



Mayor & City Council
Special Called Meeting Agenda

Monday, March 28, 2022, 7:00 PM

Tucker City Hall

1975 Lakeside Pkwy, Ste 350B, Tucker, GA 30084

Members:

Frank Auman, Mayor
Roger W. Orlando, Council Member District 1, Post 1
Cara Schroeder, Council Member District 2, Post 1
Alexis Weaver, Council Member District 3, Post 1
Virginia Rece, Council Member District 1, Post 2
Anne Lerner, Council Member District 3, Post 2
Noelle Monferdini, Council Member District 2, Post 2

ZOOM link: <https://us02web.zoom.us/j/87346537280> or Telephone: 888 788 0099 (Toll Free) ID: 873 4653 7280

Pages

A. CALL TO ORDER

B. ROLL CALL

C. MAYOR'S OPENING REMARKS

D. OLD BUSINESS

D.1.	Ordinance O2022-03-37	Brian.Anderson	2
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Second Read of an Ordinance to the Mayor and Council to amend Tucker's Code Chapter 42, Traffic and Vehicles, by adding Section 42-116 Prohibiting Improper Parking in Designated Spaces for People with Disabilities.

D.2.	Ordinance O2022-03-38	John.McHenry	5
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Second Read of an Ordinance to the Mayor and Council to amend Tucker's Code Chapter 4, Alcoholic Beverages, replacing the current section to allow for retail wine, beer, and distilled spirits establishments to have tastings with restrictions

E. NEW BUSINESS

E.1.	Contract SCO2022-011-071619-SP2108-PR2204	Carlton.Robertson	8
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Award of Contract for State Bid SCO2022-011 for Fitzgerald Park Field #3 Lighting

F. EXECUTIVE SESSION (If required for personnel, real estate or litigation)

G. ACTION AFTER EXECUTIVE SESSION (As needed)

H. ADJOURNMENT



MEMO

To: Honorable Mayor and City Council Members
From: Brian Anderson, City Attorney
CC: Tami Hanlin, City Manager
Date: 3/2/2022
RE: Memo: Parking for persons with disabilities

Issue and background:

Tucker's Code of Ordinance for Parking for Person with Disabilities

1. Currently, the City Code regulates parking for persons with disabilities in chapter 42, Traffic and Vehicles, by Sec. 42-1 (2) with the incorporation of the state code Title 40 Chapter 6 (specifically O.C.G.A. 42-6-226). Preferably, Chapter 42 would have an explicit code section regulating handicap parking.
2. The City Code Sec 10-555(a) also bans handicap parking that is not in compliance with state and local laws. However, Article XIII, Hotels, Motels, and Extended Stay Hotels, of Chapter 10 is directed at quality transient lodging. Accordingly, it would be more appropriate to have a prohibition in Chapter 42.

Court desires one code section for handicap parking in Chapter 42 to facilitate electronic records.

Recommendation:

Approval of ordinance amending Code of Ordinance Chapter 42, Traffic and Vehicles, to add a section for regulating parking for persons with disabilities.

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF THE TUCKER'S CODE OF ORDINANCES CHAPTER 42, TRAFFIC AND VEHICLES, BY ADDING SECTION 42-116 PROHIBITING IMPROPER PARKING IN DESIGNATED SPACES FOR PEOPLE WITH DISABILITIES; AND FOR OTHER PURPOSES

WHEREAS, The Mayor and City Council desire that it shall be unlawful for any person to stop, stand, or park any vehicle in a parking place for persons with disabilities unless there is displayed on the driver's side of the dashboard or hung from the rearview mirror of the parked vehicle a valid unexpired parking permit for persons with disabilities or unless there is attached to the vehicle a specially designated license plate for disabled veterans or other disabled persons.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF TUCKER, GEORGIA:

SECTION 1: That Chapter 42, Traffic and Vehicles of the Code of the City of Tucker, Georgia be amended by inserting a new Section 42-116 titled "Parking for Persons with Disabilities", as follows:

Sec. 42-116. - Parking for Persons with Disabilities.

