

CITY OF LOCUST GROVE

REGULAR MEETING AGENDA
Monday May 2, 2022 – 6:00 P.M.
Public Safety Building – 3640 Highway 42 S.
Locust Grove, GA 30248

CALL TO ORDER..... Mayor Robert Price

INVOCATION..... Chief Derrick Austin

PLEDGE OF ALLEGIANCE..... Councilman Williams

APPROVAL OF THE AGENDA..... Mayor Robert Price (Motion Required)

PUBLIC COMMENTS..... Register with Clerk Before Meeting

- Proclamation: 53rd Annual Municipal Clerks Week, May 1 – May 7, 2022 (Mayor Price)

PUBLIC HEARING ITEMS..... None

APPROVAL OF THE MINUTES..... 2 Items

1. April 4, 2022, Regular Meeting Minutes (Motion Required)
2. April 18, 2022, Workshop Meeting Minutes (Motion Required)

ACCEPTANCE OF THE FINANCIAL STATEMENT..... 2 Items

3. February 2022 Financial Statement (Motion Required)
4. March 2022 Financial Statement (Motion Required)

UNFINISHED BUSINESS/ACTION ITEMS..... 4 Items

5. Ordinance to approve the conditional use request for a detached guest quarters on the property located at 595 Jackson Street (Parcel ID: L01-03003000) in LL 186 of the 2nd district - (Motion Required)
6. Resolution approving the architectural plans submitted for TSW Assets Inc., located at 301-311 Walker Crossing (Motion Required)
7. Ordinance to amend Pay Plan No. 701 of personnel for amended positions (Motion Required)
8. Resolution to authorize the acquisition of certain property rights associated with the Peeksville Road Extension project by the city for public transportation purposes through negotiated contract or the exercise of eminent domain – (Motion Required)

NEW BUSINESS/ACTION/DISCUSSION ITEM..... 2 Items

9. Ordinance to amend the Police Standard Operating Procedures (SOP) for revising Section P-027 – Taser (Motion Required)
10. Resolution to appoint Bart Hammock to the Henry City-County Transportation Advisory Group (Motion Required)

CITY MANAGER'S COMMENTS..... Tim Young

MAYOR'S COMMENTS..... Mayor Robert Price

EXECUTIVE SESSION – (IF NEEDED)

ADJOURN

POSTED AT CITY HALL –April 27, 2022, at 16:30

ADA Compliance: Individuals with disabilities who require certain accommodations to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting, or the facilities are required to contact the City Clerk at (770) 957-5043 promptly to allow the City to make reasonable accommodations for those persons. Public Comment may be limited to no more than ten (10) minutes with up to 3 minutes per requesting applicant to speak. Please register your NAME and ADDRESS prior to the beginning of the meeting with the City Clerk.

Proclamation

53rd ANNUAL PROFESSIONAL MUNICIPAL CLERKS WEEK

May 1, 2022 - May 7, 2022

Whereas, The Office of the Professional Municipal Clerk, a time honored and vital part of local government exists throughout the world, and

Whereas, The Office of the Professional Municipal Clerk is the oldest among public servants, and

Whereas, The Office of the Professional Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and

Whereas, Professional Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all.

Whereas, The Professional Municipal Clerk serves as the information center on functions of local government and community.

Whereas, Professional Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Professional Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county and international professional organizations.

Whereas, It is most appropriate that we recognize the accomplishments of the Office of the Professional Municipal Clerk.

Now, Therefore, I, Robert S. Price, Mayor of Locust Grove, Georgia, do recognize the week of May 1 through May 7, 2022, as Professional Municipal Clerks Week, and further extend appreciation to our City Clerk, Misty Spurling, our Assistant City Clerk, Jennifer Adkins, and to all Professional Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Dated this _____ day of _____, 2022

Mayor: _____ Attest: _____

**City of Locust Grove
Council Meeting Minutes
Public Safety Building – Courtroom Chamber
3640 Highway 42 S. – Locust Grove, GA 30248
Monday, April 4, 2022
6:00 PM**

Members Present:	Staff Present:
Robert Price – Mayor	Tim Young – City Manager
Carlos Greer – Councilman	Bert Foster – Assistant City Manager
Willie Taylor – Councilman	Misty Spurling – City Clerk
Keith Boone – Councilman	Jennifer Adkins – Assistant City Clerk
Vincent Williams – Councilman	Daunte’ Gibbs – Community Development Director
Rod Shearouse – Councilman	Jack Rose – Public Works Director
Rudy Breedlove – Councilman	Derrick Austin - Police Chief
	Andy Welch –Attorney
	Staff not present:
	Colleen Watts – Main Street Director

Mayor Price called the meeting to order at 6:00 PM

Invocation given by Assistant City Manager Bert Foster

Councilman Taylor led the Pledge of Allegiance.

APPROVAL OF AGENDA –

Mayor Price asked for a motion. Councilman Breedlove made the motion to approve the April 4, 2022, meeting agenda.

RESULT	APPROVED AGENDA
MADE MOTION	COUNCILMAN BREEDLOVE
2 ND MOTION	COUNCILMAN WILLIAMS
VOTE	MOTION CARRIED - ALL IN FAVOR

PUBLIC COMMENTS – NONE

PUBLIC HEARING ITEMS – NONE

APPROVAL OF THE MINUTES –

1. MARCH 7, 2022 - REGULAR MEETING MINUTES –

Mayor Price asked for a motion. Councilman Greer made the motion to approve the March 7, 2022, regular meeting minutes.

RESULT	APPROVED MARCH 7, 2022, REGULAR MEETING MINUTES
MADE MOTION	COUNCILMAN GREER
2 ND MOTION	COUNCILMAN BREEDLOVE
FAVOR	MOTION CARRIED – ALL IN FAVOR

2. MARCH 21, 2022- WORKSHOP MEETING MINUTES –

Mayor Price asked for a motion. Councilman Williams made the motion to approve the March 21, 2022, workshop meeting minutes.

RESULT	APPROVED MARCH 21, 2022, WORKSHOP MEETING MINUTES
MADE MOTION	COUNCILMAN WILLIAMS
2 ND MOTION	COUNCILMAN GREER
FAVOR	MOTION CARRIED – ALL IN FAVOR

ACCEPTANCE OF THE FINANCIAL STATEMENT –

3. DECEMBER 2021 FINANCIAL STATEMENT –

Mayor Price asked for a motion. Councilman Williams made the motion to approve the December 2021, financial statement.

RESULT	APPROVED DECEMBER 2021, FINANCIAL STATEMENT
MADE MOTION	COUNCILMAN WILLIAMS
2 ND MOTION	COUNCILMAN GREER
FAVOR	MOTION CARRIED – ALL IN FAVOR

4. JANUARY 2022 FINANCIAL STATEMENT –

Mayor Price asked for a motion. Councilman Williams made the motion to approve the January 2022, financial statement.

RESULT	APPROVED JANUARY 2022 FINANCIAL STATEMENT
MADE MOTION	COUNCILMAN WILLIAMS
2 ND MOTION	COUNCILMAN BOONE
FAVOR	MOTION CARRIED – ALL IN FAVOR

UNFINISHED BUSINESS/ACTION ITEMS –

5. Resolution to create a streetlight district in Berkeley Lakes, Phase 2 subdivision, on Davis Road –

Mayor Price asked for a motion. Councilman Greer made the motion to approve the request by approving resolution **#22-04-024**

RESULT	APPROVED RESOLUTION #22-04-024
MADE MOTION	COUNCILMAN GREER
2 ND MOTION	COUNCILMAN BREEDLOVE
FAVOR	MOTION CARRIED – ALL IN FAVOR

NEW BUSINESS/ACTION ITEMS –

6. Ordinance for appointment of (Charles) Keith Wood as Judge Pro Tem (Alternate) –

Mayor Price asked for a motion. Councilman Williams made the motion to approve the request by approving ordinance #22-04-025.

RESULT	APPROVED ORDINANCE #22-04-025
MADE MOTION	COUNCILMAN WILLIAMS
2 ND MOTION	COUNCILMAN BREEDLOVE
FAVOR	MOTION CARRIED – ALL IN FAVOR

ADMINISTRATION OF OATH –

- **(Charles) Keith Wood – Judge Pro Tem (Alternate) –**

Mayor Robert Price stepped forward to administer oath to Judge Keith Wood. Judge Wood was joined by family members.

CITY MANAGER’S COMMENTS –

Mr. Young stepped forward and said HB 1399 pertaining to Homestead Exemption passed and we are working on budget for first quarter review. We have at least two applications received for the fire marshal position. The drop-in meeting for the update on the Comprehensive Transportation Plan will be at the Public Safety Building (training room) on April 20, 2022, from 6:00pm-7:30pm. Nothing further.

Councilman Boone asked everyone to remember the Joey O’Conner family. Councilman Boone said we discussed the truck ordinance briefly at the retreat and we need to review that soon.

MAYOR’S COMMENTS – NONE

EXECUTIVE SESSION –NONE

ADJOURNMENT –

Mayor Price asked for a motion to adjourn. Councilman Greer made the motion to adjourn.

RESULT	APPROVED – ADJOURN MEETING
MADE MOTION	COUNCILMAN GREER
2 ND MOTION	COUNCILMAN BREEDLOVE
FAVOR	MOTION CARRIED MEETING ADJOURNED @ 6:11 PM.

Notes taken by:

Misty Spurling, City Clerk

**City of Locust Grove
Council Workshop Meeting Minutes
Public Safety Building – 3640 Highway 42 S.
Locust Grove, GA 30248
Monday, April 18, 2022
6:00 PM**

Members Present:	Staff Present:
Robert Price – Mayor	Tim Young – City Manager
Willie Taylor – Councilman	Bert Foster – Assistant City Manager
Keith Boone – Councilman/Pro Tem	Misty Spurling – City Clerk
Rudy Breedlove - Councilman	Jennifer Adkins – Assistant City Clerk
Vincent Williams - Councilman	Daunte’ Gibbs – Community Development Director
Carlos Greer – Councilman	Jack Rose – Public Works Director
Rod Shearouse – Councilman	Anna Ogg – Planner II
	Derrick Austin – Police Chief
	Colleen Watts – Main Street Program Manager
	Andy Welch–Attorney

Mayor Price called the meeting to order at 6:00 PM.

Invocation given by City Manager Tim Young

Councilman Boone led the Pledge of Allegiance.

APPROVAL OF AGENDA –

Mayor Price asked for a motion to amend the agenda. Councilman Greer made the motion to approve the April 18, 2022, meeting agenda.

RESULT	APPROVED AGENDA
MADE MOTION	COUNCILMAN GREER
2 ND MOTION	COUNCILMAN BOONE
VOTE	MOTION CARRIED - ALL IN FAVOR

PUBLIC COMMENTS –

PUBLIC HEARING ITEMS –

- 1. Conditional Use request for the purpose of establishing a guest-quarters on the property located at 595 Jackson Street (Parcel ID: L01-03003000) in LL 186 of the 2nd district**

Anna Ogg, Community Development Planner II, stepped forward. Mrs. Ogg said this request is for remodeling of the existing detached garage to use as a detached guest quarters. The primary structure is a historic single-family home, and the secondary structure is a large, detached garage. The applicant intends to reside in the guest quarters temporarily during the rehabilitation of the primary dwelling. Upon completing the primary dwelling, the detached guest quarters will serve as a mother-in-law suite for the applicant’s family. Mrs. Ogg said staff is recommending approval with conditions and Mrs. Ogg said the applicant is present tonight and read the following conditions aloud:

1. *The Guest Quarters shall comply with the intent of the Mixed Historic Neighborhood future land use designation having similar architectural style as the existing historic residential buildings of this district.*
2. *The applicant shall obtain a permit for the remodel of the detached guest quarters and rehabilitation of the primary structure within thirty (30) days of the approval of the Conditional Use.*
3. *No occupancy of the guest quarters shall occur until after the primary structure is 75% complete and habitable with the following basic utilities and functions recommended by the City's building inspector; electrical power, a serviceable bathroom, a useable kitchen, running hot and cold water, heating and cooling, and completion of all framing and other rough ins needed for the rehabilitation of the primary structure.*
4. *Following the issuance of the certificate of occupancy for the detached guest quarters, the applicant shall have eighteen (18) months to obtain a certificate of occupancy for the primary dwelling.*

Councilman Greer asked if the photos provided are of the primary dwelling or the detached garage? Mrs. Ogg went through the images on the visual screen and clarified the interior photos are of the primary structure.

Councilman Williams asked if 18 months is sufficient time to complete the primary dwelling? Mrs. Ogg said Council has the authority to extend; however, the 18 months does not begin until after the issuance of the certificate of occupancy for the guest quarters.

Discussion took place about both projects being remodeled at the same time.

Councilman Shearouse asked who owns the property and asked who owns the business referenced on the application. Mrs. Ogg said Patrick Scott owns both the property and the business. Councilman Shearouse asked about the percentage to complete and what is the stipulation if the structure is not complete within the 18 months? Mrs. Ogg said our inspector, Ronnie Glaze, said the primary structure is currently around 50% complete but needs to be 75% complete to occupy. Mr. Gibbs said a "Sunset" clause could be allowed or Council can extend the time. If the applicant does not comply, the applicant would be in violation.

Attorney Andy Welch said staff is trying to protect the city to avoid the applicant from using the guest quarters as the primary residence. Councilman Shearouse asked what is the risk to the city if approved and the applicant does not comply? Mr. Welch said the applicant would be in violation of the code but no loss to the city. Council needs to determine if this would be beneficial to the city.

Mayor Price said this is a public hearing and asked for public comments from anyone in favor of the request.

