

City Council of Peachtree City

Agenda

April 21, 2005

7:00 p.m.

- I. Prayer
- II. Pledge of Allegiance
- III. Announcements, Awards, Special Recognition
 - Remind Attendees to Turn Off Cell Phones
 - Recognize Tim Maret as Employee of the Month
 - Present 15-year Service Pin to Stan Pye
 - Recognize Citizen Police Academy Graduates
 - Recognize Mark Adams for Efforts to Protect Scenic Views
 - Recognize Starr's Mill Varsity Cheerleaders as Region 4 5A Champions
 - Recognize Starr's Mill Debate Team Participation in National Forensic League's National Tournament
 - Proclamation for Georgia Cities Week
- IV. Minutes
 - March 17, 2005, Regular Meeting Minutes
 - 2005 Retreat Minutes
 - March 19, 2005, Special Called Meeting Minutes
 - March 24, 2005, Special Called Meeting Minutes
- V. Monthly Reports
- VI. Consent Agenda
 - 1. Consider Proposals for Equipment Lease/Purchase Financing
 - 2. Consider Amendment to Debt Policy
 - 3. Consider Approval of Letter to County Commission Initiating Review of Service Delivery Strategy
 - 4. Consider Budget Amendments
 - 5. Consider Cooper Turn Lane Bid Withdrawal Request
- VII. Old Agenda Items
 - 03-05-CA2 Consider Annual HVAC Services for City Facilities
- VIII. New Agenda Items
 - 04-05-01 Public Hearing – Consider Rezoning – Sanders/Cash Tract, 287 Greenwood Lane, ER to R-43
 - 04-05-02 Public Hearing – Consider Variance, 205 Rockspray Ridge
 - 04-05-03 Consider Animal Control Agreement
 - 04-05-04 Consider Amendment to Animal Control Ordinance
 - 04-05-05 Public Hearing – Comprehensive Plan Presentation
- IX. Council/Staff Topics
- X. 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 Regular Meeting
March 17, 2005
7:00 p.m.

The City Council of Peachtree City met Thursday, March 17, 2005, in the City Hall Council Chambers. Mayor Brown called the meeting to order at 7:05 p.m. Other Council Members present were: Stuart Kourajian, Steve Rapson, Judi Rutherford, and Murray Weed.

Announcements, Awards, Special Recognition

Mayor Brown read a proclamation for "Sunshine Week." Tom and Lynn Fedor were recognized for their efforts leading to the creation of the Soil Compaction ordinance. Bill Bexley was recognized for his service on the Development Authority. Starr's Mill High School was recognized for earning the School of Excellence Award. Braelinn Elementary School was recognized for earning the National Association for Sport and Physical Education Award. The Booth Middle School boys' basketball team was recognized for winning the Fayette County championship. Rising Starr Middle School Science Olympiad was recognized as the regional winner of the annual competition.

Minutes

Rutherford moved to approve the March 3, 2005, regular meeting minutes as amended. Rapson seconded. The motion carried unanimously.

Consent Agenda

- 1. Consider Appointments to Development Authority**
- 2. Consider Annual HVAC Services for City Facilities**
- 3. Consider Amendments to STWP/CIE and Resolution**
- 4. Consider Bid for Janitorial Services**

Rutherford asked to remove Item #2 from the Consent Agenda. Brown noted there was an additional document on the dais for Item #2 – a letter dated March 17, 2005, from Tim Powers.

Rutherford moved to approve Consent Agenda Items #1, #3, and #4. Rapson seconded. The motion carried unanimously.

Rutherford moved to table Item #2 Consider Annual HVAC Services for City Facilities until some questions were answered. Kourajian seconded. The motion carried unanimously.

Old Agenda Items

10-04-03 Consider Step One Annexation Application from John Wieland

Brown noted there were two additional documents on dais – an e-mail from the City Manager to Mayor and Council dated March 14, 2005, with the subject "Annexation Request," and an interoffice memo from the City Planner to Mayor and Council dated

March 17, 2005, with the subject, "Anticipated Staff Time to Review Annexation Request."

Dan Fields of Wieland Homes addressed Council. Fields told Council they wanted to amend to their plan for the 360 acres west of the City. He said they had looked at the County's land use plan and showed areas on the map that showed low density residential (one unit per one- to two-acre lots) in the area. He noted that the County Commissioners said they would only support a minimum lot size of two acre. Fields said their plan was for one unit per one-acre lots. The request was amended to 360 homes with no amenities. He said, as part of their amended request, they were committed to the extension of MacDuff Parkway. As part of the traffic study, they needed to see if the cost of the additional lots would be offset by the benefit of MacDuff Parkway. Fields committed to connecting MacDuff Parkway to GA 74 before pulling the first housing construction permit. That would ensure the road was done upfront. He asked Council to let the residents of the area speak before saying no to the application.

Fields continued that they needed a chance to study the price points, but anticipated the homes built in the area would be in the \$400,000 average price range. Permit and impact fees would also be collected. He noted that revenue neutral homes for the City were \$225,000. He said his company had already donated a site for an elementary school, and the Board of Education supported the extension of MacDuff Parkway. Fields said they would like the opportunity to study the impact of the annexation further, both the positives and negatives, and respectfully asked Council to approve Step 1 of the annexation process.

Residents who spoke regarding the proposed annexation application included Dana Kinser, Bob DeMetz, Brian Phillips, Dave Lowery, Wayne Roberts, Phyllis Aguayo, Sandy DeMuth, Steve Stone, Dawn Drakes, Zahid Shafi, and Kent Horton. The names of two residents were inaudible. Kinser also presented letters in support of the proposed annexation from the homeowners in the West Village to Council. Their comments included:

- Wieland willing to put road in at no cost to taxpayers;
- Public safety reasons cited after March 14 incident with gas main break that tied up traffic for hours;
- Constituency against the annexation were not attending meetings;
- Annexation should be sold on merit, not scare tactics, project had to be connected to sewer due to rocky land;
- County already given position, so why waste tax dollars;
- Appropriate zoning should reflect Land Use Plan and Comprehensive Plan;
- Final delineation on wetlands not made;
- County won lawsuit on density issues twice;
- Benefit of annexation very little compared to benefit of density;

- Safety and noise concerns about intersection of MacDuff Parkway and GA 74, and the intersection with Kedron Drive;
- Feeling of Westside residents that City was not addressing their issues;
- Problems with at-grade railroad crossing;
- Council approved West Village projects or subdivisions would not be there;
- Concern about decrease in property values due to infrastructure;
- Time in traffic was an element of quality of life;
- Council was supposed to vote on listening to an idea, not on the idea.

Kourajian asked Fields if his company had spoken with CSX about an at-grade crossing the MacDuff Parkway/GA 74 intersection. Fields said there was an opportunity to possibly turn the crossing to a quiet zone, which would limit the crossing to two lanes. They would also be able to close down other crossings, which were not currently in use. Fields said they could come up with a safe crossing and a design that did not negatively impact the City. Kourajian asked Fields if CSX was willing to take on liability for the crossing. Fields said they had not gotten that far in the discussion. Kourajian asked which crossings would close. Fields said the crossings were actually located on the 88 acres currently in the City and were old roadbeds rarely used at this time.

Weed noted that John Wieland said at the February 3 meeting that he would be willing to help pay staff costs for working on the annexation request. Weed asked Fields if he would be willing to pay for the estimated 60 hours of staff time. Fields said they were willing to pay for 60 hours of staff time.

Kourajian asked City Planner David Rast if 60 hours was the total amount of staff time that would be needed. Rast said that working on an annexation request would be a full-time staff effort, and 60 hours would be the minimum amount of staff time required. He based the time estimate on the most recent, more complex rezonings. Kourajian was concerned that more staff time would be necessary.

Rutherford said she understood the 60 hours was just the time it would take to process the paperwork, and the time estimate did not include some items that might need research. Rast said the time started once the paperwork was submitted. Rast said they would not get involved in designing the project. The developer's consultant would do that. He said staff would meet with the developer before the paperwork was submitted, and that time had not been included in the estimate. Rutherford noted that the new process laid a lot of the work on the developer. She said Rast's memo said there could be many variables that would increase the time. She asked what those variables included. Rast said there would be a lot of meetings with the consultants and with the Planning Commission. Rast said that time was not included since staff would be present at those meetings anyway.

Rapson said that one and one-half weeks (60 hours) was not close to the reality of the time that would be required. Rast said it would not be fair to compare this request to the annexation the City looked at several years ago. Fields offered Council up to \$20,000 to reimburse the City for staff time. Weed told Fields he would not make a deal on a dollar

figure. He continued that 60 hours was at best a minimal guess. He asked Rast what would not get done if Council approved the request to go to Step 2 of the annexation process. Weed noted that an annexation was voluntary. Rast said he did not know if something would not get done. He continued that if the annexation request moved to the next step, it was something that had to get done. Weed said working on an annexation would just get added to the laundry list. Rast said staff would not do less than what they were doing now; the annexation would just be an added on the workload. Weed told Rast he appreciated his work ethic. Weed asked Rast why he generated the time estimate. Brown said he had asked City Manager to come up with the estimate. Rapson said Council had basically asked at the last meeting.

Brown noted that Rast stated in his memo that the budget impact would be significant, and that a significant amount of staff time would be required. He asked Rast what "significant" meant. Rast said it would depend on how complete the application was when turned in. He said Wieland was reputable and the company's consultants were reputable. The City staff had to submit the request to the County for review, then they could be involved in an annexation dispute process. The project might have to be submitted to the Department of Community Affairs to determine if it was a development of regional impact. With a limit of 360 homes, that was not applicable. Staff time included working with the Department of Transportation (DOT), utilities, and the railroad company. Staff would be involved with many areas, but would not be the entity making the calls.

Brown said the City Manager had discussed sewer availability in the area with the Water and Sewerage Authority (WASA). He said that Pathway had reserved capacity on the sewer system when the City purchased it from them. City Manager Bernard McMullen reported that WASA considered the agreement null and void since no money was ever transferred. Rapson asked if that involved the part of the agreement that dealt with impact fees for 500 units after two years. McMullen said it was and that the agreement was that Pathway would make a monthly payment to reserve the taps. McMullen said the lift station was built with the capacity for the West Village expansion.

Rapson said he was the City's finance director during that time and, even if the agreement were no longer valid, the homes built within a certain distance of the sewer line had to be connected according to the Health Department regulations. Rapson said he did not see sewer capacity as an issue. His issue was that the land in the County was zoned R-70. One-third (28%) of the land could not be developed. The County had a bonafide land use objection to any plan over 113 units and had won lawsuits in Superior Court and the State Supreme Court. City Attorney Ted Meeker agreed with Rapson that the County could hold up the annexation. Meeker added that, according to state law, if the requested zoning were more intense than what was allowed under current zoning, it was a bonafide land use objection.

Rapson commended Fields and Wieland Homes on lowering the density, and said the County might accept 125 homes, which was still a \$50 million development. A

development of 360 homes was approximately a \$144 million development. He said the cost of the road and railroad crossing should be about four percent of the development cost. Rapson said the road should not be a major collector, but a secondary collector and residential road. He continued that traffic-calming measures be part of the plan. Rapson continued that the road would get done one way or the other, and he preferred the road be in the City. He could not support allowing the request to go further in the process with the density. Rapson said residents who were opposed to issues were never at meetings. He was expected to represent them, too.

Brown said there had been a lot of speculation, and all questions would be answered if the developer were allowed to move to the next step in the annexation process. The Board of Education was not interested in building a school in the West Village unless the road was extended. He said the agenda item was to not approve an annexation, but to go to the next step. If the developer was willing to cover the costs, Brown did not see why there was a problem with having the debate.

Kourajian said he did not believe in annexation for annexation's sake, and nothing he had heard during the meeting required annexation. The road needed to go in. He continued that if there were an area where he would consider annexation, it was the West Village. There was an island of the County left in the area, and annexation gave the City a say in how the area was developed. The process was in place and he was ready to vote to move the application forward to the next step. If the plan was not workable, Council would vote it down.

Weed noted that the major thing this Council did was to give everyone their day in court. This was not an openness issue. The developer had been working on the annexation proposal for 14 months. When Rast was not doing other work, whether Wieland was paying for staff time or not, it was still time away from the workload. The time issue remained a time issue. Weed said he was concerned about the westside and what Council could do in good conscience. Money had been dedicated to building the road. Weed said he ran on an anti-annexation platform and he was not in a position to back away from that promise. Weed said he could not, in good conscience, vote to move the process forward when a minimum of 60 hours was needed to do the work. Kourajian noted that Weed voted in favor of opening up the annexation process, but Weed would never vote to move a request to the next step. Weed said he would not.

Brown said that when staff experts were banned from the process, it was not an open process. He was in favor of thoughtful planning. If the plan was bad, then Council would not vote for it. The issue was whether or not the plan would have the lowest impact possible and would accentuate what people appreciated about the City.

Rapson pointed out that the plan before them had 360 homes with no amenities. The developer set the parameters, and that was what they were voting for. Kourajian asked if the proposal would change in going to the next step. The developer would refine the plan during the next step. Staff and the developer knew what Council wanted. Brown said the

parameters were to give Council a general idea of what was proposed. Rapson said staff would not let the 360-home, one road plan change into something different. McMullen said the plan would not come back half commercial with 400 homes. He continued that he also did not expect the final plan to have 360 homes, but the plan would be residential with numbers that would be close to 360. They still had to explore the wetlands and the economics of hooking into sewer.

Rutherford said the City's policy of no annexations was not a good one, and she was one of the people who suggested the policy be looked at. The Developmental Services Director brought the annexation process to Council, and Council had approved it. She did not have any inclination to annex the property because of density issues and the at-grade railroad crossing. Rutherford pointed out, however, that there was a process in place and this was an opportunity to put into practice what they had discussed. The request was for 360 homes on 360 acres. One hundred acres could not be developed, so they were down to 260 homes. The developer and staff understood where Council was coming from. The decision was not whether the property was annexed, but whether the developer would be allowed to develop a plan, take it to staff, then bring it to Council. If Council did not give the developer the opportunity, then Council would never know.

Brown moved to take the request to the next step in the annexation process with the concept of residential lots only, with no multi-family, that 360 be used as a conceptual number, and Wieland would cover the cost of staff time up to \$20,000. Kourajian seconded. The motion carried 3-2 (Rapson, Weed).

02-05-07 Consider GDOT Management Agreement for GA 74 North Multi-use Tunnel (Market Place to Westpark)

Brown noted there had been some changes to the document. For the record, the changes were in Sections 15, and 16. Meeker said there were two changes to paragraph 15 and one change to paragraph 16. Most of the changes were tied to language in the agreement that seemed to indicate the City had a continuing duty to do certain things when the items were in three phases according to language earlier in the agreement. Meeker said the changes made sure future obligations of the City were tied to one of the phases.

Rapson moved to authorize the Mayor to sign the project management agreement for GA 74 Market Place to Westpark multi-use tunnel as amended in Sections 15 and 16. Weed seconded. The motion carried unanimously.

New Agenda Items

03-05-02 Discussion of Cooper Wiring Turn Lane Project Timeline

Brown noted there were additional documents on the dais – an e-mail from City Manager to Mayor and Council dated March 17, 2005 with the subject "Cooper Wiring Timeline," a letter to the editor from Fayette County Commissioner printed in **The Citizen** entitled "PTC has dismal record of finishing road projects," and a letter from Mayor and Council to Fayette County Commission Chairman Greg Dunn dated May 21, 2004.

City Engineer Dave Borkowski presented the timeline of the left turn lane project to Council. (A copy of the timeline is included in the official meeting file.) The original estimate for the project was \$75,000, with the DOT paying 50% and Fayette County and the City each contributing 25%. Eberly and Associates designed the project and estimated the cost at \$231,835. The City, County, and FCDA agreed on changes to reduce the cost and the estimate was revised to \$129,439. The project went out for bid, and the lowest bid had been \$250,700.

Kourajian asked where the \$75,000 project estimate came from. Borkowski said he did not know. Brian Cardoza of the Fayette County Development Authority (FCDA) said the estimate came from his office. Cardoza added that his office received the estimate from DOT.

Kourajian asked what costs had been reduced. McMullen said DOT had approved reducing the thickness of the pavement and the length of the accel/decel lanes due to the road widening. The accel/decel lanes going into Cooper Circle also accounted for the problems making the left hand turn.

Borkowski said errors were found in the revised estimate and, when those errors were incorporated, the cost was much closer to \$250,000. Borkowski explained that quite a bit of fill was left out, as well as an overlay issue of the project. He said those were expensive items. The other bid was \$316,000.

Kourajian and Rutherford both questioned why the engineering company had missed so much of the cost during the revision. McMullen explained that the engineering firm used for the turn lane was the same firm that designed Cooper Circle's accel/decel lane, which should have been a good idea. He said the engineering costs were not very much when compared to the real cost, and this was what happened.

McMullen reported that the area around Cooper Lighting had originally been part of phase two of the GA 74 widening, with construction slated to begin in 2009. On March 16, staff met with DOT and learned that phase one was scheduled to go to bid in January 2006 and that phase one of the widening project had been changed and would extend to the Baseball Soccer Complex/WASA area, which included the Cooper Circle area. The project had been accelerated three years. Borkowski added that the January 2006 date was tentative since right-of-way still had to be acquired.

Brown said there was no longer a specifically defined cost for the turn lane. The City had tried to partner with the FCDA and to work with the \$75,000 figure. The numbers would not work. Nobody intentionally changed anything. The City took over the lead and had the engineering done, which came back with a significantly higher cost, and then went back to the County to revise the costs. Brown said the delay should not reflect badly on the City's leadership, staff, or the FCDA. They were trying to help a corporate citizen and had done the best they could with what they had been given.

Rapson asked if the County was willing to put in another \$60,000. Kourajian asked if the turn lane was still required since the road widening had been moved up. Borkowski said they were trying to find out. McMullen said Borkowski had been making calls to DOT, but everyone was in the field. They wanted to discuss alternatives that could satisfy Cooper's request without spending too much money on a project that would be used for a short period of time. Kourajian asked if Cooper wanted the turn lane because the DOT required it, or because they wanted a turn lane. McMullen said Cooper was asking for the turn lane because it was a DOT requirement. McMullen said the state required that the islands be put in so a left turn could not be made when they put in the accel/decel lane. McMullen continued that Cooper Wiring would like to have a lane turning north into their facility. He said, if DOT authorized it, they might be able to modify the traffic islands to allow the left turn. Rapson said the County and the FCDA should be included when looking at the options. McMullen said he and Cardoza had been working together and they needed to make sure DOT agreed.

Borkowski said staff wanted to inform Council of what had been happening. The intent was to talk with DOT and do a project that made the most fiscal sense. Rutherford requested that the County be kept up-to-date. McMullen said the County had attended all the meetings.

Kourajian asked that Council be kept up-to-date. McMullen said the next milestone would be when Borkowski was able to speak with someone at DOT.

03-05-03 Consider Bid for City Hall Construction Project

Developmental Services Director Clyde Stricklin explained that the changes to City Hall would enable staff to do their jobs more efficiently within the space available. Stricklin went over the changes that would be made.

Rutherford questioned the bids. She noted that there was a \$20,000 difference between the two lowest bids. McMullen said the rough estimate was approximately \$30,000. They were concerned about the low bid and brought the contractor in for a meeting to ensure everything was included. Stricklin noted that the low bidder was also a residential contractor who planned to do the job in a shorter time period, which accounted for part of the difference.

Weed moved to approve the expenditure. Kourajian seconded. The motion carried unanimously.

03-05-04 Consider Library Change Order #3

Leisure Services Director Randy Gaddo told Council the items totaled \$47,145. Some of changes were owner requested and some were unforeseen site condition changes. The four owner requested items included the creation of a new outlet driveway, which would eliminate the dead end parking in front of the library; carpet and painting in the existing basement, which ensured carpeting matched throughout the library; carpentry, adding locking doors and shelving for additional storage for children's programs; and electrical

work for moving light poles in the City Hall Plaza, labor and materials to move two light poles for the new driveway construction.

The unforeseen site conditions included mechanical/plumbing – moving a manhole that was not shown; finishes – new drywall to ensure good appearance for internal walls; lowering of water line to accommodate new road – water pipe to fire hydrant at Drake Field lowered below road grade; miscellaneous items – printing and distribution of new plans, additional dumpster rentals to haul off drywall, payment and performance bond; and general contractor overhead and fee – standard 7.5% fee.

There were two credits including a credit to relocate fire and domestic water line, an unidentified water line allowed a shorter, less labor-intense means of getting water to the building; and a credit for temporary electric, the contract required the contractor to pay for temporary electricity used.

Gaddo said approval of change order #3 would reduce the contingency balance to \$275,670.

Rutherford told Gaddo she had heard there was something wrong with the back wall of the old building and that it would take everything in the contingency fund to fix the problems. Gaddo said there were some issues, but they were still waiting on information and did not know the seriousness of the problem yet. Leo Daley's structural engineer had examined the wall. Gaddo added that the connection between the wall and the structural steel might not be what it should be.

McMullen added that there was no waterproofing in some areas. Some demolition work had to be done to get a better look at what was there. They were looking for the most economical solution. The project was still on schedule.

Rapson moved to approve Library Change Order #3. Weed seconded.

Kourajian asked if the back wall had been built to specification. Gaddo said they were not sure how the wall was attached and would not know until the sheathing was off. Kourajian asked if there was any recourse if the wall had not been built to specification. McMullen said he did not know if they could locate the specifications, but probably was not done as it should have been done. The addition was also 10 years old, so the statute of limitations had run out. Rutherford asked who would inspect and sign off on the structure. Gaddo said the architect, Leo Daley, was responsible.

McMullen explained that there was a misconception about what the Building Official looked at. If a building official saw something, it was written up. The ultimate person responsible for quality control was the contractor. Rapson asked if the architect inspected on a daily basis. McMullen said no. He noted that architectural contracts were written in very loose language and made an observation that a building was generally in compliance. Problems that were not caught were considered latent defects. McMullen

said the City was getting good support from the architect, and a structural engineer had inspected the steel. Rutherford said she wanted to make sure the City was taking care of this project.

The motion carried unanimously.

Rutherford moved to move Agenda Item 03-05-07 Consider Approval to Install Banners for Tour de Georgia up on the agenda and consider it next. Rapson seconded. The motion carried unanimously.

03-05-07 Consider Approval to Install Banners for Tour de Georgia

Brown noted there was an additional document on the dais – an e-mail from the City Manager to Mayor and Council dated March 17, 2005, with the subject “Tour de Georgia Banners.”

McMullen told Council that the second stage of the Dodge Tour de Georgia would go through the City on April 20. The City was working with the FCDA and the Tourism Association. The request was to install 10 banners in the median, which was City right-of-way, along Peachtree Parkway near GA 74. The banners would be installed on April 4 and removed on April 21, the day after the race.

Cardoza told Council that they would know by the next day which banner would be used. The banners would be four-color vinyl. The latest revision to the photo on the banner included Lance Armstrong in it. McMullen said the banners had been sold as a sponsorship item.

Rutherford moved to approve the installation of the banners for the Tour de Georgia. Weed seconded. The motion carried unanimously.

03-05-05 Consider Dividend Drive Culvert Replacement

Brown noted there was an additional document on the dais – City of Peachtree City Task Order Form #19 for the Dividend Drive Culvert Replacement dated February 21, 2005.

Borkowski asked Council to approve the price of \$67,200 for the design and replacement of the culvert. The culvert was located approximately 2,000 feet south of the Dividend/Huddleston intersection. Borkowski showed slides of the culvert and said the invert of the pipe had completely rusted out, and soil had washed away. He was very concerned about the integrity of the road. Borkowski continued that the culvert replacement was identified as high priority on the list of stormwater projects. The money would come from the PIP contingency fund. The design would not exceed \$17,200. Borkowski clarified that the \$50,000 estimate for the replacement was only a guess because there were no drawings as yet.

Weed asked Borkowski if he had completed an inventory list of culverts and had ranked them to identify the culverts that had problems. Borkowski said he had seen the list, but did not know the history. Stricklin said the City had been inventoried and prioritized.

Kourajian asked if they should approve the cost of the design work only since the actual cost of the work could be more than \$50,000. He said Council should know the exact cost. Rapson asked how much money was left in PIP Contingency. Financial Services Director Paul Salvatore said \$297,000 was left. Rapson asked Kourajian if he would be comfortable using the \$67,200 in a motion with direction for staff to come back if the costs exceeded that amount. Kourajian said he was, but would rather have the actual cost than an estimate.

Rapson moved to approve the project for \$67,200. Weed seconded. The motion carried unanimously.

03-05-06 Accept Donation of Lights from Cooper Lighting for Peachtree City Amphitheater and Approve Funding and Bid for Installation

Brown said there was an additional document on the dais – an interoffice memo from the City Manager to Mayor and Council dated March 16, 2005, with the subject “Installation of Donated Lighting from Cooper Lighting for the Frederick Brown, Jr. Amphitheater.”

Brown said there had been a request from staff to table this agenda item. Brown moved to table Agenda Item 03-05-06 Accept Donation of Lights from Cooper Lighting for Peachtree City Amphitheater and Approve Funding and Bid for Installation.

Weed asked if there was a problem with the City accepting the donation. Brown said staff was trying to work out the logistical issues. Kourajian asked if the City owned the lights. Brown said the lights had to be ordered, and this was not a time-sensitive issue. Weed seconded the motion, but said this needed to be worked out.

The motion carried unanimously.

Council/Staff Topics

Rutherford asked if there was any update on the light at GA 74 and Georgian Park. Stricklin said there had been a meeting with the contractor and the state. The state asked for an additional study to be sure the light was still warranted under current conditions. The study would be complete in about two weeks.

Stricklin said the TDK Boulevard redesign contract had been signed, and staff had received a preliminary design on March 8. The golf course and the airport both said the layout was good. On March 15, the preliminary final drawings were received and they were looking to make sure the property ownerships were correct before going to final drawings. The work had to be completed by April 6. Rapson said the City was not doing anything to slow down this traffic project.

Rutherford moved to convene in executive session to discuss pending litigation. Weed seconded. The motion carried unanimously.

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

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

Jane Miller, City Clerk

Stephen D. Brown, Mayor

Pamela Dufresne, Recording Secretary

**2005 CITY COUNCIL RETREAT
MINUTES
March 18-19, 2005
Peachtree City Tennis Center**

Friday, March 18, 2005

Mayor Brown called the meeting to order at 8:00 a.m. Other Council Members present were Stuart Kourajian, Steve Rapson, Judi Rutherford, and Murray Weed.

1. Comprehensive Plan (Clyde Stricklin, David Rast)

- Plan must be updated and submitted to Department of Community Affairs (DCA) to maintain status as qualified local government.
- Local government coordination was required with adjacent entities and Fayette County to ensure what happened along City's boundaries was consistent with City's plan.
- Comprehensive Plan should be valuable resource for master plan.
- Comprehensive Plan would incorporate recreation master plan, library master plan, and stormwater plan.
- February 28, 2007, was the recertification deadline for the Comprehensive Plan.
- Task force (25-30 members) would be appointed by Council. A press release would be issued and positions would be listed the same way the City advertises for new Commission and Authority members. Subcommittees would choose their own volunteers.
- All task force meetings would be open meetings and public input would be encouraged.
- Each Council Member would appoint two members to the task force. Staff would recommend up to 15 volunteers from the applications submitted. Task force composition should be geographically sensitive. There would be five open slots available for areas of the plan that were not met by the volunteers selected.
- Council should have appointees' names ready by the next meeting.
- The possibility of sharing consultants with other jurisdictions to gather data should be considered to help with costs.
- Plan must be submitted to DCA 120 days prior to deadline.
- Initial task force meeting planned for approximately April 25, 2005.
- Public comment was scheduled to begin in September 2006.
- Public hearing before Council should be held in October 2006.
- Council should adopt the plan in February 2007.
- As elements of the plan were finished, they would be taken to Planning Commission and Council for endorsement.
- Public meetings would be held in each of the villages for public input.

2. Transportation Plan (Clyde Stricklin, David Borkowski)

- Current plan was revised in 1995.
- Update to plan was underway by QK4.
- Plan would compile local, county, regional, and state data to plan for improvements.
- Plan must meet the requirements of DCA as part of Comprehensive Plan.
- Roads and level of service would be analyzed and graded A-F.
- Roadway classifications would be updated and existing deficiencies identified.
- Future mass transit and multi-use paths would be discussed.
- A long and short-term implementation plan would be developed.
- Proposed projects would be prioritized with a 20-year planning horizon.

- Multi-use path master plan would be developed along with Transportation Plan and Comprehensive Plan.
- Transportation Plan would be completed by December 2005. Public hearing dates were not set.
- Roads that could incorporate bicycle paths, such as Robinson Road, needed to be identified.

3. Multi-use Path Master Plan (David Rast)

- City had 84 paved miles of multi-use paths and 160 miles of road that allowed carts.
- City had fairly complex system that connected most of the developments in the City, but needed to look at connecting all areas.
- City was not doing a good job of providing paths in the industrial areas.
- Areas to incorporate tunnels and paths needed to be identified.
- Existing system would be inventoried and phased improvement plan would be developed.
- Council requested that Rast and Tyler coordinate to increase publicity and recognition of multi-use path system. Tourism Association was using paths as primary element of branding for the City.
- Staff should find out about award and grant opportunities, and work on awards.
- There should be more press on projects such as DOT putting in bridges, environmentally sensitive transportation plan, etc. Departments should do press releases on their projects and coordinate through Tyler.

4. Franchise of Refuse Collection and Recycling (David Borkowski)

- Preferred Provider selection based on cost. Other haulers would meet Preferred Provider cost, so it helped keep prices down.
- Many complaints came in about Preferred Provider. Should Council consider franchise as an option?
- In-house garbage collection was not a good option, drained other areas.
- Franchise option would decrease amount of truck traffic and wear and tear on roads, also would improve efficiency of recycling, customer service, etc.
- RFP for franchise was only worth pursuing if total cost was less than current situation.
- City did a poor job of recycling, especially for community's demographics.
- Agenda item or workshop needed to discuss City's recycling center and how to improve it.
- Franchise could take away citizens' ability to make a choice and City could set the rate.
- Other companies would be willing to work in the area if franchise was a possibility.
- Franchise fee would be a percentage of the gross to be determined, 5% fee suggested.
- Franchise fee could be used to improve yard waste recycling.

5. SPLOST Project List & Prioritize (David Borkowski, Bernard McMullen)

- City would have to hold to SPLOST list and submit reports on original cost estimate and how much was spent.
- Funds could be re-directed if a developer were to pay for a project on the list.
- Some general fund money could be replaced by SPLOST dollars. Recommendations would be made during budget process.
- New transportation plan and pavement management plan would help hone priorities and should be completed before applying SPLOST funds.
- Any leftover SPLOST funds could be used to retire existing municipal debt as of the date the SPLOST started.

- Whether to use short-term employee or consultant to manage projects would be considered.
- City Manager asked to look at incremental amount needed to implement cart path program. There should be no tax increase.
- Some funds should be kept in reserve, similar to a sinking fund, so it would not be a shock when SPLOST funds were gone.
- Stormwater program should be considered and identified in analysis and communicated so citizens do not see stormwater fees/rates as an extra tax, instead of increasing property taxes.
- A single contractor would be used to a portion of Peachtree Parkway, and the work would be compared to the paving done by the County.

