

City Council of Peachtree City
Meeting Summary
April 6, 2000
7:00 p.m.

- I. Pledge of Allegiance
- II. Announcements, Awards, Special Recognition
 - Proclamation - National Library Week (April 9 - 15)
 - Proclamation - CCY - Exceptional Children's week (April 10 - 14)
 - CCY Service Recognition - Theresa Vannier
 - Announcement: Police Department Accreditation Public Hearing
- III. Minutes - March 16, 2000
- IV. Old Agenda Items
- V. Consent Agenda
- VI. New Agenda Items
 - 04-00-01 Public Hearing - Rezoning - Westpark Drive (5.028 acres) - Phi Mu Sorority
Approved 5-0
 - 04-00-02 Consider Fayette County Jail Impact Fees
Tabled until next meeting
 - 04-00-03 Consider Alcohol License (new) - Formosa Deli - 608 Crosstown Road
Approved 5-0
 - 04-00-04 Consider Alcohol License (transfer) - Mini Mart - 2763 Highway 54 West
Approved 5-0
 - 04-00-05 Consider Modification to Indemnification Resolution
Tabled until next meeting
 - 04-00-06 Acceptance of FY-1999 Audit
Accepted 5-0
 - 04-00-07 Consider Ordinance Amendment - Budget - Public Notice Procedures
Approved 5-0
 - 04-00-08 Consider Ordinance Amendment - Purchasing Procedures
Approved 5-0
 - 04-00-09 Consider Ordinance Amendment - Watershed Protection
Approved for Transmittal to DCA - 5-0
 - 04-00-10 Consider Bids - City Hall Fountain Repairs
Approved 5-0
 - 04-00-11 Consider Public Safety Manpower Costs for Air Show
Approved 4-0 with McMenamin abstaining
 - 04-00-12 SR-54 Cart Path Bridge Repair of Approach Spans.
Approved 5-0
- VII. Council/Staff Topics

Members Present: Mayor Lenox, Annie McMenamin, Carol Fritz, Bob Brooks and Dan Tennant.

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 - 04-00-12 SR-54 Cart Path Bridge Repair of Approach Spans.
- VI. Council/Staff Topics
- VII. Executive Session

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

PUBLIC NOTICE

The Peachtree City Police Department is scheduled for an on-site assessment as part of a program to achieve reaccreditation by verifying it meets professional standards.

Administered by the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA), the accreditation program requires agencies to comply with state-of-the-art standards in four basic areas: policy and procedures, administration, operations and support services.

As part of the on-site assessment, agency employees and members of the community are invited to offer comments at a public information session to be held on Monday, April 17, 2000 at 7:00 PM. The session will be conducted in the Peachtree City Council Chambers located at 151 Willowbend Road, Peachtree City, Georgia.

Agency employees and the public are also invited to offer comments by calling **(404)606-0363** on Monday, April 17, 2000, between the hours of 1:00 PM and 5:00 PM. Comments will be taken by the Assessment Team.

Telephone comments, as well as appearances at the public information session, are limited to ten (10) minutes and must address the agency's ability to comply with CALEA's standards. A copy of the standards is available at the Peachtree City Police Department, 153 Willowbend Road, Peachtree City, Georgia, between the hours of 8:00 AM and 5:00 PM, Monday through Friday. **For further information, contact the Police Department's Accreditation Manager, Sgt. Rosanna Dove, at (770)487-8866, or by fax at (770)631-2512.**

Anyone wishing to offer written comments about the Peachtree City Police Department's ability to meet the standards for reaccreditation are requested to write to: **Commission on Accreditation for Law Enforcement Agencies, Inc., 10306 Eaton Place, Suite 320, Fairfax, Virginia 22030-2201.**

Financial Services Monthly Report

STATUS OF FUNDS AS OF FEBRUARY 29, 2000

Fund	Cash			Total		Total Fund		YTD		Purchasing Monthly Report			
	Balance	Investment	Balance			Balance	Interest			2000	1999	TOTAL YTD	PERCENT INC/(DEC)
#1 General Fund	\$515,395	\$1,528,308	\$2,043,703			\$2,043,703	\$59,932			281	316		-5.09%
Council Reserve Fund	\$647,516	\$370,077	\$1,017,593			\$1,017,593	\$16,323			39	34		-10.64%
Library Sales Tax Fund	\$57,717	\$0	\$57,717			\$57,717	\$1,070			10	13		-11.63%
Public Improvement Fund	\$969,329	\$2,212,696	\$3,182,025			\$3,182,025	\$27,596			10	17		-58.15%
Police Station Lease	\$0	\$2,285,022	\$2,285,022			\$2,285,022	\$30,377			42	58		6.43%
Self Insurance Fund	\$756,025	\$958,478	\$1,714,503			\$1,714,503	\$13,090			330	330		-15.33%
Debt Service Fund	\$131,288	\$0	\$131,288			\$131,288	\$1,031			3	4		-6.45%
Bond Fund	\$0	\$0	\$0			\$0	\$0			0	3		5.88%
Municipal Court Fund	\$38,948	\$0	\$38,948			\$38,948	\$943			22	19		-34.08%
Develop & Impact Fees	\$805,878	\$0	\$805,878			\$805,878	\$4,479					\$214,465	\$72,831
Neighborhood Parks/Rec.	\$0	\$0	\$0			\$0	\$55						-27.03%
Federal Seizures Police Fd	\$247	\$0	\$247			\$247	\$5					Total Held	
Confiscated Fund	\$7,441	\$0	\$7,441			\$7,441	\$0					Bank	
Police Tuition Account	\$2,991	\$0	\$2,991			\$2,991	\$17					Bank of New York	\$5,887,946
Escrow Account	\$146,338	\$124,595	\$270,934			\$270,934	\$4,529					First Union	\$5,550,000
Grand Total	\$4,079,114	\$7,479,177	\$11,558,291			\$11,558,291	\$159,446					Peachtree National	\$11,437,946
#1 Includes investments of \$250,000 for 54/Railroad Cartpath Overpass Project.													

Collateral Analysis as of February 29, 2000

Security Location	Bank	Total Held
Bank of New York	First Union	\$5,887,946
Bank of New York	Peachtree National	\$5,550,000
		\$11,437,946

Budget Comparison
Revenues - By Major Category

Description	2000 Budget		Actual YTD		Difference		%	
General Property Taxes	\$4,438,049	\$4,114,936			(\$323,113)		92.72%	
Franchise Taxes	\$1,771,233	\$189,157			(\$1,582,076)		10.68%	
Local Option Sales Tax	\$5,135,529	\$2,215,417			(\$2,920,112)		43.14%	
Other Sales & Use Taxes	\$1,047,781	\$388,874			(\$658,907)		37.11%	
Business Taxes	\$1,048,419	\$929,432			(\$118,987)		88.65%	
Business Permits	\$395,717	\$180,235			(\$215,483)		45.55%	
Non-Business Permits	\$15,346	\$6,735			\$164,889		1174.47%	
Charges for Services	\$501,016	\$151,560			(\$349,456)		30.25%	
Fines & Forfeitures	\$1,012,311	\$330,686			(\$681,625)		32.67%	
Investment Income	\$109,999	\$77,325			(\$32,674)		70.30%	
Rents & Royalties	\$163,558	\$99,420			(\$64,138)		60.79%	
Other Revenue	\$6,273	\$3,085			(\$3,188)		49.18%	
Total	\$15,645,231	\$8,686,862			(\$6,784,870)		55.52%	

Budget Comparison Expenditures by Division YTD					%	
Division	2000 Budget	Actual YTD	Difference			
Administrative	\$1,030,267	\$379,814	\$650,453		37%	
Developmental	\$711,079	\$264,025	\$447,054		37%	
Finance	\$454,711	\$179,649	\$275,062		40%	
Leisure Services	\$2,574,391	\$926,732	\$1,647,659		36%	
Public Safety	\$4,308,620	\$1,643,094	\$2,665,525		38%	
Public Works	\$2,053,288	\$756,954	\$1,296,334		37%	
Total	\$11,132,356	\$4,150,268	\$6,982,088		37%	

Summary of Major Expenditures by City Manager					%	
Description	Budget	Award	Svgs/Short	Date		
2000 Street Patching	\$23,550	\$23,550	\$0	2/25/00		
Ladder 8 Repairs	\$17,000	\$29,758	-\$12,758	2/22/00		
Ford F-350 Truck	\$21,500	\$24,591	-\$3,091	2/25/00		

BUILDING DEPARTMENT

2000 MONTHLY REPORTS

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	2000 YEAR-TO-DATE	1999 YEAR-TO-DATE
DEVELOPMENT PERMITS:	12	21	14	17	12	11	9	12	14	10	21	6	159	309

BUILDING PERMITS:

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

TOTAL INSPECTIONS:

CERTIFICATE OF OCCUPANCY:

Residential
Commercial
Multi-Family Residential

CODE ENFORCEMENT:

Complaints
Warning
Stop Work Orders
Citations

PERMIT FEES COLLECTED:

POPULATION: Based on
2.9 of completed occupancy

*Revised to reflect
2000 Census figures

14	11	11	14	10	8	5	16	12	12	3	17	8	129	264
0	0	0	0	399	0	0	0	0	0	0	192	0	591	0
45	69	85	72	68	85	45	61	52	52	42	38	43	705	684
8	5	13	15	7	11	4	11	8	8	17	14	23	136	116
454	400	420	439	482	367	437	488	291	425	416	726	5,345	8,847	
11	17	20	18	16	16	16	19	8	11	11	5	168	301	
3	2	4	1	1	2	2	2	1	4	2	2	26	18	
0	0	0	0	0	0	0	0	0	0	0	0	0	6	
264	241	356	285	545	564	485	417	240	317	298	228	4,240	3,692	
297	250	425	244	470	353	258	339	366	405	332	244	3,983	4,245	
2	4	10	6	4	8	5	4	5	3	6	3	60	66	
0	2	1	1	2	0	1	4	4	2	0	2	19	39	
15,942	19,967	21,656	35,629	68,857	66,772	20,975	28,954	56,212	53,978	22,158	29,729	440,829	327,368	
33,340	33,392	31,580*	31,633	31,679	31,725	31,771	31,826	31,849	31,881	31,913	31,928	31,928	33,306	

BUILDING DEPARTMENT

2000 MONTHLY REPORTS

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

	12	21											33	62
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BUILDING PERMITS:

Single Family Residential	14	11											25	61
Multi-Family Residential	0	0											0	0
Misc.-Pools/fences/additions	45	69											114	94
Commercial/Industrial	8	5											13	21

TOTAL INSPECTIONS:

	454	400											854	1,248
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CERTIFICATE OF OCCUPANCY:

Residential	11	17											28	35
Commercial	3	2											5	4
Multi-Family Residential	0	0											0	0

CODE ENFORCEMENT:

Rehabilitation initiated	264	241											505	392
Warning	297	250											547	588
Stop Work Orders	2	4											6	18
Citations	0	2											2	12

PERMIT FEES COLLECTED:

	15,942	19,967											35,909	39,644
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POPULATION: Based on

	33,409	33,461											33,461	32,478
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3.05 of completed occupancy

CRIME REPORT - FEBRUARY 2000

PART I CRIMES	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	YTD 2000	YTD 1999
MURDER	0	0											0	0
RAPE	0	0											0	0
ROBBERY	0	1											1	0
AGGRAVATED ASSAULT	0	3											3	2
ARSON	0	0											0	0
AUTO THEFT	2	0											2	3
THEFT	11	18											29	37
BURGLARY	0	2											2	1
TOTAL PART I CRIMES	13	24											37	43
ALCOHOL/DRUG ARRESTS														
DUI - TOTAL	19	16											35	18
DUI - ADULT	14	14											28	18
DUI - UNDERAGE	5	2											7	0
OTHER UNDERAGE														
ALCOHOL ARRESTS	7	25											32	9
DRUG ARRESTS	10	12											22	8
ARRESTS														
PROPERTY CRIMES	7	5											12	10
PERSON CRIMES	4	7											11	5
CITY ORDINANCES	41	48											89	65
*OTHER	126	145											271	212
ADMINISTRATIVE														
AVERAGE RESPONSE TIME	5.15	5.35											5.25	4.11
CALLS ANSWERED	3595	3637											7232	5297
TRAFFIC														
CITATIONS ISSUED	673	604											1277	1054
WARNINGS ISSUED	611	443											1054	839
ACCIDENTS - TOTAL	60	63											123	159

TOP 5 ACCIDENT LOCATIONS - MONTH TOTAL

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

TOP 5 ACCIDENT LOCATIONS - YEAR TOTAL

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

**2000 Monthly Report
Fire/EMS Department**

Fire/Accident Calls	Jan.	Feb.	Mar.	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	2000 Y-T-D	1999 Y-T-D
Residential	4	1											5	4
Business/Industrial	1	0											1	1
Other	109	91											200	179
Total Engine Response	114	92											206	184
Dispatched Fire Calls	59	33											92	81
Response Time Fire	4:44	4:47											4:44	4:48
Rescue/EMS														
Trauma	46	57											103	117
Medical	78	86											164	146
Total # Patients	124	143											267	263
Patients Transported	78	77											155	138
Dispatched EMS Calls	113	127											240	224
Total Medic Response	155	149											304	265
Dispatched Fire/EMS Total	172	160											332	305
Response Time EMS	4:16	3:50											4:16	4:36
EMS BILLING														
Patients Billed	93	76											169	155
Revenue Generated	19,699	15,463											35,162	28,700
*Total Revenue Received	13,147	6,957											20,104	25,017

*Revenue Received On All Outstanding Patient Accounts

LEISURE SERVICES MONTHLY REPORT 2000

ACTIVITY DESCRIPTION	UNIT	January	February	March	April	May	June	July	August	September	October	November	December	2000 Year to Date	1999 Year to Date
LIBRARY															
1. Books Circulated	Num.	10,974	11,904	0	0	0	0	0	0	0	0	0	0	22,878	38,824
2. Average Daily Traffic															
a. Monday - Saturday	Num.	539	623	0	0	0	0	0	0	0	0	0	0	539	545
b. Sunday	Num.	288	385	0	0	0	0	0	0	0	0	0	0	288	307
3. Story Time Participants	Num.	85	150	0	0	0	0	0	0	0	0	0	0	235	423
4. Revenue from Overdue Books	Dis.	313	1,128	0	0	0	0	0	0	0	0	0	0	1,441	3,475
5. Revenue from Copy Machine	Dis.	465	1,105	0	0	0	0	0	0	0	0	0	0	1,570	1,914
6. Reference Assistance	Num.	842	976	0	0	0	0	0	0	0	0	0	0	1,818	1,259
8. Internet Usage	Num.	754	837	0	0	0	0	0	0	0	0	0	0	1,591	542
9. Renewals by Phone	Num.	756	812	0	0	0	0	0	0	0	0	0	0	1,568	1,166
RECREATION															
Leisure Programs															
1. Adult Athletics															
a. Ongoing Programs	Num.	1	1	0	0	0	0	0	0	0	0	0	0	2	10
b. New Programs	Num.	0	0	0	0	0	0	0	0	0	0	0	0	0	2
c. Participants	Num.	285	285	0	0	0	0	0	0	0	0	0	0	570	115
d. Revenues	Dis.	0	0	0	0	0	0	0	0	0	0	0	0	0	*4131
e. Expenses	Dis.	146	32	0	0	0	0	0	0	0	0	0	0	178	*3261
f. Refunds	Dis.	0	0	0	0	0	0	0	0	0	0	0	0	0	0
g. Balance (+ or -)	Dis.	-146	-32	0	0	0	0	0	0	0	0	0	0	-178	*869
* Some figures for Jan/Feb were erroneously reported as Adult Athletics as well as Classes															
RECREATION															
Leisure Programs															
1. Classes/Programs															
a. Classes/Programs	Num.	103	98	0	0	0	0	0	0	0	0	0	0	262	216
b. Participants	Num.	2,055	2,139	0	0	0	0	0	0	0	0	0	0	4,748	4,871
c. Revenues	Num.	16,503	17,753	0	0	0	0	0	0	0	0	0	0	50,283	31,939
d. Expenses	Dis.	12,908	13,460	0	0	0	0	0	0	0	0	0	0	39,058	24,929
e. Refunds	Dis.	180	777	0	0	0	0	0	0	0	0	0	0	957	250
f. balance (+ or -)	Dis.	3,415	3,516	0	0	0	0	0	0	0	0	0	0	\$10,268.20	\$8,759.76
2. Special Events															
a. Events	Num.	0	0	0	0	0	0	0	0	0	0	0	0	0	5
b. Participants	Num.	0	0	0	0	0	0	0	0	0	0	0	0	0	636
c. Revenues	Dis.	0	0	0	0	0	0	0	0	0	0	0	0	0	0
d. Expenses	Dis.	0	0	0	0	0	0	0	0	0	0	0	0	0	0
e. Refunds	Dis.	0	0	0	0	0	0	0	0	0	0	0	0	0	0
f. balance (+ or -)	Dis.	0	0	0	0	0	0	0	0	0	0	0	0	\$0.00	\$0.00
Sports and Facilities															
1. Playing Surface Mowing	Hrs.	0	112	0	0	0	0	0	0	0	0	0	0	112	0
2. Playing Field Preparation	Hrs.	339	690	0	0	0	0	0	0	0	0	0	0	1,029	1,273
3. Building Maintenance	Hrs.	240	199	0	0	0	0	0	0	0	0	0	0	439	336
4. Parks/Pools/Tennis Courts															
a. Safety Inspections	Num.	0	0	0	0	0	0	0	0	0	0	0	0	0	0
b. General Repairs/Maint.	Hrs.	292	210	0	0	0	0	0	0	0	0	0	0	502	388
c. Grounds/Landscape Maint.	Hrs.	308	176	0	0	0	0	0	0	0	0	0	0	484	534
5. Litter Removal	Num.	128	128	0	0	0	0	0	0	0	0	0	0	256	264
6. Vandalism Repairs	Dis.	0	0	0	0	0	0	0	0	0	0	0	0	0	32
7. Complaints Answered	Num.	0	0	0	0	0	0	0	0	0	0	0	0	0	0

2000 MONTHLY REPORT

[illegible]

2000 MONTHLY REPORT
PUBLIC SERVICES DIVISION2000mont1
3/8/00

Activity Description	Unit	January	February	March	April	May	June	July	August	September	October	November	December	2000 YEAR-TO-DATE	1999 YEAR-TO-DATE
CART PATHS															
1. Const./Reconst./Overlay	Ft.	50	0											50	1,610
2. Drainage Maintenance	Hrs.	83	105											188	120
3. General Maintenance	Hrs.	180	414											594	131
4. Mowing	Hrs.	0	0											0	0
5. Litter Removal	Hrs.	68	45											113	120
FLEET MANAGEMENT															
1. Equipment Maintenance	Hrs.	43	39												23
2. Equipment Repairs	Hrs.	121	171											82	134
3. Vehicle Maintenance	Hrs.	76	118											292	73
4. Vehicle Repairs	Hrs.	237	256											194	264
5. Fleet Down Time	Hrs.	482	542											493	1,995
GROUNDS															
1. Litter Removal	Hrs.	321	257												556
2. Right-of-Way Mowing	Hrs.	0	0											578	0
3. General Maintenance	Hrs.	874	752											0	646
LANDSCAPE															
1. Litter Removal	Hrs.	20	32												80
2. Mowing (Sub. Entrances)	Hrs.	0	0											52	111
3. General Maintenance	Hrs.	657	689											0	229
4. Planting	Hrs.	100	0											1,346	131
RECYCLING SITE															
1. City Employees Hours	Hrs.	151	110												157
2. City Employees Salaries	Dis.	1,188	866											261	1,994
3. Revenues	Dis.	731	515											2,054	574
4. Participants														1,246	
a. Recycling	Num.	546	659											1,205	537
b. Composting	Num.	1,296	1,084											2,380	1,076
c. Mulch (Pick Up)	Num.	68	112											180	21
SIGN MAINTENANCE															
1. Building Maintenance	Hrs.	20	21												
2. Subdivision Sign Maintenance	Hrs.	81	102											41	19
3. Traffic Sign Maintenance	Hrs.	148	143											183	70
														291	137
STREETS															
1. Street Sweeping	Hrs.	8	40												
2. Pavement Patching	Hrs.	0	213											48	16
3. Drainage Maintenance	Hrs.	0	102											213	103
4. General Maintenance	Hrs.	576	356											102	51
														932	245
MISCELLANEOUS															
1. Vandalism	Dis.	139	79												
2. Complaints Answered	Num.	90	38											218	51
3. Wash Police Cars	Hrs.	8	83											128	31
														91	30

February

City Council of Peachtree City
Minutes of Meeting
March 16, 2000
7:00 p.m.

