City Council of Peachtree City
Agenda
July 19, 2007
7:00 p.m.

I. Call to Order

II. Pledge of Allegiance

III. Announcements, Awards, Special Recognition
Remind Attendees to Turn Off Cell Phones
Recognize Employee of the Month – Kathy Thomas
Recognize Supervisor of the Quarter – David Williamson
Recognize 4th of July Parade Winners

IV. Public Comment

V. Minutes
June 7, 2007, Regular Meeting
June 14, 2007, Special Called Meeting
June 20, 2007, Workshop
June 21, 2007, Regular Meeting
July 5, 2007, Special Called Meeting

VI. Monthly Reports

VII. Consent Agenda
1. Alcohol License – Change in Licensee & License Representative – Smokey Bones
2. Consider Bids for Hydraulic Excavator

VIII. Old Agenda Items
06-07-08 Consider Committee Appointment to Name Peachtree City's "West Village"
06-07-14 Consider Bond Referendum on November 2007 Ballot for Expansion of Baseball Soccer Complex and The Gathering Place

IX. New Agenda Items
07-07-01 Public Hearing – FY 2008 Budget
07-07-02 Public Hearing – Consider Rezoning for Majestic Estates Subdivision, R-43 to GR
07-07-03 Public Hearing – Consider Request to Lift Moratorium on Multi-Family Housing, Stephens Tract
07-07-04 Consider Fee – Notary and Witness Signatures
07-07-05 Consider Reclassification of Position – Library Network Specialist
07-07-06 Consider Reimbursement Resolution for Bricks and Mortar Loan and Related Budget Amendment
07-07-07 GRTA/TDK Lawsuit Summary
07-07-08 Consider Moving Forward With Increase in Mayor and Council Salaries

X. Council/Staff Topics

XI. Executive Session

This agenda is subject to change at any time up to 24 hours prior to the scheduled meeting.

City Council of Peachtree City
Minutes of Meeting
June 7, 2007
7:00 p.m.

The City Council of Peachtree City met Thursday, June 7, 2007, in the City Hall Council Chambers. Mayor Logsdon called the meeting to order at 7:00 p.m. Other Council Members present: Steve Boone, Stuart Kourajian, Cyndi Plunkett, and Judi Rutherford.

Announcements, Awards, Special Recognitions
Sarah, Hannah, and Rachel Thompson were recognized as the winners in their age groups of the Building Safety Week Coloring Contest. Mayor Logsdon presented Building Official Tom Carty with a plaque recognizing his service as the first vice-president of the Building Officials Association of Georgia. Logsdon recognized Marie Washburn for her service on the Library Commission.

Public Comment
Anthony DiNota of the Peninsula subdivision addressed Council regarding safety conditions on Peachtree Parkway North for his subdivision and Stoneybrook.

Minutes
Rutherford moved to approve the October 5, 2006, executive session minutes, November 2, 2006, executive session minutes, November 16, 2006, executive session minutes, and January 4, 2007, executive session minutes as written. Boone seconded. The motion carried unanimously.

Plunkett moved to approve the May 17, 2007, regular meeting minutes as written. Rutherford seconded. The motion carried 4-0-1 (Kourajian).

Monthly Reports
Rutherford noted that the next budget workshop was scheduled June 14. Logsdon noted that the Town Hall Meeting was scheduled June 19.

Old Agenda Items
05-07-06 Consider Appointment of Members to Task Force on Development of Wieland's 88-acre Tract
Plunkett reported that she had gotten names from most of the Council Members. She had been out of town and asked that the decision be postponed until June 14. She requested that a special called meeting be held in addition to the budget workshop so it could be done.

Rutherford moved to postpone the agenda item until June 14. Boone seconded. The motion carried unanimously.

New Agenda Items
06-07-01 Alcohol License – NEW – She's Bistro & Sushi Bar
Becky She, applicant, and Jason She addressed Council. Rutherford moved to approve the alcohol license. Boone seconded. The motion carried unanimously.

06-07-02 Public Hearing – Consider Variance Request for Majestic Estates Driveway
Murray Weed, attorney for applicants Victor and Kim Daniel, addressed Council. (A copy of the PowerPoint presentation is included in the official meeting file.) Weed noted that the existing

easement for the tract, which was just over four acres, was created in 1980. In 1987, the Council approved an ordinance amendment (Section 201(t) of the Zoning ordinance), which allowed no more than two residential units to be located off any driveway. He continued that this particular driveway already provided access to three residences – the TDK house, the Fouts home (zoned R-22), and the Bair home (zoned R-22). The Daniel property was currently zoned R-43. According to the ordinance, nothing could be done with the property unless a variance was granted. Weed noted that the easement extended from Peachtree Parkway to the end of the Daniel property. The plan was to use approximately two-thirds of the easement.

City Planner David Rast noted that the definition that required the applicant to seek the variance was in the Land Development Ordinance. He continued Nick Fouts had requested a variance for a curb cut for access to Peachtree Parkway. The request was denied, and Council gave Fouts permission to use the existing access for both his lot and the Bairs' lot. The Council had created a non-conforming use, and the Council decided to deal with such situations as they came up. A rezoning for the property would come before Council at a later date for the Majestic Estates subdivision. The variance request was solely to resolve the issue of access. The City ordinance had landlocked the property. Staff recommended the variance be approved. Rast added that the access easement ran along the entire property line separating the Majestic Estates tract from the TDK tract and the Fouts and Bair tracts. The Daniels' tract property line was a few feet off of the gravel drive to the north.

There were no comments specifically for or against the request.

Nick Fouts asked Council to consider a stipulation that the access be for only one home. He said that granting the variance with unlimited use would create an undue hardship for his property and for the Bairs' property. He continued that the Daniels should be allowed access to their property, but the easement was a 25-foot strip owned by Fouts and Bair. They could use the easement as they pleased, but they could not deny ingress, egress, and utilities. The 25-foot strip included a 12-foot gravel driveway, seven feet for utilities, and the rest was greenspace. The access could handle one more home, but not six. Fouts said that his original variance request had been to allow access to his home from Peachtree Parkway and to maintain the access easement for access to the Daniels' property, which had another owner at that time. When that request was denied, Fouts met the prior owner to discuss making the easement work for everyone. The former owner had planned to possibly build two houses on the parcel. TDK said they were going to keep the clubhouse. Fouts said they agreed with his plan to enlarge the driveway at Peachtree Parkway to allow for vehicles to go in both directions. He never intended for the gravel drive to become a public or private road. Fouts suggested an alternative access, which was to have the driveway for the Daniels' planned development come off of the split that went to the TDK house, which he said would lessen the impact to his property. He said part of the variance should be not to make a hardship for his family and the Bairs.

Plunkett asked how many homes could go on the parcel with the R-43 zoning. Fouts said the current zoning allowed four houses on the property. Plunkett said Council could not tell the Daniels they could not build the number of homes allowed by the current zoning. Fouts said he understood, but having the access where it was planned was the hardship. Rutherford pointed out that the question before Council was the easement and whether or not there would be more than two houses on it, and there were already more than that using it now.

Rick Bair also asked Council to amend the variance request to limit the access to one house. He agreed the Daniels needed access to their property, but he noted there were safety concerns. The Daniels had an easement, but did not have the right to take property away from him for their benefit. He was comfortable that something could be worked out. Bair said his grandchildren played outside near the driveway. Bair said the use of his property would be restricted for someone else's benefit.

The public hearing closed.

Weed said the Daniels held their neighbors in the highest esteem. The Daniels planned to live in Lot 6 of the proposed subdivision. He noted that the Bairs and Fouts had R-22 zoning on their properties and could have higher density than the proposed subdivision. The full use of the Daniels' property was allowed by some use of the Bairs' and Fouts' properties. The driveway had always been an access easement. Weed continued that this was probably the only situation of its kind in the City – property owners could not use their land because of an ordinance definition, which was a hardship. They would improve the access to private road standards, which would improve safety. They would also put in a fire hydrant, which would serve everyone. The Daniels requested the variance because of something that had happened to them. They were not asking for forgiveness. Reducing the variance or putting in any kind of stipulations would be an unconstitutional taking of the Daniels' rights. The Daniels had the right to build four houses on the land as currently zoning. A stipulation to the variance that only one or two houses could be built was essentially an inverse condemnation.

Bair said some inaccurate statements had been made. He said the nearest fire hydrant was on their property. The ordinance amendment was approved in 1987, and the Daniels bought the parcel in 2005. They should have understood all of the ramifications since they knew the ordinance was in place.

Rutherford said she had no problem with this variance, since there was a hardship with the landlocked property. She asked if Council could define how many houses could go off the driveway in the variance. City Attorney Ted Meeker said that, in his opinion, Council could not.

Plunkett asked if Council could grant the variance based on the current zoning. Meeker said the zoning determined the number of lots on a property. He had reviewed the access easement. Plunkett asked why Council could not grant the variance based on the current zoning only. Meeker said the variance stood on its own. There had been some blending of the issues relating to the variance and the rezoning during the public hearing and the discussion, but Council had to separate the two issues. The variance applied to the access and driveway requirements. The zoning issue would come at a later date. Plunkett asked what the ramifications would be if Council did not grant the variance. Meeker said the owners could not access their property without a variance under the current ordinance. There were potential legal issues if the variance was not granted.

Boone said the variance request met all the requirements. Meeker said Rast's analysis of the variance request and how it met the standards was dead on. Rutherford said the hardship applied to the applicant. Meeker said they had the access rights under the recorded access agreement. This was not the body to determine what the rights were if there was a dispute.

Rutherford asked if the costs of improving the access had been determined. Meeker said that was determined by the access agreement.

Rutherford moved to approve the variance as requested to allow more than two homes off the driveway. Boone seconded. The motion carried unanimously.

06-07-03 Consider Request to Waive Golf Cart Registration for July 4th

City Clerk Jane Miller noted that the City had received a request from Jonathan Hooper of Bulldog Supply to waive the registration fee for the July 4th holiday. She explained that Bulldog had a reserve of carts that were rented for events outside the City. Due to the number of requests they received, the business would like to rent those carts out for the July 4th holiday, but did not want to pay the registration fee since the carts generally were not operated on the cart paths. She noted that Council had previously waived the registration requirement for the Tour de Georgia. Staff recommended Council set a time limit so people would have time to pick up and return the carts.

Rutherford clarified with Hooper that he did have a stock of carts that were generally rented for people to use in the City. Hooper said they did. Hooper said they could provide a list of the carts to the Police Department ahead of time. Miller said if the registration requirement were waived, then it would be waived for everyone during that time period. Plunkett suggested that all the golf cart dealers provide a list of the vehicle identification numbers (VIN) to the Police Department during that time period.

Rutherford moved to approve waiving the registration fee for golf carts from July 3-July 5, and any rental companies should have a record of the vehicle identification numbers. Hooper asked if there would be any stipulation regarding people from out of town bringing in their own carts. Rutherford said they would either allow unregistered carts, or they would not. Hooper said he would have a record of who the carts were rented to. Boone seconded. The motion carried unanimously.

07-06-04 Consider TDK Boulevard Extension

Rutherford noted that she had placed this item on the agenda. The court date for the City's lawsuit against the Georgia Regional Transportation Authority (GRTA) was set. She had been asked to take the matter off the agenda, but she had declined because a public decision needed to be made on what to do. She clarified that the court date was July 6 and asked Meeker if he ever had court dates that had not followed through. Meeker said yes. Rutherford asked if any decision made during the meeting would be detrimental to the lawsuit. Meeker said he could not say whether any action would affect the judge's decision. Rutherford clarified that the case would be heard in Fulton County, and the question was whether GRTA had the right to require an entity to provide infrastructure for something in another entity's jurisdiction. Meeker said that was part of the issue. Another issue was whether or not GRTA had the authority to impose road improvements in connection with a Development of Regional Impact (DRI). Rutherford added that part of that was whether or not GRTA could impose those requirements outside of the county of the DRI's location.

Rutherford said that TDK had been discussed for years. She believed that if the City had not been at the table, then there would be no choices. Dinner was over, and the table had been cleared. It was time to decide what was best for the City, not Fayette County or Coweta County.

Plunkett said she did not disagree. Her concern was the ramification of the vote regarding the arrangement with Pathway Communities on the right-of-way. The right-of-way reverted back to them if the road was not started within three years. Meeker verified that was a requirement of the deed. Plunkett asked if the reversion clause would be triggered if Council voted to stop the extension of the road. Meeker said Council would still have three years.

Boone asked if there could be any ramifications from the state for road funds. Meeker said there could be, but did not know specifically. Rutherford noted there had been some discussion about what would happen if the City did not go through with TDK, including withholding the funding to complete the SR 74 widening. Threatening to withhold the funding to complete SR 74 was a form of blackmail. She said they would hold the state accountable. The state promised Cooper Lighting and Cooper Wiring that the road would be widened years ago when Cooper decided to move to Georgia. That piece of the road would be completed. The state could decide to stop the widening at that point since Cooper would have what they had been promised. The state's transportation budget was always questionable. Rutherford noted that widening the road south of Cooper might not be an advantage to the City since it would just add more traffic. The state had agreed to put in the tunnels under SR 74 when they widened that portion of the highway, and Council should consider that. However, she was not sure that was a reason to build TDK, and the City might not get the highway funds anyway.

Boone asked if the City would have any recourse if the state decided to stop the highway widening. Meeker said it was like any other governmental project. The state could, at its discretion, decide to shift the funding elsewhere. Rutherford noted that the current SR 74 widening had been planned earlier, but the state had run out of money and the project had been stopped. Meeker said the contracts had been let and signed for the current widening, but the DOT could clearly stop the second phase for any reason.

Logsdon said he had raised a lot of issues and had wanted to pull the agenda item primarily because he wanted the lawsuit to be heard before a decision was made. His concern was not about building the TDK extension, but what Council's vision was for the east-west transition of traffic through the City. That would be part of the discussion at the June 19 Town Hall meeting. Whether the extension was built or not was not a big deal for him. With all the growth around the City, there needed to be more than one east-west corridor through the City. The traffic on SR 54 was almost gridlocked again. Logsdon said he had not created the TDK extension; it just came to a head on his watch.

Boone pointed out the City had been blindsided by the developer plans in Coweta County. As it stood now, he was not in favor of TDK. The City gained nothing, and the developers would gain millions of dollars.

Plunkett added that a decision to stop the road did not mean it was dead forever. Another Council could build the road.

Logsdon said he had spoken to the County Manager, and the funds were available to start building the road right away. If the road were stopped, then the money would be reprioritized, and TDK would go to the bottom of the list of unfunded projects. Rutherford said if the motion was to stop the road, then the City should tell the County to take those funds and use them somewhere else.

Those other projects would benefit the City as well as the County. Another east-west corridor was needed, but TDK was not it. She continued that there would be an opportunity for a better decision after Coweta County built the roads needed to handle its growth.

Kourajian agreed that an east-west connector was needed, but he was steadfast in his belief that the City and the County did not need to be the main thoroughfare for Coweta County to get to I-85. The TDK extension should be reconsidered after Coweta had other primary routes to I-85.

Boone asked if there was any possible recourse from GRTA, Coweta County, or the developers if the Council decided not to build the road. Meeker said that he was not aware of any recourse for the developer and Coweta County. He said he would let GRTA figure out what it wanted to do. He added that this vote would not affect future Councils who wanted to move forward with the project at a later date.

Plunkett said it was also important to recognize that there were Council Members that had spoken with some of the Coweta County Commissioners and told them that they did not see any benefit to the City regarding the road extension until Coweta had other routes to I-85. She did not want people to think the issue would be gone forever.

Logsdon said he would like to delay the vote until after the hearing to get a feel for where it was going. Plunkett said the hearing was about whether or not GRTA had the legal authority to tell a City what to do. It was about home rule for a city. Meeker said that, in essence, was the question. The road was the main condition contested in the DRI. Logsdon added that every city and county in metro Atlanta was watching this case.

Rutherford said a vote that night would not stop the hearing. If GRTA wanted to flex their muscles, they would use this case to prove their point. Kourajian said that GRTA should know that, if an unfavorable judgment for the City came down, then the City would not just roll over. Rutherford said the City had already sent a message that it did not think GRTA should be able to tell it what to do. A vote to not continue the road would clearly back up that message.

Plunkett said the question before the judge was whether or not GRTA could tell the City to build four lanes versus two lanes. Meeker said it was about whether or not GRTA could tell the City what to do, period. He added that, if the Council waited until after July 6 to make a decision, then there would be no question about the decision's impact on the judge's decision.

Boone asked if, when the right-of-way reverted back, a private developer could put in a bridge and road. Meeker said that could always happen, but the private developer might not be able to get the bridge permits. Kourajian said they could build a road on private land, but they would also have to get Fayette County's permission to place the bridge on the Fayette's side of the creek. He continued that they would also have to get permission to connect to the City's roads. Meeker said a private road could be built, but the County could not build a road in the City without the City's permission. The state could always build a state highway.

Kourajian moved that Peachtree City consider not building the TDK connector until such time that Coweta County built a primary route to I-85 that did not go through the City or Fayette County. Once that was accomplished, the City would consider a two-lane TDK bridge. Boone seconded.

Rutherford asked for an amendment to the motion. Rutherford and Plunkett noted that the vote could not bind future Councils. Rutherford said the motion should include that the City relieved the County from holding the money for the construction. Logsdon said that would be a moot question once the motion passed. Rutherford said she wanted to make it clear that the County was free to spend that transportation money elsewhere. Logsdon added that $300,000 belonged to the City for the design, and he wanted to get that back. City Manager Bernard McMullen said that money had already been spent on the design. Plunkett said the design could be used in the future. The consensus among the other Council Members was that the motion should be simple.

Kourajian restated his motion. Logsdon said the motion should just stop TDK. They did not need to bind Coweta County. McMullen asked if they wanted to define what a primary route was. Logsdon said he would rather not put conditions on Coweta County. The motion should be to stop all Peachtree City efforts on TDK.

Rutherford noted that the City was angry because it had been directed to do something, and now Council was asking Coweta County to do something in the motion. Kourajian said he was not saying that in the motion. In the motion, he was saying he did not want to not move forward with the TDK connector, and that he believed an east-west connector was needed, but not until Coweta County had another route to I-85. Boone restated his second to Kourajian's motion.

Rutherford asked if this Council or another Council could reconsider TDK if there was not an alternate route to I-85 in Coweta County. Meeker said yes. He added that those who voted in favor of the motion could ask for reconsideration. Kourajian clarified that it did not matter who, Coweta County or the state, built the route to I-85 in Coweta County as long as it was built.

The motion carried unanimously.

06-07-05 Consider Amendments to Travel Expenses CAR

Assistant Finance Director Janet Camburn said the amendments affected per diem reimbursements for travel expenses, which she would go over if that was what Council wanted. Staff recommended approval.

Rutherford moved to approve the change to CAR 8-2. Kourajian seconded. The motion carried unanimously.

06-07-06 Consider Request to Change/Add to Fire Department Volunteer Stipend Program

Acting Fire Chief Ed Eisworth reported that the volunteer stipend program had worked well. The average number of volunteers responding to calls had increased from 0.5 to almost three per call. The additional proposed changes included a stipend for firefighters who stayed at the station for an increment of four hours at a time. The same funding would be used, and there would be no additional budgeting. The program would start July 1.

Rutherford clarified that this stipend was for firefighters who stayed at the station to get in their volunteer time. Eisworth continued that there were two types of volunteers – those who lived in town and responded when their pagers went off and those that did not live in town and put in station time. Most of those stayed at the station with all the activity because they were paid when they went out on calls. Eiswerth said the stipend would allow him to spread the volunteers out to other stations, especially those that did not get a lot of calls.

Kourajian asked how much the program would cost. Eiswerth continued that he had no intent to ask for an increase in the stipend program this year or next year. He did not know how much it would cost, but the program was under budget for the current stipend program. They might use the rest of the money if this program were instituted. It was an incentive. Some of the volunteers would not take the money. The budget for FY 2007 was $69,000, and the same amount was proposed for FY 2008. To date this year, they had spent approximately $54,000.

Plunkett asked Eiswerth if he felt the stipend program had been successful. Eiswerth said yes. The volunteer numbers per call had increased from 0.5 to 2.85 as of that day.

Kourajian moved that the Fire Department introduce a stipend program that paid volunteers to stand by at the fire stations at the rate of $10.53 per four-hour increment of station time starting July 1, 2007. Rutherford seconded. The motion carried unanimously.

06-07-07 Consider Amendments to MNGWPD Post-Development Ordinance

City Engineer Dave Borkowski explained that the City currently had an ordinance in place, but the Environmental Protection Division (EPD) had audited the City's stormwater program and commented that the City needed to adopt an ordinance that was the equivalent of their model ordinance. To make things easier, staff decided it would be better to adopt the model ordinance rather than go through the current ordinance point by point. The major change dealt with the exemptions that were not in the model ordinance. The current ordinance had a variance procedure in place, while the proposed ordinance did not.

Rutherford commented that sometimes the state's model ordinances were weaker than the City would like. Meeker said the proposed ordinance was very strong and beefed up the City's current ordinance. The City was required to adopt the ordinance in order to maintain its status with the EPD.

Rutherford moved to approve the amendments to the MNGWPD Post-Development Ordinance. Boone seconded. The motion carried unanimously.

06-07-08 Consider Committee Appointment to Name Peachtree City's "West Village"

Logsdon noted there was an additional document on the dais – guidelines for the proposed committee. Logsdon read the guidelines.

Kourajian suggested that the task force be given a 90-day deadline. Rutherford agreed. Logsdon added the 90-day time limit as a guideline. Rutherford asked Meeker if the committee would be required to follow the open meeting laws. Meeker said they would. She said that should be added as a guideline. Logsdon noted that was a law. Rutherford said it should be on the list to ensure the members knew they were required to comply with the open meeting laws.

Logsdon said his list of proposed members included former Mayor Fred Brown, Jerry Peterson, and the homeowners association (HOA) president or designee from Centennial, Wynnmeade, and Planterra subdivisions. Rutherford said a five-person committee was fine, but said interested citizens should serve on the committee. She suggested that information be placed on the website so anyone interested in serving could submit their names. Council would then select five citizens at large.

Plunkett liked Rutherford's idea, but Council needed to define what they were looking for from applicants. Rutherford agreed that there should be representatives from Centennial, Wynnmeade, and Planterra, since it would have a big effect on them, and two other citizens. She felt those positions should be opened up to any resident interested in serving. Plunkett suggested that Brown be appointed as the chair of the committee since he had volunteered, and that they take volunteers for the other members.

Plunkett moved to put on the website that a committee would be formed to name the West Village, the criteria be that three members be from the following areas – Centennial, Wynnmeade, and Planterra, that former Mayor Fred Brown chair the committee, and that Council would accept applications until July 19. Council would appoint the members at the July 19 meeting. Rutherford seconded. The motion carried unanimously.

06-07-09 Consider Proposed South 74 BSC Multi-Use Tunnel & Rockaway Road Tunnel Lighting Design

Borkowski asked Council to approve the task order from S.L. King & Associates for the lighting design for an amount not to exceed $19,200. The two tunnels were included in the second phase of the highway widening. They were included in the design of the road, and part of the design involved the electrical work design. The lighting design was needed for the final field plan review in August. Borkowski said staff had not been aware the state wanted this design this early, and it had not been budgeted for this year. Staff recommended the funds come out of the PIP contingency.

Rutherford asked if the City could get everything done by August. Borkowski said it could be done in four weeks following the notice to proceed, according to the proposal.

Rutherford moved to approve the task order from S.L. King & Associations for the lighting design for the two proposed pedestrian tunnels under SR 74, not to exceed $19,200. Boone seconded.

Kourajian asked if S.L. King was the preferred vendor for this project. Borkowski said the company was the sub-contractor for QK4, who designed for the tunnels. Rutherford said there were at least two people who submitted bids. QK4 had put out the bid.

The motion carried unanimously.

06-07-10 Consider Proposal for Design of Walt Banks/Peachtree Parkway & Crosstown/Peachtree Parkway Intersection Improvements & Multi-Use Path Construction from the BSC to Cooper Lighting

Borkowski said staff recommended the proposal be awarded to Professional Engineering Consultants (PEC) for an amount not to exceed $209,800. The intersection improvement projects were identified in the City's Transportation Improvement Plan (TIP) and would be partially funded through the state's TIP funds, the Q23 funds. The Walt Banks improvements were also funded through the SPLOST. The multi-use path from BSC to Cooper Lighting was identified on the City's master cart path plan and was partially funded by the Q23 funds.

Borkowski continued that four companies had responded to the RFP. Staff had evaluated the companies for the criteria put out in the RFP. The weighted criteria included 30% for price, 30% for similar projects and experience, 30% for demonstrating an understanding of the RFP, and 10% for references. The criteria had been placed in a matrix, and PEC and Stantek had been dead even. A selection committee interviewed both companies, asking the same questions of both. The consensus was to award the RFP to PEC. PEC had not sent in the lowest proposal, but had included the cost of the environmental work for the project. Stantek had not included that work in its proposal. Rutherford said that, in that case, Stantek had not met the requirements. Borkowski said that element had not been clear in the price proposal, but it was discovered during the interview. PEC had more experience in cart path construction and better customer service. He added that PEC had also designed the Whitlock Place detention facility.

Borkowski said the costs were within budget except the Crosstown/Peachtree Parkway improvements, which had $54,000 set aside in the PIP account. Another $14,150 would be transferred from the PIP contingency fund to cover the costs. Rutherford asked if there were any excess funds from the other projects that could cover the costs. Finance Director Paul Salvatore said there would not be any excess funds. The projects had been budgeted in total, and there was $207,000 budgeted. Rutherford asked if the numbers were over or under what was budgeted. Salvatore said they were within budget. Assistant Finance Director Janet Camburn said that the Walt Banks/Peachtree Parkway project was a SPLOST project. The Crosstown Road/Peachtree Parkway project was over budget. The Cooper Circle project had $50,000 allotted, and the cost was $49,750. Rutherford asked where the additional money would come from. Camburn said the excess would come from the PIP contingency.

Plunkett asked if the company had been given any guidelines regarding the improvements at Walt Banks/Peachtree Parkway. She noted that QK4 came back with the same proposal Council had not liked the first time. Borkowski said that had been discussed at the pre-proposal meeting. There would not be a roundabout. They had to start over with that intersection.

Rutherford moved to award the proposal to Professional Engineering Consultants for an amount not to exceed $209,800, which would be taken from the SPLOST fund and PIP contingency ($14,000). Boone seconded. The motion carried unanimously.

<u>Council/Staff Topics</u>

Review & Status of Landscape Plan for SR 54 West (North Side)

City Planner David Rast provided an update on the landscape plan. Staff had been revising the plan for several weeks. A consultant came up with a schematic plan for the SR 54 West corridor, which was done before the buildings were constructed and parking lots were configured. He said the plan was adjusted based on the locations of the buildings, parking lots, and sidewalks. He continued that Doug McMurrain had a price for the landscape plan that he still had to go over with his partners. Rast said he was scheduled to meet with the contractor the next day to walk the site. The plant materials would be similar to those used on the SR 54 West corridor to tie everything together. Rutherford asked how the buildings had been moved from the approved plan. Rast said that was not an accurate statement; the buildings were located according to the schematic master plan. As each site was developed, the buildings were more or less in the same location, but there were some variances as far as the width of the parking lots. The schematic master plan was developed as part of the SR 54 West overlay district. Rutherford noted that there had been a lot of trees on the plan at one time, and the cart path was not visible. She asked how the path would be buffered from the highway. Rast said there would be plant material between the sidewalk and the back of the curb. Rutherford said there were areas where the path was not even one foot from the road. Rast said he was not sure what Council wanted him to do. Plunkett said that plants would not provide a buffer for the golf cart lights from the traffic on SR 54. There was a safety concern about the golf cart lights and the traffic. The utility boxes from the buildings were on the highway and were not buffered. Rast said the intent of the overlay plan approved by the Council was to do that. Rutherford said the cart path had not directly abutted SR 54 on the plan. She was concerned that they could not put in enough buffer material to provide the vision for the area. Boone said that had to be worked out between Rast and the developer. Rast said no landscaping had been installed yet. Plunkett asked when it would be installed. Rast said it would start immediately upon approval by the developer's partners. He continued that landscape plans were not accepted until the buildings were under construction so they would know what the area looked like, as well as finding areas that needed additional buffering. There was a 30-foot landscape strip along the north side of SR 54. They did not want to put the plantings in until they knew what the buildings looked like. If the plant materials had gone in building by buildings, half of the plantings would have to have been taken out as the site was developed. They wanted consistent plantings along the front. He apologized and said that he understood there would be a complete landscaping project at the end, which had been the vision of the SR 54 West advisory board. Rutherford and Plunkett were concerned about making what they saw on paper happen on the ground. McMullen asked Rast to scan in the landscape plan and send it to Council.

Rutherford asked Rast to send a memo regarding the Majestic Estates variance and why they were directed to request GR zoning. Plunkett said she also had concerns about the requested zoning. Kourajian asked for any documentation that Rast had. Rutherford said Rast should note whether or not he recommended the requested zoning.

Rutherford moved to convene in executive session for threatened or pending litigation and personnel. Boone seconded. The motion carried unanimously.

Rutherford moved to reconvene in regular session. Boone seconded. The motion carried unanimously.

There being no further business to discuss, Rutherford moved to adjourn. Boone seconded the motion. The motion carried unanimously. The meeting adjourned at 10:45 p.m.

Jane Miller, City Clerk

Harold K. Logsdon, Mayor

Pamela Dufresne, Recording Secretary

City of Peachtree City
Special Called Meeting
Minutes of Meeting
June 14, 2007
6:30 p.m.

The City Council of Peachtree City met in a Special Called Meeting on Wednesday, June 14, 2007. Council Members attending were: Mayor Harold Logsdon, Steve Boone, Stuart Kourajian, Judi Rutherford, and Cyndi Plunkett. The purpose of the meeting was to appoint a task force to evaluate possible uses for an 88-acre tract owned by John Wieland Homes in Peachtree City's West Village, and to help Council to provide direction for any future development proposals for the property.

Mayor Logsdon called the meeting to order at 6:34 p.m. and led attendees in the Pledge of Allegiance.

Plunkett said she had emailed a list of the Mayor and Council Members' nominees to everyone on Council. The proposed members were: Dan Fields, John Wieland Homes; Council Member Cyndi Plunkett; Paul Van't Hof of the Civic Association; Phyllis Aguayo of Kedron Village; Marty Mullin of the Planning Commission; Rod Arion of Planterra Ridge; Merrilyn Arnold of Wynnmeade; Dana Kinser of Centennial; and George Dillard of Peachtree City Christian Church.

Plunkett said she had also hoped for someone from the Recreation Commission or the Recreation Department to serve on the committee due to the possibility of a recreation component. Plunkett also indicated they were hoping for a representative from the southern part of Peachtree City, and that Rutherford and Kourajian would be forwarding the name of that representative.

City Manager Bernard McMullen indicated that Leisure Services Director Randy Gaddo was prepared to serve on the committee.

Plunkett made a motion to accept the nine members listed for the Wieland 88-acre task force members as forwarded, plus Randy Gaddo, plus the representative from the south side to be forwarded by Rutherford and Kourajian. Rutherford seconded the motion. Motion carried unanimously.

Rutherford made a motion to adjourn the meeting. Kourajian seconded. Motion carried unanimously.

