

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

- I. Pledge of Allegiance
- II. Announcements, Awards, Special Recognition
Employee of the Month – David McDaniel
- III. Minutes – May 4, 2000
- IV. Old Agenda Items
- V. New Agenda Items
 - 05-00-08 Public Hearing – Variance, Southern Shore, Lot 155
 - 05-00-09 Public Hearing – Variance, Lot 1 Kedron Office Park
 - 05-00-10 Consider Alcohol License Transfer, Valentino's, 460 Crosstown Drive
 - 05-00-11 Briefing on Community Messenger System
 - 05-00-12 Consider Authorization of LARP Contract
- VI. Council/Staff Topics
- VII. Executive Session

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

ANNOUNCEMENTS – 5/18/00

1. Mayor Lenox will present the Employee of the Month Award to David McDaniel.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council
FROM: City Manager 
DATE: May 11, 2000
SUBJECT: May 4th City Council Meeting Minutes

The City Clerk is on vacation this week; therefore, the May 4th City Council meeting minutes will be made available for approval at the June 1st Council meeting.

JB:gr

POSITION PAPER

Proposed Variance: Lot 155 Southern Shore

Director of Developmental Services

May 10, 2000

JBW/jg

Situation:

The house under construction on Lot 155 Southern Shore, 211 Palisades, is situated one foot behind the required building setback line. The builder wants to construct a set of stairs on the front of the house that would encroach into the setback about 11 feet. He has applied for a variance for that proposed encroachment (Attachment "A").

Facts:

1. The house under construction has a troubled past. It was started some time ago, then abruptly stopped. Next it went into foreclosure and was subsequently purchased by a new builder who has been trying to overcome its many problems.
2. The Southern Shore Subdivision is zoned R-15 Residential. The front setback in that district is 40 feet. However, because Lot 155 is on a cul-de-sac and is pie shaped, the front setback line was moved back to 54 feet in order to maintain a lot width of at least 95 feet at the setback line. The setback line for both Lots 154 and 156 is 40 feet.
3. If the stairs are constructed as proposed, they would still be more than 40 feet back from the front property line.
4. The proposed variance has been properly posted and advertised.

Recommendation:

The staff recommends the variance be approved as requested. The encroachment of 11 feet for the front stairs is relatively minor, and the stairs would still be set back further than construction would be permitted on either of the adjoining lots.

The builder has done a good job so far in rescuing the abandoned construction project. If he is forced to finish the house without a variance, it will require additional fill near the front door which will be most unattractive. It will also require a stairway that will be out of scale with the existing house and architecturally inappropriate for the situation.

The current builder is making the best of a bad situation. A variance for the front stairs will help him finish the house in as attractive a way as possible under the circumstances.

JBW/jir

Attachment "A"

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:

211 PALISADES - LOT 155, SOUTHERN SHORE PHASE VI

LAND LOT 124, 7th DIST., PEACHTREE CITY, FAYETTE CO., GA

The reason this variance is being requested is as follows:

THE ORIGINAL BUILDER WHO STARTED THIS
HOUSE (AND SINCE HAS ABANDONED THE PROJECT) SITUATED THE STRUCTURE SO CLOSE
TO THE FRONT BUILDING LINE THAT THE FRONT ENTRY STAIRWAY CANNOT BE
CONSTRUCTED WITHOUT CROSSING INTO THE FRONT YARD SETBACK.

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:

- Whether or not the special circumstances contributing to the request are peculiar to the particular property involved;
- Whether or not the situation for which the request is being made poses an unnecessary hardship for the applicant; and
- 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) RICK SEWELL and Assoc., P.C. - RICK SEWELL, AGENT

Address: 1994 RUGBY AVENUE COLLEGE PARK, GA 30337

Phone: (404) 766-1800

Signature: 

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. WILLIAMS

Title: DIRECTOR OF DEVELOPMENT

Date of Acceptance: APRIL 19, 2000

Date of Public Hearing: MAY 18, 2000

Variance Request
Data Sheet
April 14, 2000

Project Location: 211 Palisades
Lot 155, Southern Shore Phase VI
Land Lot 124, 7th District
Peachtree City, Fayette Co., Georgia

Narrative: The subject property hosts an unfinished residential structure. This structure was abandoned by the original builder and has been in an unfinished state for over a year. The new owner has set about to complete the project despite many obstacles. The site has extreme terrain yet with the proposed retaining walls and landscaping, the project can be finished in an appropriate and visually pleasing manner.

