

City Council of Peachtree City

Agenda

June 1, 2000

7:00 p.m.

- I. Pledge of Allegiance
- II. Announcements, Awards, Special Recognition
 - Recognition of Marie Washburn for service on the Library Commission
 - Proclamation - McIntosh High School Lady Chiefs Soccer Team
- III. Minutes – May 4, 2000
 - May 18, 2000
- IV. Old Agenda Items
 - 05-00-08 Public Hearing – Variance, Lot 1 Kedron Office Park
- V. New Agenda Items
 - 06-00-01 Public Hearing – Variance, MA Industries, 305 Dividend Drive
 - 06-00-02 Consider Funding Request - Oak Grove Elementary School
 - 06-00-03 DOT Contract – Sumner Road
- VI. Council/Staff Topics
- VII. Executive Session

Notice: This agenda is subject to change up to 24-hours prior to the meeting.



Peachtree City

Georgia

Date: May 26, 2000

To: Mayor and Councilmembers

Via: City Manager *[Signature]*
Director of Developmental Services

From: City Planner *David*

Re: **Kedron Office Building – variance request**
Meeting with Homeowners' Association

Last evening, I met with the Kedron Hills Homeowners' Association to review the master plan for the Kedron Office Park, the conceptual site plan for the Kedron Office Building and the variance being requested to increase the overall height of this building. There were numerous questions and comments, but it appeared there was a general understanding of what was being proposed for this particular parcel.

One of the concerns was the possibility of setting precedence for the remaining undeveloped parcels within the office park. Development of these parcels would be much closer to the existing residential lots, and I explained we would be looking at this in detail when these sites were developed.

I will be meeting with several of the property owners again next Tuesday evening to walk the property under consideration. Following that meeting, I will prepare an additional Memo and forward this to you prior to the City Council meeting.



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I will be meeting with several of the property owners again next Tuesday evening to walk the property under consideration. Following that meeting, I will prepare an additional Memo and forward this to you prior to the City Council meeting.

City Council of Peachtree City
Minutes of Meeting
May 4, 2000
7:00 p.m.

The City Council of Peachtree City met in a regular session, Thursday, May 4, 2000, at 7:00 p.m. in the City Hall Council Chambers. Mayor Robert L. Lenox led those attending in the pledge of allegiance. Other Council members present were: Carol Fritz, Annie McMenamin, Dan Tennant and Bob Brooks.

ANNOUNCEMENTS, AWARDS, SPECIAL RECOGNITION

Mayor Lenox read a proclamation for Older Americans' Month.

MINUTES

McMenamin made a motion to approve the minutes of April 20, 2000, as presented. Fritz seconded the motion. Motion carried unanimously.

03-00-01 Appointment – City Attorney/Solicitor

The City Manager read a recommendation to reappoint the firm as Webb, Stuckey and Lindsey as the City Attorney/Solicitor. Robert Brown, a resident of the Planterra Subdivision, addressed Council to object to the appointment. McMenamin stated she would abstain from the discussion or vote regarding this matter because her daughter was an attorney with the firm of Webb, Stuckey and Lindsey.

Mayor Lenox referred to the recent publicity regarding the City Attorney as politically motivated strident allegations based on personal animosity. Lenox felt that Peachtree City had one of the most open, honest and efficiently run governments that existed. Mayor Lenox felt Jim Webb and his firm had done an excellent job for the City and he felt they deserved to be reappointed. However, he said he would make a motion to compromise because he felt that public opinion did matter even when it was mistaken or cynically and shamelessly manipulated.

Lenox made a motion to appoint Rick Lindsey, personally, as the City Attorney with the following four provisions:

1. Lindsey would be free to use the resources of the firm of which he is a partner, Webb Stuckey and Lindsey, as he deems appropriate in fulfilling his obligation as City Attorney;
2. The rates by all services rendered by and through him would be as set forth in the proposal dated January 5, 2000 from his firm;
3. The appointment shall deemed effective January 1, 2000;
4. The appointment shall run through December 31, 2001.

Fritz seconded the motion and expressed her opinion on the matter. She felt the recent publicity was politically motivated and she felt that by not reappointing the firm Council was basically stating they were guilty without a trial. She said the allegations had never been proved and that Webb should be considered innocent until such proof could be made. She also clarified that the City Attorney would not represent the City in future lawsuits because the City purchased insurance through GMA for that purpose.

Lenox asked Lindsey if the motion was acceptable to him. Lindsey said that it was.

Tennant said he did not have a personal interest in replacing the City Attorney. He felt there were potential conflicts and he objected to the fact that Webb, Stuckey and Lindsey was the high bidder. He felt the City could make a better choice.

Brooks supported staff's recommendation and felt that the overall costs were reasonable compared to fees that would be charged from firms that were not local. He also addressed the recent allegation of a violation of the ethics ordinance. He explained the facts as he saw them and stated that he felt no violation had occurred. He felt the lawsuit between Webb and the local newspaper was beyond the Council's realm, but he felt many of the attacks on Webb were politically motivated. He read a portion of an e-mail dated December 7, 1999, that was sent unanimously to several public officials. He said the document was an open record and was included in court records. He said the document mentioned a fellow councilmember, Dan Tennant, and that he felt it clearly showed an intentional and political motivation regarding the recent publicity surrounding Mr. Webb.

Tennant asked if Lindsey would receive payment from the firm. Lenox said the checks would be made payable to Rick Lindsey personally.

Lenox called for a vote on the motion. Motion carried with McMenamin abstaining and Tennant opposing.

04-00-15 Consider Amendment to City Council Meeting Rules and Procedures Ordinance

Rick Lindsey, City Attorney, reviewed the proposed changes to the City Council Meeting Rules and Procedures that were made as instructed by Council at the last meeting. Fritz expressed concern over using the word "shall" instead of the word "may" when giving citizens an opportunity to address Council. She felt that it took control from the chair. Lenox said Council could always change the ordinance if there were problems in the future. Tennant made a motion to adopt the ordinance amendment as presented. Brooks seconded the motion. Motion carried with Fritz opposing. Fritz instructed staff to place the ordinance back on the November 2, 2000, agenda for review and discussion.

Lenox made a motion to rearrange the agenda to consider the settlement of the Black lawsuit prior to considering the rezoning request for the Black Property. Fritz seconded the motion. Motion carried unanimously.

05-00-04 Lawsuit Settlement - Black Property

Rick Lindsey, City Attorney, asked if any member of Council had a problem with discussing the lawsuit settlement in public since those discussions usually took place in executive session. Tennant asked if there were legal obligations to hold the discussion in executive session. Lindsey said there were none. Lenox said any member of Council could make a motion to go into executive session if they became uncomfortable with the discussion. Lindsey explained that the Black Lawsuit comprised of three separate lawsuits relating to property belonging to the Black

family. Two of the lawsuits concerned property that was rezoned by the City from General Industrial to Residential zoning against the property owner's wishes. The third lawsuit concerned the City's buffer ordinance. Mr. Black wished to settle all three lawsuits but requested Peachtree City to release any future claims against him regarding the suits. Lindsey said he reviewed the settlement agreements and felt comfortable with them. Brooks made a motion to accept the settlement agreement. Fritz seconded the motion. Motion carried unanimously.

Lenox said the next three agenda items would be conducted as public hearings and he read the rules for conducting such.

04-00-13 Public Hearing – Zoning – Black Property, GA 74 South

Lenox asked first to hear from the applicant and those supporting the rezoning. The applicant, Marvin Isenberg, addressed Council to request the rezoning of 15.81-acres from R-12 Residential to GC General Commercial for the development of a Kroger shopping center. He said the proposed shopping center would have four curb cuts on Highway 74, and that the developer would pave the extension of Holly Grove Road. He also said they would install a traffic signal at the intersection of Holly Grove Road and Highway 74.

Robert Brown spoke in favor of the rezoning. He opposed allowing four curb cuts on Highway 74, but he understood that approval of the rezoning application would not approve the conceptual plan. He would address that issue with the Planning Commission at the proper time.

Jim Williams, Director of Developmental Services, spoke in favor of the rezoning. He said the Planning Commission recommended approval with five conditions. One of the conditions was the settlement of the lawsuit.

Hearing no one else speak in favor of the rezoning, Lenox asked if anyone wished to speak in opposition to the rezoning. Hearing no opposition, Lenox asked if there were any questions. There were several questions and comments regarding the following: buffer requirements, watershed protection, right-of-way requirements for the widening of Highway 74, concern about another Kroger in Peachtree City, the potential for increased traffic and speed along Holly Grove Road, and development's impact on the school system.

Williams said Holly Grove Road was designed to be a minor collector road but that staff was concerned about excessive speed. He said the City Engineer would be monitoring the situation and would be considering traffic calming devices for the area.

Lenox closed public discussion and opened the floor for council to debate the issue and to render a decision.

McMenamin supported the rezoning and felt it was a good use for the property. She suggested that a roundabout be considered as an option for a traffic calming device for the area if the needed.

Tennant said it was ironic, but he felt the development would help alleviate some of the traffic problems at the Highway 74/54 intersection. He questioned the development of another Kroger in Peachtree City instead of a competitor.

