

City Council of Peachtree City

Agenda

July 15, 2010

7:00 p.m.

I. Call to Order

II. Pledge of Allegiance

III. Announcements, Awards, Special Recognition

Recognize Float and Golf Cart Winners from July 4th Parade
Junior Police Academy Graduation
Recognize Teen CERT Class

IV. Citizen Comment

Any member of the public attending the meeting may comment on any issue or item that is not included on tonight's agenda. The time limit is two (2) minutes.

V. Agenda Changes

VI. Minutes

June 17, 2010, Regular Meeting

VII. Monthly Reports

VIII. Consent Agenda

1. Consider New Alcohol License – Formosa Deli
2. Consider Reclassification of Leisure Service Crew Leader Positions
The elimination of a supervisory position has increased the responsibility and corresponding ratings for these positions.
3. Consider Budget Amendments – Fiscal Year 2010
Various budget amendments made to the 2010 budget resolution that increase both revenues and expenditures in Special Revenue Funds to allow for the expenditure of the funds received.
4. Consider Expansion of Fire Station 84 – Architectural Services – Option C
Architectural design services for Fire Station 84 expansion.

IX. Old Agenda Items

X. New Agenda Items

- 07-10-01 Public Hearing – FY 2011 Budget
- 07-10-02 Public Hearing – Consider Variance to Watershed Protection Buffer, 306 The Enclave
The Applicant is seeking a variance to construct a swimming pool and other features within the Watershed Protection Buffer.
- 07-10-03 Public Hearing – Consider Step 1 Annexation Request from SITUS Property Corporation for Southern Pines tract
The Applicant desires to annex the 77.21 acre Southern Pines tract into the city limits and rezone the property for industrial use.
- 07-10-04 Public Hearing – Consider Changing Street Name, Cobblestone Drive to Cobblestone Creek
The City desires to clarify the name of the internal private street within the Cobblestone Creek condominium complex off of Pinegate Road.
- 07-10-05 Consider Amendment to Code of Ordinances, Telecommunications Towers and Antennas Ordinance or Extend Moratorium on Requests for New Applications
Staff will present the amended Wireless Telecommunications Facilities Ordinance for adoption.
- 07-10-06 Public Hearing – Consider Amendments to Section 1007, LI Light Industrial zoning district
Adding telecommunications facilities and support structures as a conditional use.
- 07-10-07 Public Hearing – Consider Amendments to Section 1008, GI General Industrial zoning district
Adding telecommunications facilities and support structures as a conditional use.
- 07-10-08 Public Hearing – Consider Amendments to Section 1009, OS-C Open Space - Conservation zoning district
Removing telecommunications facilities and support structures as a conditional use.
- 07-10-09 Public Hearing – Consider Amendments to Section 1009A, OS-P Open Space - Public zoning district
Adding telecommunications facilities and support structures as a conditional use.
- 07-10-10 Consider amended Articles of Incorporation and Bylaws for the Peachtree City Tourism Association
The Association has adopted a name change to the Peachtree City Convention and Visitors Bureau and revised the structure of the Board of Directors.
- 07-10-11 Discuss and Consider Expansion of The Gathering Place

XI. Council/Staff Topics

Hot Topics Update

XII. Executive Session

City Council of Peachtree City
Meeting Minutes
June 17, 2010
7:00 p.m.

The City Council of Peachtree City met on Thursday, June 17, 2010, at City Hall. Mayor Haddix called the meeting to order at 7:00 p.m. Council Members attending: Vanessa Fleisch, Eric Imker, Kim Learnard, and Doug Sturbaum.

Announcements, Awards, Special Recognition

Mayor Haddix recognized the volunteers at the Peachtree City Library along with the volunteer coordinator, Paul Lentz. Haddix issued a Proclamation to "Let Freedom Ring" on July 4, recognized residents of Dartmouth Place who participated in a drowning rescue, and recognized Ricky Howard of the Fire Department for 10 years of service.

Agenda Changes

There were none.

Public Comment

There was none.

Minutes

June 1, 2010, Budget Workshop

June 2, 2010 Budget Workshop

June 3, 2010, Regular Meeting

Fleisch moved to approve the meeting minutes as presented. Learnard seconded. Motion carried unanimously.

Consent Agenda

- 1. Consider Alcohol License – NEW – Borgo Italia, 288 Highway 54 West**
- 2. Consider Alcohol License – NEW – Tuscany Wine Distributors of Georgia, 1000 Cooper Circle #102**
- 3. Consider Adoption of Partial Plan Update to the Comprehensive Plan**

Learnard moved to approve the Consent Agenda. Fleisch seconded. Motion carried unanimously.

Old Agenda Items

06-10-01 Public Hearing – Consider Rezoning, LUR-13 to GR, Newgate Road

Haddix noted that the Planning Commission recommendation memo was on the dais.

Brendan Barr and David Dixon with Norsouth addressed Council regarding their proposed age-restricted community, Kedron Senior Village. Barr said there had been some misconceptions about the project and clarified that the most frequent question he received was if this was a subsidized housing project. He said it was not, and the apartments were marketed to seniors not receiving aid.

The parcel was 5.62 acres currently zoned for multi-family development, which was consistent with Peachtree City's Land Use Plan. The site had good access to Highway 74 and to Kedron Shopping Center, as well as to medical offices, the multi-use path system, and the Kedron Fieldhouse and Aquatic Center.

Barr said Peachtree City's demographics supported the need for this type of housing, which had no impact on schools and minimal impact on traffic. He said the project would provide an economic benefit to the City.

The target residents were moderate income seniors, with an approximate annual income of \$30,000, capable of independent living. The community would have additional services such as on-site medical screenings, exercise classes, and pottery classes. There would also be gardening plots, game rooms, and private space for group meeting. The restrictions on age would be included in the deeds, financing, and zoning covenants. The target market was predominately female and beginning at age 70. Rents would range from \$660 to \$950 per month.

Barr explained that there was a period, varying in length for each person, when older residents were between wanting a single-family home and needing assisted living. This community filled that gap.

Barr said that tax credits were a financing mechanism used to develop affordable housing, with the tax credit passed on to the equity investors financing the project, which in turn allowed for the lower rental rates.

Barr said the project adhered to the step-down zoning advocated by Peachtree City's Land Use Plan, with higher density development closer to the village center. It also promoted the availability of senior living accommodations to keep up with the changing demographics of society, and promoted the mixture of income brackets advocated by the plan.

Barr then reviewed statistics, noting that the United States' population was quickly growing older, and seniors were the fastest growing segment of the population. Additionally, the average life expectancy was increasing, thus increasing the need to extend retirement income with this type of project.

Barr said the proposed development would actually improve the traffic impact over the current zoning for the property. The project would add \$5.8 million in onetime benefits, and \$6.6 million in recurring benefits to the community. The project would also include sustainable development features, including energy efficient appliances and lighting fixtures, a rainwater harvest system, drought-resistant landscaping, low flow plumbing fixtures, energy efficient outdoor lighting, and resident education programs on issues like recycling.

Project architect Bill Foley then reviewed the site plan, noting the site was surrounded by green space, although the site had been pre-graded for commercial development several years previously. Foley said the proposed project was sized to include significant amenities, and the

overall count had been reduced to 100 units. Golf cart parking had also been added, along with secured parking and garden space for the residents. The buffer along Highway 74 would virtually obscure the entire development. Foley said Norsouth would connect into the path system and would look at a more direct connection to the shopping center. The facility was three-storied with elevators.

Dixon added that Norsouth loved Peachtree City and the standards the City had set. They were committed to building an asset to the City. He said he realized the community was traditionally opposed to multi-family housing, but this was a completely different type of project, designed for mothers, mothers-in-law, and grandmothers. The rental rates were the standard for this age range and market. Norsouth also had a long-range commitment to the project.

Community Development Director David Rast then reviewed staff's recommendation. He said several representatives of staff and the Planning Commission had toured other properties by Norsouth, and Rast had met with representatives of the Department of Community Affairs (DCA) about the tax credit program.

The project was on land currently zoned for a 21-unit townhome development. The Land Use Map designated the site as multi-family. When Kedron Village had originally been zoned, the property within the Georgian Park/Peachtree Parkway/Highway 74 loop had all been zoned for commercial use. Newgate Road, within that area, included the Georgia Park Car Wash, Holiday Inn, a gas station, and this site, which had originally been two to three additional commercial sites. The sites were pre-graded but were not sold. In 2007, the City rezoned the property for a town-home development, and the Land Use Plan was changed to multi-family to reflect that change.

Rast said, as part of the overall Kedron Village zoning, the property on the outer loop of Kedron Drive, including the neighborhoods off Regents Park, were all designated for multi-family development. The vision was that the area would have townhomes and condominiums to take advantage of the lake views. Pathway Communities had chosen to develop the area at a lower density, with single-family detached residential.

The 5.62-acre site was formerly zoned GC and was currently zoned LUR-13 for 21 townhome units. The proposed zoning was GR-18, with a gross density of 17.9 units per acre.

Rast said that people often talk about sticking to Peachtree City's "plan." He said the 1985 Land Use plan called for a mix of dwelling types, sizes, and processes to meet the current and projected needs of residents of all socio-economic groups. The 1990 Comprehensive Plan discussed the village concept and having higher density development closest to the village retail centers, and recommended multi-family and medium density residential developments in close proximity to the centers.

In 1995, the Land Use Plan was updated to call for a limit on multi-family development to no more than what was absolutely needed to support the city at build-out.

In 2006, the City began the update of the Comprehensive Plan. The Community Assessment revealed that the majority of Peachtree City's population was between the age of 40-55, and that population would pass 65 in 20 years. The Comprehensive Plan Committee raised issues about whether the City had the resources to accommodate an aging community as far as housing and transportation were concerned, and if the City needed to increase the availability of senior housing developments. Opportunities outlined in the update included designating additional areas for senior and/or age restricted housing, conducting an inventory of existing senior housing or cluster communities and determining if services were being provided or if improvements or enhancements were necessary, and considering a redesign of existing apartment communities to accommodate senior housing. Council adopted the plan with these elements to forward to the DCA.

Rast then reviewed recently approved senior-oriented developments. These included the 144 luxury apartments at Towne Club, which was complete; Somerby, with 310 age-restricted units, which had not broken ground yet but was anticipated to begin by the end of 2010; and the Scarborough Tract in Wilksmoor Village, which would include 650 age-restricted units, but the project was on hold.

Rast then reviewed existing apartments in general per village, and apartments geared specifically toward seniors. He noted that Kedron had no senior apartments. He also reviewed current rental rates (a copy of the presentation is included in the official meeting file).

Rast addressed the Tax Credit program, saying it had been enacted by Congress in 1986 to provide the private market with incentives to invest in affordable and workforce housing. Through the program, Federal housing credits were awarded to developers of qualified projects, then sold to investors to raise capital to build the projects. This reduced the debt the developer would otherwise have to borrow, allowing for more affordable rental rates. The program was administered through the DCA.

Housing Tax Credits applied to residential rental property that had to commit to low-income occupancy threshold requirements. The developer was required to restrict rents, including utility charges, in low-income units, and to operate under the rent and income restrictions for 30 years or longer, pursuant to written agreements with DCA. Compliance requirements included a minimum affordability period of 30 years (15 year compliance period + 15 year extended use period), annual tenant income certification, and DCA inspections of properties on 3-year cycles.

Rast explained the Planning Commission expressed concern about Norsouth obtaining approval and then walking away from the project. To address this concern, Norsouth was proposing to place deed restrictions on the property to limit occupants to senior adults 62 years of age and older. Those deed restrictions would stay with the land and could only be removed by a change in zoning. Additionally, the Federal Housing Act (FHA) stipulated age restriction requirements, and DCA would place a Land Use Restrictive Agreement on the property to ensure compliance with the requirements of the Housing Tax Credit program. The Land Use Restrictive Agreement would run with land and could not be repealed without consent of DCA. Finally, the City's GR-

18 zoning designation had been written specifically for this development. Any change to use of the property would require a change in the conditions of zoning.

Staff was recommending approval of the project with the following conditions:

1. *The schematic site plan submitted as a part of the rezoning request is illustrative only. The Applicant shall prepare a detailed conceptual site plan, which must be reviewed and approved by the Planning Commission as a part of the established site plan review and approval process. It is understood the general layout of the buildings, parking areas and amenities may change once final engineering documents are prepared.*
2. *There shall be no more than one hundred (100) apartments, all of which shall be age-restricted, within the overall development.*
3. *Existing vegetation within all tree save and landscape buffers shall be preserved to the greatest extent practicable prior to, during and following construction activities.*
4. *The exterior building materials and color selection shall be submitted to and approved by the Planning Commission. Building architecture, exterior materials and color selection shall follow the city's design guidelines ordinance.*
5. *The Applicant shall coordinate with City Staff to determine the location and extent of the multi-use path connection from this development to the existing path on Newgate Road. The path shall be designed and constructed by the Applicant at no expense to the city.*
6. *The maintenance of all internal parks, landscaped areas and signage shall be the sole responsibility of the developer and/ or the community association.*
7. *The Applicant shall coordinate with the Fayette County Water Department and the Peachtree City Fire Department to ensure appropriately sized water lines are constructed as a part of this development.*
8. *The overall development shall comply with the city's post-construction stormwater runoff management ordinance and provide water quality Best Management Practices (BMP's) on greenbelt areas dedicated to the city.*
9. *The location of the floodplain shall be field located and surveyed prior to preparation of the engineering drawings. Absolutely no development shall be permitted within the floodplain.*
10. *The Applicant shall coordinate with the Peachtree City Building, Fire and Police Departments to ensure their understanding of the proposed development, internal circulation routes, emergency response, building design and life safety issues.*
11. *The developer shall pay impact fees as identified within the city's Impact Fee Ordinance.*
12. *At the Applicant's request, the property and units constructed thereon shall be restricted to housing for older persons as defined in 42 U.S.C. § 3607. Said development shall be intended and operated for occupancy by persons 62 years of age or older. The City shall publish and the developer shall adhere to policies and procedures that demonstrate the intent required under this provision. In addition, the Developer and its successors and assigns shall comply with rules issued by the Secretary of the United States Department of Housing and Urban Development for verification of occupancy, which shall: provide for verification by affidavit with photo identification listing each resident's date of birth and include examples of the types of policies and procedures relevant to a determination of compliance with the requirement of this Paragraph 1318.*

13. *The annexation and rezoning is conditioned upon the execution of the Development Agreement between the City and the Applicant attached hereto as Attachment "B". The Development Agreement shall be recorded in the Deed Records of the Clerk of the Superior Court of Fayette County, Georgia, so as to provide notice of the conditions of this zoning to all parties in interest.*

Rast said the Planning Commission held two public hearings and voted unanimously to recommend approval, but added conditions to those already proposed by staff. Those additional conditions were:

14. *The Applicant shall notify the City of Peachtree City of any changes in ownership or management of the development.*
15. *The Applicant shall work with City Staff and the Fire Marshal to identify a suitable location for the security gates with the intent being to move the gates as far into the property as possible.*
16. *The Applicant shall provide covered parking for golf carts on the property.*
17. *The Applicant shall provide line of sight elevations from SR 74 and Georgian Park to determine the impact of the building on these areas.*
18. *The final site plan and architectural plans shall ensure that all mechanical units are properly screened from view.*
19. *The landscape plan shall be reviewed and approved by the City Landscape Architect and the Planning Commission in accordance with the city's landscape ordinance.*
20. *The Applicant shall work with City Staff to determine the location of the access to the existing golf cart path. This shall include reviewing a proposed new path connection across the existing creek to provide direct access into the retail center.*
21. *A copy of the annual audit report shall be provided to the city.*

Haddix asked for those in favor of the project to speak. Al Yougel, Keep Peachtree City Beautiful, said he was tired of having to clean up the site.

Juan Matute asked about parking, saying that if there were 100 units and 100 parking spaces combined for automobiles and golf carts, it would force some people to use their cars to go to the nearby shopping center. He said requiring either a car or a golf cart could be a problem, and he asked if they could expand the parking so that some people could have both if they wanted them. Matute said the sociological impact of the gap this project would fill would result in a transient population that would reduce the community integrity that Peachtree City strove to attain.

Frank Tostani said he had been a developer and an engineer. He felt the presentation was very one-sided, and questioned whether the decision had already been made. He said developers were also in business to make money, and asked, if they could not fill all the apartments, would they then come back to request an ordinance change. He said Peachtree City should support seniors, but he did not think Peachtree City was set up for low-income housing.

Ellen Ulkin said that she was approaching 70 and would probably fall into the "low income" category of these apartments, and they sounded very nice. She said it was not up to Peachtree City to discriminate against retirees who made \$30,000, and everyone needed a place to live.

Carol Mitchell said older residents needed to stay in their homes and commented at length about an unrelated issue.

Betty Robison said she lived in Twiggs Corner next to Peachtree Villas, the only true "low-income" housing for seniors in Peachtree City. She said very few people in town were even aware of that project. She said \$30,000 annual retirement income was not low-income, and there were a lot of residents who could not afford Towne Club. She was in favor of the project.

Learnard asked Rast about the potential issues if the project did not fill up. Rast said there would be a deed restriction recorded on the property that would include the age restrictions and the conditions of the zoning. If the property changed hands, the new developer or owner would fall under the same requirements. Any change would have to come back to Council for a change in zoning. The Development Agreement would be between the City and Norsouth, the land use restrictions would be between DCA and Norsouth, and the restrictions would be part of the zoning. Those were three separate guarantees that would impose the restrictions and conditions until and unless they came back to Council. Rast said Norsouth's agreement with DCA bound them for 15 years as a moderate income community for seniors. To opt out, there was an application process during which DCA would have the first right to find a new owner to operate the property under the same conditions. The intent, from DCA, was to keep this the same type of property regardless of ownership.

Sturbaum asked if a new owner could opt out of the DCA requirements before the 15-year time-frame. Dixon responded, saying the age restriction would be perpetual, but the income restrictions, which only applied to 80% of the property, must extend the full 15 years, and there was the expectation that the income restrictions would extend another 15 years. Haddix said that, if the project failed in 7 years, it would sit empty. Barr confirmed that it would sit there until it could be filled with residents age 62 and older.

Sturbaum asked how a unit might go out of compliance. Barr said that 80% would have a moderate income restriction, and non-compliance could mean leasing to someone under 62 or to someone who earned more than the income restriction, but it could also include maintenance issues if the property was not kept up. In those cases, DCA issued a notice to the IRS about the problem that the owners had to address or be subject to penalties or tax credit recapturing.

Dave Kuhn asked, if a resident had a grandchild move in, who would monitor the situation. Barr said that would bring the unit out of compliance and could be addressed by reporting it to either the City or DCA.

Haddix said he thought the amount of owner-occupied homes by seniors was very high in Peachtree City. He did not want the misconception that Peachtree City did not currently have a lot of seniors in homes at this time.

Lernard asked what the other Norsouth properties were like, and if they had changed ownership. She asked Rast if he would feel comfortable having his mother live at one of the properties. Rast said that, as someone whose father passed away two years ago and whose mother was still in the house with the family unable to find a place they could afford for her to live, he would have no qualms about moving her into one of these properties. Rast said they had visited facilities in College Park, East Point, and elsewhere, still owned by Norsouth. They were all in very good condition, well landscaped and well maintained. The amenities, which were required as part of the program, were designed to prevent the residents from sitting alone in their apartments with no communication.

Fleisch asked if Peachtree City had any other locations that had used this type of funding. Rast said Harmony Village had been one of the initial recipients of tax credits. Rast spoke with the representative from DCA, who indicated the application at that time was very short, and once the credits were awarded, the applicant went bankrupt and pulled out of the project, but it was still funded through the Tax Credit program.

Imker asked if there were any other locations that had the opportunity for razing and rebuilding or starting from scratch to build this type of project. Rast said some of the older apartment complexes were zoned GR for apartments, but that properties geared toward seniors were not laid out on larger tracts of land – they were kept small, single buildings, to keep all the residents close to the amenities. Rast said that, realistically, there were probably several sites in town that could one day have requests to be redeveloped in this manner.

Lernard said the bottom line for her was whether it met the needs of Peachtree City, and she believed it did because of the aging population. She said she liked the location and the compliance with the Land Use Plan, and that they were built with environmental considerations. She also felt the imposition of restrictions was well-considered and that this was not a low-income project. She said it was a good solution in a good location.

Haddix said there had been a lot of history of overbuilding in Peachtree City, and the apartment communities already here had been the reason for the multi-family rezoning moratorium. AMLI had sold its complexes due to their age. He said the big hindrance to him was that, if it did not sell, it would sit empty. He also did not like dropping homes in the middle of commercial and office development, saying it was isolating the residences. He felt there were too many negatives to vote for the project.

Fleisch said she felt there was a need, but she would rather something already zoned be redeveloped. She felt the City did not need to have something else that would need to be maintained down the road.

Sturbaum said he had concerns about the turnover long-term. Imker said he was not prepared to increase any zoning density by 500%.

Fleisch moved to deny the rezoning request. Imker seconded. Motion carried 4-1 (Lernard).

06-10-05 Consider Approval of PCTA Lease Agreement

Haddix prefaced the item by saying that there had been some deliberate misinformation and false rumors put out, and he wanted clarify that he was a strong supporter of seniors and he wanted to make sure the groups using the annex had a place to continue meeting.

City Manager Bernard McMullen said the lease had been discussed at the previous meeting, with two options for locating the welcome center. Option A was in the space that was immediately adjacent to the box office, and Option B was in the space next door, known as The Gathering Place Annex.

Council had asked staff to look at other options for the groups using the annex, and McMullen reviewed staff's criteria in evaluating various spaces. The facilities looked at included The Gathering Place, the Annex, the lower level at City Hall, Kedron Fieldhouse Room 2, and the Floy Farr Room of the Library. The evaluation criteria included ADA accessibility, parking, restrooms, impact on other programming, event-appropriateness of the space, recreation staff oversight, the maximum number of tables possible, and available storage space.

The Gathering Place had the highest score, with the annex coming in second, because City Hall and the Floy Farr room had challenges with parking during the work day. The Kedron room also had parking challenges and had events for age groups that might conflict with the programming from the Annex. None of them could provide the needed storage space.

Janet Werner, Leisure Services Coordinator for The Gathering Place, reported that losing the Annex would result in the discontinuation of Tuesday night, Wednesday, Thursday night, and Saturday ACBL Bridge Games. Music Alive practices would have to be cancelled, and several rentals for The Gathering Place would have to be cancelled.

Haddix asked for clarification on where Music Alive practiced, and a representative of the group confirmed that it was on the main level of the Annex. Leisure Services Director Randy Gaddo said they had been moved from downstairs when Griffin Tech relocated to that space.

Haddix asked whether the function of the Gathering Place was as a rental facility or a facility to serve the citizens. Werner said, until two years ago, they had not sought rentals, but there had been more of a focus on revenue during the recent economic downturn. Gaddo said Council had directed staff to develop more revenue sources to offset operating costs, which rentals helped to address.

Haddix said he understood that the direction had come from Council, but he was now asking for Council input on whether that direction was warranted. Fleisch said it did not make sense to her to focus on revenue generation at the Gathering Place when that was the only spot available for seniors. Imker said both The Gathering Place and the annex needed to serve citizens first and only be rented when the rental did not interfere with the programs. Sturbaum said he was concerned that the emphasis on revenue was displacing the facility users at The Gathering Place. Learnard noted that, in the decision matrix, The Gathering Place had offered the most benefits to

the bridge group, and asked if they were still looking at moving the bridge group to the most ideal setting.

Imker said the old box office area (Option A) would meet the short term needs for the Visitors Center, and maybe the long-term needs, and would not interfere with the current activities at the annex or The Gathering Place. Haddix said he had a problem with calling it a short-term solution. Imker asked for feedback from Tourism Executive Director Nancy Price.

Price said the current space was temporarily adequate, but it would not work for the long-term if Council and the Tourism Association wanted to expand the Visitor's Center into a true Welcome/ Information Center such as had been operated by the major developer in previous decades. A citizen asked how many visitors came to the Visitor's Center. Price said about 60 per month, but the goal was to bring those numbers up significantly.

Imker asked about the renovation costs. McMullen said they did not have specific estimates, but he was estimating around \$10,000. The annex space, though larger, was open and would not require a lot of modification; the box office side was more involved because it would require the removal and relocation of walls. Haddix said he felt it was not cost effective to modify the smaller area as a temporary solution.

Imker said he could live with the center in the smaller space for a year, even if fifty people a day visited. He also felt the renovations could be completed fairly cheaply, and an alternative still needed to be found..

Learnard asked if the funds for the renovations were available in Council Contingency. McMullen confirmed that the funds were available. Haddix remained uncomfortable with the temporary solution, and asked Price for input. Price said the Annex space was optimal, but they could certainly live within the box office space for now. Haddix asked and Price confirmed that there would be no room to expand the center into an Information/Welcome Center.

Haddix said he was also trying to look toward the future and ways to bring in new revenue. Fleisch clarified that the hope was to have a center to help market the City, and the question before them was whether to have a facility of the size necessary to have interactive displays for prospective residents. She admitted she was surprised at the variety of groups using the annex since the space was usually empty when she visited the Box Office. Learnard said she would also love to see the center using the entire building, but the space was in use, and if Option A could be made to work, that was what needed to happen for the time being.

Sturbaum asked if there was any grant funding available to expand the building. McMullen said not that he was aware of. Price said DCA did some grants for Visitors' Centers, but there would be no funding available soon.

Haddix asked about using the larger space and moving other Gathering Place activities into the smaller space. Price said that would be a logistical challenge due to the special wiring for the

box office in its current location. McMullen added that the space was not large enough for more than about six tables, and classes would be disruptive to the box office and Tourism operations.

Haddix said Council would like to hear a final solution for the location in one year. Fleisch said by that time the Griffin Tech lease would be up for the lower level of the building. Gaddo noted that Griffin Tech had provided the ESL and GED classes in Peachtree City for many years, and Fleisch asked about providing them an alternate location. McMullen said that ran into the same challenges for office space and materials storage. Haddix said the one-year deadline gave staff time to address the scheduling and usage, even though it looked like rentals would have to lose out.

Imker said the best solution might be a \$200,000 bond referendum at the next election to increase the size of The Gathering Place. He felt that would be acceptable to the citizens in lieu of the multi-million dollar bond proposed last time. McMullen said the City truly had a space problem, and the only real way to solve it was to create more space. Imker said enlarging The Gathering Place could address those needs for ten or more years.

Haddix asked if there was still time to put a bond referendum on the November ballot. City Attorney Ted Meeker said it would have to be called by the beginning of August to meet the deadlines. Learnard said that was one option, and Council discussed having a bond referendum on the County ballot in 2010 versus the City ballot in 2011.

Haddix said he would like to see a resolution by January to have the various groups in a permanent location and then leave them alone.

A member of the audience asked about the temporary solution and why this was suddenly an issue when there had been a Visitor's Center for years. McMullen explained that the staffs of the Amphitheater and the Tourism Association had been consolidated and reduced, so their operations needed to be located together.

Imker moved to approve the PCTA Lease for Option A, the space adjacent to the Box Office, for one year, with up to \$15,000 from Council Contingency to accommodate the facility modifications. Learnard seconded. Motion carried unanimously.

Council asked staff to look at a bond referendum to expand the Gathering Place for the 2010 election, if feasible, or 2011 if not, and to look at a permanent housing solution to the location of the Visitor's Center. Sturbaum asked staff to report back on a monthly basis. Imker stated that the citizens needed to understand that, if a bond were passed, a millage rate increase to support that bond would be passed. He said he just wanted that to be clear at the outset.

Mayor Haddix called for a five minute break in the meeting.

New Agenda Items

06-10-06 Consider Canceling the July 1, 2010, Council Meeting

Imker moved to cancel the July 1, 2010, City Council Meeting. Learnard seconded. Motion carried unanimously.

06-10-07 Consider Lake Peachtree Usage/Rental Fees

Haddix said there was an additional document on the dais, a letter from the Lake Peachtree Association President, Tim Therrell.

Gaddo said the City had granted a one-time Lake usage permit to a conference center for a dragon boat teambuilding exercise in April. The existing Drake Field rental rate had been used. At that time, Council had asked staff to form a lake use committee to look at the issues surrounding renting the lake. The committee included a representative from the local hospitality industry, an event promoter, a member of the Lake Peachtree Association, a local sport fisherman, a local triathlon organizer, a member of Council, and staff. The group met several times.

The committee recommended approval for lake usage and had recommended a rental fee, with specific criteria and conditions. The approval would only apply to the two conference centers large enough to host this type of event (Wyndham and Dolce), and any other requests would be considered on a case by case basis. The centers would choose their own event promoter to coordinate with the City, and that promoter would be responsible for completing the special event application packet and ensuring rules were followed. The application would be fast-tracked to all City departments in acknowledgement of the conference centers' need to quickly put together bids for conferences.

Gaddo said the committee recommended exempting three existing events, the Rotary Dragon Boat Races & International Festival, and two locally-organized triathlons. Scheduled events would include only non-motorized boats except for authorized safety or support boats, and would be confined a specific area at the northern end of the lake, just south of Highway 54, to minimize impact. The primary boat launch point would be Drake Field, with Battery Way serving as a secondary launch to retrieve boats if necessary.

As pilot program, only 10 such events would be permitted through the end of 2010, with eight being held on weekdays between 8:00 a.m. and 5:00 p.m., and two held on weekends between 8:00 a.m. and 5:00 p.m. After each of the first three events, the committee would review the process. Additionally, by the end of 2010, the committee would determine if there needed to be an annual limit on these events. Gaddo said staff was hoping to have the policy in place as quickly as possible to allow the conference centers to be ready for the fall conference season.

The committee also recommended a rental fee of \$500 per event to cover the lake and Drake Field rental and staffing costs, along with a \$300 refundable security and cleanup deposit.

Gaddo said all the committee members expressed the same concern, which was the care and maintenance of Lake Peachtree. City efforts already underway to protect the lake included grass carp being budgeted in the Recreation Department budget, increased enforcement of the non-resident fishing restrictions, increased patrols of the lake parks by the Parks Monitor, and plans

to provide the Parks Monitor with the authority to issue citations. Volunteers were also helping to address litter around the lake.

Therrell, who also served on the committee, said he had met with the Lake Peachtree Association that week on the proposal. There had not been much opposition to the proposal, but there was concern that the rental fee was too low. He said the fee was partially going to Drake Field, and some should be earmarked for the lake, either to supplement the grass carp or dock repairs, and asked how the roughly \$300 of the fee for the lake would be used.

McMullen said that the fees would have to go into the General Fund, and could not go into a fenced account unless that was the primary funding source for the project. McMullen suggested tracking the events and the fees, possibly doing a budget amendment for the fees collected this year to designate specific projects. McMullen did not foresee any problems tracking the funds. Sturbaum asked that the costs to each department also be tracked. Fleisch, who also served on the committee, said that, in looking at the fee, they considered that the conference centers were Peachtree City residents that paid both property tax and Hotel/Motel Tax, and the lake use was another tool for them to attract conferences. She noted that Police and Fire costs would be paid for separately from the fee.

Therrell said the fee was nominal, and Gaddo said the fee was primarily based on the staffing costs to process the application and prepare the site for use. Learnard said her main concern was erosion of the lake shore.

Sturbaum asked that the internal costs be tracked to ensure the fee covered the program. Imker said it would become a financial nightmare to try to track all the costs and revenue and then earmark funds for specific uses. Therrell said his primary reason for bringing up the request was that Lake Peachtree had never been marketed for commercial use. Imker asked if there was a policy about earmarking funds, and McMullen said he was actually suggesting tracking the costs.

Paul Lenz asked what steps would be taken during these events to make sure the traffic did not impact the Library. Gaddo said that, for these types of events, the participants were brought in busses and they were not events the general public would be attending, so they should have no impact on the Library.

Sturbaum moved to approve the lake rental proposal as presented by staff. Fleisch seconded. Motion carried unanimously. Sturbaum asked Therrell to keep working with the committee as they evaluated the events held.

Sturbaum moved to continue the meeting past 11:00 p.m. Imker seconded. Motion carried unanimously.

06-10-08 Consider Decommissioning the Peachtree City Library Commission

Gaddo said staff was recommending that Council dissolve the Library Commission, assign the public access element of their mission to the Recreation Commission, and encourage the Library Commission volunteers to participate in the Friends of the Library.

Gaddo then provided background information on the two organizations, saying the Library Commission formed first as a Committee in 1995 to spend down enhancement funds (\$428,000) left from the County Library SPLOST. The committee was changed to a commission in 1996, and their role had been to spend the enhancement funds, promote and support the Library, recommend policies for operations and programs, recommend budget needs, and advise the City Council and staff.