The meeting adjourned at 6:40 p.m. into workshop session.

____________________________ ____________________________

Betsy Tyler, Deputy City Clerk Harold K. Logsdon, Mayor

City of Peachtree City
WORKSHOP
Minutes of Meeting
June 14, 2007
6:30 p.m.

The City Council of Peachtree City met in workshop session on Wednesday, June 14, 2007, at 6:40 p.m. Council Members attending were: Mayor Harold Logsdon, Steve Boone, Stuart Kourajian, Cyndi Plunkett, and Judi Rutherford.

Staff members attending were: City Manager Bernard McMullen, Assistant City Manager/Developmental Services Director Colin Halterman, Administrative Services Director/City Clerk Jane Miller, Public Information Officer/Deputy City Clerk Betsy Tyler, Public Services Director Tom Corbett, Finance Director Paul Salvatore, Assistant Finance Director Janet Camburn, Police Chief Jim Murray, Acting Fire Chief Ed Eiswerth, Leisure Services Director Randy Gaddo, and IT Administrator Matt Robinson.

The purpose of the workshop was to discuss the proposed FY 2007-2008 budget. McMullen noted that they would be reviewing additional information and options requested by Council at the June 5 & 6 Budget Workshops.

Salvatore gave a presentation on budget scenarios with no millage rate increase for FY 2008, an increased beginning cash balance, and an increased use of excess cash reserves. The presentation also reviewed debt financing, and the amount of debt financing in the proposed budget was reduced.

The City Manager also had several proposed expenditure adjustments based on conversations with the directors and chiefs. Council also discussed the staffing requests for the full-time planning, the building maintenance, and finance positions.

Salvatore then presented figures for adding additional public safety employees in FY 2008 and provided projected millage rates for the next five years. (A copy of the PowerPoint presentation is included in the official meeting file.)

Chief Murray gave a presentation on the difficulties in recruiting and retaining police officers, with a recommendation to increase starting pay for the positions. (A copy of the PowerPoint presentation is included in the official meeting file.)

Council requested an additional Budget Workshop on June 20 at 7:30 p.m. The directions to staff included:

- Reviewing multiple scenarios for increasing Police starting pay;
- Including the three (total) police officer positions funded at 75% (9 months);
- Including the six full-time and two part-time firefighter positions at 100%;
- Providing additional information on the responsibilities and duties for the requested maintenance position;

- Providing additional information on the responsibilities and duties for the requested planning position, reclassified from part-time to full-time for a one-year contract; and
- Providing the impact on homeowner insurance for the Fire Department ISO rating going from 4 to 3.

There being no further business to discuss, the meeting adjourned at 10:37 p.m.

Betsy Tyler, Deputy City Clerk

Harold K. Logsdon, Mayor

City of Peachtree City
WORKSHOP
Minutes of Meeting
June 20, 2007
7:30 p.m.

The City Council of Peachtree City met in workshop session on Wednesday, June 20, 2007, at 7:35 p.m. Council Members attending were: Mayor Harold Logsdon, Steve Boone, Stuart Kourajian, Cyndi Plunkett, and Judi Rutherford.

Staff members attending were: City Manager Bernard McMullen, Assistant City Manager/Developmental Services Director Colin Halterman, Public Information Officer/Deputy City Clerk Betsy Tyler, Public Services Director Tom Corbett, Finance Director Paul Salvatore, Assistant Finance Director Janet Camburn, Police Chief Jim Murray, Acting Fire Chief Ed Eiswerth, Leisure Services Director Randy Gaddo, and IT Administrator Matt Robinson.

The purpose of the workshop was to discuss the proposed FY 2007-2008 budget. McMullen noted that this was a follow-up from the June 14 workshop. The items discussed included the starting pay for police/bilingual stipend pay, Fire ISO ratings (how to get from 4 to 3), the building maintenance specialist position, and the assistant city planner (contract) position. Staff also prepared five separate budget options. The variables included staffing, millage rate, and use of cash reserves.

Based on the discussion, the following directions were given by Council – the increase in police starting pay would begin immediately, and the program for bilingual employees should be finalized. The funding for the building maintenance specialist would come from attrition and budget savings in the Public Works department.

The Council consensus regarding the budget options was to work on Option 3 with some modifications.

There being no further business to discuss, the meeting adjourned at 9:40 p.m.

Betsy Tyler, Deputy City Clerk

Harold K. Logsdon, Mayor

Pamela Dufresne, Recording Secretary

City Council of Peachtree City
Minutes of Meeting
June 21, 2007
7:00 p.m.

The City Council of Peachtree City met Thursday, June 21, 2007, in the City Hall Council Chambers. Mayor Logsdon called the meeting to order at 7:00 p.m. Other Council Members present: Steve Boone, Stuart Kourajian, Cyndi Plunkett, and Judi Rutherford.

Announcements, Awards, Special Recognitions
Mayor Logsdon recognized Cheryl Fortner of the Fire Department as the Employee of the Month.

Public Comment
Anne Jaeckel, Larry Overton, Kristina Zuppan, and Robert Amalfitano addressed Council regarding access to fields for the lacrosse program.

Minutes
Rutherford moved to approve the June 5, 2007, workshop minutes and the June 6, 2007, workshop minutes as written. Kourajian seconded. The motion carried unanimously.

Consent Agenda
Consider Budget Adjustments – Fiscal Year 2007
Rutherford moved to approve the Consent Agenda. Plunkett seconded. The motion carried unanimously.

Old Agenda Items
05-07-05 Consider Installation of Speed Cushions in Planterra Ridge Subdivision
Logsdon noted there was an additional document on the dais – the traffic counts. City Engineer Dave Borkowski reported that an additional traffic study requested by Council had been completed. (A copy of the study is included in the official meeting file.) He continued that the drivers appeared to be reducing their speed because of the bumps, but the most recent study had not been conducted in the same locations used in previous studies. The speed bumps appeared to be working. Borkowski said they had also looked at the speed bump locations again. Engineering guidelines recommended the bumps be placed a maximum of 600 feet apart. Some were 700 to 750 feet apart. Staff recommended that the speed bumps be replaced one for one in the same locations.

Due to a theft issue with the speed bumps, Rutherford asked if they were all in place for this study. Borkowski said that they were all in place.

Boone asked what the total cost of the speed cushions would be. Borkowski said the total was $36,092.60. The City was responsible for half the cost ($18,046.30), and the Planterra Ridge Homeowners Association (HOA) would be responsible for the other half.

Logsdon asked if there had been a suggestion to take up the speed bumps for 30 day and do another study since the homeowners had not been unanimous in the desire for the speed bumps. HOA President Manny Guerrero said the homeowners' vote had not been unanimous, but the majority had supported some type of traffic-calming device. Many of the residents were opposed to the temporary devices because of the noise and the vehicles going around the devices into lawns. He noted that the speed cushions would cut down on the noise and people driving on lawns to avoid the bumps.

Rutherford noted that the study showed a significant decrease in traffic. She said $18,000 was a significant amount of money. She was also interested to see what happened if the speed bumps were removed. Speed was more the issue now than traffic volume. If speed became the issue again, then the bumps could be put in again. Guerrero said the speed bumps were now glued to the road. He asked Borkowski if the asphalt would come up along with the bumps. Guerrero said the speed cushions would cover any issues with the road. Borkowski said the asphalt could be patched.

Boone said the cost bothered him. He said there was already request for traffic control devices from another subdivision. The City was not in the business of putting in speed bumps in every subdivision and village. He recommended leaving the speed bumps until they deteriorated, then they could be pulled up.

Guerrero said he was approaching the issue from a safety standpoint. If one child were hurt, it would be too many. Rutherford asked how many children had been hurt by cars prior to the road widening. If the amount of traffic was the problem, and that problem had stopped, then the people speeding in the neighborhood now were the residents. She did not want to put children at risk either. Guerrero said there was not as much traffic on either SR 54 or SR 74 10 years ago. Now there was a major shopping center and more construction on SR 74. If Council was hesitant about the cost, Guerrero said the HOA would pay the entire cost. They were serious about the matter. Just because something had not happened yet did mean it would not happen in the future.

Logsdon noted that the traffic counts today were almost equivalent to what they were prior to the construction of Wal-mart and Home Depot, even though there was more traffic on SR 54 and SR 74. Kourajian attributed the drop in traffic to the speed bumps. Guerrero said the HOA would pay for the speed cushions; they just needed Council's permission.

Rutherford asked if Council would put the traffic-control devices all over the City if every subdivision was willing to pay for the installation. Borkowski said the traffic-calming ordinance was in place that any new requests had to follow. They could not just jump to speed bumps. Rutherford said any neighborhood interested would do what they had to do to get it done. Plunkett noted that there had to be the ability to speed in a neighborhood. Part of Planterra's problem was the long straightaway on Terrane Ridge.

Boone said they had talked about a reduced number of the devices in strategic places. The devices could be placed in strategic locations at the bottom or top of hills, which would reduce the number. Guerrero said they would take anything. Boone suggested leaving the speed bumps in during the interim and look at it down the road.

Kourajian moved to approve the installation of the nine speed cushions in Planterra Ridge in the same location as the speed bumps, and that the Planterra Ridge HOA would assume the cost. Plunkett seconded. The motion carried unanimously.

New Agenda Items

06-07-11 Public Hearing – Consider Amendments to Home Occupation Ordinance

City Planner David Rast noted that work on the ordinance began several months ago. There were some issues with some of the home-based business owners. Staff had worked with some of the owners, as well as with Code Enforcement, to look at the citations written over the last several years. Very few had been given for violations of the home occupation ordinance. He continued that, for the most part, the ordinance stayed the same, but some areas had been updated. Some of the language had been changed to better define what could or could not be done as a home occupation. Rast went over each change and the reasoning behind it. The changes included allowing some activities to take place outside (some lessons, day care play activities), the percentage of floor area increased from 15% to 25%, a clarification of who could work in a home-based business, parking, day care certification requirements, and a requirement to verify zoning.

Rutherford asked Rast if a fee had been considered to cover the additional work required from staff. Rast said they had found that some jurisdictions did charge a fee for services such as the zoning verification letter. Staff planned to bring any recommended fee change to Council in the next four to six weeks. The intent was to ensure the business was appropriate for the zoning. Rutherford asked how the parking ordinance came into play. Rast said the parking ordinance required so many spaces for off street parking for people living in the home. Some subdivisions did not allow on street parking through their covenants. Staff's intent was to ensure there was parking provided according to the ordinance, hopefully off street.

Plunkett asked if the state regulations allowed someone to help the business owner with a day care. She asked whether a home-based day care provider would do the work on their own or if they would have someone come help. Rast said the state mandated the maximum number of children. The ordinance did not allow someone who did not live in the home to be an employee of the business. Rast said he did not know what the state allowed as far as home day care employees. Plunkett said someone else might be needed to help out during specific periods, such as lunch time. Rast indicated that, once a daycare business reached the size of needing outside help, it was no longer appropriate for a neighborhood and should be in a commercial location.

Kourajian referred to the definition of family. He asked if two people who were not married but lived in the same house were considered a family. Rast said that was covered in the ordinance. The ordinance defined family as "one or more persons occupying a single dwelling unit, provided that unless all persons are related by blood or marriage, or are lawful wards, no such family shall contain more than two persons." Rast clarified that two roommates that shared a home could both work in the business, but a third roommate could not.

Rast said the parking ordinance required a minimum of two off-street parking spaces for both single-family attached and detached dwellings. He continued that Planning Commission had voted unanimously to recommend adoption of the amendments.

Kourajian referred to the requirement regarding outside storage of materials. He asked whether people who gave swimming lessons or day care providers could store toys outside. Rast said those were considered normal activities, but a construction company would not be allowed to store construction materials. Kourajian asked if a garage or a shed was considered part of a dwelling. Rast said a garage was part of a dwelling. A shed was permitted as an accessory use on the property.

Logsdon asked if anyone had any comments regarding the proposed amendments.

Robert Brown suggested that, in relation to the storage of materials outside, adding the words "to include storage of any materials for use off the property" under "Storage of Materials." He said that would take care of anything used on site, such as pool toys. Kourajian said that was a good suggestion, but it might allow people with home workshops to store materials outside.

The public hearing closed.

Plunkett asked if the proposed amendments met the needs of the music teachers. Public Information Officer/Deputy City Clerk Betsy Tyler said that she had e-mailed the proposed changes and to their spokesperson, and the changes met their needs once the limitation on the number of students was taken out.

Rutherford moved to approve the changes for the home occupation ordinance. Boone seconded. The motion carried unanimously.

06-07-12 Consider Request to Use City Logo
Tyler and Library Administrator Jill Prouty addressed Council regarding a request to use the City logo from the Peachtree City Library Corporation (Friends of the Library Association).

Rutherford moved to approve the request to use the logo from the Library Association. Kourajian seconded. The motion carried unanimously.

06-07-13 Consider Request from Heritage Christian Church for Sewer Connection
Reverend Greg Marksberry and Joe Strack addressed Council regarding the request. Marksberry explained that Strack, a member of the church, had done all the piping work for the church. The 77-acre church campus was located approximately one-half mile outside the City limits. They were finishing the worship and children's center and had discovered that 10 acres would be needed for the septic field. The facility was actively used to serve the community. The area that would serve as the septic field had been designated in the plans as recreation fields. According to their research, the number one need in the community was recreation, and the church wanted to provide that area for softball, soccer, flag football, and lacrosse. Marksberry said they had spoken to WASA, and WASA had the capacity, but the church would be responsible for transporting the flow. The church was willing to do that.

Rutherford asked WASA General Manager Larry Turner where the closest sewer was located. Turner said it was on Peachtree Parkway near The Estates subdivision, and there was a pump station off Peachtree Parkway in the Timberlake subdivision. Plunkett asked if any of the houses the line passed would be able to connect to sewer at a lesser cost. Turner explained it was a pump station and a force main. Other things could not be connected to a force main. The force main directed the flow from one pump station to the point of discharge. Strack said they would install only a two-inch line. Turner added that the church would bear all the expense. Marksberry said that, if the City approved the connection, the next step would be to get approval from Fayette County.

Kourajian asked Turner if there was another church outside the City limits on the sewer system. Turner said Dogwood Church in Tyrone was connected to the system.
Logsdon noted that the Board of Commissioners had turned down a previous request from the church. Marksberry said that the commissioners at the time had been concerned about a bleedover to the residential areas and how it would affect the overall plan.

Rutherford moved to give the church permission to connect to the sewer. Boone seconded.

Rutherford said she wanted to ensure no homes would be built on the property. Marksberry said their overall plan called for more buildings, but he did not know when that would occur. There was a great opportunity to use this area to serve the recreational needs of the community. Rutherford and Plunkett said they were not concerned about more church buildings.

City Manager Bernard McMullen suggested that Council add a condition restricting the sewer to non-residential use. Rutherford amended her motion to include the condition. Plunkett seconded the amendment. The motion carried unanimously.

07-06-14 Consider Bond Referendum on November 2007 Ballot for Expansion of Baseball Soccer Complex and The Gathering Place

Leisure Services Director Randy Gaddo said the proposed bond referendum would include two new multi-purpose fields at the Baseball Soccer Complex (BSC) and The Gathering Place expansion. (A copy of the PowerPoint presentation is included in the official meeting file.) Gaddo said staff, if directed to do so, would bring the resolutions to Council for approval at the July 19 meeting, which met the deadline to get the referendum on the November 6 ballot. The resolutions had to be submitted to the Justice Department at least 60 days prior to election. The goal was to have the resolutions to the Justice Department by August 1.

Gaddo continued that the plan for the BSC included moving the growing football program from Riley Field to the BSC. Riley Field would be used for the lacrosse program. A natural running path was planned to go around the entire facility, plus a total of 346 new parking spaces. The path would be constructed using the mulch ground from the lumber on site. Rutherford asked if pervious or impervious parking was planned. Gaddo said the plan was for asphalt, but they would look at pervious parking as things moved on since it had been successful at library and it would help with stormwater issues.

Gaddo continued that there were two options for Council to consider for the BSC. The first option for the two fields included using artificial turf with a drainage system on one field. The total cost would be $3,651,570. The second option was to use real Bermuda grass on both fields for a total cost of $2,283,870. The totals included all general conditions, site work, construction and consulting fees, and bond closing costs. The difference in the cost was the initial construction cost, which was $1.4 million for the artificial field, including the drainage system, compared to $161,000 for real Bermuda. The artificial turf should last eight to 10 years and was warranted for eight years. The replacement cost for the artificial turf was $629,000. In order to have a top quality multi-purpose field, real turf had to be totally replaced every year. Right now, the fields were patched. When two sports used a field, the seasons overlapped. There was not a lot of time to let the turf regenerate. The cost to replace the turf was between $160,000 and $200,000 annually.

The annual debt service would be $348,927, and the annual O&M cost was $28,048 for Option 1. The total annual cost would be $376,975. The estimated tax was 0.195 mills for 2008 or $7.79 for a $100,000 fair market value home. For Option 2, the total annual cost would be $454,955 – $218,236 annual debt service and $236,719 annual O&M cost. The estimated millage rate for 2008 was 0.234 mills, or $9.40 for a home valued at $100,000.

Rutherford asked how long the bond would last. Finance Director Paul Salvatore said the bonds would be for 15 years. Rutherford questioned bonding something for 15 years when it would only last for eight years. Salvatore said the fields would be there forever. They could structure the bond so more principal was paid in the first eight years. The remaining principal would be for the other items. Gaddo said that approximately $600,000 of the initial construction was the underground drainage system, which would stay when the turf was replaced. Plunkett asked if the City always went with a 15-year bond and whether there was a 10-year bond. Salvatore said there were 10 and 20-year bonds. Fifteen years was selected to get a better rate and to spread the cost out. Plunkett said the City would save on interest costs if they went with a 10-year bond. She asked how much that would save. Salvatore said he would need to re-calculate those figures.

Gaddo went over the options for The Gathering Place. Option 1 was an expansion of 6,725 square feet, which included one large room that would seat 150 people (or three small rooms), a standard or commercial kitchen, restrooms, a new entrance and lounge, and a conference room and office. A commercial kitchen would be larger and would have commercial-grade equipment. A standard kitchen would basically augment what was already in place. Option 2 was 11,375 square feet and included Option 1 plus five multi-purpose rooms that could be reconfigured, a game room, class room, card room, and outdoor programming space. There would be additional parking and a rear loading dock. Gaddo said both options allowed the facility to be segmented so the sections could be used independently of each other without access to the entire facility. Rutherford asked what happened with the old space. Gaddo said the current administrative area would be used for storage and as a volunteer area, with the meeting rooms remaining in use.

Gaddo had the costs broken down into sub-options (a) commercial kitchen and (b) standard kitchen. The costs included general construction, site work, construction and consulting fees, and bond closing. The total cost for Option 1(a) was $1,472,991, annual debt service – $140,752, annual O&M – $153,072, total annual cost – $203,824, and an estimated 2008 millage rate of 0.152 mills or $6.07 for a home valued at $100,000. Option 1(b) had a total project cost of $1,362,991, annual debt service of $130,241, annual O&M of $139,156, total annual cost of $269,397, and an estimated 2008 tax millage of 0.139 mills or $5.57 for a home valued at $100,000. Option 2(a) had a total project cost of $2,300,466, annual debt service – $219,822, annual O&M – $210,269, total annual cost – $430,091, and an estimated 2008 millage rate of 0.222 mills or $8.99 for a home valued at $100,000. Option 2(b) had a total project cost of $2,190,466, annual debt service of $209,311, annual O&M of $196,353, total annual cost of $405,664, and an estimated 2008 millage of 0.210 mills or $8.38 for a home valued at $100,000.

Rutherford asked Salvatore for information regarding the total debt service for each option.

Gaddo said the potential for revenue at the BSC was negligible. There were occasional rentals, and the artificial turf could draw tournaments. Kourajian asked how a tournament would help the City. Gaddo said it would help local businesses. Fees were charged for tournaments outside of the normal playing season hosted by a third party or a City association. The fees were calculated per game per field. The Gathering Place grossed approximately $11,000 per year from classes, and they might be able to double that. It would depend on the normal use of the facility. Rutherford asked if they anticipated offering more classes because there would be more space. Gaddo said most of the classes were held Monday through Friday. There was a lot of space available on the weekend. Rutherford asked why more classes were not available if there was space available. Janet Warner, leisure program coordinator at The Gathering Place, said the baby boomers were becoming elder boomers. The population would demand more classes. Currently, the majority of use was for non-revenue producing interest groups. Some of the groups had been relocated recently to the Southern Conservation Trust area, which had freed up space that was already scheduled. There was mix of no charge and fees for special interest groups. Rutherford said the revenue projection had doubled, and she asked how that would happen. Warner noted that she already had 11 new instructors lined up for the fall, but she did not know how many more requests would come in or how the classes would go. Gaddo said classes were built over time. The projection was a goal.

Plunkett asked how much of the current program was non-revenue producing. Warner said approximately 75%. Plunkett asked how much other recreation was non-fee based. Gaddo said a fee was not charged to non-profit groups. Plunkett noted that clubs met at The Gathering Place, as well as different clubs and activities that were not fee-based. Gaddo said classes would be fee-based. He said the new classes could be offered with new space. Plunkett asked if a sorority would be charged to use The Gathering Place. Gaddo said fees were not charged to non-profit groups; it was the way The Gathering Place had developed. They could certainly look at that. Plunkett asked if the same sorority group would be charged to rent a field at the BSC. Gaddo said yes. He said they had run some numbers based on one of card groups with a high percentage of out-of-town players. If a nominal fee of $5 were charged, they could take in as much as $30,000 annually from the one group. Plunkett said the facility should be like everything else – pay to play. The people using The Gathering Place the most were not paying the most. Plunkett said maybe other facilities were not charging enough either. There was some validity to charging fees for the expanded facility. Logsdon agreed the fees were something Council should look at. Gaddo said they could look at the fee structure independently. Gaddo said they earned about $5,000 annually from room rentals. He added that if they could serve alcohol in the facility then the rentals would increase.

Gaddo continued that generally 50% to 60% of football program participants were Fayette County/Peachtree City residents. Soccer had 90% or more City/County residents participating in the program. Lacrosse was at about 95%.

Gaddo said the vast majority of The Gathering Place users, 85% or more, were either City or County residents. Some of the more recent groups had higher out-of-county numbers. Many City residents got involved in other groups with out-of-county residents and brought them in. Rutherford asked how many participants were City residents and County residents. She noted that the County was building a new senior center, so it would be interesting to see if the numbers changed when that center was completed. Gaddo said the numbers were a few years old, but the numbers were predominantly City residents. Gaddo also went over the programming hours. All but two hours of the 120 hours available Monday through Friday were scheduled. There were 90 total hours during the evenings on Monday through Friday. Twenty hours were scheduled with classes and reservations. There approximately 90 hours available on the weekends, and 10 hours were consistently scheduled. Gaddo pointed out that The Gathering Place was only one facility in a complex that hosted events that drew large crowds. He said staff had to be very conscious of that when scheduling events at the facility, especially with the parking limitations. The two rooms at the Southern Conservation Trust (SCT) building had been available since May. There were 80 programming hours available during the week, and 53 hours were already scheduled. There were 60 hours available on weeknights, and 12 hours were consistently scheduled. The weekends had 60 hours available, and four hours were consistently scheduled.

Gaddo continued that it would be impossible to use real turf fields at the BSC as multi-purpose fields and expect any degree of satisfaction. Plunkett asked how many athletes were involved in the football program. Gaddo said 520. Plunkett asked how many cheerleaders participated. Gaddo said 80. Plunkett asked how many played soccer. Gaddo said approximately 1,300. Gaddo said Council could consider using real turf fields strictly for football. Staff recommended going with artificial turf for longevity and customer satisfaction. Gaddo noted that lacrosse season was January through mid-May, and the fall season started in September and ended in November. Soccer started in March and ended in June. Soccer also had summer camps, which used some of the fields and allowed the others to rest. Soccer started again in August and went though November. Football started in mid-July and ran through November.

Gaddo continued that, historically, The Gathering Place had been unstaffed after hours, which he did not like. If the facility was expanded and if alcohol were allowed, then this policy had to change. Anytime the facility was open it should be staffed. If Option 1 were approved, then one full-time leader, two part-time leaders, and two part-time maintenance people should be added to cover the weekends and evenings. For Option 2, they would need the same staff required for Option 1 plus an additional full-time maintenance person to help keep things clean and to set up rooms.

Residents who spoke concerning the possible bond referendum included Anne Jaeckel, Nancy Brender, Larry Overton, George Kadel, Tim Lydell, Richard Spain, and Ed Toth. Their comments and concerns included the following:

- There was a need for artificial turf fields.
- More fields were needed for lacrosse.
- The Gathering Place needed to be bigger; seniors were being pushed out for other things.
- The brand of artificial turf staff presented was the most expensive. There were other products that were less expensive and were made in Georgia, which would allow the City to do more fields for the same amount of money.
- The Gathering Place was never looked at as a revenue-maker, but it should be a place residents would be proud of.
- There would be more demand for activities at The Gathering Place with the West Village senior development.
- The Fred permitted liquor so why not allow beer and wine in controlled situations at The Gathering Place.
- There were questions as to whether the replacement cost for the artificial turf was in today's dollars or in 2015 dollars.
- There were questions regarding the impact on water usage for the Bermuda turf.
- There was a question on whether there was an accurate number on people who used The Gathering Place.
- There were concerns that the City planned to spend money on recreation when it was overfunded compared to other Class B cities, and the Fire and Police Departments needed more people.
- The residents agreed that the issues should go on the ballot.
- There was a preference for the artificial turf over real turf due to maintenance and watering issues.

Rutherford questioned whether Council was doing its job asking the people to decide when Council was elected to make the hard decisions. She asked Salvatore if he had the information on the debt. Salvatore said an approval of the referendum would bring the City's annual bonded debt maintenance from $1,014,000 to $1,503,000. The total debt would increase to $3,877,000. The current debt was $3,387,000. Rutherford said the City would need $3.75 million just to pay the debt service every year before anything else was done. She said the decision should be made by the elected Council. The comments she heard had been neither pro nor con, but that she had been elected to make the decisions and was expected to do so.

Plunkett said that, if the bond passed, then the millage rate would be raised accordingly. People needed to be aware of that when they voted. Kourajian said it would be a separate issue that had nothing to do with the assessment of homes. If the bond did not pass, then it would not be collected.

McMullen clarified that the bond money and the associated millage rate to pay the annual debt service would be listed separately on the tax bills. The O&M cost would show up in the General Fund millage rate.

Logsdon said Rutherford had made a good point – Council was elected to make hard decisions. Council made a hard decision last year and pushed out The Gathering Place expansion. He did not see putting The Gathering Place expansion in the budget in the foreseeable future, but the seniors were willing to put it on a ballot and allow the citizens to vote it up or down. With a commercial kitchen and artificial turf, the citizens would pay an extra $41.58 per year for a $300,000 home just for the bond. He did not have a problem putting the items on the ballot. They would not be funded any other way.

Plunkett said she had suggested earlier that the City look for private/public partnerships, outside sources, and grants, but that was not feasible either. She said there could be a combination of tax dollars and other funding.

Rutherford asked Meeker to explain why the decision had been made to consider a referendum. Meeker said the City could not borrow money with out the approval of the citizens. This was not a revenue bond, but a general obligation bond. Rutherford said the City could also put money away every year to pay for it. Meeker said the City could build up the capital to do it.

Logsdon said that if Council agreed to put the issues on the ballot, than they must agree on the questions. The seniors had to decide on which option to put on the ballot for The Gathering Place. Plunkett said the sports associations needed to do the same thing for the BSC. Meeker said there would be two separate bond questions, but a consensus was needed on which options to go with. Council could get advice from the organizations, but Council had to make the decision on the options.

Boone agreed with the Mayor, and added that staff and citizen input was needed to come up with the options. Meeker said that a staff recommendation had been made on the BSC, but not The Gathering Place. A decision had to be made on July 19 regarding what would go on the ballot. The resolutions had to include what would go on the ballot. He had not heard a clear consensus from Council on the BSC. Council preferred the artificial turf option. Meeker clarified that, between this meeting and July 19, Council was asking staff and the various organizations to come back with a solid recommendation for The Gathering Place. Council agreed. McMullen added that what was planned for the existing facilities was not included in the bond. There would be some creep in that cost.

Plunkett clarified that she was not suggesting The Gathering Place become a money-maker, but that the fees offset the cost of the operation. Rutherford said the fees would not offset the costs 100%. None of the fees for any of the facilities did that, but the fees should be equitable across the board. The City should not unfairly charge some groups fees and not others.

McMullen said the decrease in interest for a 10-year bond for the BSC versus a 15-year bond was $548,000, and the increased cost per year for the 10-year bond would be an additional $120,000. Boone said he preferred to go with a 10-year bond if it saved the City money. He supported putting the items on the ballot.

Rutherford asked Salvatore to project the costs of the facilities and factor them into the operating budget. Kourajian said he would like both the 10-year and 15-year bond figures.

Meeker clarified what was expected at the July 19 meeting – Option 1 for the BSC, the staff and organizations were to discuss their recommendations for The Gathering Place, and the financing options for a 10-year bond and a 15-year bond. Rutherford added a more detailed projection on the O&M costs was also needed.

06-07-15 Consider Local State Route Acceptance Resolution
Borkowski said that the resolution boiled down to accepting the realigned portion of Rockaway Road for maintenance once it was completed. The resolution was combined with the County because a portion of the widening project was in the County.

Kourajian moved to authorize the Mayor to sign the resolution stating that the City would accept the realigned portion of Rockaway Road for maintenance when it was completed. Logsdon seconded. The motion carried unanimously.

06-07-16 Consider Approval of the Solid Waste Management Plan and Resolution
Rast noted that the 2007-2017 Solid Waste Management Plan for Fayette County was required by the state's minimum planning standards and procedures for solid waste management. The reported was a combined report prepared by the County's planning department with input from the different jurisdictions.

Rutherford moved to officially adopt the Solid Waste Management Plan 2007-2017 for Fayette County. Boone seconded. The motion carried unanimously.

06-07-17 Consider Bid for Natural Gas Supplier Contract
Assistant Finance Director Janet Camburn said staff recommended approval of a one-year agreement with Coweta-Fayette EMC Natural Gas for the natural gas for City facilities. Boone moved to approve Coweta-Fayette EMC Natural Gas for a one-year agreement. Kourajian seconded. The motion carried unanimously.

06-07-18 Consider Approval of Service Delivery Strategy with Fayette County Board of Commissioners
Logsdon noted there was an additional document on the dais – a copy of the changes to the agreement.

McMullen said all of the city managers and the county administrator met earlier in the week to look at the changes and all were in agreement. The other jurisdictions would be proposing the same changes. The most significant change was the funding for the EMS. The County would fund the EMS through a designated tax district, which would resolve the City's issues. The tax district would begin on July 1.

Rutherford noted that the County, Fayetteville, Tyrone, Brooks, and Woolsey would assess a fire impact fee for all new construction. She said the sentence that noted that what the fee would be used for had been crossed out. McMullen said the sentence was an inaccurate statement for what the impact fees could be used for. Rutherford asked if the City charged impact fees for commercial projects. McMullen said it did not. Rutherford asked if the City had ever considered it. McMullen said he did not know.

