

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

- I. Pledge of Allegiance
- II. Announcements, Awards, Special Recognition
 - Oath – Judge – Mitch Powell (unable to attend but was sworn in prior to meeting)
 - Oath - Judge Pro Hac – Eric Maxwell
 - Employee of the Month Award – Richard Matthews
 - Proclamation for International - Building Safety Week (April 2 - 8)
- III. Minutes – March 2, 2000
- IV. Old Agenda Items
 - 03-00-01 Public Hearing – Consider Rezoning – GA 54 and Walt Banks Road – **APPROVED 5-0**
- V. Consent Agenda – **APPROVED 5-0**
 - Consider Alcohol License Name Change – Wyndham Peachtree Conference Center
 - Consider DOT Agreement – Sumner Road Right-of-Way
- VI. New Agenda Items
 - 03-00-08 Consider New Alcohol License – Harris Teeter, 100 Peachtree Parkway North – **APPROVED 5-0**
 - 03-00-09 Consider Holly Grove Church ROW Disposition – **APPROVED 5-0**
 - 03-00-10 Consider Appointments to Commission on Children and Youth – **APPROVED 5-0**
 - 03-00-11 Consider Resolution to join the Georgia Mutual Aid Group (GMAG) – **APPROVED 5-0**
 - 03-00-12 Consider Contract – TDK Boulevard Extension - Design & Engineering – **APPROVED 5-0**
 - 03-00-13 Consider Ordinance Amendment – City Council Meeting Procedures – **TABLED 5-0**
 - 03-00-14 Appoint Board of Ethics to investigate allegation concerning Jim Webb
Eileen Shaw, John Dilahunt, Lynn Gray, Herman Pearson, Fred Brown
 - 03-00-15 Appoint Board of Ethics to investigate allegation concerning Dan Tennant
Lynn Gray, Herman Pearson, Tim Kaigler, Jim Stienbach, Fred Brown
- VII. Council/Staff Topics
- VIII. Executive Session

Councilmembers Present: Mayor Robert L. Lenox, Annie McMenamin, Carol Fritz,
Robert Brooks and Dan Tennant

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 - 03-00-12 Consider Bid Award – Design & Engineering – TDK Boulevard Extension
 - 03-00-13 Mike Hyde Letter – Alleged Ethics Violation
 - 03-00-14 Consider Ordinance Amendment – City Council Meeting Procedures
- VII. Council/Staff Topics
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Notice: This agenda is subject to change up to 24-hours prior to the meeting.

ANNOUNCEMENTS

1. Oath – Judge – Mitch Powell
2. Oath - Judge Pro Hac – Eric Maxwell
3. Proclamation for International - Building Safety Week (April 2 - 8)

City Council of Peachtree City
Minutes of Meeting
March 2, 2000
7:00 p.m.

The City Council of Peachtree City met in a regular session, Thursday, March 2, 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

Government Week Art Contest - Mayor Lenox announced Peachtree City would be observing City Government Week April 23 – 29. The City would sponsor an art contest for Peachtree City children in kindergarten through fifth grade.

MINUTES

McMenamin made a motion to approve the minutes of February 17, 2000, with a minor changer in grammar. Fritz seconded the motion. Motion carried unanimously.

NEW AGENDA ITEMS

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

Mayor Lenox called the public hearing to order. At the applicant's request, Lenox made a motion to continue the public hearing until the March 16th meeting. McMenamin seconded the motion. Motion carried unanimously.

03-00-02 Public Hearing – Variance – Strong

Mayor Lenox called the public hearing to order and asked first to hear from the applicant and those supporting the variance. Mr. and Mrs. Rodney Strong addressed council and requested a variance to allow one corner (2.6 feet) of a proposed 12' x 20' room addition to the rear of their home located at 319 Sandalin Lane.

Jim Williams, Director of Developmental Services, spoke in favor of the variance. He felt it was a relatively minor encroachment and was unlikely to adversely affect any of the adjoining or nearby properties.

Hearing no one else speak in favor of the variance, Mayor Lenox asked to hear from those opposing the variance. Hearing no opposition, Lenox called the hearing to a close for Council to debate the issue and render a decision.

McMenamin stated that her daughter lived on Sandalin Lane, but that she did not own property adjacent to the Strong's. She asked the City Attorney if she should abstain from voting. Webb felt there was no reason for McMenamin to abstain from discussion or voting on the issue.

McMenamin made a motion to grant the variance as requested. Brooks seconded the motion. Motion

carried unanimously.

03-00-01 Appointments – City Attorney/Solicitor & Judge

JUDGE - Jim Basinger, City Manager, said six firms submitted proposals for Municipal Court Judge. He recommended Council appoint A. Mitchell Powell of the firm of Glover & Davis. Basinger explained that while there were two proposals with significantly lower hourly rates, he felt it was worth the additional investment to retain the services of Judge Powell in the critical, high profile position because Powell had a reputation for being fair and compassionate. He felt Powell had a history of rendering correct decisions by objectively reviewing the facts of court cases before him.

Jane Miller, Director of Administrative Services, also addressed Council. She said she and the Court Clerk both recommended Powell be re-appointed.

McMenamin said that over the years many citizens had told her Powell had treated them with the highest level of respect. She felt the City would want its citizens to be treated fairly and with respect and dignity. McMenamin made a motion to reappoint A. Mitchell Powell as the Municipal Court Judge. Fritz seconded the motion.

Tennant raised concerns that there were no interviews conducted among the six candidates. He agreed that Powell had a good reputation and said he had a great deal of respect for him. However, he also felt it was important to note the price differences of the proposals that were submitted. Specifically, he compared Judge Powell's proposal of \$120 per hour, a 25% pay increase from last year, to Judge Peirce's proposal of \$65 per hour. He felt that as stewards of the citizens' tax dollars, Council would be remiss not to appoint Pierce. He did not feel an appointment for such a critical position should be based strictly on the lowest bid, but he did feel Pierce also had a good reputation and the experience to do the job.

Fritz recommended Powell be reappointed. She said she had talked to many people who worked with judges and she had also observed Powell during court on several occasions.

Tennant also pointed out that Pierce had recommended a change in court procedures to schedule two weeks for arraignments and two weeks for trials. He felt her recommendation would save the City additional money by not requiring police officers to attend court every week.

Lenox called for a vote. Motion passed 4-1 with Tennant opposing.

JUDGE PRO HAC VICE – Basinger said staff recommended Council appoint Eric Maxwell as Judge Pro Hac. He said that while his proposed fee was \$5 higher per hour than that of Sharon Pierce, Ms. Pierce advised staff that she expected to be paid the same hourly rate as the Judge if she were appointed Judge Pro Hac. Basinger said Maxwell's resume reflected that he was certified to hold judgeship both for Municipal Court and State Court, and he presently served as Judge Pro Hac Vice for the City of Fayetteville and the State Court of Fayette County.

Fritz made a motion to appoint Eric Maxwell as Judge Pro Hac Vice. Brooks seconded the motion. McMenamin stated for the record that she had known Maxwell for a number of years and he had donated \$250 to her campaign. Motion carried 4-1 with Tennant opposing.

CITY ATTORNEY/SOLICITOR – Lenox allowed Rick Lindsey, City Attorney, to read a lengthy

statement concerning letters printed in a local newspaper accusing their firm of having a conflict of interest. He passionately denied that his firm had any conflict of interest and ended his statement by announcing to Council and to the public, that earlier that day they filed suit in Fayette County Superior Court on behalf of Jim Webb and the law firm of Webb, Stuckey & Lindsey against Mr. Stephen Brown, Fayette Publishing, Inc. the publisher of The Citizen Newspaper and The Peachtree City Citizen Review, and its publisher Mr. Calvin Beverly, personally, for libel. He stated that it was their intention that any monies that they may receive as a result of the lawsuit would be given to a local charity and not be kept by any members of their firm.

Mr. Stephen Brown was present in the audience and asked to address Council and respond to Lindsey's statement. Lenox denied the request. Tennant asked Lenox to reconsider, as a matter of fairness, since Lindsey was allowed to make a statement. Lenox said that as Chair of the meeting, he would not allow Brown to address Council unless there was a majority vote by Council in favor of it. Tennant made a motion to allow Mr. Brown to be heard in light of Mr. Lindsey's diatribe that Council had just heard in the sense of fairness. Lenox seconded the motion. Motion failed 1-3 with Lenox, Brooks, and Fritz opposing. McMenamin abstained.

Lenox said a letter was hand delivered to City Hall alleging a possible violation in 1997 of the City's Ethics Ordinance by the City Attorney, Jim Webb. He explained that Georgia State law required municipalities to give its citizens 24-hour notice of any changes to the agenda. He said since staff was unable to comply with this 24-hour notice requirement, the item would be placed on the next council agenda. Lenox said he was not prepared to discuss nor make any decision relative to appointment of the City Attorney the matter had been adjudicated and settled. Lenox made a motion to table the appointment of City Attorney until the matter was settled. Brooks seconded the motion. Motion carried 4-0 with McMenamin abstaining. Lenox clarified that the City would continue using the firm of Webb, Stuckey and Lindsey until Council officially took further action.

03-00-02 Consider Authorization for City of Senoia directional sign on Rockaway Road

Jim Williams, Director of Developmental Services, explained that the City of Senoia requested permission to erect a directional sign in Peachtree City at the intersection of Highway 74 South and Rockaway Road. The location of the proposed sign would be on property owned by Peachtree City. He explained that since the sign would be greater than 2 square feet, it would require the approval of Council. He recommended the proposed sign be approved as a courtesy to the City of Senoia, provided it was installed in accordance with all the provisions of Ordinance Section 66-191 (6), and that the top of the sign was no more than 6 feet above the ground. McMenamin made a motion to approve the request. Fritz seconded the motion. Motion carried unanimously.

03-00-03 Consider Authorization and Funding – Pay and Classification Study

Jane Miller, Director of Administrative Services, addressed council to request permission to conduct a classification and pay plan study. She explained that the current plan was completed and implemented in 1991. She said the Atlanta Regional Commission was unable to conduct a pay and classification plan as they had previously. She requested authorization to proceed with a Request for Proposal (RFP) process to select a private company to conduct a new study and to develop a new plan. She said staff would return to Council with a recommendation and a request for funding once the proposals had been received and evaluated. Brooks made a motion to allow staff to proceed with the RFP process. Fritz seconded the motion. Motion carried unanimously.

03-00-04 Consider Ordinance – Records Management

Nancy Faulkner, City Clerk, requested Council to adopt an ordinance to implement a comprehensive records management program and to officially acknowledge Peachtree City's ongoing compliance with the Georgia Records Act. She said the City had applied for and received a \$2,500 matching grant from the Secretary of State, Department of Archives and History to assist in the implementation of the program. She anticipated that additional funding would be available in the future. She also said the Georgia Department of Archives and History requested the City to join them in applying for a grant from the National Historical Publications and Records Commission. If the grant were awarded, Peachtree City would participate as a test site for developing and testing guidelines and strategies for the long-term preservation and accessibility of electronic records. McMenamin made a motion to adopt the ordinance as presented. Brooks seconded the motion. Motion carried unanimously.

03-00-05 Reconsideration of Lifting Annexation Moratorium to Consider Annexation of Westside

Mayor Lenox presented the following Power Point Presentation regarding the issue of lifting the moratorium on annexation for property located west of Peachtree City:

Peachtree City History - The original plan

- Incorporated: 1959
- Land area: 15,000+ acres (24 sq. Miles)
- Target build-out population: 80,000 people (5.33 per acre)
- Planned elements:

Residential	Three lakes
Office	Airport
Industrial park	Extensive recreation
Retail/commercial	Churches

Major Plan Modifications

Massive reduction in density driven by market forces, citizen desires and city policies. Current planning per the 1992 Comprehensive Plan and for infrastructure purposes calls for 45-50,000 people (3.00 to 3.33 per acre).

Current Situation

- Land area: 15,637 acres (24 Sq. Miles)
- Current population-12/31/99 33,375
- Planning problem: Nearing buildout. Goal is to achieve balance among population, infrastructure, land uses and long-term financial viability. Planning must also take into account long-range traffic patterns and the impact of expected development in surrounding political jurisdictions.

Population Projections

- Current population-12/31/99 33,375
- Remaining residential land in the city

Proposed Use	Units	Population
54 west apt complex	399 @ 2.1	838
Cedarcroft	221 @ 3.4	751
Black property—south	254 @ 3.4	863
Adams-54 east	135 @ 2.0	270
Adams-54 east lofts	60 @ 2.0	120
Edee Apts-74 north	217 @ 3.0	651
Peninsula-P'tree pkwy north	54 @ 3.2	173

Katz-west Village south	200 @ 3.4	680
Bradshaw-Kedron northeast	200 @ 3.4	680
Wynnmeade extension	120 @ 3.4	408
Other Misc sites-platted	300 @ 3.2	<u>960</u>

Existing city limits build-out population 39,769

Proposed Use	Units	Population
West village-managed care	100 @ 1.0	100
West village-single family	1,250 @ 3.4	4,250
Build-out with West Village		44,119

Proposed Density

Current Land Area	15,637 acres (24 sq miles)
Annexation Area	<u>914</u> acres
Total land Area	16,551 acres (25 sq miles)

Density = 2.67 people per acre

No Annexation Alternative - South Sector

Owner	Acres	Min Units	Max Units
Katz—city	112	90	400
Katz—county	70	35	55
Huddleston—city	40	15	30
(formerly Whitlock)			
Wynnmeade—city	80	70	105
Potential Houses Range		210	590

General Comments - South Sector

- Access to the above development, along with all other development planned for north of hwy 54 west, will be solely from Line Creek Parkway.
- There will not now, or in the future, be any connection between Hwy 54 West and Hwy 74 North except via the existing 54/74 intersection. No "western bypass" of Peachtree City will ever again be possible.
- The city cannot provide adequate fire and emergency services to the planned and potential developments within the existing city limits without building, equipping and manning a new fire station.
- The city will be required to provide emergency and police services to the Katz parcel in the county. Some type of city/county contract will have to be negotiated.
- The parcels in the city will have to be sewerred. The Katz parcel in the county will be on septic tanks.
- Those residential units in the city would be subject to city impact fees. Those units in the county would be subject to no impact fees.
- No land or other amenities would be provided to the city, the county, or the School Board.
- The School Board will have to absorb the student load from 210 to 590 new homes. Nearby schools are already at or above capacity, so this may lead to redistricting, pushing some Peachtree City students as far north as Sandy Creek.
- The residents in the homes on the Katz property in the county will most certainly view themselves as living in Peachtree City and will use the city's amenities and cart path system.

No Annexation Alternative - Middle Sector

Owner	Acres	Min Units	Max Units
Pathway-County	365	90	350
Pathway-City	50	0	0
Potential Houses Range		90	350

Business Park - 50 acres @ 250-400,000 sq ft

General Comments- Middle Sector

- Access to the above development will be only via the grade crossing entrance located at the Cable TV company.
- This further precludes any future possibility of a connection between Hwy 74 North and Hwy 54 West other than at the existing 54/74 intersection.
- The city will probably be required to provide emergency, fire and police services to this area under some type of contract with the county. Due to station locations and response times, coupled with the grade crossing access point, this may be detrimental to our future ISO ratings.
- The business park may be sewerred, depending on cost. At 175 houses all would be on septic tank. Anything above that number would require sewer, which Pathway has a legal right to under the sewer system acquisition agreement.
- No city or county impact fees would be generated by any of the proposed development.
- No land or other amenities would be provided to the city, the county, or the School Board.
- The School Board will have to absorb the student load from 175 to 350 new homes. Nearby schools are already at or above capacity, so this may lead to redistricting, pushing some Peachtree City students as far north as Sandy Creek.
- The residents in this area of the county will almost certainly view themselves as living in Peachtree City and will use the city's amenities and cart path system.
- This major entrance onto Highway 74, via a grade crossing, will be a long term problem and bottleneck as well as a significant safety hazard for residents of the subdivision and employees in the business park. CSX estimates that 30 trains per day travel through Peachtree City.

No Annexation Alternative - North Sector

Owner	Acres	Min Units	Max Units
Redwine-County	294	125	200
Stillwell-County	109	35	55
Conn-County	20	8	14
Whitlock-County	27	10	16
Misc-County	29	12	18
Misc-City	50	0	0
Potential Houses Range		190	303

General Comments - North Sector

- Access to the above developments is possible only via the existing grade crossing at Wilkes Grove Church Rd. or via an extension of Crabapple Lane from Tyrone through the Guthrie industrial park development.
- There will not be any connection between this northern sector and the adjacent middle sector.
- The county will want the city to provide emergency services to this area, but we cannot do so without destroying our ISO rating. We will have to fight this.
- Virtually the entire area will have to be on septic tanks as it is cost prohibitive to extend sewer into the city areas.
- Those residential units are all in the county and no impact fees would be generated.
- No land or other amenities would be provided to the city, the county, or the School Board.

- The School Board will have to absorb the student load from 190 to 303 new homes. This area would probably naturally be in the Sandy Creek school area.
- The residents in the area would have little connection to Peachtree city because of the access available. They would, however, use the city's recreational facilities and would see us as their commercial and business area.
- The Redwine tract is especially problematic. Access is fair to poor for residential. The rock quarry in Tyrone has an interest to extend their quarry southward, and Guthrie has an interest to extend his Tyrone industrial park southward. Either of these uses would probably lead to clear cutting of the land prior to sale.

Sewer System Analysis

- Current discharge capacity: 4.9 million gallons/day

Sewer System General Comments and Plan

- The Rockaway and Line Creek treatment plants each have a daily treatment capacity of 2.0 million gallon per day (mgd). The Flat Creek plant has a daily capacity of 0.9 mgd. Flat Creek is worn out and needs to be replaced.
- Current planning is to replace it with a new 2.0 mgd plant, upgrade treatment levels at Rockaway and Line Creek, and have 6.0 mgd of first class treatment capacity.
- With the West Village and a build out population of 44,000 plus our industrial treatment loading, we would need 5.3 to 5.4 mgd of capacity. With reserve capacity requirements for daily and seasonal heavy flows, we would have an almost perfect match between capacity and need. This would minimize the cost per user to all of us as customers of the sewer system.
- Without the West Village we would have to reduce our permit request to 1.5 mgd and build a smaller plant. Plants under 2.0 mgd are costlier to build and more expensive to operate on a per unit basis. We would also lose forever the additional 0.5 mgd of treatment capacity. We cannot simply replace the Flat Creek plant with a new 1.0 mgd facility as we would then have a need for 4.8 mgd and a capacity of only 5.0 mgd—leaving no reserves for peak flows. In short, without the balance provided by the West Village we will be unable to maximize the efficiency and cost-effectiveness of our sewer system—and we will pay for that shortcoming forever.

City Infrastructure Analysis

- Based on our last Comprehensive Plan Update, we have used a build-out population figure of 45-50,000 for general planning purposes. This has impacted every area of our planning efforts including road sizing and location, the acquisition of recreation land and the construction of facilities, our library planning, our City Hall and emergency services planning, and our long term budget and capital expenditures planning.
- Peachtree City is extremely cost efficient. Our city taxes, when compared to the level of services provided, are among the lowest in the country. This is not by accident—it is the result of sound planning and excellent management. In the not very distant future, Peachtree City will be done, and good planning now coupled with continued excellent management in the future will be essential to maintaining our quality of life and our reasonable taxes.
- The West Village will not only not result in increased taxes, it will help keep our taxes among the lowest in the country. The impact fees generated by the West Village will help us tremendously in completing our capital infrastructure needs without increased taxes on those of us already living here. Additionally, the cost of maintaining our world class service levels will be spread over the planned and appropriate number of people, and all the beneficiaries of these services will be paying their fair share.

No Annexation Alternative – Summary

- New residential units-minimum: 490
- New residential units-maximum: 1243
- Business park: 250,000-400,000 square feet

No Annexation Alternative- General Comments and Drawbacks

- West side development will be the typical balkanized development, with no cohesive road pattern, seen in most other cities.
- Road access points to new development will range from poor to potentially dangerous.
- The short and long term pressure on Hwy 54 West and on the 54/74 intersection will be significantly increased.
- Once piecemeal development begins, a western bypass of the 54/74 intersection is forever precluded.
- No land, no amenities, and little financial assistance is provided to any governmental entity.
- Puts a significant number of septic tanks (400-530) into an environmentally sensitive area.
- General Comments and Drawbacks
- Creates a short term and long term emergency services problem of serious proportions.
- Significantly pressures the School Board, gives them no help, and leaves them with only unpalatable choices such as temporary classrooms and redistricting.
- Foregoes \$1.5 to \$2.0 million dollars in Peachtree City impact fees.
- Fails to balance the city's population with its infrastructure and financial needs in the long term.
- Puts long term pressure on city recreational, governmental and cultural facilities without corresponding tax revenues.
- Forever leaves the west side of Peachtree City as the "other side of the tracks".

West Village Annexation - Development Goals

- Any annexation plan must contain no more than 1450 single family residential units.
- An assisted living facility of not more than 100 units would be an asset to the village.
- A maximum area of 25 acres of neighborhood office and commercial should be included.
- A new parkway shall be constructed which would run from the northern end of Line Creek Parkway to connect to Kedron Drive (North) via a bridge over the railroad tracks.
- This parkway, including the railroad bridge, shall be completed and opened to traffic prior to the occupation of any residential, commercial or office units.
- The new parkway shall be constructed as a two-lane or four-lane, median-separated roadway as an appropriate traffic study dictates. If initially built as two-lane, sufficient right-of-way shall be provided to permit four-laning in the future and the bridge over the railroad shall include structural provisions for expansion to four lanes.
- A 25-acre elementary school site acceptable to the Board of Education shall be donated to the Board with a deed restriction requiring site planning, clearing and preparation to be managed by the City of Peachtree City, requiring permission for the City to conduct building inspections at no cost to the Board, and requiring that the Board comply with the City's landscaping ordinances.
- Careful consideration should be given to locating a 45-acre middle school site within or close to the Village which would be donated to the Board of Education or made available to them at favorable pricing with the same deed restrictions as outlined above.
- 25 acres of passive recreation space within the Village shall be donated to the City.
- A 1.5 to 2.0 acre fire station site, contiguous to and centrally located on, the new parkway shall be donated to the City.
- Careful consideration should be given to donating to the City a six to ten acre site, located at the north end of the Village, to permit the development and construction of a community center. This could include a purpose limitation and reversionary clause.
- Substantially all of the development within the Village must be connected to the WASA sewer system.
- The final Village design plan must reasonably and adequately buffer Line Creek both during construction and long-term occupancy. The City staff and the Line Creek Association shall both attest to this.
- The railroad must be adequately buffered from all residential development to minimize long-term noise problems.
- All railroad grade crossings into the Village should be eliminated unless precluded by legal action on the part of the railroad or any affected property owner.
- Appropriate grade-separated cart path connections to the City system shall be provided at the north and south ends of the Village.
- While the 1450 residential units should generally reflect the rest of Peachtree City, consideration should be given to using clustering to preserve green space, buffer the creek and wetlands, and to provide separation from the railroad. As a goal, saving an area equal to 30% of the annexation area would be desirable.
- No more than 365 residential building permits shall be issued in the Village during any calendar year

- (pro-rata and non-cumulative)
- Appropriate impact fees for the area will need to be established. In general, such impact fees would be spent within the Village area to provide:
 - A new fire station and equipment
 - Recreation land improvements
 - Green space enhancements
 - Parkway buffering and landscaping
 - Community Center planning and designing
- The overall annexation plan must be complete, thorough and detailed enough to permit adoption as a Limited Use district if so desired by Council. In addition, the plan must be approved by the City staff and recommended to Council for adoption by the staff.

West Village Annexation - Summary of Advantages

- The west side of town becomes a fifth village with the same "look and feel" as the rest of Peachtree City, including schools, recreation, green space, major City facilities and excellent transportation patterns.
- The City has a long-term balance between population and infrastructure leading to financial efficiency and the ability to deliver maximum services with the lowest possible tax and sewer rates.
- Completion of the new parkway up front will provide short-term relief to the congestion on Hwy 54 West and at the 54/74 intersection by providing a significant alternate route.
- The City will receive over \$2,000,000 in impact fees, which will provide entirely for the infrastructure needs of the new Village and contribute to the cost of new amenities available to all of us.
- The School Board will receive significant help in meeting the future needs of our children. While we have a county school system, this should enable them to continue the practice of schooling our children in Peachtree City insofar as is possible.
- Annexation ensures that west side residents will always receive the best emergency services—and that they will pay their fair and proportionate share for these services.
- An environmentally sensitive area will be protected from the effects of haphazard development, both during the construction period and long-term.
- Potentially eliminates all three railroad grade crossings in the northern part of the City which will improve safety and should lead to the elimination of train whistle noise for all the residents of that area.

West Village Annexation - Summary of Disadvantages

- The City has about 4,000 more residents than it might have without annexation—44,000 versus 40,000.

West Village Annexation Moratorium - Suggested Actions

- Lift the annexation moratorium relative to the West Village. We have one of the best planning staffs I know of and denying ourselves their expertise and input on such a critical decision seems ludicrous.
- Form a citizen committee of 12-15 members, to be selected by the City Council, to meet weekly or bi-weekly, as necessary, to review every aspect of the proposed annexation and to assist in developing a final integrated plan for presentation to and consideration by the City Council.

Following his presentation, Mayor Lenox opened the floor for general discussion. This general discussion period lasted approximately 2 ½ hours as many citizens asked questions and made comments.

