

**MAYOR**  
Edward J. Johnson, Jr.

**CITY MANAGER**  
Ray Gibson

**CITY CLERK**  
Valerie Glass



**FAYETTEVILLE**  
NO LIMITS ON IMAGINATION

**COUNCIL**  
Mayor Pro Tem  
Niyah Glover  
T. Joe Clark  
Richard J. Hoffman  
Darryl Langford,  
Scott Stacy

**DATE:**  
**1/30/2024**  
**9:00 AM**

## **WORK SESSION AGENDA**

Call to Order

### **Approval of Agenda**

#### **ITEMS FOR DISCUSSION:**

1. Water and Sewer Rate Study: ***Presented by GMC***
2. Travis Alleyway Project Cost Update: ***Presented by Falcon Design Consultants***
3. Amendments to the Future Land Use map: ***Presented by Director of Community & Economic Development David Rast***
4. Amendments to the 2022 Comprehensive Plan: ***Presented by Director of Community & Economic Development David Rast***
5. Amendments to the Alcohol Ordinance: ***Presented by Planning and Zoning Manager Julie Brown***
6. Smoke Free Ordinance: ***Presented by City Manager Ray Gibson***
7. Amendments to the Planning and Zoning Commission Bylaws: ***Presented by Planning and Zoning Manger Julie Brown***
8. National Society Daughters of the American Revolution (NSDAR) America 250 Maker: ***Presented by City Manager Ray Gibson***

#### **NEW BUSINESS:**

9. (Voting Item) Consider R-8-24 - Statewide Mutual Aid and Assistance Agreement Renewal: ***Presented by Assistant City Manager Alan Jones***

#### **REPORTS AND COMMENTS:**

**MAYOR**  
Edward J. Johnson, Jr.  
**CITY MANAGER**  
Ray Gibson  
**INTERIM CITY CLERK**  
Chelsea Siemen



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Scott Stacy

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**TO: Mayor and Council**

**VIA: David Rast, Director of Community and Economic Development**

**CC: Julie Brown, Planning and Zoning Manager**

**FROM: Katherine Prickett, Planner**

**DATE: January 25<sup>th</sup> 2024**

**SUBJECT: Future Land Use Amendment from BP to LI north east quadrant of the City**

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Staff is in receipt of a site plan from an existing business zoned Light Industrial on North 85 Parkway. They are proposing to expand their business across the street. This expansion would require a rezoning to operate their current business model as the desired parcel is zoned Neighborhood Commercial.

Based on this request and knowing the City has limited Industrial space; we would like consideration for a City-initiated amendment to the FLU map to accommodate our manufacturing and industrial businesses.

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**TO:** Mayor and City Council

**VIA:** Ray Gibson, City Manager

**CC:** Chelsea Siemen, Interim City Clerk

**FROM:** David Rast, Director of Community and Economic Development

**DATE:** January 25, 2024

**SUBJECT:** Discuss proposed amendments to 2022 Comprehensive Plan

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Following discussions at the upcoming City Council Retreat it is our intent to bring forward a number of minor updates and clarifications to the 2022 Comprehensive Plan and the associated Future Land Use Map. The Comprehensive Plan and the Future Land Use Map as adopted included new land use classifications and “recommended” zoning designations for each classification, some of which may not be compatible with the intended land use or consistent with the zoning classifications in the Unified Development Ordinance. Our goal is to update just these elements, present the updated documents to City Council prior to transmitting them to the Atlanta Regional Commission and the Department of Community Affairs for review. We will present the revised documents to City Council adoption.



# FAYETTEVILLE

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**FAYETTEVILLE CITY HALL**  
210 Stonewall Avenue West  
Fayetteville, Georgia 30214  
770-461-6029 Telephone  
770-460-4238 Facsimile  
[www.Fayetteville-GA.gov](http://www.Fayetteville-GA.gov)

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**TO:** Mayor and City Council

**VIA:** Ray Gibson, City Manager

**CC:** Chelsea Siemen, Interim City Clerk

**FROM:** Julie Brown, Planning and Zoning Manager

**DATE:** January 26, 2024

**SUBJECT:** Revisions to Chapter 10 - Alcoholic Beverages regarding speakeasies and wine bars.

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The City has received several inquiries regarding the operation of speakeasies within the city limits. Our current alcohol ordinance does not clearly allow for that type of use. Should Council elect to allow such a use, staff is requesting direction as to permitted locations, number of, and conditions to regulate the use.

