City Council of Peachtree City
Agenda
March 7, 2002

7:00 p.m

I. Pledge of Allegiance

II. Announcements, Awards, Special Recognition

III. Minutes
February 7 Meeting Minutes

IV. Monthly Reports

V. Consent Agenda

1. Consider Approval of Mower Lease
2. Authorize Mayor to Sign LARP Contract
3. Authorize July 5th as a City Holiday

VI. Old Agenda Items

02-02-10 Appoint Members to Golf Cart Ordinance Committee
02-02-15 Consider Approval of Land Use Plan Update

VII. New Agenda Items

03-02-01 Consider Amendments to Parking Ordinance

VIII. Council/Staff Topics

IX. Executive Session

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

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

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

Announcements, Awards, Special Recognition

Mayor Brown recognized Dan Wright for his service on the Recreation Commission from January 1996 to December 2001. Building Official Tom Carty assisted Brown in recognizing the recipients of the 2001 Building Awards: 2001 Builder of the Year – Huddleston-Thompson; 2001 Best Commercial Site Award – Cousins Properties; Superintendent of the Year – Mike Hanson, Richard Simms Homes; and 2001 Builder of the Year Job Site Safety Award – Richard Simms Homes.

Monthly Reports

Brown requested that Leisure Services include a special report that broke down out-of-town non-resident users from resident users. Brown said that information would help in current tax equity negotiations. McMenamin said she knew that information was compiled from time to time and it should not be difficult to get it. Basinger said the information was available.

Minutes

Rapson moved that the January 10 special called meeting minutes be approved with corrections. McMenamin seconded. The motion carried unanimously. McMenamin moved that the January 17 minutes be approved with corrections. Tennant seconded. The motion carried unanimously. Rapson moved to approve the January 23 special called meeting minutes as written. Brown seconded. The motion carried 4-0 (Tennant abstained. He was out of town when the meeting was held).

Consent Agenda

1. Consider Bids for Telephone System
2. Consider Fireworks Display Contract

1. Basinger said the bids for the telephone system for City Hall and Developmental Services were opened Tuesday afternoon, February 5. The bids were placed on the agenda in anticipation of needing Council approval (anything over $40,000 needs Council approval); however, the bids all came in under $40,000. Basinger said no Council action was needed and that staff was still reviewing the bids since they were fairly close. Basinger said he or the Mayor would make a decision.

2. Brown said the fireworks display contract came in at $26,000 for the July 4th festivities. McMenamin moved to approve fireworks display contract. Tennant seconded. The motion carried unanimously.

Old Agenda Items

12-01-02 Public Hearing – Easement Request – St. Andrew's Square

Bill Rye introduced his wife, Ann, whom he said had done a lot of research and gathered the facts regarding the easement request. The Ryes requested an easement in the front of their property for four masonry columns and a connecting fence which encroached less than one foot into the City-owned right-of-way. The builder of the subdivision constructed the columns and fence. The second easement was for a brick retaining wall built across the width of the back of the property. The wall encroached from 1.9 feet to 8.1 feet onto the City-owned greenbelt.

Rye pointed out that he had put in a wall in the back yard that was less than 36 inches high. There was a City-owned greenbelt in the back yard that backed up to Flat Creek Road. There was also a berm that measured 10 feet or higher in some places. Rye said he also inherited some issues when he bought the property and they had not been disclosed by the previous homeowners. The slope of the berm encroached into his property by four feet. He worked on his back yard to keep the Charleston-Savannah theme and used two tractor-trailer loads of brick pavers and a tractor-trailer load of bricks. When he worked on the berm, he said he spent a lot of time with Building Official Tom Carty, and the code enforcement officials were out on a regular basis. He was told by the code enforcement officials he would be okay as long as stayed off the top of the berm. He said he didn't take the liberty of just doing what he wanted to do on the property. Rye said since the berm he put in and the wall were less than 36 inches in height a permit was not required. He said he had a bobcat come in and cut the dirt out of the berm so the water wasn't running towards his house, but running out the back of the property to the greenbelt. He then put in the wall. Rye said he also found out that in the past people in the area buried their trash and some of that trash was on what was now his property. He said he spent in excess of $7,800 to have the trash dug up and removed so there wouldn't be a mosquito swamp in his back yard.