6. Pay-As-You-Go vs. Debt Financing (Paul Salvatore)

- Rule of thumb was to pay cash for items under \$30,000, and finance if over that amount. Impact on operating budget also considered.
- Financing allowed City to leverage current money into more assets.
- A sinking fund would help avoid interest payments.
- Reserve fund was a quasi-sinking fund.
- Matching revenue to expense – the revenue generated by a new ambulance could be used to offset loan payments.
- Sinking funds were sometimes raided by future Councils.
- Pay-as-You-Go threshold could be increased.

7. Additional Fire Stations (Chief Lohr)

- Four stations covered 48% of the City within a one and one-half mile radius.
- Response time count began when 911 call received.
- Department was very close to ISO Class 3; focus was now on National Fire Service Accreditation. ISO and NFS might combine accreditation requirements.
- Seventeen people needed onsite at a fire.
- Currently, one person per apparatus, standard was four, satisfied with two.
- Two people needed for EMS vehicles.
- Volunteers lived in City, but did not work here.

The meeting adjourned at 3:38 p.m.

Saturday, March 19, 2005

Mayor Brown called the meeting to order at 8:10 a.m. Other Council Members present were Stuart Kourajian, Steve Rapson, Judi Rutherford. Murray Weed was unable to attend due an illness in his family.

8. Master Recreation Plan Update (Randy Gaddo)

Recreation Members present: Dave Ring, chairman, Joe Frazar, Cyndi Plunkett, Rob Learnard.

- Six general areas of priority included multi-purpose activity center; multi-field complex for football, soccer, and lacrosse; multi-purpose covered rink; lighted baseball fields; picnic pavilions, linear parks, tot lots, badminton courts; and improved, unpaved exercise paths.
- Continue talking to other entities in County and look at joint facilities.
- Initial findings during data gathering included demand exceeded capacity, excessive noise, alternative funding needed, and facility deficiencies and priorities.
- Complete list of restrooms, where they were needed, and cost wanted by Council.

- Use of additional space at Amphitheater/Flat Creek Nature Center (Southern Conservation Trust offices not included) should be evaluated as an additional senior space.
- Press release should be sent when Resurgens playground built near Kedron rink.
- Huddleston gazebo should be rebuilt this fiscal year.
- Water features/spray parks should be considered.

9. Kudzu Eradication Program (Tom Corbett)

- Eradication with chemicals could take four-10 years and nothing would grow in the area for a number of years.
- Eradication methods were for agricultural land and it was not known how the methods would work in an urban setting.
- Herbicides were not selective; they would kill everything.
- A livestock solution (goats) had been effective in other areas.
- City ordinance would have to change to allow goats.
- Staff was to contact UGA for more information regarding the use of goats for kudzu eradication.
- Natural solution was preferable to chemical solution.

10. LOST Project – 2010 Distribution Estimates (Paul Salvatore)

- The next distribution would be in 2013 and would be based on the 2010 census.
- The LOST continued as long as there was an agreement between parties.
- Funds should be kept in reserve so the City would be in a better negotiating position.
- Was the City in the position to get a MOST instead of using the LOST?
- The long-term financial plan must be integrated with and used as an evaluation tool for the Comprehensive Plan. The Comprehensive Plan added stability to the City's financial plan.
- GFOA had cautioned the City to ensure communication of the long-term approach to keep budget documents solid.

11. Tax Equity (Bernard McMullen)

- Problem with EMS service issue was that the EMS language in the service delivery agreement had been modified.
- County did the paving for LARP projects; however, work had to be done on their schedule and City employees had to assist with traffic control and other related work, which pulled City employees off of their primary responsibilities.
- Service delivery agreement was subject to change every 10 years with LOST negotiations.
- A request to negotiate service delivery could be sent once a triggering event occurred. A triggering event could be LOST negotiations or Comprehensive Plan updates.
- Council would initiate the review of the service delivery strategy.
- Creation of Comprehensive Plan task force would be on next agenda.
- The City should consider working with other municipalities on similar issues, such as working on recreation with Tyrone.

12. FY 2005 Mid-Year Finance Review (Paul Salvatore)

- Budget was in pretty good shape.
- Rutherford wanted to be more involved in the budget process.
- Brown recommended two Council Members at a time meet with directors and chiefs to review budgets.

- McMullen suggested directors and chiefs come before entire Council with their budgets after City Manager review, with major points of interest including justifications for major changes to budgets.
- Council could select a budget subcommittee to review the department budgets.
- The workshops would be moved to earlier in the budget process, rather than near the end of the process, allowing staff to hear input from all stakeholders early in the process.
- Council Members could schedule private meetings with directors and chiefs to address specific concerns.

The meeting adjourned at 11:40 a.m.

Jane Miller, City Clerk

Stephen D. Brown, Mayor

Pamela Dufresne, Recording Secretary

City Council of Peachtree City
Minutes of Special Called Meeting
March 19, 2005
11:45 a.m.

The City Council of Peachtree City met Saturday, March 19, 2005, in the Peachtree City Tennis Center. Mayor Brown called the meeting to order at 11:50 a.m. Other Council Members present were: Stuart Kourajian, Steve Rapson, and Judi Rutherford. Murray Weed was unable to attend due to an illness in his family.

The purpose of the meeting was to discuss and vote on a moratorium on all commercial structures in excess of 32,000 square feet and a sign application moratorium.

Mayor Brown noted that the City had been working on several changes to ordinances. The County recently lost a court decision over sign litigation. Neighboring entities were also working on their sign ordinances. Brown said they needed time to look at measures to protect the City's sign ordinance.

City Attorney Ted Meeker noted that staff had been working on the sign ordinance for a while. The ordinance would be ready for Council soon. He said the moratorium should be no longer than necessary. Meeker added that the State Supreme Court decision regarding Fayette County's sign ordinance caught everyone off guard. The moratorium was actually on the acceptance of new sign permits. All sign permits turned in prior to the moratorium were not included. Rapson expressed concern that the moratorium would affect businesses. Meeker continued that the sign ordinance would be ready for the Planning Commission to consider at its second meeting in April (April 18), and should come to Council in May.

Developmental Services Director Clyde Stricklin asked about sign permits that might not have been turned in at this point, but were close to being ready. He noted that sign permits often came with building permits. Meeker said they would address those permits if necessary. Rapson asked at what point in the process the sign applications were vested. Meeker said any development application submitted by this date had a vested right.

Kourajian asked the time turnaround on sign permits. Stricklin said they took a few weeks. Fred Brown asked what would happen with businesses moving to another location in the City during the moratorium and needing a new sign permit for the new location. Meeker said the business would not lose its sign, but would have to wait to apply for a new permit. Meeker said the moratorium would only last 45 days and he did not anticipate any problems.

Mayor Brown said the 45 days would give time to rectify the "bugs" in the old ordinance and get the changes approved. Meeker added that there would not be many changes to the existing regulation. The work should be done in 30 days, and public hearings would have to be advertised. The 45 days should be ample time.

Mike Jablonski, chairman of Fayette County Chamber of Commerce Board of Directors, said it took about 60 days to get a business sign permitted and installed. He asked Council if approval could be expedited for businesses that might have a problem with the moratorium and would not have advertising in front of their business for 45 days. Mayor Brown said anyone in any stage of development was still in the process. Rutherford clarified that the moratorium should only affect those who decide on short notice to start a business and rent a location.

Fred Brown asked if there would be a change in the commercial signage. Mayor Brown said there were some similarities between the City's and the County's sign ordinances. The problem was more with political or first amendment signage than with commercial signage.

Kourajian said Council was basically taking 45 days to protect the City and make sure the ordinance was correct. Fred Brown clarified that the requests already in the system would not be affected.

Mayor Brown moved to approve the resolution for a moratorium on sign permits as presented, with the spelling changes as noted and the reference to Mayor Pro-tem changed, for 45 days or less. Kourajian seconded. The motion carried unanimously.

Meeker explained that the moratorium on commercial structures would apply to commercial structures in excess of 32,000 square feet located in General Commercial (GC) zoning, or solely "big box" construction in GC zoning. He continued that staff wanted to review the provisions and possibly hire a consultant to provide guidance in changes needed to the "big box" ordinance. He clarified that the moratorium would not affect industrial or office-institutional buildings, only commercial buildings, and would last for 45 days. Only building permits for the identified structures and the acceptance or approval of any conceptual or final site plans for any building over 32,000 square feet in property zoned GC would be affected. Mayor Brown noted that most of the GC properties were already developed.

Meeker said the only exceptions to the moratorium were any projects that had been applied for, or conceptual or final sites plans had been submitted to the City by this date.

Rapson asked the Chamber of Commerce representatives if they had issues or concerns. Virginia Gibbs, president of the Fayette County Chamber of Commerce, said the limitations were good. Jablonski agreed, and added that moratorium always looked anti-business. Jablonski said that any press releases or stories should include the fact that Council did not want to affect business or economic development. He said the work on the ordinances was very prudent.

Meeker proposed several changes to the resolution to clarify the moratorium. The phrase, "to be occupied by any single owner, occupant, or tenant in excess of 32,000 square feet," was inserted in several places. Meeker said the new language would not

prohibit projects over 32,000 square feet that would have several occupants. It also would not prohibit buildings over 32,000 square feet in industrial and office-institutional zoning. The phrase "single use" was also added to the phrase, "to be occupied by any single owner, occupant, or tenant in excess of 32,000 square feet." Stricklin said that "use" was already defined in the ordinance. Mayor Brown noted that Mayor Pro-Tem should also be changed.

Mayor Brown moved to approve the resolution as stated with the changes made therein. Kourajian seconded. The motion carried unanimously.

There being no further business to discuss, Mayor Brown moved to adjourn the meeting. Rapson seconded. The motion carried unanimously. The meeting adjourned at 12:25 p.m.

Jane Miller, City Clerk

Stephen D. Brown, Mayor

Pamela Dufresne, Recording Secretary

**City Council of Peachtree City
Minutes of Special Called Meeting
March 24, 2005
6:30 p.m.**

The City Council of Peachtree City met Thursday, March 24, 2005, in the City Hall Council Chambers. Mayor Brown called the meeting to order at 6:30 p.m. Other Council Members present were: Stuart Kourajian, Steve Rapson, Judi Rutherford, and Murray Weed.

The purpose of the meeting was to consider an application for an alcoholic beverage license at the Frederick Brown, Jr. Amphitheater, consider canceling the April 7 meeting, and to consider Library Change Order #4, Roof Decking.

New Agenda Items

03-05-08 Consider Application for Alcoholic Beverage License at Frederick Brown, Jr. Amphitheater

James Adduci, the applicant for Licensee and License Representative, was present.

Weed moved to approve the alcohol license for James Adduci doing business as Martini's at the Frederick Brown, Jr. Amphitheater. Kourajian seconded.

Rutherford asked if the time issue was the reason the food concession did not go out as an RFP from the Tourism Association. She asked if an RFP would go out for next year. Weed, who serves as chairman of the Tourism Association, said they had spoken with several companies and Martini's was the best company.

The motion carried unanimously.

03-05-09 Consider Canceling April 7 Meeting

City Manager Bernard McMullen said there were no agenda items for the April 7, 2005, meeting and staff recommended Council cancel the meeting.

Rutherford moved to cancel the April 7 meeting. Rapson seconded. The motion carried unanimously.

03-05-10 Consider Library Change Order #4, Roof Decking

McMullen explained that the drawings called for the new roof to be installed over the existing roof decking. When they started the demolition, they found there was no existing decking. The decking was a safety issue, as well as a requirement, for the skylights.

Rutherford moved to approve Library Change Order #4 for \$6,880 for unforeseen site conditions. Rapson seconded.

Kourajian asked what the extra \$480 was for. McMullen explained that was the markup from the general contractor.

The motion carried unanimously.

There being no further business to discuss, Rutherford moved to adjourn the meeting. Rapson seconded. The motion carried unanimously. The meeting adjourned at 6:40 p.m.

Jane Miller, City Clerk

Stephen D. Brown, Mayor

Pamela Dufresne, Recording Secretary

2005 City Event Calendar

<u>April</u>	<u>May</u>	<u>June</u>
4/16 & 17 – Shakerag Arts & Crafts Festival (rescheduled) 4/21 – City Council Meeting, 7 pm	5/5 – City Council Meeting, 7 pm 5/7 – Touch-A-Truck & Wellness Fair 5/14 – Community Action Day 5/14 & 15 – Spring Cleanup (Recycling Center) 5/19 – City Council Meeting, 7 pm 5/30 – Memorial Day, City Offices Closed	6/2 – City Council Meeting, 7 pm 6/16 – City Council Meeting, 7 pm
<u>July</u>	<u>August</u>	<u>September</u>
7/4 – Independence Day, City Offices Closed 7/7 – City Council Meeting, 7 pm 7/21 – City Council Meeting, 7 pm	8/4 – City Council Meeting, 7 pm 8/18 – City Council Meeting, 7 pm	9/1 – City Council Meeting, 7 pm 9/5 – Labor Day, City Offices Closed 9/12-16 – Qualifying for City Election 9/15 – City Council Meeting, 7 pm 9/17 & 18 – Shakerag Arts & Crafts Festival
<u>October</u>	<u>November</u>	<u>December</u>
10/6 – City Council Meeting, 7 pm 10/20 - City Council Meeting, 7 pm	11/3 – City Council Meeting, 7 pm 11/8 – Peachtree City General Election 11/17 - City Council Meeting, 7 pm 11/24 & 25 – Thanksgiving Holiday, City Offices closed 11/29 – Runoff Election (if needed)	12/1 – City Council Meeting, 7 pm 12/15 – City Council Meeting, 7 pm 12/23 & 26 – Christmas Holiday, City Offices closed.
2006		
<u>January</u>	<u>February</u>	<u>March</u>
1/5 – City Council Meeting, 7 pm 1/19 – City Council Meeting, 7 pm	2/2 – City Council Meeting, 7 pm 2/16 – City Council Meeting, 7 pm	3/2 – City Council Meeting, 7 pm 3/16 – City Council Meeting, 7 pm

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

Updated 4/14/05

ADMINISTRATIVE SERVICES MONTHLY REPORT

For Month of: February 2005

	<u>January-05</u>	<u>February-05</u>	<u>FY 2005 YTD</u>	<u>FY 2004 YTD</u>
<u>Human Resources</u>				
Workers Compensation Claims Filed	1	1	6	14
City Vehicle / Equipment Accidents	1	1	6	3
Lawsuit Legal Fees	8185.69	\$8,176.50	53278.82	\$18,367.16

Municipal Court

Fines Collected	\$111,726.00	\$80,685.00	\$529,674.48	\$471,636.15
Online Transactions	159	118	724	420
Citations Closed	748	630	3425	3,038
Jail Fund Balance	\$2,798.16	\$3,615.65	\$51,625.98	\$38,183.62

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

Public Information

New Businesses Registered	37	33	158	134
Public Contacts, Questions & Complaints	63	67	306	253

This includes 3 complaints against Comcast Cable Company and 3 complaints against EPI - Environmental Partners.

**PEACHTREE CITY BUILDING DEPARTMENT
FY 2005**

	Jan-05	Feb-05	Fiscal Y-T-D 2005	Fiscal Y-T-D 2004
DEVELOPMENT PERMITS:	9	14	50	151
BUILDING PERMITS:				
Single Family Residential	3	13	32	142
Multi-Family Residential	0	0	0	0
Misc.-Pools/fences/additions	33	61	233	258
Commercial/Industrial	14	4	55	43
TOTAL INSPECTIONS:	514	446	2,574	3,772
CERTIFICATE OF OCCUPANCY:				
Residential	14	21	90	104
Commercial	7	1	20	19
Multi-Family Residential	0	0	3 *	8
CODE ENFORCEMENT:				
Sign Violations	74	47	413	738
Rehab	12	21	75	55
Notice of Violations	191	187	1107	1,726
Citations	1	0	7	18
Stop Work Orders	7	7	42	74
Complaints From Citizens	12	8	76	90
PERMIT FEES COLLECTED:	62,865	24,779	184,281	245,507
POPULATION:	35,628	35,672	35,672	35,060
Based on 2.09 of completed occupancy				

***Fire rebuild in Twiggs Corner, not added to population figure.**

Financial Services Monthly Report (Unaudited)

STATUS OF FUNDS AS OF FEBRUARY 28, 2005

Fund	Cash Balance	Total Investment	Total Cash and Investments	YTD Interest
General Fund	\$ 2,444,497	\$ 9,208,119	\$ 11,652,616	\$ 81,131
Library Sales Tax Fund	11,109	-	11,109	54
Dare Fund	1,130	-	1,130	5
Hazmat Fund	2,340	-	2,340	-
Youth Council Fund	944	-	944	5
Fire/EMS Grants	28,334	-	28,334	0
Hotel/Motel Tax Fund	55,479	-	55,479	-
Library Construction Fund	-	3,589,280	3,589,280	39,453
Public Improvement Fund	34,260	1,790,117	1,824,377	19,040
Debt Service Fund	-	18,249	18,249	-
Municipal Court Fund	119,007	-	119,007	-
Neighborhood Parks/Rec.	13,695	-	13,695	5
Federal Seizures Police	8,257	-	8,257	29
Police Tuition Account	4,224	-	4,224	4
Athletic Assoc. Funds	24,898	-	24,898	106
Escrow Account	111,137	-	111,137	-
Pension Trust Fund	-	7,036,107	7,036,107	-
Grand Total	\$ 2,859,311	\$ 21,641,872	\$ 24,501,183	\$ 139,832

Collateral Analysis as of February 28, 2005

	Bank	Total Held
Bank of New York	Wachovia/SouthTrust Bank	\$ 21,376,611
Bank of New York	Peachtree National	495,155

Financial Services Monthly Report (Unaudited)
As of February 28, 2005
General Governmental Funds Budget Comparison
Revenues - By Major Category

Description	2005 Budget	Actual YTD	Difference	%
General Property Taxes	\$ 8,642,166	\$ 7,804,601	\$ (837,565)	90.31%
Franchise Taxes	1,942,633	218,750	(1,723,883)	11.26%
Local Option Sales Tax	6,338,418	2,631,422	(3,706,996)	41.52%
Other Sales & Use Taxes	644,013	253,682	(390,331)	39.39%
Business Taxes	1,825,422	1,775,538	(49,884)	97.27%
Licenses & Permits	909,228	496,789	(412,439)	54.64%
Grants	129,616	-	(129,616)	0.00%
Charges for Services	1,281,187	360,902	(920,285)	28.17%
Fines & Forfeitures	975,667	412,973	(562,694)	42.33%
Investment Income	81,134	81,131	(3)	99.996%
Surplus Carryover	1,798,268	-	(1,798,268)	0.00%
Other Revenue	53,985	20,343	(33,642)	37.68%
Other Financing Sources	380,436	105,048	(275,388)	27.61%
Total General Fund	\$ 25,002,173	14,161,179	\$ (10,840,994)	56.64%
Hotel/Motel Tax	946,308	389,485	(556,823)	41.16%
Total General & Hotel Funds	\$ 25,948,481	14,550,664	\$ (11,397,817)	56.08%

General Governmental Funds Budget Comparison
Expenditures by Division YTD

Percentage into Budget Year	41.67%			
Division	2005 Budget	Actual YTD	Difference	%
Administrative	\$ 1,373,422	\$ 516,575	\$ 856,847	37.61%
Developmental	1,630,045	496,707	1,133,338	30.47%
Finance	758,073	305,191	452,882	40.26%
Leisure Services	4,367,346	1,586,657	2,780,689	36.33%
Public Safety	9,080,893	3,254,271	5,826,622	35.84%
Public Works	4,429,637	1,364,080	3,065,557	30.79%
Council Contingency	100,000	-	100,000	0.00%
Non-Profit Organizations	15,000	7,500	7,500	50.00%
Grant Incentive Program	50,000	-	50,000	0.00%
Transfer to Development Authority	35,000	35,000	-	100.00%
Transfer to PIP	725,862	-	725,862	0.00%
Transfer to Debt Svc	2,271,912	1,466,733	805,179	64.56%
Transfer to Library Debt Service	402,998	323,545	79,453	80.28%
Liability Insurance	73,485	-	73,485	0.00%
Legal Services	52,500	64,040	(11,540)	121.98%
Gen'l Admin	145,000	-	145,000	0.00%
Other	(509,000)	-	(509,000)	0.00%
Total General Fund	\$ 25,002,173	\$ 9,420,299	\$ 15,581,874	37.68%
Transfer to General Fund	315,436	102,170	213,266	32.39%
Transfer to Tourism General Fund	630,872	204,341	426,531	32.39%
Total General & Hotel/Motel Funds	\$ 25,948,481	\$ 9,726,810	\$ 16,221,671	37.49%

Summary of Major Expenditures by City Manager

Description	Vendor	Award	Date
Hwy 54 Multi-Use Bridge	QK4-Presnell	\$46,090	02/04/05
Flat Creek Bridge Plans	Integrated Science	24,950	02/24/05
Transportation Plan	QK4-Presnell	30,000	02/19/05

Financial Services Monthly Report (Unaudited)

***As of February 28, 2005
Purchasing Monthly Report***

For Fiscal Year	2005	2004
Purchase Orders / Requisitions Processed	1222	1,044
City Store Requisitions Processed	53	37
Sealed Bids Requested	17	16
Requests for Proposals	7	5
Bids Awarded	12	11
Requests for Proposals Awarded	4	6
Contracts Prepared	5	4
Fixed Assets Purchased	17	12

Information Technology Monthly Report

	Current Month	FY2005 YTD
Work Orders Created	122	648
Work Orders Closed	115	558
Work Orders Open	7	26
Corrective Work Orders	71	313
Project Work Orders	15	41
Technical Support	26	212
Website Visits	27,524	133,409

**PEACHTREE CITY FIRE/EMS DEPARTMENT
2005 MONTHLY REPORT**

	Jan. 05	Feb. 05	2005 Y-T-D	2004 Y-T-D
FIRE/ACCIDENT CALLS				
Residential	6	4	19	10
Business/Industrial	1	0	6	7
¹ Rescue/EMS Assist	135	129	663	
¹ Vehicle/Golfcart Accidents	11	21	97	
¹ False Alarms	27	18	122	
² Other	44	22	152	929
Total Engine Response	224	194	1059	946
 Dispatched Fire Calls	 77	 49	 289	 241
 Response Time Fire	 4:22	 4:19	 4:56	 4:22
 RESCUE/EMS				
Trauma	57	57	346	200
Medical	85	74	433	336
Total # Patients	142	131	779	536
 Patients Transported	 67	 69	 368	 269
 Dispatched EMS Calls	 147	 148	 776	 719
 Total Medic Response	 189	 178	 943	 557
 Dispatched Fire/EMS Total	 224	 197	 1065	 960
 Response Time EMS	 3:57	 4:20	 4:10	 4:20
 EMS BILLING				
Patients Billed	75	124	382	389
 Revenue Generated	 28,228	 47,556	 146,944	 148,062
 ³ Total Revenue Received	 12,144	 12,646	 78,570	 114,021

¹Previously categorized as Other

²Other miscellaneous responses; gas and water leaks, hazmat spills, etc.

³Revenue Received on All Outstanding Accounts

LEISURE SERVICES MONTHLY REPORT

FEBRUARY 2005

<u>Activity Description</u>	<u>Unit</u>	<u>February 05</u>	<u>FY 2005 YTD</u>	<u>FY 2004 YTD</u>
Library				
Books Circulated	number	16,853	75,907	80,445*
Internet Usage	visits	2,229	10,922	10,801*
Computer Lab Use	hours	23	100	118*

*Library Closed to Move to Temp Location

Recreation

Class/Program Revenue	\$	\$4,207	\$19,078	\$17,603
Playing Surface Mowing	hours	0	923	874
Playing Field Preparations	hours	800	2,340	2,193
Building Maintenance	hours	420	2,038	1,838
Safety Inspections	visits	50	250	250
Litter Removal	hours	240	1,396	1316
Complaints answered	number	1	5	7

**PEACHTREE CITY POLICE DEPARTMENT
2005 MONTHLY REPORT**

	FEB 05	JAN 05	2005 CYTD	2004 CYTD
PART I CRIMES				
Murder	0	0	0	0
Rape	0	1	1	1
Robbery	1	0	1	0
Aggravated Assault	0	2	2	0
Arson	2	0	2	0
Auto Theft	1	2	3	6
Theft	15	10	25	38
Burglary	1	0	1	2
TOTAL PART I CRIMES	20	15	35	47
ALCOHOL/DRUG ARRESTS				
DUI – TOTAL	26	17	43	30
DUI – ADULT	24	15	39	26
DUI – UNDERAGE	2	2	4	4
MINOR IN POSSESSION OF ALCOHOL	4	3	7	29
DRUG ARRESTS	11	7	18	35
ARRESTS				
PROPERTY CRIMES	8	6	14	21
PERSON CRIMES	5	5	10	15
CITY ORDINANCES	27	26	53	98
OTHER	61	43	104	192
AVERAGE RESPONSE TIME	5.30	5.26	5.28	5.12
CALLS ANSWERED	5582	6841	12,423	12,434
TRAFFIC				
CITATIONS ISSUED	558	582	1140	1747
WARNINGS	425	474	899	1475
ACCIDENTS	84	72	156	183

TOP 5 ACCIDENT LOCATIONS – MONTH

HWY 54 / HWY 74	4
HWY 74 / HOLLY GROVE RD	4
FLAT CREEK / PTREE PARKWAY	3
HWY 54 / MARKET PLACE CONN	3
HWY 74 / CROSSTOWN DR	3

TOP 5 ACCIDENT LOCATION – Y T D

HWY 54 / PEACHTREE PARKWAY	6
HWY 74 / CROSSTOWN DR	6
HWY 74 / HOLLY GROVE RD	6
HWY 54 / HWY 74	5
FLAT CREEK RD / PTREE PARKWAY	4

PUBLIC SERVICES MONTHLY REPORT

FEBRUARY 2005

<u>Activity Description</u>	<u>Unit</u>	<u>FEBRUARY- 05</u>	<u>FY 2005 YTD</u>	<u>FY 2004 YTD</u>
Street Patching	Hrs.	0	357	1,049
Street Crack Sealing	Hrs.	140	260	411
Drainage Maintenance	Hrs.	232	1,241	936
Street Sweeping	Hrs.	114	264	350
Cart Path Paving	Ft.	0	5,381	8,859
Cart Path Litter Removal	Hrs.	26	384	416
Cart Path Drainage Maintenance	Hrs.	215	638	1,053
 R.O.W. Mowing	 Hrs.	 0	 780	 390
R.O.W. litter Removal	Hrs.	221	1,407	2,014
 Landscape Maintenance	 Hrs.	 79	 2,402	 1,745
Landscape Planting/Mulching	Hrs.	464	759	889
Litter Removal	Hrs.	0	14	30
 Subdivision Sign Maintenance	 Hrs.	 22	 94	 265
Traffic Sign Maintenance	Hrs.	205	979	526
 Vandalism Repairs	 Hrs.	 4	 76	 30
Citizen Requests Answered	Num.	96	476	141
Community Service	Hrs.	0	35	0
 <u>RECYCLING SITE</u>				
Manhours	Hrs.	60	301	467
 PARTICIPANTS				
Recycling	Num.	205	953	1,348
Composting	Num.	1,748	7,148	3,809
Mulch Pick Up	Num.	67	236	732

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: City Manager
Assistant City Manager 

FROM: Financial Services Director *RS.*

DATE: April 15, 2005

SUBJECT: Equipment Lease/Purchase Bids
April 21, 2005 City Council Meeting

Recommendation:

Staff recommends that Council award contract for equipment lease-purchase to the low bidder, All Points Capital Corporation, pending the results of reference checks and legal review of the agreement.

Discussion:

With the assistance of the City's financial advisor, Todd Barnes of A.G. Edwards, staff solicited bids from numerous banks and financial institutions to provide lease-purchase services. A total of nine firms responded to the bid invitation, including one that did not meet the deadline and was rejected. The firm that offered the lowest interest rate was All Points Capital Corporation, a wholly owned subsidiary of North Fork Bank. A complete list summarizing all bids submitted is attached for your reference. Todd Barnes and I have reviewed the firm's credentials and expect them to meet our needs. However, we are still in the process of checking references and reviewing the agreement. We expect to have these reviews complete by the April 21 Council Meeting.

A copy of the bid solicitation is also attached for your reference. It includes a schedule of equipment that the city intends to purchase through FY 2008. Per newly adopted City financial policies, we will strive to pay cash for all items listed, from FY 2006 on, that are under \$100K.

Budgetary Impact:

The selected firm offered a rate that is approximately 20 basis points lower than our current provider. The amount of interest savings will be dependent upon the timing and amounts of future draw requests. For draw requests that are currently pending, the savings will be approximately \$1,084 per year, for a four-year period.

**Peachtree City, Georgia
2005 Master Lease Proposals
Summary**

Bidder	Index	Rate Base (Index)			Current Rates (9)		Prepayment Option	
		Timing	4-Year	5-Year	4-Year	5-Year	Yes/No	Penalty
All Points Capital Corp.	US Treasury Note Yield (1) (2)	one week prior to funding	85.21%	84.63%	3.40%	3.47%	Yes	None
Ashford Capital Corp.	Two-year LIBOR/SWAP Rate (2)	day of funding	91.4115%	91.6747%	4.18%	4.18%		
Bank of America Leasing	US Treasury Constant Maturity (1) (2)	day of funding	(3)	(4)	3.63%	3.67%		
BB&T					4.30%	4.37%	Yes	1.00%
Koch Financial Corp.	US Treasury Note Yield (1) (2)	day of funding	100%	100%	4.07%	4.15		
RBC Centura Bank	US Treasury Note Yield (1)	day of funding	(5)	(6)	4.33%	4.45%	Yes	None
SunTrust Leasing Corp.	US Treasury Swap Rate (1)	3 days prior to funding	80.22%	79.82%	3.57%	3.64%	Yes	None
Wachovia Bank	Yield & Swap Spread from Telerate	day of funding	(7)	(8)	4.38%	4.41%		

GE Commercial Finance

Notes:

- (1) Per H.15 Federal Reserve Statistical Release
- (2) Percentage of Treasury Index will apply to both bank qualified and non-bank qualified transactions.
- (3) Four-Year Treasury Constant Maturity times 65% plus 107 basis points.
- (4) Five-year Treasury Constant Maturity times 65% plus 102 basis points.
- (5) 64.7% of 5-Year Treasury + 88 basis points for BQ Rate; 79.1% of 5-Year Treasury + 106 basis points for Non-BQ Rate.
- (6) 64.6% of 5-Year Treasury + 101 basis points for BQ Rate; 78.4% of 5-Year Treasury + 121 basis points for Non-BQ Rate.
- (7) Treasury Yield plus Swap Spread less 95 basis points for BQ Rate and less 13 basis points for Non-BQ Rate.
- (8) Treasury Yield plus Swap Spread less 105 basis points for BQ Rate and less 19 basis points for Non-BQ Rate.
- (9) Represents the Non-BQ Rate for those that quoted both BQ and Non-BQ Rates.