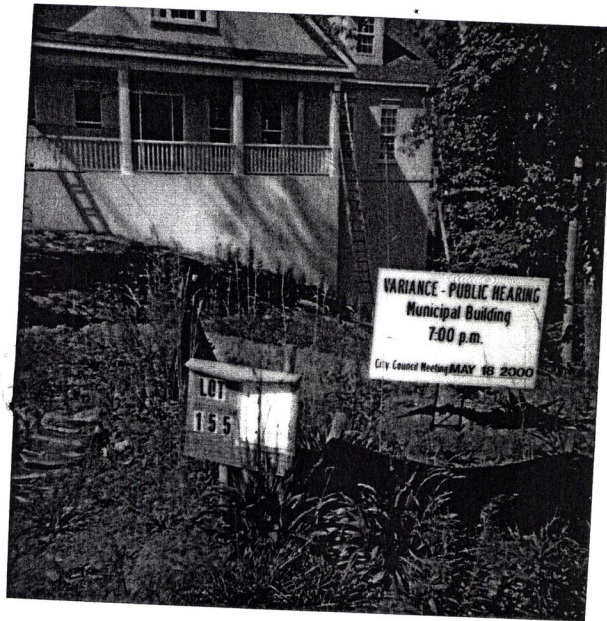
One condition can not be corrected, however, without this requested variance. The structure was located so close to the front building line that the proposed front entrance stairway can not be constructed without crossing into the front yard setback.

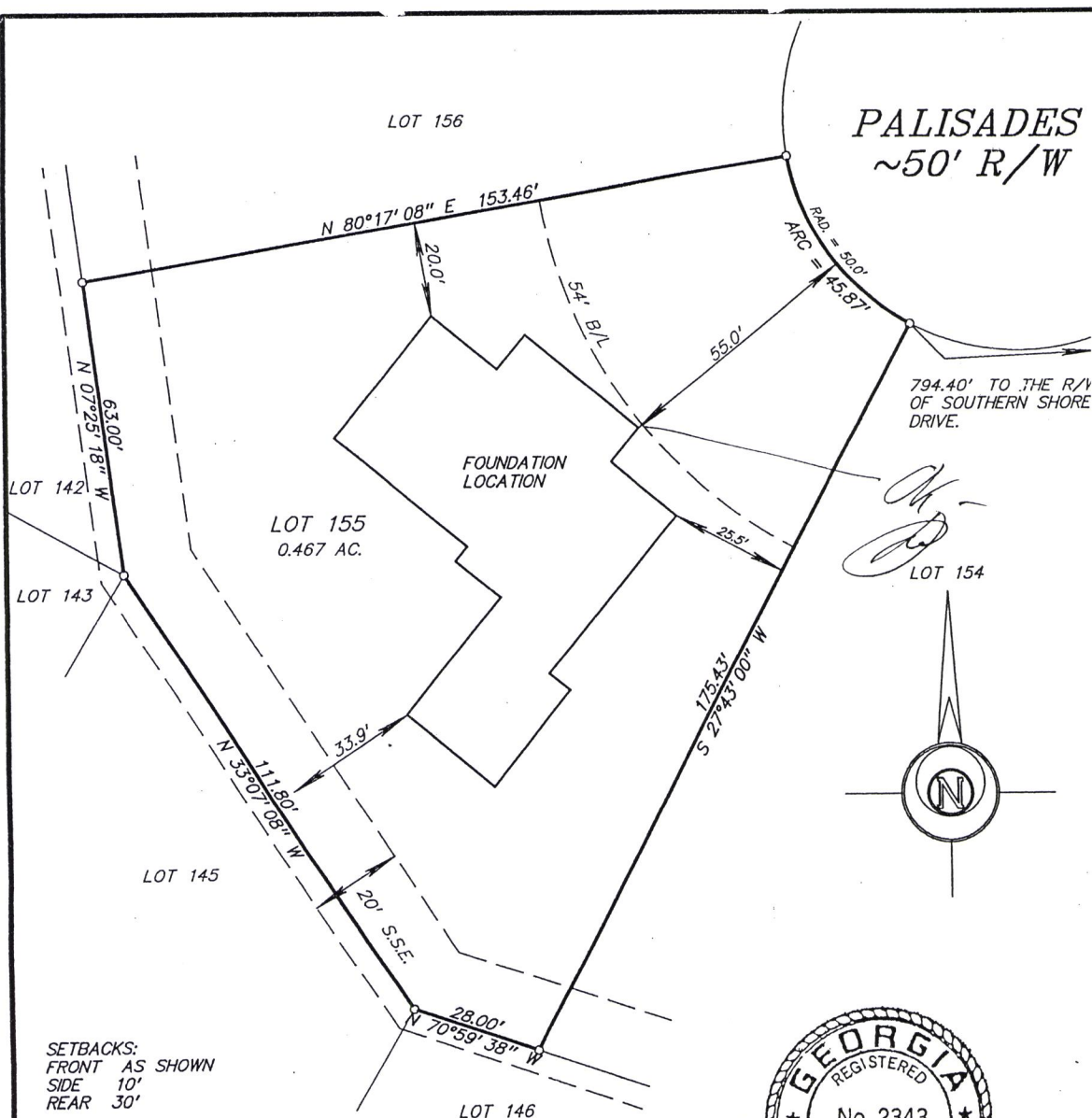
Plea: Our request is in no way intended to impair the purpose or intent of the Zoning Ordinance nor cause any detriment to other parties. We simply wish your blessings on our request such that the home may be completed in an architecturally suitable fashion and therewith remove what some neighbors regard a nuisance to the neighborhood.

The property has remained in an unfinished state for a long period of time and the existing conditions present seemingly overwhelming obstacles. While all obstacles have been addressed and solutions identified, the mistakes and/or abandonment by the previous builder have saddled anyone whom should assume the completion of the project with a special set of circumstances that are unique and peculiar to this particular property.