The Friends of the Library (FOL), a registered 501(c)(3) non profit association, was chartered in 1973, when Peachtree City did not have a library. Their organization had continued over the years, and they provide guidance to Library operations, recommend policies and procedures, raised money, and dispensed the funds. The group had a current membership of 95. When formed in 1973, the FOL started out with one part-time staff person in the Library, which served Peachtree City's approximately 2,000 residents.

Gaddo noted the similarities between the missions of the two organizations, and then reported that, in 2010, the Library staff had four people with Master's Degrees in Library/Information Science and Grade 5B Librarian Certification, had a fully accredited full-time supervisory staff, and he said Library Administrator Jill Prouty is one of the top Librarians in Georgia.

This staff served Peachtree City's population of 37,000, with 36,000 cardholders for the Library, most of them Peachtree City Residents. In addition to the full and part-time staff, the Library had 1,900 hours worked by volunteers. The staffing reductions, budget reductions, and reduction in hours in 2009 meant the staff had less time to do more work because Library use had not decreased.

Gaddo said the professional staff of 2010 did not need guidance in operating a Library or additional layers in their chain of command. At this point, they needed a more streamlined support system. Dissolving the Library Commission would eliminate the current duplication of missions, giving staff a single volunteer body with which to coordinate. The Commission members could continue their involvement through the FOL, the Recreation Commission would continue to provide a vehicle for public input, and the FOL would continue to raise funds, provide input, and assist with volunteer staffing.

Gaddo said the Recreation Commission would be considering accepting their new role at their meeting the following Monday. Imker said he had been considering postponing the decision until the Recreation Commission met, but would be willing to conditionally approve the dissolution based on the Recreation Commission's acceptance the next week.

Gaddo added that the Library Commission had operated in an extremely professional and competent manner over the years. This proposal had nothing to do with their operation, but the timing seemed to be optimal. Haddix agreed that the volunteers on the commission had been

excellent. He said he would like to see a member of the Recreation Commission act as a liaison with the FOL and attend their meetings.

Haddix asked if the bylaws for the FOL were in a current and acceptable format. Gaddo said they would look at them. The FOL met quarterly.

Imker asked if Gaddo would be following up with the by-laws changes for the Recreation Commission to reflect their new role. Gaddo said yes. Imker asked that the Recreation Commission be kept in the loop on relevant decisions to garner public input and provide that input to the City Council. Haddix said they already had that power, but Imker said their bylaws did not reflect that ability.

Sturbaum asked Lenz what the Library Commission's thoughts on the recommendation had been. Lenz said they acknowledged Council's authority to make the decision and would do what Council wanted. Sturbaum said the Library Commission had been an advocate for the citizens and users of the Library, and the Recreation Commission would certainly have to pick up that role. Additional comments were made by Lenz away from the microphone so they were inaudible.

Learnard emphasized that one of the issues was that Prouty's time was more and more in demand, and requiring her to attend to two volunteer groups was really unreasonable.

Learnard moved to approve decommissioning the Library Commission, assign the public access function to the Recreation Commission, encourage the Library Commission members to join the FOL, and that the Recreation Commission assign a liaison to the FOL. Imker seconded. Motion carried unanimously.

06-10-09 Consider LARP Agreement for Resurfacing

Public Services Director Mark Caspar said this was a Georgia Department of Transportation (GDOT) Local Access Road Program (LARP) contract to pave 1.67 miles of Dividend Drive from Paschall Road to TDK in the amount of \$86,884 for materials only. The estimated cost for materials, labor, and installation totaled \$245,000. Based on past LARP projects, the refund rate was about 80%, so he expected a reimbursement of \$69,000, which meant the City would be funding \$175,000 out of the \$245,000 total cost. The funds would come from the remaining Special Purpose Local Option Sales Tax (SPLOST) funds.

Imker asked to see the chart of SPLOST funding that remained available, which Caspar reviewed. Imker said this was how Council planned to stretch out the remaining SPLOST funds, and Caspar confirmed that. Imker asked that, when SPLOST funds were discussed, staff highlight which funds were dedicated for use in 2011 and which were for 2012.

Imker said he did not have any concerns about the project, and Haddix agreed. Fleisch asked if the striping could be done for the bike route during the project. Caspar said that could be included as part of the bid document, which would be written later.

Imker moved to approve the LARP contract for 1.67 miles of Dividend Drive in FY2011 in the amount of \$86,884.80. Learnard seconded. Motion carried unanimously.

06-10-10 Consider Additional Grass Mowing on Secondary Roads

Haddix noted that there was an additional memo on the dais.

Caspar said that, based on the discussions at the budget workshops, he had looked at costs to increase the right-of-way mowing schedule to an eight-eight-four schedule for the remainder of the year, which would increase mowing on the secondary streets currently being mowed to monthly, and other secondary streets not currently being mowed would be added and mowed once every two months. Two additional times for mowing this season would cost an additional \$3,028 for the roads already being mowed. The 73 locations not currently being mowed would have an up front cross for additional maintenance at the beginning and would cost \$11,700. The total for both portions of the increase was \$14,728 for the current year.

Caspar noted that some of the previously un-mown areas had been maintained by concerned volunteers, and staff would continue to monitor those areas to see if they needed to be included.

Imker said the cost to add the new locations had gone up from figures he had seen a couple of days previously. Caspar said the additional cost was to cover bringing those areas into a maintainable state, since they had not been maintained for two years. Imker said that, essentially, the first mowing of those areas would be \$8,000. Staff confirmed this.

Sturbaum moved to approve the increase in the mowing of secondary roads for FY 2010 in an amount not to exceed \$14,728. Fleisch seconded. Motion carried unanimously.

McMullen asked for a motion to cover the funding source, and Sturbaum moved to fund the increase from the Council Contingency Fund. Learnard seconded. Motion carried unanimously.

Council/Staff Topics

Library Master Plan

Prouty gave a presentation on the Library Master Plan, beginning with statistics on their operation. There were approximately 90,000 items in the Library's collection, and they had 36,000 active cardholders. The Library saw over 250,000 visits in FY09, and circulation had increased 134% since re-opening following the expansion. Over 13,000 had attended Children's programs; there had been 17,000 reference assists; and there had been 38,842 uses of the Internet stations.

Prouty said that they were a member of a consortium of 265 public libraries in Georgia, and Peachtree City had the third busiest circulation in the PINES system and the 19th busiest library in the state. The state average for circulation per capita was 4.69, and the national average was 7.28. Peachtree City's average was 12.28. The Library currently had 11 full-time equivalent employees, and Prouty noted that the average staffing for branch libraries in the top 20 in circulation was 18.

Prouty then reviewed goals established following the 2008 Library User Survey. She said several "ease of use" issues had been identified, and the slow Online Public Access Catalogs had been replaced this year. The end panel information on shelves had been updated, and they were testing the self-checkout service with new vendors to address problems with multiple item checkout. There was still no real way to efficiently address the request for a drive-up book return at this time.

The Library budgeted about \$10,000 each year to address requests for more books. They had implemented staff training twice yearly, at which time the Library was closed, and had developed a staff training manual. Due to staffing reductions, the Library had not been able to work toward fostering a relationship with the local schools. Expanding the adult programming, along with technology replacement and building maintenance, would be dependent on the budget in the coming years.

Prouty concluded her report by noting that libraries were among the most effective of all public services. The Peachtree City Library served more than 3/4 of the community's residents with less than 4 percent of the tax dollars. Nationally, the average cost to the taxpayer for access to public library resources was \$31 per year, about the cost of one hardcover book, and that cost in Peachtree City was \$28 per year.

Imker asked the City Manager to revisit funding the addition of a swing door at the reference desk, currently showing as being in the FY 2012 budget, to improve staff access. McMullen and Gaddo said the estimate was about \$5,000 because of the material involved and the need to relocate the wiring to the desk. Imker said he would visit the Library to see the issue for himself.

Hot Topics

McMullen reported the Paschall Tunnel was proceeding with one minor change order, and was still on target for completion by the end of August. The proposed changes to the ordinance and application process for Communications Towers had been through a Planning Commission workshop and were on schedule to come to Council on July 15. Rast would be meeting with the Camden Apartments owners regarding an easement for the MacDuff Parkway Tunnel connection, after which design work could begin. The GDOT seemed to making good progress with the Rockaway Road realignment for the September completion.

Other Items

Imker said he wanted to reemphasize the City's ongoing effort with Code Enforcement, and that the officers were moving forward with the new ordinance enforcement that reduced notices and increased citations. He said that Gaddo had mentioned the Parks Monitor getting citation authority, and asked about getting that ability as well. McMullen said the Parks Monitor position had been reclassified, but the transition of Code Enforcement to the Police Department had delayed the necessary training.

Imker asked about replacing the Kedron Swimming Pool bubble with a bond, and Learnard asked if it would be the same bond as The Gathering Place expansion. Imker noted that no one

had set aside funding to replace the bubble. McMullen said that, if it was put on a bond and the bond failed, then the City could not finance it another way. Imker thanked McMullen for that information.

Sturbaum asked about a residential property needing cleanup in Kedron Village. McMullen said the property had been put under rehab, and Sturbaum asked McMullen to email him a report on the status.

Sturbaum then noted a recent news article that indicated businesses were telling people if they were currently unemployed, they need not apply. Sturbaum encouraged local businesses to refrain from this practice due to a lot of good employees being out of work through no fault of their own in the current economy. He added that one such employer in Atlanta was specifically mentioned in the article, and he found the trend very disturbing. Sturbaum encouraged employers to evaluate prospective employees on their own merit.

Haddix said he was concerned about the trend to boycott BP, noting that the local gas stations were owned and operated members of the community and could not be held responsible for the actions of the corporation.

Meeker said they had one personnel item for Executive Session and asked if Council had received the relevant information in advance. Council confirmed they had.

Fleisch moved to enter Executive Session for a personnel issue at 11:30 p.m. Learnard seconded. Motion carried unanimously.

Learnard moved to reconvene into regular session at 11:54 p.m. Fleisch seconded. Motion carried unanimously.

Sturbaum moved to uphold the decision of the City Manager and the demotion of John Dailey from Fire Marshal to Firefighter/EMT. Fleisch seconded. Motion carried unanimously.

There being no further business to discuss, Learnard moved to adjourn the meeting. Fleisch seconded. Motion carried unanimously. The meeting adjourned at 11:56 p.m.

Betsy Tyler, City Clerk

Don Haddix, Mayor

2010 City Event Calendar

<u>July</u>	<u>August</u>	<u>September</u>
7/15 – City Council Meeting, 7 pm 7/20 – Primary Election 7/24 – The B-52s @ The Fred	8/3 – Council Workshop (Tentative), 6:30 8/5 – City Council Meeting, 7 pm 8/7 – Jose Feliciano @ The Fred 8/14 – Flicks @ The Fred Movie Night 8/19 – City Council Meeting, 7 pm 8/19 – Army Ground Forces Band @ The Fred	9/2 – City Council Meeting, 7 pm 9/6 – Labor Day – City Offices Closed 9/7 – Council Workshop (Tentative), 6:30 9/16 – City Council Meeting, 7 pm 9/18 & 19 – Shakerag Arts & Crafts Festival - Shakerag Bluegrass Festival @ The Fred 9/24 – The Rat Pack is Back @ The Fred 9/25 – Dragon Boat Races & International Festival
<u>October</u>	<u>November</u>	<u>December</u>
10/5 – Council Workshop (Tentative), 6:30 10/7 – City Council Meeting, 7 pm 10/9 & 10 – Great Georgia Air Show, Falcon Field 10/21 – City Council Meeting, 7 pm 10/23 – Civitan Chili Cookoff - Storytelling @ The Fred 10/31 – Halloween	11/2 – Council Workshop (Tentative), 6:30 Election Day 11/4 – City Council Meeting, 7 pm 11/18 – City Council Meeting, 7 pm 11/25 & 26 – Thanksgiving Holiday, City Offices Closed	12/2 – City Council Meeting, 7 pm 12/5 – Pearl Harbor Remembrance – Falcon Field 12/7 – Council Workshop (Tentative), 6:30 12/4 – Hometown Holiday @ The Fred 12/16 – City Council Meeting, 7 pm 12/23 & 24 – Christmas Holiday, City Offices Closed 12/31 – New Year's Holiday, City Offices Closed

2011 City Event Calendar

<u>January</u>	<u>February</u>	<u>March</u>
1/4 – Council Workshop (Tentative), 6:30 1/6 – City Council Meeting, 7 pm 1/17 – MLK Day, City Offices Closed 1/20 – City Council Meeting, 7 pm	2/1 – Council Workshop (Tentative), 6:30 2/3 – City Council Meeting, 7 pm 2/17 – City Council Meeting, 7 pm	3/1 – Council Workshop (Tentative), 6:30 3/3 – City Council Meeting, 7 pm 3/17 – City Council Meeting, 7 pm
<u>April</u>	<u>May</u>	<u>June</u>
4/5 – Council Workshop (Tentative), 6:30 4/7 – City Council Meeting, 7 pm 4/21 – City Council Meeting, 7 pm	5/3 – Council Workshop (Tentative), 6:30 5/5 – City Council Meeting, 7 pm 5/19 – City Council Meeting, 7 pm 5/30 – Memorial Day, City Offices Closed	6/2 – City Council Meeting, 7 pm 6/7 – Council Workshop (Tentative), 6:30 6/16 – City Council Meeting, 7 pm

Note: Items in **BOLD** are new additions

Updated 7/9/2010

ADMINISTRATIVE SERVICES MONTHLY REPORT

For Month of: May 2010

	<u>April-10</u>	<u>May-10</u>	<u>FY 2010 YTD</u>	<u>FY 2009 YTD</u>
<u>Human Resources</u>				
Workers Compensation Claims Filed	2	2	19	18
City Vehicle / Equipment Accidents	2	0	11	11
Employee Turnover Rate ***		0.41%	3.69%	1.68%
Lawsuit Legal Fees	\$0.00	\$10,661.00	\$23,699.60	\$50,844.26

(Of the 9 terminations in FY2010, 1 due to death of employee and 3 retirements.)

Municipal Court

Fines Collected	\$146,478.56	\$172,665.14	\$1,158,939.93	\$1,085,395.16
Online Transactions	229	322	1,817	1,225
Citations Closed	263	861	4,230	3,802
Community Svc Hrs for KPTCB	537	691	4,744	
People on Probation (3)	396	439	3,271	
Jail Fund Balance	-\$3,687.65	-\$319.16	\$90,048.70	\$156,004.69

** 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

New Businesses Registered	24	17	175	156
Public Contacts, Questions & Complaints	151	234	1,265	583

**This includes 83 email list subscriptions, 3 complaints against Comcast Cable Company, 6 sanitation company complaints, and 5 Open Records/Discovery Requests. AMENDED - does NOT include 410 military registrations for the Memorial Day tribute.*

PEACHTREE CITY BUILDING DEPARTMENT
FY 2010

	Apr-10	May-10	Fiscal Y-T-D 2010	Fiscal Y-T-D 2009
DEVELOPMENT PERMITS:	4	2	21	26
BUILDING PERMITS:				
Single Family Residential	3	2	19	15
Multi-Family Residential	0	0	0	0
Misc.-Pools/fences/additions	73	91	618	275
Commercial/Industrial	11	19	86	82
TOTAL INSPECTIONS:	303	202	1,841	2,687
CERTIFICATE OF OCCUPANCY:				
Residential	1	3	26	35
Commercial	4	6	42	40
Multi-Family Residential	0	0	0	151
CODE ENFORCEMENT:				
Confiscated Signs	228	60	887	996
New Rehab	15	14	98	42
Rehab Inspections	9	18	154	66
Tree Removal Permits	147	103	666	556
Code Violation Cases	215	152	859	1,381
Assessments	134	42	868	31
Citations	1	7	23	39
Architect Review Permit Approval	46	22	211	230
PERMIT FEES COLLECTED:	25,784	40,266	177,289	334,174
POPULATION:	36,774	36,780	36,780	36,675
Based on 2.09 persons per new completed dwelling unit				

CITY OF PEACHTREE CITY
DONATIONS RECEIVED

MAY
2010

POLICE

Clothes Less Traveled	CERT	\$4,000.00
Graham	K9	\$50.00
Optimist Club	K9	\$500.00
Strickland, Walsh, Gatlin, Robinson, Andrews, Bastro, Haldeman, Strickland	CPA Class	\$110.00

TOTAL MONTH OF MAY 2010

\$4,660.00

**PEACHTREE CITY FIRE/EMS DEPARTMENT
2010 MONTHLY REPORT**

	Apr. 10	May. 10	2010 FY-T-D	2009 FY-T-D
FIRE/ACCIDENT CALLS				
Actual Residential Fires	2	2	17	18
Actual Business/Industrial Fires	0	0	4	9
Rescue/EMS Assist	167	182	1305	1172
Vehicle/Golfcart Accidents	14	17	118	154
False Alarms	29	26	203	175
¹Other	30	39	244	233
Total Engine Response	242	266	1891	1761
 Dispatched Fire Calls	 61	 80	 488	 443
 Response Time Fire	 4:57	 5:20	 5:06	 5:00
 RESCUE/EMS				
Trauma	32	32	239	255
Medical	160	157	1153	1064
Total # Patients	192	189	1392	1319
 Patients Transported	 107	 92	 782	 658
 Dispatched EMS Calls	 183	 189	 1402	 1322
 ²Total Medic Response	 214	 214	 1631	 1610
 Response Time EMS	 4:20	 4:17	 4:29	 4:33
 Dispatched Fire/EMS Total	 244	 269	 1890	 1765
 EMS BILLING				
Patients Billed	106	92	777	653

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

²Includes Fire Assist Responses

LEISURE SERVICES MONTHLY REPORT

May-10

Activity Description	Unit	May10	FY 2010 YTD	FY 2009 YTD
Library				
Books Circulated	number	36,061	300,797	291,978
Internet Usage	visits	3,086	24,614	25,652
Computer Lab Use	hours	0*	0	38
<i>*Lab closed due to hour reductions</i>				

Recreation

Class/Program Revenue	\$	\$3,878	\$29,901	\$22,427
Playing Field Preparations	hours	890	5,197	4,291
Building Maintenance	hours	538	3,733	3,147
Litter Removal	hours	298	2,318	1,980
Complaints answered	number	2	17	11

Kedron Revenue Update

	May-10	FY2010 YTD	FY 2009 YTD
Classes/Programs	\$2,848.00	\$19,588.00	\$11,114.00
Pool Revenue	\$16,238.00	\$69,591.00	\$51,341.00
Rentals	\$710.00	\$8,185.00	\$2,170.00
Total	\$19,797.00	\$97,364.00	\$64,625.00
		FY 2008 YTD	FY2007 YTD
		\$12,996.00	\$12,666.00
		\$43,562.00	\$31,908.00
		\$2,435.00	\$2,460.00
		\$58,993.00	\$47,034.00

New: Open Gym

May-10	FY2010YTD
\$994	\$994

Kedron staff reports the following revenue-generating actions at Kedron: New rentals - Footprints, 4H Party, Pack 373. Open Gym, nearly \$1,000 during initial two weeks. Upcoming: Powerlifting meet schedule June 26; Air Tran ditch training had to be cancelled because AirTran decided they needed a covered facility to avoid weather cancellations. Bridal Show scheduled for August.

**PUBLIC SERVICES MONTHLY REPORT
MAY 2010**

<u>Activity Description</u>	<u>Unit</u>	<u>May-10</u>	<u>FY2010 YTD</u>	<u>FY2009 YTD</u>
Street Patching	Hrs.	416	1,867	879
Street Crack Sealing	Hrs.	0	282	330
Street Crack Sealing	Mi.	0	2.0	2.07
Street General Miantenance	Hrs.	252	3,494	3,182
Storm Water Maintenance	Hrs.	375	2,736	3,553
Cart Path Paving	Ft.	2,465	7,855	8,974
Cart Path Prepped for Paving	Ft.	459	~~~	~~~
Cart Path Litter Removal	Hrs.	123	995	1,143
Cart Path Drainage Maintenance	Hrs.	0	1,076	1,429
Cart Path General Maintenance	Hrs.	653	4,936	4,244
Subdivision Sign Maintenance	Hrs.	49	201	194
Traffic Sign Maintenance	Hrs.	134	1,318	1,155
Vandalism Repairs	Hrs.	20	187	194
Vandalism Repairs	Dis.	\$616.00	\$5,018.00	\$4,374
Citizen Complaints Answered	Num.	184	962	835
<u>RECYCLING SITE</u>				
Manhours	Hrs.	52	407	977
Participants:				
Recycling	Num.	1,845	8,429	3,308
Composting	Num.	1,175	7,129	8,576
Mulch Pick UP	Num.	5	39	246
Streets Adopted for Litter Pickup	Miles	7.35		
Cart Paths Adopted for Litter Pickup	Miles	62		

PEACHTREE CITY AIRPORT AUTHORITY ATTENDANCE RECORD

May 13, 2010

Report Date: Month Year

Name & Date of Appointment	# of Meetings Member Eligible to Attend	# Meetings Attended	# Meetings Absent	Meeting Dates Absent	Percentage Attendance
Bill Flynn, Vice Chairman 1/1/07 - 12/31/11	19	18	1	12/10/2009	95%
Richard Whiteley, Chairman & Secretary/Treasurer 6/20/08 - 12/31/10	19	15	4	3/5/2009, 4/9/2009, 8/25/2009, 2/11/10	79%
Zaheer Faruqi 1/1/09 - 12/31/12	19	17	2	3/12/2009, 11/12/2009	89%
George Harrison 1/1/10 - 12/31/11	4	3	1	03/11/2010	75%
Bill Rial 12/1/09 - 12/31/09 1/1/10 - 12/31/14	5	5	0		100%

COMMISSION/AUTHORITY ATTENDANCE RECORD

Planning Commission

May 2010

Board name

Report Date: Month Year

Name & Date of Appointment	Meetings Held Past 12 Months	# of Meetings Member Eligible to Attend	# Meetings Attended	# Meetings Absent	Meeting Dates Absent	Percentage Attendance
Patrick Staples 10/01/2006	16	16	16	0		100%
Theo Scott 10/01/2004	16	16	13	3	02/02/10, 3/2/10*, 3/8/10*	81%
Larry Sussberg 10/01/2008	16	16	15	1	03/08/10	94%
Joe Frazar 10/17/2008	16	16	14	2	12/14/09, 5/10/10	88%
Lynda Wojcik 02/23/2009	16	16	15	1	05/10/10	94%
Lisa Curtis 10/01/2009	16	11	8	3	12/14/09, 01/11/10, 04/12/10	73%

* Medical absence

COMMISSION/AUTHORITY ATTENDANCE RECORD

RECREATION COMMISSION

May 17, 2010

Name & Date of Appointment	Meetings Held Past 12 Months	# of Meetings Member Eligible to Attend	# Meetings Attended	# Meetings Absent	Meeting Dates Absent	Percentage Attendance
Mark Ballard 01-Jan-08	15	15	13	2	12/14/2009 12/16/2009	87%
Joe Keubler 01-Jan-10	15	7	6	1	05/04/2010	86%
Vince Obsitnik 01-Jan-08	15	15	13	2	12/14/2009 3/15/2010	87%
Eric Snell 01-Jan-10	15	7	7	0		100%
Shayne Robinson 01-Jan-09	15	15	15	0		100%
Nicole File Alternate 01-Jan-10	15	7	2	5	1/25/2010 2/22/2010 3/15/2010 4/29/2010 5/17/2010	29%

COMMISSION/AUTHORITY ATTENDANCE RECORD

Peachtree City Tourism Association

Board name

as of May 2010

Report Date: Month Year

Name & Date of Appointment	Meetings Held Past 12 Months	# of Meetings Member Eligible to Attend	# Meetings Attended	# Meetings Absent	Meeting Dates Absent	Percentage Attendance
Mark Ballard 12/31/2012	10	4	4	0		100%
Joe Magennis 12/31/2009	10	4	3	1		75%
Veronica Ross 08/06/2012	10	10	9	1	02/26/2010	90%
Doug Sturbaum 12/31/2010	10	4	4	0		100%
Kim Westwood 08/06/2012	10	4	4	0		100%
Kai Wolter 12/31/2010	10	10	8	2	07/15/09 09/08/09	80%
Unfiled Position 12/31/2010						

* October 2009 - No meeting

* Special Called Meeting in February

** January 2010 - Workshop but no RS meeting

** April 2010 - No Meeting

Staff/Attorney

Executive Director Unfiled Position						
Jeremy Hogan	10	10	9	1	06/17/2009	90%
Mary Camburn	10	10	10	0		100%
Caryl Summer Black	10	10	10	0		100%

Updated by: Jeremy Hogan

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

VIA: City Manager

FROM: Deputy City Clerk

DATE: June 16, 2010

SUBJECT: Alcohol License – NEW – Formosa Deli
July 15, 2010, Regular Meeting

Recommendation:

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

Discussion:

Formosa Deli, 608 Crosstown Drive, has submitted a request for a new alcohol license. Mr. Mei Long Xiao has requested he be appointed as the Licensee and as the License Representative. He will attend the meeting on Thursday, July 15, to answer any questions you may have.

Budgetary Impact:

The budgetary impact of the alcoholic beverage license will be positive. The applicant will be required to pay the annual fee for the sale of beer and wine, which is \$1,350, and, if they choose to serve on Sunday, they will pay an additional \$500 annually.

Attachments

Application For Alcoholic Beverage License

Business Name: <i>Formosa deli</i>	Business Location: <i>608 cross town Dr</i>	<i>678 364 0880</i>
Nature of Business: <i>Restaurant</i>	Mailing Address: <i>608 cross town Dr</i>	Business Phone Number: <i>646 875 0888 (cell)</i>
Name of Licensee: <i>Mei Long Xiao</i>	Home Address: <i>113 peachtree station circle</i>	Home Phone Number: <i>646 875 0888 (cell)</i>
Name of License Representative: <i>same</i>	Home Address: <i>same</i>	Home Phone Number: <i>same</i>

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	ADDRESS	PHONE NUMBERS
Individual Owner's Name, Partners' Names, Corporation Name and the name of the name of a Contact Person regarding License Changes, Taxes, etc.	Please provide Home Addresses for the individuals listed:	Please provide Home and Business Phone Numbers for individuals listed:
<i>Mei Long Xiao</i>	<i>113 peachtree station circle</i>	<i>646 364</i> <i>646 875 0888</i>

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: _____



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, H.C. "Skip" Clark II, Chief of Police for the City of Peachtree City, do hereby certify that:

Mei Long Xiao
113 Peachtree Station Circle
Peachtree City, GA 30269

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



H.C. "Skip" Clark II
Chief of Police

6/15/10

Date

Major R.M. DuPree

Witness

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: Bernie McMullen, City Manager *Ben McMullen*
Paul Salvatore, Financial Services Director *P.S.*
Ellece Brown, Human Resources Administrator *nv for EB*
Randy Gaddo, Leisure Services Director *R.G.*

FROM: Nikki Vrana, Administrative Services Director *NV*

DATE: July 7, 2010

SUBJECT: Consider Position Reclassifications – Leisure Services Crew Leader
July 15, 2010 City Council Meeting

Recommendation:

Staff recommends that Council approve the reclassification of the following position with an effective date of July 15, 2010:

Current Position/Grade

Leisure Services Crew Leader
Grade 274

Proposed Position/Grade

Leisure Services Crew Leader
Grade 275

Discussion:

In late 2009, the Parks Supervisor position was found unfilled, due to the unexpected death of a long time City employee, creating a gap between the Recreation Facilities Manager and the Crew Leaders in the Recreation Department. Due to the economic conditions of the City and an opportunity to review the workflows and processes, a management decision was made to eliminate the position of the Parks Supervisor. As a result of the elimination of the Supervisor position, the workload and responsibilities of the Supervisor were reviewed and divided among the Recreation Facilities Manager and the Crew Leaders. The new duties assigned to the Crew Leaders initiated the process of forwarding the revised responsibilities to The Mercer Group for factoring, as is outlined in our compensation policy to ensure fair and adequate compensation was assigned to the positions.

The Leaders would be called upon to exercise more discretion and judgment day to day in order to efficiently and effectively accomplish the mission. While some general guidelines will be available, they would not always be completely applicable to the work and there would be gaps in the specific nature of the guidelines that will afford the Leader responsibility and authority for filling the gaps in order to accomplish the mission. A given level of guidance would be provided in all cases; however the Leader would use his or her own judgment, especially in cases involving work directions, solving unanticipated problems and application of precedents. Examples of job duties that would require more independent judgment from the Leader are: day to day execution of assigned tasks, such as the order of completing tasks, the sources for materials or types of material, who to go to for additional assistance if needed, advising and assisting the manager with personnel or discipline issues at their level, making contact with other city staff or outside sources for assistance in completing their tasks.

The Leaders assigned as Irrigation and General Maintenance are each responsible for supervising one subordinate. The Leader assigned as Sports Fields is responsible for supervising four subordinates.

Consider Position Reclassifications and New Position

April 16, 2009, City Council Meeting

The results from refactoring from The Mercer Group pushed the range for the grade from the top of Grade 274 to the lower range of Grade 275 as a result of the additional decision making responsibilities and purpose of contacts. A Grade 274 has a \$32,192 Min, \$51,840 Max versus a Grade 275 having a \$33,822 Min, \$54,464 Max salary range.

When approved, the Crew Leaders will train with the Recreation Facilities Manager to learn the process and techniques for properly interacting with subordinates in their new capacities. The Director will communicate the changes to all personnel involved to allow for a successful transition.

A change to the departmental organizational chart will reflect the Crew Leaders reporting directly to the Recreation Facilities Manager due to the elimination of the Parks Supervisor.

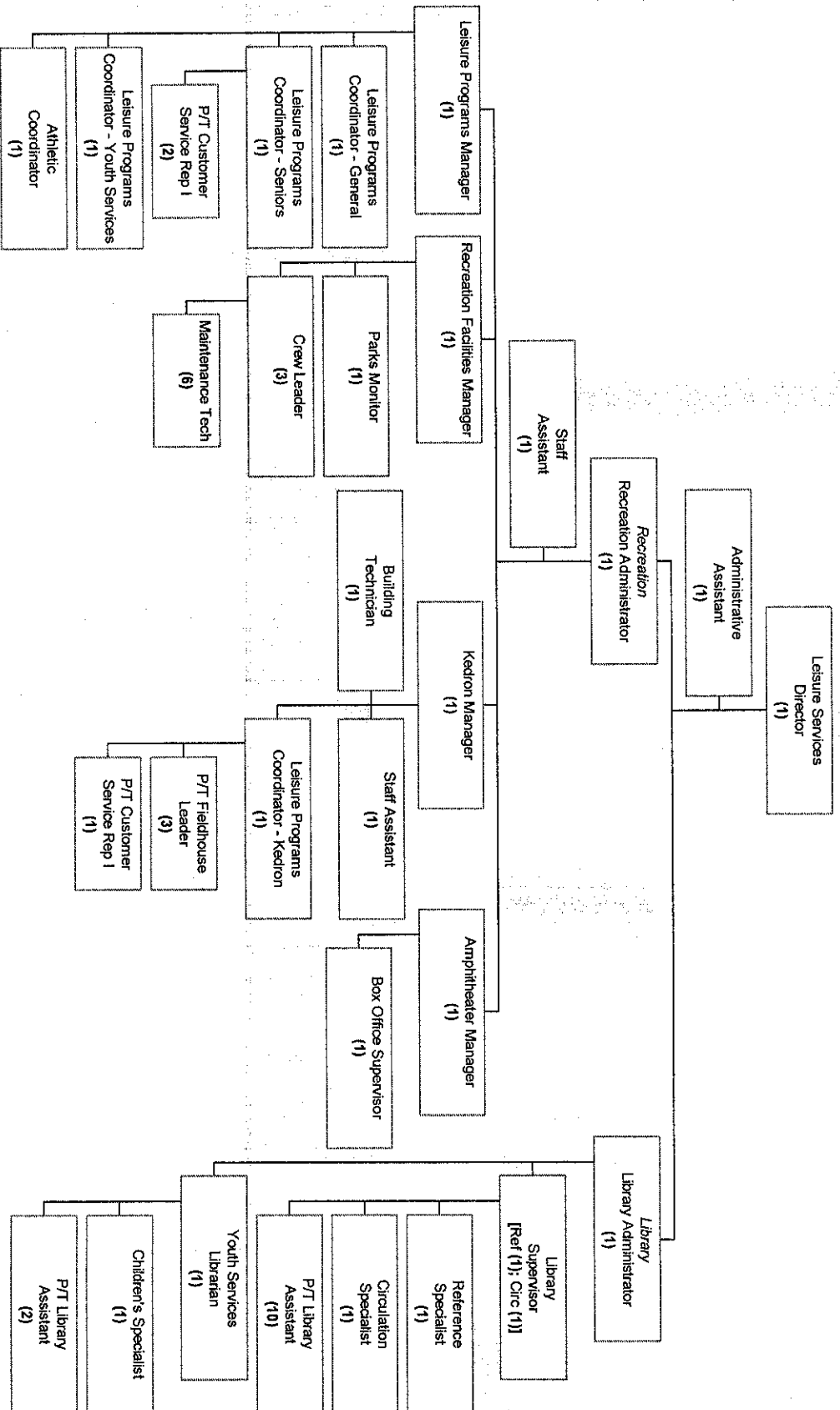
Budget Impact:

There are three employees in the position title of Leisure Services Crew Leader currently factored as a Grade 274 (1 – Irrigation Grade 274 Step 17, 1 – Sports Fields Grade 274 Step 29, and 1 – General Maintenance Grade 274 Step 24). The approved FY10 budget reflects the salary at the grades/step reflected above. The position under the reclassification would transition the individuals in the positions to a Grade 275 (1 – Irrigation Grade 275 Step 14, 1 – Sports Fields Grade 275 Step 26, and 1 – General Maintenance Grade 275 Step 21).