The applicant, Mr. Patrick Scott, stepped forward to comment. Mr. Scott said he owns the property, and his intention is to renovate the primary structure but not change the footprint. Mr. Scott said his goal is to complete the back structure for his daughter to reside when she finishes college in Miami. Mr. Scott said he does not have intentions to sell the property and has cash on hand to complete the guest quarters.

Mr. Gibbs suggested to remove condition number three and removing the 75% and leaving the 18-month requirement to complete the primary structure.

Mr. Young said according to the tax accessor Mr. Scott owns the property at 930 Jackson Street. Mr. Scott confirmed he does own that property and uses as storage.

Mayor Price asked for public comments from anyone opposed to the request. There were no comments.

Mayor Price closed the public hearing.

OLD BUSINESS/ACTION ITEMS – NONE

NEW BUSINESS/ACTION ITEMS –

2. Ordinance to approve a final plat for Nine Oaks subdivision, Phase 3, located on Peeksville Road –

Mr. Gibbs stepped forward and said this request is for the final plat for Nine Oaks subdivision and the general concept is 26 single-family residential lots. The development is the zoned R-2 and is the final phase for this subdivision. Staff is recommending approval.

Councilman Greer asked Mr. Keith Russell; developer of Capshaw Development, if there are still issues with the price of the home increasing when the buyer is at closing? Mr. Russell said “no, those issues were resolved.”

Mayor Price asked for a motion. Councilman Williams made the motion to approve the request by approving ordinance **#22-04-026**

RESULT	APPROVED ORDINANCE #22-04-026
MADE MOTION	COUNCILMAN WILLIAMS
2 ND MOTION	COUNCILMAN BOONE
VOTE	MOTION CARRIED – FIVE IN FAVOR (TAYLOR, BOONE, WILLIAMS, SHEAROUSE, BREEDLOVE) AND ONE OPPOSED (GREER)

CITY OPERATION REPORTS / WORKSHOP DISCUSSION ITEMS -

MAIN STREET OPERATIONS – COLLEEN WATTS

Ms. Watts gave an update Déjà Vu on forty-two has permanently closed. Main Street Inc. welcomed a new member, Laura Huerta, and we have two activities planned for fall: Groovin’ in the Grove and a drive-in movie night. The HPC had one COA for Southern Farmhouse signage. The Easter Egg hunt went very well and much thanks to all our volunteers. Locust Grove Day is Saturday April 23 with the parade beginning at 10am. We will have a band beginning at 7pm followed by fireworks at 9pm. The Events Committee will meet this Wednesday. Nothing further.

Councilman Greer made a comment he had discussed with Tim and Colleen about doing a “Fun Friday” event on the front lawn that would include vendors, entertainment for local families to come together as a community. This is an idea for Council to consider and total cost for city would only be for the DJ. Tim stated that he tasked Colleen and staff to work on an estimated budget for future presentation to the Council. Nothing further.

PUBLIC SAFETY OPERATIONS – CHIEF AUSTIN

Chief Austin reviewed the monthly report and gave an update total collected in March 2022 was \$71,659.00. The department completed 87 training hours in March.

Further, Chief Austin reviewed the crime analysis provided in the packets and said the most pressing problem right now is entering autos. Councilman Williams asked if the hotels have surveillance cameras. Chief Austin responded yes. Discussion took place about the flock [flock safety] cameras in place throughout the city and county. Nothing further.

PUBLIC WORKS – JACK ROSE

Public Works Director Jack Rose gave update overall operations are good, continuing with general maintenance and repairs. We are continuing with road patching totaling about seven tons recently. We are steady with grass cutting and meter installs. Nothing further.

ADMINISTRATION – BERT FOSTER

Mr. Foster gave an update we will present the Peeksville Road extension (joining Highway 42 at Peeksville and Cleveland Street) for action at the next meeting. We are waiting to finalize a date with the Chase Maddox family for the park dedication. Mr. Foster also gave an update on the Bill Gardner Parkway modifications, MMIP (commercial vehicle lanes), and we received the pole design and placement from the State for the traffic signal at Market Place. Mr. Foster reviewed slides on the overhead screen of paver and brick options for the Veteran’s Memorial. Council agreed on the Pewter with darker border and herringbone pattern. Further, Mr. Foster said the open house for the Comprehensive Transportation Plan will be at the Public Safety Building from 6:00-7:30pm on Thursday. We will meet with GDOT about the Downtown Corridor Study and connection points as discussed at the retreat. We did meet with GDOT about the Bethlehem Road / SR 42 intersection, and they agreed a signal is warranted for that location. Mr. Foster said he met with Georgia Power about adding electric vehicle charging stations in the city. The idea is for two stations [with four connecting points] to be in front of the Public Safety Building. As the demand increases more stations can be added. Nothing further.

COMMUNITY DEVELOPMENT OPERATIONS – DAUNTÉ GIBBS

Mr. Gibbs gave an update his department has issued a total of 396 permits including 55 new house permits for 2022. We have issued 126 COs [99 residential / 27 commercial] with 317 business licenses issued so far for 2022. Mr. Gibbs said Chick-Fil-A will officially open on April 21, 2022.

ARCHITECTURAL REVIEW BOARD (ARB) –

3. Resolution approving the architectural plans submitted for TSW Assets Inc., located at 301-311 Walker Crossing –

Mr. Gibbs said this is for the third and final building and there are no objections if the plans coincide with the current buildings. This will come back for action at the next regular meeting on May 2, 2022. Nothing further.

CITY MANAGER’S COMMENTS –

- **Pay Plan No. 701 of personnel – amended positions**

Mr. Young stepped forward and said this is for positions discussed at the retreat for a Water/Wastewater Manager and Accounting Specialist. Councilman Greer asked who is doing the responsibilities of the accounting specialist now? Mr. Young said Misty does currently, and this is

something that our auditors suggested at various times, and we are now in need of the position. Discussion took place on pay scale and Councilman Greer made a comment he thinks the paygrades are backwards based on the qualifications for each position. Attorney Andy Welch said it would be impossible to find a Water/Wastewater Manager with experience without that paygrade. Nothing further.

- **FY 2022 Budget Quarter 1 update**

Mr. Young said we are in good standings with the budget and revenues are in line and where we need to be. We underestimated with H/M tax as we are expected to be trending to \$1 million. Mr. Young reviewed various funds and said our larger changes appear to occur at the end of the 2nd Quarter. Nothing further.

Mr. Young said the audit is continuing and will be finalizing soon. Mr. Young said he has an upcoming meeting in Hampton to discuss LOST negotiations and SPLOST V.

MAYOR’S COMMENTS – NONE

EXECUTIVE SESSION – NONE

ADJOURNMENT-

Mayor Price asked for a motion to adjourn. Councilman Greer made the motion to adjourn.

RESULT	ADOPTED
MADE MOTION	COUNCILMAN GREER
2 ND MOTION	COUNCILMAN WILLIAMS
VOTE	MOTION CARRIED - ALL IN-FAVOR MEETING ADJOURNED @ 7:31 PM.

Notes taken by:

Misty Spurling, City Clerk



Community Development Department

P. O. Box 900
Locust Grove, Georgia 30248
Phone: (770) 957-5043
Facsimile (770) 954-1223

Item Coversheet

Item: **CONDITIONAL USE REQUEST FOR THE PURPOSE OF ESTABLISHING A GUEST-QUARTERS ON THE PROPERTY LOCATED AT 595 JACKSON ST (PARCEL ID L01-03003000) IN LAND LOT 186 OF THE 2ND DISTRICT LOCUST GROVE, GA.**

Action Item: **Yes** **No**

Public Hearing Item: **Yes** **No**

Executive Session Item: **Yes** **No**

Advertised Date: **March 30, 2022**

Budget Item: **No**

Date Received: **February 25, 2022**

Workshop Date: **April 18, 2022**

Regular Meeting Date: **May 2, 2022**

Discussion:

Patrick Scott requests conditional use for his property located at 595 Jackson St (Parcel ID L01-03003000). The property is 1 +/- acre and is currently zoned R-2 (Single Family Residential). The request is to permit the remodel of the existing detached garage to be used as detached guest quarters. The applicant intends to reside in the guest quarters temporarily during the rehabilitation of the primary dwelling. Upon completion of the primary dwelling, the detached guest quarters will serve as a mother-in-law suite for the applicant's family.

Recommendation:

Staff recommends approval with the following amended conditions:

1. The Guest Quarters shall comply with the intent of the Mixed Historic Neighborhood future land use designation having similar architectural style as the existing historic residential buildings of this district.
 2. The applicant shall obtain a permit for the remodel of the detached guest quarters and rehabilitation of the primary structure within thirty (30) days of the approval of the Conditional Use.
 3. Following the issuance of the certificate of occupancy for the detached guest quarters, the applicant shall have eighteen (18) months to complete the remodeling and rehabilitation of the primary dwelling.
 4. If, after 18 months, the remodeling and rehabilitation of the primary dwelling is incomplete and confirmed incomplete by City of Locust Grove inspections personnel, this Condition Use permit shall expire, voiding all rights and privileges associated with this Conditional Use.
-

ORDINANCE NO. _____

AN ORDINANCE TO APPROVE THE CONDITIONAL USE REQUEST FOR A DETACHED GUEST QUARTERS IN ACCORDANCE WITH CHAPTER 17.04 OF THE LOCUST GROVE CITY CODE; TO PROVIDE CONDITIONS FOR APPROVAL; TO IDENTIFY A PUBLIC PURPOSE; TO AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE ANY DOCUMENTS NECESSARY TO CARRY OUT THIS ORDINANCE; TO PROVIDE FOR SEVERABILITY; TO REPEAL INCONSISTENT PROVISIONS; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

W I T N E S S E T H :

WHEREAS, the City of Locust Grove, Georgia (“City”) adopted Chapter 17.04 (“Chapter”) entitled “Zoning Code”, and;

WHEREAS, the purpose of the Chapter is to regulate permitted land uses, aesthetics, quality of exterior building materials and to the promotion of health, safety, prosperity and general welfare of the citizens of Locust Grove, and;

WHEREAS, Patrick Scott (“Applicant”) submitted an application for Conditional Use (“Applicant Request”) on February 25, 2022, and;

WHEREAS, Patrick Scott requests conditional use for property located at 595 Jackson St (Parcel ID L01-03003000) in Land Lot 186 of the 2nd District, and;

WHEREAS, The property is 1 +/- acre and is currently zoned R-2 (Single Family Residential), and;

WHEREAS, all City and State requirements for legal advertisement and public hearing have been met; and

WHEREAS, the Community Development Department reviewed the request and submitted a report that is part of the public record; and

WHEREAS, the requested conditional use is permitted in the R-2 zoning district with an approved conditional use; and

WHEREAS, the City in the exercise of their sound judgment and discretion, after giving thorough thought to all implications involved, and keeping in mind the public interest and welfare to the citizens of the City, have determined this request for conditional use to be in the best interests of the citizens of the City, that this Ordinance be adopted.

NOW, THEREFORE BE IT ORDAINED, that the Locust Grove City Council approves the applicant’s request with the following conditions:

1. The Guest Quarters shall comply with the intent of the Mixed Historic Neighborhood future land use designation having similar architectural style as the existing historic residential buildings of this district.
2. The applicant shall obtain a permit for the remodel of the detached guest quarters and rehabilitation of the primary structure within thirty (30) days of the approval of the Conditional Use.

3. Following the issuance of the certificate of occupancy for the detached guest quarters, the applicant shall have eighteen (18) months to complete the remodeling and rehabilitation of the primary dwelling.
4. If, after 18 months, the remodeling and rehabilitation of the primary dwelling is incomplete and confirmed incomplete by City of Locust Grove inspections personnel, this Condition Use permit shall expire, voiding all rights and privileges associated with this Conditional Use.

THIS ORDINANCE adopted this 2nd day of May 2022.

ROBERT S. PRICE, Mayor

ATTEST:

MISTY SPURLING, City Clerk

(seal)

APPROVED AS TO FORM:

City Attorney



Community Development Department

P. O. Box 900
Locust Grove, Georgia 30248
Phone: (770) 957-5043
Facsimile (770) 954-1223

Item Coversheet

Item: Resolution approving the architectural plans submitted for TSW Assets Inc., located at 313 Walker Crossing

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: NA

Budget Item: No

Date Received: April 4, 2022

Workshop Date: April 18, 2022

Regular Meeting Date: May 2, 2022

Discussion:

Moss Developments Construction Management of Stockbridge, GA has submitted building elevation renderings for their third and final building to be located at 313 Walker Crossing.

As part of the requirements for building permits for new structures or major renovations, it is necessary for the Mayor and City Council, acting in their capacity as the Architectural Review Board, to review the proposed building exterior elevations for comment and approval.

The general concept is to construct a single-story rectangular brick building, replicating the existing buildings on the subject property.

The applicant proposes a 12,000 +/- sq. ft. building. The proposed building is being managed by alternating earth tone colors, primarily shades of brown, with brick walls on all four sides of the building and metal roofing.

Chapter 15.44 Architectural Review

15.44.050 - Exterior materials standards.

A. Except where otherwise provided in this chapter or in the Code of Ordinances, the exterior architectural features of buildings and structures within multifamily, office/institutional, commercial, and industrial zoning districts shall adhere to the following minimum standards:

1. All primary/accent exterior siding materials shall be limited to:

Primary: Brick; natural stone including granite, marble, sandstone, field stone, or any other natural stone approved by the board; manufactured stone including imitation field stone, marble terrazzo, and wood and any other manufactured architectural finish stone approved by the board as a primary siding material.