Since the new Owner had no involvement in the layout or planning of the site, to disallow this request would in fact disallow the new Owners from enjoying a home with a proper front entrance as called for in the architectural plans. The homes surrounding this property all enjoy the proper architectural elements. Deviation from the approved plans would jeopardize the intended architectural integrity. To disallow this variance would pose an unnecessary hardship for the new Owner by disallowing them the intended access to their front door. This would diminish their full enjoyment of the property through no fault of their own.

The Owner of this unfinished home purchased this property with the intent of enjoying the potential of this home in its fine surroundings. The new Owner is simply trying to complete a project which is a gem in the rough. The situation involving the front entrance of this home is a pre-existing condition and is truly not an intentional action by the new Owner to violate the requirements of the ordinance.





This plat prepared for the purpose of showing the FOUNDATION LOCATION for the building department, and NOT to be used or recorded for any other purposes, such as transfer of title of land.

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

In my opinion, this property does not lie within the 100 year flood plain as shown on the FLOOD INSURANCE RATE MAP Community No.: 130078 0080 D Dated: MARCH 18, 1996

PREPARED FOR:

RES COM PROPERTIES, INC.

SUBDIVISION: SOUTHERN SHORE PHASE VI		P.B. 26, PGS. 130 & 131
LOT 155	LAND LOT: 124	DATE: 12-30-97
BLOCK	7th DISTRICT	REV: 03-04-98
SCALE: 1" = 30'	FAYETTE COUNTY, GA.	JOB No. 971225

**jefferson
consultants**

consulting engineers surveyors planners

P.O. Box 2627 Peachtree City, Ga. 30269
770-487-9220 Fax 770-487-9225

Attachment "A"
Page 4 of 5



- 1) .
- 2) .
- 3) .
- 4) .
- 5) .
- 6) .

POSITION PAPER
Proposed Variance: Lot 1, Kedron Office Park
Director of Developmental Services *JBW/gf*
May 10, 2000

Situation:

The owners of Lot 1, Kedron Office Park, desire to build a four-story office building on the property. It is anticipated the proposed building would be between 55 feet and 58 feet high. The property is currently zoned OI Office Institutional. According to the Zoning Ordinance, Section 1005A.4, the maximum height for a permitted building in that district is 35 feet. The owners have requested a variance of 23 feet in order to build the proposed building (Attachment "A").

Facts:

1. The Peachtree City Zoning Ordinance has four commercial districts: LC Limited Commercial, OI Office Institutional, GC General Commercial, and LUC Limited Use Commercial.
2. In the LC and OI districts, Sections 1005.4 and 1005A.4, paragraph (f), it stipulates "(f) Maximum building height: Thirty-five (35) feet."
3. In the GC and LUC districts, Sections 1006.4 and 1006A.4, paragraph (f), it stipulates "(f) Maximum building height: Ten (10) stories, but if over thirty-five (35) feet, it must be approved by the fire department."
4. In all four commercial districts, churches are permitted as conditional uses; and there is no limit to their height as long as it is approved by the fire department.
5. The fire department has reviewed the drawings for the proposed building on Lot 1 and has no objection to the concept of a four-story building in that location.
6. The Planning Commission approved the conceptual site plan for the proposed building on April 24, 2000, (Attachment "B"). This approval was subject to a variance being granted to allow the building to exceed the 35-foot height limit.
7. At the request of the Planning Commission, the owners installed balloons at the corners of the proposed building. The balloons were set at the height of a completed four-story building. Upon inspection, the members of the Commission concluded the increased height would not pose an aesthetic problem in that area.
8. The proposed variance has been properly posted and advertised.

Page 2

Proposed Variance: Lot 1, Kedron Office Park

May 10, 2000

Recommendation:

The staff recommends approval of the variance. The two main issues involved with building height are fire safety and aesthetics. In this case, the Fire Marshal has approved the concept from a safety standpoint; and the Planning Commission has assured itself that the building would not be an unattractive feature in that area.

The staff feels that this building, if it is built as proposed, will be an extremely attractive addition to the City. If the variance is not approved and the building is reduced to two stories, it will occupy a much greater portion of the site and many of the best features of the site plan will be lost. It is an excellent application of "smart growth" design principles.

JBW/jir

Attachments "A" and "B"

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:

Lot 1 of Kedron Office Park, located at the Northeast intersection of Georgia
State Route 74 and Peachtree Parkway, Peachtree City, Georgia, Landlot 135

The reason this variance is being requested is as follows: Current zoning restricts buildings in
OI Office/Institutional districts from being over 35' in height. This would
prohibit buildings over two stories in height in the district, while 10 stories
are allowed in similar districts such as LUC. The variance is requested to
allow a four story office building with a height between 55'-58' to be
constructed to minimize impact on surrounding trees and buffers.