The approximate increase for the reclassification is \$640 per year in total, or approximately \$160 for the remainder of FY10. The required funding for FY 2010 is available through savings from vacant positions in Leisure Services. The FY2011 Proposed Budget has been adjusted for this increase.

Leisure Services

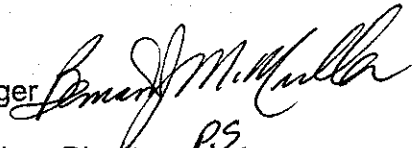
July 15, 2010



CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

MEMO TO: Mayor and City Council

VIA: Bernard J. McMullen, City Manager 

FROM: Paul J. Salvatore, Financial Services Director *P.S.*
Janet I. Camburn, Assistant Finance Director *JC*

DATE: July 6, 2010

SUBJECT: Budget Amendments – Fiscal Year 2010

July 15, 2010 City Council Consent Agenda

Recommendation:

It is Staff's recommendation that City Council approve the attached budget amendments to amend the 2010 budget resolution.

Discussion:

Attached please find budget amendments 10-027 through 10-031 for fiscal year 2010 submitted for your approval. Budget amendment 10-027 transfers budgeted funds from the Gathering Place budget to the Recreation budget in the amount of \$6,224 to cover the cost of alarm system upgrades at Glenloch. Budget amendment 10-028 recognizes the balance of the loan proceeds from the 2009 Bricks & Mortar loan and reallocates the total loan proceeds to cover costs associated with the remodel of Station 84 and to set up the balance of the proceeds in PIP Contingency for reallocation at a later date. Budget amendment 10-029 closes the projects in PIP Fund 350 (projects budgeted 2004 and earlier) and transfers any City matching cash to the Debt Service Fund 400 to off-set future debt service payments on the 2001 Bricks & Mortar loan. With this transfer, future transfers for the 2001 Bricks & Mortar debt service will be reduced as provided in the 2011 proposed budget. Budget amendments 10-030 and 10-031 are housekeeping in nature and reflect donations or seized funds already received. These amendments increase both revenues and expenditures in Special Revenue Funds to allow for the expenditure of the funds received.

Budget Impact:

The budget amendments presented have no impact on the total budgeted revenues and expenditures for the General Fund and the Debt Service Fund; increase both revenues and expenditures in PIP Fund 359 by \$140,701; decrease both revenues and expenditures in PIP Fund 350 by \$421,336; and increase both revenues and expenditures in Special Revenue Funds by a total of \$27,002.

If you have any questions please do not hesitate to contact either Paul Salvatore or Janet Camburn.

Thank you for your attention to this matter.

Attachments

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 10-027

DATE July 15, 2010

ACCOUNT	PJT	DESCRIPTION	INCREASE	DECREASE
100-6110-52-2250	xxx	R&M Buildings - Recreation	6,224	
100-5520-52-2200	xxx	R&M Equipment - Gathering Place		6,224

To transfer funds from the Gathering Place budget to the Recreation budget to cover alarm system upgrades at Glenloch. This amendment requires City Council action as it is a transfer from one General Fund department to another.

ENTERED

APPROVED

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 10-028

DATE July 15, 2010

ACCOUNT	PJT	DESCRIPTION	INCREASE	DECREASE
359-3510-54-1270	241	Station 84 - Remodel	413,646	
359-1505-54-1320	229	City Hall Renovations		230,098
359-1505-58-4000	xxx	Issuance Costs		14,238
359-1511-54-1210	233	City Hall Parking Lot Resurfacing		74,025
359-3510-54-1260	232	Station 82 - Repairs		15,987
359-1511-54-0049	049	PIP Contingency - Reserve B&M	61,403	
359-00-39-3310	xxx	Loan Proceeds	140,701	

To recognize additional loan proceeds from 2009 Bricks & Mortar loan. To reallocate the total loan proceeds to cover costs associated with the remodel of Station 84 and set up the balance of the loan proceeds in the PIP Contingency for reallocation at a later date.

ENTERED _____

APPROVED _____

CITY OF PEACHTREE CITY**BUDGET AMENDMENT****NUMBER** 10-029**DATE** July 15, 2010

ACCOUNT	PJT	DESCRIPTION	INCREASE	DECREASE
350-1505-61-1400	xxx	Transfer to Debt Service Fund 400	478,399	
350-4110-54-0089	089	Hwy 54 West Utility Relocations		295,001
350-4110-54-0101	101	Hwy 54 West Culverts		99,434
350-4110-54-0102	102	Hwy 54 West Bridge Enhancements		23,964
350-4110-54-0106	106	Hwy 54 West LCI Signal Poles		60,000
350-4110-54-0101	101	Hwy 54 West Culverts		421,336
350-00-33-4215	xxx	State Grants		421,336
400-00-39-1135	xxx	Transfer from PIP Fund 350	478,399	
400-00-38-9025	xxx	Surplus Carryover		478,399

To close projects in Fund 350 and transfer City matching cash to Debt Service Fund 400 to off-set future debt service payments on the 2001 Bricks & Mortar loan.

ENTERED _____**APPROVED** _____

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER

10-030

DATE

July 15, 2010

ACCOUNT	PJT	DESCRIPTION	INCREASE	DECREASE
200-00-37-1050	xxx	Donations - Historical Marker	5,000	
200-1310-52-1200	xxx	Professional Services - Hist. Marker	5,000	
209-00-34-2102	xxx	Donations	5,899	
209-3210-53-1725	xxx	Uniforms	1,899	
209-3210-53-1175	xxx	Operating Supplies	4,000	
210-00-34-2100	xxx	Donations - K9	580	
210-3210-53-1175	xxx	Operating Supplies	580	
212-00-38-1000	xxx	Federal Seizures	10,984	
212-3210-53-1175	xxx	Operating Supplies	10,984	

To adjust Special Revenue Funds to recognize donations and cash seizures already received.

ENTERED

APPROVED

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER

10-031

DATE

July 15, 2010

ACCOUNT	PJT	DESCRIPTION	INCREASE	DECREASE
231-00-34-7900	xxx	Other Revenue - Fees	665	
231-6129-54-1200	xxx	Site Improvements	665	
232-00-34-7900	xxx	Other Revenue - Fees	3,160	
232-6129-54-1200	xxx	Site Improvements	3,160	
235-00-34-7900	xxx	Other Revenue - Fees	334	
235-6129-54-1200	xxx	Site Improvements	334	
236-00-34-7900	xxx	Other Revenue - Fees	380	
236-6129-54-1200	xxx	Site Improvements	380	

To adjust Special Revenue Funds - Athletic Fee Funds to recognize fees already received.

ENTERED

APPROVED

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council Members

VIA: City Manager *Bernard M. Muller*
Financial Services Director *P.T.*
Assistant Financial Services Director *PC*
Purchasing Agent *N*
Community Development Division Director *DAB & DER.*

FROM: City Engineer *David A. Borkowski*

DATE: July 7, 2010

SUBJECT: Expansion of Fire Station 84 – Architectural Services – Option C
July 15, 2010 City Council Meeting

Recommendation:

Staff recommends that City Council authorize the City Manager to sign the attached proposal for architectural design services for Fire Station #84 expansion, Option C, to Leo A. Daly, for the lump sum amount of \$56,800 plus \$1,000 for reimbursable items, for a total amount not to exceed \$57,800.

Discussion:

The City is currently under contract with Leo A. Daly to perform architectural services for the design of the living quarters expansion of Fire Station 84 (Option A). This contract amount was for \$56,000. Since the scope of the project has now changed to "Option C", staff requested another proposal from Leo A. Daly.

In the attached proposal, Leo A. Daly will provide full architectural services including programming, design and contract documents, specifications with general and supplemental conditions and bidding requirements as well as full service contract administration services for Option C.

Budget Impact:

There are funds available in the FY 2009 Bricks and Mortar Loan to cover the cost of the design for Option C, as well as services rendered for Option A.

Attachment
Proposal

LEO A DALY

PLANNING
ARCHITECTURE
ENGINEERING
INTERIORS



EST. 1915

ATLANTA
AUSTIN
DALLAS
FORT WORTH
HONG KONG
HONOLULU
HOUSTON
LAS VEGAS
LOS ANGELES
MIAMI
MINNEAPOLIS
OMAHA
PHOENIX
SAN ANTONIO
WACO
WASHINGTON, DC

June 15, 2010

Mr. David Borkowski, PE
City Engineer
City of Peachtree City
151 Willowbend Road
Peachtree City, GA 30269

Subject: **Proposal for Professional Services for the City of Peachtree City,
Fire Station No. 84 Addition – Option "C"**
LEO A DALY Proposal No. ATL-10-0036

Dear David,

LEO A DALY appreciates the opportunity to offer this fee proposal for your consideration.

PROJECT DESCRIPTION

Provide full service architectural and engineering for the proposed 2,400 square foot addition to Peachtree City Fire Station No. 84 identified as Option "C". In addition, we will provide full service architectural and engineering to renovate one-half of the existing apparatus bay into sleeping quarters, exercise room, and support spaces.

SCOPE OF SERVICES

LEO A DALY will provide full architectural services including programming, design, and contract documents, including specifications with general and supplemental conditions and bidding requirements.

We will also provide Interior Design services including color boards and material selection. We understand furniture and fixtures will be selected and administered by the City agencies.

All bidding activities will be performed by Peachtree City Agencies.

Full service construction contract administration services by our architecture and engineering staff members including review of submittals and shop drawings, administration of RFI's, and review of payment certificates and change orders as required. On-site meetings once per week and site observation, and close out services and final punch list are also included.

COMPENSATION

Compensation to LEO A DALY shall be a lump sum of \$56,800 plus reimbursable detailed below.

REIMBURSIBLE EXPENSES

In addition to the fee, LEO A DALY shall be compensated for the expenses, described below, and incurred by LEO A DALY and its employees and sub-consultants in the interest of the project. These expenses will be invoiced at cost:

10 TENTH STREET
SUITE 200
ATLANTA, GA 30309
TEL 404.874.8333
FAX 404.874.8330
www.leoadaly.com

Mr. David Borkowski, P. E.

City of Peachtree City, Fire Station No. 84 Addition-Option "C"

June 15, 2010

Page 2

- Fees paid for securing approval of regulatory authorities.
- Finished renderings, aerial renderings and models.
- Consultants (except those included in our base compensation).
- Tests, surveys or other technical assessments of existing buildings.
- Communications-, postage, express mail, and couriers.
- Computer time @ \$5.00/hr.
- Electronic File Transfers (including FTP site downloads/uploads) of documents.
- Printing, plotting, copying, photography and other reproductions.

ADDITIONAL SERVICES

Services required of LEO A DALY not defined in the scope of services above, or for revisions to the above scope, shall be considered as additional services. Compensation for additional services shall be based upon the hourly rates listed in Attachment A.

PAYMENTS:

Payments are due and payable thirty (30) days from the date of the LEO A DALY's monthly invoice. Amounts unpaid thirty (30) days after the invoice date shall bear interest at the rate of 12 percent (12%) per year.

David, we, at LEO A DALY, look forward to working on this project. Should this proposal meet your needs, please countersign one copy and return it to us, and retain the other copy for your records.

Sincerely,

LEO A DALY

CITY OF PEACHTREE CITY



Avery M. Sarden AIA, NCARB
Vice President, Director of Operations

David Borkowski, PE
City Engineer

cc: Ron Strohm

Enclosures: Attachment "A"-Hourly Rate Schedule

Mr. David Borkowski, P. E.

City of Peachtree City, Fire Station No. 84 Addition-Option "C"

June 15, 2010

Page 3

Attachment A

Hourly Rate Schedule

HOURLY RATES:

Below is the schedule of hourly rates for LEO A DALY and its non-reimbursable consultants (if any).

<u>Billing Category:</u>	<u>Hourly Rate:</u>
Principal	\$225.00
Project Manager	\$175.00
Senior Professional (Architect, Engineer, or Interior Designer)	\$150.00
Professional (Architect, Engineer, or Interior Designer)	\$100.00
Pre-Professional (Architect, Engineer, or Interior Designer)	\$85.00
Senior Administrator	\$70.00
Clerical	\$55.00

The above rates are valid for a period of 12 months from the date of this proposal.

The billing rates will be adjusted annually to reflect adjustments in compensation for LEO A DALY employees and consultants.

LEO A DALY

PLANNING
ARCHITECTURE
ENGINEERING
INTERIORS



EST. 1915

ATLANTA
AUSTIN
DALLAS
FORT WORTH
HONG KONG
HONOLULU
HOUSTON
LAS VEGAS
LOS ANGELES
MIAMI
MINNEAPOLIS
OMAHA
PHOENIX
SAN ANTONIO
WACO
WASHINGTON, DC

June 15, 2010

Mr. David Borkowski, PE
City Engineer
City of Peachtree City
151 Willowbend Road
Peachtree City, GA 30269

Subject: **Proposal for Professional Services for the City of Peachtree City,
Fire Station No. 84 Addition – Option "C"**
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PROJECT DESCRIPTION

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SCOPE OF SERVICES

LEO A DALY will provide full architectural services including programming, design, and contract documents, including specifications with general and supplemental conditions and bidding requirements.

We will also provide Interior Design services including color boards and material selection. We understand furniture and fixtures will be selected and administered by the City agencies.

All bidding activities will be performed by Peachtree City Agencies.

Full service construction contract administration services by our architecture and engineering staff members including review of submittals and shop drawings, administration of RFI's, and review of payment certificates and change orders as required. On-site meetings once per week and site observation, and close out services and final punch list are also included.

COMPENSATION

Compensation to LEO A DALY shall be a lump sum of \$56,800 plus reimbursable detailed below.

REIMBURSIBLE EXPENSES

In addition to the fee, LEO A DALY shall be compensated for the expenses, described below, and incurred by LEO A DALY and its employees and sub-consultants in the interest of the project. These expenses will be invoiced at cost:

10 TENTH STREET
SUITE 200
ATLANTA, GA 30309
TEL 404.874.8333
FAX 404.874.8330
www.leoadaly.com

Mr. David Borkowski, P. E.

City of Peachtree City, Fire Station No. 84 Addition-Option "C"

June 15, 2010

Page 2

- Fees paid for securing approval of regulatory authorities.
- Finished renderings, aerial renderings and models.
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- Computer time @ \$5.00/hr.
- Electronic File Transfers (including FTP site downloads/uploads) of documents.
- Printing, plotting, copying, photography and other reproductions.

ADDITIONAL SERVICES

Services required of LEO A DALY not defined in the scope of services above, or for revisions to the above scope, shall be considered as additional services. Compensation for additional services shall be based upon the hourly rates listed in Attachment A.

PAYMENTS:

Payments are due and payable thirty (30) days from the date of the LEO A DALY'S monthly invoice. Amounts unpaid thirty (30) days after the invoice date shall bear interest at the rate of 12 percent (12%) per year.

David, we, at LEO A DALY, look forward to working on this project. Should this proposal meet your needs, please countersign one copy and return it to us, and retain the other copy for your records.

Sincerely,

LEO A DALY



Avery M. Sarden ATA, NCARB
Vice President, Director of Operations

CITY OF PEACHTREE CITY

David Borkowski, PE
City Engineer

cc: Ron Strohm

Enclosures: Attachment "A"-Hourly Rate Schedule

Attachment A
Hourly Rate Schedule

HOURLY RATES:

Below is the schedule of hourly rates for LEO A DALY and its non-reimbursable consultants (if any).

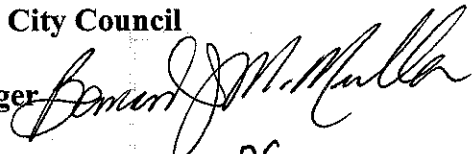
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Professional (Architect, Engineer, or Interior Designer)	\$100.00
Pre-Professional (Architect, Engineer, or Interior Designer)	\$85.00
Senior Administrator	\$70.00
Clerical	\$55.00

The above rates are valid for a period of 12 months from the date of this proposal.

The billing rates will be adjusted annually to reflect adjustments in compensation for LEO A DALY employees and consultants.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council
VIA: City Manager 
FROM: Financial Services Director P.S.
DATE: July 9, 2010
SUBJECT: Public Hearing – FY 2011 Budget

July 15, 2010 City Council Meeting

Recommendation:

Hold public hearing to gain input from public regarding the FY 2011 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 Variance: 306 The Enclave
Winship residence

Community Development Director

City Engineer

June 29, 2010

David A. Bokasle
David A. Bokasle

Situation:

Mr. and Mrs. Chick Winship (Applicant) own the property located at 306 The Enclave within the Southern Shore neighborhood and desire to construct a pool, spa and associated deck off the rear of their home. The subject tract abuts Lake Kedron and is 0.99 acres in size and zoned R-15 Residential.

The city's Water Resource Protection Ordinance was amended on September 20, 1990 to require an undisturbed natural buffer of 100' plus an additional 50' no impervious buffer as measured from the normal pool elevation of existing and future drinking water reservoirs.

The final plat for Phase 6 of the Southern Shore subdivision was platted on June 26, 1995, and was recorded identifying a 100' undisturbed buffer and a 50' no impervious buffer on the lots adjoining Lake Kedron. All lots within the Southern Shore neighborhood that abut Lake Kedron were developed in accordance with these buffer requirements.

The minimum front building setback within the R-15 zoning district is 40', and the minimum lot width is 95'. The portion of the Applicant's property abutting The Enclave is 45.26'. Because the subject tract is irregularly (pie) shaped, the front building setback was established by the depth that would create the minimum lot width along the front building setback line. In this case, the front building setback for the subject tract was established at 55' from the front property line. The Applicant's home was constructed 60' from the front property line and the rear of the home abuts the 50' no impervious buffer.

Because of the topography of the subject property, the Applicant is proposing to construct a retaining wall within the 50' no impervious buffer to accommodate a swimming pool, outdoor spa and associated pool deck. The retaining wall would be constructed along the edge of an existing sanitary sewer easement and would extend 25' into the established no impervious buffer. The remainder of the no impervious buffer would remain vegetated with lawn.

In order to accommodate this construction and the encroachment into the 50' no impervious buffer, the Applicant is requesting a variance from Section 1004(4)b. of the Watershed Protection Buffer Ordinance.

A copy of the variance application is included as Attachment "A".

Proposed Variance: 306 The Enclave

June 29, 2010

Page 2

Facts:

1. The city's Water Resource Protection Ordinance was amended on September 20, 1990 to require a 100' undisturbed natural buffer and a 50' no impervious buffer as measured from the normal pool elevation of existing and future water supply reservoirs.
2. The final plat for Phase 6 of the Southern Shore subdivision was approved on June 26, 1995 and identified the 100' undisturbed natural buffer and a 50' no impervious buffer on all lots abutting Lake Kedron.
3. A 20' wide sanitary sewer easement bisects the property and is located approximately 10' behind the existing structure within the 50' no impervious buffer.
4. The R-15 zoning district requires a minimum front building setback of 40' and a minimum lot width of 95'. Because Lot 141 is pie-shaped and the lot width at the street is less than 95', the front building setback is established by the depth that would create the minimum lot width along the front building setback line.
5. The front building setback for the subject tract was established at 55' from the front property line and the home was constructed 60' from the front property line.
6. The Building Permit for the home on Lot 141 was issued on April 9, 1996, and the Certificate of Occupancy was issued on November 25, 1996.
7. To date, there have been no variances granted to any of the lots within the Southern Shore neighborhood for an encroachment into the established watershed protection buffers adjacent to Lake Kedron.

Discussion:

The final plat for Phase 6 of Southern Shore was recorded with the 100' undisturbed natural buffer and the 50' no impervious buffer as required by the city's Watershed Buffer Protection Ordinance. The subject tract, and all other lots within Southern Shore, were developed in accordance with these buffers. There is no record of any variances granted to homes within Southern Shore for encroachments into these established buffers.

The existing home was constructed such that the rear patio abuts the no impervious buffer. Following construction of the home, the Applicant installed a tiered retaining wall at the end of the driveway, a portion of which abuts the no impervious buffer.

The Applicant desires to construct a pool, outdoor spa and associated pool deck on the rear of their home. Because the lot drops in grade from the street to the lake, the Applicant desires to

Proposed Variance: 306 The Enclave

June 29, 2010

Page 3

install a retaining wall along the edge of an existing sanitary sewer easement in order to level the area where the pool would be constructed. The proposed retaining wall would encroach approximately 25' into the 50' no impervious buffer.

Review criteria:

Based on the review criteria established within Section 1207 of the city's Zoning Ordinance, City Council shall not grant the request unless all of the following findings can be made:

- (a) **There are special circumstances applicable to the property, including location, shape, size, surroundings, or topography so that the strict application of this ordinance denies the property of privileges enjoyed by other property in the vicinity and under identical zoning district classification;**

Staff findings:

- *All lots within the Southern Shore subdivision that abut Lake Kedron were platted with a 100' undisturbed natural buffer and the 50' no impervious buffer as required by the Watershed Protection Buffer Ordinance.*
- *Although the front building setback on the subject lot was increased from 40' to 55', the existing home and other improvements have been constructed without encroaching into the established watershed protection buffer.*
- *Based on a rough calculation of that portion of the lot located within either the undisturbed natural buffer or the no impervious buffer, it could be argued that approximately 29,610 SF, or 68% of the total lot area is located within these buffers and is not developable. However, it should be noted there are no less than thirteen (13) lots within Southern Shore alone that appear to have less developable area than the subject lot. To date, none of these lots have applied for a variance for an encroachment into the watershed protection buffer.*

- (b) **The strict or literal interpretation and application of this ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Zoning Ordinance, or would deprive the Applicant of privileges granted to others in similar circumstances;**

Staff findings

- *The plat for Phase 6 of the Southern Shore subdivision was platted with the required watershed protection buffers.*
- *The irregular shape of the subject tract required an increase in the minimum front building setback.*
- *The existing home does not encroach into any building setback or watershed protection buffer.*

Proposed Variance: 306 The Enclave

June 29, 2010

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- *While there are no areas on the property where the pool as proposed could be constructed without encroaching into the established no impervious buffer, it is possible that a much smaller pool and pool deck could be constructed without the need for a variance.*
- (c) **There are exceptional or extraordinary circumstances or conditions applicable to the property involved or the intended development of the property which preclude the applicant from complying with this ordinance and that do not apply generally to other property in the same zoning district and which prevent the applicant from complying with existing regulations;**

Staff findings

- *There are no less than thirty-eight (38) lots within Southern Shore that abut Lake Kedron or are separated by the lake by a city-owned greenbelt, each of which has been developed.*
 - *The watershed protection buffers are platted on each of these lots.*
 - *To date, there have been no variance applications received or variances granted for an encroachment into the watershed protection buffer within the Southern Shore neighborhood.*
- (d) **The granting of such variance will not constitute the granting of special privileges inconsistent with the limitations on other property in the same zoning district; and**

Staff findings

- *There are no less than thirty-eight (38) lots within Southern Shore that abut Lake Kedron or are separated by the lake by a city-owned greenbelt. Each of these lots has been developed.*
 - *The watershed protection buffers are recorded on each of these lots.*
 - *To date, there have been no variance applications received or variances granted for an encroachment into the watershed protection buffer within the Southern Shore neighborhood.*
- (e) **The granting of such variance will not be materially detrimental to the public health, safety, or general welfare nor injurious to property or improvements in the zone or neighborhood in which the property is located.**

Staff findings

- *The intent of the watershed protection buffer ordinance is to protect existing and future drinking water reservoirs.*

Proposed Variance: 306 The Enclave

June 29, 2010

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- *To date, there have been no variance applications received or variances granted for an encroachment into the watershed protection buffer within the Southern Shore neighborhood.*
- *The city has historically not granted variances for encroachments into these buffers in an effort to protect these drinking water supply reservoirs.*

(f) The granting of such variance will not create inconsistencies with any objective of the Comprehensive Plan.

Staff findings:

- *The comprehensive plan encourages the protection and preservation of natural resources within the city.*
- *The Community Agenda prepared as a part of the update to the comprehensive plan encourages the protection of the character of existing neighborhoods along with redevelopment and reinvestment within these neighborhoods.*

Recommendation:

Based on these findings, Staff does not support the variance request and recommends that the variance not be approved. Although the Applicant has developed an attractive plan and is proposing significant improvements to their property, it is our position that granting this variance would set a precedent for future variance requests to the established watershed protection buffer ordinance.

The intent of adopting these buffers was to protect drinking water supply reservoirs and the city has been consistent in not allowing encroachments into these buffers. Analyzing the Southern Shore neighborhood alone, it is apparent there are a significant number of lots where variances would be needed to construct similar improvements.

Attachments



Please use blue or black ink to fill out this form.

VARIANCE APPLICATION

153 Willowbend Rd, Peachtree City, GA 30269

P: 770-487-5731

F: 770-631-2552

WWW.PEACHTREE-CITY.ORG

Admin. Variance Fee: \$25.00
Variance Fee: \$250.00

Receipt # 181951

Date Filed 06/16/10

Case # V-2010-06

Office Use Only

VARIANCE LOCATION	Street Address <u>306 The Enclave</u> <u>PTC</u>	PROPERTY OWNER	Name <u>FLO and CHICK WINSHIP</u>
	Zoning District: ☒ Residential ☐ Multi-Family ☐ Commercial\Industrial\Office		Phone <u>770 487 1861</u>
VARIANCE LOCATION	Variance Type: ☐ Administrative ☐ Special Exception ☒ Variance (check one below)	PROPERTY INFO	Email <u>fluffwinship@bellsouth.net</u>
	Variance from which ordinance: ☐ Sign ☐ Fence ☐ Land Development ☐ Zoning		Subdivision: <u>Southern Shore</u>
APPLICANT	Name <u>FLO and CHICK WINSHIP</u>	SUPPORTING DOCUMENTS	Phase: <u>6</u> Lot # <u>141</u>
	Address <u>306 The Enclave</u>		Please submit the following evidentiary items in support of this application and the requested variances. (Please check off the items that are attached to this application)
City, State, Zip <u>Peachtree City GA 30249</u>		☒ Site plan (with property lines and proposed work)	
Phone # <u>770 487 1861 / 678 907 0129</u>		☐ A detailed report justifying the requested variance	
Email <u>fluffwinship@bellsouth.net</u>		☐ Letters of support from adjacent property owners	
		☒ Digital Photographs \ Renderings (CD or Email)	
		☒ Other Items Demonstrating Need (topo. survey) etc. <u>Aerial photo</u>	

ADMINISTRATIVE VARIANCE	1.) Is a current survey included with the application?	☐ Yes ☐ No	Briefly describe why this variance is being requested: (A separate detailed report is still required to be attached to this application)
	2.) Does the application pertain to a zoning setback?	☐ Yes ☐ No	
	3.) Is the violation an existing setback violation?	☐ Yes ☐ No	
	4.) How long has the violation existed?	____ Years	
	5.) What is the required setback?	____ Feet	
	6.) How much of a variance is being requested?	____ Feet	
	7.) Were you the owner of the property when the violation occurred? (If not, who was?)	☐ Yes ☐ No	

SPECIAL EXCEPTION	1.) Is a current survey included with the application?	☐ Yes ☐ No	Briefly describe why this variance is being requested: (A separate detailed report is still required to be attached to this application)
	2.) Has property been rezoned or deed restrictions?	☐ Yes ☐ No	
	3.) Is the violation an existing setback violation?	☐ Yes ☐ No	
	4.) Application for a bldg setback, fence, or parking?	(Circle One)	
	5.) What is the required setback, height, or spaces?	____	
	6.) How much of a variance is being requested?	____	

VARIANCE	Please review the ordinances and instructions on the back of this page.		Briefly describe why this variance is being requested: (A separate detailed report is still required to be attached to this application)
	1.) Is a current survey included with the application?	☒ Yes ☐ No	
	2.) How much of a variance is being requested?	<u>25</u> Feet	
	3.) Were you the owner of the property when the violation occurred? (If not, who was?)	☐ Yes ☐ No <u>NA</u>	

I hereby certify that I am the owner of the property on which a variance is being requested and that all information provided as a part of this application is true and correct.

Signature of Owner/Agent: Flo Winship

Date 6/8/10

OFFICE ONLY

ADMINISTRATIVE VARIANCE	Signature: _____
Date of Acceptance: _____	Date of Hearing: _____
☐ Approved ☐ Denied	
☐ Approved with Conditions	
SPECIAL EXCEPTIONS & VARIANCE FROM ORDINANCES	This application, along with the required fee and all necessary supplemental documents, has been properly submitted and is hereby accepted for consideration by the City Council at a public hearing in the City Council Chambers at 7:00 PM on the date shown below:
Signature: <u>DAVID E. Rant</u>	Date of Acceptance: <u>06-16-10</u> Date of Public Hearing: <u>07-15-10</u>

1. Property outside of 150' buffers is inadequate and / or inappropriate for pool installation.
 - a. Backyard: Steep grade contained by a combination of 3.5 ' retaining wall + stairs + heavily planted area.
 - b. West Sideyard: Neighbor's deck overlooks Winship side yard. A pool located in far-back/side yard, near neighbor's property line, would be inappropriate.
 - c. East Sideyard: Heavily shaded / steep grade / inadequate square footage / mosquitos.
2. Proposed area for pool and deck is appropriate.
 - a. This home needs a pool.
 - b. Pool area does not impinge upon 100' undisturbed buffer.
 - c. Area within 50' no impervious buffer still provides 26' (minimum distance) band of established, absorbent, Zoysia grass lawn before reaching 100+ feet of wooded property in undisturbed buffer.
 - d. Slope of property within the 150' buffers is shallow and gradual.
 - e. Distance + quality of property from high-water line of lake is adequate for absorption of contaminants.

Thank you for your consideration and assistance,

Flo Winship.