Accent: Clay tile with baked-on enamel finish; architecturally treated decorative concrete block; architecturally treated slabs or block either fluted or with exposed aggregate; stucco; EFIS; masonry siding such as cement fiberboard siding ("hardiplank"), wood; or acceptable substitute approved by the board. "Tilt-up" concrete shall be permitted as a primary exterior siding material for buildings in industrial zoning districts or acceptable substitute as approved by the board.

2. All exterior siding material such as aluminum, steel, vinyl, mirrored or reflective glass, cinderblock, unfinished concrete, fiberglass or plastic are prohibited except that architectural fiberglass or plastic can be used to such extent that such material is used as detailing and decorative trim if approved by the board.

3. Fifty percent of the width of the front facade of the building shall consist of fenestration. All fenestration comprised of glass shall be multi-paned in appearance. Single-paned plate glass windows greater than six square feet in surface area without the appearance of being multi-paned shall be prohibited unless approved by the board.

4. All exterior painted surfaces, where visible from the public street shall be painted in earth tones. Colors shall be non-primary colors including darker and cooler shades of green, red, such as brick, yellow including beige, and lighter shades of brown including tan. However, white may be permitted if approved by the board. Corporate graphics, trademarks, corporate logos, corporate service marks and corporate branding items may be permitted by the board to the extent used for decorative trim or for signage as part of the overall exterior features.

5. Roofs on multifamily and commercial or office buildings shall generally consist of a pitch of 7/12 or greater with exception of porches and porticos and be comprised of asphalt, cedar shake, cement tile material. Standing seam metal roofing shall be allowed as approved by the board. Flat roofs shall be permitted in larger commercial and industrial zoning where rooftop equipment is screened from view by raised parapet walls and shall be consistently flat across the building length with exception of features

- of fenestration to break up building mass and long, monotonous facades. Flat roofs may be permitted on larger multifamily and office buildings as approved by the board.
6. Burglar bars and steel roll down doors or curtains shall not be visible from the public street, with exception to buildings in industrial zoning districts as approved by the board.
 7. Service bays shall be designed so that the openings of service bays are not visible from a public street (i.e., side entry), with exception to buildings in industrial zoning districts as approved by the board.
 8. Fabric and canvas awnings and all other building materials must be of durable quality and shall be compatible with materials used in adjoining buildings.
 9. All exterior building elevations that face public streets and/or customer parking areas shall be designed so that there are no large expanses of blank walls. This requirement can be met by employing the use of architectural features including, but not limited to, the following: Doors, windows, pilasters, columns, horizontal and vertical offsets, material and color variations, decorative cornices, awnings, canopies, murals, and graphics.
- B. Additional requirements. Properties with material changes of structures lying within the historic preservation district overlay shall abide by the certificate of appropriateness process for the historic preservation district and follow the design guidelines as promulgated by the historic preservation commission. Properties within the Gateway Town Center and/or the Locust Grove Town Center LCI area shall abide by the applicable design guidelines in addition to this chapter.
- C. The exterior architectural features of buildings and structures within the office/institutional and commercial zoning classifications shall adhere to the following additional requirement:
- Front facades and any exterior sides facing public streets shall consist of a minimum of seventy percent of brick or natural or manufactured stone or a combination thereof, except where a building over three stories in height and/or greater than twenty thousand square feet in total building area may reduce this requirement as approved by the board where the structure provides adequate fenestration and design features or where a building is designed under LEED Silver, Gold, or Green standards.

Recommendation:

I MOVE TO (approve/deny/table) THE RESOLUTION APPROVING TSW ASSETS INC ARCHITECTURAL BUILDING ELEVATION SUBMITTED BY MOSS DEVELOPMENTS CONSTRUCTION MANAGEMENT DATED AUGUST 23, 2021 FOR PROPERTY LOCATED AT 313 WALKER CROSSING.

RESOLUTION NO. _____

A RESOLUTION TO APPROVE ARCHITECTURAL PLANS FOR TSW ASSETS INC LOCATED AT 313 WALKER CROSSING IN ACCORDANCE WITH CHAPTER 15.44 OF THE LOCUST GROVE CITY CODE; TO AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE ANY DOCUMENTS NECESSARY TO CARRY OUT THIS RESOLUTION; TO REPEAL INCONSISTENT PROVISIONS; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

W I T N E S S E T H :

WHEREAS, the City of Locust Grove, Georgia (“City”) adopted Chapter 15.44 (“Chapter”) entitled “Architectural Review”, and;

WHEREAS, the purpose of the Chapter is to regulate the aesthetics, quality of exterior building materials and to the promotion of health, safety, prosperity and general welfare of the citizens of Locust Grove, and;

WHEREAS, the Mayor and City Council consist of the Architectural Review Board for the City of Locust Grove (“Board”) per Section 15.44.040, and;

WHEREAS, Moss Developments Construction Management submitted building elevation renderings for a proposed additional building at 313 Walker Crossing attached hereto and made part thereof as **Exhibit “A”**, and;

WHEREAS, the Board may review and make comment on architectural plans and issue approval per Chapter 15.44 (“Chapter”) of the Code of Ordinances for the City of Locust Grove, and;

WHEREAS, the Board in the exercise of their sound judgment and discretion, after giving thorough thought to all implications involved, and keeping in mind the public interest and welfare to the citizens of the City, have determined this request for architectural review to be in the best interests of the citizens of the City, that this Resolution be adopted.

THEREFORE, IT IS NOW RESOLVED BY THE ARCHITECTURAL REVIEW BOARD OF THE CITY OF LOCUST GROVE, GEORGIA, AS FOLLOWS:

1. **Finding.** That the Locust Grove Architectural Review Board hereby finds that the Plans submitted by Moss Developments Construction Management appear to meet the requirements of Chapter 15.44 of City of Locust Grove Code.
2. **Conditions.** That the Locust Grove Architectural Review Board finding in Item 1 above is subject to the following conditions:
 - a. Final Colors. That final colors and type of materials be reviewed and approved by the Community Development Director to meet all requirements of Chapter 15.44

of City of Locust Grove Code as “earth tone” in nature.

- b. Material Changes. That any material deviations in exterior architectural features, materials, or colors as depicted in the plans in **Exhibit “A”** require review and approval by the Architectural Review Board.
 - c. Extension of Approved Plans. That the approval granted herein may be in effect for a period not to exceed eighteen (18) months from the approval date of this Resolution.
3. **Public Purpose**. The Board finds that the foregoing actions constitute a major stem in preserving the health, safety, well-being and economic vitality of the community and are, therefore, consistent with its public purposes and powers.
 4. **Authority**. That the Board hereby authorizes the City Clerk to affix a stamp of the date of approval on the revised architectural plans in accordance with Section 15.44.060 J, to affix the City Seal if necessary, to carry out this Resolution, and to place this Resolution and any related documents among the official records of the City for future reference.
 5. **Severability**. To extent any portion of this Resolution is declared to be invalid, unenforceable, or nonbinding, that shall not affect the remaining portions of this Resolution.
 6. **Repeal of Conflicting Provisions**. All Board resolutions are hereby repealed to the extent they are inconsistent with this Resolution.
 7. **Effective Date**. This Resolution shall take effect immediately.

THIS RESOLUTION adopted this 2nd day of May, 2022.

ROBERT S. PRICE, Mayor

ATTEST:

MISTY SPURLING, City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney

EXHIBIT "A"



Administration Department

P. O. Box 900
Locust Grove, Georgia 30248

Phone: (770) 957-5043
Facsimile (770) 954-1223

Item Coversheet

Item: Pay Plan No. 701 of Personnel – Amended Positions

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: N/A

Budget Item: Yes, General / Enterprise Funds with personnel assigned

Date Received: April 13, 2022

Workshop Date: April 18, 2022

Regular Meeting Date: May 2, 2022

Discussion:

Attached is an ordinance to Amend the Position/Pay Plan Section 701 of the Personnel Policy along with the Job Descriptions of the following: Water/Wastewater Manager and Accounting Specialist. The first is from discussions held at the Retreat for our future structure due to growth within Public Works, primarily with the upcoming plant expansion requiring 24-hour operations within the next 2-3 years. Also was discussion for Accounting Specialist to handle items related to the “City Accountant” function held by the City Clerk. This position will focus more on Accounts Receivable and general accounting functions that will be overseen by the City Clerk to address some of the concerns of our Auditor over the past year and to strengthen the city’s ability to forecast and account for our continued rapid growth.

Recommendation:

Approve Ordinance to Amend Position/Pay Plan Section 701 of the Personnel Policy with updated job descriptions and salary scale.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CITY OF LOCUST GROVE PERSONNEL POLICY; TO AMEND NO. 701 ENTITLED “THE PAY PLAN”; TO APPROVE THE NEW SALARY SCHEDULE FOR BUDGETED POSITIONS FOR “WATER/WASTEWATER MANAGER” AND “ACCOUNTING SPECIALIST”; FOR ALLOCATION OF THESE POSITIONS INTO THE PAY SCALE; TO PROVIDE FOR CODIFICATION IN THE CITY OF LOCUST GROVE PERSONNEL POLICY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, the City of Locust Grove, Georgia (“City”) approved a Fiscal Year 2021 Operating and Capital Budget authorizing the expenditure for certain departments throughout the City and other operating and capital funds; and,

WHEREAS, the position of Water/Wastewater Manager has been allocated in the Budget for FY 2022 with an updated Job Description for the Public Works Department of Section 701 the Personnel Policy, as shown in **Exhibit “A-1”**; as amended,

WHEREAS, the position of Accounting Specialist has been allocated in the Budget for FY 2022 with an updated Job Description for the Administration Department of Section 701 the Personnel Policy, as shown in **Exhibit “A-2”**; as amended,

WHEREAS, the Salary Schedule per Section 701 of the Personnel Policy, as shown in **Exhibit “B”**; must show all classifications including new/idle positions as per the approved salary scale along with any adjustments for progression as staff matures in their existing job assignments, as amended,

WHEREAS, pursuant to the Section 3.51 of the charter of the City of Locust Grove, Georgia, the Mayor and City Council hereby amend the Job Classification Manual and the Pay Plan to provide for these additional positions and pay classifications.

THE COUNCIL OF THE CITY OF LOCUST GROVE HEREBY ORDAINS

SECTION 1. Authorizations of Positions for Recruitment in Public Works and Administration. The City of Locust Grove Personnel Policy is hereby amended by the amended Job Descriptions for “Water/Wastewater Manager” as attached hereto and incorporated herein as **Exhibit “A-1”** and for “Accounting Specialist” as attached hereto and incorporated herein as **Exhibit “A-2”**. The positions are hereby authorized for publication and recruitment.

SECTION 2. Adoption of the amended Salary Schedule to Section 701. The following amended to Section 701 of the Personnel Policy entitled “The Pay Plan” is hereby amended by adopting the new Salary Schedule as attached hereto and incorporated herein as **Exhibit “B”** reflecting the changes within the pay scale accounting for the allocated job positions.

SECTION 3. The City Clerk is hereby directed to record this Ordinance in the official minutes of the City.

SECTION 4. The Personnel Policy adopted and dated July 12, 2004 is hereby re-adopted in its entirety except as amended as the Personnel Policy of the City of Locust Grove.

SECTION 5.

A. It is hereby declared to be the intention of the City Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are and were, upon their enactment, believed by the City Council to be fully valid, enforceable and constitutional.

B. It is hereby declared to be the intention of the City Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other Section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the City Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other Section, paragraph, sentence, clause or phrase of this Ordinance.

C. In the event that any section, paragraph, sentence, clause or phrase of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the City Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining sections, paragraphs, sentences, clauses, or phrases of the Ordinance and that, to the greatest extent allowed by law, all remaining Sections, paragraphs, sentences, clauses, or phrases of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

SECTION 7. Repeal of Conflicting Ordinances. Except as otherwise provided herein, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 8. Effective Date. This ordinance shall become effective immediately as adopted by the Mayor and Council of the City of Locust Grove.

SO ORDAINED this 2nd day of May, 2022.

ROBERT S. PRICE, Mayor

ATTEST:

APPROVED AS TO FORM:

MISTY SPURLING City Clerk

CITY ATTORNEY

(Seal)

EXHIBIT "A-1"

**AMENDMENT TO WATER/WASTEWATER MANAGER POSITION
IN THE PUBLIC WORKS DEPARTMENT**

Public Works

Opening

Water/Wastewater Manager
Pay Grade 70

May 2, 2022 - May 31, 2022

Job Title: Water and Wastewater Manager

Job Summary: This position performs highly responsible professional, administrative and technical work involved in the operations of the City's Water and Wastewater Treatment systems.

Major Duties:

- Supervises, trains and evaluates the performance of assigned staff; interviews and selects employees for hiring;
- Manages the general operations of the water and wastewater utilities, including overseeing financial management; ensuring compliance with regional and state regulations; prepares and administers the budget for the systems;
- Develops and implements goals, objectives, policies, and priorities; plans, directs, and reviews the construction, operation, and maintenance of water and wastewater treatment facilities;
- Presents reports and recommendations to the City Manager and City Council;
- Develops general procedures for control of utility activities;
- Coordinate utility activities with other City departments and with outside agencies;
- Assists in the field as necessary;
- Performs other related duties as assigned.

Knowledge Required by the Position:

- Knowledge of relevant federal, state and local codes and regulations;
- Knowledge of accounting and budgeting principles and procedures;
- Knowledge of the operations of municipal utility systems, including water and wastewater system operations;
- Knowledge of the materials, equipment, procedures and methods used in public utilities construction and maintenance activities;
- Knowledge of the occupational hazards and safety precautions necessary to the operation of heavy trucks and equipment;
- Knowledge of geography and streets of the City and of the location of underground utilities;
- Ability to organize and supervise the work of others;
- Ability to understand, interpret and carry out oral and written instructions;
- Ability to give clear verbal instructions to public utilities employees;
- Ability to understand and interpret diagrams and drawings of assigned projects;
- Ability to maintain records of daily work assignments and projects;
- Ability to establish and maintain effective working relationships with employees, other City staff and the general public.