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:

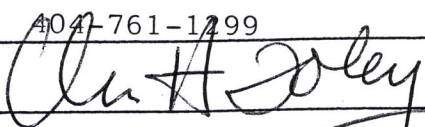
- a. Whether or not the special circumstances contributing to the request are peculiar to the particular property involved;
- b. Whether or not the situation for which the request is being made poses an unnecessary hardship for the applicant; and
- c. Whether or not the request is due to an intentional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

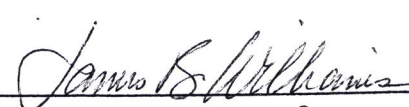
Name: (Please type or Print) William H. Foley

Address: 502 Creekside Way, Peachtree City, GA

Phone: 404-761-1799

Signature: 

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: 

Title: DIRECTOR OF DEVELOPMENTAL SERVICES

Date of Acceptance: APRIL 24, 2000

Date of Public Hearing: MAY 18, 2000

Lot 1, Kedron Office Park

The request for a variance for this building is based on inconsistencies in the Peachtree City Zoning Ordinance at it relates to Height restrictions. It is our understanding that this ordinance is in process of review by staff and Planning Commission due to these inconsistencies but that this project is the first to consider construction of such a project in the OI district.

The proposed project is a corporate office building located in Kedron Office Park (undeveloped) at the intersection of State Highway 74 and Peachtree Parkway. Current wording of the ordinance will only allow a 35 foot height for a building, which would only allow a building such as this to be 2 stories. Our request is to build a 4 story, 55-58 foot height building, thereby minimizing the size of the building footprint by over a third of an acre, allowing more landscaping, more tree save, and less impact on buffer areas.

Past office park projects, such as Westpark were developed under LUC district, Section 1006A of the ordinance. This section provides for a maximum building height of ten (10) stories, with fire department approval if over 35 feet (Article X, 1006A.4 (f)).

OI office institutional district states a maximum building height of 35 feet for allowed uses (Article X, 1005A.4 (f)). For conditional uses the height restriction for the same district is limited only by what is approved by the fire department. (Article X, 1005A.3 (a)(7)).

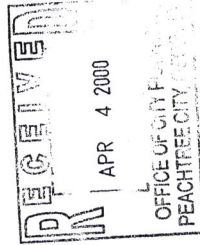
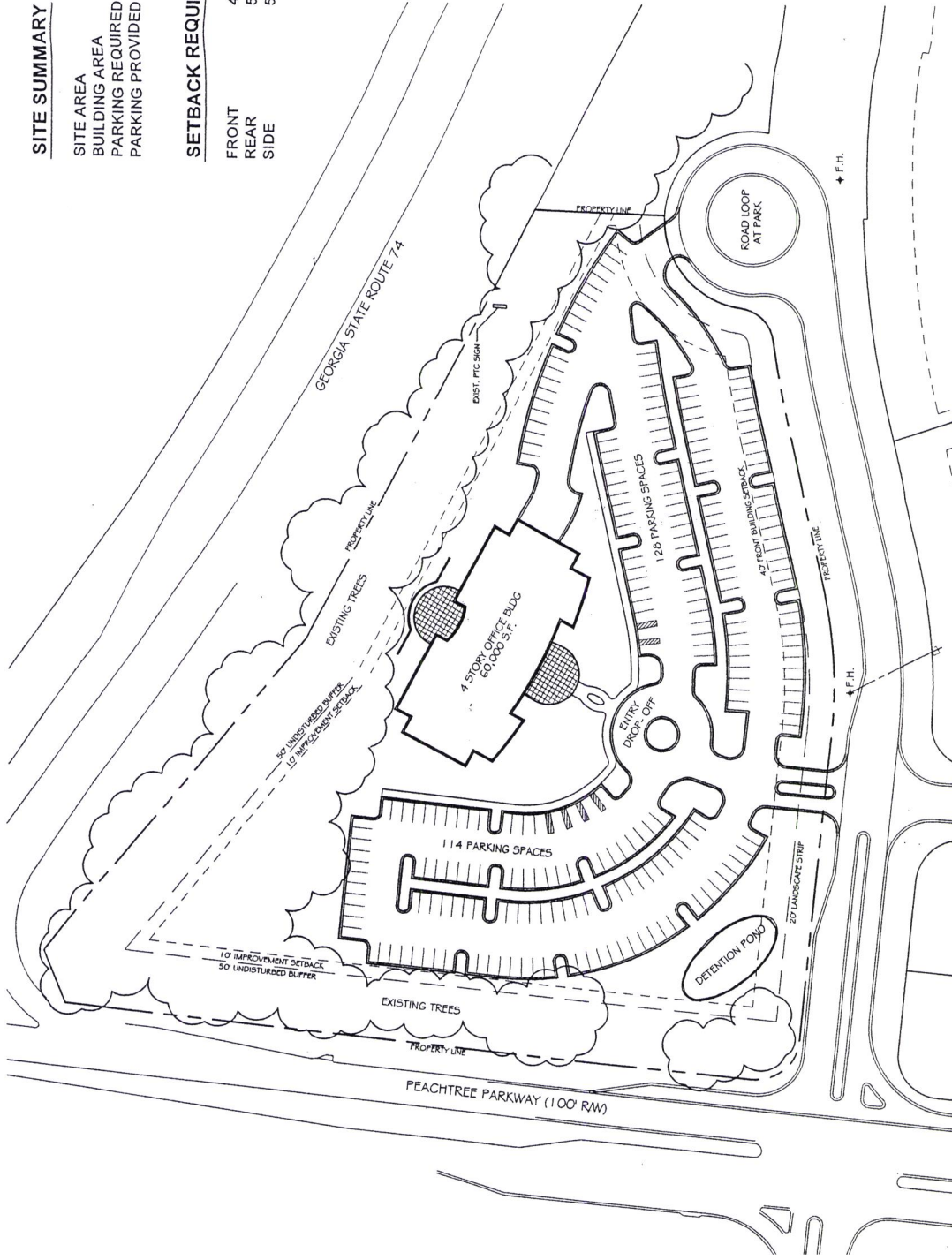
This inconsistency in districts both allowing office buildings are the reason for the variance request. Even in the same OI use a taller structure is allowed if a conditional use. The benefit to the development of this building and site is that the smaller footprint of the building will translate into less impact on the site, and a more economically viable building construction. Granting this variance would create no other impacts.

