

**CITY OF PINE LAKE
AGENDA UPDATED
March 9, 2021
7:00 PM
VIA ZOOM**

Call to Order

Announcements/Communication

Adoption of Agenda

CONSENT AGENDA

Adoption of the City Council Meeting Minutes for February 23, 2021.

OLD BUSINESS

COVID-19 Pandemic Report – Mayor Hammet

Ordinance 2021-01

Ordinance O-2021-01 encourages the issuance of citations instead of arrest for possession of less than one ounce of marijuana when it is the sole non-traffic offense.

NEW BUSINESS

Renaming Forrest Road to Forest Road

Playground Opening

REPORTS AND OTHER BUSINESS

Public Comments

Staff

Mayor and City Council

Town Hall Planning Discussion

Adjournment

Residents can access this meeting by calling:

Conference line 1 929-205-6099

Meeting ID 967 0462 7805

**CITY OF PINE LAKE
ACTION AGENDA
February 23, 2021
7:00 PM
VIA ZOOM**

Call to Order

The meeting was called to order at 7:00 pm by Mayor Melanie Hammet.

Present – Mayor Melanie Hammet, Mayor pro tem Jean Bordeaux and Council members Tracey Brantley, Brandy Hall, and Augusta Woods. Also present were Acting City Administrator Peggy Merriss, City Attorney Susan Moore and Chief of Police Sarai Y’Hudah-Green. Council member Brandy Beavers and Administrative Coordinator Missye Varner were not present.

Announcements/Communication

Mayor Hammet announced that there was a meeting to begin to plan the Community Conversations around race with hopes that they would be scheduled to begin in late March.

Adoption of Agenda

On a motion by Council member Hall, second by Mayor pro tem Bordeaux, and all present voting “aye,” the agenda was adopted as amended to add scheduling of a Town Hall as new business.

CONSENT AGENDA

Adoption of the City Council Meeting Minutes for February 9, 2021.

On a motion by Mayor pro tem Bordeaux; second by Council member Hall, and all present voting “aye,” the minutes were adopted.

OLD BUSINESS

COVID-19 Pandemic Report – Mayor Hammet provided an update on current COVID pandemic information. She stated that there had been just over 500,00 deaths since the pandemic began. She noted that Georgia was ranked 47th in the United States for vaccine distribution efficacy and 6th in new cases. Mayor Hammet stated that monitoring will continue, and everyone needed to continue to wear masks in public and to maintain social distancing and practice other safe habits.

NEW BUSINESS

Ordinance 2021-01

Ordinance O-2021-01 encourages the issuance of citations instead of arrest for possession of less than one ounce of marijuana when it is the sole non-traffic offense.

On a motion by Mayor pro tem Bordeaux; second by Council member Woods, and all present voting “aye”, consideration of the ordinance and scheduling of the second reading for the Council Meeting on March 9, 2021 was adopted.

Amendment to Street Renaming Policy

Recommend approval amendments to the Street Naming Policy.

On a motion by Council member Woods, second by Council member Hall, and all present voting “aye”, the policy was amended as recommended.

Amendment #2 to Employment Agreement

Amendment #2 to the Employment Agreement extends the term of the agreement for professional services of Peggy Merriss as Acting City Administrator to December 31, 2021.

On a motion by Council member Hall, second by Council member Woods, and all present voting "aye", Amendment #2 was approved.

Town Hall Zoom Meeting

By consensus, it was agreed that a Town Hall would be scheduled for Thursday, March 18, 2021 at 7:00pm.

REPORTS AND OTHER BUSINESS

Public Comments

April Mackey, resident requested to open discussion about the playground and how to open it safely for children in the neighborhood. Ms. Mackey stated that Avondale Estates and the cities of Decatur and Tucker have currently opened their playgrounds.

Tyler Covington, resident, commented that he has two small children ages two and four and that they are very cautious regarding quarantining and fully understand the concerns regarding transmission of the Coronavirus. Mr. Covington said that all children have sacrificed their need for development during the pandemic. He commented that he hopes to find a way to open the playground safely for a more normal means for kids to interact with other kids by utilizing social and safe distancing. Mr. Covington recommended exploring opening the playground to see what happens.

Nevia Castro, resident, commented that she understands the plight of the kids but that she is concerned that people from all over will come to the playground and asked if they will social distance. Ms. Castro stated that there will need to be rules in place and asked how they will be enforced. Ms. Castro recommended to be careful and not open too soon.

