

LEGISLATIVE REVIEW COMMITTEE

Thursday, April 14, 2022
City Hall Conference Room 301B

Committee Members Present:

Commissioner Russell Edwards, Chair
Commissioner Jesse Houle
Commissioner Carol Myers ***Arrived at 1:18 p.m.**
Commissioner Ovita Thornton
Commissioner Allison Wright ***Arrived at 1:09 p.m. Left at 1:47 p.m.**

Committee Members Absent:

Staff:

Niki Jones, Assistant Manager
Lisa Pappas, Assistant Attorney
Harrison Daniel, Police Department
Gavin Hassemer, Central Services
Mike Wharton, Sustainability Office
Suki Janssen, Solid Waste
Freddie Hardy, Solid Waste

Jeanne Connell, Central Services
Alex Bond, Leisure Services
Sarah George, Recorder

Commissioner Edwards called the meeting to order at 1:05 p.m.

A. **Approval of Minutes:**

The March 3, 2022 minutes were approved with no objection.

B. **Public Input:**

No public input was given.

Commission Identified Items of Interest:

C. **Examine marijuana penalty options that could be embedded in local ordinance as an alternative to state charges. (Mayor Girtz assigned to LRC on February 1, 2022)**

Assistant Manager Niki Jones introduced the topic and shared that, following the previous LRC meeting, staff was asked to reach out to other jurisdictions regarding how enforcement has gone for them; however, staff have not heard back from the other agencies. Commissioner Thornton shared that she is still questioning whether an ordinance is necessary at this time. She also shared that she received an email from Mr. Donnelly, but she had not been able to speak with him yet.

Commissioner Thornton made a motion to put the item on hold until further information is received.

Commissioner Houle explained that they would like to move forward and take action on this item. From their conversations with Mr. Donnelly and other attorneys in town, they seem to be of the mind that there is utility in this. While there has been a decline in prosecution due to a gap from the Georgia Hemp Act, but that does not preclude the potential that this ordinance could become very important in the future if state law changes.

Commissioner Houle made a motion to direct staff to bring back a draft ordinance at the next meeting.

The Committee revisited Commissioner Thornton's motion.

Commissioner Thornton made a motion to take no action on this item and move to the next item. Commissioner Wright seconded. The motion passed 2-1, with Commissioner Houle opposed.

D. **Review of regulation of use of gas-powered leaf blowers, including as pertains to our noise ordinance. (Mayor Girtz assigned to LRC on November 4, 2020)**

Commissioner Edwards shared contact information with staff for Mr. Daniel Mabe with the American Green Zone Alliance; Mr. Mabe helps governments transition to electric equipment and can assist with battery storage and other challenges we are experiencing.

Staff shared a presentation regarding health and safety considerations for electric leaf blowers. Gavin Hassemer shared a comparison of effects and environmental considerations for 2-cycle and battery-operated leaf blowers. He noted that there is some limitations with battery-operated, since the batteries will need to be re-charged after a period of time; however, they tend to have a longer lifespan if stored properly. The 2-cycle engines are more powerful than the battery-operated leaf blowers; however, the battery-operated leaf blowers produce less decibels. He explained that one of the primary considerations will be related to storage and weather conditions when travelling, given Landscape crews are often off-site for 8 hours at a time. From an environmental perspective, the battery-operated leaf blowers are more environmentally friendly and safer.

Gavin Hassemer also shared current and proposed personal protective equipment (PPE) between the 2-cycle and battery-operated. Landscape staff are required to wear eye and ear protection, snug clothing, gloves, and sturdy footwear. The hearing protection that is provided to all operators is 33NRR, and dust particle masks are available. Alex Bond explained that there is not a difference in the PPE that is provided for the gas-powered and electric for Leisure Services staff.

Commissioner Edwards expressed concern with the use of a dust mask when using these tools, particularly downtown. He shared that staff are blowing impervious surfaces that collect all the waste and debris from everywhere in the urban environment; there is likely more toxicity in an urban environment. He expressed concern for the operators, and he also explained that he would like for everyone to also consider how this impacts the experience of downtown. Commissioner Wright explained that she appreciates the health and safety aspect of this discussion, especially what is being done to protect the operator.

Gavin Hassemer also shared how Central Services plan to store batteries. He noted that they plan to try to find other locations that they might be able to store batteries and chargers to be picked up, but, given the crews are often deployed to the field for up to 8 hours a day, it is likely that batteries will be stored on trucks and trailers at that time. Suki Janssen shared that the Sustainability Office purchased an electric generator for them to pilot that can be kept on the back of a truck to help charge the batteries when they are off-site. She plans to report back on how it goes.

Gavin Hassemer shared the plan to transition to electric leaf blowers within two years and associated costs. In year one, Central Services would purchase twenty leaf blowers, and, in year two, they would purchase an additional twenty electric leaf blowers. Suki Janssen shared that the

Solid Waste department has already transitioned to electric. She also noted that they were not happy with the equipment they initially purchased, but they plan to try other brands to find one that will work for their needs.

Commissioner Edwards shared that he is more concerned with litter on the ground, and leaves on the ground are secondary. Suki Janssen explained that there are some places downtown that could be dangerously slippery if the leaves are left, depending on the weather. Commissioner Wright expressed appreciation for all the piloting that is being done by departments. She shared that she is in support of the Committee having a budget recommendation and a plan in writing for the next meeting that can be voted on. Commissioner Houle explained that, from their perspective, they would support us transitioning expectations to welcome a bit more of the natural environment to pervade our built environment. This would go for anywhere that leaf blowers would be used, and they would support minimizing use and letting things lie as a best practice whenever possible. Commissioner Houle noted that there had been a concern raised about staff needing more time to get the work done, because the electric versions are not as powerful. They inquired about whether or not there would be a budgetary impact relating to an increased need for staff when transitioning to fully electric. Commissioner Houle requested the updated budget recommendation include estimates for staff time adjustments. Gavin Hassemer shared that they will factor in whether their staffing is affected by this. It has yet to be seen whether or not this will impact staff from a time standpoint.

Alex Bond shared plans for Leisure Services transition to electric leaf blowers. Commissioner Myers shared that the technology and equipment advances and changes every year and inquired about whether or not that would impact the one year versus two year transition and effectiveness of the equipment. Commissioner Edwards explained he would like to see some action from staff in reaching out to Mr. Mabe to help with the transition. Niki Jones committed to reaching out to Mr. Mabe prior to the next meeting. Commissioner Edwards also requested that staff thoughtfully communicate to staff that are operating the gas-powered leaf blowers some of the knowledge of harms of the two-stroke engine exhaust and dust, as it may result in increased compliance in wearing PPE.

Niki Jones shared that for year one the expense is estimated to be around \$100,000. Commissioner Houle inquired as to whether or not the \$100,000 was already captured in department budget requests. Niki Jones clarified that this amount was not included in department budget requests. Commissioner Edwards requested staff prepare budget recommendations for both a two-year and three-year transition and bring that back to the next meeting. Commissioner Myers also requested staff provide pros and cons from Mr. Mabe.

Commissioner Edwards shared that the state legislation that would have pre-empted the Committee's recommendation on this topic as it pertains to the private market had failed. He shared that he would like to bring that component back into discussion at future meetings, given they now have clearance to explore this topic due to the failure at the state level.

E. **Schedule/Agenda Changes**

The next LRC meeting is scheduled for May 5, 2022 at 1:00 p.m.

The May 5, 2022 LRC meeting was subsequently rescheduled to May 12, 2022 at 1:00 p.m.

The meeting adjourned with no objection at 2:15 p.m.