Rutherford moved to approve the revised service delivery strategy document and authorize the Mayor to sign with the additional modifications. Boone seconded. The motion carried unanimously.

06-07-19 Consider Cancelling July 5th Regular Meeting

Rutherford said she thought the cancellation was because there would not be a quorum. If everyone was in the City, she preferred to meet rather than having a packed agenda on July 19. McMullen said he understood it was Council's desire to cancel the meeting. There were only three or four items that could be moved to July 5. Rutherford said packing an agenda was not the best way to do town business.

Plunkett asked if a 30-minute meeting was anticipated on July 5. Logsdon noted that a lot of the public would be on vacation. McMullen read the items on the July 19 agenda and noted that two of the items could move to July 5. Rutherford asked if future meetings with only two items of business should be cancelled. Kourajian and Plunkett said they should. Rutherford said maybe they should look at meeting only once a month long term. Logsdon said there was usually enough business to meet twice a month, but occasionally there was not.

Plunkett moved to cancel the July 5th regular meeting. Kourajian seconded. The motion carried 4-1 (Rutherford).

06-07-20 Consider Street Light Installation for Phase 1 SR 74 Widening

Logsdon noted there was an additional document on the dais – a memo to Mayor and Council from the City Engineer dated June 18, 2007, with the subject, "Street Light Installation for Phase 1 SR 74 Widening."

Borkowski said staff recommended Council approve the proposal from C.W. Matthews Contracting Company for an amount not to exceed $46,612.90 for the installation of the street lights on SR 74. Rutherford clarified that these were the street lights, not the signal lights. Borkowski said that was correct.

Rutherford moved to approve the street light installation for Phase 1 SR 74 widening. Boone seconded. The motion carried unanimously.

<u>Council/Staff Topics</u>

WASA Update

Wade Williams, the secretary/treasurer of WASA, introduced the board members attending the meeting. General Manager Larry Turner gave a presentation on WASA's budget. (A copy of the PowerPoint is included in the official meeting file.) He said they were right on target as far as projections and expenditures. He noted that WASA received the gold award for complete and consistent NPDES permit compliance for calendar year 2006 from the Georgia Association of Water Professionals for both the Line Creek and Rockaway Road wastewater treatment facilities. Asset management was an ongoing project, and they were in the process of building a database tied to the GIS system that tracked customer complaints and maintenance issues. The problem areas would be shown graphically. WASA was also looking at putting in lines to the West Village for residential reuse water. Residents would have unlimited irrigation water for a flat fee per month, which was beneficial to WASA and conserved water. Boone asked if that could be done in other subdivision. Turner said it would not be economically feasible since they would have to retrofit older subdivisions with reuse lines. There would be little or no expense to put in the lines for new areas. Rutherford asked if the reuse water was used on the athletic fields. Turner said that while the water was totally acceptable for use on athletic fields, there was a psychological problem to overcome. It had been discussed. The reuse water could be provided at minimum expense, and WASA would like to do that. Rutherford said she would like further discussion on the topic. Turner said that Planterra Golf Course watered with the reuse water.

Recycling Program Update
Public Services Director Tom Corbett said he had good news. He found that the current recycler would accept pizza box cardboard, thin cardboard (cake boxes, cereal boxes), and steel and tin cans. They were getting a lot at the Recycling Center and the Public Works yard. They were also getting a lot of electronics. The cardboard recycling would be added at the Public Works yard, but had to build a trailer first. There was a good price on cardboard now. The magazine recycler now paid $10 per ton for magazines. Braelinn Village had a private program that accepted aluminum cans, plastics, newspapers, magazines, cardboard, and mixed paper. Corbett said they were still investigating additional recycling sites. The obstacles included the reluctance of the recyclers to add another site and the use of space. Rutherford asked Corbett to look at the access to the electronics trailer. She noted that it was tilted, and someone could get hurt. Corbett said the recycler had been alerted and was aware of the problem. Plunkett said the program needed to be advertised. Corbett said there was something going in the next **Update.** Rutherford asked Corbett to continue looking into glass. Corbett said the problem with glass was that it could not be mixed and a site would have to be monitored. Rutherford said that might be a way to earn stormwater credits and volunteers could be recruited.

Update on Tourism Association – Minutes & Events
Executive Director Lauren Yawn said the board's meeting agendas were normally sent to the Board of Directors and the media. Agendas were posted at City Hall. The minutes were sent by e-mail and hard copy to the Board of Directors and the recording secretary at City Hall. Per Council's request, Council would also be sent the agendas and minutes in the future.

Yawn continued that the second Southside Slugfest was scheduled for June 23. Individual ticket sales for the second concert series would begin on June 25. There were a lot of summer activities at the Tennis Center. A free movie, ***Dr. Dolittle***, was scheduled at The Fred on July 3.

Kourajian said if he were in town for the Slugfest that he would go again. He asked Yawn if she recalled Council's request to bring future such events to the Council. There was a lot of concern in the community. The last one was successful, the recap was good, and the crowd was well-behaved. However, Council had specifically asked that Yawn come to Council prior to putting on another event. Kourajian noted that he had been contacted by another promoter, and Kourajian told him nothing was planned. Yawn said that promoter was working with the Slugfest promoter on the upcoming event. Corey Nestlehutt said he had attended the May 3 meeting to touch base with the Council Members. He continued that he had spoken to Kourajian and Rutherford that night. He also called the Mayor. Rutherford noted that it had not been on the agenda and was never voted on. Plunkett said that members could not speak for each other. In the future, it should be on an agenda. Nestlehutt said the date was locked down late. They only had four weeks to promote the event and had sold 2,000 tickets to date. Rutherford said the public did not have an opportunity to be part of the decision either, and it was their amphitheater.

Rutherford moved to convene in executive session for threatened or pending litigation and personnel. Kourajian seconded. The motion carried unanimously.

City of Peachtree City
Minutes of Special Called Meeting
July 5, 2007
10:45 a.m.

The City Council of Peachtree City met in a Special Called Meeting on Thursday, July 5, 2007, at 10:50 a.m. Council Members attending were: Mayor Harold Logsdon, Steve Boone, Stuart Kourajian, Judi Rutherford, and Cyndi Plunkett. The purpose of the meeting was to hold an executive session to discuss personnel issues.

Kourajian moved to convene in executive session. Plunkett seconded. The motion carried unanimously.

Rutherford moved to reconvene in regular session. Kourajian seconded. The motion carried unanimously.

No action was taken.

Rutherford moved to adjourn. Kourajian seconded. The motion carried unanimously. The meeting adjourned at 12:05 p.m.

Betsy Tyler, Acting City Clerk

Harold K. Logsdon, Mayor

Pamela Dufresne, Recording Secretary

2007 City Event Calendar

July	August	September
7/4 – Independence Day – City offices closed, Parade & Fireworks 7/9 – Lexington Circle Workshop, Dev. Authority, Council, Planning Commission, 6:30 pm 7/12 – City Council Budget Workshop, 6:30 p.m. 7/19 – City Council Meeting, 7 pm	8/2 – City Council Meeting, 7 pm 8/7 – City Council Workshop (Tentative), 6:30 pm 8/16 – City Council Meeting, 7 pm 8/25 – Kidz' Fest, 11 am – 3 pm, Shakerag Knoll	9/3 – Labor Day, City offices closed 9/4 – City Council Workshop (Tentative), 6:30 pm 9/6 – City Council Meeting, 7 pm 9/15&16 – Shakerag Arts & Crafts Festival 9/20 – City Council Meeting, 7 pm
October	**November**	**December**
10/2– City Council Workshop (Tentative), 6:30 pm 10/4 – City Council Meeting, 7 pm 10/6 & 7 – Touch the World in PTC 10/13 & 14 – Great Georgia Air Show 10/18 – City Council Meeting, 7 pm 10/20 – PTC Classic Road Race	11/1 – City Council Meeting, 7 pm 11/3 –Chili Cook-Off 11/6– City Council Workshop (Tentative), 6:30 pm 11/15 – City Council Meeting, 7 pm 11/22 & 23 – Thanksgiving Holiday, City offices closed	12/1 – Hometown Holiday 12/4– City Council Workshop (Tentative), 6:30 pm 12/6 – City Council Meeting, 7 pm 12/20 – City Council Meeting, 7 pm 12/24 & 25 – Christmas Holiday, City offices closed

2008 City Event Calendar

January	February	March
1/1 – New Years Day, City offices closed **1/5 – Christmas Tree Recycling** 1/4 - City Council Meeting, 7 pm 1/18 - City Council Meeting, 7 pm 1/21 – MLK Day – City offices closed	2/5 – City Council Workshop (Tentative), 6:30 pm 2/7 – City Council Meeting, 7 pm 2/21 - City Council Meeting, 7 pm	3/4 – City Council Workshop (Tentative), 6:30 pm 3/6 – City Council Meeting, 7 pm 3/20 - City Council Meeting, 7 pm
April	**May**	**June**
4/1 – City Council Workshop (Tentative), 6:30 pm 4/3 – City Council Meeting, 7 pm 4/17 – City Council Meeting, 7 pm	5/1 – City Council Meeting, 7 pm 5/6 – City Council Workshop (Tentative), 6:30 pm 5/15 – City Council Meeting, 7 pm 5/26 – Memorial Day, City Offices Closed Memorial Day Celebration	6/3 – City Council Workshop (Tentative), 6:30 pm 6/5 – City Council Meeting, 7 pm 6/19 – City Council Meeting, 7 pm

*Note: Items in **BOLD** are new additions* — *Updated 7/12/07*

ADMINISTRATIVE SERVICES
MONTHLY REPORT

For Month of: ***May 2007***

	April-07	May-07	FY 2007 YTD	FY 2006 YTD
Human Resources				
Workers Compensation Claims Filed	0	**2**	**16**	16
City Vehicle / Equipment Accidents	2	**2**	**17**	8
Lawsuit Legal Fees	$8,276.33	**$5,720.58**	**$51,192.48**	$59,744.83
Municipal Court				
Fines Collected	$124,400.00	**$127,818.65**	**$937,529.95**	$982,659.91
Online Transactions	147	**166**	**1,247**	1,350
Citations Closed	582	**830**	**4,885**	5,773
Jail Fund Balance	$5,786.76	**$6,781.98**	**$112,681.72**	$85,917.79

** Approximately 33% of the Municipal Court Fines Collected reflect mandated add-ons that pass through to State and other agencies.*

*** A positive Jail Fund Balance reflects a credit with the County based on jail fees paid versus number of prisoners housed*

Public Information

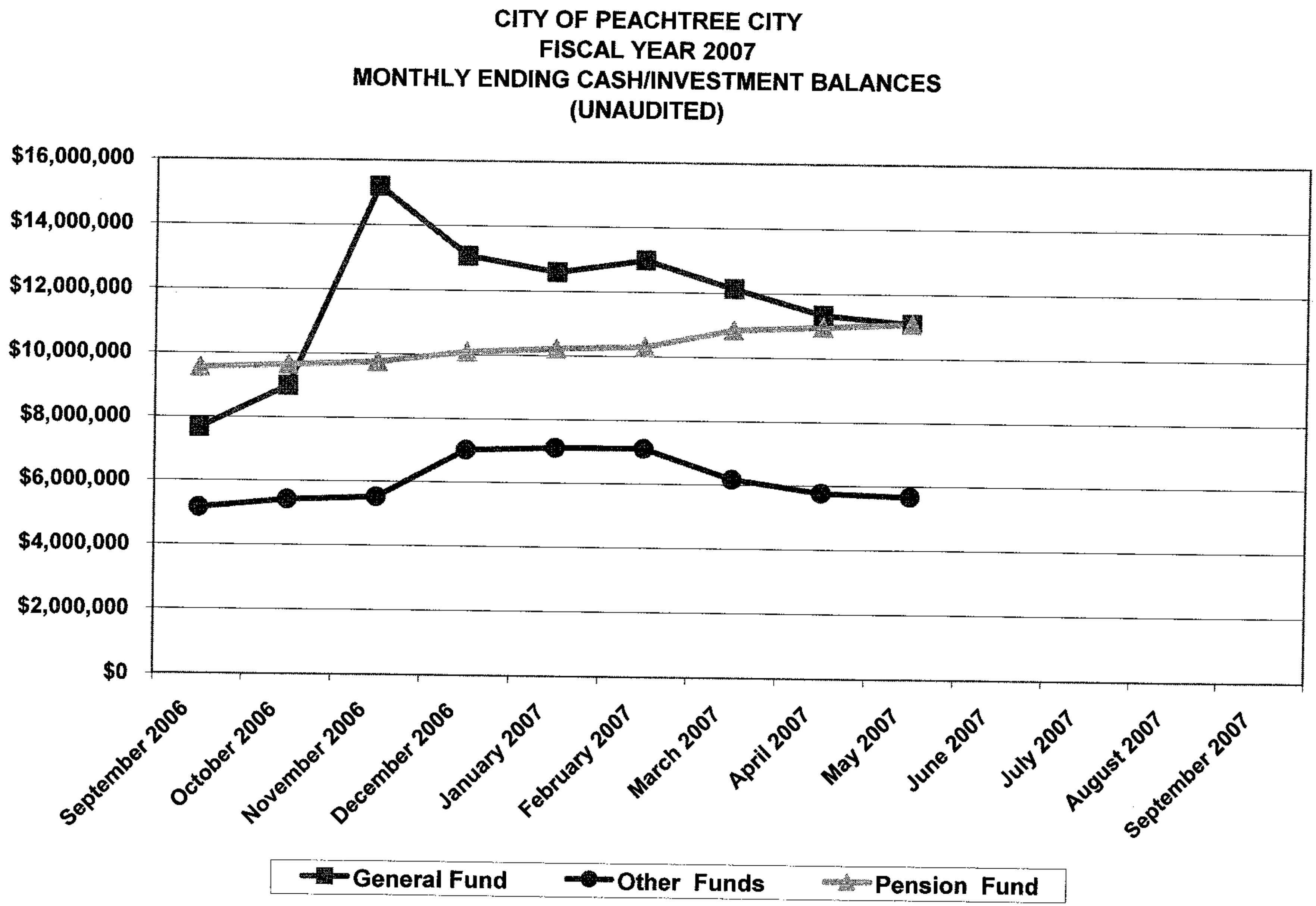
	April-07	May-07	FY 2007 YTD	FY 2006 YTD
New Businesses Registered	34	**30**	**252**	230
Public Contacts, Questions & Complaints	66	**81**	**582**	648

This includes 10 complaints against Comcast Cable Company, 3 sanitation company complaint, and 6 Open Records/Discovery Requests.

PEACHTREE CITY BUILDING DEPARTMENT
FY 2007

	Apr-07	May-07	Fiscal Y-T-D 2007	Fiscal Y-T-D 2006
DEVELOPMENT PERMITS:	11	11	56	115
BUILDING PERMITS:				
Single Family Residential	4	5	58	110
Multi-Family Residential	0	0	0	0
Misc.-Pools/fences/additions	60	85	411	408
Commercial/Industrial	12	12	99	113
TOTAL INSPECTIONS:	545	510	4,319	4,774
CERTIFICATE OF OCCUPANCY:				
Residential	5	5	55	74
Commercial	5	6	46	35
Multi-Family Residential	0	0	0	0
CODE ENFORCEMENT:				
Sign Violations	76	98	1,017	1596
Rehab	13	19	123	128
Notice of Violations	281	582	1,949	1920
Citations	5	7	25	18
Stop Work Orders	0	7	51	89
Complaints From Citizens	27	29	163	146
PERMIT FEES COLLECTED:	23,476	49,606	258,226	398,514
POPULATION:	36,166	36,176	36,176	35,962

Based on 2.09 of completed occupancy



CITY OF PEACHTREE CITY
FISCAL YEAR 2007
MONTHLY ENDING CASH/INVESTMENT BALANCES
(UNAUDITED)
$16,000,000
$14,000,000
$12,000,000
$10,000,000
$8,000,000
$6,000,000
$4,000,000
$2,000,000
$0
September 2006
October 2006
November 2006
December 2006
January 2007
February 2007
March 2007
April 2007
May 2007
June 2007
July 2007
August 2007
September 2007
General Fund
Other Funds
Pension Fund

CITY OF PEACHTREE CITY
GENERAL GOVERNMENTAL FUNDS BUDGET COMPARISON (UNAUDITED)
FOR THE EIGHT MONTHS ENDED MAY 31, 2007

PERCENTAGE OF BUDGET YEAR COMPLETED 66.7%

GENERAL FUND REVENUES BY MAJOR CATEGORIES

Description	2007 Budget	YTD Actual	Dollar Difference	Percentage To-Date
General Property Taxes	$ 10,094,474	$ 9,705,674	$ (388,800)	96.15%
Franchise Taxes	2,191,127	1,836,488	(354,639)	83.81%
Local Option Sales Tax	7,046,292	4,689,946	(2,356,346)	66.56%
Other Sales & Use Taxes	652,642	440,562	(212,080)	67.50%
Business Taxes	2,086,038	2,116,506	30,468	101.46%
Licenses & Permits	956,294	631,975	(324,319)	66.09%
Grants	204,966	124,059	(80,907)	60.53%
Charges for Services	1,181,932	617,942	(563,990)	52.28%
Fines & Forfeitures	1,140,817	664,441	(476,376)	58.24%
Investment Income	428,565	427,395	(1,170)	99.73%
Other Revenue	9,227	15,176	5,949	164.47%
Other Financing Sources	573,193	204,546	(368,647)	35.69%
Total General Fund Revenues	**$ 26,565,567**	**$ 21,474,710**	**$ (5,090,857)**	**80.84%**
Surplus Carryover	513,462	-		
Total General Fund	**$ 27,079,029**	**$ 21,474,710**		

GENERAL FUND EXPENDITURES BY DIVISION AND/OR TYPE

Division and/or Type	2007 Budget	YTD Actual	Dollar Difference	Percentage To-Date
Executive Services	$ 482,855	$ 296,674	186,181	61.44%
Administrative Services	1,032,759	645,909	386,850	62.54%
Financial Services	899,152	608,681	290,471	67.70%
Police Services	5,568,253	3,403,331	2,164,922	61.12%
Fire/EMS Services	5,296,407	3,250,500	2,045,907	61.37%
Public Works	4,140,279	2,520,398	1,619,881	60.88%
Leisure Services	4,965,003	2,972,641	1,992,362	59.87%
Developmental Services	1,332,497	852,481	480,016	63.98%
Non-Divisional:				
Council Contingency	94,760	-	94,760	0.00%
Non-Profit Organizations	20,000	20,000	-	100.00%
Transfer to Development Authority	35,000	35,000	-	100.00%
Transfers to Other Funds	3,371,202	2,219,932	1,151,270	65.85%
Liability Insurance	80,835	54,995	25,840	68.03%
Legal Services	162,880	74,634	88,246	45.82%
General Administration/Bad Debt Expense	70,081	438	69,643	0.62%
Other	(472,934)	-	(472,934)	0.00%
Total General Fund	**$ 27,079,029**	**$ 16,955,614**	**$ 10,123,415**	**62.62%**

HOTEL/MOTEL FUND REVENUES

Description	2007 Budget	YTD Actual	Dollar Difference	Percentage To-Date
Total Hotel/Motel Taxes	**$ 1,092,291**	**$ 601,867**	**$ (490,424)**	**55.10%**

HOTEL/MOTEL TRANSFERS OUT

Type	2007 Budget	YTD Actual	Dollar Difference	Percentage To-Date
Transfer to General Fund	$ 364,097	$ 200,622	$ 163,475	55.10%
Transfer to Tourism Association	728,194	401,245	326,949	55.10%
Total Hotel/Motel Transfers Out	**$ 1,092,291**	**$ 601,867**	**$ 490,424**	**55.10%**

CITY OF PEACHTREE CITY
FINANCIAL SERVICES MONTHLY REPORT (UNAUDITED)
AS OF MAY 31, 2007

SUMMARY OF MAJOR EXPENDITURES BY CITY MANAGER
MAY 2007

Description	Vendor	Award	Date
Grinding & Removal Services	Tag Grinding	$ 22,083.00	05/10/2007
Design Drainage Channel - Flat Creek Villas Development - Stormwater Fund	Integrated Science & Engineering	19,900.00	05/16/2007

PURCHASING REPORT
FOR MONTH ENDED MAY 31, 2007 AND MAY 31, 2006

Activity	Fiscal Year 2007	Fiscal Year 2006
Purchase Orders / Requisitions Processed	266	242
City Store Requisitions Processed	10	10
Sealed Bids Requested	3	3
Requests for Proposals	0	1
Bids Awarded	5	3
Requests for Proposals Awarded	3	3
Contracts Prepared	6	4
Fixed Assets Purchased	12	4

INFORMATION TECHNOLOGY REPORT
MAY 2007 AND YEAR-TO-DATE

Activity	Current Month	Fiscal Year 2007
Work Orders Created	114	788
Work Orders Closed	111	738
Work Orders Open	3	44
Project Work Orders	11	614
Technical Support	101	756
Website Visits	91,641	605,578

PEACHTREE CITY FIRE/EMS DEPARTMENT
2007 MONTHLY REPORT

	Mar. 07	Apr. 07	May. 07	2007 FY-T-D	2006 FY-T-D
FIRE/ACCIDENT CALLS					
Actual Residential Fires	0	5	2	17	18
Actual Business/Industrial Fire:	1	1	1	8	6
Rescue/EMS Assist	132	124	157	1137	1168
Vehicle/Golfcart Accidents	37	16	25	175	202
False Alarms	22	30	18	194	167
[1]Other	32	24	31	218	197
Total Engine Response	224	200	234	1749	1758
Dispatched Fire Calls	58	66	57	475	417
Response Time Fire	4:50	4:52	5:37	5:00	4:46
RESCUE/EMS					
Trauma	35	27	42	282	484
Medical	169	106	172	1138	969
Total # Patients	204	133	214	1420	1453
Patients Transported	98	72	100	717	668
Dispatched EMS Calls	167	133	178	1272	1352
[2]Total Medic Response	216	212	247	1744	1855
Response Time EMS	4:14	4:26	4:26	4:33	4:12
Dispatched Fire/EMS Total	225	199	235	1747	1769
EMS BILLING					
Patients Billed	81	62	68	569	596
Revenue Generated	34,203	25,691	29,550	234,462	234,004
[3]Total Revenue Received	21,382	21,596	28,909	178,636	184,930

[1]Other miscellaneous responses; gas and water leaks, hazmat spills, etc.

[2]Includes Fire Assist Responses

[3]Revenue Received on All Outstanding Accounts

LEISURE SERVICES MONTHLY REPORT

May-07

Activity Description	Unit	May 07	FY 2007 YTD	FY 2006 YTD
Library				
Books Circulated	number	36,382	256,565	157,029
Internet Usage	visits	3,824	27,241	20,421
Computer Lab Use	hours	24	226	374

***Low use due to holidays**

Recreation

Class/Program Revenue	$	$4,377	$23,880	$22,665
Playing Surface Mowing	hours	489	1,887	1,898
Playing Field Preparations	hours	863	5,144	5,101
Building Maintenance	hours	498	3,545	3,502
Safety Inspections	visits	50	400	400
Litter Removal	hours	328	2,356	2,262
Complaints answered	number	1	7	15

PEACHTREE CITY POLICE DEPARTMENT
2007 MONTHLY REPORT

	MAY 2007	APRIL 2007	2007 CYTD	2006 CYTD
PART I CRIMES				
Criminal Homicide	0	0	0	0
Rape	0	0	0	0
Robbery	1	0	2	1
Aggravated Assault	1	0	2	2
Arson	0	0	0	0
Motor Vehicle Theft	5	9	23	21
Theft	25	21	95	131
Burglary	1	4	15	11
TOTAL PART I CRIMES	**33**	**34**	**137**	**166**
ALCOHOL/DRUG ARRESTS				
DUI – TOTAL	17	17	81	88
DUI – ADULT	15	14	73	81
DUI – UNDERAGE	2	3	8	7
MINOR IN POSSESSION OF ALCOHOL	1	1	17	26
DRUG ARRESTS:				
MARIJUANA	7	1	20	26
METHAMPHEDIMINE	0	0	4	1
COCAINE	0	0	0	3
OTHER (opium, etc)	0	2	7	0
ARRESTS				
PROPERTY CRIMES	10	11	58	59
PERSON CRIMES	9	8	34	21
CITY ORDINANCES	39	34	153	188
TRAFFIC OFFENSES	34	43	253	298
OTHER	44	46	230	250
AVERAGE RESPONSE TIME	5.47	5.55	5.48	5.56
CALLS ANSWERED	**5,766**	**5,340**	**27,453**	**29,982**

TRAFFIC				
CITATIONS ISSUED	647	536	3,217	3,248
WARNINGS	585	482	3,190	2,378
ACCIDENTS	115	81	511	483

TOP 5 ACCIDENT LOCATIONS – MONTH

HWY 54 / HWY 74	6
HWY 54 / PEACHTREE PARKWAY	6
HWY 74 / CROSSTOWN ROAD	5
HWY 54 / ROCKAWAY ROAD	5
HWY 54 / COMMERCE DRIVE	5

TOP 5 ACCIDENT LOCATIONS – Y T D

HWY 54 / HWY 74	44
HWY 54 / PEACHTREE PARKWAY	18
HWY 74 / CROSSTOWN ROAD	15
HWY 54 / PLANTERRA WAY	14
HWY 74 / ROCKAWAY ROAD	13

PUBLIC SERVICES MONTHLY REPORT
MAY 2007

Activity Description	Unit	May- 07	FY 2007 YTD	FY 2006 YTD
Street Patching	Hrs.	410	1,419	1,631
Street Crack Sealing	Hrs.	20	440	518
Drainage Maintenance	Hrs.	314	3,019	1,021
Street Sweeping	Hrs.	0	276	335
Cart Path Paving	Ft.	4,822	26,676	29,816
Cart Path Prepped For Paving	Ft.	4,227	11,380	13,009
Cart Path Litter Removal	Hrs.	135	856	986
Cart Path Drainage Maintenance	Hrs.	85	1,127	1,741
R.O.W. Mowing	Hrs.	721	2,506	1,697
R.O.W. litter Removal	Hrs.	395	3,967	3,223
General Maintenance	Hrs.	171	1,996	2,656
Mowing (Subdivision Entrances)	Hrs.	773	2,594	2,911
Landscape Maintenance	Hrs.	57	761	601
Landscape Planting/Mulching	Hrs.	0	2,254	3,670
Subdivision Sign Maintenance	Hrs.	82	649	184
Traffic Sign Maintenance	Hrs.	63	735	1,325
Vandalism Repairs	Hrs.	16	240	41
Vandalism Repairs	Dls.	300	3,953	1,046
Citizen Requests Answered	Num.	80	560	539
Community Service	Hrs.	0	40	160

RECYCLING SITE

Manhours	Hrs.	65	392	540
PARTICIPANTS				
Recycling	Num.	286	1,937	1,896
Composting	Num.	1,414	7,293	8,093
Mulch Pick Up	Num.	106	475	798

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor and Council**

VIA: **City Manager**

FROM: **Acting City Clerk**

DATE: **July 13, 2007**

SUBJECT: **Alcohol License – Change in Licensee and License Representative – Smokey Bones Barbeque & Grill**
July 19, 2007, Regular Council Meeting

Recommendation:

Staff recommends Council consider the attached application for a change in alcohol license.

Discussion:

Smokey Bones Barbeque & Grill, a restaurant located at 100 Market Place Boulevard, has submitted an application for change in the alcoholic beverage license. Mr. Robert Morris has requested he be appointed as the Licensee and as the License Representative. Mr. Morris will attend the meeting on Thursday, July 19, to answer any questions you may have.

Budgetary Impact:

The change will have no impact on the budget.

BT:pd

Attachments

PEACHTREE CITY
PLAN TO STAY™

CITY HALL
151 WILLOWBEND ROAD
PEACHTREE CITY, GA 30269
PHONE: 770-487-7657
FAX: 770-631-2505
WWW.PEACHTREE-CITY.ORG

Application For Alcoholic Beverage License

Business Name: SMOKEY BONES BARBEQUE & GRILL #7568	Business Location: 100 MARKET PLACE BLVD., PEACHTREE CITY, GA 30269	
Nature of Business: FULL SERVICE RESTAURANT	Mailing Address: ATTN: LICENSING, PO BOX 593330 ORLANDO, FL 32859-3330	Business Phone Number: 678/364-8460
Name of Licensee: ROBERT A. MORRIS	Home Address: 6041 GROVEGATE LANE TUCKER, GA 30084	Home Phone Number: 404/273-7783
Name of License Representative: SAME AS LICENSEE	Home Address: SAME AS ABOVE	Home Phone Number: 404/273-7783

Please indicate type of licenses applying for:

Retail Consumption Dealer		Retail Package Dealer		Wholesale Dealer	
✓	Malt Beverage		Malt Beverage		Malt Beverage
✓	Wine		Wine		Wine
✓	Distilled Spirits		Distilled Spirits		Distilled Spirits

Please complete information below (use separate sheet if necessary):

NAME Individual Owner's Name, Partners' Names, Corporation Name and the name of the name of a Contact Person regarding License Changes, Taxes, etc.	ADDRESS Please provide Home Addresses for the individuals listed:	PHONE NUMBERS Please provide Home and Business Phone Numbers for individuals listed:
SEE ATTACHED LIST OF OFFICERS AND DIRECTORS		

Is any person who owns an interest in the license an employee of the City of Peachtree City? YES NO

If YES, Please Provide Name of Employee: ____________________

GMRI, INC.
PRINCIPAL OFFICERS AND DIRECTORS
as of 10/03/05

Address all official correspondence to any of the Corporate Officers below to:
P.O. Box 593330, Orlando, FL 32859-3330

Officers can be reached at 407/245-4000

Name	**Title**	**Residence**
Laurie B. Burns	President, Director	403 E. Amelia St. Orlando, FL 32803
William R. White, III	V.P., Treasurer	1524 Anchor Ct. Orlando, FL 32804
George T. Williams	Vice President/ Secretary	651 Lake Catherine Dr Maitland, FL 32751
E. Charlene Abney	Assistant Secretary	245 Golf Course Parkway Davenport, FL 33837

(GMRI, Inc. is a wholly owned subsidiary of Darden Restaurants, Inc., which owns 100% of GMRI, Inc. stock)

AFFIDAVIT

I, E. Charlene Abney, Assistant Secretary for GMRI, Inc. do hereby certify that:

1) Robert A. Morris has been appointed the Registered Agent for GMRI, Inc. d/b/a Smokey Bones Barbeque & Grill #7568 located at 100 Market Place Blvd., Peachtree City, GA 30269.

E. Charlene Abney 06/28/07
Signature Date
E. Charlene Abney, Assistant Secretary

STATE OF FLORIDA

COUNTY OF ORANGE

Sworn to and subscribed before me, on

this 28th day of June 2007

Doris M. Ready
Notary Public Doris M. Ready

My Commission Expires: 06/17/2009

NOTARY PUBLIC-STATE OF FLORIDA
Doris M. Ready
Commission #DD431626
Expires: JUNE 17, 2009
Bonded Thru Atlantic Bonding Co., Inc.