Lenox advised the citizens in attendance that the County would be receiving a rezoning request concerning 100-acres located adjacent to Redwine Road for the specific purpose of building a massive shopping center. He said the location was outside Peachtree City's boundaries and Council would have no control over it. He felt the proposed rezoning before Council that night was appropriate in size and location for the neighborhood; however, he did not feel the development that was being contemplated just outside the city limits was appropriate.

McMenamin made a motion to approve the rezoning of 15.81-acres from R-12 Residential to GC General Commercial with the following conditions:

1. All lawsuits involving the property shall be dismissed prior to the rezoning becoming effective.
2. Holly Grove Road shall be connected from GA 74 to Robinson Road prior to the occupancy of the first business in the center.
3. A 50-foot landscaped buffer, which has been approved by the Planning Commission, shall be installed between the center and all residential lots prior to the occupancy of the first business.
4. Right-turn lanes shall be provided for all access drives. Left-turn lanes shall be provided for Holly Grove Road and the service drive on the north side of the site. All required medians and islands shall be landscaped. A traffic signal shall be installed at the Holly Grove Road intersection. All improvements are subject to the approval of the City Engineer and must be installed prior to the occupancy of the first business.
5. Approval of the zoning shall in no way imply approval of any specific site plan.

Lenox asked Mr. Isenberg if the conditions were acceptable. He said that they were. Brooks seconded the motion. Motion carried unanimously.

NEW AGENDA ITEMS

05-00-01 Public Hearing – Rezoning – Gibson Tract, 10.78 acre tract, Robinson Road

The applicant, Bill Gibson, addressed Council to request the rezoning of a 10.77-acre tract located on the east side of Robinson Road between Redwine Road and Holly Grove Church Road from R-22 Residential to LUR Limited Use Residential for the development of 30 lots using the R-15 density. He proposed a cluster type development that would leave a large buffer and greenbelt surrounding the entire tract by putting the focus of the development in the center of the parcel. He said he originally asked for 31 lots, but the Planning Commission recommended 30 lots. If approved, he said approximately 4-acres of the 10.78 acre tract would be left undisturbed. He did not feel the development would have much impact on the school system because the market for cluster type housing was generally popular with individuals who did not have small children.

Jim Williams, Director of Developmental Services, spoke in favor of the rezoning. He said the Planning Commission also supported the rezoning and recommended approval with conditions. Williams explained the conditions and said that Mr. Gibson agreed to all of them. He said all citizens who attended the Planning Commission's Public Hearing spoke in favor of the rezoning.

Hearing no one else speak in favor of the rezoning, Lenox asked if anyone wished to speak in opposition to the rezoning. Hearing no opposition, Lenox asked if there were any questions. There were several questions and comments, a summary of which are as follows: discussion about the increased density from 20 homes to 30 homes; the potential of increased traffic, concern for the impact on the school system, and, it was expressed that the City should not take a developer's economic gain into consideration when making rezoning decisions.

Lenox called the public comment portion of the hearing to a close and opened the floor for Council to debate the issue and to render a decision.

Brooks supported the rezoning. He said he had been concerned about the development of that parcel for a long time and he supported the proposed plan. He felt a cluster-type development would have less impact on the school system than a conventional type development. He also noted that all of the comments from the Planning Commission were positive.

Tennant suggested a compromise in density and asked if the developer could build more expensive homes to make the project work financially with less density. Gibson did not feel that was feasible.

McMenamin agreed with Brooks' comments. She felt comfortable with the proposed zoning and the 'empty-nester' concept. McMenamin made a motion to approve the rezoning as requested with the following conditions:

1. The number of lots shall be no more than 30;
2. There shall be a greenbelt or undisturbed buffer at least 60 feet wide around the entire perimeter;
3. The internal streets shall meet all city street standards;
4. The City Engineer shall approve the location of the entrance street on Robinson Road to assure adequate sight distance and other necessary safety considerations;
5. The developer shall be responsible for contributing a pro rata share of the cost of redeveloping Holly Grove Church Road into a private driveway; and
6. The developer shall be responsible for paying the Braelinn impact fee in addition to the above additional project costs.

Gibson said he agreed to the conditions.

Brooks seconded the motion. Motion carried with Tennant opposing.

Lenox made a motion to take a five-minute recess. Brooks seconded the motion. Motion carried unanimously.

05-00-02 Public Hearing – Variance – Mueller, 707 Avalon Way

Michael J. Mueller addressed Council to request a variance to allow an encroachment of 3.9 feet into the setback area to allow the construction of a porch on his home.

Bruce Moore, the previous owner of the home, spoke in favor of the variance. He said he had always intended to construct a porch on the home and had even reduced the size of his driveway to allow room to do so in the future. He said he relied on the builder telling him that there was enough room, but he did not actually measure the distance himself. Moore said he told Mr. Mueller of the plans to construct the porch when Mr. Mueller was considering the purchase of the home, so he felt somewhat responsible for Moore's situation.

Jim Williams, Director of Developmental Services, spoke in favor of the variance.

Hearing no one else speak in favor of the variance, Lenox asked if anyone would like to speak in opposition to the variance. Hearing no opposition, Lenox asked if there were any questions. Paul Fischer addressed Council and made the comment that he felt builders often built too close to setbacks areas. Lenox called the public input portion of the hearing to a close and opened the floor for Council to debate the issue and to render a decision.

Brooks made a motion to approve the variance to allow a maximum encroachment of 3.9 feet into the setback area. McMenamin seconded the motion. Motion carried unanimously.

05-00-03 Consider Bids for New Police Station

The City Engineer, Troy Besseche, said the City received six bids for the construction of the new police station. He recommended the bid be awarded to the low bidder, Leslie Contracting, Inc. in the amount of \$1,749,000, which was \$154,300 under budget. The bid provided a contract completion date of 180 days. The bid also included an alternate project in the amount of \$9,000 to provide an additional 387 feet of sanitary sewer and one additional manhole to serve sites south of the police station. This additional sewer project was requested and would be funded by Pathway Communities. Besseche said staff had experienced challenges in providing sewer access to the police station site and felt that a joint project would make sense. If Pathway Communities did not provide payment, the project would be deleted from the contract by a change order.

McMenamin made a motion to award the bid to Leslie Contracting, Inc. in the amount of \$1,758,000, which included \$1,749,000 for the construction of the police station and \$9,000 for the alternate sewerage project. The alternate sewerage project would be deleted from the contract by a change order if Pathway Communities did not provide the \$9,000 funding for the project. Fritz seconded the motion. Motion carried unanimously.

05-00-05 Consider Construction Contract – Highway 54 Traffic Signals

The City Engineer, Troy Besseche, explained there was a need to replace the traffic signal pole at the intersection of Highway 54 and Willowbend Road/Northlake Drive and a need to install a new traffic signal at the intersection of Highway 54 and Flat Creek Road. Besseche also said several traffic poles needed to be painted. He said PIP funds in the amount of \$111,124.60 were available

for the projects and recommended the contract be awarded to Atcheson Electrical Contractors, the only company who submitted a bid. The details of the bid are as follows:

Willowbend Northlake Drive	\$ 43,013
Flat Creek Road	\$ 54,636
Painting of Poles	\$ 23,000
Total:	\$120,649

Brooks made a motion to award the construction contract for the Highway 54 Intersections Project to Atcheson Electrical Contractors, Inc. for \$120,649 with \$9,524 coming from the PIP contingency fund as recommended by staff. Fritz seconded the motion. Motion carried unanimously.

05-00-06 Consider Disclosure Requirements for City Appointed Contractors

Rick Lindsey addressed Council stating he had sent Council a memo concerning the City Attorney's position as it related to the City's Code of Ethics and asked for Council's direction to prepare a proposal for review. He said he did not mind disclosing financial information, but asked for guidance as to exactly what needed to be disclosed.

Lenox asked if Council should require an appointed official or contractor to be subject to the same financial disclosure requirements that are required of elected officials.

Brooks said some City's have attorneys that are designated as city officials. He instructed the City Clerk to research the issue to determine how the issue is handled in other cities and to place the item on a future agenda for discussion prior to December of this year. He did not feel there was reason to demand more financial disclosure from the City Attorney than what the state had determined elected officials must disclose.

McMenamin also requested that Lindsey provide the City Clerk with a copy of the Code of Ethics that Attorneys are required to follow so that the document could be kept on file at City Hall.

05-00-07 Appointments to the Library Commission

Brooks made a motion to appoint Mr. Stanley Applegate to the Library Commission to serve a term expiring May 31, 2003, and to appoint Dr. Mary Ann Browning serve as an alternate to fill any vacancy that may occur. McMenamin seconded the motion. Motion carried unanimously.

COUNCIL/STAFF TOPICS

There were no council/staff topics.

Mayor Lenox made a motion to adjourn the meeting. Fritz seconded the motion. Motion carried unanimously. The meeting adjourned at 9:30 p.m.

City Clerk, Nancy Faulkner

Attest: _____
Mayor

City Council of Peachtree City
Minutes of Meeting
May 18, 2000
7:00 p.m.

The City Council of Peachtree City met in a regular session, Thursday, May 18, 2000, at 7:00 p.m. in the City Hall Council Chambers. Mayor Robert L. Lenox led those attending in the pledge of allegiance. Other Council members present were: Carol Fritz, Annie McMenamin, Dan Tennant and Bob Brooks.

ANNOUNCEMENTS, AWARDS, SPECIAL RECOGNITION

Employee of the Month – David McDaniel

MINUTES

The City Clerk was on vacation last week, therefore the minutes of May 4, 2000 were scheduled to be presented at the next meeting for approval.