Supervisory Controls: Work is assigned by the Public Works Director via the City Manager in terms of departmental goals and objectives. Work is reviewed through conferences and observation of the activities and financial status of the department for the nature and propriety of the final results.

Job Title: Water and Wastewater Manager (continued)

Guidelines: Guidelines include City codes and personnel management regulations, the operations and procedures manual for water and wastewater, the Metropolitan North Georgia Water Planning District plans and regulations, the Georgia Drinking Water Act and Georgia Clean Water Act. These guidelines require judgment, selection and interpretation in application.

Complexity: This position consists of a variety of tasks in planning, supervision and management. The need to project long-range revenues and expenses contributes to the complexity of the work.

Scope and Effect: The purpose of this position is to direct the overall operations of the City's water and wastewater facilities. Successful performance helps ensure the effective and efficient provision of these critical services and affects the image of the City.

Personal Contacts: Contacts are typically with builders, developers, government officials, engineers, employees of other utility departments, and the general public.

Purpose of Contacts: Contacts are typically to give or exchange information, resolve problems, negotiate or settle matters, provide services, and motivate personnel.

Physical Demands: The work is typically performed with the employee sitting at a desk with intermittent standing, walking, bending, crouching or stooping. The employee must occasionally lift light or heavy objects, climb ladders, use tools or equipment requiring a high degree of dexterity, and be able to distinguish between shades of color.

Work Environment: The work is typically performed in an office and outdoors while inspecting departmental work or building construction. The employee is exposed to human and animal waste products (excrement, fecal matter), noise, dust, dirt, grease, and machinery with moving parts, irritating chemicals, and occasional inclement weather. The work requires the use of protective devices such as gloves. Must be vaccinated for Hepatitis A+B and Tetanus.

Supervisory and Management Responsibility: This position has direct supervision over the Water and Wastewater Treatment facilities.

Minimum Qualifications:

High School Diploma, Bachelor's in Engineering or Environmental Science preferred. A minimum of six (6) years of progressively responsible utility and/or public works management experience; Possession of a State of Georgia Driver's License; Georgia Wastewater Treatment System Operator – Class I and a Georgia Water Treatment System Operator – Class III required.

Pay Grade(s): This position has a Pay Grade of 70 within the Pay Play No. 701 of the City's Personnel Policy

EXHIBIT "A-2"

**AMENDMENT TO ACCOUNTING SPECIALIST POSITION
IN THE ADMINISTRATING DEPARTMENT**

Administration

For Position of:

Accounting Specialist (2022)

Job Title: Accounting Specialist (for 2022, as amended)

Job Summary. Under the general direction of the City Accountant/City Clerk, performs a variety of accounting activities necessary to maintain accounting records and financial data as required for effective management of fiscal affairs. Incumbent may be required to work in excess of the standard 40-hour work week during critical periods with the approval of the City Clerk. Work is reviewed through audit, observation, conferences, reports, reconciliations with other fiscal records, and from results obtained. Performs other work as required.

Major Duties:

A. ESSENTIAL FUNCTIONS

- Prepares monthly bank reconciliations, merchant fee statements, and quarterly bank analysis.
- Prepares monthly Accounts Receivables collections and reports.
- Monitors and prepares the monthly purchasing card statement for payment.
- Prepares journal entries and performs account reconciliations.
- Prepares technical reports for various financial requirements.
- Performs daily maintenance of accounting records via INCODE and personal computer network accounting systems.
- Compiles detailed analysis and reconciliation for annual audit and financial statement preparation.
- Designs and maintains Microsoft Excel spreadsheets at an intermediate level.
- Prepares form letters and correspondence utilizing Microsoft Word.
- Researches and prepares specialized reports for senior management's use.
- Helps other staff and supervisors as needed.
- Communicates effectively with the public and City staff.
- Reads, listens, and communicates orally and in writing with other City staff about financial matters.

B. OTHER FUNCTIONS

- Assists in auditing of the travel expense reports.
- Assists in annual inventory.
- Assists in the preparation of Capital Accounting Schedules.

Knowledge, Skills and Abilities Required by the Position:

- Knowledge of the principles and practices of accounting and ability to apply this knowledge to work situations.
- Knowledge of specific principles and practices of governmental accounting.
- Knowledge of the laws, rules and regulations regarding financial record keeping in the State of Georgia.
- Ability to plan and organize work to meet deadlines.

- Ability to prepare and maintain complex financial reports.
- Ability to work quickly and accurately to meet deadlines.
- Skilled in the use of computer-based data information systems, personal computers and network arrangements.
- Ability to work with little supervision.
- Ability to communicate clearly, both orally and in writing.
- Ability to maintain a good working relationship with associates and the general public.
- Ability to read technical accounting rules and regulations and apply to financial records of the City.

Supervisory Controls: Work is performed under the general supervision of the City Clerk and reviewed through the inspection of records and the evaluation of the efficiency and effectiveness of operations. Coordinates work with the City Manager.

Guidelines: Guidelines include City and departmental policies and procedures, State of Georgia law, Generally Accepted Accounting Procedures, and City Charter.

Complexity: The work consists of a high level of administrative, analytical, record keeping duties.

Scope and Effect: The purpose of this position is to properly account for revenues and expenses that affects the entire city's financial position.

Personal Contacts: Contacts are typically with City Manager, Mayor, City Clerk, City Council, Department Directors, City Attorney, the City Auditor other City employees and the general public.

Purpose of Contacts: Contacts are typically to give and exchange information and provide reports.

Physical Demands: The work is typically performed with the employee sitting at a desk. The employee uses tools or equipment requiring dexterity. Work also requires the following:

- Ability to hear and comprehend conversation spoken in English.
- Ability to sit for lengthy periods of time not to exceed two (2) hours at one time.
- Ability to see, read, and comprehend writing and computer printouts in English.
- Ability to lift and carry materials not to exceed 20 lbs.
- Ability to operate office equipment such as a telephone, computer, adding machine, calculator, and copy machine.
- Ability to stand for periods of time not to exceed 30 minutes at one time.
- Ability to stoop, kneel and reach overhead for books or supplies.
- Ability to control behavior when encountering stressful situations.
- Ability to perform at a very high level of accuracy with short deadlines.

- Ability to maintain high level of concentration despite constant interruptions.
- Ability to be flexible and change job priorities at a moment's notice.

Work Environment: The work is typically performed in an office.

Supervisory and Management Responsibility: None.

Minimum Qualifications:

- High school/associate degree in Accounting/Business with minimum of five (5) to seven (7) years related finance/accounting/banking experience; **PREFERRED:** Bachelor's degree (B.S.) in Accounting or Finance from an accredited college supplemented by two years of accounting experience utilizing financial software for a small to medium-sized organization. Local government financial accounting experience or banking experience is a plus.
- Proficient in using computers and modern software applications.
- Must possess and maintain a valid State of Georgia driver's license.
- Applicants may possess a valid out of state driver's license and obtain the Georgia license within 10 days of employment.

Pay Grade(s):

Accounting Specialist I – HS/Assoc. Degree, 3 to 5 Years (Grade 62)

Accounting Specialist II – BS/BA 3 Years Exp (Grade 64)

Accounting Specialist – Certified by Carl Vinson for Financial Clerk (Grade 66)

EXHIBIT "B"

**AMENDMENT TO PAY PLAN (SECTION 701 OF PERSONNEL POLICY) TO
PROVIDE FOR REVISED POSITIONS WITHIN THE SALARY SCHEDULE**

The Pay Plan No. 701 of Personnel Policy		Year 2022 - COLA (FEBRUARY) ACTIVE POSITIONS PW AND ADMIN					
Grade	Position	Beginning	Top Out	INC25%	Midpoint	INC75%	P/Hour
50	Part Time Seasonal Maintenance (inactive)	\$ 26,236.57	N/A	N/A	N/A	N/A	\$ 12.61
51	Administration/Comm. Dev. Intern (PT - Inactive)	\$ 27,548.53	\$ 39,718.18	\$ 30,590.94	\$ 33,633.35	\$ 36,675.77	\$ 13.24
52	Maintenance Worker I	\$ 31,271.76	\$ 41,704.85	\$ 33,880.03	\$ 36,488.31	\$ 39,096.58	\$ 15.03
	Facilities Maintenance Technician I (inactive)						
	Stormwater Maintenance Technician I						
	CSR/Receptionist (PT/FT) Admin						
	Main Street Administrative Asst (PT/FT)						
53	Administrative Assistant I	\$ 32,835.35	\$ 43,790.47	\$ 35,574.13	\$ 38,312.91	\$ 41,051.69	\$ 15.79
	Administrative Assistant I (Police/Public Safety)						
	Facilities Maintenance Technician II (inactive)						
	Business/Alcohol License Clerk I						
	Maintenance Worker II						
	Stormwater Maintenance Technician II						
	Permit Coordinator I						
	Utility Billing Clerk I						
54	Facilities Maintenance Supervisor (inactive)	\$ 34,477.11	\$ 45,978.85	\$ 37,352.55	\$ 40,227.98	\$ 43,103.42	\$ 16.58
	Water Meter Maintenance Technician I						
55	Water/ Sewer Operator Trainee (provisional)	\$ 34,835.56	\$ 48,277.61	\$ 38,196.07	\$ 41,556.58	\$ 44,917.09	\$ 16.75
	Stormwater Maintenance Technician III						
	Maintenance Worker III						
	Administrative Assistant II (Police/Public Safety)						
	Assistant Municipal Court Clerk I						
56	Administrative Assistant II	\$ 36,578.04	\$ 50,692.44	\$ 40,106.64	\$ 43,635.24	\$ 47,163.84	\$ 17.59

The Pay Plan No. 701 of Personnel Policy		Year 2022 - COLA (FEBRUARY) ACTIVE POSITIONS PW AND ADMIN					
Grade	Position	Beginning	Top Out	INC25%	Midpoint	INC75%	P/Hour
	Permit Coordinator II						
	Utility Billing Clerk II						
	Business/Alcohol License Clerk II						
	Heavy Equipment Operator I						
	Maintenance Crew Leader I						
	Water Meter Maintenance Technician II						
	Assistant Municipal Court Clerk II						
	Water/ Sewer Operator Trainee (confirmed)						
57	Accounts Payable Clerk I	\$ 38,407.01	\$ 53,227.15	\$ 42,112.04	\$ 45,817.08	\$ 49,522.12	\$ 18.46
	Municipal Court/Police Clerk I						
	Court Bailiff (uncertified)/PT						
58	Maintenance Crew Leader II	\$ 40,327.96	\$ 55,889.37	\$ 44,218.31	\$ 48,108.67	\$ 51,999.02	\$ 19.39
	Water/Sewer Operator III						
	Water Meter Maintenance Technician III						
	Heavy Equipment Operator II						
	Utility Billing Clerk III						
	Administrative Assistant III						
	Business/Alcohol License Clerk III						
	Permit Coordinator III						
	Accounts Payable Clerk II						
	Police Officer (In Training - Uncertified)						
59	Planning Technician (Comm. Dev. - FT) I	\$ 42,345.05	\$ 58,684.79	\$ 46,429.98	\$ 50,514.92	\$ 54,599.85	\$ 20.36
	Executive Administrative Assistant I						
	Assistant City Clerk I (non certified)						
	Municipal Court/Police Clerk II						
	Accounts Payable Clerk III						

The Pay Plan No. 701 of Personnel Policy		Year 2022 - COLA (FEBRUARY) ACTIVE POSITIONS PW AND ADMIN					
Grade	Position	Beginning	Top Out	INC25%	Midpoint	INC75%	P/Hour
60	Water/Sewer Operator II	\$ 44,462.38	\$ 61,619.12	\$ 48,751.56	\$ 53,040.75	\$ 57,329.94	\$ 21.38
	Code Enforcement Officer (uncertified)						
	Maintenance Crew Leader III						
	Heavy Equipment Operator III						
	Planning Technician (Comm. Dev. - FT) II						
	Executive Administrative Assistant II						
	Assistant City Clerk II (non certified)						
	Municipal Court/Police Clerk III						
	Mechanic I						
61	Water/Sewer Operator I	\$ 47,336.84	\$ 64,699.98	\$ 51,677.63	\$ 56,018.41	\$ 60,359.20	\$ 22.76
	Police Officer I						\$ 21.67
	Mechanic II						
	Bailiff (P.O.S.T. Certified)						
	Code Enforcement Officer (POST certification)						
	Master Level - Permit Clerk/Bus. License Clerk/ Utility Billing/AP Clerk						
62	Public Works Manager	\$ 49,045.12	\$ 67,934.98	\$ 53,767.59	\$ 58,490.05	\$ 63,212.52	\$ 23.58
	Corporal I						\$ 22.46
	Police Officer II						
	Fleet Manager - PW						
	Assistant City Clerk II (certified)						
	Utility Billing Manager I						
inactive	Purchasing Manager I (HS/AD 3/5 Years exp)						
inactive	Planner I - not budgeted						
63	Investigator I	\$ 50,752.47	\$ 71,331.73	\$ 55,897.29	\$ 61,042.10	\$ 66,186.92	\$ 24.40