The City also currently has two wine bars located within the downtown entertainment district, both wine bars were issued an alcohol license that permit a retail section for off-premise consumption. However, the language to allow wine bars to have a retail section for off-premise consumption without requiring the normal \$10,000 grocery inventory was inadvertently omitted from a January 5, 2023 amendment to Chapter 10-Alcoholic Beverages (#0-01-23). A second revision on January 31, 2023 included the necessary language, but there is some confusion concerning the codification of #0-01-23 as it was used for both amendments.

Following discussions with the city attorney, it was recommended that we re-present the alcohol ordinance in its entirety to include all amendments to Council to have it adopted and sent to Municode for codification.

Staff is requesting Council provide direction on these items prior to amending Chapter 10- Alcoholic Beverages.

## Chelsea Siemen

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**From:** Priya Patel <ppatel@jarrard-davis.com>  
**Sent:** Monday, December 11, 2023 3:40 PM  
**To:** David Rast  
**Cc:** Julie Brown; Ray Gibson  
**Subject:** RE: Alcohol Ordinance amendments

Hey David –

The City Charter clearly states that for an ordinance to be effective and binding, it must be codified. Therefore, my recommendation would be to take the entire alcohol ordinance as revised on January 5<sup>th</sup> and 31<sup>st</sup>, re-present it to the Council, and have it adopted and sent to Municode. This is the cleanest way to make sure nothing is missed.

As far as the speakeasy goes, our current ordinance does not clearly allow for that type of use, and so an amendment allowing the same needs to be presented to the City Council, if they elect to allow such a use. I presume they would want it narrowly tailored to this use, but that may be difficult and may open up the City to more alcohol-based businesses.

Let me know if you need anything else.

Priya

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**From:** David Rast <drast@fayetteville-ga.gov>  
**Sent:** Friday, December 1, 2023 3:32 PM  
**To:** Priya Patel <ppatel@jarrard-davis.com>  
**Cc:** Julie Brown <jbrown@fayetteville-ga.gov>; Ray Gibson <RGibson@fayetteville-ga.gov>  
**Subject:** Alcohol Ordinance amendments

Priya – this is a bit more complicated than we thought.

There were 2 amendments to the alcohol ordinance adopted in January of this year:

- #0-01-23 was adopted on January 5, 2023, however it does not appear this ordinance was sent to Municode.
- #0-01-23 (as amended) was adopted at a work session on January 31, 2023 - this ordinance amended one section of the previously approved 0-01-23 as it relates to wine bars (not the entire ordinance) but used the same ordinance number. This ordinance was sent to Municode.

Once we get this clarified, the question comes down to whether the amended language would allow a ‘speakeasy’ at Trilith. The concept is a small ‘upscale craft and cocktail bar’ – no kitchen, no food, no cigars. Trilith is within one of 2 Entertainment Districts.

If the amendment would not allow this type of use we may need to see if council would consider amending the ordinance. Thanks for your help.



**David Rast, ASLA**  
Director of Community and Economic Development

[drast@fayetteville-ga.gov](mailto:drast@fayetteville-ga.gov)

**Direct:** 770.719.4156

**Mobile:** 770.710.5807



[www.fayetteville-ga.gov](http://www.fayetteville-ga.gov)

Fayetteville shall be a city of innovation, opportunity, and uniqueness that fosters a vibrant and welcoming community for all.

