

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

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Call to Order

Announcements/Communication

Adoption of Agenda

**CONSENT AGENDA**

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

**OLD BUSINESS**

COVID-19 Pandemic Report – Mayor Hammet

**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.

Amendment to Street Renaming Policy.

Recommend approval amendments to the Street Naming Policy.

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.

**REPORTS AND OTHER BUSINESS**

Public Comments

Staff

Mayor and City Council

Adjournment

Residents can access this meeting by calling:

Conference line 1 929-205-6099

Meeting ID 967 0462 7805

**CITY OF PINE LAKE**  
**SUMMARY ACTION AGENDA**  
**February 9, 2021**  
**7:00 PM**  
**VIA ZOOM**

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**CALL TO ORDER-** at 7:00 pm by Mayor Melanie Hammet.

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

**Announcements/Communication**

There were no announcements or communications.

**Adoption of Agenda**

On motion by Council member Hall and second by Council Member Woods, the Agenda was approved unanimously.

**CONSENT AGENDA**

Adoption of the City Council Meeting Minutes for January 26, 2021.

On motion by Council member Woods and second by Council member Beavers, the Consent Agenda was approved unanimously.

**OLD BUSINESS**

**COVID-19 Pandemic Report – Mayor Hammet**

Mayor Hammet stated that there were two calls since the last Council meeting and Mayor Pro tem Bordeaux was on one of them. The Mayor reported that the main topic of the most recent call was the impact of the variant viruses as there are currently three types that are of concern because they are more transmissible. She also added that she had great concern for the city staff and that the variants cause more infections. Mayor Hammet stated that she will get the vaccine when it becomes available and continues to encourage wearing masks, social distancing, washing hand and to simplify lifestyles.

Ms. Merriss commented that work schedules had been readjusted to limit the number of people in the City Hall offices. City Hall staff are working two days in the office and three days from home with the Court Clerk working earlier morning hours on two days. The Police Department has one officer on the day shift and two officers on evening shift who stagger their hours and that needed briefings are being held outdoors in the parking lot. The Municipal Court has adjusted include a twenty-case load maximum, adding extra plexiglass shielding and other alternative dockets in session for fewer people. Ms. Merriss stated that there will be research on options including virtual court sessions. She added that in conversations, Judge L’Erin

Wiggins is open and supportive of making sure that people are served in a safe and responsible manner.

#### Presentation of Fiscal Year 2019 Audit – Jimmy Whitaker

Mr. Whitaker presented an overview of the audit with explanations. There was discussion with questions answered by Mr. Whitaker.

There was extended discussion regarding the audit findings and recommendations. Mr. Whitaker indicated that the findings did not indicate issues with the audit. He said that the size of the City, the limited number of staff and resources contributed to the repeat findings. Mr. Whitaker indicated that in conversations with Ms. Merriss, there were steps being taken to address the findings.

#### **NEW BUSINESS**

Approval of Proposal for Phase 1 of the Dam and Wetland Repair Project.

Recommend approval of a proposal from CPL Architecture Engineering & Planning for Phase 1 services in the amount of \$20,770.

On motion by Council Member Hall and seconded by Mayor Pro tem Bordeaux, the Proposal for Phase 1 was approved unanimously.

Approval of Proposal for Professional Services for Oak Drive Repair and Repaving Project.

Recommend approval of a proposal from CPL Architecture Engineering & Planning for professional services in the amount of \$4,500.

On motion by Mayor Pro tem Bordeaux and seconded by Council member Hall, the proposal was approved unanimously in an amount not to exceed \$4,500.

#### **REPORTS AND OTHER BUSINESS**

##### Public Comments

Resident Shirley Kinsey commented on the auditor's presentation and thanked the Mayor and Council for their stewardship and responsibility and all that they do for the city.

##### Acting City Administrator – Server Installation Update

Acting City Administrator Merriss stated that she met with the technology cabling contractor last week and that a cabinet with a door that locks for security of the server will be installed. The cost for the cabling and cabinet installation is \$1,400. Also, the server will be installed by the end of February at the cost of \$2,400. Both installations were approved in the 2021 budget.

##### Mayor and City Council Comments

Mayor Hammet commented that it was a pleasure having council meetings with results of tasks accomplished.

##### Council Comments

There were no council comments.

**Adjournment**

On motion by Council member Beavers second by Council member Woods, the adjournment was approved unanimously at 8:15pm.