The Pay Plan No. 701 of Personnel Policy		Year 2022 - COLA (FEBRUARY) ACTIVE POSITIONS PW AND ADMIN					
Grade	Position	Beginning	Top Out	INC25%	Midpoint	INC75%	P/Hour
	Corporal II						
	Police Officer III						\$ 23.24
For 22	Accounting Specialist I						
	Human Resources Specialist (2-5 Years)						
	City Clerk - (uncertified - HS/BA 2 - 5 years)						
64	GIS Coordinator/Stormwater Specialist	\$ 53,290.11	\$ 74,898.32	\$ 58,692.17	\$ 64,094.22	\$ 69,496.27	\$ 25.62
	Corporal III						
	Police Sergeant I						\$ 24.40
	Investigator II						
	Professional Standards Specialist - I (Police)						
	Building Inspector I (Residential/Commercial)						
	Development Inspector (Storm/Erosion/Plans)						
	Assistant City Clerk III (post certification)						
	Utility Billing Manager II						
inactive	Purchasing Manager II (BS/BA 3 Years exp)						
	Accounting Specialist II						
65	Planner II (A.I.C.P.)	\$ 55,637.88	\$ 78,643.24	\$ 61,389.22	\$ 67,140.56	\$ 72,891.90	\$ 26.75
	Human Resources Specialist II (5+ Years)						\$ 25.48
	Main Street Manager/Economic Development						
66	Police Sergeant II	\$ 58,419.78	\$ 82,575.40	\$ 64,458.69	\$ 70,497.59	\$ 76,536.49	\$ 28.09
	Police Sergeant II						\$ 26.75
	Professional Standards Specialist - II (Police)						
inactive	Purchasing Manager - Certified CPM						
inactive	Accounting Specialist Certified Financial CVI						
	Building Inspector II (Residential/Commercial)						
	Assistant City Clerk Master (5+ Years Certified)						

The Pay Plan No. 701 of Personnel Policy		Year 2022 - COLA (FEBRUARY) ACTIVE POSITIONS PW AND ADMIN					
Grade	Position	Beginning	Top Out	INC25%	Midpoint	INC75%	P/Hour
	Human Resources Specialist Master (5+Years)						
67	Chief Building Official	\$ 61,340.77	\$ 86,704.17	\$ 67,681.62	\$ 74,022.47	\$ 80,363.32	\$ 29.49
	Lieutenant I						\$ 28.09
	Planner III (A.I.C.P. with 3+ years experience)						
68	Asst. Community Development Director	\$ 64,407.80	\$ 91,039.38	\$ 71,065.69	\$ 77,723.59	\$ 84,381.48	\$ 30.97
69	Stormwater Utility Manager	\$ 67,628.20	\$ 95,591.34	\$ 74,618.98	\$ 81,609.77	\$ 88,600.56	\$ 32.51
	Lieutenant II						\$ 30.97
	Public Works Manager - Street Maintenance						
	Public Works Manager - Utilities Distribution						
	City Clerk - (Cert. or Uncert. - BA >5 years)						
	Fire Marshal DOQ1						
70	Water and Wastewater Manager (For 2022)	\$ 71,009.61	\$ 100,370.91	\$ 78,349.94	\$ 85,690.26	\$ 93,030.59	\$ 34.14
	Police Captain						\$ 32.51
	Lieutenant III						\$ 32.51
	Public Works Manager II - Street Maintenance						
	Public Works Manager II - Utilities Distribution						
Range	Fire Marshal DOQ2						
71	City Clerk (Certified 5+ Years)	\$ 74,560.09	\$ 105,389.46	\$ 82,267.43	\$ 89,974.78	\$ 97,682.12	\$ 35.85
	Police Captain II						
	Fire Marshal DOQ3						
72	Public Works and Facilities Director	\$ 78,288.09	\$ 110,658.93	\$ 86,380.80	\$ 94,473.51	\$ 102,566.22	\$ 37.64
	City Clerk II (Certified 5-10 Years)						

The Pay Plan No. 701 of Personnel Policy		Year 2022 - COLA (FEBRUARY) ACTIVE POSITIONS PW AND ADMIN					
Grade	Position	Beginning	Top Out	INC25%	Midpoint	INC75%	P/Hour
73	Community Development Director City Clerk III (Certified 10+ Years)	\$ 82,202.50	\$ 116,191.88	\$ 90,699.85	\$ 99,197.19	\$ 107,694.53	\$ 39.52
74	Police Chief Public Safety Director (inactive)	\$ 86,312.63	\$ 122,001.47	\$ 95,234.84	\$ 104,157.05	\$ 113,079.26	\$ 41.50
75	Human Resources Director (Inactive/Future)	\$ 90,628.26	\$ 128,101.54	\$ 99,996.58	\$ 109,364.90	\$ 118,733.22	\$ 43.57
76	Finance Director (Inactive/Future) Police Chief (over 5 Years) Community Development Director (5+ Years/Cert)	\$ 95,159.67	\$ 134,506.62	\$ 104,996.41	\$ 114,833.15	\$ 124,669.88	\$ 45.75
77	Assistant / Deputy City Manager (Active)	\$ 99,917.64	\$ 141,231.95	\$ 110,246.22	\$ 120,574.80	\$ 130,903.37	\$ 48.04
78	City Manager I Assistant / Deputy City Manager II (over 5 Years)	\$ 104,913.53	\$ 148,293.55	\$ 115,758.54	\$ 126,603.54	\$ 137,448.55	\$ 50.44
79	City Manager II (over 5 Years) Asst./Deputy City Manager III (Certified ICMA/GMA)	\$ 110,159.21	\$ 155,708.23	\$ 121,546.47	\$ 132,933.72	\$ 144,320.97	\$ 52.96
80	City Manager III (Certified ICMA/GMA)	\$ 115,667.17	\$ 163,493.64	\$ 127,623.79	\$ 139,580.41	\$ 151,537.02	\$ 55.61



Administration Department

P. O. Box 900
Locust Grove, Georgia 30248
Phone: (770) 957-5043
Facsimile (770) 954-1223

Item Coversheet

Item: A Resolution to authorize the acquisition of certain property rights, associated with the Peeksville Extension project, by the City for public transportation purposes through negotiated contract or the exercise of eminent domain

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: N/A

Budget Item: Yes – Capital Projects

Workshop Date: November 16, 2020 – Appraisal approval
June 15, 2020 – R/W plat approval
January 21, 2020 – Approval to forward project design to GDOT
February 11, 2019 – Approval of the location for Peeksville Ext.
November 1, 2016 – Council Retreat

Regular Meeting Date: May 2, 2022

Discussion:

A resolution authorizing the City to acquire property rights for the Peeksville Road Extension through negotiated contract or the exercise of eminent domain.

Recommendation:

Staff recommends approval.

RESOLUTION NO. _____

**A RESOLUTION TO AUTHORIZE THE ACQUISITION OF CERTAIN
PROPERTY RIGHTS BY THE CITY OF LOCUST GROVE FOR PUBLIC
TRANSPORTATION PURPOSES THROUGH NEGOTIATED CONTRACT
OR THE EXERCISE OF EMINENT DOMAIN**

WHEREAS, the City of Locust Grove (the “City”) has determined that it is in the best interests of the public to extend Peeksville Road from its current terminus with Highway 42 so that it will connect to Cleveland Street;

WHEREAS, the City relied on the recommendation of its employees, agents, or both, to determine that this extension of Peeksville Road, and the acquisition of certain property interests to accomplish same, is necessary for the construction of roads and road improvements in the City to continue providing the public with a cohesive transportation network that is both efficient and safe;

WHEREAS, the City has chosen and approved the location and design of the roadway to be known as Peeksville Road Extension because it will benefit the public in general, and the residents, individuals, and property owners of Locust Grove in particular, with minimal disruption and inconvenience to the property owners affected thereby insofar that same is possible;

WHEREAS, the City relied on the recommendation of its employees, agents, or both, to determine the location and design of the roadway to be known as Peeksville Road Extension;

WHEREAS, the City previously adopted Resolution No. 19-02-028 on February 11, 2019, approving and designating the location of this new roadway to be known as the Peeksville Road Extension;

WHEREAS, the City also advertised the approval and designation for the location of this

new roadway to be known as the Peeksville Road Extension in accordance with O.C.G.A. § 32-3-5(c).

WHEREAS, the City also previously adopted Resolution No. 20-01-012 on January 21, 2020, approving the design and construction plans for Peeksville Road Extension;

WHEREAS, the City also previously adopted Resolution No. 20-06-032 on June 15, 2020, specifying the property interests necessary to be acquired for the construction and implementation of the plans approved by Resolution No. 20-01-012;

WHEREAS, the particular property that is the subject of this Resolution is located at 3796 Highway 42 South, Locust Grove, Georgia, bearing tax parcel identification number L01-02004000 according to the records of the Henry County Tax Assessor (the “Property”);

WHEREAS, the interests in the Property that the City has determined are necessary to acquire are shown on the right-of-way acquisition plat attached hereto and made a part hereof, marked Exhibit “A”;

WHEREAS, the interests in the Property that the City has determined are necessary to acquire as shown on Exhibit “A” are further described in Exhibit “B,” which is attached hereto and made a part hereof;

WHEREAS, the owners of the interests in the Property to be acquired—including any interest of record therein, whether in whole or in part—are listed in Exhibit “C” attached hereto and made a part hereof;

WHEREAS, the City engaged an independent, licensed real estate appraiser to value the interests in the Property that needs to be acquired, or may be damaged, to construct the Peeksville Road Extension as shown on the plans approved through Resolutions Numbered 20-01-012 and 20-06-032, including Exhibit “A” attached hereto as those interests are described in Exhibit “B”

attached hereto;

WHEREAS, the City's independent, licensed real estate appraiser completed his report and submitted it for the City's review;

WHEREAS, on November 16, 2020, the City established the amount that the City believed to be just and adequate compensation for the interests in the Property, including all rights that need to be acquired, or may be damaged, in connection with the construction of Peeksville Road Extension;

WHEREAS, the amount the City established as the amount that it believed to be just and adequate compensation was based on the report prepared by the City's independent, licensed real estate appraiser and is not less than the full amount specified in that report.

WHEREAS, on November 23, 2020, the City also made a prompt offer to pay the full amount of just and adequate compensation established by the City based on the report submitted by the independent, licensed real estate appraiser hired by the City in exchange for the interests in the Property that need to be acquired (or may be damaged) in connection with the construction of Peeksville Road Extension;

WHEREAS, following the City's initial offer, the City has also negotiated in good faith with the Property's owner to acquire the necessary interests in the Property expeditiously without litigation before the adoption of this Resolution;

WHEREAS, those good-faith negotiations also included the City considering alternative sites and designs suggested by the Property's owner as part of the compensation offered;

WHEREAS, those good-faith negotiations have not resulted in a voluntary agreement by which the necessary interests in the Property could be acquired by the City;

WHEREAS, the City finds that there is a public necessity for the expeditious acquisition

of said interests in the Property;

WHEREAS, the City, by and through its Charter, Section 1.12(7) (1976 Ga. L., p. 4426; as amended), has been given the power of Eminent Domain to condemn property inside or outside the corporate limits of the City for present or future use and for any corporate purpose deemed necessary by the governing authority thereof utilizing procedures enumerated in Titles 22 and 32 of the Official Code of Georgia and/or such other laws as are or may hereafter be enacted; and,

WHEREAS, further negotiation to secure a contract for the purchase of the interests in the Property is authorized, but that the use of the Eminent Domain may be necessary;

WHEREAS, the City has also provided the Property owner with an opportunity to be heard by the Mayor and Council prior to the adoption of this Resolution;

WHEREAS, all legal requirements for advertising or notification of the meeting at which this Resolution may be adopted have been satisfied;

WHEREAS, the City, by and through its Mayor and Council, hereby adopt the following Resolution in the exercise of its sound judgment and discretion after giving thorough thought to all the implications involved and keeping in mind the public interest and welfare of the citizens of Locust Grove.

NOW, THEREFORE, UPON MOTION BEING DULY MADE AND SECONDED, THE FOLLOWING RESOLUTION IS HEREBY ADOPTED:

1.

THAT the above preamble is incorporated here.

2.

THAT the City's employees, agents, or both, are authorized by the Mayor and Council and specifically directed to acquire the interests in the Property as identified on Exhibit "A" attached
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hereto and made a part hereof as further described in Exhibit "B" attached hereto and made a part hereof, through negotiation or the use of Eminent Domain procedures for the purpose of the establishment and construction of roads or road improvements in the City generally, and the extension, expansion, or both, of Peeksville Road particularly.

3.

THAT the City's employees, agents, or both, are hereby authorized and specifically directed to continue in good faith the diligent pursuit of obtaining the necessary interests in the Property by negotiated contract for the purchase of same from the Property's owner(s).

4.

THAT if such negotiations referenced in Paragraph Three (3) above are not successful within thirty days of this Resolution's adoption, then the circumstances surrounding this acquisition make it is necessary to acquire the interests in the Property expeditiously by condemnation under the provisions of Georgia law, and the City's attorney is hereby authorized at any point following the expiration of that time to file appropriate condemnation proceedings pursuant to Title 32 of the Official Code of Georgia Annotated to acquire the necessary interests in the Property as depicted in Exhibit "A" and described in Exhibit "B" from the owners listed in Exhibit "C" as well as any and all lienholders, and any unknown owners, unborn remaindermen, minors, insane persons, or others who may have any title, interest, claim, or demand in or against the Property depicted in Exhibit "A" and described in Exhibit "B" attached hereto.

5.

THAT in the event the title to the Property is transferred to a person or legal entity other than the owners listed in Exhibit "C" prior to the date such Property is acquired by either negotiated contract or the use of Eminent Domain, then this Resolution shall apply to all owners of any interest

in the property depicted in Exhibit “A” and described in Exhibit “B” as if such owners of an interest had possessed such an interest on the date this Resolution was adopted.

6.

THAT the City stands ready to pay just and adequate compensation for the necessary interests in the Property as well as any consequential damages to which the Property’s owner is legally entitled.

7.