SITE SUMMARY

SITE AREA 6.51 AC
 BUILDING AREA 4 STORY OFFICE (60,000 S.F.)
 PARKING REQUIRED 4 PER 1,000 S.F. (240 SPACES)
 PARKING PROVIDED 242 SPACES

SETBACK REQUIREMENTS

FRONT 40' BUILDING SETBACK
 REAR 50' UNDISTURBED BUFFER
 SIDE 50' UNDISTURBED BUFFER



KEDRON OFFICE BUILDING

GROUP VI CORPORATION
 PEACHTREE CITY, GEORGIA

FOLEY DESIGN ASSOCIATES ARCHITECTS INC.
 1653 Cumberland Avenue Building 100 Suite 102 East Point, Georgia 30641 (404) 786-1289

MARCH 31, 2000
 SCALE: 1" = 40'
 SCHEMATIC SITE PLAN

The developer had been asked to study the situation and present his findings so Staff could review the facts, but he had refused to do so. Mr. Williams emphasized the importance of having this information before consideration could be given to building homes in this area. He added that the City would hire a consultant to gather the information needed to properly evaluate the sound and vibration in the area and how it would be affected by the proposed abatement measures. Mr. Williams stated that the owner's permission would be required prior to entering his property and that the owner would like to accompany the engineer doing the work.

Mr. John Dillahunt, a resident of Wynnmeade Subdivision, urged the Commission to hold fast to the requirement for buffering between their subdivision and MacDuff Parkway.

APPROVAL OF MINUTES

A motion was made by Dr. Schumacher, seconded by Mr. Granger, and unanimously adopted to approve the minutes of the regular meeting of April 10, 2000.

OLD AGENDA ITEMS

04-00-02 Conceptual Site Plan, Kedron Office Park, Building One

Mr. Mike Amos of Group VI Corporation was in attendance in Mr. Foley's absence; he had been detained out of town. He explained that this project had been tabled at the last Planning Commission meeting. Since that time, Staff had met with the Planning Commission Representative, the Applicant, and the Contractor to discuss a variety of issues including the overall height of the building, overall parking ratio, and site lines to the project.

In regard to the proposed height of the building, Mr. Rast stated that the Fire Marshal had reviewed this plan with the Applicant and indicated he would support the increased height of the building. However, due to the wording of the ordinance, either a variance or a change to the Zoning Ordinance would be required. Staff felt the language in the OI zoning criteria was an oversight when the ordinance was revised several years ago. Mr. Amos stated that an application for the required variance had been submitted.

Mr. Ames expressed his appreciation for the balloons that were flown from each corner in order to verify the overall height of the building and its relationship from GA 74 and Peachtree Parkway. He felt from an architectural standpoint, the building would fit very nicely with the tree line. However, he disputed the figures Mr. Foley gave for parking requirements in the metro-Atlanta area. He stated that he had contacted eight different municipalities and found that six of the eight had the same or more stringent requirements than Peachtree City. He felt the parking requirement was appropriate and was against adding any more than 180 parking spaces for this building.

Mr. Amos pointed out that these were minimum requirements. He added that they had several projects in Peachtree City with four spaces per thousand, and prospective tenants of those buildings had expressed concern about the lack of parking. The principal tenant for this particular building would have 160-170 employees on a given shift, but the other tenant would also have parking requirements. He felt that requiring 180 parking spaces for this project would probably cause the project to leave the City.

Mr. Amos added that the requirements Mr. Ames found at other municipalities were set a number of years ago based on 330 square feet of work area per person. Modular furniture had allowed for smaller work areas which now averaged 250 square feet or less per person. He said they would work to make the parking aesthetically pleasing to everyone and still meet the needs of the tenants of the building.

Mr. Ames stated that he was not against making a plan that incorporated parking for the future but he was against paving unnecessarily because he felt there were a lot of projects in the City where parking lots were not fully utilized. Mr. Amos pointed out that in the case of the Siemens building, the operation was sold and began downsizing before the building was fully staffed. Had that not occurred, all of the planned parking would have been used.

Dr. Schumacher felt that fewer parking spaces would encourage carpooling and help reduce the number of cars on the road. He felt this development would definitely add to the pollution and traffic that were already present.