PEACHTREE CITY
PLAN TO STAY™

City Hall
151 Willowbend Road
Peachtree City, GA 30269
Phone: 770-487-7657
Fax: 770-631-2505
www.peachtree-city.org

State of Georgia

City of Peachtree City:

I, James V. Murray, Chief of Police, for the City of Peachtree City, do hereby certify that:

Robert A. Morris
Name

6041 Grovegate Lane Tucker, GA 30084
Address

has been investigated and found not to have been convicted of, nor to have entered a plea of nolo contendre, to any felony or misdemeanor relating to the sale or use of alcoholic beverages or illegal drugs within five (5) years prior to the date of the application for this license.

James V. Murray
Signature

July 12, 2007
Date

Major R.M. DuBree
Witness

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor and Council members**

VIA: **City Manager**
Assistant City Manager
Financial Services Director P.S.
Assistant Financial services Director
Purchasing Agent

FROM: **Public Services Director**

DATE: **July 2, 2007**

SUBJECT: **Bids for Hydraulic Excavator**

July 19, 2007 City Council Agenda

Recommendation: Staff recommends the purchase of a Kubota KX121-3 Hydraulic Excavator with specified OPTIONS from Wade Tractor & Equipment of Griffin, Georgia, for the bid price of $41,743.00.

Discussion: The City advertised for bids for this Hydraulic Excavator on April 27, 2007. Five (5) bids were received and opened on May 24, 2007, with the following responses:

Perimeter Bobcat (Lake City, GA)	$37,617.40
Vermeer Southeast (McDonough, GA)	$38,870.00
Wade Tractor & Equipment (Griffin, GA)	**$41,743.00**
Briggs Construction equipment (Lawrenceville, GA)	$48,070.00
Yancey Brothers (McDonough, GA)	$52,770.00

Three of the five bidders complied with all of the published specifications. The apparent low bidder (Perimeter Bobcat) did not meet the specification for the articulating (flexible angle) dozer bland, which is one of the primary reasons for having this piece of equipment. The second-lowest bidder (Vermeer Southeast) did not meet the specification for either the articulating blade or for the engine horsepower. The equipment offered by Wade meets all of our published specifications.

Budget Impact: $47,005 was budgeted for this piece of equipment in storm water account **#521-4250-54-2100** to cover the cost of this item.

Attachments

CITY OF PEACHTREE CITY
BID TABULATION SHEET

BID TITLE: Excavator

DATE: May 24, 2007

BUDGET:

BIDS OPENED BY: Charlotte Beaver

WITNESSED BY: Angela Egan

TIME COMPLETED: 3:40

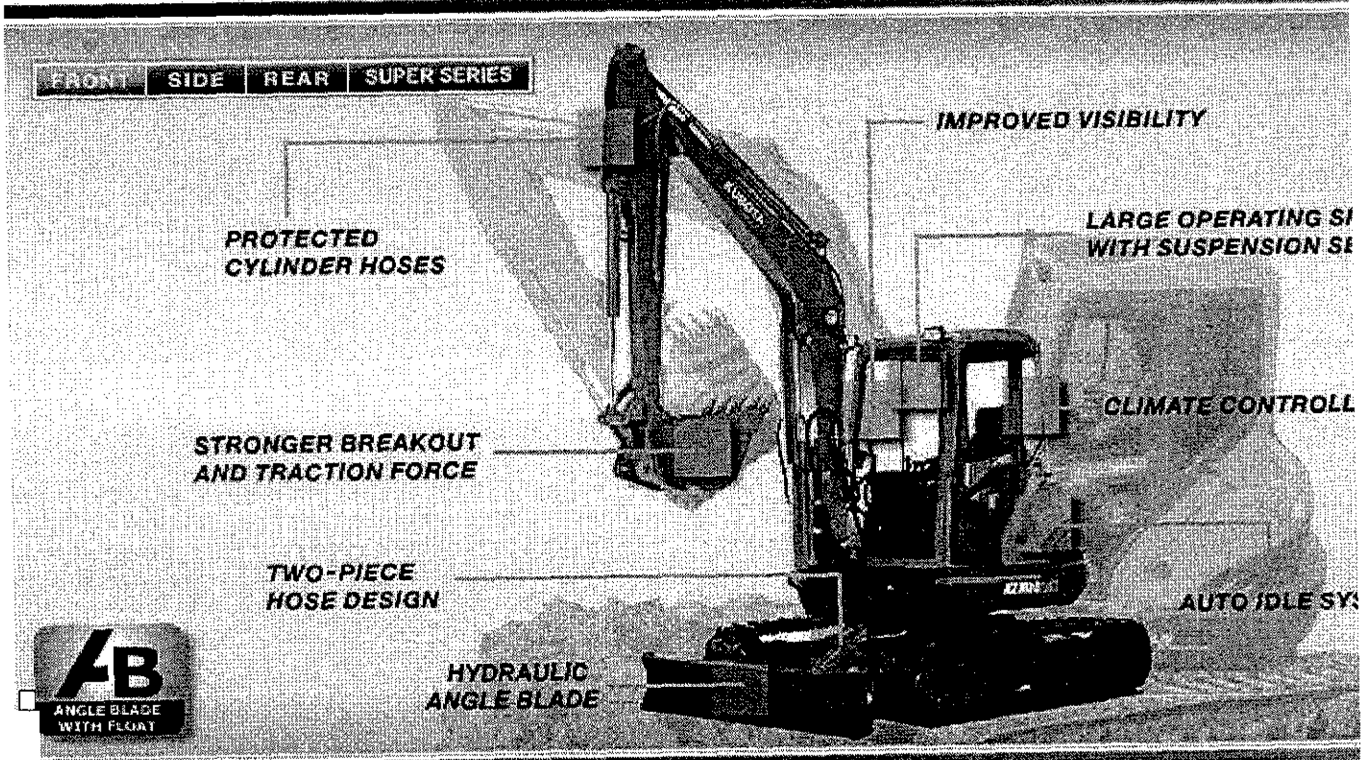
BIDDER NAME	MAILING ADDRESS	BID AMOUNT	BOND	MISC. INFO
Reynolds-Warren Eq. ~~Co~~. Co. Inc	1945 Forest Pkwy	no bid		
	Lake City, GA 30260			
Vermeer Southeast	305 Racetrack Rd	$38,870.00		
	McDonough, GA 30252	$38,870.00		
Yancey Brothers	187 Interstate S. Dr.	$48,374.00		
(Cat)	McDonough, GA 30253	$52,770.00		
Perimeter Bobcat	1637 Forest Pkw	$35,577.72		
	Lake City GA 30260	$37,617.40		
Wade Tractor & Eq.	1218 Enterprize Way	$38,368.00		
(Kubota)	Griffin, GA 30224	$41,743.00		
Briggs Const Eq.	305 Equipment Ct	$45,588.00		w/steel tracks
	Lawrenceville GA 30045	$44,038.00		w/out " "
	(options)	$48,070.00		

Products Dealers Finance Support Safety About Kubota Contact Us

KX series

KX121-3/KX161-3

▸ Features ▸ Specifications ▸ Competitive Comparison ▸ Attachments ▸ Prior Models



Kubota Tractor Corporation and its affiliated companies supply products and services to customers who are residents of the United States. If you seek regarding products or services outside the United States, see this listing of Kubota International Offices: Kubota Corporation, Japan.
For technical issues and comments pertaining to kubota.com please contact the Webmaster.

Kubota

KX Compact Excavators KX121-3/KX161-3

MODEL		Unit	KX121-3S	KX161-3S
Type of ROPS / FOPS			Canopy/Cab	Canopy/Cab
Type of tracks			Rubber	Rubber
Engine	Model		Kubota V2203-M	Kubota V2403-M
	Horsepower	HP/rpm	42.0 / 2250	47.0 / 2200
	Displacement	cu. in.	134.1	148.5
Dimension	Overall length	in.	200.4	218.1
	Overall height	in.	98.2 / 97.6	100
	Overall width	in.	66.9	77
	Min. ground clearance	in.	13	12.6
Working range	Max. digging height	in.	213.3	225
	Max. dumping height	in.	153.1	164
	Max. digging radius @ ground	in.	215.6	241
	Max. digging depth	in.	138	151
	Max. vertical digging depth	in.	97.6	102
Hydraulic System	Pump capacity	GPM	25.0	31.4
	Auxiliary hydraulic flow rate	GPM	15.9	19.3
	Max. bucket breakout force	lbs	8754	11118
Drive System	Traveling speed (low/high)	mph	1.7 / 3.1	1.6 / 2.9
	Max. traction force	lbs	9063	12861
	Under carriage shoe width	in.	13.8	15.7
	Ground contact pressure	psi	4.41	4.27
Swing System	Unit swing speed	rpm	9.4	9.3
	Boom swing angle (L / R)	degree	80 / 50	80 / 50
	Blade width x height	in.	67.0 x 13.8	77.0 x 14.2
	Max. lift above ground	in.	15.7	17.9
	Max. drop below ground	in.	15.9	14.8
Fuel reservoir		gal. (L)	16.9 (64)	18.5 (70)
Hydraulic oil (reservoir/system)		gal. (L)	11.6 (44) / 17.7 (67)	11.6 (44) / 17.7 (67)
Operating weight including operator's weight of 175lbs.	Canopy Rubber	lbs (kg)	9063 (4110)	11532 (5230)
	Cab Rubber	lbs (kg)	9261 (4200)	11698 (5305)

All standard equipment in base model machines except where noted.

For your safety, KUBOTA strongly recommends the use of a Rollover Protective Structure (ROPS) and seat belt in almost all applications.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor & Council Members**

FROM: **City Manager**

DATE: **July 12, 2007**

SUBJECT: **West Village Naming Committee Appointments**
July 19, 2007, City Council Meeting

Recommendation:

That Council appoint the committee to develop three possible names for Peachtree City's West Village from the final list of volunteers to be provided on July 19.

Discussion:

At the June 7 Meeting, Council voted to accept applications for committee membership through July 19. Staff is still receiving online applications, and will provide a complete list of names at the meeting.

At that time, Council also recommended that one representative be appointed from each of three neighborhoods in the West Village: Centennial, Wynnmeade, and Planterra Ridge. Those three neighborhoods were listed in the original proposal in June because they had active homeowner associations asked to provide a representative. Following the proposed change in makeup of the committee, Council retained the three specific neighborhoods but invited interested members of the public to sign up if they would like to participate. Staff has received comments from residents of Cardiff Park, Cedarcroft, and Chadsworth, also located in the West Village, also expressing interest in participating as residents of the area.

The guidelines for the committee, which the Council outlined in June, were as follows:

- The committee would be made up of five members committee, with three representing neighborhoods in the West Village and two representing the city at large.
- The committee would be chaired by former Mayor Fred Brown.
- The committee's mission would be to evaluate possible names for the West Village and make a recommendation to Council, providing the top three names to Council for final selection.
- The recommended names should be of Scottish origin.
- The committee would be given 90-days to develop the recommendation.
- Committee meetings would be subject to Open Meetings Law.

Budget Impact:

This item should have no budget impact.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO:	**City Council**
VIA:	**City Manager** **Assistant City Manager** **Finance Director**
FROM:	**Director of Leisure Services**
DATE:	**July 10, 2007**
SUBJECT:	**Consider Placing Bond Referendum on November 2007 Ballot for Expansion of Baseball Soccer Complex and The Gathering Place** *For July 19, 2007 City Council Meeting*

Recommendation: Recommend that Council consider the facts provided by staff relative to the final recommendations on two subject projects and authorize the bond resolution, if desired, calling for referendums on the two proposed bond issues.

Discussion: At the June 21 meeting, Council selected BSC Fields Option 1, using artificial turf. Council directed staff to return with a recommendation regarding which option to place on the ballot relative to the Gathering Place project. Staff recommends the full 11,375 sq. ft. expansion with standard kitchen. This recommendation is based on the fact that this expansion will fulfill space requirements for anticipated future program growth not only in the senior population but in the general population as well. The recommendation emphasizes the multipurpose functions now being served by the Gathering Place, which can expect to increase in the future. The Gathering Place is a multipurpose community center that serves seniors primarily during daytime hours Monday through Friday and a variety of other demographic groups nights and weekends. This expansion will serve to accommodate anticipated growth in all population categories. It would fulfill some of the indoor programming and activity requirements that have long been associated with the need for a community center in Peachtree City. The most recent Recreation Master Plan identified a multi-purpose activity center as the second most prevalent need, just behind additional fields at BSC. Numbers 5 and 6, respectively, in the priorities were determining a use for the 22 acres at BSC and finalizing plans for the Gathering Place expansion. Thus, this bond issuance addresses 4 of the top six priorities identified in the master plan (#3 was a teen center, #4 new courts for basketball, volleyball, outdoor racquetball, badminton).

In order to get the question on the ballot the city must submit the resolution calling the referendum to the Justice Department at least 60 days before the election date for election pre-clearance and inclusion in absentee ballots. Staff's target date for submission to the Justice Department is August 1. Staff understands per the city attorney that these would be two separate GO bond referendums.

Construction Cost Breakdowns as follows:

BSC fields: includes all general items, site work, construction and consulting fees for construction of two fields, practice areas, restroom/concession/scoring tower, parking, storm water, bond closing costs ($85,000) and turf care equipment, bleachers and team benches and PA system ($36,000). Also includes contingency (10% of total construction {$3,358,070} = $335,807) and engineering/design cost for final construction documents (8% of total project cost = $268,646):

BSC - 2 artificial turf football/soccer fields: **$4,047,523** (see detail on attached analysis sheet)

Gathering Place: includes site work (including storm water ($247,000), bond closing costs ($85,000), construction/consulting fees, furniture, fixtures and equipment, upgrades to current facility to match new construction ($20,000), contingency (10% of total construction cost of $2,372,466 = $237,247) and engineering/design cost for final construction documents (8% of total project cost = $189,797),

11,375 sq. ft expansion w/standard kitchen: **$2,884,510** (see detail on attached analysis sheet)

Budget Impact: See attached five-year model showing the impact of these bonds on the projected City millage rate.

Revised 7/12/2007

City of Peachtree City
Series 2008 G.O. Bond Referendum
Analysis of Costs

Baseball-Soccer Complex Fields Expansion

	BSC Artificial Turf Fields	
	15-Year Bond	10-Year Bond
Design/Construction/Contingency	$3,962,523	$3,962,523
Estimated Bond Closing Costs	$85,000	$85,000
Total Amount to be Financed:	**$4,047,523**	**$4,047,523**
Annual Debt Service Expenses	$389,967	$524,500
Annual Operation & Maintenance Expense	$29,896	$29,896
Total Annual Expenses:	**$419,863**	**$554,396**
Estimated FY09 mills (debt service only):	0.201	0.271
Estimated FY10 mills (debt service + M&O)	**0.217**	**0.286**
Estimated Annual Taxes Per $100K FMV	**$8.67**	**$11.45**

Gathering Place Senior Center Expansion

	11,375 s.f. Expansion w/ Standard Kitchen	
	15-Year Bond	10-Year Bond
Design/Construction	$2,608,104	$2,608,104
Furniture, Fixtures & Equipment	$191,406	$191,406
Estimated Bond Closing Costs	$85,000	$85,000
Total Amount to be Financed:	**$2,884,510**	**$2,884,510**
Annual Debt Service Expenses	$277,883	$373,550
Annual Operation & Maintenance Expense	$196,869	$196,869
Total Annual Expenses:	**$474,752**	**$570,419**
Estimated FY09 mills (debt service only):	0.144	0.193
Estimated FY10 mills (debt service + M&O)	**0.245**	**0.295**
Estimated Annual Taxes Per $100K FMV	**$9.81**	**$11.78**

Current FY08
Proposed Budget

Option 3-revised

City of Peachtree City
Five-Year Financial Projections

General Fund	Projected FY 2007	Proposed Budget FY 2008	Proposed Budget FY 2009	Proposed Budget FY 2010	Proposed Budget FY 2011	Proposed Budget FY 2012
Beginning Cash Balance:	$7,955,396	$8,738,829	$7,886,293	$6,600,462	$6,925,045	$7,141,252
Sources of Funds:						
Percentage Increase in G.F. Revenue over Prior Year	6.14%	2.86%	8.53%	9.93%	3.89%	5.89%
Total Revenues & Transfers In	$26,744,581	$27,509,235	$29,856,227	$32,820,832	$34,097,905	$36,104,964
Uses of Funds:						
Percentage Increase in G.F. Expenses over Prior Year	1.84%	9.25%	9.80%	4.35%	4.26%	4.92%
Departmental Operating Expenses	$22,431,039	$24,800,471	$26,535,769	$27,995,236	$29,534,974	$31,159,398
Salary Vacancy/Other Savings:	$0	($789,851)	($530,715)	($559,905)	($590,699)	-$623,188
General Administration Expenses	$373,977	$447,334	$464,916	$483,874	$504,326	$526,401
Transfers to Other Funds/Authorities	$3,156,132	$3,903,817	$4,672,088	$4,577,045	$4,433,097	$4,485,625
Total Uses of Funds:	$25,961,148	$28,361,771	$31,142,057	$32,496,250	$33,881,697	$35,548,235
Surplus / (Deficit)	$783,433	($852,536)	($1,285,831)	$324,582	$216,208	$556,728
Audit Adjustment (Cash):						
Ending Cash Balance- General Fund:	$8,738,829	$7,886,293	$6,600,462	$6,925,045	$7,141,252	$7,697,981
Projected millage rate	5.533	5.533	6.283	7.183	7.183	7.483
Percent Increase	4.7%	0.0%	13.6%	14.3%	0.0%	
Millage Increase (Decrease)	0.250	0.000	0.750	0.900	0.000	0.300
Target Reserves (20% of Uses of Funds):	$5,192,230	$5,672,354	$6,228,411	$6,499,250	$6,776,339	$7,109,647
Over (Under)	$3,546,599	$2,213,939	$372,051	$425,795	$364,913	$588,333

Includes:
2 additional new Police Officers @ 75%
Adjustment for Officer & Corporal start pay (4.5%)
6 new Fire personnel @ 100 %
P/T for 6 new Fire personnel
No millage rate increase for FY 2008
Use of excess reserves of $852,536
1.5% cut in G/F expenses (proposed by Mayor) Savings factor increased from 2% to 3.5% in this model
FY07 projected revenue reduction of $200K (TDK-County)

Also Includes:
1 new Accounting Manager
1 new Police Officer @ 75%
1 new Building Maintenance Specialist (to be funded from savings generated by outsourcing vacant grounds maintenance positions)
1 contracted Assistant City Planner (from P/T)

City of Peachtree City
5-Year Model

10-Year Bond (BSC/Gathering Place)

General Fund	Projected FY 2007	Proposed Budget FY 2008	Proposed Budget FY 2009	Proposed Budget FY 2010	Proposed Budget FY 2011	Proposed Budget FY 2012
Beginning Cash Balance:	$7,955,396	$8,738,829	$7,712,918	$6,442,536	$6,778,359	$7,049,246
Sources of Funds:						
Percentage Increase in G.F. Revenue over Prior Year	6.14%	2.86%	11.80%	10.35%	3.93%	4.90%
Total Revenues & Transfers In	$26,744,581	$27,509,235	$30,754,676	$33,939,052	$35,272,036	$37,001,573
Uses of Funds:						
Percentage Increase in G.F. Expenses over Prior Year	1.84%	9.91%	12.23%	4.93%	4.16%	4.79%
Departmental Operating Expenses	$22,431,039	$24,800,471	$26,535,769	$28,222,001	$29,774,211	$31,411,793
Salary Vacancy/Other Savings:	$0	($789,851)	($530,715)	($564,440)	($595,484)	-$628,236
General Administration Expenses	$373,977	$447,334	$464,916	$483,874	$504,326	$526,401
Transfers to Other Funds/Authorities	$3,156,132	$4,077,192	$5,555,088	$5,461,795	$5,318,097	$5,369,375
Total Uses of Funds:	$25,961,148	$28,535,146	$32,025,057	$33,603,230	$35,001,149	$36,679,333
Surplus / (Deficit)	$783,433	($1,025,911)	($1,270,382)	$335,823	$270,887	$322,241
Audit Adjustment (Cash):						
Ending Cash Balance- General Fund:	$8,738,829	$7,712,918	$6,442,536	$6,778,359	$7,049,246	$7,371,486
Projected millage rate	5.533	5.533	6.747	7.733	7.733	7.883
Percent Increase	4.7%	0.0%	21.9%	14.6%	0.0%	1.9%
Millage Increase (Decrease)	0.250	0.000	1.214	0.986	0.000	0.150
Target Reserves (20% of Uses of Funds):	$5,192,230	$5,707,029	$6,405,011	$6,720,646	$7,000,230	$7,335,867
Over (Under)	$3,546,599	$2,005,889	$37,525	$57,713	$49,016	$35,620

City of Peachtree City
5-Year Financial Model

15-Year Bond (BSC/Gathering Place)

General Fund	Projected FY 2007	Proposed Budget FY 2008	Proposed Budget FY 2009	Proposed Budget FY 2010	Proposed Budget FY 2011	Proposed Budget FY 2012
Beginning Cash Balance:	$7,955,396	$8,738,829	$7,712,918	$6,431,490	$6,750,154	$6,994,511
Sources of Funds:						
Percentage Increase in G.F. Revenue over Prior Year	6.14%	2.86%	10.96%	10.40%	3.92%	5.22%
Total Revenues & Transfers In	$26,744,581	$27,509,235	$30,524,255	$33,699,143	$35,020,131	$36,849,150
Uses of Funds:						
Percentage Increase in G.F. Expenses over Prior Year	1.84%	9.91%	11.46%	4.95%	4.18%	4.83%
Departmental Operating Expenses	$22,431,039	$24,800,471	$26,535,769	$28,222,001	$29,774,211	$31,411,793
Salary Vacancy/Other Savings:	$0	($789,851)	($530,715)	($564,440)	($595,484)	($628,236)
General Administration Expenses	$373,977	$447,334	$464,916	$483,874	$504,326	$526,401
Transfers to Other Funds/Authorities	$3,156,132	$4,077,192	$5,335,713	$5,239,045	$5,092,722	$5,147,000
Total Uses of Funds:	$25,961,148	$28,535,146	$31,805,682	$33,380,480	$34,775,774	$36,456,958
Surplus / (Deficit)	$783,433	($1,025,911)	($1,281,428)	$318,664	$244,357	$392,192
Audit Adjustment (Cash):						
Ending Cash Balance- General Fund:	$8,738,829	$7,712,918	$6,431,490	$6,750,154	$6,994,511	$7,386,703
Projected millage rate	5.533	5.533	6.628	7.615	7.615	7.815
Percent Increase	4.7%	0.0%	19.8%	14.9%	0.0%	2.6%
Millage Increase (Decrease)	0.250	0.000	1.095	0.987	0.000	0.200
Target Reserves (20% of Uses of Funds):	$5,192,230	$5,707,029	$6,361,136	$6,676,096	$6,955,155	$7,291,392
Over (Under)	$3,546,599	$2,005,889	$70,354	$74,058	$39,356	$95,311

Series 2008 General Obligation Bonds (BSC/Gathering Place Expansions)
Comparison of 15-Year versus 10-Year Bond Issuance

	15-Year Bond	10-Year Bond	Difference
Average Annual Debt Service Payments	$667,850	$898,000	$230,150
Total Interest Payments	$3,082,750	$2,045,500	$1,037,250
FY 2009 Increase in Operating Expenses (est.) *	$226,765	$226,765	$0
5-Year Millage Rate Increase Required (compared to FY 2008 Proposed Budget)	0.332	0.400	0.068
FY 2012 projected millage rate	7.815	7.883	0.068
FY 2008 Additional Use of Cash Reserves **	$173,375	$173,375	$0

* The Financial Model projections assume a 5.5% increase in these expenses each year after FY 2009
** An unbudgeted interest payment will be due on the bonds in FY 2008 if the bonds are issued.

A REFERENDUM RESOLUTION TO REGULATE AND PROVIDE FOR THE CALLING OF AN ELECTION AND TO CALL AN ELECTION TO DETERMINE THE ISSUANCE OR NON-ISSUANCE BY PEACHTREE CITY OF GENERAL OBLIGATION BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $6,935,000, CONSISTING OF SOUTH 74 BASEBALL/SOCCER COMPLEX EXPANSION BONDS IN THE PRINCIPAL AMOUNT OF $4,050,000 AND GATHERING PLACE COMMUNITY RECREATION CENTER EXPANSION BONDS IN THE PRINCIPAL AMOUNT OF $2,885,000; TO PROVIDE FOR THE DATE, RATE OR RATES OF INTEREST, AND SCHEDULE OF MATURITIES THAT SUCH BONDS SHALL BEAR AND THAT THE BONDS MAY BE MADE SUBJECT TO REDEMPTION PRIOR TO MATURITY TO THE EXTENT PERMITTED BY LAW; TO PROVIDE FOR THE LEVY AND COLLECTION OF TAXES TO SERVICE SUCH BONDED INDEBTEDNESS, IF SO AUTHORIZED; TO PROVIDE THAT THE BONDS AUTHORIZED MAY BE ISSUED IN ONE OR MORE SERIES AND ON ONE OR MORE DATES OF ISSUANCE; AND FOR OTHER PURPOSES:

WHEREAS, the Council of Peachtree City (the "Governing Body") is the governing authority of Peachtree City (the "City"), a municipal corporation created and existing under the laws of the State of Georgia, and is charged with the duties of levying taxes, contracting debts, and managing the affairs of the City; and

WHEREAS, the Governing Body deems it to be in the best interest of the City to improve public services in the City by acquiring, constructing, and installing an expansion of its existing South 74 Baseball/Soccer Complex (the "Baseball/Soccer Complex") and an expansion of its existing Gathering Place Community Recreation Center (the "Community Recreation Center") and other facilities, equipment, and property, both real and personal, useful or desirable in connection therewith, all at an estimated cost of more than $6,935,000; and

WHEREAS, it appears to the Governing Body that the most feasible plan for providing funds to pay or be applied toward the cost of acquiring, constructing, and installing an expansion of the Baseball/Soccer Complex and other facilities, equipment, and property, both real and personal, useful or desirable in connection therewith, to pay capitalized interest incident thereto, and to pay expenses incident to accomplishing the foregoing, requires the issuance and sale of the City's general obligation bonds, in the aggregate principal amount of $4,050,000, pursuant to the Constitution and laws of the State of Georgia; and

WHEREAS, it appears to the Governing Body that the most feasible plan for providing funds to pay or be applied toward the cost of acquiring, constructing, and installing an expansion of the Gathering Place and other facilities, equipment, and property, both real and personal, useful or desirable in connection therewith, to pay capitalized interest incident thereto, and to pay expenses incident to accomplishing the foregoing, requires the issuance and sale of the City's general obligation bonds, in the aggregate principal amount of $2,885,000, pursuant to the Constitution and laws of the State of Georgia; and

WHEREAS, under the Constitution and laws of the State of Georgia, it is necessary to submit to the qualified voters of the City the questions of whether or not $4,050,000 and $2,885,000, respectively, in aggregate principal amount of general obligation bonds should be issued for such purposes, which bonds, if authorized, shall be dated, shall bear interest from date at such rate or rates, not exceeding a maximum per annum rate, and shall mature as to principal, as hereinafter more fully set forth, and may be made subject to redemption prior to maturity, to the extent permitted by law, upon terms and conditions to be determined by the Governing Body.

NOW, THEREFORE, BE IT RESOLVED by the Council of Peachtree City, and it is hereby resolved by authority of the same, as follows:

Section 1. There is hereby authorized to be called and there is hereby called an election to be held in the City on the 6th day of November 2007, for the purpose of submitting to the qualified voters of the City for their determination the separate questions of whether or not the City's general obligation bonds described below should be issued for the purposes set forth below:

A. South 74 Baseball/Soccer Complex Expansion Bonds in the aggregate principal amount of $4,050,000 for the purpose of providing funds to pay or be applied toward the cost of acquiring, constructing, and installing an expansion of the Baseball/Soccer Complex and other facilities, equipment, and property, both real and personal, useful or desirable in connection therewith, to pay capitalized interest incident thereto, and to pay expenses incident to accomplishing the foregoing.

B. Gathering Place Community Recreation Center Expansion Bonds in the aggregate principal amount of $2,885,000 for the purpose of providing funds to pay or be applied toward the cost of acquiring, constructing, and installing an expansion of the Gathering Place and other facilities, equipment, and property, both real and personal, useful or desirable in connection therewith, to pay capitalized interest incident thereto, and to pay expenses incident to accomplishing the foregoing.

Such bonds, if so authorized, shall be dated as of the first day of the month of delivery or such other date(s) as the Governing Body may approve, shall be in such denomination or denominations as the Governing Body may approve, and shall bear interest from date at such rate or rates as the Governing Body may approve but not exceeding six and one-half percent (6.50%) per annum in any year. All interest shall be payable semiannually on July 1 and January 1 of each year, beginning on July 1, 2008, and the principal shall mature (by scheduled maturity or by mandatory redemption, as the Governing Body may approve) on January 1 in the years and amounts as follows:

SOUTH 74 BASEBALL/SOCCER COMPLEX EXPANSION BONDS:

Year	Amount	Year	Amount
2009	$320,000	2014	$410,000
2010	340,000	2015	430,000
2011	355,000	2016	455,000
2012	375,000	2017	475,000
2013	390,000	2018	500,000

GATHERING PLACE COMMUNITY RECREATION CENTER EXPANSION BONDS:

Year	Amount	Year	Amount
2009	$230,000	2014	$295,000
2010	240,000	2015	305,000
2011	255,000	2016	320,000
2012	265,000	2017	340,000
2013	280,000	2018	355,000

Section 2. The ballot to be used in the election shall have printed thereon in brief form the questions to be determined by the voters, to-wit:

> "Shall $4,050,000 in aggregate principal amount of Peachtree City General Obligation South 74 Baseball/Soccer Complex Expansion Bonds be authorized to be issued?"
>
> "Shall $2,885,000 in aggregate principal amount of Peachtree City General Obligation Gathering Place Community Recreation Center Expansion Bonds be authorized to be issued?"

The ballot shall have printed thereon the word "YES" and the word "NO" opposite each question propounded in order that each voter may vote in either the affirmative or the negative as to each question propounded. The voters may vote for or against any or all of the questions propounded. The polls in each of the precincts within the City shall be opened at 7:00 a.m. and closed at 7:00 p.m. on the day fixed for the election, and the election shall be held at the regular and established places for holding elections in the City. The election shall be held in accordance and in conformity with the Constitution and laws of the United States of America and of the State of Georgia.

Section 3. The Fayette County Board of Elections is hereby appointed as the Municipal Election Superintendent to conduct the election, to receive from poll officers the returns of the election, to canvass and compute such returns, to certify as soon as practicable following the election the results thereof to the Governing Body, and to take such other actions in the premises as provided by law.

Section 4. The City Clerk is hereby ordered and directed forthwith to furnish the Municipal Election Superintendent of the City with a duly certified copy of this resolution in order that the Municipal Election Superintendent may take such action in the premises as provided by law.

Section 5. Any brochures, listings, or other advertisements issued by the Governing Body or by any other person, firm, corporation, or association with the knowledge and consent of the Governing Body shall be deemed to be a statement of intention of the Governing Body concerning the use of the bond funds or interest received from such bond funds that have been invested.

