

City Council of Peachtree City
Agenda
May 16, 2002

7:00 p.m.

- I. Pledge of Allegiance
- II. Announcements, Awards, Special Recognition
Proclaim May 19-25 as EMS Week
Recognize Tom Carty as Building Official of the Year for Georgia
- III. Minutes
April 18, 2002 Meeting Minutes
May 2, 2002 Meeting Minutes
- IV. Consent Agenda
 - 1. Change in License Representative for Chili's Grill and Bar
 - 2. Change in Licensee and License Representative for Village Chevron
 - 3. Declaration of Surplus – Ladder 8
- V. Old Agenda Items
 - 02-02-03 Consider Amendment to Intergovernmental Agreement with the Development Authority
 - 01-02-11 Consider Amendment to Intergovernmental Agreement with the Airport Authority
 - 12-01-09 Consider Public Safety Retirement Plan
 - 01-02-05 Discussion on GEM/NEV Vehicles
 - 05-02-CA3 Consider Library Meeting Room Policy
- VI. New Agenda Items
 - 05-02-03 Public Hearing – Rezoning – Bostick Tract, E-R to O-I
 - 05-02-04 Consider Airport Authority Bond Resolution and Approval of Bond Purchase Agreement
 - 05-02-05 Consider COLA (Cost of Living Increase) for Some Retired Employees
 - 05-02-06 Consider Amendment to CAR on Cash Reserve Policy
 - 05-02-07 Consider July 4th Parade Candy Policy
- VII. Council/Staff Topics
- VIII. Executive Session

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

City Council of Peachtree City
Minutes of Meeting
April 18, 2002
7 p.m.

The City Council of Peachtree City met Thursday, April 18, 2002, in the City Hall Council Chambers. Mayor Brown called the meeting to order at 7:00 p.m. Other Council Members present were: Annie McMenamin, Steve Rapson, Dan Tennant, and Murray Weed.

Announcements, Awards, Special Recognition

Mayor Brown presented a 10-year service pin to Dot Hayes and recognized her retirement from the Peachtree City Library. Jim Kretchman of the Fire Department was recognized as Employee of the Month for March and Scott Hicks of Public Services was recognized as Supervisor of the Quarter. Former Medical Advisor Dr. Bruce Perlman was recognized for 15 years of service. Ed Davis, president of the West Georgia Inspectors Association, presented Building Official Tom Carty with a \$500 check for the organization's Safety Program Award. Wickus and Leone de Kock were recognized for obtaining their U.S. citizenship. The Mayor proclaimed April 13-20 as National Library Week and April 21-27 as Landscape Architecture Week. Airport Authority Member Jerry Cobb announced that the Airport Authority received a grant of \$1 million to purchase property near Falcon Field.

Approval of Minutes

McMenamin moved to approve the March 21, 2002, regular meeting minutes with changes. Tennant seconded. The motion carried unanimously.

Brown moved to table the March 15-16, 2002, Retreat Minutes until the May 2 meeting so some changes could be added. McMenamin seconded. The motion carried unanimously.

Consent Agenda

1. Consider Appointment to Fayette County Library Board
2. Consider School Board/Centennial Deed to 20-acre School Site
3. Consider Request from Panasonic to Hold March of Dimes Car Wash

Rapson noted that the appointment to the Fayette County Library Board, Marie Washburn, was his mother-in-law. Rapson asked if there was an addendum to the School Board/Centennial Deed that stated the school site would revert back to greenspace if the Board of Education decided not to build on the site. Basinger said that had already been done. Weed said he would abstain from the vote on the school site since the site was included in an annexation approved by the prior Council. Tennant moved to approve the consent agenda. McMenamin seconded. The motion carried 4-0-1 (Weed).

Old Agenda Items

10-01-10 Budget Reduction Update

Salvatore detailed the Contingency Plan for the Budget Reduction. The Contingency Plan Maximum had been \$1,463,596 (20% shortfall). The amount was now down to \$834,041. Salvatore noted \$629,555 was released from impoundment and detailed the line items to be funded, as well as the operating fund details. Salvatore continued that revenues were holding up well at this point, but the two problem areas were interest savings and hotel/motel taxes. The good news was that the percentage shortfall in hotel/motel taxes was down to seventeen percent (17%)

from thirty-seven percent (37%). Interest earnings continued to be a problem, but other line items were making up the shortfall.

Salvatore told Council that there were also problems on the expenditure side of the budget. The pension company sent word there would have to be an increase. The investment portfolio took a hit when the stock market fell after 9/11. Health insurance claims increased and Workers' Compensation increased. The property insurance carrier (GMA) notified the City that there would be a rate increase. Salvatore had not been told how much the rates would go up, but had heard there would be approximately a fifteen percent (15%) increase.

Brown noted the franchise fee from Georgia Power was down and asked Salvatore what had happened. Salvatore answered there had been a loss of industrial consumers in the City. Tennant noted that LOST was up almost \$75,000, which was good, and commented that the windfall in the insurance fees helped make the shortfall in the hotel/motel taxes a wash. Salvatore said he would not know the effect of the state's sales tax holiday on LOST revenues until May. Rapson commented that if the insurance tax windfall were backed out of the revenues, the difference would be 0.63%, which was relatively flat.

01-02-05 Discussion on GEM/NEV Vehicles

Basinger updated Council on the latest information concerning House Bills 1439 and 1389. Bill Wood, attorney for Global Electric Motorcars (GEM), reported that neither bill had made it to the Governor's Office yet. House Bill 1389 was amended to include the tax credit and registration and would be effective upon the Governor's signature. Strobe lights had also been added to House Bill 1389. Wood said GEM was working on getting something together so strobe lights could be placed on the GEMs. Tennant moved to extend the grace period and allow the GEMs to operate on the cart paths. Weed seconded. The motion carried unanimously.

02-02-17 Discussion on Results of Workshop on Sports and Entertainment Opportunities

Leisure Services Director Randy Gaddo reported that a meeting with the presidents of all the City's sports associations had been held on April 11. The discussion was on how to leverage the capability of the Development Authority to assist in planning tournaments and events of statewide or national interest. Gaddo continued that there was a lot of good input. He and Recreation Administrator Sherry McHugh were developing a survey for the association presidents that asked them what they needed and what they were looking for. Gaddo, McHugh, and Virgil Christian, executive director for the Development Authority, would analyze the results. McHugh had developed a document that listed all the sports associations and events. The plan was to maximize the association's ability to get block hotel rates. Gaddo indicated it was a good meeting and everyone left with a positive attitude. Brown agreed the meeting went very well.

Christian provided an update since the April 11 meeting. He met with one association president and they were working on a tournament. Christian was encouraged by the associations' response and added that Gaddo and McHugh had done an outstanding job. Christian commented he was excited about working together.

McMenamin asked if any proposed activities would be affected by the national associations' bylaws. Gaddo answered one of the questions asked by the survey would be if national by-laws allowed the local associations to hold tournaments and events.

02-02-03 Consider Amendment to the Intergovernmental Agreement with the Development Authority

Tennant indicated that he had just received a copy of the proposed amendment and would like to table the matter until the May 2 meeting. Weed agreed. Tennant moved to postpone acting on the amendment to the intergovernmental agreement with the Development Authority until the May 2 meeting. Weed seconded. The motion carried 4-0-1 (Rapson).

01-02-11 Consider Amendment to the Intergovernmental Agreement with the Airport Authority

Tennant moved to table the vote on the amendment to the intergovernmental agreement with the Airport Authority until the May 2 meeting. Weed seconded. The motion carried 4-0-1 (Rapson).

New Agenda Items

04-02-01 Alcohol License – NEW – Chopsticks

Jie Lin told Council his plans for Chopsticks. Brown asked Lin if he had read and understood the alcohol ordinance and Lin said yes. McMenamin moved to approve Jie Lin as the licensee and license representative for Chopsticks. Brown seconded. The motion carried unanimously.

04-02-02 Alcohol License – NEW – Casa Vieja of GA, Inc.

Susanna Alvarez Reyes discussed her plans for Casa Vieja of GA, Inc. Reyes applied to be the licensee and license representative. McMenamin moved to approve Susanna Alvarez Reyes as the licensee and license representative for Casa Vieja of GA, Inc. Weed seconded. The motion carried unanimously.

04-02-03 Public Hearing – Variance – Ashton Park

Bill Gibson, builder/developer for Ashton Park subdivision, addressed Council. Gibson told Council the variance was for Lot 6. He recalled that he had mentioned there might be a problem with one of the lots that would be difficult to build on during the rezoning process. Gibson said staff advised him to take it up with Council at a later time. Gibson explained that Lot 6 would not accommodate any of the prototype houses designed for the subdivision. Gibson requested a variance to the 35-foot undisturbed buffer in the rear yard of Lot 6.

Gibson continued that he had a sale pending on the lot, which was subject to the house plan. The variance would allow him to keep the flow of the neighborhood. City staff had recommended a 15-foot setback be considered. Gibson said the 15-foot setback allowed him to use one of the existing plans by moving the sunroom and screened porch. He said staff had also recommended landscaping in the buffer and he would do that. He told Council he appreciated their consideration in allowing him to keep the flow of the subdivision going. Brown asked Gibson if he had read staff's recommendations and agreed with them. Gibson said yes.

Developmental Services Director Jim Williams gave Gibson a pat on the back. He said Ashton Park was the best example in south Atlanta of a real cluster subdivision and the subdivision was a

real complement to that end of town. Williams noted that Holly Grove Church Road had been converted to a driveway. He continued that Gibson's plan was very generous. If Gibson could assure that the undisturbed buffer remained undisturbed and that he would keep the 40-foot buffer along Holly Grove Church Road, then staff would enthusiastically support the variance.

Weed stated his findings on the variance request based on the evidence presented. Weed found there were special circumstances. The shape of the lot denoted the house. There was also a very special condition since Holly Grove Church Road was now a driveway rather than a public road. If the variance were not granted, a special condition would be imposed. Weed also found that the request was not due to an intentional act of the developer. With those findings, Weed moved to approve the variance with the following conditions: 1. That concrete assurances be provided by the developer that the 35-foot buffer would be protected on all other lots adjacent to the old road and on all portions of Lot 6 that were not essential for the actual construction of the house; and 2. That no portion of the proposed house on Lot 6 shall be closer than 15 feet to the rear property line and maintain the required minimum rear setback of 40 feet from the project boundary as required in the Zoning Ordinance for the district. Weed amended his motion to add the third recommendation by staff, which stated that the developer would provide supplemental landscaping in the buffer area of Lot 6 and in the adjoining greenbelt area in accordance with a re-vegetation plan that must be approved by the City Landscape Architect. Tennant seconded. The motion carried unanimously.

04-02-04 Public Hearing – Variance – Ashley Way

Ed Gronka, property owner of 517 Ashley Way, addressed Council. Gronka's variance request was to allow a 240 square-foot utility building to be placed in the setback area on the rear of his lot. Gronka told Council there was a 30-foot setback from the back of his property line. There was also a gully in his rear yard that would act as a natural setback. Gronka told Council he had contacted the adjoining property owner, Scott Bradshaw, and had a letter from Bradshaw stating his support for the variance. Brown asked Gronka if he agreed with the two conditions Bradshaw listed in his letter. The conditions Bradshaw listed were that Gronka would, at his expense, have a registered surveyor locate and/or stake the rear lot corners contiguous to Bradshaw's property and run a string between the pins or flag the line every 20-30 feet so that it could be determined that the building was 10 or more feet from the property line. In addition, Gronka was to plant and maintain Leyland Cypress or other comparable trees or large shrubs at the rear of the building to provide a visual screen to the future homeowner on the undeveloped lot adjacent to the property. Gronka said he agreed to the conditions.

Rapson noted that placement of the building did not make sense on paper, but was clear after he walked back and saw the location. Rapson agreed there were special circumstances.

Bill Gibson addressed Council and said he was the original developer of Smokerise Estates, Phase II. He added that he lived on Ashley Way and could not have chosen a better spot for the utility building. The location was not visible from the street and the utility building met the architecture covenants in the subdivision.

Williams told Council that staff recommended approval of the variance request. The subdivision had large, low-density lots. Brown commented that the discussion had cleared up a lot of his questions on the proposed variance.

Rapson noted there were special circumstances and moved to accept the recommendation of staff and recommended approval of the variance request. He amended his motion to include the two conditions stipulated by Scott Bradshaw in his letter. Weed seconded the motion. The motion carried unanimously.

04-02-06 Public Hearing – Variance – Surrey Trail

William Little, property owner at 101 Surrey Trail, addressed Council regarding his variance request. Little explained that he had torn down his porch and was planning to replace it with a bigger porch. When he went to get a building permit, it was discovered that the foundation of his house was five feet inside the setback. He asked for a variance for the foundation of the house and to enlarge the porch into the setback area to make the porch more usable.

Williams told Council that this was a very strange situation. He continued that Little had done everything right and had kept a good sense of humor. Williams explained that Little had bought a house with a foundation that encroached into the setback and staff recommended approval of that variance. Williams said staff felt compelled to recommend against the second variance, which would allow the new porch to encroach into the setback. However, Williams added that, architecturally, it would be better if the variance was approved and the porch was allowed to encroach into the setback.

Williams continued that there was also a gravel driveway on the side of the property that was not in accordance with the ordinances and needed to be rectified. Williams explained that Little planned to pull the drive back and it would be used only as an emergency service access to the back of the house. Little was taking steps to help solve the situation and the drive had been removed from the right-of-way. Rapson said the driveway came out on Bridlepath and noted his concerns about its use. Williams said the driveway was used only to get to the back of the house when needed to move items. Williams added they looked at how to correct the situation without making a major project out of it.