Susan Lightcap, resident, commented that it is heartbreaking that the children are suffering from isolation during the pandemic. She also stated that Pine Lakers practice quarantining and social distancing and urged the City to use caution and go slow in opening public spaces. Ms. Lightcap talked about playground equipment not being sanitized properly and said that she does not know if the City can safely open the playground. Ms. Lightcap concluded by saying that COVID-19 is not widespread within the city because the citizens are being sensible and suggested practicing true caution.

Andrea Richardson, resident, commented about how working women, especially Black and Latino mothers have been the most affected especially when it comes to childcare during the pandemic. She said that many have had to quit their jobs to care for their children and homeschool during the day due to school closings. Ms. Richardson said that she has the option of driving to local parks but that many parents do not have that option. Ms. Richardson talked about managing risk versus the benefits of playing outside and that she often meets with other kids within the community to enjoy the green spaces. Also, she asked Mayor and Council to reopen the playground because many neighbors do not have the option to go to other area playgrounds. Ms. Richardson said that grocery stores and restaurants are open spaces that society has decided are important and that the parents and children are being left behind.

Sierra Wallace, resident, commented that she agreed with the other comments to open the playground and said that this past year in the life of kids has been huge. She also stated that the children within the City have been congregating at the green spaces and are being cautious and that

opening the playground is low risk with huge benefits. Ms. Wallace recommended to open the playground and if the crowd becomes too large to close it down and revisit the issue again.

Staff

There were no comments.

Mayor and City Council

Mayor Hammet commented that she appreciated residents attending the meeting and that this is how the City operates; by listening to the citizens. The Mayor said that staff will do additional research. She also said that volunteers and monitors would be needed to assist with playground activities if it were to open so that police officers would be called to monitor the play area. Mayor Hammet suggested to the residents who were present have further discussion about next steps that would be safe and consider creative possibilities.

Mayor Pro tem Bordeaux thanked all of the families represented and said that Council will do all that they can to come up with a solution and recommended having a sanitation plan for the playground. She also applauded the families for raising children during the pandemic.

Council Member Brantley commented that she feels the parents and children pain because playgrounds and parks were important to her and her three children while they were growing up and thanked all for sharing.

Council Member Hall thanked the concerned residents for sharing their perspectives and that she has a three-year-old that thinks that public works are slacking on their job because the playground is closed.

Mayor Hammet commented that a three-year-old sent her a video last May 2020 during the pandemic to re-open the playground. The Mayor thanked everyone for attending the meeting and stated that the city must keep the public safe.

Adjournment

On a motion by Mayor pro tem Bordeaux; second by Council member Brantley, and all present voting "aye," the meeting was adjourned.

Missye Varner, Administrative Coordinator

ORDINANCE NO. 2021-01

AN ORDINANCE BY THE CITY OF PINE LAKE TO AMEND CHAPTER 50 OF THE CITY CODE OF ORDINANCES; TO ESTABLISH THE PUNISHMENT FOR THE MUNICIPAL CODE VIOLATION OF POSSESSION OF ONE OUNCE OR LESS OF MARIJUANA; TO ENCOURAGE LAW ENFORCEMENT OFFICERS TO ISSUE CITATIONS FOR SUCH OFFENSE RATHER THAN EFFECTUATING ARREST; AND TO REPEAL CONFLICTING ORDINANCES

WHEREAS, the City Council finds that the enforcement of the State law prohibiting possession of less than one ounce of marijuana has been inequitable and has fallen disproportionately on certain subsets of the population; and

WHEREAS, arrest or conviction for the State law offense of possession of less than one ounce of marijuana presents obstacles throughout life for those arrested or convicted including in education, employment, and housing; and

WHEREAS, the City Council desires to facilitate equity in the administration of criminal justice; and

WHEREAS, O.C.G.A. § 36-32-6 grants municipal courts concurrent jurisdiction to try and dispose of cases wherein a person is charged with possession of one ounce or less of marijuana when such conduct occurs inside a municipality.

NOW THEREFORE, BE IT ORDAINED by the City of Pine Lake, as follows:

Section 1. City of Pine Lake law enforcement officers are hereby encouraged by the City Council to issue citations to individuals for violation of the city ordinance prohibiting possession of less than one ounce of marijuana rather than arresting such individuals, when possession of marijuana is the sole non-traffic offense by the individual observed by the officer.

Section 2. City Code Section 50-22 is hereby amended to strike the existing language and insert in lieu thereof the following:

“(a) It shall be unlawful for any person to possess one ounce or less of marijuana within the corporate limits of the City.

(b) Conviction for violation of this ordinance shall be punished by a fine of seventy-five dollars (\$75).

(c) No person solely convicted of violating this ordinance shall be punished by confinement for any period of time.”

