

**CITY OF PINE LAKE
AGENDA
December 28, 2021
7:00 PM
Council Chambers
459 Pine Drive Pine Lake, GA**

Call to Order

Announcements/Communication

Adoption of Agenda

CONSENT AGENDA

Adoption of the Minutes of the executive session and regular meeting of December 14, 2021.

NEW BUSINESS

Adoption of Resolution R-15-2021 Adopting the Revised 2021 and Proposed 2022 budgets.

Ordinance Amending Definitions in the Tree Preservation Ordinance to Authorize the City Council to Serve as the Pine Lake Tree Authority Board and Clarifying the term "Qualified Professional".

Authorization for Pre-Payment of Law Enforcement Grants

Amendment to the Employment Agreement for the Acting City Administrator.

Adoption of Resolution R-16-2021 Confirming the Executive Session of December 14, 2021.

REPORTS AND OTHER BUSINESS

Public Comments

Staff

Mayor

City Council

Information for "The Pine Lake News" eblast.

Adjournment

**CITY OF PINE LAKE
EXECUTIVE SESSION MINUTES
December 14, 2021
6:30 PM
Council Chambers
459 Pine Drive Pine Lake, GA**

Call to Order – Mayor Hammet called the meeting to order at 9:00am.

Present: Mayor Hammet, Mayor pro tem Bordeaux, Council members Brantley, Hall and Woods and Acting City Administrator Merriss. Council member Beavers attended electronically.

On a motion by Council member Brantley; second by Mayor pro tem Bordeaux; and all voting “aye”, the Committee entered into Executive Session for the purpose of personnel matters.

Mayor Hammet provided an update on the recruitment for the new City Administrator.

On a motion by Council member Woods; second by Mayor pro tem Bordeaux; and all voting “aye”, the meeting was adjourned at 6:48pm.

Peggy Merriss, Acting City Administrator

CITY OF PINE LAKE
DRAFT MINUTES
December 14, 2021
7:00 PM
Council Chambers
459 Pine Drive Pine Lake, GA

Call to Order – Mayor Hammet called the meeting to order at 7:00pm.

Present: Mayor Hammet; Mayor pro tem Bordeaux; and Council members Brantley, Hall and Woods. Council member Beavers attended electronically. Also present were Acting City Administrator Peggy Merriss and Police Chief Sarai Y'Hudah-Green.

Announcements/Communication

Mayor Hammet thanked Mayor pro tem Bordeaux for attending the DeKalb Municipal Association Police Committee meeting to represent Pine Lake.

Mayor Hammet stated that she was unable to attend the rescheduled Lighting of the Lake and thanked Mayor pro tem Bordeaux and Council member Brantley for all their work. Mayor Hammet also thanked PLAIN for their assistance.

Mayor pro tem Bordeaux announced the PLAIN is continuing to support the Food Pantry and that eight boxes of food along with additional coats were delivered to support the families at Rockbridge Elementary School.

Council member Woods announced that there would be a pop-up Makers' Market on Saturday, December 18th from 11am-4pm with a Food Truck at the Clubhouse.

Adoption of Agenda

On a motion by Council member Brantley, second by Mayor pro tem Bordeaux, and all voting "aye", the agenda was adopted.

CONSENT AGENDA

Adoption of the Minutes of the regular meeting of November 23, 2021, the called meeting of December 7, 2021 and the executive sessions of November 22, 2021 and November 23, 2021.

On a motion by Council member Woods, second by Council member Brantley, and all voting "aye", the consent agenda was approved.

PUBLIC HEARING

Public Hearing for the 2021 Revised Budgets and the 2022 Proposed Budgets.

Ms. Merriss provided an overview of the Revised 2021 and Proposed 2022 budgets.

Shirley Kinsey, 529 Spruce Drive, thanked the Mayor and Council for approving the financial accounting software so that the City can follow generally accepted accounting principles (GAAP).

Council member Beavers requested that additional funding be added to the Recreation Department Budget to extend the beach and lake opening from 12 weeks to 16 weeks. After discussion by the Mayor and Council, Ms. Merriss will add the funding so that there will be options for the 2022 season.