The City Council of Peachtree City met in a regular session, Thursday, March 16, 2000, at 7:00 p.m. in the City Hall Council Chambers. Mayor Robert L. Lenox led those attending in the pledge of allegiance. Other Council members present were: Carol Fritz, Annie McMenamin, Dan Tennant and Bob Brooks.

ANNOUNCEMENTS, AWARDS, SPECIAL RECOGNITION

Mayor Lenox administered the oath to Judge Pro Hac, Eric Maxwell. Judge Mitch Powell was unable to attend the meeting that night; however, Lenox administered the oath to him earlier in the week.

Mayor Lenox presented the employee of the month award to Richard Matthews.

Mayor Lenox read a proclamation for International - Building Safety Week (April 2 - 8) and presented it to Tom Carty, Building Official.

MINUTES

McMenamin made a motion to approve the minutes of March 2, 2000, as presented. Brooks seconded the motion. Motion carried unanimously.

OLD AGENDA ITEMS

03-00-01 Public Hearing – Consider Rezoning – GA 54 and Walt Banks Road

Lenox read the rules for conducting a public hearing and called the hearing to order. He established a time limit of 30 minutes for each side to present its case. Lenox asked to hear from the applicant and those supporting the rezoning.

Bob Adams addressed Council and requested a zoning classification of LUC-15 for his property (a 73.2-acre tract located at the northeast corner of the intersection of GA 54 East and Walt Banks Road). The new zoning classification would allow a mixed use of single-family residential and commercial zoning. The development would be known as Lexington Commons. The property was currently zoned LUC-7, R-43 and LUR-9.

Adams said he hired a commercial developer, G.K. Johnson, to help plan the development. Mr. Johnson reviewed the proposed plan and said the commercial development would not target shoppers from outside the city. He said they planned a truly local development with a village look.

Bob Adams said staff had recommended approval of the rezoning with several conditions. Adams said he agreed to staff's conditions, but there were two issues that needed to be discussed in detail. He requested a clause be included in the zoning ordinance that would require the zoning to revert back to its original zoning if the property was not developed as proposed. He also said there were issues that needed to be addressed regarding the traffic study. Mayor Lenox said Jim Williams would address staff's conditions later during the public hearing.

Lenox asked if anyone else would like to speak in favor of the rezoning. Richard Downing, Chuck Lehman, Eileen Shaw, Todd Strickland, Walt Mashburn and Jim Williams all spoke in favor of the rezoning.

Jim Williams, Director of Developmental Services, said the Planning Commission recommended approval of rezoning with conditions. Williams felt the issues were extremely complicated and at the same time, very simple. Williams reviewed the proposed zoning ordinance. He felt it would ensure the development of the property as planned because any substantive changes to the plan would require Council approval.

He said the plan called for the following:

	<u>Minimum</u>	<u>Maximum</u>
General Retail Space	150,000 square feet	225,000 square feet
Restaurants	15,000 square feet	40,000 square feet
Office Space	30,000 square feet	80,000 square feet

He said the plan also called for approximately 60 loft apartments to round out the mixed-use concept, in addition to 135 single-family detached homes.

Williams said the development would have an interesting impact on traffic patterns in Peachtree City. He said it was projected that the development would actually relieve some of the traffic in the Highway 54/74 intersection, but that it would impact the intersection of Peachtree Parkway/Waltbanks Road, which was currently in need of improvement. He did not feel a traffic light at the intersection would be appropriate for the intersection since that area of Peachtree Parkway was designated a scenic parkway. He said the idea of a Roundabout was suggested instead of a traffic light. He said it could be constructed without purchase of additional land because the City currently owned the right-of-way that would be needed. He said the Roundabout would be less expensive to construct than a traffic light and it would function more safely.

Williams said the development impact fees that would be collected from the 135 single-family homes had to be spent as dictated by the development impact fee ordinance. He said it was proposed; however, that since the 60-lot apartments were not anticipated in the development impact ordinance, that fees collected from those units (approximately \$102,000) be used to help pay for the roundabout. He estimated the cost of the roundabout to be \$114,000 - \$131,000. A payment schedule for \$102,000 was suggested as follows: 1/3 paid at the time the first development permit is issued to build the first road, 1/3 paid at the time the first building permit is issued for a commercial establishment, and 1/3 paid when a building permit is issued for the 100,000th sq. ft of the project. He said Mr. Adams also asked to increase the number of loft apartments from 60 to 80 if the market dictated them without having to pay additional impact fees.

McMenamin asked what would happen to the loft apartments if there were no market for them. Lenox felt the space would be used for offices rather than retail uses.

Hearing no one else speak in favor of the rezoning, Lenox asked to hear from those who wished to speak in opposition to the rezoning. Hearing no opposition, Lenox called the hearing to a close and opened the floor for council debate.

Brooks supported the rezoning because the commercial development was targeted to Peachtree City citizens and not regional shoppers.

Lindsey suggested that Council make a motion to lift the multifamily zoning moratorium as it applies to this property if they wished to approve the rezoning. Brooks made a motion to lift the moratorium for multifamily zoning only as it applied to the property described that evening. McMenamin seconded the motion. Motion carried unanimously.

Brooks made a motion to approve the zoning ordinance as presented. Fritz seconded the motion. Lenox made a motion to amend the motion to include the traffic improvements as recommended by staff. Brooks seconded the amendment. Adams agreed to the conditions and recommendations by staff. Motion carried unanimously.

CONSENT AGENDA

- Consider Alcohol License Name Change – Wyndham Peachtree Conference Center
- Consider DOT Agreement – Sumner Road Right-of-Way

McMenamin made a motion to approve the consent agenda. Fritz seconded the motion. Motion carried unanimously.

NEW AGENDA ITEMS

03-00-08 Consider New Alcohol License – Harris Teeter, 100 Peachtree Parkway North

McMenamin made a motion to grant a license to sell beer and wine to Harris Teeter and to appoint Harris Teeter, Inc. c/o Jeff David Sherman as the License and Dennis Keith Behrens as the License Representative. Fritz seconded the motion. Motion carried unanimously. Councilmember Fritz said she also served on the Fayette County Board of Health and that they had received a Tobacco Education Grant. She said their services were available to help educate Harris Teeter on the sale of tobacco to minors.

03-00-09 Consider Holly Grove Church ROW Disposition

Jim Williams said the City had planned to pave all unpaved roads in the City. He said residents in the Preserve Subdivision objected to having Holly Grove Church Road paved because they feared traffic would be increased in their neighborhood. The residents of the Preserve Subdivision wanted the road closed. The Holly Grove Church objected to closing the road because they wanted their members to have access to the church. Williams said staff was able to get the church and the subdivision to come to an agreement. The proposal would require the City to deed the existing right-of-way for the dirt portion of Holly Grove Church from Robinson Road to the Preserve Subdivision to the church. The right-of-way would become the property of the church. Then, rather than spend money to build a new road, the City would build a driveway that would provide a very nice church entrance off Robinson Road with gated pillars. He said this would serve as a driveway into the church parking lot. He said a portion of right-of-way would be converted into a landscaped area. He estimated the cost of the project to be \$94,000 to install the gates, pavement, and landscaping. He said this would cost less than the cost to pave the street and was something everyone in the area wanted. He said the Planning Commission held a Public Hearing on the issue and recommended approval. Williams said staff recommended approval of the project for implementation.

Steve Powell, represented the Preserve Homeowner's Association, and spoke in support of the proposal.

McMenamin clarified the deed would not come back to Council for approval. Lindsey said Council should declare their intent to abandon the road and instruct staff to begin procedures for the abandonment.

McMenamin said she wanted strong wording in the deed that the property would never be used for anything other than greenspace and would never be turned back into a street.

McMenamin made a motion to approve the project for implementation and initiate abandonment procedures as outlined by the City Attorney. Implementation would begin after it is determined there are no problems with proposed transfer. The City will spend \$94,000 on the improvements with \$44,000 to come from Council Contingency Fund once improvements are installed and inspected. The City will transfer title to the land and deed restrictions will be very strongly worded that the greenspace will always be a permanent greenspace or landscaped area. Fritz seconded the motion. Motion carried unanimously.

03-00-10 Consider Appointments to Commission on Children and Youth

Jim Basinger provided Council with the recommendation of the selection committee. Fritz made a motion to accept the selection committee's recommendations to appoint Cecelia Eifert and Janis Craft to serve on the Commission on Children and Youth with terms expiring 8/31/03, to appoint Chuck Lehman to fill a term ending 8/31/02, and to appoint Jean Fort as an alternate to fill any vacancy which may occur. McMenamin seconded the motion. Motion carried unanimously.

03-00-11 Consider Resolution to join the Georgia Mutual Aid Group (GMAG) – APPROVED

Stony Lohr, Acting Fire Chief, addressed Council to submit a resolution to join the Georgia Mutual Aid Group. He felt it would provide substantial benefit in emergency contingency planning for the community and for the Fire Department. He said the group was a municipal corporation formed in 1994 for the purpose and intent of providing comprehensive mutual aid to GA Fire Departments. McMenamin made a motion to approve the resolution as presented. Fritz seconded the motion. Motion carried unanimously.

03-00-12 Consider Contract –TDK Boulevard Extension - Design & Engineering

Troy Besseche, City Engineer, addressed Council and reviewed the process used by staff to make the recommendation for the design consultant for this project. He said the objective of the process was to obtain a qualified professional transportation design consultant to design the road, coordinate with regulatory agencies for permitting, and to administer construction activities. He also reviewed the qualification base selection process used. He said staff recommended the design contract for the TDK Boulevard Extension be awarded to Dames and Moore for \$272,725. He also said the City would need to provide its own geotechnical testing services through United Consulting. He said these testing services, which would include the bridge foundation investigation and soil survey was estimated at \$23,000. Brooks made a motion to transfer \$295,725 from the Council Contingency fund to award the contract to Dames and Moore for \$272,725 and to provide \$23,000 for geotechnical testing services through United Consulting. Fritz seconded the motion. Motion carried unanimously.

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

03-00-13 Consider Ordinance Amendment – City Council Meeting Procedures

Councilman Tennant introduced an amendment to the City Council Meeting Procedures Ordinance. The amendment would grant a citizen who was publicly referenced by name during a meeting by a city employee, elected official, or appointed official shall, upon request, have the right to address council and respond to remarks made. He explained his reasons for introducing the ordinance was based on events that happened at the last Council meeting in which Rick Lindsey, City Attorney, was allowed to speak at length regarding a lawsuit filed against Steve Brown, but Steve Brown was denied the right to speak to Council in response. Tennant made a motion that the ordinance amendment be adopted.

Mayor Lenox said the motion would die for a lack of a second unless a Councilmember cared to second the motion. Brooks asked if the issue would at least be discussed. Lenox said there was obviously not a lot of support on council for the ordinance, but he seconded the motion so that a discussion could take place.

Mayor Lenox went to great lengths to state that he did not support Tennant's proposed ordinance. He explained his reasons for not allowing Mr. Brown to speak at the last meeting. He also explained that the purpose of a Council meeting was to conduct the City's business. He said the parliamentary procedures for most legislative bodies did not allow citizens a right to speak during a meeting. Lenox said that any member of Council could have interrupted Mr. Lindsey at any time during the last meeting and pointed out that Lindsey's speech was not germane to the agenda item, and was, therefore, out of order.

McMenamin complimented the Mayor on the way he has conducted the Council meetings. She felt citizens were allowed ample opportunity to speak. Fritz also complimented the Mayor on the way he has conducted meetings. She did not support Tennant's proposed ordinance because she felt meetings could get out of control. Brooks felt there was a political battle going on, but he felt there may be some merit to Tennant's proposal. He suggested that the ordinance be discussed at the Retreat in a more relaxed environment.

McMenamin said she did not like the way the proposed ordinance was worded. She asked that staff review the entire Council Meeting Procedures Ordinance so that it could be discussed at the Retreat. McMenamin made a motion to table the item for discussion at Retreat. Brooks seconded the motion. Motion carried unanimously.

03-00-14 Appoint Board of Ethics to investigate allegation concerning Jim Webb

Jim Basinger read a request from Mr. Mike Hyde to investigate Jim Webb for a possible violation of the City's Ethics Ordinance. He said Section 62-90 of the Ethics Ordinance required a five-member Board of Ethics be appointed to investigate the complaint. The ordinance also designates the City Attorney as the advisor to the Board. However, since the complaint was filed against the City Attorney, Council needed to select another attorney to serve as advisor the Board. Basinger said staff contacted the Georgia Municipal Association (GMA) for the names of attorneys who could provide this service. GMA recommended several attorneys including Andrew Whalen III, Griffin City Attorney, to serve as advisor to the Board. Staff contacted and met with Mr. Whalen and after a cursory review of the City charter, ordinances and other related documents, Mr. Whalen indicated he was willing to serve as advisor to the Board.

Basinger recommended Council take the following actions:

1. Appoint a five-member Board of Ethics to investigate the complaint. He said staff is prepared to conduct a drawing for each Councilmember to randomly draw a name from the pool list. He said as recommended by Mr. Whalen, staff planned to withhold Mr. Steve Brown's name from the drawing due to a conflict of interest. Additionally, Mr. Jim Steinbach asked to be excused from the pool of Board candidates due to a conflict.
2. Appoint Mr. Whalen to serve as legal advisor to the Board at an hourly rate of \$150.
3. Require the Board to use the procedures contained in the current Ethics Ordinance adopted 1-20-00 to investigate the complaint, and to apply the standards of the former Ethics Ordinance that was in effect in 1997 when the alleged complaint occurred.
4. Call for the first meeting of the Board to be held within the next 30-days and for the City Clerk to advise Mr. Webb of the time, date and location of the meeting at least 10 business days in advance.

Nancy Faulkner, City Clerk, conducted a drawing for members to serve on the Board. Members appointed were: Eileen Shaw, John Dilahunt, Lynn Gray, Herman Pearson, and Fred Brown.

McMenamin made a motion to accept staff recommendations regarding this issue. Lenox seconded the motion. Motion carried unanimously.

03-00-15 Appoint Board of Ethics to investigate allegation concerning Dan Tennant

Jim Basinger read a request from Councilman McMenamin to investigate Councilman Tennant for a possible violation of the City's Ethics Ordinance. He recommended Council take the following actions:

1. Appoint a five-member Board of Ethics to investigate the complaint.
2. Appoint Mr. Whalen to also serve as legal advisor to this Board since the complaint was by one Councilmember against another Councilmember and the City Attorney would have a conflict in the matter.
3. Call for the first meeting of the Board to be held within the next 30 days, and for the City Clerk to advise Councilman Tennant of the time, date and location of the meeting at least 10 business days in advance.

The City Clerk, Nancy Faulkner, conducted a drawing for member to serve on the Board. The names were as follows: Lynn Gray, Herman Pearson, Tim Kaigler, Jim Steinbach, Fred Brown.

McMenamin made a motion to accept staff's recommendations to appoint the Board Brooks seconded the motion. Motion carried unanimously.

Basinger said Councilman Tennant asked whether or not the City would pay his legal fees to defend himself against the allegation. He said that in discussing the matter with Mayor Lenox, they felt the City should pay the expenses; however, the City's Indemnification Resolution did not permit payment of this type of expense. Basinger provided Council with a proposed change to the Resolution which, if approved at the next Council meeting and made retroactive, would cover the allegation against Councilman Tennant.

COUNCIL/STAFF TOPICS

There were no council/staff topics.

Lenox made a motion to adjourn the meeting. McMenamin seconded the motion. Motion carried unanimously. Meeting adjourned at 9:40 p.m.

City Clerk, Nancy Faulkner

Attest: _____
Mayor

POSITION PAPER
Proposed Rezoning: Phi Mu Sorority, Westpark
Director of Developmental Services
March 30, 2000

Situation:

Peachtree Holdings, LLC, desires to rezone a 5.028-acre parcel within the Westpark Office Park from its current designation of LUC-3 Limited Use Commercial to LUC-16 Limited Use Commercial (Attachment "A"). The purpose of the proposed rezoning is to allow the prospective purchaser of the property, the Phi Mu Sorority, to include six guest rooms within a new office building. If approved, the sorority would relocate its national headquarters to Peachtree City.