Section 6. The following notice shall be incorporated into the call of the election by the Municipal Election Superintendent:

NOTICE OF BOND ELECTION

TO THE QUALIFIED VOTERS OF PEACHTREE CITY

YOU ARE HEREBY NOTIFIED that on the 6th day of November 2007, an election will be held in Peachtree City (the "City"). At the election there will be submitted to the qualified voters of the City for their determination the separate questions of whether or not the City's general obligation bonds described below should be issued in the following principal amounts and for the following purposes:

A. South 74 Baseball/Soccer Complex Expansion Bonds in the aggregate principal amount of $4,050,000 for the purpose of providing funds to pay or be applied toward the cost of acquiring, constructing, and installing an expansion of the City's existing South 74 Baseball/Soccer Complex and other facilities, equipment, and property, both real and personal, useful or desirable in connection therewith, to pay capitalized interest incident thereto, and to pay expenses incident to accomplishing the foregoing.

B. Gathering Place Community Recreation Center Expansion Bonds in the aggregate principal amount of $2,885,000 for the purpose of providing funds to pay or be applied toward the cost of acquiring, constructing, and installing an expansion of the City's existing Gathering Place Community Recreation Center and other facilities, equipment, and property, both real and personal, useful or desirable in connection therewith, to pay capitalized interest incident thereto, and to pay expenses incident to accomplishing the foregoing.

Such bonds, if so authorized, shall be dated as of the first day of the month of delivery or such other date(s) as the Council of Peachtree City (the "Governing Body") may approve, shall be in such denomination or denominations as the Governing Body may approve, shall bear interest from date at such rate or rates as the Governing Body may approve but not exceeding six and one-half percent (6.50%) per annum in any year, and shall provide for interest to be payable semiannually on July 1 and January 1 of each year, beginning on July 1, 2008, and for principal to mature (by scheduled maturity or by mandatory redemption, as the Governing Body may approve) on January 1 in the years and amounts as follows:

SOUTH 74 BASEBALL/SOCCER COMPLEX EXPANSION BONDS:

Year	Amount	Year	Amount
2009	$320,000	2014	$410,000
2010	340,000	2015	430,000
2011	355,000	2016	455,000
2012	375,000	2017	475,000
2013	390,000	2018	500,000

GATHERING PLACE COMMUNITY RECREATION CENTER EXPANSION BONDS:

Year	Amount	Year	Amount
2009	$230,000	2014	$295,000
2010	240,000	2015	305,000
2011	255,000	2016	320,000
2012	265,000	2017	340,000
2013	280,000	2018	355,000

The Governing Body may, prior to the sale of any of the bonds authorized by the voters at the election, incorporate provisions in any or all of the bonds so authorized that would permit the City to redeem the bonds prior to their stated maturities, to the extent permitted by law, upon terms and conditions to be determined by the Governing Body. Any or all of the bonds authorized by the voters at the election may be issued in one or more series and on one or more dates of issuance as the Governing Body may approve.

Voters desiring to vote for the issuance of such bonds shall do so by voting "YES" and voters desiring to vote against the issuance of such bonds shall do so by voting "NO", as to the questions propounded, to-wit:

> "Shall $4,050,000 in aggregate principal amount of Peachtree City General Obligation South 74 Baseball/Soccer Complex Expansion Bonds be authorized to be issued?"
>
> "Shall $2,885,000 in aggregate principal amount of Peachtree City General Obligation Gathering Place Community Recreation Center Expansion Bonds be authorized to be issued?"

Voters may vote for or against any or all of the questions propounded. The several places for holding the election shall be in the regular and established precincts in the City, and the polls will be open from 7:00 a.m. to 7:00 p.m. on the date fixed for the election. Those qualified to vote at the election shall be determined in all respects in accordance and in conformity with the Constitution and laws of the United States of America and of the State of Georgia.

The last day to register to vote in this special election is October 9, 2007, through 5:00 p.m.

Any brochures, listings, or other advertisements issued by the Governing Body or by any other person, firm, corporation, or association with the knowledge and consent of the Governing Body shall be deemed to be a statement of intention of the Governing Body concerning the use of the bond funds or interest received from such bond funds that have been invested.

This notice is given pursuant to joint action of the Council of Peachtree City and the Municipal Election Superintendent of Peachtree City.

PEACHTREE CITY

By:____________________________________

Mayor

MUNICIPAL ELECTION SUPERINTENDENT OF PEACHTREE CITY

BY: FAYETTE COUNTY BOARD OF ELECTIONS

By:____________________________________

Chairperson

Section 7. Should any of the bonds be authorized by the requisite number of qualified voters, the Governing Body shall, prior to the issuance of any such bonds, levy an ad valorem tax upon all the property subject to taxation for general obligation bond purposes, within the corporate limits of the City, sufficient in amount to pay the principal of and the interest on such bonds at their respective maturities.

Section 8. The Governing Body may, prior to the sale of any of the bonds authorized by the voters at the election, incorporate provisions in any or all of the bonds so authorized that would permit the City to redeem the bonds prior to their stated maturities, to the extent permitted by law, upon terms and conditions to be determined by the Governing Body. No such redemption provisions shall, however, increase the amount of, or accelerate the time for collection of, any annual tax levy required to be made for payment of the bonds as specified in Section 7 above.

Section 9. Any or all of the bonds authorized by the voters at the election may be issued in one or more series and on one or more dates of issuance as the Governing Body may approve. The aggregate principal amount of each bond issue, whether issued in one series or in more than one series, shall not exceed the principal amount authorized by the voters, and the other terms and conditions of each series of an issue shall conform to those set forth in this resolution.

Section 10. Any and all resolutions in conflict with this resolution this day passed be and they are hereby repealed.

PASSED, ADOPTED, SIGNED, APPROVED, AND EFFECTIVE this 19th day of July 2007.

(SEAL)

PEACHTREE CITY

By:______________________________
Mayor

Attest:

____
City Clerk

STATE OF GEORGIA
FAYETTE COUNTY

CITY CLERK'S CERTIFICATE

I, **JANE S. MILLER,** City Clerk of Peachtree City, **DO HEREBY CERTIFY** that the foregoing pages constitute a true and correct copy of a referendum resolution adopted by the Council of Peachtree City (the "Governing Body") at an open public meeting duly called and lawfully assembled at 7:00 p.m., on the 19th day of July 2007, in connection with calling an election pertaining to the issuance or non-issuance of Peachtree City General Obligation Bonds, the original of such referendum resolution being duly recorded in the Minute Book of the Governing Body, which Minute Book is in my custody and control.

I do hereby further certify that the following members of the Governing Body were present at such meeting:

Harold K. Logsdon
Judi-ann Rutherford
Stuart Kourajian
Stephen W. Boone
Cyndi Plunkett

and that the following members were absent:

____

____

and that such referendum resolution was duly adopted by a vote of:

Aye ___ Nay ___.

WITNESS my hand and the official seal of Peachtree City, this the 19th day of August 2007.

(SEAL)

____
City Clerk

A REFERENDUM RESOLUTION TO REGULATE AND PROVIDE FOR THE CALLING OF AN ELECTION AND TO CALL AN ELECTION TO DETERMINE THE ISSUANCE OR NON-ISSUANCE BY PEACHTREE CITY OF GENERAL OBLIGATION BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $6,935,000, CONSISTING OF SOUTH 74 BASEBALL/SOCCER COMPLEX EXPANSION BONDS IN THE PRINCIPAL AMOUNT OF $4,050,000 AND GATHERING PLACE COMMUNITY RECREATION CENTER EXPANSION BONDS IN THE PRINCIPAL AMOUNT OF $2,885,000; TO PROVIDE FOR THE DATE, RATE OR RATES OF INTEREST, AND SCHEDULE OF MATURITIES THAT SUCH BONDS SHALL BEAR AND THAT THE BONDS MAY BE MADE SUBJECT TO REDEMPTION PRIOR TO MATURITY TO THE EXTENT PERMITTED BY LAW; TO PROVIDE FOR THE LEVY AND COLLECTION OF TAXES TO SERVICE SUCH BONDED INDEBTEDNESS, IF SO AUTHORIZED; TO PROVIDE THAT THE BONDS AUTHORIZED MAY BE ISSUED IN ONE OR MORE SERIES AND ON ONE OR MORE DATES OF ISSUANCE; AND FOR OTHER PURPOSES:

WHEREAS, the Council of Peachtree City (the "Governing Body") is the governing authority of Peachtree City (the "City"), a municipal corporation created and existing under the laws of the State of Georgia, and is charged with the duties of levying taxes, contracting debts, and managing the affairs of the City; and

WHEREAS, the Governing Body deems it to be in the best interest of the City to improve public services in the City by acquiring, constructing, and installing an expansion of its existing South 74 Baseball/Soccer Complex (the "Baseball/Soccer Complex") and an expansion of its existing Gathering Place Community Recreation Center (the "Community Recreation Center") and other facilities, equipment, and property, both real and personal, useful or desirable in connection therewith, all at an estimated cost of more than $6,935,000; and

WHEREAS, it appears to the Governing Body that the most feasible plan for providing funds to pay or be applied toward the cost of acquiring, constructing, and installing an expansion of the Baseball/Soccer Complex and other facilities, equipment, and property, both real and personal, useful or desirable in connection therewith, to pay capitalized interest incident thereto, and to pay expenses incident to accomplishing the foregoing, requires the issuance and sale of the City's general obligation bonds, in the aggregate principal amount of $4,050,000, pursuant to the Constitution and laws of the State of Georgia; and

WHEREAS, it appears to the Governing Body that the most feasible plan for providing funds to pay or be applied toward the cost of acquiring, constructing, and installing an expansion of the Gathering Place and other facilities, equipment, and property, both real and personal, useful or desirable in connection therewith, to pay capitalized interest incident thereto, and to pay expenses incident to accomplishing the foregoing, requires the issuance and sale of the City's general obligation bonds, in the aggregate principal amount of $2,885,000, pursuant to the Constitution and laws of the State of Georgia; and

WHEREAS, under the Constitution and laws of the State of Georgia, it is necessary to submit to the qualified voters of the City the questions of whether or not $4,050,000 and $2,885,000, respectively, in aggregate principal amount of general obligation bonds should be issued for such purposes, which bonds, if authorized, shall be dated, shall bear interest from date at such rate or rates, not exceeding a maximum per annum rate, and shall mature as to principal, as hereinafter more fully set forth, and may be made subject to redemption prior to maturity, to the extent permitted by law, upon terms and conditions to be determined by the Governing Body.

NOW, THEREFORE, BE IT RESOLVED by the Council of Peachtree City, and it is hereby resolved by authority of the same, as follows:

Section 1. There is hereby authorized to be called and there is hereby called an election to be held in the City on the 6th day of November 2007, for the purpose of submitting to the qualified voters of the City for their determination the separate questions of whether or not the City's general obligation bonds described below should be issued for the purposes set forth below:

A. South 74 Baseball/Soccer Complex Expansion Bonds in the aggregate principal amount of $4,050,000 for the purpose of providing funds to pay or be applied toward the cost of acquiring, constructing, and installing an expansion of the Baseball/Soccer Complex and other facilities, equipment, and property, both real and personal, useful or desirable in connection therewith, to pay capitalized interest incident thereto, and to pay expenses incident to accomplishing the foregoing.

B. Gathering Place Community Recreation Center Expansion Bonds in the aggregate principal amount of $2,885,000 for the purpose of providing funds to pay or be applied toward the cost of acquiring, constructing, and installing an expansion of the Gathering Place and other facilities, equipment, and property, both real and personal, useful or desirable in connection therewith, to pay capitalized interest incident thereto, and to pay expenses incident to accomplishing the foregoing.

Such bonds, if so authorized, shall be dated as of the first day of the month of delivery or such other date(s) as the Governing Body may approve, shall be in such denomination or denominations as the Governing Body may approve, and shall bear interest from date at such rate or rates as the Governing Body may approve but not exceeding six and one-half percent (6.50%) per annum in any year. All interest shall be payable semiannually on July 1 and January 1 of each year, beginning on July 1, 2008, and the principal shall mature (by scheduled maturity or by mandatory redemption, as the Governing Body may approve) on January 1 in the years and amounts as follows:

SOUTH 74 BASEBALL/SOCCER COMPLEX EXPANSION BONDS:

Year	Amount	Year	Amount
2009	$190,000	2017	$275,000
2010	200,000	2018	290,000
2011	205,000	2019	305,000
2012	220,000	2020	320,000
2013	230,000	2021	335,000
2014	240,000	2022	355,000
2015	250,000	2023	370,000
2016	265,000		

GATHERING PLACE COMMUNITY RECREATION CENTER EXPANSION BONDS:

Year	Amount	Year	Amount
2009	$135,000	2017	$195,000
2010	140,000	2018	205,000
2011	150,000	2019	220,000
2012	155,000	2020	230,000
2013	160,000	2021	240,000
2014	170,000	2022	250,000
2015	180,000	2023	265,000
2016	190,000		

Section 2. The ballot to be used in the election shall have printed thereon in brief form the questions to be determined by the voters, to-wit:

> "Shall $4,050,000 in aggregate principal amount of Peachtree City General Obligation South 74 Baseball/Soccer Complex Expansion Bonds be authorized to be issued?"

> "Shall $2,885,000 in aggregate principal amount of Peachtree City General Obligation Gathering Place Community Recreation Center Expansion Bonds be authorized to be issued?"

The ballot shall have printed thereon the word "YES" and the word "NO" opposite each question propounded in order that each voter may vote in either the affirmative or the negative as to each question propounded. The voters may vote for or against any or all of the questions propounded. The polls in each of the precincts within the City shall be opened at 7:00 a.m. and closed at 7:00 p.m. on the day fixed for the election, and the election shall be held at the regular and established places for holding elections in the City. The election shall be held in accordance and in conformity with the Constitution and laws of the United States of America and of the State of Georgia.

Section 3. The Fayette County Board of Elections is hereby appointed as the Municipal Election Superintendent to conduct the election, to receive from poll officers the returns of the election, to canvass and compute such returns, to certify as soon as practicable following the election the results thereof to the Governing Body, and to take such other actions in the premises as provided by law.

Section 4. The City Clerk is hereby ordered and directed forthwith to furnish the Municipal Election Superintendent of the City with a duly certified copy of this resolution in order that the Municipal Election Superintendent may take such action in the premises as provided by law.

Section 5. Any brochures, listings, or other advertisements issued by the Governing Body or by any other person, firm, corporation, or association with the knowledge and consent of the Governing Body shall be deemed to be a statement of intention of the Governing Body concerning the use of the bond funds or interest received from such bond funds that have been invested.

Section 6. The following notice shall be incorporated into the call of the election by the Municipal Election Superintendent:

NOTICE OF BOND ELECTION

TO THE QUALIFIED VOTERS OF PEACHTREE CITY

YOU ARE HEREBY NOTIFIED that on the 6th day of November 2007, an election will be held in Peachtree City (the "City"). At the election there will be submitted to the qualified voters of the City for their determination the separate questions of whether or not the City's general obligation bonds described below should be issued in the following principal amounts and for the following purposes:

A. South 74 Baseball/Soccer Complex Expansion Bonds in the aggregate principal amount of $4,050,000 for the purpose of providing funds to pay or be applied toward the cost of acquiring, constructing, and installing an expansion of the City's existing South 74 Baseball/Soccer Complex and other facilities, equipment, and property, both real and personal, useful or desirable in connection therewith, to pay capitalized interest incident thereto, and to pay expenses incident to accomplishing the foregoing.

B. Gathering Place Community Recreation Center Expansion Bonds in the aggregate principal amount of $2,885,000 for the purpose of providing funds to pay or be applied toward the cost of acquiring, constructing, and installing an expansion of the City's existing Gathering Place Community Recreation Center and other facilities, equipment, and property, both real and personal, useful or desirable in connection therewith, to pay capitalized interest incident thereto, and to pay expenses incident to accomplishing the foregoing.

Such bonds, if so authorized, shall be dated as of the first day of the month of delivery or such other date(s) as the Council of Peachtree City (the "Governing Body") may approve, shall be in such denomination or denominations as the Governing Body may approve, shall bear interest from date at such rate or rates as the Governing Body may approve but not exceeding six and one-half percent (6.50%) per annum in any year, and shall provide for interest to be payable semiannually on July 1 and January 1 of each year, beginning on July 1, 2008, and for principal to mature (by scheduled maturity or by mandatory redemption, as the Governing Body may approve) on January 1 in the years and amounts as follows:

SOUTH 74 BASEBALL/SOCCER COMPLEX EXPANSION BONDS:

Year	Amount	Year	Amount
2009	$190,000	2017	$275,000
2010	200,000	2018	290,000
2011	205,000	2019	305,000
2012	220,000	2020	320,000
2013	230,000	2021	335,000
2014	240,000	2022	355,000
2015	250,000	2023	370,000
2016	265,000		

GATHERING PLACE COMMUNITY RECREATION CENTER EXPANSION BONDS:

Year	Amount	Year	Amount
2009	$135,000	2017	$195,000
2010	140,000	2018	205,000
2011	150,000	2019	220,000
2012	155,000	2020	230,000
2013	160,000	2021	240,000
2014	170,000	2022	250,000
2015	180,000	2023	265,000
2016	190,000		

The Governing Body may, prior to the sale of any of the bonds authorized by the voters at the election, incorporate provisions in any or all of the bonds so authorized that would permit the City to redeem the bonds prior to their stated maturities, to the extent permitted by law, upon terms and conditions to be determined by the Governing Body. Any or all of the bonds authorized by the voters at the election may be issued in one or more series and on one or more dates of issuance as the Governing Body may approve.

Voters desiring to vote for the issuance of such bonds shall do so by voting "YES" and voters desiring to vote against the issuance of such bonds shall do so by voting "NO", as to the questions propounded, to-wit:

> "Shall $4,050,000 in aggregate principal amount of Peachtree City General Obligation South 74 Baseball/Soccer Complex Expansion Bonds be authorized to be issued?"

> "Shall $2,885,000 in aggregate principal amount of Peachtree City General Obligation Gathering Place Community Recreation Center Expansion Bonds be authorized to be issued?"

Voters may vote for or against any or all of the questions propounded. The several places for holding the election shall be in the regular and established precincts in the City, and the polls will be open from 7:00 a.m. to 7:00 p.m. on the date fixed for the election. Those qualified to vote at the election shall be determined in all respects in accordance and in conformity with the Constitution and laws of the United States of America and of the State of Georgia.

The last day to register to vote in this special election is October 9, 2007, through 5:00 p.m.

Any brochures, listings, or other advertisements issued by the Governing Body or by any other person, firm, corporation, or association with the knowledge and consent of the Governing Body shall be deemed to be a statement of intention of the Governing Body concerning the use of the bond funds or interest received from such bond funds that have been invested.

This notice is given pursuant to joint action of the Council of Peachtree City and the Municipal Election Superintendent of Peachtree City.

PEACHTREE CITY

By:___________________________________
Mayor

MUNICIPAL ELECTION SUPERINTENDENT OF PEACHTREE CITY

BY: FAYETTE COUNTY BOARD OF ELECTIONS

By:___________________________________
Chairperson

Section 7. Should any of the bonds be authorized by the requisite number of qualified voters, the Governing Body shall, prior to the issuance of any such bonds, levy an ad valorem tax upon all the property subject to taxation for general obligation bond purposes, within the corporate limits of the City, sufficient in amount to pay the principal of and the interest on such bonds at their respective maturities.

Section 8. The Governing Body may, prior to the sale of any of the bonds authorized by the voters at the election, incorporate provisions in any or all of the bonds so authorized that would permit the City to redeem the bonds prior to their stated maturities, to the extent permitted by law, upon terms and conditions to be determined by the Governing Body. No such redemption provisions shall, however, increase the amount of, or accelerate the time for collection of, any annual tax levy required to be made for payment of the bonds as specified in Section 7 above.

Section 9. Any or all of the bonds authorized by the voters at the election may be issued in one or more series and on one or more dates of issuance as the Governing Body may approve. The aggregate principal amount of each bond issue, whether issued in one series or in more than one series, shall not exceed the principal amount authorized by the voters, and the other terms and conditions of each series of an issue shall conform to those set forth in this resolution.

Section 10. Any and all resolutions in conflict with this resolution this day passed be and they are hereby repealed.

PASSED, ADOPTED, SIGNED, APPROVED, AND EFFECTIVE this 19th day of July 2007.

(SEAL) **PEACHTREE CITY**

By:______________________________
Mayor

Attest:

____
City Clerk

STATE OF GEORGIA
FAYETTE COUNTY

CITY CLERK'S CERTIFICATE

I, **JANE S. MILLER,** City Clerk of Peachtree City, **DO HEREBY CERTIFY** that the foregoing pages constitute a true and correct copy of a referendum resolution adopted by the Council of Peachtree City (the "Governing Body") at an open public meeting duly called and lawfully assembled at 7:00 p.m., on the 19th day of July 2007, in connection with calling an election pertaining to the issuance or non-issuance of Peachtree City General Obligation Bonds, the original of such referendum resolution being duly recorded in the Minute Book of the Governing Body, which Minute Book is in my custody and control.

I do hereby further certify that the following members of the Governing Body were present at such meeting:

Harold K. Logsdon
Judi-ann Rutherford
Stuart Kourajian
Stephen W. Boone
Cyndi Plunkett

and that the following members were absent:

____

____

and that such referendum resolution was duly adopted by a vote of:

Aye ___ Nay ___.

WITNESS my hand and the official seal of Peachtree City, this the 19th day of August 2007.

(SEAL)

____
City Clerk

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: City Manager
Assistant City Manager

FROM: Financial Services Director

DATE: July 9, 2007

SUBJECT: Public Hearing – FY 2008 Budget

July 19, 2007 City Council Meeting

Recommendation:
Hold public hearing to gain input from public regarding the FY 2008 proposed budget.

Discussion:
Per O.C.G.A. 36-81-5, the City is required to hold a public hearing at which time any persons wishing to be heard on the proposed budget may appear. Staff will present a brief Powerpoint presentation describing highlights of the proposed budget, and will be prepared to answer questions.

Budgetary Impact:
N/A

POSITION PAPER

Proposed Rezoning: Majestic Estates tract, Peachtree Parkway North
City Planner/ Zoning Administrator
July 11, 2007

Situation

Mr. and Mrs. Victor Daniel own a 4.005-acre tract of land on Peachtree Parkway North. The heavily wooded tract is undeveloped and currently zoned R-43 Residential, which requires a minimum lot size of one acre. Access to the property is provided by an ingress/ egress easement from Peachtree Parkway. The Applicant desires to develop a 6-lot subdivision on the property. Because the current zoning would not permit this subdivision, the Applicant is requesting the overall tract be rezoned to an appropriate classification. A copy of the application is included as Attachment "A".

Facts

1. The overall tract is 4.005 acres in size and is currently zoned R-43 Residential. The R-43 Residential zoning district requires a minimum lot size of one acre per dwelling unit and therefore would allow no more than four lots on the property.

2. The tract is bordered on the north and east by the St. Andrews in the Pines Episcopal Church tract, which is zoned R-12 Residential; to the south by the Flat Creek Golf Course, which is zoned OS Open Space; and to the west by the Fouts/ Bair tract, which is zoned R-22 Residential. The TDK tract is adjacent to the Fouts/ Bair tract and is zoned VR Villa Residential.

3. The subject tract, along with the adjoining Fouts/ Bair and TDK tracts, is designated as SFC Single-family cluster on the city's Land Use Map. The recent update to the Land Use Plan recommended that these parcels should be combined and used for a single-family cluster subdivision with the potential of being rezoned to an LUR, Limited Use Residential category.

4. On May 6, 2004, the adjoining Fouts/ Bair tract was rezoned from VR residential to R-22 Residential. The purpose of this rezoning was to permit the subdivision of an existing 1.97-acre tract into two parcels and was contingent on the development conforming to the setback and buffer requirements stipulated within the R-43 zoning district.

5. On November 21, 2005, the Applicant submitted a concept plat for the proposed Majestic Estates subdivision, which identified a total of four lots on the overall tract.

6. On October 9, 2006, the Planning Commission ultimately approved the concept plat. This approval came following numerous staff meetings, Planning Commission workshops and revisions to the original submittal and was consistent with the current zoning of the property.

7. On December 1, 2006, the Applicant submitted construction plans and a hydrology study for the proposed four-lot subdivision, at which time they were informed the preliminary plat had yet to be submitted for review and approval. No action has been taken on these plans.

8. On December 15, 2006, the Applicant submitted the preliminary plat for the four-lot subdivision. Comments were forwarded to the Applicant on January 19, 2007 and have yet to be addressed. No action has been taken on these plans.

9. On May 10, 2007, the Applicant submitted a Request for Variance from Section 201(t) of the city's Land Development Ordinance, which states, *"residential driveways shall not serve more than two single-family residential lots."* This definition essentially prohibited the Applicant from using the recorded ingress/ egress easement to access their property.

10. On June 7, 2007, City Council granted the Applicant's variance request, thus re-establishing access to the subject tract, the Fouts/ Bair tract and the TDK tract from Peachtree Parkway via the existing ingress/ egress easement. The ultimate design of this access has yet to be determined.

11. The Applicant now desires to subdivide the property into six lots. Because these lots would be less than one acre in size as required by the R-43 Residential zoning district, the Applicant is requesting that the property be rezoned to GR General Residential to accommodate the proposed subdivision. Within their application, the Applicant states that without rezoning, the property *"is useless for all reasonable economic purposes."*

12. A copy of the R-43 Residential (Attachment "B") and the GR General Residential (Attachment "C") zoning classifications are provided for your review.

13. At their meeting on June 25, the Planning Commission voted unanimously to recommend that the proposed rezoning from R-43 Residential to GR General Residential not be approved (Attachment "D").

Recommendation

City Staff recommends that the rezoning as requested not be approved. The residential property on Peachtree Parkway north of Flat Creek Road is zoned either R-22 Residential or R-43 Residential, and the proposed GR General Residential zoning classification would constitute "spot-zoning" within an established area of one-half acre lots and above. Many of the existing lots within this portion of the Peachtree Parkway corridor are considered estate lots and are larger than one acre in size.

The current zoning of the property would allow the overall tract to be divided into four parcels. The Applicant has already submitted and received concept plat approval for a four-lot subdivision and has submitted a preliminary plat and construction plans for a four-lot subdivision. There has been no justification provided indicating how the current zoning would make the property *"useless for all reasonable economic purposes"* as the Applicant claims.

However, based on our preliminary review of the plans submitted to date and the fact the city's stormwater ordinance requires that all stormwater facilities be located on property that is dedicated to the city as greenbelt, it appears the minimum lot size of one acre would be difficult, if not impossible to achieve for all lots within the subdivision. It appears that at least one and possibly two of the proposed lots would be less than one acre in size.

The adjoining Fouts/ Bair tract was 1.97 acres in size prior to being rezoned to R-22 Residential with the stipulation that no more than two residential lots would be permitted on the overall property. The intent of this zoning was to allow the owner to subdivide the tract into two parcels, yet develop the property in such a manner that it would be consistent with the R-43 zoning immediately across Peachtree Parkway from the property. In order to accomplish this, the R-22 zoning was granted contingent on the development conforming to the setback and buffer requirements stipulated within the R-43 zoning district.

Staff supports rezoning the subject tract to no less than R-22 Residential to accommodate a subdivision of no more than four lots, which would allow the Applicant to develop the property consistent with the current zoning. Staff further supports a stipulation that the property be developed subject to R-43 setback and buffer standards, which would be consistent with the adjoining Fouts/ Bair tracts and the R-43 zoning immediately across Peachtree Parkway from the property and farther north along Peachtree Parkway.

The R-22 zoning would also be consistent with the city's Comprehensive Plan and Land Use Plan, as it would follow the "step down" zoning concept as you move farther away from the village retail center. In this case, the village retail center for Glenloch Village is the Peachtree Crossings retail center, located at the intersection of SR 54 and Peachtree Parkway. As you move north along Peachtree Parkway and away from the village retail center, the Highlands, Greensway and Rosemont subdivisions are zoned R-10 and R-12 Residential. North of Flat Creek Road, Peachtree Parkway becomes a scenic road and the Fouts/ Bair tract, the Majestic Estates tract and the Interlochen subdivision would be zoned R-22 Residential. Adjoining these subdivisions and farther north on Peachtree Parkway, the Eastwind Estates, Greer's Mountain and Parkway Estates subdivisions would be zoned R-43 Residential.

Should the Applicant not agree to the R-22 zoning as proposed by City Staff, our recommendation is that the rezoning request not be approved.

However, should the Applicant agree to the suggested R-22 zoning, Staff recommends that the rezoning request be approved subject to the following understandings and conditions:

1. There shall be no more than four (4) residential lots within the overall subdivision. Development of each lot shall conform to the setback and buffer requirements stipulated within the R-43 zoning ordinance.
2. The Applicant shall agree to continue working with City Staff and the adjoining property owners to resolve design of the access to this subdivision as well as the adjoining Fouts/ Bair tracts. While City Council granted the variance allowing access via the existing ingress/ egress easement, the ultimate design of this access has yet to be determined.
3. Once the access issue is resolved, a revised concept plat shall be submitted to City Staff and the Planning Commission for review and approval. This plat must identify the preliminary design of the proposed access, the portions of the site designated for stormwater detention, as well as all other requirements of the city's concept plat review process.
4. The Applicant shall be responsible for paying the Glenloch Service Area impact fee for each lot in addition to the above-mentioned costs at the time of final plat approval.

Attachments

Murray J. Weed

Of Counsel
G. Robert Williams, II

Attorney at Law
118 B Governor's Square
Fayetteville, GA 30215

Phone
(404) 669-9898
(770) 486-6590

Facsimile
(770) 486-6450

May 8, 2007

City of Peachtree City
151 Willowbend Road
Peachtree City, GA 30269
Attn: Planning Department

Re: Submission of Rezoning Application

To Planning Staff:

Enclosed is the Majestic Estates Subdivision Rezoning Application from R-43 zoning to GR. Please review the same for completeness and notify my offices of the acceptance date triggering Mayor and Council action within 60 days thereafter.

Further no applicant involved in this rezoning has made a campaign contribution relevant to the reporting statute of O.C.G.A. §36-67A-3 within the required timeframe.

Lastly, please provide my office with a schedule for the required hearings at the time of official acceptance and filing.

The rezoning request from R-43 to GR zoning is required in order to accommodate a planned 6 home $1.2 million development. Only GR zoning will allow the same. As you are aware without the GR zoning the 4 acres is useless for all reasonable economic purposes. As you know along with the rezoning request we have filed a needed driveway variance.

Most Sincerely,

Murray J. Weed, Esq.

Cc: Ted Meeker, City Attorney

Attachment "A"

REQUEST FOR REZONING

CITY OF PEACHTREE CITY, GEORGIA

A request is hereby being made to change the zoning classification of the following described property: Property owned by VKDaniel Custom Homes, Inc. Consisting of 4.005 total acres. Located in Land Lot 100 of the 7th District, Fayette County, Peachtree City, Georgia. The project shall be a 6 custom home, subdivision at $1.2 million dollars each retail called Majestic Estates.