Lot #141

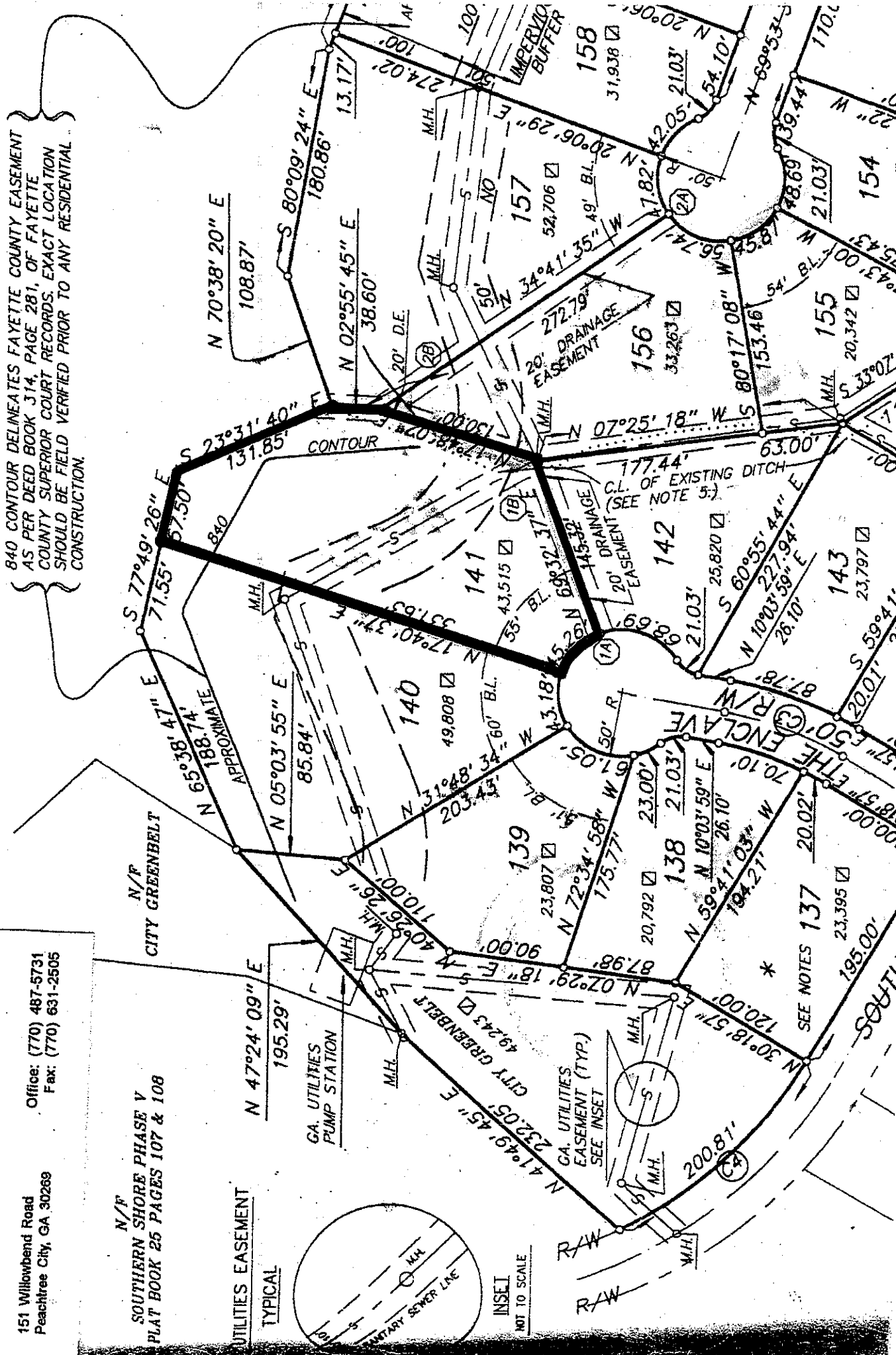
June 15, 2010

Peachtree City

DAVID E. RAST
City Planner

151 Willowbend Road
Peachtree City, GA 30269
Office: (770) 487-5731
Fax: (770) 631-2505

N/F
SOUTHERN SHORE PHASE V
PLAT BOOK 25 PAGES 107 & 108



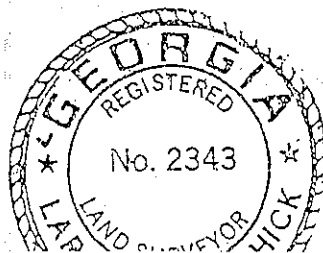
NOTE:

840 CONTOUR DELINEATES
FAYETTE COUNTY EASEMENT
AS PER DEED BOOK 314, PAGE
281.

N/F
LAKE KEDRON
(FAYETTE COUNTY)

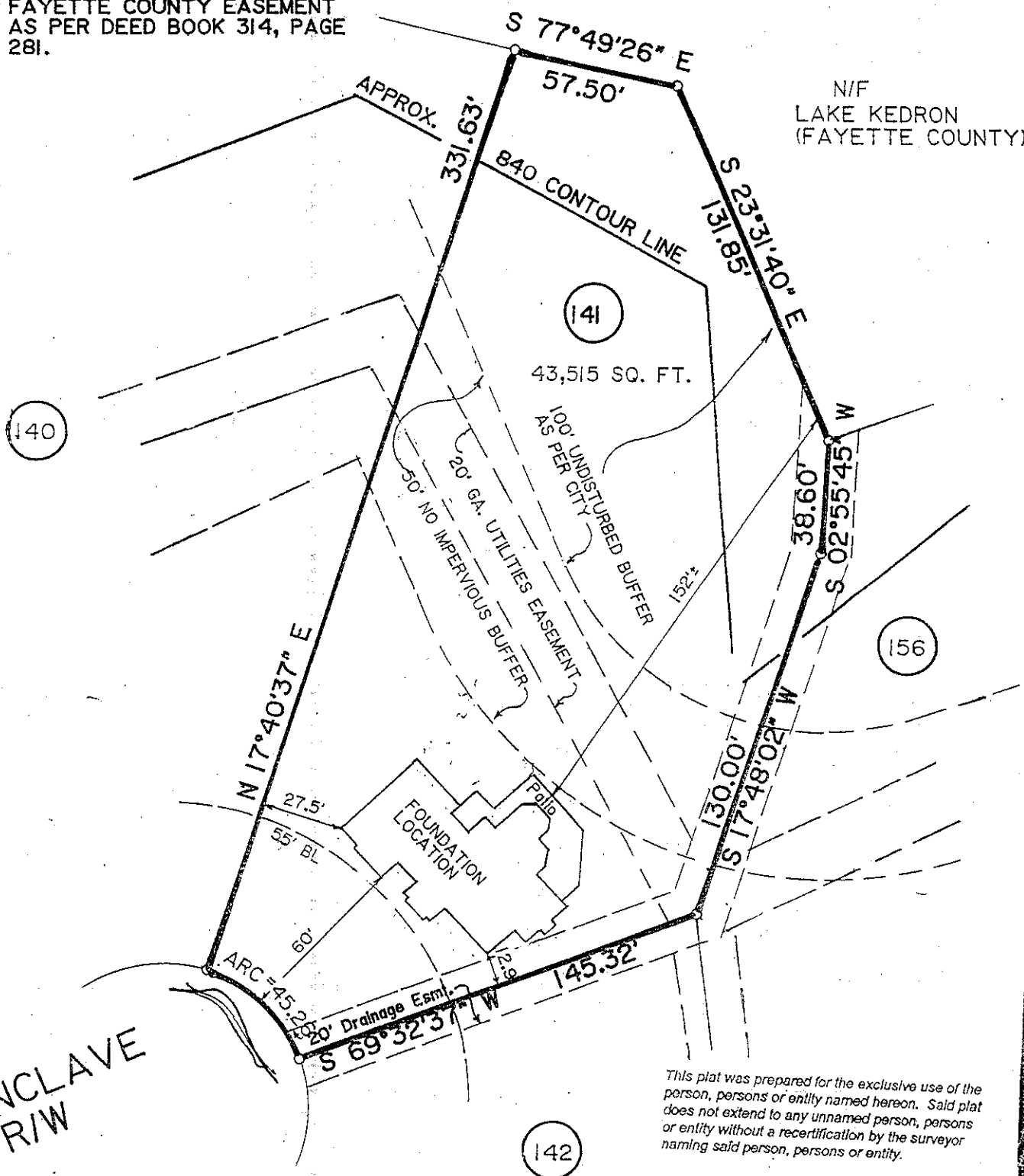
THE ENCLAVE
50' R/W

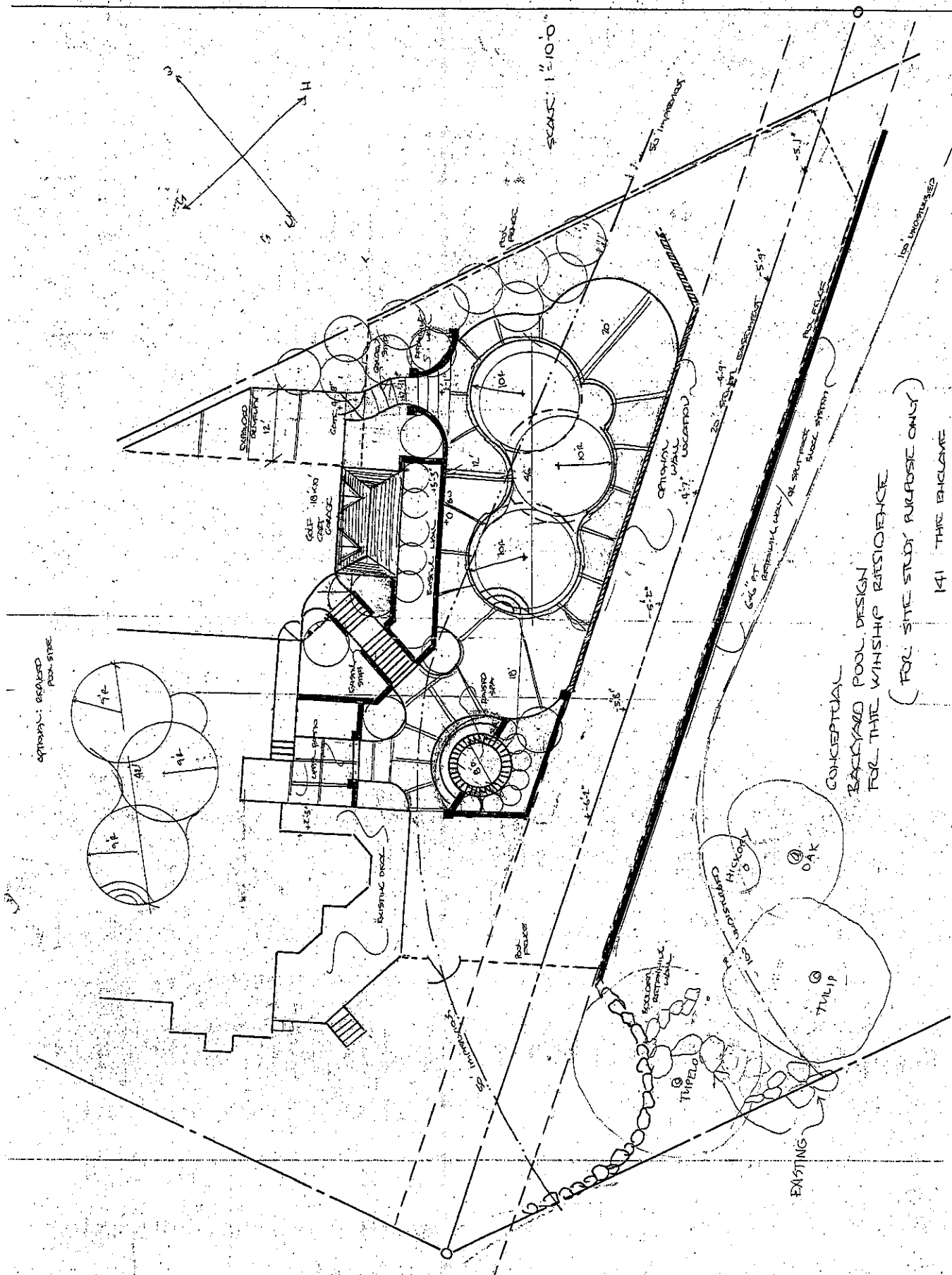
In my opinion, this property does not
lie within the 100 year flood plain
according to the HUD Flood Plain

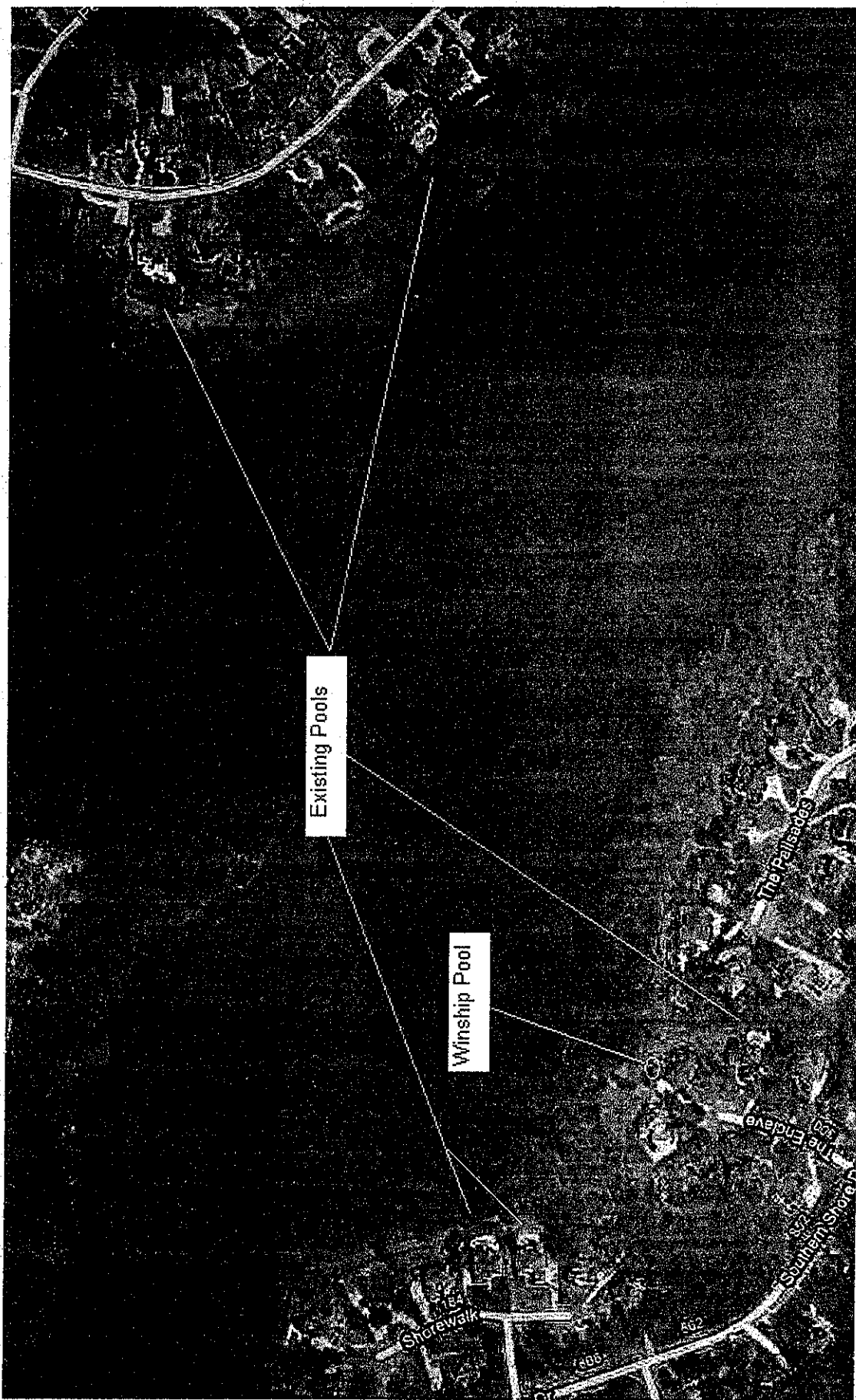


This plat was prepared for the exclusive use of the
person, persons or entity named hereon. Said plat
does not extend to any unnamed person, persons
or entity without a recertification by the surveyor
naming said person, persons or entity.

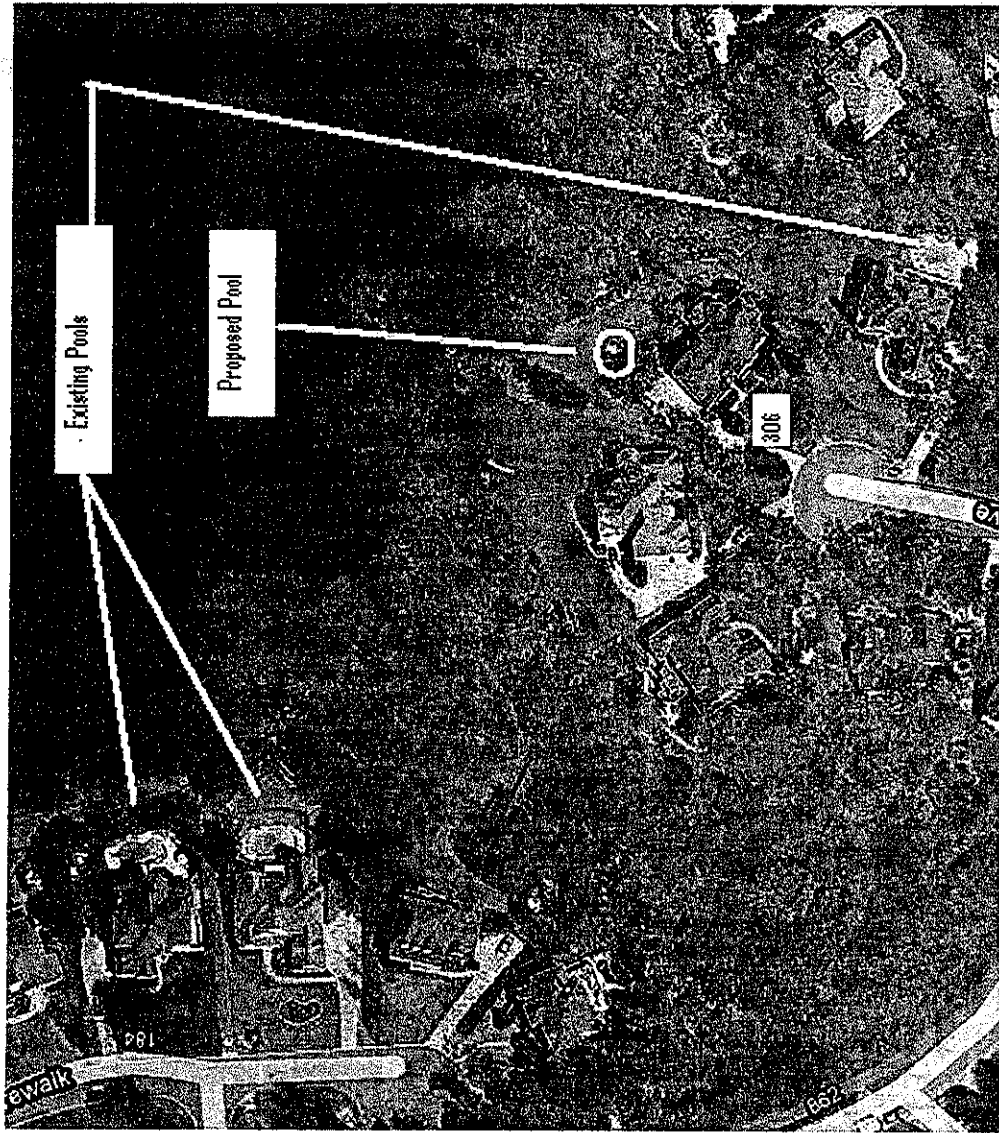
NOTE:
FOUNDATION LOCATION
BY THIS OFFICE ONLY.
BOUNDARY DATA
TAKEN FROM A PLAT
OR DEED BY OTHERS.







~ NORTH
↙



Winship
Variance Req
Lot 141
306 The Enclave

~ NORTH

Google maps

Address

To see all the details that are visible on the screen, use the "Print" link next to the map.

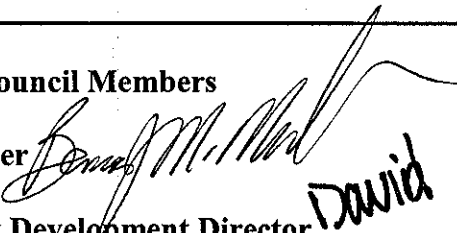
[Get Directions](#) [My Maps](#)[Print](#) [Send](#) [Link](#)Lot
141

← ~ NORTH

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: City Manager 

FROM: Community Development Director *David*

DATE: June 29, 2010

SUBJECT: Consider Step One annexation application – SITUS Property Corporation
(Southern Pines tract, SR 74 South)
July 15, 2010 City Council Agenda

Recommendation:

Based on the requirements identified within the city's Annexation Review Process, Staff is providing information to City Council for consideration of the applicant's request. After careful review of this information and discussion with the applicant, Council must then decide if the application should move forward to Step Two of the annexation process.

Background information:

In 2004, the city repealed its moratorium on annexations and initiated a two-step process for review and consideration of annexation requests. The first step was written to provide a general overview of the proposed annexation and to identify how the annexation and proposed development may or may not be compatible with the established goals within the city's Comprehensive Plan.

Following the review of this information, City Staff and the Applicant present this information to City Council, who then decides if the application moves to Step Two of the application process, which requires the submittal of additional and detailed information pertaining to the annexation request and the proposed development. **Allowing a developer to move forward to Step Two in no way implies that City Council will ultimately approve the property for annexation.** Rather, it provides Staff the opportunity to work with the Applicant to develop a detailed analysis of the proposed annexation, a schematic master plan of the proposed development, and a more informed recommendation that will ultimately be considered by other governmental agencies, the Planning Commission and City Council.

Application:

SITUS Property Corporation desires to annex the 77.21-acre Southern Pines tract into the city limits of Peachtree City and to rezone the property for light industrial use. The property is currently located within unincorporated Fayette County and was rezoned to accommodate a retail and office development several years ago.

Consider Step One annexation application – SITUS Property Corporation

June 29, 2010

Page 2

The overall tract includes 27.46 acres designated as C-C Community Commercial, 5.47 acres designated as OI Office Institutional, and 44.28 acres designated as AR Agricultural Reserve. The overall site has been approved for in excess of 177,200 SF of office and retail space.

The information submitted by the applicant complies with the requirements identified within the Step One submittal guidelines and is being presented to City Council for consideration. A copy of this application is attached. Staff and the Applicant will be present at the City Council meeting to answer questions about this proposal.

Should City Council authorize the application to move forward, Staff will officially notify the County that a Step Two annexation application has been received.

Budget impact:

Budget impacts for this development would be analyzed as a part of the Step Two annexation application.

Attachments

City of Peachtree City

Annexation Review Process

Step One: Initial annexation information

The following information is to be completed by the property owner and/ or their agent and submitted to the City Planner for review and distribution. This form provides basic project information that will allow City Staff to determine if the annexation request and proposed development may or may not be compatible with the established goals within the City's Comprehensive Plan.

I. Contact information:

Owner(s) of property: Southern Pines Plantation Commercial Group LLC
Mailing address: 6501 Peake Road, Building 350
City, State, Zip: Macon, GA 31210
Telephone: 478-477-0000
Fax: 478-477-2111
E-mail address: tgriffith@sppland.com

Agent(s) for owner: Casey Investment Group, LLLP, or agents
Contact: John Stromnes
Mailing address: 9192 Tara Blvd
City, State, Zip: Jonesboro, GA 30237
Telephone: 770-478-8803
Fax: 770-471-3715
E-mail address: jstromnes@situs-corporation.com

(Note: A certified letter must be submitted by all Owners of Record of the subject property indicating they are aware of this request and that they acknowledge this application is being submitted by their agent, if applicable.)

II. Project information

Gross acreage: 77.205+/- acres

Acreage of lakes, floodplain, wetland, streams and associated buffers, etc.:

17.805+/- acres

Net developable acreage: 59.4 +/- acres

Current zoning classification (include copy of appropriate zoning ordinance and current Zoning Map of general vicinity):

Fayette County Zoning case # 1218-09 – 27.46+/- acres zoned C-C; Fayette County Zoning case #1219-09 – 5.37 acres zoned O-1. Remaining acreage zoned agricultural / residential. (see attached case memos)

Applicant is requesting rezoning of the tract during the annexation process/approval.

Current Land Use designation (include copy of appropriate land use description and current Land Use Map of general vicinity):

Per David Rast, PTC will provide this information.

Location of property:

Land Lot 17 & 18; 6th District of Fayette County, bordered on the north by Hwy 74, south of the intersection of Redwine Road and Hwy 74.

(Note: A Legal Description and a Boundary Survey identifying the relationship between the current city limits and the property being considered for annexation must be submitted as a part of this application.)

See attached

Brief description of proposed project:

(Note: Identify type of development or uses, such as commercial, industrial, residential, etc.; and provide projected size of development, such as floor area in square feet, number of employees, number of lots or housing units, etc.)

The project is to develop a new corporate headquarters and production facility totaling 142,000 SF in size. This will be a LEED certified investment grade development and will be the first of its kind in Peachtree City. The manufacturing process is light metal fabrication combining electrical, welding, grinding, refrigeration, woodworking, and other trades which are performed in house. Most production items are designed for specific customer requirements. There are no emissions or excessive noise from this operation.

Current employee size is 165 with 140 in skilled production positions and 25 employees in executive, sales and office administrative positions. The plant operates on a one shift basis.

III. Relationship to Comprehensive Plan

Provide a brief overview as to how the annexation request and proposed development may or may not be compatible with the established goals within the City's Comprehensive Plan:

▪ Housing

Provide a broad range of housing opportunities with an appropriate mix of homes regarding size, type, price, and location in order to satisfy the needs of new and future residents while ensuring natural pleasing surroundings.

(If applicable, identify the type and number of residential units that are proposed, current and projected on-site and adjacent zoning and densities, price ranges, amenities, etc.)

– Not applicable

▪ Commercial

Provide commercial facilities concentrated in the four village centers already established that serve the needs of the residents of that Village. Ensure that these facilities do not adversely affect the adjoining residential areas, the environment, or existing traffic patterns.

(If applicable, identify the projected square footage of proposed retail and commercial development and how this might impact the existing Village retail centers. Additionally, identify projected traffic impacts and how this might impact existing roadways.)

– Not applicable

▪ Economic Development

To maintain a diversified economy that encourages high paying, quality jobs, and maximum tax contribution while meeting the requirements of a healthy environment.

(Explain how the proposed annexation may impact existing population, employment, tax revenue, etc.)

Estimated Capital Investment

Building Development: \$7,000,000

Relocation Cost: \$1,500,000

Equipment Investment: \$2,550,000

Total: \$11,050,000

Production wage rates are between \$11 and \$22 / hour with a total incentive package (insurance and other benefits) between \$15 and \$34/hour. Administrative positions average between \$12 and \$34 per hour. Senior management is not included in these totals.

Local businesses will benefit from additional patronage sales from the 165 employees, capital investment, and future tax revenue from the project. It is anticipated that a percentage of the workforce will relocate into the community with the actual number to be determined. The entire 77 +/- acre tract is being petitioned to be annexed into the city limits and would be subject to PTC emergency services tax for fire and police services.

▪ **Transportation**

Establish and maintain a comprehensive system of transportation that provides for safe and convenient circulation through and around the city including roads, cart paths and ride share services.

(Identify how the proposed annexation and subsequent development might impact existing traffic patterns, roadways, etc. and what is planned to mitigate these impacts, how the property will be interconnected with the City's multi-use path system, and what measures will be implemented to reduce traffic congestion associated with the proposed development.)

The proposed facility will have operation hours of 8:00am to 5:00pm Monday thru Friday for office personnel and 7:00am to 5:30pm Monday thru Thursday for skilled production personnel. Truck deliveries are limited to business hours only with estimated tractor trailer deliveries ranging from 10 to 25 trucks per week.

GDOT improvements of SR 74 include a concrete median and widened pavement area. Two access points are proposed for this development. The main entry/exit will align with Redwine Road at the signalized intersection. A second drive is provided west of this intersection and will be utilized as a right-in/right-out use.

The main entry to the site will be aligned with the existing traffic signal at the intersection of Redwine Road and SR 74. The alignment with the signalized intersection will provide safety of movement to, from and around the proposed location of this facility. Traffic circulation associated with this property will occur during business hours. Retail/commercial use, as currently zoned in Fayette County, would increase traffic volumes and utilization of safety personnel/community services.

The Fayette Co rezoning of this property allowed for inter-parcel access to enable retail traffic to exit between the existing day care facility and the existing housing community. The inter-parcel access will not be utilized nor constructed for this proposed development. All traffic will enter and exit directly onto SR 74.

Connection to the City's multi-use path system will be explored during Step II of the Annexation/rezoning process. The proposed facility will not include commercial services for the general public to which interconnection may be beneficial but the option of connections will be discussed with staff to determine applicability.

▪ **Recreation**

Continue to provide a full range of recreational facilities and programs which serve to satisfy the needs of individual neighborhoods, and the community as a whole.

(If applicable, identify what recreational amenities will be incorporated into the proposed development and how this will serve the needs of the existing residents of Peachtree City.)

– Not applicable

Land Use

Establish appropriate land uses in areas that are suitable for development that would not endanger but protect the surrounding environment and aesthetics.

(Identify what type of land use would be proposed for the development and how this would be compatible with the existing land use patterns within the general vicinity.)

The proposed facility is a family-owned business which would require light industrial zoning for the areas proposed for development. Additional areas which are not determined as viable configurations or expansion for the proposed development will be reviewed with the City to determine the preferable zoning category.

The proposed facility will be an investment grade building with enhancement landscaping and signage. If annexed, the site will be the gateway from Fayette County as traffic travels west. With limited traffic and impact to the City's infrastructure, this proposed project would be a positive development and create significantly less concerns than those which are associated with a retail use.

The proposed company has been in business for decades and intends to support the community in which it is based. The Company and its employees will be a positive liaison for business ownership in Peachtree City.

▪ Natural Resources

Protect the natural environment by prohibiting development in identified environmentally sensitive areas and continuing to expand city greenbelts and open space areas.

(Identify wetland areas, flood plains, streams and other environmentally sensitive areas and what measures would be taken to protect these areas from development. Also, identify what, if any, property might be donated to the City as greenbelt.)

An on site inspection of jurisdictional waters was performed in May of 2010. Undisturbed buffers of 50' and impervious setbacks of 75' would be adhered to on all streams with the exception of two small areas. These areas would require the lessening of the buffer to State EPD buffer requirements of 25' top of bank. The minimization of the buffer in these two areas is necessary to accommodate safe movement into the site (west driveway) and safe movement around the future expansion of the building.

Less than 0.5 acres of wetland impact is proposed on site. All other wetland areas will not be disturbed.

The landscape installation will meet the requirements of the PTC Tree Ordinance and include native plant materials, zone plantings and bio-swales when possible.

▪ Community Service and Facilities

Continually provide adequate levels of service in all areas as needed for the residents of Peachtree City.

(Identify projected impacts the proposed development might have on emergency services, including police and fire, as well as sanitary sewer and water services.)

The proposed facility will be fully sprinklered and include an ESFR fire system. The system will be fully monitored.

This facility will have minimal impact on water and sewer resources due to the type of this business establishment. Sewer is for domestic use only. Retail/commercial use, as currently zoned in Fayette County, would increase water & sewer use and stormwater run-off associated with this property.

Sewer is currently located off site. The Applicant will discuss sewer service with the WASA and City Staff. Septic sewer will not be considered as an option by the Applicant.

▪ **Community Aesthetics**

To preserve and enhance the visual image and appearance of the community.

(Identify how the proposed development will blend in with the existing development throughout the community, to include buffers, landscaping, signage, architectural detail, etc. and whether or not you intend to adopt architectural standards or an overlay district for the proposed development.)

The proposed facility will be constructed of concrete tilt up panels and similar to the attached elevation. Construction will be investment grade with signage and detailing complimentary to existing industrial development located in Peachtree City. Landscaping will meet or exceed PTC ordinances.