CITY OF PEACHTREE CITY, GEORGIA

REQUEST FOR PROPOSALS Master Lease Purchase Agreement

The City of Peachtree City, Georgia (the "City") invites qualified bidders to submit written proposals for tax-exempt master lease purchase financing of capital equipment (the "Master Lease") for the period ending September 30, 2008, subject to annual renewal for up to three additional years. Proposals will be accepted until 5:00 p.m. (Eastern Time) on Tuesday, April 12, 2005 at the office of the City's investment banker, Todd Barnes, A.G. Edwards & Sons, Inc., 3399 Peachtree Road, Suite 1100, Atlanta, Georgia, 30326. Proposals may be submitted by facsimile at 404-264-9408, by email at todd.barnes@agedwards.com or by hand delivery. The City and A.G. Edwards shall not be responsible for any failure, misdirection or error in the means of transmission selected by any bidder. Late proposals will not be accepted and/or considered. The City reserves the right to accept or reject any and all bids and to waive any irregularities or informalities in the bids.

PURPOSE: While the City uses its cash to fund most equipment purchases, the City also uses capital lease financing to fund some of its equipment purchases. The City uses a Master Lease to facilitate the equipment purchasing process. A list of the specific equipment expected to be funded by the Master Lease, broken out by fiscal year and with the estimated cost, is attached in Exhibit A. The City expects that the Master Lease will be utilized for all equipment lease purchase financing during the period of the Master Lease. However, the City will not be obligated to utilize the Master Lease for all equipment lease purchase financing. All equipment to be financed under the Master Lease will be subject to approval by the Lessor. However, Lessor approval shall not be unreasonably withheld.

PROHIBITION AGAINST PUBLIC SALE: The Lessor shall not assign the City's Master Lease, the leases or payments due thereon as a part of a plan to publicly offer participation interests therein.

AMORTIZATION: Each financing under the Master Lease will be amortized quarterly, typically over a term of four or five years but not in excess of the useful life of the equipment financed.

BANK QUALIFICATION: Draws under the Master Lease during calendar year 2005 will not be "bank qualified."

SUBJECT TO ANNUAL APPROPRIATION: The Master Lease will be subject to annual appropriation by the City Council, in accordance with Georgia Law.

FORM OF MASTER LEASE AGREEMENT: At the option of the bidder, the City will supply the form of the Master Lease Agreement, which form will be in compliance with Georgia law.

PREPAYMENT OPTION: The Master Lease must be subject to prepayment at any time.

NON-SUBSTITUTION: The Master Lease will not contain a "non-substitution" clause.

INDEMNIFICATION: Any proposed indemnification by the City in the Master Lease will be qualified to the extent permitted by Georgia Law.

LEGAL OPINIONS: The City's legal counsel will provide any legal opinions required to be furnished by the City.

FEES AND EXPENSES: The City will not be responsible for any Lessor fees or expenses.

ESCROWS: Escrows will typically not be necessary but, when any escrow is funded, the Lessor will select the trustee, with the approval of the City, and will pay trustee fees. Interest earnings on such escrow will accrue to the benefit of the City.

INTEREST RATES PROPOSED: Interest rate indices should be proposed for lease terms of 4-years and 5-years, assuming the rate will be fixed at the time of funding for the term of each individual lease. The interest rate indices proposed shall be effective for all equipment purchased under the Master Lease. The City's preference is for the indexed rate to be tied to the comparable U.S. Treasury security.

RATINGS: The City's general obligation bond ratings were recently upgraded to "Aa2" by Moody's and "AA+" by Standard & Poor's.

ADDITIONAL INFORMATION: Bidders should contact either the City's Finance Director, Paul Salvatore, at (770) 487-7657 or Todd Barnes of A.G. Edwards & Sons, Inc., at (404) 995-8936 for additional information.

BID FORM

**To: Mr. Paul Salvatore, Director of Finance
Peachtree City, Georgia
c/o Mr. Todd Barnes, Managing Director
A.G. Edwards & Sons, Inc.
Fax: 404-264-9408
call 404-995-8936 to confirm receipt**

We propose to enter into a Master Lease agreement with the City, subject to the provisions set forth in the City's Request for Proposals, at the interest rate indices set forth below (the interest rates to be determined at funding for each equipment financing under the Master Lease):

4-Year Term

5-Year Term

Submitted by:

Company: _____

By: _____

Title: _____

Phone: _____

Fax: _____

Appendix A

City of Peachtree City, Georgia
Summary of Equipment to be Financed

<u>Equipment</u>	<u>Amount</u>
<u>FY2004 **</u>	
Technical Rescue Vehicle	\$31,697
Life Packs	26,644
Medic 84	105,330
Tractors (6)	39,645
Quint (fire apparatus)	513,000
F-650s (2)	89,497
FY2004 Total:	\$805,813
<u>FY 2005 **</u>	
Satellite Auto Shop Equipment	\$61,500
Asphalt Paver	42,000
Skid Loader	30,000
Rescue/Pumper	390,000
Quint Equipment	27,600
Life Packs	34,800
FY2005 Total:	\$585,900
<u>FY 2006</u>	
Brush Chipper	\$27,500
C80A Motor Grader	100,000
F-800 Dump Trucks (2)	110,000
EZ-100 Crack Sealer	30,000
Trailer Mounted Sewer Jet	45,000
Medic 81 Replacement	70,000
HVAC Upgrade - City Hall	171,736
Police Vehicles	430,000
FY 2006 Total:	\$984,236
<u>FY 2007</u>	
CB-224C Roller	\$30,000
Front End Wheel Loader Replacement	100,000
Pelican P Street Sweeper Replacement	200,000
LY-9000 Tandem Dump Replacement	75,000
F-800 Dump Truck Replacement	36,500
Swimming Pool Cover Replacement-Kedron	200,000
Fire Engine 84 Replacement	350,522
Medic 83 Replacement	72,800
Police Vehicles	430,000
FY 2007 Total:	\$1,494,822
<u>FY 2008</u>	
F-350 Dump Truck	\$36,500
Mini Track Hoe	30,000
Fire Engine 82 Replacement	361,037
Medic 82 Replacement	75,712
Police Vehicles	430,000
FY 2008 Total:	\$933,249
Grand Total:	\$4,804,020

** Items purchased; City will be reimbursed with lease proceeds.

Appendix B

List of Bidders

Kathy Sikes
GE Capital Public Finance, Inc.
P.O. Box 953399
Lake Mary, FL 32795-3399
800-711-2318
407-333-4685 fax
kathy.sikes@gecapital.com

Blair Swain
Koch Financial
17767 North Perimeter Drive; Suite 101
Scottsdale, AZ 85255
480-419-3619
480-419-3603 fax
blair.swain@kochfinancial.com

Veverly C. Hicks
Branch Banking & Trust Co.
P.O. Box 31273
Charlotte, NC 28231
704-954-1710
704-954-1799
vhicks@bbandt.com

Sallie Kerr
Wachovia Bank, N.A.
191 Peachtree Street; 23rd Floor – GA 8081
Atlanta, Georgia 30303
404-332-5265
404-332-1159 fax
sallie.kerr@wachovia.com

Alissa Curry
SunTrust Bank
25 Park Place; 19th Floor
Atlanta, Georgia 30303
(404) 230-1914
(404) 230-5550 fax
alissa.curry@suntrust.com

Ann Fries
Bank of America
1201 Sixth Avenue West
Bradenton, Florida 34205
941-745-3014
941-745-3009 fax
ann.e.fries@bankofamerica.com

Rick Cornejo
RBC Centura Bank
75 Fifth Street; Suite 900
Atlanta, GA 30308
404-495-6008
404-495-6099 fax
rick.cornejo@rbc.com

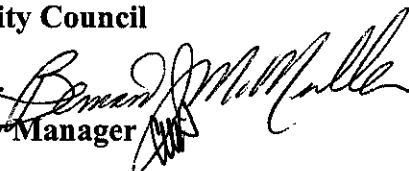
Jeff C. Stafford
CalFirst Government and Education Group
18201 Van Karman #800
Irvine, CA 92612
1-800-496-4640, ext. 364
jstafford@calfirstlease.com

Dennis McDermott
Ashford Capital Corporation
3880 Downing Lane
Atlanta, GA 30319
404-943-1127
mcdermottdm@bellsouth.net

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: City Manager 
Assistant City Manager

FROM: Financial Services Director *R.S.*

DATE: April 4, 2005

SUBJECT: Proposed Amendment to Debt Policy
April 21, City Council Meeting

Recommendation:

Adopt the proposed amendment (sub-section a.) to Policy 9 of the city's debt policies.

Discussion:

At the 2005 City Council Retreat, staff and Council discussed the issue of pay-as-you-go versus debt financing for purchases of capital equipment. As a result of these discussions, staff developed the attached amendment to the city's debt policies, which recommends a \$100K threshold for the use of debt financing for capital equipment purchases.

Budgetary Impact:

Will result in less interest expense to the city, but will also require a higher level of cash outlay.

Proposed Policy Amendment

CAR 9-4

DEBT MANAGEMENT POLICIES

Policy 9. Debt Structure: Debt will be structured to achieve the lowest possible net cost to the City given market conditions, the urgency of the capital project, and the nature and type of security provided. Moreover, to the extent possible, the City will design the repayment of its overall debt so as to recapture rapidly its credit capacity for future use. Whenever possible and/or feasible, the City will seek to structure debt service schedules with level principal and interest costs-over the life of the debt.

a.) Capital equipment financing threshold – the City shall strive to pay cash for all equipment purchases less than \$100K. Exceptions to this debt threshold may be made at Council's discretion. An example of such exceptions is vehicle fleet replacement, when it is necessary to replace numerous vehicles at once but each vehicle is less than \$100K. Other exceptions may be made if it is determined that the cash purchase will place undesirable stress upon the city's operating budget.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council

FROM: City Manager

DATE: April 5, 2005

SUBJECT: SERVICE DELIVERY STRATEGY UPDATE
April 21, 2005, City Council Agenda

Recommendation: Council authorize the Mayor to sign the attached letter requesting that a review of the Service Delivery Strategy agreement between the City and the County be initiated.

Discussion: The current Service Delivery Strategy agreement between the City and Fayette County was signed August 1999. This agreement stated that the parties would continue to evaluate services being provided by law enforcement, public works, and recreation in an effort to eliminate the duplication of services or inequitable funding issues. A final position has not been reached in these areas. Additionally, staff is requesting that the Fire and Emergency Medical Service Delivery be reviewed.

Budget Impact: Will be dependent on the outcome of discussions and changes to the agreement.

BJM:gr

Attachment

April 21, 2005

The Honorable Greg Dunn
Chairman, Fayette County Commission
140 Stonewall Avenue West
Suite 100
Fayetteville, GA 30214

Dear Greg:

Peachtree City will officially be initiating an update of the City's Comprehensive Plan with a presentation at our April 21, 2005, City Council meeting. As part of the City's Comprehensive Plan Update, the City is requesting that the County join with the City in a review and appropriate revisions of the Service Delivery Strategies Agreement between the City and Fayette County.

When the Service Delivery Strategy Agreement was approved in August 1999, the parties agreed that they would continue to evaluate services being provided by law enforcement, public works and recreation in an effort to eliminate the duplication of services or inequitable funding issues. Although the agreement called for the parties to evaluate this service on a regular basis, a final position has not been reached in these areas. Additionally, the City is requesting that the Fire and Emergency Medical Service Delivery be reviewed.

City staff is ready to engage with County staff in a constructive review of these areas. Please notify us when your staff is ready to initiate this process.

Sincerely,

Stephen D. Brown
Mayor

SDB:gr

Cc: Peachtree City Council
Fayette County Board of Commissioners

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

MEMO TO: Mayor and City Council

VIA: Bernard J. McMullen, City Manager 

FROM: Colin W. Halterman, Assistant City Manager
Paul J. Salvatore, Financial Services Director 
Janet I. Camburn, Assistant Finance Director

DATE: April 14, 2005

SUBJECT: Budget Amendments
April 21, 2005 City Council Consent Agenda

Recommendation:

It is Staff's recommendation that City Council approve the attached fiscal year 2005 budget amendments.

Discussion:

Attached please find several budget amendments for fiscal year 2005 submitted for your approval.

- Budget amendments 05-004 and 05-005 are housekeeping in nature and move the budget for sale of fixed assets to the General Fund as required by City Administrative Regulation (CAR) 7-1 and corrects surplus carryover between the two PIP Funds.
- Budget amendment 05-006 increases both revenues and expenditures in the HAZMAT fund to account for funds received from the Fayette County Resource Council.
- Budget amendment 05-007 adjusts the expenditure line item for the Smokerise traffic calming devices based on the bid received for this project. The Homeowner's Association is responsible for 2/3 of the additional amount.
- Budget amendment 05-008 increases the Recreation Department's budget to cover the cost of water damage at the City owned Tennis Center. A portion of this cost is covered by the City's insurance.
- Budget amendment 05-009 increases the budget for street resurfacing in the General Fund and is offset by an increase in the surplus carryover. This surplus carryover is from a 9/30/2004 designation of the fund balance that was specifically for street resurfacing.

- Budget amendment 05-010 increases the budget for four projects that are over budget in the PIP Fund (350). This is offset by an expected increase in interest earnings and loan proceeds. Also, the surplus carryover is adjustment to agree with the amount available at 9/30/2004.
- Budget amendment 05-011 increases expenditures in the Neighborhood Parks Fund and is offset by increases in donations for All Children's Playground and the Dog Park.
- Budget amendment 05-012 increases expenditures in the DARE Fund and is offset by donations already received.
- Budget amendment 05-013 increases expenditures in two of the Athletic Association Special Revenue Funds. Fees received and deposited offset these expenditures.
- Budget amendments 05-014 and 05-015 are used to 1) establish the new SPLOST Fund, 2) adjust the Highway 54 Gateway Bridge from the PIP Fund 350 to the SPLOST Fund, and 3) adjust 74 South Cart Path Connections from the PIP Fund 355 to the SPLOST Fund.
- Budget amendment 05-016 increases expenditures for street resurfacing and is offset by expected LARP revenue, specifically for the Peachtree Parkway project.
- Budget amendment 05-017 increases expenditures for three unbudgeted Recreation projects – 4th of July fireworks (contract approved by Council 3/3/2005), netting for Meade softball and baseball fields (a safety issue); and necessary repairs to the City owned Amphitheater. These increases are offset by surplus carryover that is in turn offset by a reduction in cart path supplies that have been transferred to the SPLOST Fund.
- Budget amendment 05-018 increases expenditures for Memorial Day activities. This is offset by an increase in revenue from funds that were donated last year and had been set-aside as a reserve of the fund balance of the General Fund.
- Budget amendment 05-019 increases unbudgeted expenditures for advertising in the Fire Department budget for the cost associated with the recent sale of fire apparatus. This method of advertising to sell the equipment was previously approved by City Council.
- Budget amendments 05-020 and 05-021 increase budgeted expenditures for a track at Braelinn Elementary and a water fountain near Flat Creek Road. Both expenditures are offset by donations received and deposited in the City's General Fund.

Explanations also appear on each attached budget amendment.

Budget Impact:

The proposed budget amendments affect the General Fund, the Neighborhood Parks Fund, the DARE Fund, the HAZMAT Fund, Athletic Associations' Funds, the newly created SPLOST Fund, the PIP Fund 350, and the PIP Fund 355. A separate report is attached that shows the budget impact on each of these funds.

Thank you for your attention to this matter. If you have any questions please do not hesitate to contact either Paul or Janet.

Attachments

JIC/BUDGET AMENDMENTS – FY 05 – 4/18/05

CITY OF PEACHTREE CITY

BUDGET AMENDMENTS - FISCAL YEAR 2005

April 14, 2005

General Fund

Budgeted Revenue and Expenditures before amendments	\$ 24,554,320
Budget Amendments:	
Correct transfer to PIP Funds	65,000
Tennis Center water damages	10,983
Transfer from reserves for streets	371,870
Transfer to SPLOST Fund	120,000
Cart Path correction	(25,000)
Additional LARP for Peachtree Parkway	75,000
Recreation activities less cart path expenditures	(13,500)
Transfer from reserves for Memorial Day	315
Advertising for fire apparatus sale	3,500
Braelinn Elementary track	5,404
Water fountain	3,000
Budgeted Revenue and Expenditures after amendments	<u>\$ 25,170,892</u>

Neighborhood Parks Fund

Budgeted Revenue and Expenditures before amendments	\$ 14,044
Budget Amendments:	
Donations for All Children's Playground	210
Donations for Dog Park	750
Budgeted Revenue and Expenditures after amendments	<u>\$ 15,004</u>

DARE Fund

Budgeted Revenue and Expenditures before amendments	\$ 281
Budget Amendments:	
Donations	5,450
Budgeted Revenue and Expenditures after amendments	<u>\$ 5,731</u>

HAZMAT Fund

Budgeted Revenue and Expenditures before amendments	\$ 7,051
Budget Amendments:	
Additional reimbursements	1,195
Budgeted Revenue and Expenditures after amendments	<u>\$ 8,246</u>

CITY OF PEACHTREE CITY
BUDGET AMENDMENTS - FISCAL YEAR 2005

April 14, 2005

Athletic Association Funds

Budgeted Revenue and Expenditures before amendments	\$ -
Budget Amendments:	
Expenditures for baseball fields	609
Expenditures for football fields	3,500
Budgeted Revenue and Expenditures after amendments	<u>\$ 4,109</u>

SPLOST Fund

Budgeted Revenue and Expenditures before amendments	\$ -
Budget Amendments:	
Establish fund	1,546,420
Budgeted Revenue and Expenditures after amendments	<u>\$ 1,546,420</u>

PIP Fund (350)

Budgeted Revenue and Expenditures before amendments	\$ 4,190,348
Budget Amendments:	
Correction of surplus carryover	50,000
Correct Smokerise Traffic Calming Devices	4,773
Adjust PIP to cover expenditures	6,507
Gateway Bridge to SPLOST	(480,000)
Budgeted Revenue and Expenditures after amendments	<u>\$ 3,771,628</u>

PIP Fund (355)

Budgeted Revenue and Expenditures before amendments	\$ 2,232,352
Budget Amendments:	
Cart Path correction	(25,000)
Budgeted Revenue and Expenditures after amendments	<u>\$ 2,207,352</u>

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 05-004

DATE December 16, 2004

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
355-00-36-1111	Interest		65,000
355-00-39-1110	Transfer from General Fund	65,000	
100-1505-61-XXXX	Transfer to Fund 355	65,000	
100-00-39-2100	Sale of Fixed Assets	65,000	

TOTAL \$ 195,000 \$ 65,000

To move the sale of fixed assets from the PIP Fund (355) to the General Fund as required by CARS and CAMS and treat this as a transfer from the General Fund.

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 05-005

DATE December 16, 2004

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
355-00-38-9025	Surplus Carryover		50,000
355-00-39-XXXX	Transfer from Fund 350	50,000	
350-1505-61-XXXX	Transfer to Fund 355	50,000	
350-00-38-9025	Surplus Carryover	50,000	

TOTAL \$ 150,000 \$ 50,000

To correct surplus carryover. Fund 355 has no surplus carryover and must receive a transfer from the surplus carryover in the Fund 350.

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 05-006

DATE December 16, 2004

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
204-00-34-2200	Donations	1,195	
204-3510-53-1175	Operating Supplies	1,195	
TOTAL		\$ 2,390	\$ -

To increase both revenue and expenditures in the HAZMAT Fund to recognize a donation by the Fayette County Resource Council. The check has been received and deposited into the pooled cash account in the HAZMAT Fund.

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 05-007

DATE December 16, 2004

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
350-4110-54-2510	Smokerise Traffic Calming	7,160	
350-4110-54-0078	Traffic Calming		2,387
350-00-37-1100	Contributions	4,773	

TOTAL \$ 11,933 \$ 2,387

To transfer funds from Traffic Calming Devices to the Smokerise Traffic Calming Devices based on the bid received for the work on Smokerise. To increase both revenues and expenditures by \$4,773 for the additional amount to be provided by the Homeowner's Association.

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 05-008

DATE April 14, 2005

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
100-6110-52-2250	Repairs & Maintenance - Bldg. - Rec.	15,983	
100-00-38-9001	Insurance Reimbursement	10,983	
100-1505-57-9135	Contingency - General Adm		5,000
TOTAL		\$ 26,966	\$ 5,000

To increase budget in the Recreation Department to cover the cost of clean-up at the Tennis Center after water damage. This is offset by an insurance reimbursement and a transfer from the General Administration Contingency.

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 05-009

DATE April 14, 2005

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
100-00-38-9025	Surplus Carryover	371,870	
100-4100-53-1110	Street Resurfacing	371,870	
TOTAL		\$ 743,740	\$ -

To increase funding for street resurfacing from amounts leftover from prior years and established as a designation of fund balance. Designation of fund balance is reduced by this amount and transferred to unreserved, undesignated fund balance. This will cover costs association with Peachtree Parkway paving and Cooper turn lane.

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 05-010

DATE April 14, 2005

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
350-4110-54-0032	TDK Extension	15	
350-4110-54-0119	F-650s	2,277	
350-4110-54-0128	Smokerise Traffic Calming	3,000	
350-6110-54-0116	Kedron Restroom/Concession	1,215	
350-00-38-1111	Interest	36,163	
350-00-39-3310	Loan Proceeds	2,277	
350-00-38-9025	Surplus Carryover		31,933

TOTAL \$ 44,947 \$ 31,933

To adjust PIP Fund 350 to cover overages in expenditure account and to adjust surplus carryforward to 9/30/2004 audited unreserved fund balance. Interest earnings should off-set this. To be reviewed again at end of year.

--

BUDGET AMENDMENT

NUMBER 05-011

DATE April 14, 2005

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
200-00-37-1010	Donations - All Children's Playground	210	
200-6220-53-1175	Operating Supplies - All Children's Pla	210	
200-00-37-1000	Donations - Dog Park	750	
200-6220-54-XXXX	Dog Park Fencing	750	

TOTAL \$ 1,920 \$ -

To increase revenues and expenditures in the Neighborhood Parks Fund. Donations have been received and funds deposited to cover corresponding expenditures.

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 05-012

DATE April 14, 2005

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
202-00-37-1000	Donations	5,450	
202-3210-53-1175	Operating Supplies	5,450	
TOTAL		\$ 10,900	\$ -

To increase revenues and expenditures in the DARE Fund. Donations have been received and funds deposited to cover corresponding expenditures.

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 05-013

DATE April 14, 2005

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
231-00-34-7900	Other Revenue - Fees	609	
231-6129-54-1200	Site Improvements	609	
236-00-34-7900	Other Revenue - Fees	3,500	
236-6129-54-1200	Site Improvements	3,500	

TOTAL \$ 8,218 \$ -

To increase revenues and expenditures in the Athletic Association Funds. Fees have been received and funds deposited to cover corresponding expenditures.

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 05-014

DATE April 14, 2005

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
320-00-31-	SPLOST Revenue	946,420	
320-00-33-	State Grant - LCI	480,000	
320-00-39-	Transfer from General Fund	120,000	
320-4110-52-	Street Resurfacing Program	577,500	
320-4110-53-	Upgrade Cart Path System	113,000	
320-4110-54-	Rockaway Road (Design)	60,000	
320-4110-54-	Mac Duff Parkway (Study)	32,000	
320-4110-54-	Hwy 54 Gateway Bridge	738,920	
320-4110-54-	74S Cart Path Connections	25,000	
100-1505-61-	Transfer to SPLOST	120,000	
100-00-39-1135	Transfer from PIP Fund (350)	118,500	
100-00-38-9025	Surplus Carryover	1,500	
350-4110-54-0036	Hwy 54 Gateway Bridge		598,500
350-1505-61-1110	Transfer to General Fund	118,500	
350-00-33-1115	Matching Grants		480,000

TOTAL \$ 3,451,340 \$ 1,078,500

To establish 2005 SPLOST Fund and to move the Hwy 54 Gateway Bridge from the existing PIP Fund to the SPLOST Fund.

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 05-015

DATE April 14, 2005

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
355-00-39-1110	Transfer from General Fund		25,000
355-4110-54-1410	74S Cart Path Connections		25,000
355-4110-54-1440	Hwy 54 Multi-Use Tunnel		1,500
355-1511-54-0049	PIP Contingency	1,500	
100-1505-61-1355	Transfer to PIP 355		25,000
100-00-38-9025	Surplus Carryover		25,000

TOTAL \$ 1,500 \$ 101,500

To reduce expenditures for 74S Cart Path Connections that have been transferred to the SPLOST Fund and reduce the transfer from the General Fund for those expenditures. To reduce the expenditure for the Hwy 54 Multi-Use Tunnel no longer needed and transfer funds back to the PIP Contingency.

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 05-016

DATE April 14, 2005

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
100-4100-53-1110	Street Resurfacing Supplies	75,000	
100-00-33-4311	GA DOT LARP Revenue	75,000	
TOTAL		\$ 150,000	\$ -

To increase both revenue and expenditures for additional amounts associated with the paving of Peachtree Parkway.

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 05-017

DATE April 14, 2005

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
100-6110-52-1320	4th of July	26,000	
100-6110-54-1260	Improvements Other than Buildings	20,000	
100-6110-52-2250	Repair & Maintenance - Buildings	8,500	
100-00-38-9025	Surplus Carryover		13,500
100-4100-53-1120	Cart Path Supplies		68,000
TOTAL		\$ 54,500	\$ 81,500

To increase budget expenditures in the General Fund to cover unbudgeted costs in Recreation for 4th of July fireworks (contract approved 3/3/2005); netting for Meade softball and baseball fields due to a safety issue at the fields; and necessary repairs to the City owned Amphitheater. The offset is an increase in Surplus Carryover. This is in turn offset by a reduction in cart path supplies that will be covered in the newly created SPLOST Fund.

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 05-018

DATE April 14, 2005

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
100-6110-52-1330	Non-Supportable Recreation Program	315	
100-00-38-9025	Surplus Carryover	315	

TOTAL \$ 630 \$ -

To increase budgeted expenditures for Memorial Day activities. These funds were donated last fiscal year and were not used for the last year's programs. Funds were set-aside in a reserve of fund balance in the General Fund for this year's activities.

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 05-019

DATE April 14, 2005

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
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100-3510-52-3300	Advertising	3,500	
100-00-39-2100	Sale of Fixed Assets	3,500	

TOTAL	\$ 7,000	\$ -
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To cover unbudgeted advertising costs associated with the sale of fire apparatus. Approval for advertising mechanism previously approved by City Council.

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 05-020

DATE April 14, 2005

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
100-00-34-7900	Charges for Services	5,404	
100-4100-53-1110	Resurfacing Supplies	5,404	
TOTAL		\$ 10,808	\$ -

To cover unbudgeted costs associated with installing a track for Braelin Elementary. This is offset with funds received from the school and deposited in the City's pooled cash account.

CITY OF PEACHTREE CITY

BUDGET AMENDMENT

NUMBER 05-021

DATE April 14, 2005

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
100-00-38-9000	Other Revenue	3,000	
100-4100-53-1650	Small Tools & Equipment	3,000	
TOTAL		\$ 6,000	\$ -

To cover unbudgeted costs associated with installing a water fountain near Flat Creek Road. Funds have been received from the Peachtree Running Club and deposited in the General Fund pooled cash account.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council Members

VIA: City Manager *UMA*
Developmental Services Director *aws*
Financial Services Director *P.S.*
Purchasing Agent

FROM: City Engineer *Carb.*

DATE: April 7, 2005

SUBJECT: Cooper Wiring Turn Lane – Bid Withdrawal Request
April 21 City Council Meeting

Recommendation:

The recommendation is for Council to approve the withdrawal of JHC Corporation's bid for the Cooper Wiring Turn Lane Project, without forfeiture of the Bid Bond.

Discussion:

The bidder, JHC, prepared a bid for this project based on the first set of drawings they received. An addendum with revised plans went out to the bidders extending the due date. The revised drawings had changes highlighted except for the change to have the entire project, including the existing pavement on Highway 74, overlaid with asphalt. This change was missed by JHC because it was not highlighted as the others were.

The missed overlay would cost the contractor an additional \$60,000 over the \$250,700 he had bid on the project.

Budget Impact:

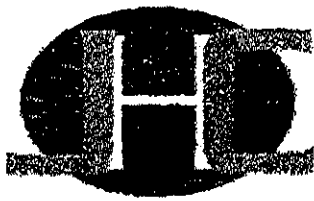
Releasing the Bid Bond for this project will have no budget impact.

If you have any additional questions, I would be happy to answer them.

DB/jr

Attachment

GENERAL CONTRACTOR



JHC Corporation

1029 Peachtree Parkway N. #359
Peachtree City, GA 30269

Phone number 770-487-3258
Fax number 770-487-4254

3/21/05

To: David Borkowski, City of Peachtree City
Re: Bid on Highway 74 Widening at Cooper Lighting

Dear Mr. Borkowski:

Per our discussions at our meeting on Friday, March 10, I am asking that we be allowed to withdraw our bid on this project. You and I are in agreement that the plans were misleading.

We had completed our bid on this project several weeks in advance of the bid date using the original plans. However, before the bid date arrived, a new set of drawings was issued and the bid date changed. We received a set of the new drawings and noticed that the new plans had highlighted areas on the plans that indicated changes that were made. To highlight changes in this way is standard industry wide. We reviewed these highlighted areas and accounted for these changes in our bid.

Our meeting on March 10th was the first time we were aware that the architect had made some changes that were highlighted and some changes that were not highlighted. One of the changes that was not highlighted added about \$60,000 worth of paving to the job. The architect should have highlighted all changes or none at all. If he had one or the other, I would not be writing this letter.

Thank you for considering our request to withdraw our bid, which under the circumstances I feel is fair.

Sincerely,

Jim Cook
President

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council Members

FROM: Bernard J. McMullen, City Manager 

VIA: Colin Halterman, Assistant City Manager 
Paul J. Salvatore, Financial Services Director 
Angela R. Egan, Purchasing Agent 
Tom Corbett, Director of Public Services 
David McDaniel, Manager of Facilities Maintenance 

DATE: March 10, 2005

SUBJECT: HVAC Full Maintenance Agreement for City Facilities
March 17, 2005 Council Agenda

Recommendation:

Staff recommends that City Council award a nine month contract through December 31, 2005 to Shumate Mechanical HVAC, with two (2) one-year automatic renewals, for the annual full maintenance on HVAC equipment and emergency repairs for all of the City facilities.

