denyse to design, fabricate and install our gateway sign. Continuing with those design standards and theme, we sought some additional designs from Denyse for some gateway signs. While the designs the presented were consistent with the Gateway sign design, there were some elements that did not seem congruent with the desire of the community stakeholders.

In April of 2019, the City Council adopted a Wayfinding Policy that established procedures for those who want to participate and have their destination listed. However, an approved contractor was still not selected at that time. Fast forward to June of 2020, the Council directed the city manager to present a RFP for consideration at the July 2<sup>nd</sup> City Council Work Session. Upon receiving consensus to move forward, the RFP process was initiated.

RFP Issue DateJuly 7, 2020
Pre-Proposal Conference (Optional but recommended)July 14, 2020 (2:00 p.m.)
Deadline for Receipt of Written QuestionsJuly 17, 2020 (5:00 p.m.)
Deadline for Posting Answers to the City's WebsiteJuly 20, 2020 (5:00 p.m.)
RFP Response Due DateJuly 24, 2020 (12:00 p.m.)
Bid OpeningJuly 24, 2020(12:05 pm)
Intended Date for Contract Award

CITY COUNCII Ruby Foster Richard Schmidt Laurie Searle Alan Merrill Troy Bettis

CITY MANAGER Robert T. Rokovitz

#### <u>www.chatthillsga.us</u>

(770) 463-8881

Fax (770) 463-8550



Design Team	ASI
Strategic Implementation Plan	\$ 5,100
Wayfinding Analysis	\$ 3,200
Programming (identification of Sign Locations and Messages)	\$ 1,800
Schematic Design	\$ 4,500
Design Development/Shop - Bid Drawings	\$ 10,800
Documentation	\$ -
Fabrication (Contract Mgt. Only)	\$ -
Final Inspection	\$ -
Subtotal	\$ 25,400
Expenses/Travel	\$ -
Expenses/Other	\$ -
Subtotal	\$ -
Total:	\$ 25,400
Fabrication (Contract Mgt, Fabrication and Installation)	\$ 82,500

On August 4<sup>th</sup>, 2020, the Council approved Item 20-023 -Award contract for Wayfinding Signs Program Services to ASI Signage Innovations.

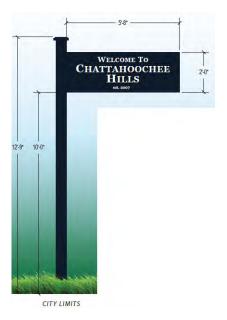
City Manager Robbie Rokovitz presented the item. Staff recommends the contract be awarded to ASI Signage Innovations. They provided a proposal for both design and an estimated fabrication in the amount of \$107,700. The project will be paid for using Hotel Motel funds. David Bodzy from ASI Signage Innovations was available via videoconference and answered questions from the councilmembers.

Mayor Reed called for a motion on Item No. 20-023. Councilmember Merrill made a motion to approve Item No. 20-023. Councilmember Foster seconded. The motion passed unanimously.

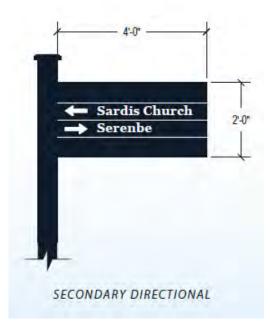
#### Discussion:

After several iterations and direction from the Mayor, Council and staff, ASI is recommending the designs listed below to kick start our Wayfinding Program.

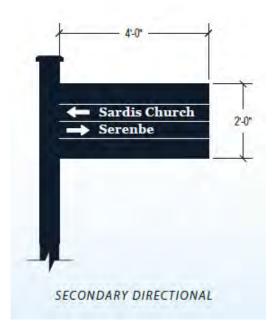
Approximately: (4) High Priority Directional Signs



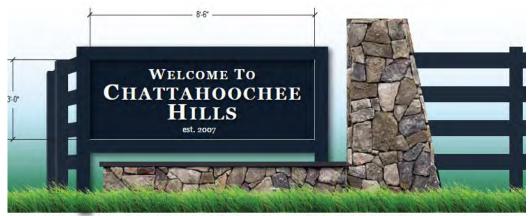
Approximately: (5) Medium Priority Directional Signs