- (a) It shall be unlawful for any person to stop, stand, or park any vehicle in a parking place for persons with disabilities unless there is displayed on the driver's side of the dashboard or hung from the rearview mirror of the parked vehicle a valid unexpired parking permit for persons with disabilities or unless there is attached to the vehicle a specially designated license plate for disabled veterans or other disabled persons authorized under O.C.G.A. Section 40-2-74 or 40-2-74.1 and unless such person is the person to whom such permit or license plate was issued; the person to whom such permit or license plate was issued is a passenger in the vehicle; or such vehicle is being used for the transportation of disabled passengers on behalf of the institution to which such permit was issued.
 - (1) There is displayed on the driver's side of the dashboard or hung from the rearview mirror of the parked vehicle a valid unexpired parking permit for persons with disabilities or unless there is attached to the vehicle a specially designated license plate for disabled veterans or other disabled persons authorized under O.C.G.A. Section 40-2-74 or 40-2-74.1; and
 - (2) A person with disabilities who is using a wheelchair, crutches, walker, or other ambulatory assistive device is the driver of or a passenger in such vehicle.
- (b) It shall be unlawful for any person to stop, stand, or park any vehicle in a parking place for persons with disabilities except for the purpose of allowing a disabled person to enter or get out of such vehicle while in such parking place. However, nothing in this paragraph

shall prevent an ambulance or emergency vehicle from stopping in a parking place for persons with disabilities.

(c) It shall be unlawful for any person to stop, stand, or park any vehicle in any area directly connecting with a parking place for persons with disabilities which area is clearly designed and designated for access to such parking place for persons with disabilities.

(d) Any person violating this Code section shall be subject to a fine of not less than \$100.00 and not more than \$500.00.

(e) In addition to the penalties provided for in subsection (d) of this Code section, any vehicle which is illegally parked in a parking place for persons with disabilities which is marked by a sign bearing the words "Tow-Away Zone" on public or private property may be towed away or caused to be towed away by a proper law enforcement agency or the official security agency of said property at the expense of the owner of the vehicle or, if the vehicle is leased or rented, at the expense of the person responsible for payment on the lease or rental agreement.

SECTION 2: If any section, subsection, subdivision, sentence, clause, phrase or portion of this ordinance or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, the remainder of this ordinance shall be and remain in full force and effect.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed. It is the intention of the Mayor and Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances, City of Tucker, Georgia and the sections of this Ordinance may be renumbered to accomplish such intention.

SECTION 4: This ordinance shall be effective immediately upon adoption.

SO ORDAINED AND ADOPTED by the Mayor and City Council, this ____ day of _____, 2022

APPROVED:

Frank Auman, Mayor

ATTEST:

Bonnie Warne, City Clerk

(seal)

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF TUCKER, GEORGIA, FOR THE PURPOSE OF AMENDING THE ALCOHOL ORDINANCE FOR THE CITY REGARDING ALCOHOL TASTING EVENTS; REPEALING CONFLICTING PROVISIONS, AND FOR OTHER PURPOSES AT THE REGULAR MEETING OF THE MAYOR AND CITY COUNCIL HELD ON _____, 2022.

WHEREAS, the Mayor and City Council have identified certain modifications to the Alcohol Ordinance that will better serve the citizens of Tucker, Georgia; and,

NOW THEREFORE BE IT ORDAINED, AND IT HEREBY IS ORDAINED, by virtue of the authority vested in the Mayor and City Council as follows:

SECTION ONE

In regards to Subdivision III of Division 5 of the Article III of the Alcoholic Beverages ordinance; **Section 4-323, -Wine Tastings**, shall be renamed and restated as follows:

Sec. 4-323. - Tastings.