CONSENT AGENDA

There were no consent agenda items.

OLD AGENDA ITEMS

There were no old agenda items.

NEW AGENDA ITEMS

Mayor Lenox read the rules for conducting public hearings, which would apply for the first two agenda items.

05-00-08 Public Hearing – Variance, Southern Shore, Lot 155

Mayor Lenox called the hearing to order and set a time limit of 15 minutes for each side to present its case. He asked to hear from the applicant and those supporting the variance.

Mr. Rick Sewell addressed council. He recently purchased a under construction located at lot 155 Southern Shore, 211 Palisades. He said the home was currently situated one foot behind the required building setback line, but stairs needed to be built on the front porch. He requested permission to construct a set of stairs on the front of the house that would encroach into the setback area 11 feet.

David Rast, City Planner, spoke in favor of the variance. He said staff felt Mr. Sewell had done a good job in rescuing the abandoned construction project. If the variance was not approved, additional fill would be needed near the front door and would be unattractive. He also pointed out that due the pie shape of the lot the front setback line had been moved back from 40 feet to 54 feet in order to maintain a lot width of at least 95 feet at the side setback line. The front setback line for both of the adjoining lots was 40 feet.

Hearing no one else speak in favor of the variance, Lenox asked to hear from those opposing the variance. Hearing no opposition, Lenox asked if there were any questions. Hearing none, he called the hearing to a close for Council to debate the issue and render a decision.

McMenamin said she had received several phone calls in the past concerning the abandonment of the construction of the home. She was glad the construction would be complete soon. McMenamin made a motion to grant a variance of 11 feet into the front setback as requested. Fritz seconded the motion. Motion carried unanimously.

05-00-09 Public Hearing – Variance, Lot 1 Kedron Office Park

Mayor Lenox called the hearing to order and set a time limit of 30 minutes for each side to present its case. He asked to hear from the applicant and those supporting the variance.

Mr. Bill Foley addressed council to request a variance to construct a four-story office building on Lot 1, Kedron Office Park, which would be between 55 feet and 58 feet high. The property was zoned for OI Office Institutional use, and according to the zoning ordinance the maximum building height permitted in that district was 35 feet. He requested a variance of 23 feet in order to build the proposed building which was designed to save as many trees as possible on the site. He said the Planning Commission had asked staff to review the zoning ordinance building height restrictions because similar zoning districts had different height restrictions. (LC and OI districts stipulate a maximum building height of 35 feet, while GC and LUC districts stipulate a maximum building height of 10 stories, but if over 35 feet must be approved by the Fire Department.)

David Rast, City Planner, spoke in favor of the variance. He said the site had always been zoned OI. He said the Planning Commission and staff were concerned about the impact the height restriction would have on the entrance to the City. At the request of the Planning Commission, balloons were flown at the corners of the proposed building and set at the height of the proposed four-story building. The balloons could not be seen above the tree line from Highway 74 and Peachtree Parkway. He said if granted, the variance would apply only to Lot 1 of Kedron Office Park. He said staff intended to review the height restrictions in the zoning ordinance and would hold appropriate public hearings if changes were necessary. If the variance was denied the building would be reduced to two stories and would occupy a much greater portion of the site and many of the best features of the site plan would be lost.

Hearing no one else speak in favor of the variance, Lenox asked to hear from those opposing the variance. Several residents of Kedron Hills Subdivision spoke in opposition to the variance, including: Cheryl Pendleton, Jim Stefan, Michael Weiss, and Karen Shealy. Concerns raised were as follows:

1. Balloons were flown during the spring, could they be seen in the dead of winter?
2. Changing zoning restrictions would be unfair to property owners who purchased their property with an understanding of the current restrictions.
3. The sign on the property fell down and many residents only had 10 days notification of the variance.
4. Requested the variance be tabled to give citizens more time to study the issue.

5. Concern with setting a precedent.
6. The elevation of Kedron Hills Subdivision is very high and citizens were concerned they would be able to see the building from their homes.

Hearing no further opposition, Lenox asked if there were any questions. There were several questions regarding the site and the ordinance. A lengthy and informal question and answer discussion took place between Council, staff and members of the audience until Lenox called the hearing to a close for Council to debate the issue and render a decision.

A summary of Council's comments regarding the variance are as follows:

McMenamin felt the balloons should have been flown to determine if they could be seen above the tree line from Kedron Hills Subdivision as well as from Highway 74 and Peachtree Parkway. She said several years ago Council denied a request to rezone the property for apartments. She felt existing OI zoning was the best use for the site and suggested the variance be tabled for two weeks to give the residents of Kedron Hills an opportunity to discuss the issue in more detail with staff.

Lenox supported the variance. He said much time had been spent planning for the development of that site. He felt the proposed plan was exactly what was needed because it provided adequate buffers.

Brooks supported the variance because the roofline would be below the tree canopy. He pointed out that one side of the building would only be three stories due to the layout of the land. Using the layout of the land, and designing the building with four floors allowed the same square footage building to be constructed on a smaller footprint which would allow for more buffering. He was concerned with setting a precedent and did not want staff to make recommendations for changes to the zoning ordinance. He felt that each site should be considered individually, with a variance if necessary.

Fritz supported the variance because it would reduce the amount of impervious surface. She felt the proposed building fit nicely on the lot and its design saved trees. She agreed with Brooks and felt the ordinance should not be changed, but that each site should be considered individually.

Tennant questioned the height of the roof accessories and asked if the canopy around the air conditioning units was included in the overall height of the building. Mr. Foley said it was. He did not indicate support for the variance and supported the residents of Kedron Hills with their concerns.

McMenamin made a motion to table the issue until June 1st so that the residents of Kedron Hills Subdivision could meet with City staff regarding the issue. Tennant seconded the motion. Motion carried unanimously.

05-00-10 Consider Alcohol License Transfer, Valentino's, 460 Crosstown Drive

The Valentino's Restaurant was being sold to the Tailwind Development Corporation, Inc. At the applicant's request, McMenamin made a motion to transfer the alcohol license for Valentino's Restaurant to the Tailwind Development Company, Inc and to appoint Craig May as the Licensee

for the corporation and Carl Smosna as the License Reprehensive. Fritz seconded the motion. Motion carried unanimously.

05-00-11 Briefing on Community Messenger System

At the Retreat in April, staff briefed City Council on a possible Community Emergency Warning System. A possible component of the system was the Community Messenger recently developed by the DataFM Company. Acting Fire Chief Lohr said the Catoosa County Commissioner Hudon Tatum has written the Georgia Legislature praising the system and urging its use in lieu of weather radios and sirens. Lohr introduced Mr. Marshall Bandy, President of DataFM, who provided a briefing to Council on the Community Messenger system.

Mr. Bandy said the system was first activated in Catoosa County on March 5th, 2000. He explained that the Community Messenger was a digital satellite linked radio data service, or "interactive smart radio". He said the unit operated like a normal radio, but that it could receive text messages that were demographically and geographically addressable to a street, subdivision, community, ZIP code, City, county, or other target area.

He explained that each receiver contained embedded chips that were always active for transmittal of emergency public information (alerts, warnings and instructions for weather emergencies, community disasters, police emergencies, or hazardous materials incidents) and limited advertising and communications by the system operator and DataFM. He said each user could also program the radio to receive only those other messages that he or she was interested in receiving, such as: community messaging from a group leader to group members; community specific messages such as weather, local news, daily restaurant specials, sports, school information or local government communications; traffic information on specific routes; local and regional weather from the National Weather service satellite; E-mail notification; school bus notification; paging; and personal security system monitoring. Bandy said emergency notifications automatically override normal operation of the unit and trigger an alarm. Other notifications are collected, indicated by a beep or notification light, and maintained until reviewed by the user.

He said if Council wanted to use the system for emergency notification, the system would be installed at the 9-1-1 Center at no cost. DataFM would then contract with someone in the community to sell the radio unit at manufacturing cost (typically \$117). He said there be no service cost to receive information and there would be no cost for emergency service use of the system. He said his company's revenues would be generated primarily from monthly rental of telephone numbers, advertising messages, and subscription services. Bandy said the system could be operational within a short period of time and asked if Council would be interested in using the system.

Council discussed the situation. Lenox felt that the County should also look at the system. Brooks asked the City Attorney to determine the City's liability if DataFm were to go bankrupt or cease to exist.

Brooks made a motion to encourage other governmental entities in Fayette County to schedule a similar briefing with DataFM and consider using the system. McMenamin seconded the motion. Motion carried unanimously.

05-00-12 Consider Authorization of LARP Contract

Lenox made a motion to approve the Georgia Department of Transportation (GA DOT) Local Assistance Road Program (LARP) contract LAU 29-8530-92 (113) in the amount of \$69,954.43. McMenamin seconded the motion. Motion carried unanimously.

COUNCIL/STAFF TOPICS

There were no council/staff topics.

Mayor Lenox made a motion to adjourn the meeting. Fritz seconded the motion. Motion carried unanimously. Meeting adjourned at 9:15 p.m.