A summary of comments made by the Councilmembers are as follows:

Carol Fritz - Fritz explained that she recently voted to deny lifting the moratorium on annexation because she could not find any compelling reason with the presentation at that time. She said she felt troubled for several days after her vote and questioned whether it was the right thing to do. She felt there were still many issues to discuss and she advised Mayor Lenox that she would be researching the matter further and talking to various individuals. Based on her research she asked that the issue be placed on

the agenda for reconsideration. She felt there was a need for a new school in Peachtree City. She acknowledged that some people felt that was the School Board's problem, but she felt that it was everyone's problem. She felt that the sewerage issue was another important concern. She said the westside property was extremely environmentally sensitive and she would rather see the development connected to the sewerage system rather than septic tanks. She said she learned that it had always been Joel Cowan's intent to annex the property into the City. She felt it was very important to have the Line Creek Parkway developed to alleviate some of the traffic problems on Highway 54 and 74. She also explained that the City currently had a weak area in providing fire protection services and that the City would eventually have to build a new fire station whether or not the property was annexed. She felt the \$1.4 million construction cost should be considered and that it should be recognized that the City would provide service to that area regardless of annexation. She said some people have stated that the City could not be forced to provide public safety service to the area, but she felt the City would have a moral obligation to do so. She felt that lifting the moratorium on annexation was the right thing to do so that all of the issues could be considered. She felt it was important for Council to understand the repercussions of its decision regarding annexation regardless of the final decision.

Dan Tennant – Tennant felt Lenox's presentation was well presented, but he also felt the process was flawed. He said city resources were used to put together a very effective presentation, but he was disappointed that the City elected to present only one side of the story. Tennant said he believed strongly believe in honor, integrity and in keeping your word. He felt he was elected by the community because he did not support annexation. He felt annexation would be the biggest issue facing him during his term. He stated that phone calls and e-mails he received ran 6 to 1 in favor of keeping the moratorium in place. He questioned where annexation would stop and then stated that he felt annexation of the east side of Peachtree City was not an issue because there weren't any large tracts of land owned by Pathways Communities. He said he trusted the Fayette County Commission and noted they were also the City's elected officials. He believed there would be a maximum of 600 homes developed without annexation if the City applied the proper pressure to the County Commission. He also believed that annexation would bring thousands of more people to Peachtree City, more traffic, and higher density. He said it was stated that 1,450 homes would be required as a minimum for economic feasibility of the annexation development. He felt the additional homes would increase population, which would also increase infrastructure costs, and the need to increase school capacity. He felt that increased population would cause taxes to increase. He also felt if the moratorium were lifted it would be certain the annexation would be approved. He felt the whole matter was being run by a few people who stood to make a lot of money at the expense of few. He did not believe the annexation would benefit a family of four.

Annie McMenamin – said she voted for the development of Planterra Ridge because she felt it was an opportunity to bring that side of town into Peachtree City and make it a great place to live. She said she had not been against annexation, but she had been against the specific developments presented. She felt if the property were annexed it should be developed better than the rest of Peachtree City. She commended Mayor Lenox on his presentation and felt he did an outstanding job. She said she would vote in favor of lifting the moratorium, but she would be tough as nails when it came to the actual annexation issue. She said it would have to be an incredible benefit for the City for her to support it.

Bob Brooks – Brooks felt that Peachtree City would be providing services to the area because it was the closest governmental entity available to do so. He explained that Peachtree City citizens also paid County taxes, and they should consider who could provide the most efficient economical service to the area. He said if the property were annexed into Peachtree City, impact fees would be assessed pay the infrastructure cost. If the property were not annexed, county taxes would have to pay the infrastructure

costs. He felt it was important to protect the watershed and ensure sewerage service would be provided for the development. He also pointed out that the City had much better controls in place than the County to manage storm water runoff. He felt it was very important to provide a bridge over the railroad tracks so that emergency vehicles would never be blocked by a train. He felt the school issue was the toughest issue to address because density would need to be increased to pay for the amenity package.

Brooks made a motion to lift the moratorium on annexation as it applied to the Westside Village. Fritz seconded the motion. Motion carried 4-1 with Tennant opposing.

COUNCIL/STAFF TOPICS

Tennant and Brooks volunteered to serve on selection committee for Library Commission Applicants.

Lenox made a motion to adjourn the meeting. McMenamin seconded the motion. Motion carried unanimously. Meeting adjourned at 11:00 p.m.

City Clerk, Nancy Faulkner

Attest: _____
Mayor

POSITION PAPER
Proposed Rezoning: Lexington Commons
GA 54 East at Walt Banks Road
Director of Developmental Services *JBW/gf*
March 9, 2000

Situation:

Bob Adams Homes, Inc. is requesting that the 73.2-acre tract at the northeast corner of the intersection of GA 54 East and Walt Banks Road be rezoned from LUC-7, R-43, and LUR-9 to LUC-15 for a master planned, mixed use development to be known as Lexington Commons..

Facts:

1. The LUC-7 tract proposed for rezoning is the Palm Beach Property. It consists of about 34.2 acres. It was zoned LUC-7 in 1987, and it has not yet been developed under that classification. It is still owned by Palm Beach Development Corporation.
2. The R-43 Tract proposed for rezoning is the Heard Property. It consists of about 18.59 acres. It was zoned R-43 in 1989, and it has not yet been developed under that classification. It is currently owned by Helen Heard and Eva Hendrix.
3. The LUR-9 Tract proposed for rezoning is owned by Bob Adams Homes. It consists of a parcel of about 10.63 acres previously owned by Lallonde and another parcel of about 9.77 acres previously owned by Scott. Both parcels were rezoned from R-43 to LUR in 1999 in accordance with a master plan for the entire 73.2-acre site.
4. The master plan for the 73.2-acre site was initiated by the City. It was prepared by Wood + Partners, Inc. as a part of a group effort involving City officials, the property owners, neighboring property owners, and interested citizens (Attachment "A").
5. After the Lallonde and Scott parcels were rezoned to LUR, Bob Adams Homes acquired options to purchase both the Palm Beach Property and the Heard Property.
6. Once all 73.2 acres were either owned or controlled by Bob Adams Homes, an application was submitted to rezone the entire tract to a single zoning district, LUC-15. The rezoning application included a proposed revised master plan, which was prepared by Ozell Stankus Associates. (Attachment "B").

7. In preparation for the Planning Commission meeting on January 24, 2000, the staff prepared a draft of an ordinance outlining the proposed requirements and conditions of an LUC district for this project (Attachment "C"). At its meeting on January 24, 2000, the Commission voted to recommend that Council approve the proposed rezoning; however, the applicant and the Commission agreed to a number of changes to the draft ordinance prepared by the staff (Attachment "D").
8. The main changes dealt with the proposed square footage. The staff wanted to see the maximum square footage defined for each major use within the district, as illustrated on the master plan. However, the applicant preferred that a total square footage be set for the project and he would then be free to apportion that area to prospective tenants as market opportunities presented themselves. The Commission agreed with the applicant and recommended that a total commercial area of 300,000 square feet be established.
9. Other changes in the staff recommendations included the following:
 - Increasing the maximum number of single-family detached lots from 130 to 135 (the staff had no objections as long as the change did not affect minimum lot size or the open space requirement).
 - Increasing the maximum number of multi-family units from 30 to 60, but limiting them to only second floor lofts (the staff had no objection and noted that the proposed assisted living units and townhouses had already been omitted from the revised plan).
 - Reducing the buffer area from a minimum of 16 acres to 20 percent of the total acres. This amounted to a decrease of 1.4 acres. (The staff did not object to this change).
 - The Commission, the applicant, and the staff could not agree on any area restrictions for individual commercial tenants. This detail was left to be worked out at a later date.
 - Increasing the minimum residential floor areas from 1,800 to 2,400 square feet and from 1,200 to 1,600 square feet. (the staff supported this change).
 - Decreasing the greenbelt along Walt Banks Road from 100 feet to 60 feet (the staff did not object to this change); and
 - Adding a new clause pertaining to a reversion of the zoning (the staff did not object to this change).

10. The Commission indicated the applicant would be allowed to include up to three restaurants with drive-thru capability. The staff objected to allowing any drive-thru facilities in a commercial project of this nature.
11. The applicant had not completed a traffic study prior to the Commission meeting, and the traffic impact of this project was not included in the Commission's recommendations. A traffic study was finally provided to the staff on February 14th. The conclusions and recommendations are presented as Attachment "E".
12. Based on an analysis of the traffic study, it has been determined that the proposed commercial development at Walt Banks Road would actually help to reduce traffic in the GA 54 West Corridor, and no special mitigation would be required in that area.
13. All utilities have informed us that they have sufficient capacity to serve this proposed project; however, it appears from the response of the Board of Education, this project may contribute to an existing overcrowding problem at Kedron Elementary and at Booth Middle School (Attachment "F").
14. Following the Planning Commission meeting, the staff has met on several occasions with the applicant and Commission representatives to work out remaining issues prior to the Council's public hearing. These meetings have led to a resolution of all differences in commercial square footage, as well as a resolution of the drive-thru issues. Appropriate revisions have been made to the draft of the ordinance that is being recommended to the Council for approval.
15. At the time this position paper is being prepared, we have not been able to resolve the final issue dealing with improvements to the City's traffic system. However, the staff is confident a mutually satisfactory agreement can be reached prior to the public hearing. A study is currently underway to determine the cost of a Roundabout at the intersection of Peachtree Parkway and Walt Banks Road. This will be compared to the cost of a typical signalized intersection with lane improvements. Once all the costs are known, the applicant will be able to determine how far he will be able to go toward meeting the staff recommendations contained in Section x) of the proposed ordinance. Council will be informed prior to the public hearing on the status of these negotiations.

Recommendations:

The staff recommends that the proposed rezoning be approved and that the following ordinance provisions be adopted to implement that rezoning:

Section 1006B.15 Limited Use Commercial District No. 15.

The purpose of this Section is to rezone the 73.2-acre tract at the northwest corner of GA 54 and Walt Banks Road to an LUC-15 Limited Use Commercial classification in order to permit the development of the property in accordance with the revised master plan concept prepared by Ozell Stankus Associates Architects, dated December 2, 1999, subject to the following conditions and requirements:

1006B.15.1 **Effect on Other Zoning Districts.**

The LUC-15 zoning district created by this Section replaces the following existing zoning classifications:

- a) LUC-7 Palm Beach property,*
- b) LUR-8 Lallande property,*
- c) LUR-9 Lallande/Scott property, and*
- d) R-43 Heard property.*

1006B.15.2 **Conformance with Master Plan.**

Development shall take place in conformance with the Ozell Stankus master plan dated December 2, 1999. Any substantive change to this plan or any of the conditions and requirements of this Section will require a new rezoning action.

1006B.15.3 **Permitted Uses.**

- a) Single-Family Detached Residences.*
- b) Multi-Family Residences in Second Floor Loft Apartments.*
- c) General Retail Commercial.*
- d) Theater and Restaurant Commercial.*
- e) General Office Commercial.*

1006B.15.4 **Conditional Uses.**

No conditional uses shall be permitted in this district.

1006B.15.5 **Other Requirements.**

<i>a) General Retail:</i>	<i>Minimum Floor Area</i>	<i>150,000 square feet</i>
	<i>Maximum Floor Area</i>	<i>225,000 square feet</i>
<i>b) Restaurants:</i>	<i>Minimum Floor Area</i>	<i>15,000 square feet</i>
	<i>Maximum Floor Area</i>	<i>40,000 square feet</i>
<i>c) Offices:</i>	<i>Minimum Floor Area</i>	<i>30,000 square feet</i>
	<i>Maximum Floor Area</i>	<i>80,000 square feet</i>

- d) *Maximum Commercial Area:*
The overall area of General Retail, Restaurants, and Offices shall not exceed 300,000 square feet.
- e) *Maximum Residential Units:*
- | | |
|-------------------------------------|------------------|
| <i>Single-Family Detached</i> | <i>135 units</i> |
| <i>Multi-Family Loft Apartments</i> | <i>60 units</i> |
- f) *Minimum Open Space Area:*
At least 20 percent of the tract must be exclusively devoted to permanent green space in the form of park land, greenbelts, and buffers.
- g) *Commercial Tenants:*
The largest single commercial tenant in the Center shall have a floor area of less than 50,000 square feet; the second largest tenant shall have a floor area of less than 40,000 square feet; and the third largest tenant shall have a floor area of less than 32,000 square feet. No businesses shall be located within the Center if they rely on drive-thru traffic for more than 50 percent of their revenue. In addition, all drive-thru facilities shall be located away from the main shopping street, the traffic circle, and the secondary access street; and no direct access is provided to these areas.
- h) *Single-Family Detached Residential:*
There shall be two types of single-family detached residential lots, Type "A" shall have a minimum width of 82 feet and shall be located adjacent to the greenbelt along the west property line of the tract. There shall be at least 22 Type "A" lots. All other lots shall be Type "B", and they shall have a minimum width of 52 feet.
- i) *Minimum Residential Lot Area:*
- | | |
|---------------------|--------------------------|
| <i>Type "A"</i> | <i>7,800 square feet</i> |
| <i>Type "B"</i> | <i>5,600 square feet</i> |
| <i>Multi-Family</i> | <i>N/A</i> |
- j) *Minimum Residential Floor Area:*
- | | |
|-------------------------------------|--------------------------|
| <i>Type "A"</i> | <i>2,400 square feet</i> |
| <i>Type "B"</i> | <i>1,600 square feet</i> |
| <i>Multi-Family Loft Apartments</i> | <i>800 square feet</i> |
- k) *Minimum Front Setback:*
- | | |
|-----------------------|----------------------------------|
| <i>Type "A"</i> | <i>30 feet from back of curb</i> |
| <i>Type "B"</i> | <i>15 feet from back of curb</i> |
| <i>All Other Uses</i> | <i>10 feet from back of curb</i> |
- l) *Minimum Side Setback:*
- | | |
|-----------------------|---------------|
| <i>Type "A"</i> | <i>5 feet</i> |
| <i>Type "B"</i> | <i>3 feet</i> |
| <i>All Other Uses</i> | <i>0 feet</i> |

m) *Minimum Rear Setback:*

Type "A"	20 feet
Type "B"	17 feet
All Other Uses	0 feet

n) *Building Separation:*

If any buildings within the tract are not attached, there must be a minimum separation between them of 10 feet.

o) *Parking:*

As set forth in Section 909.

p) *Signs:*

As set forth in the Sign Ordinance and in accordance with a sign program for the tract which shall be approved by the Planning Commission as a part of the overall design criteria for the tract.

q) *Maximum Building Height:*

Three (3) stories plus a basement.

r) *Buffers:*

The following buffers and greenbelts shall be provided:

- 1) A minimum 35-foot wide, City-owned greenbelt along the north property line adjoining the Mathis property;*
- 2) A minimum 50-foot wide, City-owned greenbelt along the west property line adjoining the Southern Trace and Parkway Estates subdivisions.*
- 3) A minimum 60-foot wide, City-owned greenbelt along the east property line adjacent to GA 54 in all areas where residential lots are platted;*
- 4) A minimum 60-foot wide landscaped buffer along the eastern property line adjacent to GA 54 in all areas where residential lots are not platted;*
- 5) A minimum 50-foot wide landscaped buffer along the southern property line adjacent to Walt Banks Road where residential lots are not platted;*
- 6) A minimum 60-foot wide greenbelt along the southern property line adjacent to Walt Banks Road where residential lots are platted.*

s) *Curb Cuts:*

The tract shall be limited to one curb cut on GA 54 and one curb cut on Walt Banks Road to serve the single-family detached lots.

The tract shall be limited to three commercial curb cuts on GA 54 (one at the existing median cut and two other right-in, right-out cuts about equally spaced between the median cut and Walt Banks Road). The tract shall be limited to one commercial curb cut on Walt Banks Road.

t) *Architectural Concept:*

The overall tract must be developed in accordance with an architectural concept for the commercial and multi-family residential uses. The architectural concept

shall be approved by the Planning Commission as a part of the overall design criteria for the tract.

u) Landscape Concept:

In addition to an architectural concept, the overall tract must be developed in accordance with an approved landscape concept that includes islands at each entrance, all medians, and all landscape areas shown on the master plan.

v) Tree-Save Areas:

In developing the tract, the developer shall make every reasonable effort to provide meaningful tree-save areas in addition to the required greenbelts and buffers.

w) Watershed Protection:

The developer must take whatever steps are necessary to assure that the quality of storm water runoff from the tract is properly controlled in accordance with established "best management practices."

x) Traffic Improvements:

Based on the traffic study that was prepared for this project and a careful analysis of that study, the developer shall be responsible for the implementation of the following traffic system improvements:

- 1) Install a new Roundabout at the intersection of Peachtree Parkway and Walt Banks Road; or*
- 2) Install a new traffic signal at the intersection along with proper turn lanes in all four directions; and*
- 3) Install left turn lanes and right turn deceleration lanes at all school driveway intersections, at all church driveway intersections, at Southern Trace, and at all project intersections on Walt Banks Road; and*
- 4) Install concrete curb and gutter on all new improvements to Walt Banks Road;*
- 5) All improvements shall be subject to the approval of the City Engineer*

1006B.15.6

Application of Requirements and Conditions:

The requirements and conditions specified in this Section shall remain in effect unless specifically amended or revoked by subsequent action of City Council in accordance with the established procedure for zoning amendments; and, in addition, if it is determined that the property will not be developed in substantially the same manner as depicted on the Ozell Stankus master plan referenced above, and each condition of that plan substantially complied with, the zoning of this property shall automatically revert back to the zoning the property currently holds.

JBW/jir

Attachments "A" – "F"

SOUTHERN TRACE COURT

HIDDEN CREEK LANE

B
80 X 140 LOTS

B
90 X 110 LOTS

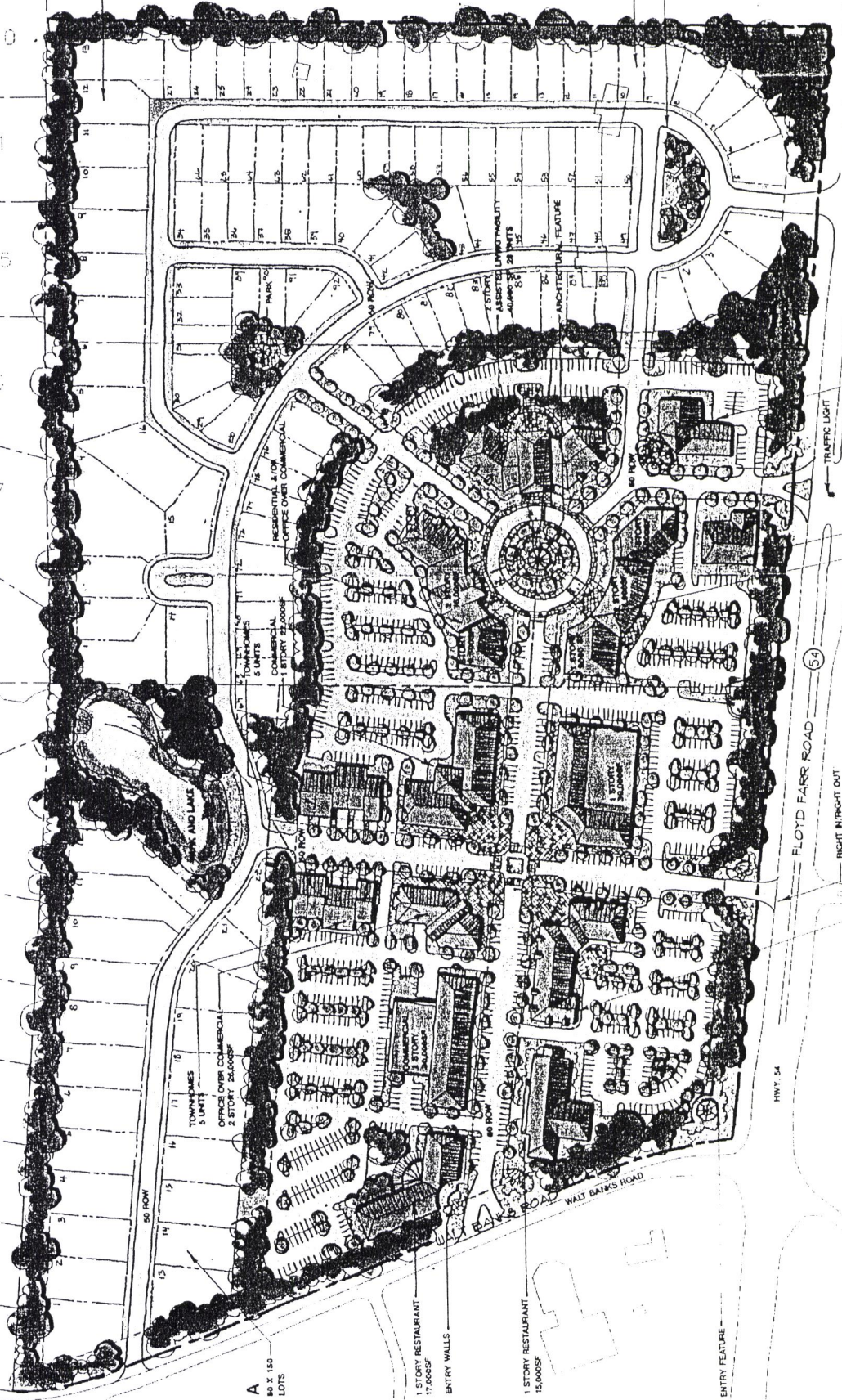
A
80 X 150 LOTS
McINTOSH HIGH SCHOOL

ATTACHMENT "A"
MASTER PLAN
PAGE 1 OF 1

0 50' 100' 200' 300' 400'



SCALE: 1"=100'



1 STORY RESTAURANT
10,700 SF

1 STORY RESTAURANT
9,000 SF

OFFICE OVER COMMERCIAL

RIGHT IN/RIGHT OUT
RESIDENTIAL & OR
OFFICE OVER COMMERCIAL
2 STORY 41,000 SF

1 STORY RESTAURANT
17,000 SF

ENTRY WALLS

1 STORY RESTAURANT
13,000 SF

ENTRY FEATURE

REQUEST FOR REZONING

CITY OF PEACHTREE CITY, GEORGIA

A request is hereby being made to change the zoning classification of

the following described property: 72+ acres of land at the corner of
Walt Bank Road and GA Hwy 54 (legal description
attached)

This property is presently zoned: LUC-7 & R-43 & LUR-9

The proposed zoning classification is: LUC-15

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

Signature: Beverly Holder

Owner: (ADAMS, LASSETER, HEARD, AND HENDRIX)

Agent: BOB Adams Homes, INC.

Address: 115 Lloyd Ave. Tyrone, GA 30290

Phone: 7-487-5334

Date: Jan 14, 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: James B. Williams

Title: DIRECTOR OF DEVELOPMENTAL SERVICES

Date: JANUARY 14, 2000

Request Number: 99-013 REZONED APPLICATION

Date of Planning Commission Public Hearing: JANUARY 24, 2000

Date of City Council Public Hearing: MARCH 2, 2000

Lexington Commons:

*Lexington Circle
and
Lexington Park*

Lexington Circle

Lexington Circle will be a unique mixed commercial / office / residential development that provides the citizens of Peachtree City with shopping, services, entertainment, restaurants and residences in a pedestrian oriented, "town" setting.

Lexington Circle's street layout and landscaping are designed for pedestrian traffic - encouraging local residents, and visitors once parked, to walk to the varied shops, offices, and restaurants and enjoy the "main street" atmosphere. The architectural standards set for this development assure that all buildings of Lexington Circle will be of varied yet harmonious styles that remind visitors of a small town.

Lexington Circle will be an up-scale, unique shopping experience. In addition to entertainment, a choice of restaurants will provide both "rest stops" and a reason to visit. Office space will provide services to the residents of Peachtree City. This development will also provide an experience in residential living not usually found outside old cities throughout America - residences above shops and offices along the streets. This experience of living amidst shopping, services and restaurants will give those residents the opportunity to enjoy the amenities of "main-street" living in their everyday life.