Council member Hall suggested that additional funding be added to the budget for professional services to cover the cost of contracting for communication services. After discussion by the Mayor and Council. Ms. Merriss will gather more information to determine a funding option.

NEW BUSINESS

Adoption of Resolution R-12-2021 Declaring the Results of the November 2, 2021 Election.

On a motion by Council member Woods, second by Council member Brantley, and Mayor pro tem Bordeaux and Council members Brantley, Hall and Woods voting "aye, and Council member Beavers abstaining, the resolution was adopted.

Adoption of Resolution R-13-21 Confirming Executive Session of November 22, 2021.

On a motion by Mayor pro tem Bordeaux, second by Council member Woods, and Mayor pro tem Bordeaux and Council members Brantley and Woods voting "aye, and Council members Beavers and Hall abstaining, the resolution was adopted.

Adoption of Resolution R-14-21 Confirming Executive Session of November 23, 2021.

On a motion by Council member Brantley, second by Council member Woods, and Mayor pro tem Bordeaux and Council members Brantley and Woods voting "aye, and Council members Beavers and Hall abstaining, the resolution was adopted.

Public Comments - There were no public comments.

Staff

Chief Green reported that DeKalb County will be removing the final utility connections had been removed from the existing Georgia Power poles by December 25, 2021. The next step will be for Georgia Power to remove the older poles and then for the work on the water lines and the stormwater system to be completed.

Mayor - Report on City Administrator Recruitment

Mayor Hammet stated that the City Administrator recruitment process was going well and that she hoped to have a nomination for a new City Administrator in January, 2022.

City Council – There were no comments from Council.

Information for “The Pine Lake News” eblast.

- City services will be closed December 23rd and December 24th for the holidays.
- The Council will adopt the 2022 budgets on December 28th.
- The next garden work date will be January 22nd and a link will be sent out for volunteer sign-up.

On a motion by Council member Brantley; second by Council Member Woods; and all voting “aye”, the meeting was adjourned at 7:39pm.

R-15-21

RESOLUTION ADOPTING THE
PROPOSED 2021 BUDGETS AND THE REVISED 2020 BUDGETS

BE IT RESOLVED by the City Council of the City of Pine Lake, Georgia, and it is hereby resolved by the same, that the following are the 2022 Proposed Budgets and the 2021 Revised Budgets for the various funds of the City of Pine Lake, Georgia with estimated revenues and expenditures as indicated.

GENERAL FUND

Proposed 2022		Revised 2021	
Revenues		Revenues	
Taxes	796,000	Taxes	769,930
Licenses, Permits and Inspection Fees	10,700	Licenses, Permits and Inspection Fees	6,650
Intergovernmental Revenues	-	Intergovernmental Revenues	4,300
Charges for Current Services	43,560	Charges for Current Services	41,080
Fines and Forfeitures	64,000	Fines and Forfeitures	64,000
Investment Income	1,000	Investment Income	1,000
Miscellaneous Revenues	3,300	Miscellaneous Revenues	3,600
Sale of Fixed Assets	-	Sale of Fixed Assets	-
Transfer to DDA	(77,230)	Transfer to DDA	(77,230)
Transfer to Debt Service	-	Transfer to Debt Service	(8,890)
Appropriation from (to) Fund Balance	55,390	Appropriation from (to) Fund Balance	21,780
	<u>\$ 896,720</u>		<u>\$ 826,220</u>

Expenditures		Expenditures	
Personnel Services/Benefits	539,310	Personnel Services/Benefits	494,460
Purchased and Contracted Services	290,520	Purchased and Contracted Services	263,980
Supplies	60,840	Supplies	61,300
Capital Outlays	6,050	Capital Outlays	6,480
	<u>\$ 896,720</u>		<u>\$ 826,220</u>