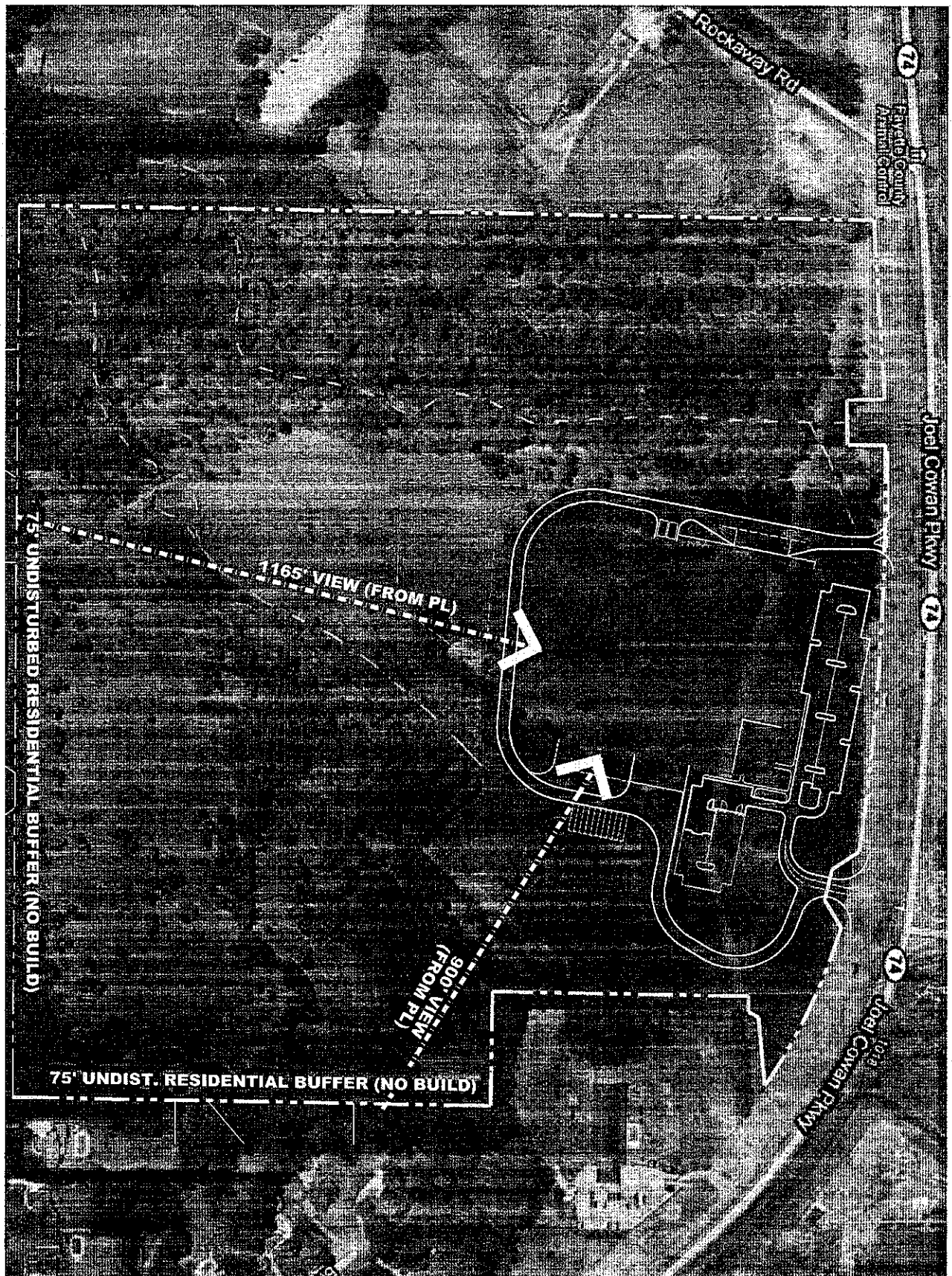
▪ **Planning**

To continue to provide the city with a planning process that encourages citizen participation in every decision.

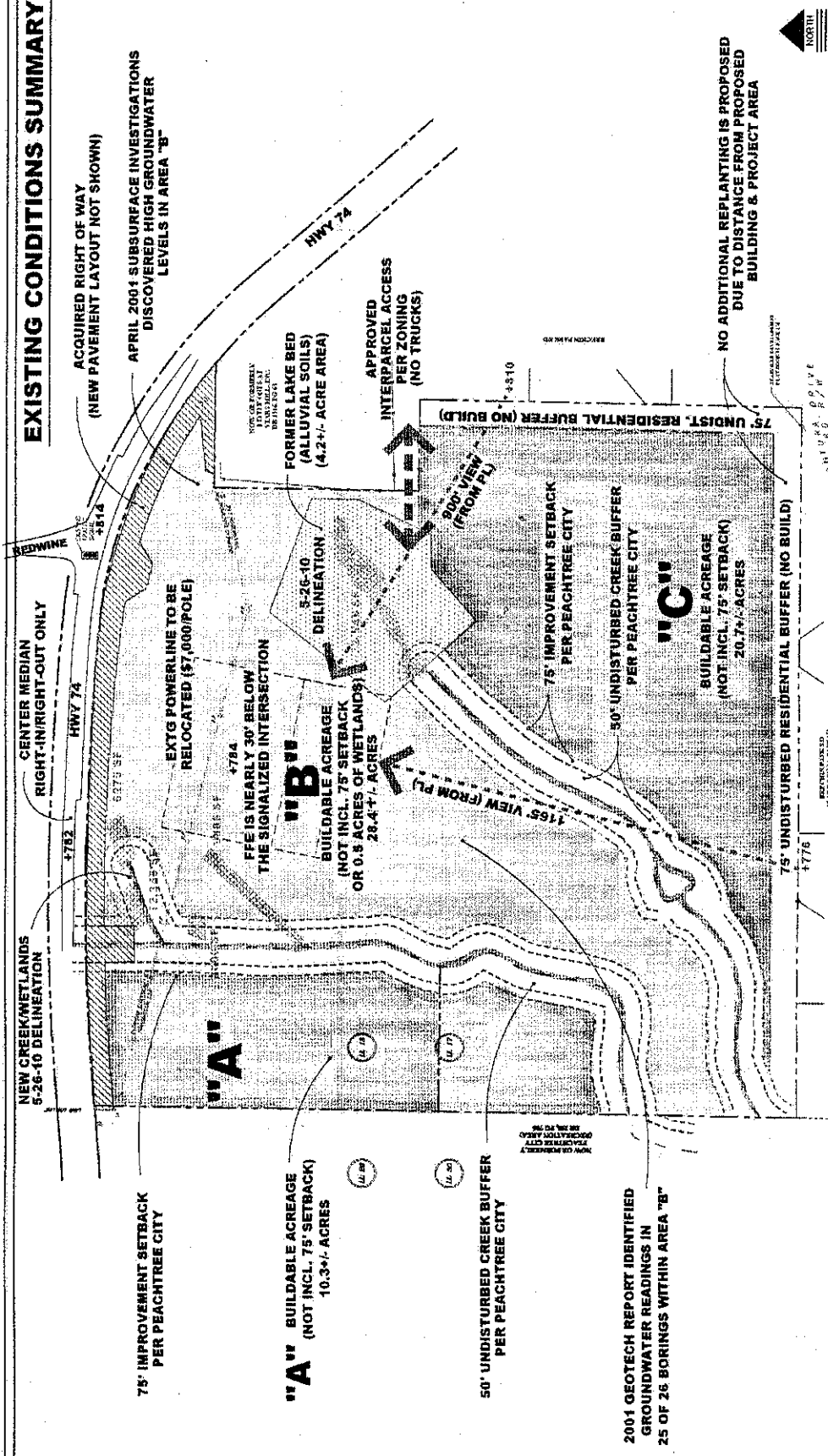
(Identify how you plan to develop the overall plan for the proposed development, to include workshops, design charrettes, neighborhood meetings, etc. and how you plan to garner public support for the proposed development.)

The company has a 63 year history of community interaction, volunteerism, and being a corporate citizen in good standing. It is their intent to meet with community officials and local interested citizens as needed in order to demonstrate its intent and the sound business practices it employs. Senior management currently resides in the area and would be available for discussions pertaining to the proposed development.

This is a third generation, family owned business which takes great pride in developing a family atmosphere with its employees. The operation is non-union with the average tenure over 22 years.



EXISTING CONDITIONS SUMMARY

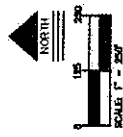


JULY 1, 2010

PANATTONI,
PANATTONI DEVELOPMENT COMPANY, INC.
3608 Lenox Road NE, Suite 601 Atlanta, Georgia 30326

EXISTING CONDITIONS
FAYETTE COUNTY, GEORGIA

Contact: Mike Gray
Principal
404/921-2000 F:404/921-2010



CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: City Manager *Donna J. McCallister*
Systems Administrator *David*

FROM: Community Development Director

DATE: June 29, 2010

SUBJECT: Consider request to change the name of a private street (Cobblestone Drive to Cobblestone Creek)
July 15, 2010 City Council Agenda

Recommendation:

That Council approve the request to change the name of the internal street within the Cobblestone Creek condominium complex from Cobblestone Drive to Cobblestone Creek.

Discussion:

The City's Planning and Information Technology Staff have been working with the Fayette County E911 Center to update the city's Geographical Information System (GIS) to ensure addressing and street name protocol are compatible with that used by the county. As a part of this effort, it was discovered the internal street name within the Cobblestone Creek condominium complex off of Pinegate Road was recorded as Cobblestone Drive, while many of the residents and emergency personnel refer to this street as Cobblestone Creek.

Staff notified each residential unit (total of 49 units) within the complex requesting their input as to which street name they preferred. As of June 30, 31 residents have responded, each requesting that the street name be officially changed to Cobblestone Creek.

Should Council agree to this request, Staff will again contact each property owner well as the appropriate agencies notifying them of this change.

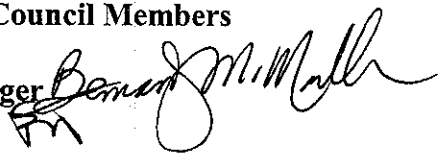
Budget impact:

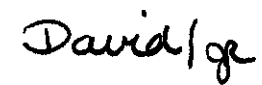
There are no budget impacts associated with this request.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: City Manager 
City Clerk 

FROM: Community Development Director 

DATE: June 30, 2010

SUBJECT: Consider amendments to Chapter 18, replacing existing Telecommunications Towers and Antennas Ordinance with new Wireless Telecommunications Facilities Ordinance or extend moratorium on new requests for applications for Telecommunication Towers and Antennas
July 15, 2010 City Council Agenda

Recommendation:

That Council adopt the proposed amendments to Chapter 18, replacing the existing Telecommunications Towers and Antennas Ordinance with a new Wireless Telecommunications Facilities Ordinance (Attachment "A"), to include a new application process for new telecommunications facilities and support structures as presented by City Staff (Attachment "B"). In addition, Staff recommends that Council authorize Staff to establish an application fee of \$250 for Administrative Review application and \$500 for Conditional Use Permit applications in the Schedule of Fees as kept on file by the City Clerk. Staff recommends that, if ordinance is not approved, Council extend the moratorium until August 19, 2010.

Discussion:

On May 6, 2010, City Council enacted a moratorium on new requests for applications for telecommunications towers and antennas. The purpose of the moratorium was to provide staff with sufficient time to research ordinances from other jurisdictions and compare these ordinances with our existing ordinance and to update our application process for new facilities.

As a part of this process, we compared our current ordinance with ordinances from other jurisdictions as well as with model ordinances provided by the wireless telecommunications industry, which resulted in a total re-write of our existing ordinance. In addition, staff developed a detailed application and review process for new requests for telecommunications facilities and support structures.

Consider amendments to Chapter 18

June 30, 2010

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The new Wireless Telecommunications Facilities Ordinance identifies specific zoning districts where towers might be located and clearly defines the submittal, review and approval process for new telecommunications facilities and support structures.

Approval of new telecommunications facilities and/ or support structures would be permitted through administrative review or by issuance of a Conditional Use Permit. Administrative review would be conducted by City Staff, while a Conditional Use Permit would be reviewed by City Staff, the Planning Commission and City Council.

As a part of the Conditional Use Permit process, an Applicant must provide a series of documentation supporting the new support structure including, but not limited to, an Evidence of Need Report certified by a Radio Frequency Engineer, a Visual Impacts Assessment, a balloon test, and documentation from the Federal Aviation Administration and the Peachtree City Airport Authority. These documents would be reviewed by City Staff, then forwarded to the Planning Commission and ultimately to City Council for approval.

The proposed ordinance was reviewed in a workshop format at the June 14 Planning Commission meeting (Attachment "C"), at which time there were a number of items the Planning Commission wanted Staff to address.

These items have been researched and the ordinance amended accordingly. For clarification, those items being changed within the attached ordinance are **underlined and in bold font** and those items that are being removed have been ~~struck through~~.

Following is a brief overview of these amendments, all of which are located within Section 18-382 of the proposed ordinance:

- Limited placement of new telecommunications facilities and support structures to LI Light Industrial, GI General Industrial and OS-P Open Space Public zoning districts.
- Added language such that the City of Peachtree City and/ or Fayette County has first right of refusal to collocate emergency and/ or public radio equipment at no cost on new support structures.
- Enhanced separation and setback requirements to include minimum separation between new support structures (1,500 feet between monopole and/ or stealth structures and 5,000 feet between lattice structures).
- Enhanced setback requirements between new support structures and any property line abutting a residential use, school or place of worship (minimum 250 feet).

Consider amendments to Chapter 18

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- Enhanced front, rear and side yard setbacks from support structures to property line (minimum front yard setback of 150 feet and 50% of height of tower to side and rear property lines).
- Enhanced security measures for telecommunications facilities at the base of the support structure to include anti-climbing devices.
- Added language pertaining to access road requirements.

The Planning Commission will consider the proposed ordinance at their meeting on July 12. Following that meeting, their recommendation will be forwarded to City Council.

Staff has forwarded the proposed ordinance and application to representatives from the wireless telecommunications industry. As a part of our presentation, Staff will be presenting an analysis of prospective sites identified by the wireless industry illustrating how the ordinance requirements may or may not impact these sites.

Budget impact:

There is no budget impact associated with this request.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHAPTER 18, ARTICLE XIV. OF THE CODE OF ORDINANCES OF THE CITY OF PEACHTREE CITY, GEORGIA, AS AMENDED, TO REPEAL ARTICLE XIV IN ITS ENTIRETY AND REPLACE IT WITH A NEW ARTICLE XIV TO ESTABLISH A NEW WIRELESS TELECOMMUNICATIONS FACILITIES ORDINANCE; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY, TO ESTABLISH AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PEACHTREE CITY, and it is hereby ordained by authority of the same, that Chapter 18, Article XIV of the Code of Ordinances of the City of Peachtree City, Georgia, as amended, be repealed in its entirety and amended as follows:

Section 1. That Chapter 18, Article XIV of the Code of Ordinances of the City of Peachtree City, Georgia, as amended, be repealed in its entirety and amended as follows:

Article XIV. Wireless Telecommunications Facilities.

Sec. 18-376. Purpose

The purpose of this ordinance is to ensure that residents and businesses in the City of Peachtree City (City) have access to wireless telecommunications networks and state-of-the-art communications services while also ensuring that this objective is achieved in a fashion that preserves the aesthetic character of the community and is accomplished according to City zoning, planning, and design standards.

The Telecommunications Act of 1996 preserved, with certain limitations, local government land use and zoning authority concerning the placement, construction, and modification of wireless telecommunications facilities. The City recognizes that facilitating the development of wireless service technology can be an economic development asset to the City and a significant benefit to its residents.

To accomplish the above-stated objectives and to ensure that the placement, construction or modification of wireless telecommunications facilities complies with all applicable Federal laws, and is consistent with the City's land use and zoning policies, the City of Peachtree City is adopting comprehensive regulations pertaining to wireless telecommunications facilities.

These regulations are designed to meet the following:

- (a) Promote the health, safety and general welfare of the public by regulating the siting of and establishing development standards for wireless telecommunications facilities and related equipment;

- (b) Encourage the location of wireless telecommunications facilities within non-residential areas;
- (c) Encourage collocation and site sharing of new and existing wireless telecommunications facilities;
- (d) Facilitate the use of public property for wireless telecommunications facilities;
- (e) Locate wireless telecommunications facilities in areas where adverse impacts on the community are minimized; and
- (f) Encourage design and construction of wireless telecommunications facilities to harmonize the visual impact of the wireless telecommunications facilities with the existing natural and/ or built environment.

Sec. 18-377. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Accessory equipment means any equipment serving or being used in conjunction with a wireless telecommunications facility or support structure. This equipment includes, but is not limited to, utility or transmission equipment, power supplies, generators, batteries, cables, equipment buildings, cabinets and storage sheds, shelters or other structures.

Administrative approval means approval that the Director or designee is authorized to grant after Administrative Review.

Administrative review means the procedures established in this ordinance.

Antenna means any structure or device used to collect or radiate electromagnetic waves for the provision of cellular, paging, personal communications services (PCS) and microwave communications. Such structures and devices include, but are not limited to, directional antennas, such as panels, microwave dishes and satellite dishes, and omni-directional antennas, such as whips.

Atlanta Regional Airport – Falcon Field means the airport owned and operated by the Peachtree City Airport Authority.

Building Official means the building official of the City of Peachtree City.

"Carrier on Wheels" or "Cell on Wheels" ("COW") means a portable self-contained cell site that can be moved to a location and set up to provide personal wireless services on a temporary or emergency basis. A COW is normally vehicle-mounted and contains a telescoping boom as the antenna support structure.

City Planner means the city planner of the City of Peachtree City.

Code Enforcement Officer means the code enforcement officer of the City of Peachtree City.

Collocation means the act of siting telecommunications facilities in the same location on the same support structure as other wireless telecommunications facilities.

FAA means the Federal Aviation Administration.

FCC means the Federal Communications Commission.

Geographic search area (GSA) means an area of land, as defined by the applicant, being studied for the location of telecommunications facilities. In no case will the GSA be smaller than an area of land with a radius of 2,500 feet.

Height means, when referring to a support structure, the distance measured from ground level to the highest point on the support structure, even if the highest point is an antenna.

Director means the Community Development Director of the City of Peachtree City.

Major modification means improvements to existing telecommunications facilities or support structures that result in a substantial change to the facility or structure. Examples of major modifications include, but are not limited to, modifications that increase the height of the support structure or expand the physical size of the structures. Collocation of new telecommunications facilities on an existing support structure without replacement of the structure shall not constitute a major modification.

Minor modification means improvements to existing telecommunications facilities and support structures that result in some material change to the facility or support structure but of a level, quality or intensity that is less than a major modification. Examples of minor modifications include, but are not limited to, repair and/ or replacement of existing antennas, switching stations or electrical components.

Monopole means a single, freestanding pole-type structure supporting one or more antenna.

Ordinary maintenance means ensuring that telecommunications facilities and support structures are kept in good operating condition. Ordinary maintenance includes inspections, testing and modifications that maintain functional capacity, aesthetic and structural integrity; for example the strengthening of a support structure's foundation or of the support structure itself. Ordinary maintenance includes replacing antennas and accessory equipment on a like-for-like basis within an existing telecommunications facility and relocating the antennas of approved telecommunications facilities to different height levels on an existing monopole or support structure upon which they are currently located without changing the overall height of the support structure. Ordinary maintenance does not include major and minor modifications.

Pre-existing support structures and antennas means any support structure or antenna for which a permit has been properly issued prior to the adoption of this ordinance.

Replacement means constructing a new support structure of proportions and of equal height or such other height as would be allowed under the definition of minor modification to a pre-existing support structure in order to support a telecommunications facility or to accommodate collocation and removing the pre-existing support structure.

Stealth telecommunications facility means any telecommunications facility that is integrated as an architectural feature of a structure so that the purpose of the facility for providing wireless services is not readily apparent to a casual observer.

Support structure(s) means any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers or monopole towers. The term includes radio or transmission towers, microwave towers, common carrier towers, cellular phone towers, alternative structure towers and the like.

Telecommunications facility means any unmanned facility established for the purpose of providing wireless transmission of voice, data, images or other information including, but not limited to, cellular telephone service, personal communications service (PCS), and paging service. A telecommunications facility can consist of one or more antennas and accessory equipment or one base station.

Sec. 18-378. Applicability.

- (a) All telecommunications facilities or support structures erected within the city shall comply with the requirements of this article; except that this article shall not govern any telecommunications facility or support structure that is owned and operated by a federally licensed amateur radio or citizen band radio operator, or any antenna that is used exclusively for receive-only purposes.
- (b) Preexisting support structures and antennas shall not be required to meet the requirements of this article, except as identified herein.

Sec. 18-379. Approvals required for telecommunications facilities and support structures.

- (a) Administrative review. Telecommunications facilities located on an existing support structure shall be permitted after administrative review and administrative approval in accordance with the standards set forth in this ordinance.
- (b) Conditional use permit. Telecommunications facilities and support structures not permitted by administrative approval shall be reviewed as a conditional use in those zoning districts set forth in this ordinance in accordance with the standards set forth in this ordinance.
- (c) Exempt. Ordinary maintenance of existing telecommunications facilities and support structures, as defined herein, shall be exempt from zoning requirements but shall comply with all building department requirements.

The following facilities are not subject to the provisions of this ordinance:

- (1) antennas used by residential households solely for broadcast radio and television reception;
- (2) satellite antennas used solely for residential or household purposes;
- (3) COWs placed for a period of not more than one hundred twenty (120) days at any location within the City after a declaration of an emergency or a disaster by the Governor or by the responsible official of the City; and
- (4) television and AM/ FM radio broadcast towers and associated facilities.

Sec. 18-380. Telecommunications facilities and support structures permitted by administrative approval.

- (a) Telecommunications facilities located on existing structures.
 - (1) Antennas and accessory equipment are permitted on any existing structure in accordance with the provisions of this ordinance.
 - (2) Antennas and accessory equipment shall not penetrate the protected airspace associated with Atlanta Regional Airport – Falcon Field.
 - (3) Each antenna mounted on existing structures and any accessory equipment shall meet the following standards:
 - (a) Omni-directional or whip antennas shall not exceed twenty (20) feet in length and not exceed seven (7) inches in diameter and shall be of a color that is identical or similar to the color of the supporting structure to make the antenna and related accessory equipment visually unobtrusive.
 - (b) Directional or panel antennas shall not exceed ten (10) feet in length and two (2) feet in width and shall be of a color that is identical or similar to the color of the supporting structure to make the antenna and related accessory equipment visually unobtrusive.
 - (c) Cylinder-type antennas shall not exceed ten (10) feet in length and not exceed twelve (12) inches in diameter and shall be of a color that is identical or similar to the color of the supporting structure to make the antenna and related accessory equipment visually unobtrusive.
 - (d) Satellite and microwave dishes shall not exceed ten (10) feet in diameter. Dish antennas greater than three (3) feet in diameter shall be screened with an appropriate architectural treatment that is compatible with or integral to the architecture of the building to which they are attached. This screening requirement shall not apply to dishes located upon towers or monopoles.
 - (e) Other antenna types not specifically mentioned above shall be permitted if they are not significantly greater in size and will have a visual impact no greater than the antennas listed above. This provision is specifically included in this ordinance to allow for future technological advancements in the development of antennas.
 - (f) Accessory equipment must comply with the provisions of this ordinance.

(b) General standards, design requirements, and miscellaneous provisions.

- (1) Unless otherwise specified herein, all telecommunications facilities and support structures permitted by administrative approval are subject to the applicable general standards and design requirements identified herein.

(c) Administrative review process.

- (1) All administrative review applications must contain the following:

- (a) Administrative review application form signed by applicant.
- (b) Copy of lease or letter of authorization from property owner evidencing applicant's authority to pursue application.
- (c) Construction drawings detailing proposed improvements. Drawings must depict improvements related to the requirements listed in this ordinance, including property boundaries, setbacks, topography, elevation sketch, and dimensions of improvements.
- (d) Administrative review application fee.

- (2) Procedure.

- (a) Within ten (10) business days of the receipt of an application for administrative review, the Director shall either: (1) inform the Applicant in writing the specific reasons why the application is incomplete and does not meet the submittal requirements; or (2) schedule an administrative review meeting with the applicant within thirty (30) days of the receipt of a complete application. This meeting is not a public hearing.
- (b) An applicant that receives notice of an incomplete application may submit additional documentation to complete the application. An applicant's failure to complete the application within sixty (60) business days after receipt of written notice shall constitute a withdrawal without prejudice of the application. An application withdrawn without prejudice may be resubmitted upon the filing of a new application fee.
- (c) The administrative review meeting will be conducted to confirm that the proposed application is consistent with this Ordinance. The Director must issue a written decision granting or denying the request within fifteen (15) days of the meeting unless an extension of time is agreed to by the Applicant. Failure to issue a written decision within (15) days shall constitute a denial of the application. The applicant may appeal such a denial as provided in this ordinance or applicable State or Federal Law.
- (d) Should the Director deny the application, the Director shall provide written justification for the denial. The denial must be based on

substantial evidence of inconsistencies between the application and this ordinance.

- (e) Applicant may appeal any decision of the Director approving, approving with conditions, or denying an application or deeming an application incomplete within thirty (30) days to the City Council in accordance with city ordinances.

Sec. 18-381. Telecommunications facilities and support structures permitted by conditional use permit.

- (a) Any telecommunications facilities or support structures not meeting the requirements of administrative approval shall be reviewed and subject to approval by both the Planning Commission and City Council as a conditional use within specific zoning districts, subject to the requirements of this ordinance.
- (b) General standards, design requirements, and miscellaneous provisions.
 - (1) Unless otherwise specified, all telecommunications facilities and support structures permitted by conditional use permit are subject to the applicable general standards and design requirements identified herein.
 - (2) Siting of new telecommunications facilities and support structures shall be in accordance with the following hierarchy of facility alternatives, ranked from highest to lowest preference as follows:
 - (a) Collocation on existing structure.
 - (b) Concealed freestanding (stealth application).
 - (c) Non-concealed freestanding monopole.
 - (d) Non-concealed freestanding lattice structure.
- (c) Conditional use permit review process.
 - (1) All conditional use permit applications must contain the following:
 - (a) Conditional use permit application form signed by applicant.
 - (b) Copy of lease or letter of authorization from property owner evidencing applicant's authority to pursue application.
 - (c) A Title Report or American Land Title Association (A.L.T.A.) survey showing all easements on the subject tract, together with a full legal description of the property.
 - (d) Construction drawings detailing proposed improvements. Drawings must depict improvements related to the requirements listed in this ordinance, including property boundaries, setbacks, topography, elevation sketch, and dimensions of improvements.

- (e) A vicinity map delineating the location and classification of all major public or private streets and rights-of-way, driveways, public parking areas and multi-use paths within 1,000 LF of the proposed telecommunications facilities and support structure location. Said vicinity map shall also include zoning districts boundaries.
- (f) A list of all property owners, to include name and mailing address of all property owners within 1,000 LF of the proposed telecommunications facilities and support structure, shall also be provided. This list must be from the most current ownership information supplied by the Fayette County Tax Assessor's Office.
- (g) Two (2) sets of mailing labels for such property owners shall be provided, along with a notarized Letter of Certification stating the ownership list referenced herein is accurate and to the best of the Applicant's ability.
- (h) An Evidence of Need report certified by a Radio Frequency Engineer demonstrating the need for the new telecommunications facilities and support structures at the proposed location. The following information shall be provided within the report:
 - (1) Identification of the efforts to comply with the facility and location hierarchy as identified herein. If a concealed freestanding or non-concealed freestanding structure is proposed, the Applicant shall demonstrate that existing facilities, or the mitigation of existing facilities, within the Applicant's geographic search area (GSA) cannot reasonably accommodate the Applicant's need because:
 - (a) There are no existing structures within the GSA that meet the Applicant's engineering requirements and why.
 - (b) The existing telecommunications facilities and support structures within the GSA are not of sufficient height and cannot be increased in height to meet the Applicant's engineering requirements.
 - (c) The existing telecommunications facilities and support structures within the GSA do not have sufficient structural strength and cannot be structurally improved to support the Applicant's proposed telecommunications and related equipment. Such information shall be certified by a Professional Engineer licensed to practice in the State of Georgia.

- (d) There are other limiting factors that render existing telecommunications facilities and support structures in the GSA unsuitable.
- (2) For all telecommunications facilities and support structures proposed within 500 LF of any residentially zoned parcel, a written report shall be provided which demonstrates the Applicant's meaningful efforts to secure alternative sites in non-residential areas. The applicant shall provide:
 - (a) A list of alternative sites that are potential alternatives to the proposed location.
 - (b) A written explanation as to why the alternative sites considered were either unacceptable or infeasible due to technical or physical reasons.
 - (c) Copies of written requests and responses for shared use, along with any letters of rejection stating the reasons for rejection.
- (3) Graphics to be provided shall include:
 - (a) A map of the GSA to include the location of the proposed telecommunications facilities and support structures and all existing telecommunications facilities and support structures within the GSA. The exact location (in longitude and latitude, to degrees, minutes and seconds to the nearest tenth), including the height of the existing towers; and height, type and number of existing antennas on each support structure.
 - (b) A map of the GSA and all existing alternative structures that are potential alternatives to the proposed telecommunications facility and support structure.
 - (c) A color plot demonstrating the existing coverage of all existing telecommunications facilities and support structures owned and proposed by the Applicant within the GSA.
 - (d) Additional maps and calculations as may be deemed necessary by the Director to prove the need for the new telecommunications facilities and support structures.
- (4) Applications for new telecommunications facilities and support structures shall be considered together as one application requiring only a single application fee.

- (5) There shall be no less than two (2) wireless carriers signed on to collocate on a new support structure prior to approving the support structure for construction. Single carrier support structures shall not be approved.
- (i) A Visual Impact Assessment demonstrating the visual impacts the proposed telecommunications facilities and support structures might have on the adjoining properties. The following information shall be provided within the report:
 - (1) Line-of-sight analysis. The Applicant shall provide a line-of-sight analysis, including elevation views of the proposed facility. The analysis shall include a description of natural and man-made features that affect the buffering of the potential visual impact of the structure.
 - (2) Photo simulations. The Applicant shall provide photo simulated post-construction renderings of the completed proposed telecommunications facilities and support structures, equipment compound, equipment cabinets, ancillary structures and landscaping. The simulations shall include a minimum of four views (north, south, east and west).
 - (a) The views shall incorporate before and after scenarios, a scaled color image of the proposed type of facility, an aerial map with the location of the selected views, and a description of the technical approach used to create the photo simulations.
 - (3) Balloon test. The Applicant shall conduct a balloon test, the purpose of which shall be to delineate the height of the proposed telecommunications facilities and support structures, prior to the public hearing on the application. The balloon test shall meet the following requirements:
 - (a) The Applicant shall arrange to fly, or raise upon a temporary mast, a minimum of a three (3) foot in diameter length brightly colored balloon at the maximum height of the proposed telecommunications facilities and support structures. Said balloons shall be flown within fifty (50) horizontal feet of the center of the proposed support structure.
 - (b) The dates (including a second date, in case of poor visibility on the initial date), times and location of the balloon test shall be advertised no less than seven (7) days in advance in the city's legal organ.

The Applicant shall notify the Director no less than fourteen (14) days in advance of the balloon test.

- (c) The balloon shall be flown for no less than eight (8) consecutive hours sometime between 7:00 AM and 6:00 PM on the dates chosen. The primary date shall be on a weekend; but in case of poor weather or visibility on the selected date, the secondary date may be on a weekday. Pictures shall be taken of the balloon from approximately 200' away from a minimum of four (4) views (north, south, east and west).
- (j) Documentation from the FAA indicating the proposed telecommunications facilities and support structure are in compliance with Subpart C of the Federal Aviation Regulations, Part 77, "Objects Affecting Navigable Airspace," if applicable.
- (k) Documentation from the Peachtree City Airport Authority indicating their approval of the proposed telecommunications facilities and support structure.
- (l) Conditional use permit review application fee.

Sec. 18-382. General standards and design requirements.

- (a) Permitted zoning districts.
 - (1) Telecommunications facilities and support structures shall be limited to the following zoning districts as a conditional use:
 - ~~(a) AR agricultural reserve;~~
 - (a) LI light industrial;**
 - (b) GI general industrial; and**
 - (c) OS-P open space – public.**
 - (2) Telecommunications facilities and support structures may be considered to be either principal or accessory uses on a particular zoning lot. For purposes of locating a telecommunications facility or support structure on a particular lot, the dimensions of the entire lot shall control, even though the telecommunications facility or support structure may be located on a leased parcel within the overall lot.
 - (3) Telecommunications facilities or support structures shall not be located on any zoning lot that is determined to be nonconforming, or on any zoning lot on which there exists a nonconforming use.

(b) Design.

(1) Monopoles shall be subject to the following:

- (a) Monopoles shall be designed to accommodate no less than four (4) telecommunications providers.
- (b) The telecommunications facilities at the base of the monopole shall be of sufficient size to accommodate accessory equipment for no less than four (4) telecommunications providers.
- (c) Unless otherwise required by the FCC, the FAA, or the City, support structures shall have a galvanized silver or gray finish.

(2) Lattice support structures shall be subject to the following:

- (a) Lattice support structures shall be designed to accommodate no less than five (5) telecommunications providers.
- (b) The telecommunications facilities at the base of the support structure must be of sufficient size to accommodate accessory equipment for no less than five (5) telecommunications providers.
- (c) Unless otherwise required by the FCC, the FAA, or the City, support structures shall have a galvanized silver or gray finish.

(3) Stealth telecommunications facilities shall be designed to accommodate the collocation of other antennas whenever economically and technically feasible or aesthetically appropriate, as determined by the Planning Commission and City Council.

(4) Upon request of the Applicant, the Planning Commission may recommend to the City Council that they consider waiving the requirement that new support structures accommodate the collocation of other service providers if it finds that collocation at the site is not essential to the public interest, or that the construction of a shorter support structure with fewer antennas will promote community compatibility.

(5) The City of Peachtree City and/ or Fayette County shall have first right of refusal to collocate emergency and/ or public radio equipment at no cost on any approved support structure within the city limits provided the collocation of antennas does not interfere with the normal tower operations. Reserved space shall be provided on each new support structure for future collocation of antennas.

(c) Separation and setback requirements.