Approximately: (2) Low Priority Directional Signs

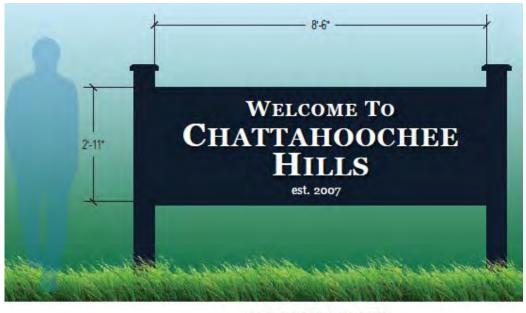


Approximately: (3) High Priority gateways



PRIMARY GATEWAY - PROPOSED "GEORGIA" TYPEFACE

Approximately: (4) Medium Priority gateways



SECONDARY GATEWAY

Approximately: (4) Public Parks



SECONDARY GATEWAY

Approximately: (16) Event Sites

Wayfinding Agenda Report (March 2<sup>nd</sup> 2021)



PRIMARY DIRECTIONAL

The below signage for road names has not been programmed; but here is what they could look like.



#### Fiscal Impact:

Currently, we have **\$282,379.79** in the Hotel Motel Fund Account. This does not include any revenues that are projected for the remainder of FY2021. The FY2021 has \$55,895 designated as a transfer to the General Fund for Tourism Product Development, \$60,000 is designated for Parks, and \$25,000 is designated for signs. Even without the current fund balance, we have budgeted \$80,895 in FY2021 for Tourism Product Development. Thus, the funds are available for this program.

The fiscal impact for design services only is estimated to be an amount not to exceed\* \$107,900. To date, we have spent \$9,600 for design services.

\* The \$82,500 is an estimate to fabricate wayfinding signs using the materials specified below:

- A) Material; wood for standards, frames and backing
- B) Color" "Horse-Fence" black or creosote brown
- C) Brackets: metal brackets for temporary informational signs.
- D) Typeface: neutral display titling Chattahoochee Hills
- E) Image: each standard is identified with a Chattahoochee Hills branded logo.

#### Alternatives:

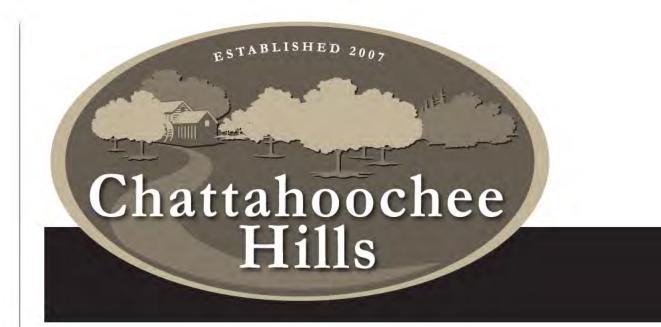
None Recommended

#### Attachments:

Gateway Sign Concepts "Concept E" dated February17th, 2021

#### Additionally reviewed by:

Rick Lindsey, City Attorney



## Gateway Sign Concepts

DRAFT October 29, 2020 Updated: February 17, 2021

Legal Notice

This drawing is the property of ASI. This drawing is submitted under a confidential relationship for a specified purpose and the recipient, by accepting this document, assumes custody and agrees that this document will not be copied or reproduced in whole or in part, nor its contents revealed in any manner or to any person except to meet the purpose for which it was delivered without express written permission from ASI.