Facts:

1. The LUC-3 Zoning District does not currently allow guest rooms as a permitted use (Attachment "B").
2. The applicant has proposed that the new LUC-16 Zoning District remain exactly as the existing LUC-3 Zoning District with the exception of a new paragraph 5 to read as follows:

Guest quarters will be permitted as an accessory use provided the following conditions are met:

- a) *There can be no more than six separate guest rooms in a single office building;*
 - b) *There can be no more than one guest room for every 3000 square feet of office space in a building;*
 - c) *All guest rooms must be located entirely within the office building;*
 - d) *No guest rooms shall include a complete kitchen;*
 - e) *All guest rooms shall be used only for short-term accommodations for bona fide business associates of the principal office use; and*
 - f) *The guest rooms shall be strictly for non-paying guests, and no payment of any kind shall be made by those guests for the use of the facilities.*
- g)
3. Because of the nature of the activities and programs the sorority expects to conduct at the facility, it is felt that on-site guest rooms are essential to its operation, as opposed to utilizing nearby motel and conference center facilities.

4. During staff review it was suggested that a new paragraph g) be added to the conditions to read as follows: "If at any time in the future the property is not to be used for the national headquarters of a sorority, the zoning will revert back to LUC-3."
5. During Planning Commission review, it was suggested that paragraph a) be revised to read as follows: "There can be no more than six (6) separate guest rooms on a single zoning lot."
6. The applicant agreed to both proposed conditions.
7. The Planning Commission approved the proposed rezoning with the conditions as revised, and recommended that Council rezone the property accordingly (Attachment "C").

Recommendations:

The staff recommends that the proposed rezoning be approved with the conditions as recommended by the Planning Commission. It is felt the national headquarters facility will be a good addition to the city. The need for guest rooms appears to be fully justified, and the proposed use would not adversely affect the adjacent and nearby uses. In fact, some of the nearby uses (Hampton Inn and Aberdeen Woods) actually offer overnight accommodations. While it would not necessarily be a good idea to allow guest rooms throughout the zoning district, in this instance it seems to be reasonable and appropriate.

JBW/jir

Attachments "A" – "C"

CITY OF PEACHTREE CITY, GEORGIA

A request is hereby being made to change the zoning classification of the following described property: (SEE ATTACHED PLAT) 5 ACRES
ON WESTPARK DRIVE BETWEEN BROOKSIDE
AND GOODYS.

This property is presently zoned: LUC #3

The proposed zoning classification is: LUC-16

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

Signature: [Signature]

Owner: PEACHTREE CITY HOLDINGS, LLC.

Agent: PEACHTREE BROKERAGE GROUP

Address: 200 WESTPARK DRIVE SUITE 300 PTC. GA 30269

Phone: 770.487.8585

Date: 2/28/00

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

Signature: [Signature], JAMES B. WILLIAMS

Title: ZONING ADMINISTRATOR

Date: FEBRUARY 20, 2000

Request Number: 2000-01

Date of Planning Commission Public Hearing: MARCH 13, 2000

Date of City Council Public Hearing: APRIL 6, 2000

Rezone the attached 5 acres in Westpark from LUC #3 to a new LUC. This new LUC will be identical to the existing LUC #3 with the addition on the following condition number 5.

5. Guest quarters will be permitted as an accessory use provided the following conditions are met:
- a) There can be no more than 6 separate guest rooms in a single office building;
 - b) There can be no more than one guest room for every 3000 square feet of office space in a building;
 - c) All guest rooms must be located entirely within the office building;
 - d) No guest rooms shall include a complete kitchen;
 - e) All guest rooms shall be used only for short-term accommodations for bona fide business associates of the principal office use; and
 - f) The guest rooms shall be strictly for non-paying guests, and no charge of any kind shall be made by those guests for use of the facilities.

Dear Andy,

Thank you so much for acting on our behalf and meeting with the City Planning Commission. Truly we are appreciate of your efforts.

What Goes on at the Phi Mu Office:

The Office is shared by both the Phi Mu Fraternity, a 501 C-7 not for profit corporation, incorporated in the state of Georgia & founded in 1852, and the Phi Mu Foundation, a 501 C-3 non profit corporation, founded in 1957. Both have staffs – the Fraternity has 19 on site employees and the Foundation 3 ½ on site employees. On occasion, temps have been hired. The Fraternity also has off site employees called Chapter Consultants. They are on one year contracts and travel to our collegiate chapters. The number varies year to year, generally between 8-10. They are brought in several times a year for training.

Current office hours are from 8:30-5:00 EST, however flex time is allowed so some employees arrive as early as 6:30 am and depart as late as 7:00pm.

Phi Mu Foundation currently maintains a Heritage Room to display historic memorabilia of Phi Mu and mementos from Wesleyan College, Macon, Georgia. In our new location we plan to have a larger space to preserve and display our artifacts.

Our current (and hopefully) future office houses an archives as well as a gift collection of Phi Mu related merchandise. Our quarterly magazine as well as a number of manuals and newsletters are printed in house. Our membership and chapter records are maintained. The office serves as the hub of Phi Mu communication. Additionally financial records of our chapters and the national organization are kept.

In our new Peachtree City headquarters, in addition to displaying our artifacts and rich heritage, we want a facility to meet and develop programming for our chapters and alumnae. As our membership has grown, so have the areas in which the Fraternity and Foundation can support the membership. We will communicate with and support over 140,000 members including 9,000 collegians. It is our hope we can continue leadership training for our volunteers and members. And finally, it will be Phi Mu's "home."

We would like to have six (6) sleeping areas, room enough to sleep 12 people. Other national sororities have sleeping quarters to house visiting volunteer officers and members. Some of the meetings that would be held in the building that the sleeping areas could be utilized for:

National Council Meetings (7 women) – meets 5 times a year on a weekend
Board of Trustees (8 women) – meets 4-5 times a year on weekends
Foundation Scholarship Committee Meeting – (3), over 3 day period

Attachment "A"

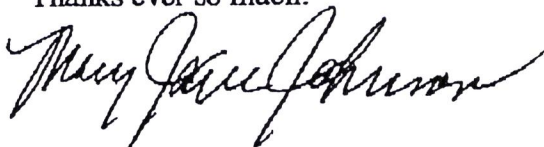
Page 3 of 6

Foundation Budget Committee Meeting (3) – held one day with an overnight stay
Chapter Consultant Training – traveling employees (8-10), training end of July-1st of
August for 14 days, refresher training 4 days in fall, refresher training –3 days in
December, refresher training 2-3 days in spring, wrapup-3 days at end of employment
Graduate Counselors Training – Graduate students who work with our collegiate chapters
(4-6), training occurs over 5 day period beginning of August
Financial Planning Group Meeting (7 women)– occurs twice a year over a weekend;
accountant attends one of the meetings
Collegiate-Alumnae Management Meeting (12 women)- volunteer middle management
meeting over weekend
Marketing Group Meeting (6)- meets once a year over a weekend
Long Range Planning Meeting (6) – meets once a year over a weekend
Advisory Training Team (6-10) – meets over a weekend once a year
Area Officer Training (8-12) – weekend training meeting of volunteer officers
Gender Gap Facilitator Training (8-14)– weekend training of facilitators who conduct
educational training for college students

Additionally, we are delighted that there are accommodations in the Peachtree City area
so we can host our Leadership Conferences, a weekend gathering of collegiate and
alumnae members held in odd numbered years. Currently we have been holding it at 3
sites nationwide with an attendance of approx. 7-800. We would be interested in holding
one of them in P.C. and the attendance would anticipated around 300.

Enclosed are several articles of other groups addressing their headquarters and use
thereof. Hopefully this will give you an additional idea of what a Sorority Headquarters
office entails. (Fraternities are similar, Andy.)

Thanks ever so much!

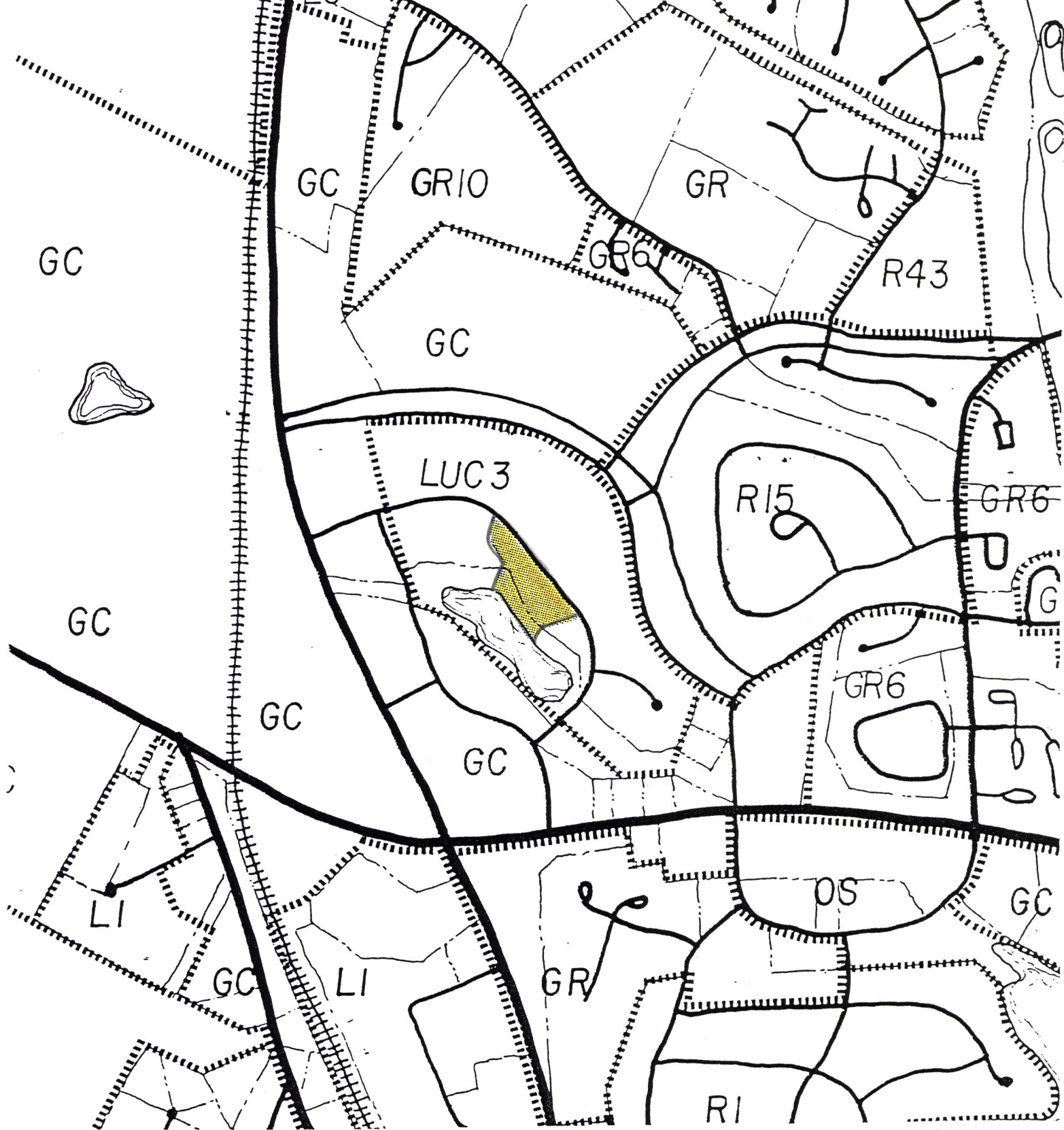


Attachment "A"

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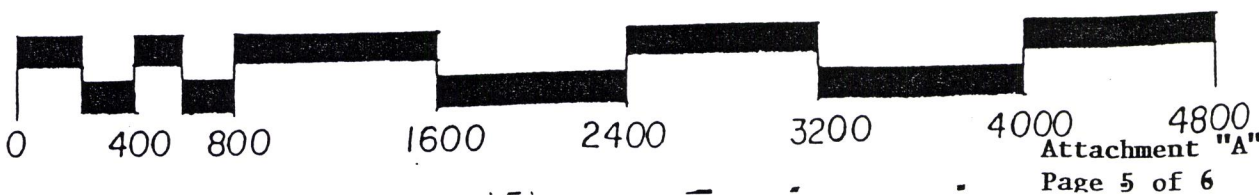
No. 4976 P. 4

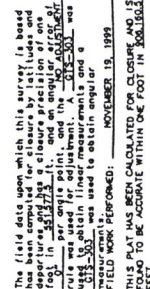
Feb. 14. 2000 11:59PM RJA AB LAND MAJOR



SCALE: 1"=800'

PHI MU SORORITY SITE



[illegible]

PHONE: 770-254-1383
1175 ROSCOE ROAD
NEWNAN, GEORGIA 30269
FAX: 770-254-1383

(1006B.2) *Limited-use commercial district no. 2.*

- (a) This district has been created for an area of approximately three acres located on the north by Flat Creek Road and the west by Clubhouse Drive, as shown on attached plat. [Refer to Ordinance No. 505].
- (b) In order to create a commercial district that is related to its surrounding area and in the best interest of public safety, welfare and convenience, the district shall be limited to the following specific uses: a commercial recreation facility (1006A.2)(d). The following additional uses which relate to the primary activity of this complex shall be permitted if located entirely within the building complex:
- (1) Retail business involving the sale of merchandise on the premises (1006A.2)(a);
 - (2) Business involving the rendering of a personal service on the premises (1006A.2)(b);
 - (3) Office for business or professional purpose (1006A.2)(c);
 - (4) Private or semiprivate club, or social center (1006A.2)(h);
 - (5) Restaurant/lounge (1006A.2)(k); and
 - (6) Those accessory uses listed in section (908.3), uses accessory to businesses and industries. Section (908.6), setback, height, and other requirements for accessory uses shall apply to this district.
- (c) The following conditions shall apply to the permitted uses of this district:
- (1) All activities conducted within the district must relate to the business and service of a commercial recreational facility.
 - (2) Typical outdoor activities (pool, tennis court, patio restaurant, etc.) shall be allowed, contingent on site plan review of the planning commission.
 - (3) Building height shall be limited to 35 feet above the highest site elevation.
 - (4) Traffic ingress/egress shall be limited to access from the entry drive to Flat Creek Club.
- (d) All other requirements as listed in section (1006A.4), other requirements, (a) through (p) shall apply to this district unless otherwise specified as a conditional use.
- (Ord. No. 504, 8-5-1982)

→ (1006B.3) *Limited-use commercial district no. 3.*

- (a) A tract of property described below [shall] be rezoned from its present classification of GR-6 and GR-10 to LUC-3. Said property is more particularly described as follows [in Ordinance No. 322].
- (b) The above tracts of property are hereby rezoned on the following express conditions:
- (1) The use of said property shall be limited to those uses specified in the Code of Ordinance for Peachtree City, section (1006A.2), exception, section (1006A.2)(a), retail business; section (1006A.2)(j), hotel; and (1006A.2)(n), wholesale business.

- (2) No restaurant/lounge shall be permitted pursuant to section (1006A.2)(k) of the zoning ordinance of the City of Peachtree City unless plans reveal that said restaurant/lounge will be located entirely within an office building.
- (3) No access shall be allowed onto Aberdeen Parkway.
- (4) The developer shall reserve an undisturbed buffer easement, 25 feet in width, along the right-of-way of Aberdeen Parkway.

(Ord. No. 322, 2-6-1984)

(1006B.4) *Limited-use commercial district no. 4.*

- (a) A certain property located in said city is hereby rezoned from AR (agricultural reserve) to LUC-4 (limited-use commercial). Said property is more particularly described as follows: (See legal description of 38 acres attached to Ordinance No. 324 and made a part hereof.)
- (b) Said property is rezoned to LUC-4 for the uses set forth in section (1006A.3)(h) of [the zoning ordinance] the Code of Ordinances of Peachtree City only (community hospital including customary accessory functions) and deemed to specifically include medical office buildings.
- (c) Said rezoning is hereby allowed on the express condition that:
 - (1) The entire medical complex shall have undisturbed buffers 150 feet in width on all sides.
 - (2) Any retail space shall be medically related and shall be limited to customary accessory functions of a hospital and shall be located in the hospital building or in adjacent office buildings as depicted on a site plan presented by Hospital Corporation of America and made a part of this record, however, in no case built on subdivided lots.
 - (3) Prior to construction, any plan of road access must be approved by the city council of Peachtree City.
 - (4) Said zoning is further conditioned upon procurement by the Hospital Corporation of America of a certificate of need for a hospital from the State of Georgia.

(Ord. No. 324, 3-13-1984)

(1006B.5) *Limited-use commercial district no. 5.*

- (a) This district has been created for an area of approximately 6.4 acres located on the north by Flat Creek Road and the east by Peachtree Parkway as shown on the attached plat. [Refer to Ordinance No. 506.]
- (b) In order to create a commercial district that is related to its surrounding area and in the best interest of public safety, welfare and convenience, the district shall be limited to the following specific uses: a commercial recreational facility (1006A.2)(d). The following additional uses which relate to the primary activity of this complex shall be permitted if located entirely within the building complex:
 - (1) Retail business involving the sale of merchandise on the premises (1006A.2)(a), (ex.: the sale of tennis equipment in tennis pavilion);

- (m) No outside loudspeaker systems shall be utilized.
- (n) All lights or lighting arrangements used for purposes of advertising, security or night operations must be directed away from adjoining or nearby residential zoning lots.
- (o) A landscape plan is required for the site, and must be reviewed by a registered landscape architect to be designated by the city and by the planning commission prior to issuance of occupancy permit. If no action is taken or time extended within 30 days from filing, such request shall be considered approved. The landscape plan shall be fully implemented prior to occupancy and if not completed an occupancy permit will not be issued. If it is infeasible to complete the landscaping due to weather conditions or other extenuating circumstances then the owner shall post a performance bond or other acceptable security in an amount equal to 110 percent of the cost of the landscaping improvements which remain incomplete. The owner shall have a one year period in which to complete the required improvements in a satisfactory manner.

The owner shall provide adequate maintenance of the landscaping improvements for a minimum of one year from implementation. The city shall inspect special screening at least once during this period to ensure that the approved plan has been fully implemented and maintained. If it is found that the landscaping, as stated in this section, has died within a one-year period, such landscaping shall be replaced by the owner.

- (p) Items (c) and (o) above shall be binding standards on all development after March 5, 1981. Development completed prior to this date will not need to meet such standards now or in the future and will be limited to a 20-foot front setback depth.

(Ord. No. 233, 4-2-1981; Ord. No. 268, § 1(C)(7), 6-3-1982; Ord. No. 366, § 19, 5-22-1985)

Sec. 1006A. LUC limited-use commercial district.*

(1006A.1) *Intent of district:* It is intended that the LUC zoning district be established and reserved for restricted commercial business purposes. Recognizing that a commercial district with its variety of land uses could cause a detrimental impact on neighboring lands, the regulations which apply within this district are designed to encourage the formation and continuance of a stable, economically healthy and compatible environment for businesses to serve city and regional commercial needs and to promote the interests of the particular neighbors and the public welfare at large. These regulations are intended for use only when a commercial district, in its unrestricted form, would be an isolated district, unrelated and detrimental to the surrounding area. These regulations are also intended to reduce traffic congestion, provide for adequate off-street parking, prohibit the development of "strip" type business areas, and prohibit encroachment by other uses capable of adversely affecting the character of the district.