Rye continued that if the wall had to come out he would have to figure out what to do with the berm. He had put in a playground for his children and had put in the wall to keep the berm from encroaching onto his property. He had his property surveyed when he was considering the addition of a two-story carriage house and that's when he found out about the encroachments. He was working with his neighbors regarding an encroachment onto their property. Rye asked for Council's consideration.

Ann Rye said they were asking for relief for the encroachments in the front yard. They were done by the developer, not the Ryes. The situations just happened to be coincidental. Their intent had not been to accumulate others' property. Mrs. Rye pointed out a similar situation in Rockspray. A driveway went across the greenbelt. The recommendation on that situation had been to approve the easement because it was inconvenient for the builder to re-direct the driveway and it would be unfair to the homeowner to rip out the driveway. The easement request was approved on November 15, 2001. She pointed out that some of the facts in the staff position paper were incorrect and said a building permit was not required for the work they had done. She also had permission to cross the greenbelt signed by Harvey Stokes and to use the open area to cross the greenbelt. Mrs. Rye said they used the open area and didn't have to remove trees or shrubs to cross the greenbelt. She added that they re-seeded and hand-raked the area where the greenbelt was crossed. She asked Council to consider the sense in removing a retaining wall when the slope of the berm was different. She said the top of the berm had been flattened and it was now easier to get footing before sliding down the berm. The top cap on the brick wall was two full brick widths and children walked across it with ease. She felt because of the landscaping that a citizen wouldn't be encouraged to cross the wall.

Mr. Rye said he wanted to work with the City in any way he could

Developmental Services Director Jim Williams told Council that staff had recommended the easement be granted for the bulk of the wall that encroached no more than two feet into the greenbelt. He felt it was truly an accident that the wall encroached into the greenbelt. The result of tearing it out would accomplish nothing other than more disturbances. Williams said there were portions that encroached more than two feet into the greenbelt, all done without permission from the City. Williams said no one could give that permission except Council. Staff recommended those portions be removed and only the portion within the two-foot encroachment be kept. Williams said that would be most of the construction and that would be a fair way to handle it. A legal document would have to be drawn up and the Ryes should pay that expense. Williams continued that, in effect, a driveway was put in across the greenbelt that was used during much of the construction. He said there might have been a misunderstanding, but the greenbelt needed to be re-landscaped. The plan needed to be professionally prepared and approved by the Planning Commission. Williams said a point should be made that greenbelts shouldn't be driven through, built on, or disturbed in any way. They could argue all night and day, but the fact was the wall was on City property and it needed to be fixed. Williams added that most of the structure, about 80%, was within the two-foot encroachment.

Rye said they had permission to cross the greenbelt and that the driveway effect was there before that. He also had photos of the area prior to crossing the greenbelt. The grass was planted back and he offered testimony from his neighbors as to the condition of the greenbelt. Rye said he had spent more than $35,000 on the area. It would take another $3,000 to $4,000 to move it, $2,500 to bring the wall back into the two-foot encroachment, and the girls' playground would have to be removed. The wall was built to keep the berm out of the yard.