ATTACHMENT "B"

REZONING APPLICATION

PAGE 3 of 10

Lexington Park

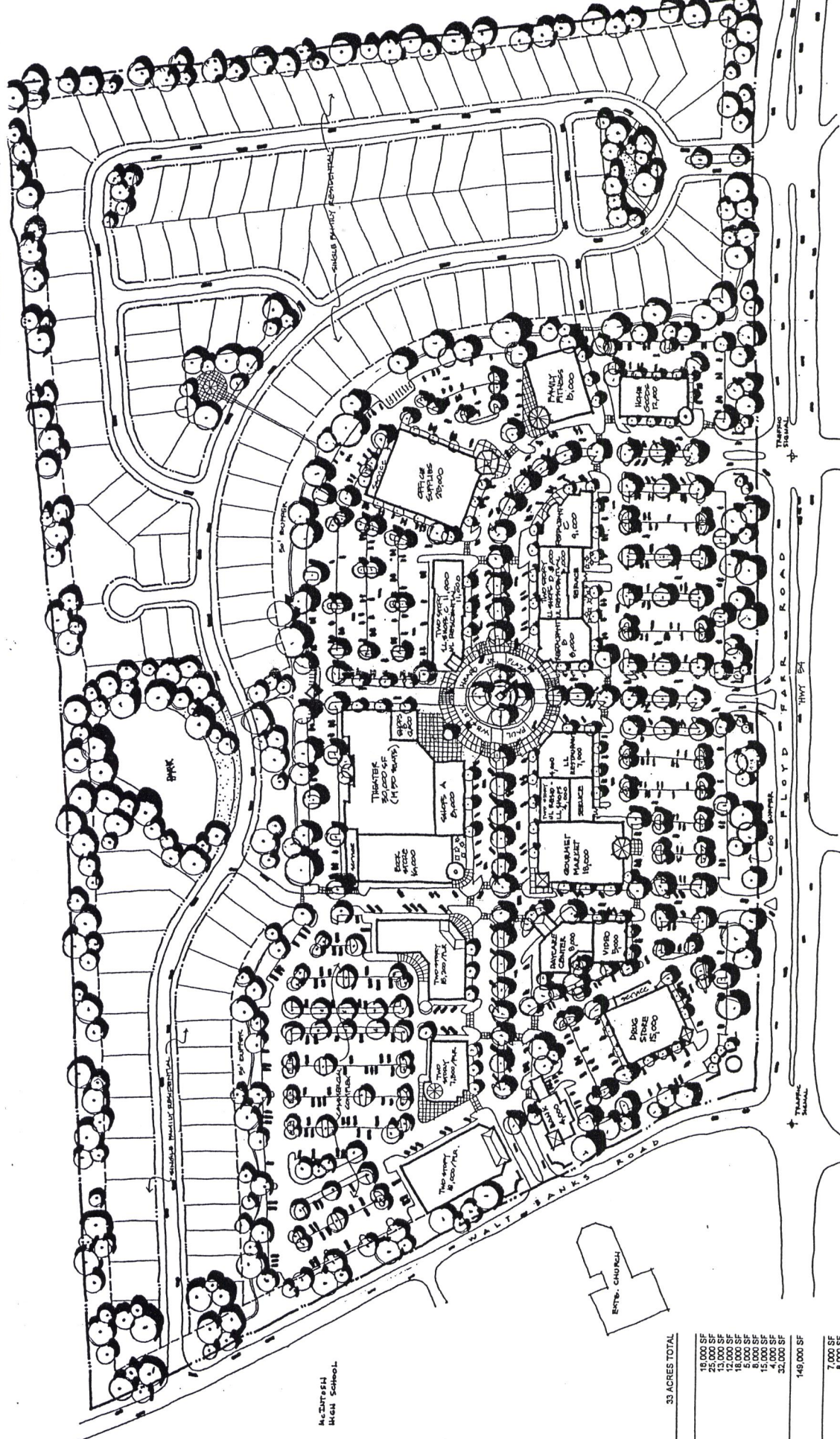
An Active LifeStyle Community in Peachtree City

Lexington Park is a Bob Adams Homes LifeStyle community, created with active adults in mind. *Lexington Park* will provide a community like no other in Peachtree City. A place where active adults may live a lifestyle that will offer them freedom, safety, and peace of mind.

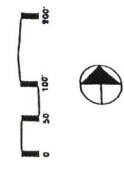
The LifeStyle community of *Lexington Park* will provide a quality-built home with the security of a builder who has been developing LifeStyle communities for over seventeen years. Bob Adams Homes is recognized as a leader in this field for quality construction and customer satisfaction in the marketplace. Bob Adams Homes includes a comprehensive Customer Care program of award-winning warranty service, which provides peace of mind to each homebuyer.

Over the last three years, Bob Adams Homes' Quality Delivery Program has closed 360 homes 100% complete with no "punchlists". Additionally, a Homeowners Association will provide assurance that the community will continue to look as attractive as it was created, as well as enhance the beauty of the community for many years to come.

Those who reside at *Lexington Park* will be taxpayers who don't overburden the schools. They become volunteers who have the desire as well as the time necessary to serve their community. Peachtree City would benefit by providing a place that meets their special needs. *Lexington Park* will allow these good citizens to remain in Peachtree City and will create an atmosphere where the treasured citizens of Peachtree City can feel at home.



PROPOSED SITE PLAN
 SP-02
 12/8/99



PEACHTREE CITY
 GEORGIA

SITE DATA		33 ACRES TOTAL
RETAIL		
BOOK STORE	18,000 SF	
OFFICE SUPPLIES	25,000 SF	
FAMILY FITNESS	13,000 SF	
RAVE BARBERS	12,000 SF	
VIDEO STORE	5,000 SF	
DAYCARE	8,000 SF	
LAUNDRY	15,000 SF	
WALL SHOP TENANTS	32,000 SF	
SUBTOTAL	149,000 SF	
RESTAURANTS		
RESTAURANT 'A'	7,000 SF	
RESTAURANT 'B'	8,000 SF	
RESTAURANT 'C'	9,000 SF	
SUBTOTAL	24,000 SF	
MULTI-PLEX THEATER	30,000 SF	
RESIDENTIAL	23,000 SF	
COMMERCIAL COMPLEX	84,000 SF	
TOTAL	315,000 SF	



PIEDMONT COMPANIES

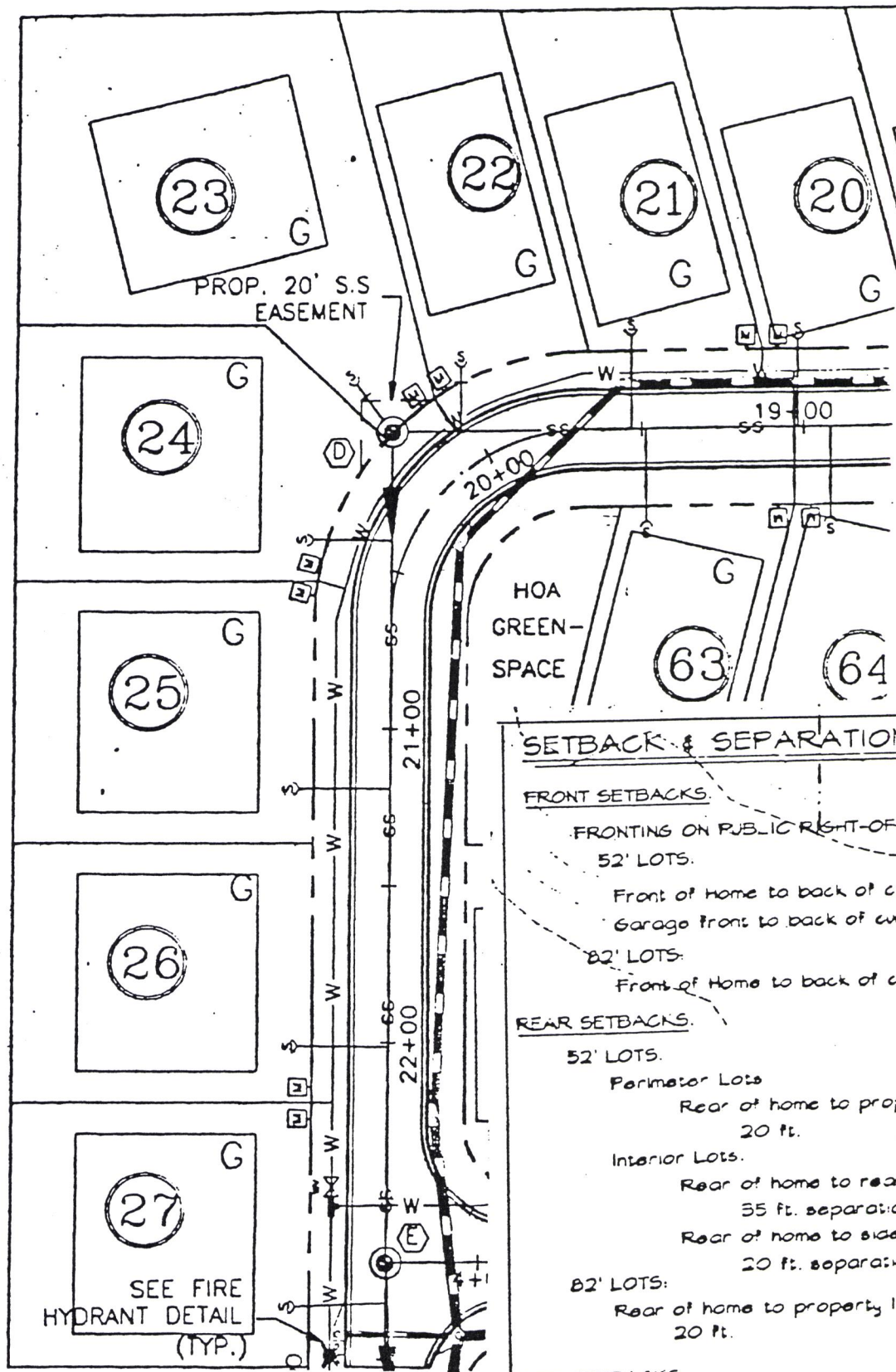
DEVELOPMENT SUMMARY COMPARISON
FOR
GEORGIA HWY 54 & WALT BANKS PROPERTY
PEACHTREE CITY, GA

Lexington Circle and Lexington Park

CITY PLAN BY WOOD AND PARTNERS
MODIFIED PLAN BY PIEDMONT CAPITAL AND BOB ADAMS HOMES, INC.

WOOD AND PARTNERS (CITY) PLAN	73.1 acres	MODIFIED PLAN	73.1 acres
MIXED USE DEVELOPMENT AREA	33.54 ACRES	MIXED USE DEVELOPMENT AREA	37.59 ACRES
TOTAL COMMERCIAL / OFFICE	254,700 S.F.	TOTAL RETAIL / OFFICE	240,000 S.F.
ASSISTED LIVING	40,000 S.F.	RESTAURANTS	30,000 S.F.
TOTAL:	294,700 S.F.	THEATER (30,000 to 50,000 sf)	30,000 S.F.
		TOTAL:	300,000 S.F.
			(MAX: 320,000 sf)
FIRST FLOOR ATTACHED RESIDENTIAL UNITS - 10		FIRST FLOOR ATTACHED RESIDENTIAL UNITS - 0	
		2ND FLOOR (ABOVE RETAIL AND OFFICE) RES. UNITS - 60	
RESIDENTIAL DEVELOPMENT AREA	39.14 ACRES	RESIDENTIAL DEVELOPMENT AREA	35.60 ACRES
SINGLE FAMILY RESIDENTIAL TOTAL LOTS	130	SINGLE FAMILY RESIDENTIAL TOTAL LOTS	135
TYPE "A" LOTS - 22		TYPE "A" LOTS (Min. 7800 sf) - min. 22	Min home - 2400 sf
TYPE "B" LOTS - 108		TYPE "B" LOTS (Min 5600 sf) - remainder)	Min home - 1600 sf
OFFICE / INSTITUTIONAL 1.5 ACRES			
GREEN BELT / BUFFERS	15.5 ACRES	GREEN BELT / BUFFERS	15 ACRES

50' GREENBELT



SETBACK & SEPARATION MINIMUMS:

FRONT SETBACKS:

FRONTING ON PUBLIC RIGHT-OF-WAY:

52' LOTS:

Front of home to back of curb 15 ft.

Garage front to back of curb 20 ft.

82' LOTS:

Front of home to back of curb 30 ft.

REAR SETBACKS:

52' LOTS:

Perimeter Lots

Rear of home to property line:

20 ft.

Interior Lots:

Rear of home to rear of home:

35 ft. separation

Rear of home to side of home:

20 ft. separation

82' LOTS:

Rear of home to property line:

20 ft.

SIDE SETBACKS

52' LOTS:

Side of home to property line 3 ft.

Side of home to side of home 10' separation

82' LOTS

Side of home to property line 5 ft.

Side of home to side of home 20 ft.

Identification of all major natural, geographic and cultural features that presently exist on or near the property. This site is primarily wooded, and (with the exception of a cul-de-sac road built earlier) undeveloped. In the vicinity are the Holy Trinity Catholic Church, McIntosh High School, Carriage Lane Presbyterian Church and the WCS Cemetery; across Highway 54 is the Peachtree East Shopping Center.

Public Services and Facilities. Water, sewer, gas, and electricity are available to this site. Due to site restraints, this project will require the addition of a liftstation to the sewer system.

Population Projections: Marketing history shows that the majority of homes in our communities are comprised of one couple; therefore, the population projection, based on 142 homes is 284. Marketing also shows that these homeowners generally are comprised of current Peachtree residents. *Documents prepared relative to the property.* See attached

Impact Analysis Report.

- a. *Tax Base.* More than \$33 million dollars in commercial improvements will impact Peachtree City's tax base by increased property taxes, and additional revenue from sales tax, business and beverage licenses, and permit and inspection fees. 142 single family homeowners will increase the property tax at the rate of approximately \$3,600 per household, or \$511,200.
- b. *Public Education.* Although this development will have a residential element, the primary markets are the active adult buyer – with little impact on public education.
- c. *Police and fire protection* will be impacted slightly; however, typically the homeowners will have few calls to the police department.
- d. The calls by the residents may be slightly higher for *emergency medical services* than the average single family community.
- e. *Transportation facilities.* The single family residential community shall have an entrance from Walt Banks Road and will connect to the currently under construction Lexington Park community with an entrance (right-in / right-out) on Highway 54. The Commercial development will be accessed from an entrance with traffic light on Highway 54, at least one right-in/right-out also on Highway 54, and an entrance on Walt Banks Road.
- f. *Utilities.* Gas, electricity, phone, cable television, water and sewer are available to this property.

- g. Best Management Practices will be exercised for all aspects of this development to ensure *environmental protection*. Preliminary field surveys have shown that there is no flood plain or wetlands on the site. Tree protection will meet all the city's ordinances and requirements.
- h. *Recreation program*. Landscaped open space park areas at several locations will provide recreational opportunities for the homeowners of the residential community in addition to the programs already available to Peachtree City residents.
- i. *The implementation of the overall development plan* is the extension of a single family residential community with a concurrently-under-construction 33+ acre commercial, office, and residential complex as outlined in the Introduction to this packet.

AN ORDINANCE TO AMEND
THE PEACHTREE CITY ZONING ORDINANCE
TO REZONE PROPERTY AT THE NORTHWEST CORNER OF
GA 54 AND WALT BANKS ROAD
FOR LIMITED USE COMMERCIAL DEVELOPMENT
AND FOR OTHER PURPOSES

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PEACHTREE CITY, and it is hereby ordained by authority of the same, that Section 1006B.15 be added to the Peachtree City Code of Ordinances to read as follows:

Section 1006B.15 Limited Use Commercial District No. 15.

The purpose of this Section is to rezone the 73.2-acre tract at the northwest corner of GA 54 and Walt Banks Road to an LUC-15 Limited Use Commercial classification in order to permit the development of the property in accordance with the approved master plan concept prepared by Ozell Stankus Associates Architects, dated December 2, 1999 (Attachment "A"), subject to the following conditions and requirements:

1006B.15.1. Effect on Other Zoning Districts.

The LUC-15 zoning district created by this Section replaces the following existing zoning classifications:

- a) LUC-7 Palm Beach property.
- b) LUR-8 Lallande property.
- c) LUR-9 Lallande/Scott property.

1006B.15.2. Conformance with Master Plan.

Development shall take place in conformance with the approved master plan (Attachment "A"). Any substantive change to this plan or any of the conditions and requirements of this Section will require a new rezoning action.

1006B.15.3. Permitted Uses.

- a) Single-Family Detached Residences.
- b) Multi-Family Residences.
- c) General Retail Commercial.
- d) Theater and Restaurant Commercial.
- e) General Office Commercial.

1006B.15.4. Conditional Uses.

No conditional uses shall be permitted in this district.

1006B.15.5. Other Requirements.

- a) Maximum Areas:

General Retail Space	150,000 square feet
Theater and Restaurant Space	50,000 square feet
General Office Space	90,000 square feet

- b) Maximum Residential Units

Single-Family Detached	130 units
Multi-Family	30 units

- c) Minimum Open Space Area:

At least 16 acres of the tract must be exclusively devoted to permanent green space in the form of park land, greenbelts, and buffers.

- d) Commercial Tenants:
 - 1. No single commercial tenant shall occupy more than 32,000 square feet of floor area.
 - 2. No three commercial tenants shall occupy a combined floor area of more than 80,000 square feet.
 - 3. No more than six commercial tenants shall occupy more than 12,000 square feet of floor area each.

- e) Single-Family Detached Residential:

There shall be two types of single-family detached residential lots. Type "A" shall have a minimum width of 82 feet and shall be located adjacent to the greenbelt along the west property line of the tract. There shall be at least 22 Type "A" lots. All other lots shall be Type "B," and they shall have a minimum width of 52 feet.

- f) Minimum Residential Lot Area:

Type "A"	7800 square feet
Type "B"	5600 square feet
Multi-Family	N/A

- g) Minimum Residential Floor Area:
 - Type "A" 1800 square feet
 - Type "B" 1200 square feet
 - Multi-Family 800 square feet

- h) Minimum Front Setback:
 - Type "A" 30 feet from back of curb
 - Type "B" 15 feet from back of curb
 - All Other Uses 10 feet from back of curb

- i) Minimum Side Setback:
 - Type "A" 5 feet
 - Type "B" 3 feet
 - All Other Uses 0 feet

- j) Minimum Rear Setback:
 - Type "A" 20 feet
 - Type "B" 17 feet
 - All Other Uses 0 feet

- k) Building Separation:

If any buildings within the tract are not attached, there must be a minimum separation between them of 10 feet.

- l) Parking:

As set forth in Section 909.

- m) Signs:

As set forth in the Sign Ordinance and in accordance with a sign program for the tract which shall be approved by the Planning Commission as a part of the overall design criteria for the tract.

- n) Maximum Building Height:

Three stores plus a basement.

- o) Buffers:

The following buffers and greenbelts shall be provided:

 1. A minimum 35-foot wide, City-owned greenbelt along the north property line adjoining the Mathis property;
 2. A minimum 50-foot wide, City-owned greenbelt along the west property line adjoining the Southern Trace and Parkway Estates subdivisions.

3. A minimum 60-foot wide, City-owned greenbelt along the east property line adjacent to GA 54 in all areas where residential lots are platted;
4. A minimum 60-foot wide landscaped buffer along the eastern property line adjacent to GA 54 in all areas where residential lots are not platted;
5. A minimum 50-foot wide landscaped buffer along the southern property line adjacent to Walt Banks Road where residential lots are not platted;
6. A minimum 100-foot wide greenbelt along the southern property line adjacent to Walt Banks Road where residential lots are platted.

p) Curb Cuts:

The tract shall be limited to one curb cut on GA 54 and one curb cut on Walt Banks Road to serve the single-family detached lots.

The tract shall be limited to three commercial curb cuts on GA 54 (one at the existing median cut and two other right-in, right-out cuts about equally spaced between the median cut and Walt Banks Road). The tract shall be limited to one commercial curb cut on Walt Banks Road.

q) Architectural Concept:

The overall tract must be developed in accordance with an architectural concept for the commercial and residential uses. The architectural concept shall be approved by the Planning Commission as a part of the overall design criteria for the tract.

r) Landscape Concept:

In addition to an architectural concept, the overall tract must be developed in accordance with an approved landscape concept that includes islands at each entrance, all medians, and all landscape areas shown on the master plan.

s) Tree-Save Areas:

In developing the tract, the developer shall make every reasonable effort to provide meaningful tree-save areas in addition to the required greenbelts and buffers.

t) Watershed Protection:

The developer must take whatever steps are necessary to assure that the quality and quantity of stormwater runoff from the tract is

properly controlled in accordance with established "best management practices."

u) Traffic Improvements:

The developer shall be responsible for preparing a traffic study for the entire project, securing the approval of the conclusions and recommendations of the traffic study by the City's traffic consultant, and implementing the improvements which are proposed and approved prior to the occupancy of the commercial portion of the project.

1006B.15.6 Application of Requirements and Conditions:

The requirements and conditions specified in this Section shall remain in effect unless specifically amended or revoked by subsequent action of City Council in accordance with the established procedure for zoning amendments.

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

Done, Ratified, and Passed this _____ day of _____, 2000.

Mayor

Attest: _____
City Clerk

Attachment "A"

13. The following documents were distributed for review:

- 1999 Fayette County summary of residential and commercial building permits
- Development Status Reports (week ending January 21, 2000)

APPROVAL OF MINUTES

Approval of the minutes of the regular meeting of January 10, 2000, was postponed to the February 14, 2000, Planning Commission meeting.

PUBLIC HEARING

PH-99-13 Holly Grove Church Road/Robinson Road; Intersection Improvements

City Staff had requested that public hearing be continued to the February 14, 2000 Planning Commission meeting. A motion was made by Mr. Finney, seconded by Mr. Granger, and unanimously adopted to continue the public hearing for this proposed rezoning.

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-00-01 Proposed Rezoning, Lexington Circle, Walt Banks Road

Mr. Bob Adams with Bob Adams Homes was in attendance and gave a brief history of the application for rezoning. Mr. Adams stated that 20 acres had been approved for LUR zoning over a year ago. This application was requesting that the entire 73 acres to zoned LUR.

Mr. G.K. Johnson of Piedmont Companies is the preferred developer for the commercial part of the development. Mr. Johnson stated that truck access, dumpster, etc were are addressed in the development.

Several residents spoke in favor of this development.

Mr. Chuck Lehman of Hidden Creek Lane in Peachtree City stated that he felt very comfortable with this proposed development and felt the project had approval from the neighbors.

Mr. Norm Moore of 101 Southern Trace Court in Peachtree City felt that he could give a qualified endorsement as he was a member of the Task Force. He asked that the Planning Commission look at the maximum square footage and voiced concerns that the multi-family stay to a minimum. He felt that the overall plan was a workable compromise and he approved of this development.

Ms. Eileen Shaw of 172 Terrane Ridge was also a Task Force member. She said that she had attended a meeting on January 6, 2000 with Mr. Adams, Piedmont Companies and the Task Force and as a result, she was very much in favor of this plan as a compromise. She approved of the super neighborhood concept and endorsed it.

Mr. Michael Velschmidt of Peachtree City was also a Task Force member. His major concerns were the vehicular traffic and having a major department store anchor. He felt comfortable that these were not going to be a problem. He felt that this would have the lowest impact on any community and endorsed this development.

The official Public Hearing was over at 7:55 pm. Mr. Jim Williams went over the proposed ordinance and made suggestions based on staff position.

He stated that Mr. Adams had proposed 240,000 square feet combined general retail and office, Mr. Williams suggested that it stay separate. Mr. Granger asked how many restaurants would be included in the 30,000 square foot area? Mr. Johnson stated they would be 2,500 to 4,500 square feet. Mr. Granger asked if there would be any fast food restaurants with drive through windows? Mr. Johnson said he would try to avoid those types of restaurants, that he was looking for family oriented restaurants. He said that he could handle placing limitations on fast food restaurants. Mr. Ames asked if this had to go before the Traffic Impact Ordinance. Mr. Williams answered that it did. Mr. Granger was concerned about the number of boxes. Mr. Adams explained that the limitations all put pressure on each other to limit the size. Mr. Granger asked what type of businesses would be located underneath the 2nd floor residential units? Mr. Johnson stated that the 2nd story dwellings would be above standard retail, lawyers, doctors, professional people. Mr. Ames recommended that if the applicant was committed to the boulevard, roundabout and the avenue, maybe that could limit the square footage to 300,000 square feet. Mr. Adams and Mr. Johnson said yes to the 300,000 square feet if they would be allowed

flexibility in getting there. Mr. Ames asked for clarification from Mr. Adams that the residential would only be 2nd story and would not affect the footprint but would increase the density. Mr. Granger had concerns about the traffic study and Mr. Williams said that the traffic study would be based on the maximum. Mr. Saunders questioned whether they could set a limit on the number of drive through establishments? Mr. Johnson was agreeable with three drive through facilities.

The Planning Commission set the following understandings and conditions:

1. Pertaining to 1006B.15.5 (a) Change to 300,000 square feet total including general retail and office.
2. Pertaining to 1006B.15.5 (b) Change to Up to 135 single family detached units, 60 multi-family units located above commercial development.
3. Pertaining to 1006B.15.5(c) Change to At least 20% of the tract must be exclusively devoted to permanent green space in the form of park land, greenbelts, and buffers.
4. Pertaining to 1006B.15.5(d) To be arranged in an agreement with applicant, staff and Planning Commission Representative.
5. Pertaining to 1006B.15.5(g) Change to Type A 2,400 square foot minimum, Type B 1,600 square foot minimum and change Multi-Family to Multi-Family 2nd Story.
6. Pertaining to 1006B.15.5(o-6) Change to A minimum 60-foot wide greenbelt along the southern property line adjacent to Walt Banks Road where residential lots are platted.
7. Pertaining to 1006B.15.5(q) Change to: The overall tract must be developed in accordance with an architectural concept for the commercial and 2nd story residential uses. The architectural concept shall be approved by the Planning Commission as a part of the overall design criteria for the tract.
8. Pertaining to 1006B.15.5(u) Change to add an additional condition in regards to Reversion of Zoning.

Mr. Saunders made a motion to recommend approval of the rezoning request to LUR-15 with the ordinance developed by staff, amended with the understandings and conditions developed by the Planning Commission.. Mr. Finney seconded the motion. It was decided by unanimous vote to recommend approval of the rezoning to City Council.

5. CONCLUSIONS AND RECOMMENDATIONS

The proposed development is to be located at the northwest corner of S.R. 54 and Walt Banks Road. The development will consist of approximately 212,000 square feet of retail uses, 88,000 square feet of low-density office space, 60 apartments, and 135 single-family houses. The build-out year for the development is 2002. The existing, future background, and future with project conditions were analyzed to determine the impact of this proposed development. Based on familiarity with the area and detailed analyses of the traffic conditions, the following conclusions and recommendations are drawn:

- The development will generate approximately 331 new inbound trips and 224 new outbound trips during the A.M. peak hour and approximately 415 new inbound trips and 515 new outbound trips during the P.M. peak hour.
- For existing and future background traffic conditions, the intersection of Walt Banks Road and Peachtree Parkway was found to operate at unacceptable levels of service. If the City desires, this can be remedied by providing a southbound left turn lane and a northbound right turn lane.
- When the development traffic is added to the future background traffic, the intersections S.R. 54 with Walt Banks Road, Broken Bow Drive, and Shiloh Drive are expected to function acceptably.
- In addition to the improvements mentioned above, if the City wishes to improve operations at the intersection of Walt Banks Road and Peachtree Parkway, a westbound right turn lane and a traffic signal will be needed.
- The project access points were analyzed to assure they would operate acceptably. Recommended improvements needed to assure acceptable levels of service include the above recommended improvements and:

Driveway B (Office/Shopping Center Driveway and Walt Banks Road):

- Left and right turn lanes on the driveway
- A left turn lane on Walt Banks Road eastbound
- A deceleration lane on Walt Banks Road westbound



FAYETTE COUNTY BOARD OF EDUCATION

P.O. BOX 879

FAYETTEVILLE, GEORGIA 30214-0879

PHONE: (770) 460-3535

FAX: (770) 460-8191

DR. JOHN D. DECOTIS
SUPERINTENDENT

February 21, 2000

BOARD MEMBERS:
DEBBIE CONDON, CHAIR
GREG POWERS, VICE-CHAIR
CONNIE HALE
MICKEY LITTLEFIELD
WOODY SHELNUTT

Planning and Zoning Department
Mr. Jim Williams
151 Willobend Road
Peachtree City, Georgia
30269

Subject: Rezoning for Bob Adams project on the corner of
Walt Banks Road and Floyd Farr Road (Ga 54 W)

The Fayette County Board of Education Facilities Planning Division
has reviewed the above listed request for rezoning and is providing
the information listed below.