Signage Innovations

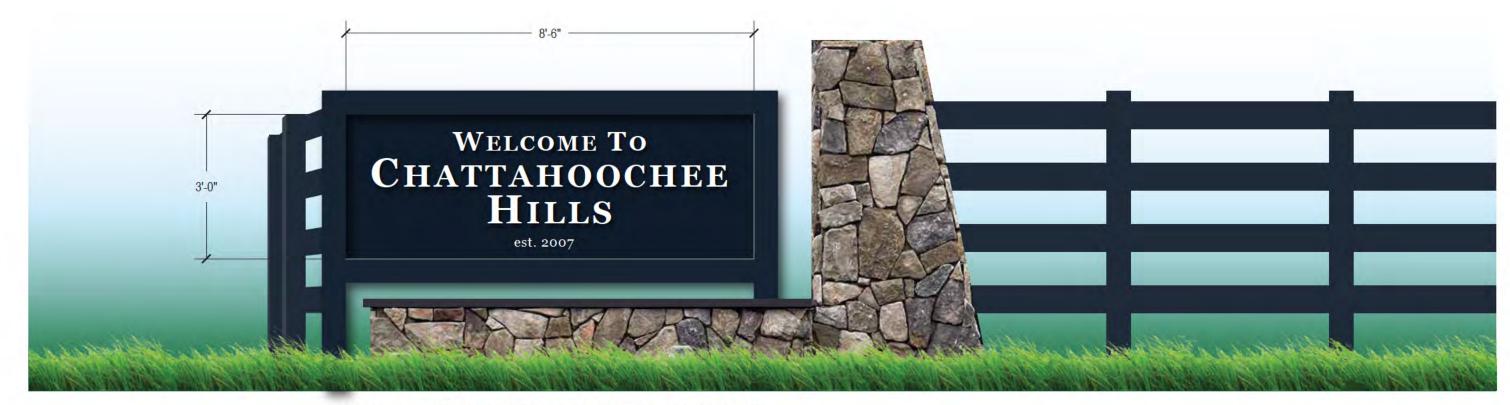


1000 Marietta Street, NW Suite 304 Atlanta, Georgia 30318 p. 404.815.0566 x 7 www.asisignage.com



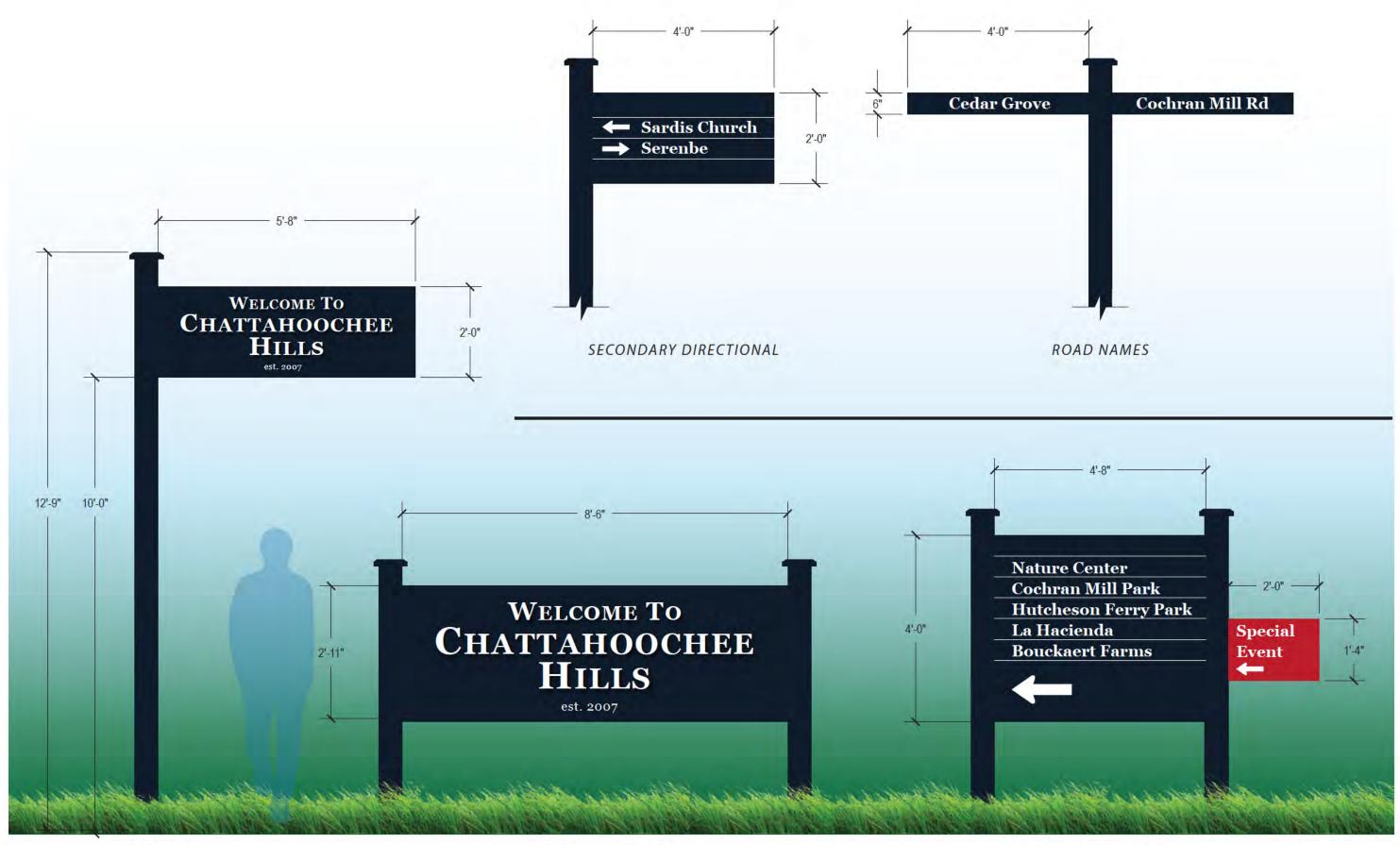


PRIMARY GATEWAY - EXISTING



PRIMARY GATEWAY - PROPOSED "GEORGIA" TYPEFACE

# CONCEPT **E** option 1



CITY LIMITS

SECONDARY GATEWAY

PRIMARY DIRECTIONAL





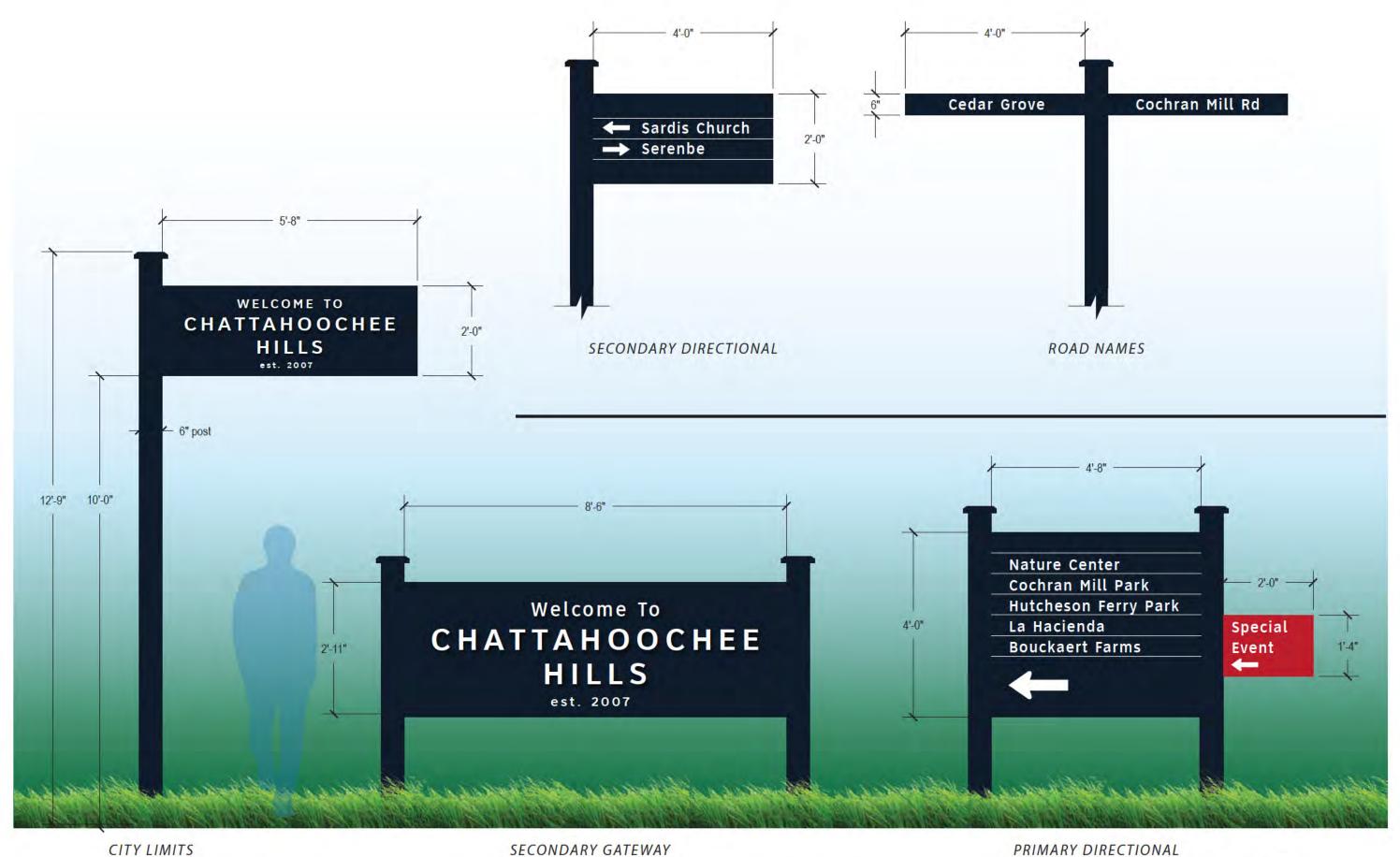


PRIMARY GATEWAY - EXISTING



PRIMARY GATEWAY - PROPOSED "CLEARVIEW HIGHWAY" TYPEFACE

## CONCEPT E option 2



SECONDARY GATEWAY

PRIMARY DIRECTIONAL



### MEMORANDUM OF UNDERSTANDING FOR THE PROVISION OF COMMUNITY CENTER AND LIBRARY SERVICES between COMMUNITY BRICKWORKS and THE CITY OF CHATTAHOOCHEE HILLS, GEORGIA

# THIS MEMORANDUM OF UNDERSTANDING ("MOU") is made this 3<sup>rd</sup> day of March, 2021 between Community Brickworks, Inc. ("Community Brickworks") and the City of Chattahoochee Hills ("City").

#### WITNESSETH:

**WHEREAS**, the City was created by act of the State of Georgia General Assembly in 2006, which was ratified by its citizens by referendum to create an effective date for the new city of December 1, 2007; and

**WHEREAS**, Community Brickworks is a non-profit corporation created under the laws of Georgia that consists of members actively creating, supporting and working to maintain a community library in the City; and

**WHEREAS**, the City and Community Brickworks are mutually interested in and concerned with providing community programs and library services for the use and benefit of all citizens of the City; and

**WHEREAS**, the City owns and maintains the property and facilities at the City Hall Complex located at 6505 Rico Road, Chattahoochee Hills, Georgia;

**NOW, THEREFORE**, it is mutually understood and agreed as follows:

#### 1. GENERAL TERMS OF THE MOU

- a. The City agrees to allow use of that portion of the area of the south wing of the City Hall Complex as shown in EXHIBIT "A" attached (the "Community Center Space") hereto for use as a community center and library at no charge to Community Brickworks.