City Clerk, Nancy Faulkner

Attest: _____
Mayor

Financial Services Monthly Report

STATUS OF FUNDS AS OF APRIL 30, 2000

Fund	Cash			Total		Total Fund		YTD		Purchasing Monthly Report		
	Balance	Investment	Balance	Investment	Balance	Balance	Interest	Interest		2000	1999	PERCENT INC/(DEC)
#1 General Fund	\$110,986	\$2,093,663	\$2,204,649	\$76,212	\$2,204,649	\$76,212	\$19,222	\$19,222	Purchase Requisitions Processed	575	637	-5.09%
Council Reserve Fund	\$303,599	\$370,077	\$673,676	\$19,222	\$673,676	\$19,222	\$1,474	\$1,474	City Store Requisitions Processed	71	66	-10.64%
Library Sales Tax Fund	\$58,121	\$0	\$58,121	\$1,474	\$58,121	\$1,474	\$41,548	\$41,548	Sealed Bids Requested >\$10,000	13	18	-11.63%
Public Improvement Fund	\$84,203	\$2,473,199	\$2,557,402	\$41,548	\$2,557,402	\$41,548	\$52,690	\$52,690	Written Quotes Req \$5,000-10,000	30	34	-58.15%
Police Station Lease	\$0	\$2,307,335	\$2,307,335	\$52,690	\$2,307,335	\$52,690	\$25,248	\$25,248	Verbal Quotes Requested \$500-\$5,000	96	91	6.43%
Self Insurance Fund	\$202,754	\$1,161,330	\$1,364,085	\$25,248	\$1,364,085	\$25,248	\$1,950	\$1,950	Total # Purchase Orders Issued	734	711	-15.33%
Debt Service Fund	\$132,393	\$0	\$132,393	\$1,950	\$132,393	\$1,950	\$0	\$0	Total # of Bids Awarded	8	14	-6.45%
Bond Fund	\$0	\$0	\$0	\$0	\$0	\$0	\$1,252	\$1,252	Contracts Required >\$10,000	3	10	5.88%
Municipal Court Fund	\$26,858	\$0	\$26,858	\$1,252	\$26,858	\$1,252	\$10,060	\$10,060	# of Fixed Assets Purchased >\$500	36	35	-34.08%
Develop & Impact Fees	\$811,759	\$0	\$811,759	\$10,060	\$811,759	\$10,060	\$57	\$57	Total \$ of Fixed Assets Purchased	\$357,624	\$161,929	-27.03%
Neighborhood Parks/Rec.	\$502	\$0	\$502	\$57	\$502	\$57	\$7	\$7				
Federal Seizures Police Fd	\$249	\$0	\$249	\$7	\$249	\$7	\$0	\$0				
Confiscated Fund	\$7,441	\$0	\$7,441	\$0	\$7,441	\$0	\$34	\$34				
Police Tuition Account	\$3,008	\$0	\$3,008	\$34	\$3,008	\$34	\$6,402	\$6,402				
Escrow Account	\$148,712	\$125,435	\$274,147	\$6,402	\$274,147	\$6,402						
Grand Total	\$1,890,584	\$8,531,039	\$10,421,624	\$236,156	\$10,421,624	\$236,156						

#1 Includes investments of \$250,000 for 54/Railroad Cartpath Overpass Project.

Collateral Analysis as of April 30, 2000

Security Location	Bank	Total Held
Bank of New York	First Union	\$5,874,011
Bank of New York	Peachtree National	\$7,281,944

\$13,155,955

Budget Comparison
Revenues - By Major Category

Description	2000 Budget		Actual YTD	Difference	%
General Property Taxes	\$4,438,049	\$4,263,513		(\$174,536)	96.07%
Franchise Taxes	\$1,771,233	\$864,763		(\$906,470)	48.82%
Local Option Sales Tax	\$5,135,529	\$3,025,320		(\$2,110,209)	58.91%
Other Sales & Use Taxes	\$1,047,781	\$560,212		(\$487,569)	53.47%
Business Taxes	\$1,048,419	\$984,368		(\$64,051)	93.89%
Business Permits	\$395,717	\$240,568		(\$155,149)	60.79%
Non-Business Permits	\$15,346	\$9,850		(\$5,496)	64.19%
Charges for Services	\$501,016	\$253,243		(\$247,773)	50.55%
Fines & Forfeitures	\$1,012,311	\$494,140		(\$518,171)	48.81%
Investment Income	\$109,999	\$96,908		(\$13,091)	88.10%
Rents & Royalties	\$163,558	\$111,341		(\$52,217)	68.07%
Other Revenue	\$6,273	\$4,101		(\$2,172)	65.37%
Total	\$15,645,231	\$10,908,326		(\$4,736,905)	69.72%

Budget Comparison
Expenditures by Division YTD

Division	2000 Budget		Actual YTD	Difference	%
Administrative	\$1,030,267	\$571,400		\$458,867	55%
Developmental	\$711,079	\$378,045		\$333,034	53%
Finance	\$454,711	\$269,428		\$185,283	59%
Leisure Services	\$2,092,924	\$1,409,517		\$683,407	67%
Public Safety	\$4,308,620	\$2,413,532		\$1,895,088	56%
Public Works	\$2,053,288	\$1,154,009		\$899,279	56%
Total	\$10,650,889	\$6,195,930		\$4,454,959	58%

Summary of Major Expenditures by City Manager

Description	Budget	Award	Svgs/Short	Date
N/A				

BUILDING DEPARTMENT

2000 MONTHLY REPORTS

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	2000 YEAR-TO-DATE	1999 YEAR-TO-DATE
DEVELOPMENT PERMITS:														

BUILDING PERMITS:

Single Family Residential
Multi-Family Residential
Misc.-Pools/fences/additions
Commercial/Industrial

TOTAL INSPECTIONS:

CERTIFICATE OF OCCUPANCY:

Residential
Commercial
Multi-Family Residential

CODE ENFORCEMENT:

Complaints
Warning
Stop Work Orders
Citations

PERMIT FEES COLLECTED:

POPULATION: Based on

2.9 of completed occupancy

*Revised to reflect
2000 Census figures

14	11	11	14	10	8	5	16	12	14	10	21	6	159	309
0	0	0	0	399	0	0	0	0	0	0	192	0	591	0
45	69	85	72	68	85	45	61	52	52	42	38	43	705	684
8	5	13	15	7	11	4	11	8	8	17	14	23	136	116
454	400	420	439	482	367	437	488	291	291	425	416	726	5,345	8,847
11	17	20	18	16	16	16	19	8	8	11	11	5	168	301
3	2	4	1	1	2	2	2	1	1	4	2	2	26	18
0	0	0	0	0	0	0	0	0	0	0	0	0	0	6
264	241	356	285	545	564	485	417	240	240	317	298	228	4,240	3,692
297	250	425	244	470	353	258	339	366	366	405	332	244	3,983	4,245
2	4	10	6	4	8	5	4	5	5	3	6	3	60	66
0	2	1	1	2	0	1	4	4	4	2	0	2	19	39
15,942	19,967	21,656	35,629	68,857	66,772	20,975	28,954	56,212	56,212	53,978	22,158	29,729	440,829	327,368
33,340	33,392	31,580*	31,633	31,679	31,725	31,771	31,826	31,849	31,849	31,881	31,913	31,928	31,928	33,306

2000 MONTHLY REPORTS

[illegible]

CRIME REPORT - APRIL 2000

PART I CRIMES	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	YTD 2000	YTD 1999
MURDER	0	0	0	0									0	0
RAPE	0	0	0	0									0	0
ROBBERY	0	1	0	0									1	1
AGGRAVATED ASSAULT	0	3	1	0									4	2
ARSON	0	0	0	0									0	0
AUTO THEFT	2	0	1	7									10	13
THEFT	11	18	16	18									63	78
BURGLARY	0	2	1	1									4	3
TOTAL PART I CRIMES	13	24	19	26									82	97
ALCOHOL/DRUG ARRESTS														
DUI - TOTAL	19	16	14	6									55	38
DUI - ADULT	14	14	13	4									45	38
DUI - UNDERAGE	5	2	1	2									10	0
OTHER UNDERAGE														
ALCOHOL ARRESTS	7	25	24	8									64	34
DRUG ARRESTS	10	12	14	8									44	19
ARRESTS														
PROPERTY CRIMES	7	5	4	4									20	23
PERSON CRIMES	4	7	8	5									24	12
CITY ORDINANCES	41	48	51	44									184	142
*OTHER	126	145	127	89									487	426
ADMINISTRATIVE AVERAGE RESPONSE TIME	5.15	5.35	5.31	5.45									5.31	3.82
CALLS ANSWERED	3595	3637	5133	4965									17,330	10,561
TRAFFIC														
CITATIONS ISSUED	673	604	576	441									2294	2114
WARNINGS ISSUED	611	443	403	256									1713	1728
ACCIDENTS - TOTAL	60	63	85	69									277	343

TOP 5 ACCIDENT LOCATIONS - MONTH TOTAL

1. HWY 54/PEACHTREE PARKWAY 6
2. HWY 54/WALTBANKS ROAD 4
3. HWY 54/HWY 74 4
4. HWY 54/HUDDLESTON DR. 4
5. HWY 54/COMMERCE DR. 2

TOP 5 ACCIDENT LOCATIONS - YEAR TOTAL

1. HWY 54/HWY 74 15
2. HWY 54/WALTBANKS ROAD 15
3. HWY 54/PEACHTREE PARKWAY 15
4. HWY 74/CROSSTOWN DR. 8
5. HWY 54/COMMERCE DR. 8