Mr. Amos also stated that they were in agreement with Staff and the Planning Commission regarding the main entrance to the Office Park from Peachtree Parkway; it would be landscaped and would reflect the aesthetics of its prime location. He added that they had spoken to Pathway Communities at length regarding the detention. Pathways felt each

parcel should have its own detention, but Mr. Amos stated that Group VI was willing to combine them into one location if Pathways chose to do that.

Mr. Saunders asked whether a traffic study would be required for this project. Mr. Williams explained that Pathways had already done a traffic study relative to the shopping center and the intersection, and this project was taken into account at that time. The Commissioners felt that a determination needed to be made as to whether the previous traffic study met the requirements of the Traffic Ordinance or whether another study would be required. Mr. Ames stated that a traffic study would not be required if one had already been done.

Mr. Amos stated that his understanding was that, because this property had already been subdivided, platted, and approved, another traffic study would not be required. Mr. Saunders noted that the Traffic Ordinance stated that it would apply to all development projects in the city for which a development building permit had not been issued as of the date the Ordinance was adopted.

Mr. Rast noted that the schematic grading plan indicated an opportunity to field locate and preserve existing vegetation around the perimeter of the parking area. He felt this was preferable to a tree survey because they often contained discrepancies in the location and/or condition of the trees. He felt it would be more productive to field locate some of the islands in order to save some of the nicer trees; this would result in a reduction of the overall parking.

Mr. Ames made a motion to approve the conceptual site plan with the six conditions recommended by City Staff and an additional condition that restricted the parking to 180-200 spaces with the possibility of additional parking to be added, if necessary, upon approval by the Planning Commission. The motion failed for lack of a second.

A motion was made by Mr. Finney and seconded by Mr. Granger to approve the conceptual site plan for Building One at the Kedron Office Park subject to the following understandings and conditions. The motion passed by a vote of 3 to 2 with Mr. Ames and Dr. Schumacher voting against it.

1. *The Applicant must secure a variance from City Council for the overall height of the building prior to approval of the final site plan. Should this variance be denied, a revised conceptual site plan must be prepared and submitted to City Staff and the Planning Commission for review and approval.*
2. *The Applicant must work closely with Staff and the Planning Commission Representative throughout the preparation of the grading plan to ensure that existing vegetation is preserved to the greatest extent practicable. Absolutely no disturbance will be permitted within the tree save and landscape buffers.*
3. *Prior to the pre-clearing inspection, the centerline of the outer drive and the edge of the parking lot must be located to identify existing vegetation that might be preserved. The Applicant must understand that some of this parking may be deleted or re-arranged to create larger areas for the preservation of existing vegetation.*
4. *The detention area must be designed in a manner that will preserve existing vegetation. This area must also be designed in a manner that is aesthetically pleasing and must be fully landscaped.*
5. *A complete set of architectural plans, including exterior material and color selection, must be submitted to City Staff for review.*
6. *A complete site lighting plan, including all lighting proposed on the exterior of the building, must be submitted to City Staff for review.*
7. *Prior to approval of the final site plan, and preferably as soon as possible, a Traffic Impact Study should be prepared which identifies what impacts this development might have on the GA 54 corridor. This Study should be compared with the Traffic Study prepared for the overall Kedron Village commercial area several years ago to determine if additional improvements will be required..*

The Applicant agreed to the conditions. Mr. Finney was designated to be the Planning Commission representative.

NEW AGENDA ITEMS

04-00-03 Conceptual Site Plan, MA Industries Expansion, Dividend Drive

In the absence of a representative for this project, a motion was made by Mr. Finney, seconded by Dr. Schumacher, and unanimously adopted to table review of this item to the May 8, 2000, Planning Commission meeting.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council
FROM: City Clerk 
VIA: City Manager
DATE: May 2, 2000
SUBJECT: Alcohol License (transfer) -Valentino's

Valentino's Restaurant located at 460 Crosstown Drive is being sold to the Tailwind Development Company, Inc. Mr. Craig May has requested to be appointed as the Licensee for the corporation and Mr. Carl Smosna has requested to be appointed as the License Representative.

Mr. May is a commercial airline pilot and will not be able to attend the meeting on May 15. His wife, Kimberly May, is also an officer of the corporation and will attend the meeting to answer any questions you may have.



Peachtree City

Georgia

State of Georgia

City of Peachtree City:

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

Craig Michael May
Name

201 Planceer Place Peachtree City, GA 30269
Address

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 drugs within five (5) years prior to the date of the application for this license.

James V. Murray
Signature
May 9, 2000
Date

Major R.M. Austin
Witness



Peachtree City

Georgia

State of Georgia

City of Peachtree City:

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

Carl Randolph Smosna
Name

1000 Stevens Entry Apt. S 112 Peachtree City, GA 30269
Address

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 drugs within five (5) years prior to the date of the application for this license.