Brown asked about the permit dated March 3, 2000. Building Official Tom Carty said it was an encroachment permit issued by the development inspector. The permit would allow a cement truck to come on the City right-of-way with the condition that the area be re-landscaped. They were issued routinely for swimming pool and pump installations. Carty said Rye's description of his wall fit that of a landscape feature and wouldn't require a building permit. Carty said there were areas in the City of undisturbed buffer and it was a good idea to check with the Building Department before doing any kind of work. Weed asked if an encroachment permit allowed permanent structures. Carty answered no and said the areas must be restored when work was completed. Weed asked if any member of staff had given the Ryes a document to build a permanent structure in the greenbelt. Carty said no. Carty said the Building Department didn't do any surveys. The property owner was responsible for surveys. The jeopardy was when homeowners assumed areas were on their property. The job of the Public Works Director was to notify the Building Department if a resident was encroaching onto the City's property. If there were an encroachment, the property owner would be ordered to cease and desist. If the property owner did not cease and desist, a citation would be issued. Weed asked if a stop work order was issued when it was determined there was a greenbelt encroachment. Carty said Harvey Stokes told Rye to stop work. Rye answered yes. Mrs. Rye said Stokes performed a site inspection and asked if they needed to cross the greenbelt with construction vehicles any more. Stokes said they could no longer cross the greenbelt and they had not. Mrs. Rye said Code Enforcement officials and Carty had walked the property and said no permit was needed to build the walls. No one was aware they were on City property. Weed asked Carty if the applicant would have been put on notice about the encroachment if he had had a survey. Carty answered yes.

Rapson stated for the record that he lived in the same neighborhood. Rapson checked with City Attorney Rick Lindsey to determine if he had a conflict of interest and Lindsey told him he did not. Rapson continued that Rye had suggested he donate the wall to the City rather than getting an easement. Rapson said he had concerns since an easement would convey that property to the homeowners. He asked Lindsey if his office had researched that possibility. The question of having the Ryes donate the property to the City had not been researched. Lindsey felt it would still fall under the same parameters. Lindsey said the issue he was concerned about was maintenance, although there shouldn't be much maintenance to a brick wall. There was also a liability issue, which Mrs. Rye addressed, but it didn't alleviate all possibilities.

Rapson said what he heard was the City staff recommended two-feet worth of encroachment. If that encroachment was donated and the Ryes gave the City some kind of indemnification for liability, Rapson asked if that would be palatable to Council. Mrs. Rye said they wouldn't hold the City responsible if one of their children fell off the fence. Mrs. Rye said she didn't think the liability would be any greater than it was now. She asked if they weren't responsible if a child was hurt if they fell off the pitch of the berm in the greenbelt into their yard. Rapson felt the Ryes' encroachment into the greenbelt was an honest mistake. He continued that greenbelts made Peachtree City unique and had to be protected at all costs.

Brown said he advocated getting a survey when purchasing any property and added that was probably what started the ball rolling in this situation. He read a portion of the December 6, 2001 minutes that dealt with the property stakes being pulled from the property. He continued that the permitting issue was sketchy. He agreed with a statement made by former Mayor Lenox at the previous meeting that greenbelts were the essence of the City and that the City was extremely protective of them. He said there were two issues, the first was the fence easement in the front yard and the second was the wall issue in the back yard.

Weed moved that the easement request be considered in two phases. One was an easement request for the front part of the property and that the issue be divided from the second part of the property where the wall was located. McMenamin seconded. The motion carried unanimously.

Weed moved that Council approve the easement for the front part of the property at 105 St. Andrew's Square with the following findings: 1. There appeared to be special circumstances peculiar to the property involved, that being the applicants weren't responsible for the original encroachment; 2. The removal of the encroachment would prove to be a hardship for the applicant in light of the first finding that it was not a situation of their creation; 3. Council could find no intentional act on the part of the applicant to violate the ordinance. Tennant seconded. The motion carried unanimously.

Weed moved the following findings be approved for the rear of the property: 1. That no special circumstances contributed to the request, which were peculiar to the rear of the property. Had they done a survey they would have realized they were building the wall on City property; 2. The hardship was of their own creation, and had they gotten a survey, the hardship would have been alleviated; 3. There was no intentional action of the applicant to violate the ordinance. It was misfeasance rather than malfeasance. Weed included in the motion that the following actions be taken: 1. The Ryes were ordered to remove the playground from the bricked-in area; 2. The applicant, if willing, donate the entirety of the wall in the encroachment area to the City; 3. The Ryes pay all expenses incurred in drawing up and recording the donation of the property; 4. If a landscape architect determined further landscaping was needed in the greenbelt that the Ryes be ordered to make the repairs; 5. The recommendation of the landscape architect be adopted into an order to renaturalize the greenbelt and under no circumstance would applicants create another disturbance in the greenbelt or use part of the green belt for access to property. McMenamin asked Weed if he wanted to include the liability clause in the motion. Weed said yes. Rapson seconded. Tennant asked Weed to state specifically the liability clause. Weed amended his motion to include that the applicants agreed to enter a liability agreement that indemnified the City if a member of their family or guests, and other persons they were in control of or invited to the property, from any harm that came from use of the public property.