THAT the City Manager or such other official as may be required are hereby authorized and directed to amend the budget where necessary to reflect an appropriate revenue source, and to expend all necessary and proper payments for the expenses incurred in carrying out the acquisition of the interests in the Property as depicted in Exhibit “A” and described in Exhibit “B” upon receipt of a requisition therefore, and to make all necessary and property payments in connection with such acquisition.

8.

THAT the Mayor, City Manager, City Clerk, City Attorney, or such other employee or agent, are authorized to execute and/or attest and seal any additional documents which may be necessary or convenient to effectuate this Resolution.

9.

THAT the Mayor, City Manager, City Clerk, City Attorney, or such other employee or agent, are authorized to employ such experts, consultants, contractors, or the like, as may be necessary or convenient to assist in the acquisition of the necessary rights in the Property.

10.

THAT to the extent any portion of this Resolution is declared to be invalid, unenforceable,
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or nonbinding, that shall not affect the remaining portions of this Resolution.

11.

THAT all City resolutions are hereby repealed to the extent they are inconsistent with this resolution.

12.

THAT this Resolution shall take effect immediately upon adoption.

SO RESOLVED, this 2nd day of May, 2022.

ROBERT PRICE, Mayor

ATTEST:

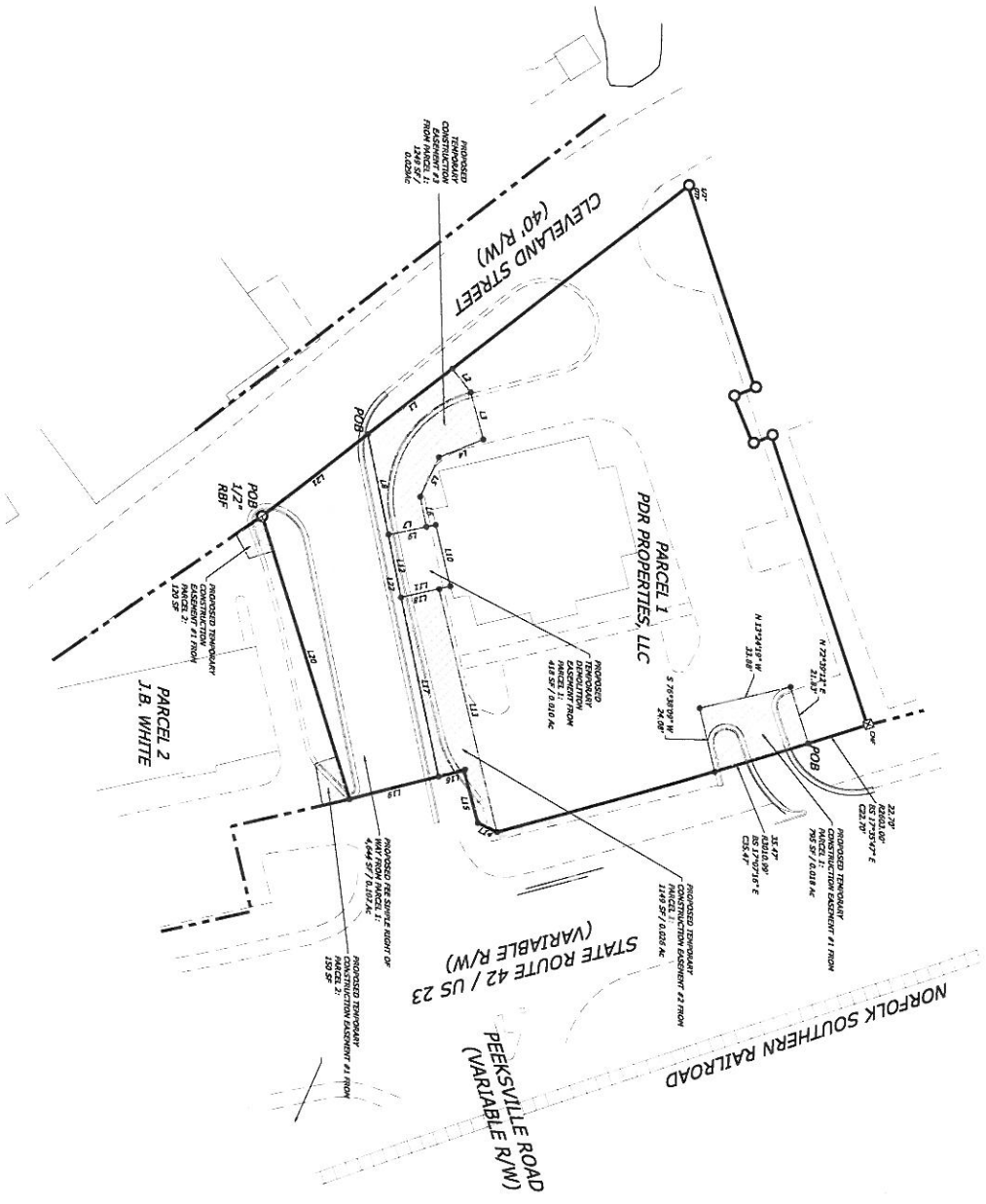
APPROVED AS TO FORM:

City Clerk

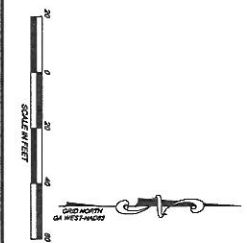
City Attorney

(Seal)

EXHIBIT "A"
Right-of-Way Acquisition Plat



LINE	BEARING	DISTANCE
L1	N 37°57'47" W	39.01'
L2	N 52°02'13" E	11.01'
L3	N 74°53'09" E	17.89'
L4	S 21°58'25" E	17.42'
L5	S 65°10'02" E	15.98'
L6	N 78°32'15" E	11.27'
L7	S 12°09'09" E	14.19'
L8	S 78°13'34" W	37.78'
L9	N 12°09'09" W	17.64'
L10	N 12°09'09" E	23.10'
L11	S 13°05'31" E	18.28'
L12	N 78°15'34" W	23.39'
L13	N 76°36'55" E	92.01'
L14	S 25°39'12" W	7.72'
L15	S 76°47'24" W	20.21'
L16	S 15°00'00" E	10.05'
L17	S 78°15'34" W	67.31'
L18	N 13°05'31" W	14.08'
L19	S 14°15'03" E	33.57'
L20	S 72°48'23" W	108.84'
L21	N 37°57'47" W	48.92'
L22	N 78°15'34" E	128.49'



PEEKVILLE ROAD EXTENSION
 LAND LOT 186 OF THE 2ND DISTRICT
 HENRY COUNTY, GEORGIA
 FOR
 CITY OF LOCUST GROVE
 P.O. BOX 900, 3644 HIGHWAY 42
 LOCUST GROVE, GEORGIA 30248

METRO ENGINEERING & SURVEYING CO., INC.
 SURVEYORS - ENGINEERS - PHOTOGRAMMETRISTS
 PROFESSIONAL CORPORATION, OFFICE: 2002 10th
 1488 Highway 20 West - McDonough, Georgia 30252
 Phone: 770-521-8777 Fax: 770-521-8782
 www.metro-es.com



REVISIONS	DATE

DRAWING INFORMATION

DATE: 05/20/2018
SCALE: 1"=50'
DRAWN BY: JWB
CHECKED BY: JWB
DATE: 05/20/2018
BY: JWB
SCALE: AS SHOWN
PROJECT: PEK
PLAN: RW MAP

EXHIBIT "B"
Legal Description of Property to be Acquired

PARCEL NO. 1

**PROPOSED FEE SIMPLE RIGHT OF WAY
PROPOSED TEMPORARY DEMOLITION EASEMENT
PROPOSED TEMPORARY CONSTRUCTION EASEMENTS**

PROPOSED FEE SIMPLE RIGHT OF WAY

All that tract or parcel of land lying and being in Land Lot 186 of the 2nd Land District of Henry County, Georgia, being "Proposed Fee Simple Right of Way from Parcel 1" and containing 0.107 acres, as shown on that Right of Way Plan entitled "Peeksville Road Extension", dated May 29, 2020 and prepared by Metro Engineering and Surveying Co., Inc., said parcel being more particularly described as follows:

Beginning at the ½" rebar found at the southwestern corner of the property of PDR Properties, LLC located on the northeasterly right of way line of Cleveland Street (40' R/W) and running thence North 37 degrees 57 minutes 47 seconds West a distance of 48.92 feet along the northeasterly right of way line of Cleveland Street (40' R/W) to a point, thence North 78 degrees 15 minutes 34 seconds East a distance of 128.49 feet to a point on the southwesterly right of way line of State Route 42/US 23 (variable R/W), thence South 14 degrees 15 minutes 03 seconds East a distance of 33.57 feet along the southwesterly right of way line of State Route 42/US 23 (variable R/W) to a point, thence South 72 degrees 48 minutes 23 seconds West a distance of 108.84 feet to the Point of Beginning.

PROPOSED TEMPORARY DEMOLITION EASEMENT

All that tract or parcel of land lying and being in Land Lot 186 of the 2nd Land District of Henry County, Georgia, being "Proposed Temporary Demolition Easement from Parcel 1" and containing 0.010 acres, as shown on that Right of Way Plan entitled "Peeksville Road Extension", dated May 29, 2020 and prepared by Metro Engineering and Surveying Co., Inc., said parcel being more particularly described as follows:

To find the Point of Beginning commence at the ½" rebar found at the southwestern corner of the property of PDR Properties, LLC located on the northeasterly right of way line of Cleveland Street (40' R/W), running thence North 37 degrees 57 minutes 47 seconds West a distance of 48.92 feet along the northeasterly right of way line of Cleveland Street (40' R/W) to a point, thence North 78 degrees 15 minutes 34 seconds East a distance of 37.78 feet to a point being the TRUE POINT OF BEGINNING.

FROM THE POINT THUS ARRIVED, run thence North 12 degrees 09 minutes 09 seconds West a distance of 17.64 feet to a point, thence North 76 degrees 42 minutes 18 seconds East a distance

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of 23.10 feet to a point, thence South 13 degrees 05 minutes 31 seconds East a distance of 18.28 feet to a point, thence South 78 degrees 15 minutes 34 seconds West a distance of 23.39 feet to the Point of Beginning.

PROPOSED TEMPORARY CONSTRUCTION EASEMENTS

All that tract or parcel of land lying and being in Land Lot 186 of the 2nd Land District of Henry County, Georgia, being “Proposed Temporary Construction Easement #1 from Parcel 1” and containing 0.018 acres, as shown on that Right of Way Plan entitled “Peeksville Road Extension”, dated May 29, 2020 and prepared by Metro Engineering and Surveying Co., Inc., said parcel being more particularly described as follows:

To find the Point of Beginning commence at the concrete monument found at the northeastern corner of the property of PDR Properties, LLC located on the southwesterly right of way line of State Route 42/US 23 (variable R/W), running thence a distance of 22.70 feet along the arc of State Route 42/US 23 (variable R/W), said curve having a radius of 2603.00 feet and a chord bearing of South 17 degrees 35 minutes 47 seconds East a distance of 22.70 feet to a point being the TRUE POINT OF BEGINNING.

FROM THE POINT THUS ARRIVED, run thence a distance of 35.47 feet along the arc of State Route 42/US 23 (variable R/W), said curve having a radius of 3010.99 feet and a chord bearing of South 17 degrees 07 minutes 16 seconds East a distance of 35.47 feet to a point, thence running South 76 degrees 38 minutes 09 seconds West a distance of 24.08 feet to a point, thence running North 13 degrees 24 minutes 19 seconds West a distance of 33.88 feet to a point, thence running North 72 degrees 39 minutes 12 seconds East a distance of 21.83 feet to the Point of Beginning.

All that tract or parcel of land lying and being in Land Lot 186 of the 2nd Land District of Henry County, Georgia, being “Proposed Temporary Construction Easement #2 from Parcel 1” and containing 0.026 acres, as shown on that Right of Way Plan entitled “Peeksville Road Extension”, dated May 29, 2020 and prepared by Metro Engineering and Surveying Co., Inc., said parcel being more particularly described as follows:

To find the Point of Beginning commence at the ½” rebar found at the southwestern corner of the property of PDR Properties, LLC located on the northeasterly right of way line of Cleveland Street (40’ R/W), running thence North 37 degrees 57 minutes 47 seconds West a distance of 48.92 feet along the northeasterly right of way line of Cleveland Street (40’ R/W) to a point, thence North 78 degrees 15 minutes 34 seconds East a distance of 37.78 feet to a point, thence North 78 degrees 15 minutes 34 seconds East a distance of 23.39 feet to a point being the TRUE POINT OF BEGINNING.

FROM THE POINT THUS ARRIVED, run thence North 13 degrees 05 minutes 31 seconds West a distance of 14.08 feet to a point, thence North 76 degrees 36 minutes 55 seconds East a distance of 92.01 feet to a point on the southwesterly right of way line of State Route 42/US 23 (variable R/W), thence South 25 degrees

39 minutes 12 seconds West a distance of 7.72 feet along the northwesterly right of way line of State Route 42/US 23 (variable R/W) to a point, thence South 76 degrees 42 minutes 24 seconds West a distance of 20.21 feet along the northwesterly right of way line of State Route 42/US 23 (variable R/W) to a point, thence South 15 degrees 00 minutes 00 seconds East a distance of 10.05 feet along the southwesterly right of way line of State Route 42/US 23 (variable R/W) to a point, thence South 78 degrees 15 minutes 34 seconds West a distance of 67.31 feet to the Point of Beginning.