Section 3. The various clauses and subsections of this ordinance are intended to be severable. Should any of the provisions of this ordinance be deemed invalid by a court of competent

jurisdiction, it is the intent of the City Council that the remaining provisions remain in full force and effect.

Section 4. All ordinances and portions of ordinances in conflict with the terms of this ordinance are hereby repealed as to the subject matter of this ordinance.

Section 5. This ordinance shall become effective upon its approval by the City Council, signature by the Mayor, and approval as to form by the City Attorney.

FIRST READING this 23rd day of February, 2021.

ADOPTED this ____ day of _____, 2021.

MAYOR AND CITY COUNCIL OF PINE LAKE, GEORGIA

Mayor Melanie Hammet

ATTEST:

Peggy Merriss, Acting City Administrator
(SEAL)

Approved as to Form:

Susan J. Moore, City Attorney



Memo

To: Mayor and City Council
From: Peggy Merriss, Acting City Administrator
Date: March 3, 2021
Re: Forrest Road Street Renaming

At the last Council Meeting on February 23, 2021 the Street Naming Policy was amended to provide a streamlined approach for renaming a street when the action is initiated by a member of the elected body.

Should the Mayor and/or a Council member want to pursue changing the name of Forrest Road to Forest Road, while not required, it would be desirable to have the initiation of the action come with a motion, a second and a vote so that it is memorialized in the minutes.

If initiated, a notice must be published in *The Champion Newspaper*. The policy requires that there be a minimum of 15 calendar days between publication and consideration by Council. This means that if approved at the March 9th Council Meeting, the notice can run in the March 18th edition of *The Champion Newspaper* and the item can be scheduled for consideration at the April 13th Council Meeting.



Memo

To: Mayor and City Council
From: Peggy Merriss, Acting City Administrator
Date: March 7, 2021
Re: Playground Re-opening

The purpose of this memorandum is to present issues that need Mayor and Council consideration before opening the City's playground.

Based on information provided by cities in DeKalb County¹, all but Stonecrest have opened playgrounds. Information from the CDC indicates that open-air playgrounds are considered lower risk for spreading the COVID-19 virus, if safe distancing, capacity controls and wearing face masks is in place.

The following should be considered.

In reviewing recreational standards for the equipment installed in the City's playground, it is designed to be used by children between the ages of 2-12 years old. Therefore, use of the playground should be restricted to children of that age and their adult caregivers. Caregivers should be required to be with children to provide supervision to assure that safe distancing and face coverings are constantly monitored and that children stay with their household group.

Operating hours for the playground should be established that would allow for reasonable usage, periodic cleaning, participant safety and neighborly consideration. To acknowledge that daylight hours change over the time, it is not unusual for operating hours to be from a time certain to 30 minutes before sunset, so having hours from 10am – thirty minutes before sunset would allow for the change in daylight hours over time. Another option would be set hours that are periodically reviewed and potentially changed, such as starting with 10am – 7pm.

Safety rules should be established which include maintaining safe distancing of at least 6 feet between different household groups, wearing face masks for all participants 2 years and older and no eating or drinking while at the playground to minimize removal of face masks. Caregivers

¹ As of March 7th, responses had not been received from Lithonia and Stone Mountain

should be encouraged to bring hand sanitizer and disinfectant wipes as there are no facilities for handwashing available at the playground².

Capacity controls should be considered. Based on the current Governor's Emergency orders, groups are limited to no more than 50 persons. Based on the square footage of the playground, 72 persons could be allowed while maintaining safe distancing of 6 feet. To start on the conservative side, there are also standards that apply a 50% capacity measure which would be 36 persons. Starting with a smaller number at opening and then making revisions as usage is assessed should contribute to a safer re-opening.

The City's budget was developed with the expectation that public spaces would not be open and utilized before September 2021. Therefore, opening the playground will result in unbudgeted costs to include a minimum of three outdoor foam core signs for hours and rules, safety reminders and for the Georgia general liability risk posting. Estimated cost would be approximately \$100.

The standard depth for woodchip material underneath playground equipment is six inches. Public works staff estimate that there is currently only about two inches of material on site, so we will need to add four inches to the existing base for an unbudgeted cost of approximately \$1,300.

The total estimated unbudgeted cost of opening the playground is approximately \$1,400.

On-going maintenance costs would include twice a week cleaning of the playground equipment estimated at \$100 per week and cleaning supplies estimated at \$50 per month for an annual unbudgeted cost of \$4,500.

If the reopening is approved at the March 9th Council meeting, we would target Monday, March 29th for re-opening. This should allow sufficient time to order and receive the signs for installation, to get the wood chips ordered and installed and to coordinate cleaning services.

² No facilities for running water or toilets are provided at the playground.