



Work Session Agenda
Thursday, October 10, 2024, 9:00 AM
Administration Building, Boardroom (3rd Floor)
300 Henry Ward Way, Gainesville, GA 30501
Mayor or Mayor Pro Tem Presides

DEPARTMENT ISSUES:

Public Works

- Resolution: Accepting Calvary Creek Parkway as a City Street Matt Tarver

CITY MANAGER ISSUES:

MAYOR/COUNCIL ISSUES:

- Ex-Officio Report(s)

CITY ATTORNEY ISSUES:

- Resolution: Ratification of Perpetual Easement Relating to Property Located at 514 Davis Street Abb Hayes
- Ordinance: Amend Section 3-4-213 Pertaining to Personal Transportation Vehicles Abb Hayes

CITY CLERK ISSUES:

EXECUTIVE SESSION:

ADJOURNMENT:

Final: Tuesday, October 8, 2024, 4:50 PM



CITY OF GAINESVILLE

Work Session Agenda Request

Item Created: October 7, 2024
Date Submitted: October 8, 2024
Final Approval Date:
Presenter: Matt Tarver, Deputy Director of Engineering & Transportation
Item of Business: Resolution: Accepting Calvary Creek Parkway as a City Street
Meeting Date: October 10, 2024

Purpose of Request:

The purpose of this request is to accept the street as a City street.

Facts & Issues / History & Background:

The current owner has petitioned the City to accept Calvary Creek Parkway as a City street. The street has been designed and constructed to City standards.

Department Recommendation:

Adopt the resolution.

Department Director:

Chris Rotalsky

If funding is involved, are funds approved within the current budget? No

Amount Requested:

Sources of Funds:

Finance Comments:

Administrative Comments:

Attachments:

1. Resolution: Accepting Calvary Creek Parkway as a City Street
2. Back Up Material: Final Subdivision Plat (G221042.DDS.EXH SEALED100124)

RESOLUTION BR-2024 - ____

ACCEPTING CALVARY CREEK PARKWAY AS A CITY STREET

WHEREAS, the Gainesville Public Works Department has determined Calvary Creek Parkway located within the City limits was developed and constructed in accordance with the approved plans; and

WHEREAS, the developer has completed the public improvements located within the right-of-way of Calvary Creek Parkway and has requested the City of Gainesville accept maintenance of those improvements located within the right-of-way as shown on the Warranty Deed and Final Subdivision Plat; and

WHEREAS, Calvary Creek Parkway has a total length of 1,976 feet.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body for the City of Gainesville hereby accepts the aforementioned street as a City of Gainesville public street and accepts the associated lighting and standard maintenance costs thereof.

BE IT FURTHER RESOLVED THAT the governing body for the City of Gainesville authorizes the Mayor and/or City Manager to sign, and staff to record, the Warranty Deed accepting the associated right-of-way.

Adopted this ____ day of _____, 2024.

W. Samuel Couvillon, Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this Resolution was adopted as stated and will be recorded in the official minutes.

ATTEST:

Denise O. Jordan, City Clerk

AS REQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

09/23/24
DATE

AREA:
R/W TRACT 1: 1.730 AC
R/W TRACT 2: 0.716 AC
TRACT A: 5.827 AC
TRACT B: 10.955 AC
TRACT C: 3.399 AC

NOTE:
ALL DETENTION FACILITIES WETHER A POND OR
UNDERGROUND AND ALL IDENTIFIED DRAINAGE
EASEMENTS OUTSIDE PUBLIC RIGHT OF WAY WILL
BE PRIVATELY OWNED AND MAINTAINED

N/F
MAIN STREET PROPERTY
HOLDINGS, LLC
(DB 8680, PG 573)

ZONING: LIGHT INDUSTRIAL (L-1)

N/F
MAR-JAC POULTRY, INC.
(DB 9314, PG 191)
ING: LIGHT INDUSTRIAL

OF
DULTRY, INC. — — —
PG 191)