Tennant asked Little why he was replacing the porch. Little answered that the idea had been to put the porch back as it was, but after discussing the matter he and his wife decided to enlarge the porch. The original porch extended six feet into the setback and the plan was for the new porch to extend eight feet into the setback. They wanted to be able to put porch swings up and needed the extra space. McMenamin asked Williams if staff felt the bigger porch would look better. Williams answered yes. Brown expressed concern that Council would be setting a precedent based on aesthetics if the porch variance was approved.

Rapson clarified the issues Council was to consider. Rapson moved to grant the first variance for the original house structure. Weed seconded. The motion carried unanimously.

Brown reiterated his concern regarding the variance for the porch encroachment. McMenamin noted the house was on a corner lot and that the porch would be more usable if the encroachment

into the setback were larger. Rapson felt a covered porch would be all right and said he was in favor of the variance. Rapson moved to grant the applicant a variance for the ability to build an eight-foot covered porch and noted the special circumstances of the structure and the location. Tennant seconded. Brown said he had to oppose the variance since it set a precedent for aesthetic purposes. Weed indicated that he had looked and looked at the situation and was worried about the long-term as well. He noted that Council might do the wrong thing for the right reason. The motion carried 4-1 (Brown).

04-02-06 Consider Traffic Calming Actions for Golfview Drive

Brown commented there had already been a lot of discussion on this topic at the Council Retreat on March 15. He asked everyone in favor of traffic calming devices on the street to stand and approximately 20-25 people stood. He asked those who opposed the devices to stand and one person stood.

City Engineer Troy Besseche told Council that the Police Department had collected speed and volume data of Golfview Drive and summarized the information (the information is included in the meeting file). He explained that Golfview was classified as a neighborhood collector, which meant the road served through traffic. The warrants set for neighborhood collectors were set at 1,250 vehicles per day with fifty percent (50%) cut-through traffic. Besseche noted that the traffic on Golfview met the warrant for volume. He added that the cut-through warrant would be more difficult to establish and could not be determined by looking. It was assumed there were 1,110 trips per day from the 107 homes in the Golfview neighborhood. If that was the case, then the cut-through traffic did not meet that warrant. Besseche continued that the speed warrant was also difficult to meet. At least twice, the 85th percentile speed was over the speed limit. The warrants set at Retreat required a 10 mph threshold over the speed limit. There had been five accidents on Golfview in the past year, which satisfied the accident warrant. In light of the data, Besseche told Council that staff recommended a pilot project be implemented to assess how traffic-calming devices worked. The recommendation included the installation of multi-way stops at both intersections of Aberdeen Drive and Golfview; the installation of two sets of offset speed humps on the east end of Golfview, with the offset to provide an emergency vehicle gap; installation of raised pavement markers along the entire length of the centerline to assist with visibility; and the installation of no passing signs at two locations on Golfview.

Besseche explained that the speed humps were 14-foot parabolic speed humps. Raised pavement markers would also be placed in the center. Instead of "No Passing" signs, the signs would read "Do Not Pass," which are regulatory signs and allowed the police to write tickets for passing. Besseche continued that the cost for the traffic-calming measures would be \$8,000, based on a quote from a reputable paving contractor in the area. Public Works would be able to make the installations in the future as the paving crews got more experience in speed humps. Besseche said the measures were offered as a pilot program and should be funded from the Council Contingency. The cost of further study in other areas was \$9,750. Staff recommended a Public Improvement Project be established and funded from Council Contingency in the amount of \$17,750 to accomplish the Golfview pilot project and data collection for other streets in need of traffic calming.

Rapson asked Besseche how many residents would have to agree to installation of traffic-calming devices and cost sharing. Besseche said sixty-seven percent (67%).

Tennant said the plan looked good, but expressed concern about the intersection on the east side of Golfview at Pinemount. He understood why the intersection could not be a 3-way stop, but was concerned about speed on "Thrill Hill." He asked about putting a sign on Pinemount so people would know traffic was not stopping on the other side of Golfview. He said something needed to be done to slow traffic down before the hill. Rapson expressed concern that people would drive around the speed humps.

Pete Fritts represented the Golfview residents. Fritts said he understood the concerns about emergency vehicles, but added they were only talking about six-tenths (0.6) of a mile, from Blue Smoke to Flat Creek. Fritts was concerned that people would go into the oncoming lane trying to go around the speed humps. He also pointed out that something needed to be done before people got to Thrill Hill. If the devices worked correctly, the enforcement workload would be lessened. Fritts continued that unless a person lived on Golfview and experienced the problems day in and day out, the person would not understand. He hoped whatever was done would be done correctly the first time and added that he would like to see a little more done.

Other residents who spoke included Clyde Finley, Katherine Hesser, Pam Kemp, Owen Cook, Margie Swart, and Marlene Fulkerson. Their concerns included the volume and speed of cars on Golfview. The residents were also concerned that there would be problems with people crossing the double yellow line to avoid the speed humps.

Owen Cook told Council that based on his own count more than 2,400 trips were made on Golfview in a 24-hour period. He counted 399 cars between 3 p.m. and 4 p.m. one day. He asked where the traffic was counted and was told Oakmont. He suggested setting up the count in Finley's driveway. He pointed out that spot was on Thrill Hill where the speed limit was 20 miles per hour. He felt the solution was to put speed humps all the way across the road. Fritts suggested flashing lights be placed to warn drivers about the hill.

Brown told the residents that it was impossible to put a speed-calming device on the hill. He wished there was something that could be done in direct relation to the hill, but that was apt to cause more problems.

Besseche told the residents and Council that the measures he was recommended would not be lost if the speed humps had to go all the way across the road. He said the speed humps were just an interim step to see what the results were. Brown emphasized this was a pilot program. If the plan did not work, then the City would go to Plan B.

McMenamin asked about the speed humps and how EMTs could be thrown off balance. Her concern was how that would affect any procedures being performed. Rapson noted that the west side of Golfview would have no speed humps.

Fire Chief Stony Lohr told Council it was 0.8 mile from Station 82 on Peachtree Parkway to the intersection of Flat Creek and Golfview, then another 0.6 mile on Golfview to Bluesmoke. At that

point, the fire department was getting close to the 1.5-mile limit. He continued that a large part of the area was already at the outer limit and that seconds meant lives. There were more senior citizens in the area, which meant a higher density of medical calls. He said he was just asking people to consider the advantages and disadvantages of the speed-calming devices.

McMenamin commented that Golfview became a collector road when Bluesmoke opened up. Brown explained that a collector road would never be designed like Golfview and that from a design stand point Golfview was the absolute worst situation the City could have. Brown continued that the substantial senior population in the area merited some additional consideration. He pointed out there had been significant incidents on the road that were not necessarily accidents and to measure on accident count alone shorted the process. He would support the traffic-calming devices and adding the "Do Not Pass" signs.

Weed asked Besseche the cost and then moved to approve the traffic-calming devices for Golfview as presented. Rapson asked to amend the motion by adding that the information should include research on flashing lights and that staff update Council in 30 days. Weed agreed to the amendment. Rapson seconded. The motion carried 5-0. Lindsey asked for a clarification of the motion. The motion was clarified to include the four staff recommendations: 1. Multi-way stops be installed at both intersections of Aberdeen Drive and Golfview; 2. Two sets of offset speed humps be installed on the east end of Golfview. The offset would provide for an emergency vehicle gap; 3. Raised pavement markers (RPM) be installed along the entire length of the centerline to assist with visibility; 4. Do Not Pass signs be installed at two locations on Golfview. Another amendment included in the motion was to add the research on the possibility of adding flashing lights at the top of Thrill Hill and that Council be updated on the impact of the measures after 30 days.

04-02-07 Consider Funding for Great Georgia Airshow

Greg Hall, chairman of Wings Over Dixie, Inc., the non-profit corporation that runs the Great Georgia Airshow, addressed Council. He complimented Chief Murray and Chief Lohr and noted they had their act down to a science and had a master plan that was working. Hall asked Council for \$21, 575 to provide public safety during the Great Georgia Airshow September 14-15. Hall explained the organization of the airshow and told Council that every penny went back into the community.

Brown told Hall he had one concern, especially after the Finance Director had talked about the City's current financial situation. He indicated that he would like to have the money put forward by the City come out of the proceeds of putting on the show. If the show made no money, then the City would eat the cost.

Tennant asked how many people attended the airshow and Hall answered around 20,000. Tennant suggested adding a \$1 surcharge to the admission price to recoup the cost of public safety.

McMenamin noted that she had been very involved in the airshow in the past. She continued that in the past the airshow had been committed to returning money to the City if there were a profit. The airshow was a Citywide event that drew thousands of people. McMenamin said there were many events throughout the year that relied on the participation of the Fire and Police

Departments. The airshow had supported 40 charities in the last two years. McMenamin continued that the airshow was trying to build corporate sponsorship and there should be some interest from the City.

Brown commented that he liked the airshow and added that when the Amphitheater had an event it paid for public safety. McMenamin responded that they were talking about the same amount of people and that the amount of public safety protection required by the City far exceeded what was required of an airshow. Brown said he did not know if that was true and he did not see that in the documentation. McMenamin said she would rather go by what the local police and fire departments wanted rather than the requirements of Airshow International.

Tennant commented that a lot of charities and a lot of local businesses benefited from the airshow and moved to grant \$21,000 out Council Contingency to pay for the necessary Police and Fire protection at the upcoming airshow.

Rapson noted that giving the money to the airshow corporation was in essence giving it to a third party, such as for a soccer tournament. If the City was going to provide public safety why not just put it on the payroll rather than writing a third party check to a charitable organization. Rapson asked about the possibility of hiring fire and police from outside the City for the event. Chief Murray told Rapson that had been tried in the past and no one wanted to do it. The money requested paid for off-duty employment as set by policy.

McMenamin noted that Tennant's motion had died for lack of a second. She continued that the airshow should reimburse the City, but if the airshow made no profit then the City should pay for it.

Weed commented that he thought the airshow was a wonderful event and asked if the Kiwanis or Commemorative Air Force received any direct benefit from the airshow. McMenamin answered that the organizations received money from booths. Brown added that ticket sales and sponsors compensated the acts. Hall and McMenamin both noted that if it rained all weekend the acts had to be paid whether they performed or not.

Cobb explained that the Kiwanis and the Commemorative Air Force were partners in the airshow. He emphasized it was not a fundraiser and that the two organizations were just partners. McMenamin explained that the Kiwanis put up \$10,000 and were reimbursed, hopefully, at the end of the show. Cobb added that each partner got back \$8,000-\$9,000 last year. If the fire and police money came out of the airshow budget, there would be nothing left. Rapson questioned if the airshow was going after additional sponsors. Cobb said they were ahead of schedule this year on lining up sponsors.

Brown commented, that in terms of fairness, the issue was where did Council draw the line on who to fund and who not to fund. Weed expressed concern about possible legalities. Weed continued that the airshow had a dramatic economic effect on the community. He suggested providing the funds as a contract and not as donation to an organization. Rapson said he could like to see the budget and actuals on last year's show.

McMenamin said the airshow was not asking for money, but for the City to provide safety for those coming to the airshow. The charitable organizations were providing a safe environment for an event that was economic development-driven. It benefited businesses and local charities. Rapson commented they were talking about the Police and Fire Departments and using the airshow as an economic development tool.

Weed read from the letter the airshow committee sent requesting the funding. Weed said Council was talking about compensation. He continued that Council was not making a donation, but contracting compensation for an economic development tool.

McMenamin compared the event to the Fourth of July parade, which was a City-sponsored event. Council paid for police and fire protection for that event. The City was a partner in the airshow by providing safety for citizens.

Basinger commented that the City Attorney made it clear every year that the City could not make a donation to the airshow, but could provide police and fire protection for the airshow. In exchange for the funds, the City provided a service.

Rapson asked if the discussion could be tabled so he could see the budget and actuals and the contract. Brown moved to continue the discussion until the May 2 meeting. Rapson seconded. The motion carried 4-1 (Tennant).

04-02-09 Consider Resolution on Jail Impact Fees

Brown told Council the resolution before them asked that Fayette County, Tyrone, Fayetteville, and Peachtree City consider an agreement on Jail Impact Fees. The impact fees would benefit all residents, and future residents. Brown moved to approve the Jail Impact Fee resolution. McMenamin seconded. The motion carried unanimously.

04-02-09 Consider Resolution to Provide Local Match for the LCI Initiative Study Implementation Plan

Rapson commented that the resolution just committed the City to asking for funds.

City Planner David Rast explained the Atlanta Regional Commission (ARC) had some extra money and had opened it up to communities who had submitted LCI plans. The grant was for \$25,000 with a \$12,500 match from the City. Rast continued that the City had to document that it would provide the local match with a resolution. If the City was selected for the grant, Rast said he would come back to Council to formally request the match funding.

Rapson moved to allow the Mayor to sign the resolution to provide a local match for the LCI Initiative Study Implementation Plan. Brown seconded. The motion carried unanimously.

Council/Staff Topics

Basinger announced that the annual Student Government Day with McIntosh High School was scheduled Thursday, April 25.

The Employee Picnic would be held Friday, April 19, 11:30 a.m.-1:30 p.m., at Picnic Park.

Brown told Council he would like to convene the Ethics Board to discuss whether sales promotions offered to employees were ethical or unethical. McMenamin said Council should ask for a legal advisory first. Lindsey said he had provided the Mayor with some guidance and he could put it in written form. Brown continued that he would like to see the Ethics Board act as an ombudsman and delineate and define what was acceptable and what was not acceptable.