- b. The City agrees to provide pest control as part of the City's regularly scheduled City Hall pest management program at no cost to Community Brickworks.
- c. Community Brickworks agrees to operate the community center, library, and associated programs at no charge to the City.
- d. Community Brickworks agrees to make space available in the area designated as "flex space" in Exhibit "A" for use by other community groups active in the City, for meetings and similar

uses, on an as-needed basis, and at no charge (other than reasonable charges for program services directly borne by users of those services).

- e. Community Brickworks agrees that use of the area is subject to all City ordinances, resolutions, policies and procedures. In addition, Community Brickworks agrees that any and all functions sponsored or conducted outside of the Community Center Space designated in Exhibit "A" must be approved in advance by the City Manager.
- f. Community Brickworks functions may be held in the Council meeting chambers or any other rooms or spaces in the City Hall complex other than the designated Community Center Space only when pre-approved by the City Manager. Any such use will be subject to a "damage and cleaning deposit" of \$250.00, which must be paid to the City seven (7) days in advance of the function with the deposit held by the City Manager. If the area is left clean and in acceptable condition as solely and reasonably determined by the City Manager, the \$250 damage deposit check will be returned to Community Brickworks. If the area is not left in an acceptable condition as determined by the City Manager, the \$250 check will be retained by the City. In addition to the damage deposit, any functions involving use of the City's kitchen facilities will be subject to a nonrefundable \$100 service charge, payable to the City, delivered seven (7) days in advance of the time of use.