McMenamin asked Lindsey if he was comfortable with the findings and conditions. Lindsey asked Weed to clarify his condition regarding the playground. Lindsey said Weed was actually talking about the wall and that he wasn't asking for the playground to be removed if it was on the Ryes' property. Weed said if the playground was on their property that was great. They might need to worry about it becoming an attractive nuisance, but that was the Ryes' problem. Lindsey said with that clarification he had no problem. Weed amended his motion. Brown asked about the eight-foot encroachment and it was dealt with. Rapson said that was the playground. It would have to be removed and re-landscaped.

Weed commented to the public and to the Ryes that sometimes you have to lose your skin to save your bones. He felt it was the only thing Council could come up with that provided some equity to them in light of the facts. He appreciated the Ryes' offer to donate and said it provided the opportunity to do something everyone could live with. Brown added that even though a permit might not be required for some projects, it would be a good idea to have a representative from the Building Department look at the property and make sure what was done met the codes.

McMenamin asked Lindsey if it would be a good idea to include in the motion that upon sale of the property it should be noted that the wall belonged to the City and that nothing could be changed or done to the wall. She continued that a new owner might come in and decided they didn't like the fence and might not be familiar with the circumstances. Lindsey said that could be required or a notice could go out. He said he would talk to the Ryes about what was needed as far as exact language.

Tennant commented that Council might seem like ultra-sticklers on the issue, but that was the reason people lived in Peachtree City. The standards were set and had to be kept. He thanked the Ryes for being conscientious and neighborly throughout the process. The question was called and the motion as stated carried unanimously.

01-02-02 Alcohol License – NEW – Famous Fish Company

Chief Murray told Council he was still waiting on written verification regarding Bruce Scott's criminal history since England's laws were different on people's rights of information. He had spoken with law enforcement authorities and didn't feel there would be a problem. It would take about six months to get written verification. Murray said he was confident Scott was fine and if not, he would be back.

Lindsey said it was a permit, not a property right, and if a problem came to light the permit could be brought back to Council. Council could state the contingency that if there were any problems when the background check was complete, the permit would come back before Council.

McMenamin moved to approve Bruce Scott as the licensee and the license representative for the Famous Fish Company. Tennant seconded. The motion carried unanimously.

01-02-12 Consider Policy for Request for Legal Opinions

Lindsey told Council he had revised the CAR per their instructions. The revisions were made in the policy section. The last sentence now read "Likewise, the City Attorney shall notify the City Manager of all verbal requests for legal opinions made either by elected officials or staff if any such request has a direct impact on the City Council or an impact on any member of the City Council other than the person making the request." Lindsey said the sentence gave Council some comfort level that if anything affected Council they would be notified. It also kept him from charging the City more money for the myriad of requests he got each day from staff and Council on things that really didn't need to be addressed by Council. Tennant said he happy with the revision.

Brown asked at what point discussion he had with Lindsey about negotiations, tax equity, and other matters played into this. Lindsey said Council knew the tax equity situation was going on and that he, Brown, and Basinger were working on it. Everybody was aware it was ongoing. He said if something did come up with the County on another claim and Council wasn't aware they were talking to the County, the legal policy would affect it. McMenamin said she would feel comfortable if Lindsey briefed Council on legal issues during executive session and informed Council at that time that he had talked to the Mayor, rather than have a written report. Lindsey said he was trying to use common sense so as to not increase the City's legal bill, but keep Council informed.