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Missye Varner, Administrative Coordinator

DRAFT

**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:

“Sec. 50-22. Possession of less than one ounce of marijuana.

(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.

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:** February 18, 2021  
**Re:** Street Renaming Policy Amendments

A handwritten signature in black ink, appearing to read "Peggy Merriss".

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The purpose of this memorandum is to recommend amendments to the Street Renaming Policy adopted on September 28, 2020.

The naming or renaming of streets is a power that belongs to the elected body that does not typically require a petition if the name or name change is initiated by an elected official of the jurisdiction. Therefore, the proposed policy has a section applicable to a name change initiated by the Mayor or a Council member and a separate section applicable to street name changes initiated by the public.

The process for a street name change that is initiated by elected officials is streamlined to include notice and a public hearing before action is taken.

The process for a street name change that is initiated by the public basically retains the same process described in the current policy except for using certified mail instead of registered mail to reach out to non-responsive or out-of-town property owners.

There is also an overall change because the United States Postal System (USPS) does not approve street names or street name changes. In DeKalb County, the County Geographic Information System (GIS) Department is the clearinghouse for street names, so USPS was replaced by the DeKalb County GIS Department for street name approval.

CITY OF PINE LAKE  
STATE OF GEORGIA

## **STREET RENAMING POLICY**

The Mayor and Council is the governing authority for the City of Pine Lake. In that capacity the Mayor and Council remains ultimately responsible for all decisions regarding streets, including their names. Proposed new street names shall conform to the historic nomenclature of the City, such as names of trees, flowers, or other natural features.

While Pine Lake residents currently lack home delivery mail service and receive mail service through post office boxes, this situation may change in the future. Further, city residents and businesses occasionally receive commercial deliveries of furniture, goods or materials. And from time to time, emergency public safety response is required to residences within the city. For those deliveries and emergency responses to be accomplished, it is necessary that street names be identifiable, verifiable and non-duplicative of other DeKalb County street names. The DeKalb County Geographical Information Services (GIS) is the source for all street numbering systems.

Certain governments maintain maps that include Pine Lake streets. For streets to be properly designated on those maps, the mapping authorities need to be advised of any name changes to streets.

Changing of street names can result in additional cost to residents and businesses located along those streets. The City shall be responsible for placing street signs on renamed streets that accurately reflect the new street name and shall be responsible for the cost thereof. The City shall further bear the cost of notifying official governmental agencies of the name change. The City shall bear no other expenses for changing of street names. Cost of reprinting stationery, business cards, brochures, ads or their information personal to City businesses and residents remains the responsibility of the City businesses and residents.

### **Street Name Change Initiated by Mayor or City Council.**

Changes to the names of streets may be initiated by the Mayor or any member of the City Council. The request to rename a street shall be placed on the agenda of the next regular Mayor and Council meeting occurring at least 15 business days after a published notice has run. At the call of the item, elected officials may address the matter and, if they so choose, may allow citizen comments. A vote shall be required to resolve the item, i.e., vote to change the name of the street or vote to refrain from changing the name of the street. If approved, the City shall notify DeKalb County, the State of Georgia, the U. S. Postal Service, and any other entity the City deems appropriate of the name change.



### **Street Name Change Initiated by the public.**

Changes to the names of streets may be initiated by the public. Any applicant wishing to rename a street within Pine Lake shall complete a Street Name Change Application on a form supplied by the City and comply with all application requirements. The Mayor and Council may establish a fee from time to time to defray the administrative expense of completing a name change. In the event a fee is established, no approval will be given prior to payment of the fee.

Street name changes initiated by the public shall require a written petition signed by at least sixty-five (65%) percent of the property owners whose DeKalb County tax parcels use the address of the street in question. In cases of two or more people being listed as property owners, there shall be only one vote per parcel. In the case of multiple properties owned by one person, there will be only one vote for that property owner. Property owned by the City of Pine Lake shall be included in the required percentage calculation and Council will determine the city's vote on whether to sign petition or not.

Applicants can contact property owners in person, but if contact is not feasible or in the case of a non-resident owner, applicants can send a certified letter to the property owner asking if they agree or disagree with the proposed name change. The property owner will have sixty days (from the mailing date) to respond. If no response is received, the property will be taken out of the 65% calculation. The letter must contain all pertinent information, including the date that the return letter must be postmarked to be considered.

All street name change applications shall be accompanied by verification from the DeKalb County GIS Department that the name of the street is available for usage and will not be confused with an existing street within DeKalb County.