1. THE FIELD DATA COLLECTED ON 9/24/21, 9/27/21 & 9/28/21, 10/6/21, 10/22/21, 10/25/21, 10/26/21, 9/19/12, 9/21/12, 9/22/12, 9/26/2022, & 08/15/2024 UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 100 FEET AND AN ANGULAR MEASUREMENT PRECISION OF ONE SECOND PER ANGLE. AND WAS ADJUSTED USING LEAST SQUARES. A TRIMBLE 5-SERIES ROBOTIC TOTAL STATION WAS USED FOR ANGULAR AND LINEAR MEASUREMENTS.
2. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN THE FOLLOWING:
 - PROPOSED R/W: ONE FOOT IN 1,002,737 FEET.
 - TRACT A: ONE FOOT IN 380,557 FEET
 - TRACT B: ONE FOOT IN 267,917 FEET
 - TRACT C: ONE FOOT IN 124,178 FEET
3. THE HORIZONTAL DATUM FOR THIS SURVEY IS THE NORTH AMERICAN DATUM OF 1983 (NAD 83 GEORGIA WEST ZONE) AS DETERMINED BY UTILIZING GPS. THE EQUIPMENT USED TO OBTAIN THIS DATA WAS A DUAL FREQUENCY TRIMBLE R10 GNSS GPS RECEIVER WITH A TRIMBLE TSC7 DATA COLLECTOR RECEIVING RTK CORRECTIONS VIA A REAL TIME NETWORK. THE PRECISION OF THE DATA OBTAINED FROM THE GPS WAS THE AVERAGE RELATIVE POSITIONAL ACCURACY OBTAINED ON THE POSITION UTILIZED IN THIS SURVEY WAS 0.04 FT. HORIZONTAL. THIS VALUE WAS DERIVED FROM GPS PROCESSING SOFTWARE. THE REMAINDER OF THE FIELD WORK WAS PERFORMED BY CONVENTIONAL SURVEYING METHODS.
4. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT; THEREFORE EXCEPTION IS MADE HEREIN TO ANY EASEMENTS, RESERVATIONS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD, WHICH MAY EXIST. THEREFORE, THE SURVEYOR DOES NOT SUBJECT TO EASEMENTS, RESERVATIONS, RIGHTS OF WAY, OR RESTRICTIONS, WHICH ARE NOT RECORDED OR NOT DISCLOSED BY THE TITLE COMMITMENT OR OTHERWISE UNKNOWN TO THE SURVEYOR; THEREFORE EXCEPTION IS TAKEN TO ANY SUCH ITEMS.
5. THE UNDERGROUND UTILITIES SHOWN HEREIN HAVE BEEN MARKED BY UTILITY MARKING, LLC, (678-357-1946) DATED 8/23/21 AND 9/6/22, AND FIELD LOCATED BY ROCHESTER & ASSOCIATES PERSONNEL. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
6. THE SURVEYOR HAS IDENTIFIED WETLAND AREAS. NO EFFORTS HAVE BEEN MADE BY THE SURVEYOR TO IDENTIFY OR LOCATE ANY WETLAND AREAS ON THIS PROPERTY. A QUALIFIED WETLAND SPECIALIST PRIOR TO ANY LAND DISTURBANCE SHOULD PERFORM WETLAND IDENTIFICATION AND DELINEATION.
7. THE PROPERTY OF THE CITY OF GAINESVILLE, FLORIDA, FLORIDA POWER & LIGHT F.E.M.A. INSURANCE RATE MAP FOR THE CITY OF GAINESVILLE, COMMUNITY PANEL NUMBER 130263 0189 G, HALL COUNTY, GA., MAP NO. 131390C0189G, REVISED DATE APRIL 4, 2018.
8. THE PROPERTY COASTERS REFERENCED AS "RPS" INDICATES A 1/2" REBAR PLACED WITH A YELLOW PLASTIC CAP STAMPED "ROCHESTER-LSFO00484" UNLESS OTHERWISE NOTED.
9. THIS SURVEY IS FOR THE EXCLUSIVE USE OF THE ENTITIES SHOWN HEREIN; ANY USE OF THIS PARTIAL PLAT IS AT THE USER'S OWN RISK.
10. THE DISTANCES AS SHOWN ARE HORIZONTAL. THE HORIZONTAL GROUND DISTANCES IN THIS SURVEY FEET (39.37 INCHES = 1 METER).

Line Table		
LINE #	BEARING	LENGTH (FT)
L21	S07° 16' 08"W	67.74
L22	S20° 50' 26"W	174.18
L23	S00° 38' 40"E	80.74
L24	S30° 56' 12"W	137.92
L25	S37° 57' 27"W	137.30
L26	S11° 09' 56"W	113.43
L27	S33° 13' 53"W	40.92
L28	S29° 25' 06"E	56.17
L29	S08° 47' 31"W	39.69
L30	N22° 28' 58"W	48.22
L31	N70° 53' 37"W	36.27
L32	S08° 10' 29"W	53.36
L33	S02° 04' 40"E	36.68
L34	S21° 45' 45"E	49.10
L35	S13° 46' 28"W	37.88
L36	N50° 49' 55"W	34.99
L37	S44° 44' 16"W	37.00
L38	S04° 10' 05"W	25.00
L39	S34° 05' 16"W	47.81
L40	S05° 11' 42"E	74.60