Weed reported on the work of the Dog Park Committee. He said the committee had met with Leisure Services Director Randy Gaddo and the meeting had been successful. They toured possible sites for the park. He added that the committee was composed of pet owners, a veterinarian, non-pet owners, Recreation Commissioners, and Humane Society members. The committee would make a full report at a later date with a drawing, costs, and proposed locations.

Brown said there were two real estate items and two legal items for executive session. Brown moved to recess from the regular meeting and reconvene in executive session. Rapson seconded. The motion carried unanimously.

McMenamin moved to recess out of executive session and reconvene the regular meeting. Rapson seconded. The motion carried unanimously.

There being no further business to discuss, McMenamin moved to adjourn the meeting. Rapson seconded. The motion carried unanimously. The meeting adjourned at 10:30 p.m.

Pamela Dufresne, Recording Secretary

Stephen D. Brown, Mayor

Jane Miller, City Clerk

City Council of Peachtree City
Minutes of Meeting
May 2, 2002
7 p.m.

The City Council of Peachtree City met Thursday, May 2, 2002, in the City Hall Council Chambers. Mayor Brown called the meeting to order at 7:00 p.m. Other Council Members present were: Annie McMenamin, Steve Rapson, Dan Tennant, and Murray Weed.

Announcements, Awards, Special Recognition

Mayor Brown proclaimed May 12-18 as Domestic Violence Awareness Week. May was proclaimed as Older Americans Month. Brown read a proclamation designating May 2 as a Day of Prayer.

Approval of Minutes

McMenamin moved to approve the March 15-16, 2002, Retreat minutes. Tennant seconded. The motion carried unanimously.

Consent Agenda

1. Appointments to the Library Commission
2. Consider List of Surplus Items
3. Consider Library Meeting Room Policy
4. Consider Canceling July 4th Meeting

Brown read the Selection Committee's recommendation of appointments to the Library Commission. The Selection Committee recommended the re-appointment of Chris Clark and the appointment of Madge Quick. Sharon Marchisello was recommended to serve as an alternate.

Tennant noted that the surplus auction was slated for Saturday, June 8, and was a collaborative effort with Fayette County, Fayetteville, Tyrone, and the Board of Education.

Rapson commented that he was happy to see Chris Clark re-appointed to the Library Commission and that the revision to the Library Meeting Room policy was long overdue. Brown explained that the policy revision designated the meeting room at the Library for non-profit groups only since space was tight.

Weed told Council that he would like to take the Library Meeting Room policy item (#3) off the Consent Agenda and moved to approve the other three items (1,2, and 4). Rapson seconded. The motion carried unanimously.

Weed asked Clark, the Library Commission chairman, what he meant by non-profit. Clark said he understood Weed's concern. He continued that staff ran the proposed policy changes through the legal review and he would have to get a definition of non-profit to Weed. City Attorney Rick Lindsey told Council that if non-profit were restricted to 5013C groups only, then schools would not be able to use the room. Lindsey continued that he did not want to get into trying to define non-profit during the meeting without looking at it more closely.

Weed suggested putting the policy on the May 16 agenda so there would be time to get a definition of non-profit. He moved to table the Library Meeting Room policy so Council could get a definition of non-profit. Rapson seconded. The motion carried unanimously.

Clark asked Council if it wanted to go ahead and enforce the spirit of the policy at this time. Rapson said yes. City Manager Jim Basinger said the City had used the term non-profit for 20 years and had had no problems. He did not anticipate problems in the interim.

Leisure Services Director Randy Gaddo suggested Council take action on the Library Meeting Room policy so staff could enforce the policy with the understanding that there would be a definition at the next meeting. Tennant moved to approve Gaddo's suggestion. McMenamin seconded.

Weed said that the wording was not clear and he could not vote for the motion. Gaddo explained that enforcing the spirit of the policy would be difficult for staff and that staff needed something they could show people who might object to the new policy. Weed commented that if one of those people came into his office with the policy as it was now, he would challenge it because there was no definition of non-profit. The motion carried 4-1 (Weed). Brown directed Lindsey to bring Council a definition of non-profit at the next meeting.

Old Agenda Items

02-02-03 Consider Amendment to the Intergovernmental Agreement with the Development Authority

Tennant moved to table the intergovernmental agreement with the Development Authority until the May 16 meeting. He explained that he had questions for Executive Director Virgil Christian (Christian was unable to attend the meeting due to a function with the Fayette County Development Authority). McMenamin seconded. She said if a Council Member had questions it would be better to wait. The motion carried 4-0-1 (Rapson).

01-02-11 Consider Amendment to the Intergovernmental Agreement with the Airport Authority

Tennant told Council he would like to treat both intergovernmental agreements as a package. Rapson agreed and said he still had some questions about the intergovernmental agreement with the Airport Authority. Basinger reminded Council that this was the second time the Airport Authority had come in with the agreement. Basinger added that in the question of fairness the agreement should be considered.

Rapson said he had some questions for Cathy Nemes, Airport Authority chairman, and pointed out that the fundamental reason for the amendment to the intergovernmental agreement was to help the City with a budget shortfall, but the proposed agreement stated that if the shortfall was really bad, the Airport Authority would not give the money back to the City. Rapson continued that, in essence, that paragraph threw the shortfall back on the City. Rapson said he understood the Airport Authority's position that they might not be able to afford to give back any money, but he added that it was not fair to expect the City's residents to take up the entire shortfall.

Nemes said that if Council felt strongly that that paragraph could be taken out. She could not speak for the Airport Authority, but Nemes would bring it up at their next meeting on May 8.

Brown moved to table the intergovernmental agreement with the Airport Authority until the May 16 meeting. Tennant seconded. Nelmes asked if there could be more discussion. Lindsey reminded Council that once the motion to table was made and seconded there could not be more discussion under Roberts Rules of Order. The motion failed 0-5.

Nelmes asked for the next meeting date and was told it was May 16. Rapson said he would talk to Nelmes after looking at the drafts. She added that she understood Council's concerns.

Rapson moved to table the intergovernmental agreement with the Airport Authority until the May 16 meeting. Weed seconded. The motion carried unanimously.

04-02-07 Consider Funding for Great Georgia Airshow

McMenamin noted, for the benefit of the public, that she was not a member of the Kiwanis Club of Peachtree City, nor was she a board member or honorary board member of the airshow. She said she probably would sell drinks at the event.

Brown suggested, based on the last discussion and the information received from the airshow committee, that he had a compromise and would like to put it in the form of a motion. Rapson asked if there was anyone from the airshow present who wanted to address Council. McMenamin said allowing people to talk might keep there from being so many amendments to motions. Brown decided to have some discussion prior to a motion.

Greg Hall, chairman of the board of the Great Georgia Airshow, was available for questions. Rapson noted that the Kiwanis Club, the Confederate Air Force, and the Fayette Youth Protection Home had provided the seed money for the airshow in 2001. This year, the Kiwanis Club and the Dixie Wing of the Commemorative Air Force provided the seed money. Rapson continued that the information provided by the Airshow Committee helped him gather the facts, and he thanked them for their response.

McMenamin recalled that the first year of the airshow the warehousing for the concessions was outsourced and all the money left the community. As a result, the Kiwanis Club decided to take on the warehouse operation so the profit would stay in the community.

Brown moved that the City pay a total of \$10,000 for public safety requirements for the 2002 airshow with the airshow allowed to use other qualified emergency service personnel other than Peachtree City personnel as long as they abided by a plan approved by the Peachtree City Fire and Police Chiefs. For 2003 and beyond, the City would adhere to CAM 8-3 in an effort to promote fairness and consistency to all non-profit organizations. Tennant seconded the motion for discussion purposes.

McMenamin told Brown that the way she read CAM 8-3, the regulation referred to a non-profit donation. McMenamin said the safety provided by the Fire and Police Departments was for the benefit of the health and safety of citizens on City property and highways. She continued that the airshow request was a direct cost for the safety of people on City property, not a donation. McMenamin stated that she did not feel the request fell under CAM 8-3.

Tennant clarified for the public that CAM 8-3 referred to funding non-profit organizations in Fayette County. He said there was a series of requirements. Rapson read CAM 8-3 for the benefit of the public. McMenemy added that the way she understood the City's position was that the public safety services were a contract with the City so the City would not have to incur overtime and the associated expenses. Basinger said doing it that way did save a little money. It also did not require mandatory overtime and allowed the Departments to ask for volunteers to work the event.

McMenemy continued that it was unfair to burden the airshow with that much cost. She pointed out that the contract had a lot in it required by the police and fire chiefs, which exceeded the basic requirements for an airshow. She said the cost was not driven to provide funds for the airshow. Rapson clarified what McMenemy was saying and said she was looking at the public safety costs as an incremental costs over and above what the airshow would have to pay. The incremental costs were primarily due to the City's comfort level. McMenemy continued that basically an ambulance and machinery to put out a fire was all that was required for the airshow and that the airshow committee had always catered to what the City wanted for public safety.

Tennant reiterated what he said at the April 18 meeting and said he still believed the airshow was a tremendous economic benefit and enjoyment to the City and the City should pay the public safety bill. Health and public safety were the first priority. He continued that Mayor Brown had consulted him about his proposed compromise and that he was willing to support the compromise, but he would rather take the funds out of Council Contingency. He added that part of the compromise was for the airshow to bump up the ticket price by 75 cents to pay for the rest of the cost of public safety.

McMenemy pointed out that the airshow had to pay state taxes and increasing the ticket price increased the taxes. The non-profit organizations that ran the concessions also had to pay taxes. She suggested the possibility of the Recreation Commission coming in as a partner on the airshow. The Recreation Commission would become one of the recipients of the profit so that the City could recoup some of the funds spent on safety for the airshow. Brown said he thought that might be a good approach. Tennant added he did not want the airshow to leave Falcon Field and the City because it was good for the City.

Brown said he did not want the airshow to leave the City either, but he wanted something in place for the next event. A policy needed to be in place for doing these kinds of events and the City did not have one. The cost of public safety was coming out of taxpayers' pockets without a policy on fairness. Brown continued that there was also a consistency issue. If Council was using taxpayer funds, then a policy needed to be in place. The show itself created a need for a public safety presence and the one thing missing was a policy. Brown added it would be great for an audit to be in place and that Council needed to account for the funds.

Rapson called it "smoke and mirrors" to funnel the funds through a civic organization to pay overtime. He said if the City was going to do that then the airshow should be treated just like the July 4th festivities, Shakerag, and other City-sponsored events. He continued that he would like to see the City pay \$10,000 and would like to see an intergovernmental agreement in place. He wanted to see the City become a partner and treat the airshow as a typical reoccurring event. He

would like to see it eventually become self-supporting. Rapson pointed out that there was a City ordinance that required a safety plan be in place for events that exceeded a certain number of people, and that was how the Police and Fire Departments got involved.

Lindsey noted that the airshow was a risky event and said he did not want the City to be on the hook if something happened.

Assistant Fire Chief Ed Eiswerth told Council the Fire Chief Stony Lohr would demand the same coverage for the airshow as in the past. Eiswerth pointed out there was a fire every year at the airshow because of the pyrotechnic display. A few years ago, an airplane crashed shortly after the end of the airshow. In the past two years, over 60 patients were treated. He continued that only 9-12 firefighters were on duty in the City on a daily basis, and if there were an incident, the City would have to take over. A small incident could be overwhelming without the same number of people available as in the past. If there were an incident, the Department would have to take it over regardless of who the airshow hired to work. As the Ops Officer for the Department, Eiswerth guaranteed Council he had the most people on duty those two days of the year. The Department had to be able to say yes or no on adequate coverage and one unit was not adequate. Eiswerth continued that the FAA regulations did not require anything.

Tennant told Eiswerth Council did not want to diminish the accountability and service provided. McMenemy added that the airshow had worked with the Fire Department from day one to provide what the Department felt was adequate coverage. Whatever way the vote went, Eiswerth stated he and Chief Murray would still require that there be adequate coverage.

Chief Murray pointed out that under the CAR and CAM currently in place, the Fire and Police Departments had to approve anything that came in. He added that the airshow was a four-day event for the Police Department, Friday through Monday until the planes left. Most security guards were not qualified to be police officers under state law. There were also instances where there might not be a coordinated effort. People coming in could not enforce any City ordinances, only state laws. The main concern for the Department was the safety of the citizens of the community and the people coming in for the airshow. Murray said he would not support other officers coming in as long as Peachtree City officers were available because of their knowledge, experience, and the coordinated effort that went into planning the airshow. Murray continued that Fayette County officers would not come in to work the airshow. Last year, Coweta County officers came in, but were the only ones who would come in and do traffic for \$25 an hour. If there were an incident at Falcon Field, the local police would still have to go in. The actual number of officers needed was less now than the first year because the plan had been revised and improved.

Jerry Cobb, a member of the Airport Authority and the airshow committee, said they had produced a good airshow for a long time and did not want to cut down on protection. It was a City event that Council should be proud of. The committee was asking for the City's support. There would be an airshow and the money was not a donation. They were only asking for money for the public safety coverage required for the citizens concerned. Around 300-400 volunteers worked untold hours on the airshow.

Rapson pointed out that the motion on the floor did not solve the problem and they would be back talking about the same thing next year. If the City were going to save money over time, then there needed to be a policy or the money should be put in the budget every year. Some kind of intergovernmental agreement should be drawn up and ratified every year that spelled out how the money would be used. The goal was for the airshow to be self-sufficient. If the airshow had a bad year, the City would be on the hook and would not get any money back.