All that tract or parcel of land lying and being in Land Lot 186 of the 2nd Land District of Henry County, Georgia, being "Proposed Temporary Construction Easement #3 from Parcel 1" and containing 0.029 acres, as shown on that Right of Way Plan entitled "Peeksville Road Extension", dated May 29, 2020 and prepared by Metro Engineering and Surveying Co., Inc., said parcel being more particularly described as follows:

To find the Point of Beginning commence at the ½" rebar found at the southwestern corner of the property of PDR Properties, LLC located on the northeasterly right of way line of Cleveland Street (40' R/W), running thence North 37 degrees 57 minutes 47 seconds West a distance of 48.92 feet along the northeasterly right of way line of Cleveland Street (40' R/W) to a point being the TRUE POINT OF BEGINNING.

FROM THE POINT THUS ARRIVED, run thence North 37 degrees 57 minutes 47 seconds West a distance of 39.01 feet along the northeasterly right of way line of Cleveland Street (40' R/W) to a point, thence North 52 degrees 02 minutes 13 seconds East a distance of 11.01 feet to a point, thence North 74 degrees 53 minutes 09 seconds East a distance of 17.88 feet to a point, thence South 21 degrees 58 minutes 25 seconds East a distance of 17.42 feet to a point, thence South 65 degrees 10 minutes 02 seconds East a distance of 15.98 feet to a point, thence North 78 degrees 32 minutes 15 seconds East a distance of 11.27 feet to a point, thence South 12 degrees 09 minutes 09 seconds East a distance of 14.19 feet to a point, thence South 78 degrees 15 minutes 34 seconds West a distance of 37.78 feet to the Point of Beginning.

EXHIBIT "C"
List of Property Owners

- PDR Properties, LLC.
- First National Bank of Griffin
- James B. White, Jr.
- The Georgia Department of Transportation
- Georgia Power Company
- Henry County, Georgia
- Tax Commissioner of Henry County, Georgia
- The City of Locust Grove



Administration Department

P. O. Box 900
Locust Grove, Georgia 30248
Phone: (770) 957-5043
Facsimile: (770) 954-1223

Item Coversheet

Item: A resolution to appoint Bart Hammock to the Henry City-County Transportation Advisory Group.

Action Item: Yes No

Executive Session Item: Yes No

Budget Item: N/A

Date Received: April 25, 2022

Workshop Date: TBD

Regular Meeting Date: May 2, 2022

Discussion:

This resolution is to appoint Bart Hammock to the Henry City - County Transportation Advisory Group ("TAG"). The stated purpose of the TAG is to assist the City Councils and Board of Commissioners in, among other things, defining transportation challenges, identifying potential solution to address such challenges, ensuring the County and Cities remain focused on long-range transportation planning and identifying available sources to assist in funding current and future transportation needs.

The TAG was spearheaded by the Board of Commissioners (*see BOC Resolution 20-158, attached*) and shall be comprised of ten (10) members. One from each County Commission district, one at-large member appointed by the County Chairman and one member from each of the four (4) cities. Each member's term shall last for two (2) years and may be renewed for an unlimited number of terms.

Recommendation:

Staff recommends APPROVAL of this resolution.

RESOLUTION NO. _____

**RESOLUTION TO APPOINT BART HAMMOCK TO THE HENRY CITY-COUNTY
TRANSPORTATION ADVISORY GROUP; TO PROVIDE FOR SEVERABILITY; TO
REPEAL INCONSISTENT RESOLUTIONS; TO PROVIDE FOR AN EFFECTIVE
DATE; AND FOR OTHER PURPOSES.**

WITNESSETH:

WHEREAS, the City of Locust Grove (“City”) is a municipal corporation duly organized and existing under the laws of the State of Georgia; and,

WHEREAS, the City has and continues to experience unprecedented population growth and development; and,

WHEREAS, the City recognizes the positive impact of such growth, but are also aware of the significant challenges it creates; and

WHEREAS, among the most significant challenges facing the City and Henry County, as a whole, involve impacts to the existing transportation system and creating a viable plan to improve upon it in an efficient and orderly manner; and

WHEREAS, in response to these challenges, the Henry County Board of Commissioners created a joint Henry City-County Transportation Advisory Group (“TAG”) on August 4, 2020 via Resolution No. 20-158, attached hereto as **Exhibit A**; and,

WHEREAS, the stated purpose of the TAG is to advise the four (4) City Councils and the Board of Commissioners on defining transportation challenges, identifying solutions to said challenges, facilitate long-range transportation planning and identifying available resources to assist with future transportation needs; and,

WHEREAS, the Mayor and Council have determined that is in the best interest of the City to authorize a representative to participate in the TAG which will assist in the development and

promotion of transportation projects for the public good and general welfare trade, commerce, industry and employment opportunities within the City and the State of Georgia; and

WHEREAS, the City must appoint a representative member to the TAG to serve on behalf of the interests of the City; and

WHEREAS, the City wishes to appoint Bart Hammock to serve on the TAG on the City's behalf for a period of two (2) years from the Effective Date of this Resolution.

THEREFORE, IT IS NOW RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOCUST GROVE, GEORGIA, AS FOLLOWS:

1. **Appointment.** The Mayor, by and with the advice and consent of the City Council, hereby appoints Bart Hammock as a member of the Henry City-County Transportation Advisory Group, whose term will expire May 2, 2024.
2. **Severability.** To the extent any portion of this Resolution is declared to be invalid, unenforceable, or nonbinding, that shall not affect the remaining portions of this Resolution.
3. **Repeal of Conflicting Provisions.** All City resolutions are hereby repealed to the extent they are inconsistent with this Resolution.
4. **Effective Date.** This Resolution shall take effect immediately.

THIS RESOLUTION adopted this 2nd day of May 2022.

Robert Price, Mayor

ATTEST:

Misty Spurling, City Clerk

(seal)

Approved as to form:

City Attorney

EXHIBIT A

Henry County BOC Resolution No. 20-158

RESOLUTION NO. 20-158

**RESOLUTION TO ESTABLISH THE
HENRY CITY-COUNTY TRANSPORTATION ADVISORY GROUP,
TO SET FORTH TERMS OF ITS STRUCTURE, GOVERNANCE AND DUTIES, AND
FOR OTHER PURPOSES**

WHEREAS, Henry County has and continues to experience unprecedented population growth and development;

WHEREAS, while such growth and development positively impact the County and its municipalities in many respects, they also create significant challenges for them;

WHEREAS, among the most significant challenges facing Henry County and its Cities today, and in the future, is ensuring that the County and the Cities have a transportation system sufficient to serve the community in light of the expected continued growth;

WHEREAS, the Board of Commissioners of Henry County has determined that it is in the best interest of the County, the Cities, and their Citizens to establish a Transportation Advisory Group to assist the Board of Commissioners and its Staff in defining transportation challenges, identifying potential solutions to address such challenges, ensuring the County and the Cities remain focused on long-range transportation planning, and identifying available sources to assist in funding current and future transportation needs;

NOW THEREFORE, the Henry County Board of Commissioners does hereby resolve as follows:

Section 1. Creation

There is hereby established the Henry City-County Transportation Advisory Group (TAG) which shall be comprised of ten (10) members appointed in accordance with Section 2 hereof and which shall be dedicated to the identification of challenges and solutions to the transportation system serving Henry County, the municipalities, and their citizens.

Section 2. Membership

- **Members.** The TAG shall consist of ten (10) Members.
- **Qualifications.** Appointed Members should have demonstrable experience or education in on or more of the following areas: transportation planning, community development, or economic development.
- **Appointment.** Five members will be selected, based on members' home address, to represent each of Henry County's five commission districts. One member will be selected to represent the Henry County Chair. Four members will be appointed from the Cities of Stockbridge, McDonough, Locust Grove, and Hampton. Henry County's Transportation Planning Director shall be available as a non-voting staff to assist with the functions of TAG.
- **Term.** Each member shall be appointed for a term of two years. Members may be reappointed and may serve an unlimited number of terms.
- **Removal.** A member of the TAG may be removed, with or without cause, by the member of the Board of Commissioners or the City who appointed such Member.

Section 3. Purpose and Responsibilities

The role of the TAG shall include, but not be limited to, the following:

- Review the Henry County Comprehensive Transportation Plan (the "CTP").
- Identify deficiencies, if any, in the CTP.
- Make recommendations to implement a CTP.
- Develop an action plan to move the CTP forward.
- Identify appropriate public transit options for Henry County and its Cities.
- Identify sources of funding for transportation and transit projects throughout Henry County.
- Compile and make quarterly reports to members of the BOC.
- Provide an update to the BOC following each meeting of the TAG.
- Coordinate, plan and conduct community meetings to hear citizen input regarding transportation needs and solutions.

Section 4. Meetings

Meetings of the TAG shall comply with the Georgia Open Meetings Law (O.C.G.A. §50-14-1 et seq.). The Group shall conduct regular meetings at least quarterly.

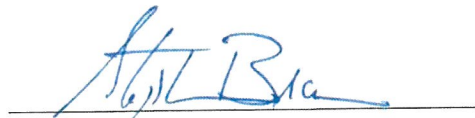
Section 5. Records

Records of the TAG shall be subject to disclosure pursuant to the Georgia Open Records Act. (O.C.G.A. §50-18-1, et seq.).

Section 6. Reporting

The TAG shall report its findings and recommendations to the Henry County Board of Commissioners and to the Director of the Henry County Department of Transportation Planning at least quarterly.

So RESOLVED, this 4th day of August 2020.



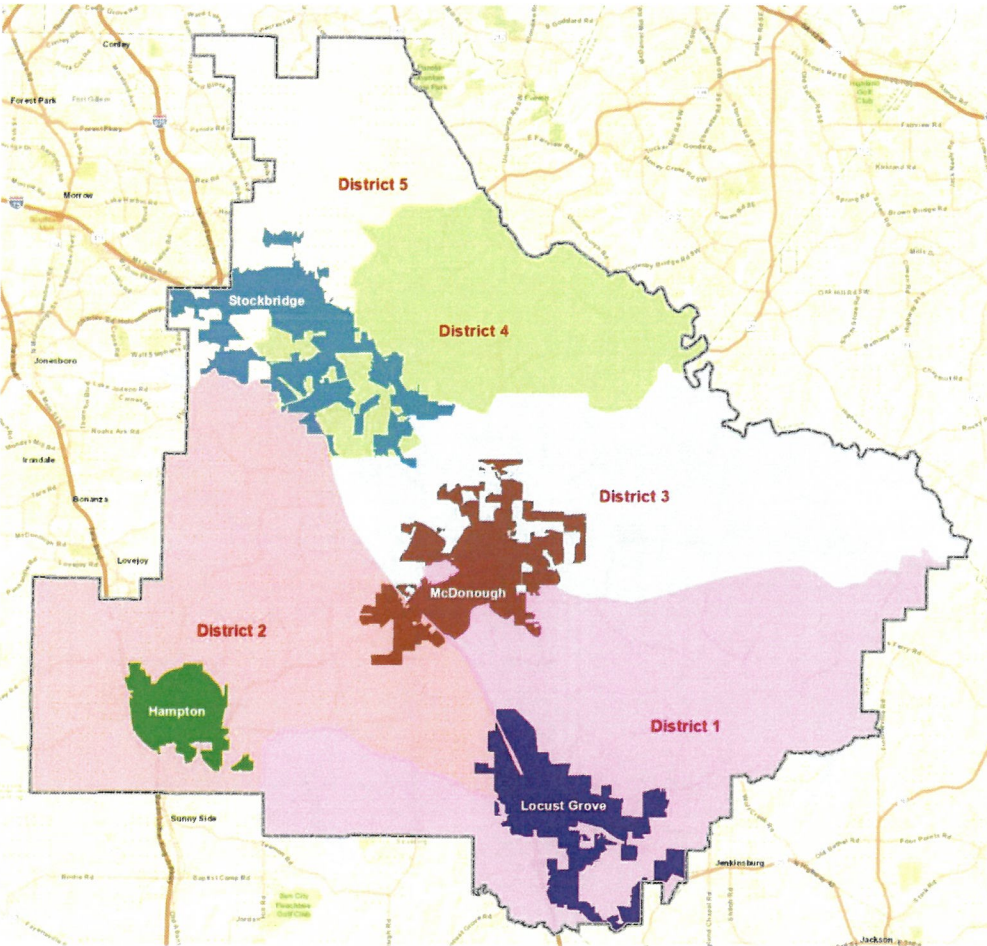
Stephanie Braun
County Clerk



Dee Clemmons
Vice Chair, Board of Commissioners

Transportation Advisory Group Member List

- | | |
|----------------------|------------------------------------|
| 1. James Risher | Chair, Henry County |
| 2. Herman Ryan | Henry County Commission District 1 |
| 3. Bill Swift | Henry County Commission District 2 |
| 4. Wayne Smith | Henry County Commission District 3 |
| 5. J.T. Williams | Henry County Commission District 4 |
| 6. LaKeshia Clements | Henry County Commission District 5 |
| 7. Eniel Gonzalez | City of Stockbridge |
| 8. Vacant | City of McDonough |
| 9. Vacant | City of Locust Grove |
| 10. Devlin Cleveland | City of Hampton |



As of August 18, 2021



Police Department
P. O. Box 900
Locust Grove, Georgia 30248

Phone: (770) 957-5043
Facsimile (770) 954-1223

Item Coversheet

Item: Standard Operating Procedure

Action Item: Yes No

Public Hearing Item: Yes No

Executive Session Item: Yes No

Advertised Date: N/A

Budget Item: Incremental – General Fund/Dept. 3230 – Public Safety

Date Received: April 27, 2022

Workshop Date: N/A

Regular Meeting Date: May 2, 2022

Discussion:

Attached is a revision to the police department SOP P-027. As you may recall, the SOP is to be reviewed and brought to you at least annually. In this instance, a recommendation is to approve the revision SOP Section P-027 in its entirety due to changes in in the type of equipment used now.