- g. Community Brickworks agrees to comply with all items as found in Exhibit "B", "Regulations/Requirements for Community Center and Library".
- h. Community Brickworks agrees to maintain all aisles, rooms, meeting and activity areas, porch ways, and storage areas in a neat and orderly fashion as determined by the City Manager for the purpose of appearance and fire and public safety.
- i. Community Brickworks agrees to have and maintain a general liability insurance policy in the amount of \$1,000,000.00. The policy must provide professional and sexual misconduct coverage. All uses and functions that occur in the Community Center Space shall be covered by Community Brickworks Insurance policy. Proof of Insurance is attached as Exhibit "C".
- j. Community Brickworks shall pay for the propane it uses to heat the Community Center Space. The City shall pay the cost of electricity.
- k. The City shall pay the cost of maintain the roof, walls, and foundation of the Community Center Space. Community Brickworks shall pay for all maintenance inside of the walls and roof including, but not limited to, painting, light fixtures, and flooring. The cost of plumbing maintenance and repairs shall be addressed as follows: Community Brickworks shall pay all costs for plumbing repairs for the pipes located above the floor; the City shall pay the costs for all repairs below the floor and to the exterior of the building. The City agrees to provide its employees to assist in normal maintenance dependent on work loads and other demands on its employees.
- 1. Community Brickworks shall not make any alterations to the Community Center Space without prior written approval by the City, which shall not be unreasonably withheld.