Tennant commented that if this was a bad year and it rained the whole time, and if the City kept throwing out enough red flags the airshow would go somewhere else. Brown said the way the public safety funding was done now just did not work. The problem was never solved. The group kept coming back each year. Tennant felt it was a gray area. He continued that Council was trying to make a decision on what benefited the City the most. The compromise might not fit the absolute letter of the CAM, but it benefited the whole community. The City should be a supporter. Brown added that after the airshow was over, the City and the airshow committee should get together and decide if the airshow would be a City-sponsored event. If the airshow became a City-sponsored event then there would be funding and everything else that went along with it. Brown said a decision needed to be made. Tennant agreed and said he would like to see it as a budgeted item. Rapson suggested that since the event took place at the airport, Council could provide an additional supplement to the Airport Authority to cover public safety for the airshow.

Weed noted the concern of many Council Members was that they were using government funds to do something for a private entity. Weed said he thought that was fine to use City funds to support the private entity if the City got something of value back. The City paid for public safety and got an airshow and the economic development aspect and benefits. Weed continued that he did not want to create a bureaucracy that ran every event that came up. Council did not want to discourage private entities' creative ideas because those entities could do it better and cheaper on their own. The City paid and got a service. Rapson explained that his contention was he did not want Council to be in violation of the CAM. Weed replied that Council was buying a service from the group and that eased his mind regarding violating the anti-gratuities clause of the Constitution. Weed said either they were buying the service or not. If they were buying a service, they should proceed. Rapson and Brown disagreed with Weed. Rapson asked the purpose of having CAM 8-3 and Weed said he thought the CAM should be revisited. Tennant added that the pluses greatly outweighed the minuses.

McMenamin read Rapson's comments from the July 7, 2001, meeting in which he equated the airshow to the July 4th festivities and said he would like to see Council pay for the public safety funding. She said she would like Council to consider funding \$20,000 to the airshow for Police and Fire with the intention that \$10,000 would go directly to Police and Fire. If profit was made, then the airshow would return \$10,000 to the City. That allowed Council to work with the airshow this year since the airshow depending on the funding based on comments from last year's minutes. According to the minutes, it should have been put in the budget and the airshow committee was left with the idea it would receive fire and police protection from the City in 2002. She continued that either the last Council misled the airshow or this Council was not willing to support the previous Council's contention.

Brown called the question. The motion failed 2-3 (McMenamin, Rapson, and Weed).

Rapson told Council that his problem with CAM 8-3 was that it limited future funding to \$5,000 and that requests were limited to once every five years. He noted that the airshow was one of the City's few traditions. Rapson said that if the City was going to fund the public safety element of the airshow then it should be done one of two ways. The first way was to have the Police and Fire Departments adjust their budgets accordingly. Rapson continued that if it was cheaper for the airshow to provide public safety via a contract with the organization, then the Council could give the money to the Airport Authority and let them deal with it. McMenamin and Weed both felt that CAM 8-3 did not apply to this situation.

Murray explained that Fridays and Saturdays were the greatest workload for the Police. There had to be enough people to work the regular shifts, as well as to provide security for the planes and traffic control. The Fourth of July was the closest thing the City had to the airshow and it was completely sponsored by the City.

Brown asked Council to consider funding for this year, and then set up a dialogue with all the people associated with the event to come up with the optimal way to provide public safety services in future years. Tennant reiterated that, in the spirit of cooperation and in enticing a favorable atmosphere, the funds should be taken out of Council Contingency. Tennant said it was a fair, reasonable, and prudent use of City funds and Council should step up to the plate and do it.

McMenamin moved that Council enter into a contract for \$21,000 for airshow fire and safety security, and then sit down with the airshow committee to set up a plan that would benefit the City and the airshow board. Tennant seconded.

Wayne Roberts addressed Council and said they were talking about apples and oranges. He continued that the number of public safety personnel was something required by City staff for the event. Brown commented that the scope of the event required the additional public safety.

Carol Fritz also addressed Council and pointed out that the funds were not a donation, but a legitimate expense. She said the airshow did not have to do everything the City required.

Lindsey asked McMenamin and Tennant to amend the motion and add that the funds would come out of Council Contingency. McMenamin and Tennant agreed.

Nelmes told Council there was concern that the airshow was kept affordable for families and they did not want to bump up the ticket price. Rapson suggested changing the amount of funding to \$25,000. Cobb pointed out that the City contract called for \$21,000.

Brown called the question. The motion carried unanimously.

New Agenda Items

05-02-01 Consider Model Rocket Ordinance

Assistant Chief Eiswerth told Council the Fire Department had received inquiries regarding about model rockets.

McMenamin told Eiswerth she liked the idea of talking with so many different groups before coming up with an ordinance.

Bill Lechner, owner of the Hobby Stop, addressed Council about the proposed ordinance and said the ordinance basically followed the guidelines established by the Model Rocketry Organization and he agreed with the requirements. However, Paragraph (g) restricted the locations to two fields used almost year round by the soccer program and another location that was close to an elementary school. The guidelines provided were for safety, but he had a problem with the government saying how people spent their leisure time. He felt Council was over governing by telling people where they could shoot the model rockets.

Brown asked Lechner if, in his opinion, it would be better to delete the section on locations. Lechner said people should use common sense when looking for a location to shoot the model rockets. People should not fly kites near power lines either. He did not feel Council should restrict the locations. Lechner added that he sold a large number of model rockets to Scout troops and churches. He felt common sense should prevail unless the locations selected became a problem. Weed commented that he did not want to legislate the entire world and asked Lechner if he felt the ordinance was necessary. Lechner answered no.

Tennant asked Basinger if there had been any problems with model rockets reported and Basinger answered no. Tennant added that he felt it was a restriction of civil liberties and the proposed ordinance was meddling too far into people's affairs. Tennant moved to let the proposed ordinance drop. Rapson seconded. The motion carried unanimously.

Weed commended the Fire Department on the work done on the proposed ordinance and said it was done the way legislation should be done.

05-02-02 WASA Bond Issue Report

Larry Turner, director of the Peachtree City Water and Sewerage Authority, addressed Council. Turner said WASA had been working on a plant expansion and upgrade for several years. They hoped to have the plans finished next week and to put up the public notice on the permits next week. The bonds had been sold to finance the work on Tuesday, April 30. Turner introduced Todd Barnes of A.G. Edwards, the investment banker for the bond. The bond issue would close on May 24.

Barnes informed Council that \$15,345,000 in bonds were issued and that participation was good. He continued there were more orders than bonds. The bonds were for 20 years with an overall rate of 4.74 percent. The rating agencies affirmed the City's bond ratings. Barnes gave each Council Member a transaction summary and said he would be back in two weeks with a report on the Airport bond.

Council/Staff Topics

Basinger told Council a workshop had been scheduled on Thursday, May 16, at 6 p.m. to discuss throwing candy at the July 4th parade.

McMenamin commented that she had asked for an advisory opinion on discounts offered to City staff or Council by local businesses at the last meeting. Lindsey stated it was unethical, and said that if Council was interested in changing that Code of Ethics, then Council could do so. McMenamin asked if Council wanted to continue with it or was Council content with the Code of Ethics and the advisory. Brown said he would like the Ethics Board to discuss the matter.

Weed noted that an easy way to respond to the question was "do not do it." He continued and asked why they would enter into a gray area when they could simply say no. Weed said it was too easy to cross that line and he was content with the policy. It was easier to say no, and he wanted the opinion expanded to include situations such as the Harley-Davidson motorcycle recently offered to firefighters and police officers.

Brown said there were three real estate items for executive session. Brown moved to recess from the regular meeting and reconvene in executive session. McMenamin seconded. The motion carried unanimously.

Brown moved to recess out of executive session and reconvene the regular meeting. Tennant seconded. The motion carried unanimously.

There being no further business to discuss, Brown moved to adjourn the meeting. Tennant seconded. The motion carried unanimously. The meeting adjourned at 10:00 p.m.

Pamela Dufresne, Recording Secretary

Stephen D. Brown, Mayor

Jane Miller, City Clerk

CITY OF PEACHTREE CITY
INTEROFFICE MEMORANDUM

TO: Mayor and Council

VIA: City Manager 

FROM: City Clerk 

DATE: May 9, 2002

SUBJECT: Alcohol License – Licensee and License Representative Change –
Chili's Grill and Bar

A request for a change in the Licensee and License Representative has been submitted for Chili's Grill and Bar. Mr. William P. Jahn, IV, has requested to be appointed as the Licensee and the License Representative. Mr. Jahn is the area manager for Chili's, but has assured staff that he will visit the restaurant on a regular basis and will assume total responsibility for compliance with the City's alcohol ordinance. The application and affidavit are attached for your review.

Mr. Jahn will attend the May 16th Council meeting to answer any questions you may have.

JSM:pd

Attachments



Peachtree City

Georgia

State of Georgia

City of Peachtree City:

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

William P. Jahn IV
Name

7529 Greens Mill Dr. Loganville, GA 30052
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 7, 2002
Date

Mike D. Dyer
Witness

CITY OF PEACHTREE CITY
INTEROFFICE MEMORANDUM

TO: Mayor and Council

VIA: City Manager 

FROM: City Clerk 

DATE: May 9, 2002

**SUBJECT: Alcohol License – License Representative Change – Village Store,
Chevron #18**

A request for a change in the Licensee and License Representative has been submitted for the Village Store, Chevron #18. Mr. Jalal Dayani, the new owner, has requested to be appointed as the Licensee and License Representative. The application and affidavit are attached for your review.

Mr. Dayani will attend the May 16th Council meeting to answer any questions you may have.

JSM:pd

Attachments



Peachtree City

Georgia

State of Georgia

City of Peachtree City:

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

Jalal Dayani
Name

160 Sagamore Ct. Fayetteville, GA 30214
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 8-2002
Date

Major Mike Durbine
Witness

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: Jim Basinger, City Manager 

FROM: Paul Salvatore, Director of Financial Services *P.S.*

DATE: May 9, 2002

SUBJECT: Declaration of Surplus – Ladder 8

Attached is a memo from Chief Stony Lohr of the Fire Department requesting that Ladder 8 be declared surplus, along with his reasons for doing so. If Council agrees to this request, staff will then advertise to put the equipment out for bid. Staff anticipates that we will be able to sell the equipment at a higher price this way, as opposed to selling it at the auction.

CITY OF PEACHTREE CITY
INTER-OFFICE MEMORANDUM

TO: City Manager, ATTN: Mr. Jim Basinger 
VIA: Director of Finance, ATTN: Paul Salvatore 
FROM: Stony Lohr
Fire Chief
DATE: 19 April 2002
SUBJECT: Declaration of Surplus, Ladder 8

Request that Fire Department vehicle "Ladder 8" be removed from service and declared surplus:

1983 FMC Spartan Custom chassis
City Administrative number 2203
VIN #529RT6004DC423487
75 foot LTI steel aerial
1500 GPM Hale pump

Equipment left with the truck will include:

1. One (1) 12.5 kW diesel generator
2. Two 28 foot 2-section ground ladders
3. Two (2) 16 foot 2-section ground ladders
4. One (1) 50 foot three-section Bangor ground ladder
5. One (1) 14 foot roof ladder
6. One (1) 10 foot folding attic ladder
7. One (1) 12 foot roof ladder
8. Two (2) 6-foot pike poles
9. Two (2) 8 foot pike poles
10. Three (3) 12-foot pike poles

Fleet Director Tony Wood also recommends that we remove this vehicle from service, declare it surplus, and not spend any additional funds repairing and maintaining it.

The Fire Department requests permission to advertise the vehicle for sale nationally rather than place it in the local auction. We estimate that we might be able to obtain between \$50,000.00 and \$120,000.00 for the unit, which we would request be held for use in providing a replacement at a future date.

This vehicle is currently out of service. The aerial is unsafe to operate. The hydraulic system is disintegrating from the inside and causing the controls to malfunction. When raised and placed in position. The aerial will drop at least ten feet without human intervention. This uncontrolled action could seriously injure or kill anyone on the ladder, and also cause serious structural damage to the aerial and any structures around it. Repair parts for the truck will have to be custom manufactured one piece at a time. Parts are no longer stocked or manufactured for it. Peachtree City does not have the internal facilities, machine shop and number of maintenance personnel to dedicate to this task in a cost effective manner.

We have already spent significant time, money and effort trying to keep this vehicle in service. Our intent was to keep it as a secondary and reserve unit for 1-2 more years. This is no longer feasible.

CITY OF PEACHTREE CITY
INTEROFFICE MEMORANDUM

TO: Mayor and Council

VIA: City Manager 

FROM: City Clerk 

DATE: May 9, 2002

SUBJECT: Amendment to Intergovernmental Agreement with
Development Authority

It is staff's understanding the Development Authority desires to make no changes to the proposed agreement.

JSM:pd

Attachment

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

VIA: Jim Basinger, City Manager 

FROM: Paul Salvatore, Director of Financial Services *P.S.*

DATE: April 17, 2002

SUBJECT: Intergovernmental Agreement with the Development Authority

Enclosed for your review and action is the proposed intergovernmental agreement with the Development Authority of Peachtree City.

Attachment

:pd

INTERGOVERNMENTAL AGREEMENT

This Agreement, entered into on April 16, 2002, by and between the City of Peachtree City ("City") and The Development Authority of Peachtree City ("Development Authority") as follows:

WHEREAS, the City charges a tax on certain receipts received by the hotels and motels located within its boundaries ("hotel/motel tax");

WHEREAS, prior to February 1, 2002, the rate of the hotel/motel tax was five (5%) percent;

WHEREAS, because of a significant slump in the hospitality industry, the City increased the hotel/motel tax to six (6%) percent effective February 1, 2002;

WHEREAS, even with the increased rate of the hotel/motel tax, the City is anticipating a shortfall between the income received from the hotel/motel tax and that to be received;

WHEREAS, the City provides the Development Authority with a certain guaranteed funding stemming from the hotel/motel tax;

WHEREAS, the City has requested that the Development Authority cooperate with it and attempt to set aside funds for the remaining period of fiscal year 2002 to assist with the possible shortfall;

WHEREAS, the Development Authority has agreed to cooperate and comply with the City's request.