MUNICIPAL COURT AGENCY FUND

Proposed 2022		Revised 2021	
Court Receipts	57,000	Court Receipts	57,000
Bonds	5,000	Bonds	5,800
Probation	5,400	Probation	5,400
Court Assessed Add-ons	15,000	Court Assessed Add-ons	15,120
	<u>\$ 82,400</u>		<u>\$ 83,320</u>

Expenditures		Expenditures	
Payments to Agencies/Offsets	15,000	Payments to Agencies/Offsets	15,120
Bond Refunds	5,000	Bond Refunds	5,800
Transfer to General Fund	62,400	Transfer to General Fund	62,400
	<u>\$ 82,400</u>		<u>\$ 83,320</u>

STORMWATER UTILITY ENTERPRISE FUND

Proposed 2022		Revised 2021	
Revenues		Revenues	
Utility Fees	65,550	Utility Fees	66,470
Interest Income	10		10
	<u>\$ 65,560</u>		<u>\$ 66,480</u>
Expenditures		Expenditures	
Personnel Services	30,140	Personnel Services	28,070
Services	35,000	Services	50,570
Repair & Maintenance	-	Repair & Maintenance	-
Supplies	-	Supplies	3,000
Capital Outlay	-		15,100
Depreciation	1,050		1,050
	<u>\$ 66,190</u>		<u>\$ 97,790</u>
Other		Other	
To (From) Retained Earnings	630	To (From) Retained Earnings	(31,310)
	<u>\$ -</u>		<u>\$ -</u>

DOWNTOWN DEVELOPMENT FUND

Proposed 2022		Revised 2021	
Revenues		Revenues	
Transfer from General Fund	77,230	Transfer from General Fund	77,230
	<u>\$ 77,230</u>		<u>\$ 77,230</u>
Expenditures		Expenditures	
Principal - Bond Payment	56,790	Principal - Bond Payment	54,350
Interest - Bond Payment	20,440	Interest - Bond Payment	22,880
	<u>\$ 77,230</u>		<u>\$ 77,230</u>

DEBT SERVICE

Proposed 2022		Revised 2021	
Revenues		Revenues	
Transfer from General Fund	-	Transfer from General Fund	8,890
	<u>\$ -</u>		<u>\$ 8,890</u>
Expenditures		Expenditures	
Principal - Lease Payment	-	Principal - Lease Payment	8,190
Interest - Lease Payment	-	Interest - Lease Payment	700
	<u>\$ -</u>		<u>\$ 8,890</u>

CAPITAL IMPROVEMENT FUND

Proposed 2022

Revised 2021

Revenues

Revenues

Miscellaneous 0
 Appropriation from (to) Fund Balance 20,000
\$ 20,000

Miscellaneous 28,720
 Appropriation from (to) Fund Balance (17,050)
\$ 11,670

Expenditures

Expenditures

Capital Outlay 20,000
\$ 20,000

Capital Outlay 11,670
\$ 11,670

SPLOST FUND

Proposed 2022

Revised 2021

Revenues

Revenues

Taxes 125,000
 Intergovernmental 9,900
\$ 134,900

Taxes 125,000
 Intergovernmental 9,930
\$ 134,930

Professional & Technical Services 15,000
 Property Services 320,000
 Supplies -
 Capital Outlay 45,000
\$ 380,000

Professional & Technical Services 25,000
 Property Services -
 Supplies 160
 Capital Outlay 44,000
\$ 69,160

Other

Other

To (from) Fund Balance (245,100)
\$ -

To (From) Fund Balance 65,770
\$ -

ARPA FUND

Proposed 2022		Revised 2021	
Intergovernmental Revenues	<u>140,786</u>	Intergovernmental Revenues	<u>140,785</u>
	<u>\$ 140,786</u>		<u>\$ 140,785</u>
To (From) Fund Balance	<u>140,786</u>	To (From) Fund Balance	<u>140,785</u>
	<u>\$ 140,786</u>		<u>\$ 140,785</u>