James V. Murray
Signature

May 9, 2000
Date

Major R.M. Decker
Witness



CITY OF PEACHTREE CITY
151 WILLOWBEND ROAD
PEACHTREE CITY, GA 30269
(770) 487-7657

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

Business Name: Valentino's		Business Location: 460 Crosstown Dr., Peachtree City		C132866	
Nature of Business: Restaurant		Mailing Address: 460 Crosstown Dr. Peachtree City GA 30269		Business Phone Number: 770 631 7779	
Name of Licensee: Tailwind Development Co. Inc Craig M MAY		Home Address: 201 Planceer Place Peachtree City GA 30269		Home Phone Number: 770 487 0890	
Name of License Representative: Carl Smosna		Home Address: 1000 Stevens Entry APT. S112 Peachtree City GA 30269		Home Phone Number: 770 486 6658	
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 provide complete information according to type of business entity (use separate sheet if necessary):					
Individual - Owner Name:		Home Address:		Phone Number:	
Partnership - Partner's Names:		Home Addresses:		Phone Numbers:	
Close Corporation Name: Tailwind Development Co. Inc.		Close Corporation Addresses: 201 Planceer Place Peachtree City GA 30269		Phone Number: 770 487 0890	
Officers of Close Corporation: Craig MAY Kimberly MAY Robert Stieber Karen malone-Stieber		Home Addresses: MAYS - 201 Planceer Place, Peachtree City GA 30269 Stiebers - 207 Rustica Drive Newnan GA 30263		Phone Numbers: 770 487 0890 770 252 9444	
Directors of Close Corporation: SAME AS OFFICERS		Home Addresses:		Phone Numbers:	
Stockholders of Close Corporation: SAME AS OFFICERS		Home Addresses:		Phone Numbers:	
Corporation Name:		Corporation Address:		Phone Number:	
Name of GA Registered Agent named for service process:		Home Address:		Phone Numbers:	
Is any person who will own an interest in the license/licenses an employee of the City of Peachtree City? NO					

Gloria Reid

From: Jim Basinger
Sent: Wednesday, May 10, 2000 1:22 PM
To: Gloria Reid
Subject: FW: Community Messenger Briefing

Glo, please add as agenda item.

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

From: Jim Basinger
Sent: Wednesday, May 10, 2000 1:09 PM
To: Stony Lohr
Subject: RE: Community Messenger Briefing

Stony, I have no problem with this being on the May 18 agenda. Right now it is a light agenda. I would ask that the presentation not exceed 15 minutes. Also, I will need a brief cover letter from you and info on the system for Council books by this Thursday at 12 noon. Please advise. Jim

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

From: Stony Lohr
Sent: Wednesday, May 10, 2000 11:41 AM
To: Jim Basinger
Cc: Betsy Tyler; Gloria Reid; Nancy Faulkner; Chief James Murray
Subject: Community Messenger Briefing

DataFM representatives (Marshall Bandy and Jimmy Rogers) have asked if they could brief City Council concerning the Community Messenger system at Council meeting on May 18th (or a subsequent date).

Stony

CITY OF PEACHTREE CITY
INTER-OFFICE MEMORANDUM

TO: Mayor and City Council

VIA: City Manager, ATTN: Mr. Jim Basinger 

FROM: Stony Lohr 
Acting Fire Chief

DATE: May 10, 2000

SUBJECT: Community Messenger

Staff briefed City Council on a possible Community Emergency Warning System at Retreat in April. A possible component of this system is the Community Messenger recently developed by the DataFM Company.

Mr. Marshall Bandy, President of DataFM, and his Associate, Jimmy Rogers, have asked for an opportunity to brief Council on the Community Messenger system. They conducted an initial briefing for the 9-1-1 Communications Board on May 4th, 2000.

This system was first activated in Catoosa County on March 5th, 2000. Catoosa County Commissioner Hudon Tatum has written the Georgia Legislature praising this system and urging its use in lieu of weather radios and sirens.

The Community Messenger is a digital satellite linked radio data service, or "interactive smart radio". It is a small desktop unit that can also be operated as a mobile unit. It functions as a normal radio. It constantly monitors a designated frequency for emergency warning and communications, and automatically scans for an alternate frequency if the primary fails for any reason. In the Peachtree City area, Z93 FM (92.9) already carries the Community Messenger signal. DataFM has coordinated with MAGIC FM, which could provide an even better signal from their new transmitter in Tyrone. Messages are demographically and geographically addressable to a street, subdivision, community, ZIP code, City, county, or other target area.

Each receiver contains embedded chips that are always active for transmittal of emergency public information and limited advertising and communications by the system operator and DataFM. Each user can program the Community Messenger radio to receive only those other messages that he or she is interested in receiving. In addition to alerts, warnings and instructions for weather emergencies, community disasters, police emergencies, or hazardous materials incidents, the user may program the unit to receive community messaging from a group leader to group members;

community specific messages such as weather, local news, 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. 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.

DataFM indicates that they would install the system in the 9-1-1 Center at no cost. They would contract with someone in the community to sell the radio unit. Unit cost is essentially at manufacturing cost (typically \$99.00-\$139.00). In Catoosa County, the Ringgold Telephone Company coordinates unit sales and offers an option to pay for the unit in monthly installments on the telephone bill. Leasing and lease to purchase programs are also available. There is no service cost for recipients for receipt of information. There is no cost for emergency service use of the system. In Catoosa County, there is no cost for use by legitimate schools and churches. Revenues are generated primarily from monthly rental of telephone numbers, advertising messages, and subscription services. Rental fees for other companies, groups and persons who wish to send messages are reported as typically \$5.00 to \$50.00 per code per month, depending upon message volume.