Discussion:

The City solicited Request for Proposals from nine (9) qualified HVAC Contractors for HVAC Annual Maintenance Services for City Facilities. Six (6) qualified contractors submitted proposals. One of the requirements for this bid proposal was to visit each site where the equipment was located before submitting the proposal. The six (6) contractors sent representatives that met on-site to visually examine the equipment that required the maintenance. The following companies presented the lowest cost proposals: Shumate Mechanical (\$56,675.00), Hussmann (\$55,938.00), and EmCor Services (\$53,784.00), a spread of \$2,891 from high to low (about 5%). These three proposals were evaluated on the following criteria:

- Cost Proposal
- Qualifications/Experience
- Approach/Implementation
- Relationship Support
- References

All three companies compared favorably in all of the criteria, with the exception of Qualifications/Experience, where Shumate has a clear and singular edge. Shumate has been the HVAC contractor for the City of Peachtree City since December 1996, and has a solid singular

knowledge of our non-standard systems and its workings, a very tangible asset to us that are worth far in excess of the \$2,891 difference in the contract price. In addition, Shumate's price is steady for three years, while the low proposal includes an inflation factor (minimum 3% per year) that puts its annual cost over Shumate's cost by the third year. The first-year price difference does not justify the expense and risk involved in starting anew (down time, system modifications, lack of knowledge and expertise with the City's systems) with a new contractor. A more significant price differential might have offered benefits that could have justified such risks.

Calls to the low-bidder's local references indicated that they have less than full-service contracts, requiring a good deal less service, parts, maintenance, and attention than we are seeking, and we are left with no first-hand indications of success with full-service needs.

Budget Impact:

Funds are available in the 2005 Operating Budget for all the facilities.

DM/ly

1/11/03

CITY OF PEACHTREE CITY
REQUEST FOR PROPOSAL
(RFP)

TABULATION

*

PROJECT:	COMPANY ADDRESS	CONTACT PERSON & PHONE #	PROPOSAL AMT.
HVAC Maintenance			
COMPANY NAME	200 Tiger Way	Elaine Powers	\$51,396.00
O.T. Contracting, Inc.	Peachtree City, GA 30269		66,060.00
BBA Powers Heating & Air		Michael Dunn	\$74,976.00
Carrier Corporation	2121 Newmarket Pkwy		
	Suite 136		\$53,784.00
	Marietta, GA	Joe Lucky	
Em Cor Services	400 Lake Ridge Dr. SE		
(Aircond Corporation)	Smyrna, GA 30082	Russ Patterson	\$56,675.00
Shumate Mechanical	2805 Premiere Pkwy.		
	Duluth, GA 30097	Jeremy Galvin	\$131,467.00
Trane	2677 Buford Hwy NE		
	Atlanta, GA 30324-3239		
		Bud Spence	\$55,938.20
Hussmann	3004 Spring Industrial Dr.		
	Powder Springs, GA 30127		

* RFP not announced
publically



Aircond Corporation
400 Lake Ridge Drive SE
Smyrna, GA 30082-5236
Phone: 770.444.3355
Toll Free: 800.768.2472

City of Peachtree City
Purchasing Department
151 Willowbend Road
Peachtree City, GA 30269

1/7/05

Attn: Ms. Janet I. Camburn, CMA
Assistant Finance Director.

On behalf of EMCOR Services / Aircond Corporation I would like to take this opportunity to thank the City of Peachtree City for allowing Aircond Corporation to participate in the bid process of this very important RFP. The following information and attached maintenance proposal is for the City of Peachtree City's use in determining the successful HVAC maintenance supplier for 2005.

- Years of service. Aircond Corporation has been a leader in the HVAC industry for 67 years 1937 to present.
- Ability to provide full service maintenance. Aircond not only provides many customers full service contracts but also has many service contracts where we provide full time on site techs 40 hours per week.
- Qualified technicians. Aircond currently has approximately 140 highly skilled service technicians. The Georgia headquarters accounts for about 80 total to cover the metro and surrounding areas. Approximately 18 technicians cover the South metro district which includes the Peachtree City area.
- Service availability and response time. As an Aircond full maintenance customer, all locations classified as Mission Critical will have a one (1) hour response time. A main technician with back up will be assigned the City of Peachtree City full service/maintenance account. There would also be additional service technicians available 7 days 24 hours a day if necessary.
- References.

John Harland Corp Decatur Ga — Mr. Paul Smith — 770-593-5063
Avery Dennison (Fasson) Peachtree City — Mr. Darrel Bullington — 770-631-5231
Pam Am Sta Ellenwood Ga — Mr. Alan Stinson — 404-381-2307
Salvation Army college Campus — Mr. Bob Bullock — 404-756-6599
Sigvaris Peachtree City — Mr. Tony Pitts — 770-632-2956
Wyndham Peachtree Center Peachtree City — Mr. Gene Chung or Mr. Pete Sidell-
- 770-487-2000

Aircond maintains a base of approximately 3500 long term customers. Over 50% have Service contracts and receive Superior "Priority Emergency Response." We offer a full Range of Service Contracts.

Preventive Maintenance (PM only)
Full Service Maintenance (Parts and Labor Included)
Full time Facility Technicians. (40 Hours weekly)
Full Labor Agreements (Parts and Material billable)

The above list the types of agreements we offer. Some of the above listed references have been Aircond customers for 30 plus years.

The quoted price for City of Peachtree City ————— \$53784.00 annually (\$4482.00 mo)

Note: Before start of this agreement Pricing will be budgeted per location.

Note: See customer location and equipment list. (attached)

Note: Aircond fully meets or exceeds job specifications and expectations.


Joe Luckey Aircond Corporation.

HUSSMANN®

SERVICE DEPARTMENT
3004 Spring Industrial Drive
Powder Springs, GA 30127
770-615-5110
800-762-6951

January 8, 2005

Janet Camburn, Assistant Finance Director
151 Willowbend Rd.
Peachtree City, GA 30269

Ms Camburn:

I would like to thank Peachtree City for the opportunity to submit a proposal for the Annual HVAC Maintenance Agreement. I have separated the contracts according to the respective building. The attached spreadsheet explains the financial obligation for each department every three months for the HVAC maintenance agreement. In a growing community such as Peachtree City, the requirements for facilities are constantly changing. Separating each contract by the building will give the city the flexibility of adapting any agreement without having to re-bid or renegotiate a contract.

Hussmann is a subsidiary of Ingersoll-Rand. Ingersoll-Rand (IR) is a fortune 100 company traded on the New York Stock Exchange. Ingersoll-Rand purchased Hussmann in January 2000. Prior to this merger, Hussmann was known as Tafco, Mabry, and Haynes. Tafco, Mabry, and Haynes has been installing and servicing HVAC and refrigeration in the southeast for over 40 years. Ingersoll-Rand has been in business since June 1905. The consolidation of 54 Hussmann service branches and over 1,700 technicians has given the Atlanta branch access to factory technical training and pricing available to very few contractors nationwide.

The Atlanta branch (based in Powder Springs) has 54 technicians within a 3-hour radius that are accessible at any time. There are nine technicians and a supervisor stationed within sixty minutes of each of your facilities. We will assign one supervisor and two technicians to the Peachtree City account. This will give the customer and the technician familiarity with procedures and equipment. Service calls and Preventative Maintenances are dispatched from the Powder Springs office during normal business hours. We have Hussmann dispatchers and a minimum of four service technicians on call, 24 hours a day to maintain a two-hour or less response time.

Thank you again for the opportunity to introduce our company to you. If you have questions, please contact me at 770-615-5110, or feel free to visit our websites at www.irco.com and www.hussmann.com.

Sincerely,

Bud Spencer
Accounts Manager



Service Division
2805 Premiere Parkway
Duluth, Georgia 30097
678-584-0108

December 31, 2004

City of Peachtree City
Janet I. Camburn
151 Willowbend Road
Peachtree City, GA 30269

Dear Janet Camburn,

Shumate Mechanical would like to thank you for the opportunity to bid on all city facilities. Shumate Mechanical has been servicing Georgia for 26 years and City of Peachtree City for the past 7 years under our Full Maintenance Agreement. We have become the largest HVAC Company in the southeast United States. 100% Customer Satisfaction is a fundamental cornerstone of the Shumate approach to Customer Service.

We have 24 professionally trained service technicians covering the south side of Atlanta. These technicians will be available (7) days a week, (24) hours a day for any emergency situations. The response time of these technicians range from 30 to 45 minutes depending on the urgency of the service call. To receive our Full Maintenance services the annual price will be \$56,675.00. We have been able to maintain the same service to the city and have still maintained the same full maintenance agreement price going into the 4th year.

We look forward to a continued strong business relationship with you. If you have any questions or concerns, please feel free to call Russ Patterson at #678/584-0108 Ext. 3019.

Sincerely,

A handwritten signature in black ink, appearing to read 'Russ Patterson', with a long horizontal flourish extending to the right.

Russ Patterson
General Manager

A handwritten signature in black ink, appearing to read 'Gus Voutas', with a long horizontal flourish extending to the right.

Gus Voutas
Service Manager

Attachments (16)



Service Division
2805 Premiere Parkway
Duluth, Georgia 30097
678-584-0108

References

Rockwell Collins

5159 Southridge Pkwy
College Park, GA 30349

Contact: John Edwards
Phone #770/991-7200

Cumberland Management

2303 Cumberland Pkwy.
Suite 100
Atlanta, GA 30336

Annette Mingert
Phone #678/306-4202

Dade Behring

600 Tradeport Blvd
Atlanta, GA 30354

Contact: Ed Soley
Phone #404/362-2800

King Plow Arts Center

887 West Marietta Street
Atlanta, GA 30318

Contact: Collin Lyle
Phone #404/885-9933

Haverty's Distribution

1090 Broadway Ave.
Braselton, GA 30517

Contact: Robin Parker
Phone #706/658-2045



Service Division
2805 Premiere Parkway
Duluth, Georgia 30097
678-584-0108

List of Technicians

Below is a list of names that are available to work on the City of Peachtree City
Facilities:

Gus Voutas
Gary Adkins
Tim Guilliams
Michael Frangoudakis
Raymond Caamano
Isaac Merchant
Steven Drake
Charles Potts
Jeff Giesc
Patrick Kelly
Athur Scheren
Robert Durden
Joe Cannafax
Doug Whaley
Steve Damalas
Allen Hancock
Bob Morey

December 9, 2004

Ladies and Gentlemen:

The City of Peachtree City will be accepting proposals (two copies) at the office of the Purchasing Department, 151 Willowbend Road, Peachtree City, Georgia 30269, **until 3:00 p.m. on Tuesday, December 28, 2004 for Annual HVAC Maintenance Agreement for all City facilities.** The proposals will be opened at that time and place. Proposals received after the set time will not be considered. All proposals must strictly conform to the plans, specifications, and/or other documents. See attached for the specifications, detailed information, and evaluation criteria for this project. **A mandatory walk-through of all facilities with David McDaniel, Facilities Manager, is required prior to submitting a proposal. Mr. McDaniel may be reached at 770-487-5183 to schedule a walk-through.**

Proposals (two copies) are to be submitted in a sealed envelope, with the name of the project (**HVAC Maintenance**) clearly marked on the front. **The date and time of opening are also to be included, along with the name of the company submitting the proposal.** The proposal made by any company or firm must be signed in the name of such company or firm in a legal manner by a duly authorized officer; and the principal place of business must be shown (no post office boxes).

No proposals may be withdrawn for a period of sixty (60) days after the scheduled time to receive the proposal. Any request for clarification must be made to Janet I. Camburn, Assistant Finance Director, by the close of business, five business days prior to the submission of proposals. Any clarification issued will be in the form of an addendum to the proposal instructions, plans, or specifications and will be issued to all potential offerors and placed on the City's web site not later than seventy-two (72) hours prior to the time of submission of proposals.

The City reserves the right to award the contract on the phases it deems to be in the City's best interest.

The City will exercise its discretion in awarding the contract to the company who best satisfies the needs of the City. The City also reserves the right to reject any and all proposals and to waive any and all irregularities.

Proposals will not be accepted from any person, firm, or corporation who is in arrears in any debt or obligation to the City of Peachtree City or any other governmental entity.

Sincerely,



Janet I. Camburn
Assistant Finance Director

Enclosures

**CITY OF PEACHTREE CITY
SCOPE OF SERVICES
HVAC MAINTENANCE**

The City of Peachtree City is requesting proposals from qualified firms for an annual maintenance agreement on all the heating and air conditioning systems and venting systems located in the City facilities and mechanical systems at the Kedron Fieldhouse and Aquatic Center. The City prefers a full service maintenance agreement that includes all parts and labor; quotes on replacement or upgrading of equipment; for all repairs; quarterly inspections and filter changes for the equipment on the attached list of facilities. All work performed on equipment will be done under the supervision of the City's Facility Manager.

The City wishes to enter into a one-year contract for the 2005 calendar year with the option of two one-year extensions.

A mandatory walk-through of all facilities with David McDaniel, Facilities Manager, is required prior to submitting a proposal. Mr. McDaniel may be reached at 770-487-5183 to schedule a walk-through.

The proposals are to include the following:

- Cover or introduction letter.
- Number of years the company has been in business.
- Number of qualified technicians available on the south side of Atlanta for emergencies.
- List of technicians qualified to work on the City's equipment.
- Response time for a technician to respond seven (7) days a week, twenty-four (24) hours a day for emergencies.
- Ability of company to provide full service maintenance.
- List of at least three (3) references, including a contact name and phone number.
- Price proposal detailed by individual City facility.

The proposal should also include a detailed list of all the checkpoints that will be completed at each quarterly maintenance inspection.

The proposals will be evaluated on the following criteria:

- Years of services
- Ability to provide full service maintenance
- Qualified technicians
- Service availability and response time
- References
- Price proposal

**LIST OF FACILITIES
HVAC MAINTENANCE AGREEMENT**

PEACHTREE CITY LIBRARY - TEMPORARY LOCATION

KEDRON FIELDHOUSE AND AQUATIC CENTER

MEADE FIELD CONCESSION BUILDING

RILEY FIELD CONCESSION BUILDING

BASEBALL/SOCCER COMPLEX CONCESSION BUILDINGS (2)

RECREATION ADMINISTRATION BUILDING

THE GATHERING PLACE

GLENLOCH

THE GAZEBO

PUBLIC WORKS BUILDING

CITY HALL – TWO STORY BUILDING

POLICE STATION

FIRE STATIONS:

LEACH STATION AND TRAINING CENTER (STATION #1)

NEELY STATION AND ADMINISTRATIVE OFFICES (STATION #2)

WEBER STATION (STATION #3)

SATTERTHWAITE STATION (STATION #4)

HVAC MAINTENANCE

[illegible]

HVAC MAINTENANCE

FACILITY	LOCATION	PHONE NO.	
LEACH FIRE STATION	110 PASCHALL DRIVE	(770) 631-2530	
EQUIPMENT	MAKE	MODEL NO.	SERIAL NO.
(1) RTU	LENN	GCS16-090-200-1Y	7.5 TON
(1) RTU	LENN	GCS16-048-120-3Y	4 TON
(1) RTU	LENN	GCS16-048-120-3Y	4 TON
(1) RTU	LENN	GCS16-036-90-3Y	3 TON
(4) TH	N/A	N/A	TUBE HEATERS
(3) E/F	PENN	N/A	EXHAUST FANS
FACILITY	(TEMP.) LOCATION	PHONE NO.	
LIBRARY	2011 COMMERCE DR. N.	(770) 631-2520	
EQUIPMENT	MAKE	MODEL NO.	SERIAL NO.
(4) FOUR	YORK	H4CE090A252C	4.5 TON
(2) TWO	YORK	H2080605064	5 TON
FACILITY	LOCATION	PHONE NO.	
MEADE FIELD	101 ROCKAWAY ROAD	(770) 471-0096	
EQUIPMENT	MAKE	MODEL NO.	SERIAL NO.
(2) S/H	QMA	AWEH3404C	SPACE HEATERS
(1) W/U	PAN	N/A	WINDOW UNIT
FACILITY	LOCATION	PHONE NO.	
POLICE DEPT.	350 SOUTH HIGHWAY 74	(770) 487-8866	
EQUIPMENT	MAKE	MODEL NO.	SERIAL NO.
(4) RTUS	TRANE	YCD-36LOBE	3 TON
(1) RTU	TRANE	YCD048C3LOBF	4 TON
(1) RTU	TRANE	YCD075C3LOBE	6.25 TON
(1) RTU	TRANE	YCD1203LOAC	10 TON
(1) RTU	TRANE	YCD1503LOAC	12.5 TON
FACILITY	LOCATION	PHONE NO.	
RILEY FIELD	176 WISDOM ROAD	(770) 471-2542	
EQUIPMENT	MAKE	MODEL NO.	SERIAL NO.
(2) W/U	TRANE	PTHC120GAA	WALL UNITS
(2) B/H	BEC	SRA2024DSB	BATH HEATERS
FACILITY	LOCATION	PHONE NO.	
SPORTS COMPLEX	1125 HIGHWAY 74 SOUTH	(770) 471-0096	
EQUIPMENT	MAKE	MODEL NO.	SERIAL NO.
(1) H/P	RHE	RBHA-21-J2OSFCA	HEAT PUMP
(1) W/U	PAN	N/A	WINDOW UNIT

HVAC MAINTENANCE

FACILITY	LOCATION	PHONE NO.	
THE GATHERING PLACE	203 MCINTOSH TRAIL	(770) 631-2553	
EQUIPMENT	MAKE	MODEL NO.	SERIAL NO.
(1) RTU	CARR	38CKO36540	3 TON
(2) SPLITS	CARR	38CK042330	2.5 TON
(1) SPLITS	CARR	38CD060560	5 TON
FACILITY	LOCATION	PHONE NO.	
WEBER FIRE STATION	481 PEACHTREE PKWY. S.	(770) 631-2529	
EQUIPMENT	MAKE	MODEL NO.	SERIAL NO.
(1) SPLIT	LENN	HS18-461-4P	4 TON PULSE
(2) U/H	LENN	LF3E-110-2	UNIT HEATERS
(1) E/F	LENN	N/A	EXHAUST FAN
FACILITY	LOCATION	PHONE NO.	
KEDRON FIELDHOUSE	202 KEDRON DRIVE	(770) 631-2525	
EQUIPMENT	MAKE	MODEL NO.	SERIAL NO.
(1) ONE	TRANE	YCH120AVEMA0S	10 TONS
(1) ONE	TRANE	YCH150C4H0AA	12.5 TONS
(2) U/H	REZ	FE-100	UNIT HEATERS
(2) E/F	PENN	N/A	EXHAUST FAN
(1) BOILER		N/A	
(1) SPLIT SYSTEM	TRANE		14 TON
(1) SPACE HEATER - IND.	511S EKC DESIGN	9508	
(2) TWO	YORK	DIC6300N24046OK	30 TON
FACILITY	LOCATION	PHONE NO.	
NEELY FIRE STATION	105 PEACHTREE PARKWAY	(770) 631-2526	
EQUIPMENT	MAKE	MODEL NO.	SERIAL NO.
(2) SPLITS	TRANE	TTPO36	3 TON
(1) RTU	N/A	N/A	UNDER 5 TON
(2) U/H	LENN	LF24-75A-1	UNIT HEATERS
FACILITY	LOCATION	PHONE NO.	
PUBLIC WORKS	209 MCINTOSH TRAIL	(770) 487-5183	
EQUIPMENT	MAKE	MODEL NO.	SERIAL NO.
(2) SPLITS	LENN	N/A	UNDER 5 TON
(1) PKG	LENN	N/A	UNDER 5 TON
(4) U/H	LENN	LF24-75A-1	UNIT HEATERS
(6) EXHUAUST FANS	N/A	N/A	EXHAUST FANS

December 17, 2004

REQUEST FOR PROPOSALS
HVAC MAINTENANCE AGREEMENT
ADDENDUM #1

The due date for proposals (two copies) for Annual HVAC Maintenance for City facilities has been extended to 3:00 p.m. on Tuesday, January 11, 2005.

April 1, 2005

Mr. Tim Powers
200 Tiger Way
Peachtree City, GA 30269

Dear Mr. Powers:

I have received your letter of March 17, 2005, regarding the City's handling of RFP's for an HVAC maintenance agreement, and your disagreement with our actions in this matter. I have asked Tom Corbett, our Public Services Director, to look into the specifics of your concerns, and his responses are listed below. Mr. Corbett's response seems to be both comprehensive and focused, and I believe it serves well to forward his comments to you verbatim. His reply is as follows:

Concern: "The [HVAC contract] proposals were not opened in the presence of the bidders as stated [in the RFP document dated December 9, 2004]."

Response: The proposals were, in fact, opened at a public meeting on the announced date. In an exchange of e-mails on February 17, 2005, Ms. Camburn, Assistant Financial Services Director, explained to Ms. Elaine Powers (who had contacted Ms. Camburn on behalf of your company) that this was clearly not a formal bid process but a Request for Proposals, and that "Proposals are evaluated on more than just the price (see evaluation criteria in the RFP) and therefore price is not made public until the entire review process is completed and a recommendation is made to City Council."

Concern: "Does this [the requested 9-month contract and two 1-year renewals] include all parts and labor not under emergency repairs?"

Response: The answer is yes, as that was stated on the specifications and requirements contained in the RFP.

Concern: "There was a substantial subjective cost disadvantage to all bidders [sic] regarding two heating units not repaired or replaced under the prior [Shumate] contract."

Response: Neither David McDaniel (the City's Facilities Maintenance Manager) nor Mr. Corbett knows of any such heating units. The only thing Mr. Powers might be alluding to are the two cooling units at the Kedron Field House that the Recreation Department has suggested may need to be replaced this summer, primarily because of their age. However, this will not be a matter that is at all connected to the HVAC maintenance contract, but will in fact be a matter of a separate competitive bid process for the replacement units.

Concern: "The lowest bidder [sic] was not accepted nor the second lowest bid."

Response: The RFP clearly stated that total cost was not the only criteria for this recommendation. As stated in the RFP, several other important criteria were considered, including years of service, ability to provide full service maintenance, qualified technicians, service availability and response time, and references. The three lowest-cost proposals were evaluated accordingly, and both on paper and through reference checking all were deemed to be satisfactory and acceptable in their own right. The company that we recommended, however, stood out convincingly in several of these criteria, and merited our recommendation accordingly.

Concern: "It appears that the City is paying approximately \$12-\$13,000 for quarterly maintenance...and \$44,675-\$45,675 for an insurance policy on repairs for the nine months."

Response: Payments to the contractors will be strictly for products and services outlined in the proposal.

Concern: "What has the City done over the past three months regarding the maintenance of the equipment and any subsequent repairs?"

Response: The previous contract has been extended while no new contract has taken its place, and all HVAC equipment covered under that contract continues to be serviced and maintained.

* * * * *

It does appear to me from these comments that the process that led to Mr. Corbett's recommendation was conducted fairly, and that the recommendation itself accurately reflects the staff's very professional assessment of what represents the City's best interests. I cannot subscribe to the notion that there was any fiscal or financial irresponsibility in the conduct of this matter.

If you have any other questions regarding this issue please feel free to contact me.

Sincerely,



Stephen D. Brown
Mayor

SDB:gr

cc: Peachtree City Council

TIM POWERS
200 TIGER WAY, PEACHTREE CITY, GA 30269
770-487-2040

March 17, 2005

Honorable Mayor Steve Brown
City of Peachtree City
151 Willowbend Road
Peachtree City, Georgia 30269

Dear Mayor Brown,

Please accept this letter as a formal protest to the solicitation and subsequent processing of the Request for Proposals for HVAC Full Maintenance Agreement for City Facilities originally posted for bid on December 28, 2004 and subsequently bid January 11, 2005.

First the original request for proposal document dated December 9, 2004 stated: "The proposals will be opened at that time and place" where the bids were to be submitted. The proposals were not opened in the presence of the bidders as stated.

Second, according to the Interoffice Memorandum dated March 10, 2005 the contract is being accepted for a nine month period (3 quarters at the 4 quarters price) in 2005 and two automatic one year renewals and emergency repairs for all the City facilities. Does this include all parts and labor not under emergency repairs? If Shumate was the previous contract holder for the City under the terms of the contract all existing equipment should have been operational on December 31, 2004 under their terms. This is not the case and there was a substantial subjective cost disadvantage to all bidders regarding two heating units not repaired or replaced under the prior contract. (Also not repaired or replaced as of this date.)

Third, the lowest bidder was not accepted nor the second lowest bid. Per the Memorandum under the subjective comparison criteria: "with the exception of Qualifications/Experience" the lowest bidder company was disqualified. EmCor Services/Aircond is one of the oldest and most reputable in the HVAC industry in the Metro Atlanta area. By all industry standards and accounts they stand head to head with Shumate.

As a significant tax digest contributor to the City of Peachtree City, we are both professionally and personally outraged with what appears to be fiscal and/or financial irresponsibility. Based on the criteria set in this proposal and the recommendations presented it appears that the City is paying approximately \$12-\$13,000 for quarterly maintenance (this year only 3 quarters actually) and \$44,675-\$45,675 for an insurance policy on repairs for the nine months. What has the City done over the past three months regarding the maintenance of the equipment and any subsequent repairs?

Yours truly,


TIM POWERS

Pam Dufresne

From: Janet Camburn
Sent: Wednesday, April 13, 2005 4:17 PM
To: Pam Dufresne
Subject: FW: HVAC Maintenance Proposals

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

From: Janet Camburn
Sent: Thursday, February 17, 2005 9:44 AM
To: 'ElainePowers3883@aol.com'
Subject: RE: HVAC Maintenance Proposals

Dear Ms. Powers:

City staff is still in the process of reviewing the proposals and has not yet made a recommendation to City Council. Please note: this was not a bid. This was a request for proposal (RFP) and the proposals from several firms were opened at a public meeting on Tuesday, January 11, 2005 at City Hall. Proposals are evaluated on more than just the price (see evaluation criteria in the RFP) and therefore price is not made public until the entire review process is completed and a recommendation is made to City Council.

I expect the recommendation will be placed on the March 3, 2005 agenda, but I have not received verification of this yet.

Sincerely,
Janet I. Camburn

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

From: ElainePowers3883@aol.com [mailto:ElainePowers3883@aol.com]
Sent: Thursday, February 17, 2005 9:16 AM
To: jcamburn@peachtree-city.org
Subject: HVAC Maintenance Proposals

Ms. Camburn:

I appreciated the opportunity to provide the City with a bid recently. Please advise me on the status of the HVAC maintenance bid (05-RFP) submitted on January 11, 2005. I understand the information was sent to the City Council for review by the Facilities Maintenance Manager, Mr. Mc Daniel. Generally during public bid openings we are provided the status of our proposal which allows our firm to maintain quality control standards and maintain proper staffing levels year round. These bids were not opened at the public bid opening; instead we were advised that they would be reviewed and presented to the City Council and Mayor for consideration. I attend City Council meetings periodically after reviewing the online agendas for the meetings but I have not seen this item on the agenda yet. Do you have any idea when it will be reviewed?

ELAINE POWERS
POWERS HEATING & AIR
200 TIGER WAY
PEACHTREE CITY, GA 30269
770-487-2040
FAX: 678-364-1754
EMAIL: ELAINEPOWERS3883@AOL.COM

4/13/2005

POSITION PAPER

Proposed Rezoning
Sanders/ Cash tract (4.034 acres), Greenwood Lane
City Planner/ Zoning Administrator *David*
April 13, 2005

Situation:

Mr. Harry Sanders and Ms. Doris Cash own 11.437 acres of land immediately north of Greenwood Lane. The front portion of their property (7.403 acres) is zoned R-43 Residential. The rear portion of their property (4.034 acres) is zoned ER Estate Residential, and Mr. Sanders and Ms. Cash desire to rezone this portion of their property to R-43 Residential. The purpose of this rezoning is to create a single tract of land with one zoning classification for the development of a subdivision of one-acre lots. Because the property is not currently zoned for this type of development, the Applicants are requesting that it be rezoned to an appropriate classification. A copy of the application is included as Attachment "A."

Facts:

1. The front portion of the Sanders/ Cash tract is 7.403 acres in area and was rezoned from AR Agricultural Reserve to R-43 on June 17, 1999 (Attachment "B").
2. The rear portion of the Sanders/ Cash tract is 4.034 acres in area and was de-annexed from the Town of Tyrone and annexed into Peachtree City on June 17, 1999. This portion of the Sanders/ Case tract was zoned ER Estate Residential at that time. The minutes of the meetings where this item was discussed do not identify any conditions placed on this property pertaining to the de-annexation, annexation and/ or rezoning request (Attachment "C").
3. The property adjoins the Stephan tract to the west (zoned AR Agricultural Reserve), the Hughes tract to the north (zoned ER Estate Residential) and the Care tract to the east (zoned ER Estate Residential), all of which are within Peachtree City. Additionally, the property abuts the Braelinn Baptist Church tract to the east (zoned EI Educational Institutional) and the Maher tract to the west (zoned AR Agricultural Residential) in Tyrone (Attachment "D").
4. The portion of the Kedron Hills subdivision that is located immediately across Greenwood Lane from the proposed subdivision is zoned R-43 Residential. The Sanders/ Cash tract has approximately 680 LF of frontage on Greenwood Lane.

Sanders/ Cash tract, Greenwood Lane

April 13, 2005

Page 2 of 3

5. The recent update to the Land Use Plan identifies the property's land use as single-family, low-density use with a minimum lot size of one acre (Attachment "E").
6. The Applicants do not plan to develop the property themselves. Rather, they have indicated the purpose for the rezoning is to combine both parcels under one zoning category and then market the overall tract for development.
7. The Applicants are requesting that the entire Sanders/ Cash tract be rezoned to R-43 Residential to accommodate the proposed subdivision.
8. The R-43 Residential zoning classification requires a minimum lot size of one acre, which is consistent with the lots within this portion of the Kedron Hills subdivision.
9. The Applicant has provided a letter from the Town of Tyrone indicating the only stipulation placed on the subject parcel when it was de-annexed from Tyrone was the requirement for Peachtree City to annex the property (Attachment "F").
10. At their meeting on March 14, 2005, the Planning Commission voted unanimously to recommend that the proposed rezoning be approved as submitted with conditions (Attachment "G").

Staff analysis:

The proposed rezoning of the 4.034-acre Sanders/ Cash tract is consistent with the land use designation identified on the City's Land Use Plan. The Comprehensive Plan encourages "*residential development that becomes less dense as you move away from the village center,*" and the proposed rezoning meets this objective. Additionally, there do not appear to be any references within the minutes of the meetings where the subject property was de-annexed from Tyrone, annexed into Peachtree City and rezoned for low-density residential development several years ago that would prohibit the current or future property owner from seeking a rezoning of the property.