**2000 Monthly Report
Fire/EMS Department**

Fire/Accident Calls	Jan.	Feb.	Mar.	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	2000 Y-T-D	1999 Y-T-D
Residential	4	1	2	2	2								9	11
Business/Industrial	1	0	2	1	1								4	2
Other	109	91	116	109									425	371
Total Engine Response	114	92	120	112									438	384
Dispatched Fire Calls	59	33	51	41									184	169
Response Time Fire	4:44	4:47	4:06	4:44									4:35	4:56
Rescue/EMS														
Trauma	46	57	55	65									223	249
Medical	78	86	83	65									312	277
Total # Patients	124	143	138	130									535	526
Patients Transported	78	77	77	60									292	280
Dispatched EMS Calls	113	127	128	109									477	431
Total Medic Response	155	149	151	146									601	525
Dispatched Fire/EMS Total	172	160	179	150									661	600
Response Time EMS	4:16	3:50	4:23	3:52									4:05	4:18
EMS BILLING														
Patients Billed	93	76	73	49									291	279
Revenue Generated	19,699	15,463	15,140	9,473									59,775	54,301
*Total Revenue Received	20,787	15,183	8,391	2,306									46,667	47,309

*Revenue Received On All Outstanding Patient Accounts

LEISURE SERVICES MONTHLY REPORT 2000

ACTIVITY DESCRIPTION	UNIT	January	February	March	April	May	June	July	August	September	October	November	December	2000 Year to Date	1999 Year to Date
LIBRARY															
1. Books Circulated	Num.	10,975	11,907	12,831	11,396		0	0	0	0	0	0	0	47,109	84,386
2. Average Daily Traffic															
a. Monday - Saturday	Num.	539	623	565	520	0	0	0	0	0	0	0	0	539	545
b. Sunday	Num.	288	385	423	289	0	0	0	0	0	0	0	0	288	307
3. Story Time Participants	Num.	85	150	182	185	0	0	0	0	0	0	0	0	802	721
4. Revenue from Overdue Books	Dis.	313	1,128	1,450	1,458	0	0	0	0	0	0	0	0	4,347	7,074
5. Revenue from Copy Machine	Dis.	465	1,105	1,492	540	0	0	0	0	0	0	0	0	3,802	3,944
6. Reference Assistance	Num.	842	976	958	1,015	0	0	0	0	0	0	0	0	3,791	2,508
7. Internet Usage	Num.	754	837	853	867	0	0	0	0	0	0	0	0	3,291	542
8. Renewals by Phone	Num.	756	812	832	918	0	0	0	0	0	0	0	0	3,318	2,633
RECREATION															
Leisure Programs															
1. Adult Athletics															
a. Ongoing Programs	Num.	1	1	2	2	0	0	0	0	0	0	0	0	6	6
b. New Programs	Num.	0	0	0	0	0	0	0	0	0	0	0	0	0	0
c. Participants	Num.	285	285	1,215	1,122	0	0	0	0	0	0	0	0	2,907	2,653
d. Revenues	Dis.	0	0	28,065	0	0	0	0	0	0	0	0	0	28,065	30,232
e. Expenses	Dis.	146	32	6,979	4,225	0	0	0	0	0	0	0	0	11,382	9,629
f. Refunds	Dis.	0	0	0	657	0	0	0	0	0	0	0	0	657	659
g. Balance (+ or -)	Dis.	-146	-32	21,086	-4,882	0	0	0	0	0	0	0	0	-16,026	\$19,944.00
* Some figures for Jan/Feb were erroneously reported as Adult Athletics as well as Classes															
RECREATION															
Leisure Programs															
1. Classes/Programs															
a. Classes/programs	Num.	99	98	96	102	0	0	0	0	0	0	0	0	395	427
b. Participants	Num.	2,055	2,139	3,794	2,143	0	0	0	0	0	0	0	0	10,131	7,881
c. Revenues	Num.	16,503	17,753	24,016	18,520	0	0	0	0	0	0	0	0	76,791	72,032
d. Expenses	Dis.	12,908	13,460	19,088	14,629	0	0	0	0	0	0	0	0	60,085	56,340
e. Refunds	Dis.	180	777	64	11	0	0	0	0	0	0	0	0	1,032	295
f. balance (+ or -)	Dis.	3,415	3,516	4,863	3,880	0	0	0	0	0	0	0	0	\$15,973.70	\$15,396.77
2. Special Events															
a. Events	Num.	0	0	3	7	0	0	0	0	0	0	0	0	10	14
b. Participants	Num.	0	0	493	1,045	0	0	0	0	0	0	0	0	1,538	2,251
c. Revenues	Dis.	0	0	25	0	0	0	0	0	0	0	0	0	25	35
d. Expenses	Dis.	0	0	220	1,541	0	0	0	0	0	0	0	0	1,761	1,307
e. Refunds	Dis.	0	0	25	0	0	0	0	0	0	0	0	0	25	35
f. balance (+ or -)	Dis.	0	0	-220	-1,541	0	0	0	0	0	0	0	0	(\$1,761.00)	(\$1,306.95)
Sports and Facilities															
1. Playing Surface Mowing	Hrs.	0	112	239	315	0	0	0	0	0	0	0	0	686	0
2. Playing Field Preparation	Hrs.	339	690	697	518	0	0	0	0	0	0	0	0	2,244	2,091
3. Building Maintenance	Hrs.	240	199	168	32	0	0	0	0	0	0	0	0	639	576
4. Parks/Pool/Tennis Courts															
a. Safety Inspections	Num.	0	0	0	0	0	0	0	0	0	0	0	0	0	20
b. General Repairs/Maint	Hrs.	292	210	100	48	0	0	0	0	0	0	0	0	650	778
c. Grounds/Landscape Maint.	Hrs.	308	176	96	0	0	0	0	0	0	0	0	0	580	807
5. Litter Removal	Num.	128	128	128	128	0	0	0	0	0	0	0	0	512	506
6. Vandalism Repairs	Dis.	0	0	0	0	0	0	0	0	0	0	0	0	8	0
7. Complaints Answered	Num.	0	0	0	0	0	0	0	0	0	0	0	0	0	0

2000 MONTHLY REPORT

2.	Police Officer/Police Department (4); Assistant Building Official/Building (1); Building Inspector/Building (1); Maintenance Worker I/Public Works (3); Maintenance Worker I/Recreation (2); Director of Financial Services / Information Technology/Finance (1).
3.	Employee sprained wrist in fall (1) Public Works; Employee pulled muscle moving dead animal from roadway (1) Public Works; Employee fractured finger on trailer gate (1) Recreation.
5.	Balance remaining in health insurance account: \$184,780
6.	Black (\$186.00); Pummell (\$2.25).

2000 MONTHLY REPORT
PUBLIC SERVICES DIVISION2000mont1
5/26/00

Activity Description	Unit	2000												1999
		January	February	March	April	May	June	July	August	September	October	November	December	YEAR-TO-DATE
CART PATHS														
1. Const./Reconst./Overlay	Ft.	50	0	2,086	560								2,696	7,035
2. Drainage Maintenance	Hrs.	83	105	113	114								415	476
3. General Maintenance	Hrs.	180	414	361	114								1,069	862
4. Mowing	Hrs.	0	0	0	135								135	143
5. Litter Removal	Hrs.	68	45	90	53								256	316
FLEET MANAGEMENT														
1. Equipment Maintenance	Hrs.	43	39	43	12								137	56
2. Equipment Repairs	Hrs.	121	171	154	167								613	636
3. Vehicle Maintenance	Hrs.	76	118	133	104								247	431
4. Vehicle Repairs	Hrs.	237	256	283	229								1,005	1,103
5. Fleet Down Time	Hrs.	482	542	620	521								2,165	5,151
GROUNDS														
1. Litter Removal	Hrs.	321	257	464	380								1,422	2,085
2. Right-of-Way Mowing	Hrs.	0	0	331	653								984	812
3. General Maintenance	Hrs.	874	752	797	431								2,854	2,520
LANDSCAPE														
1. Litter Removal	Hrs.	20	32	70	68								190	200
2. Mowing (Sub. Entrances)	Hrs.	0	0	226	625								851	942
3. General Maintenance	Hrs.	657	689	544	264								2,154	1,188
4. Planting	Hrs.	100	0	0	23								123	251
RECYCLING SITE														
1. City Employees Hours	Hrs.	151	110	69	142								472	636
2. City Employees Salaries	Dis.	1,188	866	544	1,120								3,718	6,050
3. Revenues	Dis.	731	515	740	654								2,640	2,188
4. Participants														
a. Recycling	Num.	546	659	570	680								2,455	2,540
b. Composting	Num.	1,296	1,084	1,159	1,446								4,985	5,088
c. Mulch (Pick Up)	Num.	68	112	187	261								628	359
SIGN MAINTENANCE														
1. Building Maintenance	Hrs.	20	21	23	20								84	83
2. Subdivision Sign Maintenance	Hrs.	81	102	172	93								448	368
3. Traffic Sign Maintenance	Hrs.	148	143	82	287								660	519
STREETS														
1. Street Sweeping	Hrs.	8	40	16	70								134	124
2. Pavement Patching	Hrs.	0	213	147	154								514	342
3. Drainage Maintenance	Hrs.	0	102	210	117								429	521
4. General Maintenance	Hrs.	576	356	399	258								1,589	1,508
MISCELLANEOUS														
1. Vandalism	Dis.	139	79	161	89								468	234
2. Complaints Answered	Num.	90	38	24	34								186	156
3. Wash Police Cars	Hrs.	8	83	68	15								174	150

April

Nancy Faulkner

From: Jim Basinger
Sent: Wednesday, May 24, 2000 11:48 AM
To: Nancy Faulkner
Subject: FW: O&I Zoning "Variance" for Lot#1 Kedron Office Park

Nancy, please put this in Council books under this item. Jim

-----Original Message-----

From: FredDaler@aol.com [mailto:FredDaler@aol.com]
Sent: Wednesday, May 24, 2000 9:53 AM
To: planner@peachtree-city.org; citymgr@peachtree-city.org;
blenox@peachtree-city.org; jmcmenamin@worldnet.att.net; RBR403@aol.com;
genefritz@msn.com; DanTennant@aol.com
Subject: O&I Zoning "Variance" for Lot#1 Kedron Office Park

Thank you for approving a 2 week delay on the zoning variance decision to increase the height of the proposed office building from 35 to 58 feet on the above captioned parcel.