Line Table		
LINE #	BEARING	LENGTH (FT)
L61	N44° 36' 12"W	40.36
L62	N77° 27' 27"W	73.89
L63	N79° 22' 22"W	99.65
L64	S78° 35' 09"W	124.05
L65	N75° 29' 29"W	49.92

CURVE TABLE				
CURVE #	CHORD BEARING	CHORD LENGTH (FT)	ARC LENGTH (FT)	RADIUS (FT)
C17	S88° 27' 10"E	72.74	73.37	162.16
C18	N89° 36' 24"E	89.02	89.57	232.84
C19	S78° 24' 54"E	8.79	8.79	262.84
C20	S79° 28' 54"E	23.64	23.65	334.66
C21	N81° 09' 02"W	49.55	49.59	384.66
C22	N78° 24' 54"W	7.11	7.11	212.84
C23	S89° 36' 24"W	69.90	70.34	182.84
C24	N88° 27' 10"W	95.17	95.99	212.16

STATE OF GEORGIA
COUNTY OF HALL

THE UNDERSIGNED CERTIFIES THAT HE OR SHE IS THE OWNER OF THE LAND SHOWN ON THIS PLAT AND THAT THE PLAT AND THE PUBLIC AND PRIVATE IMPROVEMENTS CONTAINED THEREON ARE NECESSARY TO THE PROPER DEVELOPMENT OF THE LANDS SHOWN ON THE STANDARD MAP OF THE GAINESVILLE UNIFIED LAND DEVELOPMENT CODE. THE OWNER HEREBY ACKNOWLEDGES THIS PLAT AND ALLOTMENT TO BE HIS FREE ACT AND DEED, AND DEDICATES TO THE CITY OF GAINESVILLE FOREVER ALL AREAS SHOWN OR INDICATED ON THIS PLAT AND THE PUBLIC AND PRIVATE IMPROVEMENTS THEREON, INCLUDING AIR, LAND, WATER SYSTEM, SEWERAGE AND OTHER PUBLIC IMPROVEMENTS (HEREINAFTER "FACILITIES"). HOWEVER, THE CITY OF GAINESVILLE WILL NOT TAKE OWNERSHIP AND MAINTENANCE OF THE FACILITIES SHOWN ON THIS PLAT AND THE PUBLIC AND PRIVATE IMPROVEMENTS THEREON UNLESS THE GOVERNING BODY OF THE CITY OF GAINESVILLE ACCEPTS THE DEDICATION AND THE ACCEPTANCE OF THE FACILITIES AS PROVIDED IN SECTION 9-13.14-12 OF THE GAINESVILLE UNIFIED LAND DEVELOPMENT CODE AND PROVIDED A MAINTENANCE BOND AS REQUIRED IN SECTIONS 9-13.14-13 AND 9-13.14-14.

OWNER'S NAME: MAR-JAC POULTRY, INC
OWNER'S ADDRESS: 1020 AVIATION BLVD. GAINESVILLE, GA. 30503
Phillip K Turner - Secretary
(OWNER'S SIGNATURE)
DATE 10/1/2024



CITY OF GAINESVILLE

Work Session Agenda Request

Item Created: October 1, 2024
Date Submitted: October 7, 2024
Final Approval Date: October 9, 2024
Presenter: Abb Hayes, City Attorney
Item of Business: Resolution: Ratification of Perpetual Easement Relating to Property Located at 514 Davis Street
Meeting Date: October 10, 2024

Purpose of Request:

To request authorization to ratify the easement for property located at 514 Davis Street.

Facts & Issues / History & Background:

Department Recommendation:

Adopt the resolution.

Department Director:

Bryan Lackey

If funding is involved, are funds approved within the current budget? No

Amount Requested:

Sources of Funds:

Finance Comments:

Administrative Comments:

Attachments:

1. Resolution: Ratification of Perpetual Access Easement for Property Located at 514 Davis Street
2. Backup Documentation - Recorded Perpetual Access Easement

RESOLUTION BR-2024- ____

**RATIFICATION OF PERPETUAL ACCESS EASEMENT RELATING TO
PROPERTY LOCATED AT 514 DAVIS STREET**

WHEREAS, in the course of conducting a title examination relating to real property located at 514 Davis Street in Gainesville, Georgia, a prospective buyer discovered a Perpetual Access Easement from the City to Scroggs & Grizzel Contracting, Inc., dated April 27, 2011, recorded at Deed Book 6831, Pages 543-544, Hall County, Georgia Deed Records ("the Easement"); and

WHEREAS, the City wishes to ratify the Easement, such that any current or future owner of the real property that is the subject of the Easement has marketable title.