(1) Separation distances between telecommunications facilities and support structures shall be applicable for and measured between each new proposed support structure and existing tower facilities. The separation distances shall be as

measured by drawing or following a straight line between the base of the existing tower facility and the base of the proposed support structure, pursuant to a site plan of the proposed support structure.

(a) Concealed freestanding (stealth) and/ or non-concealed freestanding monopoles shall not be located within 1,500 feet of an existing non-concealed freestanding lattice structure, a concealed freestanding (stealth application) and/ or a non-concealed freestanding monopole.

(b) Non-concealed freestanding lattice structures shall not be located within 5,000 feet of an existing non-concealed freestanding lattice structure.

(2) The following setback requirements shall apply to all new support structures:

(a) All support structures shall be set back from any property line abutting a residential use, school or place of worship, as measured from the base of the support structure to the boundary of such property, a minimum distance of 250 feet.

(b) All support structures must provide a minimum front yard setback of 150 feet from any public street right-of-way and sufficient rear and side yard setbacks a distance equal to no less than 50% of the height of the support structure.

~~(1) Property lines. Unless otherwise stated herein, no support structures shall be located within the following areas:~~

~~(a) Within 200 LF of a residential property line;~~

~~(b) Within 200 LF of a public street right-of-way; or~~

~~(c) Within 50' of a non-residential property line.~~

~~(2) Residential dwellings. Unless otherwise stated herein, monopoles, telecommunications facilities and support structures shall be set back from all off-site residential property lines a distance equal to the height of the support structure.~~

~~(3) Unless otherwise stated herein, all accessory equipment shall be set back from all property lines in accordance with the minimum setback requirements in the underlying zoning district.~~

(c) Height.

- (1) New support structures in all districts shall not exceed a height of one hundred eighty (180) ~~one hundred ninety-nine (199)~~ feet as measured from ground level to the highest point on the support structure, even if the highest point is an antenna.

(d) Aesthetics.

- (1) Lighting and marking. Telecommunications facilities and support structures shall not be lighted or marked unless required by the FCC or the FAA.

Support structures required to be lit by the FCC or FAA shall not be located within two hundred feet (200') of a residentially zoned tract of land.

- (2) Signage. A sign no larger than four (4) square feet shall be located on the telecommunications facilities and shall identify the ownership and emergency contact information, FCC antenna registration number (if required) and any other information as required by government regulation. Commercial advertising is strictly prohibited.
- (3) Landscaping. In all districts, the Director shall have the authority to impose reasonable landscaping requirements surrounding the accessory equipment. Required landscaping shall be consistent with surrounding vegetation and shall be maintained by the facility owner in perpetuity.
- (4) Accessory equipment. Buildings, cabinets or shelters shall be used only to house equipment and other supplies in support of the operation of the telecommunications facilities and support structures. Any equipment not used in direct support of such operation shall not be stored on the site.
- (5) Security fencing. Accessory equipment at the base of the support structure shall be enclosed with a black vinyl-coated chain link fence at no less than 6' in height and shall also be equipped with an appropriate anti-climbing device excluding barb wire or razor wire fencing. Portions of the telecommunications facilities visible from off-site shall be screened with a stockade-type wood fence at no less than 6' in height with brick columns (2' x 2' x 7' tall) spaced at no less than 16' o.c.
- (6) Anti-climbing devices. Support structures shall be equipped with an anti-climbing device to prevent unauthorized access.
- (7) Access drive. All access roads shall be constructed of gravel and/or dustless and durable Portland cement or asphaltic concrete complying with specifications established by the city. Said drive shall be maintained in a usable condition.

(e) Compliance with government regulations.

All telecommunications facilities and support structures must comply with current standards or regulations of the FAA, the FCC, or any other agency of the federal

government with the authority to regulate such telecommunications facilities and support structures. If such standards and regulations are changed, the owners of the telecommunications facilities and support structures governed by this article shall bring such telecommunications facilities and support structures into compliance with such revised standards and regulations within six months of the effective date of such standards and regulations unless a more stringent compliance schedule is mandated by the controlling federal agency. Failure to bring telecommunications facilities and support structures into compliance with such revised standards and regulations shall constitute grounds for the removal of the telecommunications facilities and support structures at the owner's expense and shall result in appropriate action by the code enforcement officer.

(f) Compliance with building code.

All telecommunications facilities and support structures must comply with all current building and electrical codes which have been adopted by the city, as well as the applicable standards of the Electronic Industries Association, as amended. If upon inspection the city concludes that a support structure fails to comply with such codes and standards and constitutes a danger to persons or property, upon notice being provided to the owner of the support structure, the owner shall have 30 days to bring such support structure into compliance with such standards. If the owner fails to bring such support structure into compliance with such standards, appropriate action will be taken by the code enforcement officer.

Sec. 18-383. Miscellaneous provisions.

(a) Safety.

- (1) All ground-mounted accessory equipment and support structures shall be secured and enclosed with a privacy fence as specified herein.

(b) Environmental standards.

- (1) Telecommunications facilities and support structures shall not be located within wetlands or wetland buffers, whether federal or state designated.
- (2) Telecommunications facilities and support structures shall not generate noise in excess of 60db at ground level at the property line.

(c) Abandonment and removal.

- (1) Abandonment. The city may determine that the health, safety and welfare interests of the citizens warrant and require the removal of an existing telecommunications facilities and support structure under the following circumstances:

- (a) If it has been abandoned for a period of six (6) months or more.
- (b) If it has fallen into such a state of disrepair that it creates a health or safety hazard.

- (c) If it has been located, constructed or modified without first obtaining, or in a manner not authorized by, the required building permit or any other necessary authorization.

If there are two or more authorized uses of a single support structure, a support structure shall not be considered abandoned until all authorized users cease using the subject support structure.

If such telecommunications facilities or support structure is not removed within the time prescribed, the city's code enforcement officer shall take appropriate action to have the structure removed.

- (2) Removal. If the city makes such a determination as noted herein, the holder of the building permit and/ or owner of the telecommunications facilities and support structure shall be notified by certified mail that the support structure must be removed.

The holder of the building permit, or its successors and assigns, shall dismantle and remove such telecommunications facilities and support structures from the site and restore the site to as close to its original condition as possible within ninety (90) days of written notification.

- (3) Proof of Bond. Prior to issuance of the conditional use permit, the owner of the support structure shall submit to the Director a performance bond in the amount of twenty thousand dollars (\$20,000.00) or a bond equal to an estimate from a qualified support structure removal company to guarantee that the telecommunications facilities and support structure will be removed in accordance with these provisions. The City of Peachtree City shall be named as obligee in the bond and shall approve the bonding company prior to issuance of the bond.

- (d) Multiple uses on a single parcel or lot. Telecommunications facilities and support structures may be located on a parcel containing another principal use on the same site.

- (e) Support structure certifications.

- (1) An annual support structure certification shall be required for any support structure or antenna in the city, including those legally in use on the effective date of this article. Certification shall be submitted to the Director and shall be signed and notarized by the support structure owner or his authorized representative by January 31 each year.
- (2) A support structure certification shall consist of a current description of the support structure's location, height, physical condition, antennas and support facilities.

Sec. 18-384. Telecommunications facilities and support structures in existence on the date of adoption of this ordinance.

- (a) Telecommunications facilities and support structures that were legally permitted on or before the date this ordinance was enacted shall be considered a permitted and lawful use.
- (b) Non-conforming telecommunications facilities.
 - (1) Non-conforming antennas or accessory equipment. Ordinary maintenance may be performed on non-conforming antennas and accessory equipment.
 - (2) Minor modifications to non-conforming telecommunications facilities may be permitted upon the granting of administrative approval by the Director.
 - (3) Major modifications to non-conforming telecommunications facilities shall require approval of both the Planning Commission and City Council.
- (c) Non-conforming support structures.
 - (1) Non-conforming support structure. Ordinary maintenance may be performed on a non-conforming support structure.
 - (2) Collocation of telecommunications facilities on an existing non-conforming support structure is permitted upon the granting of administrative approval by the Director.
 - (3) Minor modifications may be made to non-conforming support structures to allow for collocation of telecommunications facilities. Such minor modifications shall be permitted by administrative approval granted by the Director.
 - (4) Major modifications to non-conforming support structures shall require approval of both the Planning Commission and City Council.

Sec. 18-385. Variances.

All telecommunications facilities and support structures shall comply with the provisions of this chapter, unless a written request is filed and approved to waive this requirement. All variance procedures shall be held in strict conformance with the procedures for variances as set forth in the city's zoning ordinance.

Section 2. All ordinances or parts thereof which conflict with the provisions of this ordinance are, to the extent of such conflict and except as hereinafter provided, hereby repealed.

Section 3. Should any provision of this ordinance be declared invalid by a Court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any provision thereof other than the provisions specifically declared to be invalid. The City Council declares that it would have passed this ordinance and each subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases may be declared invalid.

Section 4. This ordinance shall be in full force and effect upon its official adoption by the City Council.

This _____ day of _____ 2010.

Don Haddix, Mayor

Attest: _____
City Clerk



Please use blue or black ink to fill out this form.

TELECOMMUNICATION CONDITIONAL USE CHECKLIST

153 Willowbend Rd, Peachtree City, GA 30269
P: 770-487-5731 F: 770-631-2552
WWW.PEACHTREE-CITY.ORG

Fee: \$ TBD

Receipt # _____
Date Filed ____ / ____ / ____
Case # _____
Office Use Only

Name of Proposed Project: _____
Name of Owner/Operator: _____
Name of Applicant/Agent: _____

Instructions: The applicant shall complete the following checklist of submittal requirements. If the applicant answers "No" to any of the questions, a written explanation must accompany the negative response to the checklist question. The City Planner shall include the applicant's checklist and written explanations, if any, along with the schematic site plan submittal to the Planning Commission.

The schematic site plan shall be prepared by a registered landscape architect, architect, or civil engineer licensed to practice in the state, and shall identify the existing features of the property, and provide a schematic presentation of its intended use in a graphic, visual, and written format. Applicants will be required to comply with the following checklist.

SUBMITTAL REQUIREMENTS:

Does your packet and plans comply with or show the following?

		YES	NO
1	Schematic Site Plan: Seven (7) full size 24" x 36" copies and one (1) 11" x 17" reduction. <u>All materials must be folded to fit into a 8.5" x 14" legal size folder labeled with the project name.</u> The plans should be clearly and accurately drawn by a design professional to include:	☐	☐
(a)	Name of the project, address, boundaries, date, north arrow, and scale of the plan.	☐	☐
(b)	Name and address of the owner of record, developer, and seal of the engineer, architect or landscape architect who prepared the schematic site plan.	☐	☐
(c)	Name, addresses, present zoning, land use, and parcel numbers of all abutting or contiguous parcels.	☐	☐
(d)	Existing lot lines, easements, and rights-of-way, including area in acres or square feet, abutting land uses, proposed or existing driveways, and structures within 1,000 ft. of the boundary of the development site.	☐	☐
(e)	The general location of all existing and proposed streets adjacent to and within the development.	☐	☐
(f)	A generalized summary of land use arrangements within the proposed project, showing types of uses and intensities proposed within areas of the development (tabulation of building square footages).	☐	☐
(g)	The location of steep slopes, significant stands of trees; creeks, watercourses, stormwater detention and drainage ways, floodplains, and any environmentally sensitive features.	☐	☐
(h)	Zoning district boundaries adjacent to the perimeter of the site.	☐	☐
(i)	A vicinity map (1" = 2000') showing the general arrangement of streets within an area of 1,000 feet from the boundaries of the proposed project.	☐	☐
(j)	Topography, indicated by contour lines with an interval of not more than five (5) feet.	☐	☐
(k)	Both sides of existing right-of-way, with all existing and planned curb cuts shown.	☐	☐
(l)	Location of any open space and buffer areas, including existing and proposed utilities, and stormwater management, community, and public facilities.	☐	☐
(m)	Vehicular and pedestrian circulation plans, including current and project traffic counts and typical street sections, right-of-way improvements, access points, travel ways, parking, loading, stacking, sidewalks, and multi-use paths.	☐	☐
(n)	Location and design of screening and landscaping.	☐	☐
(o)	A description, rendering or drawing of the general characteristics of the proposed tower, buildings, landscaping, buffering and fencing.	☐	☐
2	Construction Plans: Seven (7) full size 24" x 36" copies and one (1) 11" x 17" reduction. <u>All materials must be folded to fit into a 8.5" x 14" legal size folder labeled with the project name.</u> The plans should be clearly and accurately drawn by a design professional to include:	☐	☐
(a)	Cover sheet. Name, address, and contact information of the owner of record, developer, engineer and seal of the engineer who prepared the construction plans. Submittal date and revision dates as applicable.	☐	☐
(b)	Location. Name of the project, adjacent streets, boundaries, date, north arrow, vicinity map, and scale of the plan.	☐	☐
(c)	Property. Area in acres, site topography, setbacks, slopes, easements, and significant geologic features.	☐	☐
(d)	Foundation Plan. Dimensions, pier locations, footing locations, cross sectionals, slab details, and any other hardware.	☐	☐
(e)	Floor Plan. Square footage, room use, window & door sizes, types and locations, plumbing fixtures, electrical outlets, mechanical inlets and outlets.	☐	☐
(f)	Roof Plan. Span, pitch, truss spacing, and roofing material used.	☐	☐
(g)	Framing Plan. Thickness, headers, bracing, and connections.	☐	☐
(h)	Electrical Plan. Location of lights, outlets, switches, main service box and subpanels, GFCI outlets, and smoke detectors.	☐	☐
(i)	Mechanical Plan. Location, model, and size of HVAC.	☐	☐
(j)	Elevations. Structure shown from at least two elevations showing: wall covering, window/door locations, height of building.	☐	☐

Does your packet and plans comply with or show the following?

		YES	NO
3	Fees: One (1) check for application fees as identified by city council. Checks should be made payable to the City of Peachtree City.	☐	☐
4	Utilities and Services Letters: One (1) copy of each letter from the utility and service providers indicating that their services can support the proposed development.	☐	☐
5	Environmental Constraints Analysis: Provides a description and generalized mapping of natural site conditions, with an emphasis on those significant environmental features that could be affected by the proposed development and those that will be retained upon completion. A quantification of the acreage and percentage of the environmental features should also be included. The following information shall be addressed by a graphic plan and accompanying text:	☐	☐
(a)	Siting alternatives hierarchy. If a higher impact alternative is proposed the analysis must address why the lower impact options are not technically feasible, practical or justified given the location of the proposed facility.	☐	☐
(b)	Graphics. Maps of the Geographic Search Area (GSA) to include, but not limited to, the location of the proposed and existing telecommunication facilities and support structures, their coverage area, and airport approach zones.	☐	☐
(c)	Colocation. There shall be no less than two (2) wireless carriers signed on to collocate on a new support structure prior to approving the support structure for construction. Single carrier support structures shall not be approved.	☐	☐
6	Ownership Mailing List: provide a list of all property owners, to include name and mailing address of all property owners within 1,000 LF of the proposed telecommunications facilities and support structure. In addition:	☐	☐
(a)	Two (2) sets of white mailing labels (1" x 2 5/8" - Avery 5160) for each of the above property owners.	☐	☐
(b)	A notarized Letter of Certification stating the ownership list referenced herein is accurate and to the best of the Applicant's ability.	☐	☐
7	Evidence of Need Report: A detailed report certified by a Radio Frequency Engineer demonstrating the need for the new telecommunications facilities and support structures at the proposed location. Please address each element as outlined within the ordinance.	☐	☐
8	Visual Impact Assessment: demonstrating the visual impacts the proposed telecommunications facilities and support structures might have on the adjoining properties. The following information shall be provided within the report:	☐	☐
(a)	Line-of-sight analysis: including elevation views of the proposed facility. The analysis shall include a description of natural and man-made features that affect the buffering of the potential visual impact of the structure.	☐	☐
(b)	Photo simulations: including post-construction renderings of the completed proposed telecommunications facilities and support structures, equipment compound, equipment cabinets, ancillary structures and landscaping. The simulations shall include a minimum of four views (north, south, east and west).	☐	☐
(c)	Balloon test: shall be required subsequent to the receipt of the photo simulations in order to demonstrate the proposed height of the Wireless Telecommunication Facility (WTF).	☐	☐
9	Property Deeds: Two (2) copies of the Property Deed(s) for property or properties on which the project is to be built.	☐	☐
10	Legal Description: One (1) paper copy of the full legal description of the boundaries of the property or properties to be included in the proposed project.	☐	☐
11	Application: One (1) copy of the Telecommunication permit application and all necessary documentation must be fully completed and signed by the property owner or duly authorized agent with power of attorney.	☐	☐
(a)	Copy of lease or letter of authorization from property owner evidencing applicant's authority to pursue application.	☐	☐
12	FAA Documentation: identifies the proposed telecommunications facilities and support structure are in compliance with Subpart C of the Federal Aviation Regulations, Part 77, "Objects Affecting Navigable Airspace," if applicable.	☐	☐
13	Peachtree City Airport Authority Documentation: indicating their approval of the proposed telecommunications facilities and support structure.	☐	☐
14	Information: Any information submitted by the Applicant which references an impact on the city shall also set forth the mitigation measures to be implemented by the applicant to offset, reduce, or eliminate such impacts.	☐	☐
15	Electronic Copy: Submit one (1) compact disc with all above referenced material in electronic format (.pdf or .doc) labeled with project name in a jewel case.	☐	☐

Please make sure all items above are completed and included with your submission.
Incomplete submissions will result in delays in processing.

The Planning Commission meets regularly on the second Monday of each month at 7pm. The City Council meets regularly on the first and third Thursday of each month at 7pm. For confirmation of meeting dates and the placement of your request on the agenda, please call the Planning Department at 770-487-5731.



Please use blue or black ink to fill out this form.

TELECOMMUNICATION PERMIT APPLICATION

153 Willowbend Rd, Peachtree City, GA 30269

P: 770-487-5731 F: 770-631-2552

WWW.PEACHTREE-CITY.ORG

SITE LOCATION	Address _____		PERMIT TYPE		TYPE OF STRUCTURE		VILLAGE	
	Parcel ID#(s) _____		☐ Administrative ☐ Conditional Use ☐ Exempt		☐ Collocation on existing structure ☐ Concealed freestanding (stealth) ☐ Non-concealed freestanding monopole ☐ Non-concealed freestanding lattice		☐ Aberdeen ☐ Glenloch ☐ Braelinn ☐ Kedron ☐ Wilksmoor ☐ Industrial	
FACILITY	Property Size: _____ _____ Square Feet Acres		DISTRICT _____ LOT _____		ZONING			
	Leased Size: _____ _____ Square Feet Acres				☐ AR agricultural reserve ☐ OS-P open space public ☐ LI light industrial ☐ GI general industrial			
ANTENNAS	Structure classification: _____		Existing or Proposed	Carrier Name	# of Antennas	Antenna power level (mW/cm2)	Antenna height (AGL)	
	Access to site from: _____		E / P					
	Ground Elevation: _____ AMSL Structure Height: _____ AGL		E / P					
	Location: _____ ° _____ ' _____ "N _____ ° _____ ' _____ "W Latitude Longitude		E / P					
	Support structure antenna capacity: _____ _____ # of Existing # of Proposed		E / P					
			E / P					
APPLICANT	Name _____		PROPERTY OWNER	Name _____				
	Address _____			Address _____				
	City, State, Zip _____			City, State, Zip _____				
	Phone # _____			Phone # _____				
	Fax # _____			Fax # _____				
TOWER OPERATOR	Name _____		TOWER OWNER	Name _____				
	Address _____			Address _____				
	City, State, Zip _____			City, State, Zip _____				
	Phone # _____			Phone # _____				
	Fax # _____			Fax # _____				
STRUCTURAL ENGINEER	Name _____		CONTRACTOR	Name _____				
	Address _____			Address _____				
	City, State, Zip _____			City, State, Zip _____				
	Phone # _____			Phone # _____				
	Fax # _____			Fax # _____				
RF ENGINEER	Name _____		AGENT	Is the agent the same as the applicant? ☐ Yes ☐ No (fill out below)				
	Address _____			Name _____				
	City, State, Zip _____			Address _____				
	Phone # _____			City, State, Zip _____				
	Fax # _____			Phone # _____				
Seal # _____		Fax # _____						
Email _____		Email _____						



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TELECOMMUNICATION PERMIT APPLICATION

153 Willowbend Rd, Peachtree City, GA 30269

P: 770-487-5731 F: 770-631-2552

WWW.PEACHTREE-CITY.ORG

IMPACTED AREAS	Sq ft Acres		Total acres ± Impacted acres	ZONING & LAND USE	Please record all surrounding property within 200ft of site	
	Square Feet	Acres			Zoning	Land Use
Disturbed Area	_____	_____	_____ %	North East South West	_____	_____
Impervious Area	_____	_____	_____ %		_____	_____
Open Space & Greenbelts	_____	_____	_____ %		_____	_____
	Square Feet	Acres			_____	_____

UTILITIES & SERVICES INFO	Service	Provider	Underground?	SETBACKS	Please list distances from support structures to areas below.		
						Required	Proposed
☐	Electricity	_____	Y / N	Residential property line Public street right-of-way Non-residential property line	200'	_____	
☐	Water	_____	Y / N		200'	_____	
☐	Sewer	_____	Y / N		50'	_____	
☐	Telephone	_____	Y / N			_____	
☐	Fiber Optic	_____	Y / N				
☐	Natural Gas	_____	Y / N				
				Automatic Fire Sprinklers? ☐ Yes ☐ No			
				Automatic Fire Alarm? ☐ Yes ☐ No		Closest Fire Hydrant: _____	

With the signing and submittal of this application, the property owner authorizes the Peachtree City Staff to enter onto the subject property to collect data and other information in order to accurately prepare reports or other documentation for review by the Planning Commission and City Council.

By signing below I hereby certify that I have read and examined this application and know the same to be true and correct. This permit is issued on the basis of information furnished herein and is subject to property restrictions and provisions of all governing ordinances.

Applicant/Agent Signature: _____ Date: _____

Please complete the attached checklist.

OFFICE ONLY

This request, along with the required fee and supplemental documents, has been properly submitted and is hereby accepted for consideration by the Planning Commission and the City Council:

Signature: _____ Date: _____

Date & Time of Planning Commission: _____ Workshop: _____ Public Hearing: _____

Date & Time of City Council: _____ Public Hearing: _____ Case Number: _____



Please use blue or black ink to fill out this form.

TELECOMMUNICATION ADMINISTRATIVE REVIEW CHECKLIST

153 Willowbend Rd, Peachtree City, GA 30269
P: 770-487-5731 F: 770-631-2552
WWW.PEACHTREE-CITY.ORG

Fee: \$ TBD

Receipt # _____
Date Filed ____ / ____ / ____
Case # _____
Office Use Only

Name of Proposed Project: _____

Name of Owner/Operator: _____

Name of Applicant/Agent: _____

Instructions: The applicant shall complete the following checklist of submittal requirements. If the applicant answers "No" to any of the questions, a written explanation must accompany the negative response to the checklist question. The City Planner shall include the applicant's checklist and written explanations, if any, along with the construction plan submittal to the Building Department.

The schematic site plan shall be prepared by a registered landscape architect, architect, or civil engineer licensed to practice in the state, and shall identify the existing features of the property, and provide a schematic presentation of its intended use in a graphic, visual, and written format. Applicants will be required to comply with the following checklist.

SUBMITTAL REQUIREMENTS:

Does your packet and plans comply with or show the following?

		YES	NO
1	Construction Plans: Three (3) full size 24" x 36" copies and one (1) 11" x 17" reduction. <u>All materials must be folded to fit into a 8.5" x 14" legal size folder labeled with the project name.</u> The plans should be clearly and accurately drawn by a design professional to include:	☐	☐
(a)	Cover sheet. Name, address, and contact information of the owner of record, developer, engineer and seal of the engineer who prepared the construction plans. Submittal date and revision dates as applicable.	☐	☐
(b)	Location. Name of the project, adjacent streets, boundaries, date, north arrow, vicinity map, and scale of the plan.	☐	☐
(c)	Property. Area in acres, site topography, setbacks, slopes, easements, and significant geologic features.	☐	☐
(d)	Foundation Plan. Dimensions, pier locations, footing locations, cross sectionals, slab details, and any other hardware.	☐	☐
(e)	Floor Plan. Square footage, room use, window & door sizes, types and locations, plumbing fixtures, electrical outlets, mechanical inlets and outlets.	☐	☐
(f)	Roof Plan. Span, pitch, truss spacing, and roofing material used.	☐	☐
(g)	Framing Plan. Thickness, headers, bracing, and connections.	☐	☐
(h)	Electrical Plan. Location of lights, outlets, switches, main service box and subpanels, GFCI outlets, and smoke detectors.	☐	☐
(i)	Mechanical Plan. Location, model, and size of HVAC.	☐	☐
(j)	Elevations. Structure shown from at least two elevations showing: wall covering, window/door locations, height of building.	☐	☐
2	Authorization Documentation: Copy of Lease or letter of authorization from property owner evidencing applicant's authority to pursue application.	☐	☐
3	Fees: One (1) check for application and building permit fees as identified by city council. Checks should be made payable to the City of Peachtree City.	☐	☐
4	Application: One (1) copy of the Telecommunication permit application and all necessary documentation must be fully completed and signed by the property owner or duly authorized agent with power of attorney.	☐	☐
(a)	Copy of lease or letter of authorization from property owner evidencing applicant's authority to pursue application.	☐	☐
5	Information: Any information submitted by the Applicant which references an impact on the city shall also set forth the mitigation measures to be implemented by the applicant to offset, reduce, or eliminate such impacts.	☐	☐
6	Electronic Copy: Submit one (1) compact disc with all above referenced material in electronic format (.pdf or .doc) labeled with project name in a jewel case.	☐	☐

Please make sure all items above are completed and included with your submission.
Incomplete submissions will result in delays in processing.

For further information, please call the Planning Department at 770-487-5731.



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TELECOMMUNICATION PERMIT APPLICATION

153 Willowbend Rd, Peachtree City, GA 30269

P: 770-487-5731 F: 770-631-2552

WWW.PEACHTREE-CITY.ORG

SITE LOCATION	Address _____		PERMIT TYPE		TYPE OF STRUCTURE		VILLAGE	
	Parcel ID#(s) _____		☐ Administrative ☐ Conditional Use ☐ Exempt		☐ Collocation on existing structure ☐ Concealed freestanding (stealth) ☐ Non-concealed freestanding monopole ☐ Non-concealed freestanding lattice		☐ Aberdeen ☐ Glenloch ☐ Braelinn ☐ Kadron ☐ Wilksmoor ☐ Industrial	
	Property Size: _____ Square Feet Acres		DISTRICT		LOT		ZONING	
	Leased Size: _____ Square Feet Acres						☐ AR agricultural reserve ☐ OS-P open space public ☐ LI light industrial ☐ GI general industrial	
FACILITY	Structure classification: _____		ANTENNAS	Existing or Proposed	Carrier Name	# of Antennas	Antenna power level (mW/cm2)	Antenna height (AGL)
	Access to site from: _____			E / P				
	Ground Elevation: _____ AMSL Structure Height: _____ AGL			E / P				
	Location: _____° _____' _____"N _____° _____' _____"W Latitude Longitude			E / P				
	Support structure antenna capacity: _____ # of Existing # of Proposed			E / P				
APPLICANT	Name _____		PROPERTY OWNER	Name _____				
	Address _____			Address _____				
	City, State, Zip _____			City, State, Zip _____				
	Phone # _____			Phone # _____				
	Fax # _____			Fax # _____				
	Email _____			Email _____				
TOWER OPERATOR	Name _____		TOWER OWNER	Name _____				
	Address _____			Address _____				
	City, State, Zip _____			City, State, Zip _____				
	Phone # _____			Phone # _____				
	Fax # _____			Fax # _____				
	Email _____			Email _____				
STRUCTURAL ENGINEER	Name _____		CONTRACTOR	Name _____				
	Address _____			Address _____				
	City, State, Zip _____			City, State, Zip _____				
	Phone # _____			Phone # _____				
	Fax # _____			Fax # _____				
	Seal # _____			License # _____				
	Email _____			Email _____				
RF ENGINEER	Name _____		AGENT	Is the agent the same as the applicant? ☐ Yes ☐ No (fill out below)				
	Address _____			Name _____				
	City, State, Zip _____			Address _____				
	Phone # _____			City, State, Zip _____				
	Fax # _____			Phone # _____				
	Seal # _____		Fax # _____					
	Email _____		Email _____					



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TELECOMMUNICATION PERMIT APPLICATION

153 Willowbend Rd, Peachtree City, GA 30269

P: 770-487-5731 F: 770-631-2552

WWW.PEACHTREE-CITY.ORG

IMPACTED AREAS	Sq ft Acres		Total acres ± Impacted acres	Zoning	Land Use
	Square Feet	Acres			
Disturbed Area	_____	_____	_____ %	North _____	_____
Impervious Area	_____	_____	_____ %	East _____	_____
Open Space & Greenbelts	_____	_____	_____ %	South _____	_____
	_____	_____	_____ %	West _____	_____

UTILITIES & SERVICES INFO	Service	Provider	Underground?	SETBACKS	Please list distances from support structures to areas below.		
						Required	Proposed
☐	Electricity	_____	Y / N		Residential property line	200'	_____
☐	Water	_____	Y / N		Public street right-of-way	200'	_____
☐	Sewer	_____	Y / N		Non-residential property line	50'	_____
☐	Telephone	_____	Y / N				
☐	Fiber Optic	_____	Y / N		Automatic Fire Sprinklers?	☐ Yes ☐ No	
☐	Natural Gas	_____	Y / N		Automatic Fire Alarm?	☐ Yes ☐ No	Closest Fire Hydrant: _____

With the signing and submittal of this application, the property owner authorizes the Peachtree City Staff to enter onto the subject property to collect data and other information in order to accurately prepare reports or other documentation for review by the Planning Commission and City Council.

By signing below I hereby certify that I have read and examined this application and know the same to be true and correct. This permit is issued on the basis of information furnished herein and is subject to property restrictions and provisions of all governing ordinances.

Applicant/Agent Signature: _____ Date: _____

Please complete the attached checklist.

OFFICE ONLY

This request, along with the required fee and supplemental documents, has been properly submitted and is hereby accepted for consideration by the Planning Commission and the City Council:

Signature: _____ Date: _____

Date & Time of Planning Commission: _____ Workshop: _____ Public Hearing: _____

Date & Time of City Council: _____ Public Hearing: _____ Case Number: _____

**UNAPPROVED EXCERPT OF MINUTES
PLANNING COMMISSION MEETING
June 14, 2010**

WORKSHOP ITEM:

Distribution and overview of draft amendments to Telecommunication Towers and Antennas Ordinance and revised application process.

Mr. Rast stated that Staff had been spending a considerable amount of time researching and updating the City's existing Telecommunications Facilities and Antennas Ordinance, as well as generating a new application process for this type of development. City Council had enacted a moratorium on new applications to allow time for Staff to do this research and rewrite the ordinance. In that regard, they had researched ordinances from other jurisdictions and compared them with model ordinances provided by the wireless telecommunications industry.

Mr. Rast explained that the existing telecommunications ordinance was last updated in 1998 after the Telecommunications Act of 1996 was passed. The ordinance had not been amended since that time. After the ordinance was adopted, several applications for new towers were submitted and approved. However, since that time, all of the applications had been for collocations on existing towers.

The result of Staff's efforts was a total re-write of the existing ordinance which would be renamed the Wireless Telecommunications Facilities ordinance. This update included the following:

- definitions based on current technologies;
- identification of "major" and "minor" modifications within those definitions;
- submittal requirements; and
- three different types of review:
 - administrative (staff level) for such items as collocations on an existing tower or replacement of existing facilities at the base of the tower. A building permit and inspections would be required.
 - conditional use permit (staff level and Planning Commission who would make a recommendation to City Council) for any new facilities or support structures.
 - exempt (no review)

Mr. Rast stated that the submittal requirements for the conditional use permit included a new application process that required completion of a series of documents, a copy of which had been provided to the Commissioners. Review of the application would determine whether:

- Collocation on the existing structure was possible;
- The tower would be a concealed, freestanding structure, e.g., a stealth application;
- The tower would be a non-concealed, freestanding monopole; or
- The tower would be a non-concealed, freestanding lattice structure.

Mr. Rast stated that most of the new towers that had been discussed with the various wireless carriers would be either a concealed, freestanding (stealth) application or a non-concealed freestanding monopole. He noted that the majority of the towers currently in place were maxed out as far as the carriers who could locate on them. This was one of the reasons the carriers were looking at new sites.