Recommendation:

Staff recommends that the proposed rezoning to R-43 Residential be approved and that the zoning be subject to the following understandings and conditions:

Sanders/ Cash tract, Greenwood Lane

April 13, 2005

Page 3 of 3

- 1. A boundary survey of the entire Sanders/ Cash tract must be submitted to Staff for review and recorded at the Fayette County Tax Assessor's office. This plat must show that both parcels of land are combined into one parcel.*
- 2. Subdivision and/ or development of the subject property shall proceed through the regular concept plat review process.*
- 3. A minimum 30' undisturbed buffer shall be maintained along the perimeter of the overall Sanders/ Cash tract to provide buffering between potential development and the adjoining property owners. This buffer should be shown on all plats submitted for review and recorded with the final plat for the overall subdivision.*
- 4. As a part of the concept plat review process, the developer shall prepare and submit architectural guidelines and restrictive covenants for the property to ensure the homes are consistent with those within the adjoining Kedron Hills subdivision. This document must be reviewed by City Staff and the Planning Commission Representative and must be recorded with the Fayette County Tax Assessor once approved.*
- 5. The developer shall be responsible for paying the Kedron Service Area impact fee in addition to the above additional project costs at the time of final plat approval.*

REQUEST FOR REZONING

CITY OF PEACHTREE CITY, GEORGIA

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

4.034 Acres - the rear portion of our property
at 287 Greenwood Lane

This property is presently zoned: ER

The proposed zoning classification is: R-43

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

Signature: Doris Cash

Owner: (print) DORIS CASH (formerly Doris Sanders)

Agent: (print) _____

Address: 287 GREENWOOD LN PEACHTREE CITY GA 30269

Phone: 404 664 6014

Date: 02-10-05

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

Signature: David E. Rant

Title: City Planner / Zoning Administrator

Date: February 25, 2005

Request Number: 2005-01

Date of Planning Commission Public Hearing: March 14, 2005

Date of City Council Public Hearing: April 7, 2005

07/01/01

Attachment "A"

REQUEST FOR REZONING

CITY OF PEACHTREE CITY, GEORGIA

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

4.034 Acres - the rear portion of our
property at 287 Greenwood Lane

This property is presently zoned: ER

The proposed zoning classification is: R-43

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

Signature: _____

Owner: (print) HARRY SANDERS

Agent: (print) _____

Address: 1208 Davis Lake Road Locust Grove, GA 30248

Phone: 770-957-3733 Date: 02-10-05

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: _____

Title: _____

Date: _____

Request Number: 2005-01

Date of Planning Commission Public Hearing: March 14, 2005

Date of City Council Public Hearing: April 7, 2005

PROPERTY DESCRIPTION, 287 Greenwood Lane, Peachtree City, GA 30269

All that tract or parcel of land lying and being in Land Lots 121 of the 7th District of Fayette County, Georgia, being Part of Property shown on Plat of Curtis R. Barwick Property, as per plat recorded in Plat Book 5, Page 179, Fayette County Records, and being more particularly described as follows:

Beginning at an iron pin on the line dividing Land Lots 121 and 122 a distance of 958 feet west from the intersection of Land Lots 121, 122, 103 and 104; running north 89 degree 10 minutes west along the apparent land lot line a distance of 636.79 feet to an iron pin; said pin being on the land lot line dividing Land Lots 121 and 122; running thence north 03 degrees 43 minutes east a distance of 282.04 feet to an iron pin; running thence north 89 degrees 15 minutes east a distance of 615.14 feet to an iron pin; running thence south 00 degree 40 minutes east a distance of 280.22 feet to an iron pin on the land lot lines dividing Land Lots 121 and 122 and the point of beginning; as shown on survey prepared by Grey & Associates, registered Land Surveyors, dated March 10, 2004.

Note: Plat prepared by Grey & Associates identifies the 4.034 AC as lying within the Town of Tyrone, although it was annexed into Peachtree City in 1999.

WARRANTY DEED - Form 4 (2/71) (4/76)



STATE OF GEORGIA

CLAYTON

County

THIS INDENTURE, made this 2nd day of February
in the year of our Lord One Thousand Nine Hundred and Eighty Two
between RICHARD G. PARKS
of the State of Georgia and County of Fayette of the first part
and HARRY CLAYTON SANDERS and DONIS GARY SANDERS
of the State of Georgia and County of Fayette of the second part,
WITNESSETH: That the said part Y of the first part, for and in consideration of the sum of
TEN & NO/100 (\$10.00) DOLLARS & OTHER VALUABLE CONSIDERATIONS
to him paid at and before the making and delivery of these premises, the receipt whereof is hereby acknowledged in 2 granted,
bargained, sold and conveyed and by these presents do sell grant, bargain, sell and convey unto the said part Y of the second part,
themselves, their heirs and assigns, all that tract or parcel of land
being and being in Land Lots 121 and 122 of the 7th District, Fayette County, Georgia,
being Part of Property shown on Plat of Curtis R. Berwick Property, as per plat
recorded in Plat Book 5, page 179, Fayette County Records, and being more
particularly described as follows:

BEGINNING at an iron pin on the land lot line dividing Land Lots 121 and 122
a distance of 958 feet west from the intersection of Land Lots 121, 122, 103,
and 104; running thence south 01 degree 00 minutes east a distance of 509 feet
to the center line of Crabapple Lane; running thence south 87 degrees 15 minutes
west along the center line of Crabapple Lane a distance of 300 feet to a point;
running thence north 83 degrees 46 minutes west along the center line of Crabapple
Lane a distance of 100 feet to a point; running thence north 74 degrees 55 minutes
west along the center line of Crabapple Lane a distance of 200 feet to a point;
running thence north 80 degrees 45 minutes west along the center line of Crab-
apple Lane a distance of 87.4 feet to a point; running thence north 03 degrees
15 minutes east a distance of 433.3 feet to an iron pin on the land lot line
dividing Land Lots 121 and 122, said pin being 639 feet west along said land lot
line from the point of beginning; running thence north 03 degrees 15 minutes east
a distance of 282.5 feet to an iron pin; running thence north 89 degrees 00
minutes east a distance of 618 feet to an iron pin; running thence south 01
degree 00 minutes east a distance of 282 feet to an iron pin on the land lot
line dividing Land Lots 121 and 122 and the point of beginning; being improved
property having a house located thereon; as shown on survey prepared by Claude
Eric Lee, Registered Land Surveyor, dated March 17, 1970.

FAYETTE COUNTY, GEORGIA
RECORDED IN BOOK 692
AND
DATE 1-14-82
W. D. Ballard
CLERK OF FAYETTE COUNTY

GEORGIA, FAYETTE COUNTY
Filed and Recorded this 14 day
of Jan. 19 82 10:30 A.M.
Book 692 Page 633
W. D. Ballard Clerk

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the
same being, belonging or in any wise appertaining, to the only proper use, benefit and behoof of the said part ies of the second part,
themselves, their heirs and assigns, forever, IN FREE SIMPLE.
And the said part Y of the first part, for himself, his heirs, executors
and administrators will warrant and forever defend the right to the above described property unto the said part ies of the second part,
themselves, their heirs and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said part Y of the first part do hereunto set his hand and official
his seal, the day and year above written.

Signed, sealed and delivered in the
presence of:

Richard G. Parks
Notary Public, Georgia, State of Large
My Commission Expires 12-31-82

Richard G. Parks (SEAL)
RICHARD G. PARKS

(SEAL)

BOOK 692 PAGE 633

REASON FOR PROPOSED ZONING

The front of the Cash/Sanders property is zoned R-43. The Kedron Hills lots across the street are zoned R-43. All other Kedron Hills lots are zoned R-22.

This proposal is to zone the rear or northernmost portion of the Cash/Sanders property to R-43.

R-43 is requested to allow the owners to be able to market the property for sale in lot sizes consistent with the other portion of the property and the Kedron Hills lots across Greenwood Lane, but larger than all other Kedron Hills lots in the neighborhood, which are R-22. In its current shape and size the property has not been accepted as suitable for purchase for the purpose of building a single family home. Advice from the Agent of Land Group Atlanta is that this change to R-43 will allow for the property to be successfully marketed for sale. The property has been listed with this broker since April 2003.

The owners respectfully suggest that R-43 zoning is an appropriate step-down zoning from the ER zoning of the property of the adjacent Hughes property to the North, to the ER zoning of the Care property to the East and the EI zoning of the Braelinn Baptist Church property to the West. R-43 zoning matches the R-42 (one acre residential) zoning of the Maher property to the East in Tyrone.

ZONING CLASSIFICATIONS ON OR ADJACENT TO THE PROPERTY

The property for which the zoning request is submitted- ER

The Hughes property to the North- ER

The Braelinn Baptist Church property to the West within Tyrone- EI

The Stephen property to the Southwest- ER

The Care property to the East- ER

The Maher property to the Northeast in Tyrone- R-42 (one acre residential)

The Cash/Sanders property to the South- R-43

RESIDENTS WITHIN 200 FEET OF THE PROPERTY BOUNDARY

Braelinn Baptist Church
777 Robinson Road
Peachtree City, GA 30269

Jim and Gloria Stephan
307 Greenwood Lane
Peachtree City, GA 30269

James and Denise Care
263 Greenwood Lane
Peachtree City, GA 30269

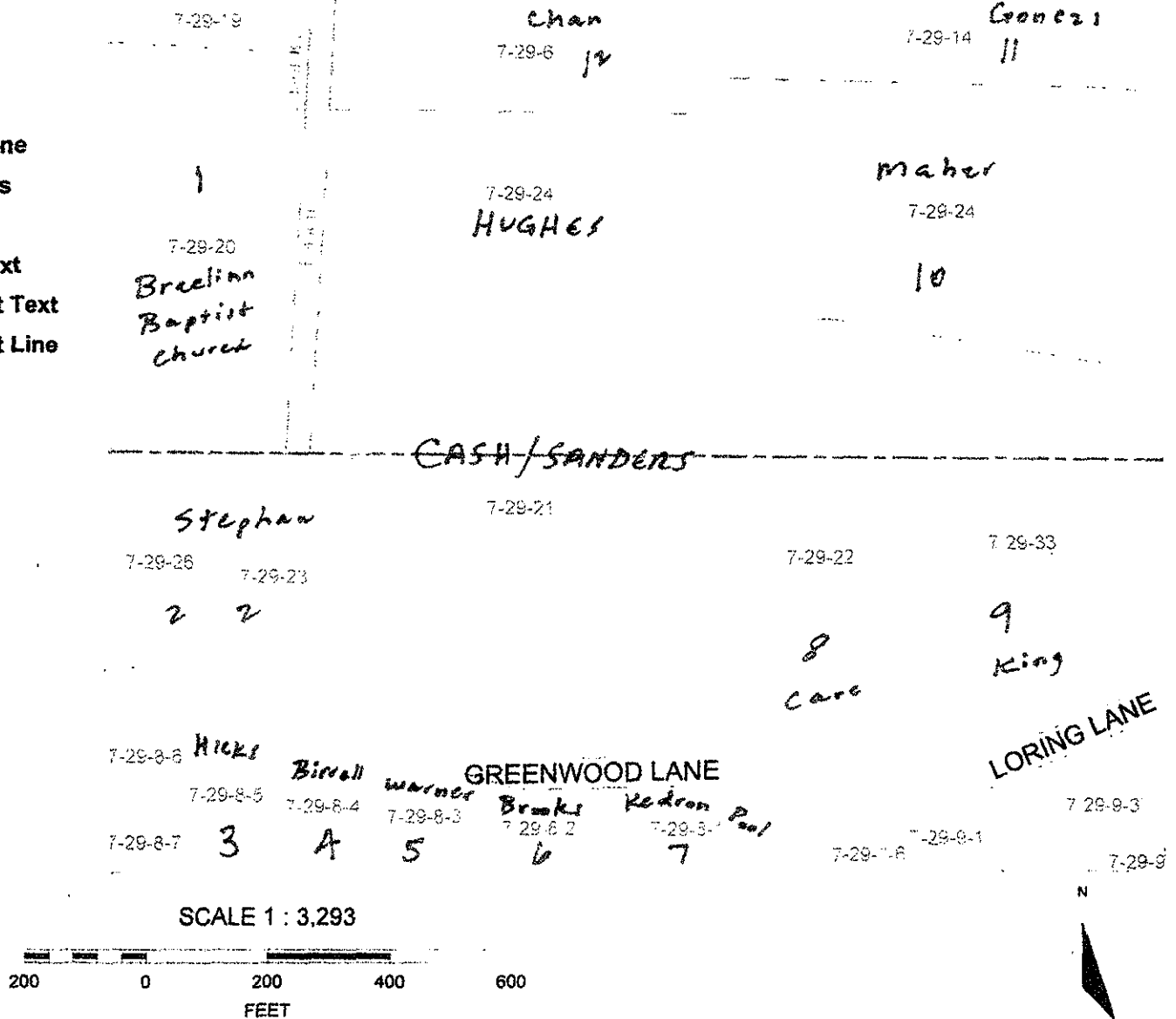
Mary Baker Maher
195 Crabapple Lane
Peachtree City GA 30269

James and Rebecca Hughes
265 Greenwood Lane
Peachtree City, GA 30269

[illegible]

Fayette County

- Bridge
- Lakes
- Streams
- County Line
- City Limits
- Railroad
- Roads-Text
- Easement Text
- Easement Line
- Legal Lot
- Parcel



ANALYSIS

The Property:

The parcel in this zoning request is 4.034 acres, zoned ER and is adjacent to 7.36 acres that are zoned R-43. The parcel is rectangular in shape and is approximately one acre deep and 4 acres wide.

The Land:

The land is gently rolling, like Kedron Hills. It is mostly in overgrown pasture, but has some woods of young pines in the East side of the parcel, two mid-size oak trees and several young oak trees on the West side of the parcel. There are no creeks, flood plains or wetlands on the property.

There is one small shed building that extends several feet into the property from the adjacent portion that is zoned R43.

Utilities:

Public water, natural gas and telephone service are available to the adjacent properties but do not directly serve the parcel in question.

Access:

There are no streets, roads or driveways leading to the property.

Police / Fire / Emergency:

Emergency services are provided to all adjacent properties by services of Peachtree City. The parcel in question can be accessed from Greenwood Lane through the adjacent Cash Sanders property.

Major natural, geographic and cultural features on or near the property:

None.

Public Facilities:

A swim pool is located on the south side of Greenwood Lane and serves the residents of the Kedron Hills Subdivision.

Impact on Peachtree City:

It is anticipated that there will be no immediate impact on the city. In the future, if the property is divided and sold under the proposed zoning of R-43, with the development of four homes, minimal impact is anticipated on public education, police and fire protection services, emergency medical services, transportation facilities and traffic flow, utilities, environmental protection or recreation services. There is no anticipation of an adverse impact on the overall development plan of the city.

Site Plan:

There is none at this time as there is no development plan, plan for a change of use or plan for construction on the property at this time. There are no drives or parking areas.

There are no landscape areas or retention areas. The only structure on the property to be considered is a portion of a kennel and shed that lies partly on the property to the south that is zoned R-43.

7-29-6

SPECIMEN TREES

7-29-24

4.034 ac.

7-29-21

7-29-22

7-29-23

GREENWOOD LANE

7-29-8-4

7-29-8-2

7-29-8

64

MINUTES (2 sets)
Annexation of Greenwood Lane Properties

3/18/99

03-99-07 Public Hearing - Annexation and (Re-)Zoning - Greenwood Lane

Mayor Lenox read the rules for conducting a public hearing. He asked first to hear from Jim Williams, Director Developmental Services, who explained that annexation and zoning requests had been received as follows:

James D. Hughes requested annexation and zoning of 3.705 acres immediately north of the Sanders' property on Greenwood Lane. It was currently in the town of Tyrone; and, if annexed as requested, it would be zoned ER Estate Residential.

Mr. & Mrs. Harry Sanders requested annexation & zoning of 3.9 acres that is currently outside the City, and the rezoning of a tract of about 7.6 acres that is within the City. Both tracts, totaling about 11.5 acres, are contiguous. They are located on the north side of Greenwood Lane. If annexed, the 3.9-acre tract would be zoned ER Estate Residential. If rezoned, the 7.6-acre tract would be R-43 Residential.

James D. Care had requested annexation & zoning of 1.3 acres that is currently outside the City, and the rezoning of a tract of about 4.1 acres that is within the City. Both tracts, totaling about 5.4 acres, were contiguous and located at 263 Greenwood Lane. The tract currently within the City was zoned AR Agricultural and the proposed zoning for both tracts was ER Estate Residential.

Mr. & Mrs. John King also requested annexation & zoning of 2.7 acres that was currently outside the City, and rezoning of a tract of about 4.6 acres that was within the City. Both tracts, totaling about 7.3 acres, were contiguous and located at the northwest corner of Loring Lane and Crabapple Lane (East). The tract currently within the City was zoned AR Agricultural and the proposed zoning for both tracts was ER Estate Residential.

He explained the four citizens requested the annexation/zoning because access from their properties was from Greenwood Lane, a public street that was located within the City limits of Peachtree City. They felt the situation caused problems with mail delivery and emergency services. Williams said the Town of Tyrone had already agreed to de-annex the property.

Hearing no one else to speak in favor of the annexation/zoning, Lenox asked to hear from those opposed to the issue. Mr. Stefan, owner of property adjacent to the Sanders property and previously owned by Mr. Drummond, was concerned as to how the proposed rezoning might affect his property. He said his property was zoned AR and he had no intentions to ask for a rezoning. He said AR zoning allowed certain uses on his property, but that those uses could be restricted if it were adjacent to a different zoning. Lenox said the proposed rezoning should not affect his property in any way.

Hearing no one else speak in opposition to the annexation/zoning, Lenox called the hearing to a close and opened the floor for Council debate. Lenox made a motion to forward a resolution prepared by the City Attorney agreeing to annex and zone the proposed property after Tyrone's deannexation was final, as follows:

1. Hughes - annexation/zoning 3.705 acres to ER
2. Sanders - annexation/zoning 3.9 acres to ER & re-zone 7.6 acres from AR to R-43
3. Care - annexation/zoning 1.3 acres to ER & re-zone 4.1 acres from AR to ER
4. King - annexation/zoning 2.7 acres to ER & re-zone 4.6 acres from AR to ER

He also moved that the annexation/zoning public hearing would be tabled until an unspecified date. Brooks seconded the motion. Motion carried unanimously. (A copy of resolution shall be attached and made a part of these minutes, herein.)

6/17/99

03-99-07 Public Hearing - Annexation & (Re)Zoning - Greenwood Lane

McMenamin called the public hearing to order. Jim Williams addressed Council and explained that on March 18, 1999, Council heard requests from the Hughes, Sanders, Care, and King families to annex property into the City and rezone other adjoining property that was already located in the City. At that time, Council agreed to annex the property after Tyrone acted to de-annex it, and Council tabled the matter until final action could be taken. Williams said that all administrative steps had been completed, and the Tyrone Council had scheduled a public hearing to decide on the de-annexation requests to become effective on July 1, 1999.

Williams recommended that a proposed annexation ordinance be adopted and the following actions be taken:

1. Annex the Hughes Tract consisting of 3.7 acres and zone it ER Estate Residential.
2. Annex the Sanders Tract consisting of 3.9 acres and zone it ER Estate Residential.
3. Rezone the portion of the Sanders Tract within Peachtree City, consisting of 7.6 acres, from AR Agricultural to R-43 Residential.
4. Annex the Care Tract consisting of 1.3 acres and zone it ER Estate Residential.
5. Rezone the portion of the Care Tract within Peachtree City, consisting of 4.1 acres, from AR Agricultural to ER Estate Residential.
6. Annex the King Tract consisting of 2.7 acres and zone it ER Estate Residential.
7. Rezone the portion of the King Tract within Peachtree City, consisting of 4.6 acres, from AR Agricultural to ER Estate Residential.

Williams recommended that the above annexations and rezonings become effective on July 1, 1999, to correspond with the de-annexation action of the Tyrone Council.

Phyllis Aguayo spoke in favor of the rezoning/annexation and said she was pleased that the zoning would be R-43 and ER.

Hearing no one else to speak in favor of the annexation/zoning, McMenamin asked to hear from those wishing to speak in opposition. Hearing none, McMenamin called the hearing to a close and opened the floor for council debate.

Brooks made a motion to adopt the annexation ordinance and zone the property as described by Mr. Williams. Pace seconded the motion. Motion carried unanimously.

**MINUTES
TYRONE TOWN COUNCIL
JUNE 17, 1999**

The Tyrone Town Council held their regularly scheduled meeting on Thursday, June 17, 1999 at Town Hall. Mayor Sheryl Lee called the meeting to order at 7:30 PM.

PRESENT: Mayor Lee, Council members Lisa Richardson, Ronnie Cannon, Ray Bogenschutz, and Paul Letourneau; Town Manager Barry Amos, Town Attorney John Mrosek, Town Clerk Valerie Fowler, and Police Chief Roger Spencer.

Father Holleran of St. Matthews Catholic Church gave the invocation which was followed by the pledge.

Mayor and Council presented service pins to the following employees: Kathy Bright – 10 years; Tammie Brock – 11 years; Virginia Cook – 10 years; Valerie Fowler – 11 years; and Sybyl Stanek 13 years.

PUBLIC COMMENTS – None

PUBLIC HEARING ON SIMS REZONING – Mr. Amos explained that the adoption of the June 1997 Zoning Ordinance had rendered the uses at the Sims property located at the southwest corner of Castlewood Road and Senoia Road, non-conforming. He stated this rezoning had been initiated by Council in order to bring this property into conformance with the Land Use Map as well as the Zoning Ordinance. He reported Planning Commission and Staff recommended approval. As there was no one present to speak either in favor, or opposition, Mayor Lee closed the Public Hearing. Councilman Cannon stated the Town had created this hardship by virtue of the adoption of the new ordinance, and was now instituting the rezoning and waiving all fees in order to bring this property into compliance. He stated that the property was zoned C-1, but by Council rezoning to C-2 it would expand the allowable uses at that location. **Motion was made by Councilman Bogenschutz to approve rezoning of the southwest corner of Senoia Road and Castlewood Road from C-1 to C-2, seconded by Councilman Cannon and was unanimously approved. ORD # 371.**

PUBLIC HEARING ON LAND USE MAP AMENDMENT AND REZONING FILED BY S.M. BISHOP – Mayor Lee stated that no recommendation was made by the Planning Commission and that body had continued this item pending receipt of additional information. As such, **motion was made by Councilman Letourneau to continue this item to the July 18th meeting, seconded by Councilwoman Richardson and was unanimously approved.**

PUBLIC HEARING ON DE-ANNEXATION REQUEST OF CERTAIN CRABAPPLE LANE RESIDENTS – Mr. Mrosek stated that this petition had been around since November of last year and it had been hoped the issue would have been addressed by the legislature in their recent session. He stated that four property owners made these requests for de-annexation on Crabapple Lane which were within a subdivision where the remainder of the lots within the subdivision were wholly within the corporate limits of Peachtree City. Mr. Mrosek stated the requests were made based upon service delivery concerns. He stated that the ordinance presented would de-annex property on Crabapple owned by Mr. and Mrs. James D. Care - 263 Greenwood Lane, Mr. and Mrs. John King - 101 Greenblade Point, Mr. and Mrs. Harry Sanders - 287 Greenwood Lane, and Mr. and Mrs. James Hughes - 265 Greenwood Lane, contingent upon simultaneous annexation into Peachtree City to be effective at 12:01 AM on July 1, 1999. Mr. Mrosek stated that he had received correspondence from the legislative counsel indicating this method of de-annexation could be utilized in lieu of action by the General Assembly. With no one present to speak either in favor, or opposition to the matter, Mr. Amos gave a reading of the proposed ordinance. **Motion was made by Councilman Letourneau to approve the de-annexation of properties on Crabapple Lane contingent upon the simultaneous annexation by Peachtree City. This motion was seconded by Councilwoman Richardson and was unanimously approved. ORD. # 372**

ADOPTION OF GENERAL FUND AND CAPITAL IMPROVEMENT BUDGETS FOR FISCAL YEAR 1999-2000 – Mr. Amos presented an overview of the budgets, pointing out a significant increase over the current budget. He stated the majority of the increase was attributable to capital improvements, and enumerated the capital improvements projected within the budget. He stated that of these capital improvements, \$180,000 had been allocated for land acquisition, and should the budget be adopted, the Mayor will appoint a Land Acquisition Committee. Mr. Amos reported this was a balanced budget, however it had been balanced with the reserve fund, which reduced the amount of reserve by returning it to the citizens through capital improvement projects. He stated, however, the Town's reserve fund was still within the State recommended guidelines. There being no discussion, **motion was made by Councilman Letourneau to approve the general fund and capital improvement budgets for fiscal year 1999-2000 as presented, seconded by Councilwoman Richardson and was unanimously approved.**

ADOPTION OF ORDINANCE ESTABLISHING FIVE YEAR VESTING FOR TOWN EMPLOYEES – Mr. Amos reported that federal law requires private sector employers to provide either five or seven year vesting. He stated that Fayetteville had gone to five year vesting. He also stated that Peachtree City had changed their vesting requirements to five years and that change would become effective October 1, 1999. Following a reading of the proposed ordinance by Mr. Amos, **motion was made by Councilwoman Richardson to approve the proposed ordinance as read, seconded by Councilman Bogenschutz and was unanimously approved. ORD. # 373.**

ADOPTION OF CONSENT AGENDA – Motion was made by Councilman Letourneau to adopt the Consent Agenda as presented, seconded by Councilwoman Richardson and was unanimously approved. Items approved:

- ❖ Minutes of meeting of 06/03/99
- ❖ Authorization to purchase mower from Sunbelt Outdoor Products at a cost of \$6,399
- ❖ Transfer of \$6,399 from 11-778 to 11-910
- ❖ Appointment of Weyman Maxon as Public Works Employee at Grade 11 Step 1
- ❖ Authorization for memory upgrade of server at a cost of approximately \$1,600

PUBLIC COMMENTS – None

STAFF COMMENTS – Mr. Amos reported the summer reading program was very well received this year. He stated the Town received \$250 in funding for the program from Flint River Regional Library. Mr. Amos stated that CSX had installed the crossing arms at Senoia Road and Dogwood Trail. He reported he was awaiting the third bid for clearing work on Swanson Road and that the necessary pipe had already been delivered. Mr. Amos stated that the County would continue with the resurfacing of Tyrone Road in approximately two weeks, according to Zack Taylor of the County Road Department. He also stated that patching had begun on Brooks Drive. Librarian Sybil Stanek reported that the first summer reading program had an attendance of 153 and nearly three hundred children had enrolled in the summer program.

COUNCIL COMMENTS – Councilman Letoruneau expressed his gratitude for the thoughts and prayers received for his nephew.

There being no further business, motion to adjourn was made by Councilman Bogenschutz, seconded by Councilman Letourneau and was unanimously approved. 8:00 PM

Valerie C. Fowler, Town Clerk

STATE OF GEORGIA
TOWN OF TYRONE

ORDINANCE NO. 312

AN ORDINANCE TO DEANNEX CERTAIN PROPERTIES FROM THE TOWN OF TYRONE; TO PROVIDE FOR THE SIMULTANEOUS ANNEXATION BY THE CITY OF PEACHTREE CITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, James D. and Denise M. Care (263 Greenwood Lane, Peachtree City, Georgia 30269), James and Rebecca Hughes (265 Greenwood Lane, Peachtree City, Georgia 30269), John and Patricia King (101 Greenblade Point, Peachtree City, Georgia 30269) and Harry C. & Doris Sanders (287 Greenwood Lane, Peachtree City, Georgia 30269) (hereinafter collectively referred to as "Howeowners") have requested by written petition that their homes be totally deannexed from the Town of Tyrone for purposes of annexation into the City of Peachtree City; and

WHEREAS, it appears that certain public policy purposes would be served by the deannexation from Tyrone and the annexation into Peachtree City of these homes including, without limitation, the elimination of confusion with respect to public safety service requests; and

WHEREAS, the Legislative Counsel to the Georgia General Assembly has issued a written opinion indicating that the simultaneous enactment of ordinances by the Town of Tyrone and the City of Peachtree City, with the simultaneous effective date of July 1, 1999, will properly and legally complete the process of deannexation and annexation,

NOW, THEREFORE, the Mayor and Council of the Town of Tyrone, Georgia, hereby ordain that the Official Map for the Town of Tyrone, Georgia, be modified to deannex the following properties as shown on the attached Exhibit "A" and that this Ordinance have the full effect of law so as to ordain and authorize a deannexation of the following properties from the municipal limits of the Town of Tyrone as follows:

263 Greenwood Lane, Peachtree City, Georgia 30269

265 Greenwood Lane, Peachtree City, Georgia 30269

101 Greenblade Point, Peachtree City, Georgia 30269

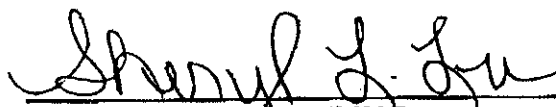
287 Greenwood Lane, Peachtree City, Georgia 30269

Effective at 12:01 a.m. on July 1, 1999, all of the property presently owned by Mr. & Mrs. James D. Care, Mr. & Mrs. John King, Mr. & Mrs. Harry Sanders, and Mr. & Mrs. James Hughes - all of which front on or are accessible from Greenwood Lane, Peachtree City and which are depicted on the attached Exhibit "A" (consisting of two [2] pages) shall be deannexed from the Town of Tyrone, the deannexation being expressly conditioned on the enactment of an ordinance by the City of Peachtree City providing for the annexation of the same properties into the municipal limits of the City of Peachtree City at 12:01 a.m. on July 1, 1999. This deannexation shall have no force and effect if the City of Peachtree City fails to timely enact a similar, simultaneous ordinance for annexation of the referenced properties.

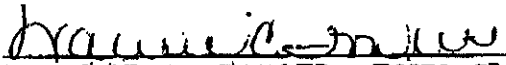
All Ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SO ORDAINED, this 1st day of June, 1999.

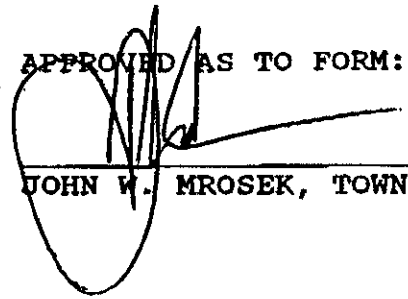
MAYOR AND COUNCIL
TOWN OF TYRONE

By: 
SHERYL L. LEE, MAYOR

ATTEST:


VALERIE C. FOWLER, TOWN CLERK

APPROVED AS TO FORM:


JOHN W. MROSEK, TOWN ATTORNEY

05-04-09

Gloria Reid

From: Steve Brown [stevebrownptc@ureach.com]
Sent: Thursday, May 20, 2004 2:53 AM
To: Gloria AAREid
Subject: Please Print



Greenwood
Properties.doc

Gloria,

Please give me a print copy of the attached. I need it for the Council meeting.

Thanks,
Steve B.

Get your own "800" number
Voicemail, fax, email, and a lot more
<http://www.ureach.com/reg/tag>

[illegible]

TRACT 2
7.403 ACRES

RICHARD SIMMS HOMES

land surveyors - planners
SUITE C 30289
103 WESTPARK DRIVE GEORGIA FAX 770-488-0486
PEACHTREE CITY

LAND LOTS 121 & 122	DATE OF SURVEY 10/2/02
7th DISTRICT	DATE OF ORIGIN 03/2/02
FAYETTE COUNTY, GA.	REF.
SCALE: 1" = 80'	JOB NO. 0403027

at Smith, Mo.: 1996
Community & March
October 1996

In my professional opinion, this property is worth the 100 year flood plain insurance rate. I am not aware of any other information that would affect this opinion.