- *City of Fayetteville Vision Statement*

## Disclaimer

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**TO:** Mayor and City Council

**VIA:** Ray Gibson, City Manager

**CC:** Chelsea Siemen, Interim City Clerk

**FROM:** Julie Brown, Planning and Zoning Manager

**DATE:** January 26, 2024

**SUBJECT:** Amendments to Planning and Zoning Commission By-Laws and Rules of Procedure.

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After review of the Planning and Zoning Commission By-Laws and Rules of Procedures, Staff is recommending minor amendments to the document to clarify training and attendance requirements, and to align the language in the P&Z By-Laws with the language found in the recently adopted Unified Development Ordinance (UDO).

Staff respectfully requests approval of the proposed amendments to the Planning and Zoning Commission By-Laws and Rules of Procedures. Thank you for your consideration of this matter.

CITY OF FAYETTEVILLE  
PLANNING & ZONING COMMISSION  
BYLAWS AND RULES OF PROCEDURE

I. Mission Statement and Values

It is the mission of the City of Fayetteville Planning and Zoning Commission (hereinafter the “Planning Commission”) to ensure that the city’s current, as well as future, quality of life is guided by a community planning process that is anticipatory, comprehensive and equitable. The Planning Commission will be guided by the following values:

A. To discharge its duties and responsibilities without favor or prejudice toward any person or group.

B. To remain vigilant against deviations from the city plan that would compromise the integrity of the plan or citizens served by the plan.

C. To recommend changes to the comprehensive plan when those changes would serve the general public interest, and not to recommend changes for any individual, group, or organization for purely personal convenience, caprice, or gain.

D. To discharge its duties in a fair, even-handed and consistent manner.

E. To treat all members of the public, city staff, and commission members with respect.

F. To exercise its public trust in a forthright and honorable manner consistent with all relevant codes, statutes, laws, and rules.

II. Powers and Duties

A. The powers and duties of the Planning Commission are established in Section 2-172 and other appropriate sections of the Code of the City of Fayetteville, Georgia (“Code”). As set forth in Section 2-172, the Planning Commission shall hear and act upon applications pursuant to procedures and standards established by the City Council. The Planning Commission shall act upon applications for preliminary plat approval, phase conceptual site plan approval, architectural and landscape plan approval, variances, conditional use permits of commercial and extension,the enlargement, or continuation of nonconforming use, architectural and landscape plans, subject to Council’s right to review said decision and the applicant’s right to appeal the action of the Planning Commission to City Council. The Planning Commission shall review, conduct public hearings, and make recommendations to Council on applications for amendments to the comprehensive plan,



future land use map, zoning ordinance, annexations and rezoning. The Planning Commission shall further have such other powers and duties as City Council may, from time to time, establish.

B. The Planning Commission shall, in the consideration of zoning and planning decisions and recommendations and in the administration thereof, follow the procedures established in relevant sections of the Code and the procedures set forth in these bylaws.

### III. Composition of the Planning Commission

A. Members: ~~the~~The Planning Commissions shall be composed of six (6) members, to be appointed by the Mayor and approved by Council as set forth in Section 2-167 of the Code. Members are required to successfully complete the Atlanta Regional Commission Community Planning Academy or other training for Planning Officials as approved by the city within the first year of their appointment ~~or reappointment~~ to the commission.

B. Terms: The term of office of each member of the Planning Commission shall be two (2) years, or until his/her successor is appointed. The Mayor shall appoint the members at the December first Council meeting in January, and each member's term shall continue until the next appointment, or until the member is removed from office. Commissioners # 1, #3, and #5 shall be appointed to begin their terms at the first Planning and Zoning meeting in January during odd-numbered years. Commissioners #2, #4, and #6 shall be appointed during even-numbered years to begin their terms at the first Planning and Zoning meeting in January.

C. Vacancies and Removal: Resignations from the Planning Commission must be submitted in writing to the Mayor and Council. Commission members may be removed, with or without cause, upon a vote in favor of removal by four members of the Council at a public meeting. The Mayor shall appoint a commissioner to fill any unexpired term upon resignation or removal as per Section 2-167 of the Code.

D. Eligibility: Members of the Planning Commission must be residents of the City of Fayetteville. Members may not hold any other public office, including public office within the City of Fayetteville, Fayette County, the State of Georgia, or federal government.