If this application is approved, school system data shows
it will impact the schools listed below as follows:

School	Facility Capacity	Current Enrollment	Zoning will increase Students by	Trailers currently on site
Kedron Elem	800	811	165	6
Booth Middle	900	1061	49	13
McIntosh High	1476	1425	49	6

I hope this information will be beneficial in your deliberations for
this rezoning request.

Sincerely,

A handwritten signature in cursive script that reads "John D. DeCotis".
Dr. John DeCotis
Superintendent

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

FROM: City Clerk 

VIA: City Manager 
Assistant City Manager 

DATE: March 9, 2000

SUBJECT: Alcohol License (transfer) – Wyndham Peachtree Conference Center

Ms. Denise Barker has submitted an application to be appointed as the new License Representative for the Wyndham Peachtree Conference Center. The Licensee will remain the same.

Ms. Barker's application is attached for your consideration at the meeting on March 16, 2000. She will be present at the meeting to answer any questions you may have.



Peachtree City

Georgia

State of Georgia

City of Peachtree City:

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

Denise Susan Barker

Name

504 Vicksburg Place Dunwoody, GA 30350

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

March 10, 2000
Date

Major R.M. Dufree
Witness



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

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

Business Name: Wyndham Peachtree Conference Center		Business Location: 2443 Highway 54 West Peachtree City, GA 30269		C130882	
Nature of Business: Hotel Operations		Mailing Address: 1950 Stemmons Freeway Suite 6001, Dallas, TX 75207		Business Phone Number: (770) 486-3322	
Name of Licensee: Beverly M. Houston		Home Address: 1301 Thistlewood Dr. DeSoto, TX 75115		Home Phone Number: (972) 296-7135	
Name of License Representative: Denise Susan Barker		Home Address: 504 Vicksburg Place Dunwoody, GA 30350		Home Phone Number: (770) 650-7096	
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: N/A		Home Address:		Phone Number:	
Partnership - Partner's Names:		Home Addresses:		Phone Numbers:	
Close Corporation Name: PWMB, Inc.		Close Corporation Addresses: 1950 Stemmons Freeway Ste. 6001 Dallas, TX 75207		Phone Number: (214) 863-1000	
Officers of Close Corporation: Leslie V. Bentley Lawrence Jones Beverly M. Houston		Home Addresses: 5320 Doral Circle, Plano, TX 75093 10860 Strait Ln., Dallas, TX 75229 1301 Thistlewood Dr. DeSoto, TX 75115		Phone Numbers: 972-612-5470 214-373-1602 972-296-7135	
Directors of Close Corporation: Leslie V. Bentley		Home Addresses: 5320 Doral Circle, Plano, TX 75093		Phone Numbers: 972-612-5470	
Stockholders of Close Corporation: Patriot American Hospitality Operating Partnership, L.P.		Home Addresses: 1950 Stemmons Freeway Ste. 6001 Dallas, TX 75207		Phone Numbers: 214-863-1000	
Corporation Name: N/A		Corporation Address:		Phone Number:	
Name of GA Registered Agent named for service process: Corporation Service Company		Home Address: 66 Luckie Street Atlanta, GA 30303		Phone Numbers: (404) 659-8831	
Is any person who will own an interest in the license/licenses an employee of the City of Peachtree City? No					

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

FROM: City Clerk 

VIA: City Manager 
Assistant City Manager 

DATE: March 9, 2000

SUBJECT: Alcohol License (new) – Harris Teeter #232

Harris Teeter has submitted an application for a license to sell beer and wine. They have asked that the corporation be named as the Licensee in care of Jeff David Sherman. Dennis Keith Behrens has requested to be appointed as the License Representative. The application is attached for your consideration at the meeting on March 16, 2000. Mr. Behrens will be present at the meeting to answer any questions you may have.



Peachtree City

Georgia

State of Georgia

City of Peachtree City:

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

Dennis Keith Behrens

Name

225 Woodsong Dr. Fayetteville, GA 30214

Address

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

James V. Murray

Signature

March 10, 2000

Date

Major R. M. Dufree

Witness



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

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE

Business Name: Harris Teeter #232		Business Location: 100 N. Peachtree Parkway Peachtree City, GA 30269-1729			
Nature of Business: Retail Grocery Store		Mailing Address: Harris Teeter, Inc. P.O. Box 33129 ATTN: Janice Napoliello Charlotte, NC 28233-3129		Business Phone Number:	
Name of Licensee: Harris Teeter, Inc., Dennis Keith Behrens <i>Sherman Jeff David</i>		Home Address: 701 Crestdale Dr. Matthews, NC 28105		Home Phone Number: (704) 844-3418	
Name of License Representative: Dennis Keith Behrens		Home Address: 225 Woodsong Dr. Fayetteville, GA 30214		Home Phone Number: (770) 461-4408	
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:		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: Harris Teeter, Inc.		Corporation Address: 701 Crestdale Dr. Matthews, NC 28105		Phone Number: 704-844-3418	
Name of GA Registered Agent named for service process: Dennis Keith Behrens		Home Address: 225 Woodsong Dr. Fayetteville, GA 30214		Phone Numbers: (770) 461-4408	
Is any person who will own an interest in the license/licenses an employee of the City of Peachtree City? NO					

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: City Manager

VIA: Assistant City Manager *Jm*

FROM: Director of Developmental Services *JDW*

DATE: March 9, 2000

SUBJECT: *Holly Grove Church Road*

Prior to the Planning Commission meeting on Monday, February 14th, I met with a number of members of the Holly Grove AME Church and their pastor. Also in attendance was Mrs. Gerri Holt, our former Planning Commission member. The purpose of the meeting was to present to the group the plan approved by The Preserve homeowners to restrict thru-traffic on Holly Grove Church Road between Robinson Road and Redwine Road.

The members of the Church who were present voted unanimously to endorse the plan that is illustrated on the attached concept drawing (Attachment "A"), with the following understandings:

1. The existing right-of-way of Holly Grove Church Road between Robinson Road and the eastern property line of the Church would be dedicated to the Church;
2. The City would construct an entrance feature at Robinson Road that would include a decorative gate and signage stating "The Historic Holly Grove Church" and "No Through Traffic";
3. The City would construct an entrance feature at the eastern property line of the Church with no gate, but with the same message as on Robinson Road;
4. The City would construct to public street standards a 20-foot wide driveway from Robinson Road to the western entrance to the Church as shown on the attached plan. This driveway would not have curbs and gutters;
5. The portion of the old Holly Grove Church Road right-of-way on either side of the new 20 foot driveway would be cleaned up and properly landscaped so as to stabilize the property, prevent soil erosion and present an attractive appearance. This work would be done by the City;

6. The portion of the old Holly Grove Church Road right-of-way in front of the main Church property would be constructed in accordance with the attached plan. The asphalt driveway would transition into the parking lot so as to create a landscaped visual barrier to thru-traffic within the old right-of-way;
7. Within the new landscaped visual barrier, the City would build a row of 90-degree asphalt parking spaces in accordance with the attached plan. The asphalt paving would be done in accordance with City street standards. A 6-inch upright concrete curb would be installed to define the new parking area and protect the new landscaping;
8. The portion of the old right-of-way in front of the Church would be landscaped by the City to provide an attractive feature in front of the Church and a buffer between the Church and the Preserve Subdivision;
9. The City would also landscape the area around the Church's new Historical Marker with appropriate vegetation as a part of this overall project;
10. After completion of the above work, the Church would accept the dedication of the right-of-way and the improvements on it, and the Church would then be responsible for all maintenance of the area on a permanent basis.

After approval by the Church members, the concept was presented to the Planning Commission at a scheduled public hearing. A representative of the Church and a representative of the Preserve homeowners spoke in favor of the plan. Mr. Jerry Peterson of Pathway Communities indicated support of the concept as well (Pathway is the only adjacent property owner other than the Church itself). No one spoke in opposition.

The Commission unanimously voted to approve the concept and recommended that Council take the necessary steps to implement it as soon as possible. Staff indicated that the work would probably be done by early to mid-summer if there were no unforeseen problems. The final plans and specifications would be reviewed by Dr. Rich Schumacher, the designated Planning Commission representative; and the landscape plan would be reviewed and approved by both the Church and the full Planning Commission.

Recommendation:

The staff recommends that Council approve this project for implementation. It is estimated that it would cost about \$94,000 to complete the plan that has been endorsed by the residents of The

Holly Grove Church Road
March 9, 2000
Page 3

Preserve, by the leaders of the Church, and by the Planning Commission. Funding details are discussed in the memo from the Assistant City Manager and the City Engineer (Attachment "B").

The City Attorney has determined that Council has the authority to close the road, improve the property as outlined above, and dispose of the right-of-way to the adjoining property owners (Attachment "C").

If Council approves the project as recommended and determines that the road is no longer needed for public road purposes, the first step will be to initiate abandonment procedures as outlined by the City Attorney. Only after it is determined there will be no problems with the proposed land transfer will the City expend money on the improvements. Once the improvements are installed, inspected, and approved by all parties, the City will actually transfer title to the land.

JBW/jir

Attachments "A" – "C"

20' connection to
Holly Grove Church Road

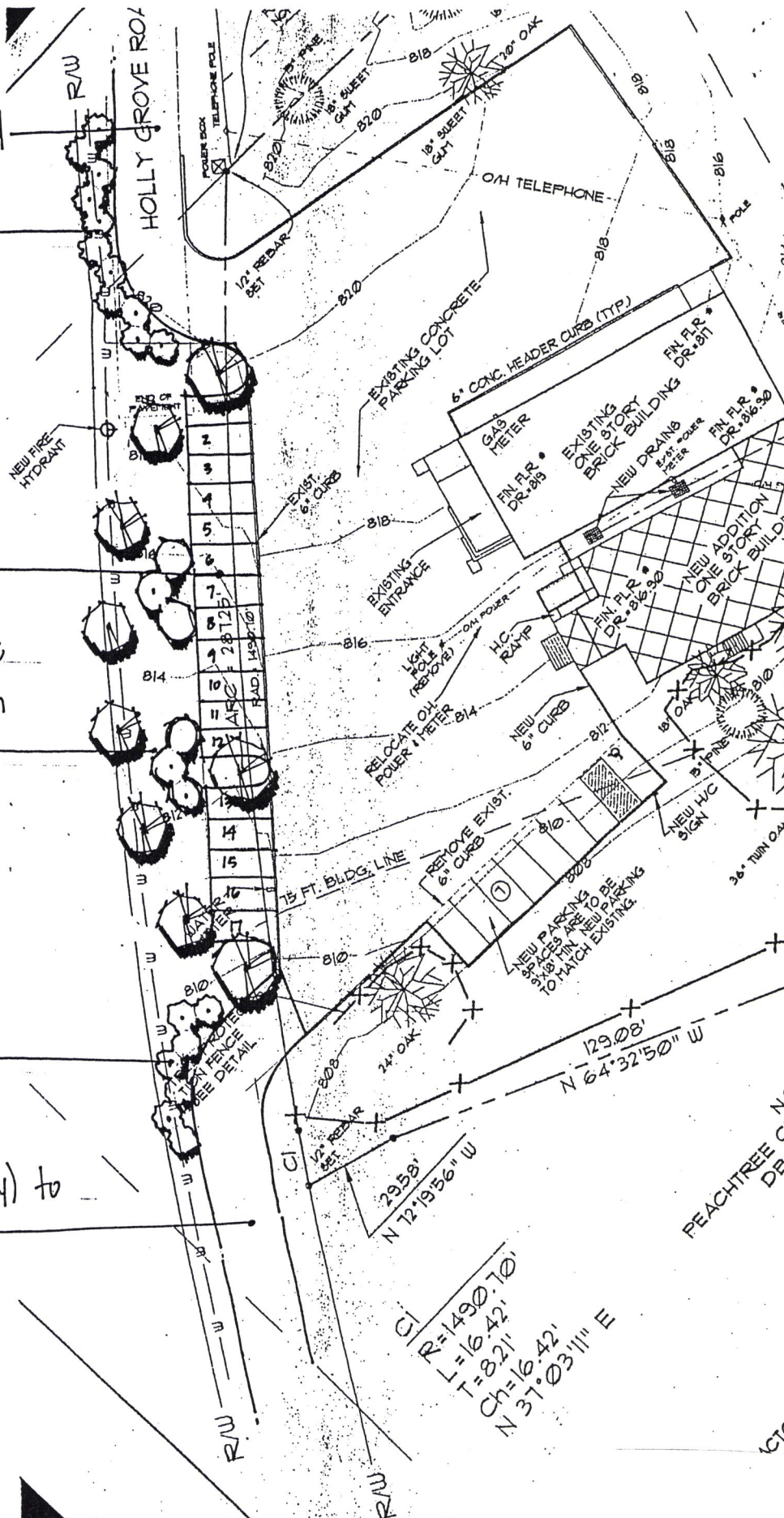
evergreen screen

new parking area

park/open space - to be
designed w/ input from
church members

evergreen screen

20' connection (driveway) to
Robinson Road



NOTES:
1. ALL
S47

ATTACHMENT 'A'

1 of 1

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Director of Developmental Services

FROM: Assistant City Manager *jm*
City Engineer *BS*

DATE: February 24, 2000

SUBJECT: Holly Grove Church Road – Budget Data

Colin Halterman, the Director of Public Services prepared the first estimate for this project in July 1998. An amount of \$64,321.80 was identified for resurfacing the original alignment. This initial estimate took into account the bare minimum required to complete a simple paving project. City staff anticipated requesting additional funding from Georgia DOT based on similar paving projects. As such, an amount of \$50,000 was budgeted into the PIP a few years ago.

Since that time, staff has contracted with a design consultant to produce plans for the project, which altered the scope to increase safety at the intersection with Robinson Road. In the course of design development, the need for additional right-of-way became apparent and talks with the affected property owners were initiated. During these talks, landscaping, signage, and other improvements were added to the scope. The City Engineer then prepared a revised cost estimate in the amount of \$149,046.98 to account for these changes. Again, GDOT funding was anticipated to offset this cost by about \$25,000. Nevertheless, this option exceeds the budgeted amount by nearly \$100,000, without GDOT's share.

Further discussions with the church and Preserve subdivision residents produced another option to resolve problems of cut-through traffic anticipated with the development of the Black property and subsequent connection of Holly Grove Road with SR-74. The proposal under consideration is to convert the existing right-of-way to private drive status, described in more detail in Mr. Williams' memo. These improvements would require, roughly, an additional \$44,000 to what is currently budgeted. In addition, funding from GDOT would be forfeited.

These numbers are summarized below:

DATE	COST ESTIMATE	GDOT SHARE	SCOPE REVISED FOR	PREPARED BY
07/17/98	\$ 64,321.80	\$ 15,000	N/A	DPS
11/04/99	\$149,046.98	\$ 25,000	Realignment, Landscaping	CE
02/22/00	\$ 93,259.43	None	Adjustments to driveway	CE

Should Council approve the private drive proposal, staff recommends additional funding of \$44,000 be transferred from Council Contingency to the project account.

cc: DDS, DPS

ATTACHMENT "B"

1 OF 1

WEBB, STUCKEY & LINDSEY, LLC

Attorneys-At-Law

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

400 Westpark Court
Suite 220
Peachtree City, Georgia 30269

Other Offices
Atlanta, Georgia
Fairburn, Georgia

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 ††

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

E-mail:
postmaster@wsl-peachtreecity.com

Other licenses:

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

January 12, 2000

Mr. Jim Williams
Director, Developmental Services
City Hall
City of Peachtree City
151 Willowbend Road
Peachtree City, Georgia 30269

RE: Abandonment of Property Not Needed for Public Road Purposes

Dear Jim:

The question has been presented to us of whether the City has the legal authority to abandon the property presently known as Holly Grove Church Road. The answer to this question is fairly simple - if Council determines that Holly Grove Church Road is no longer needed for public road purposes, then Council has the authority to abandon the property. The procedure for doing so is found in O.C.G.A. §32-7-4. From my understanding, the property is a portion of a larger piece of property originally donated to the City by Pathway Communities, Inc. or one of its predecessors. The City did not pay any money for this property. According to the law, the City must offer to Pathway Communities the option to reacquire this property. Again, from my understanding, Pathway Communities is willing to waive its right to reacquire this property. However, we must send a notice to Pathway, in writing, and should receive a written rejection of that right from Pathway Communities.

The only other entities which abut this property are the City and the Holly Grove Church. Obviously, the Holly Grove Church Road right-of-way is a narrow strip of property and has little value if it is not being used as a street. However, the law requires that once we have received a rejection from Pathway, we must dispose of the property by either accepting sealed bids, listing the property with a broker for at least three months, or holding a public auction. It is my recommendation that the City ask for sealed bids. Since the only two abutting property owners are the City and the Church, it is my belief that only the Church will offer a sealed bid. The Church's bid can be in the form of money or in a form of accepting responsibility for the

Mr. Jim Williams

January 12, 2000

Page 2

maintenance and care of the premises plus \$1.00. If the City is unhappy with the bids, it has the discretion to readvertise or abandon the sale in total.

The request for bids must include the following information:

- (1) A description sufficient to enable the public to identify the property;
- (2) The time and place for submission and opening of sealed bids;
- (3) The right of the City to reject any one or all of the bids;
- (4) All the conditions of sale; and
- (5) Such further information as the City may deem advisable as in the public interest.

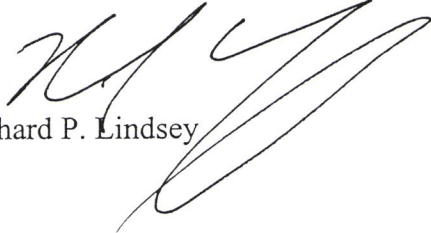
Another question has also been presented to us involving the same property. That question involves whether the City can expend public money to pave a private driveway for the Church. This can be done, but only if the City Council determines that the use of such public money is in the best interest of the City and promotes the general welfare and safety of the City. In making this determination, the Council can look at cost savings to the City, traffic, projected traffic flow, the impact of the Preserve Subdivision, police and fire safety, etc.

Should you have any further questions regarding these issues, 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
FROM: City Manager 
DATE: March 10, 2000
SUBJECT: Commission on Children and Youth Appointments

The Selection Committee will not complete interviews for the Commission on Children and Youth until Monday, March 13th. Therefore, recommendations will be made at the Council meeting.

Attached are copies of the four applications for your review.

JB:gr
Attachments

APPLICATION FOR APPOINTMENT TO THE COMMISSION ON CHILDREN AND YOUTH

Thank you for your interest in an appointment to the Commission on Children and Youth. **Applicants must be a legal resident of the State of Georgia and have at least six months residency in Peachtree City prior to the date an application is submitted.** Elected officials of any governmental jurisdiction in Fayette County and City employees are not eligible for appointment.

Members of the Commission on Children and Youth are appointed to three-year terms. Meetings are held on the first Tuesday of each month at 7:00 p.m. Members are required to attend a minimum of eighty percent (80%) of all meetings. The Commission is responsible for studying the major problems facing the children and youth of Peachtree City and planning and developing programs that will lead to a resolution or minimization of those problems.

Please take a few minutes to complete the form below and to answer the questions on the reverse side of this letter and return it with a resume, if available, to Gloria Reid, 151 Willowbend Road, Peachtree City, GA 30269 by **5:00 p.m. on Friday, February 25, 2000.** You will be contacted by the City within two weeks of the application closing date.

If you wish, you may fax your completed application to (770) 631-2505. You will be contacted by the City within two weeks of the application closing date. If you have any questions, please contact Gloria Reid at (770) 487-7657.

NAME: Cecilia H. Eifert ("Cele")

ADDRESS: 110 Hidden Springs Lane

Peachtree City GA 30269

TELEPHONE: (DAY TIME) 770-632-6417

(EVENING) same

(FAX) same

Cecilia H. Eifert
SIGNATURE

24 Feb 00
DATE

1. How long have you been a resident of Peachtree City?

Since August 1998

2. Why are you interested in serving on the Commission on Children and Youth?

Since becoming a parent, I have been intensely involved in programs and activities designed to improve the quality of life for children. I firmly believe that my experience and leadership in military programs for children and, now, in counterpart civilian programs will allow me to make a valuable contribution to the well-being of our city's children and youth. This in turn will reap benefits for the long-term growth of our city.

3. What qualifications and experience do you possess that would benefit the Commission on Children and Youth?

I'm involved with children every single day of my life – not just my own two little ones and their friends, but with other children in the schools my children attend, at our church, and in the various athletic endeavors my children have undertaken. I interact with children in my neighborhood, in scouting, through my sorority involvement, and during the all-too-infrequent times I hire a babysitter so my husband & I can go out. I keep up with a variety of child/youth-related issues through TV and various publications (online & magazines/books). I am energetic (for someone of my age!) and have a good sense of humor – one that seems to appeal to children/youth because I don't mind being silly every now and then, I can see humor in many of life's situations, and I can laugh at myself. My military experience enables me to view issues from both a strategic and tactical perspective and I am more than capable of "thinking outside the box." I am extremely detail-oriented, analytical, meticulous, observant, and forthright. I have an enthusiastic "can-do" attitude. I have highlighted portions of my resume (attached) which are pertinent to this application.

4. List major jobs you have held during your working career. List name of company and position.

See attached resume.

5. Do you have any past experience relating to youth programming? If so, describe.

Yes; as President of the Parent Involvement Boards associated with the Military Child Development programs at MacDill AFB (Tampa FL), Maxwell AFB (Montgomery AL), & Ft Belvoir (Alexandria VA), I had input into educational & recreational programs developed for/implemented at each base. These included Month of the Military Child activities such as personal and fire safety, and music and art appreciation, among other things. There were also programs celebrating cultural awareness, especially different holidays around the world. Like civilian public schools, military child development programs can only highlight the secular side of holidays, so I helped develop/conduct activities involving food, traditions, & crafts. Furthermore, I helped develop the parent involvement portion of all these programs, specifically, the scope & nature of parental support required to make the programs effective.

6. Have you attended any Commission on Children and Youth meetings in the past year?

If so, how many?

No; but that just means I'll have a fresh perspective!

7. Would there be any possible conflict of interest between your employment and your serving on the Commission on Children and Youth?

No.

8. Describe your community involvement.

See attached

CECILIA H. EIFERT

Lt Colonel, USAF - retired

110 Hidden Springs Lane
Peachtree City, Georgia 30269
(770) 632-6417 (voice & fax)
email: ron-cele@worldnet.att.net

CURRENT DATA:

Retired 1 Sep 98 after 22 years active-duty in the U.S. Air Force; now a full-time wife, mother, volunteer (aka "domestic goddess").

MILITARY BACKGROUND:

July 1995 to July 1998--Senior Intelligence Officer, Office of Intelligence Liaison, Bureau of Intelligence and Research, Department of State, Washington DC. Represented the Department of Defense for the Assistant Secretary of State, INR as liaison with Defense Intelligence Agency (DIA), JCS/J2 (Intelligence), Defense HUMINT Service (DHS), and the National Military Joint Intelligence Center (NMJIC). Secured authorization for first-ever DIA Liaison Officer position at State; her replacement was first person in position. Coordinated all of INR's production and intelligence requirements with DIA and the unified commands and the military services, most notably through the DoD Intelligence Production Program (DoDIPP). Impetus for increased support of worldwide diplomatic operations; pushed for initial and continued INR representation on national intelligence team deployed to Sarajevo. Handled sensitive defense attache issues and orchestrates defense attache support programs. Primary analyst for political-military and warning issues for the former Soviet republics in the Caucasus and Central Asia. Created and cultivated true interagency dialogue on critical security problems in the region. Outstanding expertise - consistently sought out for briefings by key policymakers. Served as Political - Economic Affairs Officer for the US Embassy in Tbilisi, Georgia on temporary duty; superb performance led to Embassy request to extend tour. INR expert and focal point for UNOMIG - deployment and force protection issues in Georgia. INR liaison in State Department's Special Operations Forces (SOF) - State Exchange Program. Conceived and organized first-ever SOF Day at State; orchestrated meeting between Secretary Albright and then-CINC, now CJCS Gen Shelton. Advisor to INR Intelink Webmasters for substantive intelligence matters; launched INR's presence on Intelink - the classified Internet system dedicated solely to military intelligence operations.

June 1994 to July 1995--Academic Instructor, Air Command and Staff College, Maxwell AFB, Alabama. Academic instructor and advisor for field grade officers from all services, civilians, and International Officers. Taught, researched and developed lessons and arranged for guest speakers on Latin America, special operations, joint contingency planning and operations, counterterrorism and counternarcotics. Built comprehensive special operations exercise for entire college curriculum. Lead/conducted research efforts in AF Intelligence doctrine in the future, strategic analysis of Latin America, and options for a post-Castro Cuba. Mentor for younger officers.