Rapson moved to approve the policy as stated. McMenamin seconded. Brown asked if there was any amendment. McMenamin said wording could be added to brief Council during executive session of any legal discussion that had been held between the staff or Steve Brown. The motion carried unanimously.

01-02-16 Consider Jail Inmate Agreement

Lindsey said they had a revised inmate agreement before them. Council had seen a draft two weeks ago and it was substantially similar to the one hammered out with the County. He said he had received the latest draft about 2 p.m. that afternoon. The County had agreed to make all the changes requested by Peachtree City in the document. Lindsey explained that for those people sentenced to jail who came through the City's court the City had agreed to pay a per diem fee, or daily rate, to house those prisoners. Everyone who paid a ticket in Peachtree City, and Fayette County, already paid a 10% surcharge. After looking at the numbers and running them by Laura Oles, the court clerk, Lindsey felt the per diem charge would have little to no impact financially on the City if a good job was done of using the jail properly. The 10% surcharge allowed by law would cover the daily fees. Lindsey said there had been months of negotiations and the County and the cities had come out with a document that would benefit everybody. Lindsey asked Council to allow the Mayor to enter into an agreement substantially similar to the one before them. He said they were almost identical with just a little word tweaking, but no substantive changes.

Weed referred to pages 8 and 9 under Article 10(a) and (e) regarding the indemnification clauses. He asked that the words "to the extent allowed by law" be added. Lindsey said that was in the later draft.

Tennant moved the Mayor be authorized to enter into the Jail Inmate Agreement as presented with just the very minor adjustments Lindsey pointed out. Brown seconded. The motion carried unanimously.

New Agenda Items

02-02-01 Alcohol License – NEW – Café Havana

Stuart Fail, owner and operator of Café Havana, appeared before Council.

McMenamin moved that Donald Stuart Fail be appointed as the licensee and license representative for the new Café Havana. Tennant seconded. The motion carried unanimously.

02-02-02 Alcohol License – NEW – El Tapatio

John Profitt and Jubenal Solorzano appeared before Council. Profitt said he was the owner of the property at 114 Huddleston Road, the location of the restaurant. He accompanied the applicants because there was a language barrier and it was privilege to have an alcoholic license. He said he would teach them it was a privilege, not a right, to serve alcohol and they could lose it. He introduced Solorzano, the owner of the business, and David Garcia, who would work at the restaurant and serve as translator.

Brown asked Lindsey if he foresaw any problems since the applicant spoke no English. Lindsey said he did not as long as Solorzano understood the rules and regulations and ordinance. McMenamin said she knew Profitt briefed people very well about the alcohol licenses. Profitt said he would be strict in ensuring they understood the responsibilities.

McMenamin moved to appoint Jubenal Solorzano as the licensee and license representative. Tennant seconded. The motion carried unanimously.

02-02-03 Discuss Development Authority Budget Reduction Plan.

Tate Godfrey, chairman of the DAPC, said Council asked the Authority to assist the City in dealing with the hotel/motel tax shortfall at a workshop on January 23. He read a letter from the DAPC to Council dated February 7, 2002. In the letter (which is included in the meeting file), the DAPC agreed to set aside $5,800 per month beginning February 2002 and continuing through

September 30, 2002. In September, if the City showed the DAPC a documented shortfall in the Hotel/Motel tax receipts, the DAPC would give the City 48% of the documented shortfall up to the total amount set aside by the DAPC through September 30, 2002. Godfrey said the DAPC had looked over the budget and would do its best to set the funds aside. He said they would follow through on that commitment.

Lindsey told Council he needed direction to incorporate the meat of the letter into an addendum to the intergovernmental agreement. He hoped to present that to Council at the next meeting so Council could authorize the Mayor to sign and for the DAPC to sign.