E. Compensation to the Planning Commission members: Members of the Planning Commission shall receive such compensation for their services to the city as determined by and established from time to time by the Mayor and Council.

F. Attendance at meetings: In order for the Planning Commission to conduct its business efficiently, members need to be present for meetings punctually and consistently. In the event that any member is absent from or tardy for four or more meetings within any twelve-month period from January- December, such absences shall

be deemed to be cause for the review of that member's continued service as a Planning Commissioner. In such event, the Chair or staff shall submit the attendance issue to Mayor and City Council for their review.

#### IV. Officers, Quorum and Affirmation of Motions:

A. Officers: Elections for officers will occur at the Planning Commission's first regular voting meeting of each calendar year.

1. Chair: The Planning Commission shall elect one of its members as Chair, who will serve for one year or until a successor is elected. The Chair shall preside over meetings and shall decide all points of order and procedure, unless otherwise directed by a majority of the Planning Commission, subject to these bylaws and to any relevant provision of the Code. Any points of order not determined thereby shall be decided in accordance with the rules set forth in Webster's New World Robert's Rules of Order: Simplified and Applied, 2<sup>nd</sup> Edition. The Chair shall appoint any committees found necessary to facilitate any business before the Planning Commission. The Chair shall direct the city planning department staff ("Staff") to prepare the agenda for each meeting.

2. Vice Chair: The Planning Commission shall elect one of its members as Vice Chair, who will serve for one year or until a successor is elected. The Vice Chair shall serve as acting chair of the Planning Commission in the absence of the Chair. Upon the resignation or disqualification of the Chair, the Vice Chair shall assume the position of Chair for the remainder of the unexpired term. In such event, the Planning Commission shall elect a new Vice Chair at its next regular meeting.

3. If neither the Chair nor the Vice Chair is present for a meeting, then the Planning Commission shall elect on the record at such meeting, a member who is present to serve as temporary acting chair for that meeting only.

B. Quorum: To constitute a quorum for the transaction of business, there shall be required to be present at any meeting of the Planning Commission at least four (4) members, which may include the Chair. If said quorum is not present, the Planning Commission may not take action on any matter.

C. Decisions of the Planning Commission: The decisions of the Planning Commission shall be by majority vote of the members present and voting, a quorum being present. The Chair can make and/or second motions and shall only vote, in cases of a tie vote by the other commissioners. If the Vice-Chair is presiding over a meeting, the same rule shall apply. In the event of a member's abstention based on a conflict of interest or other disqualification, the abstention shall count as if that member were absent and the number of persons necessary for a majority shall be reduced accordingly without affecting the quorum. Recommendations to the Mayor and Council shall be for the approval, approval with conditions, or denial of an application. Final decisions on

applications or matters before the Planning Commission shall be approved, approved with conditions, or denied. Items may be tabled and, when tabled, shall be held until the next regularly scheduled voting meeting unless otherwise specified in the vote to table such item. Decisions of the Planning Commission shall be made in accordance with the standards established in the Code and by applicable state and federal laws.

V. Bylaws and Rules of Procedure:

The membership of the Planning Commission may adopt rules of procedure and by-laws not in conflict with the provisions of Sections 2-167 through Section 2-174, or any other applicable provision, of the Code. Such rules and bylaws shall be submitted to and approved by City Council prior to their adoption. Notice of intent to adopt or amend rules of procedure and by-laws, together with the content of the proposed rules and/or amendment, shall be distributed in writing to each member of the Planning Commission no less than three (3) days prior to the meeting at which the vote to adopt or amend is taken. Adoption by majority of the membership of the Planning Commission shall be required to amend or adopt rules of procedure and bylaws.

VI. Meetings:

The Chair shall establish the day, time and place for the Planning Commission's regularly scheduled monthly meeting. All meetings of the Planning Commission shall be open to the public. However, members of the public shall not address the Planning Commission until invited to do so by the Chair. Regular meetings of the Planning Commission shall be held monthly. Called meetings may be held, as needed, pursuant to the provisions of Section VI.B. of these bylaws.