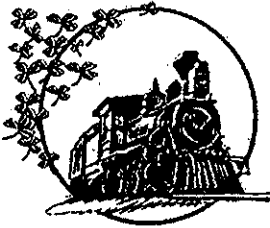
Attachr

[illegible]

This plot was prepared by name persons, the success-
ful persons or any undetected person by the success-
ful persons, persons to any undetected person, persons,
persons, persons, persons, persons, persons, persons,

The field data upon which this survey is based have been compiled for clarity, precision and brevity. They have been classified in accordance with the following criteria: (1) UNCLASSIFIED, (2) CONFIDENTIAL, and (3) SECRET. The field data are presented in this survey as bold print, and the analysis and conclusions are in regular print. The survey is divided into three parts: (1) UNCLASSIFIED, (2) CONFIDENTIAL, and (3) SECRET. The field data are presented in this survey as bold print, and the analysis and conclusions are in regular print. The survey is divided into three parts: (1) UNCLASSIFIED, (2) CONFIDENTIAL, and (3) SECRET.

KEDRON K-VI		PARKWAY EAST NEIGHBORHOOD			
	Tract	Existing Land Use	Proposed Land Use	Existing Zoning	Notes
1.000	North Peachtree Estates S/D, Phase I	SFL	SFL	R-43	
2.000	Parkway Estates S/D	SFL	SFL	R-43	
3.000	Stoneybrook S/D	SFL	SFL	R-43	
4.000	Stoneybrook Cove	OS	OS	OS	
5.000	Smokerise Cove	OS	OS	OS	
6.000	Smokerise Plantation S/D	SFL	SFL	R-43	
7.000	Smokerise Park	OS	REQ	R-43	Adjust Zoning to OS
8.000	North Hills S/D	SFL	SFL	R-43	
9.000	Kedron Hills S/D:				
9.001	Kedron Hills, Phase I	SFL	SFL	R-43	
9.002	Kedron Hills, Phase II	SFM	SFM	R-22	
10.000	Kedron Office Park:				
10.001	World Airways	OFF	OFF	OI	
10.002	Undeveloped	OFF	OFF	OI	
11.000	East Crabapple Residential Tracts:				
11.001	Thomas	SFL	SFL	AR	
11.002	Drummond	SFL	SFL	AR	
11.003	Sanders, Tract I	SFL	SFL	R-43	
11.004	Sanders, Tract II	SFL	SFL	ER	
11.005	Hughes	SFL	SFL	ER	
11.006	Care	SFL	SFL	ER	
11.007	King	SFL	SFL	ER	
12.000	Braelinn Church Tract	SFL	OS	R-43	Adjust Zoning to OS



Sheryl Lee
Mayor

Town of Tyrone

Incorporated 1911

February 10, 2005

Mr. Harry Sanders
1208 Davis Lake Road
Locust Grove, GA 30248

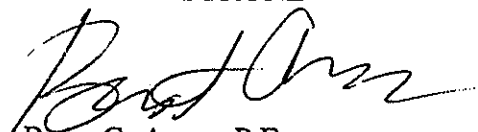
Dear Mr. Sanders:

I have received your letter concerning the potential rezoning of an 11.4-acre tract of property located in Peachtree City that was de-annexed from Tyrone in 1999. When the Town of Tyrone de-annexed this property the only stipulation placed by the Mayor and Council was a requirement for Peachtree City to annex the property. Any development of this property will be under the discretion and control of the City of Peachtree City. While the Town of Tyrone has no jurisdiction over this property we do wish to advise you that the Town has property located near this site that is zoned E-I and will be the future site of Braelinn Baptist Church. The Town has the remainder of the property in this area land use planned for residential use.

If you have any questions, please give me a call.

Sincerely,

TOWN OF TYRONE


Barry G. Amos, P.E.
Town Manager

Cc: Mayor and Town Council

Attachment "F"

Town Manager
Barry G. Amos

881 Senoia Road • Tyrone, GA 30290
Phone (770) 487-4038 • Fax (770) 487-4529
www.tyrone.org

Assistant Town Manager
Town Clerk
Valerie C. Fowler

**UNAPPROVED EXCERPT
FROM
PLANNING COMMISSION MEETING MINUTES
MARCH 14, 2005**

**PH-05-02 Proposed Rezoning, Sanders / Cash Tract (4.034 acres), Greenwood Lane,
ER to R-43.**

Mr. Harry Sanders and Ms. Doris Cash, the owners of the 11.437 acres of land immediately north of Greenwood Lane, were in attendance. Mr. Sanders addressed the Commission. He explained that the front portion of their property (7.403 acres) was zoned R-43 Residential and the rear portion (4.034 acres) was zoned ER Estate Residential. Mr. Sanders stated that he and Ms. Cash desired to rezone the rear portion of their property to R-43 Residential. The purpose of this rezoning was to create a single tract of land with one zoning classification for the development of a subdivision of one-acre lots. Because the property was not currently zoned for this type of development, they were requesting that it be rezoned to an appropriate classification.

Mr. Sanders gave a brief history of the property and stated that it had been de-annexed from the Town of Tyrone in 1999 as ER. At that time, a request to rezone the other seven acres of their property to R-43 was approved to match what existed across the street in the Kedron Hills Subdivision.

Mr. Sanders further explained that the property had been advertised for sale informally from 1999 to April 2003 and with a realtor since that time. Numerous potential buyers had considered purchasing the land but had refused to buy unless all of the land was zoned the same, R-43. None of the potential buyers was interested in purchasing only the tract zoned ER because it would be land locked without access to the public street or public utilities. He reiterated that in its physical position and with the ER zoning, the property was not marketable.

Mr. Sanders stated that he understood the perceived need for step-down zoning when approaching the city limit line and explained how this need was met by the zoning classifications of the adjoining properties both within Peachtree City and the Town of Tyrone. He also noted that the proposed zoning was consistent with the Land Use Plan and had long been designated as one-acre residential. He stated that he had supporting correspondence from members of the community including Mr. Bill Kessler, the president of the Kedron Hills Community Association.

Mr. Rast presented the position of City Staff on this proposed rezoning and provided additional information regarding the history of this property. He stated that the difference between this proposed rezoning and the previous request was that Mr. Sanders and Ms. Cash were only proposing to rezone their property which would leave a buffer of property zoned ER Estate Residential (in Peachtree City) or Educational Institutional (in Tyrone).

Mr. Rast stated that when the previous rezoning request was discussed with City Council, members of Council felt there had been an agreement between the City Council of Peachtree City and the City Council of Tyrone that this property would not be rezoned. However, Mr. Rast

noted that he had spoken to both the Town Manager and the City Clerk in Tyrone and this was not their recollection. In reviewing the minutes of the meetings, there was also no written reference to any type of agreement that these parcels should never be rezoned. Tyrone's position was that the property was within Peachtree City and could be zoned however the City wished.

Mr. Rast said the position of City Staff was that the land should be rezoned as it was consistent with the Land Use Plan. He pointed out that the policies of the land use section of the Land Use Plan specifically stated that the Plan encouraged residential development that would become less dense as you moved away from the village center. He said that was what this proposal would do. Staff's position was that there was no recorded evidence of any type of agreement between the municipalities, it was consistent with the other lots in this portion of Kedron Hills, and should be recommended to City Council for approval.

No one else spoke in favor of the proposed rezoning.

Mr. Russ Walter, a resident of the Kedron Hills Subdivision, wanted to modify a couple of the statements that had been made by Mr. Sanders. He noted that the letter to which Mr. Sanders referred was provided for a previous rezoning request. He said he had spoken to Mr. Kessler about the letter, and he indicated it was no longer valid and, if another rezoning was proposed, the request would have to go back before the Board. Mr. Walter added that Mr. Kessler was not aware that another request had been made to rezone the property.

In addition, Mr. Walter was concerned about the ripple effect that would be created if this property were rezoned. He noted that he and many other residents of Kedron Hills were concerned about changing the zoning in this area where the pool and central community area were located and the effect it would have on traffic, which was already congested.

Mr. Payton asked Mr. Walter whether this property was accessible from anywhere besides Kedron Hills Subdivision. Mr. Rast stated that a dedicated road would have to be provided to this property because only two houses could have access from a private driveway. It was also noted that the net result of rezoning this property would be four houses. Because of the road that would need to be provided, there probably would not be 11 houses on the entire 11-acre parcel.

Mr. Paul Fink, another resident of Kedron Hills Subdivision, stated that he was on the Kedron Hills Board last year and had not been contacted about the previous rezoning request nor the letter Mr. Sanders had from Mr. Kessler. He also was concerned about the increased traffic across the street from the pool if this property were rezoned. Mr. Fink also thought rezoning this property would increase the likelihood of other properties in the area being rezoned. He added that the one road leading out of Kedron Hills Subdivision currently served almost 200 houses.

Ms. Kim Daniel, who worked with Re/Max Around Atlanta Results and VK Daniel Custom Homes, stated that the land was not necessarily land locked. She noted that depending on the price of the property, all 11 acres of land could be purchased. The four acres could be used for one large lot, and the front seven acres could be smaller lots. She said it could be accessible and made into a subdivision without being rezoned to one-acre properties.

Mr. Payton stated that he thought the concept of providing access to this land from Greenwood Lane was presented to City Council last year and was denied even though the Planning Commission recommended it be approved.

No one else spoke in opposition to the proposed rezoning.

Mr. Richard Simms, a home builder in Peachtree City, stated that he wanted to be sure there was not an accidental misrepresentation of the letter from Mr. Kessler and the Kedron Hills Board. He stated that the correspondence was actually e-mails and letters of almost one year ago between Mr. Kessler and Mr. Simms and Mr. Kessler and Mr. Rast wherein Mr. Kessler indicated there was no opposition in Kedron Hills to this rezoning. He added that the homeowners that were contiguous with this property were unanimously in favor of the rezoning.

Mr. Fink wanted the record to reflect that when Mr. Simms said he spoke to Bill Kessler, president of the Board, he was not talking to the president of the Board but to Bill Kessler, the homeowner. He added that there was not a formal letter from the Board president prior to the rezoning request last year nor was there a letter this year.

Mr. James Stephan, one of the owners of property adjacent to the property proposed for rezoning, stated for the record that their property was actually AR Agricultural Reserve not ER. He added that they had addressed both the Planning Commission and the City Council last year and stated that they had no objection to the proposed rezoning, and they still had no objections to the proposal.

Mr. James Hughes, another adjacent property owner, also stated that they had no objection to the proposed rezoning. He added that they actually would like their property to be included in Mr. Simms' development, which would be a very nice upscale subdivision. He thought the development would actually help the Kedron Hills Subdivision and did not think traffic would be significantly impacted by the construction of 10 houses.

Mr. Simms stated that he had some correspondence from the property owners across the street from this property. He said he had recently left messages for the two property owners directly across the street to confirm that they still had no objections to the proposed rezoning but had not heard anything from them. He added that he had spoken to Mr. Kessler that day, and he said he was not aware of any new opposition to the proposal. Mr. Simms also said that Mr. Kessler had gone to great lengths to compliment him on his being forthright about informing the neighborhood about his proposals. He noted that they could establish without doubt that the people directly around the property proposed for rezoning were in favor of the rezoning.

Mr. Fink emphasized that he and other members of the Board were not contacted about this proposal and knew nothing about it. He noted that whatever letter Mr. Simms had was not from the Kedron Hills Board but was from Bill Kessler, the homeowner.

The Chairman closed the public portion of the public hearing.

Mr. Rast provided the Commissioners a copy of the letter from Mr. Kessler to which reference had been made. Mr. Payton noted that it clearly indicated that Mr. Kessler was representing himself as the president of the Board. Mr. Rast noted that Mr. Kessler stated at that time that he had met with Mr. Simms and the property owners on Greenwood Lane and that he had not heard from any other homeowners regarding this development. The letter stated that the Board was not opposed to the development and was signed by Bill Kessler, President, Kedron Hills Community Association.

There was considerable discussion about the size and zoning of the parcels adjacent to this property and the possibility of other property owners requesting their properties be rezoned as well.

In response to a question from Mr. Mullin, Mr. Rast explained that the theory behind step-down zoning was that as you moved away from the established village centers, the zoning stepped down or became less dense.

After discussion, a motion was made by Mr. Green, seconded by Mr. Scott, and unanimously adopted to forward the proposed rezoning of the Sanders/Cash tract to City Council with a recommendation that the proposed rezoning to R-43 Residential be approved subject to the following understandings and conditions:

- 1. A boundary survey of the entire Sanders/ Cash tract must be submitted to Staff for review and recorded at the Fayette County Tax Assessor's office. This plat must show that both parcels of land are combined into one parcel.*
- 2. Subdivision and/ or development of the subject property shall proceed through the regular concept plat review process.*
- 3. A minimum 30' undisturbed buffer shall be maintained along the perimeter of the overall Sanders/ Cash tract to provide buffering between potential development and the adjoining property owners. This buffer should be shown on all plats submitted for review and recorded with the final plat for the overall subdivision.*
- 4. As a part of the concept plat review process, the developer shall prepare and submit architectural guidelines and restrictive covenants for the property to ensure the homes are consistent with those within the adjoining Kedron Hills subdivision. This document must be reviewed by City Staff and the Planning Commission Representative and must be recorded with the Fayette County Tax Assessor once approved.*
- 5. The developer shall be responsible for paying the Kedron Service Area impact fee in addition to the above additional project costs at the time of final plat approval.*

Mr. Mullin was designated to be the Planning Commission representative. Mr. Rast stated that the public hearing before City Council was scheduled for April 7, 2005; and he suggested that Mr. Payton or Mr. Mullin attend that meeting.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

FROM: City Planner/ Zoning Administrator *David*

VIA: City Manager
Developmental Services Director *lws*

DATE: April 13, 2005

SUBJECT: Sanders-Cash rezoning request
Response from Kedron Hills Board of Directors

Subsequent to the decision by the Planning Commission to recommend that the proposed rezoning of the Sanders-Cash tract be approved, the Kedron Hills Board of Directors met to discuss the rezoning. It had been reported at the Planning Commission meeting that the Board of Directors was in favor of the proposed rezoning, which resulted in several comments from residents of the subdivisions and former members of the Board of Directors (refer to Attachment "G" of rezoning packet).

Attached is a copy of an e-mail from Mr. Bill Kessler with the results of their meeting on March 23, 2005.

Attachment

David Rast

From: Bill Kessler [4kessler@bellsouth.net]
Sent: Sunday, April 03, 2005 2:31 PM
To: planner@peachtree-city.org
Cc: paceslaker@mindspring.com; Curt MacBurnette; Bill Pritchett; Beth Pullias; Kevin Mathison; Bowmans
Subject: Rezoning Greenwood Lane

David,

The Kedron Hills Board of Directors had a meeting in late March and has changed its position on the Greenwood Rezoning. At the bottom of this email is the letter approved by the Board.

If you have any questions, please contact me at your earliest on my cell phone number - 678-471-8987. I have copied Richard Simms on this email as well.

Bill Kessler - President
Kedron Hills Community Assoc.

David Rast
Peachtree City Planning Commission

March 25, 2005

Dear Mr. Rast:

The Kedron Hills Community Association (KHCA) Board of Directors met on March 23, 2005. During the course of the meeting, significant concern was raised regarding the rezoning of the property adjacent to our recreational facility on Greenwood Lane. The following is a list of our major concerns:

1. Pool and Playground Safety- KHCA pool is open May-Sept, construction vehicle traffic and other construction activity in that area poses a hazard especially since we have many young children who frequent that area all summer long.
2. Fire and Rescue Equipment - 222 homes plus several private residences, must be served via a single entrance, the addition of more homes further increases our safety risk in the event of an emergency.
3. Home Access- Kedron Hills neighbors, especially in the immediate vicinity, will have increased difficulty safely getting to and from their homes, especially if and when there are utility tie ins, and work that involves blocking or digging up of our roads.
4. Future Development- If rezoning is granted in this case, it may pave the way for further rezoning which impacts Kedron Hills which we find completely unacceptable

For these reasons the KHCA Board of Directors is against any extra development and

4/4/2005

respectfully requests that the rezoning be denied.

If you have any questions please give me a call at 678-471-8987 or via email at 4kessler@bellsouth.net

Sincerely,

Bill Kessler -- President
Kedron Hills Community Assoc.

4/4/2005

POSITION PAPER

Proposed Variance: Lot 59, Rockspray subdivision

Scott J. Quamme

City Planner/ Zoning Administrator

April 13, 2005

David C. O'S

Situation:

Mr. Scott J. Quamme owns the property located at 205 Rockspray Ridge within the Rockspray subdivision. The lot is a corner lot, and the home was constructed facing Rockspray Ridge. Mr. Quamme's back yard is immediately adjacent to his neighbor and is in full view of the remaining four homes on Gray Plum. Mr. Quamme is in the process of landscaping his property, which will include the removal of several trees, installation of an underground drainage system and irrigation system, sodding the front and back yards and installing plant material on both sides of the proposed fence.

Because the subject parcel has frontage on both Rockspray Ridge and Gray Plum, it is classified as a multiple frontage lot. This designation stipulates that the minimum front building setback be applied to the portion of the property that abuts both streets. In essence, the front building setback (40') is measured from the right-of-way of both Rockspray Ridge and Gray Plum.

The Applicant desires to install a six-foot (6') tall privacy fence fifteen feet from the property line of Gray Plum to enclose his back yard. Because the City's Fence Ordinance prohibits the installation of fences taller than four feet in height within the front building setback, the Applicant is requesting a variance in order to install the fence as desired adjacent to Gray Plum (Attachment "A").

Facts:

1. The subject parcel is zoned R-12 Residential. Section 1001.4 (g) of the City's Zoning Ordinance stipulates that the minimum front building setback within this zoning district shall be no less than 40' (Attachment "B").
2. Because the subject parcel has frontage on both Rockspray Ridge and Gray Plum, it is classified as a multiple frontage lot. Section 905, Multiple frontage lots, of the City's Zoning Ordinance states: "Any lot having a property line adjacent to more than one public street right-of-way or private street shall be deemed a multiple frontage lot. Any rear or side setback that also fronts on a public street right-of-

Proposed Variance: Lot 59, Rockspray subdivision

April 13, 2005

Page 2

way or private street shall have a setback depth equal to the minimum front setback depth specified for the appropriate zoning district." (Attachment "C").

3. The City's Fence Ordinance identifies specific requirements for fencing within residential subdivisions. Section 18-341(e) states: "No fence in excess of four feet in height shall be installed within the required setback area that abuts a street right-of-way. In addition, no fence in excess of four feet in height shall be installed within a residential front yard." (Attachment "D").
4. The City's Fence Ordinance also defines parameters as to what types of fencing would be permitted within the required setback area. Section 18-341 (f) states: "No fence installed in a residential front yard shall be constructed of any material that restricts the view through the fence by more than 50 percent of the total barrier as viewed from the street." (Attachment "D").
5. It is our understanding the home had a four-foot high picket fence surrounding the entire back yard when Mr. Quamme purchased the home. The Applicant indicated he removed the fence because it was in a state of disrepair and he planned to replace the fence.
6. Mr. Quamme applied for and received a Building Permit on March 2, 2005, to construct a four foot high fence extending from his home to the right-of-way of Gray Plum, then extending along the right-of-way to the cul-de-sac and turning at the rear property line and transitioning into a six foot high fence at the required front building setback (40' from the right-of-way). A representative from the Rockspray Homeowner's Association also approved this fence (Attachment "E").
7. Mr. Quamme then requested that he be allowed to construct a six-foot high privacy fence around his entire backyard, which was denied by the Building Official (Attachment "F").
8. Mr. Quamme then submitted a Request for Variance asking that he be allowed to construct the six-foot high privacy fence instead of the four-foot high fence originally approved.
9. Mr. Quamme has provided a detailed report justifying the requested variance. Specifically, the report was prepared in response to the criteria used by City Council when making a determination on a variance request (Attachment "G").

Proposed Variance: Lot 59, Rockspray subdivision

April 13, 2005

Page 3

Recommendation:

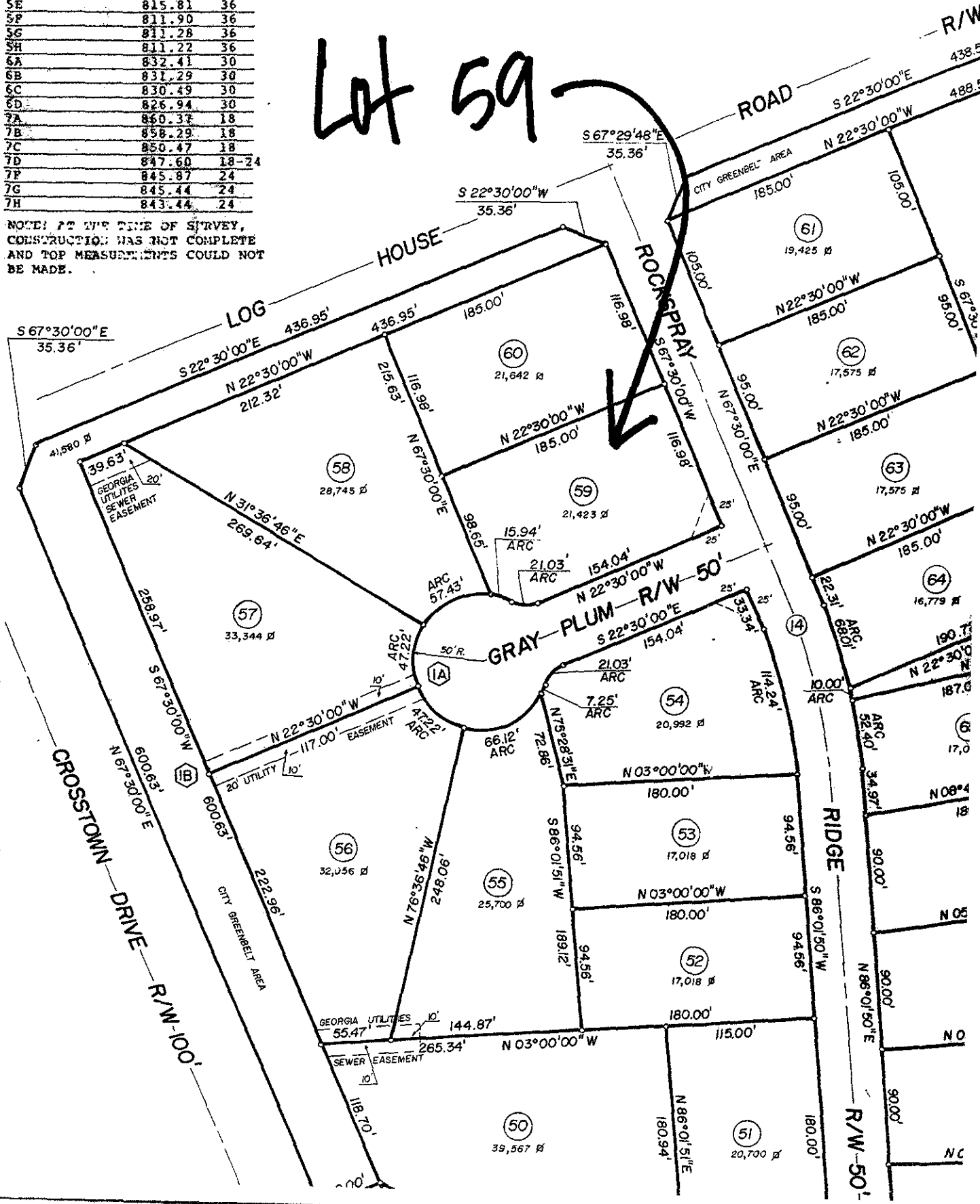
City Staff recommends that the variance not be approved. Although the Applicant has provided a detailed analysis as to why the variance should be granted, the fact is the residential section of the City's Fence Ordinance was written to protect adjoining property owners and the public from views of unsightly privacy fences along residential streets and thoroughfares. While the Applicant may be burdened somewhat by the placement of his home on the property, there are numerous parcels with similar circumstances throughout the City that have installed fences or other means of privacy screening without the need for a variance. It could also be argued that granting this variance would set a precedent and would make it difficult to deny similar requests in the future.

Attachments "A" – "G"

2A	850.93	18
2B	849.48	18
2C	847.45	18
2D	836.95	18
3A	838.11	18
3B	837.51	18
3C	829.85	18
4A	826.93	18
4B	826.50	18
4C	809.66	18
5A	822.95	30
5B	822.41	30
5C	822.01	30
5D	821.42	30
5E	815.81	36
5F	811.90	36
5G	811.28	36
5H	811.22	36
6A	832.41	30
6B	831.29	30
6C	830.49	30
6D	826.94	30
7A	860.37	18
7B	858.29	18
7C	850.47	18
7D	847.60	18-24
7F	845.87	24
7G	845.44	24
7H	843.44	24

NOTE: AT THE TIME OF SURVEY, CONSTRUCTION WAS NOT COMPLETE AND TOP MEASUREMENTS COULD NOT BE MADE.

Lot 59



**REQUEST FOR VARIANCE
ZONING ORDINANCE, CITY OF PEACHTREE CITY**

This is a request for a variance from the requirements of the Peachtree City Zoning Ordinance for the property located at: 205 ROCKSPRAY RIDGE

The reason this variance is being requested is as follows: SEE ATTACHED

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

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

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

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

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

Name: (Please type or Print) SCOTT J. PLAMME

Address: 205 ROCKSPRAY RIDGE

Phone: 678 571-3513 , 770 487-9750

Signature: [Signature]

This request, along with the required fee and all necessary supplemental documents, has been properly submitted and is hereby accepted for consideration by the City Council at a public hearing in the City Council Chambers at 7:00 PM on the date shown below:

Signature: David E. Rost V-2005-01

Title: City Planner / Zoning Administrator

Date of Acceptance: 03-21-05

Date of Public Hearing: 04-21-05

07/01/01

Attachment "A"

SCOTT J. QUAMME

205 Rockspray Ridge
Peachtree City Georgia 30269
HM (770) 487-9750
Mobile (678) 571-3519

March 21, 2005

To Whom it May Concern,

I am requesting a variance to the city ordinances for fencing on my property at 205 Rockspray Ridge (lot 59). I would like to install a privacy fence in my backyard. I wish to encroach into the setback requirements for corner lots (treated as two front yards with setback requirements of 40 feet from property line). I'd like to build a six foot high **privacy** fence that would be no closer than fifteen feet from the curb of Gray Plum . This would give my family and neighbors some much needed privacy and added safety without violating the intent (18-337) of the Fencing regulations. In fact, this variance request actually helps my proposed fence comply with the intent of the ordinance because of the unusual layout of my property (trees, slope etc) and my neighbors property (Health, Welfare and Safety). In order to construct a fence that would enhance the look and value of the property in the area (not just merely comply with ordinances). I propose to build a fence 10-12 feet offset from my rear property line. This addresses "line of sight" issues and corrects a poorly planned lot layout (approved by city planning years ago). I would be giving my adjoining neighbor in the rear of my property, in essence the use and enjoyment of 10-12 feet of my property. I have plans to landscape both inside and outside the fenced area, creating a "park like" area.

The reasons for my request, et al are as follows:

1. Special Circumstances, Safety, Health & Welfare: Two thefts have taken place in the past 3 years at my home (this does not include many other thefts that have taken place in the neighborhood. A privacy fence would prevent easy access and a eyeball view of my backyard from the street (out of sight, out of mind).
2. Special Circumstances, Safety Health & Welfare: My children will have a place to play without being in, or being seen from the street. My wife and I have three young children, it would be a blessing to "turn them loose" in the backyard without worry.
3. Special Circumstances, Safety, Health and Welfare: The dogs my family are hoping to get would easily be able to jump a four foot high fence. Even less controllable, children (and thieves) in the neighborhood would be able to easily see into and jump over a four foot picket fence into my back yard ...

4. Special Circumstances, Unusual Property Layout: A group of oak trees would be within the boundaries of the fenced area so my children can enjoy the rope swings that are on the trees. The trees are just inside of the code setback requirements. If I have to build to code...the trees will be outside the fenced area of my back yard. The slope of my property is also an issue with regard to the average grade issues not properly addressed by the code. Also, my backyard is in the front yard of the four homes on Gray Plum. One of the property "pins" is literally in my neighbors front yard. It should be noted that only four homes exist on Gray Plum...this fence would only affect the line of sight of one of these properties (see reason #5).

5. Special Circumstances, Property Value, My neighbors in the rear of my property will gain approximately 10-12 X 98.65 feet of property that will help his property "make sense" aesthetically. This should address any line of sight issues with regard to his view (or others) from his front yard (in which my property is located). This would, in effect, increase the width his front yard by more than 20%.

6. Special Circumstances, Property Value: The fence will correct aesthetic errors made by the builder (slab placement and grading of mine as well as neighbors property).

7. Special Circumstances, Health & Welfare: My family will have some privacy and my neighbors will not be forced to look at our backyard, directly from their front yards.

8. Financial Hardship, Health & Welfare, I will not have to correct a sprinkler system installation and grading to coincide with a fence that "meets code". More importantly, I will not be able to enjoy the use of my property. If I build a privacy fence to code, the use of my backyard will be basically "cut in half" and will look awkward. I have no idea what value could be placed on basically half my back yard, but certainly the value of my home as a whole would be diminished significantly. I have spent \$250.00 and a lot of my time in pursuit of permission to build a fence on my property. A financial hardship certainly will be realized if I have to pursue this issue further.

9. Common Sense: It just makes sense to approve this request. A fence can be built on this property that would comply with code...but it will look ridiculous and the reasoning for variance language in the City Code is for unusual properties such as the property I own. (If I built a fence to code based on the prior "approved" fence permit...the fence would be in my neighbors front yard!) I would much rather improve the look of Peachtree City than comply with a Code that's doesn't work sensibly with this property.

10. The et al portion of my reasons has to do with ownership/property rights and other issues that will hopefully not have to be addressed during this variance request process. All I want is permission to build a fence on "my" property. I have been told many times that requesting a variance is a waste of effort, time, and money (so far... I agree with the money portion). I'm certainly willing and able to pursue this matter by whatever legal means necessary to build a fence, that makes sense, on my property. I feel that it is my right as a property owner, so please consider thoughtfully what rights you may tread on if you deny my request. It is my estimation that this is a valid, reasonable request with little, if any reason for denial.

Requested Variance:

Scallop design and fence above 4 feet 18-341(e)
Privacy Fence 18-341(f)
Fence setback 18-341(e), Section 905, 18-340 (a, b, h), if applicable.
As well as any other conflicting City Ordinance (See proposed plan).

Following this request is a copy of the Ordinances involved, I have highlighted the points that I am seeking a variance. I pray for written approval of my variance request from the City. If it is not approved, I ask for a written copy specifying the basis for its denial.

Any interested party is welcome to visit my home, but please call before you come. My mobile phone number is 678.571.3513.

Thank You,


Scott J. Quamme

ARTICLE XIII. FENCING*

*Editor's note: Art. XIII was formerly numbered as Art. X.

Sec. 18-337. Intent.

This article is intended to promote the general health, safety and welfare of the residents of the city by regulating the height, location, design, construction and maintenance of fences within the city limits.

(Code 1980, § 5-171)

Sec. 18-338. Interpretations and definitions.

For purposes of administering this article, the following interpretations and definitions shall apply:

Words and terms not explicitly defined in this article shall have the meaning given by the zoning ordinance, appendix A to this Code.

Words and terms not explicitly defined in this article or in the zoning ordinance shall have the meaning given by common use and as defined in Webster's New Collegiate Dictionary.