NOW, THEREFORE, for and in consideration of One (\$1.00) dollar in hand paid, the receipt of which is hereby acknowledged, the Development Authority and City have agreed as follows:

1. Retro active to February 1, 2002, if the funds are available and the Development Authority has not incurred and does not anticipate incurring any extraordinary financial obligations, the Development Authority shall set aside a sum equal to \$10,000.00 per month through September 30, 2002. These monies may be kept by the Development Authority in any of its accounts, but shall be maintained separately on its books.
2. The City shall prepare monthly reports showing the actual receipts received from the hotel/motel tax in fiscal year 2002 and shall compare such with the budget adopted by its Mayor and Council for the hotel/motel tax for fiscal year 2002. These reports shall be provided by the City to the Development Authority.

3. Following the conclusion of fiscal year 2002, if the funds are available and the Development Authority has not incurred and does not anticipate incurring any extraordinary financial obligations, the Development Authority shall provide to the City forty-eight (48%) percent of the shortfall up to, but not exceeding, the Eighty Thousand (\$80,000.00) Dollars set aside by the Development Authority pursuant to the requirements as set forth in Paragraph 1 of this Agreement.
4. The City shall continue the hotel/motel tax at a rate of six (6%) percent until there is no shortfall from the amount budgeted by the City to be received from the hotel/motel tax and the actual amount received. Additionally, the City shall continue the six (6%) percent hotel/motel tax rate until such time as all sums received from the Development Authority pursuant to Paragraph 3 of this Agreement have been repaid to the Development Authority by the City.

IN WITNESS WHEREOF, the parties have affixed their hands the date first set forth above.

DEVELOPMENT AUTHORITY OF
CITY OF PEACHTREE CITY

CITY OF PEACHTREE CITY

By: _____

J. Tate Godfrey, Chairman

By: _____

Stephen D. Brown, Mayor

CITY OF PEACHTREE CITY
INTEROFFICE MEMORANDUM

TO: Mayor and Council

VIA: City Manager 

FROM: City Clerk 

DATE: May 9, 2002

SUBJECT: Amendment to Intergovernmental Agreement with
Airport Authority

It is staff's understanding the Airport Authority desires to make no changes to the proposed agreement.

JSM:pd

Attachment

INTERGOVERNMENTAL AGREEMENT

This Agreement, entered into on April____, 2002, by and between the City of Peachtree City ("City") and Peachtree City Airport Authority ("Airport Authority") as follows:

WHEREAS, the City charges a tax on certain receipts received by the hotels and motels located within its boundaries ("hotel/motel tax"); and,

WHEREAS, prior to February 1, 2002, the rate of the hotel/motel tax was five (5%) percent; and,

WHEREAS, because of a significant slump in the hospitality industry, the City increased the hotel/motel tax to six (6%) percent effective February 1, 2002; and,

WHEREAS, even with the increased rate of the hotel/motel tax, the City is anticipating a shortfall between the income received from the hotel/motel tax from that budgeted to be received; and,

WHEREAS, the City provides the Airport Authority with a certain guaranteed funding stemming from the hotel/motel tax; and,

WHEREAS, the City has requested that the Airport Authority cooperate with it and decrease expenditures for the remaining period of fiscal year 2002; and,

WHEREAS, the Airport Authority has agreed to cooperate and comply with the City's request.

NOW, THEREFORE, for and in consideration of One (\$1.00) dollar in hand paid, the receipt of which is hereby acknowledged, the Airport Authority and City have agreed as follows:

1. Effective retroactively to February 1, 2002, the Airport Authority shall set aside a sum of money equal to \$3,500.00 per month through September 30, 2002. These monies may be kept by the Airport Authority in any of its accounts, but shall be maintained separately on its books.
2. The City shall prepare monthly reports showing the actual receipts received from the hotel/motel tax in fiscal year 2002 and shall compare such with the budget adopted by its Mayor and Council for the hotel/motel tax for fiscal year 2002. These reports shall be provided by the City to the Airport Authority.

3. Following the conclusion of fiscal year 2002, the Airport Authority shall provide to the City twenty (20%) percent of the shortfall up to, but not exceeding, the \$28,000 set aside by the Airport Authority pursuant to the requirements as set forth in Paragraph 1 of this Agreement. For this consideration, the City agrees to repay all such sums to the Airport Authority by no later than September 30, 2003.
4. During the term of this Agreement and after taking all fiscally responsible steps to reduce its budget, should the Airport Authority experience a revenue shortfall or an unanticipated expense increase to the extent that it is unable to meet its financial obligations, the Airport Authority shall have the right to suspend its obligations to set aside the sums set forth above until it is able to do so without undue financial hardship.

IN WITNESS WHEREOF, the parties have affixed their hands the date first set forth above.

PEACHTREE CITY AIRPORT AUTHORITY

By: _____
Catherine M. Nelmes, Chairman

Witness

CITY OF PEACHTREE CITY

By: _____
Stephen D. Brown, Mayor

Witness

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council Members

VIA: Jim Basinger 

FROM: Council Member Steve Rapson
Council Member Murray Weed
Chief Murray
Chief Lohr
Jane Miller 

DATE: May 9, 2002

SUBJECT: Public Safety Early Retirement Program

As you know, the public safety early retirement committee has met a number of times over the past several months to discuss a program to enable public safety personnel to retire at age 55 without penalty, which is consistent with nationally recognized public safety standards. While this committee has only been studying this issue recently, intermittent discussions about an early retirement program have been ongoing between public safety personnel and city officials for over ten years.

The committee has obtained costs on providing an early retirement at age 55 with at least ten years of service. Additionally, the public safety employees have requested paid medical insurance for themselves from early retirement until they are eligible for medicare, and we have obtained estimated costs for providing that benefit. It is recommended that paid medical coverage be tied to length of service under the following formula:

- 10 years of service - City pays 25% of premium
- 15 years of service - City pays 50% of premium
- 20 years of service - City pays 75% of premium
- 25 years of service - City pays 100% of premium

A spreadsheet is attached to Mr. Salvatore's memo that details the costs associated with funding the City pension plan for the public safety early retirement program along with estimated medical costs. Please note that, while the City remains self-insured, there will be the potential for exposure up to the limits of our program (currently the City is responsible for the first \$40,000 in medical payments for each covered individual). The estimated costs for medical

coverage were determined by using the premiums quoted during our insurance bid process last year.

Our public safety employees very much support an early retirement program due to the physical demands of the job, the limited ability to be promoted or transferred to administrative positions, and their concerns about their ability to continue to ensure the health, safety and welfare of our citizens if they have to work as a first responder beyond age 55. A number of studies have linked major health issues to public safety duties and recommend that these employees cease performing those duties much earlier than the normal retirement age of 65. The committee concurs with that finding.

Council budgeted \$100,000 in the FY2002 budget to begin to implement an early retirement program. Should Council decide to implement the program this year, some of that funding could be used to pay the increased costs for the balance this fiscal year and the remainder carried over to FY2003. Finance Director Salvatore has provided a memo indicating potential budget sources to fund the early retirement option, and his memo is also attached.

Additionally, an amendment to the City's retirement plan would be required if Council approves the early retirement option. A copy of the plan amendment is also attached for your review and possible action.

/jsm

Attachment

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: Jim Basinger, City Manager 

FROM: Paul Salvatore, Director of Financial Services *PS.*

DATE: May 9, 2002

SUBJECT: Public Safety Early Retirement Program

As indicated by the attached spreadsheet, the estimated cost of implementation for the Public Safety Early Retirement Program amounts to \$221,230. In addition, there is the cost of medical premiums of \$7,200, bringing the FY2003 total to \$228,430. It should be pointed out, however, that the medical coverage amount of \$7,200 does not include actual claims that will be paid from the city's Self-Insurance Fund. The maximum exposure for such claims is currently \$40K per retiree, which brings the total potential cost estimate up to \$348,430. As it is unlikely that that each of the retirees will run up costs equal to the maximum exposure, a more realistic yet conservative figure would be closer to \$300K.

In the absence of any new source of revenue to fund this program, this additional recurring cost would have resulted in a millage rate increase of approximately .22 mills. However, as I'm sure you recall, the city now expects to collect approximately \$300K per year more in Insurance Premium Taxes due to the recalculation based on the 2000 U.S. Census. As this is a General Fund revenue source that can be appropriated for general governmental expenditures, such as the proposed early retirement program, staff recommends appropriating the incremental Insurance Premium Tax revenue for that purpose, should the program be adopted.

Early Retirement Plan Financial Analysis

Year	Employee Health Insurance	Early Retirement Option 55yrs.	Total Cost Early Retirement	Incremental Funding Required
2002	\$5,400	\$52,674 *	\$58,074	N/A
2003	\$7,200	\$221,230	\$228,430	\$128,430 **
2004	\$8,640	\$232,291	\$240,931	\$140,931
2005	\$10,368	\$243,906	\$254,274	\$154,274
2006	\$16,186	\$256,101	\$272,287	\$172,287
2007	\$14,944	\$268,906	\$283,850	\$183,850
2008	\$16,142	\$282,351	\$298,494	\$198,494
2009	\$23,679	\$296,469	\$320,148	\$220,148
2010	\$36,178	\$311,292	\$347,471	\$247,471
2011	\$66,658	\$326,857	\$393,515	\$293,515

* Denotes impact of a July 1st implementation date for the \$210,695 Pension Obligation .

** Denotes incremental increase over \$100,000 funded in FY2002 for Early Retirement Program.

Note: Early Retirement Option 55 yrs. column includes a 5% increase in each subsequent year.

AN ORDINANCE

An Ordinance to amend an Ordinance approved December 26, 1973, as amended, establishing a retirement plan for the employees of the City of Peachtree City, Georgia, and setting forth the joint trust agreement and the contract for the administration of said plan by the City and the Georgia Municipal Employees Benefit System as provided by O.C.G.A. § 47-5-1 et seq., so as to provide an alternative Normal Retirement Benefit for participants who are police officers and firefighters, provided that upon their termination, they have a minimum of ten (10) years of credited service as a police officer or firefighter and have attained at least age fifty-five (55); to provide an effective date; to repeal conflicting ordinances; and for other purposes.

BE IT ORDAINED by the Mayor and Council of the City of Peachtree City, Georgia, and it is hereby ordained by the authority thereof:

Section 1. An Ordinance establishing a retirement plan for the employees of the City of Peachtree City, Georgia, and setting forth the joint trust agreement and the contract for the administration of said plan between the City and the Georgia Municipal Employees Benefit System as provided by O.C.G.A. § 47-5-1 et seq., is hereby amended by adding a new Section 24 to Article II, to read as follows, and by renumbering the remaining sections of Article II accordingly:

“Section 24. Firefighter shall mean a Participant employed by the Peachtree City Fire Department who is either certified as a firefighter pursuant to the Georgia Firefighter Standards and Training Act, O.C.G.A. Chapter 25-4, or

who would otherwise be required to be certified as a firefighter but who is exempt pursuant to O.C.G.A. Chapter 25-4-12.”

Section 2. Said Plan is further amended by adding a new Section 39 to Article II, to read as follows, and by renumbering the remaining sections of Article II accordingly:

“Section 39. Police Officer shall mean a Participant employed by the Peachtree City Police Department who is either certified or registered as a peace officer pursuant to the Georgia Peace Officer Standards and Training Act, O.C.G.A. Chapter 35-8.”

Section 3. Said Plan is further amended by deleting Article IV, Section 2 and inserting in lieu thereof a new Section 2, to read as follows:

“Section 2. Normal Retirement Date.

a. The Normal Retirement Date of a Participant shall be the first day of the month coinciding with or next following the date he has attained at least age sixty-five (65) and has completed a minimum of five (5) years of Total Credited Service.

b. The alternative Normal Retirement Date of a Participant who is a Police Officer or Firefighter shall be the first day of the month coinciding with or next following the date the Participant has attained at least age fifty-five (55) and has completed a minimum of ten (10) years of Total Credited Service as a Police Officer or Firefighter. In order to qualify for alternative normal retirement benefits under this paragraph, the Participant must be actively employed by the City as a Police Officer or Firefighter at the time he meets these requirements. This

paragraph b. shall not be construed to establish an alternative Normal Retirement Age or an alternative Normal Retirement Date for purposes of the definition of Accrued Benefit under Article II, Section 1, for purposes of computing death benefits under Article VII, or for purposes of applying the actuarial equivalent conversion provisions of Article VIII."

Section 4. The rights and obligations under the Plan with respect to persons whose employment or term of office with the Employer is terminated for any reason whatsoever prior to the effective date of this amendment are fixed and shall be governed by such Plan as existed and was in effect at the time of such termination.

Section 5. The effective date of this amendment shall be July 1, 2002.

Section 6. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

ORDAINED this ____ day of _____, 2002.

City of Peachtree City, Georgia

Mayor

Attest:

City Clerk

(SEAL)

Approved:

City Attorney

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: City Manager

VIA: Administrative Services Director/City Clerk 

FROM: Public Information Officer/Deputy City Clerk 

DATE: May 10, 2002

SUBJECT: Update on GEM/NEV Vehicles

Staff has been in contact with representatives from Global Electric Motorcars, the Georgia Department of Natural Resources, and the Fayette County Tag Office to stay advised of the status of registration and tax credit procedures for the GEM/NEV vehicles.