DataFM reports that if we assist in identifying a commercial operator of the system, which could be an individual, a company, the city or the county, they could have the system in operation in approximately one week. DataFM has conducted initial coordination with EMC's RELYCO as a possible system operator for the Peachtree City area.

A Community Emergency Warning System is an integrated system. Individual awareness is an essential preliminary component. Other components may include weather radios, a telephonic notification system, a siren or siren speaker system, and/or the DataFM Community Messenger system. The DataFM Community Messenger system appears to have the capability to provide all functions of weather radios and a telephonic notification system, and most functions of a siren speaker system.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council
VIA: City Manager *[Signature]*
FROM: Director of Public Services *[Signature]*
DATE: May 12, 2000
SUBJECT: Local Assistance Road Program (LARP) Contract

Staff has reviewed the Georgia Department of Transportation (GADOT) Local Assistance Road Program (LARP) contract LAU 29-8530-92 (113) which is a standard GADOT contract. This contract is available for review should Council desire.

Staff recommends that the City execute this contract for resurfacing the following streets:

LAU 29-8530-92 (113)

<i>STREET</i>	<i>LENGTH (MILES)</i>
Atwater Park	
Bowfin Bay	0.100
Clydesdale Road	0.230
Corran Court	0.290
Cove Road	0.030
Driftwood Lane	0.110
Eastbrook Bend	0.140
Everhill	0.210
Grenoble Road	0.250
Hamilton Drive	0.200
Hunters Halt	0.090
Jumpers Run	0.060
Nettlecure Court	0.090
Parsons Place	0.090
Perch Point	0.080
Petrol Point	0.080
Scatterfoot Drive	0.190
Stevens Entry	0.310
Tivoli Gardens	0.600
	0.080
<i>Total Miles</i>	<i>3.230</i>
<i>Total Contract Amount</i>	<i>\$69,954.43</i>

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Local Assistance Road Program (LARP) Contract
May 12, 2000

The contract amount of **\$69,954.43** is approximate cost of materials only and does not include labor, equipment or delivery costs for the installation of the asphalt paving.

CWH/lg

Attachment

cc: Assistant City Manager
City Engineer
File

May 4, 2000

Your honor, council members, I must oppose the appointment of the firm Webb, Stuckey, and Lindsey. After serious consideration, I find three reasons why this appointment should not be made.

First, there is cost. Webb, Stuckey, and Lindsey were the high bidders in terms of cost per hour. This was even after the second round of bids when all the bidders knew the range of bids submitted by their competitors from the first round. We are dealing with taxpayers' money here, not your money. You have an obligation to get the taxpayers the best value considering cost and quality of service. Webb, Stuckey, and Lindsey may have provided the city with satisfactory service in the past, but ask yourselves, Is their service so much better than could be provided by another firm to warrant the premium charge? Are there not other qualified firms that could provide the city with legal counsel for a more reasonable cost? Apparently so, since city staff did not throw out all of the other bids as unqualified. At the very least, the city should have negotiated a better price from Webb, Stuckey, and Lindsey.

Second, there is the ethics issue. Mr. Webb was accused of an ethics violation by a past member of a city commission. The question as to whether he violated the Peachtree City Ethics Code was never answered since the advising attorney opined that Mr. Webb was not subject to the code. Well, he may not be legally subject to the Ethics Code, but I think he is morally obligated to abide by the code as a city officer. In fact, to comply with the State Bar's code of conduct to avoid even the appearance of impropriety, the city attorney should voluntarily agree to abide by the city Ethics Code wherever it might be stricter than the state bar's code. In both this ethics complaint against Mr. Webb and the Bank of Georgia case, no laws may have been broken, we don't know yet, but in my view, there is certainly an APPEARANCE of impropriety.

Finally, there is the lawsuit against one of our local newspapers and Mr Steve Brown, a city resident. This, I feel, is the most serious issue. It was improper for a member of Mr Webb's law firm, to use a City Council forum, to address the council and city, ostensibly in his role as city attorney, to announce Mr. Webb's lawsuit against the defendants. Clearly the intent was to make the greatest public impact at the expense of Council. More disconcerting is Mr. Webb's use of SLAPP tactics (strategic lawsuits against public participation which is a violation of Georgia code) against a citizen of Peachtree City for exercising his right to free speech to pose the question whether Mr. Webb had violated the City's Ethics code in relation to his business association with parties in litigation against the city and suggesting that the issue be investigated. The courts will determine if Mr. Webb's suit meets the legal definition of SLAPP, but that is clearly his intent as stated by Mr. Lindsey that the lawsuit would be "lengthy and expensive." At the risk of being sued myself, I will state this is not the type of action I want to see from the attorney representing our city.

If you, as officials elected to represent the citizens of Peachtree City, truly want to do what is right for this city, you will reject this appointment. Thank you.

Robert Brown
102 Planterra Way
Peachtree City