Fence means any structure constructed or erected to provide a barrier, either physical or visual, for the purpose of protecting property, providing for security and privacy, and properly containing activities on the property.

Fence, height, means the vertical dimension from the natural ground level to the top of the fence measured at any point along the length of the fence.

Natural ground level means the level of the ground prior to any recent manmade changes in the elevation of the ground. For purposes of administering this article, "natural ground level" shall also include the level of the ground established on any site plan or landscape plan approved in accordance with the review process set forth in the land development ordinance, appendix B.

Yard, front, means that area bounded by a line along the front of the principal structure extended to intersect the side property lines; those side property lines; and the front property line. This area is usually identified by the placement of the primary driveway access and/or the placement of the street address assigned to the property in question.

(Code 1980, § 5-172)

Cross references: Definitions generally, § 1-2.

Sec. 18-339. Administration.

(a) Primary responsibility. The building official shall have the primary responsibility for administering this article.

(b) Permits. A building permit shall be required for the construction or alteration of any fence which is in excess of four feet in height. As a part of the permitting process, the building official shall review plans, issue permits, inspect installations, and in general

secure compliance with the requirements of this article. Whether or not a permit is required, all fences in the city must comply with the provisions of this article.

(c) Hazardous conditions. If the building official determines that a hazardous condition exists in the city, he may require the installation of a fence adequate to protect the safety of the general public. If such a fence is required, it must also comply with the appropriate standards for the area in which it is located.

(d) Temporary fence. The building official may permit the installation of a temporary fence at a construction site, if it is felt that the fence would be necessary to protect the public safety or would be necessary to provide proper security for the site. A temporary fence shall remain in place for no more than one year and must comply with the following conditions:

(1) In residential zoning districts, a temporary fence shall not exceed six feet in height if located within any setback area.

(2) In any commercial or industrial zoning district, a temporary fence shall not exceed eight feet in height if located within any setback area.

(3) No signs shall be attached to any temporary fence.

(e) Enforcement.

(1) The building official is responsible for the enforcement of this article.

(2) If a suspected violation is reported, it will be investigated by the code enforcement officer.

(3) If it is determined that a violation has occurred, the city shall notify the property owner of the violation as well as the steps that should be taken to correct the violation.

(4) If the property owner does not agree to take immediate action to correct the violation, the city shall take any action as provided by law, including the issuance of a citation, to promptly and properly correct the violation.

(5) A property owner may request a variance as provided in section 18-344.

(6) If a fence is legally existing at the time of the enactment of this article, it shall continue to be allowed to exist as a nonconforming use, but must still be properly maintained.

(7) If a nonconforming fence is substantially damaged or is allowed to fall into a state of disrepair, it shall be required to either be removed or brought into conformance with this article.

(8) No nonconforming fence shall be extended in any way except as permitted by this article.

(Code 1980, § 5-173)

Sec. 18-340. General standards.

~~(a) All fences built or erected within the city shall conform to the standards specified in this article; the standards in this article shall apply to all fences within the city.~~

~~(b) No fence in excess of four feet in height shall be installed within 40 feet of the right-of-way of an arterial street or a major collector street.~~

~~(c) For any zoning lot adjacent to a greenbelt that is required along a collector street, no fence in excess of four feet in height shall be installed within 35 feet of the right-of-way of that collector street.~~

~~(d) No privately owned fence shall be installed within any public street right-of-way or within any city-owned greenbelt area.~~

- (e) No fence shall be installed so that, in the opinion of the city engineer, it obstructs vision at any street intersection, or in any way creates a hazard to traffic.
 - (f) No fence shall be installed so that, in the opinion of the fire chief, it prevents or unduly restricts access to property for emergency purposes.
 - (g) If a fence is designed so that its structural supports are primarily on one side, that side must always be toward the interior of the property.
 - (h) Wire fencing may be attached to the interior of or made a part of any wooden, stone, brick, wrought iron, or other such non-wire-type fencing, where the other type fencing would not provide an adequate barrier to contain pets or animals. When so applied, the wire shall be vinyl coated or painted in a standard dark brown, dark green or black color. When used under these conditions, it shall not be considered a wire fence.
 - (i) If a fence is required by any governmental authority to provide for the safety and security of the residents of the city, that fence shall not be removed or otherwise left in an unsafe condition for any reason without the approval of the building official, and without proper precautions being taken to provide for continuous protection.
 - (j) It shall be the responsibility of the owner of the property on which a fence is located to maintain that fence in good and proper repair so that at all times it presents a neat and orderly appearance to surrounding property owners and to the general public.
 - (k) Any fence damaged by accident or an act of God shall be properly repaired within 90 days of occurrence. Fencing required for public safety purposes shall be repaired immediately.
 - (l) Swimming pool fences shall be constructed in accordance with the provisions of section 18-300.
 - ~~(m) In those instances where fence height is limited to four feet, other than in a front yard or within the required setback area that adjoins a street right-of-way, fences with decorative features such as newels, finials and scallops may exceed four feet in height but in no case more than five feet in height.~~
- (Code 1980, § 5-174(1))

Sec. 18-341. Residential standards.

- (a) The standards in this section shall apply to all fences in the following zoning districts: R-1, R-10, R-12, R-15, R-22, R-43, ER, GR, VR, UR, AR and OS.
- (b) No fence or portion of a fence shall exceed eight feet in height; however, if a property owner wishes to install a tennis court or some other similar special-purpose facility, a fence not to exceed ten feet in height may be erected on the condition the site plan for the special purpose facility is first approved in accordance with the site plan review process in the land development ordinance, appendix B to this Code.
- (c) Unless further restricted by this article, no fence within a required side or rear setback area shall exceed six feet in height; however, if due to variations in topography or if the fence contains decorative features such as newels, finials or scallops, it may exceed six feet in height, but in no case shall it exceed seven feet in height.
- (d) No fence comprised of metal parts shall be installed in a residential area unless all exposed metal parts are vinyl-coated or painted a standard dark brown, dark green or black color to blend into the natural surroundings.
- ~~(e) No fence in excess of four feet in height shall be installed within the required setback~~

area that adjoins a street right-of-way. In addition, no fence in excess of four feet in height shall be installed within a residential front yard.

(f) No fence installed in a residential front yard shall be constructed of any material that restricts the view through such fence by more than 50 percent of the total barrier as viewed from the street.

(g) Except as provided in subsection (h) of this section, no fence which is constructed of wire, including chain link fencing, shall be installed between the principal structure on a residential zoning lot and any adjoining street right-of-way.

(h) Except in ER estate residential, and AR agricultural zoning districts, no fence permitted in subsection (h) of this section shall be installed in a residential front yard.
(Code 1980, § 5-174(2))

Sec. 18-342. Commercial standards.

(a) The standards in this section shall apply to all fences in the following zoning districts: LC, GC, LUC, and OI.

(b) No fence or portion of a fence shall exceed eight feet in height, unless specifically approved in accordance with the site plan review process in the land development ordinance, appendix B to this Code; however, in no instance shall any fence exceed ten feet in height.

(c) No fence comprised of metal parts shall be installed in a commercial area unless all exposed metal parts are vinyl-coated or painted a standard dark brown, dark green or black color to blend into the natural surroundings.

(d) No fence which is constructed of wire, including chain link fencing, and no fence in excess of four feet in height shall be installed between the principal structure on a zoning lot and any adjoining street right-of-way line. On a zoning lot with multiple street frontages, this restriction shall apply on all street frontages. On a zoning lot with no principal building erected on the lot, this restriction shall apply to required setback areas that adjoin a street right-of-way.

(Code 1980, § 5-174(3))

Sec. 18-343. Industrial standards.

(a) The standards in this section shall apply to all fences in the following zoning districts: LI, FI, LUI, and AFI.

(b) No fence or portion of a fence shall exceed ten feet in height.

(c) No fence comprised of metal parts shall be installed in a front yard setback area unless all exposed metal parts are vinyl-coated or painted a standard dark brown, dark green or black color to blend into the natural landscape.

(d) No fence which is constructed of wire, including chainlink fencing, and no fence in excess of six feet in height shall be installed between the principal structure on a zoning lot and any adjoining street right-of-way line. On a zoning lot with multiple street frontages, this restriction shall apply on all street frontages. On a zoning lot with no principal building erected on the lot, this restriction shall apply to all required setback areas that adjoin a street right-of-way.

(Code 1980, § 5-174(4))

Sec. 18-344. Variances.

(a) The purpose of this section is to authorize variances from the terms of this article as will not be contrary to the public interest so that the spirit of this article shall be observed, public safety and welfare secured, and substantial justice done.

(b) An application for a variance may be submitted only by the owner of the property for which a variance is desired, or his authorized agent.

(c) Variance applications shall be filed with the city planner on forms provided by the city planner.

(d) Any communication relative to a variance request will be regarded as information only until a proper application is made in the form required.

(e) An application fee of \$50.00 must accompany each variance application.

(f) Upon receiving an application, the city planner shall schedule a public hearing on the request before the city council within 45 days after receipt.

(g) A sign displaying the hearing date and the nature of the hearing shall be placed in a conspicuous location on the property not less than 15 days prior to the hearing date.

(h) A notice of the public hearing date and the nature of the hearing shall be published in the newspaper of general circulation which serves as the legal organ for the city. The newspaper notice shall appear at least 15 days prior to the hearing date.

(i) At the public hearing before the city council, the applicant may appear in person or be represented by an agent or attorney.

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

(k) In making a determination on a variance request, the city council shall consider the following factors:

(1) Whether or not the special circumstances contributing to the request are peculiar to the particular property involved;

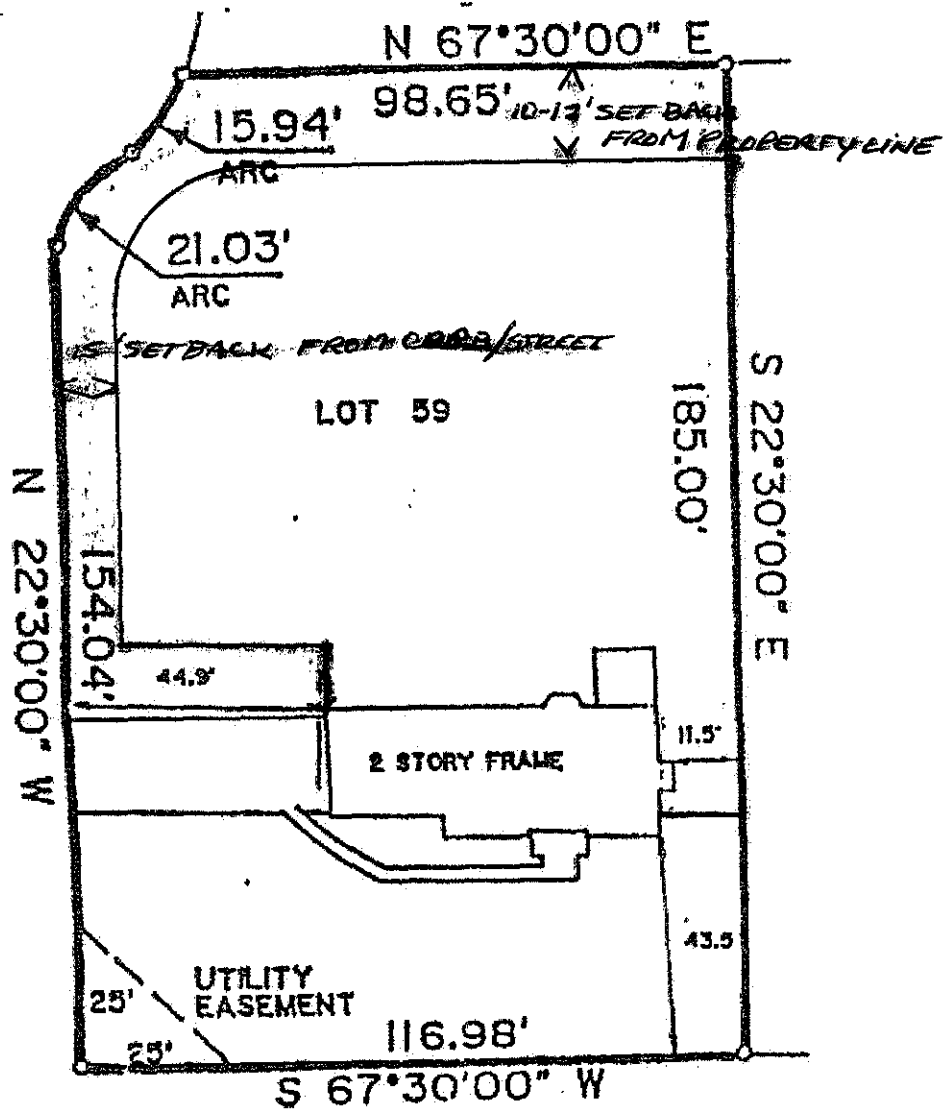
(2) Whether or not the situation for which the request is being made poses an unnecessary hardship for the applicant; and

(3) Whether or not the request is due to an intentional action of the applicant to violate the requirements of this article.

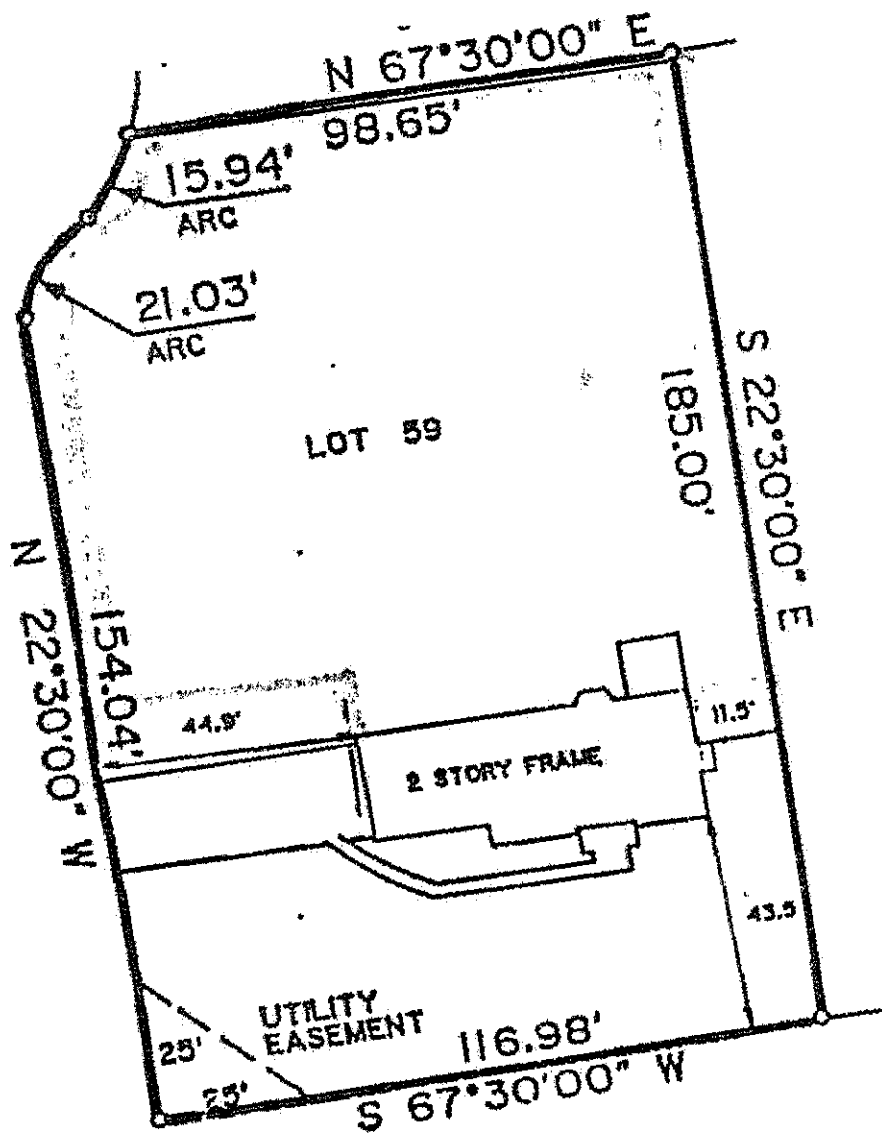
(Code 1980, § 5-175)

Secs. 18-345--18-375. Reserved.

Proposed 5.5-6.6' Privacy Fence



Previously approved fencing



(1001.4) *Other requirements:* Unless otherwise specified in this ordinance, uses permitted in R-10, R-12, R-15 and R-22 residential zoning districts shall conform to the following standards:

- (a) Minimum floor area per dwelling unit:
 - R-10: 1,000 square feet.
 - R-12: 1,200 square feet.
 - R-15: 1,400 square feet.
 - R-22: 1,600 square feet.
- (b) Minimum zoning lot area:
 - R-10: 10,000 square feet.
 - R-12: 12,000 square feet.
 - R-15: 15,000 square feet.
 - R-22: 22,000 square feet.
- (c) Minimum land area per dwelling unit:
 - R-10: 10,000 square feet.
 - R-12: 12,000 square feet.
 - R-15: 15,000 square feet.
 - R-22: 22,000 square feet.
- (d) Maximum dwelling units per net acre:
 - R-10: 4.36 units.
 - R-12: 3.63 units.
 - R-15: 2.90 units.
 - R-22: 1.98 units.
- (e) Minimum lot width:
 - R-10: 80 feet.
 - R-12: 85 feet.
 - R-15: 95 feet.
 - R-22: 120 feet.
- (f) Minimum lot width adjacent to existing or future public or private street right-of-way line:
 - (1) 40 feet on street.
 - (2) 35 feet on cul-de-sac.
- (g) Minimum front setback depth:

R-10: 30 feet.

_____ R-12: 40 feet.

R-15: 40 feet.

R-22: 50 feet.

(h) Minimum side setback depth:

R-10: 10 feet.

_____ R-12: 10 feet.

R-15: 10 feet; however, no two principal buildings on adjacent zoning lots shall be closer than 25 feet from each other.

R-22: 15 feet.

(i) Minimum rear setback depth:

R-10: 30 feet.

_____ R-12: 30 feet.

R-15: 30 feet.

R-22: 30 feet.

(j) Maximum building height: 35 feet.

(k) Parking: See section 909.

(l) Signs: See Peachtree City sign ordinance.

(Ord. No. 366, § 19, 5-22-1985; Ord. No. 394, 4-8-1986; Ord. No. 457, 3-17-1988)

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

Sec. 905. Multiple-frontage lots.

Any lot having a property line adjacent to more than one public street right-of-way or private street shall be deemed a multiple frontage lot. Any rear or side setback that also fronts on a public right-of-way or private street shall have a setback depth equal to the minimum front setback depth specified for the appropriate zoning district. (Ord. No. 366, § 17, 5-22-1985)

Sec. 18-341. Residential standards.

- (a) The standards in this section shall apply to all fences in the following zoning districts: R-1, R-10, R-12, R-15, R-22, R-43, ER, GR, VR, UR, AR and OS.
- (b) No fence or portion of a fence shall exceed eight feet in height; however, if a property owner wishes to install a tennis court or some other similar special-purpose facility, a fence not to exceed ten feet in height may be erected on the condition the site plan for the special purpose facility is first approved in accordance with the site plan review process in the land development ordinance, appendix B to this Code.
- (c) Unless further restricted by this article, no fence within a required side or rear setback area shall exceed six feet in height; however, if due to variations in topography or if the fence contains decorative features such as newels, finials or scallops, it may exceed six feet in height, but in no case shall it exceed seven feet in height.
- (d) No fence comprised of metal parts shall be installed in a residential area unless all exposed metal parts are vinyl-coated or painted a standard dark brown, dark green or black color to blend into the natural surroundings.
- (e) No fence in excess of four feet in height shall be installed within the required setback area that adjoins a street right-of-way. In addition, no fence in excess of four feet in height shall be installed within a residential front yard.
- (f) No fence installed in a residential front yard shall be constructed of any material that restricts the view through such fence by more than 50 percent of the total barrier as viewed from the street.
- (g) Except as provided in subsection (h) of this section, no fence which is constructed of wire, including chainlink fencing, shall be installed between the principal structure on a residential zoning lot and any adjoining street right-of-way.
- (h) Except in ER estate residential, and AR agricultural zoning districts, no fence permitted in subsection (h) of this section shall be installed in a residential front yard.

(Code 1980, § 5-174(2))

100 WILLOWBEND ROAD
Peachtree City, GA 30269
Phone (770) 487-8901
Inspection Request Line (770) 631-2588 Ext. 222

BUILDING PERMIT

PERMIT#: 050406

DATE APPLIED: 3/02/2005
PERMIT TYPE: RF

JOB ADDRESS: 205 ROCKSPRAY RIDGE
SUBDIVISION: ROCKSPRAY RIDGE

LOT: 59

ISSUED TO: SCOTT & CINDY QUAMME
ADDRESS: 205 ROCKSPRAY RIDGE
PEACHTREE CITY GA 30269

PHONE#: 770-487-9750

CONTRACTOR: SCOTT & CINDY QUAMME
ADDRESS: 205 ROCKSPRAY RIDGE
PEACHTREE CITY GA 30269

PHONE#:

*NOTE: ① all fence supports must
be located on interior side
of fence
② Final inspection required
③ Homeowner responsible
for verifying property
lines.*

WORK: 4' - 6' WOOD FENCE
BLDG USE:

HT SQ FT: 0.00
SQ FT:
STORIES:

MINIMUM SETBACKS
FRONT: 40
SIDE: 10
REAR: 30
CORNER:

ZONED:

VALUATION: \$ 5,000.00
FEES DUE: \$ 20.00
FEES PAID: \$ 0.00

VARIANCE GRANTED BY: _____ DATE: _____
CROSS PLAN APPROVED BY: _____ DATE: _____
APPROVED FOR ISSUANCE BY: Quamme (attached) Blatt DATE: 3-3-05
PLANS CHECKED BY: Quamme Blatt DATE: 3-2-05

***** NOTICE *****

THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS
NOT COMMENCED WITHIN 6 MONTHS OR IF CONSTRUCTION OR WORK IS SUSPENDED
OR ABANDONED FOR A PERIOD OF 6 MONTHS AT ANY TIME AFTER WORK IS STARTED
SEPARATE PERMITS ARE REQUIRED FOR ELECTRICAL, PLUMBING, HEATING,
FIREPLACE VENTILATION, AIR CONDITIONING.

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS DOCUMENT AND KNOW
THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES
GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED
HEREIN OR NOT. GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY
TO VIOLATE OR CANCEL THE PROVISIONS OF ANY OTHER STATE OR LOCAL LAW
REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION.

CONTRACTOR/OWNER SIGNATURE _____ DATE _____ BUILDING DEPT. REPRESENTATIVE _____ DATE _____

BUILDING PERMIT APPLICATION

Peachtree City Building Department

153 Willowbend Road

Peachtree City, GA 30269

PHONE: (770) 487-8901 FAX: (770) 631-2552

DATE: 03-02-2005

PERMIT #

05-406

☐ COMMERCIAL ☒ RESIDENTIAL CONSTRUCTION TYPE _____
☐ REPAIR ☐ ADDITION OCCUPANCY TYPE _____
☐ ACCESSORY USE ☐ EXTERIOR FINISH _____

FENCES: ☐ COMMERCIAL ☒ RESIDENTIAL ☐ POOL

FENCE HEIGHT 48" to 72" FENCE MATERIAL Wood

SUBDIVISION/PROJECT NAME:

ROCKSPRAY Ridge

BLOCK

LOT NUMBER

59

SITE ADDRESS:

205 ROCKSPRAY RIDGE

OWNER:

ADDRESS

PHONE NO. 74879750

FAX NO.

Scott & Cindy Quamme

678571-3513

CONTRACTOR:

ADDRESS

PHONE NO. 6785713513

FAX NO.

SELF

APPLICANT'S NAME: SCOTT Quamme

ARCHITECT/DESIGNER: SELF

ADDRESS

PHONE NO. 6785713513

HOMEOWNER ASSOCIATION APPROVAL: ☒ YES ☐ NO

☐ SEWER TAP APPROVAL ☐ SEPTIC SYSTEM APPROVAL ☐ WATER TAP APPROVAL

ZONED

SETBACKS:

PLAN NAME

PLAN ON FILE

FRONT 40 SIDE 10 REAR 30

YES ☐ NO ☐

NO. OF
STORIES

NO. OF
BATHS

BASEMENT

NO. OF
FIREPLACES

HEATED
SQ FT

TOTAL
SQ FT

EST. CONSTRUCTION
COST

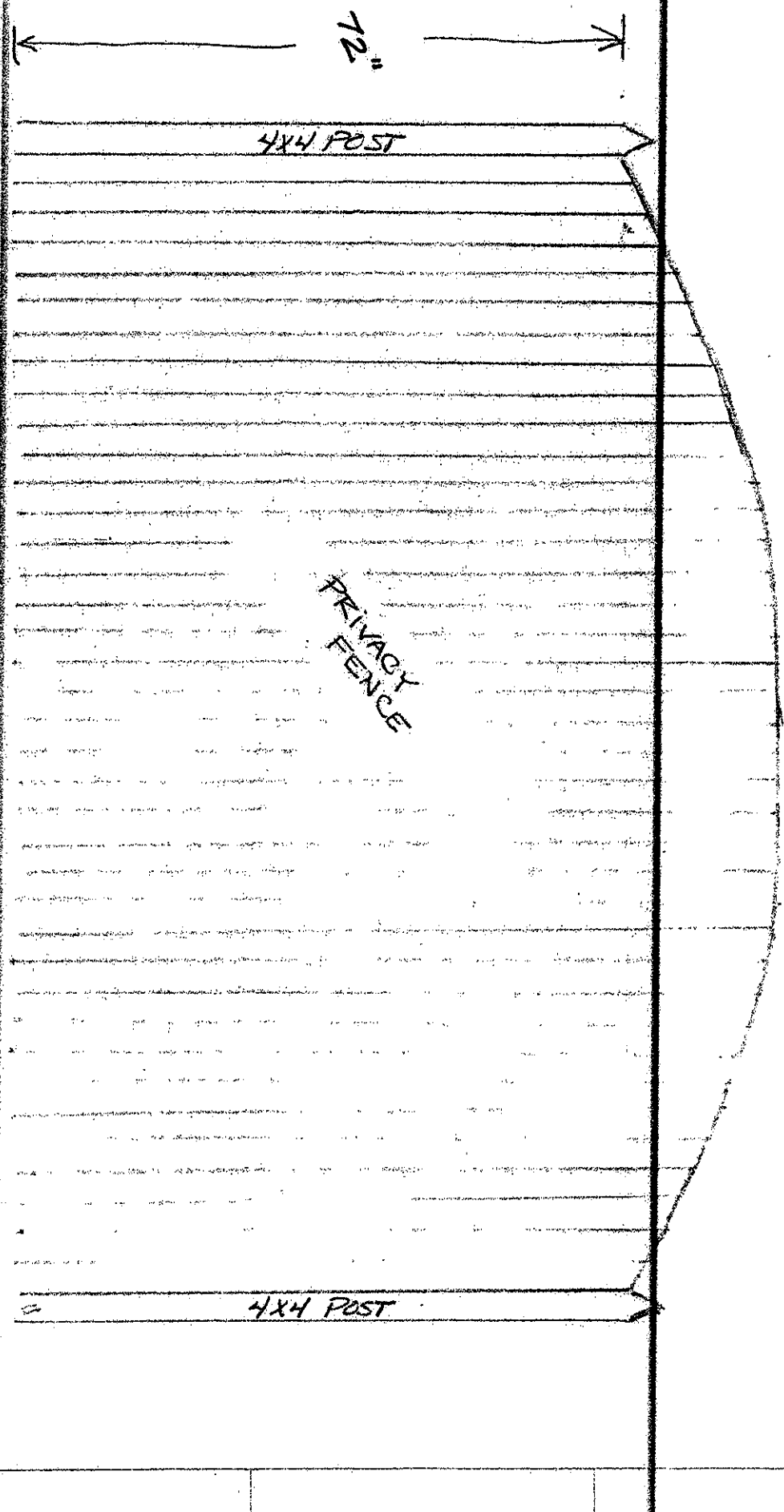
\$ 5000.00

DESCRIBE WORK: WOOD FENCE UTILIZING PT OR CEDAR.

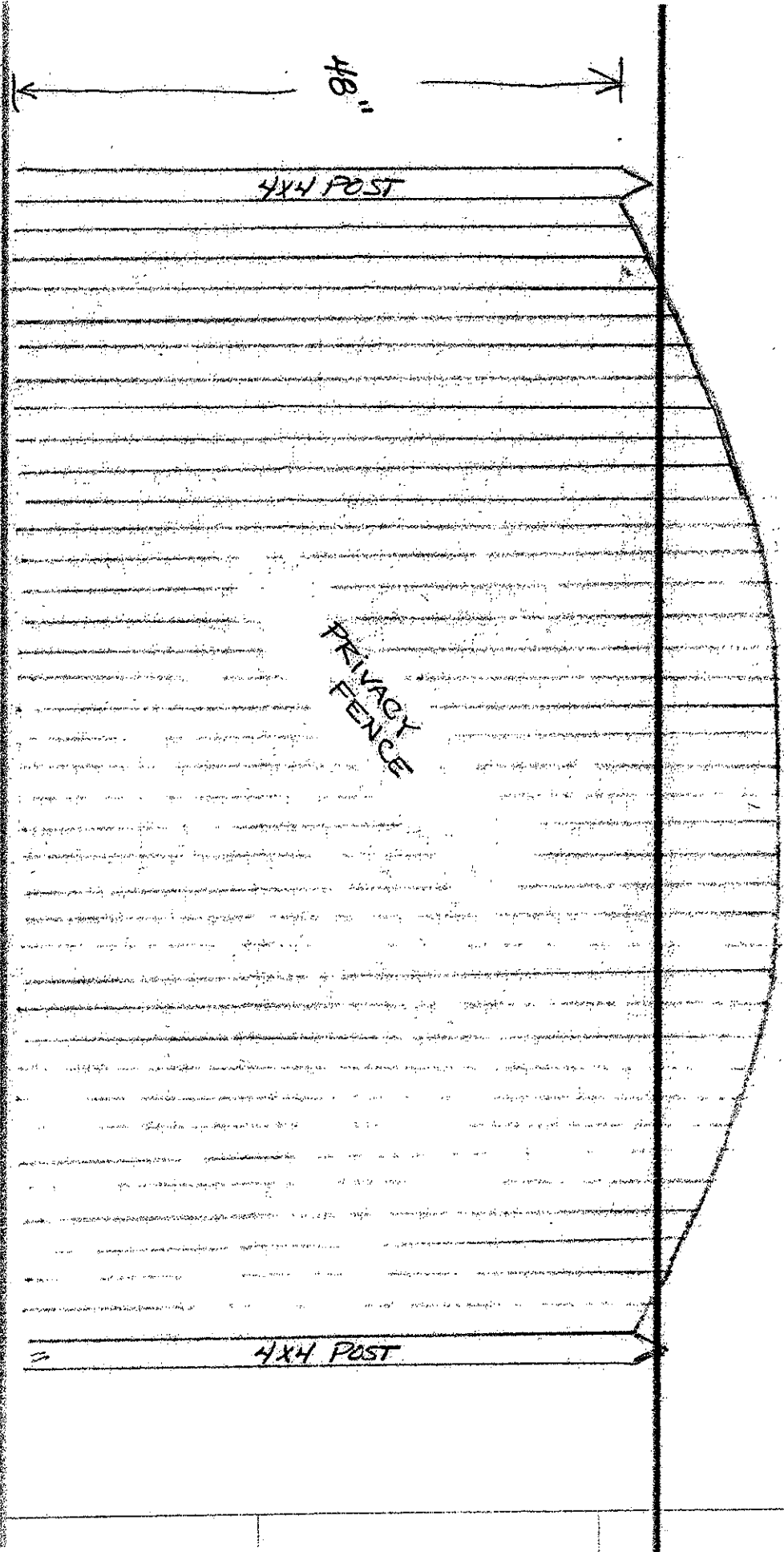
ALL POSTS TO BE CONCRETED INTO GROUND.