Although the two pieces of legislation, House Bills 1389 and 1439, have been signed into law by Governor Barnes, they do not appear to have been implemented.

According to the Fayette County Tag Office, they have only received an advisory email that registration will begin after June 1. The attorney for Global Electric Motorcars indicates his client is working to develop a light attachment to meet the requirements for strobe lights on these vehicles. The DNR has forwarded two possible forms for the tax credit, with the proper form to be determined by the order in which the bills were signed into law. At this time, they have not confirmed which form is the correct one.

Based on the ongoing nature of these issues, staff recommends that Council approve one more extension of the registration requirements for the GEM/NEV vehicles. It appears the procedure will be in place in June, and staff can work to get the correct information to our affected citizens at that time. Staff will also ensure that our residents are made aware of the requirement that only licensed drivers may operate these vehicles, whether they are on the streets or our paths.

Please advise if you have any questions.

JB/bt

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

FROM: City Manager 

DATE: May 10, 2002

SUBJECT: Library Meeting Room Policy

As you know, at the May 2 meeting, Council approved a policy regarding the use of the meeting rooms at the Library, with a request that staff refine the definition of "non-profit" for consideration on May 16. Staff is still working on this definition, and we ask that Council table this issue until the June 6, 2002 meeting.

Please advise if you have any questions.

JB/bt

POSITION PAPER
Proposed Rezoning: Bostick Residence, Robinson Road
ER to OI
Developmental Services Director
May 7, 2002



Situation:

Ms. Judy Bostick resides on the property at the southeast corner of Robinson Road and Old Stagecoach Road. The property is bordered on two sides by the Methodist Church Complex which is presently under construction. Ms. Bostick feels her property is no longer suitable for residential use. She is requesting that it be rezoned to allow for a more appropriate office use (Attachment "A").

Facts:

1. The Bostick property is 0.853 acres. The property is currently developed and used for single-family residential purposes. Access to the property is via a driveway from Old Stagecoach Road (Attachment "B").
2. The property is currently zoned ER Estate Residential. Because the property is less than the required three acres, the current residential use is non-conforming. However, the owner was granted a variance several years ago to permit the non-conforming use. The variance also allowed for the use of an on-site septic system in lieu of connecting to a sanitary sewer.
3. The 1985 Land Use Plan called for the Bostick property to be used for low-density, single-family residential purposes (three-acre minimum). The 1995 Land Use Plan Update called for the use to be revised to allow for office development. It recommended a rezoning for limited office use. The 2002 Land Use Plan Update maintained the office use designation but did not indicate the property should be included in the proposed City-initiated "housekeeping" rezonings.
4. A conceptual site plan has been prepared showing how the site could be adapted for office use (Attachment "C").
5. The property is bordered on the south and east sides by the Methodist Church Complex which is zoned ER Estate Residential. The City is proposing that the Church property be rezoned to OS Open Space in accordance with the recommendations of the Land Use Plan Update.

6. The property is bordered on the north by Old Stagecoach Road. On the other side of the road is the Peachtree Colony Subdivision which is zoned R-1 Residential and the Carriage Lane Subdivision which is zoned ER Estate Residential (Attachment "D").
7. The property is bordered on the west by Robinson Road. On the other side of the road is the Mowell Funeral Home which is zoned OI Office/Institutional, the Calvary Temple Church which is also zoned OI, and the Glenloch Village Convenience Store which is zoned LUC-9 (Attachment "D").
8. The Planning Commission, at its meeting on April 22, 2002, voted to recommend that the rezoning be approved by Council with the conditions proposed by Staff.

Recommendation:

The Staff recommends that the property be rezoned from ER Estate Residential to OI Office/Institutional, as requested, with the following conditions:

1. That the permitted uses shall be specifically limited to business and professional office uses, as stipulated in Paragraph (a) in Section 1005A.2, and financial service businesses, as stipulated in Paragraph (b), (Attachment "E");
2. That no driveway shall be permitted from the property directly onto Old Stagecoach Road; the only access to the property shall be via a new commercial driveway from Robinson Road opposite the existing driveway to the funeral home. The new driveway must include a decel lane on Robinson Road; and
3. That the developer of the site shall investigate the availability of public sewer service and connect to the existing system if it is economically feasible to do so or if it is required by a City ordinance or a public policy in effect at the time the property is actually converted to a permitted OI use.
4. That there is a clear understanding the conceptual site plan that was submitted (Attachment "C") is not to be considered to be the approved concept for this site.

JBW/jir

Attachments "A" – "E"

REQUEST FOR REZONING

CITY OF PEACHTREE CITY, GEORGIA

A request is hereby being made to change the zoning classification of the following described property:

THE SUBJECT PROPERTY IS A .853 ACRE HOME
SITE ON THE SOUTHEAST CORNER OF OLD STAGE
COACH ROAD AND ROBINSON ROAD.

This property is presently zoned: E.R. - ESTATE RESIDENTIAL

The proposed zoning classification is: O-I - OFFICE / INSTITUTIONAL

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

Signature: Judy Bostick

Owner: (print) JUDY BOSTICK

Agent: (print) (SAME)

Address: 200 STAGE COACH ROAD / 201 ROBINSON ROAD

Phone: 770 - 631 - 4305 Date: 3/21/02

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

Signature: Ann E. Williams

Title: ZONING ADMINISTRATOR

Date: MARCH 25, 2002

Request Number: _____

Date of Planning Commission Public Hearing: APRIL 22, 2002

Date of City Council Public Hearing: MAY 16, 2002

STATEMENT AS TO THE REASONS FOR THE PROPOSED REZONING

The request of the Owner/Applicant (Judy Bostick) is to rezone her property from E-R (Estate Residential) to O.I. (Office Institutional).

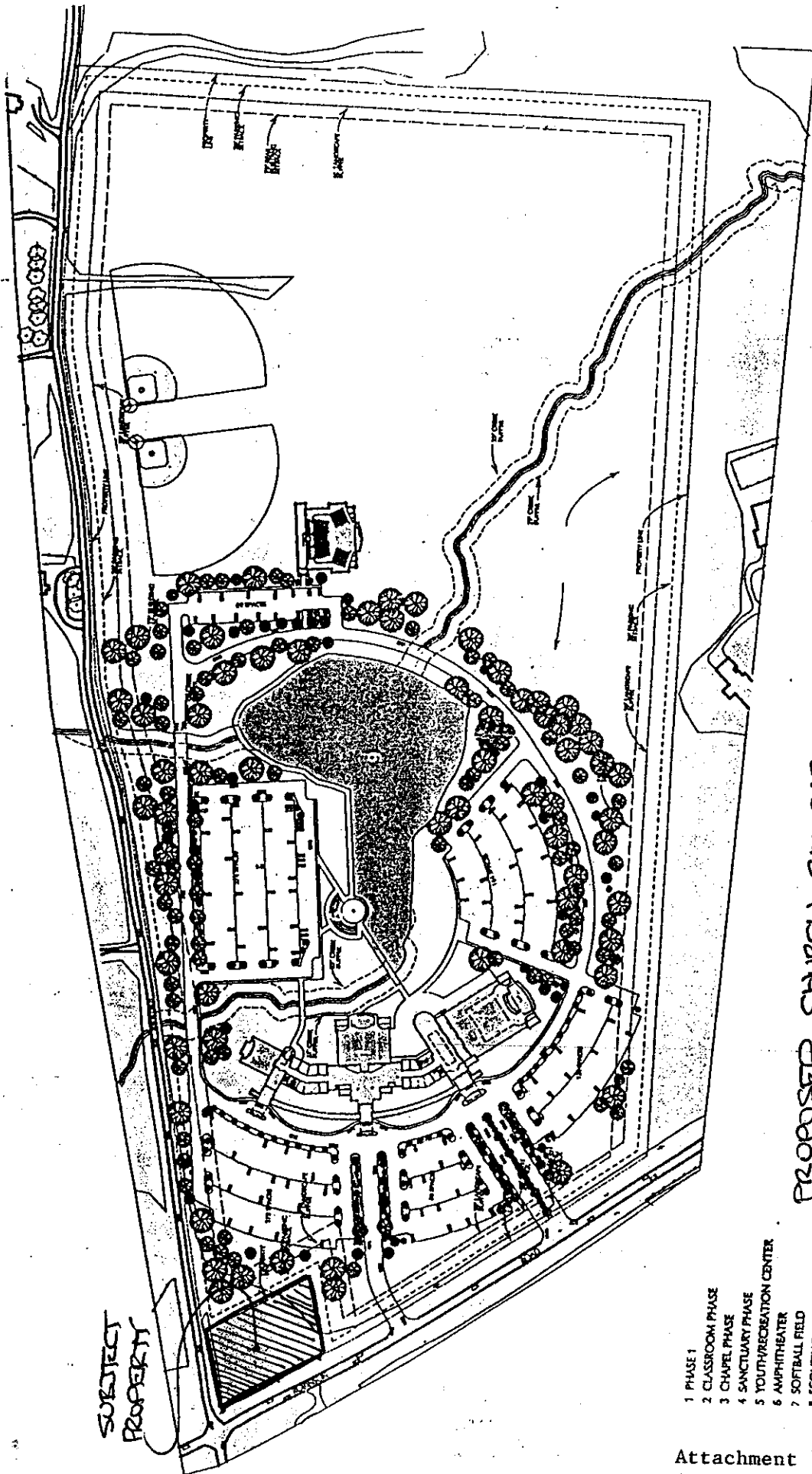
This area of the community has undergone dramatic changes over the years from a residential district to a mixed use of commercial, office and institutional (church) developments. The most recent impact on this existing residence has been the parcel of land immediately surrounding it, once anticipated as an estate residential subdivision, it is now being developed as a large church campus. With the church parking lot being approximately 20' from the subject property line and virtual non-existing buffers the livability of this residence has been significantly reduced.

The City's Land Use Map has identified this site as Office Institutional as it anticipated this area to undergo the changes that it has. Also the owner, with the same anticipation placed and designed the home so it could be easily adapted to an office facility.

Office Institutional zoning is an obvious use for this site.

ANALYSIS OF THE SUBJECT PROPERTY

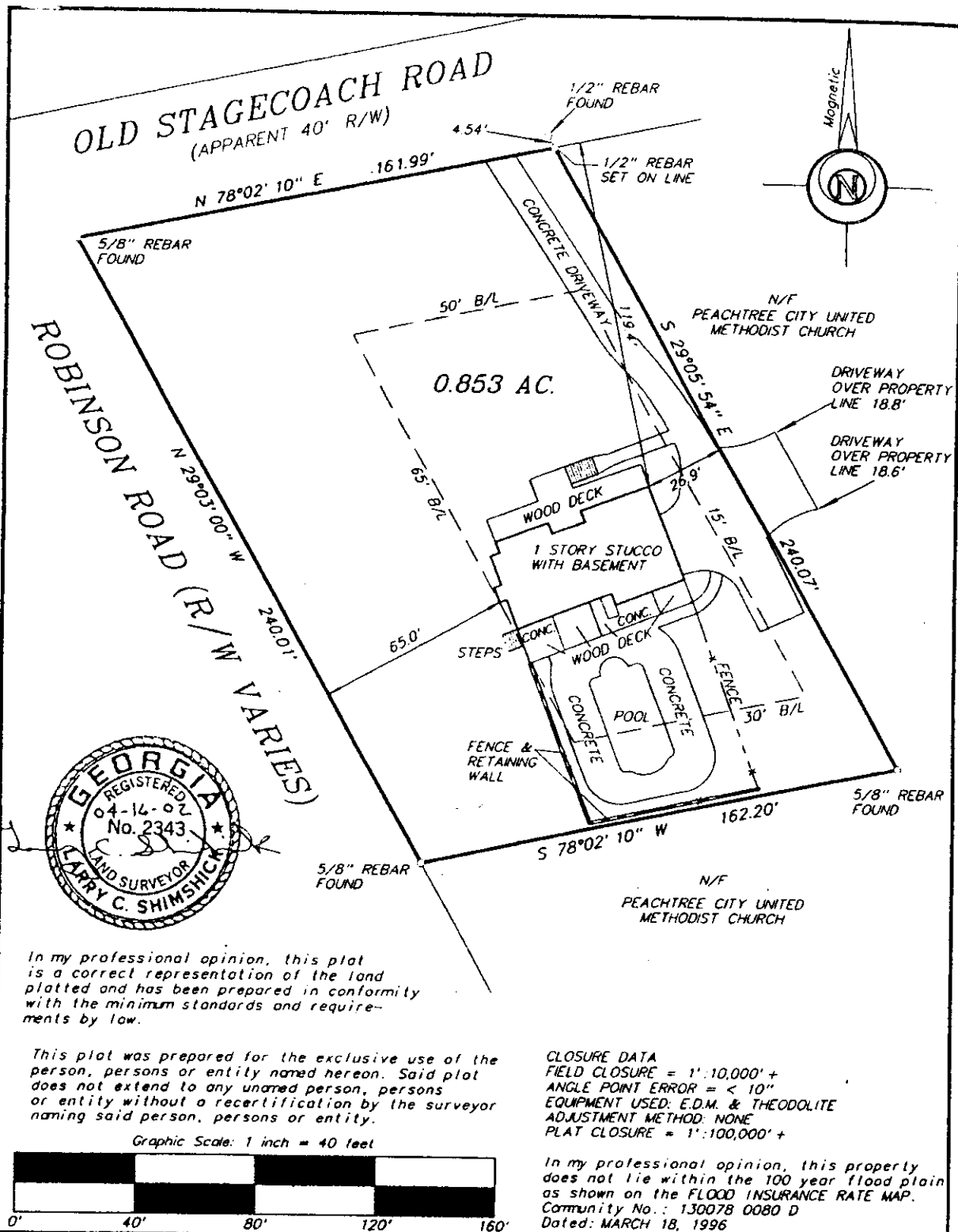
- a. Tax Base: The City's tax base would increase with this change from residential to an Office use.
- b. Public education: No school children would be generated from Office use.
- c. & d. Police, fire protection & emergency services: This site is served by the Neely Fire Station on Peachtree Parkway and the Police station on Hwy 74 south. No significant change in protection would be required to serve this Office rezoning.
- e. Transportation Facilities: Highway 54 and Robinson Road have adequate capacity to handle this site as an office use.
- f. Utilities: The property is served by public water, gas and electric power. There is currently no public sewer to the site and the house is on a septic tank system.
- g. Environmental protection: N.A.
- h. Recreation program: N.A.
- i. Implementation of the overall development plan: An office use on this site would not disrupt this area of the City but in fact would blend into the City's overall plans.