July 1990 to June 1994 --Chief, Latin American/Caribbean Analysis Section, HQ US Special Operations Command, Directorate of Intelligence, MacDill AFB, Florida. Orchestrated command's analytical effort for Latin America /Caribbean, focusing on terrorism, narcotics, insurgencies. Researched, produced and presented comprehensive briefings /special assessments for JCS/J3, CINC, JSOC, SFO-D, Army Rangers, Special Forces, AF Special Operations aircrews, and Navy SEALs. Represented USSOCOM at CIA/CTC symposium on Latin America. Briefed Chief CIA /CNC on USSOCOM counterdrug mission during USSOCOM visit. Frequently coordinated with national-level counterparts from CIA, DIA, and State Department. Developed long-range assessment on Peru that was included in national planning document. Arranged visits to USSOCOM by Cuban Mig-23 defector, Peruvian terrorism experts, 44 foreign defense attaches, and 75 students from Inter-American Defense College. Primary Intelligence analyst for Crisis Action Team in DESERT STORM /DESERT SHIELD; led CINC-directed counter- terrorist intelligence cell and developed Kuwaiti resistance data base for both operations while concurrently handling crises in Latin America/Caribbean. Was interim J2 Executive Officer pending arrival of permanent XO. Planned and carried out USSOCOM Worldwide Senior Intelligence Officer conference.

January 1990 to June 1990 -- Student, Armed Forces Staff College, Norfolk, Virginia. One of ten finalists out of 250 students for the MacArthur Leadership Essay award.

January 1986 to January 1990 -- Chief, Intelligence Exercise and Contingency Plans Division, HQ US Transportation Command and HQ Military Airlift Command, Scott AFB, Illinois. Developed Intelligence Annexes/Time-Phased Force Deployment Data lists for all theater war plans; developed /managed Intelligence participation in JCS Crisis Action System and JCS exercise program; built USTRANSCOM's crisis intelligence procedures from the ground up and completely overhauled procedures for MAC; developed/maintained Intelligence input to Joint Mission Essential Task List; defined/managed worldwide wartime Intelligence requirements (70% in Reserves); managed command intelligence reserve program. Managed Air Force Special Operations intelligence activities and support. Served on real-world Crisis Action Teams for JUST CAUSE and GOLDEN PHEASANT. Was interim 21AF/DCS Intelligence (0-6 slot) after incumbent was fired.

January 1985 to January 1986 -- Chief, Intelligence Division, HQ 5th Tactical Air Control Group, Osan AB, Republic of Korea. Directed all intelligence functions for HQ and five geographically separate subordinate units in Korean Tactical Air Control System; all units and the headquarters received "Excellent" ratings in the Management Effectiveness Inspection (MEI); senior analyst/briefer covering all threats to Korea and Japan; provided all-source intelligence support to real-world and exercise mission planning; identified and handled several critical manning problems and significantly improved wartime augmentee support; led quarterly staff assistance visits and conducted annual inspections; developed and implemented comprehensive intelligence training programs; coordinated and hosted first-ever Korea-wide intelligence officer training conference.

August 1980 to January 1985 -- Chief, Operational Intelligence Branch (1984); Chief, Intelligence Resources Branch (1982-4); Chief, Special Security Office (1980-2); HQ 1st Special Operations Wing and HQ 2nd Air Division, Hurlburt Field, Florida. Directed operational intelligence support to AF Special Ops for 1st SOW and four subordinate units worldwide; participated in real-world special operations missions in Grenada (URGENT FURY) and Central America (BLUNT ARROW) by providing all-source intelligence support to special operations aircrews; deployed to Korea for special operations exercises; served as worldwide threat analyst and staff/aircrew briefer; managed briefing program; managed 3000+ documents in Intelligence library, which was rated as best seen in MAC; responsible for 1st SOW Intelligence budget; established from scratch 1st SOW's first-ever SCI facility following DESERT ONE; handled all SCI matters, to include billets and sanitization.

June 1977 to June 1980 -- Chief, AF Special Security Office, HQ Fifth Air Force, Yokota AB, Japan. Responsible for all SCI physical and personnel security matters; coordinated with host government on intelligence sharing issues; provided staff assistance to subordinate units in Okinawa and Korea; conducted thorough research and justified increased SCI billets which directly contributed to improved bilateral planning.

MILITARY AWARDS & DECORATIONS:

Defense Superior Service Medal, State Department Superior Honor Award, Defense Meritorious Service Medal, AF Meritorious Service Medal, AF Commendation Medal (3 OLC), Joint Service Achievement Medal, AF Achievement Medal (1 OLC), Joint Meritorious Unit Award (2 OLC), AF Outstanding Unit Award ("V" device & 2 OLC), AF Organizational Excellence Award, Small Arms Expert Marksmanship Award.

OTHER HONORS & AWARDS:

Retirement Ceremony presided by two of the four top US intelligence officials - the Director of Defense Intelligence Agency and the Assistant Secretary of State for Intelligence and Research (1998); Commendation from the Office of the Assistant Secretary of Defense, Force Management Policy for over six years sustained outstanding participation in and support of the Military Child Development Program (1998); Gamma Phi Beta International Sorority Beatrice Locke Hogan award for exemplary Panhellenic involvement - one of only two individual (vice group) awards given to alumnae (1998); Commendation from the Chairman of the Joint Chiefs of Staff for developing the first -ever Special Operations Day at the US Department of State (1996).

EDUCATION:

- Civilian:** B.A. Journalism, University of Southern California, 1976.
M.S. International Relations, Troy State University, 1984.
- Military:** Intelligence & Foreign Policy, National Foreign Affairs Training Center, 1997.
AIR WAR COLLEGE (Correspondence), 1995.
Quality Air Force Leaders Course, 1995.
Contingency Wartime Planning Course, 1995.
Academic Instructor School (Air Education & Training Command), 1994.
Advanced Counterterrorism Analysis Course (Defense Intelligence Agency), 1991.
ARMED FORCES STAFF COLLEGE, (Intermediate Service School), 1990.
Airlift Operations School (Military Airlift Command), 1988.
AIR COMMAND AND STAFF COLLEGE (Correspondence), 1985.
USAF Special Operations School Unconventional Warfare, 1984.
USAF Special Operations School Foreign Internal Defense, 1983.
SQUADRON OFFICERS SCHOOL (Distinguished Graduate), 1983.
USAF Special Operations School Dynamics of International Terrorism, 1982.
Advanced Tactical Intelligence Course (Tactical Air Command), 1982.
USAF School of Applied Cryptologic Sciences, 1976-77.
AFROTC (Distinguished Graduate), 1972-76.

PROFESSIONAL AFFILIATIONS:

Air Force Association – Life Member; Air Commando Association – Life Member; University of Southern California General Alumni Association - Life Member; National Association for the Education of Young Children (NAEYC) – annual member.

CURRENT ACTIVITIES:

Fayette County Board of Education - substitute teacher; Gamma Phi Beta (ΓΦΒ) Sorority – International Officer: Alumnae Extension Coordinator; Atlanta ΓΦΒ Alumnae Chapter - 1st Alternate Panhellenic Delegate; St Paul's Lutheran School: Room mother; Parent -Teacher League - Fundraising Committee chair; Kedron Elementary School: Room mother; Parent -Teacher Organization – Academic Programs, Media Center, Publishing, and Publicity Committees; Fayette County Coordinator for Keyes 2000.

PAST ACTIVITIES:

St Paul Lutheran Church Vacation Bible School teacher - 7/99; Peachtree City Land Use Task Force (Mayor-appointed) 3/99-6/99; Sunday School/Jr Church teacher and Lay Reader, Ft Belvoir VA Protestant Chapel (1995-98); President, Parent Involvement Board, Ft Belvoir South Post Child Development Center (1995-98) - helped center's successful effort to attain National Association for the Education of Young Children (NAEYC) accreditation; Panhellenic Delegate, Northern Virginia ΓΦΒ Alumnae Chapter (1996-98); President, Parent Involvement Board, Maxwell Air Force Base AL Child Development Center (1994-5); started new ΓΦΒ alumnae chapter in Montgomery AL (1995); President, Parent Involvement Board, MacDill Air Force Base FL Child Development Center (1993-4); President, Tampa ΓΦΒ Alumnae Chapter (1991-1994); Crescent Correspondent & Magazines Chair, St Louis ΓΦΒ Alumnae Chapter (1987-90); Orphanage Committee, 5th Tactical Air Control Group, Osan Air Base, Korea (1985).

PERSONAL:

Married – 24 Oct 1987 – husband: Ron (Delta Air Lines 757/767 First Officer)
Two children - sons: Carl - born 11 Jun 1992 and Robert - born 20 Apr 1994.

1-06-2000 2:47PM

FROM CTYOFPEACHTREECITY 7706312505

P.2

APPLICATION FOR APPOINTMENT TO THE COMMISSION ON CHILDREN AND YOUTH

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Please take a few minutes to complete the form below and to answer the questions on the reverse side of this letter and return it with a resume, if available, to Gloria Reid, 151 Willowbend Road, Peachtree City, GA 30269 by 5:00 p.m. on Friday, February 25, 2000. You will be contacted by the City within two weeks of the application closing date.

If you wish, you may fax your completed application to (770) 631-2505. You will be contacted by the City within two weeks of the application closing date. If you have any questions, please contact Gloria Reid at (770) 487-7657.

NAME: N. Jean Fort

ADDRESS: 321 Peachtree Station Circle

Peachtree City, Georgia 30269

TELEPHONE: (DAY TIME) (404) 302-8623

(EVENING) (770) 631-6462

(FAX) (404) 302-8605

N. Jean Fort
SIGNATURE

DATE 1/24/00

1-06-2000 2:47PM

FROM CTYOFPEACHTREECITY 7706312505

P.3

1. How long have you been a resident of Peachtree City?

2 Years

2. Why are you interested in serving on the Commission on Children and Youth?

I am interested in the plight of children in general, but more specifically, abused children. I am presently a CASA (Court Appointed Special Advocate for Child Abuse Victims) with Fulton County, and have been for 3.5 years. I work exclusively (volunteer) with foster care children.

3. What qualifications and experience do you possess that would benefit the Commission on Children and Youth?

In addition to being a parent, I am a child Advocate for Juvenile Court. I was formerly a single parent with three children, the first being born at 17 years of age. My history covers a wide array of social problems, that are certain to relate to some of the issues our children face today. During the course of my life I have had a special heart for children, realizing the difficulty they face, but also knowing they can climb above.

4. List major jobs you have held during your working career. List name of company and position.

United Negro College Fund, Adm. Ass't, GA State Univ., Adm. Coordinator, Grady Memorial Hospital, Automation Specialist, and Summer Youth Employment Program, Ass't to Director.

5. Do you have any past experience relating to youth programming? If so, describe.

Several years ago, I was employed with the Summer Youth Employment Program in NYC. I assisted the Director in placing youth in summer jobs. We instructed children on how to prepare a resume, appropriate dress standards, problem resolution methods, etc.

6. Have you attended any Commission on Children and Youth meetings in the past year? If so, how many?

No, I have not.

7. Would there be any possible conflict of interest between your employment and your serving on the Commission on Children and Youth?

No.

8. Describe your community involvement.

As a Casa Volunteer, it is my responsibility to investigate current, and potential foster care homes. I am also required to follow up on goals set by court and parents in an effort to get children back with their natural parents. However, I sometimes have to recommend termination of parental rights. During the course of this process, my primary objective is to secure a safe and healthy environment for the child.

321 Peachtree Station Circle
Peachtree City, Georgia 30269
(770) 631-6462 (H) (404) 302-8623 (W)

N. JEAN FORT

Objective: To secure employment with an organization where proven skills and experience will provide for personal growth, development and mutual financial gain.

Experience: 1/96 – Present United Negro College Fund, Inc., Atlanta, GA
Administrative Assistant, Field Operations

- Monitor and assist volunteers during coordination of fundraisers
- Help volunteers / consultants with special events; i.e., solicitation / sponsorship requests, invitations / programs, awards / incentives, media promotion, mass mailings, etc.
- Secure venue, speakers, celebrities, entertainment, notable politicians
- Make air / ground travel arrangements, secure appropriate lodging
- Compose correspondence, execute contracts / policies, quarterly solicitation reports, and update donor lists
- Coordinate staff luncheons, community acknowledgments; maintain postage and meter records, and telephone equipment
- Software experience includes: WP 5.1 and 6.0, MSWord 95 through 2000, Lotus Notes, Power Point, AS400, Pledgemaker, and Excel

7/93 - 10/95 Georgia State University, Atlanta, GA
Administrative Coordinator, College of Law

- Provide administrative assistance to Associate Dean of Law School
compose / type memos / correspondence using WP 6.0 / MS Word
- Recruit, interview and hire (2) student assistants
- Train and supervise each
- Direct and guide law students through problem resolution protocol
- Maintain timesheets, sick leave / vacation requests for staff members
- Coordinate faculty recruitment, i.e., screen applicants, secure and verify credentials, schedule interviews
- Maintain calendar / make travel arrangements

N. Jean Fort

- Order textbooks for faculty and students
- Administer, monitor and grade law school exams
- Organized faculty / staff luncheons

9/92 - 7/93 Georgia State University, Atlanta, GA
Administrative Coordinator / Supervisor, College of Law

- Supervise five secretaries and two student assistants
- Develop departmental policies, staff orientation and training
- Recruit, hire and terminate personnel
- Provide and coordinate quarterly evaluations with professors
- Conduct monthly staff meetings
- Maintain sick / vacation leave records
- Distribute workload
- Compose correspondence using WP 5.1
- Maintain office supplies and equipment
- Perform administrative duties for three faculty members
- Coordinate faculty / holiday luncheons
- Administer and monitor exams for law students

1/91 - 7/93 Grady Memorial Hospital, Atlanta, GA
Emergency Registration Clerk, Emergency Critical Care

- Register and screen emergency room patients on Medipac system
- Update patient insurance, employment, and residential records

12/90 - 9/92 Grady Memorial Hospital, Atlanta, GA
Automation Specialist, Department of Psychiatry

- Provide administrative support to Chief of Psychology, Director of Psychiatry and Internship Program
- Coordinate internship solicitation and screening process
- Type correspondence using WP 5.1
- Respond to and refer patient inquiries
- Secure and distribute departmental mail

N. Jean Fort

EDUCATION

St. Leo University, Ft. McPherson, GA

Bachelor of Arts
Sociology / Criminology

Interboro Institute, New York, NY

Associates Degree
Court Reporting

COMMUNITY SERVICE

Rape Crisis Center 1/91 - 12/94

Counselor
Grady Memorial Hospital
Atlanta, GA

CASA (Court Appointed Special Advocate for Child Abuse Victims) 6/96 - Present
Fulton County Juvenile Court
Atlanta, Georgia

"Celebration of Excellence" (Annual Award Ceremony for Foster Care Children)
Committee Member
GA Association of Homes and Services for Children
Atlanta, Georgia

Turning Point Drug Treatment Program

Counselor
Open Word Christian Ministries
Union City, GA

HONORARY SOCIETIES

Phi Theta Kappa

APPLICATION FOR APPOINTMENT TO THE COMMISSION ON CHILDREN AND YOUTH

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NAME: Janis Craft

ADDRESS: 113 Lakeside Drive
Peachtree City GA 30269

TELEPHONE: (DAY TIME) 404 817 8602
(EVENING) 770 486 8210
(FAX) 404 817 8699

James Craft
SIGNATURE

1/26/00
DATE

1. How long have you been a resident of Peachtree City?

Just over 4 years

2. Why are you interested in serving on the Commission on Children and Youth?

I feel I could be a valuable part of a team- brought together for one common goal.

3. What qualifications and experience do you possess that would benefit the Commission on Children and Youth?

I have been told that my organizational and communication skills are very good. I am a problem solver and have great interest in our communities future.

4. List major jobs you have held during your working career. List name of company and position.

Resume attached

5. Do you have any past experience relating to youth programming? If so, describe.

most of my experience is related to sponsorships w/ youth programs. one National Account was Children's Miracle Network & a public awareness program w/ Delta Air Lines

6. Have you attended any Commission on Children and Youth meetings in the past year? If so, how many?

no

7. Would there be any possible conflict of interest between your employment and your serving on the Commission on Children and Youth?

no

8. Describe your community involvement.

In my personal life I am involved with my daughters Girl Scout Troop. In my professional life I've held the position of Community Affairs Manager for more than 2 1/2 years.

Janis E. Kraft

113 Lakeside Drive
Peachtree City, GA 30269
Tel. 770-486-8210 (H)
Tel. 404-715-6075 (B)
janis.kraft@delta-air.com

Objective: Is to be a member of the **Commission on Children and Youth**. Assist in the planning and development of youth programs in the effort to reduce the problems of today's children in Peachtree City.

HIGHLIGHTS OF QUALIFICATIONS

- Communicates well and easily establishes rapport to gain client confidence.
- Visionary. Creative and resourceful problem solver, with paying attention to detail.
- Focused and goal oriented. Driven by measured results.
- Enthusiastic team player, as well as, a strong leader.
- Integrity, leads by example with strong work ethics.
- Embraces change. Not afraid to make decisions.
- Organized, strong administrative skills.
- Familiar with Delta's Reservations, Sales, budget and customized shelf applications.
- Potential for assuming greater responsibilities.

WORK EXPERIENCE

1997 to Present Manager, Community Affairs -Atlanta, GA

- ◆ Identified and developed Delta's philanthropic "Signature Partnership" program for national recognition.
- ◆ Responsible for all Corporate Sponsorship requests from nonprofit organizations and make recommendations to assure Delta receives most return for investment.
- ◆ Designed a software database used for strategic giving tracking proposes.
- ◆ Oversee day-to-day operations, budgets, administrative support and clerical staff.
- ◆ Creation and implementation of a corporate sponsored Volunteer Program "Community Partners."
- ◆ Developed formula for global assistance for a proactive strategic approach to Cause Marketing.

1995 to 1997 Manager, Sales Support Center -Atlanta, GA

- ◆ Assisted with the centralization of service issues for Field Sales.
- ◆ Identified duplication of efforts and made recommendations for streamlining tasks.
- ◆ Evaluated processes and procedures to improve customer service and turn-around time.

1989 to 1995 Field Sales Representative -Dallas, TX

- ◆ Successfully completed the one year Administrative Assistant program.
- ◆ Delivered formal presentations to internal and external customers.
- ◆ Corporate and Travel Executives Sales calls to increase premium revenue.
- ◆ Customized Marketing programs to Corporate and Travel Agencies.

1987 to 1989 Datas II, Automation Instructor -Salt Lake, UT

1986 to 1987 Customer Service Representative -Detroit, MI

1983 to 1986 Reservations Sales Representative -New York, NY

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Thank you for your interest in an appointment to the Commission on Children and Youth. Applicants must be a legal resident of the State of Georgia and have at least six months residency in Peachtree City prior to the date an application is submitted. Elected officials of any governmental jurisdiction in Fayette County and City employees are not eligible for appointment.

Members of the Commission on Children and Youth are appointed to three-year terms. Meetings are held on the first Tuesday of each month at 7:00 p.m. Members are required to attend a minimum of eighty percent (80%) of all meetings. The Commission is responsible for studying the major problems facing the children and youth of Peachtree City and planning and developing programs that will lead to a resolution or minimization of those problems.

Please take a few minutes to complete the form below and to answer the questions on the reverse side of this letter and return it with a resume, if available, to Gloria Reid, 151 Willowbend Road, Peachtree City, GA 30269 by 5:00 p.m. on Friday, February 25, 2000. You will be contacted by the City within two weeks of the application closing date.

If you wish, you may fax your completed application to (770) 631-2505. You will be contacted by the City within two weeks of the application closing date. If you have any questions, please contact Gloria Reid at (770) 487-7657.

NAME: Chuck Lehman

ADDRESS: 202 HIDDEN CREEK LN.

PEACH TREE CITY, GA 30269

TELEPHONE: (DAY TIME) 770-487-6218

(EVENING) _____

(FAX) _____

Charles P. Lehman
SIGNATURE

2/24/00
DATE

1. How long have you been a resident of Peachtree City?

19 yrs.

2. Why are you interested in serving on the Commission on Children and Youth?

Background of working with youth in the field.

3. What qualifications and experience do you possess that would benefit the Commission on Children and Youth?

Past President of Youth Hockey & Youth Baseball Team (Mngng both areas, Boys & girls)

4. List major jobs you have held during your working career. List name of company and position.

COO Hi Brand Foods -

5. Do you have any past experience relating to youth programming? If so, describe.

Yes. see above.

6. Have you attended any Commission on Children and Youth meetings in the past year? If so, how many?

0

7. Would there be any possible conflict of interest between your employment and your serving on the Commission on Children and Youth?

No —

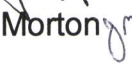
8. Describe your community involvement.

~~Defeated~~ city Council candidate!
Interested in youth activities in P.T.C.

CITY OF PEACHTREE CITY

INTER-OFFICE MEMORANDUM

TO: Mayor and City Council

VIA: City Manager, ATTN: Mr. Jim Basinger 
Assistant City Manager, ATTN: Mr. Joe Morton 
City Clerk, ATTN: Nancy Faulkner

FROM:  Stony Lohr
Acting Fire Chief

DATE: March 4, 2000

SUBJECT: Mutual Aid Resolution of Peachtree City, Georgia

Request that the City Manager and City Council approve the attached proposed resolution for the Peachtree City Fire Department to join the Georgia Mutual Aid Group (GMAG).

Chief David Chamberlin, Executive Director of GMAG, has reviewed the document and reported that it is appropriate and sufficient for GMAG. After approval by City Council, we would forward a copy of the resolution to GMAG for confirmation at their next executive meeting.

GMAG is a municipal corporation formed to provide in depth mutual aid and assistance between fire departments in Georgia. In addition to contingency response and assistance for fires, hazardous materials incidents, natural disasters, other operational emergencies, and special events and circumstances, GMAG provides a framework and additional opportunities and support in the areas of planning, training, logistical support, administrative services and communications.

Annual dues for members are currently \$500.00. GMAG anticipates that these dues will be reduced or eliminated in the future as they obtain additional commercial sponsors.

GMAG conducts executive coordination meetings on the second Thursday of each month. The Operations section and sub-groups meet periodically as needed.

Descriptive literature of GMAG is attached for your information.

5 Encl-As Stated

A RESOLUTION

ESTABLISHING/JOINING THE GEORGIA MUTUAL AID GROUP

This resolution shall be known and cited as "The Mutual Aid Resolution of Peachtree City, Georgia".

WHEREAS: The City of Peachtree City desires to provide the best possible protection to its citizens in accordance with Georgia Laws (O.C.G.A. 25-6-1 through 25-6-11); to prevent disastrous incidents from occurring; and, to maximize the saving of life and property when disastrous incidents occur by sharing of resources by like-minded jurisdictions;

WHEREAS: Peachtree City may withdraw its membership by delivering written notice to an Officer of the Group giving ninety days notice (O.C.G.A. 25-6-7); and,

WHEREAS: There shall be no liability imposed on Peachtree City for any action or failure to act as a party of the Georgia Mutual Aid Group (O.C.G.A. 25-6-5).

NOW THEREFORE BE IT RESOLVED that the City of Peachtree City, Georgia, shall join the Georgia Mutual Aid Group and does hereby designate the Fire Chief (or his designee) to act on behalf of Peachtree City on all matters relating to the activities and functions of the Georgia Mutual Aid Group.

Resolved this day ____ day of _____, 2000.

Mayor Robert L. Lenox

Robert Brooks

Carol Fritz

Annie McMenamin

Dan Tennant

ATTEST: _____
Nancy Faulkner, City Clerk



Georgia Mutual Aid Group



Georgia
Firefighters
Burn
Foundation, Inc.

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Current Members

Atlanta Fire Department	Carroll County Fire Rescue & EMA
Carrollton Fire Department	Morrow Fire Department
Clayton County Fire Department	College Park Fire Department
Covington Fire Department	DeKalb County Fire Services
Dobbins ARB Fire & Emergency Services	McDonough Public Safety Fire Department
Forrest Park Fire & EMS	Fulton County Fire Department
Hapeville Fire Department	Henry County Fire Department
Marietta Fire & Emergency Services	East Point Fire Department
Riverdale Fire Department	Rockdale County Fire Department
Augusta-Richmond County Fire Department	Southside Communities Fire Protection, Inc.
Spalding County Fire Department	Thunderbolt Fire Department
Smyrna Fire Department	Butts County Fire Department
Newton County Fire Department	Savannah Fire & Emergency Services
Fort Gillem / Fort McPherson Fire Department	Gwinnett County Fire & Emergency Services
Woodstock Fire & Rescue Services	Douglas County Fire Department
Cherokee County Fire/ EMA	Toccoa Fire Department
Lavonia Fire Department	
Ft. Oglethorpe Fire Department	

Future Members

(these departments and organizations have committed to membership and are currently involved in the application and approval process)

Alpharetta Fire Department	Brunswick Fire Department
Banks County Fire Department	Canton Fire Department
	Americus Fire Rescue

ASSOCIATE MEMBERS



Georgia
Firefighters
Burn
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Georgia Mutual Aid Group

Where's the fire?

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Fire departments and fire fighters are asked to do more and know more today than ever before. There are more alarms to respond to and the chance of catastrophic incidents is greater. At the same time, staffing and budgets for training, prevention and equipment are constantly being challenged.



GMAG can help

What's GMAG?

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The Georgia Mutual Aid Group (**GMAG**) is a network of Georgia fire departments sharing resources to provide a higher level of service to their communities than they could alone. Everyday administrative, operational, planning and/ or logistical issues benefit from the joint procedures, specification writing, and purchasing power provided to **GMAG** members. When disasters strike, the **GMAG** network of fire departments can provide numerous fire companies or units and hundreds of trained fire fighters within hours.