(1006A.2) *Permitted uses:* Any one or more of the following uses may be permitted in any LUC zoning district. (The specific use and any related activity anticipated by the party

***Editor's note**—Specific LUC districts are set out in § 1006B.

requesting the rezoning must be delineated in the zoning request.) The property will be rezoned for one or more specific uses only to the exclusion of all other listed permitted uses. The limits of permitted uses of the property, density or intensity of use, and height and size restrictions must have a reasonable relation to the rezoning, and must be in the best interest of public safety, welfare and convenience.

- (a) Retail business involving the sale of merchandise on the premises.
- (b) Business involving the rendering of a personal service on the premises.
- (c) Office for governmental, business, professional or general purposes.
- (d) Commercial recreation facility located entirely within a building on the premises.
- (e) Publicly owned building, facility or land.
- (f) Building, facility or land for the distribution of utility services.
- (g) Building, facility, or land for noncommercial park, recreation, thoroughfare or open space purposes.
- (h) Private or semiprivate club, lodge or social center.
- (i) Building, facility or land for off-street automobile parking.
- (j) Hotel or motel.
- (k) Restaurant/lounge.
- (l) Commercial trade or vocational school.
- (m) Radio and/or television station, not including a transmission tower.
- (n) Wholesale business involving the sale of merchandise on the premises.
- (o) Newspaper publishing facility.
- (p) Accessory use: See section 908.

(1006A.3) *Conditional uses:* The following uses shall be permitted in any LUC zoning district on a conditional basis. (The specific use and any related activity anticipated by the party requesting the rezoning must be delineated in the zoning request.) The city council may, in its discretion, approve a zoning request subject to additional conditions so long as those conditions are reasonable and are imposed for the protection or benefit of neighboring land owners to ameliorate the effects of the zoning change. (The property will be rezoned for one or more specific uses only to the exclusion of all other listed permitted uses.)

- (a) All conditional uses permitted in section (1005.3) for LC zoning districts, subject to the same conditions.
- (b) Dwelling in combination with any use permitted in this district, provided all dwelling units have direct access to a street or other public area.
- (c) All uses permitted in section (1004.2) for GR zoning districts, subject to the same requirements.

- (d) All conditional uses permitted in section (1004.3) for GR zoning districts, subject to the same conditions.
- (e) Open yard for the sale, rental and/or storage of materials or equipment, excluding junk or salvage materials, provided that the area is entirely screened from the street and adjoining properties by a suitable fence or wall at least six feet in height above finished grade. The above required fence or wall must provide for a reasonable visual separation between the use and adjoining properties.
- (f) Commercial recreation facility or land where the use is not located entirely within a building on the premises, on the following conditions:
 - (1) The zoning lot is not less than one acre in area.
 - (2) The zoning lot is not adjacent to or across the street from any residential zoning lot.
- (g) Transportation facility or terminal, provided service is primarily for passenger transportation rather than freight transportation.
- (h) Community hospital, including customary accessory functions, provided the zoning lot is not less than ten acres in area.
- (i) Self-service storage facilities (mini-warehouses), permitted subject to the following conditions:
 - (1) Storage facilities shall be limited to dead storage use only.
 - (2) No activities other than rental of storage units and pick-up and deposit of dead storage shall be allowed on the premises. (Ord. No. 419, 12-18-1986)

(1006A.4) *Other requirements:* Unless otherwise specified in this ordinance, uses permitted in LUC zoning districts shall conform to the following standards:

- (a) Minimum zoning lot area: 30,000 square feet.
- (b) Minimum lot width: 150 feet.
- (c) Minimum front setback depth:
 - (1) Building: 40 feet.
 - (2) Driveway/parking: 20 feet.
- (d) Minimum side setback depth: Ten feet. (If adjoining a residential zoning lot, the building setback shall be 75 feet.)
- (e) Minimum rear setback depth: 20 feet. (If adjoining a residential zoning lot, the building setback shall be 75 feet.)
- (f) Maximum building height: Ten stories, but if over 35 feet, it must be approved by the fire department.
- (g) Parking: See section 909.
- (h) Signs: See Peachtree City sign ordinance.

Cross reference—Sign ordinance, § 66-1 et seq.

- (i) Storage: No storage will be permitted on the zoning lot outside a fully enclosed building unless the storage area is entirely screened from the street and adjoining properties by a suitable fence or wall at least six feet in height above the finished grade. The required fence or wall must provide for a reasonable visual separation between the storage area and any adjoining property.
- (j) All zoning lots shall have direct access onto a major thoroughfare, or have access to a major thoroughfare via an access street.
- (k) No automobile parking or service areas will be permitted within the required front setback depth or within 30 feet of the property line of any adjoining residential zoning lot.
- (l) All parking and service areas must be separated from adjoining residential zoning lots by a suitable planting screen, fence or wall at least six feet in height above finished grade. The above required screen, fence or wall must provide for a reasonable visual separation between the properties.
- (m) No outside loudspeaker systems shall be utilized.
- (n) All lights or lighting arrangements used for purposes of advertising, security or night operations must be directed away from adjoining or nearby residential zoning lots.
- (o) A landscape plan is required for the site, and must be reviewed by a registered landscape architect to be designated by the city and by the planning commission prior to issuance of occupancy permit. If no action is taken or time extended within 30 days from filing, such request shall be considered approved.

The landscape plan shall be fully implemented prior to occupancy and if not completed an occupancy permit will not be issued. If it is infeasible to complete the landscaping due to weather conditions or other extenuating circumstances then the owner shall post a performance bond or other acceptable security in an amount equal to 110 percent of the cost of the landscaping improvements which remain incomplete. The owner shall have a one year period in which to complete the required improvements in a satisfactory manner.

The owner shall provide adequate maintenance of the landscaping improvements for a minimum of one year from implementation. The city shall inspect special screening at least once during this period to ensure that the approved plan has been fully implemented and maintained. If it is found that the landscaping, as stated in this section has died within the one-year period such landscaping shall be replaced by the owner.
- (p) The limits of permitted usage and/or any conditional uses must be clearly defined. A complete description of each district created, its location, its permitted uses, conditional uses, related activities and special restriction must appear in the appendix of the zoning ordinance. LUC districts shall be listed in this appendix in a numerical sequence related to the order in which they were created. This numerical suffix shall also be shown on the official zoning map, affixed to each district so created.

(Ord. No. 262, 4-8-1982; Ord. No. 366, § 19, 5-22-1985)

Sec. 1006B. Specific limited-use commercial districts.*(1006B.1) Limited-use commercial district no. 1.*

- (a) This district has been created for an area of approximately 20 acres located on the north side of Georgia Highway 54, east of lake Peachtree Bridge and west of the Flat Creek Golf Course. Refer to plat [attached to Ordinance No. 504].
 - (b) In order to create a commercial district that is related to its surrounding area and in the best interest of public safety, welfare and convenience, the district shall be limited to the following specific uses: a hotel conference complex (1006A.2)(j) and commercial recreational facility (1006A.2)(d). The following additional uses which relate to the primary activity of this complex shall be permitted if located entirely within the building complex:
 - (1) Retail business involving the sale of merchandise on the premises (1006A.2)(a);
 - (2) Business involving the rendering of a personal service on the premises (1006A.2)(b);
 - (3) Office for governmental, business, professional or general purpose (1006A.2)(c);
 - (4) Private or semiprivate club, lodge or social center (1006A.2)(h);
 - (5) Restaurant/lounge (1006A.2)(k); and
 - (6) Those accessory uses listed in section (908.3), uses accessory to businesses and industries. Section (908.6), setback, height, and other requirements for accessory uses, shall apply to this district.
 - (c) The following conditions shall apply to the permitted uses of this district:
 - (1) All activities conducted within the district must relate to the business and service of a hotel conference complex and commercial recreational facility.
 - (2) Except for off-street parking, all commercial, sales and service activities shall be within completely enclosed buildings, and there shall be no unenclosed displays of merchandise. No wholesaling or jobbing shall be conducted from within the district. Typical outdoor activities (pool, tennis court, patio restaurant, etc.) shall be allowed, contingent on site plan review of the planning commission.
 - (3) Building height shall be limited to 35 feet above the highest site elevation.
 - (4) Traffic ingress/egress shall be limited to one entry from Highway 54 with adequate acceleration/deceleration lanes provided (location of which shall be approved during site plan review).
 - (5) Off-street parking requirements shall be in compliance with section 909, off-street automobile parking of the zoning ordinance. Common parking unique to the site shall be considered during site plan review.
 - (d) All other requirements as listed in section (1006A.4), other requirements, (a) through (p) shall apply to this district unless otherwise specified as a conditional use.
- (Ord. No. 504, 8-5-1982)

work with City Staff and the Mayor's Task Force to develop plans for approximately 900 acres in unincorporated Fayette County.

9. In response to requests from the Planning Commission, Staff was continuing to work on the following issues:

- *Site stabilization and landscaping at McIntosh High School (Walt Banks Road)*
- *Georgia Power substation landscaping (GA 74)*
- *Refinement of tree removal process for residential property*

10. The following documents were distributed:

- *Peachtree City Building Activity for the month of February, 2000*
- *Fayette County Building Report for the month of February, 2000*

APPROVAL OF MINUTES

Dr. Schumacher asked that a sentence be clarified on page 4 of the minutes of the regular meeting held on February 14, 2000. Following that change, a motion was made by Mr. Finney, seconded by Mr. Granger, and unanimously adopted to approve the minutes as revised.

A motion was made by Dr. Schumacher, seconded by Mr. Finney, and unanimously adopted to approve the minutes of the Planning Commission Workshop on February 28, 2000.

Approval of the minutes of the regular meeting of February 28, 2000, was postponed to the March 13, 2000, Planning Commission meeting.

PUBLIC HEARING

The Chairman called the public hearing to order. He explained the rules for conducting a public hearing and informed the people in the audience that printed copies of the rules were available at the entrance.

PH-00-02 Proposed Rezoning, Phi Mu Sorority

Mr. Tate Godfrey of Pathway Communities stated that the Phi Mu Sorority wanted to build its national headquarters in Peachtree City on a 5-acre tract in Westpark between the Brookside Building and the Goody's Building. It was explained that the national headquarters was a permitted use in that area, but the applicant wanted to also include six

overnight guest rooms in the facility. This was not permitted. Therefore, the applicant was requesting a rezoning from LUC-3 Limited Use Commercial to a new district to be called LUC-16 Limited Use Commercial, the only difference being allowance for the six guest rooms.

The proposed building would be about 18,000 square feet, and it would be located toward the rear of the 5-acre site. This would leave a substantial tree-save area between the building and Westpark Drive. The building would be oriented to overlook the existing pond to the rear of the property. There were no plans to begin building construction in the near future.

The staff recommended approval with the following conditions:

- a) *There can be no more than six separate guest rooms in a single office building;*
- b) *There can be no more than one guest room for every 3000 square feet of office space in a building;*
- c) *All guest rooms must be located entirely within the office building;*
- d) *No guest rooms shall include a complete kitchen;*
- e) *All guest rooms shall be used only for short-term accommodations for bona fide business associates of the principal office use; and*
- f) *The guest rooms shall be strictly for non-paying guests, and no payment of any kind shall be made by those guests for the use of the facilities.*
- g) *If at any time in the future the property is not to be used for the national headquarters of a sorority, the zoning will revert back to LUC-3.*

The Commission was concerned that the sorority may want to build more than one building on the site and suggested that condition a) be revised to read "a) There can be no more than six separate guest rooms on a single zoning lot." The applicant agreed to the proposed change.

After discussion, a motion was made by Dr. Schumacher, seconded by Mr. Finney, and unanimously adopted to recommend that Council approve the proposed rezoning with the following conditions:

- a) *There can be no more than six separate guest rooms on a single zoning lot;*
- b) *There can be no more than one guest room for every 3000 square feet of office space in a building;*
- c) *All guest rooms must be located entirely within the office building;*
- d) *No guest rooms shall include a complete kitchen;*
- e) *All guest rooms shall be used only for short-term accommodations for bona fide business associates of the principal office use; and*
- f) *The guest rooms shall be strictly for non-paying guests, and no payment of any kind shall be made by those guests for the use of the facilities.*
- g) *If at any time in the future the property is not to be used for the national headquarters of a sorority, the zoning will revert back to LUC-3.*

OLD AGENDA ITEMS

02-00-09 Proposed Name for Line Creek Collector Road

The City Planner informed the Commission that the 911 Supervisor had not approved the previously selected name of Inverness Parkway. Also, Line Creek Parkway was not approved.

Former Mayor Fred Brown was in attendance to recommend the name "MacDuff Parkway." This name was based on a character in the book *Kelpies of Peachtree City*. He felt it had both a Scottish and historical relationship to the City.

After discussion, a motion was made by Mr. Ames, seconded by Mr. Finney, and unanimously adopted to officially name the Line Creek Collector Road as MacDuff Parkway.

NEW AGENDA ITEMS

03-00-01 Conceptual Site Plan, Cooper Lighting Expansion

Mr. Jim Larken of Eberly and Associates was in attendance to present the site plan for a 60,000 square foot office expansion at Cooper Lighting.

Staff recommended approval of the site plan with the following conditions:

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

FROM: City Manager 
Assistant City Manager 

DATE: March 31, 2000

SUBJECT: Fayette County Proposed Jail Facilities Impact Fee

Attached is a letter and supporting information from Fayette County Commission Chairman Harold Bost requesting that the Council consider imposing the proposed jail impact fee on new construction in Peachtree City on behalf of the County for the jail facilities. Fayette County does not have the authority to impose impact fees on the municipalities. Moreover, the jail impact fee cannot be implemented at all unless every jurisdiction in the County agrees to impose it.

The total portion of the bond issue for the jail facilities is \$25,107,000. The attached spreadsheet provided by the County provides the methodology for the how the impact fee is calculated. Because staff received this information as the Council packets were being prepared, we have not had sufficient time to fully analyze and understand this information. Staff will be reviewing this information in more detail and will forward any additional information to Council as it is made available by the County. The proposed impact fee is calculated by doubling the capital improvement costs (the number in the box on the far right for each year on the attached spreadsheet), which accounts for the debt service costs. The total proposed impact fee by year per household (new construction) is as follows.

Years	Fee Per Household
2000 – 2005	\$ 818.88
2005 – 2010	\$ 947.24
2010 – 2015	\$1,084.22
2015 – 2020	\$1,223.74

Chairman Bost will be present at the Council Meeting to discuss this request in further detail.

Attachment



BOARD OF COMMISSIONERS

Harold Bost, Chairman
Gregory M. Dunn, Vice Chairman
Herbert E. Frady, Commissioner
Glen Gosa, Commissioner
Linda Wells, Commissioner
Billy P. Beckett, County Manager
W. R. McNally, Attorney
Carol Chandler, Executive Assistant

March 30, 2000

Where Quality Is A Lifestyle

Honorable Robert L. Lenox, Mayor
City of Peachtree City
151 Willow Bend Road
Peachtree City, Georgia 30290

Dear Mayor Lenox:

At the Special Called Meeting of the Fayette County Board of Commissioners on Wednesday, March 29, 2000, impact fees for jail construction were approved.

Attached are calculations of how the impact fee amount was determined. Please note the jail impact fee calculations were made as of early March, 2000. Therefore, the final first year calculations will be "slightly" different from those presented on the attached sheets. It is estimated the jail impact fees will pay up to 60% of the debt service on the new jail.

As you know, the Board of Commissioners does not have the authority to impose impact fees in your jurisdiction. Therefore, the Board is respectfully asking Peachtree City to impose this impact fee on behalf of the County for this specific project, which will benefit your citizens in the same manner as it will citizens in unincorporated Fayette County. In fact, a jail impact fee cannot be implemented at all unless **every** jurisdiction in the County agrees to impose it. This is because inmates from **every** jurisdiction are housed in the County Jail. It would not be fair to collect fees in some jurisdictions if all do not participate.

Please give our request your consideration as soon as you possibly can. The County cannot move this time-consuming process forward until we have heard from you. We expect it to take up to 6 months to obtain final state approval, hold public hearings, etc., which must happen before we can actually begin to collect impact fees. The County will perform the necessary annual calculations for any adjustment in these fees as required by state law.

Thank you for your support in this matter. If you have questions and/or need any additional information, please contact me.

With kindest regards, I am

Sincerely,

FAYETTE COUNTY COMMISSION

Harold Bost
Chairman

JAIL FACILITIES IMPACT FEES

Impact Fee amounts based on Projected Population Growth in Unincorporated Fayette County, Brooks, Fayetteville, Peachtree City, Tyrone and Woolsey:

(The adopted impact fee amount includes debt service.)

YEAR	Fee Including Debt Service	Not Including Debt Service
2000 - 2005	\$ 808.88	\$ 404.44
2005 - 2010	\$ 947.24	\$ 473.62
2010 - 2015	\$1,084.22	\$ 543.11
2015 - 2020	\$1,223.74	\$ 611.87

Jail Facilities - Impact Fee
Based on Population Growth in
Unincorporated Fayette County, Brooks,
Fayetteville, Peachtree City, Tyrone and
Woolsey (Spring 2000)

2000		
Service Unit	Level of Service (LOS) Population	Existing Level of Service Per 1000 Capita
Inmates	95,900 (1) 200 (2)	2.09 (3)

(1) 95,900 (ARC pop. projection)

(2) 200 (2000 inmate pop.)

(3) $200 (2000 \text{ inmate pop.}) / 95.9 (95,900/1,000=95.9) = 2.09$ (inmates per 1,000 pop.)