#### 2. <u>TERM OF THE MOU; AUTOMATIC RENEWAL</u>

a. The term of the MOU shall be for a period of one year, from March 3, 2021 through March 2, 2022. This agreement can be terminated by either party for any reason with at least ninety (90) days notice to the other party.

b. This MOU shall renew automatically without the affirmative action of either party for successive terms of one year each unless a party provides at least ninety (90) days notice to the other party that the MOU shall not automatically renew.

#### 3. MISCELLANEOUS PROVISIONS

a. Notice

For purposes of this MOU, any notices required to be sent to Community Brickworks shall be hand delivered or mailed to Community Brickworks at the following address:

Carla Carrabino, President Community Brickworks, Inc. 6505 Rico Road Chattahoochee Hills, GA 30268

Any notices required to be sent to the City shall be hand delivered or mailed to:

Robert T. Rokovitz, City Manager City of Chattahoochee Hills 6505 Rico Road Chattahoochee Hills, GA 30268

b. This MOU, including attached Exhibits "A" (diagram), "B" (regulations), and "C" (proof of insurance) constitutes the entire agreement among the parties pertaining to the subject matter hereof and is intended as a complete and exclusive statement of the premises, representations, and agreements (oral and otherwise) that have been made between the parties.

(Signatures appear on the following page.)

IN WITNESS THEREOF, the parties hereto have set their hands and affixed the seals, this \_\_\_\_\_ day of \_\_\_\_\_\_, 2021.

#### ATTEST:

City of Chattahoochee Hills, a municipality of the State of Georgia

\_\_\_\_\_

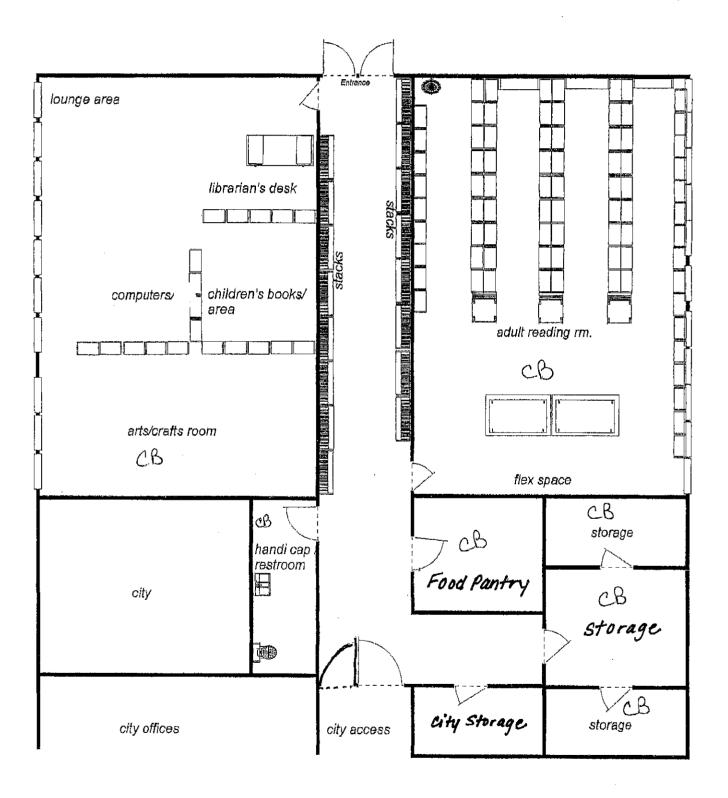
Dana Wicher, City Clerk

(Seal)