As a home owner in Kedron Hills subdivision, the approval of such a variance would surely have an adverse affect on my property due the increase traffic density that would result at the corner of Hwy. 74 and Peachtree Parkway.

As you may know traffic patterns and traffic congestion has a heavy bearing on the ability to sell one property. When I first contemplated locating to Peachtree City there was many negative statements regarding a particular subdivision that had limited access to the Hwy. 54.

Further, the basic concept of the entire city was based on not having unobtrusive objects i.e., Golden Arches, Bill Boards and large signs jutting from the landscape. Tall buildings included. I would not like to be looking at a 54 foot structure rising into the sky line from my home nor would most residence of this city.

Please retain the uniqueness of our city and not start eroding the community building standards.

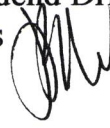
I request that you vote against this Variance whenever it comes before the City Council.

Thank You

Fred Daler
823 Carnellian Lane

POSITION PAPER

Proposed Variance: MA Industries, 305 Dividend Drive
Director of Developmental Services
May 24, 2000



Situation:

MA Industries desires to expand an existing building located at 305 Dividend Drive. The proposed expansion would encroach into the required rear setback area for the property. A request for a variance has been filed to allow the proposed encroachment (Attachment "A").

Facts:

1. The existing structure on the property at 305 Dividend Drive already encroaches into the setback area. It was constructed in 1991 pursuant to a variance granted by Council on June 6, 1991. Included with this paper as Attachment "B" are the following documents pertaining to that variance: (a) Council Minutes of March 7, 1991; (b) Council Minutes of June 6, 1991; and (c) Letter to MA from Mayor indicating approval of variance on June 6, 1991.
2. The staff prepared a Position Paper as a part of the above variance hearings (Attachment "C"). In order to understand the situation, please note the following points:
 - In 1991 there was an existing building on the site. It had been there for many years. MA wanted to expand that building to the east into its rear setback area. The justification for this expansion was to accommodate the existing operation within the building.
 - After the variance was approved to allow the encroachment of the new building, additional facts came to light showing the existing building itself already was in the setback;
 - The second variance was granted to accommodate both the new addition and the existing building.
3. The Fire Marshal approved the variances in 1991 and has no objection to this proposed variance, provided a sprinkler system is installed or an acceptable alternate fire protection program is in place (Attachment "D").
4. The Planning Commission, at its meeting on May 8, 2000, approved the conceptual site plan for the proposed expansion, subject to Council granting the variance and Fire Marshal approval of the fire protection program for the building.

Page 2

Proposed Variance: MA Industries, 305 Dividend Drive

May 24, 2000

Recommendation:

Staff recommends approval of the requested variance. MA Industries owns all the surrounding property except the 100-foot wide railroad right-of-way to the east. The proposed expansion is at the extreme rear of the property and would not appear to have an adverse effect on the appearance of the area from any off-site location.

Because the proposed building will cover an area that is already paved, it will not be required to install new trees as per the Landscape Ordinance. The staff would like to condition its recommendation for approval on MA being required to plant 28 new trees on the site (what the Ordinance would require if the area was not already paved) in accordance with a plan to be approved by the City Landscape Architect.

Further, the approval of the variance should, of course, be conditioned on the approval of the fire protection program for the entire building by the Fire Marshal.

JBW/jir

Attachments "A" and "D"

REQUEST FOR VARIANCE
ZONING ORDINANCE, CITY OF PEACHTREE CITY

This is a request for a variance from the requirements of the Peachtree City Zoning Ordinance for the property located at:

305 DIVIDEND DRIVE

The reason this variance is being requested is as follows:

VARIANCE FROM THE 50' REAR YARD REQUIREMENT IN ORDER

TO EXTEND AN EXISTING INDUSTRIAL BUILDING.

Along with this form, the applicant should submit a detailed report justifying the granting of the requested variance. In preparing the report, please consider the following:

Variances from the provisions of this Ordinance may be approved by the City Council if it is determined that they will not cause substantial detriment to the other parties or impair the purpose or intent of this Ordinance; provided, however, that no variance can be granted for a use that is specifically prohibited by this Ordinance within the zoning district in which the property is located.

In making a determination on a variance request, the City Council shall consider the following factors:

- a. Whether or not the special circumstances contributing to the request are peculiar to the particular property involved;
- b. Whether or not the situation for which the request is being made poses an unnecessary hardship for the applicant; and
- c. Whether or not the request is due to an intentional action of the applicant to violate the requirements of this Ordinance.

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

Name: (Please type or Print) BILL PEACOCK

Address: 303 DIVIDEND DRIVE

Phone: 770-487-7761

Signature: *Billy J Peacock*

This request, 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: *James B. Wilkins*

Title: ZONING ADMINISTRATOR

Date of Acceptance: MAY 9, 2000

Date of Public Hearing: JUNE 1, 2000

VARIANCE REQUEST REPORT

MA INDUSTRIES, INC.
305 DIVIDEND DRIVE

MA INDUSTRIES desires to extend an existing building at 305 Dividend Drive to provide additional production and warehouse space. The new facility will be an 80'x175' metal building matching the existing building to a maximum extent.

This building will be erected on an existing concrete dock and will have access to a ramp and loading docks already in place.

The site in question is the rear portion of the tract at 305 Dividend Drive which abuts the CSX Railroad right-of-way.

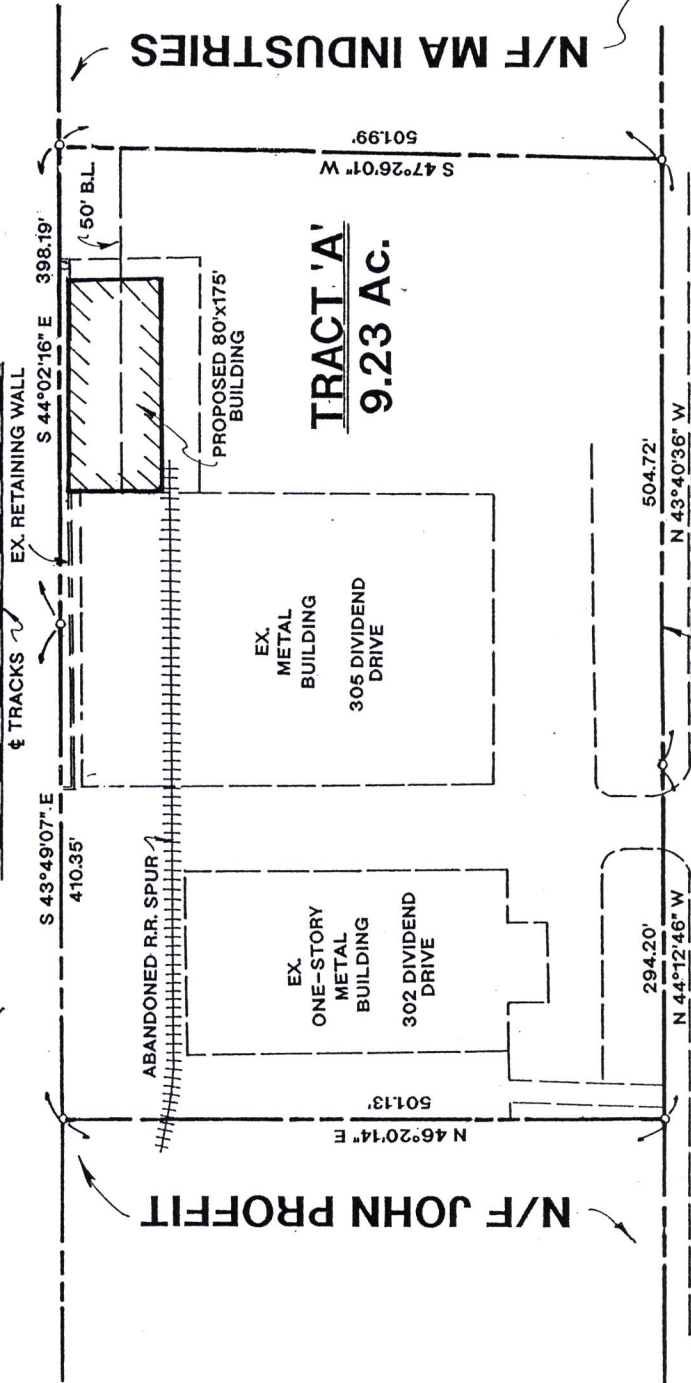
This variance request is for relief from the required 50' rear setback for the balance of the property shown as Tract "A" (attached) -- a distance of about 290'.