Jail Facilities - Impact Fee
Based on Population Growth in Unincorporated Fayette County,
Brooks, Fayetteville, Peachtree City, Tyrone and Woolsey (Spring 2000)

2005					
Cost Per Inmate	Level of Service (LOS) Population	Additional # of Inmates & Cost Based on 2005 LOS	# of Inmates & Cost Not Subject to Funding by Impact Fee	# of Inmates & Cost Subject to Funding by Impact Fee	Impact Fee Per Household
\$65,383 (7)	113,200 (8)	277.1 (11)			
	2005 LOS - 2.45 (9)	(minus) 200.0 (12)			
	Increase in LOS 0.36 (10)	(equals) 77.1 (13)	40.5 (15)	36.6 (17)	
		\$5,041,029.30 (14)	\$2,648,012 (16)	\$2,393,018 (18)	\$409.44 (19)

Jail Facilities - Impact Fee
Based on Population Growth in Unincorporated Fayette County,
Brooks, Fayetteville, Peachtree City, Tyrone and Woolsey (Spring 2000)

2010 (see NOTE:)					
Cost Per Inmate	Level of Service (LOS) Population	Additional # of Inmates & Cost Based on 2010 LOS	# of Inmates & Cost Not Subject to Funding by Impact Fee	# of Inmates & Cost Subject to Funding by Impact Fee	Impact Fee Per Household
\$65,383 (33)	133,100 (34)	373.4 (37)			
	2010 LOS - 2.81 (35)	(minus) 277.1 (38)			
	Increase in LOS 0.36 (36)	(equals) 96.3 (39)	47.6 (41)	48.7 (43)	
		\$6,296,383 (40)	\$3,112,231 (42)	\$3,184,152 (44)	\$473.62 (45)

Jail Facilities - Impact Fee

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

FROM: City Manager 

DATE: April 3, 2000

SUBJECT: Fayette County Proposed Jail Facility Impact Fee

Attached is an Executive Summary with attachments on subject Impact Fee. The Executive Summary primarily explains the formula that was used in calculating the fee.

In discussing the matter with Stephen Ott and Jim Williams, it is our preliminary opinion that Council could amend the City Development Impact Fee Ordinance by increasing the fee for all service areas throughout the City by the \$818.88 jail impact fee. However, before amending the City ordinance, Fayette County would have to have the jail impact fee and formula approved by the State Department of Community Affairs as well as any other required State agencies.

It is also our preliminary opinion that the proposed fee, which applies to each new residential unit constructed in the incorporated and unincorporated areas of the County, appears to be very fair to Peachtree City. This opinion is based on the fact that the City is almost at build-out. Additionally, Chief Murray advises that he feels his department certainly books its share of prisoners into the jail.

To conclude, while Council could agree with the concept of the fee Thursday night, it is staff's recommendation that such action be conditioned on the County obtaining all required State approvals, and passage of a County ordinance implementing the fee. In the meantime, the City Attorney and staff could further research this matter. Once all of this is done, Council should be in a position to consider an amendment to the City Development Impact Fee Ordinance.

Cc: City Attorney
ACM, DDS

Impact Fee for Jail Facility

Executive Summary

Spring, 2000

At their February 5, 2000 retreat, the Fayette County Board of Commissioners (BCC) requested that staff provide the specific dollars to be charged for jail impact fees, while maintaining an awareness of the current and anticipated growth in service levels. The BCC acknowledges that jail facilities are a unique area when it comes to the assessment of impact fees. No jurisdiction has attempted to impose an impact fee for a jail facility. The Fayette County Impact Fee Advisory Committee felt it necessary to obtain an opinion from the Office of the Attorney General (OAG) as to whether impact fees for jails even met the intent of the legislation. The OAG's opinion was that jail facilities were included in the legislation.

The assessment of an impact for a jail facility is unlike assessing an impact fee for other services such as Fire and EMS or recreation. An impact fee for Fire and EMS, for example, is based on a defined Level of Service (LOS) that can remain constant over the planning period. It can accurately provide for a specified level of service that is previously agreed upon and maintained. The decision to provide X number of fire engines per 1,000 population, for instance, remains constant as the county grows.

However, with a jail facility the LOS is derived by dividing the number of inmates by the population. Because the inmate population fluctuates, this number will fluctuate on a daily, monthly and yearly basis. The actual LOS is determined by the number of inmates that are housed in a facility at any given time.

Because of this basis for determining LOS, there are several inherent problems in attempting to estimate an impact fee for a jail facility:

1. As discussed above, projecting jail inmate population is difficult. While a daily, monthly, or yearly average can be derived, there is no way to tell what the LOS will be from year to year, or even month to month or day to day.
2. The estimated LOS is based on projections that cannot accurately allow for a future spike in inmate population, either high or low (see Assumptions). If the estimated LOS is significantly lower than the actual LOS and capacity is reached prior to the anticipated date, impact fees must cease earlier than anticipated and less money will be collected. If the estimated LOS is significantly higher than the actual LOS, a portion of construction costs, which ordinarily would have been subject to impact fees, can never be recaptured because of the artificially high estimated LOS.

3. Because the LOS will change annually, the impact fee must be re-figured annually. This requires the formal submittal of the new impact fee to DCA for review and approval. Financial computer programs must be updated. The administrative costs of a jail impact fee will consequently be higher than that of other impact fees.
4. The greater the number of inmates, the higher the LOS, the lower the impact fee.

Basic Statistics

Prior to beginning the analysis of impact fee assessment, certain basic numbers must be agreed upon at the outset. These include the current number of inmates and the current LOS. The number of inmates in, and the cost of, the proposed jail facility must also be set.

For purposes of this analysis, the current jail facility is considered to house 200 inmates. This gives the county an existing LOS of 2.09 inmates per 1,000 population ($200 / 95,500$). It is also maintained that the proposed jail facility will house 384 inmates at a cost of \$25,107,000 (pods only).

Assumptions

Just as with the previously submitted impact fee estimates, the current and anticipated growth in service levels required staff to make a number of assumptions about the current and future LOS as it regards the jail facility. Each of the assumptions is discussed below:

Level of Service: An acceptable service level must be defined to establish the need for additional capacity to serve new development. For the reasons stated previously, it is difficult to determine a LOS for inmate population. While we note that the existing LOS is 2.09 based on current inmates and current population, we also noted that LOS changes daily, weekly, monthly, and yearly. When comparing Fayette County's 2.09 LOS to the state LOS and the LOS for other Georgia counties, we found it to be on the low side. The state's LOS is 4.94 inmates per 1,000 population; counties with jail populations at 95 percent of capacity or less, which means they were operating in sync with their county population, is 3.56 inmates per 1,000.

2000 LOS: Based on the state and other county's inmate to population ratio, we believe that Fayette County's inmate to population ratio is artificially low. If there were more space currently available, statistics show that it is likely that there would be more inmates to fill the space. Therefore, we have chosen to use a level of service of 3.52 inmates per 1,000 population. This is derived from subtracting 2.09 (Fayette County LOS) from 4.94 (state LOS), which equals 2.85. This 2.85 is then divided in half ($2.85 / 2 = 1.42$). The

result (1.42) is then added back to 2.09 ($2.09 + 1.42$) to equal 3.52. This is still less than the other county's ratios of 3.56, but we believe more accurately represents Fayette County's actual inmate population, given available space.

By using the 3.52 LOS we believe we have chosen the middle ground approach between what we consider an underestimated approach (using the existing county's LOS of 2.09) and an overestimated approach (using the state's 4.94). We believe the 3.52 figure more appropriately represents the inmate per 1,000 population in Fayette County. The pros and cons to the underestimated and overestimated approaches are outlined below:

Underestimated Approach (using 2.09 inmates per 1,000 population). This approach assumes the inmate population will rise slowly. On the positive side of this approach, it provides for a greater pool of funds initially against which to assess impact fees. With such a low LOS, there is more facility to be billed to impact fees. The negative side is that the LOS is outdated immediately. It also tends to skew the planning horizon by not accurately portraying when new pod construction will be necessary. At the next annual review, for instance, when a new, undoubtedly higher LOS is established, the assessment of impact fees is reduced to the new LOS, reducing the amount of the facility assessed to impact fees. While substantial fees will be collected for the first year or so, because the actual number will probably rise faster than the estimates, there is a limited window of fee collection.

Overestimated Approach (using 4.94 inmates per 1,000 population). This approach assumes the inmate population will rise rapidly. On the positive side of this approach, it gives a better picture of the timing for future pod construction and avoids the annual review of impact fees because the fee will stay in effect longer (capacity won't be reached as quickly as with the Underestimated Approach). However, on the negative side, it reduces the portion of facility costs that can be assessed to impact fees (assumes most of the construction is going to accommodate existing capacity). The difference between actual costs and the costs assessed to impact fees must be made up elsewhere. Also, if facilities are planned too soon and the numbers don't materialize, then refunds of collected impact fees may be required.

2005, 2010, 2015, 2020 LOS: The assumption must also be made that as the years pass, the inmate population will probably continue to increase. This increase cannot be charged to impact fees. To determine what this amount is, we have chosen to subtract the existing 2.09 LOS from the 3.52 LOS (1.43). Then we divided this amount by the four planning periods ($1.43 / 4 = 0.36$). This 0.36 is then added back to the LOS in each planning period to determine the number of inmates and cost not subject to funding by impact fees.

Service Area: An acceptable service area must be defined to ensure that impact fees paid by specific development projects benefit such projects. The service area for the jail facility is

specific development projects benefit such projects. The service area for the jail facility is considered to be either all the jurisdictions served by such a facility (Plan A) or just the unincorporated county (Plan B). The facility is considered to be uniformly available and no distinct service area was established.

Projected Population: The committee used the Atlanta Regional Commission's 2020 county-wide population projections. Jurisdictional figures were obtained from individual comprehensive plans with extrapolations where necessary:

	2000	2005	2010	2015	2020
Brooks	550	700	850	1,000	1,150
Fayetteville	10,876	14,504	19,408	23,189	23,189
Peachtree City	33,983	41,017	43,817	43,817	43,817
Tyrone	4,823	6,719	7,347	7,966	8,579
Woolsey	137	147	157	168	178
Unincorp. Co.	45,531	50,113	61,521	75,060	97,187
Total	95,900	113,200	133,100	151,200	174,100

Households: The number of households was calculated by subtracting the 2000 population from the 2020 population and dividing by the 1990 Census figure of 2.96 persons per household.

Fayette County Impact Fee Advisory Committee

The Fayette County Impact Fee Advisory Committee is on record as endorsing the use of impact fees for new jail construction. The committee has reviewed this information and supports the information as presented.

Plan A

Jail Facilities - Impact Fee

Based on Population Growth in
Unincorporated Fayette County, Brooks,
Fayetteville, Peachtree City, Tyrone and
Woolsey (Spring 2000)

2000		
Service Unit	Level of Service (LOS) Population 95,900 (1)	Existing Level of Service Per 1000 Capita
Inmates	200 (2)	2.09 (3)

(1) 95,900 (ARC pop. projection)

(2) 200 (2000 Inmate pop.)

(3) 200 (2000 Inmate pop.) / 95.9 (95,900/1,000=95.9) = 2.09 (inmates per 1,000 pop.)

Plan B

Jail Facility - Impact Fee

Based on Population Growth in
Unincorporated Fayette County (Spring 2000)

2000		
Service Unit	Level of Service (LOS) Population 45,531 (4)	Existing Level of Service Per 1000 Capita
Inmates	95 (5)	2.09 (6)

(4) 45,531 (derived from ARC pop. projection and local municipal pop. projections)

(5) 200 (2000 Inmate pop.) x .4748 (percent of unincorp. pop. (45,531 / 95,900 = 47.48%))
= 95 (Inmate pop.)

(6) 95 (inmates) / 45.5 (45,531/1,000=45.5) = 2.09 (Inmates per 1,000 pop.)

Plan A

Jail Facilities - Impact Fee

Based on Population Growth in Unincorporated Fayette County,
Brooks, Fayetteville, Peachtree City, Tyrone and Woolsey (Spring 2000)

2005					
Cost Per Inmate	Level of Service (LOS) Population 113,200 (8)	Additional # of Inmates & Cost Based on 2005 LOS	# of Inmates & Cost Not Subject to Funding by Impact Fee	# of Inmates & Cost Subject to Funding by Impact Fee	Impact Fee Per Household
\$65,383 (7)	2005 LOS - 2.45 (9)	277.1 (11)			
	Increase in LOS 0.36 (10)	(minus) 200.0 (12)			
		(equals) 77.1 (13)	40.5 (15)	36.6 (17)	
		\$5,041,029.30 (14)	\$2,648,012 (16)	\$2,393,018 (18)	\$409.44 (19)

(7) \$25,107,000* (cost of new jail facility) / 384 inmates = \$65,383 (cost per inmate)

(8) 113,200 (ARC pop. projection)

(9) 3.52 (proposed LOS) - 2.09 (2000 LOS) / 4 (planning periods) = 0.36 (increase in LOS which cannot be funded by impact fees) + 2.09 (2000 LOS) = 2.45 (2005 LOS)

(10) 0.36 (see 9)

(11) 2.45 (2005 LOS) x 113.2 (113,200/1,000=113.2) = 277.1 (total # of inmates based on 2005 population)

(12) 200.0 (2000 inmate pop.)

(13) 277.1 (total # of inmates based on 2005 population) - 200.0 (2000 inmate pop.) = 77.1 (additional # of inmates in 2005)

(14) 77.1 (additional # of inmates in 2005) x \$65,383 (cost per inmate) = \$5,041,029 (cost of additional # of inmates)

(15) 0.36 (increase in LOS from 2000) x 113.2 (113,200/1,000=113.2) = 40.5 (# of inmates which cannot be funded by impact fees due to increase in LOS from 2000)

(16) 40.5 (# of inmates which cannot be funded by impact fees due to increase in LOS from 2000) x \$65,383 (cost per inmate) = \$2,648,012 (cost of inmates which cannot be funded by impact fees)

(17) 77.1 (additional # of inmates in 2005) - 40.5 (# of inmates which cannot be funded by impact fees due to increase in LOS from 2000) = 36.6 (# of inmates which can be funded by impact fees)

(18) 36.6 (# of inmates which can be funded by impact fees) x \$65,383 (cost per inmate) = \$2,393,018 (cost of inmates which can be funded by impact fees)

(19) \$2,393,018 (cost of inmates which can be funded by impact fees) / 5,844 (113,200 (2005 pop.) - 95,900 (2000 pop.) = 17,300 / 2.96 (persons per household) = 5,844 households) = \$409.44 (per household)

Plan B

Jail Facility - Impact Fee

Based on Population Growth in Unincorporated Fayette County (Spring 2000)

2005					
Cost Per Inmate	Level of Service (LOS) Population 50,013 (20)	Additional # of Inmates & Cost Based on 2005 LOS	# of Inmates & Cost Not Subject to Funding by Impact Fee	# of Inmates & Cost Subject to Funding by Impact Fee	Impact Fee Per Household

Plan A

Jail Facilities - Impact Fee

Based on Population Growth in Unincorporated Fayette County,
Brooks, Fayetteville, Peachtree City, Tyrone and Woolsey (Spring 2000)

2010 (see NOTE:)					
Cost Per Inmate	Level of Service (LOS) Population 133,100 (34)	Additional # of Inmates & Cost Based on 2010 LOS	# of Inmates & Cost Not Subject to Funding by Impact Fee	# of Inmates & Cost Subject to Funding by Impact Fee	Impact Fee Per Household
\$65,383 (33)	2010 LOS - 2.81 (35)	373.4 (37)			
	Increase in LOS 0.36 (36)	(minus) 277.1 (38)			
		(equals) 96.3 (39)	47.6 (41)	48.7 (43)	
		\$6,296,383 (40)	\$3,112,231 (42)	\$3,184,152 (44)	\$473.62 (45)

(33) \$25,107,000 (cost of new jail facility) / 384 inmates = \$65,383 (cost per inmate)

(34) 133,100 (ARC pop. projection)

(35) 3.52 (proposed LOS) - 2.09 (2000 LOS) / 4 (planning periods) = 0.36 (increase in LOS which cannot be funded by impact fees) + 2.45 (2005 LOS) = 2.81 (2010 LOS)

(36) 0.36 (see 35)

(37) 2.81 (2010 LOS) x 133.1 (133,100/1,000=133.1) = 373.4 (total # of inmates based on 2010 population)

(38) 277.1 (2005 inmate pop.)

(39) 373.4 (total # of inmates based on 2010 population) - 277.1 (2005 inmate pop.) = 96.3 (additional # of inmates in 2010)

(40) 96.3 (additional # of inmates in 2010) x \$65,383 (cost per inmate) = \$6,296,383 (cost of additional # of inmates)

(41) 0.36 (increase in LOS from 2005) x 133.1 (133,100/1,000=133.1) = 47.6 (# of inmates which cannot be funded by impact fees due to increase in LOS from 2005)

(42) 47.6 (# of inmates which cannot be funded by impact fees due to increase in LOS from 2005) x \$65,383 (cost per inmate) = \$3,112,231 (cost of inmates which cannot be funded by impact fees)

(43) 96.3 (additional # of inmates in 2010) - 47.6 (# of inmates which cannot be funded by impact fees due to increase in LOS from 2005) = 48.7 (# of inmates which can be funded by impact fees)

(44) 48.7 (# of inmates which can be funded by impact fees) x \$65,383 (cost per inmate) = \$3,184,152 (cost of inmates which can be funded by impact fees)

(45) \$3,184,152 (cost of inmates which can be funded by impact fees) / 6,722 (133,100 (2010 pop.) - 113,200 (2005 pop.) = 19,899 / 2.96 (persons per household) = 6,722 households) = \$473.62 (per household)

Plan B

Jail Facility - Impact Fee

Based on Population Growth in Unincorporated Fayette County (Spring 2000)

2010					
Cost Per Inmate	Level of Service (LOS) Population 61,521 (47)	Additional # of Inmates & Cost Based on 2010 LOS	# of Inmates & Cost Not Subject to Funding by Impact Fee	# of Inmates & Cost Subject to Funding by Impact Fee	Impact Fee Per Household

Plan A

Jail Facilities - Impact Fee

Based on Population Growth in Unincorporated Fayette County,
Brooks, Fayetteville, Peachtree City, Tyrone and Woolsey (Spring 2000)

2015					
Cost Per Inmate	Level of Service (LOS) Population 151,200 (60)	Additional # of Inmates & Cost Based on 2015 LOS	# of Inmates & Cost Not Subject to Funding by Impact Fee	# of Inmates & Cost Subject to Funding by Impact Fee	Impact Fee Per Household
\$65,383 (59)	2015 LOS - 3.16 (61)	478.2 (63)			
	Increase in LOS 0.36 (62)	(minus) 373.4 (64)			
		(equals) 104.8 (65)	54.1 (67)	50.7 (69)	
		\$6,852,138 (66)	\$3,537,220 (68)	\$3,314,918 (70)	\$542.11 (71)

(59) \$25,107,000 (cost of new jail facility) / 384 inmates = \$65,383 (cost per inmate)

(60) 151,200 (ARC pop. projection)

(61) 3.52 (proposed LOS) - 2.09 (2000 LOS) / 4 (planning periods) = 0.36 (increase in LOS which cannot be funded by impact fees) + 2.81 (2010 LOS) = 3.16 (2015 LOS)

(62) 0.36 (see 61)

(63) 3.16 (2015 LOS) x 151.2 (151,200/1,000=151.2) = 478.8 (total # of inmates based on 2015 population)

(64) 373.4 (2010 inmate pop.)