Join GMAG!



[Check out the membership package and by-laws here](#)

GMAG works through the active involvement of member fire departments represented by their chiefs. Upon joining, chiefs automatically become members of the GMAG Board of Directors. The Board annually selects a five-member Executive Board to lead the organization. An Executive Director assists with the administrative duties of the group.

GMAG offers several membership packages for emergency service organizations, corporate, and private supporters. [View or download](#) the information you need or, contact [David M. Chamberlin](#); Executive Director, about becoming a **GMAG** member.

Call, write, or email today!

Georgia Mutual Aid Group

2575 Chantilly Drive, NE

Atlanta, Georgia 30324

404-320-1505 404-320-9930 fax

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Philosophy

The mission of the Georgia Mutual Aid Group is: ***"to maximize the saving of life, property, and the environment through preparedness for, mitigation of, timely response to, and efficient recovery from disastrous incidents exceeding local capabilities."***

Most fire departments are self sufficient and are well prepared to mitigate routine emergencies including multiple alarm incidents of short duration. This is due mainly to a good understanding of the routine emergency environment, the ability to choose the appropriate action, and the judicious utilization of available resources. When these incidents occur and where Mutual Aid Agreements are in place, immediate assistance is only a jurisdiction away. A catastrophic disaster, on the other hand, defies the ability of even a large fire department to effectively pre-plan for it, much less gain rapid control of the chain of chaotic events that are multiplying in enormous proportion. When this occurs, emergency services are neutralized from the onset, and the citizens in the affected areas are often left to fend for themselves for several hours. Help is not a jurisdiction away anymore. Most likely, neighboring fire departments are dealing with the aftermath of the same disaster. The chance for catastrophic disasters is greater today than ever before. Recent fires, severe weather incidents, and terrorists attacks confirm this. These disasters, whether natural or man made have the potential to affect a large population and a large geographic area. Any incident of this magnitude requires the immediate commitment of a professionally organized team with large resources in order to gain rapid control. The Georgia Mutual Aid Group is the answer to most of these challenges. The basic philosophy of GMAG is that no public safety entity has the complete capacity to accomplish its mission when confronted with either a potential or an actual disastrous incident every time one occurs. Through GMAG, we can pool our resources and join together in a mission oriented environment which will greatly enhance our ability to save life and property. This premise will be extended to include assistance in developing operational procedures, purchase specifications, purchasing power, and a multitude of administrative, operational, planning, and logistical issues that each and every fire department must attend to everyday. There are over 700 fire departments in Georgia. By working and planning together, we have proven that we can amass one hundred fire companies or units staffed by five hundred fire fighters and respond to disastrous incidents anywhere in the state within hours. The Georgia Mutual Aid Group was established in 1994. Each member fire chief is on the Board of Directors which then elects the five member Executive Board. There is an Executive Director hired to help coordinate administrative matters. Firefighting history has proven that Mutual Aid Agreements are effective. Our goal is to make GMAG the finest mutual aid group of all.

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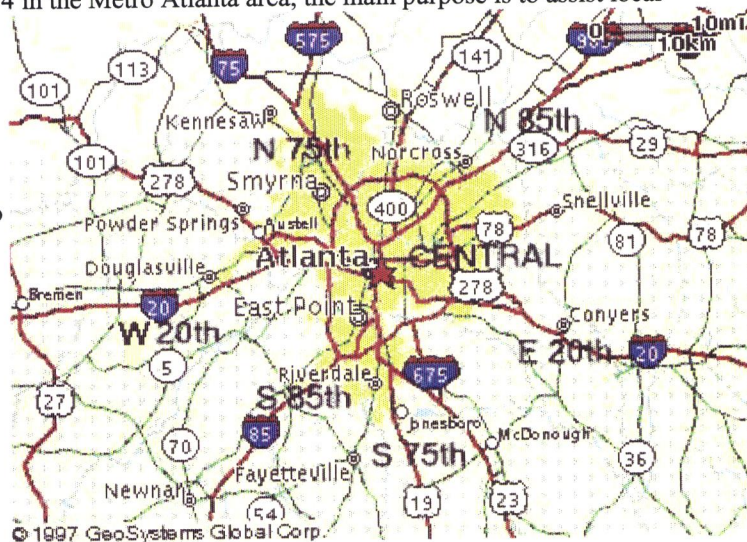
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 Group
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The Georgia Mutual Aid Group provides for the systematic organization, mobilization, and operation of Fire-Rescue resources from throughout the State of Georgia. Organized in 1994 in the Metro Atlanta area, the main purpose is to assist local agencies in mitigating the effects of natural and man made disasters.

GMAG had broken the Metro Area into 3 geographic areas covering 10 counties and 57 cities. Departments were grouped together in "branches" by their location on the major

Interstate highways that crisscross the Atlanta area.

The Branches were comprised of the North 75th (Marietta, Smyrna, Dobbins ARB, North Fulton Co.), South 75th (Riverdale, Morrow, Clayton Co., Spaulding Co.), South 85th (East Point, Hapeville, Union City, South Fulton Co.), East 20th (DeKalb Co., Rockdale Co., Covington) and the Central (Atlanta). Atlanta Fire also has battalions in each of the other 6 branches.



Out of the original 15 departments, the organization has grown to 24 and is no longer a Metro Area Organization. Departments in the Savannah region have recently joined the team and are establishing a GMAG presence in the eastern part of the state. These members have committed resources in support of the continuing progression and operation of the organization. The greatest growth has been since the successful operation during the Florida Wildfire Campaign of 1998. In that effort, GMAG was in contact and coordination with departments and agencies statewide while deploying manpower and equipment.

Planning committees made up of the member organizations have developed procedures that can be used in day to day operations, or for unusual events. Other efforts of the organization allow for reporting the status of all units, allowing for rapid notification, and providing staging areas for forward deployment of resources. When an area appears to be over extending its resources, GMAG can mobilize "Strike Teams" and "Task Forces" directly into the scene or to a staging area for future deployment. By deploying resources from different geographic locations, neighboring jurisdictions are not "stripped" trying to provide support under local mutual aid agreements. Member and Non-Member departments in the state receive the full support of GMAG when requested.

The GMAG is currently constructing a state of the art Operations Center on the site of its headquarters located in the Georgia Firefighter's Burn Foundation building on Chantilly Drive in Atlanta. This center will allow GMAG to maintain a 24hr

notification and coordination point for any emergency requests and provide communications and logistical support to deployed forces.

The Georgia Mutual Aid Group will gladly provide information on membership or support to those individuals, organizations, or corporations requesting so through this [link](#). You may also leave us a comment [here](#).

Thank you for visiting our site.

Georgia Mutual Aid Group
2575 Chantilly Drive, NE
Atlanta, Georgia 30324
404-320-1505 404-320-9930 fax

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CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council

VIA: City Manager

FROM: Assistant City Manager
City Engineer *(J)*

DATE: March 9, 2000

SUBJECT: TDK Boulevard Extension – Design Services Contract Award

In order to obtain the services necessary to design the TDK Boulevard Extension, secure its approval from all the appropriate governmental agencies, and administer its construction, the City requested Letters of Interest and Statements of Qualifications from more than a dozen engineering firms located throughout the Metro Atlanta Area (see "Attachment A"), initiating what is termed a *Qualifications Based Selection* process. Both Peachtree City and Coweta County staffs carefully reviewed the responses with the three most qualified firms then being selected for detailed interviews. The three firms were:

1. Columbia Engineering
2. Dames & Moore
3. Wolverton & Associates

Based on these interviews, staff determined that Dames & Moore was the most qualified firm for the proposed project. Of the three firms, they had the most thorough understanding of the role that the Atlanta Regional Commission (ARC), the Georgia Regional Transportation Authority (GRTA), and the Georgia Department of Transportation (GDOT) would have to play in getting the project completed in a timely manner. Dames & Moore also fully understood the importance of this project in the City's overall transportation system, while at the same time outscoring the other candidates in the staff evaluation of relevant project experience in both highway and bridge design (see "Attachment B"). The City has seen in the last year their transportation planning & modeling experience in action with the traffic impact ordinance's implementation. In addition, Dames & Moore carries strong references from Cherokee, Cobb, and Gwinnett counties.

Following the interview and evaluation phase, the three firms were asked to submit price proposals for the design project, the results of which are presented in "Attachment C". After clarifying the scope to standardize the proposals' assumptions regarding the construction

schedule, inspections, and the number of alignments to review, Dames & Moore's price was revised to \$272,725. While Dames and Moore's negotiated price is the highest of the three, staff is convinced they represent the best available design firm for this project (see attachment "D"). The purpose of this selection process, recognized by the American Public Works Association, is to choose a consultant primarily on the basis of qualifications rather than price exclusively. Certainly the cost of a project is a factor, yet many times it becomes the deciding factor, resulting in poor quality and poor service. With a project as vital to the future of transportation in Peachtree City as TDK Boulevard Extension, the consultant's qualifications are of paramount importance. Because of the critical matters of a potentially cumbersome permitting process, involving the Corps of Engineers, ARC, GDOT and Coweta County, the chosen firm must have a solid understanding of projects of this magnitude and complexity. Therefore, staff recommends that Dames and Moore be selected as the design consultant for this project.

In addition to the design services, the City will need to provide its own geotechnical testing services through United Consulting. These testing services, which include the bridge foundation investigation and soil survey, have been estimated at \$ 23,000.

Therefore, staff recommends that Council authorize the transfer of \$295,725 to cover the design contract and geotechnical testing services from the Council's contingency fund to establish this project account. Furthermore, staff also recommends that the design contract for the TDK Boulevard Extension be awarded to Dames & Moore for \$272,725.

Attachments

ATTACHMENT "A"

CITY OF PEACHTREE CITY

VENDOR LIST TDK BLVD. EXTENSION DESIGN

Mr. Danato Altobelli
Moreland Altobelli Associates, Inc.
4000 DeKalb Technology Parkway
Building 300, Suite 370
Atlanta, Georgia 30340

Mr. Dan Davis
Integrated Science and Engineering
275 South Lee Street
P.O. Box 703
Fayetteville, Georgia 30214

Mr. Larry Cook
Parsons Brinckerhoff Quade & Douglas, Inc.
3340 Peachtree Road
Tower Place, Suite 2400
Atlanta, Georgia 30326

Haines, Gipson & Associates, Inc
4500 Hugh Howell Road
Suite 500
Tucker, Georgia 30084

Mr. Jim Breland
Post, Buckley, Schuh & Jernigan, Inc.
1575 Northside Drive
Suite 350
Atlanta, Georgia 30318

Mr. G. Edward Ellis, Jr., P.E.
Dames & Moore Group
235 Peachtree Street, N.E.
North Tower, Suite 2000
Atlanta, Georgia 30303

Mr. Bob Miller
Greenhorne and O'Mara, Inc.
2110 New Market Parkway
Marietta, Georgia 30067

Mr. J. Melvin Ewing
Ewing Engineering Company
201 Twiggs Corner
Peachtree City, Georgia 30269

Mr. W. King Evans
Rosser Civil Engineering
1140 Hammond Drive
Building E, Suite 5250
Atlanta, Georgia 30328

Mr. Mukut Gupta
Jefferson Consultants
P. O. Box 2627
Peachtree City, Georgia 30269

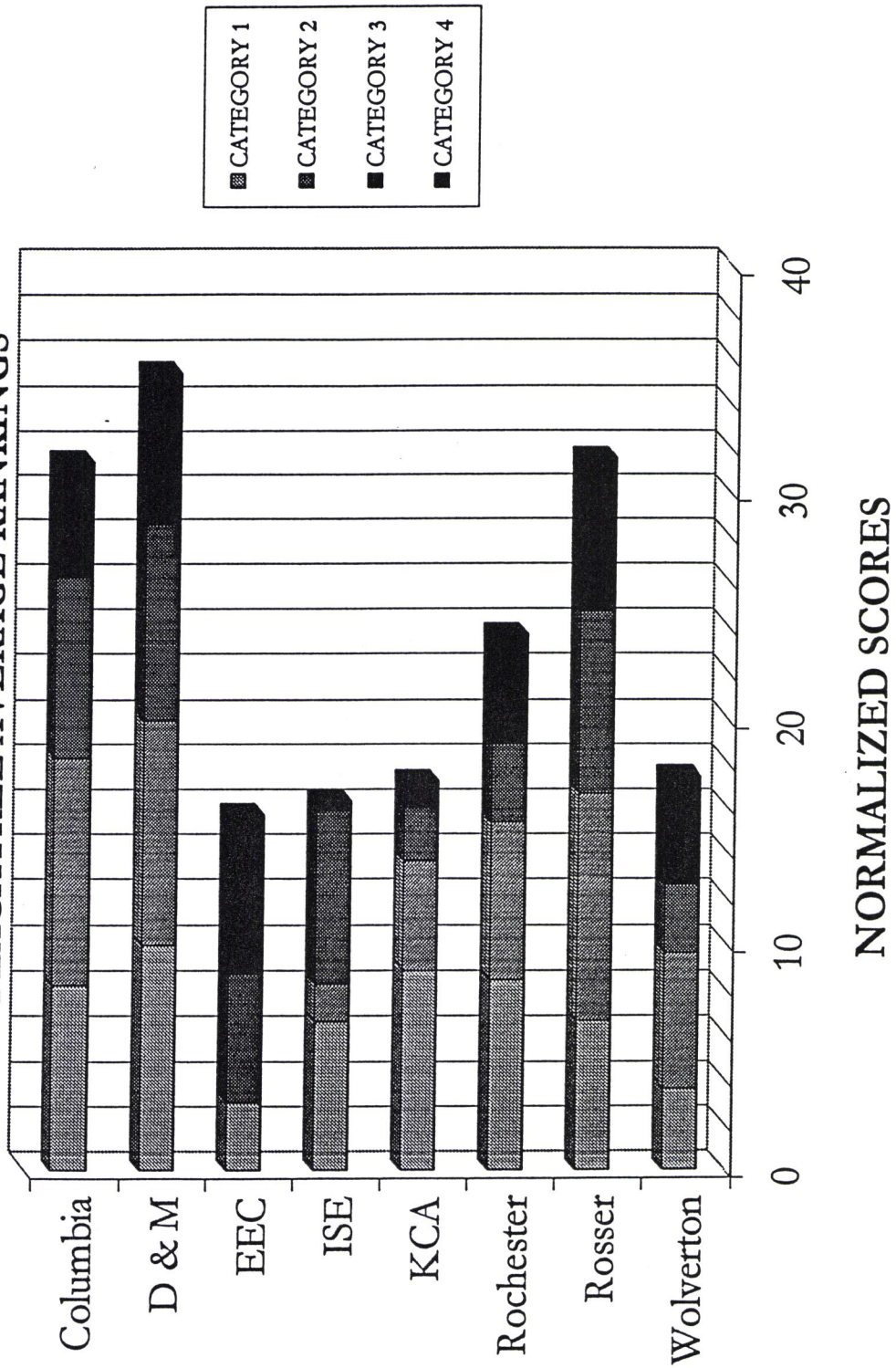
Mr. Louis Young
Columbia Engineering
4405 International Boulevard
Suite B-101
Norcross, Georgia 30093

Mr. E. R. Koons
Hamilton Engineering & Design Co., Inc.
P. O. Box 2405
Peachtree City, Georgia 30269

Mr. Joe Macrina
Wolverton & Associates
5600 Oakbrook Parkway
Suite 100
Norcross, Georgia 30093

TDK BOULEVARD DESIGN FIRM SELECTION

PEACHTREE AVERAGE RANKINGS



CITY OF PEACHTREE CITY
REQUEST FOR PROPOSAL
(RFP)

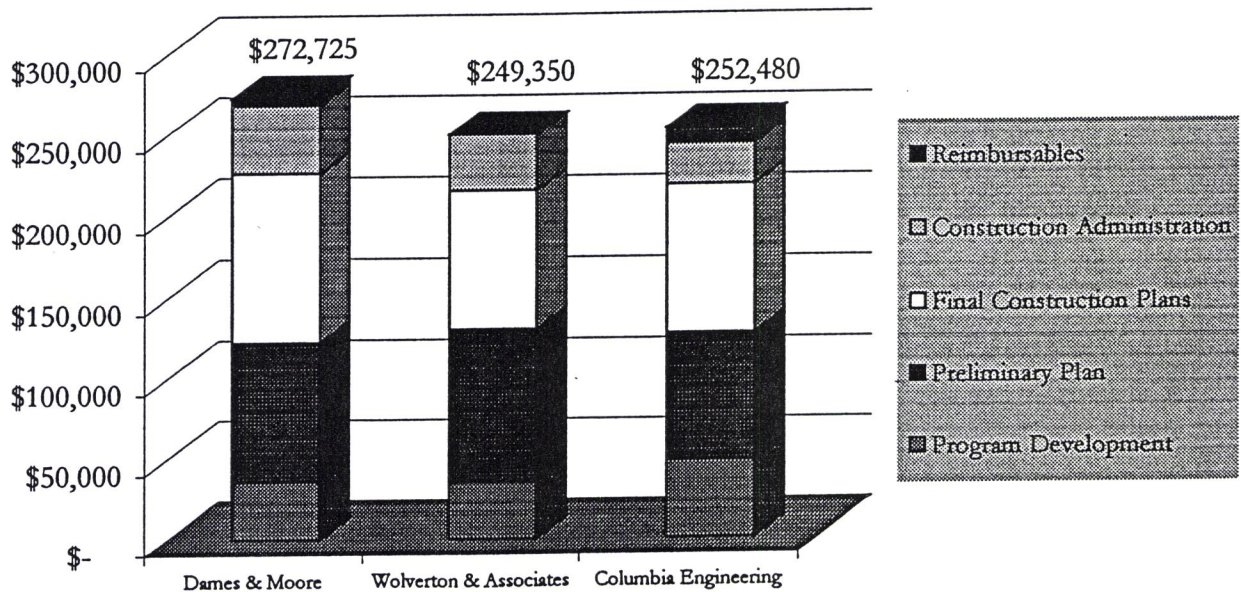
TABULATION

PROJECT: TDK Boulevard Extension

Company Name	Company Address	Contact Person & Phone Number	Proposal Amt.
Columbia Engineering	4405 International Blvd., Suite B101 Norcross, Ga. 30093	Louise Young 770-925-0357	\$242,950.00
			9,530.00 ^{prim.}
			\$252,480.
Wolventon & Assoc.	500 Oakbrook Pkwy. Suite 100 Norcross, Ga. 30093	Joseph Morrison 770-447-8999	\$249,350.00
Dames & Moore	235 Peachtree St. NE North Tower, Suite 200 Atlanta, Ga. 30303	Franco De Marco 404-577-2122	\$311,785.00

Phase	Dames & Moore	Wolverton & Associates	Columbia Engineering
<i>Program Development</i>	\$ 35,640	\$ 35,000	\$ 47,675
<i>Preliminary Plan</i>	\$ 86,485	\$ 95,000	\$ 79,173
<i>Final Construction Plans</i>	\$ 104,140	\$ 85,000	\$ 91,102
<i>Construction Administration</i>	\$ 42,460	\$ 34,350	\$ 25,000
<i>Reimbursables</i>	\$ 4,000	\$ -	\$ 9,530
Total:	\$ 272,725	\$ 249,350	\$ 252,480

TDK Price Proposal Results



CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

FROM: City Clerk

VIA: City Manager 
Assistant City Manager 

DATE: March 9, 2000

SUBJECT: DOT Agreement – Sumner Road Right-of-Way

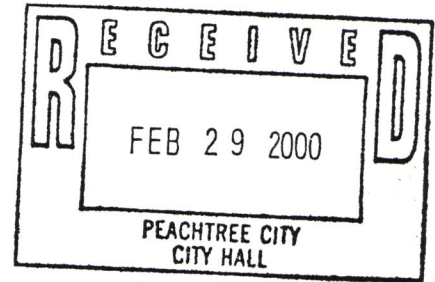
The attached agreement requires Council approval in order for the City to receive funding assistance from the Department of Transportation for the paving of Sumner Road. Staff recommends your approval of the agreement.



Department of Transportation
State of Georgia
Thomaston District Office

February 28, 2000

Mr. Robert L. Lenox, Mayor
City of Peachtree City
151 Willowbend Road
Peachtree City, Georgia 30269



Dear Mr. Lenox:

PR-8530 (113) Fayette County
Sumner Road - Peachtree City
0.49 mile; 50 ' R/W

Attached is the original and two copies of the City Right of Way Agreement on the above referenced project. Please execute two copies and return to this office. You may retain one copy for your files. Failure to return two copies of the Right of Way Agreement will result in the delay of project authorization.

It is your responsibility to clear the right of way of obstructions on this project. When you have returned the executed documents, and the authorization has been received from our General Office, our Area Supervisor will check the project for obstructions. The Work Order will be withheld until the right of way is cleared.

Please return the executed documents to Rickey Wall, Local Government Coordinator, and any questions regarding this matter should be directed to Mr. Wall at (706) 646-6602.

Yours very truly,
Glenn W. Durrence, P.E.
District Engineer
David B. Millen (RW)
By: David B. Millen
District Preconstruction Engineer

DBM:RFW:drw
Attachment
c: State Aid Office
Utilities Office

DEPARTMENT OF TRANSPORTATION
CITY RIGHT OF WAY AGREEMENT

STATE OF GEORGIA
COUNTY OF FAYETTE
CITY OF PEACHTREE CITY

The DEPARTMENT will assist the CITY in constructing a project for the improvement of 0.49 mile of Sumner Road, from A Point On to Brown Road, as per attached sketch and designated as Project Number PR-8530 (113), hereinafter referred to as the "Project", a complete plan of said project is on file at the appropriate District Office of the Department of Transportation, on which reference is hereby made for all purposes;

Whereas, this Project will extend within the corporate limits of the CITY.

Therefore, in consideration of the mutual benefit to the parties derived from the construction, installation and operation of said improvements, the CITY agrees as follows:

The CITY agrees to furnish, at no expense to the Department of Transportation, good and sufficient title, to provide a 50 foot right of way, necessary for the proper construction and maintenance of the above named project in accordance with pertinent agreements and regulations, according to the plans prepared by the DEPARTMENT, including any drainage deemed necessary by the Department or it's engineers, within the limits of said City.

The CITY agrees to provide for it's proper maintenance after completion of said improvements, and will make ample provisions each year for such maintenance.

The CITY agrees that when the above numbered project is advertised for letting, the CITY will arrange with various utility owners to place underground facilities that are approved to remain under the pavement in a satisfactory state of repair except where this phase of work is covered by separate agreements.

The CITY further agrees to assume responsibility for and cooperate with the Utility Owners in the moving, setting back, replacing or lowering of all customers' service connections, including gas lines, telephone lines, electric power lines, water mains and sanitary sewer connections to clear construction by one foot whether such facilities are publicly or privately owned except where this phase is covered by separate agreement. Additionally, the CITY will require stubs and headers to be installed to avoid future cutting of the pavement.

It is further agreed that after construction is completed on off-system projects, no new or additional utilities facilities will be allowed to encroach on the rights of way for this project except under permit issued by the CITY in accordance with the policies of the Department of Transportation, with special emphasis on the Department's prohibition on pavement cuts in new and widened roadways.

The CITY agrees to remove any existing structures or obstructions as provided in pertinent agreements, prior to advertisement for letting and to prevent any future encroachments upon the right of way limits of said roadway not covered by permits duly issued by the CITY; and furthermore agrees, obligates and binds itself in accordance with Title 40 of the Georgia Code that it will not pass any laws, rules, regulations or ordinances which penalize, hinder or otherwise obstruct the free movement of vehicular traffic on said roadway, including angle parking, nor erect any traffic signals, towers or lights on the said right of way without written consent of the DEPARTMENT.

The CITY agrees that prior to, during and after completion of the construction of the above named Project, the CITY shall defend and hold harmless the Department of Transportation for any liability for direct or consequential damages resulting from personal injury, property damages, or inverse condemnation, except for that which is the result of the sole negligence of the Department of Transportation. After completion and final acceptance by the Department, of the Project, the CITY assumes complete ownership, control, and responsibility, including liability for the above named Project.

This Agreement is made and entered into in Fayette County, Georgia, and shall be governed and construed under the Laws of the State of Georgia.

This the ____ day of _____, 20 ____.

Robert L. Lenox, Mayor

STATE OF GEORGIA
COUNTY OF FAYETTE
CITY OF PEACHTREE CITY

I, Nancy Faulkner, as Clerk of said CITY, do hereby certify that I am custodian of the books and records of the same, and that the above and foregoing copy of the original is now on file in my office, and that the Mayor of the City Council was authorized and directed to execute the same for and in behalf of said City Council.

Witness my hand and official signature, this ____ day of _____, 20 ____.