Granting this request will enable the industry to continue a portion of the existing building in such a manner that existing doorways and docks will be used. Previous variance requests were granted by the City Council in 1991.

Due to the existing access and docks that will be used to service the proposed building, the location of the addition along the rear property line is critical. Moving the building outside of the setback would not be desirable given the location of infrastructure already in place.

The enclosed plat and plan visually explain the need for this variance.

CSX RAILROAD - 100' R/W



DIVIDEND DRIVE - 80' R/W

VARIANCE PLAT 305 DIVIDEND DRIVE

Hamilton
ENGINEERING & DESIGN CO., INC.

CONSULTING ENGINEERS
• ENVIRONMENTAL/PROPERTY ASSESSMENT • SITE & HYDROLOGY DESIGN
• CONSTRUCTION MANAGEMENT

The Hamilton • Berry Center
200 Dividend Drive, Suite 205
Peachtree City, Georgia 30058
Phone: (770) 446-5500 Fax: (770) 446-1134 Page: 3 of 4

NOTE: SURVEY DATA TAKEN FROM A PLOT
FOR MA INDUSTRIES BY J.R. WOOD
DATED 12-12-83 AND REVISED 4-19-91

AP 36033B



Peachtree City

Georgia

June 7, 1991

Mr. Charles McInvale
Director of Purchasing
M.A. Industries
P.O. Box 2322
303 Dividend Drive
Peachtree City, Georgia 30269

Dear Mr. McInvale:

This letter will confirm that the City Council of Peachtree City met in regular session on June 6, 1991, and did approve the variance request submitted by M.A. Industries for the facility located at 305 Dividend Drive.

The City Council approved a fifty (50) foot variance from the rear setback zoning requirement of fifty (50) feet which will permit the expansion of an existing facility at that location to the rear property line.

Please maintain this letter in your official file for future reference.

Sincerely,


Frederick Brown, Jr.
Mayor

FB/fm

cc: Jim Williams, Director
Charles Sibley, Building Official

MINUTES OF MEETING
CITY COUNCIL OF PEACHTREE CITY
June 6, 1991

The City Council of Peachtree City met in regular session on Thursday Night, June 6, 1991, at 7 PM in the City Hall Council Chambers.

Mayor Brown called the meeting to order and led those in attendance in the pledge of allegiance. Those present were: Mayor Frederick Brown, Jr. and Councilmen Edward Bradford, Annie McMenamin, Robert Brooks and Rich. Parlontieri.

No items were added to the agenda.

Announcements, Awards, Special Recognitions

Mayor Brown announced that the meeting scheduled for July 4th was cancelled due to the holiday and that there would one meeting in July to be held on July 18th. He urged everyone to enjoy the fourth of July celebration in Peachtree City which would include a parade, games, Albert Coleman and the Atlanta Pops and fireworks.

Minutes of Meeting

Motion was made by Parlontieri that the minutes of meetings held April 18, 1991 and May 2, 1991 be approved as published. Motion seconded by Bradford. Motion carried unanimously.

New Agenda Items

6-91-1 Public Hearing - M.A. Industries Variance

Mayor Brown called to order a public hearing to consider a variance request submitted by M.A. Industries, Inc., 305 Dividend Drive.

The Mayor explained the public hearing procedures to those in attendance and announced that copies of the procedures were located on the press table for those who wished to have them. He then called upon the applicant to present the variance request.

Mr. Charles McInvale, speaking for M.A. Industries, explained that on March 7th, 1991 the Council granted a forty six (46) foot variance to the rear setback zoning requirement of fifty (50) feet to allow an expansion of their plastics recycling operation. When he applied for a building permit for the expansion a survey was required by the City and the survey indicated that the forty six foot (46) variance was not sufficient. At this time M.A. Industries requested a fifty foot (50) variance allowing them to expand to their rear property line.

The Mayor called upon the City Zoning Administrator, Jim Williams, for the City's position in this matter and Mr. Williams stated that staff recommended the variance be granted as requested provided there were no major changes in their plans since the last hearing.

Mayor Brown called for comments or questions in favor or against the variance and hearing none called upon the City Council for their questions. Hearing none the Mayor declared the public hearing closed and called upon Council for action.

Bradford complimented the City staff for realizing that the previous variance was not sufficient. He also was concerned about setting a precedent in expanding to the property line and recommended a 47.6 foot variance which would be sufficient for their building.

McMenamin stated that her only concern in allowing the building to expand to the property line would be in regard to fire equipment having room to get in if there was a fire. Williams responded that he had obtained the Fire Chief's opinion and Chief Reed did not have a problem with allowing the expansion to the property line.

Motion was made by Bradford that a 47.6 foot variance be granted. Motion died for lack of a second.

Motion was made by McMenamin that the variance be granted as requested. Motion was seconded by Parlontieri. Motion carried unanimously.

6-91-2 Public Hearing - Anderson Variance - 115 Lakeside Drive

Mayor Brown called the public hearing to order to consider a variance request submitted by Mr. Ronald Anderson of 115 Lakeside Drive. The Mayor announced that the same procedures would be followed as were used for the previous public hearing.

Mr. Anderson explained that when he applied for a building permit to construct an additional garage on his house, the building official found that the chimney chase intruded into the sideyard setback. The building official could not allow the house to be expanded with a zoning violation thus the variance request. Mr. Anderson asked for a 2.5 foot variance for the chimney chase encroachment into the sideyard setback.

Mayor Brown called for comments from the public and hearing none called upon the City Zoning Administrator, Jim Williams, to present the City's position.

Mr. Williams stated that staff recommended the variance be granted because the violation was committed prior to the ownership of the property by Mr. Anderson. It was not felt the correction of the violation at this time would adversely affect the property in that area.

Mayor Brown called for comments or questions and hearing none closed the public hearing and called on Council for action.

Motion was made by Parlontieri that the variance be granted as requested. Motion was seconded by Brooks. Motion carried unanimously.

6-91-3 Public Hearing - Amendment to Zoning Ordinance re Hearings

Mayor Brown called the public hearing to order to consider an amendment to the Peachtree City Zoning Ordinance and called on Jim Williams, Zoning

site. She stated that she also believed Mr. Dixon's statement and that there had been an understanding between him and the building official as to the distance between buildings.

Brooks stated that he too visited the site and although other neighbors did not seem to have an objection to the addition, he was concerned that the adjacent neighbor was opposed. He asked the adjoining property owner if there was anyway he could see his way clear to support the variance. The son indicated that there was no way he or his mother could support the variance.

After further discussion a motion was made by Mayor Brown that the variance be granted. Motion was seconded by McMenamin. Motion carried with Mayor Brown, McMenamin and Parlontieri voting aye; Brooks and Bradford voting nay.

3-91-2 Public Hearing - M.A. Industries Variance

Mr. Charles McInvale, representing M.A. Industries, requested a variance to the rear setback line at 305 Dividend Drive. He asked that the variance to the 50 foot setback be granted to allow the business to extend an existing building to the property line. He explained that the extra room was needed in their plastics operation to house equipment and inventory.

Mr. Jim Williams, Director of Developmental Services, stated that the present building was assumed to be on the setback line which was 50 feet from the rear property line. The request was for a 46 foot variance to the 50 feet setback requirement. Mr. Williams explained that M.A. Industries owns the property on each side of the proposed addition and that the railroad property was to the rear. He explained that the building would be expanding to a "hill" and he did not feel it would adversely affect the adjoining properties. Williams stated that the Fire Chief had indicated that he did not see this as a fire safety hazard and Williams stated that staff recommended the variance be approved.

Mayor Brown called for public comments or Council comments and hearing none called for action.

Motion was made by Parlontieri that the variance be approved. Motion was seconded by Brooks. Motion carried unanimously.

3-91-3 Amendment to Alcoholic Beverage License - Ranchero

City Manager, Jim Basinger, presented an application from the Ranchero Mexican Restaurant asking that the license representative be changed Francisco J. de la Paz. Basinger explained that Mr. de la Paz was a resident of Peachtree City, his application was in order and he was present, along with his attorney, Mr. Karp, to answer any questions of Council.

Mayor Brown asked if the applicant understood the city ordinances and Mr. Karp explained that the restaurant now had a training program and that the applicant fully understood his responsibilities.

POSITION PAPER
VARIANCE FOR MA INDUSTRIES
James B. Williams
(05-21-91)

SITUATION

MA Industries desires to encroach into its rear setback for the full 50-foot depth to accommodate the expansion of its plastic recycling operation.

FACTS BEARING ON THE SITUATION

1. Earlier this year MA requested and received a 46-foot variance for an expansion of its plant.
2. It was stipulated at the time the variance request was submitted that the existing building was a legally existing structure.
3. The proposed addition was to have a depth of 46 feet. Assuming the existing building was on or beyond the setback line, a 46-foot variance would accommodate the proposed addition.
4. Because of the close tolerances of the proposed addition, the Building Department required that a survey be prepared prior to issuing a building permit.
5. The survey indicated that the existing MA building was a non-conforming structure prior to the previous variance being granted. It encroached 1.1 feet into the rear setback.
6. While the previous variance brought the original structure into conformance, it did not accommodate the new 46-foot addition.
7. The Building Department could not issue a permit for the proposed addition as designed.
8. MA had already ordered the addition as originally designed and did not want to change the order to shorten the building by 1.1 feet.
9. MA decided to request a second variance to correct the problem. In order to give them maximum flexibility in constructing the addition, it was also decided to extend the variance request to the property line (the full 50-foot rear setback).