(65) 478.2 (total # of inmates based on 2015 population) - 373.4 (2010 inmate pop.) = 104.8 (additional # of inmates in 2015)

(66) 104.8 (additional # of inmates in 2010) x \$65,383 (cost per inmate) = \$6,852,138 (cost of additional # of inmates)

(67) 0.36 (increase in LOS from 2010) x 151.2 (151,200/1,000=151.2) = 54.1 (# of inmates which cannot be funded by impact fees due to increase in LOS from 2010)

(68) 54.1 (# of inmates which cannot be funded by impact fees due to increase in LOS from 2010) x \$65,383 (cost per inmate) = \$3,537,220 (cost of inmates which cannot be funded by impact fees)

(69) 104.8 (additional # of inmates in 2015) - 54.1 (# of inmates which cannot be funded by impact fees due to increase in LOS from 2010) = 50.7 (# of inmates which can be funded by impact fees)

(70) 50.7 (# of inmates which can be funded by impact fees) x \$65,383 (cost per inmate) = \$3,314,918 (cost of inmates which can be funded by impact fees)

(71) \$3,314,918 (cost of inmates which can be funded by impact fees) / 6,114 (151,200 (2015 pop.) - 133,100 (2010 pop.) = 18,100 / 2.96 (persons per household) = 6,114 households) = \$542.11 (per household)

Plan B

Jail Facility - Impact Fee

Based on Population Growth in Unincorporated Fayette County (Spring 2000)

2015					
Cost Per Inmate	Level of Service (LOS) Population 75,060 (73)	Additional # of Inmates & Cost Based on 2015 LOS	# of Inmates & Cost Not Subject to Funding by Impact Fee	# of Inmates & Cost Subject to Funding by Impact Fee	Impact Fee Per Household

Plan A

Jail Facilities - Impact Fee

Based on Population Growth in Unincorporated Fayette County,
Brooks, Fayetteville, Peachtree City, Tyrone and Woolsey (Spring 2000)

2020					
Cost Per Inmate	Level of Service (LOS) Population 174,100 (86)	Additional # of Inmates & Cost Based on 2020 LOS	# of Inmates & Cost Not Subject to Funding by Impact Fee	# of Inmates & Cost Subject to Funding by Impact Fee	Impact Fee Per Household
\$65,383 (85)	2020 LOS - 3.52 (87)	612.9 (89)			
	Increase in LOS 0.36 (88)	(minus) 478.2 (90)			
		(equals) 134.7 (91)	62.3 (93)	72.4 (95)	
		\$8,807,090 (92)	\$4,073,361 (94)	\$4,733,729 (96)	\$611.87 (97)

(85) \$25,107,000 (cost of new jail facility) / 384 Inmates = \$65,383 (cost per inmate)

(86) 174,100 (ARC pop. projection)

(87) 3.52 (proposed LOS) - 2.09 (2000 LOS) / 4 (planning periods) = 0.36 (increase in LOS which cannot be funded by impact fees) + 3.16 (2015 LOS) = 3.52 (2020 LOS)

(88) 0.36 (see 87)

(89) 3.52 (2020 LOS) x 174.1 (174,100/1,000=174.1) = 612.9 (total # of inmates based on 2020 population)

(90) 478.2 (2015 inmate pop.)

(91) 612.9 (total # of inmates based on 2020 population) - 478.2 (2015 inmate pop.) = 134.7 (additional # of inmates in 2020)

(92) 134.7 (additional # of inmates in 2020) x \$65,383 (cost per inmate) = \$8,807,090 (cost of additional # of inmates)

(93) 0.36 (increase in LOS from 2015) x 174.1 (174,100/1,000=174.1) = 62.3 (# of inmates which cannot be funded by impact fees due to increase in LOS from 2015)

(94) 62.3 (# of inmates which cannot be funded by impact fees due to increase in LOS from 2015) x \$65,383 (cost per inmate) = \$4,073,361 (cost of inmates which cannot be funded by impact fees)

(95) 134.7 (additional # of inmates in 2020) - 62.3 (# of inmates which cannot be funded by impact fees due to increase in LOS from 2015) = 72.4 (# of inmates which can be funded by impact fees)

(96) 72.4 (# of inmates which can be funded by impact fees) x \$65,383 (cost per inmate) = \$4,733,729 (cost of inmates which can be funded by impact fees)

(97) \$4,733,729 (amount which can be funded by impact fees) / 7,736 (174,100 (2020 pop.) - 151,200 (2015 pop.) = 22,900 / 2.96 (persons per household) = 7,736 households) = \$611.87 (per household)

Plan B

Jail Facility - Impact Fee

Based on Population Growth in Unincorporated Fayette County (Spring 2000)

2020					
Cost Per Inmate	Level of Service (LOS) Population 97,187 (98)	Additional # of Inmates & Cost Based on 2020 LOS	# of Inmates & Cost Not Subject to Funding by Impact Fee	# of Inmates & Cost Subject to Funding by Impact Fee	Impact Fee Per Household
\$65,383 (97)	2020 LOS 3.52 (99)	342.1 (101)			
	Increase in LOS 0.36 (100)	(minus) 237.4 (102)			

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

FROM: City Clerk 

VIA: City Manager 
Assistant City Manager 

DATE: March 27, 2000

SUBJECT: Alcohol License (new) - Formosa Deli

Mr. Chun-Shen (Tom) Chen has applied for a license to sell beer and wine at the Formosa Deli located at 608 Crosstown Road. He has requested to be appointed as the Licensee and License Representative. His application is complete and in order for your consideration at the meeting on April 6, 2000.



Peachtree City

Georgia

State of Georgia

City of Peachtree City:

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

Chun-Sheng (Tom) Chen

Name

312 Coronado Drive Peachtree City, GA 30269

Address

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

James V. Murray
Signature

3-31-2000
Date

Major Mike Durkin
Witness



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

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

Business Name: FORMOSA DELI		Business Location: 608 Crosstown Road #101 Braelinn Village Shopping Center Peachtree City, GA 30269		C 131062	
Nature of Business: Chinese Restaurant (Dine-In & Carry-out)		Mailing Address: 608 Crosstown Road, #101 Peachtree City, GA 30269		Business Phone Number: 678-364-0880	
Name of Licensee: Chun-Sheng (Tom) Chen		Home Address: 312 Coronado Drive Peachtree City, GA 30269		Home Phone Number: 770-632-6237	
Name of License Representative: N/A		Home Address:		Home Phone Number:	
Please indicate type of licenses applying for:					
Retail Consumption Dealer		Retail Package Dealer		Wholesale Dealer	
XX	Malt Beverage		Malt Beverage		Malt Beverage
XX	Wine		Wine		Wine
	Distilled Spirits		Distilled Spirits		Distilled Spirits
Please provide complete information according to type of business entity (use separate sheet if necessary):					
Individual - Owner Name: Chun-Sheng (Tom) Chen Yucha (Tina) Chen		Home Address: 312 Coronado Drive Peachtree City, GA 30269		Phone Number: 770-632-6237	
Partnership - Partner's Names:		Home Addresses:		Phone Numbers:	
Close Corporation Name:		Close Corporation Addresses:		Phone Number:	
Officers of Close Corporation:		Home Addresses:		Phone Numbers:	
Directors of Close Corporation:		Home Addresses:		Phone Numbers:	
Stockholders of Close Corporation:		Home Addresses:		Phone Numbers:	
Corporation Name: Jade Green Enterprise Inc (dba Formosa Deli)		Corporation Address: 608 Crosstown Road, #101 Peachtree City, GA 30269		Phone Number: 678-364-0880	
Name of GA Registered Agent named for service process: None		Home Address:		Phone Numbers:	
Is any person who will own an interest in the license/licenses an employee of the City of Peachtree City? NO					



**AFFIDAVIT AND CRIMINAL HISTORY CONSENT FORM
FOR ALCOHOLIC BEVERAGE LICENSE APPLICATION
WITH THE CITY OF PEACHTREE CITY**

I, CHUN-SHENG (Tom) CHEN (PRINT FULL NAME),
swear that I am at least 21 years of age and am competent to provide this Affidavit.

My address is: 312 Coronado Drive Peachtree City, GA 30269
ADDRESS CITY STATE ZIP

I have resided at this address for: One Month (PRINT LENGTH OF TIME)

Previous addresses for the last 10 years are as follows: _____

210 McIntosh Place Drive, Fayetteville, GA 30214

216 Heathrow Way, Riverdale, GA 30274

My Social Security #: 218 08 2536 My Driver's License #/State: 035140853 GA

My Date of Birth is: April 11, 1953 Race: Asian Sex: Male

I have not, within 5 years prior to the date of this application, been convicted of, nor entered a plea of nolo contendere to, any felony or a misdemeanor relating to the sale or use of alcoholic beverages or illegal drugs.

I have / have not ever been ever arrested for a crime. If so, please list details below and the disposition of the arrest. Attach a separate sheet if necessary: _____

I have / have not ever had beneficial interest in any other alcoholic beverage business in this or any other state in which the alcohol license was denied, revoked or other disciplinary action taken. (Beneficial interest here means when a person holds the license in his own name or when he has a legal, equitable or other ownership interest in, or has any legally enforceable interest or financial interest, or derives any economic benefit from, or has control over a business.) If so, please describe in detail. Attach a separate sheet if necessary: _____

I am / am not the applicant for license representative. If so, I swear that I am a manager of the business and a resident of the State of Georgia.

I have read the Peachtree City Ordinance regarding the sale of alcoholic beverages and I understand and will comply with the rules and regulations.

I hereby authorize the PEACHTREE CITY POLICE DEPARTMENT to receive any criminal history record information pertaining to me, which may be in the files of any state or local criminal justice agency.

I solemnly swear, subject to criminal penalties for false swearing, that the statements and answers made by me to the foregoing questions in this application for city license for sale of alcoholic beverages are true, and no false or fraudulent statement or answer is made herein to procure the granting of such license.

Chun-Sheng Chen
SIGNATURE OF APPLICANT

I do hereby certify that the foregoing applicant is personally known to me, that he/she signed his/her name to the foregoing application after stating to me that he/she knew and understood all statements and answers made therein, and under oath actually administered to me, has sworn that said statements and answers are true.

NOTARY PUBLIC: Nancy Dahl This 12 day of March, 2000
1999:

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

FROM: City Clerk 

VIA: City Manager 
Assistant City Manager 

DATE: March 27, 2000

SUBJECT: Alcohol License Transfer - Mini Mart

Richard Bearden owns the convenience store located at 2763 Highway 54 West. He currently leases the building to Four Star Convenience Stores, Inc. There is a possibility that the lease will be terminated and Mr. Bearden will take over the operations of his store. Mr. Bearden has submitted an application to transfer the alcohol license into his name contingent upon the termination of the lease. The application is complete and in order for your consideration at the meeting on April 6, 2000.



Peachtree City

Georgia

State of Georgia

City of Peachtree City:

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

Richard W. Bearden
Name

401 Peachtree Parkway Peachtree City, GA 30269
Address

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

James V. Murray
Signature

3-31-2000
Date

M. Dube, Major
Witness



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

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

Business Name: <i>MENT MART</i>	Business Location: <i>2763 Hwy 54 W. P.T.C. GA</i>	<i>C131697</i>
Nature of Business: <i>CONVENIENCE STORE</i>	Mailing Address: <i>2763 Hwy 54 W. P.T.C. GA</i>	Business Phone Number: <i>770-487-8774</i>
Name of Licensee: <i>BRAVO VI INC. C/O RICHARD W. BEARDEN</i>	Home Address: <i>240 TIGER WAY P.T.C. GA.</i>	Home Phone Number: <i>770-486-8605</i>
Name of License Representative: <i>RICHARD W. BEARDEN</i>	Home Address: <i>401 PEACHTREE PARKWAY</i>	Home Phone Number: <i>770-487-8372</i>
Please indicate type of licenses applying for:		
Retail Consumption Dealer	Retail Package Dealer	Wholesale Dealer
☐ Malt Beverage	☒ Malt Beverage	☐ Malt Beverage
☐ Wine	☒ Wine	☐ Wine
☐ Distilled Spirits	☐ Distilled Spirits	☐ Distilled Spirits
Please provide complete information according to type of business entity (use separate sheet if necessary):		
Individual - Owner Name:	Home Address:	Phone Number:
Partnership - Partner's Names:	Home Addresses:	Phone Numbers:
Close Corporation Name: <i>BRAVO VI INC.</i>	Close Corporation Addresses: <i>240 TIGER WAY P.T.C. GA</i>	Phone Number: <i>770-486-8605</i>
Officers of Close Corporation: <i>RICHARD W. BEARDEN, PRES JULIA S. BEARDEN, V.PRES</i>	Home Addresses: <i>401 PEACHTREE PARKWAY P.T.C. GA. SAME AS ABOVE</i>	Phone Numbers: <i>770-487-8372</i>
Directors of Close Corporation: <i>SAME AS OFFICERS</i>	Home Addresses:	Phone Numbers:
Stockholders of Close Corporation: <i>SAME AS OFFICERS</i>	Home Addresses:	Phone Numbers:
Corporation Name: <i>BRAVO VI INC.</i>	Corporation Address: <i>240 TIGER WAY P.T.C. GA</i>	Phone Number: <i>770-486-8605</i>
Name of GA Registered Agent named for service process:	Home Address:	Phone Numbers:
Is any person who will own an interest in the license/licenses an employee of the City of Peachtree City? <i>NO</i>		

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council
FROM: City Manager 
DATE: March 16, 2000
SUBJECT: Indemnification Resolution

Councilman Tennant asked if the City would be responsible for paying any legal fees he may incur as a result of the allegation regarding a violation of the City's Code of Ethics.

The attached legal opinion from Rick Lindsey indicates that City's current Indemnification Resolution would not cover investigations of alleged Ethics Code violations.

I discussed this situation with Mayor Lenox and he feels the City should pay such fees. Mayor Lenox would like to discuss this matter with Council tonight; however, no action can be taken until the next meeting. Also attached is a revised Indemnification Resolution for your review.

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF PEACHTREE CITY
REGARDING POTENTIAL LIABILITY
OF CITY ELECTED OFFICIALS,
APPOINTED OFFICIALS, AND EMPLOYEES**

WHEREAS, the City of Peachtree City is a municipal corporation duly chartered and incorporated by the State of Georgia; and

WHEREAS, as a result of certain decisions by State and Federal Courts, elected and appointed officials and employees of the City may be subject to suits seeking to hold those persons personally liable for damages; and

WHEREAS, elected and appointed officials, employees, and other individuals may be subject to formal complaints under the City Code of Ethics; and

WHEREAS, the City Council deems it to be in the best interest of the City to indemnify, defend, and protect City elected and appointed officials and employees from certain liability,

IT IS THEREFORE, RESOLVED THAT:

The City of Peachtree City shall indemnify, defend and pay any and all judgments rendered against any City elected official or appointed official (with exception of officials of authorities) or employee for any and all suits brought against them for any acts or omissions performed or neglected to be performed by them in the course of their employment, or association with the City.

The City of Peachtree City shall provide legal counsel to any elected official, appointed official, employee, or other individual who is investigated under the City's Code of Ethics (with the exception of officials of authorities) for representation before the Ethics Board, the investigation conducted by the Ethics Board, and any action taken by Council. Such legal counsel shall be appointed by the Mayor.

This indemnification shall not apply to those individuals who acted oppressively, maliciously, corruptly, or without authority of law as defined under O.C.G.A. §36-33-4.

This resolution shall remain in full force and effect until such time as it may be amended or repealed by a subsequent resolution of the City Council.

WEBB, STUCKEY & LINDSEY, LLC

Attorneys-At-Law

James H. Webb Jr. *
John M. Stuckey Jr. **
Richard P. Lindsey

Jonathan J. Wade
H. Clay Collins
Carlton H. Jones III
Stephen D. Ott
Christy R. Jindra †
Richard M. Golick
Susan M. Brown
William M. McHugh
Stefanie T. McHugh
Stacey M. Robertson ††

400 Westpark Court
Suite 220
Peachtree City, Georgia 30269

Telephone: (770) 631-1811
Facsimile: (770) 631-1771

E-mail:
postmaster@wsl-peachtreecity.com

Other Offices
Atlanta, Georgia
Fairburn, Georgia

Other licenses:

* Florida
**Tennessee & District of Columbia
†Illinois
††Only in Texas

March 16, 2000

Mr. James Basinger
City Manager
City of Peachtree City
151 Willowbend Road
Peachtree City, Georgia 30269

RE: Providing Legal Counsel to Councilman Tennant Under the City's
Indemnification Resolution

Dear Jim:

You asked me whether the City's Indemnification Resolution would provide legal counsel at the City's expense for Councilman Tennant regarding the Ethics Code charges which have been made against him. Initially, I concluded that the Resolution would provide legal counsel to Councilman Tennant for the investigation into the alleged Ethics Code violation. After more careful review, I have decided that my initial conclusion is incorrect.

In pertinent part, the Indemnification Resolution states:

The City of Peachtree City shall indemnify, defend and pay any and all judgments rendered against any City elected official ... for any and all suits brought against them for any acts or omissions performed or neglected to be performed by them in the course of their ... association with the City.

The Resolution does not cover investigations of alleged Ethics Code violations as those investigations do not arise to "suits." Webster's dictionary defines "suit" as "an act or process in a court for the recovery of a right or claim." The Georgia Supreme Court has held similarly. Nixon v. Nixon, 196 Ga. 148, 26 S.E.2d 711 (1943) (A suit is an action or process in a court for the recovery of a right or claim, a legal application to a court of justice, or prosecution of a right before any tribunal). Obviously, the Ethics Board is not a court. The investigation is not for the recovery of a right or claim. The investigation is not a prosecution.

Let me apologize for any embarrassment my earlier "off of the cuff" opinion may have caused the City. I made that opinion in haste. I will state, however, that it is not the alleged act

Mr. Jim Basinger

March 16, 2000

Page 2

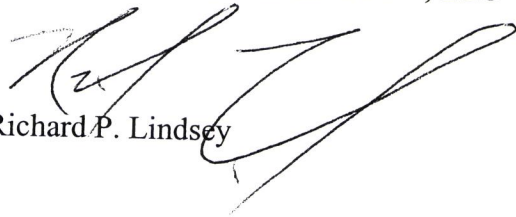
of Councilman Tennant that poses a problem to the applicability of the Indemnification Resolution. If a lawsuit were filed against him for the same alleged act, then my earlier opinion would stand and the Resolution would provide legal counsel for him. In this case, there is no lawsuit and, thus, the Resolution is not applicable.

If you wish to discuss this matter further, please do not hesitate to contact me.