McALLISTER FUND

Proposed 2022		Revised 2021	
Revenues	<u>-</u>	Revenues	<u>-</u>
	<u>\$ -</u>		<u>\$ -</u>
Expenditures		Expenditures	
Grant Expenses	<u>-</u>	Grant Expenses	<u>1,500</u>
To (From) Fund Balance	<u>-</u>	To (From) Fund Balance	<u>(1,500)</u>
	<u>\$ -</u>		<u>\$ -</u>

CONFISCATED ASSETS FUND

Proposed 2022		Revised 2021	
Revenues	<u>500</u>	Revenues	<u>-</u>
	<u>\$ 500</u>		<u>\$ -</u>
Expenditures		Expenditures	
Public Safety	<u>-</u>	Public Safety	<u>500</u>
To (From) Fund Balance	<u>-</u>	To (From) Fund Balance	<u>(500)</u>
	<u>\$ -</u>		<u>\$ -</u>

EFFECTIVE January 1, 2022.
ADOPTED December 28, 2021.

Melanie Hammett, Mayor

ATTEST:

Peggy Merriss, Acting City Clerk



Memo

To: Mayor and City Council

From: Peggy Merriss, Acting City Administrator
Susan Moore, City Attorney

Date: December 20, 2021

Re: Amendment to Two Definitions in the Pine Lake Tree Conservation Ordinance

The purpose of this memorandum is to recommend amending the Pine Lake Tree Conservation Ordinance to specifically authorize the City Council to serve as the Tree Authority Board and to have the definition of "Qualified Professional" reflect the City's actual practice .

The Pine Lake Tree Conservation Ordinance references a Tree Authority Board but there are no records that a Board has been appointed or has been functional in many years. There has been some indication that it was difficult to fill spaces on various Boards with volunteers due to the small population size of the City and the limited number of people willing to volunteer. The primary function of the Board is to hear appeals from an applicant or adjacent property owner directly impacted by an action of the City Arborist. There are also no records that indicate that an appeal has been filed with the Tree Authority Board, although there may be appeals filed in the future.

The definition of "Qualified Professional" is amended to include a person designated as a certified arborist can complete a plan and the requirement for the City Arborist to maintain a list of qualified professionals is deleted. This reflects the City's current policies and practices.

Therefore, it is recommended that the ordinance be amended to specifically authorize the City Council to serve as the Tree Authority Board to fulfill the responsibilities for hearing administrative appeals and to refine the definition of "Qualified Professional."

ORDINANCE NO. 2021-__

AN ORDINANCE BY THE CITY OF PINE LAKE TO AMEND THE TREE CONSERVATION ORDINANCE SO AS TO AUTHORIZE THE CITY COUNCIL TO SERVE AS THE PINE LAKE TREE AUTHORITY BOARD; TO REVISE THE DEFINITION OF QUALIFIED PROFESSIONAL; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the Pine Lake Tree Conservation Ordinance (“Ordinance”) enacted in 2007 provides standards and procedures regulating removal of trees in order to preserve and protect the City of Pine Lake’s natural environment; and

WHEREAS, the Ordinance places responsibility for administration of the Ordinance with the Director of Administration and the City Arborist, and establishes a Tree Advisory Board to administer appeals from any applicant or adjacent property owner directly impacted by an action of the City Arborist; and

WHEREAS, the Tree Authority Board has rarely, if ever, been called upon to perform its administrative appeal duty; and

WHEREAS, Section 3.11 of the Charter of the City of Pine Lake states that, except as otherwise provided by law, no person holding an elective office in the city shall serve on any City board, commission or authority; and

WHEREAS, because it rarely meets and acts, the City Council enacts this law as an exception to Section 3.11 of the Charter of the City of Pine Lake; and

WHEREAS, the current definition of Qualified Professional is not accurate;

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

Section 1. The Mayor and Council adopt and make the findings in the “Whereas” paragraphs the factual findings of the Mayor and Council.

Section 2. Section 22-252 of the Code of Ordinances of the City of Pine Lake is amended by striking the definitions of “Qualified Professional” and “Tree Authority Board” and inserting in lieu thereof as follows:

“Qualified Professional: Any individual possessing a degree in forestry, urban forestry, landscape architecture, or horticulture, ~~having been trained by the City of Pine Lake in the implementation of this article, and tree protection in building construction. The City Arborist shall certify and maintain a list of Qualified Professionals.~~ and certified by the International Society of Arboriculture.”