This property is presently zoned: R-43

The proposed zoning classification is: GR

I certify that I am the owner, or the duly authorized agent of the owner, of the property described above:

Signature: ______

Owner: (print) Victor C. Daniel

Agent: (print) ______

Address: 118 Sagamore Lane, Peachtree City, GA 30269

Phone: 678-873-8241 Date: May 8, 2007

****

This request, along with the required fee ($600 + $25/acre) and supplemental documents, has been properly submitted and is hereby accepted for consideration by the Planning Commission and the City Council:

Signature: David E. Rast

Title: City Planner / Zoning Administrator

Date: 05-23-07

Request Number: 2007-04

Date of Planning Commission Public Hearing: 06-11-07

Date of City Council Public Hearing: 07-05-07

a) See attached.

b) See attached.

c) The reason for the proposed GR zoning is to accommodate a six unit $1.2 million lot development. The land already has a 30 feet drive access easement. The GR is the only zone which will allow the land to be built upon or have any reasonable economic use.

d)
1. Subject property – R-43 (Residential)
2. TDK property – VR (Villa Residential)
3. Fouts property – R-22 (Residential)
4. Bair Property – R-22 (Residential)
5. Flat Creek Golf Course - OS (Open Space)
6. St. Andrew's in-the-Pines Episcopal Church – OS and R-12 Residential

e)
1. Rick Bair
   310 North Peachtree Parkway
   Peachtree City, Georgia 30269-1360
2. Nick Fouts
   310 North Peachtree Parkway
   Peachtree City, Georgia 30269-1360
3. TDK Component's
   611 S. Hwy 74
   Peachtree City, Georgia 30269
4. St. Andrew in-the-Pines Episcopal Church
   316 North Peachtree Parkway
   Peachtree City, Georgia 30269
5. Flat Creek Club
   500 Clubhouse Drive
   Peachtree City, Georgia 30269

f) See map.

g) See map.

h) There are no major natural or geographic features of note. However Flat Creek Club borders the rear of the property and TDK Component's residential villa is near the North of the property. St. Andrew's in-the-Pines Episcopal Church immediately neighbors the property. These three facilities are the only known cultural features on or near the subject property.

i) Public water, electricity, cable television, satellite, public Police and Fire protection are also available including City Wi-Fi and E911. Sewer will be accessed via a private lift station which shall be upgraded to standards sufficient for transfer to the Peachtree City Water and Sewer Authority. The Peachtree City Water and Sewer Authority has already given preliminary approval to accept if the list of upgrades is made.

j) There are no public facilities which shall be built on the property except that St. Andrew's in-the-Pines and the Majestic Estates Homeowner's Association, Inc. plan to upgrade the sewer lift station on the property of St. Andrew's (under contract and easements already executed and filed) and hope, after the relevant upgrades, to transfer of ownership to the Water and Sewer Authority.

k) See attached.

l) Report analyzing rezoning.

a. *Tax base.* The taxes generated from the addition of the 6 homes will generate more than the current housing situation. An example of the taxes could be:

   6 new homes X $1,200,000= $7,200,000 X 40% (assessed) X 5.833 mils = $16,800.00 per year

b. *Public education.* The 6 new homes will have little or no impact on public schools. Further, owners of these high cost homes are more likely to send their children to private schools according to Jim Whitaker analyst of the Fayette Board of Education.

c. *Police and fire protection.* Each of the homes will come installed with a voluntarily install sprinklers system. This is a dramatic upgrade from the ordinary requirements found in the building codes of Peachtree City. Likewise the gate will have a manual override and a lockbox keys which will be given to each the Fire Departments and Police Department along with the code. Further, the developer has of given authorization for the destruction the gate for an emergency and will reimburse any resulting damages should the code fail. However, with the multiple failsafe systems it would be virtually impossible for the gate to fail. If the gate failed the homes are not in close proximity to each other because they are on extremely large lots and each home will be sprinkled. Therefore, in the event of fire the internal sprinkler systems will act to suppress the fire save the home and prevent other damage to neighboring homes. John Dailey, Fire Marshall, and the Fire Department as well as Maj. Dupree of the Police Department have approved the gate contingent upon the safety features described.

d. *Emergency medical service.* Emergency medical service will be provided by Peachtree City. Once again, between the automatic gate disabling device, the authorization to remove the gate if necessary, and the call box to each individual home the Fire Department and their EMS System fully supports and approves the

project. Therefore, there should be little affect on Emergency Medical Services or Police or Fire services. See John Dailey, Fire Marshell.
Although the homes will be quite expensive due to their secluded nature and no immediate access to a golf cart trail it is highly unlikely that they would be target identified a targeted by the casual thief. Each home will be alarmed as well.

e. *Transportation facilities.* It is estimated that each of the homes will have two automobiles therefore there may be a slight increase in traffic however such increase will be too negligible to adequately measure according to Assistant City Manager Collin Halterman. The site is not accessed by public transportation nor is such transportation requested.

f. *Utilities.* The site will have access to electricity, water, satellite, cable. Sewer will be provided in part by a partnership agreement between St. Andrew's in-the-Pines Episcopal Church and corresponding easement which already has been executed between the subject property and St. Andrews in-the-Pines Episcopal Church to utilize and access the sewer lift station. Eventually it is hoped that St. Andrews in-the-Pines Episcopal Church and Majestic Estates will be able to transfer ownership of the lift station after appropriate upgrades have been made to the Water and Sewer authority.

g. *Environmental protection.* The lot requires a detention device all water drainage and soil erosion control issues. Turbidity and other engineering studies have been conducted and submitted to the City as part of a site plan process and all City standards regarding the same have been or will be met. A registered Engineer has sealed the drawings certifying the drainage features.

h. *Recreation program.* The development has already created a Homeowner's Association which is incorporated by the State of Georgia. However, currently there are no group amenities planned such as a clubhouse or recreation area. In the future, land permitting, it is possible that the Homeowner's Association might consider such a joint venture, however, it is unlikely due to the large lots each of these homes represents. Each of the home owners will be duly notified of City recreation programs and events and encouraged to participate in the same. Director of Leisure Services, Randy Gaddo, stated when interviewed that there shall be no appreciable impact of the homes on City recreation programming.

i. *Implementation of the overall development plan.* After numerous reviews by the City staff, the staff has repeatedly commented that this large lot large small number home subdivision is the best proposed use for the development of the four acres of land. Without the GR zoning being approved the lot will become useless for all economic purposes. The developer, Vic Daniel, specializes in highly detailed custom homes in these particular homes include dramatic security and fire suppression systems for the use an enjoyment of the owners. The development, although residential, will contribute more in tax dollars to local economies than services that they will draw upon from local governments.

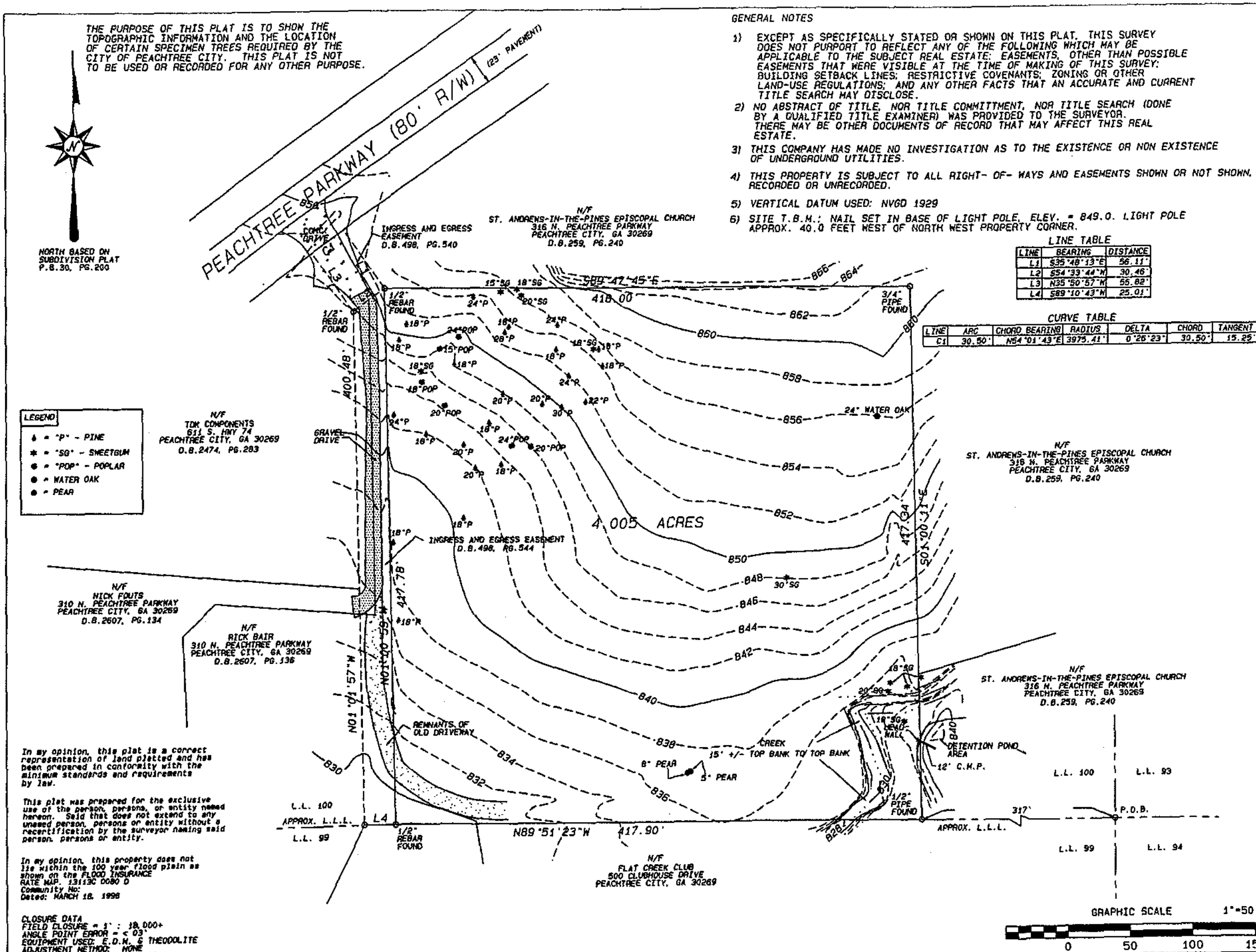
Conclusion

After careful analysis it can be concluded and found that there will be a dramatic positive financial effect on the tax base of the City Peachtree City and Fayette County if the project is developed. Correspondingly deductions from the tax base based upon use of public services are so low as to be virtually negligible according to all Peachtree City staff interviewed. Thus, the effects of the subdivision on public services and public safety are well within reasonable safety parameters necessary to support the rezoning change to accommodate an appropriately (built road built to fire department and other City standards). In the alternative should the rezoning not occur the impact on the land will be to render it virtually useless and unsaleable for any purpose whatsoever.

m) See attached.

n) See attached.

EXHIBIT



THE PURPOSE OF THIS PLAT IS TO SHOW THE TOPOGRAPHIC INFORMATION AND THE LOCATION OF CERTAIN SPECIMEN TREES REQUIRED BY THE CITY OF PEACHTREE CITY. THIS PLAT IS NOT TO BE USED OR RECORDED FOR ANY OTHER PURPOSE.

GENERAL NOTES

1) EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS, OTHER THAN POSSIBLE EASEMENTS THAT WERE VISIBLE AT THE TIME OF MAKING OF THIS SURVEY: BUILDING SETBACK LINES; RESTRICTIVE COVENANTS; ZONING OR OTHER LAND-USE REGULATIONS; AND ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
2) NO ABSTRACT OF TITLE, NOR TITLE COMMITTMENT, NOR TITLE SEARCH (DONE BY A QUALIFIED TITLE EXAMINER) WAS PROVIDED TO THE SURVEYOR. THERE MAY BE OTHER DOCUMENTS OF RECORD THAT MAY AFFECT THIS REAL ESTATE.
3) THIS COMPANY HAS MADE NO INVESTIGATION AS TO THE EXISTENCE OR NON EXISTENCE OF UNDERGROUND UTILITIES.
4) THIS PROPERTY IS SUBJECT TO ALL RIGHT- OF- WAYS AND EASEMENTS SHOWN OR NOT SHOWN, RECORDED OR UNRECORDED.
5) VERTICAL DATUM USED: NVGD 1929
6) SITE T.B.M.: NAIL SET IN BASE OF LIGHT POLE, ELEV. = 849.0. LIGHT POLE APPROX. 40.0 FEET WEST OF NORTH WEST PROPERTY CORNER.

LINE TABLE

LINE	BEARING	DISTANCE
L1	S35°48'13"E	56.11'
L2	S54°33'44"W	30.46'
L3	N35°50'57"W	55.82'
L4	S89°10'43"W	25.01'

CURVE TABLE

LINE	ARC	CHORD BEARING	RADIUS	DELTA	CHORD	TANGENT
C1	30.50'	N54°01'43"E	3975.41'	0°26'23"	30.50'	15.25'

In my opinion, this plat is a correct representation of land platted and has been prepared in conformity with the minimum standards and requirements by law.

This plat was prepared for the exclusive use of the person, persons, or entity named hereon. Said that does not extend to any unnamed person, persons or entity without a recertification by the surveyor naming said person, persons or entity.

In my opinion, this property does not lie within the 100 year flood plain as shown on the FLOOD INSURANCE RATE MAP. 13113C 0080 D
Community No:
Dated: MARCH 18, 1996

CLOSURE DATA
FIELD CLOSURE = 1' : 18,000+
ANGLE POINT ERROR = < 03"
EQUIPMENT USED: E.D.M. & THEODOLITE
ADJUSTMENT METHOD: NONE
PLAT CLOSURE = 1' : 100,000+

W.D. Gray and Associates, Inc.
land surveyors - planners
P.O. Box 3847 Peachtree City, GA 30269
(770) 486-7552 Fax (770) 486-0496

Prepared For:
V.K. DANIEL

Land Lot: 100
District: 7TH
County: FAYETTE, GA.
Scale: 1" = 50'

DATE OF BOUNDARY: 09-26-05
DATE OF TREE LOCATION: 04-23-07
DATE OF DRAWING: 04-24-07
Job No: 0508050

TRACT "A"

All that tract or parcel of land lying and being in Land Lot 100 of the 7th District Fayette County, Georgia and being more particularly described as follows;

To find the TRUE POINT OF BEGINNING begin at the common Land Lot corners of Land Lots 100, 93, 94, and 99, thence along the Southerly Land Lot Line of Land Lot 100 a distance of 317.0 feet to a 1/2" pipe found and the TRUE POINT OF BEGINNING; thence continuing along said Land Lot Line North 89 degrees 51 minutes 23 seconds West a distance of 364.76 feet to a point; Thence leaving said Land Lot Line North 01 degrees 00 minutes 59 seconds West a distance of 53.40 feet to a point; Thence South 90 degrees 00 minutes 00 seconds West a distance of 53.13 feet to a point; Thence North 01 degrees 00 minutes 59 seconds West a distance of 364.51 feet to a 1/2" rebar found; Thence South 89 degrees 47 minutes 45 seconds East a distance of 416.00 feet to a 3/4" pipe found; Thence South 01 degrees 00 minutes 11 seconds East a distance of 417.34 feet to a 1/2" pipe found on the Southerly Land Lot Line of Land Lot 100 and the TRUE POINT OF BEGINNING and containing 3.940 acres more or less as shown on a plat by W.D. Gray and Associates, Inc. for V.K. Daniel dated 04-24-07.

TRACT "B"

All that tract or parcel of land lying and being in Land Lot 100 of the 7th District Fayette County, Georgia and being more particularly described as follows;

To find the TRUE POINT OF BEGINNING begin at the common Land Lot corners of Land Lots 100, 93, 94, and 99, thence along the Southerly Land Lot Line of Land Lot 100 a distance of 317.0 feet to a 1/2" pipe found; Thence continue along said Land Lot Line North 89 degrees 51 minutes 23 seconds West a distance of 364.76 feet to a point and the TRUE POINT OF BEGINNING; Thence continue along said Land Lot Line North 89 degrees 51 minutes 23 seconds West a distance of 53.13 feet to a 1/2" rebar found; Thence leaving said Land Lot Line North 01 degrees 00 minutes 59 seconds West a distance of 53.27 feet to a point; Thence North 90 degrees 00 minutes 00 seconds East a distance of 53.13 feet to a point; Thence South 01 degrees 00 minutes 59 seconds East a distance of 53.40 feet to a point on the Southerly Land Lot Line of Land Lot 100 and the TRUE POINT OF BEGINNING and containing 0.065 acres more or less as shown on a plat by W.D. Gray and Associates, Inc. for V.K. Daniel dated 04-24-07.

EASEMENT "A"

All that tract or parcel of land lying and being in Land Lot 100 of the 7th District Fayette County, Georgia and being more particularly described as follows;

To find the TRUE POINT OF BEGINNING begin at the common Land Lot corners of Land Lots 100, 93, 94, and 99, thence along the Southerly Land Lot Line of Land Lot 100 a distance of 317.0 feet to a 1/2" pipe found; Thence continue along said Land Lot Line North 89 degrees 51 minutes 23 seconds West a distance of 364.76 feet to a point; Thence continue along said Land Lot Line North 89 degrees 51 minutes 23 seconds West a distance of 53.13 feet to a 1/2" rebar found; Thence continue along said Land Lot Line South 89 degrees 10 minutes 43 seconds West a distance of 25.01 feet to a point; Thence leaving said Land Lot Line North 01 degrees 01 minutes 57 seconds West a distance of 400.48 feet to a 1/2" rebar found and the TRUE POINT OF BEGINNING; Thence North 35 degrees 50 minutes 57 seconds West a distance of 55.82 feet to a point on the Southerly Right-of-Way of Peachtree Parkway (80' Right-of-Way); Thence following said Right-of-Way along a curve to the right having a radius of 3976.41 feet, an arc length of 30.50 feet, a chord which bears North 54 degrees 01 minutes 43 seconds East and a chord distance of 30.50 feet to a point; Thence leaving said Right-of-Way South 35 degrees 48 minutes 13 seconds East a distance of 56.11 feet to a 1/2" rebar found; Thence South 54 degrees 33 minutes 44 seconds West a distance of 30.46 feet to a 1/2" rebar found and the TRUE POINT OF BEGINNING said tract being an Ingress/Egress easement containing 1,706.24 square feet more or less as shown on a plat by W.D. Gray and Associates for V.K. Daniel dated 04-24-07.

EASEMENT "B"

All that tract or parcel of land lying and being in Land Lot 100 of the 7th District Fayette County, Georgia and being more particularly described as follows;

To find the TRUE POINT OF BEGINNING begin at the common Land Lot corners of Land Lots 100, 93, 99, and 94, thence along the Southerly Land Lot Line of Land Lot 100 a distance of 317.0 feet to a 1/2" pipe found; Thence continue along said Land Lot Line North 89 degrees 51 minutes 23 seconds West a distance of 364.76 feet to a point; Thence continue along said Land Lot Line North 89 degrees 51 minutes 23 seconds West a distance of 53.13 feet to a 1/2" rebar found and THE TRUE POINT OF BEGINNING; Thence continue along said Land Lot Line South 89 degrees 10 minutes 43 seconds West a distance of 25.01 feet to a point; Thence leaving said Land Lot Line North 01 degrees 01 minutes 57 seconds West a distance of 400.48 feet to a 1/2" rebar found; Thence North 54 degrees 33 minutes 44 seconds East a distance of 30.46 feet to a 1/2" rebar found; Thence South 01 degrees 00 minutes 59 seconds East a distance of 364.51 feet to a point; Thence South 01 degrees 00 minutes 59 seconds East a distance of 53.27 feet to a 1/2" rebar found and the TRUE POINT OF BEGINNING said tract being an Ingress/Egress easement containing 0.235 acres more or less as shown on a plat by W.D. Gray and Associates, Inc. for V.K. Daniel dated 04-24-07.

TEMPORARY CONSTRUCTION EASEMENT FOR SEWER

All that tract or parcel of land lying and being in Land Lot 100 of the 7th District Fayette County, Georgia and being more particularly described as follows;

.To find the TRUE POINT OF BEGINNING begin at the common Land Lot corners of Land Lots 100, 93, 99, and 94, thence along the Southerly Land Lot Line of Land Lot 100 a distance of 317.0 feet to a 1/2" pipe found; .Thence leaving said Land Lot Line North 01 degrees 00 minutes 11 seconds West a distance of 188.54 feet to a point and the TRUE POINT OF BEGINNING; Thence North 01 degrees 00 minutes 11 seconds West a distance of 157.78 feet to a point; Thence North 90 degrees 00 minutes 00 seconds East a distance of 263.79 feet to a point; Thence South 00 degrees 00 minutes 00 seconds West a distance of 40.0 feet to a point; Thence North 90 degrees 00 minutes 00 seconds West a distance of 243.22 feet to a point; Thence South 00 degrees 56 minutes 52 seconds East a distance of 117.71 feet to a point; Thence South 89 degrees 49 minutes 39 seconds West a distance of 19.76 feet to a point and the TRUE POINT OF BEGINNING, said tract being a variable width temporary construction easement for sanitary sewer installation across property now or formerly owned by St. Andrews in the Pines Episcopal Church and containing 12,870 square feet more or less as shown on a plat by W.D. Gray and Associates, Inc. for V.K. Daniel dated 04-24-07.

PREPARED FOR:
V.K. DANIEL
LAND LOT 100, 7TH DISTRICT
FAYETTE COUNTY, GA.
SCALE: 1" = 50'
DATE OF DRAWING: 04-24-07
DATE OF SURVEY: 09-26-05

W.D. GRAY AND ASSOCIATES, INC.
Land Surveyors - Planners
150 Greencastle Road Suite B Tyrone, 30290
PH. 770-486-7552 Fax: 770-486-0496

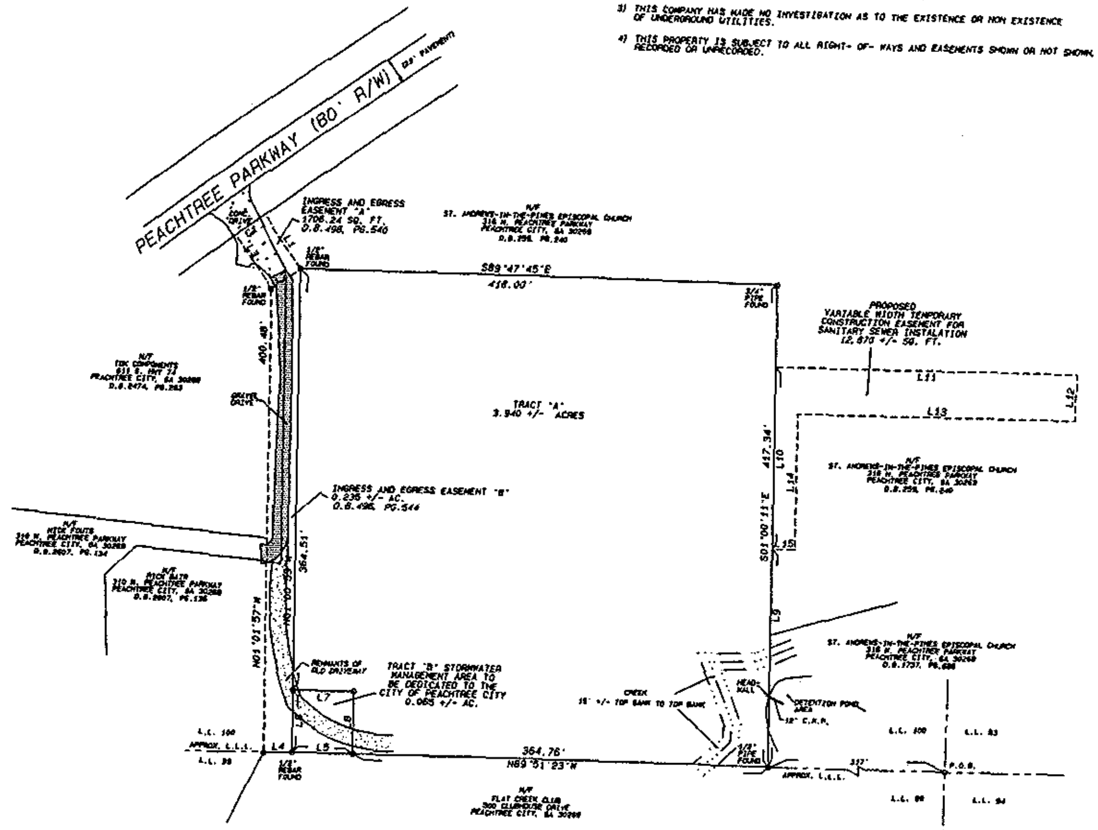
GENERAL NOTES

1) EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS, OTHER THAN POSSIBLE EASEMENTS THAT WERE VISIBLE AT THE TIME OF MAKING OF THIS SURVEY; BUILDING SETBACK LINES; RESTRICTIVE COVENANTS; ZONING OR OTHER LAND-USE REGULATIONS; AND ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

2) NO ABSTRACT OF TITLE, NOR TITLE COMMITTMENT, NOR TITLE SEARCH (DONE BY A QUALIFIED TITLE EXAMINER) WAS PROVIDED TO THE SURVEYOR. THERE MAY BE OTHER DOCUMENTS OF RECORD THAT MAY AFFECT THIS REAL ESTATE.

3) THIS COMPANY HAS MADE NO INVESTIGATION AS TO THE EXISTENCE OR NON EXISTENCE OF UNDERGROUND UTILITIES.

4) THIS PROPERTY IS SUBJECT TO ALL RIGHT- OF- WAYS AND EASEMENTS SHOWN OR NOT SHOWN, RECORDED OR UNRECORDED.



CURVE TABLE

LINE	ARC	CHORD BEARING	RADIUS	DELTA	CHORD	TANGENT
C1	30.50'	N54°01'43"E	3976.41'	0°26'23"	30.50'	15.25'

LINE TABLE

LINE	BEARING	DISTANCE
L1	S35°48'13"E	56.11'
L2	S54°33'44"W	30.46'
L3	N35°50'57"W	55.82'
L4	S89°10'43"W	25.01'
L5	N89°51'23"W	53.13'
L6	N01°00'59"W	53.27'
L7	N90°00'00"E	53.13'
L8	S01°00'59"E	53.40'
L9	N01°00'11"W	188.54'
L10	N01°00'11"W	157.78'
L11	N90°00'00"E	263.79'
L12	S00°00'00"W	40.00'
L13	N90°00'00"W	243.22'
L14	S00°56'52"E	117.71'
L15	S89°49'39"W	19.76'

In my opinion, this plat is a correct representation of land platted and has been prepared in conformity with the minimum standards and requirements by law.

This plat was prepared for the exclusive use of the person, persons, or entity named hereon. Said plat does not extend to any unnamed person, persons or entity without a recertification by the surveyor naming said person, persons or entity.

In my opinion, this property does not lie within the 100 year flood plain as shown on the FLOOD INSURANCE RATE MAP, 13113C 0000 [illegible] Community No. [illegible] Dated MARCH [illegible]

CLOSURE DATA
FIELD CLOSURE = 1' : 10,000+
ANGLE POINT ERROR = < 03"
EQUIPMENT USED: E.D.M. & THEODOLITE
ADJUSTMENT METHOD: NONE
PLAT CLOSURE = 1' : 100,000+

GRAPHIC SCALE 1"=50'
0 50 100 150

JOB NO: 0508050

EXHIBIT B

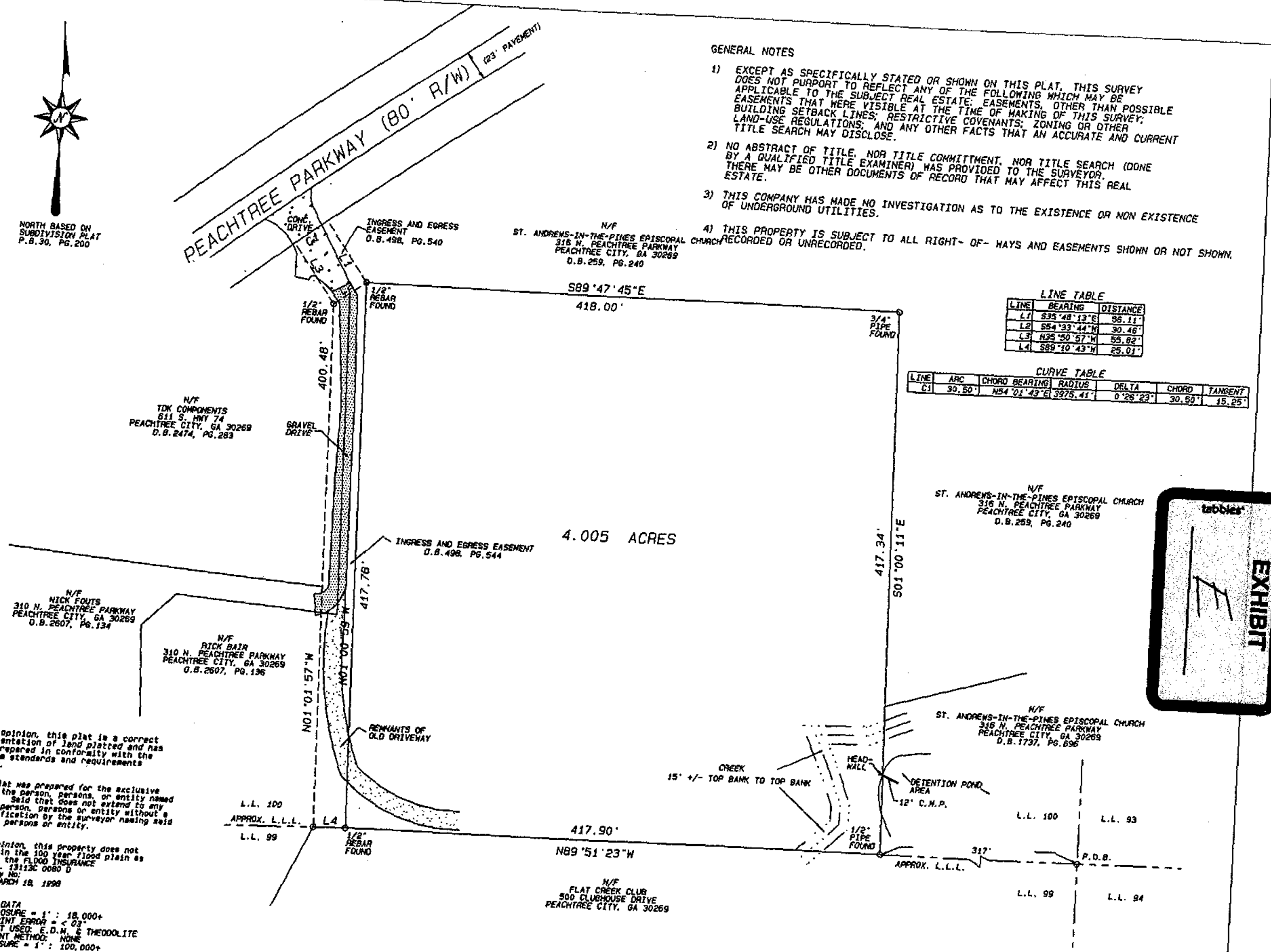
GENERAL NOTES

1) EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS, OTHER THAN POSSIBLE EASEMENTS THAT WERE VISIBLE AT THE TIME OF MAKING OF THIS SURVEY; BUILDING SETBACK LINES; RESTRICTIVE COVENANTS; ZONING OR OTHER LAND-USE REGULATIONS; AND ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

2) NO ABSTRACT OF TITLE, NOR TITLE COMMITTMENT, NOR TITLE SEARCH (DONE BY A QUALIFIED TITLE EXAMINER) WAS PROVIDED TO THE SURVEYOR. THERE MAY BE OTHER DOCUMENTS OF RECORD THAT MAY AFFECT THIS REAL ESTATE.