Once received by the City and the sufficiency of the petition is verified, the receipt of the application shall be publicized by the City through the same process as used for zoning hearings, in addition to posting to the website and by such other means as deemed appropriate by the Mayor and Council. The request to rename a street shall be placed on the agenda of the next regular Council meeting occurring at least 15 business days after the published notice has run. At the call of the item, elected officials may address the matter and, if they so choose, may allow citizen comments. A vote shall be required to resolve the item; i.e., vote to change the name of the street or vote to refrain from changing the name of the street.

Upon approval of a name change, the City shall notify DeKalb County, the State of Georgia, the U. S. Postal Service and any other appropriate entity as the City deems appropriate of the name change.

The original application, accompanying petitions, proof of registered letters if used, text of said letters, and all other accompanying information shall be maintained as an official file of the City and shall be retained in accordance with state records retention schedules.

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

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Melanie Hammet, Mayor

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Peggy Merriss, Acting City Clerk

**EMPLOYMENT AGREEMENT FOR PROFESSIONAL SERVICES  
OF ACTING CITY ADMINISTRATOR  
AMENDMENT #2**

**WHEREAS, AN EMPLOYMENT AGREEMENT** ("Agreement") was entered into on October 15, 2020 by and between the City of Pine Lake, Georgia ("City") for the professional services of Peggy Merriss, an individual who the Mayor has appointed as Acting Director of Administration of the City ("Acting City Administrator") and confirmed by the City Council, and as amended on December 8, 2020, is hereby further amended.

**NOW THEREFORE**, in consideration of the mutual covenants stated herein, the parties hereby agree to the following Amendment #2:

1. **SECTION 3. TERMINATION** is replaced in its entirety with the following:

**SECTION 3. TERMINATION**

The employment of Peggy Merriss as Acting City Administrator shall terminate no later than December 31, 2021 unless extended in writing by the Mayor and Peggy Merriss subject to confirmation by the City Council. Additionally, the parties acknowledge that Section 3.13 of the City Charter provides a process for the termination of a City Administrator's services. The Acting City Administrator agrees to waive the procedures and requirements for termination set forth in Section 3.06 of the City Charter during the term of this Agreement. If the City desires to terminate the services of the Acting City Administrator prior to the end of the term of this Agreement, the City shall merely provide at least fourteen (14) days' prior written notice to the Acting City Administrator and such termination shall be immediate or otherwise effective upon the date set forth in the notice.

Nothing in this Agreement shall prevent, limit, or otherwise interfere with the right of the Acting City Administrator to resign at any time from her position with the City and terminate this Agreement; provided, however, the Acting City Administrator shall give the City at least fourteen (14) days' prior written notice, unless the parties otherwise agree in writing.

2. **SECTION 4. TERM** is replaced in its entirety with the following:

**SECTION 4. TERM**

The parties acknowledge that the Acting City Administrator's employment is to fill, temporarily, the City Administrator position as of October 19, 2020. Therefore, the term of the Agreement shall begin on the Effective Date and continue through a period not to exceed December 31, 2021.

3. **SECTION 6. COMPENSATION AND ALLOWANCES**, Letter A is replaced in its entirety with the following:

**SECTION 6. COMPENSATION AND ALLOWANCES**

A. Base Compensation. The base compensation for the Acting City Administrator shall be \$2,700 per pay period for the period beginning April 5, 2021 through December 31, 2021 paid in installments through the City's existing payroll system.

4. SECTION 7. BENEFITS, adds the following Letter D:

**SECTION 7. Benefits**

D. Vacation Leave. The City shall provide the Acting City Administrator with eighty (80) hours of vacation leave. Any unused vacation leave remaining on December 31, 2021 will be forfeited unless agreed to in writing by the Mayor and City Council. If either party terminates this agreement as outlined in Section 3. TERMINATION, any unused vacation leave will be forfeited unless agreed to in writing by the Mayor and City Council.

**IN WITNESS WHEREOF**, the parties have executed this Amendment 2 to the Agreement through their duly authorized representatives.

**CITY OF PINE LAKE, GEORGIA**

By: \_\_\_\_\_  
Melanie Hammet, Mayor

Date of Execution: \_\_\_\_\_

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
City Attorney

**ACTING CITY ADMINISTRATOR**

By: \_\_\_\_\_  
Peggy Merriss

Date of Execution: \_\_\_\_\_

Effective Date: April 4, 2021