Best regards.

Sincerely,

WEBB, STUCKEY & LINDSEY, LLC



Richard P. Lindsey

RPL:jmf

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

VIA: City Manager 

FROM: Assistant City Manager 

DATE: March 21, 2000

SUBJECT: Acceptance of the Annual Audit Report for the Period Ending September 30, 1999

Attached is a copy of the Annual Audit Report for the period ending September 30, 1999 for your review. The City continues to be in excellent financial condition. Both General Fund revenues and expenditures were favorable as compared to budget estimates. As such, the City's unreserved cash balance increased from \$1,396,555 to \$1,848,424 an increase of \$451,869.

Although, the City does not have a formal Cash Reserve Policy, the general rule of thumb is to maintain an unreserved cash balance equal to three (3) months of the total General Fund Operating Budget. Based on this policy, the City would need to maintain a \$2,820,588 unreserved cash balance. Although, the \$1,848,424 General Fund unreserved cash balance is significantly lower than this amount, when you combine the \$1,063,144 in Self-Insurance Reserve, the total does meet the required unreserved cash balance.

Based on this information, staff recommends that the \$451,869 cash surplus be added to the City's unreserved cash balance and that a Cash Reserve Policy consistent with these procedures be added to the City's Administrative Regulations.

Staff is available to answer any questions that you may have. In addition, Mr. Ed Wetherington, the City's Auditor, will be present at the Council Meeting to make a brief presentation and answer any questions that you may have about this report.

Attachment

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

FROM: City Clerk 

VIA: City Manager 
Assistant City Manager 

DATE: February 21, 2000

SUBJECT: Ordinance Amendment – Budget Public Hearing and Advertising Requirements

The proposed ordinance adopts and clarifies the state's advertising and public hearing requirements as it relates to the annual budget. Staff recommends approval.

AN AMENDMENT TO THE BUDGET ORDINANCE

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PEACHTREE CITY, and it is hereby ordained by authority of the same, that Chapter 34 Finance, Article II. Sections 34-64 through 34-66 be deleted in their entirety and replaced as follows:

DIVISION 2. BUDGET**Sec. 34-61. Budget--Time of adoption annually; submission of proposed budget; balance required.**

An annual budget will be adopted by the mayor and council prior to the first day of the fiscal year. However, if for good and sufficient reasons the budget cannot be adopted by the first day of the fiscal year, the budget shall be adopted not later than 45 days subsequent to the beginning of the fiscal year. If the budget is not adopted prior to the beginning of the fiscal year, a resolution authorizing the continuation of necessary and essential expenditures to operate the city shall be adopted prior to the beginning of the fiscal year. The proposed budget shall be prepared by the chief administrative officer and transmitted to members of the mayor and council for its review a minimum of 30 days before the required date of adoption. The budget as adopted shall be a balanced budget with anticipated revenues (including appropriated unencumbered surplus) equal to appropriated expenditures. All funds within the budget shall also be balanced.
(Code 1980, § 9-5)

Sec. 34-62. Same--Basis of statement of anticipated revenues.

The chief administrative officer shall present the statement of anticipated revenues on the basis of the ordinary and reasonable revenues which can be expected for the fiscal year. Property tax revenue estimates shall be based upon the anticipated tax digest, less a stated discount for delinquent taxes based on a consideration of the taxes which were delinquent at the close of the three prior fiscal years, plus a stated amount of delinquent taxes, including penalties and interest, to be collected in the fiscal year based on consideration of the actual experience in the collection of delinquent taxes in the three prior fiscal years and less the estimated cost of service for billing and collection.
(Code 1980, § 9-6)

Sec. 34-63. Same--Appropriations prerequisite to expenditure.

No expenditures in any fund shall be legal or proper unless appropriations adequate to meet that expenditure have been made in the budget.
(Code 1980, § 9-7)

Sec. 34-64. Same--Availability of proposed budget for public inspection.

At the time the proposed budget is transmitted to members of the mayor and council by the chief administrative officer, a copy of the proposed budget shall be made available for public inspection in the office of the city clerk during regular office hours.
(Code 1980, § 9-8)

A statement advising the availability of the proposed budget shall be published in the legal organ during the week it is provided to Council. The statement shall also advise that a public hearing will be held at which time any persons wishing to be heard on the budget may appear. The statement shall be a prominently displayed advertisement or news article and shall not be placed in that section of the newspaper where legal notices appear.

Sec. 34-65. Same—Public Hearing.

~~No earlier than seven days after the proposed budget is transmitted to members of the mayor and council and no later than the time the budget is adopted by the mayor and council, a public hearing shall be held to give the public the opportunity to comment upon the proposed budget. Notice of such public hearing shall be given in a newspaper of general circulation in the city no more than 20 days and no less than five days in advance of the hearing.~~
(Code 1980, § 9-9)

At least one week prior to the meeting, at which Council will adopt the budget resolution, a public hearing shall be held at which time any persons wishing to be heard on the budget may appear. Notice of the hearing shall be placed in the legal organ. The notice shall be a prominently displayed advertisement or news article and shall not be placed in that section of the newspaper where legal notices appear.

Sec. 34-66. Same--Resolution adopting or amending; categorization.

On a date at least one week after the conclusion of the public hearing, Council shall adopt the budget. The adoption of the budget shall be accomplished by the approval of a budget resolution which specifies the anticipated revenues by appropriate categories and the appropriated expenditures for each department and each nondepartmental expense and for each fund covered by the budget. Amendments to the budget shall be approved by resolution.
(Code 1980, § 9-10)

At least one week prior to the adoption of the budget, a notice of the adoption shall be placed in the legal organ. The notice shall be a prominently displayed advertisement or news article and shall not be placed in that section of the newspaper where legal notices appear.

Sec. 34-67. Same--Amendments.

Any increase in appropriation in a departmental budget or in a nondepartmental expense category, whether accomplished through a change in anticipated revenues or through a transfer of appropriations among departments and nondepartmental expenses, shall require the approval of the mayor and council in the form of an amendment to the budget resolution. The transfer of appropriations among the various accounts within a departmental budget or within a nondepartmental expense category shall only require the approval of the chief administrative officer, except that any transfer of appropriations within a departmental budget so as to increase the salary appropriation for the purpose of employing additional personnel shall require the approval of the mayor and council.
(Code 1980, § 9-11)

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed in their entirety. Done, Ratified and Passed this 6 day of April 2000.

Mayor
Donnie W. McAlexander
Don O. Krumm
Pat J. Brown
Carola Fritz

Attest: Nancy Faulkner
City Clerk

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: City Manager 

FROM: Assistant City Manager 
Purchasing Agent 

DATE: March 23, 2000

SUBJECT: Change to the Purchasing Ordinance

The change to Sec. 34-121 of the Purchasing Procedures that we are suggesting is a clarification to this section. The way the section is worded is confusing and the title of the section does not address the intent of the section. In practice the City has been negotiating with low bidders on projects in conjunction with the design firm for many years. The standard bid cover letter and boilerplate that is used contains this information, but it is not spelled out in the ordinance or procedures manual (CAR 7-1). This change will also clarify the use of change orders on any contract or purchase order that is issued by the City. It will limit the change order to no more than 10% of the original contract

We respectfully submit this change for your consideration.

Attachment

**AN ORDINANCE TO AMEND THE PEACHTREE CITY
CODE OF ORDINANCES BY DELETING SECTIONS 34-116 through
34-124 IN ITS ENTIRETY AND REPLACING WITH THE FOLLOWING:**

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 Sections 34-116 - 124 be deleted in their entirety and replaced as follows:

DIVISION 4. PURCHASING PROCEDURES

Sec. 34-116. Purchasing agent.

There is created the position of purchasing agent, who shall serve as the centralized purchasing official of the city and who shall direct the activities of the centralized purchasing office. All officials and employees of the city shall initiate all purchases of products and services through the centralized purchasing office. The policies specified in this division shall be strictly adhered to when making city purchases.

Sec. 34-117. Bids/price quotations.

The following dollar amounts shall be applied in determining the process to be used in obtaining bids/price quotations:

- (1) Up to \$5,000.00--Verbal quotation.
- (2) Over \$5,000.00 up to \$10,000.00--Written quotation.
- (3) Over \$10,000.00--Sealed bids.

Sec. 34-118. Approval.

The following approved authority shall apply to the expenditures of city moneys:

- (1) Up to \$25,000.00--City manager with a monthly summary to council on all budgeted expenditures over \$10,000.00.
- (2) Over \$25,000.00--Mayor and council.
- (3) Unbudgeted items over \$5,000.00--Mayor and council.

Sec. 34-119. Brand-name purchases.

The purchasing agent may elect purchase of a brand-name product or service when the goods comprise a major brand system, program or service previously selected by the city and due to operational effectiveness, future enhancements or additions, or maintenance and storage of spare parts preclude the mixing of brands, manufacturers, etc.

Sec. 34-120. Sole-source purchases.

A contract may be awarded or a purchase made without competition when the city determines that there is only one source for the required products, supply service, or construction item. The purchasing agent shall conduct negotiations as appropriate, as to price, delivery and terms. A separate file of sole-source

procurements shall be maintained as a public record and shall list each contractor's name, the amount and type of each contract, and a listing of the items procured under each purchase order or contract.

Sec. 34-121. Modification of Bids and Proposals.

Once a bid or proposal has been opened and accepted by city officials, the city reserves the right to further negotiate with the lowest responsive and responsible bidder in an effort to ensure that the bid or proposal meets the approved budget and specifications. Further, once a contract is awarded by city officials, the city reserves the right to amend the contract without the necessity of rebidding such contract, provided that such amendment shall not result in a variance in price exceeding ten percent of the original contract amount .

Sec. 34-122. Operational policies/procedures.

Consistent with this division and with the approval of the chief administrative officer, the purchasing agent shall develop and adopt written operational policies/procedures relating to the execution of this division and the functioning of the centralized purchasing offices, which shall also include but not be limited to policies/procedures for:

- (1) The procurement of all supplies, services and construction needs by the city.
- (2) The establishment of programs for specifications development, contract administration and inspection and acceptance.
- (3) The selling, lending or otherwise disposal of supplies and equipment belonging to the city.
- (4) Conducting and maintaining inventories of all supplies and equipment belonging to the city.

Sec. 34-123. Collaborative purchasing.

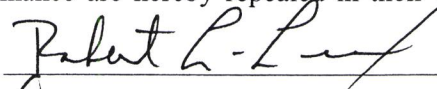
The purchasing agent may elect to purchase products or services through the collaborative purchasing process authorized by the intergovernmental agreement signed by all governing entities in the county and effective on March 1, 1998. This process provides discounting through combining the purchasing power of local entities to achieve economies of scale associated with this type of relationship.

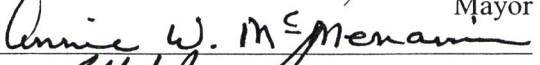
Sec. 34-124. State contract use.

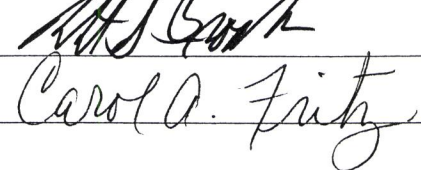
The purchasing agent may use state contracts for purchasing any products that are available to local governments. By using this method, the necessity of bidding items over \$10,000.00 will be eliminated due to the fact that the state has already bid the item.

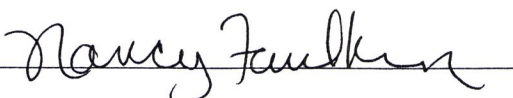
(Ord. No. 710, 4-15-1999)

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed in their entirety.
Done, Ratified and Passed this 6th day of April, 2000.



 Mayor



Attest: 



Peachtree City

Georgia

TO: Mayor and Councilmembers

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

FROM: City Planner *David*

DATE: March 31, 2000

SUBJECT: Watershed Protection Ordinance

The Georgia Planning Act of 1989 charged the Department of Community Affairs (DCA) with the responsibility for establishing and administering a three-tiered planning process for local governments, regions and the State. An important element of this process involves the protection of certain natural resources identified as valuable and threatened by various negative impacts associated with human activities. The State has identified the need for a higher level of local management in the protection of these resources. Specifically, the Planning Act requires local governments, in their comprehensive plans, to evaluate the need for and feasibility of locally administered wetland, water supply watershed and groundwater recharge protection programs.

As a part of the review of our Short Term Work Program (STWP) and Capital Improvements Element (CIE) update, we were required to submit our existing Watershed Protection Ordinance to DCA for evaluation. Their evaluation noted that "Peachtree City has done a commendable job in preparing the Water Supply Watershed Protection Ordinance." However, it was also noted there were certain elements that needed to be revised to bring this document into full compliance with the requirements of the latest Environmental Planning Criteria established by DCA.

Attached is a copy of the existing Watershed Protection Ordinance along with a draft of an Ordinance that has been prepared in response to DCA's comments. Staff recommends that Council authorize Staff to submit this document to DCA for review and approval. Upon approval by DCA, the Ordinance will be re-submitted to Council for adoption as an amendment to our Watershed Protection Ordinance.

EXISTING ORDINANCE

Sec. 1003. Watershed protection.

(a) *Policies.* It is hereby declared to be public policy to:

- (1) Protect the water quality of all lakes and streams within Peachtree City, but especially protect and enhance the quality of water supply reservoirs: Lakes Peachtree, Kedron and McIntosh (future).
- (2) Preserve and enhance the water quality of all streams and water courses which exit the boundaries of Peachtree City.

(b) *Standards.*

- (1) Land disturbing activities shall not be conducted within the 100-year floodplain unless in compliance with section 1006.
- (2) Except as otherwise provided in sections 1003(b)(4) and 1003(b)(5), an undisturbed natural buffer area shall be maintained for a distance of 25 feet adjacent to any state water as measured from the stream banks except when in the interest of public health, safety and welfare, or the contour of the land requires a different buffer subject to the city's approval. Utilities shall not be located within this buffer if they can feasibly be located outside this area. All disturbances of this buffer require prior approval by the city.
- (3) All developments which utilize septic tanks as their method of sewage disposal, and are contiguous to or within 200 feet of a water supply reservoir or streams having a drainage basin in excess of one square mile, shall identify and preserve a suitable area for a duplicate septic system which can be used if the primary septic system fails. Both sites must be approved by the Fayette County Health Department.
- (4) Around all existing or proposed water supply reservoirs and their perennial tributaries as shown on the USGS Quad Map the following requirements are established:
 - a. An undisturbed natural buffer area shall be maintained for a distance of 100 feet measured from the normal pool elevation or the stream banks. With the exception of publicly owned cart paths, utilities shall not be located within this buffer if they can feasibly be located outside this area. All disturbances of this buffer require prior approval by the city. Publicly owned cart paths may, with city approval, be allowed within this buffer between 50 feet and 100 feet, as measured from the normal pool elevation or the stream banks, provided they will not adversely affect water quality. Publicly owned cart paths shall not be located within 50 feet of the normal pool elevation or the stream banks if they can feasibly be located outside this area.
 - b. Impervious surfaces other than cart paths are prohibited within 150 feet of the normal pool elevation or the stream bank. This prohibition includes septic tanks, and septic tank drainfields.
 - c. No storm drain piping shall extend into the buffer area. All storm drainage shall utilize best management practices to remove pollutant loading prior to discharge.
- (5) Around all perennial streams shown on the USGS Quad Map and not covered in

section 1003(b)(4) above, the following requirements shall be established:

- a. An undisturbed natural buffer area of 50 feet measured from the stream banks shall be maintained. Utilities shall not be located within this buffer if they can feasibly be located outside the area. All disturbances of this buffer require prior approval by the city.
- b. Impervious surfaces other than cart paths are prohibited within 75 feet of the stream bank. This prohibition includes septic tanks, and septic tank drainfields.

**AN ORDINANCE TO AMEND
SECTION 1003, PARAGRAPH 4
OF THE WATERSHED PROTECTION ORDINANCE
TO BRING THIS ORDINANCE INTO COMPLIANCE
WITH THE ENVIRONMENTAL PLANNING CRITERIA
AS ESTABLISHED BY THE
GEORGIA DEPARTMENT OF NATURAL RESOURCES**

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 paragraph 4, Section 1003, Watershed Protection be deleted in its entirety and replaced by a new paragraph to read as follows:

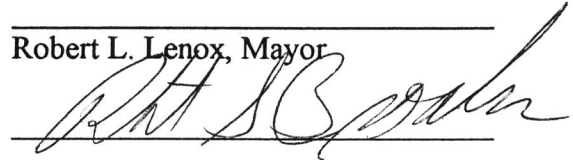
- (4) Around all existing or proposed water supply reservoirs and their perennial tributaries, as shown on the USGS Quad Map, the following requirements are established:
- a. Within a seven (7) mile radius upstream of any public water intake or the boundaries of any water supply reservoir, an undisturbed natural buffer area shall be maintained for a distance of at least one hundred (100) feet measured from the normal pool elevation or shall be maintained from both sides of the stream as measured from the stream banks. Impervious surfaces other than cart paths are prohibited within 150 feet of the normal pool elevation or the stream bank. This prohibition includes septic tanks and septic tank drainfields. The limits of each watershed affected by this provision are identified on the attached Water Supply Watershed Overlay Map.
 - b. Outside the seven (7) mile radius upstream of any public water intake or the boundaries of any water supply reservoir, an undisturbed natural buffer area shall be maintained for a distance of at least fifty (50) feet measured from the normal pool elevation or shall be maintained from both sides of the stream as measured from the stream banks. Impervious surfaces other than cart paths are prohibited within 75 feet of the stream bank. This prohibition includes septic tanks and septic tank drainfields. The limits of each watershed affected by this provision are identified on the attached Water Supply Watershed Overlay Map.
 - c. With the exception of publicly owned cart paths, utilities shall not be located within these buffers if they can feasibly be located outside these areas. All disturbances to these buffers shall require prior approval by the city and such approval shall be based on a determination that the disturbance will not adversely affect water quality.
 - d. No storm drain piping shall extend into these buffer areas. All storm drainage shall utilize best management practices to remove pollutant loading prior to discharge.

- e. Impervious surfaces must be limited to no more than twenty five (25) percent of the portion of any watershed that lies within the boundaries of Peachtree City.
- f. New facilities which handle hazardous materials of the types and amounts determined by the Department of Natural Resources (listed in Section 312 of the Resource Conservation and Recovery Act of 1976, excluding underground storage tanks and amounts of 10,000 pounds on any one day or more), shall perform their operations on impermeable surfaces and in conformance with any applicable spill prevention requirements and any local fire code requirements.