3) THIS COMPANY HAS MADE NO INVESTIGATION AS TO THE EXISTENCE OR NON EXISTENCE OF UNDERGROUND UTILITIES.

4) THIS PROPERTY IS SUBJECT TO ALL RIGHT- OF- WAYS AND EASEMENTS SHOWN OR NOT SHOWN, RECORDED OR UNRECORDED.



LINE TABLE

LINE	BEARING	DISTANCE
L1	S35°48'13"E	56.11'
L2	S54°33'44"W	30.46'
L3	N35°50'57"W	55.82'
L4	S89°10'43"W	25.01'

CURVE TABLE

LINE	ARC	CHORD BEARING	RADIUS	DELTA	CHORD	TANGENT
C1	30.50'	N54°01'43"E	3975.41'	0°26'23"	30.50'	15.25'

In my opinion, this plat is a correct representation of land platted and has been prepared in conformity with the minimum standards and requirements by law.

This plat was prepared for the exclusive use of the person, persons, or entity named hereon. Said that does not extend to any unnamed person, persons or entity without a recertification by the surveyor naming said person, persons or entity.

In my opinion, this property does not lie within the 100 year flood plain as shown on the FLOOD INSURANCE RATE MAP. 13113C 0080 D
Community No:
Dated: MARCH 18, 1998

CLOSURE DATA
FIELD CLOSURE = 1' : 18,000+
ANGLE POINT ERROR = < 03"
EQUIPMENT USED: E.D.M. & THEODOLITE
ADJUSTMENT METHOD: NONE
PLAT CLOSURE = 1' : 100,000+

W.D. Gray and Associates, Inc.
land surveyors – planners
P.O. Box 3847 Peachtree City, GA 30269
(770) 486-7552 Fax (770) 486-0496

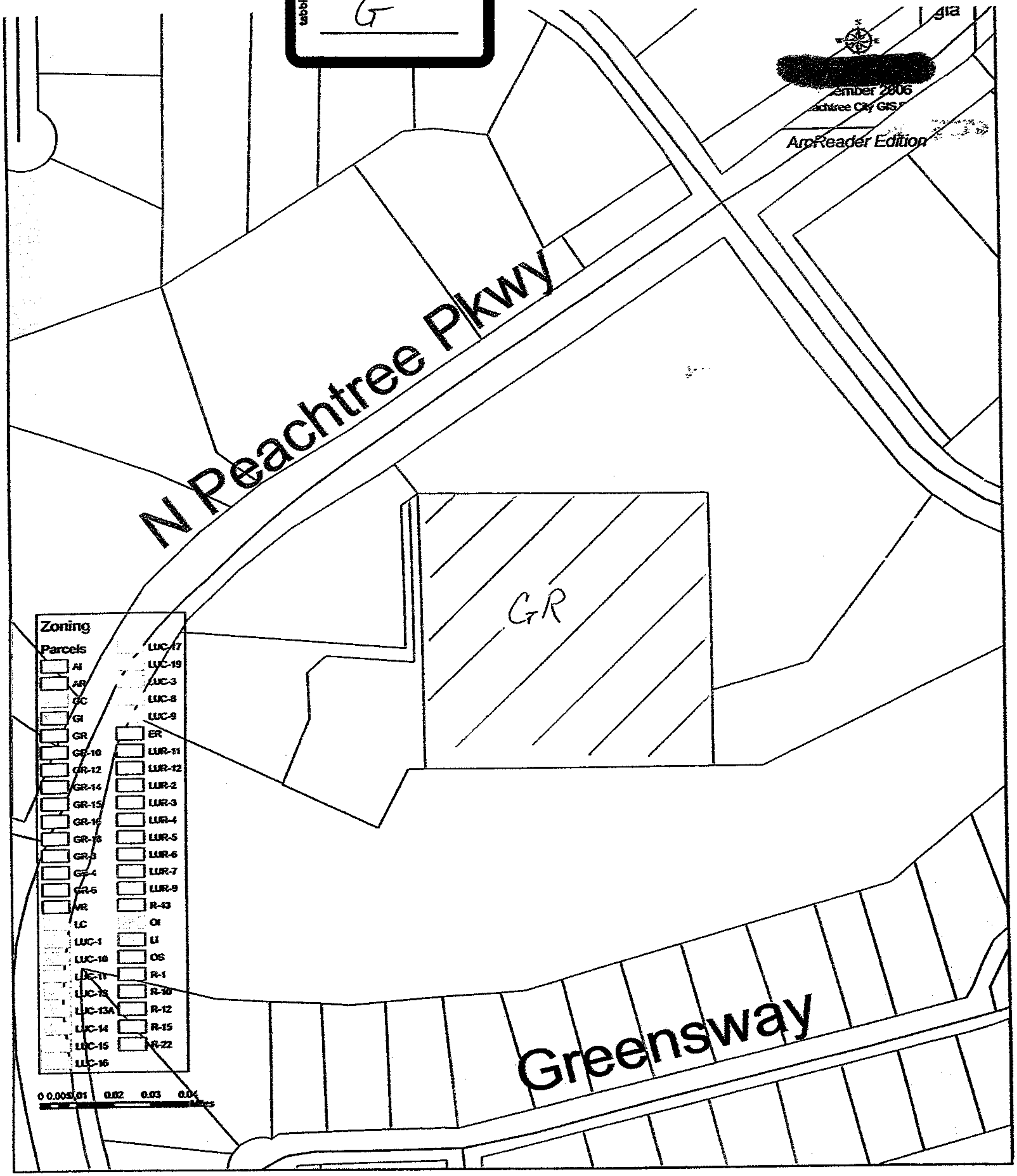
Prepared For:
V.K. DANIEL

Land Lot: 100	DATE OF DRAWING: 09-28-05
District: 7TH	DATE OF FIELD WORK: 09-26-05
County: FAYETTE, GA.	Ref:
Scale: 1" = 50'	Job No: 0508050

MKL

EXHIBIT

G


N Peachtree Pkwy
Greensway
GR
[redacted]
ArcReader Edition
Zoning
Parcels
AI
AR
GC
GI
GR
GR-10
GR-12
GR-14
GR-15
GR-16
GR-18
GR-3
GR-4
GR-6
MR
LC
LUC-1
LUC-10
LUC-11
LUC-13
LUC-13A
LUC-14
LUC-15
LUC-16
LUC-17
LUC-19
LUC-3
LUC-8
LUC-9
ER
LUR-11
LUR-12
LUR-2
LUR-3
LUR-4
LUR-5
LUR-6
LUR-7
LUR-9
R-43
OI
LI
OS
R-1
R-10
R-12
R-15
R-22
0 0.005 0.01 0.02 0.03 0.04
Miles

Sec. 1002. R-43 [one-family] residential district.

(1002.1) *Intent of district:* It is intended that the R-43 zoning district be reserved and developed for low-density residential purposes. The regulations which apply to this district are designed to encourage the formation and continuance of a stable, healthy environment for one-family dwellings situated on zoning lots having an area of one acre or more, with provisions for on-site sewer disposal and limited agricultural activities. These regulations are also intended to discourage encroachment by commercial, industrial or other uses capable of adversely affecting the intended residential character of the district.

(1002.2) *Permitted uses:* The following uses shall be permitted in any R-43 residential zoning district:

(a) One-family dwelling (other than a mobile home), including a guest house facility.

(b) One-family dwelling (other than a mobile home) used primarily as a guest house facility.

(c) Publicly owned building, facility or land.

(d) Building, facility or land for the distribution of utility services.

(e) Building, facility or land for noncommercial park, recreation, thoroughfare, or open space purposes.

(f) Private boat dock, fishing pier, boathouse, and related accessory concession and support facilities.

(g) Unlighted, regulation size or par three golf course.

(h) Accessory use: See section 908.

(i) Customary home occupations: See section 907.

(1002.3) *Conditional uses:* The following uses shall be permitted in any R-43 residential zoning district on a conditional basis:

(a) Noncommercial horticulture or agriculture on the following conditions:

  (1) Poultry and livestock shall not be permitted on a zoning lot of less than 80,000 square feet.

  (2) No poultry or livestock shall be maintained within 100 feet of the property line of any adjoining street or residential zoning lot.

  (3) No building used for animals shall be constructed within 200 feet of any property line.

  (4) At least 5,000 square feet of fenced area shall be provided for each animal, not including household pets, to be maintained on the zoning lot.

(b) On-site sewage disposal system on the following conditions:

  (1) The zoning lot is at least one acre in area.

  (2) A permit for the system is obtained from the county health department prior to its installation.

(c) Cemetery on the following conditions:

(1) The zoning lot is not less than ten acres in area.

(2) There is no crematorium or dwelling, other than a one-family dwelling for a caretaker, on the lot.

(3) The lot has direct access onto an arterial road.

(4) No building is constructed less than 100 feet from any property line.

(5) All gravesites shall be at least 50 feet from any property line.

(6) No identification sign is installed other than one, nonilluminated sign not greater than 24 square feet in area for each panel of a double-sided structure.

(d) Riding stable on the following conditions:

(1) The zoning lot is not less than ten acres in area.

(2) No building is constructed within 200 feet from any property line.

(3) Animals are not maintained within 100 feet of the property line of any adjoining residential zoning lot.

(4) The building height requirements for the district are maintained.

(5) The zoning lot has direct access onto an arterial or major collector road.

(6) No activities, other than normal maintenance, will be conducted within 100 feet of the property line of any adjoining residential zoning lot.

(7) No automobile parking will be permitted within 100 feet of any property line.

(8) No identification sign is installed other than one, nonilluminated sign not greater than 24 square feet in the area for each panel of a double-sided structure.

(e) Church or other legitimate place of worship, including a one-family dwelling for a minister, on the following conditions:

(1) Notwithstanding any other requirements in this ordinance the following conditions shall apply to all churches regardless of zoning district.

(2) Minimum zoning lot area is three acres.

(3) Minimum lot width: 100 feet.

(4) Minimum setback area, front:

(a) Building: 40 feet.

(b) Parking: 20 feet.

(5) Minimum setback area, side: 15 feet. If adjoining a residential lot, the building setback shall be 75 feet.

(6) Minimum setback area, rear: 30 feet. If adjoining a residential zoning lot, the building setback shall be 75 feet.

(7) Maximum building height: As approved by the fire department.

(8) All zoning lots shall have direct access onto an arterial, major collector road or have access to an arterial, major collector or industrial/commercial road via a minor collector.

(9) No parking shall be permitted within 20 feet of the property line of any adjoining residential zoning lot.

(10) Parking and/or service areas shall be separated from adjoining residential lots by a suitable fence or wall six feet in height or a suitable planting screen six feet in height at time of planting. The required fence, wall, or screen must provide for a reasonable visual separation between properties. No fence or wall in excess of four feet may be placed in a setback area adjoining a public street.

(11) One nonilluminated sign not greater than 32 square feet in area for each panel of a double-sided structure is permitted.

(12) Parking: See section 909.

(13) Lighting: See section (1005A.4)(n).

(14) Any existing church in any zoning district may comply with either the requirement existing prior to enactment of this ordinance or they may comply with the conditions of this section. They shall not be permitted to comply with various sections of both requirements.

(f) Private school, nursery or day care facility on the following conditions:

(1) The zoning lot is not less than 80,000 square feet in area.

(2) No building is constructed within 75 feet of the property line of any adjoining residential zoning lot.

(3) The setback and height requirements for the district are maintained.

(4) The zoning lot has direct access onto an arterial or major collector road.

(5) No automobile parking will be permitted within the front setback depth or within 30 feet of the property line of any adjoining residential zoning lot.

(6) Parking, service and/or play areas are separated from adjoining residential zoning lots by a suitable planting screen, fence or wall at least six feet in height above finished grade. The above-required screen, fence or wall must provide for a reasonable visual separation between the properties.

(7) Plans for the facilities must receive the written approval of the state regulatory agencies and the fire department prior to any construction or occupancy.

(8) No identification sign is installed other than one nonilluminated sign not

greater than 24 square feet in area for each panel of a double-sided structure.

(Ord. No. 268, § 1(C)(2), 6-3-1982; Ord. No. 408, 8-21-1986)

(1002.4) *Other requirements:* Unless otherwise specified in this ordinance, uses permitted in R-43 residential zoning districts shall conform to the following standards:

(a) Minimum floor area per dwelling unit: 1,500 square feet.

(b) Minimum zoning lot area: One acre.

(c) Minimum land area per dwelling unit: One acre.

(d) Maximum dwelling units per net acre: One unit.

(e) Minimum lot width: 150 feet.

(f) Minimum lot width adjacent to existing or future public or private street right-of-way line:

  (1) 40 feet on street.

  (2) 35 feet on cul-de-sac.

(g) Minimum front setback depth: 50 feet.

(h) Minimum side setback depth: 15 feet.

(i) Minimum rear setback depth: 30 feet.

(j) Maximum building height: 35 feet.

(k) Parking: See section 909.

(l) Signs: See Peachtree City sign ordinance.

(Ord. No. 366, § 19, 5-22-1985; Ord. No. 394, 4-8-1986)

Cross references: Sign ordinance, § 66-1 et seq.

Sec. 1004. GR general residential district.

(1004.1) *Intent of district:* It is intended that the GR zoning district be reserved and developed for medium- to high-density residential purposes. The regulations which apply to this district are designed to encourage the formation and continuance of a stable, healthy environment for many different kinds of dwellings situated on zoning lots having an area of 1,600 square feet or more. These regulations are also intended to discourage encroachment by commercial, industrial or other uses capable of adversely affecting the intended residential character of the district.

(1004.2) *Permitted uses:* The following uses shall be permitted in any GR zoning district:

(a) All uses permitted in subsection (1001.2) for R-10, R-12, R-15 and R-22 residential zoning districts.

(b) Patio dwelling.

(c) Two-family dwelling.

(d) Townhouse dwelling.

(e) Cluster dwelling.

(f) Multifamily dwelling.

(g) Accessory use: See section 908.

(h) Customary home occupations: See section 907.

(1004.3) *Conditional uses:* The following uses shall be permitted in any GR residential zoning district on a conditional basis:

(a) All conditional uses permitted in subsection (1001.3) for R-10, R-12, R-15 and R-22 residential zoning districts, subject to the same conditions.

(b) Private school, nursery or day care facility on the following conditions:

(1) The zoning lot is not less than 20,000 square feet in area.

(2) No building is constructed within 20 feet of the property line of any adjoining residential zoning lot.

(3) The setback and height requirements for the district are maintained.

(4) The zoning lot has direct access onto an arterial or major collector road.

(5) No automobile parking will be permitted within any of the required setback areas.

(6) All facilities and activity areas are separated from adjoining residential zoning lots by a suitable planting screen, fence or wall at least six feet in height above finished grade. The above-required screen, fence or wall must provide for a reasonable visual separation between the properties.

(7) Plans for the facilities must receive the written approval of the state regulatory agencies and the fire department prior to any construction or occupancy.

(8) No identification sign is installed other than one nonilluminated sign not greater than 24 square feet in area for each panel of a double-sided structure.

(c) Public or private care home on the following conditions:

(1) The zoning lot is not less than 40,000 square feet in area.

(2) No building is constructed within 20 feet of the property line of any adjoining residential zoning lot.

(3) The setback and height requirements for the district are maintained.

(4) The zoning lot has direct access onto an arterial or major collector road.

(5) No automobile parking will be permitted within any of the required setback areas.

(6) Parking and/or service areas are separated from adjoining residential zoning lots by a suitable planting screen, fence or wall at least six feet in height above finished grade. The above required screen, fence or wall must provide for a reasonable visual separation between the properties.

(7) Plans for the facilities must receive the written approval of the state regulatory agencies and the fire department prior to any construction or occupancy.

(8) No identification sign is installed other than one nonilluminated sign not greater than 24 square feet in area for each panel of a double-sided structure. (Ord. No. 268, § 1(C)(4), 6-3-1982)

(1004.4) *Other requirements:* Unless otherwise specified in this ordinance, uses permitted in GR residential zoning districts shall conform to the following standards:

(a) Maximum dwelling units per gross acre:

Attached: 25 units.

Detached: Ten units.

Note: Each GR general residential zoning district shall have the gross density (maximum dwelling units per gross acre) specified as an addendum to the GR designation on the official zoning map. A GR-10 designation indicates that a maximum of ten units per gross acre would be permitted within the district.

(b) Minimum floor area per dwelling unit:

Attached: 600 square feet.

Detached: 800 square feet.

(c) Minimum zoning lot area per dwelling unit:

Attached: 1,600 square feet.

Detached: 4,000 square feet.

(d) Minimum lot width at building line:

Attached: 18 feet.

Detached: 30 feet.

(e) Minimum lot width at street:

Attached: 18 feet.

Detached: 18 feet.

(f) Minimum front setback:

Attached: 20 feet.

Detached: 15 feet; provided that each dwelling unit includes at least two paved parking spaces off the right-of-way; at least one of those spaces must be in a fully enclosed garage, and no part of the garage shall be within 20 feet of the right-of-way.

(g) Minimum side setback:

Attached: Zero feet; provided, that at least a 20-foot separation is maintained between buildings, and further provided, that no more than 16 dwelling units are included in any single building.

Detached: Zero feet; provided, that at least a ten-foot separation is maintained between dwellings, and further provided, that at least one 20-foot separation is provided for every ten dwelling units.

Note: If adjoining a single-family residential zoning district, the minimum side setback shall be 30 feet.

(h) Minimum rear setback:

Attached: 20 feet.

Detached: 20 feet.

Note: If adjoining a single-family residential zoning district, the minimum rear setback shall be 40 feet.

(i) Maximum building height:

Attached: Ten stories.

Detached: Three stories.

Note: If over 35 feet, the building height must be approved by the fire chief.

(j) Parking: See section 909.

(k) Signs: See sign ordinance; building code, article IX [chapter 66].

(l) Screening: When property in a GR general residential zoning district adjoins a single-family residential zoning district, a suitable planting screen and/or a fence or wall at least six feet in height shall be installed to properly screen the parking, service and activity areas from the adjoining property.

(m) Housing mix: Different types of attached and/or detached housing units may be intermingled within any GR general residential zoning district.

(Ord. No. 174(a), 1-25-1979; Ord. No. 366, § 19, 5-22-1985; Ord. No. 394, 4-8-1986; Ord. No. 528, 3-1-1990)

UNAPPROVED EXCERPT OF MINUTES
PLANNING COMMISSION MEETING
June 25, 2007

PH-07-09 Proposed Rezoning, Majestic Estates subdivision, Peachtree Parkway, R-43 to GR

This public hearing had been continued from the June 11, 2007, Planning Commission meeting.

Mr. Murray Weed, Attorney at Law, was in attendance to present the proposed rezoning of a 4.005-acre tract of land on Peachtree Parkway North currently owned by his clients, Mr. and Mrs. Victor Daniel, who were also present. The heavily wooded tract was undeveloped and currently zoned R-43 Residential, which required a minimum lot size of one acre. Access to the property was provided by an ingress/ egress easement from Peachtree Parkway. Mr. Weed stated that his client desired to develop a 6-lot subdivision on the property and desired to rezone the tract from R-43 to GR General Residential.

Mr. Weed stated that his clients had no preference as to whether the land was zoned GR, R-22 or R-12. What was important to them was the ability to have six lots. He stated that the Daniels' acquired the land in 2004 – 2005. When the land was purchased, the zoning was R-43 and had a legal driveway easement that had existed since 1980. He stated that in 1987, the Mayor and City Council adopted the city's zoning and land development ordinance, which included a definition of driveways which provided that one could not have more than two homes off of the same driveway. Mr. Weed contended that, when these ordinances were adopted, it was an unconstitutional yet unintentional taking of the property rights of his Applicant.

Mr. Weed stated that at the June 7, 2007 City Council meeting, a variance was granted which allows his client to use the existing ingress/ egress easement to access his property, and the variance gave no limitation as to the number of homes that could be built on the property. He stated that the Mayor and Council heard the request from Mr. Bair and Mr. Fouts to let only one home be built. This was heard but not addressed. He also stated that there was no restriction on the Mayor and City Council or the Planning Commission body to allow more than four lots on the property.

Mr. Weed stated that the existing zoning surrounding the property allowed a much higher density than what was being proposed. He further stated that the Daniels were going to build their home in their own neighborhood and if they could not get approval for six lots, this would be a "denial of the American dream."

Mr. Weed stated that they had done everything that could be done to keep the process moving and had agreed to everything the city had suggested. He also stated the plat review process had been going on for more than a year and a half, and the housing market had radically changed since Victor and Kim Daniel purchased the land.

Mr. Weed stated that he had received correspondence from Jennis Rice of the Planning Department confirming the zoning of the surrounding properties; he also stated that there was confusion with the position papers and the zoning for the St. Andrews on the Pines property since it was both OS and R-12. He stated that GR General Residential was the recommendation by Staff for the Daniels tract. The origin of the GR request was derived from the driveway issue. He stated that Staff was concerned that with a zoning of R-22, there could be no private streets. The issue had been eliminated via the City Council vote to approve the driveway so they no longer had to necessarily be zoned GR General Residential. He wondered what the best use of the land would be if it were zoned R-12 or R-22. He stated that they would prefer a zoning of R-22, which was less dense than any of the other zones already existing; and if it was conditional to their site plan, that would be a reasonable accommodation.

Mr. Weed stated that the legal standards of health, safety, welfare and aesthetics that would be considered in making the decision to approve or deny. He said these standards came from the case of DeKalb County vs. Bembry. He continued to state that no member of Staff other than Mr. Rast had said that six lots would be an inappropriate number of units.

Mr. Weed reviewed the comments that had been made by Staff during their review of the plans for this development:

- Fire Marshall – approved
- Mr. Colin Halterman – no negative impact on transportation – approved
- Major Dupree of the Police Department – no negative public safety aspect and because of the location and neighboring trees along with being 400 feet off of the Parkway, there should be no public safety issues - approved
- Mr. Randy Gaddo, the Recreation Director – no negative impact on the recreational programs of the City
- Mr. Paul Salvatore, the Chief Financial Officer – would testify that the average tax increase would be $16,800.00 per year if approved

He also stated that they were surprised by Mr. Rast's negative recommendation that he would further discuss. He said that his clients had done more than what was required by law.

Health Issues – Was there a health reason to deny?

- A new fire hydrant would be installed at the entrance of the subdivision which would serve TDK, the property owned by Mr. Bair and Mr. Fouts, and the Majestic Estates subdivision
- Each home would have fire prevention sprinklers
- Wide distances between each home
- Improvement of the sewer lift station on the St. Andrews property
- Use of county water

Safety Issues - Was there a safety reason to deny?

- Private driveway – currently gravel – state-of-the-art driveway which would be equivalent to a private driveway, built to City standards and previously approved by the Fire Marshall
- No visual access from public street – buffer would remain and each lot would maintain as many trees as possible
- Alarm system in each home
- Driveway would support all emergency vehicles

Welfare Issues - Was there a welfare reason to deny?

- Concept approved by the Fire Marshall
- Finance Director noted the increased tax base of $16,800.00 per year
- School Administration reported the six homes would have no impact
- Recreation Department reported there would be no impact
- Police Department reported there would be no safety or traffic impact

Mr. Weed stated that the Land Use plan recommended medium density with single-family cluster homes. He said that they wanted to build something much better than what the City's plan was for the property.

Aesthetic Issues - Was there an aesthetic reason to deny?

- Six homes that were $1.2 million
- Individual custom-built homes
- Maintain the tree line buffer
- Driveway built to City road standards
- Each home professionally landscaped
- No historical or cultural item of significance nearby

Mr. Weed stated that if these items were approached logically, the same way that a Superior Court Judge would, there would be no reason to not approve the request. He again stressed that his clients had been nothing but agreeable to any suggestions made during the process. He said the additional two homes were the reasons for the discussion.

Mr. Weed stated that Mr. Rast had concerns about the detention pond. He stated they intended to provide an expensive filtering system that allowed pavers and swales that would not create the same impervious surface as concrete. Staff continued to require a traditional detention pond.

Mr. Weed said that if the Commission denied the request to have six lots, they were telling the Daniels that they could not have the American dream nor could they make a reasonable profit. What was a reasonable profit? He stated that expert witnesses would confirm that fifteen to twenty percent was reasonable, only if there were six homes. The Daniels had already spent $140,000.00 and one and a half years to make this deal happen. There was no reason, delay or situation that was the Daniels' fault.

Mr. Victor Daniel came forward and reiterated that the zoning they were requesting was less dense than the surrounding zoning. They went from LUR to R-22 to GR, all which were staff recommendations. They would not clear-cut the land but would keep as many trees as possible. He also said that traffic on Peachtree Parkway would not see the homes.

Mrs. Kim Daniel came forward to state that she was also a real estate agent and the property had been landlocked. The City had tied her hands as an agent, investor and future homeowner. She and her husband had been eating all of the interest payments, which was the reason they needed to go from four to six lots to recoup the money. Due to the materials that had been used thus far, it would cost $17,000.00 to take a lot off of their hands.

Mr. Weed again came forward to conclude that because of the actions of the City, which he referred to as a "chain of causation," which meant one thing linked to another, his clients should not be victimized.

No one else spoke in favor of the proposed rezoning.

Mr. Rast began his overview of the proposal by showing photos of the property. He stated Mr. Fouts had installed a driveway on Peachtree Parkway North immediately north of the TDK house. The Majestic Estates tract was just north of that. There was a shared ingress/egress easement that served the Fouts and Bair tracts along with Majestic Estates. He stated that Mr. Weed was correct in stating that the land use plan called for the property to be single-family cluster. However, during the last update to the land use plan, the recommendation included combining the subject parcel, the adjoining Fouts and Bair tracts, the TDK tract and the former residential tract now owned by the adjoining Church to allow the development of a cluster subdivision. That was not possible since some of the property had been sold and developed. The designation was still in the plan but not possible because of the current configuration. The tract in question was 4.005 acres and zoned R-43. He said that when the property was purchased, it permitted four lots. A photo depicting the topography of the site showed a creek that cut through the rear of the property and an associated stream buffer.

Mr. Rast stated that in 2004, Mr. Fouts requested that his property, which was 1.97 acres, be rezoned to allow two lots on the property. It was ultimately decided and adopted that the property be rezoned to R-22, with the R-43 setbacks and buffers used to create the appearance of an estate lot subdivision on the Parkway.

Mr. Rast stated that the first concept plat for Majestic Estates was received on November 21, 2005. He admitted that it had been a difficult process with the access being only one issue of concern. The stormwater ordinance required that new subdivisions provide dedicated stormwater systems on the property, and that these areas be deeded to the city as greenbelt for maintenance purposes, which would limit the development to no more than three lots. Several plans were submitted with various review comments to Mr. Daniel and his engineer. On October 9, 2006, the Planning Commission approved the concept of subdividing the property into four lots, which would allow them to proceed with preliminary engineering for the subdivision

Mr. Rast continued that on December 1, 2006, the hydrology study and construction plans for a four-lot subdivision were received and the engineer was notified that he had not followed the submittal procedure and that the preliminary plat process would need to be followed. On December 15, 2006, the preliminary plat was received and Staff returned comments on January 19, 2007. Staff had not received any response from the applicant.

Mr. Rast continued that Staff had tried to work on the driveway issue Mr. Daniel, Mr. Fouts and Mr. Bair, as they would all be impacted. He indicated the three property owners must still reach an agreement about the design, construction and maintenance of the access. Mr. Daniel submitted an application to City Council requesting a variance from Section 201 (t) of the Land Development Ordinance, which stated that a residential driveway could not serve more than two single-family residential lots. In consulting with Mr. Ted Meeker, the City Attorney, it was found that the ingress/egress easement was in place prior to that section of the ordinance being adopted, and Mr. Weed was correct in stating the City had inadvertently taken access from the applicant. When the variance was granted, it returned access to the four acres, which could now be developed as currently zoned, R-43.

A rezoning application was submitted to subdivide the property into six lots. Mr. Rast felt that the request was not consistent with the surrounding zoning. He also stated that Mr. Weed had made contact with several members of City Staff to seek their input on the additional lots. He noted that their opinions were appreciated but they were not the Zoning Administrator and did not make recommendations on zoning issues. He further stated that the Zoning Administrator was responsible for reviewing the Comprehensive Plan, the Land Use Plan and the zoning ordinance. The Zoning Administrator also made the recommendations to the Planning Commission and City Council. Staff was simply asked whether six lots could be put on Peachtree Parkway.

Mr. Rast stated that Staff's recommendation was that the GR zoning not be approved. He said Staff would support the property being rezoned to R-22 which was similar to the zoning for the Fouts / Bair tract. He also recommended that the stipulation be adopted with the same setbacks and buffers that were currently designated in R-43.

Mr. Rast stated that "spot zoning" would set a precedent on Peachtree Parkway, which would open the door for purchasing and subdividing existing tracts of land on Peachtree Parkway. Staff's position was that the current zoning allowed for the tract to be divided into four parcels, and the issue of the amount of money spent by the applicant could not be considered for the decision. He said the R-22 zoning on the adjoining Fouts and Bair tracts followed the "step down theory" identified within the comprehensive and land use plans.

He stated that the Peachtree Crossings retail development served as the village retail center for Glenloch Village, and the Highlands, Rosemont and Greensway subdivisions were approved with higher density, as they were immediately adjacent to the village retail center. As you moved farther north on Peachtree Parkway, the lots increased in size, and maintaining the R-43 zoning on this tract would be consistent with the theory of lots increasing in size the farther you moved away from the village retail center.

Mr. Rast stated that the Planning Commission could not recommend a zoning other than what the applicant had requested unless the Applicant agreed to this zoning. If the applicant did not concur with the R-22 zoning, the zoning should be denied as requested. If the applicant agreed to the change in zoning from GR to R-22 as suggested, Staff recommended the zoning be approved with conditions. One of these conditions would limit the number of lots to no more than four.

Mr. Rast also stated that one of the conditions addressed the access issue and required Mr. Daniels to meet with Mr. Fouts and Mr. Bair to resolve the design, construction and maintenance of the access. Mr. Rast felt this was appropriate since the access Mr. Daniel would be constructing was actually on property owned by Mr. Fouts and Mr. Bair. Once the issues were resolved, a concept plat would need to be reviewed to ensure the plan met applicable ordinance requirements

Mr. Nick Fouts, one of the adjacent property owners, came forward in opposition to the proposal. He stated that the easement was on property owned by himself and his father-in-law, and that was their only leverage. He proposed that the turnaround be installed closer to Peachtree Parkway, and felt this change would have less impact on their property. He was not against making the property look good.

Mr. Fouts stated that he was irritated that Mr. Weed had several meetings with City officials about the use of "his property". He stated that his property was rezoned from VR Villa Residential to R-22 with R-43 standards. He stated that he would support rezoning the property for no more than four lots, but was still concerned about the amount of traffic that would be using the access easement. He stated that the increase in traffic would pose safety issues. He reiterated that he wanted to work with Mr. and Mrs. Daniel; he did not want to be the bad guy.