PROPOSED CHURCH CAMPUS

- 1 PHASE 1
- 2 CLASSROOM PHASE
- 3 CHAPEL PHASE
- 4 SANCTUARY PHASE
- 5 YOUTH/RECREATION CENTER
- 6 AMPHITHEATER
- 7 SOFTBALL FIELD
- 8 SCOUTING AREA
- 9 LAKE
- 879 PARKING SPACES





PREPARED FOR:

JUDY BOSTICK

ROBINSON ROAD AND OLD STAGECOACH ROAD

LOT	LAND LOT: 68	DATE OF FIELD WORK: 04-15-02
BLOCK	7th DISTRICT	DATE OF DRAWING: 04-16-02
SCALE: 1" = 40'	FAYETTE COUNTY, GA.	JOB No. 0204024

W.D. Gray and Associates, Inc.

land surveyors - planners

103 WESTPARK DRIVE SUITE C PEACHTREE CITY, GA. 30269
 PH. 770-486-7552 FAX 770-486-0496

Attachment "B"

LAND USE DATA:

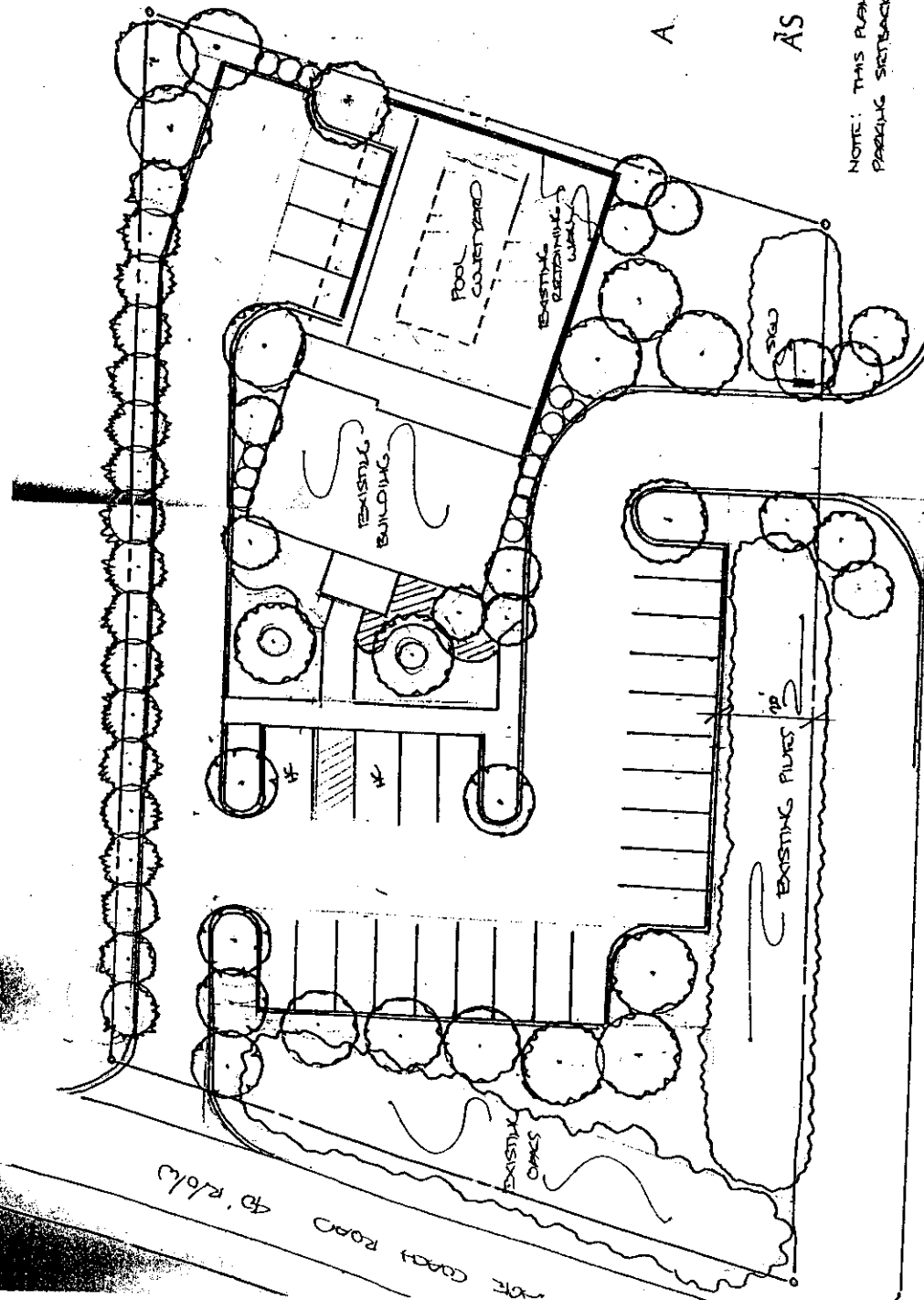
- TOTAL AREA 37,150 SQ FT
- TOTAL IMPROVEMENTS 20,000 SQ FT / 54%
- TOTAL PAVEMENTS 17,150 SQ FT / 46%

Scale: 1" = 20'

CHURCH PROPERTY

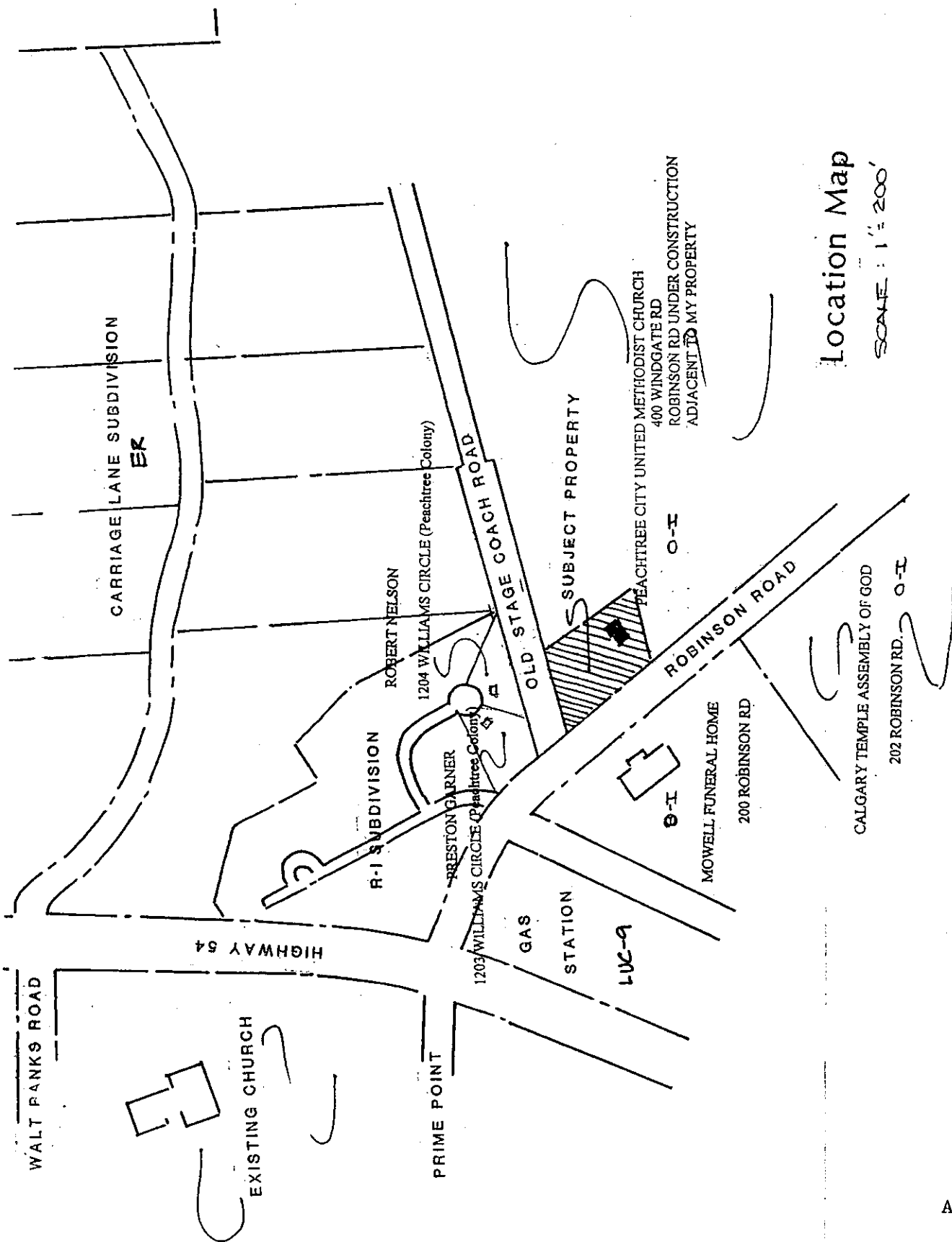
A CONCEPTUAL SITE PLAN FOR THE BOSTICK PROPERTY AS AN OFFICE DEVELOPMENT

NOTE: THIS PLAN WOULD REQUIRE A
PARKING SETBACK VARIANCE



BOSTICK ROAD 40' R.O.W.

LA LORBER AND ASSOCIATES
134 Wellington Lane - Peachtree City, Georgia 30288 - (770) 487-5108



Location Map

SCALE: 1" = 200'

Sec. 1005A. OI office institutional district.

(1005A.1) *Intent of district:* It is intended that the OI zoning district be established for office oriented business purposes. The regulations which apply within this district are designed to encourage the formation and continuance of a stable, economically healthy and compatible environment for office uses that are located so as to provide nearby areas with convenient service facilities. These regulations are also intended to reduce traffic congestion, provide adequate off-street parking, avoid the development of "strip" type business areas, and discourage encroachment by other uses capable of adversely affecting the limited character of the district.

(1005A.2) *Permitted uses:* The following uses shall be permitted in any OI office/institutional zoning district:

- (a) Business, professional, and government office facilities.
- (b) Business involving the rendering of a personal service in establishments having a size of 6,000 square feet or less.
- (c) Masonic lodge.
- (d) Funeral home.
- (e) Publicly owned building, facility or land.
- (f) Building, facility or land for the distribution of utility services.
- (g) Building, facility or land for noncommercial park, recreation, thoroughfare or open space purposes.
- (h) Building, facility or land for off-street automobile parking.
- (i) Accessory use: See section 908. (Ord. No. 588, 11-19-1992; Ord. No. 709, 3-18-1999)

(1005A.3) [*Conditional uses:* The following uses shall be permitted in any OI zoning district on a conditional basis:]

- (a) Church or other legitimate place of worship, including a one-family dwelling for a minister, on the following conditions:
 - (1) Notwithstanding any other requirements in this ordinance the following conditions shall apply to all churches regardless of zoning district.
 - (2) Minimum zoning lot area is three acres.
 - (3) Minimum lot width: 100 feet.
 - (4) Minimum setback area, front:
 - (a) Building: 40 feet.
 - (b) Parking: 20 feet.
 - (5) Minimum setback area, side: 15 feet. If adjoining a residential lot, the building setback shall be 75 feet.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: Jim Basinger, City Manager 

FROM: Paul Salvatore, Director of Financial Services *P.S.*

DATE: May 9, 2002

SUBJECT: Airport Debt Refinancing

Staff is ready to take action on the refinancing of the PTC Airport Authority debt, which was approved by voters in the November 2001 G.O. Bond referendum. Council must first adopt the Bond Resolution and approve the Bond Purchase Agreement. Although these documents are not available at this time, we expect to be able to send Council a copy for review prior to the May 16 meeting.

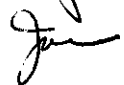
Todd Barnes of A.G. Edwards and Earle Taylor of Kilpatrick & Stockton will be present at the meeting to discuss the details of this transaction.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council Members

VIA: Jim Basinger 

FROM: Jane Miller 

DATE: May 10, 2002

SUBJECT: COLA for Some Retired Employees

During discussions about the public safety retirement plan, the committee discussed the possibility of providing a one-time cost of living increase to some retired employees. In October 1995, Council approved an amendment to the formula used to determine the monthly retirement benefit for city employees. This amendment significantly improved the retirement benefit paid to employees after the amendment. There are however, six employees who retired prior to the amendment. The total monthly retirement payment for these six retirees is \$2,120. Staff recommends Council consider awarding a one-time cost of living increase to these six retirees in the amount of ten percent (10%). This would cost the city approximately \$212 a month (\$2,544 annually).