A. The regular meeting schedule for the Planning Commission, as established by the Chair, are held at Council Chambers, Fayetteville City Hall, **21040 Stonewall Avenue West, Glynn Street**, Fayetteville, GA 30214.

B. Called meetings may be held as needed at the call of the Chair, or in the Chair's absence the Vice-Chair. Notice of a called meeting shall be given to all members not less than twenty-four (24) hours prior to the time set for the meeting. Any member may, however, waive notice of a meeting in writing. The Staff shall also notify the newspaper which serves as the legal organ of any called meeting at the same time as the members are notified. A notice shall be placed in a public location at the meeting site indicating the time, date, location and agenda for the called meeting. Only those items listed on the published agenda shall be considered at the called meeting.

C. Emergency Meetings may be called by the Chair when special circumstances occur and are so declared by the Planning Commission. The first item of business at an emergency meeting shall be to establish special circumstances for the meeting. The Planning Commission may hold a meeting with less than twenty-four (24)

hours notice upon giving such notice of the meeting and subjects expected to be considered at the meeting as is reasonable under the circumstances, including notice to the newspaper serving as the legal organ or other newspaper. The Planning Commission shall immediately make the information available upon inquiry to any member of the public. Reasonable attempts shall be made to notify all members **by at their home** telephone **and/or email** as soon as possible of an emergency meeting. Nature of notice and reason for emergency shall be recorded in the minutes.

D. Cancellation of meetings: Whenever there is no business before the Planning Commission, the Chair may dispense with a regular meeting by giving reasonable notice to all members. The newspaper which serves as the legal organ shall be notified of any cancellation of meetings at the same time as members are notified. A notice shall be placed in a public location at the meeting site indicating that the meeting has been cancelled. Whenever the City of Fayetteville has closed its governmental offices due to inclement weather, then any meetings of the Planning Commission for that day shall be cancelled.

E. Adjourned meetings: Should the Planning Commission not complete the business before it, the Chair may adjourn a meeting and schedule a continuation of the same meeting until the agenda has been completed. However, the continuation of an adjourned meeting must meet the same requirements for notice of a special called meeting.

F. Committee Meetings and Special Work Sessions: Committee meetings and work sessions of the Planning Commission may be called by the Chair of the Planning Commission or, in the case of committee meetings, by the chair of the committee. These meetings, while informal in nature, shall be open to the public and shall meet the same requirements for notice and posting of the agenda or announcement of the meeting as for voting meetings. Minutes of committee meetings are not required.

G. Minutes and Agendas:

1. Minutes: The Planning Commission shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact. Minutes shall, at a minimum, include the decisions of the Planning Commission, a statement of the subject matter being considered, a record of all votes, and the grounds for the decision of the Planning Commission. Minutes will be prepared by the Staff, and, after adoption by the Planning Commission, said minutes shall be filed with the clerk of the city and shall be public record no later than immediately following the next regular meeting.

2. Agenda: The Secretary, at the direction of the Chair, shall prepare the agenda for each meeting. Members of the Planning Commission and the Mayor and Council shall receive copies of the agenda of a regularly scheduled meeting no less than twenty-four (24) hours prior to such meeting. The normal order of business at each regularly scheduled meeting will be:

- i. Determination of quorum
- ii. Election of acting chair, if necessary
- iii. Approval of minutes of the previous meetings(s)
- iv. Old business
- v. New business
- vi. Other business
- vii. Staff reports
- viii. Adjournment

All agendas are subject to change. No prepared agenda ensures public review of any particular item, nor does an agenda necessarily represent a full listing of projects to be reviewed. The Agendas shall be available upon request and shall be posted at the meeting site, as far in advance of the meeting as reasonably possible, but shall not be required to be available more than two (2) weeks prior to the meeting and shall be posted at a minimum, at some time during the two-week period immediately prior to the meeting. Failure to include an item on the agenda which becomes necessary to address during the course of a meeting shall not preclude considering and acting upon such item.