- (a) Wine and beer tastings may be conducted pursuant to Georgia law and regulation at licensed retail establishments. The licensee is not required to obtain any additional license.
- (b) Tastings may only be held during times when alcoholic beverages may be legally sold.
- (c) Alcoholic beverages may not be provided to anyone under the age of 21.
- (d) Representatives of manufactures or wholesalers may attend the tasting, but may not host, pour or serve alcoholic beverages, or provide anything of value to the consumer.
- (e) Only one type of alcoholic beverage (malt beverage, wine or distilled spirits) may be served at a tasting.
- (f) Tasting event quantity limits shall be limited to:
 - i. 8 ounces per person of malt beverage;
 - ii. 5 ounces per person of wine; or
 - iii. 1.5 ounces per person of distilled spirits.
- (g) Only alcoholic beverages the licensee is authorized to sell on the premises may be offered as part of tasting, and such alcoholic beverages must be part of the licensee's inventory.

SECTION TWO

- A. Severability Clause. It is the express intention of the Mayor and City Council that each independent provision of this ordinance should be adopted, and the Mayor and City Council would have adopted each such independent provision even if the others had not been adopted. In the event that a court of competent jurisdiction finds any provision of this amendment or the Alcoholic Beverages Ordinance to be unlawful, invalid or

unenforceable, and not amendable to a narrowing construction, it is the intent of the Mayor and City Council that the offending provision be severed, and all lawful provisions remain in force.

- B. General Repealer. Any ordinance not expressly addressed by this ordinance that is inconsistent with the provisions herein is expressly repealed to the extent that it conflicts with the provisions of this amending ordinance.
- C. Effective Date. The public welfare demanding, this ordinance shall be effective immediately after its adoption.

SO ADOPTED this _____ day of _____, 2022.

City of Tucker, Georgia

Frank Auman, Mayor

Bonnie Warne, City Clerk



MEMO

To: Honorable Mayor and City Council Members
From: John McHenry
CC: Tami Hanlin, City Manager
Date: March 8, 2022
RE: Changes to Alcohol Ordinance Regarding Tasting Events

Issue:

Revising existing Alcohol Ordinance for tasting events

Recommendation:

Replacing current section of alcohol ordinance to allow for retail wine, beer, and distilled spirits establishments to have tastings with restrictions

Background:

Increasingly liquor retail establishments have incorporated a limited tasting component to their business mode. This allows for the addition of a social and educational component to their stores.

Summary:

With changes in State law that allow for both the tasting and sale of wine, beer and liquor at the same location, increasingly retail establishments have incorporated a tasting component. The changes in the proposed ordinance will remove a permit component, while including parameters that limit the amount and type of alcohol at the tasting.

Financial Impact:

None



MEMO

To: Honorable Mayor and City Council Members
From: Rip Robertson, Director, Parks & Recreation
CC: Tami Hanlin, City Manager
Date: 28 March 2022
RE: Consideration of approval for Fitzgerald Park #3 Lighting

Issue: The City of Tucker is adding and upgrading park/sports field lighting. Field #3 at Fitzgerald Park has electrical and access issues that need to be address. Lighting will increase programming opportunities and additional play time with lighted fields.

Recommendation:

Staff recommends awarding the Fitzgerald Park field #3 lighting project to MUSCO, INC. in the amount of \$322,000.00. This price includes both baseball fields (Field #3 A and B).

Background: We continue to make improvements to our parks and athletic fields and this addition of MUSCO lighting at Fitzgerald Park filed #3 will allow an increase in play and programming with tournaments and league play. We have MUSCO lighting systems on our existing fields and tennis courts and this system adheres to the “dark skies” program which limits the amount of light spillage from the field surface and provides additional protection to the surrounding neighborhoods.