#### **Community Brickworks, Inc.**

By: <u>Carla Carrabino, President</u>

## Attachment A



### REGULATIONS/REQUIREMENTS FOR COMMUNITY CENTER AND LIBRARY

#### Exhibit **B**

The following is a list of regulations and requirements (Exhibit B) which will be a binding part of the Memorandum of Understanding between the City of Chattahoochee Hills ("City") and Community Brickworks, Inc. ("Community Brickworks"). Any failure to comply with the terms and conditions of the MOU, including all items described in "Exhibit B" will be brought to the attention of the Community Brickworks and must be resolved or remedied within 72 hours of said notice. Failure to comply within said 72 hour time frame will be deemed a breach of this agreement, and may be cause for immediate termination of the MOU. In case of such a termination, Community Brickworks will be given a 30 day notice to vacate the property.

- 1. The community center and library will occupy the area identified in Exhibit "A." Community Brickworks will present plans/drawings for any structural changes to the facility including, but not limited to HVAC, plumbing, handicap ramps and any other changes to the facilities, to the City Manager for approval prior to making such changes. After approval, Community Brickworks will secure the necessary building permits from the City and adhere to all city, county and state codes. Community Brickworks will pay for any required inspection and reinspection fees incurred. Any costs involved to remodel or change the south end of the facility to be occupied by Community Brickworks will be at no cost to the City. Community Brickworks will not alter, build, or modify the facility in any way without a written request and approval from the City Manager.
- 2. Community Brickworks will not install any appliances or secure any cabinets or structures to the facility without written approval from the City Manager. Community Brickworks will not install any signage or ornamentation on or in the exterior of the facility without written approval from the City Manager. Building alterations, modifications or installation of electrical appliances or equipment must be approved in advance by the City Manager. There are significant plumbing and electrical issues in the building that may impact the use of the Community Center Space. The City does not warrant or guarantee that the current plumbing and electrical system will support the use of the Community Center Space by Community Brickworks.
- 3. Community Brickworks will secure a \$1,000,000 General Liability insurance policy to include professional and sexual misconduct coverage. Community Brickworks will be responsible for the payment of these premiums. A copy of the policy shall be provided to the City.
- 4. Community Brickworks will not rent or lease out any portion of their floor space. Community Brickworks is permitted to subordinate running of specific functions to other groups as needed, including that of operating the library, subject to all conditions herein.

- 5. The interior and exterior space occupied by the community center and library and the area surrounding the entrance of the space occupied shall be maintained in a clean and professional manner at all times.
- 6. Community Brickworks agrees to maintain all aisles, rooms, meeting and activity areas, porch ways, and storage areas in a neat and orderly fashion as determined by the City Manager for the purpose of appearance and fire and public safety.
- 7. The area occupied by the community center and library will be used as a community meeting space, program space, and/or library exclusively, except for any special or fund raising activities which will be approved in advance by the City Manager. Any objects for sale shall not be visible from the exterior of the building and will be displayed in a professional manner inside the library. These items shall also be approved in advance of display and sale by the City Manager.
- 8. Due to safety concerns the fenced in property behind the City Hall Complex is off limits to public access, including Community Brickworks library staff and volunteers.
- 9. The Council/Court room and other facilities outside the designated Community Center Space, including the Kitchen is off limits to public access, including Community Brickworks library staff and volunteers, unless the \$100 service fee has been paid, and the \$250 damage deposit has been collected in advance of any specific use and the City Manager has approved the use and date of the proposed use in advance of such use.
- 10. Community Brickworks will use the assigned Community Center Space area as a library and community activity center. Activities that generate revenues in excess of funds needed to support the activities or the groups running them are not permitted. Operation of a home school is not permitted.
- 11. All items permanently installed in the area to be occupied by the Community Brickworks, including all renovations and improvements will become the property of the City at the termination of the MOU.

Exhibit C (copy of insurance policy declaration page) has been requested.