



COUNCIL ITEM AGENDA REQUEST FORM

Department: Public Works

Meeting Date: October 5, 2023

Staff Contact: Devon Boullion, Environmental Specialist

Agenda Section: Consent Agenda

Staff Report:

Item Description:

Consideration to approve Kenneth R. Spivey, Jr and Sylvia Spivey's Stormwater Management Operations and Maintenance Agreement (for Commercial Build Atlanta) with the Town of Tyrone subject to receipt of missing documents prepared to staff's satisfaction.

Background/History:

Per the Town of Tyrone's Development Regulations, new development and re-development involving the addition or improvement of 5000 square feet of more of impervious surfaces are required to construct and maintain on-site stormwater management facilities to protect the health, safety, and welfare of the Town of Tyrone's residents and water quality in local watersheds. The agreement establishes the property owner's inspection and maintenance responsibilities, as well as the Town's right to inspect the facilities and require maintenance in accordance with the both the agreement and applicable standards from the latest edition of the Georgia Stormwater Management Manual. The missing documents include a plat of the easement and a legal description of the easement; these documents shall be provided prior to issuance of the certificate of occupancy.

Findings/Current Activity:

Pending receipt of missing documents and council approval, the agreement shall be recorded among the deed records of the Clerk of the Superior Court of Fayette County and shall constitute a covenant running with the land and shall be binding on the Property Owner, its administrators, executors, heirs, assigns and any other successors in interest.

Is this a budgeted item? No **If so, include budget line number:** N/A

Actions/Options/Recommendations:

Staff recommends authorizing Mayor Dial to execute the Agreement between Kenneth R. Spivey Jr., Sylvia Spivey, and the Town of Tyrone, subject to receipt of missing documents prepared to staff's satisfaction, for the purpose of finalizing the agreement prior to the issuance of the facility's certificate of occupancy.