/jsm

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: Jim Basinger, City Manager

FROM: Paul Salvatore, Director of Financial Services *P.S.*

DATE: May 8, 2002

SUBJECT: Revised budgetary policies

At the request of Councilman Steve Rapson, staff has drafted a proposed revision to the city's budgetary policies, particularly those that address the various types and levels of cash reserves maintained by the city. This is a subject that was originally presented by Councilman Rapson at the Council Retreat back in March and is now being brought to Council for action. The revised policy amendments are attached for your review. The pertinent information relating to cash reserves is contained under Policy #8 - Types and Levels of Reserves. The current policy wording that will be removed is marked by a strikethrough, and the proposed new wording is in bold-underline. Following is a brief synopsis of the changes:

<u>Type of Reserve</u>	<u>Current Policy (FY03)</u>	<u>Revised Policy (FY03)</u>
Operating Reserves		
Cash Flow	60 days (16.7% oper exp)	60 days (16.67% oper exp)
Revenue Stabilization	5% of operating expenses	replaced by above
		replaced by above
Council Contingency	2.5% of operating revenues	eliminated
Self-Insurance Reserve	30 days (8.3% oper exp)	\$800K flat amount
		(5.29% of oper expenses)
PIP Contingency	5% of 5-yr. PIP average	\$300K flat amount
	(3.1% of oper expenses)	(1.98% of oper expenses)
Total % of Reserves:	34.16%	23.94%
Total Reserve Dollars:	\$5,168,546(target)	\$3,622,276 (target)
Difference:		
		10.22%
		\$1,546,270

Please note that the above figures are based upon preliminary FY 2003 revenue and expenditure projections. Although the actual reserve dollars may vary, the reserves, as a percent of operating expenses will total about 24%, based upon the proposed policy revisions. This represents a decrease of about 10% from the current policy of approximately 34%.

As you may recall, the target date for implementing the current policy was the budget year beginning October 1, 2004. We have not yet attained the level of reserves required by our current policy. The revised policy will result in a reserve requirement that is approximately equal to our current reserve levels. From the standpoint of credit rating agencies, the proposed policy revisions would be acceptable. It is really a judgment call for Council as to how much actual cash the city should have available in its reserves.

Staff will be present at the May 16 Council Meeting to answer any questions you may have.

BUDGET POLICIES

Purpose	I
Policies	II

I. Purpose

The City of Peachtree City has enacted the following policies as the basis for the City's routine financial practices associated with preparation, adoption and execution of the City's operating and capital budgets. Their primary objective is to provide a standard of budgetary performance that both staff and Council have endorsed and to provide budgetary decision making with greater continuity, reinforcing the City's core financial values and preserving them for successive staff and Council.

Regular, updated budget policies can be an important tool to insure that City resources are used to meet its commitments, and to provide needed services to the citizens of Peachtree City and to maintain sound financial management practices. These policies are therefore guidelines for general use, and allow for exceptions in extraordinary conditions.

These policies have been approved by the City Manager and Financial Services Division, and have been adopted by the City Council. The Budget Policies of the City will be reviewed annually and can be adjusted at any time by action of the City Council.

II. Policies

A. OPERATING & CAPITAL BUDGET POLICIES

Budget Scope:

Policy 1. Funds included in the operating budget: The operating budget shall include the following funds:

- General Fund
- Special Revenue Fund (Public Improvement Program)
- Debt Service Fund
- Self-Insurance Fund

Policy 2. Integration with capital budget: The Public Improvement Program (PIP) budget will be prepared concurrently with the annual operating budget and funding of PIP projects, and their on-going operating expenses, is to be an integral part of the operating budget.

Policy 3. Baseline and Service Level Funding: In the absence of a fiscal crisis, the City's top program priority is the maintenance of existing service levels in all divisions and departments. To reflect this, the budget process should include the calculation of baseline

funding levels for all departments, reflecting current staffing and inflationary increases in supplies and service budgets. This baseline should serve as an agreed upon point of departure for subsequent budget discussions, such as the impact of adding a new facility or service.

Budgetary Balance:

Policy 4. Adoption: The City shall adopt and operate under an annual balanced budget for the General Fund, the Self-Insurance Fund, each Special Revenue Fund, and each Debt Service Fund in use by the City. The annual balanced budget shall be adopted by resolution of the City Council prior to the start of each fiscal year.

Policy 5. Balance defined: The budget resolution is balanced when the sum of estimated revenues and appropriated fund balances is equal to appropriations. Appropriations of fund balances shall only be made in compliance with the 'Reserves' section of this policy.

Policy 6. Capital Projects: The city shall adopt and operate under a project-length balanced budget for each capital projects fund in use by the City. The project-length balanced budget shall be adopted by resolution in the year that the project initially begins, and shall appropriate total expenditures for the duration of the capital project.

Policy 7. Budgeting/Accounting basis: The city will make all current expenditures with current revenues, avoiding procedures that balance current budgets by postponing needed expenditures, accruing future revenues, or rolling over short-term debt.

Budgetary Reserves:

Policy 8. Types and levels of reserves: The city shall strive to maintain the following cash reserve funds at the levels indicated below:

- ~~Cash Flow~~ – to maintain sufficient cash on hand to satisfy cash flow needs of the city, especially between the start of the fiscal year and such time that property tax revenues are received. The city shall strive to maintain cash flow reserves equal to sixty (60) days of budgeted departmental operating expenses in the General Fund.
- ~~Revenue Stabilization~~ – to provide resources to cover unanticipated revenue shortfalls (sales tax, etc.) due to economic conditions. The city shall strive to maintain revenue stabilization reserves equal to five percent (5%) of budgeted departmental operating expenses in the General Fund.
- ~~Council Contingency~~ – to provide funding for non-recurring, unanticipated expenditures, as approved by Council per city ordinance. The City shall strive to maintain Council Contingency reserves equal to two and one half percent (2.5%) of revenues budgeted in the General Fund. Additional funds may be appropriated to the Council Contingency expense line item of the annual operating budget, so that total available for Council Contingency are equal to approximately five percent (5%) of budgeted General Fund revenues.
- Operating Reserves - the city shall maintain operating reserves equal to sixty

(60) days of budgeted departmental operating expenses in the General Fund. Such reserves are intended for the following purposes: *Cash Flow* – to maintain sufficient cash on hand to satisfy cash flow needs of the city, especially between the start of the fiscal year and such time that property tax revenues are received.

Revenue Stabilization – to provide resources to cover unanticipated revenue shortfalls (sales tax, etc.) due to economic conditions.

➤ *Operating Contingencies* – to provide resources to pay for expenses that were not originally appropriated in the annual operating budget.

- **Self-Insurance Reserve** – to provide funding for unanticipated costs associated with the repair and/or replacement of City property that is unexpectedly damaged or destroyed, and for other liabilities for claims against the City in excess of the amount budgeted for such expenditures in the City's Self-Insurance Fund. The City will strive to maintain Self-Insurance reserves in an amount equal to \$800,000, in addition to the amount appropriated for claims.
- **Capital Project (PIP) Contingency** – to provide funding for unanticipated costs associated with capital projects/equipment in the Public Improvement Program, or for new projects/equipment that were not originally appropriated in the PIP budget. The City will strive to maintain PIP Contingency Reserves in the amount of \$300,000.
- **Special Considerations** – at the will of Council, any of the reserve amounts described in this policy may be combined and used for any lawful purpose that Council sees fit, provided that a sound financial plan for replenishment of the reserve funds is established prior to any such disbursement.
- The city will strive to meet the above reserve requirements, and staff and Council will review the requirements annually.

Budget Responsibility:

Policy 9. Preparation & Submittal – Per City Ordinance, the City Manager has responsibility for the preparation and submittal of the City's annual budget. In this capacity he shall have the authority to standardize budget documentation, to prepare the budget calendar and to review departmental budget requests for accuracy and conformity to budget guidelines. He shall also review all revenue forecasts prepared during the budget process. The Financial Services Division shall assist the City Manager in fulfilling these responsibilities by preparing and submitting a draft budget to the City Manager.

Policy 10. Implementation - The Director of Financial Services shall be responsible for overseeing budget implementation. Duties in this phase will include, but are not limited to, preparation and review of interim financial reports, monitoring revenues, reviewing departmental expenditure requests for conformity with the budget, reviewing supplementary appropriation requests and recommending transfers across accounts or departments in conformity with the City's budget implementation policies.

B. BUDGET IMPLEMENTATION POLICIES

Budget Amendments and Reallocations:

Policy 11. Legal Level of Control - means the lowest level of budgetary detail at which a local governments management or budget officer may not reassign resources without approval of the governing authority. Per Georgia State law, the city's legal level of control shall be, at a minimum, expenditures for each department for each fund for which a budget is required.

Policy 12. Budget Amendments – Any increase in appropriation at the legal level of control, whether accomplished through a change in anticipated revenues in any fund or through a transfer of appropriations among divisions, shall require the approval of the City Council. Such amendment shall be adopted by resolution.

Policy 13. Reallocations – Transfers of appropriations within any fund below the city's legal level of control shall require only the approval of the ~~City Manager~~ **Director of Financial Services**.

Policy 14. Preventing Overspending – The City Manager may impound budgetary authority for spending in situations when total revenues of a fund fail to keep pace with estimated revenues budgeted for that fund.

Policy 15. Reporting – The Finance department shall be responsible for preparing monthly budget status reports that will be made available to the public.

C. REVENUE POLICIES

Policy 16. Review of Fees & Charges – A comprehensive analysis of all city fees and charges will be conducted at least once every three years. At least one public hearing shall be held, prior to adoption of any changes to the fee schedules, to disclose the results of the survey and to discuss staff's recommendations.

Policy 17. Use of One-Time Revenues – One-time revenues shall generally not be used for on-going operating expenses, such as additional personnel or new contracts for goods or services that will remain in effect after the one-time revenue source has been exhausted. Examples of allowable uses of one-time revenues are purchases of capital assets, start-up costs, early debt retirement and deposit to the ~~revenue stabilization~~ **operating reserve** fund. Use of one-time revenues for other purposes may be considered on a case-by-case basis.

APPROVED:

City Council
City Manager
Administrative Services Director/City Clerk

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: City Manager 

FROM: Director of Leisure Services 

DATE: May 8, 2002

SUBJECT: Change to July 4 Parade: No Throwing Candy

The Recreation Commission has approved a staff recommendation that no more candy or any other items to be thrown from golf carts, floats and vehicles in the July 4th parade, but that these items be handed directly to spectators, or can be soft-tossed to spectators so long as the candy clears the fringes of the parade route and does not enter the roadway.

Based on discussions at the post-parade meeting of the Parade Committee last year, this change is being recommended for the parade beginning this year. The Committee is comprised of representatives from all city departments involved in the parade, including police and fire. **The recommended change is based on a concern for safety of parade participants and spectators.**

The attached memos from the fire chief and police department further discusses this concern.

Staff recommends that we no longer allow candy and other items to be thrown from vehicles in the parade. In recent years staff has noted significantly increasing problems with children, and even adults, becoming more reckless in their attempt to get the items. We observed people leaving the side of the parade route and actually getting in the path of vehicles to pick up thrown items. We witnessed several near misses this year, any one of which could have caused serious injury or worse to the children and adults involved.

For that reason, staff is recommending that parade participants not be allowed to throw items from their vehicles. Instead, a person or persons walking alongside each entry must hand spectators any giveaway items, or may soft-toss items to spectators so long as the items clear the fringes of the parade route and do not enter the roadway. These items can include candy, gum, fans, written literature, Frisbees, ice cream, and other items as in years past, but must be handed to spectators from the ground and not thrown from the vehicles.

Staff considers the candy/item throwing, coupled with more and larger parade entries and increasing spectator participation, as key factors that must be considered. We believe that the option we suggest is a reasonable compromise that will provide a safer parade environment.

This matter is on the May 16 Council agenda right after the workshop for final decision. This is necessary because we open reservations for the parade beginning on June 3, and staff needs a final decision at the May 16 meeting in order to prepare instructions for participants.

CITY OF PEACHTREE CITY
INTER-OFFICE MEMORANDUM

TO: Director of Leisure Services

FROM: Stony Lohr
Fire Chief

DATE: April 8th, 2002

SUBJECT: 4th of July Parade

The Fire Department recommends that throwing of objects from parade entries in the 4th of July parade either be prohibited or much more closely controlled.

Our observations indicated substantial risk of death or serious injury on multiple occasions because of both children and adults darting in front of and under parade vehicles to retrieve candy and other more substantial/desirable objects that were thrown from parade vehicles. This risk is especially acute for the larger vehicles with limited visibility and physically wider stature (e.g., Monster trucks, large trailers and floats, apparatus, etc). Many of the items thrown from vehicles end up in the street because of misdirection, ricochet or other mechanism. Even if the large vehicles do not throw items, they were at risk because items thrown by other vehicles ended up in the street around them. Our Ladder truck had a close call because of a child that darted under it while it was moving.



POLICE DEPARTMENT

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JAMES V. MURRAY
Chief of Police

TO: RANDY GADDO *MD*
FROM: MAJOR MIKE DUPREE
DATE: MAY 09, 2002

SUBJECT: JULY 4TH PARADE/THROWING OF CANDY

The Police Department concurs with your memo regarding the throwing of candy from floats and golf carts that are represented in the July 4th Parade. There are some concerns regarding participants physically handing candy to the children. This seems a little impractical because every child may not necessarily be given candy, therefore possibly causing them to feel left out. Randomly tossing the candy, walking along each side of an entry, is a better alternative for the committee to consider. This allows some degree of anonymity and still allows the competitive spirit between the children of scurrying for the candy.

As you were previously notified, Captain Ernst will be representing the Police Department as the committee member.

If I can be of any assistance to you, please do not hesitate to contact me.

MD/