## VII. Conflict of Interest:

The Planning Commission shall be governed by the provisions of the Official Code of Georgia Section 36-67A-1 et seq., and as follows:

### A. Definitions: As used in this section the following definitions shall apply:

1. “Applicant” means any person who appears before the Planning Commission and any attorney or other person representing or acting on behalf of a person who applies for an appeal, a variance, or any other action that the Planning Commission has the duty to consider in the application of its powers.

2. “Business entity” means any corporation, partnership, limited partnership, firm, limited liability company, franchise, association, trust, or other entity organized under the laws of the State of Georgia or any other state.

3. “Campaign contribution” means a “contribution” as defined in paragraph (6) of O.C.G.A. Section 21-5-3 et seq.

4. “Financial interest” means any direct ownership interest of the total assets or capital stock of a business entity where such ownership interest is ten percent (10%) or more.

5. “Member of the family” means the spouse, mother, father, brother, sister, son, or daughter of a Planning Commission member.

6. “Opponent” means any person who opposes an application request or any attorney or other person representing or acting on behalf of a person who opposes a proposed Planning Commission action.

7. “Oppose” means to appear before, discuss with, or contact, orally or in writing or by other means, any local government or local government official and argue against any item under consideration by the commission.

8. “Person” means an individual, partnership, committee, association, corporation, labor organization, business entity, or any other organization or group of persons.

9. “Property interest” means the direct ownership of real property and includes any percentage of ownership less than total ownership.

10. “Real property” means any tract or parcel of land and, if developed, any buildings or structures located on such land.

B. A Planning Commission member who knows or reasonably should know that he or she has one or more of the following interests shall immediately disclose the nature and extent of such writing, to the Chair:

1. Has a property interest in any real property affected by a Planning Commission action which the Planning Commission will have the duty to consider and or make recommendation on; or

2. Has a financial interest in any business entity which has a property interest in any real property affected by a Planning Commission action which the Planning Commission has the duty to consider and/or make recommendation on-; or

3. Has a member of the family having any interest described in paragraph 1 or 2 of this subsection?

A Planning Commission member who has one or more of the interests defined in paragraph 1, 2 or 3 of this subsection shall disqualify himself or herself from voting on the agenda item under consideration. The disqualified Planning Commission member shall not take any other action on behalf of himself or herself, or any other person, to influence action on that application. To that end, the disqualified Planning Commission member shall not make presentations to the Planning Commission, speak to the Planning Commission on behalf of or in opposition to an item under consideration, or present written argument in favor of or in opposition to members of the Planning Commission, with the exception of any materials contained as part of the official application. The disqualified Planning Commission member shall further exclude himself or herself from the portion of the meeting in which the matter is discussed, considered and voted upon by the Planning

Commission. The disclosures provided for in this subsection shall be a public record and available for public inspection at any time during normal working hours.

If a motion cannot be passed because one or more Planning Commission members have a conflict of interest, then the item shall be sent to the Mayor and Council without prejudice, recommendation or decision.

#### VIII. Code of Conduct:

Each member of the Planning Commission shall adhere to the following code of conduct:

A. Uphold the Constitution, laws, and regulations of the United States, the State of Georgia, and all governments therein and never be a party to their evasion;

B. Never discriminate by the dispensing of special favors or privileges to any one, whether or not for remuneration;

C. Not engage in any business with the government, either directly or indirectly, which is inconsistent with the conscientious performance of his or her duties as a Planning Commission member;

D. Never use any information coming to him or her confidentially in the performance of governmental duties as a means for making private profit;

E. Expose corruption wherever discovered;

F. Never solicit, accept, or agree to accept gifts, loans, gratuities, discounts, favors, hospitality, or services from any person, association, or corporation under circumstances from which it could reasonably be inferred that a major purpose of the donor is to influence the performance of the member's official duties;

G. Never accept any economic opportunity under circumstances where he or she knows or should know that there is a substantial possibility that the opportunity is being afforded him or her with intent to influence his or her conduct in the performance of his or her official duties;

H. Never engage in other conduct that is unbecoming to a member or that constitutes a breach of public trust;

I. Never take any official action with regard to any matter under circumstances in which he or she knows or should know that he or she has a direct or indirect monetary interest in the matter or in the outcome of such official action.