“Tree Authority Board (TAB): A board consisting of Pine Lake residents, established by City Council, which presides in conjunction with the city administration to oversee the permitting of tree removal. The Mayor and City Council are explicitly authorized to appoint the Mayor and City Council to serve as the Pine Lake Tree Authority Board.”

Section 3. 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 4. This ordinance shall become effective upon its approval by the City Council and signature by the Mayor.

ADOPTED this _____ day of January, 2022.

MAYOR AND CITY COUNCIL OF PINE LAKE, GEORGIA

Mayor Melanie Hammet

ATTEST:

Peggy Merriss, Acting City Clerk
(SEAL)

Approved as to Form:

Susan J. Moore, City Attorney



Memo

To: Mayor and City Council

From: Peggy Merriss, Acting City Administrator *Peggy Merriss*

Date: December 20, 2021

Re: Authorization to Pre-pay the Public Safety Officials and First Responders Supplemental Grant

The purpose of this memorandum is to recommend that the Council authorize the pre-payment of the Public Safety Officials and First Responders Supplemental Grant provided by the State of Georgia. In late September, 2021, Governor Brian Kemp announced that the State of Georgia would use some of the funding received through the American Rescue Plan Act (ARPA) to provide every full-time law enforcement staff with a one-time payment of \$1,000.

The City of Pine Lake filed all of the required paperwork to receive the funding for our four police officers in late October, 2021 but has not received the grant. There is no concern that the grant will not be received at some point, and we can account for it as a 2021 receivable.

The last salary payment for 2021 will on Friday, December 31st. It is recommended that the Council authorize the pre-payment of the grant so that it can be paid to staff with the December 31, 2021 payroll.

**EMPLOYMENT AGREEMENT FOR PROFESSIONAL SERVICES
OF ACTING CITY ADMINISTRATOR
AMENDMENT #3**

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, and on February 23, 2021 is hereby further amended.

NOW THEREFORE, in consideration of the mutual covenants stated herein, the parties hereby agree to the following Amendment #3:

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 February 6, 2022 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 February 6, 2022.

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 February 6, 2022 paid in installments through the City's existing payroll system.

IN WITNESS WHEREOF, the parties have executed this Amendment 3 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

**RESOLUTION
R-16-2021**

WHEREAS, a majority of the City Council of the City of Pine Lake, Georgia, entered into executive session on December 14, 2021 as allowed by O.C.G.A. §50-14-4 for the purpose of discussing personnel matters; and,

WHEREAS, at the close of discussion of each subject, the City Council of the City of Pine Lake, Georgia, did vote to close the executive session and begin open session; and,

WHEREAS, the members present were: Mayor Hammet; Mayor pro tem Bordeaux; and, Council members Beavers, Brantley, Hall and Woods.

WHEREAS, the members voting for closure were: Mayor Hammet; Mayor pro tem Bordeaux; and, Council members Beavers, Brantley, Hall and Woods.

NOW, THEREFORE, BE IT RESOLVED, and it is hereby resolved, by the City Council of the City of Pine Lake, Georgia, that:

- 1) Each member of the City Council of the City of Pine Lake, Georgia present for the meeting does hereby confirm that to the best of her knowledge, the said subject matter of the executive sessions were devoted to matters within the relevant exception as set forth above; and,
- 2) That the actions taken in executive session and discussion of the same are hereby ratified; and,
- 3) That the City Council of the City of Pine Lake, Georgia does hereby authorize and direct the Mayor to execute an affidavit in order to comply with O.C.G.A. §50-14-4(b); and,
- 4) That the affidavit be included and filed with the official minutes of the meetings and shall be in a form which substantially complies with the requirements of the statute.

This 28th day of December, 2021.

Melanie Hammet, Mayor

ATTEST: _____
Peggy Merriss, Acting City Clerk