Mr. Rast reviewed some of the documentation that would need to be provided as part of the application:

- A vicinity map;
- A list of all property owners within 1,000 LF of the proposed facility as well as mailing labels for their notification;
- An Evidence of Need report prepared by the radio frequency (RF) engineer which included a series of documents identifying the efforts to locate on an existing tower;
- A list of alternate sites they had looked at and the reasons they could not be used;
- An individual impact assessment to include a line-of-sight analysis, photo simulations, and a balloon test, the intent being to provide graphic representations of what the tower would look like and the impact it might have on the surrounding area.

Mr. Staples asked whether the RF engineer could be employed by the wireless carrier. Mr. Rast said the carrier's RF engineer would prepare the report; the City had a consultant on retainer who would analyze the report's accuracy. Mr. Staples asked if the carrier would pay for the consultant's time. Mr. Rast said they would.

- Several documents would be provided by the Federal Aviation Administration (FAA), the Federal Communications Commission (FCC), and the local airport authority.

The conditional use permit application would then be reviewed internally by City Staff before it was brought to Planning Commission and City Council.

Mr. Rast reviewed the general standards that would be identified in the ordinance. Some were similar to what was in the current ordinance and some were new or enhanced:

- Towers would be limited to four zoning districts, AR Agricultural Reserve, OS-P Open Space - Public, LI Light Industrial, and GI General Industrial.
- Design criteria for each type of structure:
 - Monopoles must be designed to accommodate a minimum of four providers and there must be enough room at the base of the tower to accommodate equipment for four carriers.
 - Lattice structures must be designed to accommodate no less than five providers and there must be enough room at the base of the tower to accommodate the equipment for five carriers.

The minimum size of the compound at the base of the structure was not addressed due to changes in technology that were allowing a reduction in the size of the cabinets that were used in this area. It was felt this area should be kept as small as possible.

- Stealth towers should be designed to hold more than one carrier. The number of carriers that could be located on a stealth tower was limited due to their support structure.
- The 200' separation from the support structure to the residential property line and to the public street right-of-way would have to be maintained as would the 50' setback from the non-residential property line. Mr. Rast noted that the support structure was the furthest component of the tower itself. The setbacks for the compound at the base would be the same as the setbacks for the zoning district in which the tower was located.
- The height of new structures would be limited to no more than 199' as measured from ground level to the highest point of the tower, even if that was an antenna. Guidelines from the FAA dictated the height of towers that would need to be illuminated at night. The majority, unless they were located within an airport approach zone or within proximity to an airport, were not required to have a strobe on top; the desire was to avoid that as much as possible. The towers that were in close proximity to residential areas could not have a strobe light.

- Applications would have to comply with and would be reviewed under specific FAA, FCC, building, and electrical codes.
- Language was added for abandonment and removal of towers. This would give the City authority to require the facility be removed if it was vacated, inactive, or in disrepair. The owner was required to provide a performance bond in the amount of \$20,000 so the City could remove the tower, if necessary.
- In order to ensure the tower companies were inspecting the towers on an annual basis (looking at the structural supports, the foundation, etc.), language was added to require an annual report certifying the condition of the tower be provided to the City.

Mr. Rast noted that the review for a conditional use permit in the proposed ordinance was different than the current process in that City Council would be the only body that could issue the conditional use permit. Currently, Staff and/or the Planning Commission could make the determination based on specific requirements associated with the conditional uses permitted in a specific zoning district. He noted that this process, whereby City Council was the approving authority, would likely be used for all conditional use permits in the future. This was another set of checks and balances.

Mr. Staples asked about the requirement under "Aesthetics" that support structures not be located within 200' of a residential property line. He wondered how this differed from the setbacks.

Mr. Rast explained that the City wanted the strobes lights to be set further away from the residential property line. A tower could not be within 200' of a residential property line based on the setbacks of the tower itself. If the tower had strobes, it would need to be further than 200' away. There was some confusion about the distance a tower with strobes would need to be located from a residential property line. It was felt the distance should be specified. Mr. Rast thought there might be a transcribing error and said he would do some further research.

Mr. Sussberg asked about the policy for underground telecommunications. Specifically, he wanted to know who approved AT&T digging up half of Peachtree City to lay new cable. Mr. Rast said there was a franchise agreement between the city and AT&T. Mr. Sussberg wondered what type of notification process was in place so that homeowner associations (HOAs) knew 20' to 100' of their property would be torn up to lay cable. Mr. Rast said there were signs posted at the entrances to the subdivisions, but he did not know whether there was anything more than that. He added the utility companies were

required to get an encroachment permit from the city to be in the right-of-way, but there was a franchise agreement that the city entered into that allowed them to use the right-of-way to provide utilities.

Mr. Sussberg said he was bringing this up because no information was provided on AT&T's responsibility and he knew of one HOA that was still fighting to get the proper sod in place on grounds that were torn up. He thought this was a telecommunications issue and should be addressed in this ordinance. Mr. Rast suggested that Mr. Sussberg ask the HOA to contact the city's Development Inspector, Mr. Harry Baro, who had been working with AT&T on a number of these issues. Mr. Sussberg thought it was important to address both towers and underground utilities in this ordinance because if there was a war above ground, it was only a matter of time before there would be one underground.

Ms. Wojcik wondered if the City was required to have franchise agreements with all telecommunication companies or whether it could be limited such as was done with garbage companies. Mr. Rast did not have that information but noted that a lot of that was mandated by the FCC.

Mr. Frazar thought Staff had done a pretty good job on the ordinance and it was very similar to others he had read. However, he noted there were no prohibitions against towers on property where schools and hospitals were located as well as other areas concentrated with children. He thought it was necessary these prohibitions be included in the ordinance.

Mr. Frazar suggested an overlay map be produced that applied the zoning districts and setback requirements that would show the acceptable tower locations. He thought it should be included as an attachment to the ordinance and could be referenced when the City was approached about a possible tower location.

Mr. Rast stated that based on the meeting that was held with the wireless industry, Staff knew of seven general areas where the carriers were looking. Mr. Frazar thought the areas on the grid should not be circles but should follow the terrain and property lines. Mr. Staples suggested going parcel by parcel, adding the setbacks to each. Mr. Rast said Staff could do that.

Mr. Scott asked whether the equipment cabinets were air conditioned and humidity controlled. Mr. Rast said they were and there were also back-up power sources and generators. Within the compounds, there was a backup support system for each carrier.

Mr. Frazar wondered about access to these areas. Ms. Wojcik thought they were required to have access to the compounds. If access could not be provided, the tower could not be constructed in that area.

In response to a question from Ms. Curtis about the effectiveness of the county's E911 system, Mr. Rast stated that his understanding was that there was sufficient coverage.

Mr. Staples thought it was important to be cognizant of what the requirements would be in the future.

Mr. Sussberg thought Mr. Frazar's suggestion about the overlay map would lock things in 100 percent. Mr. Scott agreed.

Mr. Sussberg also thought consideration should be given to Mr. Frazar's comment about towers being located in areas where there was a concentration of children.

Ms. Kathy Cheney, a Peachtree City resident who lived near one of the potential tower locations, was concerned that if the city's standards were not stringent enough, the City could not prevent a tower from being constructed in a location where the city would not want it. It was always possible to grant a variance. She did not think a 200' setback from residential property was enough because, in their case, the tower would be visible from their dining room window; and their neighbors would be looking at it from their back yards. She thought the standard should be 250' or 300' instead.

Ms. Cheney was also concerned about losing the parks and playgrounds. Ms. Wojcik noted that they were on city-owned property, and there was no law that required the city to lease the property to the tower companies. Mr. Rast pointed out that the majority of the properties in the identified areas were owned by Peachtree City and confirmed what Ms. Wojcik said about there being no law to require the city as the property owner to lease property so a cell tower could be constructed.

Mr. Rast further clarified that a community could not disallow cell towers, but a property owner was not obligated to lease their property to someone so that a tower could be constructed.

In light of that, Ms. Cheney pointed out that it was the City's responsibility to ensure the residential areas maintained their values.

Mr. Staples confirmed that, just as it was for all the other development on city-owned property, the onus was on the city to decide what to do with the city-owned property.

Ms. Wojcik pointed out that granting variances opened a can of worms. Ms. Cheney thought if the setbacks were more stringent, the control would be in the City's hands.

In response to comments made by Mr. Kevin Cheney, Mr. Rast reiterated that the government could not require the city to lease its property to a cell tower company. Mr. Frazar said that Wayne, Pennsylvania, was a community that had no cell towers in it.

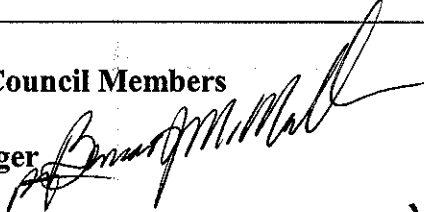
Mr. Cheney suggested someone with the City contact the City of Roswell as he had heard they were going to court over this issue.

Mr. Rast said he would research the topics that were raised and would send out e-mails. He told Mr. Cheney he would send him the e-mail he had received from the City Attorney on this subject.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: City Manager 
City Clerk

FROM: Community Development Director  David

DATE: June 30, 2010

SUBJECT: Consider amendments to Article X., Section 1007, LI Light Industrial District, adding telecommunications facilities and support structures as a conditional use.
July 15, 2010 City Council Agenda

Recommendation:

That Council adopt the proposed amendments to Article X., Section 1007, LI Light Industrial District of the city's Zoning Ordinance, specifically to remove telecommunications towers as a permitted use and add telecommunications facilities and support structures as a conditional use (Attachment "A").

Discussion:

Within the proposed Wireless Telecommunications Facilities Ordinance, telecommunications facilities and support structures are permitted as a conditional use within the LI Light Industrial, GI General Industrial, and OS-P Open Space – Public zoning districts.

The purpose of the proposed amendment to the LI Light Industrial zoning ordinance is to remove "telecommunications towers" as a permitted use and add "telecommunications facilities and support structures in accordance with the provisions of the Wireless Telecommunications Facilities Ordinance" as a conditional use. No other changes are proposed.

The Planning Commission will consider this request at their meeting on July 12, 2010. Following that meeting, we will forward their recommendation to City Council.

Budget impact:

There is no budget impact associated with this request.

AN ORDINANCE TO AMEND ARTICLE X OF THE ZONING ORDINANCE OF PEACHTREE CITY, AS AMENDED, SECTION 1007 LI LIGHT INDUSTRIAL FOR THE PURPOSE OF CLARIFYING USES PERMITTED WITHIN DISTRICT; TO ESTABLISH OTHER REQUIREMENTS; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PEACHTREE CITY, and it is hereby ordained by authority of the same, that:

Section 1. Article X, Requirements by District, Section 1007.2, LI light industrial zoning district of the Peachtree City Zoning Ordinance, as amended, be further amended by deleting subparagraph (tt) Telecommunications towers, and renumbering the remaining subparagraphs as follows:

Sec. 1007. LI limited industrial district.

(1007.2) *Permitted uses.*

- (ss) Studio for teaching music, voice, dance, karate, etc.;
- ~~(tt)~~ Telecommunications towers;
- ~~(utt)~~ Telegraph or messenger service;
- ~~(vuu)~~ Trade or vocational school.

Section 2. Article X, Requirements by District, Section 1007.3, LI light industrial zoning district of the Peachtree City Zoning Ordinance, as amended, be further amended by adding subparagraph (c) as follows:

(1007.3) *Conditional uses.* The following uses shall be permitted in any LI zoning district on a conditional basis:

- (c) Telecommunications facilities and support structures in accordance with the provisions of the Wireless Telecommunications Facilities Ordinance.

Section 3. All ordinances or parts thereof which conflict with the provisions of this ordinance are, to the extent of such conflict and except as hereinafter provided, hereby repealed.

Section 4. Should any provision of this ordinance be declared invalid by a Court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any provision thereof other than the provisions specifically declared to be invalid. The City Council declares that it would have passed this ordinance and each subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases may be declared invalid.

Section 5. This ordinance shall be in full force and effect upon its official adoption by the City Council.

This _____ day of _____ 2010.

Don Haddix, Mayor

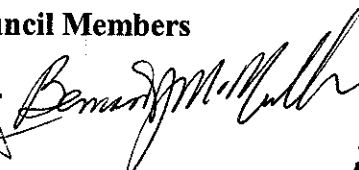
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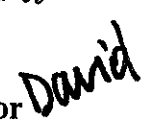
City Clerk

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: City Manager 
City Clerk 

FROM: Community Development Director 

DATE: June 30, 2010

SUBJECT: Consider amendments to Article X., Section 1008, GI General Industrial District, adding telecommunications facilities and support structures as a conditional use.
July 15, 2010 City Council Agenda

Recommendation:

That Council adopt the proposed amendments to Article X., Section 1008, GI General Industrial District of the city's Zoning Ordinance, specifically to remove telecommunications towers as a permitted use and add telecommunications facilities and support structures as a conditional use (Attachment "A").

Discussion:

Within the proposed Wireless Telecommunications Facilities Ordinance, telecommunications facilities and support structures are permitted as a conditional use within the LI Light Industrial, GI General Industrial, and OS-P Open Space – Public zoning districts.

The purpose of the proposed amendment to the GI General Industrial zoning ordinance is to remove "telecommunications towers" as a permitted use and add "telecommunications facilities and support structures in accordance with the provisions of the Wireless Telecommunications Facilities Ordinance" as a conditional use. No other changes are proposed.

The Planning Commission will consider this request at their meeting on July 12, 2010. Following that meeting, we will forward their recommendation to City Council.

Budget impact:

There is no budget impact associated with this request.

AN ORDINANCE TO AMEND ARTICLE X OF THE ZONING ORDINANCE OF PEACHTREE CITY, AS AMENDED, SECTION 1008 GI GENERAL INDUSTRIAL FOR THE PURPOSE OF CLARIFYING USES PERMITTED WITHIN DISTRICT; TO ESTABLISH OTHER REQUIREMENTS; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PEACHTREE CITY, and it is hereby ordained by authority of the same, that:

Section 1. Article X, Requirements by District, Section 1008.2, GI general industrial zoning district of the Peachtree City Zoning Ordinance, as amended, be further amended by deleting subparagraph (x) Telecommunications Towers, and renumbering the remaining subparagraphs as follows:

(1008.2) *Permitted uses:* The following uses shall be permitted in any GI zoning district:

- (w) Sewage treatment facility;
- ~~(x) Telecommunications towers and associated equipment;~~
- (yx) Trade or vocational school;
- (zy) Transportation equipment storage and maintenance facility;
- (aaz) Truck fleet maintenance shop;
- (bbaa) Warehouse and storage facility;
- (ecbb) Wholesale trade and distribution facility, including office showrooms and display areas.

Section 2. Article X, Requirements by District, Section 1008.3, GI general industrial zoning district of the Peachtree City Zoning Ordinance, as amended, be further amended by adding subparagraph (d) as follows:

(1008.3) *Conditional uses:* The following uses shall be permitted in any GI zoning district on a conditional basis:

- (d) Telecommunications facilities and support structures in accordance with the provisions of the Wireless Telecommunications Facilities Ordinance.

Section 3. All ordinances or parts thereof which conflict with the provisions of this ordinance are, to the extent of such conflict and except as hereinafter provided, hereby repealed.

Section 4. Should any provision of this ordinance be declared invalid by a Court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any provision thereof other than the provisions specifically declared to be invalid. The City Council declares that it would have passed this ordinance and each subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases may be declared invalid.

Section 5. This ordinance shall be in full force and effect upon its official adoption by the City Council.

This _____ day of _____ 2010.

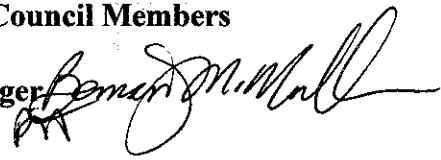
Don Haddix, Mayor

Attest: _____
City Clerk

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: City Manager 
City Clerk 

FROM: Community Development Director *David /of*

DATE: June 30, 2010

SUBJECT: Consider amendments to Article X., Section 1009, OS-C Open Space - Conservation District, adding telecommunications facilities and support structures as a conditional use.
July 15, 2010 City Council Agenda

Recommendation:

That Council adopt the proposed amendments to Article X., Section 1009, OS-C Open Space - Conservation District of the city's Zoning Ordinance, specifically to delete telecommunications facilities and support structures as a conditional use (Attachment "A").

Discussion:

Within the proposed Wireless Telecommunications Facilities Ordinance, telecommunications facilities and support structures are permitted as a conditional use within the LI Light Industrial, GI General Industrial, and OS-P Open Space - Public zoning districts.

The purpose of the proposed amendment to the OS-C Open Space - Conservation zoning ordinance is to remove "telecommunications towers and associated equipment, as identified within the Telecommunications Ordinance" as a conditional use. No other changes are proposed.

The Planning Commission will consider this request at their meeting on July 12, 2010. Following that meeting, we will forward their recommendation to City Council.

Budget impact:

There is no budget impact associated with this request.

AN ORDINANCE TO AMEND ARTICLE X OF THE ZONING ORDINANCE OF PEACHTREE CITY, AS AMENDED, SECTION 1009 OS-C OPEN SPACE - CONSERVATION FOR THE PURPOSE OF CLARIFYING USES PERMITTED WITHIN DISTRICT; TO ESTABLISH OTHER REQUIREMENTS; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PEACHTREE CITY, and it is hereby ordained by authority of the same, that:

Section 1. Article X, Requirements by District, Section 1009.3, OS-C open space - conservation zoning district of the Peachtree City Zoning Ordinance, be amended by deleting subparagraph (c) as follows:

Sec. 1009. OS-C open space - conservation district.

(1009.3) *Conditional uses.*

- (a) Building, facility or land for the distribution of utility services, subject to review and approval by the Planning Commission and/ or City Council.
- (b) Stormwater detention facilities, subject to review and approval by the Planning Commission and/ or City Council.
- (c) ~~Telecommunication towers and associated equipment, as identified within the Telecommunications Ordinance.~~

Section 2. All ordinances or parts thereof which conflict with the provisions of this ordinance are, to the extent of such conflict and except as hereinafter provided, hereby repealed.

Section 3. Should any provision of this ordinance be declared invalid by a Court of competent jurisdiction, such decision shall not affect the validity of this

ordinance as a whole or any provision thereof other than the provisions specifically declared to be invalid. The City Council declares that it would have passed this ordinance and each subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases may be declared invalid.

Section 4. This ordinance shall be in full force and effect upon its official adoption by the City Council.

This _____ day of _____ 2010.

Don Haddix, Mayor

Attest:

City Clerk

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: City Manager
City Clerk

FROM: Community Development Director

DATE: June 30, 2010

SUBJECT: Consider amendments to Article X., Section 1009A, OS-P Open Space - Public District, adding telecommunications facilities and support structures as a conditional use.

July 15, 2010 City Council Agenda

Recommendation:

That Council adopt the proposed amendments to Article X., Section 1009A, OS-P Open Space - Public District of the city's Zoning Ordinance, specifically to clarify telecommunications facilities and support structures as a conditional use (Attachment "A").

Discussion:

Within the proposed Wireless Telecommunications Facilities Ordinance, telecommunications facilities and support structures are permitted as a conditional use within the LI Light Industrial, GI General Industrial, and OS-P Open Space - Public zoning districts.

The purpose of the proposed amendment to the OS-P Open Space - Public zoning ordinance is to delete "telecommunication towers and associated equipment, as identified within the telecommunications ordinance" as a conditional use and add "telecommunications facilities and support structures in accordance with the provisions of the Wireless Telecommunications Facilities Ordinance" as a conditional use. No other changes are proposed.

The Planning Commission will consider this request at their meeting on July 12, 2010. Following that meeting, we will forward their recommendation to City Council.

Budget impact:

There is no budget impact associated with this request.

AN ORDINANCE TO AMEND ARTICLE X OF THE ZONING ORDINANCE OF PEACHTREE CITY, AS AMENDED, SECTION 1009A OS-P OPEN SPACE - PUBLIC FOR THE PURPOSE OF CLARIFYING USES PERMITTED WITHIN DISTRICT; TO ESTABLISH OTHER REQUIREMENTS; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PEACHTREE CITY, and it is hereby ordained by authority of the same, that:

Section 1. Article X, Requirements by District, Section 1009A.3, Subparagraph (c) OS-P open space - public zoning district of the Peachtree City Zoning Ordinance, as amended, be further amended as follows:

Sec. 1009A. OS-P open space - public district.

(1009A.3) *Conditional uses.*

- (c) Telecommunications facilities and support structures in accordance with the provisions of the Wireless Telecommunications Facilities Ordinance. ~~Telecommunication towers and associated equipment, as identified within the Telecommunications Ordinance.~~

Section 2. All ordinances or parts thereof which conflict with the provisions of this ordinance are, to the extent of such conflict and except as hereinafter provided, hereby repealed.

Section 3. Should any provision of this ordinance be declared invalid by a Court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any provision thereof other than the provisions specifically declared to be invalid. The City Council declares that it would have passed this

ordinance and each subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases may be declared invalid.

Section 4. This ordinance shall be in full force and effect upon its official adoption by the City Council.

This _____ day of _____ 2010.

Don Haddix, Mayor

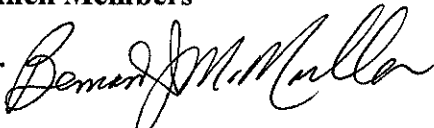
Attest:

City Clerk

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: City Manager 

FROM: Executive Director, Peachtree City Tourism Association 

DATE: July 5, 2010

SUBJECT: Consider amended Bylaws and Articles of Incorporation of the Peachtree City Tourism Association .
July 15, 2010, City Council Meeting

Recommendation:

That Council adopt the amended By-Laws and Articles of Incorporation for the Peachtree City Tourism Association.

Discussion:

On June 29, the Peachtree City Tourism Board of Directors adopted new Articles of Incorporation and Bylaws.

The amended By-Laws and Articles of Incorporation reflect a name change of the Peachtree City Tourism Association to the Peachtree City Convention and Visitors Bureau. Other changes include the makeup of the board of directors, which will remain at a total of 7 board members. Those individuals will be representatives from the Development Authority of Peachtree City, the Airport Authority, the Recreation Commission, the hotel industry, a retail business owner, and a representative from a recreational venue.

The Board of Directors also approved a change under Article 13.1 in the By-Laws, reducing the allowed amount of an unbudgeted expenditure from \$20,000 to \$10,000 pending council approval.

The Peachtree City Convention and Visitors Bureau will remain a not-for-profit, 501(c)6 Corporation.

Budget Impact:

This item will have not budgetary impact.

AMENDED AND RESTATED ARTICLES OF INCORPORATION

ARTICLE I

The name of the Corporation is hereby changed from the Peachtree City Tourism Association, Inc. to:

PEACHTREE CITY CONVENTION & VISITORS BUREAU, INC.

Deleted: TOURISM
ASSOCIATION

ARTICLE II

The Corporation is organized pursuant to the Georgia Nonprofit Corporation Code.

ARTICLE III

The Corporation's founding and sole member is the City of Peachtree City, Georgia. Membership is expressly restricted to entities that are an integral part of the City of Peachtree City, Georgia provided that such entity's entire income is excludable from gross income under Section 115(1) of the Internal Revenue Code.

ARTICLE IV

The registered office of the Corporation shall be 151 Willowbend Road, Peachtree City, Georgia 30269 in Fayette County. The initial registered agent of the Corporation at such address shall be _____

Deleted: initial

Deleted: Bernard J. McMullen

ARTICLE V

The name and address of the incorporator is:

Theodore P. Meeker, III
Sumner Meeker, LLC
14 East Broad Street
Newnan, Georgia 30263

Deleted: Bernard J. McMullen
151 Willowbend Road
Peachtree City, Georgia 30269

ARTICLE VI

The purposes for which the Corporation is formed are as follows:

- (a) The Corporation is not organized for profit and no part of the net earnings of which inures to the benefit of any profit shareholder of individual within the meaning of Section 501(c)(6) of the Internal Revenue Code. The Corporation was organized, and at all times shall be operated, to serve the needs and interests of tourism within the City of Peachtree City. The purposes of the Corporation shall include, but shall not be limited to:

Deleted: an association of members
the purposes of which, as set forth in
the articles of incorporation, are

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Incorp(November 2007).doc

- Improve the availability of basic goods and services within the City of Peachtree City;
- Develop the educational, cultural and economic potential of the City of Peachtree City;
- Enlist the active interest and financial support of individuals and businesses in the development, improvement and beautification of the City of Peachtree City;
- Improve and maintain the appeal of the City of Peachtree City by improving and maintaining the physical, environmental and business conditions in the City;
- Increase City revenues by stabilizing the tax base, enhancing property values and increasing retail sales in the City;
- Contract with the City of Peachtree City to expend on behalf of the City of Peachtree City that portion of the hotel/motel tax authorized by Georgia law and other funding, and use the tax revenue and other funds to promote tourism, conventions and trade shows within the City. The Corporation's overall purpose will be to promote the welfare of the public, stimulate commerce and otherwise serve the public interest of the City of Peachtree City, as set forth in these Articles of Incorporation and the Bylaws, including the exercise of all other power and authority enjoyed by corporations generally by virtue of the provisions of the Georgia Nonprofit Corporation Code, within the subject to the limitations of Section 501(c)(6) of the Internal Revenue Code; and
- To serve as a Destination Marketing Organization as defined in O.C.G.A. §§ 48-13-50.2 and 48-13-51.

Deleted: By contract with the City of Peachtree City, to manage and operate the Frederick W. Brown, Jr. Amphitheater and the Peachtree City Tennis Center.

- (b) This Corporation is not organized and shall not be operated for pecuniary gain or profit. No part of the property or net earnings of the Corporation shall inure to the benefit of or be distributable to its directors, officers or other private persons, except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article VI of these Articles. The Corporation shall not lobby or otherwise attempt to influence legislation or participate or intervene in (including publication or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any provision of these Articles, the Corporation shall not carry on any other activities to the extent that such activities are not permitted to be carried on by an organization described in Section 501(c)(6) of the Internal Revenue Code of 1986, as amended (or the corresponding provision of any future United States Internal Revenue Law).

ARTICLE VII

The affairs of the Corporation shall be managed by a Board of Directors. The number of Directors of the Corporation and method of election shall be set out in the bylaws.

ARTICLE VIII

The Board of Directors shall consist of Seven (7) voting members to be comprised as follows:

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1. ~~Four~~ Five (4) One (1) member of the Development Authority of Peachtree City to be selected by that Board after the initial term of office of such member named in these Articles. After the initial term of office set forth in these Articles, the term of office for such person shall be two (2) years.

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2. The Chairperson of the Recreation Commission of the City of the City of Peachtree City; and

3. One member of the City Council of Peachtree City to be selected by a majority of the members of the governing body of the City of Peachtree City, such member to be selected in January.

Deleted: (5) citizens or persons conducting business within the City of Peachtree City. At least one (1) of the citizens appointed to the Board shall be employed in the restaurant or hotel/motel business and one of the these same citizens shall have a minimum of five (5) years of fiscal experience (fiscal experience shall be defined as on the job training, education, degrees, and/or licenses gained in finance, accounting, and/or professional budgeting.).

4. ~~3~~ One (1) member of the Peachtree City Airport Authority to be selected by a majority of the members of such board after the initial term of office of such member named in these Articles. After the initial term of office set forth in these Articles, the term of office for such person shall be two (2) years.

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5. One (1) person who serves as a manager or owner of a retail development within the City of Peachtree City, such person to be selected by the governing authority of the City Council of Peachtree City after the initial term of office of such member named in these Articles. After the initial term of office set forth in these Articles, the term of office for such person shall be two (2) years.

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6. One (1) person who serves as a manager, owner, or operator of a hotel or motel located in Peachtree City, such person to be selected by the governing authority of the City Council of Peachtree City after the initial term of office set forth in these Articles. After the initial term of office set forth in these Articles, the term of office for such person shall be two (2) years or until such person leaves his or her place of employment in Peachtree City.

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7. One (1) person who serves as a manager, owner, or operator of a recreational venue, sports association, or other athletic facility located in Peachtree City, such person to be selected by the governing Authority of the City Council of Peachtree City after the initial term of office set forth in these Articles. After the

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initial term of office set forth in these Articles, the term of office for such person shall be two (2) years or until such person leaves his or her place of employment in Peachtree City.

~~In addition to the above five directors, the Mayor and City Council shall appoint one (1) person to serve in an ex-officio, non-voting role. Such person shall be the~~

~~The manager of a hotel located in Peachtree City or designee. The designee shall be someone under the direct supervision of the hotel manager by virtue of their employment. The manager of the hotel shall be recommended to the Mayor and City Council by the Board of Directors of the Peachtree City Tourism Association, Inc. After the initial term of office set forth in these Articles, the term of office for such person shall be one (1) year or until such person leaves his or her place of employment in Peachtree City.~~

ARTICLE IX

. In the event of dissolution, the balance of all assets received by the Corporation for its operations, after the payment of all debts and obligations of the Corporation, shall be distributed to the City of Peachtree City (or an entity that is an integral part of the City of Peachtree City), provided that such entity's income is excludable from gross income under Section 115(1) of the Internal Revenue Code.

ARTICLE X

- (a) Each person who is or was a director or officer of the Corporation, and each person who is or was a director or officer of the Corporation who at the request of the Corporation is serving or has served as an officer, director, partner, joint venture or trustee of another corporation, partnership, joint venture, or trustee of another corporation, partnership, joint venture, or trustee of another corporation, partnership, joint venture, trust or other enterprise shall be indemnified by the Corporation for all costs of litigation (including attorneys' fees), judgments, fines and amounts paid in settlement which are allowed to be paid, advanced or reimbursed by the Corporation under the laws of the State of Georgia and which are actually and reasonable incurred in connection with any action, suit, or proceeding, pending or threatened, whether civil, criminal, arbitral, administrative, or investigative, whether formal or informal, in which such

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Deleted: The By-Laws say that the Council will only appoint the manager of the Hotel/Motel. The other two are ex-officio. Need to say one or the other. three citizens of Fayette County as non-voting members of the Board of Directors. The three non-voting members of the Board of Directors shall be:

Deleted: <#> The President of the Fayette County Chamber of Commerce or designee. The designee shall be someone under the direct supervision of the President of the Fayette County Chamber of Commerce by virtue of their employment.¶

<#> The Superintendent of the Fayette County Board of Education or designee. The designee shall be someone under the direct supervision of the Superintendent of the Fayette County Board of Education by virtue of their employment.¶

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Deleted: The hotel manager shall serve for a three-year term or until he leaves his place of employment in Peachtree City.

person may be involved by reason of his being or having been a director or officer of this Corporation or of such other enterprises.. Such indemnification, reimbursement or advance shall be made only in accordance with the laws of the State of Georgia, including the Georgia Nonprofit Corporation Code, subject to the conditions under such statutory provisions.

(b) In any instance where the laws of the State of Georgia permit indemnification, reimbursement or advances to be provided to persons who are or have been an officer or director of the Corporation or who are or have been an officer, director, partner, joint venture or trustee of any such other enterprise only on a determination that certain specified standards of conduct have been met, that all statutory requirements and procedures have been satisfied, and that upon application for indemnification, reimbursement or advances by any such person the Corporation shall promptly cause such determination to be made in accordance with the statutory procedures of Georgia law.

(c) Nothing in this Article shall be construed as limiting the applicability and Code of Georgia law with respect to indemnification, reimbursement and advances for expenses; further, as a condition to any such right of indemnification, the Corporation may require that it be permitted to participate in the defense of any such action or proceeding through legal counsel designated by the Corporation and at the expense of the Corporation.

(d) In accordance with the law of the State of Georgia, the Corporation may purchase and maintain insurance on behalf of any such persons whether or not the Corporation would have the power to indemnify such officers and directors against any liability under the laws of the State of Georgia. Any expenses or other amounts that are paid by way, or by indemnification, reimbursement, or advances of funds other than by court order, action by shareholders, the Corporation shall provide notice of such payment to the shareholders in accordance with the applicable provisions of the laws of the State of Georgia.

ARTICLE XI

The Articles of Incorporation of the corporation may be amended at any time in the manner provided in the Georgia Nonprofit Corporation Code (or the corresponding provision of any future Georgia nonprofit corporation law) by the affirmative vote of a majority of the directors then in office and by the City Council of the City of Peachtree City, Georgia; provided, however, that no amendment may be made which would cause the organization no longer to be qualified as an exempt organization described in Section 501(c)(6) of the Code.

The effective date of these Amended and Restated Articles of Incorporation shall
be _____ August 3, 2006, 2010.

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IN WITNESS WHEREOF, the undersigned has executed these Articles of
Incorporation this _____ day of _____, 2010.