IX. Planning Commission Policy Regarding Site Visits and Communications Received Outside the Hearing or Decision-Making Process:

A. Members of the Planning Commission shall not decide how they will vote on a matter pending before the Planning Commission until after the conclusion of the evidentiary proceeding on the application.

B. Planning Commission members shall avoid the appearance of premature decision-making by adhering to the following rules of conduct. If by virtue of a site visit or communications outside the meeting, a Planning Commission member obtains what he or she considers to be pertinent information concerning a matter under review and such information is not presented at the hearing or meeting on the matter, such Planning Commission member shall disclose such information on the record, at the Planning Commission meeting, and all parties present shall be given a chance to respond.

X. Hearings.

A. Public Notice of Hearings. The Planning Commission shall give public notice of a hearing to consider ~~a preliminary or phase approval of planned neighborhood development, zoning applications for variance, conditional use permit, annexations and rezoning, extension, the enlargement, or continuance of nonconforming use, and special exception, amendments to the comprehensive plan, future land use map, zoning ordinance, zoning applications,~~ or on any other matter which the City Council or the law requires public notice, in a newspaper designated as the official organ for the City of Fayetteville, at least fifteen (15) days prior to the date of the public hearing, or in accordance with legal advertising requirements.

B. Who May Appear? Any party may appear at the public hearing in person or by agent or by attorney.

C. Decision. The decision of the Planning Commission shall be made by a public vote and shall constitute a recommendation to the City Council, unless the City Council provides otherwise in its ordinances. The Planning Commission shall reach a decision following a public hearing by the next regularly scheduled meeting.

XI. Rules of Procedure:

The Planning Commission shall use such rules of procedure associated with a particular matter as set forth in any applicable section of the Code of the City of Fayetteville. In the absence of specific rules of procedure, the following will be utilized:



A. At Planning Commission meetings, the following procedure will be followed regarding items before the Planning Commission that are not part of an official administrative hearing:

1. City staff will present their report and recommendations on each request and application.

2. The applicant or petitioner will be given an opportunity to present the matter and respond to any issues raised by staff.

3. Public input will be received from any individuals or groups that wish to speak in favor of a request.

4. Public input will be received from any individuals or groups that wish to speak in opposition to a request.

5. The City Staff shall be given an opportunity to respond to any issues raised by any member of the public.

6. The applicant or petitioner will be provided an opportunity to respond to any issues raised by a member of the public.

7. The public input session will close and no additional public comments will be accepted unless requested by the Planning Commission.

8. The Planning Commission members will discuss the request and ask questions, if any, of the applicant or city staff. At the discretion of the Chair, Planning Commission members may ask for further information from members of the public who spoke during the public input session.

9. The Planning Commission will then entertain a motion and take a vote on the application or request.

10. Motions can be for approval, approval with conditions, to table, or to deny the application or request.

11. ~~Change this paragraph to reflect the full content of the required notice per 36-67.~~ As required by O.C.G.A. Section 36-67A-3c, any person wishing to speak in opposition to a rezoning who has, within two years immediately preceding the filing of the rezoning being opposed, made campaign contributions aggregating \$250.00 or more to a local government official of the City of Fayetteville, that person shall have the duty to file a disclosure with the City showing: (1) the name and official position of the local government official to whom the campaign contribution was made; and (2) the dollar amount and description of each campaign contribution made by such person to the local government official and the date of each such contribution. Such disclosure shall be filed

at least five calendar days prior to the first hearing on the rezoning application by the Planning Commission.

12. A sign-in sheet will be prepared for each meeting. Any person speaking to the Planning Commission shall state his or her name and address for the record and shall write that name and address on the sign-in sheet. Speakers will address all comments to the Planning Commission and not to the applicant or other members of the audience.