Summary: We are utilizing a state bid contract, SourceWell, for both the lighting system and installation. This is like the process we have used previously with US Communities and Gordian. The system provides a competitively bid pricing structure for state and national projects. MUSCO is the national leader in sports lighting and allows remote scheduling and helps control costs and avoid late night disturbances.

Financial Impact: This item was budgeted as part of the FY 2021 SPLOST and FY2022 CIP funds: 320-6211-54-12000 (SP22108) and 300-6211-54-12000 (PR2204). This project is within the projected budget.



PROCUREMENT ROUTING FORM

ITB, RFP, RFQ		COST ESTIMATE		PROJECT NAME		SCOPE OF WORK	
		\$ 322,000.00		Fitzgerald Park - Field #3 Lighting		Exhibit A attached ____	
TASK ORDER #		DEPARTMENT:		Parks and Recreation		Bid Release Date: State Contract	
DEPT HEAD:		Rip Robertson		PROJECT MANAGER:		Jason Collins	
BOND REQUIRED (>100k):		PROJECT TYPE:		PROF SVCS <input checked="" type="checkbox"/> PUBLIC WORKS/ROAD SYS ____			
Performance Bond ____ Payment Bond ____		REG CONSTRUCTION ____ RENEWAL ____ TASK ORDER ____ AMENDMENT ____					
GL ACCOUNT #/PROJECT #:		320-6211-54-12000 (SP2108) (100%) \$212,500.00		**If split between projects, indicate % or order to apply			
GL ACCOUNT #/PROJECT #:		300-6211-54-12000 (PR2204) (55%) \$109,500.00		FY(s):		2021 & 2022	
PROJECT MANAGER:				DATE: 3/15/2022		CONTRACT TERM	
DEPARTMENT HEAD:				DATE: 3/15/2022		120 Days	

VERIFY GL #, ACCOUNT #, PROJECT #, AND Fiscal Year		FUNDS AVAILABLE \$	
FINANCE:		DATE:	

IS RESOLUTION REQUIRED? (Road Systems)		RESOLUTION DRAFTED #		PLACED ON COUNCIL AGENDA	
CITY ATTORNEY:		DATE:			

ADVERTISED DATES:		to		BidNet		GA Procurement		Tucker Website	
TYPE OF CONTRACT:		STATE BID		COMPETITIVE BID		ON-CALL TASK ORDER			
COST PROPOSAL AMT: \$		Exhibit B attached ____		# OF ADDENDA: ____					
CONTRACT #		EXISTING VENDOR ____		NEW VENDOR (see setup below)					
AWARDED CONTRACT VENDOR NAME:									
APPROVED IN THE CURRENT FISCAL YEAR BUDGET - NO COUNCIL MEETING REQUIRED									
APPROVED BY CITY MANAGER PER PURCHASING POLICY									
APPROVED AT CITY COUNCIL MEETING DATE: ____									

CONTRACT AND EXHIBITS REVIEWED BY:		PERFORMANCE AND PAYMENT BONDS IN CONTRACT?	
CITY ATTORNEY		DATE:	

NEW VENDOR SETUP	
FINANCE:	DATE:

PO REQUISITION COMPLETED	
PROCUREMENT:	DATE:

APPROVED CONTRACT SENT TO CONTRACTOR (VENDOR) TO SIGN:		Award Letter Emailed:	
CONTRACT SIGNED AND RETURNED FOR CITY TO EXECUTE:		Est. Notice to Proceed:	

CONTRACT LANGUAGE, BONDS AND EXHIBITS (IF DIFFERENT FROM ORIGINAL) REVIEWED BY:	
CITY ATTORNEY	DATE:

CONTRACTOR SIGNED - CITY MANAGER NEEDS TO SIGN: ____		ATTESTED BY CITY CLERK: ____	
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CONTRACT COMPLETED		SCAN & SAVE TO: ____ PROCUREMENT FOLDER ____ CITY CLERK CONTRACT FOLDER	
EMAIL SIGNED CONTRACT TO: ____ CONTRACTOR ____ DEPT HEAD ____ PROJECT MANAGER			
FILE ORIGINAL CONTRACT WITH CITY CLERK & ADD TO CONTRACT LOG (S:City Clerk-Contracts-Contracts & IGA Log)			