NOW, THEREFORE, BE IT RESOLVED THAT the governing body of the City of Gainesville hereby ratifies the Easement and authorizes the Mayor, City Manager and/or the City Attorney to execute any documents necessary to effectuate the ratification of the Easement.

Adopted this ____ day of _____, 2024.

W. Samuel Couvillon, Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this resolution was adopted as stated and will be recorded in the official minutes.

ATTEST:

Denise O. Jordan, City Clerk

4854-4858-0543, v. 2

PERPETUAL ACCESS EASEMENT

007555

GEORGIA, HALL COUNTY

This conveyance executed this 27th day of April, 2011 that for and in consideration of One & No/100 Dollars (\$1.00) in hand paid, receipt of which is acknowledged, the City of Gainesville, Georgia (hereinafter "Grantor") does hereby grant, sell and convey unto Scroggs & Grizzel Contracting, Inc., their successors and assigns (hereinafter "Grantee"), a perpetual access easement for right-of-way for the purpose of accessing the Property location at 514 Davis Street through the undersigned's real property located in Hall County, Georgia, indicated on the plan attached hereto as Exhibit "A" and by reference made a part hereof. Said Grantees land is indicated on Tax Map 018 Block 001 Lot 012 of 01 Land District, said tax map located in Hall County Tax Office in Gainesville, Georgia.

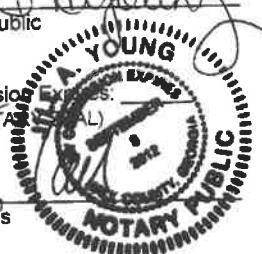
The Grantee shall have the right of ingress and egress on said lands for the purposes as described herein and shall exercise reasonable diligence in doing necessary work in connection therewith so as to avoid damaging the property. However, if Grantee does damage the property of Grantor, he will make repairs as required to correct the damage at his expense.

The Grantor does not convey any land, but merely grants the rights, privileges and easements hereinbefore set out, however, Grantor warrants that he has title to said lands and is authorized to convey this easement.

The Grantor has the right to use said lands for purposes not inconsistent with the rights hereby granted.

IN WITNESS WHEREOF, the undersigned hereto set his/her hand and seal the day and year above written.

Signed, Sealed and Delivered this 27 day of April, 2011 in the Presence of:

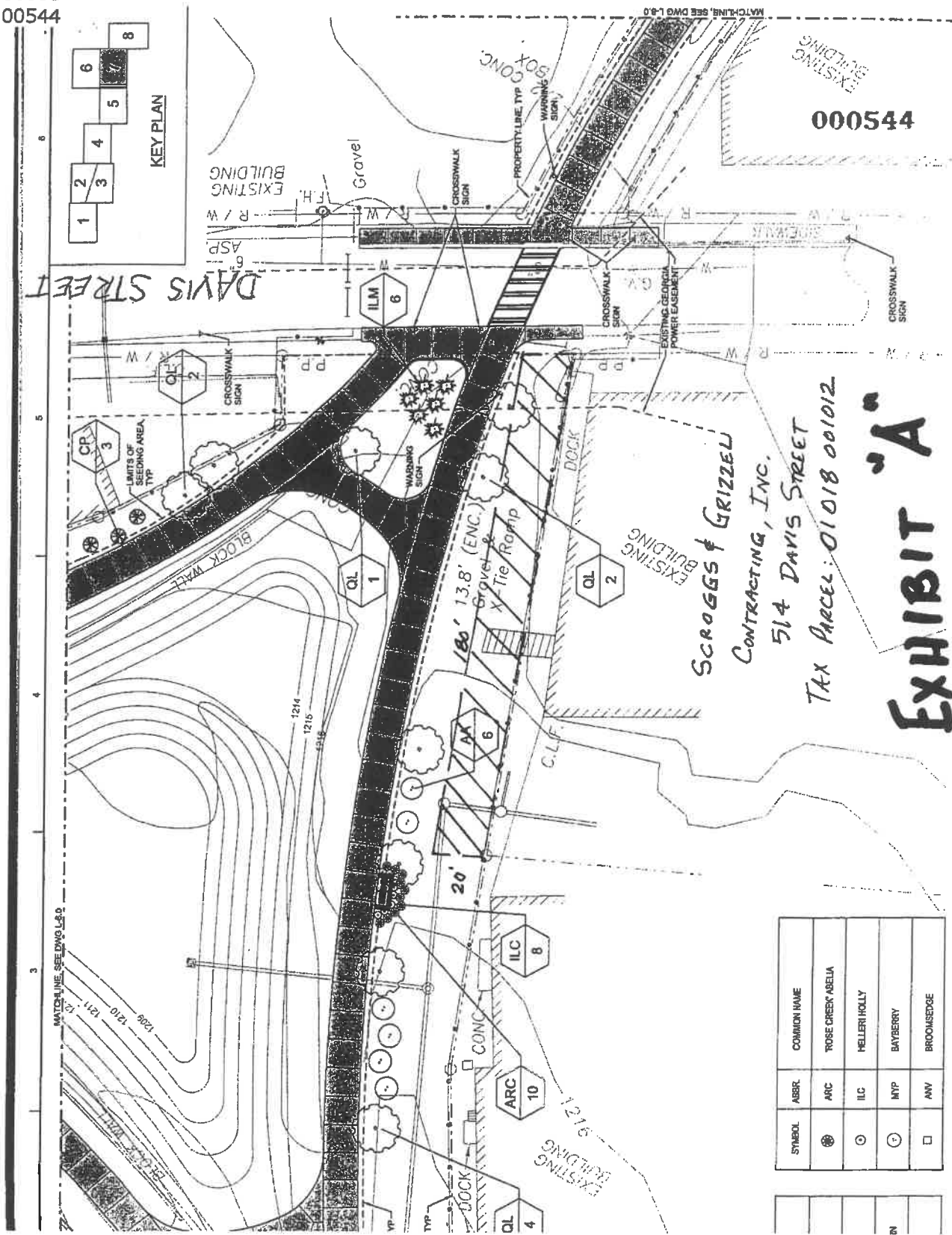
[Signature]
Notary Public
[Signature]
Commission Expires: _____
(NOTARY SEAL)
[Signature]
Witness