13. The following time limits for speakers shall be observed unless extended at the discretion of the Chair:

i. The applicant and representatives of the applicant – no more than ten (10) minutes.

ii. A specified interest group shall have a total of no more than ten (10) minutes.

iii. Any individual who wishes to speak for or against an application or issue shall have a maximum of three (3) minutes to address the Planning Commission.

iv. The applicant will be allowed to clarify any issues during public comment and shall have a minimum of two (2) minutes and maximum of 10 minutes to do so.



# FAYETTEVILLE

## INTEROFFICE MEMORANDUM

**FAYETTEVILLE CITY HALL**  
210 Stonewall Avenue West  
Fayetteville, Georgia 30214  
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**TO: Mayor and Council**

**VIA: Ray Gibson, City Manager**

**FROM: Alan Jones, Assistant City Manager**

**DATE: January 18, 2024**

**SUBJECT: R-8-24 – Statewide Mutual Aid Agreement**

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In 1999, the Federal Emergency Management Agency revised eligibility policies for reimbursement of labor and material expenses sustained by outside agencies providing disaster assistance to an impacted jurisdiction. These changes limited outside agency reimbursement to that of assistance covered by a written agreement existing at the time the aid was rendered. These changes impacted the eligibility status of all counties and municipalities, both as a receiving or assisting agency.

In 2002, the Georgia Emergency Management Agency (GEMA) developed the Statewide Mutual Aid Agreement (SWMAA) to meet the requirements of the FEMA policy. Each county or municipality was required to sign the agreement to become a participating party. The purpose of the agreement was to eliminate the need for a jurisdiction to enact a separate assistance agreement with every outside jurisdiction that might be requested during a disaster. The City of Fayetteville became a participant in the agreement in July 2002.

The current SWMAA expires on March 1, 2024. GEMA-Homeland Security has developed a new agreement with a four-year initial term expiring on March 1, 2028. The new agreement is identical to the previous agreement with an updated list of Authorized Representatives for the City of Fayetteville. The provisions of the SWMAA shall only apply to requests for assistance made by an Authorized Representative; requests for assistance may be made directly to another jurisdiction or through GEMA.

Staff respectfully requests approval of this agreement to ensure continued eligibility for reimbursement of expenses should our community request or provide outside emergency or disaster assistance. Thank you for your consideration of this matter.

**RESOLUTION**

**R-8-24**

**STATEWIDE MUTUAL AID AGREEMENT**

**WHEREAS**, the State of Georgia is vulnerable to a wide range of emergencies, whether arising from natural or technological hazard, human caused disaster, civil emergency aspects of resource shortages, community disorders, insurgency, enemy attack, acts of terrorism, other significant events or a national security activity; and,

**WHEREAS**, pre-existing agreements for mutual aid assistance in emergencies help to ensure the timely provision of mutual aid assistance and the reimbursement of costs incurred by those parties who render such assistance; and,

**WHEREAS**, the Georgia Emergency Management Act, as amended (The Act) gives the local governments of the State the authority to make agreements for mutual aid assistance in emergencies; and,

**WHEREAS**, this Statewide Mutual Aid and Assistance Agreement is made and entered into between the participating political subdivisions, which approve and execute this Agreement, and the Georgia Emergency Management Agency/Homeland Security (GEMA/HS); and,

**WHEREAS**, this mutual aid agreement is entered pursuant to and on authorities contained in Articles I through III, Chapter 3, Title 38, Official Code of Georgia Annotated.

**BE IT RESOLVED, that the Mayor and Council of the City of Fayetteville, Georgia enter into the Statewide Mutual Aid and Assistance Agreement.**

**SO RESOLVED**, this 30<sup>th</sup> Day of January, 2024.

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Edward J. Johnson, Jr., Mayor

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Richard J. Hoffman, Mayor Pro Tem

Attest:

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T. Joe Clark, Councilmember

\_\_\_\_\_  
Chelsea Siemen, Interim City Clerk

\_\_\_\_\_  
Niyah Glover, Councilmember

\_\_\_\_\_  
Darryl Langford, Councilmember

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Scott Stacy, Councilmember