Quote

Date: March 2, 2022
To: Rip Robertson
City of Tucker, Director

Project: Fitzgerald Park Ball Fields
Tucker, GA
Ref: 218069

Sourcewell

Master Project: 199030, Contract Number: 071619-MSL, Expiration: 08/27/2023
Category: Sports lighting with related supplies and services

All purchase orders should note the following:
Sourcewell purchase – contract number: 071619-MSL

Quotation Price – Materials Delivered to Job Site and Installation

(1) Softball Field 160/183/195, (1) Softball Field 190/180/170 – 30/20 FC\$ 322,000

*Sales tax, bonding, labor, and unloading of the equipment are not included.
Pricing furnished is effective for 60 days unless otherwise noted and is considered confidential.*

Light-Structure System™ with Total Light Control – TLC for LED™ technology

Guaranteed Lighting Performance

- Guaranteed light levels of 50/30 FC for 270/357/270' Baseball and 30/20 FC for (1) 160/183/195, (1) 190/180/195' Fields
- BallTracker® technology – targeted light, optimizing visibility of the ball in play with no glare in the players typical line-of-sight

System Description

- 14 Pre-cast concrete bases with integrated lightning grounding
- 14 Galvanized steel poles
- Factory wired and tested remote electrical component enclosures
- Pole length, factory assembled wire harnesses
- Factory wired poletop luminaire assemblies
- 86 Factory aimed and assembled luminaires, including BallTracker® luminaires
- Auxiliary mounting brackets with (12) 1P Crossarm with bracket, (4) 2P crossarms with pole brackets, (2) 3P crossarms with pole brackets
- UL Listed assemblies

Control Systems and Services

- Control-Link® control and monitoring system to provide remote on/off and dimming (high/medium/low) control and performance monitoring with 24/7 customer support

Operation and Warranty Services

- Product assurance and warranty program that covers materials and onsite labor, eliminating 100% of your maintenance costs for 25 years
- Support from Musco's Lighting Services Team – over 170 Team members dedicated to operating and maintaining your lighting system – plus a network of 1800+ contractors

Installation Services Provided

See attached scope of work



Quote

Payment Terms

Musco's Credit Department will provide payment terms.

Email or fax a copy of the Purchase Order to Musco Sports Lighting, LLC:

Musco Sports Lighting, LLC
Attn: Amanda Hudnut
Fax: 800-374-6402
Email: musco.contracts@musco.com

All purchase orders should note the following:

Sourcewell purchase – contract number: 071619-MSL

Delivery Timing

8 - 12 weeks for delivery of materials to the job site from the time of order, submittal approval, and confirmation of order details including voltage, phase, and pole locations.

Due to the built-in custom light control per luminaire, pole locations need to be confirmed prior to production. Changes to pole locations after the product is sent to production could result in additional charges.

Notes

Quote is based on:

- Shipment of entire project together to one location.
- Structural code and wind speed = IBC 2018, 110 MPH wind speed, Risk Factor II, Category C.
- Owner is responsible for getting electrical power to the site, coordination with the utility, and any power company fees.
- Includes supply and installation of Musco system including underground wiring and conduit, service entrance panel board, and controls by a licensed contractor.
- Standard soil conditions – rock, bottomless, wet or unsuitable soil may require additional engineering, special installation methods and additional cost.
- Confirmation of pole locations prior to production.

Thank you for considering Musco for your lighting needs. Please contact me with any questions or if you need additional details.