Nancy Faulkner, City Clerk

STATE OF GEORGIA
COUNTY OF FAYETTE
CITY OF PEACHTREE CITY

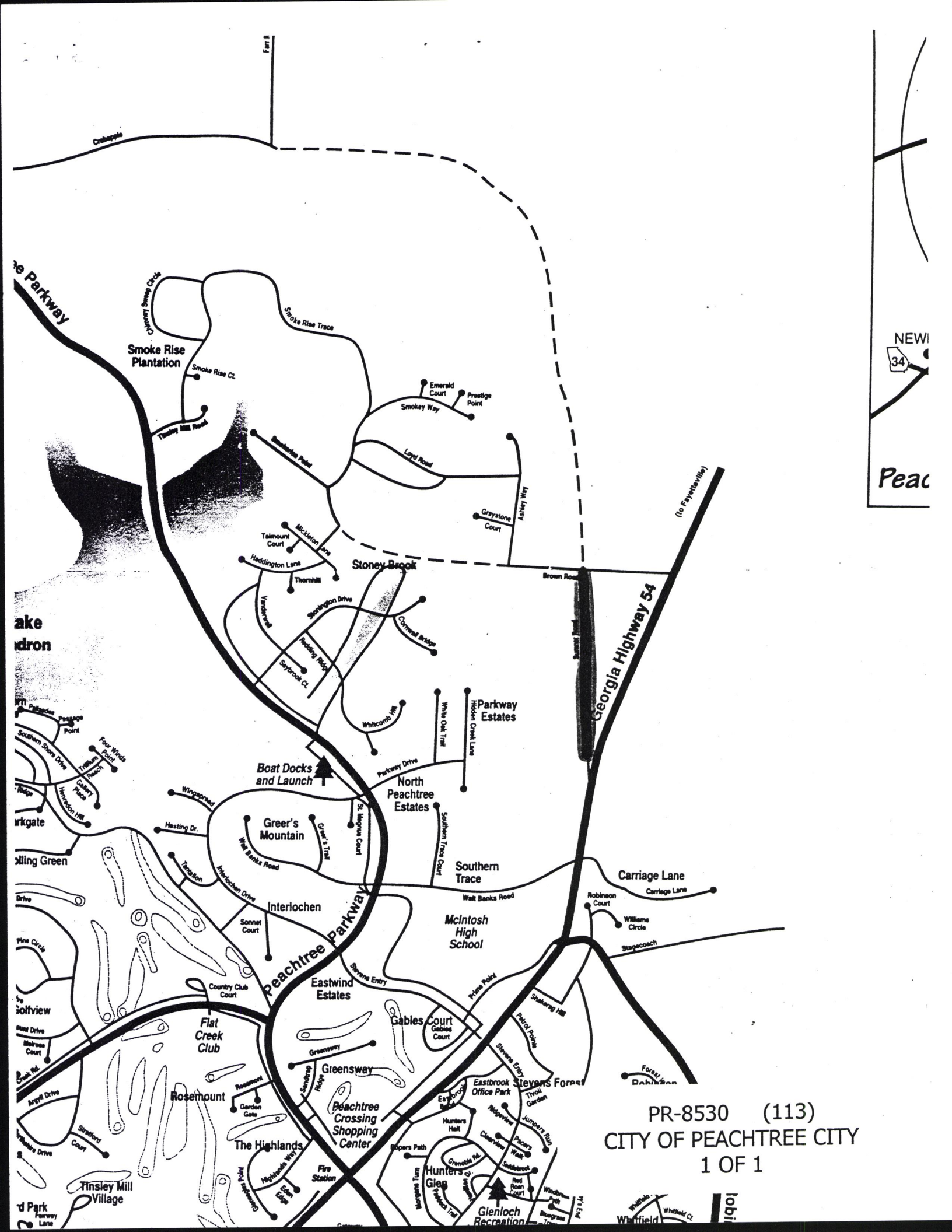
This is to certify, that in my opinion, the dedication of the streets named and described above is complete.

City Attorney

Date

PROJECT NO.: PR-8530 (113)
ROADS IN: PEACHTREE CITY

NAME	BEGIN	END	LENGTH	WIDTH	R/W
Sumner Road	A Point On	Brown Road	0.49 mi		50'



NEW
34

Peac

PR-8530 (113)
CITY OF PEACHTREE CITY
1 OF 1

CITY OF PEACHTREE CITY
INTEROFFICE MEMORANDUM

TO: Mayor and Council
FROM: City Manager 
DATE: March 10, 2000
SUBJECT: Allegation of Ethics Violation

As you know, at the last meeting Mayor Lenox announced receipt of Mike Hyde's February 29, 2000, letter regarding subject allegation against City Attorney Jim Webb. Due to the timing of receipt of the complaint, staff could not legally place the item on the March 2, agenda for action, and it was announced by Mayor Lenox that the item would be placed on the March 16th agenda.

In preparation for the Council meeting, staff has proceeded under the assumption that the allegation should be addressed under the process called for in the Ethics Ordinance, Section 62-90, Enforcement and Administration. A copy of the ordinance is attached.

Please note in Section 62-90 of the ordinance that a five-member Board of Ethics must be appointed to investigate the complaint. Please also note that the City Attorney is designated as the advisor to the Board. However, since the complaint is against the City Attorney, Council will need to select another attorney to serve as advisor to the Board.

The Georgia Municipal Association (GMA) recommended several attorneys including Attorney Andrew Whalen III, Griffin City Attorney, to serve as advisor to the Board. Staff contacted and met with Mr. Whalen. After a cursory review of the City charter, ordinances and other related documents, Mr. Whalen is willing to serve as advisor to the Board. As a result of the meeting, Mr. Whalen has provided the attached preliminary comments on this matter.

Staff recommends Council take the following actions:

- 1) Appoint a five-member Board of Ethics to investigate the complaint. Staff will conduct a drawing for each Councilmember to randomly draw a name from the pool list. As recommended by Mr. Whalen, staff plans to withhold Mr. Steve Brown's name from the drawing due to a conflict of interest.
- 2) Appoint Mr. Whalen to serve as advisor to the Board at an hourly rate of \$150.
- 3) Based on Mr. Whalen's opinion, 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.

Please contact me prior to meeting should you have concerns or questions about this matter.

LAW OFFICES
MULLINS & WHALEN

101 SOUTH HILL STREET
POST OFFICE BOX 133

GRIFFIN, GEORGIA 30224-0133

March 8, 2000

RICHARD L. MULLINS
ANDREW J. WHALEN, III
JACOB A. MAURER

TELEPHONE (770) 227-9456
FAX (770) 228-9873
EMAIL: MullinsWhalen@MSN.com



Mr. Jim Basinger
City Administrator
City of Peachtree City
151 Willowbend Road
Peachtree City, Georgia 30269

Re: Ethics Complaint against City Attorney Jim Webb

Dear Jim:

It was a pleasure meeting with you on Tuesday to discuss representation of the Board of Ethics in reference to the Complaint filed by W. Michael Hyde against City Attorney Jim Webb. As you have advised, this is the first occurrence of a complaint since the Mayor and Council amended the Ethics ordinance in January.

Since the Complaint addresses an incident that allegedly occurred in the Fall, 1997, there are several preliminary matters to be addressed. First, there is the issue of application of the Ethics ordinance to the position of City Attorney. As we generally discussed, to be considered a municipal office (elected or appointed), the position must be created by the municipal charter, a special act of the General Assembly. I will have to conduct an in-depth review of the City's Charter and other formative documents to form an opinion whether Mr. Webb is subject to this ordinance.

Next, the procedures of the Ethics Ordinance were changed in the January amendment by the creation of a Board of Ethics, which is now charged with the duty to investigate Complaints and report its findings and recommendations to the City Council. The former ordinance, in effect in 1997, charged the City Attorney to conduct the investigation. It is my opinion that the procedures of the existing Ordinance would control, i.e. the Board of Ethics would investigate, but the substantive standards of the Ordinance in effect in 1997 would be used, rather than present standards.

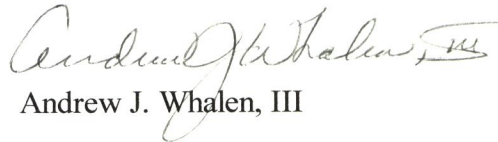
You also questioned how the Board of Ethics would be composed to hear this Complaint. The Ordinance states that the City Council shall draw five (5) names at random from the Name Pool maintained by the City. At this time Mr. Webb and his law firm have a lawsuit pending against one of the persons in the name pool, which would create a conflict for that person to serve on the Board of Ethics hearing this Complaint. I would recommend that the Council direct the Clerk simply to remove that person's name from

the list before the random drawing for this complaint only. I do not believe this would require the naming of a replacement.

As I advised you, my services as legal counsel to the Board of Ethics will be billed monthly at the rate of \$150.00 per hour, plus reimbursement of expenses incurred in this matter.

If you have any questions, please do not hesitate to call me; otherwise I will await hearing from you as to the Mayor and Council's decision.

Sincerely,

A handwritten signature in cursive script, appearing to read "Andrew J. Whalen, III". The signature is fluid and includes a long horizontal flourish at the end.

Andrew J. Whalen, III

Adopted
1-20-00

Ordinance 00-728

PEACHTREE CITY CODE OF ETHICS

Section 62-71. Declaration of policy.

- (a) The proper government and administration of the city requires that:
 - (1) Its officials and employees:
 - a. serve others and not themselves;
 - b. be independent, impartial and responsible;
 - c. use resources with efficiency and economy;
 - d. treat all people fairly;
 - e. use the power of their position for the well being of their constituents; and
 - f. create an environment of honesty, openness and integrity
 - (2) Governmental policies and decisions are made in the proper channels of the government structure;
 - (3) Public office and employment not be used for undue personal gain; and
 - (4) The citizens of the city have confidence in the integrity of their government.
- (b) Because the attainment of one or more of these ends is impaired whenever there exists in fact, or appears to exist, a conflict between the private interests and public responsibilities of city officials and employees, the public interest mandates that the city protect against such conflicts of interest by establishing appropriate ethical standards with respect to the conduct of its officials and employees in situations in which a conflict may exist or appear to exist.
- (c) Yet it is also essential to the efficient operation of the city that those persons best qualified be encouraged to serve in positions of public trust. Accordingly, the standards set forth in this article must be understood and interpreted in a way that will not unreasonably frustrate or impede the desire to seek public office by those best qualified to serve. To that end, officials

and employees should not, except as otherwise provided by law, be denied the opportunity available to all citizens to acquire and maintain private, economic and other interests except when a conflict would necessarily result.

- (d) The policy and purpose of this article, therefore, is to clarify those standards of ethical conduct that shall be applicable to the officials and employees of the city in the discharge of their public duties and to foster the development and maintenance of a tradition of responsible and effective public service.

Section 62-72. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Agency means the city council, and all other agencies, authorities, boards, commissions, committees, departments, and offices of the city, without exception.

Business means a corporation, a partnership, a sole proprietor, or any other person or organization carrying on an enterprise for profit.

Business relationship means an agreement between parties designed to result in an enterprise for profit to those parties.

Censure means a public expression of severe criticism or reproach.

Confidential information means any information, which by law or practice is not available to the general public.

Contract means any lease, claim, account or demand against or agreement with any person, whether express or implied, executed or executory, verbal or in writing.

Employee means any person holding a classified position as defined in policy I, section 3, of the city's personnel policy.

Employment means any rendering of services on request, whether paid or unpaid.

Immediate family means spouse and children.

Interest means any direct or indirect pecuniary or material benefit accruing to a public officer or employee as a result of a contract or transaction, which is or may be the subject of an official act or action by or within the city. This does not, however, include those contracts or transactions which by their terms and by the substance of their provisions confer the opportunity and right to realize the accrual of similar benefits to all other persons and/or property similarly situated. For the purposes of this article, an official or employee shall be deemed to have an interest in the affairs of:

- (1) Any person in his immediate family.
- (2) Any person or business with whom a contractual relationship (either written or implied) exists, whereby he may receive a payment or other benefit, including an agreement for employment.
- (3) Any business in which he is an officer, director, employee, prospective employee or substantial shareholder (owning or controlling in excess of five percent of the total stock or total legal and beneficial ownership).

Official means any official, officer or member of the government of the city who is not an employee, whether elected or appointed, whether paid or unpaid, whether permanent, temporary or alternate.

Official act or action means any executive, legislative, administrative, appointive or discretionary act of any official or employee of the city or any agency of the city.

Paid means the receipt of, or right to receive, a salary or commission, percentage, brokerage or contingent fee.

Participate means to take part in official acts, actions or proceedings personally as an official or employee through approval, disapproval, decision or the failure to act or perform a duty.

Person means any individual, business, labor organization, representative, fiduciary, trust, or association, whether paid or unpaid, including any official or employee.

Property means any property, whether real or personal, tangible or intangible, including currency and commercial paper.

Reprimand means an expression of disapproval, either public or private.

Transaction means the conduct of any activity that results in or may result in an official act or action of the city.

Section 62-73. Impartiality.

No official or employee shall by his conduct give reasonable basis for the impression that any person improperly can influence such official or employee or unduly enjoy such official's or employee's favor in the performance of official acts or actions, or that such official or employee is affected unduly by kinship, rank, position or association with any person. (Cross reference: PTC personnel policy XIX.)

Section 62-74. Gifts and favors.

- (a) No official or employee shall accept any gift, loan, reward, favor or services that may reasonably tend to improperly influence him or her in the discharge of their official duties. This limitation is not intended to prohibit the acceptance of articles of negligible value, which are distributed generally, nor to prohibit officials or employees from accepting loans from regular lending institutions. It is particularly important that employees and officials guard against relationships, which might be construed as, or give the appearance of favoritism, coercion, unfair advantage or collusion.
- (b) Nothing in this article shall prohibit any official or employee from accepting a gift on behalf of the city, provided that the person accepting the gift shall promptly report the receipt of such gift to the city council, which shall have the gift added to the inventory of the property of the city. (Cross reference: PTC personnel policy XVII.)

Section 62-75. Campaign contributions.

The provisions of this article shall not apply to campaign contributions made to an official in compliance with the Georgia Campaign and Financial Disclosure Act (O.C.G.A. § 21-5-30 et seq.).

Section 62-76 Coercion

No official or employee shall use his position in any way to coerce, or give the appearance of coercing, another person to provide any financial benefit to him or persons within his immediate family, or those with whom a council member has business or financial ties.

Section 62-77. Confidential information.

No official or employee shall disclose or otherwise use confidential information acquired by virtue of his position with the city for his or another's personal gain.

Section 62-78. Representation.

Except in the regular discharge of official duties, no official or employee shall appear on behalf of any person, other than himself and his immediate family, before any city agency or municipal court. Neither shall any official or employee receive compensation for any services rendered on behalf of any person in relation to any case, proceeding or application before a city agency with respect to which such official or employee was directly concerned; or in which he has personally participated during the period of his service or employment, or which was under his active consideration or with respect to which knowledge or information was made available to him during the period of service or employment. However, a member of the city council may appear before city agencies on behalf of his constituents in the course of his duties as a representative of the electorate or in the performance of public or civic obligations.

Section 62-79. Incompatible employment.

No official or employee shall engage in or accept employment with or render services for any private business or professional activity when such is adverse to and incompatible with the proper discharge of his official duties or would tend to impair his independence of judgment or action in the performance of his official duties.

Section 62-80. Outside employment.

No employee shall engage in any other employment, or in any private business, or in the conduct of a profession, during the hours for which he is employed to work for the City or outside such hours in a manner or to an extent that affects or is deemed likely to affect his usefulness as an employee of the City. Toward this end, all outside employment must be reported to and approved by the employee's Division Director/Chief and the City Manager, and filed in the Personnel Office. (Cross reference: PTC personnel policy XVI.)

Section 62-81. Abstention.

An official or employee who has an interest that he has reason to believe may be affected by his official acts or actions or by the official acts or actions of the city

shall disclose that interest. Such official or employee shall abstain from participating in any such discussion, voting or otherwise participating in any official acts or actions affected by such interest. That interest shall be disclosed by such official or employee prior to there being taken any official act or actions.

Section 62-82. Public contracts.

The City shall not enter into a contract involving services or property with any official or employee or with a business in which the official or employee has an interest. This section shall not apply in the case of:

- (a) The designation of a bank or trust company as a depository for City funds;
- (b) The borrowing of funds from any bank or lending institution which offers the lowest available rate of interest in the community for such loan;
- (c) Contracts entered into in accordance with the Official Code of Georgia Annotated 16-10-6;
- (d) Contracts entered into under circumstances that constitute an emergency situation, provided that the Mayor prepares a written record explaining the emergency;
- (e) Contracts entered into with an official or employee, or with a business in which the official or employee has an interest, provided that such contract is:
 - (1) awarded through a process of public notice and competitive bid,
 - (2) disclosure of the nature of such members interest is made prior to the time a bid is submitted; and
 - (3) after this section is complied with, a waiver of the prohibition contemplated by this section is issued by the City Manager.

Section 62-83. Zoning.

- (a) All officials and employees are deemed subject to the provisions of Chapter 67A of Title 36 of the Official Code of Georgia Annotated, and shall make the disclosures required in such Chapter , and shall be subject to the penalties stated in said chapter.
- (b) In addition, any official required to make the disclosures set forth in Chapter 67A of Title 36 of the Official Code of Georgia Annotated shall be prohibited from participating in the zoning matter in which such official or employee has a direct or indirect interest. A violation of the aforesaid provisions of the Official Code of Georgia Annotated shall also constitute a violation of this article.

Section 62-84. Preacquisition of interest.

No official or employee with respect to any contract or transaction which is or may be the subject of an official act or action of the city shall acquire an interest in such contract or transaction at a time when the official or employee has reason to believe that it will directly or indirectly be affected by an official act or action of the city.

Section 62-85. Disclosure of relationships.

- (a) Each party subject to this article shall disclose to the city council, either orally or in writing, the following information:
 - (1) Any current business interests between or among any parties subject to this article, with a description of such involvement;
 - (2) Any business interests between or among any parties subject to this article which have been terminated within the past six months; and
 - (3) Any business interests between or among any parties subject to this article anticipated in the next six-month period.
- (b) Additionally, each party subject to this article shall inform the city council, either orally or in writing, of any business relationship entered into with another party subject to this article, within ten days of such contractual or implied relationship.
- (c) Failure on the part of any party subject to this article to comply with the provisions of this section shall be deemed to be a violation of this article.

Section 62-86. Use of city property.

No official or employee shall use or permit the use of any city property, services, personnel, labor or other thing of value for personal gain or for any purpose other than the official business of the city. Any parties violating this provision shall be required to pay to the city a sum equal to the value of the benefits received, and shall likewise be deemed to have violated the provisions of this article. (Cross reference: PTC personnel policy XVIII.)

Section 62-87. City Attorney used for private business.

No official or employee shall use the attorney or attorneys who are under retainer by the City of Peachtree City for personal or private business without paying just compensation.

Section 62-88. Compliance with applicable laws.

No official or employee shall engage in any activity or transaction that is prohibited by any law, now existing or subsequently enacted, which is applicable to him by virtue of his office. Without limiting the applicability of other statutory provisions, the provisions of O.C.G.A. § 45-10-1 are incorporated in this section by reference.

Section 62-89. Political Activity

- (a) An employee of the city shall not have a right to publicly or otherwise hold himself out as a candidate in any Peachtree City Municipal election while holding employment with the City of Peachtree City.
- (b) City employees shall not take part in any political management or political campaigns for the election of mayor or any member of the city council for the City of Peachtree City during any period of time for which he is expected to perform work or receive compensation from the city.
- (c) No employee, official or other person shall solicit, orally or by letter, or be in any other manner concerned in obtaining any assessments, contributions, or services for any political party from any employee during his hours of duty, service, or work with the city.
- (d) Employees shall not represent the city by wearing any uniform or portion thereof that is issued by the city while participating in any campaign at any time.
- (e) The city in no way seeks to influence employees in their choice of party affiliations or candidates, recognizing that this is a matter for each person to decide. Therefore, nothing contained herein shall be construed to restrict the right of the employee to hold membership in and support a political party, to vote as he chooses, to express opinions on political subjects or candidates, to maintain political neutrality, to attend political parties after work hours, or to campaign actively during off duty hours in all areas of political activity.
- (f) Employees shall not utilize any city equipment or vehicles in support of any political campaign.

Section 62-90. Enforcement and administration

(a) Board of Ethics.

The Board of Ethics of the City of Peachtree City is hereby created and authorized by the Mayor and City Council of the City of Peachtree City.

The Board of Ethics of the City shall be composed of five (5) residents of the City to be appointed as provided in paragraphs 2 and 3 of this subsection. Each member of the Board of Ethics shall have been a resident of the City for at least one (1) year immediately preceding the date of taking office and shall remain a resident of the City while serving as a member of the Board of Ethics. No person shall serve as a member of the Board of Ethics if the person has, or has had within the preceding one (1) year period, any interest in any contract, transaction, or official action of the City.

The Mayor and Councilmembers shall each designate two (2) qualified citizens to provide a pool of ten individuals who have consented to serve as a member of such Board of Ethics and who will be available for a period of two (2) years to be called upon to serve in the event a Board of Ethics is appointed. The City Manager shall maintain a listing of these ten qualified citizens.

All complaints against an official or city employee shall be filed in writing and submitted to the City Manager. The City Manager shall provide a copy of the complaint to the Mayor and Council. The Mayor and Council, at the first public meeting after such complaint is filed, shall each draw names randomly from the listing of qualified citizens until the specified five (5) members of the Board of Ethics have been appointed. Such Board will elect one of its members to serve as Chairman.

The members of the Board of Ethics shall serve without compensation. The Governing Authority of the City shall provide meeting space for the Board of Ethics. Subject to budgetary procedures and requirements of the City, the City shall provide the Board of Ethics with such supplies and equipment as may be reasonably necessary for it to perform its duties and responsibilities.

The City Attorney is designated to be the legal advisor of the Board, except that the City Attorney is not authorized to represent the Board in any legal action if doing so would create a conflict, which would prevent the City Attorney from also representing the Mayor, the City Manager, or the governing body.

The City Clerk shall serve as the recording secretary to the Board and shall provide such administrative services to the Board as may be necessary.

(b) The constituted Board of Ethics shall have the following duties and powers:

- (1) To hold a public hearing within sixty (60) days after the receipt of complaint;
- (2) To receive and hear complaints of violations of the standards required by this ordinance;
- (3) To make such investigation and response to a complaint as it deems necessary to determine whether any person has violated any provisions of this Ordinance;
- (4) To hold such hearings and make such inquiries as deemed necessary to investigate and rule upon complaints;
- (5) Recommend any legislative or administrative action regarding the City's policies and practices which the Board believes would or could enhance the ethical environment in which public servants work;
- (6) To report its findings to the City Council for such action as the Governing Authority deems appropriate.
- (7) Upon completion of its investigation of a complaint, the ethics committee shall be empowered to dismiss those complaints which are unjustified, frivolous, patently unfounded or which fail to state facts sufficient to invoke the disciplinary jurisdiction; provided, however, that a rejection of such complaint by the ethics committee shall not deprive the complaining party of any action he might otherwise have at law or in equity against the respondent government servant.

(c) Penalty and Member Rights.

- (1) The City Council at its next regular meeting not less than 15 days after the Board of Ethics makes its report, shall act upon the report either by censuring or reprimanding the official/employee, or, in its discretion, by taking no further action.
- (2) At any hearing held by the Board of Ethics, the official or employee who is the subject of inquiry shall have the right to written notice of the allegations at least 10 business days before a hearing, to be represented by counsel, to hear and examine the evidence and witnesses and to present evidence and witnesses in opposition or in extenuation.

(d) Appeals.

- (1) Any official, employee or complainant adversely affected by these findings of the Board of Ethics may obtain judicial review of such decision.
- (2) An action for judicial review may be commenced by filing an application for a writ of certiorari in the Superior Court of Fayette County within thirty (30) days after the final decision by the Mayor and City Council. The filing of such application shall act as supersedes.

(e) Advisory opinions.

When any official or employee has a doubt regarding the applicability of any provision of this article to a particular situation, or regarding the definition of its terms, he may apply in writing to the city attorney for an advisory opinion. The advisory opinion shall be written, and may be provided directly to the requestor of such opinion. Nothing in this ordinance shall be construed to prohibit a request for an informal opinion by any public servant for the City Attorney regarding a potential conflict of interest. Neither a request for an informal opinion, nor the making of a statement concerning a potential conflict of interest made by a member of the governing body in the course of abstaining from voting shall create a presumption or inference that a public servant actually has a personal interest in the matter about which the opinion was requested.

Such opinion until amended or revoked shall be binding on the city, the city council, and the city attorney in any subsequent actions concerning the official or employee who sought the opinion and acted on it in good faith, unless material facts were omitted or misstated in the request for the advisory opinion. Such opinion, however, shall not be binding in any action initiated by any private citizen.

Any advisory opinion prepared by the city attorney shall be made public.

Section 62-91. Distribution.

The Personnel Manager shall cause a copy of this article to be distributed to every official and employee of the city within 30 days after its enactment. Each official and employee elected, appointed or otherwise hired thereafter shall be furnished a copy before entering upon the duties of his office or employment.

Section 62-92. Construction, application.

- (a) This article shall be construed liberally to effectuate its purposes and policies and to supplement such existing laws as may relate to the conduct of the persons made subject to this article.
- (b) This article shall in no way be construed as creating an employment contract between the city and its officials and employees. Nevertheless, any official or employee affected by this article shall be required to affirm in writing that he has received a copy of this article and has read it and understands its provisions.
- (c) The propriety of any official act or action taken by or transaction involving any official or employee immediately prior to the time this article shall take effect shall not be affected by the enactment of this article.
- (d) The provisions of this article are severable; and if any of its provisions shall be held unconstitutional or invalid by a court of competent jurisdiction, the decision of the court shall not affect or impair any of the remaining provisions.

Repealed 1/20/00

§ 2-8

PEACHTREE CITY CODE

- (2) Not be an elected official of any governmental jurisdiction in the county or employee of the city, and
- (3) Meet any other qualifications established by the enabling legislation creating the particular commission or authority.

(c) If a member of a commission or authority resigns before completing his/her term of office, the city council can appoint an interim member to fill an unexpired term of six (6) months or less from the pool of previous applicants.

(d) *Attendance criteria:* Each member shall maintain an eighty (80) per cent attendance record at all regular and called meetings for the previous twelve (12) months. Members failing to maintain such an attendance record, or who are absent at any three (3) regularly scheduled meetings, shall be immediately dismissed from the commission or authority by the mayor based on a recommendation by the chairman. However, the chairman may excuse an absence for medical reasons.
(Ord. No. 436, 6-4-87; Ord. No. 478, 11-22-88; Ord. No. 487, § 1, 1-7-89; Ord. No. 560, 3-21-91; Ord. No. 576, 5-7-92; Ord. No. 587, 10-15-92; Ord. No. 615, 3-17-94)

Sec. 2-9. Code of ethics.