FINISH WILL BE STAIN, PAINT OR NATURAL.

ORANGE HIGH LIGHTED AREA OF PLAT DIAGRAM
 FENCE TO BE LOCATED 'ON' OR NEAR PROPERTY LINE
 IF DIAGRAM



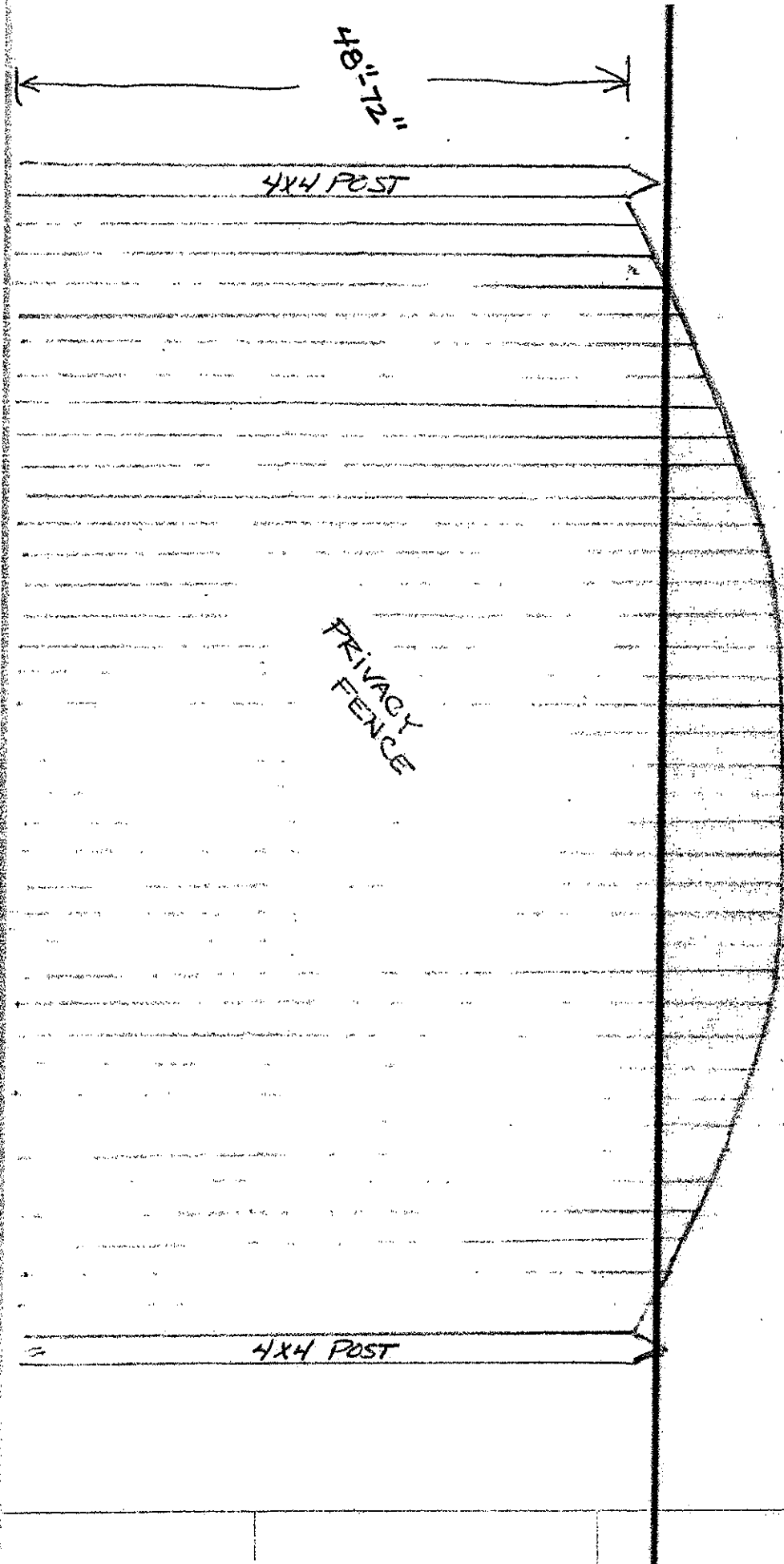
PRIVACY
 FENCE



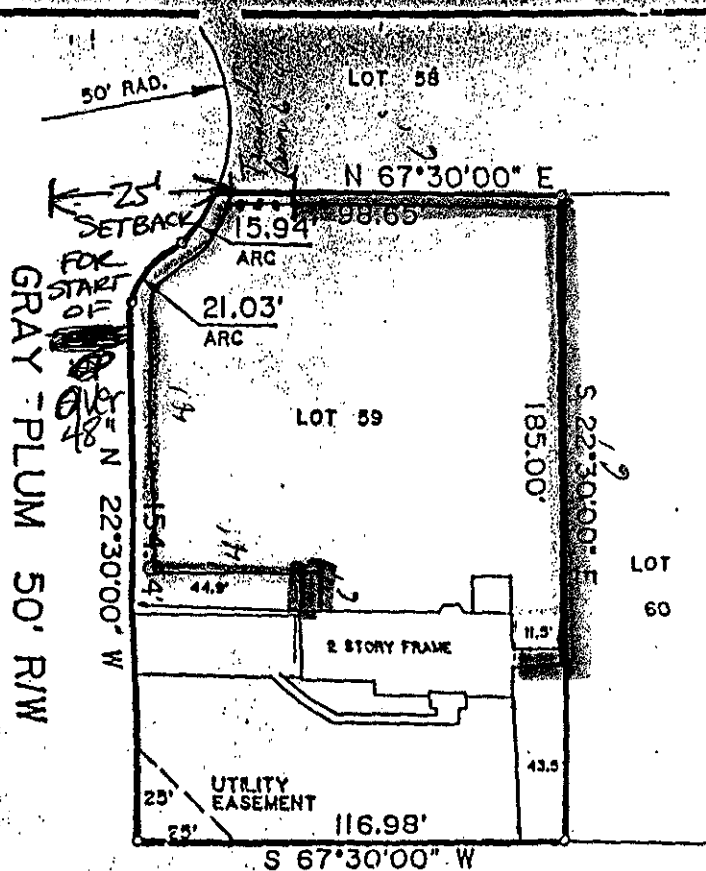
YELLOW HIGHLIGHTED AREA OF PLATE DIAGRAM
FENCE TO BE LOCATED 15' FROM CURB OF GRAY PLUM
IF DIAGRAM

22-141 50 SHEETS
 22-142 100 SHEETS
 22-144 200 SHEETS

RED DOTTED AREA OF DIAGRAM
 FENCE TO BE LOCATED "ON" OR NEAR PROPERTY LINE
 —••••• is DIAGRAM



AP 30013A



ROCKSPRAY RIDGE 50'R/W

BUILDING OFFICIAL
CITY OF PEACHTREE CITY



NOTE: HOUSE LOCATION BY
THIS OFFICE ONLY. BOUNDARY
DATA TAKEN FROM A PLAT
BY M.T. PERDUE DATED 6-3-85.

In my opinion, this property does not
lie within a flood hazard area.

This plat is a correct
representation of the land plotted and
has been prepared in conformity with
the minimum standards and require-
ments by law.

J. R. Wind
Member S. E. A. P. S. O. G.

PREPARED FOR:

K. NEAL MORRIS & BARBARA H. MORRIS

SUBDIVISION: ROCKSPRAY

LOT: 59	LAND LOT: 37	DATE: 8-26-85
BLOCK:	DISTRICT: 6 1h	REV: 2-6-86 10/28/86
SCALE: 1" = 40'	COUNTY: FAYETTE, GA	JOB NO: 85867

Locons consulting engineers • surveyors • planners

YAHOO! MAIL

Print - Close Window

From: "David Furey" <davidfurey@hotmail.com>
To: tbabb@ptcgovernment.org
CC: quammefamily@yahoo.com, mdrennen@ptcgovernment.org
Subject: 205 Rockspray Ridge - fence permit
Date: Tue, 01 Mar 2005 21:31:58 -0500

Tami -

The Rockspray Homeowners Association has approved the detailed plans for a fence permit at 205 Rockspray Ridge. Your office should be receiving the necessary paperwork from the homeowner within the next few days.

Regards,

David Furey
RHA

Tami Babb

From: David Furey [davidfurey@hotmail.com]
Sent: Tuesday, March 01, 2005 9:32 PM
To: Tami Babb
Cc: quammefamily@yahoo.com; Molly Drennen
Subject: 205 Rockspray Ridge - fence permit

Tami -

The Rockspray Homeowners Association has approved the detailed plans for a fence permit at 205 Rockspray Ridge. Your office should be receiving the necessary paperwork from the homeowner within the next few days.

Regards,

David Furey
RHA

March 14, 2005

Scott & Cindy Quamme
205 Rockspray Ridge
Peachtree City, GA 30269

Ref: Building Permit Application, 4-6' Wood Fence

Dear Scott & Cindy Quamme,

I have received and reviewed your permit application and set of plans dated March 2, 2005, to construct a wooden fence on your property at 205 Rockspray Ridge here in Peachtree City. The following items are in violation of our City Ordinance, Section 18-341 (3), (f) and Section 905, (attached):

- 1) The scallop design along Gray Plum exceeds (4) four feet in height. (ref. City Ordinance Section 18-341 (e))

(e) No fence in excess of four feet in height shall be installed within the required setback area that adjoins a street right-of-way. In addition, no fence in excess of four feet in height shall be installed within a residential front yard.

- 2) The "privacy" fence along Gray Plum is not permitted per City Ordinance 18-341 (f)

(f) No fence installed in a residential front yard shall be constructed of any material that restricts the view through such fence by more than 50 percent of the total barrier as viewed from the street.

- 3) The (6) six-foot fence adjacent to Lot 58 must not encroach into the (40) forty-foot setback area along Gray Plum. (ref. City Ordinance Section 18-341 (e) and Section 905)

Section 905. Multiple-frontage lots.

Any lot having a property line adjacent to more than one public street right-of-way or private street shall be deemed a multiple frontage lot. Any rear or side setback that also fronts on a public right-of-way or private street shall have a setback depth equal to the minimum front setback depth specified for the appropriate zoning district. (Ord. No. 366, § 17, 5-22-1985).

As previously mentioned during our recent phone conversation, I am available to visit your home if necessary as you revise the design of your proposed fence in order to comply with the Residential Standards for Fences according to our City Ordinance.

If you have any questions, or if I can be of any assistance to you, please do not hesitate to contact me at (770) 487-8901 ext. 1121. I look forward to working with you in the completion of this project.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Carty", with a stylized flourish at the end.

Thomas J. Carty
Building Official

cc: Plans Examiner
Code Enforcement
City Planner
Permit Specialist
Rockspray Home Owners Association

Sec. 18-341. Residential standards.

(a) The standards in this section shall apply to all fences in the following zoning districts: R-1, R-10, R-12, R-15, R-22, R-43, ER, GR, VR, UR, AR and OS.

(b) No fence or portion of a fence shall exceed eight feet in height; however, if a property owner wishes to install a tennis court or some other similar special-purpose facility, a fence not to exceed ten feet in height may be erected on the condition the site plan for the special purpose facility is first approved in accordance with the site plan review process in the land development ordinance, appendix B to this Code.

(c) Unless further restricted by this article, no fence within a required side or rear setback area shall exceed six feet in height; however, if due to variations in topography or if the fence contains decorative features such as newels, finials or scallops, it may exceed six feet in height, but in no case shall it exceed seven feet in height.

(d) No fence comprised of metal parts shall be installed in a residential area unless all exposed metal parts are vinyl-coated or painted a standard dark brown, dark green or black color to blend into the natural surroundings.

(e) No fence in excess of four feet in height shall be installed within the required setback area that adjoins a street right-of-way. In addition, no fence in excess of four feet in height shall be installed within a residential front yard.

(f) No fence installed in a residential front yard shall be constructed of any material that restricts the view through such fence by more than 50 percent of the total barrier as viewed from the street.

(g) Except as provided in subsection (h) of this section, no fence which is constructed of wire, including chainlink fencing, shall be installed between the principal structure on a residential zoning lot and any adjoining street right-of-way.

(h) Except in ER estate residential, and AR agricultural zoning districts, no fence permitted in subsection (h) of this section shall be installed in a residential front yard.
(Code 1980, § 5-174(2))

Sec. 18-342. Commercial standards.

(a) The standards in this section shall apply to all fences in the following zoning districts: LC, GC, LUC, and OI.

(b) No fence or portion of a fence shall exceed eight feet in height, unless specifically approved in accordance with the site plan review process in the land development ordinance, appendix B to this Code; however, in no instance shall any fence exceed ten feet in height.

(c) No fence comprised of metal parts shall be installed in a commercial area unless all exposed metal parts are vinyl-coated or painted a standard dark brown, dark green or black color to blend into the natural surroundings.

(1202.2) The purpose of this section is to authorize variances from the terms of this ordinance as will not be contrary to the public interest so that the spirit of this ordinance shall be observed, public safety and welfare secured, and substantial justice done.

An application for a variance may be submitted only by the owner of the property for which a variance is desired, or his authorized agent.

- (a) Variance applications shall be filed with the city planner on forms provided by the city planner.
- (b) Any communication relative to a variance request will be regarded as information only until a proper application is made in the form required.
- (c) An application fee of \$50.00 must accompany each variance application.
- (d) Upon receiving an application, the city planner shall schedule a public hearing on the request before the city council within 45 days after receipt.
- (e) A sign displaying the hearing date and the nature of the hearing shall be placed in a conspicuous location on the property not less than 15 days prior to the hearing date.
- (f) A notice of the public hearing date and the nature of the hearing shall be published in the newspaper of general circulation which serves as the legal organ for the city. The newspaper notice shall appear at least 15 days prior to the hearing date.
- (g) At the public hearing before the city council, the applicant may appear in person or be represented by an agent or attorney.
- (h) Variances from the provisions of this ordinance may be approved by the city council if it is determined that they will not cause substantial detriment to other parties or impair the purpose or intent of this ordinance; provided, however, that no variance can be granted for a use that is specifically prohibited by this ordinance within the zoning district in which the property is located.

In making a determination on a variance request, the city council shall consider the following factors:

- (1) Whether or not the special circumstances contributing to the request are peculiar to the particular property involved;
- (2) Whether or not the situation for which the request is being made poses an unnecessary hardship for the applicant; and
- (3) Whether or not the request is due to an intentional action of the applicant to violate the requirements of this ordinance. (Ord. No. 589, 11-19-1992; Ord. No. 618, 7-7-1994)

(1202.3) After due consideration of an application for special exception, the city council shall take such action or establish such reasonable conditions of approval as will accomplish the intent and purposes of this ordinance.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: City Manager
Assistant City Manager 

FROM: Administrative Services Director / City Clerk 

DATE: April 12, 2005

SUBJECT: Consider Animal Control Agreement
April 21, 2005 Council Agenda

Recommendation:

Consider approval of the attached Animal Control Agreement authorizing the County Animal Control Department to continue to provide animal control services within Peachtree City and a provision requiring cases made by County animal control officers to be prosecuted in State Court (attachment 1).

Discussion:

The City entered in to an agreement with Fayette County in 1980 (attachment 2) authorizing the County to provide animal control services within Peachtree City, and we have been operating under that agreement ever since. The new agreement provides for the County to continue to provide these services. An addendum to the agreement provides for all animal control cases made by employees of the County to be prosecuted in State Court instead of the Peachtree City Municipal Court as they currently are. Staff and the City Attorney have reviewed the agreement and addendum and have no problem with this change in venue. This change would in no way affect cases made by our Police Department. Their cases would continue to be heard in our municipal court unless a defendant requested bind over of a case to State Court. Should Council approve this new agreement and addendum, a change to the current City Animal Control Ordinance would be required. That change is addressed in the next agenda item.

Budget Impact:

Perhaps a slight decrease in revenue based on fines being paid to State Court.

/jsm

Attachments

STATE OF GEORGIA

COUNTY OF FAYETTE

ANIMAL CONTROL AGREEMENT

THIS AGREEMENT made and entered into this ____ day of _____, 2005,
by and between the County of Fayette, a political subdivision of the State of Georgia acting by
and through its duly elected Board of Commissioners, sometimes hereinafter referred to as
"County" and the City of Peachtree City, Georgia, a municipal corporation of the State of Georgia
acting by and through its duly elected Mayor and Council, sometimes hereinafter referred to as
"City".

W I T N E S S E T H:

WHEREAS, the County has determined that it is in the best interest of the health, safety
and general welfare of its citizens to control the activities of certain animals; and

WHEREAS, the County has created the Animal Control Department in its County
government for the purpose of controlling and preventing certain activities of said animals on or
about the streets and highways of the unincorporated portions of Fayette County; and

WHEREAS, the City has determined that it is also in the best interests of its citizens'
health, safety, and general welfare to control the activities of certain animals within the corporate
limits of the City; and

WHEREAS, the City has enacted as law an Animal Control Ordinance for the purpose of
controlling and preventing the activities of certain animals on or about the streets and highways
of the City, said Ordinance being the same or substantially the same as the Ordinance enacted by

the County; and

WHEREAS, the County and the City have determined that the citizens of both can best be served by the joint effort on the part of the County and the City to control the activities of said animals;

NOW, THEREFORE, for and in consideration of the mutual benefits exchanged under this Agreement, the receipt and sufficiency of which is hereby acknowledged, it is hereby agreed as follows:

RELATIONSHIPS

The County is hereby designated the agent of the City for purposes of enforcing the Fayette County Animal Control Ordinance pertaining to animal welfare, animal control, and investigation of the matters surrounding said subjects, hereinafter referred to as "Animal Control Ordinance" within the incorporated boundaries of City.

SERVICES AND CONSIDERATION

- I. In accordance with this Agreement, County shall hereafter:
 - a) Employ, train, and supervise all personnel necessary for performance of this Agreement.
 - b) Maintain an animal shelter and animal control office which shall be open to the public between 8:00 a.m. and 5:00 p.m. (Eastern Standard Time "E.S.T."), Monday through Friday, excluding holidays.
 - c) Be available, via pager service, at all times to render emergency service with regard to stray animals that are ill, and/or injured. However, availability subsequent to normal business hours (8:00 a.m. - 5:00 p.m. E.S.T.) shall be via

pager service.

- d) Provide all services necessary to enforce the Fayette County Animal Control Ordinance which is the same or substantially the same as the ordinance currently in place in the City. These services shall include but not be limited to the following:
 - i.) Provision of patrol and enforcement services within the corporate limits of City including animal control and cruelty investigation services.
 - ii.) Making staff available, at all time to respond to calls regarding vicious animals. After normal business hours (8:00 a.m. - 5:00 p.m. EST) availability shall be through pager service.
 - iii.) Provision of services relating to rabies control. Said services shall include investigation of reported animal bites, maintenance of a log of such bites, quarantine of animals that are rabid or suspected to be rabid, preparation and delivery of animals that are rabid or suspected to be rabid to the proper testing facility, and enforcement of vaccination rules and private quarantine specifications.
 - iv.) Issuance of citations to appear in a Court of appropriate jurisdiction for violations of the Animal Control Ordinance.
- e) Make its animal control employees available by appointment for public speaking and education in the area of animal control and welfare at City schools and at other City events, and encourage employee participation in these activities.
- f) Be actively involved in educating the public as to animal welfare and control as

well as public safety. Such activities may include, but are not limited to, distribution of literature, public speaking, and provision of information to individuals whom make requests concerning animal control and welfare.

- g) Maintain a current list of local shelters and trappers whom are capable of assisting citizens with issues involving wild, feral and nuisance animals for utilization and or when matter is outside the scope of County services. Said list will be made available for citizen use.
- h) Hold City, its employees, agents, and officials harmless from any suit or claim which arises from or is related to County performance of this Agreement.

II. In accordance with this Agreement, City shall hereafter:

- a) Allow County entry into the incorporated limits of the City for the purpose of County's provision of service under this Agreement.
- b) Encourage cooperation between citizens of the City and County employees, officials, and similar with regard to this Agreement and services rendered hereunder.
- c) Cooperate with County efforts to render all services under this Agreement.
- d) Hold County, its employees, agents, and officials harmless from any suit or claim which arises from or is related to City performance of this Agreement.

TERMINATION

- I. This Agreement may be terminated at will by either party upon ninety (90) days written notice to the other party.
- II. This Agreement may be terminated by a non-breaching party for material breach of the

provisions hereof upon thirty (30) days written notice by the nonbreaching party to the breaching party.

TERM

The County and the City further agree that the County may begin providing the services described herein immediately upon the execution of this Agreement and this Agreement shall terminate each year on the anniversary of the date of execution hereof. Thereafter, the Agreement shall automatically renew each year upon the annual anniversary of the execution of this Agreement unless either party gives the other written notice at least sixty (60) days prior to the termination date.

VENUE

Any dispute which may arise under or as a result of this Agreement and/or the performance hereof shall be resolved in a court of competent jurisdiction in Fayette County, Georgia.

ENTIRE AGREEMENT

This Agreement and all addendum hereto attached shall constitute the entire Agreement between the parties.

MODIFICATION

No modification or addition to this Agreement shall be binding upon any party hereto unless said modification or addition is evidenced in a writing executed by all parties hereto.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the date
first above written.

BOARD OF COMMISSIONERS
FAYETTE COUNTY, GEORGIA

(SEAL)

By: _____
Gregory M. Dunn, Chairman

Attest:

Deputy Clerk

CITY OF PEACHTREE CITY

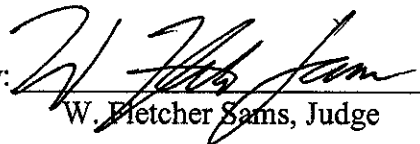
(SEAL)

By: _____
Steve Brown, Mayor

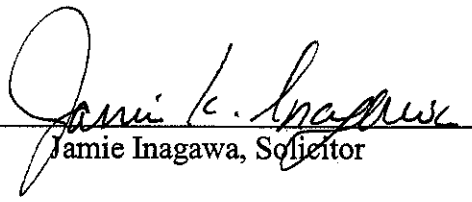
Attest:

City Clerk

STATE COURT OF FAYETTE COUNTY

By: 
W. Fletcher Sams, Judge

Attest:

By: 
Jamie Inagawa, Solicitor

ADDENDUM A

WHEREAS, the County has agreed to provide animal control services to the City in the foregoing Agreement executed _____ which this Addendum supplements and henceforth is referred to as "Agreement"; and

WHEREAS, County Animal Control employees must perform these services; and

WHEREAS, said employees must appear in court for prosecution of citations issued pursuant to the foregoing Agreement; and

WHEREAS, the County has determined it is in the best interest of the citizens of the County and of efficiency, that all such appearances should be in the State Court of Fayette County; and

WHEREAS, City agrees that such action is in the best interest of the citizens of the City;

NOW, THEREFORE, as an addendum to the foregoing Agreement and in consideration of mutual benefits heretofore exchanged, the receipt and sufficiency of which is hereby acknowledged, it is hereby additionally agreed, as follows:

1.

City hereby appoints the Solicitor for the State Court of Fayette County to prosecute all violators cited under the Agreement. City further agrees that any and all such prosecutions shall commence, proceed and for all purposes be adjudicated only in the State Court of Fayette County, Georgia.

2.

County hereby agrees that all citations issued as a result of this Agreement shall commence, proceed and for all purposes be adjudicated in the State Court of Fayette County,

Georgia.

City hereby agrees that all fines and any other fee(s) collected which are related to any adjudication of any citation issued pursuant to the Agreement and heard before the State Court of Fayette County, Georgia shall be remitted to the State Court of Fayette County. Said court shall thereafter remit these monies to the County of Fayette to defray the costs of animal control enforcement, animal control education, adjudication of animal control citations and similar services rendered pursuant to the Agreement.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals, with the express authorization of both the Judge and Solicitor of the State Court of Fayette County (as evidenced by the setting of said Judge's and said Solicitor's hands and seal below). This addendum shall be effective immediately from the date of execution by the parties hereto and the Judge and Solicitor of the State Court of Fayette County.

BOARD OF COMMISSIONERS
FAYETTE COUNTY, GEORGIA

(SEAL)

By: _____
Gregory M. Dunn, Chairman

Attest:

Deputy Clerk

CITY OF PEACHTREE CITY

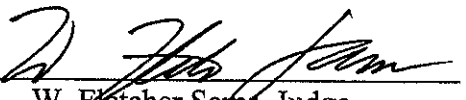
(SEAL)

By: _____
Steve Brown, Mayor

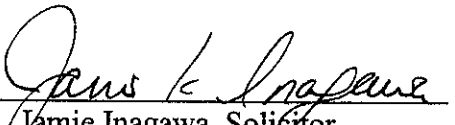
Attest:

City Clerk

STATE COURT OF FAYETTE COUNTY

By: 
W. Fletcher Sams, Judge

Attest:

By: 
Jamie Inagawa, Solicitor

File
STATE OF GEORGIA
COUNTY OF FAYETTE

ANIMAL CONTROL AGREEMENT

THIS AGREEMENT made and entered into this 23rd day of October, 1980, by and between the County of Fayette, a political subdivision of the State of Georgia acting by and through its Board of Commissioners, sometimes hereinafter referred to as "County", and the City of Peachtree City, a municipal corporation of the State of Georgia acting by and through its Mayor and Council, sometimes hereinafter referred to as "City".

W I T N E S S E T H:

WHEREAS, the County has determined that it is in the best interest of the health, safety and general welfare of its citizens to control the running-at-large of certain unattended animals; and

WHEREAS, the County has created the Animal Control Department in its County government for the purpose of controlling and preventing the running-at-large of unattended animals on or about the streets and highways of the unincorporated areas of Fayette County; and

WHEREAS, the City has determined that it is also in the best interests of its citizens' health, safety and general welfare to control the running-at-large of certain unattended animals within the corporate limits of the City; and

WHEREAS, the City has enacted as law an Animal Control Ordinance for the purpose of controlling and preventing the running-at-large of unattended animals on or about the streets and highways of the incorporated areas of the City, said Ordinance being consistent with and not contradictory to a similar Ordinance as enacted by the County; and

WHEREAS, the County and the City have determined that the citizens of both can best be served by the joint effort on the part of the County and the City to control said animals;

NOW THEREFORE, for and in consideration of the sum of One (\$1.00) Dollar, each to the other in hand paid, the receipt and sufficiency of which is hereby acknowledged, and in consideration of the mutual benefits flowing from each party to the other, it is hereby agreed between the County and the City as follows:

1.

The County agrees to enter the corporate limits of the City, and the City agrees to allow such entrance, for the purpose of providing services in the area of animal control, consistent with the provisions and regulations as has been previously adopted by the City.

2.

The County agrees to impound any unattended animal running-at-large within the corporate limits of the City and hold such animal at the Fayette County Animal Shelter in accordance with the City's Animal Control Ordinance.

3.

The City agrees to hold the County or any of its agents harmless for any act causing injury which arises from the performance of this Agreement.

4.

The County and the City agree that this Agreement is made pursuant to the City's Animal Control Ordinance which is attached hereto as Exhibit "A".

5.

The County and the City further agree that the County may begin providing the services described herein immediately upon the execution of this Agreement and that the provisions of this Agreement shall terminate on the 28 day of October, 1981.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the date first above written.

BOARD OF COMMISSIONERS
OF
FAYETTE COUNTY

BY: Raymond D. Johnson
RAYMON D. JOHNSON,
CHAIRMAN

ATTEST:

Carol Chandler
CAROL CHANDLER,
CLERK

MAYOR AND COUNCIL
OF
Peachtree City, Georgia

BY: Harbit E. Haas
MAYOR

ATTEST:

Frances Meadler
CITY CLERK

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: City Manager
Assistant City Manager *CWA*

FROM: Administrative Services Director / City Clerk *[Signature]*

DATE: April 13, 2005

SUBJECT: Consider Amendment to Animal Control Ordinance
April 21, 2005 Council Agenda

Recommendation:

Approve the attached amendment to Section 14-35 (d) of the City Code of Ordinances to provide for prosecution of cases made by the Fayette County Animal Control Department in state court instead of municipal court.

Discussion:

This change to the ordinance would be necessary to comply with the agreement proposed by Fayette County that is to be considered by Council as an earlier agenda item. Should the agreement not be approved, this amendment would not be necessary.

Budget Impact:

Perhaps a slight decrease due to fines being paid in state court.

/jsm

Attachment

Ordinance # _____

AN ORDINANCE TO AMEND ARTICLE IV, SECTION 14 OF THE PEACHTREE CITY CODE OF ORDINANCES TO PROVIDE FOR ENFORCEMENT AND PROSECUTION OF THE ANIMAL CONTROL ORDINANCE, AND FOR OTHER PURPOSES

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PEACHTREE CITY, and it is hereby ordained by authority of the same, that Section 14-35 (d) relating to the enforcement of the City's Animal Control Ordinance be amended as follows:

Sec. 14-35. Enforcement.

(d) Director may issue citation in lieu of impoundment. In all cases of violations of this article, the director shall have the authority to exercise his discretion and may in addition to or in lieu of impounding any animal, issue a citation to the owner of the animal. However, in all such instances where the owner of the animal is known or discovered, the director shall at least issue a citation to the owner. The citation shall state the violation, the name and address of the owner, and the name of the individual issuing the citation. ~~All citations shall be transferred to the municipal court of the city for prosecution.~~ All citations issued by the Fayette County Animal Control Department shall be prosecuted in State Court.

Done, Ratified, and Passed this _____ day of _____ 2005.

Stephen D. Brown, Mayor

Attest: _____
City Clerk

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members
FROM: City Planner/ Zoning Administrator *David*
VIA: City Manager
Developmental Services Director *CWS*
DATE: April 13, 2005
SUBJECT: Comprehensive Plan update
April 21, 2005 City Council agenda

Recommendation:

There are no recommendations associated with this presentation.

Discussion

Staff will present a "scaled down" version of the presentation we made at the recent City Council Retreat pertaining to the update to the City's Comprehensive Plan. This presentation will provide those individuals who are interested in participating on the Comprehensive Plan Advisory Committee with an overview of what we will be doing and the amount of work that will be necessary to complete this project. I have encouraged those who have already submitted their applications for consideration to try and attend this meeting for an overview of this process.

Budget impact:

There are no budget impacts associated with this item.

Attachment