POSSIBLE SOLUTIONS

1. Grant the variance as requested.
2. Grant the variance only to accommodate the proposed building. That would be 1.1 additional feet for a total encroachment of 47.1 feet.
3. Deny the variance and require the construction of a shorter building than planned.

RECOMMENDED SOLUTION

The staff recommends that the variance be granted as requested. It is not felt that any public purpose would be served by either maintaining a rear setback of 2.9 feet or forcing the owner to eliminate 1.1 feet from his proposed addition. This variance would not appear to pose any more of an adverse affect on the surroundings than the variance already approved.

JBW/gr



Peachtree City

Georgia

TO: Mr. David Rast, City Planner

FROM: Fire Marshal John Dailey 

DATE: May 18, 2000

SUBJECT: M.A. Industries, Expansion
Concept Plan

I have received directly from Mr. Ed Koons, a concept plan for M.A. Industries expansion project. I reviewed a conceptual plan on March 14, 2000, and commented only that I needed a Project Data Sheet before I could approve it. I did not receive that item however I did receive a letter from Mr. Koons stating that the expansion of the existing manufacturing building would be an unsprinkled metal building. Presently the building that is being planned for expansion is equipped with a fire sprinkler system. Therefore it is my strong recommendation that the existing sprinkler system be expanded to cover the addition. If the developer chooses not to expand the sprinkler system, I will need to review the plan further with alternative requirements that probably would include additional hydrants and interior fire separations.

Based on the information provided at this time, the plans as indicated are not approved by this office.

PAYMENT REQUEST

VENDOR

Finance

DATE 5-3-00

0.0-5-5

[illegible]

Mr. Frank

• TOTAL

\$5,005

DIVISION DIRECTOR / CHIEF

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

FROM: Director of Leisure Services 

VIA: City Manager 

DATE: May 26, 2000

SUBJECT: Request for Funds: Oak Grove Elementary

Attached is a request from Oak Grove Elementary for \$5,000 in monetary assistance for playground enhancements at the school. The request was considered by the Recreation Commission on May 8. The Commission recommends approval of the request in the amount of \$5,000.

It should be noted that the request includes construction of a paved track. However, because the City Council's guidelines on consideration of funding only includes playground equipment or sports fields, that portion of the request was disregarded by the Commission. Recommend that the approval be conditioned that the funding be expended only for the cost of playground equipment for Phases I and II of the project. Phase I will cost \$6,555 and Phase II will be \$4,585, for a total of \$11,140.

This request falls well within parameters established by City Council. Specifically, Oak Grove almost exclusively serves Peachtree City students. Also, the facility is available to city residents when not being used by the school, and the upgraded facilities will undoubtedly enhance recreational play equipment in that area. If approved, the PTO is prepared to match or exceed this amount to complete the project.

MEMO

To: Peachtree City Council
Peachtree City Recreation Commission
From: Cindy Liebes Lindsey – Oak Grove PTO
Subject: Request for Assistance for Playground Funding for Oak Grove Elementary School
Date: April 17, 2000

The Oak Grove PTO hereby submits a request for \$5000 monetary assistance for playground funding for enhancements to its playground, including new playground equipment and a cart path/ track at Oak Grove Elementary.

Background: This proposal is submitted by the Oak Grove PTO to request assistance for playground funding for replacement playground equipment and for a jogging/walking track to be used by the Oak Grove students as well as by the local community. Recently, a large portion of the Oak Grove playground was torn down because it was deemed outdated and unsafe. Thus, an immediate need exists at Oak Grove for updated and new ADA accessible playground equipment to replace the equipment which was removed. In addition, Oak Grove does not have a jogging/walking track or paved area free from automobile traffic upon which the children can safely run as part of their overall physical education program. Therefore, funding for a paved cart path has been requested around the upper playground. This jogging/walking path will enhance and compliment the existing cart path system as well as provide a self contained measured "track" type environment for running laps. This will not only help to improve the cardiovascular endurance of the Oak Grove faculty and students, it will also provide a secure walking/jogging track that can be used by all Peachtree City residents. For example, unlike the Huddleston Pond track which is on the lake and adjacent to a busy road, parents with small children will be able to jog on the Oak Grove track while also safely watching their children play on the playgrounds nearby. Likewise, parents can walk or jog on this measured track while their children are involved in activities at Oak Grove or at Braelinn baseball fields nearby.

Vendor of Choice: After seeking competitive bids from several different vendors, the Oak Grove PTO chose equipment which will be purchased through Sterling Recreation Products, Inc. The price is competitive and the reputation and experience of Sterling Recreation Products is outstanding. In fact, this company has installed playground structures at several Peachtree City elementary schools including Braelinn, Huddleston, Peachtree City Elementary, and others. The cart path which will be used as a walking/jogging track will be constructed by the City of Peachtree City at a cost to the Oak Grove PTO of approximately \$5000.

Equipment: The proposal for the equipment is broken down into two phases; however, if possible we plan to purchase both sections at the same time to replace the outdated playground structures that were recently torn down. Playsense Design 204 is suitable for all elementary school age children and is accessible for physically challenged children. This equipment meets all of the requirements put forth by the American Society for testing and materials and the Consumer Product safety Commission and the intent of the Americans with Disabilities Act. This

Peachtree City Recreation Commission

Page 2

April 17, 2000

playground structure offers a fun balance of play events to accommodate various ages and abilities of children.

Cost:

Section 1 - Playsense 204 Phase 1	\$6,555.00
Section 2 - Playsense 204 Phase 2	\$4,585.00
Total (both Sections)	\$11,140.00

This amount does not include shipping which will be approximately \$550.00 and installation, which, if done by the vendor would be approximately \$1895.00. The Oak Grove PTO, however, plans to install the equipment using Oak Grove PTO volunteers. The estimated cost of installation by volunteers is approximately \$150 plus ground preparation which is expected to cost approximately \$650.00.

Cart path/track	\$5,000.00
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The total for the playground equipment and cart path/track is \$17,490. Accordingly, the Oak Grove PTO requests that the Peachtree City Recreation Committee and the Peachtree City Council approve the funding request for \$5000. The remaining balance will be funded by the Oak Grove PTO through its fund raising initiatives and volunteer support. The PTO has already raised in excess of \$5000 for the playground and is continuing its fundraising efforts.

Conclusion:

We the parents, teachers, administration and students of Oak Grove Elementary would like to thank the City Council of Peachtree City and the members of the Recreation Committee for giving us the opportunity to request the matching funds for the much needed playground equipment and facilities. Because we have recently lost a large portion of our old playground, we are in desperate need of new and safer equipment. In addition, the proposed cart path/ track is a useful for the students of Oak Grove and those citizens of Peachtree City who like to walk and run in measured distances. Both the playground equipment and track will be available to city residents when not being used by the school, and will enhance the neighborhood recreation facilities.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & City Council
VIA: City Manager 
FROM: City Engineer 
DATE: May 25, 2000
SUBJECT: Sumner Road - GDOT Contract

The City has received the GDOT State Aid Contract for this project. The contract calls for up to \$71,835.34 in state assistance and will be applied to the material costs for this project. The agreement needs to be executed by the Mayor in order for the *Notice to Proceed* to be issued from the state. Therefore, city staff recommends that Council authorize the Mayor to sign the agreement with GDOT for funding of the Sumner Road improvements.

City Council of Peachtree City
Agenda
June 15, 2000
7:00 p.m.

- I. Pledge of Allegiance
- II. Announcements, Awards, Special Recognition
- III. Minutes – June 1, 2000
- IV. Consent Agenda
 - 1. July 3rd Holiday
 - 2. Resolution - Outdoor Water Use Restrictions
- V. Old Agenda Items
 - 04-00-05 Consider Modification to Indemnification Resolution
- VI. Consent Agenda
- VI. New Agenda Items
 - 06-00-04 Public Hearing – Rezoning – Cedarcroft Tract
 - 06-00-05 Public Hearing – Rezoning – Katz Tract
 - 06-00-06 Consider Future use of previous Leach Station Property
 - 06-00-07 Consider Ordinance - Recommendations from Board of Ethics
- VII. Council/Staff Topics
- VII. Executive Session

Notice: This agenda is subject to change up to 24-hours prior to the meeting.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Councilmembers
FROM: Jim Basinger 
DATE: June 7, 2000
SUBJECT: Request for July 3rd Employee Holiday

As you recall, at the last Council meeting Council discussed the possibility of designating July 3rd a holiday this year since the July 4th holiday is on Tuesday. Many employees must work on July 4th due to the full schedule of activities that day. Having Monday, July 3rd off would enable some of them to enjoy a three-day break before working the July 4th activities. Other employees who do not work on the 4th would be able to enjoy a four-day holiday if they were given July 3rd off.

Council requested that this issue be placed on the June 15th Council agenda as a consent agenda item. Staff has done so and does request Council approval.

JB/jsm