PEACHTREE CITY CODE OF ETHICS

Section 2-9.1. Declaration of Policy.

The proper government and administration of the City of Peachtree City (hereinafter Peachtree City) requires that its officials and employees be independent, impartial, and responsible; that governmental policies and decisions be made in the proper channels of the government structure; that public office and employment not be used for undue personal gain; and that the citizens of Peachtree City have confidence in the integrity of their government.

Because the attainment of one or more of these ends is impaired whenever there exists in fact, or appears to exist, a conflict between the private interests and public responsibilities of Peachtree City officials and employees, the public interest man-

dates that Peachtree City protect against such conflicts of interest by establishing appropriate ethical standards with respect to the conduct of its officials and employees in situations in which a conflict may exist or appear to exist.

Yet it is also essential to the efficient operation of Peachtree City that those persons best qualified be encouraged to serve in positions of public trust. Accordingly, the standards set forth in this code of ethics must be understood and interpreted in a way that will not unreasonably frustrate or impede the desire to seek public office by those best qualified to serve. To that end, officials and employees should not, except as otherwise provided by law, be denied the opportunity available to all citizens to acquire and maintain private, economic, and other interests except when a conflict would necessarily result.

The policy and purpose of this code of ethics, therefore, is to clarify those standards of ethical conduct that shall be applicable to the officials and employees of Peachtree City in the discharge of their public duties and to foster the development and maintenance of a tradition of responsible and effective public service. (Ord. No. 469, 8-4-88)

Section 2-9.2. Definitions.

As used in this code, the following terms shall have the respective meanings ascribed to them:

- (a) *Agency*: The city council, and all other agencies, authorities, boards, commissions, committees, departments, and offices of Peachtree City, without exception.
- (b) *Business*: A corporation, a partnership, a sole proprietor, or any other person or organization carrying on an enterprise for profit.
- (c) *Business relationship*: An agreement between parties designed to result in an enterprise for profit to those parties.
- (d) *Censure*: A public expression of severe criticism or reproach.
- (e) *The city*: The City of Peachtree City.
- (f) *The code*: The code of ethics of Peachtree City.

(g) *Confidential information*: Any information which by law or practice is not available to the general public.

(h) *Contract*: Any lease, claim, account, or demand against or agreement with any person, whether express or implied, executed or executory, verbal or in writing.

(i) *Employee*: Any person holding a "classified position" as defined in Policy I, Section 3, of the Peachtree City Personnel Policy.

(j) *Employment*: Any rendering of services on request, whether paid or unpaid.

(k) *Immediate family*. Spouse and children.

(l) *Interest*: Any direct or indirect pecuniary or material benefit accruing to a public officer or employee as a result of a contract or transaction which is or may be the subject of an official act or action by or within the city. This does not, however, in-

ADMINISTRATION

clude those contracts or transactions which by their terms and by the substance of their provisions confer the opportunity and right to realize the accrual of similar benefits to all other persons and/or property similarly situated.

For the purposes of this code, an official or employee shall be deemed to have an interest in the affairs of:

- (1) Any person in his or her immediate family;
- (2) Any person or business with whom a contractual relationship (either written or implied) exists, whereby he or she may receive a payment or other benefit, including an agreement for employment;
- (3) Any business in which he or she is an officer, director, employee, prospective employee, or substantial shareholder (owning or controlling in excess of five (5) per cent of the total stock or total legal and beneficial ownership).

(m) *Official*: Any official, officer, or member of the government of Peachtree City who is not an "employee" as defined herein, whether elected or appointed, whether paid or unpaid, whether permanent, temporary, or alternate.

(n) *Official act or action*: Any executive, legislative, administrative, appointive, or discretionary act of any official or employee of the city or any agency thereof.

(o) *Paid*: The receipt of, or right to receive, a salary or commission, percentage, brokerage, or contingent fee.

(p) *Participate*: To take part in official acts, actions, or proceedings personally as an official or employee through approval, disapproval, decision, or the failure to act or perform a duty.

(q) *Person*: Any individual business, labor organization, representative, fiduciary, trust, or association, whether paid or unpaid, including any official or employee.

(r) *Property*: Any property, whether real or personal, tangible or intangible, including currency and commercial paper.

(s) *Reprimand*: An expression of disapproval, either public or private.

(t) *Transaction*: The conduct of any activity that results in or may result in an official act or action of the city. (Ord. No. 469, 8-4-88)

Section 2-9.3. Impartiality.

No official or employee shall by his or her conduct give reasonable basis for the impression that any person improperly can influence such official or employee or unduly enjoy such official's or employee's favor in the performance of official acts or actions, or that such official or employee is affected unduly by kinship, rank, position, or association with any person. (Cross reference: PTC Personnel Policy XIX.) (Ord. No. 469, 8-4-88)

Section 2-9.4. Gifts and Favors.

(a) No official or employee shall directly or indirectly request, exact, receive, or agree to receive a gift, loan, favor, promise, or thing of value for such official's or employee's self or another person. This section shall not apply in the case of:

- (1) An occasional, nonpecuniary gift of insignificant value (less than one hundred dollars (\$100.00));
- (2) An award publicly presented in recognition of public service;
- (3) A commercially reasonable loan made in the ordinary course of business by an institution authorized by the laws of this state to engage in the making of such a loan.

(b) Nothing in this code shall prohibit any official or employee from accepting a gift on behalf of the city, provided that the person accepting the gift shall promptly report the receipt of such gift to the city council, which shall have the gift added to the inventory of the property of the city. (Cross reference: PTC Personnel Policy XVII.) (Ord. No. 469, 8-4-88)

Section 2-9.5. Campaign Contributions.

The provisions of this Code shall not apply to campaign contributions made to an official in compliance with the Georgia Cam-

paign and Financial Disclosure Act (O.C.G.A. section 21-5 et seq.). (Ord. No. 469, 8-4-88)

Section 2-9.6. Confidential Information.

No official or employee shall disclose or otherwise use confidential information acquired by virtue of his or her position with the city for his, her, or another's personal gain. (Ord. No. 469, 8-4-88)

Section 2-9.7. Representation.

Execept in the regular discharge of official duties, no official or employee shall appear on behalf of any person, other than himself and his or her immediate family, before any city agency or municipal court. Neither shall any official or employee receive compensation for any services rendered on behalf of any person in relation to any case, proceeding, or application before a city agency with respect to which such official or employee was directly concerned, or in which he or she has personally participated during the period of his or her service or employment, or which was under his or her active consideration or with respect to which knowledge or information was made available to him or her during the period of said service or employment. However, a member of the city council may appear before city agencies on behalf of his or her constituents in the course of his or her duties as a representative of the electorate or in the performance of public or civic obligations. (Ord. No. 469, 8-4-88)

Section 2-9.8. Incompatible Employment.

No official or employee shall engage in or accept employment with or render services for any private business or professional activity when such is adverse to and incompatible with the proper discharge of his or her official duties or would tend to impair his or her independence of judgment or action in the performance of his or her official duties. (Ord. No. 469, 8-4-88)

Section 2-9.9. Abstention.

An official or employee who has an interest that he or she has reason to believe may be affected by his or her official acts or

actions or by the official acts or actions of the city shall disclose that interest and shall abstain from participating in any such discussion, voting, or otherwise participating in any official acts or actions affected thereby. That interest shall be disclosed by such official or employee prior to there being taken any official act or actions. (Ord. No. 469, 8-4-88)

Section 2-9.10. Public Contracts.

No official or employee who, in his or her capacity as such official or employee, participates in the making of a contract in which he or she has a private pecuniary interest, direct or indirect, or performs in regard to that contract some function requiring the exercise of discretion on his part, shall enter into any contract with the city unless:

- (1) The contract is awarded through a process of public notice and competitive bidding, or
- (2) The city attorney waives the requirement of this section after determining it is in the best interest of the city to do so. (Ord. No. 469, 8-4-88)

Section 2-9.11. Zoning.

All officials and employees are deemed subject to the provisions of O.C.G.A. section 36-67A et seq., and shall make the disclosures required therein, and shall be subject to the penalties therein stated.

In addition, any official required to make the disclosures set forth in O.C.G.A., section 36-67A et seq. shall be prohibited from participating in the zoning matter in which such official or employee has a direct or indirect interest. A violation of the aforesaid provisions of the Official Code of Georgia Annotated shall also constitute a violation of this code. (Ord. No. 469, 8-4-88)

Section 2-9.12. Preacquisition of Interest.

No official or employee with respect to any contract or transaction which is or may be the subject of an official act or action of the city shall acquire an interest in such contract or transaction at a time when the official or employee has reason to believe that

it will directly or indirectly be affected by an official act or action of the city. (Ord. No. 469, 8-4-88)

Section 2-9.13. Disclosure of Relationships.

(a) Each party subject to this code shall disclose to the city council, either orally or in writing, the following information:

- (1) Any current business interests between or among any parties subject to this code, with a description of said involvement;
- (2) Any business interests between or among any parties subject to this code which have been terminated within the past six (6) months; and
- (3) Any business interests between or among any parties subject to this code anticipated in the next six-month period.

(b) Additionally, each party subject to this code shall inform the city council, either orally or in writing, of any business relationship entered into with another party subject to this code, within ten (10) days of such contractual or implied relationship.

(c) Failure on the part of any party subject to this code to comply with the provisions of this section shall be deemed to be a violation of this code. (Ord. No. 469, 8-4-88)

Section 2-9.14. Use of City Property.

No official or employee shall use or permit the use of any city property, services, personnel, labor, or other thing of value for personal gain or for any purpose other than the official business of the city. Any parties violating this provision shall be required to pay to the city a sum equal to the value of the benefits received, and shall likewise be deemed to have violated the provisions of this chapter. (Cross reference: PTC Personnel Policy XVIII.) (Ord. No. 469, 8-4-88)

Section 2-9.15. Compliance with Applicable Laws.

No official or employee shall engage in any activity or transaction that is prohibited by any law, now existing or subsequently enacted, which is applicable to him or her by virtue of his or her

office. Without limiting the applicability of other statutory provisions, the provisions of O.C.C.A. section 45-10-1 are incorporated herein by reference. (Ord. No. 469, 8-4-88)

Section 2-9.16. Enforcement.

(a) The city attorney shall have the power, at the direction of the city council, to investigate any complaint, to initiate any suit, and to prosecute any criminal or civil action on behalf of the city with respect to the enforcement of this code when such action is appropriate.

(b) The city council may direct the city attorney to investigate or prosecute any apparent violation of the code or it may employ or appoint any qualified attorney to investigate or prosecute any violation or series of violations by one or more persons of this code.

(c) Any person who believes that a violation of any portion of the code has occurred may file a sworn, written complaint with the city attorney or with the city council, who may then proceed as provided herein. All such complaints will be public documents. However, nothing in the code shall be construed to prevent complainants from instituting legal action through the appropriate judicial authority. (Ord. No. 469, 8-4-88)

Section 2-9.17. Advisory Opinions.

(a) When any official or employee has a doubt regarding the applicability of any provision of this code to a particular situation, or regarding the definition of its terms, he or she may apply in writing to the city attorney for an advisory opinion. The official or employee shall have the opportunity to present his or her interpretation of the facts at issue and of the applicability of provisions of the code before such advisory opinion is made.

(b) Such opinion until amended or revoked shall be binding on the city, the city council, and the city attorney in any subsequent actions concerning the official or employee who sought the opinion and acted on it in good faith, unless material facts were omitted or mistated in the request for the advisory opinion. Such opinion, however, shall not be binding in any action initiated by any private citizen.

(c) Any advisory opinion prepared by the city attorney shall be made public. However, the name of the person requesting the opinion and the names of all persons or businesses mentioned in the opinion shall be deemed confidential information and shall not be disclosed by the city attorney unless the official or employee waives such confidentiality or when the city attorney deems the public official to have failed to act in good faith in requesting the opinion or in conforming with the opinion or to have failed to act in conformance with the opinion, or when said confidentiality would otherwise violate the laws of the state. (Ord. No. 469, 8-4-88)

Section 2-9.18. Penalties; Exemptions; Injunction.

(a) In the event that the city attorney finds that a violation of this code by an official has occurred, he or she shall recommend whether the city council shall either censure or reprimand the official, take any other action it deems appropriate, or take no further action. The city council at its next regular meeting not less than fifteen (15) days after the city attorney makes his or her report, shall, by majority, act upon the report either by censuring or reprimanding the official, or, in its discretion, taking no further action. If a member of the city council is the party under investigation, such member shall not participate in the deliberations and voting by the city council. The report of the city attorney shall be made a part of the minutes of the city council and a copy thereof forwarded to the district attorney of the Griffin Judicial Circuit for such further legal action as the district attorney shall consider appropriate.

(b) If the city council determines that censure is the appropriate penalty for an official in a particular case, such censure shall be published in a newspaper of general circulation serving as the legal organ for the city within fifteen (15) days from the city council's decision and shall specify in detail:

- (1) The circumstances constituting the alleged violation,
- (2) The transaction or matter to which the alleged violation relates, and
- (3) The official or appointed official alleged to have violated this code.

(c) In the event that the city attorney finds that a violation of this code by an employee has occurred, he or she shall recommend that the employee be disciplined in accordance with the appropriate provisions of Policy XI of the Peachtree City Personnel Policy.

(d) The city attorney, with the consent of the city council, may exempt from the provisions of this code any conduct found to constitute a violation by an official or employee, if he or she finds that the enforcement of this code with respect to such conduct is not necessary in the public interest. Any such exemption, however, shall be made publicly.

(e) Any contract or transaction which was the subject of an official act or action of the city in which there is an interest prohibited by this code, or which involved the violation of a provision of this code, shall be voidable at the option of the city.

(f) The city attorney shall have the power, when a violation of the provisions of this code is threatened or has occurred, to bring civil action or proceeding at law or in equity for a judgment enjoining any violation of the provisions of this code or requiring the relinquishment of any prohibited interest or the voiding of any such contract or transaction, taking into account the interests of the city and any third person who may be injured thereby. When the city attorney determines that the public interest may best be served by not voiding a contract or transaction entered into in violation of this code, such contract or transaction may be enforced and an action or proceeding may be brought against any official or employee found in violation of the provisions of this code for damages. (Ord. No. 469, 8-4-88)

Section 2-9.19. Distribution of Code of Ethics.

The city clerk shall cause a copy of this code of ethics to be distributed to every official and employee of the city within thirty (30) days after its enactment. Each official and employee elected, appointed, or otherwise hired thereafter shall be furnished a copy before entering upon the duties of this office or employment. (Ord. No. 469, 8-4-88)

Section 2-9.20. Construction, Application.

(a) This code shall be construed liberally to effectuate its purposes and policies and to supplement such existing laws as may relate to the conduct of the persons made subject to this code.

(b) This code shall in no way be construed as creating an employment contract between the city and its officials and employees. Nevertheless, any official or employee affected by this code of ethics shall be required to affirm in writing that he or she has received a copy of the code of ethics and has read it and understands its provisions.

(c) The propriety of any official act or action taken by or transaction involving any official or employee immediately prior to the time this code shall take effect shall not be affected by the enactment of this code.

(d) The provisions of this code are severable, and if any of its provisions shall be held unconstitutional or invalid by a court of competent jurisdiction, the decision of the court shall not affect or impair any of the remaining provisions.

(e) All ordinances or portions of ordinances in conflict with this code are hereby repealed. (Ord. No. 469, 8-4-88)

Secs. 2-10—2-19. Reserved.

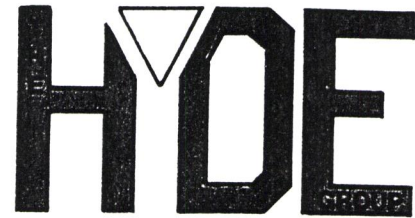
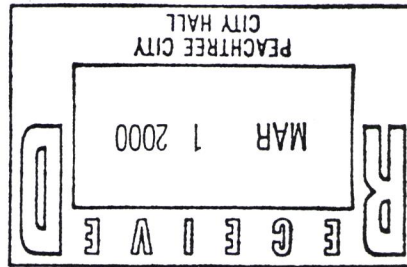
ARTICLE II. CHIEF ADMINISTRATIVE OFFICER

Sec. 2-20. Reservation of powers, etc.

The corporate existence and jurisdiction of the city, and all corporate rights, powers and privileges, and all duties, obligations and liabilities of said city are hereby preserved unto the mayor and council, except as expressly or by necessary implication altered or amended by this article; and all ordinances and resolutions of the council and all laws of the state pertaining to the city, now of force shall not be affected or changed by this article, except insofar as they may be inconsistent with this

February 29, 2000

Mr. Jim Basinger
City Manager
City of Peachtree City
153 Willowbend Rd.
Peachtree City, GA. 30269



THE HYDE GROUP

P.O. Box 2506
Peachtree City, GA 30269
TEL (770) 487-9997
FAX (770) 487-3379

Dear Mr. Basinger:

In the Fall of 1997, the CITY COUNCIL considered and ultimately adopted a new buffer ordinance which I believe is now being challenged in court with City representation by the City Attorney.

According to the October 16, 1997, COUNCIL meeting minutes, City Attorney, Mr. Jim Webb, repeatedly shared his opinions, observations and reservations about the proposed ordinance, even suggesting a need for re-drafting, at one point. His participation as a City Official seems to be very obvious and clear. At no time is his discussion in support of the proposed ordinance. Rather, he suggested ways to modify the proposed ordinance to minimize the impact on existing owners of undeveloped, highway-fronting parcels, a seemingly laudable objective.

Nevertheless, according to records of the Clerk of Superior Court, Fayette Court, GA., in 1991, Aberdeen Village Associates, Inc. purchased (and still owns) property in Peachtree City which fronts Hwy. 54. This parcel (Dist.7, LL 127, Sheet 32, Parcel #70) has approximately 230 feet of highway frontage and is situated between the Bank of America building and the cart path bridge. This property is clearly impacted by the above mentioned buffer ordinance. It was, therefore, clearly "about to be" impacted by the "proposed" ordinance in October 1997.

As per the attached printout from the Georgia Secretary of State's office, Aberdeen Village Associates, Inc. lists James Webb (the City Attorney and a City Official by definition) as CFO (i.e. chief financial officer). It is my understanding that Mr. Webb is also a stockholder in said corporation.

On September 30, 1996, I requested from the City Attorney, Mr. Jim Webb, an ethics opinion concerning City Official's future actions regarding the proposed buffer ordinance being contemplated. On October 7, 1996, the City Attorney responded by citing the City's Ethics Ordinance which states, in part, that any Official who has any interest in any matter before the City must disclose the interest AND not participate in any discussions on the subject.

Accordingly, I believe that an ethics violation has occurred involving the City Attorney, Mr. James Webb. Specifically, I believe that Section 2-9.9 of the City's Ethics Ordinance has been violated in that Mr. Jim Webb, a City Official, did in fact, in 1997, have an interest in property subject to impact by a proposed buffer ordinance and did not disclose said fact and even actively participated in said ordinance's consideration by Council.

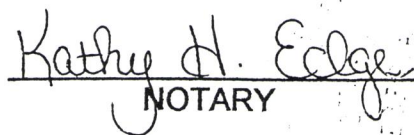
Furthermore, if Mr. Webb's law firm is indeed representing the City in the buffer ordinance litigation, we have a continuing conflict of interests/ethics situation in that the outcome of said litigation will affect the interest of Mr. Webb, the City Attorney.

In closing, please let me say that, were it not for the recent spate of questions regarding the City Attorney's reappointment, I would never have raised these issues. However, when you compound the public concern with a bid process which itself appears questionable, I could no longer just "do nothing".

Sincerely,

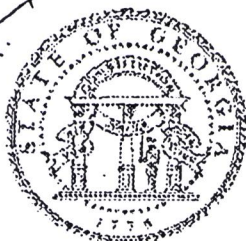


W. Michael Hyde


NOTARY

Notary Public, Spalding County, Georgia
My Commission Expires November 15, 2003

Mike H



Cathy Cox
Secretary of State
State of Georgia

GEORGIA SECRETARY OF STATE
Corporations Division
Suite 315, West Tower
2 Martin Luther King Jr., Drive
Atlanta, Georgia 30334-1530
(404) 656-2817

Warren H. Rary
Director

CONTROL NUMBER : K114061
DATE INC/AUTH/FILED : 08/09/1991
JURISDICTION : FAYETTE
PRINT DATE : 11/17/1999
FORM NUMBER : 220

BUSINESS INFORMATION PRINTOUT

This information is provided without certification from the business registration database maintained by the Secretary of State as of the print date on the following entity.

ABERDEEN VILLAGE ASSOCIATES, INC.
A DOMESTIC PROFIT COMPANY

ADDRESS:
256 COMMERCE DRIVE #440
PEACHTREE CITY, GA 30269

CFO:
JAMES ROYAL
SEC:
FLEMING GORDON

CFO:
JAMES WEBB

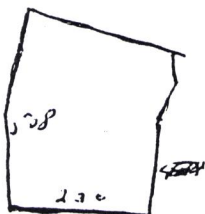
REGISTERED AGENT & OFFICE:
ROY B. HUFF, JR.
103 WESTPARK DRIVE SUITE F
PEACHTREE CITY, GA 30269

Date of last annual registration : 04/07/1999
Status : ACTIVE/COMPLIANCE
Status Date : 08/09/1991

*purchase
in 1991*

Dist 7 16/27

*PARCEL #70
PLAT OUTLINE
Sheet
22*



cc: Mayor and Council
Planning Commission Members
DDS

WEBB & LINDSEY

Attorneys-At-Law

Richard P. Lindsey
Eric K. Maxwell
Michael L. Morgan
Mark D. Oldenburg
Stephen D. Ott
James H. Webb, Jr.

400 Westpark Court
Suite 220
Peachtree City, Georgia 30269

(770) 631-1811
FACSIMILE: (770) 631-1771

RECEIVED
OCT 10 1996

OCT 07 1996

PEACHTREE CITY
PEACHTREE CITY

October 7, 1996

Mr. Jim Basinger
City Manager
City of Peachtree City
153 Willowbend
Peachtree City, GA 30269

Re: September 30, 1996, Letter from Mike Hyde

Dear Jim:

Mike Hyde has sent a letter requesting our legal opinion regarding the City's Ethics Ordinance. Mike is seeking an opinion of whether or not members of the Planning Commission and City Council can participate in discussions and voting on a change to the "buffering" requirements for real property located inside of Peachtree City. It is Mike's belief that some members of the Planning Commission and the Council have property interests which would be involved and, thus, affected by any change to the buffering requirements. Mike seeks an opinion of whether or not such Planning Commission members and Counsel members can participate in the discussions and voting on this issue.

The City's Ethics Ordinance is clear that a member on the Planning Commission and members on the City Council cannot participate in the discussions or vote on issues which affect property in which such a member has an interest. Therefore, any member of the Planning Commission or City Council who owns undeveloped property or property which adjoins undeveloped property should disclose such ownership prior to any discussions providing a change in the buffering requirements. Such member should then abstain from any discussions or votes on the subject.

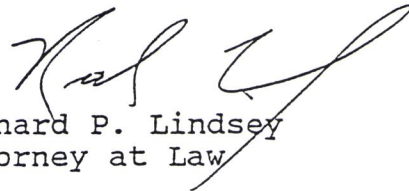
Mr. Jim Basinger, City Manager
City of Peachtree City
October 7, 1996
Page 2

If you have any questions, please do not hesitate to contact me. I am sending a copy of this letter to Mike Hyde.

Best regards.

Sincerely,

WEBB & LINDSEY

A handwritten signature in dark ink, appearing to read 'Richard P. Lindsey', is written over the typed name and title.

Richard P. Lindsey
Attorney at Law

RPL/ss

cc Mike Hyde

Hyde
Le gal

PLANNING COMMISSION: GENERAL

cc: Mayor and City Council

RECEIVED

SEP 30 1996

OFFICE OF CITY PLANNER
PEACHTREE CITY, GEORGIA

September 30, 1996

Mr. Jim Webb
City Attorney
Peachtree City, GA 30269

Dear Mr. Webb:

It appears that the Planning Commission will soon be asked to recommend a change to the City Council concerning "buffering" requirements between differing land uses and/or zoning districts.

It is very apparent that some members of the Commission (and the Council) have property interests which would be involved/affected by any such recommendation or subsequent ordinance change. What is your opinion as to each of our actions as it relates to the City's Ethics Ordinance?

Sincerely,



W. Michael Hyde
Planning Commissioner

cc: George Rosenzweig, Esq.

WMH/rns

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

FROM: City Clerk 

VIA: City Manager 
Assistant City Manager 

DATE: March 9, 2000

SUBJECT: City Council Procedures

The attached ordinance amendment to the City Council Meeting Procedures was prepared for your consideration at the request of Councilman Tenant.

**AN ORDINANCE TO AMEND THE PEACHTREE CITY
CODE OF ORDINANCES BY DELETING SECTION 2-35 (a)
IN ITS ENTIRETY AND REPLACING IT WITH NEW SECTION 2-35 (a)**

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 Article I, Section 2-35 (a) be deleted in its entirety and replaced as follows:

CITY COUNCIL MEETING PROCEDURES AND RULES

Section 2-35 CITIZEN PARTICIPATION

(a) Citizen's Right to Address Council. Persons other than Council members shall be permitted to address the Council only upon specific agenda items. Any citizen that is publicly referenced by name during the meeting by a city employee, elected official or appointed official shall, upon request, be granted an equal opportunity to address Council and respond to the remarks that were made.

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed in their entirety. Done, Ratified and Passed this 16th day of March, 2000.

Mayor

Attest: _____
City Clerk