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Acting Chairman
Peachtree City Convention and Visitors Bureau, Inc.

Deleted: David Ring, Chairman

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Deleted: Tourism Association, Inc.

BY-LAWS
OF
PEACHTREE CITY CONVENTION & VISITORS BUREAU, INC.
Incorporated as a Not-for-Profit Corporation
Under the laws of the State of Georgia
Incorporated _____, 2010.

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ARTICLE ONE

Name, Location and Offices

1.1 Name. The name of this Corporation shall be:

“PEACHTREE CITY CONVENTION & VISITORS BUREAU, INC.”

1.2 Registered Office and Agent. The Corporation shall maintain a registered office in the State of Georgia, and shall have a registered agent whose address is identical with the address of such office, in accordance with the requirements of the Georgia Nonprofit Corporation Code.

1.3 Other Offices. The principal office of the Corporation shall be located at such places as designated by the Board of Directors. The Corporation may have other offices at such place or places, within or outside the State of Georgia, as the Board of Directors may determine from time to time or the affairs of the Corporation may require or make desirable.

ARTICLE TWO

Purposes and Governing Instruments

2.1 Not-for-Profit Corporation. The Corporation shall be organized and operated as a not-for-profit corporation under the provisions of the Georgia Nonprofit Corporation Code.

2.2 Purposes. The Corporation is not organized for profit and no part of the net earnings of which inures to the benefit of any private shareholder or individual within the meaning of Section 501(c)(6) of the Internal Revenue Code. The Corporation was organized, and at all times shall be operated, to serve the needs and interests of tourism within the City of Peachtree City. The purposes of the Corporation shall include, but shall not be limited to, the following:

- Improve the availability of basic goods and services within the City of Peachtree City;
- Develop the educational, cultural and economic potential of the City of Peachtree City;
- Enlist the active interest and financial support of individuals and businesses in the development, improvement and beautification of the City of Peachtree City;
- Improve and maintain the appeal of the City of Peachtree City by improving and maintaining the physical, environmental and business conditions in the City;

- Increase City revenues by stabilizing the tax base, enhancing property values and increasing retail sales in the City;
- Contract with the City of Peachtree City to expend on behalf of the City of Peachtree City that portion of the hotel/motel tax authorized by Georgia law and other funding, and use the tax revenue and other funds to promote tourism, conventions and trade shows within the City. The Corporation's overall purpose will be to promote the welfare of the public, stimulate commerce and otherwise serve the public interest of the City of Peachtree City, as set forth in these Articles of Incorporation and the Bylaws, including the exercise of all other power and authority enjoyed by corporations generally by virtue of the provisions of the Georgia Nonprofit Corporation Code, within the subject to the limitations of Section 501(c)(6) of the Internal Revenue Code; and
- To serve as a Destination Marketing Organization as defined in O.C.G.A. §§ 48-13-50.2 and 48-13-51..

2.3 Governing Instruments. The Corporation shall be governed by its articles of incorporation and these bylaws.

2.4 The Corporation shall not lobby or otherwise attempt to influence legislation. The Corporation shall not in any manner or to any extent participate in or intervene in any political campaign on behalf of any candidate for public office. In the event of dissolution or liquidation of the corporation, the balance of all assets received by the Corporation for its operations, after the payment of all debts and obligations of the Corporation, shall be distributed to the City of Peachtree City (or an entity that is an integral part of the City of Peachtree City) provided that such entity's entire income is excludable from gross income under Section 115(1) of the Internal Revenue Code.

ARTICLE THREE

Board of Directors

3.1 Authority and Responsibility of the Board of Directors. The supreme authority of the Corporation and the government and management of the affairs of the Corporation shall be vested in the Board of Directors; and all the powers, duties, and functions of the Corporation conferred by the articles of incorporation, these bylaws, state statutes, common law, court decisions, or otherwise, shall be exercised, performed, or controlled by the Board of Directors, except as otherwise limited in these bylaws.

The governing body of the Corporation shall be the Board of Directors. The Board of Directors shall provide supervision, control and directions of the management, affairs and property of the Corporation; shall determine its policies or changes therein;

and shall actively pursue its purposes and objectives and supervise the disbursement of its funds. The Board of Directors may adopt, by majority vote, such rules and regulations for the conduct of its business and the business of the Corporation as shall be deemed advisable, and may, in the execution of the powers granted, delegate certain of its authority and responsibility to an executive committee. Under no circumstances, however, shall any actions be taken which are consistent with its articles of incorporation or these bylaws; and the fundamental and basic purposes of the Corporation, as expressed in the articles of incorporation and these bylaws, shall not be amended or changed.

The Board of Directors shall not permit any part of the net earnings or capital of the Corporation to inure the benefit of any member, director, officer, trustee, or other private person or individual.

Only when the services are not otherwise available from resources of the City of Peachtree City; the Board of Directors may, from time to time, appoint, as advisors, persons whose advice, assistance and support may be deemed helpful in determining policies and formulating programs for carrying out the purposes and functions of the Corporation; and, to employ such person or persons, including an executive director or officer, attorneys, trustees, agents, and assistants, as in its judgment are necessary or desirable for the administration and management of the Corporation, and to pay reasonable compensation for the services performed and expenses incurred by any such person or persons. The Board of Directors, either directly or through its management, shall meet not less than one (1) time per month with the City Manager and City Financial Services Director of the City of Peachtree City, Georgia, so as to review the financial status of the corporation.

The ~~Seven (7)~~ member Board of Directors and any officers of the Corporation shall be appointed in the manner established in Section: 3.3 of these Bylaws. The Board of Directors shall have full power and authority to review and approve in advance both short-term and long-term budgets, capital and operating, of income and expenditures of the Corporation and to exercise such other supervision and control over the affairs and property of the Corporation as the Board of Directors of the Corporation may deem necessary or desirable to ensure the 501(c)(6) purposes and functions of the Corporation are carried out.

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3.2 Board of Directors. The ultimate property, affairs, activities and concerns of the Corporation shall be vested in a Board of Directors, consisting of ~~Seven (7)~~ directors. The members of the Board shall, upon appointment, immediately enter upon the performance of their duties and shall continue in office until their successor shall have been duly appointed and qualified, or until the director's earlier death, resignation, removal or disqualification.

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3.3 Manner of Appointment and Term of Office. The Board of Directors shall be comprised as follows:

1. One (1) member of the Development Authority of Peachtree City to be selected by that Board after the initial term of office of such member named in these Bylaws. After the initial term of office set forth in these Bylaws, the term of office for such person shall be two (2) years.
2. The Chairperson of the Recreation Commission of the City of the City of Peachtree City; and
3. One member of the City Council of Peachtree City to be selected by a majority of the members of the governing body of the City of Peachtree City, such member to be selected in January of each year.
4. One (1) member of the Peachtree City Airport Authority to be selected by a majority of the members of such board after the initial term of office of such member named in these Bylaws. After the initial term of office set forth in these Bylaws, the term of office for such person shall be two (2) years.
5. One (1) person who serves as a manager or owner of a retail development within the City of Peachtree City, such person to be selected by the governing authority of the City Council of Peachtree City after the initial term of office of such member named in these Bylaws. After the initial term of office set forth in these Bylaws, the term of office for such person shall be two (2) years.
6. One (1) person who serves as a manger, owner, or operator of a hotel or motel located in Peachtree City, such person to be selected by the governing authority of the City Council of Peachtree City after the initial term of office set forth in the Amended and Restated Bylaws of the Corporation. After the initial term of office set forth in the Amended and Restated Bylaws, the term of office for such person shall be two (2) years or until such person leaves his or her place of employment in Peachtree City.
7. One (1) person who serves as a manager, owner, or operator of a recreational venue, sports association, or other athletic facility located in Peachtree City, such person to be selected by the governing Authority of the City Council of Peachtree City after the initial term of office set forth in the Amended and Restated Bylaws of the Corporation. After the initial term of office set forth in the Amended and Restated Bylaws, the term of office for such person shall be two (2) years or until such person leaves his or her place of employment in Peachtree City.

The Board shall consist of a chair, a vice-chair and a secretary/treasurer to be chosen by the Board of Directors of the Corporation. The initial members of the Board and terms of office for each shall be as follows:

<u>Name</u>	<u>Term expires</u>
Doug Sturbaum (Council member)	December 31, 2010
Mark Bullard (Recreation Commission Chair)	December 31, 2011
Sherri Smith Brown (Development Authority member)	December 31, 2011
Bill Rial (Airport Authority member)	December 31, 2010
Becky She (Retail manager)	December 31, 2011
Kai Wolter (Hotel/motel)	December 31, 2011
Tim Dunlap (Recreation Venue)	December 31, 2010

Deleted: In addition to the above five (5) directors, the Mayor and City Council shall appoint one (1) person to serve in an ex-officio, non-voting role. Such person shall be the The manager of a hotel located in Peachtree City or designee. The designee shall be someone under the direct supervision of the hotel manager by virtue of their employment. The manager of the hotel shall be recommended to the Mayor and City Council by the Board of Directors of the Peachtree City Convention & Visitors Bureau, Inc. After the initial term of office set forth in these Bylaws, the term of office for such person shall be one (1) year or until such person leaves his or her place of employment in Peachtree City.

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3.4 Removal. Any director may be removed by the Council. A removed director's successor shall be appointed by the Council to serve the unexpired term. Failure of any director to attend seventy-five percent (75%) of the meetings of the Board of Directors of the Corporation held in any fiscal year of the Corporation shall operate as a tender of such director's resignation, and such director shall be removed from the Board; provided, however, that a director, may petition the Board for an excused absence due to unavoidable circumstances.

3.5 Vacancies. Any vacancy in the Board of Directors arising at any time and from any cause, may be filled for the unexpired term only by the Council. Unless otherwise provided by these bylaws, each director so appointed shall hold office until the expiration of his or her term and the qualification of his or her successor.

3.6 Compensation. There shall be no Director compensation. Directors may be reimbursed for actual out-of-pocket expense incurred in pursuing the business of the Corporation, provided the expenses are approved by the Board prior to being incurred, or are incurred pursuant to prior established Board policy.

ARTICLE FOUR

Meetings of the Board of Directors

4.1 Place of Meetings. Meetings of the Board of Directors may be held at any place within the State of Georgia as set forth in the notice thereof or in the event of a

meeting held pursuant to waiver of notice, as may be set forth in the waiver, or if no place is so specified, at the principal office of the Corporation.

4.2 Annual Meeting; Notice. The annual meeting of the Board of Directors shall be held at such place as the Board of Directors shall determine on such day and at such time as the Board of Directors shall designate. Unless waived as contemplated in Section 5.2, notice of the time and place of such annual meeting shall be given by the secretary either personally or by telephone or by mail or by telegram not less than ten (10) nor more than fifty (50) days before such annual meeting.

4.3 Regular Meetings; Notice. Regular meetings of the Board of Directors shall be held from time to time between annual meetings at such times and at such places as the Board of Directors may prescribe.

4.4 Special Meetings; Notice. Special meetings of the Board of Directors may be called by the Chair, or by any four (4) of the directors in office at that time. Notice of the time, place and purpose of any special meeting of the Board of Directors shall be given by the secretary/treasurer either personally, by telephone, by mail, by email, by telegram, or by facsimile at least twenty-four (24) hours before such meeting.

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4.5 Waiver. Attendance by a director at a meeting shall constitute waiver of notice of such meeting, except where a director attends a meeting for the express purpose of objecting to the transaction of business because the meeting is not lawfully called.

4.6 Quorum. Four (4) directors shall constitute a quorum.

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4.7 Vote Required for Action. Except as otherwise provided in these bylaws or by law, the act of four (4) directors present at a meeting shall be the act of the Board of Directors.

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4.8 Adjournments. A meeting of the Board of Directors, whether or not a quorum is present, may be adjourned by a majority of the directors present to reconvene at a specific time and place. It shall not be necessary to give notice of the reconvened meeting or the business to be transacted, other than by announcement at the meeting that was adjourned. At any such meeting at which a quorum is present, any business may be transacted which could have been transacted at the meeting, which was adjourned.

4.9 Compliance with Georgia law. All meetings of the Board shall be conducted in accordance with the Georgia Open Meetings Law, O.C.G.A. § 50-14-1 et seq.

ARTICLE FIVE

Notice and Waiver

5.1 Procedure. Whenever these bylaws require notice to be given to any director, the notice shall be given as prescribed in Article Four. Whenever notice is given to a director by mail, the notice shall be sent by first-class mail by depositing the same in a post office box or letter box in a postage prepaid sealed envelope addressed to the director at his address as it appears on the books of the Corporations and such notice shall be deemed to have been given at the time the same is deposited in the United States mail. Notice shall be deemed to have been given by telegram, cablegram, facsimile, or email at the time notice is filed with the transmitting agency.

5.2 Waiver. Whenever any notice is required to be given to any director by law, by the articles of incorporation, or by these bylaws, a waiver thereof in writing signed by the director entitled to such notice, whether before or after the meeting to which the waiver pertains, shall be deemed equivalent thereto.

ARTICLE SIX

Officers

6.1 Number and Qualifications. The executive officers of the Corporation may consist of officers as the Board deems necessary for the efficient management of the Corporation; but the Corporation shall not be required to have, at any time, any officers other than the chair, vice-chair and secretary/treasurer which shall be members of the Board.

6.2 Election and Term of Office. The executive officers of the Corporation, shall be elected by the Board of Directors of the Corporation on a biannual basis at the first meeting after Board appointments have been made by Council, and shall serve at the will of said Board.

6.3 Other Agents. Subject to Section 3.1 of these Bylaws, the Board of Directors may appoint from time to time such agents as it may deem necessary or desirable, each of whom shall hold office at the pleasure of the Board, and shall have such authority and perform such duties and shall receive such reasonable compensation, if any, as the Board of Directors may from time to time determine.

6.4 Removal. Any officer or agent elected or appointed by the Board of Directors of the Corporation, may be removed by the Board of Directors whenever in its judgment the best interests of the Corporation will be served thereby; provided that any such removal shall be without prejudice to the contract rights, if any, of the officer or agent so removed.

6.5 Vacancies. A vacancy in any office arising at any time and from any cause may be filled for the unexpired term by the Peachtree City City Council.

6.6 Chair. The chair shall preside at all meetings of the Board of Directors. The chair shall appoint the members and chairs of any committee of the board. He or she shall perform such other duties and have such other authority and powers as the Board of Directors may from time to time prescribe. The chair shall be a member of the Board and shall report to and be supervised by the Board of Directors.

6.7 Vice-Chair. The vice-chair shall preside at all meetings of the Board of Directors in the absence or disability of the chair, and shall act in the place of the chair in the chair's absence or disability. He or she shall perform such other duties, and have such other authority and powers as the Board of Directors may from time to time prescribe. The vice-chair shall be a member of the Board, and shall report to and be supervised by the Board of Directors.

6.8 Secretary / Treasurer. The secretary/treasurer shall attend all meetings of the Board of Directors and record, or cause to be recorded, all votes, actions and the minutes of all proceedings in a book to be kept for that purpose and shall perform, or cause to be performed, like duties for other board committees when required. The secretary/treasurer shall give, or cause to be given, notice of all meetings of the Board of Directors. The secretary/treasurer shall keep in safe custody the seal of the Corporation and, when authorized by the Board of Directors or the Chair, affix it to any instrument requiring it. The secretary/treasurer shall be a member of the Board and shall report to and be under the supervision of the Board of Directors. He or she shall perform such other duties and have such other authority and powers as the Board of Directors may from time to time prescribe.

ARTICLE SEVEN

Conflict and Disclosure of Interest

The directors and officers of the Corporation shall comply with and enforce the "Conflict and Disclosures of Interest" policies as adopted by these Bylaws, and may be amended from time to time.

7.1 Purpose. The purpose of the conflicts of interest policy is to protect the Corporation's interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer or director of the Corporation. This policy is intended to supplement but not replace any applicable state laws governing conflicts of interest applicable to nonprofit and charitable corporations.

7.2 Definitions.

Interested Person: Any director, principal officer, or member of a committee with board delegated powers that have a direct or indirect financial interest, as defined below, is an interested person. If a person is an interested person with respect to any entity or venue in which the Corporation is a part, he or she is an interested person with respect to all such entities.

Financial Interest. A person has a financial interest if the person has, directly or indirectly, through business, investment or family:

- a. an ownership or investment interest in any entity with which the Corporation has a transaction or arrangement, or
- b. a compensation arrangement with the Corporation or with any entity or individual with which the Corporation has a transaction or arrangement, or
- c. a potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Corporation is negotiating a transaction or arrangement.

Compensation includes direct and indirect remuneration as well as gifts or favors that are substantial in nature.

A financial interest is not necessarily a conflict of interest, a person who has a financial interest may have a conflict of interest only if the Board of Directors decides that a conflict of interest exists.

7.3 Procedures

7.3.1 Duty to Disclose. In connection with any actual or possible conflicts of interest, an interested person must disclose the existence of his or her financial interest and must be given the opportunity to disclose all material facts to the Board of Directors and members of committees with board delegated powers considering the proposed transaction or arrangement.

7.3.2 Determining Whether a Conflict of Interest Exists. After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he/she shall leave the Board meeting while the determination of a conflict of interest is discussed and voted upon. The remaining Board members shall decide if a conflict of interest exists.

7.3.3 Procedures for Addressing the Conflict of Interest.

- a. An interested person may make a presentation at the board or committee meeting, but after such presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement that results in the conflict of interest.
- b. The chair/president of the Board shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.

- c. After exercising due diligence, the Board shall determine whether the Corporation can obtain a more advantageous transaction or arrangement with reasonable efforts from a person or entity that would not give rise to a conflict of interest.
- d. If a more advantageous transaction or arrangement is not reasonably attainable under circumstances that would not give rise to a conflict of interest, the Board or committee shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in the Corporation's best interest and for its own benefit and whether the transaction is fair and reasonable to the Corporation and shall make its decision as to whether to enter into the transaction or arrangement in conformity with such determination.

7.3.4 Violations of the Conflicts of Interest Policy.

- a. If the Board has reasonable cause to believe that a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
- b. If, after hearing the response of the member and making such further investigation as may be warranted in the circumstances, the Board determines that the member has in fact failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

7.4 Records of Proceedings.

The minutes of the Board and all committees with board-delegated powers shall contain:

- a. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the board's or committee's decision as to whether a conflict of interest in fact existed.
- b. The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection therewith.

7.5 Compensation.

- a. A voting member of the Board of directors who receives compensation, directly or indirectly, from the Corporation for services is precluded from voting on matters pertaining to that member's compensation.
- b. A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Corporation for services is precluded from voting on matters pertaining to that member's compensation.

7.6 Annual Statements.

Each member of the board and each officer shall annually sign a statement, *which* affirms that such person:

- a. has received a copy of the conflicts of interest policy,
- b. has read and understands the policy,
- c. has agreed to comply with the policy, and
- d. understands that the Corporation is a charitable organization and that in order to maintain its federal tax exemption it must engage primarily in activities, which accomplish one or more of its tax-exempt purposes.

ARTICLE EIGHT

Committees

8.1 Committees of Directors. Committees, each consisting of one (1) or more directors, not having and exercising the authority of the Board of Directors in the management of the Corporation may be designated by a resolution adopted by a majority of directors.

8.2 Advisory and Other Committees. The Board of Directors may provide for such other committees, including committees, advisory groups, boards of governors, etc., consisting in whole or in part of persons who are not directors of the Corporation, as it deems necessary or desirable, and discontinue any such committee as its pleasure. It shall be the function and purpose of each such committee to advise the Board of Directors on matters relating to the business and affairs of the Corporation; and each such committee shall have such powers and perform such specific duties or functions, not inconsistent with the articles of incorporation of the Corporation or these bylaws, as may be prescribed for it by the Board of Directors.

8.3 Finance Committee. There is hereby created a Finance Committee of the Corporation, the members of which committee shall include the City Manager and City

Financial Services Director of the City of Peachtree City, Georgia, the Executive Director of the Corporation, and a member of the Board of Directors. The Finance Committee shall meet not less than one (1) time each month so as to review the financial posture and status of the Corporation.

8.4 Committee Governance. Except as otherwise provided in Board resolution or in these bylaws, a committee formed by the Board shall be generally governed as follows:

8.4.1 Appointment and Removal. Except as otherwise provided in such resolution or in these bylaws, members of each such committee shall be appointed by the chairperson of the Corporation. Any member of any committee may be removed by the person or persons authorized to appoint such member whenever in their judgment the best interests of the Corporation shall be served by such removal.

8.4.2 Terms of Appointment. Each member of a committee shall continue as such until the next annual meeting of the Board of Directors or until his successor is appointed, unless the committee shall be sooner terminated, or unless such member shall be removed from such committee, or unless such member shall cease to qualify as a member thereof.

8.4.3 Meetings, Notice and Waiver. The committee may establish a regular meeting schedule. Special meetings of the committee may be called by, or at the direction of, the chairperson of the committee, the Corporation's Chair, or a majority of the members of the committee. Notice of the time, place and purpose of any meeting, except scheduled regular meetings, shall be given, in writing, by the chairperson of the committee or the president, or either's designee, to each member personally, be personal delivery, telephone, facsimile, e-mail or telegram at least twenty-four (24) hours prior to the meeting, or by mailing at least three (3) days prior to the meeting. Attendance of a member at a meeting shall constitute a waiver of notice of the meeting. Attendance of a member at a meeting shall constitute a waiver of notice of the meeting, except where the member delivers to the chairperson, before any vote is taken, a written objection to the notice or the calling of the meeting. No business shall be conducted at any called meeting except that stated in the notice, unless all then serving members are present and consent to non-noticed business being discussed or acted upon. Business may be conducted at a special meeting upon written waiver of notice by all members, or upon written waiver of notice being obtained from all members not receiving notice. The committee shall keep minutes of its proceedings and shall report to the Board at meetings of the Board.

8.4.4 Chair. One member of each committee shall be appointed chair thereof by the chair of the Corporation.

8.4.5 Vacancies. Vacancies in the membership of any committee may be filled by appointments made in the same manner as provided in the case of the original appointments.

8.4.6 Quorum. Unless the Board of Directors directs otherwise, eighty percent (80%) or more of the committee members then serving shall constitute a quorum; and the act of a majority of the members present at a meeting at which a quorum is present shall be the act of the committee.

8.4.7 Rules. Each committee may adopt rules for its own government, so long as such rules are not inconsistent with these bylaws or with rules adopted by the Board of Directors.

8.4.8 Board Reports and Control. Any action of a committee shall be reported to the Board of Directors at its regular meeting next succeeding such action and shall be subject to control, revision and alteration by the Board of Directors.

ARTICLE NINE

Contracts, Checks, Deposits, and Funds

9.1 Contracts. The Board of Directors may authorize any officer or officers, agent or agents of the Corporation, in addition to the officers so authorized by these bylaws, to enter into any contract or execute and deliver any instrument in the name and on behalf of the Corporation. Such authority must be in writing and may be general or confined to specific instances.

9.2 Checks, Drafts, Notes, Etc. All checks, drafts or other orders for the payment of money, notes or other evidences of indebtedness issued in the name of the Corporation shall be signed by the chair or vice-chair and countersigned by the City Manager or Director of Finance of the City of Peachtree City.

9.3 Deposits. All funds of the Corporation shall be deposited from time to time to the credit of the Corporation in such banks, trust companies or other depositories as the Board of Directors may select.

9.4 Gifts. The Board of Directors may accept on the behalf of the Corporation any contribution, gift, bequest, or devise for the general purposes or for any special purpose of the Corporation.

ARTICLE TEN

Indemnification and Insurance

10.1 Indemnification. In the event that any person who was or is a party to or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative, seeks indemnification from the Corporation against expenses, including attorney's fees (and in the case of actions other than those by or in the right of the Corporation, judgments, fines and amounts paid in settlement), actually and reasonably incurred by him in connection with such action, suit, or proceeding by reason of the fact that such person is or was a director, officer, employee, trustee, or agent of the Corporation, or is or was serving at the request of the Corporation as a director, officer, employee, trustee, or agent of another Corporation, domestic or foreign, not-for-profit or for profit, partnership, joint venture, trust, or other enterprise, then, unless such indemnification is ordered by a court, the Corporation shall determine, or cause to be determined, in the manner provided under Georgia law; and, to the extent it is so determined that such indemnification is proper, the person claiming such indemnification shall be indemnified to the fullest extent now or hereafter permitted by Georgia law.

10.2 Indemnification Not Exclusive of Other Rights. The indemnification provided in Section 10.1 above shall not be deemed exclusive of any other rights to which those seeking indemnification may be entitled under the articles of incorporation of bylaws, or any agreement, vote of members or disinterested directors, or otherwise, both as to action in his official capacity and as to action in another capacity while, holding such office, and shall continue as to a person who has ceased to be a director, officer, employee, trustee, or agent, and shall inure to the benefit of the heirs, executors, and administrators of such a person.

10.3 Insurance. To the extent permitted by Georgia law, the Corporation may purchase and maintain insurance on behalf of any person who is or was a director, officer, employee, trustee, or agent of the Corporation, or is was serving at the request of the Corporation as a director, officer, employee, trustee, or agent or another corporation, domestic or foreign, not-for-profit or for profit, partnership, joint venture, trust or other enterprise.

ARTICLE ELEVEN

Miscellaneous

11.1 Books and Records. The Corporation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its members, Board of Directors, and committees having any of the authority of the Board of Directors. The Corporation shall keep at its registered or principal office a record giving the names and addresses of the directors.

11.2 Corporate Seal. The corporate seal (of which there may be one or more exemplars) shall be in such form as the Board of Directors may from time to time determine.

11.3 Fiscal Year. The Board of Directors is authorized to fix the fiscal year of the Corporation and to change the same from time to time as it deems appropriate.

11.4 Internal Revenue Code. All references in these bylaws to sections of the Internal Revenue Code shall be considered references to the most recent revision of the Internal Revenue Code, as from time to time amended, to the corresponding provisions of any applicable future United States Internal Revenue Law, and to all regulations issued under such sections and provisions.

11.5 Construction. Whenever the context so requires, the masculine shall include the feminine and neuter, and the singular shall include the plural, and conversely. If any portion of these bylaws shall be invalid or inoperative, then, so far as is reasonable and possible, the remainder of these bylaws shall be considered valid and operative, and effect shall be given to the intent manifested by the portion held invalid or inoperative.

11.6 Table of Contents; Headlines. The table of contents and headings are for organization only.

11.7 Relation to Articles of Incorporation. These bylaws are subject to, and governed by, the articles of incorporation.

ARTICLE TWELVE

Amendments

12.1 Powers to Amend Articles and Bylaws. Subject to the provisions of Section 12.2 of this Article, the Board of Directors shall have the power to alter, amend, or repeal the articles of incorporation or these bylaws, or adopt new bylaws; provided, however, that the Board of Directors shall have no power or authority to make any changes in the articles of bylaws which would in any way diminish or derogate from the duties at Section 2.2 of these Bylaws.

12.2 Conditions. Action by the Board of Directors with respect to the articles of incorporation or these bylaws shall be taken by the affirmative vote of a majority of all directors then holding office. Anything in these bylaws to the contrary notwithstanding, no action with respect to the articles of incorporation or these bylaws shall be taken without the prior written approval of the City Council.

ARTICLE THIRTEEN

Reserved Powers of the Council

13.1 Limitations on Board of Directors. Notwithstanding any other provision contained herein, the Board of Directors of the Corporation shall not undertake the following actions without the prior approval of the Council:

- a. Expend cash or incur any indebtedness with respect to any transaction or group of related transactions in excess of \$10,000.00, excluding any amounts previously approved as a part of the Corporation's capital budget or business plan (such transactions requiring approval pursuant to this section being hereinafter referred to as "Material Transactions");
- b. Approve the acquisition of control by the Corporation of, or the affiliation of the Corporation with, any other entity;
- c. Amend the articles of incorporation or bylaws of the Corporation;
- d. Voluntarily file any petition in bankruptcy;
- e. Adopt any short-term capital or operational or long-term budget of the Corporation; or
- f. Acquire, sell, transfer or otherwise dispose of any assets of the Corporation, excluding: (i) transactions occurring in the ordinary course of business, (ii) transactions previously approved as part of the Corporation's budget or business plan, (iii) transactions among the Corporation and the City of Peachtree City.

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ARTICLE FOURTEEN

Tax-Exempt Status

14.1 The affairs of the Corporation at all times shall be conducted in such a manner as to assure its status as an organization as defined in Section 501(c)(6) of the Internal Revenue Code.

14.2 The Corporation shall have all the powers permitted nonprofit corporations in the State. Notwithstanding anything contained herein to the contrary, the Corporation:

- a. Shall only exercise such powers
- b. Shall engage in only such activities
- c. Is organized exclusively for such purposes as shall be permitted under Section(c)(6) of the Internal Revenue Code and regulations issued pursuant thereto as they now exist or as they may hereafter be amended.

14.3 No part of the income of the Corporation shall inure to the benefit of, or be distributable to, any director, officer, employee, or other agent of the Corporation or to

any other private individual (except that reasonable compensation may be paid for services rendered to or for the Corporation in furtherance of its purposes), and no director, officer, employee, or other agent of the Corporation, or any other private individual, shall be entitled to share in the distribution of any of the corporate assets on dissolution of the Corporation.

14.4 In the event of dissolution, the balance of all assets received by the Corporation for its operations, after the payment of all debts and obligations of the Corporation, shall be distributed to the City of Peachtree City (or an entity that is an integral part of the City of Peachtree City), provided that such entity's income is excludable from gross income under Section 115(1) of the Internal Revenue Code.

ARTICLE FIFTEEN

Adoption of Bylaws

Peachtree City Convention & Visitors Bureau, is organized under the laws of the State of Georgia on this _____ day of _____, 2010. The Bylaws were adopted by resolution of the Board of Directors and the Corporation on and became effective as of said date.

Effective date. This Amended and Restated By-Laws of the Peachtree City Convention & Visitors Bureau, Inc. shall become effective _____, 2010.

Adopted by a majority vote of the Board of Directors, in a public and open session of a regularly scheduled meeting of the Board of Directors, at which a quorum was present and voting on the _____ day of _____, 2010.

Adopted: _____
Kai Walter, Acting Chairman
Peachtree City Convention &
Visitors Bureau, Inc.

Attest: _____

Approved on _____, 2010, by a majority vote of the City of Peachtree City Council ("Council"), in a public and open session of a regular scheduled meeting, at which a quorum was present and voting.

By: _____
Don Haddix, Mayor

ATTEST:

Betsy Tyler, City Clerk

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: City Council

VIA: City Manager 
Finance Director 

FROM: Director of Leisure Services 

DATE: July 7, 2010

SUBJECT: Discuss and Consider Expansion of Gathering Place
For July 15, 2010 City Council Meeting

Recommendation: That the City Council considers information provided by staff relative to a proposed expansion of the Gathering Place and provide guidance to staff regarding funding sources, which could include a general obligation bond question on the upcoming November ballot.

Background: At the June 17 City Council meeting, Council directed staff to provide construction and cost figures for a project that would provide new programming space at the Gathering Place. This new space was to be the same approximate size of the existing large room in that facility. Using the plans developed in 2007 for a three-phase expansion, staff worked with the Leo Daly architectural company to obtain updated cost estimates for a variation of the first phase of that project. Based on an expansion of 3,750 square feet the total cost would be \$669,393. This cost includes architectural and engineering costs, site preparation, construction costs and contingency. In addition we would add \$45,000 for furniture, fixtures and equipment, for a total cost of \$714,393 plus \$75,000 in bond issuance costs for a total \$789,393.

If council approves the expansion plan and authorizes a bond question, staff will proceed with actions required to have a resolution on the August 5th agenda and move forward with getting it on the November ballot. Depending on the cost and the economics of doing a bond, staff may also present an alternative funding approach.

Budget Impact: If a general obligation bond passes, the city would be obligated to budget \$102,230 for annual debt service for the duration of the 10-year bond at 5% annual interest. This would call for a commensurate bond millage rate increase of approximately .056 mills, or \$5.82 for the average \$260,000 home in Peachtree City. For a 15-year bond with 5.5% interest the annual debt service would be \$78,644. This would call for a commensurate bond millage rate increase of .043 mills or \$4.47 for the average \$260,000 home in Peachtree City. The bond total of \$789,393 includes an estimated \$75,000 in bond issuance costs that would be included in the bond proceeds. Also, about \$25,000 would need to be obligated from the operating budget for administrative costs to put the referendum on the ballot, since there are no other municipal elections planned for this November. There would also be an increase in annual operating costs of the facility estimated at \$13,500. This operating cost is not reflected in the millage rate estimates noted above.