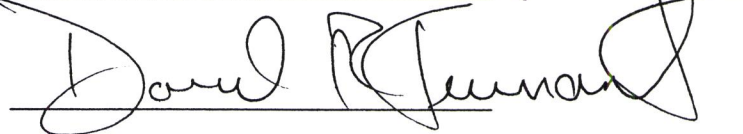
All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed in their entirety.

Done, Ratified and Passed this 6 day of April, 2000.

Robert L. Lenox, Mayor



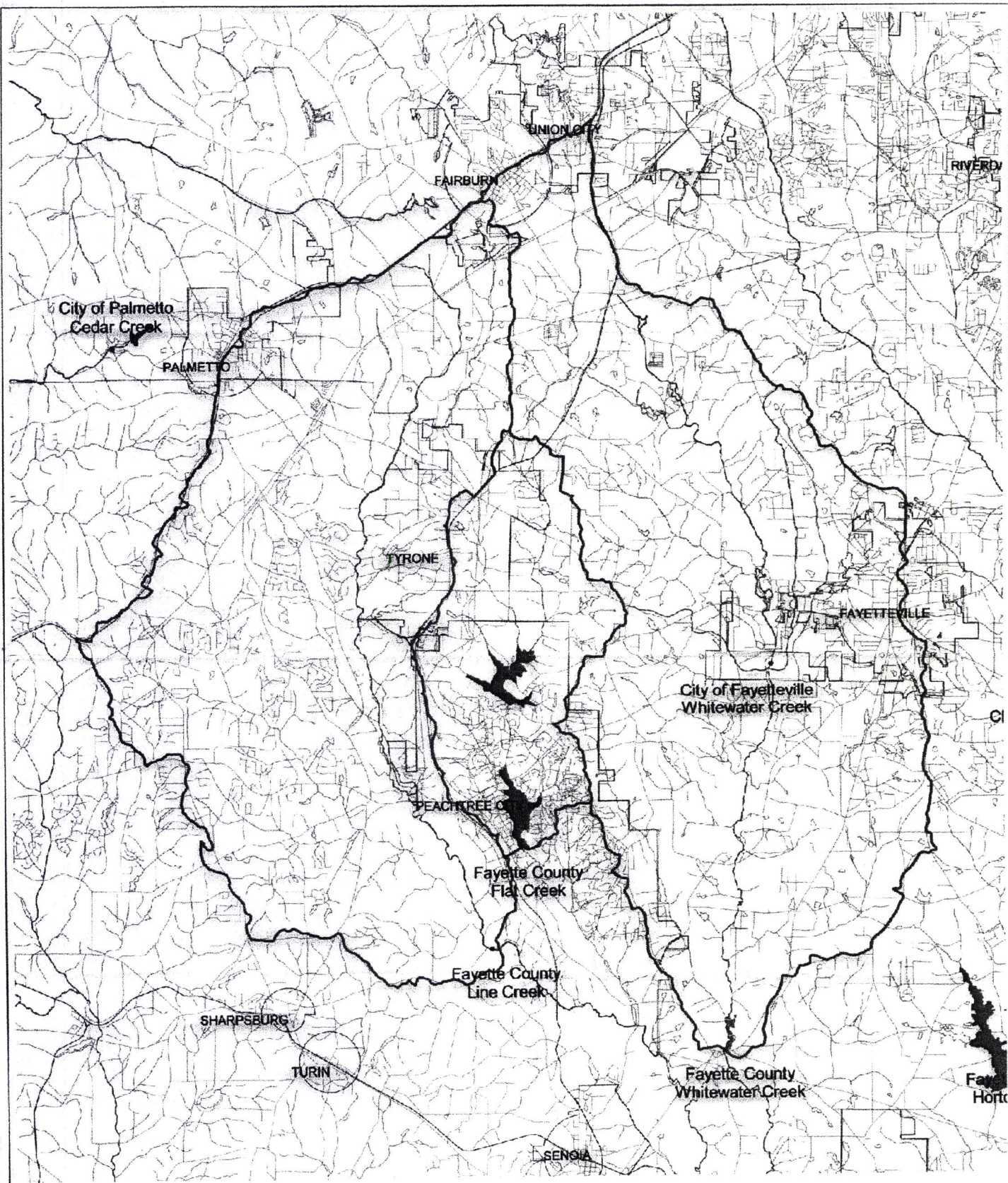
Annie W. McMenamin



Carol A. Fritz

Attest: Nancy Fulkner
City Clerk

Attachment



Water Supply Watersheds in Fayette County

2 0 2 Miles



CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Councilmembers

VIA: City Manager
Assistant City Manager *gm*

FROM: Director of Administrative Services *P*
Purchasing Agent *MB*
Public Works Superintendent

DATE: March 27, 2000

SUBJECT: Repairs to the Plaza Fountain

As you may have noticed, the condition of the City Hall fountain has deteriorated. The original tile work was not properly installed and is in need of replacement. The fountain floor is unsightly with chipped paint, wiring and lights that need to be recessed into the floor. A number of mechanical elements also need to be replaced. The tile work and electrical work are safety issues, which need to be addressed as quickly as possible. Bids were solicited to make these repairs and responses were received from two companies (attachment 1). The low bidder was Aquatic Fountain & Installation, Inc. with a bid of \$40,199.14. This company, owned by Mr. Jim Ford, has made repairs and modifications to the fountain in the past.

There have been ongoing problems with the metal sculptures not dipping properly. Numerous attempts to resolve these problems had not been successful, and there had been discussions about welding the sculptures in place. Therefore, this repair was not addressed in the bid specifications. However, after discussions with the City Manager, it was decided that staff should contact Mr. Ford to discuss what would be required to repair the sculptures. Staff was aware that he had done significant research on this type of fountain sculpture. Mr. Ford has provided information on what modifications would need to be made to the sculptures and has provided a quote of \$24,240 (attachment 2). He would provide a one-year warranty on the sculpture repairs. Additionally, in response to our inquiry he has indicated a price of \$3,000 for an annual maintenance contract on the fountain.

Staff is recommending that, if the sculpture repair is awarded the additional work be given to Aquatic Fountain & Installations, Inc. This additional work would comply with the City's Purchasing CAR 7-1. We would be contracting with a contractor who has previously performed a service for the City and would be able to maintain that work in the future. Aquatic Installations

has worked on the fountain since 1993 and has been very responsive and done a very good job for the City.

Staff does recommend that the contract for repairs to the fountain, as bid, be awarded to Aquatic Fountains & Installations, Inc. in the amount of \$40,119.14. Staff would also recommend that Council consider the repairs to the sculptures and the annual maintenance agreement on the fountain. These costs would be \$24,240 for the sculpture repair and \$3,000 for the maintenance agreement. There is \$22,399 in the City Hall budget for all fountain repair work. It is recommended that the balance of the funding (\$17,800.14 without the sculpture repair and maintenance contract or \$45,040.14 with the sculpture repair and maintenance contract) be funded from the Self-Insurance fund.

Attachments

Attachment 1

[illegible]

PROJECT: Fountain Repair

Bids opened by: Flavie Ford

Witnessed by: David M. Lewis

DATE: 2/17/00 PAGE: 1 of 1

Completed time: 3:10 PM

AQUATIC FOUNTAINS & INSTALLATIONS, INC.

March 20, 2000

Mr. Bobby Thompson
City of Peachtree City
151 Willowbend Road
Peachtree City, GA 30269

Dear Mr. Thompson:

Aquatic Fountains & Installations, Inc. is please to quote the repair work and rebuilding of the eight stainless steel sculptures at City Hall.

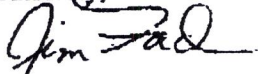
We will:

- *remove sculptures and bring them to our shop
- *take sculptures completely apart and rebuild bearing mounts
- *supply and install new bearings. (4) per sculpture
- *add new BIMBA air cylinders to each with (2) flow control valves
- *repair water inlet fitting with a 90 degree fitting instead of straight fitting
- *add new cross braces and brackets to prevent twisting of sculptures
- *install new stops on front and back of each so they all match
- *redrill and tap all fasteners with matching hardware
- *polish all stainless steel to look new
- *deliver and install after pool is replastered, using stainless steel anchors.

Total for above work is \$24,240.00. Price is good for thirty days from date of this letter. A 50% deposit is required prior to starting project.

Please call me if you have any questions or need additional information.

Sincerely,



Jim Ford
President

JF/jcf

AQUATIC FOUNTAINS & INSTALLATIONS, INC.

Attachment 2

March 22, 2000

Mr. Bobby Thompson
City of Peachtree City
151 Willowbend Road
Peachtree City, GA 30269

Dear Mr. Thompson:

I want to review the bids sent to you from us regarding the fountains at Peachtree City, in addition to giving you a price for a maintenance contract on the fountains.

Bid # 1: Sent to you February 17, 2000 for fountain repair: **\$40,199.14.**

Bid #2: Sent to you March 20, 2000 for sculpture repair: **\$24,240.00**

Maintenance Contract:

Aquatic Fountains & Installations, Inc will perform general maintenance on fountain, including adjusting the air and water flow to sculptures and spray ring. We will also check pumps, motors, and valves for any problems.

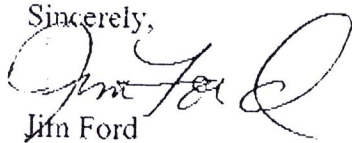
We will do this on a quarterly basis, (4) times per year. Parts, material and labor above normal maintenance will be extra. This price is for one year and will be good for three years from date of contract.

Price for yearly maintenance: **\$3000.00**

If we are awarded any of these contracts, we must start immediately to order materials and schedule this work. Some of the material is special order and has long lead times. Although we can not guarantee a completion date for work to be done, we will do our best to meet your schedule.

Please call me if you have any questions or need additional information.

Sincerely,



Jim Ford
President

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and City Council

VIA: City Manager 
Assistant City Manager/Director of Financial Services 
Police Chief
Fire Chief

FROM: Director of Leisure Services/Air Show City Services Coordinator 

DATE: March 23, 2000

SUBJECT: Police/Fire/EMS Cost Funding

As you know, the city's Police, Fire and EMS services will again be heavily involved in the Wings Over Dixie air show this year. Because this year's events will span 5 days, from the time the Snow Birds arrive on Thursday until they leave on Monday, a much heavier commitment is required from Police and Fire Department personnel. As you may recall, last year the Development Authority funded about half of the public safety costs. However, this year the Authority has committed funds to a different function relative to the air show.

This memo is to inform council that a minimum total of **\$21,265** will be required in order to compensate the Peachtree City police and fire volunteer and career officers who will be working the air show over and above their normal duties. If the council considers and approves funding all or part of this total, the funds could be derived from council contingency.

The **Fire Department** will obligate a minimum total of 17 volunteers and 11 career personnel (officers, firefighters, EMT/1st Responders and paramedics) in order to adequately cover known and contingent requirements. This accounts for about 224 hours of service over a two-day period. The Fire Department is not asking for compensation for working any required man-hours on Thursday, Friday and Monday. However, it is requested that a contribution of \$4,800 be made to the PTC Volunteer Firefighters Association to account for volunteer services on the two heaviest days of work (Saturday and Sunday). This money would be used to purchase equipment and supplies for volunteer firefighters. It is also requested that the career personnel receive \$3,840 to compensate them for the two days of work. This money would be paid directly to personnel. These costs for both volunteer and career personnel are based on the standard hourly pay of the various levels of personnel working. The total cost for the Fire Department is **\$8,640**

Police: As has been the case at past Air Shows, police work the air show during their off-duty time at a current rate of \$25 per hour. Recent meetings between air show and police coordinators have indicated that, consistent with current air show planning, PTC Police will need 20 personnel to cover known and contingent requirements within the Peachtree City limits. This includes two at McIntosh High School to assist with traffic flow and parking control. By police department calculations, 505 man-hours will be required for security and traffic control within the city limits. (This requirement may fluctuate somewhat as planning is finalized). That would be \$12,625 for police compensation.

It should be noted that while the additional time span and higher profile of the show this year will require a heavier commitment from public and emergency services, there will be a commensurately higher positive economic impact on local businesses. Air Show coordinators anticipate more than 25,000 spectators during the two heaviest days, and some say that is a low estimate. Over the five-day period, hotels, eating establishments, gas stations and other service businesses will undoubtedly experience a significant increase in business.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

FROM: City Engineer *EB*

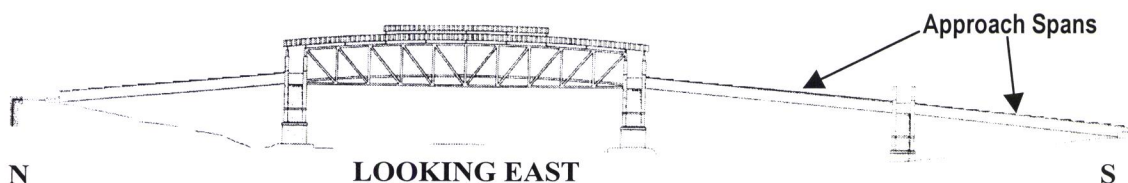
VIA: City Manager *[Signature]*
Assistant City Manager *[Signature]*

DATE: March 30, 2000

SUBJECT: SR-54 Cart Path Bridge - Approach Span Replacement

As you may recall, in 1997 the City replaced the center span of this bridge with the understanding that in the future, the approach spans would also be replaced. Just as the center span had shown the signs of age and deterioration, the approaches were in need of repair. When the project was considered in 1995, funding was limited to the replacement of the center span in the initial phase.

In 1998, an inspection was conducted to review the condition of the recently replaced center span. The center span section had sustained minor damage over the west-bound lanes of SR-54 from an unknown source. However, during the investigation, staff identified evidence of deterioration in the approach span girders. The girders are constructed of laminated sawn lumber, which creates a larger structural member. Over time the adhesives used to seal the layers together have deteriorated and are separating. At the time, it was determined that the approach spans were safe, but the conditions needed to be monitored closely.



More recent inspections of the entire bridge have revealed serious safety concerns with the approach spans. The old spans consist of a concrete slab on 8x12 wooden beams fastened to the two enormous laminated girders. Unfortunately, the beams attach to the bottom 16" of the girder and have pulled those layers apart. The result is a reduction in strength of the girder. There is very startling evidence as to the rate of separation and overall deterioration. Whereas no measurements were taken, the changes are pronounced. Severe bowing in one of the girders is clearly visible in the southernmost span. Also of grave concern is the rotting and listing that is now visible in the wooden girders. Please reference the attached photos confirming the deficiencies.

An independent inspection was then performed by United Consulting to review the spans' conditions and make some recommendations. The report is attached for your detailed review. The report

March 30, 2000

SR-54 Cart Path Bridge – Approach Span Replacement

concludes that the spans are in need of immediate repair or replacement. There is enough doubt as to the potential life left in the spans that UCG is urging that they be replaced as soon as possible. However, closure of the bridge is not being suggested until remediation work begins.

In light of the damage to the spans, I have obtained estimates from two local bridge contractors and a bridge manufacturer for the completion of each of the two options, repair or replacement. The results of which are outlined below:

REPLACEMENT:

Item	Bellamy Bros.	Leslie Contracting
Design	\$ 14,000	\$ 14,000
Installation	\$ 55,000	\$ 88,512
Materials	\$ 82,088	\$ 82,088
Re-grassing	\$ 2,500	\$ 2,500
Bonds	\$ 1,500	\$ 1,500
Contingency	\$ 10,912	\$ 13,202
Replacement Total	\$ 166,000	\$ 201,802

REPAIR:

Item	Bellamy Bros.	Leslie Contracting
Installation	\$ 6,300	\$ 30,418
Re-grassing	\$ 2,500	\$ 2,500
Bonds	\$ 1,500	\$ 1,500
Contingency	\$ 750	\$ 2,500
Temporary Repair Total	\$ 11,050	\$ 36,918

Nevertheless, the ultimate and more cost effective solution would be to go ahead and replace the spans now before any more deterioration occurs. Hence, staff's recommendation is to fund the replacement of the spans immediately and enter into a sole source contract with Bellamy Brothers for an expedited design/build implementation. Bellamy has successfully completed several cart path bridge installations in the City and has the ability to complete the job quickly and safely.

City staff therefore recommends that Council authorize the transfer of \$166,000 from Council's contingency fund to establish this project account. Furthermore, staff also recommends that Council authorize staff to enter into a sole source contract with Bellamy Brothers, Inc. for the replacement of the three approach spans to the SR-54 Cart Path Bridge in the amount not to exceed \$83,912. In addition, Council will need to authorize the purchase of the bridge spans directly from Steadfast Bridges for \$82,088.

*Attachments**Bridge Photographs**Bridge Inspection Report*

**UNITED CONSULTING**

March 20, 2000

Mr. Troy Besseche
City of Peachtree City
151 Willowbend Road
Peachtree City, Georgia 30269
Via facsimile: 770/631.2505

PROJECT: Pedestrian/Golf Cart Bridge
Ga. Hwy. 54
Peachtree City, Georgia

Dear Troy,

United Consulting is pleased to submit the following letter detailing our site visit and review of conditions of the Pedestrian/Golf Cart Bridge that extends over Ga. Hwy. 54 approximately ¼ mile south of City Hall.

A United Consulting representative met with Mr. Troy Besseche (City of Peachtree City) to examine the wooden sides of the bridge that are exhibiting some structural failure. The south perimeter side from the east approach and the north perimeter side from the west bridge approach are exhibiting sagging, separation between layers and potential effects from rotting of the wood. The effects are quite prominent and will continue to become more pronounced over time. As we understand, the City of Peachtree City has decided to remove and replace the failing wood sections. United Consulting agrees that this remedial measure should be performed at the earliest opportunity. A visual examination of the bridge foundation, bridge deck and steel support beams does not indicate the overall bridge structure is damaged at this time.

United Consulting would also recommend the bridge be closed during remedial procedures to maintain the safety of the public. Construction activities of any kind on a bridge can represent a danger to the public due to the presence of materials; lift equipment, power cords and generators and construction personnel. In addition, the removal of the wooden sides of the bridge exposes that portion of the bridge to potential falls or accidents for both pedestrians and golf carts. United Consulting is available to examine the bridge further if additional problems or evidence of structural failure are discovered during remedial operations.

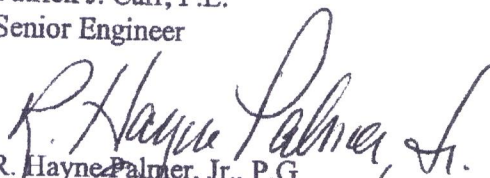
If you should have any questions, please feel free to contact our office.

Sincerely,

UNITED CONSULTING



Patrick J. Carr, P.E.
Senior Engineer



R. Haynes Palmer, Jr., P.G.
Vice President

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PJC/RHP/nj



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