City of Gainesville, Georgia

[Signature]
Kip Paddgett, City Manager

↓ SCROGGS & GRIZZEL CONTRACTING INC
PO BOX 316
GAINESVILLE GA 30503

GEORGIA, HALL COUNTY, CLERK SUPERIOR COURT
Filed in office, this 27 day of April
2011 at 2:21 PM. Recorded in Deed
Book 6831 Page(s) 543-544
Charles Baker, Clerk By SB





CITY OF GAINESVILLE

Work Session Agenda Request

Item Created: October 2, 2024

Date Submitted: October 8, 2024

Final Approval Date:

Presenter: Abb Hayes, City Attorney

Item of Business: Ordinance: Amend Section 3-4-213 Pertaining to Personal Transportation Vehicles

Meeting Date: October 10, 2024

Purpose of Request:

The purpose of this request is to make a correction regarding penalties.

Facts & Issues / History & Background:

Department Recommendation:

Approve the ordinance.

Department Director:

Bryan Lackey

If funding is involved, are funds approved within the current budget? No

Amount Requested:

Sources of Funds:

Finance Comments:

Administrative Comments:

Attachments:

1. Ordinance: Amend Section 3-4-213 Regarding Personal Transportation Vehicles

Passed: _____

AN ORDINANCE

No. 2024-

AN ORDINANCE TO AMEND SECTION 3-4-213 OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

BE IT HEREBY ORDAINED BY THE GOVERNING BODY OF THE CITY OF GAINESVILLE, GEORGIA, AS FOLLOWS:

SECTION I.

Section 3-4-213 of the Code of Ordinances of the City of Gainesville, Georgia is hereby amended by eliminating it in its entirety and amending it to read as follows:

Sec. 3-4-213. – Violations.

Violations of this Article, in addition to any infractions of state traffic laws, shall subject the violating driver and the owner of the PTV to penalties as set forth in Section 1-1-8 of the Code of Ordinances of the City of Gainesville.

SECTION II.

All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION III.

If any portion of this ordinance shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair the remaining portions unless it clearly appears that such other parts are wholly and necessarily dependent upon the part held to be invalid or unconstitutional.

SECTION IV.

The effective date of this ordinance shall be upon approval by the governing body of the City of Gainesville, Georgia.

W. Samuel Couvillon, Mayor

This is to certify that I am City Clerk of the City of Gainesville. As such, I keep its official records, including its minutes. In that capacity, my signature below certifies this ordinance was adopted as stated and will be recorded in the official minutes.

ATTEST:

Denise O. Jordan, City Clerk