Recommendation:

APPROVE ORDINANCE TO AMEND CHAPTER 2.24 ENTITLED POLICE DEPARTMENT TO AMEND SECTION 2.24.030 ENTITLED “POLICE STANDARD OPERATING PROCEDURES”; TO REVISE SECTION P-027 TASER OF THE STANDARD OPERATING PROCEDURES; TO REQUIRE A COPY OF SAME TO BE MAINTAINED ON FILE WITH THE OFFICE OF THE CHIEF OF POLICE AND THE OFFICE OF THE CITY CLERK; TO PROVIDE SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

ORDINANCE NO. _____

TO AMEND THE “STANDARD OPERATING PROCEDURES” OF THE CITY OF LOCUST GROVE; TO DELETE OLD SECTION P-027 OF THE STANDARD OPERATING PROCEDURES; TO INSERT NEW SECTION P-027 ENTITLED “TASER” IN LIEU THEREOF; TO REQUIRE A COPY OF SAME TO BE MAINTAINED ON FILE WITH THE OFFICE OF THE CHIEF OF POLICE AND THE OFFICE OF THE CITY CLERK; TO PROVIDE SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

THE COUNCIL OF THE CITY OF LOCUST GROVE HEREBY ORDAINS

SECTION 1. Amendment of the Police Standard Operating Procedures. The Mayor and Council hereby amend the Standard Operating Procedures of the City of Locust Grove Police Department by striking old section P-027 TASER in its entirety and inserting thereof in lieu new Section P-027 TASER, which is attached hereto and incorporated into the Code by reference and herein as **Exhibit “A”**. A copy of said SOP, as amended, shall be maintained in the office of Chief of Police and the office of City Clerk.

SECTION 2. Codification. This Ordinance shall be codified in a manner consistent with the laws of the State of Georgia.

SECTION 4. Severability.

A. It is hereby declared to be the intention of the City Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are and were, upon their enactment, believed by the City Council to be fully valid, enforceable and constitutional.

B. It is hereby declared to be the intention of the City Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other Section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the City Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other Section, paragraph, sentence, clause or phrase of this Ordinance.

C. In the event that any section, paragraph, sentence, clause or phrase of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the City Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining sections, paragraphs, sentences, clauses, or phrases of the Ordinance and that, to the greatest extent allowed by law, all remaining Sections,

paragraphs, sentences, clauses, or phrases of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

SECTION 5. Repeal of Conflicting Provision. Except as otherwise provided herein, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 6. Effective Date. This ordinance shall become effective immediately upon its adoption by the Mayor and Council of the City of Locust Grove.

SO ORDAINED this 2nd day of May, 2022.

ROBERT PRICE, Mayor

ATTEST:

MISTY SPURLING, City Clerk
(Seal)

APPROVED AS TO FORM:

CITY ATTORNEY

EXHIBIT “A”

**AMENDMENTS TO THE POLICE STANDARD OPERATING PROCEDURE
FOR THE CITY OF LOCUST GROVE, GEORGIA POLICE DEPARTMENT –
May 2, 2022**

_____ (amended)

LOCUST GROVE POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE

SECTION: P-027 TASER

EFFECTIVE DATE: June 1, 2014

NUMBER OF PAGES: 6

REVISED DATE: MAY 2, 2022

DISTRIBUTION AUTHORIZATION:

CHIEF DERRICK B. AUSTIN

I. Purpose

To establish and ensure strict adherence to proper training, deployment, and reporting of the Taser also known as a Conducted Energy Weapon (CEW).

II. Policy

It shall be the policy of the Locust Grove Police Department to use only the lowest level of force that reasonably appears to be necessary to control or otherwise subdue violent or potentially violent individuals. Under this policy, the department shall provide officers with the TASER as a means to achieve that end. It shall also be the policy of this department that playing or horseplay involving the TASER will not be tolerated.

III. Definitions

- A. **TASER** – A conducted energy weapon (CEW) device with the capability of disrupting the body’s ability to communicate messages from the brain to the muscles causing Neuro-Muscular Incapacitation (NMI) to the body.
- B. **Neuro-Muscular Incapacitation** – Uncontrollable muscle contraction that inhibits the subject from being able to perform a coordinated movement, this allows for rapid control of an actively resistive subject.
- C. **Drive Stun** – A secondary function of the TASER is to stun a subject by making direct contact with the arc bays to the body, preferably targeting the pressure point areas of the legs and arms. The drive-stun mode generally will not cause NMI and becomes primarily a pain compliance option.
- D. **Sensitive Tissue Area** – Areas of the body, which are especially sensitive to injury. These areas include the head, face, neck, genitals male nipple, and female breast.

- E. **Positional Asphyxia** – This form of asphyxia occurs when someone’s position prevents the person from breathing adequately.

IV. Factors to Determine Reasonableness of Force

The application of the TASER is likely to cause intense, but momentary, pain. As such, officers should carefully consider and balance the totality of circumstances available before using the TASER including, but not limited to, the following factors:

1. The conduct of the individual being confronted (as reasonably perceived by the officer at the time).
2. Officer/Subject factors (i.e., age, size, relative strength, skill level, injury/exhaustion, number of officers vs. subject(s)).
3. Influence of drugs/alcohol (mental capacity).
4. The proximity of weapons.
5. The degree to which the subject has been effectively restrained and his/her ability to resist despite being restrained.
6. Time and circumstances permitting the availability of other options (what resources are reasonably available to the officer under the circumstances).
7. The seriousness of the suspected offense or the reason for contact with the individual.
8. Training and experience of the officer.
9. Potential for injury to citizens, officers, and suspects.
10. Risk of escape.
11. Other exigent circumstances.

V. Procedures

- A. **Authorized Users:** The TASER will only be deployed by officers who have completed the Locust Grove Police Department’s TASER training program and have met the required qualifications. Officers must complete annual training to carry and deploy this weapon. Failure to demonstrate proficiency with this weapon during annual training will result in the weapon being surrendered to a department TASER instructor. The TASER instructor will schedule the officer for remedial

training. Upon receiving remedial training and demonstrating proficiency the officer will be reissued the weapon.

B. Authorized Deployment

Authorized personnel may use the TASER when circumstances are known to the individual officer at the time indicate that such application of the TASER is reasonable to control a person in any of the following circumstances:

1. The subject is violent or physically resisting.
2. A subject who, by words or actions, has demonstrated an intention to be violent or to physically resist and who reasonably appears to present the potential to harm officers, him/herself, or others.
3. Absent meeting the conditions outlined in (a) or (b) above, or a reasonable belief that an individual has committed or threatened to commit a serious offense, **mere flight from pursuing officers shall not serve as good cause for the use of the TASER to apprehend an individual.**
4. When feasible, the officer should give a verbal warning on the intended use of the TASER followed by a reasonable opportunity to voluntarily comply.
5. The officer must be able to articulate a reasonable belief that other available options appeared ineffective, impractical, or would have presented a greater danger to the officer, the subject, or others.
6. The TASER is authorized for deployment in drive stun or probe mode for pain compliance or NMI for no more than (3) cycles collectively. **However, drive stun or probe mode may be used defensively for more than (3) cycles if an officer is being attacked and the suspect is actively assaulting the officer or a third party.**

Note: Any subsequent CEW applications beyond (3) cycles should be independently justifiable, and the risks should be weighed against other force options.

C. Unauthorized Deployment

The TASER is a discretionary compliance technique tool that will be used to gain compliance against actively resisting suspects. As such, the device is prohibited:

1. The TASER shall not be deployed in a punitive or coercive manner.
2. The TASER shall not be deployed on a handcuffed/secured prisoner, absent overly assaultive behavior that cannot be reasonably dealt with in any other less intrusive fashion.
3. The TASER shall not be deployed on any suspect who does not demonstrate their overt intention to (1) use violence or force against the officer or another person or (2) to flee or resist/avoid detention or arrest (in cases where officers would pursue on foot or tackle the suspect).
4. The TASER shall not be deployed in any environment where the officer knows that a potentially flammable, volatile, or explosive material is present (including but not limited to OC spray with volatile propellant, gasoline, natural as, or propane);
5. The TASER shall not be deployed in an environment where the subject's fall could reasonably result in death (such as a swimming pool or on an elevated structure);
6. The TASER shall not be deployed on children appearing to weigh less than 100 pounds unless the subject is attacking the officer or when deadly force is justified;
7. The TASER shall not be deployed on women known to be pregnant unless deadly force is justified;
8. The TASER shall not be deployed in any situation where the subject or their clothing may be contaminated with a combustible liquid, gas, or highly combustible material;
9. The TASER shall not be deployed on subjects in control of a motor vehicle;
10. The TASER shall not be deployed on subjects with known heart problems;
11. The Taser shall not be deployed on subjects with an obvious debilitating illness; and

12. The TASER shall not be deployed on the elderly.

D. Weapon Readiness

1. The TASER is carried as part of a uniformed officer's equipment, the TASER shall be carried on the side opposite the officer's weapon.

E. De-escalation Techniques

The use of the TASER can sometimes be avoided through the use of de-escalation techniques and other non-dynamic law enforcement tools when reasonable. Officers will use de-escalation and other techniques to reduce the immediacy of threats to other people's safety and stabilize incidents.

F. Guidelines for Deployment

In preparation for firing, the TASER shall be pointed in a safe direction, taken off safe, and then aimed. The primary target area is the subject's back when reasonably possible; below the nipple line of the chest or legs are the secondary targets also known as "split the beltline".

1. Laser sights should be used as the primary aiming device and the fixed sights as the secondary aiming device.
2. Before being deployed, the word "TASER" will be used by the deploying officer when feasible to announce the TASER's impending use.
3. Upon firing the device, the officer shall "tase" the subject the least number of times and no longer than necessary to accomplish the legitimate operational objective. The subject is to be secured as soon as practical while disabled by the TASER power to minimize the number of deployment cycles.
4. The subject should be handcuffed and restrained as soon as the officer deems the situation safe for handcuffing.
5. The officer should continue talking to the subject and give verbal commands throughout this process.
6. Once in custody, the arresting officer will notify Henry County Dispatch that they have deployed the TASER. A supervisor will respond to the scene.

7. The subject will be continually monitored by the officer for any signs of medical distress related to the use of the TASER and shall not be left alone while in the custody of the Locust Grove Police Department.

If medical distress is detected or made known to the officer, emergency medical service personnel will be immediately summoned.

8. The device may be used in “drive stun” mode. This involves pressing the TASER against an appropriate area of the body, (pressure points) based on training. It is important to note that when the device is used in this manner:
 - a) Primarily a pain compliance tool due to the lack of probe spread;
 - b) Minimally effective when compared to conventional cartridge-type deployments; and
 - c) More likely to leave marks on the subject’s skin.
9. When applying the drive stun mode, contact with the offender should be to the **trunk**, back of the arms, and legs, but not to the face and head.

G. Duty to Intervene

The officers of the Locust Grove Police Department have an affirmative duty to intervene if they witness a use of force that is unreasonable.

The officer, if he/she observes another officer exceeding the use of force, permitted by law, shall intervene to prevent the use of unreasonable force and if necessary, separate the person being arrested from the arresting officer. The intervening officer shall promptly report these observation(s) and his/her actions to the supervisor.

H. Post Deployment Guidelines

1. The TASER darts shall be removed from the subject after being restrained following the procedures outlined in training. The following areas of the body are considered sensitive: the groin, the face, the neck, the female breast, or the male nipple. Any probes embedded in these areas will be removed by trained medical professionals. Officers shall use rubber gloves and treat cartridges as a biohazard.
2. Photographs of the affected area, (probe and drive stun sites) and of any secondary injuries the subject receives should be taken.
3. Medical evaluations and clearance shall follow the procedures outlined in training. All suspects where the TASER was deployed more than (3) cycles

will have their vital signs evaluated by qualified medical personnel. Any suspect that exhibits signs of delirium or shortness of breath or unusual symptoms will also be evaluated by qualified medical personnel.

4. Officers have an affirmative duty to care for persons in their custody. Officers and supervisors are responsible for providing or obtaining appropriate medical attention to any person in their custody who is injured or complains of injury.

This pertains to whether injuries proceeded custody, occurred during apprehension, or were sustained during custody, even if the arrested persons are believed to be feigning an injury, officers shall take the complaint seriously and ensure medical attention is provided.

5. Additionally, officers have an affirmative duty to provide or obtain medical attention for members of the public who are injured because of police involved actions. Officers restraining a subject should be cognizant of and avoid positional asphyxia. The Locust Grove Police Department prohibits prolonged face-down prone restraint. The officer should properly restrain the subject and place the subject in an upright position (sitting or standing) or side-lying position.

- I. **Reporting:** The deploying officer shall notify his/her supervisor as soon as practical after using the device and complete an incident report and use of force report. In addition to this requirement, whenever any officer points the TASER at a person but does not deploy it, the involved officer will note this fact in the incident report, if applicable, for supporting documentation of the charges.
- J. **Supervisor Responsibilities:** In addition to interviewing officers, suspects, and witnesses at the scene, the reviewing supervisor will ensure photographs are taken of the suspect (if applicable) and the TASER probe sites on the suspect's person as soon as possible following custody.
- K. **Data Collection:** TASER data downloading will be conducted at least once every 30 days and after following a use of force incident.
- L. **Training:** In addition to the initial department training required to carry and use the TASER, any personnel who have not carried a TASER as a part of their assignment for six months or more shall be recertified by a departmentally approved TASER instructor before carrying or using the device. All department issued TASER's will be inspected by a qualified instructor once a year. Officer are required to participate in training and demonstrate proficiency annually.