Mr. Rick Bair, another adjacent property owner, also came forward in opposition. He stated that he had seven grandchildren and safety was his issue. He stated that his American dream would be affected by the traffic on his land, and that the economics were not his problem. He also stated that when City Council approved the variance allowing access, they did not consider or approve six lots on the property. He stated that he had not seen documentation or had discussion with any City officials about his property. Mr. Bair stated that driveway upgrades had been discussed but he wondered who would pay for them and for moving utilities that had been installed within the easement

He again stated that safety was his main concern and felt the number of homes using one point of access needed to be taken into account. He stated that with the proposed subdivision being gated, people would be driving into his driveway to turn around. However, if access was moved further up, that problem would go away.

Ms. Phyllis Aguayo, a resident of Stoneybrook subdivision, stated that she was familiar with the property. She remembered that before the last change in the land use plan, there was debate as to whether the back part of the property would be accessed from Peachtree Parkway. It was agreed that if it did, it would need to conform to the zoning of the existing lots along the Parkway. She recalled the discussion was there was the potential of combining this tract with some of the adjoining parcels to create an area that might accommodate a cluster subdivision, but that access would be from Stephens Entry. Because of development that had occurred on these parcels, this was no longer possible.

She stated that now the homes would go on a scenic highway with special designations, buffers and a majority zoning of R-43. She felt that it was appropriate that the rezoning of R-22 happened for the Fouts/ Bair tract since it was similar to the rest of the Parkway. Ms. Aguayo said that the request to put four lots on the property, considering the zoning, would be appropriate. Her feeling was the Applicant was given a "gift" with the variance to restore access to the property, and was concerned about the precedent this would set for other property along the parkway. She felt that as build-out was reached, more would request the subdivision of property. She stated that she felt for the Daniels' and their investment and would like for them to make as much profit as possible but it was not the responsibility of the City to guarantee profit but to zone as appropriate and to do what was right for the rest of Peachtree City. She hoped that the request would be denied.

Ms. Lynda Wojcik, a resident, came forward to state that she was against changing the zoning to increase density. Ms.Wojcik said that she did not feel sorry for the applicant since there were easement issues prior to the purchase of the property. She also felt that Ms. Daniel should have done more research on the property. It was not the City's problem that the market was down and they were not going to make the expected profit.

Mr. Weed returned to respond to the statements made. He stated that the easement issue was created in 1980, seven years before the zoning code was adopted. There was nothing that Mr. and Mrs. Daniel could have done to prevent what had happened to them. Mr. Weed said that Mr. Rast made a contradictory statement in saying that the Mayor and Council had resolved the issue by granting a variance on June 7, 2007. His document said that the "issues must still be worked out with the property owners about the property easement." Mr. Weed stated that there were no more remaining issues. He stated that the City Attorney did not have any further issues. He also stated that Mr. Fouts and Mr. Bair may not want or like the improvements but that was established prior to their obtaining the property.

Mr. Weed stated that an eyebrow cul-de-sac would be built for turning cars around so the safety issues would not be a concern for Mr. Bair.

Mr. Weed also said that the variance granted was not a gift; if it had not been granted, it would have been a taking of property. They would be happy to sell the property for fair market value.

He stated that it had been said that Peachtree Parkway was a scenic route but their property could not be seen from the street so there would be no impact on scenery on the Parkway. He also stated that it had been said that it was not the City's fault that the market had softened; he agreed but felt the City was at fault concerning the variance issue. He said that it was not required by the law or in the City ordinance to get approval from Mr. Fouts and Mr. Bair on development access to the easement. He continued that it was illegal and violated the case of Delmonte Dunes, which was an illegal exaction from a developer along beachfront property, which was overturned by the Supreme Court. Forcing them to do something beyond the code than what they were willing to do would be another case of exaction.

Mr. Weed said that they did want to accept the R-22 zoning condition to the four-unit site plan. He stated that they had now been put in the position by the Planning Staff to require six homes and they must work with Mr. Fouts and Mr. Bair to get their approval on how the access could be used and approved.

Mr. Weed stated that if the zoning were refused on the basis that they must do something further with regard to the easement, it would be an illegal exaction to his client. Either the Mayor and Council gave them the variance to use their easement or they did not. If they had to do something further to "earn it," it would be unconstitutional under the current law.

Mr. Weed said that Council granted the variance on June 6, 2007 with no limitations. They had right of access and right of improvement. They did not understand Mr. Rast's position; however, he understood the advice provided by Mr. Rast would be conservative. However, this would be a high end product, no visual impact and agreed that the project would be beautiful.

He also stated that Staff implied that they were surprised by his clients' desire to have six homes. He stated records of contact from August 2006 to May 2007 totaling 23 calls and meetings. He felt the implication was unfair.

Mr. Weed stated that one year ago they would have just built four homes at one home per acre. They did not want to build six homes but they had no choice. The Daniels would build their home on the lot with the creek on it providing good product. He said this was not spot zoning if the surrounding property was looked at.

Mr. Daniel came forward to address Ms. Aguayo's comments that the City did not give him a gift by giving him his right to his property. He appreciated the variance that was granted and believed everything concerning the driveway would work out. He said that the City was not in a position to tell him what legal right to the easement was.

Mr. Daniel said that concerning the safety of Mr. Bair's grandchildren, that issue would be improved by making drivers turn around. The road would be widened and a fire hydrant would be installed which were for the safety of the residents. He also stated that they were not aware of an issue with having six lots until they received a copy of Staff's position paper on Friday, June 22.

Mr. Weed returned to state that the Fire Marshall sent an approval letter for six lots in November 2006. They had been and would continue to be cooperative. However, they could not accept the conditions placed on the property that gave complete control of the access easement to Mr. Fouts and Mr. Bair and limited them to only four lots. They were willing to negotiate the conditions.

Mr. Bair stated that he would like to have copies of the documentation that Mr. Weed referred to. Mr. Weed suggested he go through the open records act.

Mr. Rast stated that the property had been zoned R-43 for years. The access issue was resolved with the granting of the variance. Council did not design the access at the meeting; they merely said that they would restore access to the property from Peachtree Parkway. Mr. Rast continued to state that they had not seen anything on the design of the easement that was acceptable to both parties. The easement was on property owned by Mr. Fouts and Mr. Bair. He said many meetings had been held to resolve the issue but had not succeeded. He also stated that he did not believe that Staff could approve access without concurrence of the property owners to where the access would be located. He felt that issue should be resolved between the two parties.

Mr. Mullin asked why the property owners objected to the road if it would be built to City standards. Mr. Rast replied that GR zoning allowed the design of private roads. He said what the easement document said and what the owners agreed to were issues that were out of the City's hands. Council only said that the Applicant could have access to more than two lots. The driveway design would require stormwater detention, which was required by the ordinance, and would have to go on Majestic Estates property. R-22 zoning would allow lots less than one acre and would limit the number of lots that could be developed.

Mr. Weed returned again and stated that the Mayor and Council were exposed to the plan at the variance hearing. He said that he agreed to the four conditions with the exception of number three which stated that once the access lane was resolved, a revised concept plat shall be submitted. He said that Mr. Rast had stated that no resubmittal would be needed. Mr. Weed said that in reference to condition number two, he made a point of presenting the plan to Council and no one objected. There was no law or ordinance stating that it was necessary to work with the adjoining property owners. The condition of number one to have no more than four lots was not logically consistent.

Mr. Staples asked what happened between the October 2006 meeting for four lots and the November 2006 meeting for six lots. Mr. Weed responded that Kim and Victor Daniel could not make the project work financially with four lots. Ms. Daniel also stated that the property was landlocked and could not be developed nor did they even have access to the property since the time of purchase. Carrying costs had been incurred during the year-and-a-half process with interest being paid on the loan. She also stated that the bank would not secure their loan if they did not get approval for six lots.

Mr. Mullin asked what reasoning was used to only allow four lots. Mr. Rast responded the property was zoned R-43. In working with the site plan, if it was developed at R-43, there was not enough acreage to dedicate the required greenbelt to the City and make the lots one acre each. This requirement would reduce the number of lots to three. In order to allow the applicant to still have four lots, Staff felt the R-22 designation was appropriate as long as they adhered to the R-43 setbacks.

Mr. Staples stated that the overall tone in previous meetings was quite different. What happened in the past year for the current tone? Mr. Weed responded the difference was one and a half years and $140,000.00. Mr. Staples continued that he was surprised about the six lots. He also wanted explanation as to why this was not a buyer beware situation. Mr. Weed responded that when his clients purchased the land, an access easement was shown that guaranteed them right of access. They also researched R-43 which allowed one house per acre. Mr. Staples said that with further research, they would have found that with property stipulations they would only have three lots. Mr. Weed said that he disagreed with that. There were several conversations with the City Attorney with regard to what constituted access and if the City would have to have deeded access. An entire plan was prepared with limited impervious surface and swales that would have met the necessary drainage requirements. Mr. Daniels also stated that staff recommendations led them from LUR to R-22 to the final request of GR.

Mr. Mullin stated that he saw both sides and would be willing to agree with the six lots if they could work with the adjoining landowners. He also stated that the city was giving a gift of four lots by allowing the zoning of R-22.

Mr. Staples stated that in terms of compensation for loss caused by the City, the gift from the City would be to allow the applicant to go from three to four lots. Mr. Roach stated that if there were a carrying cost loss, they would have to go through a court of law. Mr. Weed stated that he did not wish to sue the City and hoped there was another solution.

Mr. Mullin asked Mr. Fouts and Mr. Bair what their concerns were with the property being four or six lots. Mr. Bair stated that when they applied for their variance, there was a lot of discussion about safety and exiting on Peachtree Parkway for three homes. There would now be a potential of four to six additional homes exiting on an easement that was 25' in width. He noted that Mr. Daniel did have the right to improve the gravel road at his own expense, but the fact was this was still on land owned by him and Mr Fouts. Mr. Bair stated his main concern was where the inlet was in a gated community and the cars that would have to turn around in his driveway. He believed that the entrance should be moved further towards the Parkway. Mr. Weed responded that his clients agreed to remove the gate. He also asked "what other pound of flesh could be given to make the project happen."

Mr. Staples asked if there was any compromise in the number of lots going from six to five lots. Ms. Daniel said they must have six lots for bank approval.

After an initial recommendation to table the vote until these issues could be resolved, which was not acceptable to the applicant, a motion was made by Mr. Scott, seconded by Mr. Staples, and unanimously adopted that the proposed rezoning of the Majestic Estates subdivision from R-43 to GR be forwarded to City Council with a recommendation that it not be approved.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor and Council Members**

VIA: **City Manager**
Developmental Services Director

FROM: **City Planner/ Zoning Administrator** David

DATE: **July 11, 2007**

SUBJECT: **Request by Dominion Partners, LLC to lift the moratorium on multi-family housing, Stephens tract (approximately 20 acres)**
July 19, 2007 City Council agenda

Recommendation:
Based on the appeal procedures outlined in Section 1404 of the Multi-Family Rezoning Moratorium (Attachment "A"), Staff is not authorized to make a recommendation to Council on the request to lift the multi-family moratorium.

Discussion:
Dominion Partners, LLC submitted a letter to City Staff (dated June 14, 2006) requesting that City Council consider lifting the moratorium on multi-family housing for a proposed residential development on approximately 20-acres of the Stephens tract (Attachment "B"). The Applicant desires to rezone the property from GI General Industrial to an appropriate zoning classification in order to build and operate a Senior Living Community that would include independent living, assisted living, memory care and healthcare residences on the property.

The Applicant has provided an overview of their proposal along with examples of similar communities they have developed throughout the southeast (Attachment "C"). Lifting the moratorium in no way obligates the city to ultimately rezone the property. What it does is provide Staff the opportunity to work with the Applicant to determine the impacts of the proposed development and to make recommendations to the Planning Commission and City Council.

Mr. John Gorecki of Dominion Partners and City Staff will be available at Thursday's meeting to answer questions pertaining to this request. The Applicant has provided a summary of their proposal along with project information from several of their existing and proposed communities throughout the southeast.

Budget impact:

Should the application move forward, budget impacts would be analyzed as a part of the rezoning process. The development would be located within the Braelinn Service Area and would require impact fees for each new residential unit.

Attachments

Sec. 1404. Appeals.

Any party with an ownership interest in property in the city that believes said property owner is severely prejudiced by this moratorium may file an application with the city planner requesting that the mayor and council remove the moratorium as it applies to the property.

(a) The application shall be accepted by the city planner and placed on the council agenda after being properly advertised, and then, considered by the mayor and council.

(b) City staff shall only provide council with current land use and zoning information regarding the subject property and its surrounding properties and shall not make a recommendation to council on the application to lift the moratorium.

(c) In the event council lifts the moratorium, the property owner may then submit the request for rezoning following established procedures.

(d) In the event council declines to lift the moratorium, the property owner shall have the same rights and follow the same procedures as those connected with the denial of a rezoning request.

(Ord. No. 727, 11-4-1999)

2007-06

DOMINION PARTNERS

June 14, 2007

Mayor Harold Logsdon
City Council of Peachtree City
151 Willowbend Road
Peachtree City, Georgia 30269

RE: Request to lift multi-family moratorium on Stephens tract for a Senior Living Community

Dear Mayor and Council:

Dominion Partners and our Somerby Senior Living division request that the City lift its multi-family moratorium on the Stephens tract so that the Planning Commission and Council can review our plan to build and operate a Senior Living Community that will include Independent Living, Assisted Living, Memory Care and Healthcare residences on the property. We are under contract to purchase 26 usable acres of the Stephens tract and would like to construct and operate one of our Somerby Senior Living Communities in Peachtree City. The property has a total of 103 acres, however, 77 of the acres will remain undisturbed, providing a beautiful nature preserve for our residents.

Somerby of Peachtree City will be a full-service senior residential community designed to provide our residents gracious living and the availability of a continuum of care. Our goal is to enhance the lives of our residents through an active and healthy lifestyle centered around a daily balanced diet, wellness and exercise programs and social interaction.

Our development will have very little impact on the City's existing infrastructure but will add significantly to its tax base. Many of our residents will not drive cars and because our community will be restricted to residents 55 years of age and older, there will be no impact on the area schools. Peachtree City currently has limited options for its senior citizens who desire quality housing and related healthcare. We would like to fill this need within the City and believe the upscale nature of our full-service community will compliment the quality housing Peachtree City is so prominently known for.

I've attached a survey of the property on which we would like to locate our community and look forward to having the opportunity to present our plan before the Council. Please place this item on the next available City Council agenda and feel free to call me direct at 205-776-6073 with any questions you may have.

Sincerely,
Dominion Partners & Somerby Senior Living

John Gorecki

John Gorecki
Principal

BIRMINGHAM, ALABAMA   RALEIGH, NORTH CAROLINA   RICHMOND, VIRGINIA

2700 Corporate Drive, Suite 125 ▪ Birmingham, Alabama 35242 ▪ tel (205) 776-6000 ▪ fax (205) 776-6070 ▪ www.DominionPartnersLLC.com

Attachment "B"

RECEIVED cc: D. Rast

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO:	**Mayor & Council Members**
VIA:	**City Manager**
FROM:	**Acting Administrative Services Director / City Clerk**
DATE:	**July 12, 2007**
SUBJECT:	**Consider Fee for Notary and Witness Signatures** ***Date, City Council Meeting***

Recommendation:

Staff recommends that Council establish a fee of $2.00 per signature for notary and witness signatures after the first page of signatures.

Discussion:

Several City employees serve as Notaries Public and notarizations have been provided as a free service to the community. The majority of people using the service are having signatures witnessed or notarized on a single page (permission slips, medical authorizations, candidate filing statements, etc.).

With the availability of certain types of transactions over the Internet and through other electronic media, staff is seeing more diversity in the requests for notary and witness signatures. Several times a year, individuals or couples who have used online templates for wills will come to City Hall to have the signatures notarized. This type of document takes one notary and two additional witnesses between ten and fifteen minutes to complete. More recently, staff has also been asked to notarize two real estate closings, each taking in excess of 30 minutes. Due to the much greater staff time involved in providing this service, staff feels a reasonable fee per signature would help to defray the costs associated with providing the service for lengthier documents.

Staff has contacted the following local businesses and agencies to find out what the range of charges for notarization might be.

- The UPS stores - $4 per signature.
- The Mail Room (Westpark) - $2 per signature.
- PakMail (Wilshire) - $5 for the first signature, $3 per additional signature
- PakMail (Peachtree East) - $3 per signature.

- Bank of Georgia - Account holders only
- United Community Bank - Account holders only
- Peachtree National Bank - Account holders free, others $4 per signature
- Regions Bank - Account holders only
- BB&T- free
- Wachovia – would not quote fee, only notarize certain documents, excluding wills.

- Town of Tyrone – free
- City of Fayetteville – free
- Fayette County – free

Staff feels that establishing a charge of $2 per signature is reasonable, and that excluding the first page of signatures would still allow the City to provide the service free to the majority of users, while addressing the staff time involved in assisting with some of the longer and less frequent documents.

Budget Impact:

This item will have an estimated budget impact of less than $1,000 in revenue per year.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor & City Council**

VIA: **Bernard McMullen, City Manager**
Colin Halterman, Assistant City Manager
Betsy Tyler, Acting Administrative Services Director
Brenda Rogers, Human Resources Manager
Randy Gaddo, Leisure Services Director
Paul Salvatore, Finance Director P.S.

FROM: **Matt Robinson, System Administrator** MR

DATE: **July 9, 2007**

SUBJECT: **Reclassification of Position – Library Network Specialist**
July 19, 2007 City Council Agenda

RECOMMENDATION

Staff recommends the City Council approve the reclassification of the Library Network Specialist position from the Library department of the Leisure Services division to become a System Specialist in the Information Technology department of the Financial Services division. Staff further recommends that the $15,790 funding for this position for the remainder of FY2007 be transferred from the Library budget to the Information Technology budget.

BACKGROUND

The person previously in the Library Network Specialist position has retired from the City effective June 30, 2007.

As a part of the FY2008 budget preparation process, the Financial Services division requested that an additional technical position be added to the Information Technology department to focus on Public Safety technology applications and needs. The Police Department and Fire Department have both requested that a technology position be added to Information Technology to assist with the increased administration required in managing and customizing their core records management applications as well as new databases going online in FY2007. The FY2008 justification for this position is attached to this memorandum.

The Leisure Services division had anticipated this retirement and for two years planned that this position would be reclassified to another library position, Library Circulation Specialist.

Circulation has increased by 45% since re-opening the expanded and remodeled library in November 2005. This makes the Peachtree City Library the busiest in the County and the Flint River system and among the 10 busiest in the PINES system. Lines are noticeably longer, and current staff is stretched thin accommodating patron needs. Therefore, there is a need for additional staffing in the circulation department.

The City Manager has consulted with staff regarding these circumstances and has recommended in the FY2008 proposed budget that the Library Network Specialist position be migrated to the Information Technology department to be used as the position requested by Information Technology. Staff has determined that the support functions performed by the Library Network Specialist can be adequately covered between Information Technology and other library staff members. The Director of Leisure Services is currently working on another personnel action that will provide relief in the circulation department. As long as this is successful, staffing concerns in both departments should be addressed.

As some of the new databases for Public Safety will be going online in the immediate future, staff believes that this is an opportunity for a public safety focused position to be hired and be trained on new systems at the same time as the rest of the I.T. staff. By moving the Library Network Specialist position to Information Technology in FY2007, staff asserts that this position will be better equipped to support the public safety departments and gain from the knowledge of helping to implement the new systems.

BUDGET IMPACT

In FY2007, there will be no budget impact with the proposal, as the position is already funded in the current year budget. Staff requests that $15,790 (or a prorated share of the salary and benefits for the position as currently budgeted, as calculated by Finance) be transferred from the Library budget to the Information Technology budget to fund the remaining salary and benefits for the position in the remainder of FY2007.

As this is a reclassification of an existing position to be filled at a salary less than the salary of the Library Network Specialist, future budget years will experience an expense comparable to or less than current budgeted expenses.

Attachment: Position Justification for System Specialist

Personnel Justification Form
FY 2008

Department: Information Technology
Position Title: System Specialist
Starting Salary: $38,454

Grade: 278
Pay Range: $38,454 - $61,923
Quantity of Positions: 1

JUSTIFICATION:
The Police and Fire Departments have requested that Information Technology add a position to focus primarily on the technology needs of public safety. With the increased number and complexity of applications being utilized by the Police and Fire Departments, including mobile EMS call recording, electronic police reporting, pre-plan software, and customized Access databases, a dedicated person would be able to provide improved response times to the department when they need it most. This position would also provide the departments with a resource to assist with customizing reports and data for the departments.

The departments have provided a summary of the duties they currently perform:

Police (averages 5-7 hours per week):

- Build and maintain databases – Laptop Inventory, Bias Based Profiling, Training System, Community Relations, Applicant Tracking, Juvenile Reporting, Report Review, House Checks, Booking System, IA System, Captain's Log;
- Answer questions pertaining to Microsoft applications;
- Locate files/search for files;
- Fix minor network issues, help with printer installations, some software support;
- Video and picture technical support;
- Website updating;
- Customizing Reports for Crimefile RMS (records management system);

Fire and EMS (averages 5-7 hours per week):

- Maintenance of Firehouse RMS (records management system);
- Assisting field units with hardware and software issues while on calls;
- Customizing Reports from Firehouse

With the addition of new electronic reporting and integration of pre-plan software, it is estimated that the position will spend 25 hours per week on tasks related to public safety.

This position, while focused on public safety, would also be utilized citywide as another technology position. With the retirement and proposed attrition of the Library's Network

Administrator position, Information Technology's workload will increase. Additional staffing would enhance the levels of support already provided by the department.

POSITION SUMMARY:

This is technical and administrative work responsible for technical support of the City's technology systems. Responsibilities include front-line resolution of computer hardware, software, and data issues, assisting the System Administrator and departments in defining user needs, and modifying computer programs to meet those needs. The position assists the Systems Administrator with providing specialized assistance to the Police and Fire departments. Work is performed under the general supervision of the Systems Administrator and reviewed through the evaluation of the efficiency and effectiveness of operations.

ESSENTIAL JOB DUTIES:

Contact for resolving technical problems with computer hardware and software to ensure maximum computer uptime.

Provide first line technical and design support to Police and Fire departments for database applications, including pre-plan software, records management systems, video archival and customized databases.

Assist with report customization and integration of Police and Fire department applications.

Coordinate with existing vendors for technical support problem resolution for Police and Fire applications.

Recommend technology purchases to the System Administrator for the Police and Fire departments.

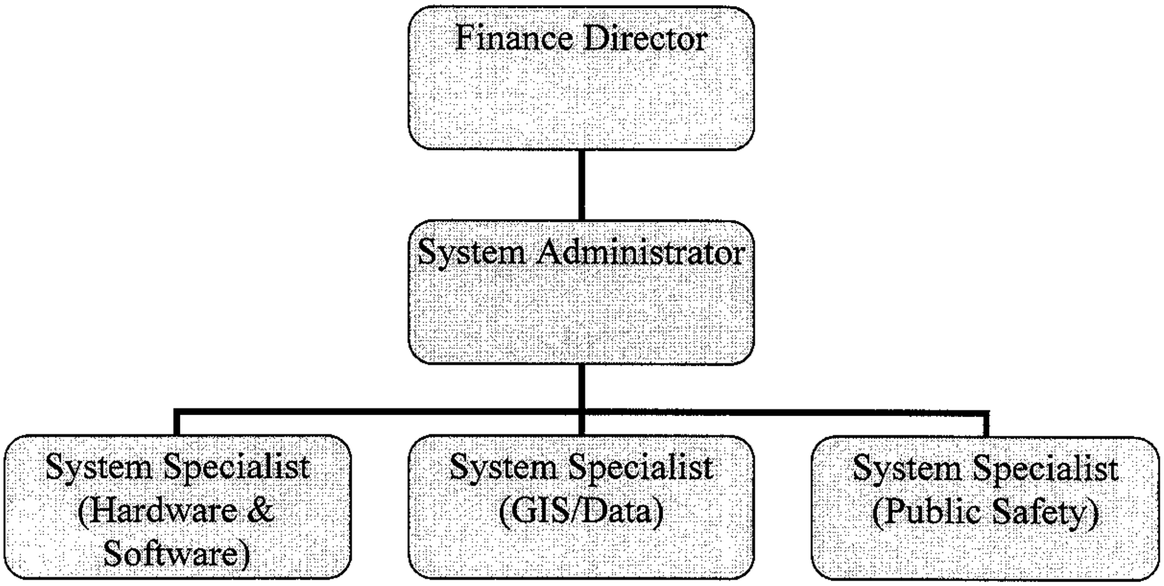
Assist other departments with technical support needs in conjunction with the other Information Technology staff.

Assists in the installation of hardware and software; participates in training.

Perform all other duties as assigned.

COST PER EMPLOYEE		EXTENDED TOTAL
SALARY:	$ 37,700	$37,700
FICA/MEDICARE: (7.65%)	$ 2,884.05	$2,884.05
BENEFITS:	$ 10,582	
UNIFORMS:	$ 0	
SUPPLIES:	$2,000 (computer, office supplies)	$2,000
EQUIPMENT: (Vehicles,etc.)	$	
OTHER: (Describe)	$	$

Department Organizational Chart
(including requested position)



CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO:	Mayor and Councilmembers
VIA:	Bernard J. McMullen, City Manager
FROM:	Paul J. Salvatore, Financial Services Director P.S. Janet I. Camburn, Assistant Finance Director
DATE:	July 9, 2007
SUBJECT:	Bricks and Mortar Reimbursement Resolution and Related Budget Amendment *July 19, 2007 City Council Agenda*

<u>Recommendation:</u>

That City Council approve the attached "Official Intent Resolution" for the use of bricks and mortar financing for the reimbursement of several capital projects expenditures as indicated in the attachment to this memo; and approve the attached budget amendment increasing appropriations and revenue projections in the 2007 PIP Fund.

<u>Discussion:</u>

As part of the 2008 budget process, the City has identified several capital projects to be considered for financing through the bricks and mortar loan process. In order to obtain reimbursement for these items, after City expenditures have been made, City Council must adopt a reimbursement resolution that identifies these projects. Attached is a resolution that fulfills the requirements for future bricks and mortar financing.

Also, attached is a budget amendment to increase both revenues and appropriations in the 2007 PIP Fund to cover those projects originally proposed as part of the 2008 PIP Fund budget. It is necessary to move these projects to the 2007 PIP Fund in order to finance these projects in 2007.

It is the recommendation of staff that the attached resolution be adopted by City Council to provide financing for the identified capital projects and that City Council approve the budget amendment moving projects proposed in fiscal year 2008 to the 2007 PIP Fund.

Should the resolution be adopted, the actual bricks and mortar financing will be brought before City Council, at a later date, for approval.

Budget Impact:

There is no budget impact for the adoption of this resolution. Adequate funds are budgeted for any fiscal year 2007 debt service requirements for the 2007 bricks and mortar loan and the 2008 proposed budget will include funding for the 2008 debt service requirements on the loan.

Capital Improvement Loan
Calendar Year 2007

Year(s) Budgeted	Project	Amount
2004	Satellite Auto Shop Building	$ 544,032
2005	Satellite Auto Shop Equipment	69,485
2006	Riley Field Parking Improvements	75,000
2007	Flat Creek Bridge – Phase II	517,000
2007	Station 83 Living Quarters	127,000
2007	Police Department Station Repairs	600,000
2007	Battery Way Boat Dock Replacement	150,000
	Estimated Closing Costs	67,483
Total		$2,150,000

OFFICIAL INTENT RESOLUTION

WHEREAS, the City of Peachtree City (the "City) expects to obtain financing (the "Obligations") in a principal amount not to exceed $2,150,000 to finance the costs of acquiring and/or installing various capital projects, including the Satellite Auto Shop Building and Equipment, Riley Field Parking Lot Improvements, Flat Creek Bridge – Phase II, Station 83 Living Quarters, Police Department Repairs, and Battery Way Boat Dock Replacement (collectively the "Project"); and

WHEREAS, the City has used or will use, before the issuance of the Obligations, moneys in its General Fund to pay expenditures related to the Project and reasonably expects to use proceeds of the Obligations to reimburse its General Fund for these expenditures; and

WHEREAS, Treasury Regulation Section 1.150-2 requires the City to declare its intent to use proceeds of the Obligations to reimburse its General Fund for moneys used to pay expenditures related to the Project;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Peachtree City, and its hereby resolved by authority of the same, as follows:

1. The City declares its intent to use proceeds of the Obligations to reimburse its General Fund for moneys used to pay expenditures related to the Project.

2. This Resolution shall take effect immediately upon its adoption.

DULY ADOPTED this ____ day of ____________, 2007.

CITY OF PEACHTREE CITY

(SEAL) By:

____
Mayor

Attest:

____
City Clerk

STATE OF GEORGIA

FAYETTE COUNTY

CITY CLERK'S CERTIFICATE

I, **JANE MILLER**, City Clerk of the City of Peachtree City, **DO HEREBY CERTIFY** that the foregoing page constitutes a true and correct copy of an official intent resolution adopted by the City Council of the City of Peachtree City (the "Governing Body") at an open public meeting duly called and lawfully assembled at _______ p.m., on the _______ the ____ day of _____________, 2007, the original of such resolution being duly recorded in the Minute Book of the Governing Body, which Minute Book is in my custody and control.

I do hereby further certify that the following members of the Governing Body were present at such meeting:

____

____

____

____

____

and that the following members were absent:

____

____

and that such resolution was duly adopted by a vote of:

Aye _____ Nay _____

WITNESS my hand and the official seal of the City of Peachtree City, this the _____ day of ______________, 2007.

____

City Clerk

(SEAL)

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 07-018

DATE July 19, 2007

ACCOUNT	PJT	DESCRIPTION	INCREASE	DECREASE
357-321054-1325	177 - Const	PD Station Repairs	300,000	
357-00-39-3310	xxx	Loan Proceeds	300,000	
357-6110-54-xxx	xxx - Const	Battery Way Boat Dock Replacement	150,000	
357-00-39-3310	xxx	Loan Proceeds	150,000	
357-4110-54-1457	187 - Const	Flat Creek Bridge	267,000	
357-00-39-3310	xxx	Loan Proceeds	517,000	
357-00-39-1110	xxx	Transfer from General Fund		250,000
100-1505-61-1357	xxx	Transfer to Fund 357		250,000
100-00-38-9025	xxx	Surplus Carryover		250,000
		TOTAL	$ 1,684,000	$ 750,000

To increase appropriations and revenues (loan proceeds) for the Flat Creek Bridge Project $267,000, the Battery Way Boat Dock Replacement $150,000; and the Police Department Station Repairs $300,000. To adjust the 2007 budget to reflect the $250,000 budgeted for Flat Creek to be financed rather than through a transfer from the Geneal Fund.

ENTERED ____________

APPROVED ____________

Net Impact on Fund 357 - Increase both revenues and expenditures	$	717,000
Net Impact on Fund 100 - Decrease both surplus carryover and expenditures	$	250,000

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor & Council Members**

VIA: **City Manager**
Assistant City Manager

FROM: **Acting Administrative Services Directory/City Clerk**

DATE: **July 13, 2007**

SUBJECT: **Mayor & City Council Salaries Increase**
July 19, 2007, City Council Meeting

Recommendation:

That Council provide direction for staff in this matter.

Discussion:

Council Member Plunkett requested that this item be placed on the agenda for discussion. To move forward, a legal ad must run for three consecutive weeks advertising a proposed increase prior to Council adopting a change in the salaries. Any changes would not take effect until January of 2008.