Rob Staples
Georgia Sales Representative
Musco Sports Lighting, LLC
Phone: 706.870.2177
E-mail: rob.staples@musco.com



**Fitzgerald Park Baseball
Tucker, GA
Light-Structure System Turnkey Scope of Work**

Customer Responsibilities:

1. Complete access to the site for construction utilizing standard 2-wheel drive rubber tire equipment.
2. Locate existing underground utilities not covered by your local utilities. (i.e. water lines, electrical lines, irrigation systems). Musco or Subcontractor will not be responsible for repairs to unmarked utilities.
3. Locate and mark field reference points per Musco supplied layout. (i.e. home plate, center of FB field)
4. Pay for extra costs associated with foundation excavation in non-standard soils (rock, caliche, high water table, collapsing holes, etc). Standard soils are defined as soils that can be excavated using standard earth auguring equipment.
5. Pay any power company fees and requirements.
6. Pay all permitting fees and obtain the required electrical permitting.
7. Provide area on site for disposal of spoils from foundation excavation.
8. Provide area on site for dumpsters.
9. Provide sealed Electrical Plans. (If required)

Musco Responsibilities:

1. Provide foundations, poles, electrical enclosures, luminaires, wire harnesses, and control cabinets.
2. Provide layout of pole locations and aiming diagram.
3. Provide Project Management as required.
4. Provide stamped foundation designs based on soils that meet or exceed those of a Class 5 material as defined by 2018 IBC Table 1806.2.
5. Assist our installing subcontractor and ensure our responsibilities are satisfied.

Musco Subcontractor Responsibilities

General:

1. Obtain any required permitting.
2. Contact local agencies for locating public utilities and then confirm they have been clearly marked.
3. Contact the facility owner/manager to confirm the existing private underground utilities and irrigation systems have been located and are clearly marked to avoid damage from construction equipment. Repair any such damage during construction.
4. Provide labor, equipment, and materials to off load equipment at jobsite per scheduled delivery.
5. Provide storage containers for material, (including electrical components enclosures), as needed.
6. Provide necessary waste disposal and daily cleanup.
7. Provide security to protect Musco products from theft, vandalism or damage during the installation.
8. Keep all heavy equipment off playing fields when possible. Repair damage to grounds which exceeds that which would be expected. Indentations caused by heavy equipment traveling over dry ground would be an example of expected damage. Ruts and sod damage caused by equipment traveling over wet grounds would be an example of damage requiring repair.
9. Provide startup and aiming as required to provide complete and operating sports lighting system.
10. Installation to commence upon delivery and proceed without interruption until complete. Notify Musco immediately of any breaks in schedule or delays.

Demolition:

1. Remove and dispose of the existing lighting poles, fixtures, and electrical enclosures. This will include the recycling of lamps, aluminum reflectors, ballast, and steel, as necessary.



Quote

Foundations, Poles, and Luminaires:

1. Mark and confirm pole locations per the aiming diagram provided. If there are any issues, immediately notify your Musco Project Manager.
2. Provide labor, materials, and equipment to install 10 LSS foundations as specified on Layout and per the stamped foundation drawings, if applicable.
3. Remove spoils to owner designated location at jobsite.
4. Provide labor, materials, and equipment to assemble Musco TLC-LED luminaires, electrical component enclosures, poles, and pole harnesses.
5. Provide labor, equipment, and materials to erect 10 dressed LSS Poles and aim utilizing the pole alignment beam.

Electrical:

1. Provide labor, materials, and equipment to install new electrical service as required.
2. Provide labor, materials, and equipment to install conduit and conductors for field lighting and parking area lighting.
3. Provide as-built drawings on completion of installation, **(if required)**.

Control System:

1. Provide labor, equipment, and materials to install 1 Musco control and monitoring cabinet and terminate all necessary wiring.
2. Provide a dedicated 120 V 20 A controls circuit or a step-down transformer for 120 V control circuit if not available.
3. Check all zones to make sure they work in both auto and manual mode.
4. Commission Control-Link® by contacting Control-Link Central™ at 877-347-3319.