Brown asked if Council wanted to discuss it again at another meeting or if they felt comfortable with what was presented. McMenamin said a lot of work had been done and the DAPC had complied with what Council asked. Weed agreed and asked one question. He referred to the second paragraph, second sentence, regarding the documented shortfall. He said it was important to him for Council and the DAPC to agree to the methodology. Godfrey said he had no problem with that.

Rapson stated for the record that he was abstaining from the vote because of the lawsuit filed against the DAPC by his wife.

Brown asked for someone to put it in the form of motion. McMenamin moved the question. Tennant seconded. Brown clarified that the motion was to ask the City Attorney to get together with the DAPC and put the letter in the form of an amendment to the existing intergovernmental agreement. Godfrey asked if the DAPC had the right to have their attorney review the amendment. Council answered in the affirmative. The motion carried 4-0-1 (Rapson).

02-02-04 Discuss Sports and Entertainment Authority

Rapson read a statement before the discussion began. He said the City Attorney had assured him he had no legal reason to refrain from the discussion. Rapson continued that he believed the people of Peachtree City had elected him, and the other Council Members, to uphold a higher standard of ethics. What was legally or technically okay was not always the right thing to do. He stated that he was voluntarily abstaining from discussing or voting on this issue in the event that even one person believed he wasn't objective or had motives other than the best interest of the City. He said he had the utmost faith in his fellow Council Members to consider the facts and make the best decision regarding the creation of a sports and entertainment authority.

McMenamin asked Lindsey to address what fell under conflict of interest. Lindsey said she needed to be more specific. McMenamin said the Mayor might have compromised his ability to discuss the topic in an unbiased manner. She continued that he was biased by writing Letters to the Editor, which attacked the DAPC and by bringing up issues that were innuendo and untruths. In a meeting with her a few years ago, Brown presented her with a seven-page letter that attacked the DAPC. She asked if that constituted a conflict of interest.

Lindsey said that without knowing more, he didn't believe it did. Everyone had the right to his or her personal feelings. The ethics ordinance kicked in when there was a financial interest, or someone in the immediate family had a financial interest. He said he could look at the ordinance in more detail, but he didn't believe it was a conflict of interest that would prevent him from discussing the topic. Lindsey continued that it was a political decision that needed to be made as far as asking someone about his or her motives, but he didn't believe this fell under the ordinance.

McMenamin said if the word bias didn't kick in then he must feel there wasn't a bias. Lindsey said a person could have a bias as far as liking, or not liking, something or someone and that wasn't prevented by the ethics ordinance. McMenamin said she would like to go on record that she believed the Mayor was biased because of former discussions and e-mails and letters he had sent.

Tennant encouraged everyone to be polite and respectful since there might be disagreements throughout the evening. He also asked that the public refrain from applause.

Brown stated for the record that he had been a critic of the DAPC. He had stated personal opinion and had written a seven-page paper on DAPC activity. Most of that material was personal opinion. There was a fact that the DAPC had failed to turn in minutes as they were supposed to and that was illegal. He pointed out that had since been rectified and the minutes had been turned in.

Tennant asked for a point of clarification. Brown stated that the rules for public hearings would be effect; however, this was not a public hearing. Lindsey said it wasn't a public hearing, but the rules could be incorporated. Brown said he would like to since there were so many people in attendance.

Brown referred to a position paper he had placed by the agendas on his position on the proposed sports and entertainment authority. Brown read the paper so all the residents would know where he stood. A copy of the position paper was included in the meeting file.

A resident asked why the Tennis Center and the Amphitheater were placed under the DAPC and what effect would the creation of another authority have on the residents. McMenamin suggested that former Mayor Bob Lenox address that question and give a brief history. Godfrey said he was going to do that in his presentation.

Godfrey introduced the DAPC members. The terms were six years and Council appointed the members. Authorities, specifically development authorities, were created by State legislation to keep them out of the political process and to keep continuity in the efforts with which they were charged. Contrary to comments or e-mails, the members of the DAPC were unanimous in their opposition to taking the Amphitheater and Tennis Center away from the DAPC. Godfrey said they had never been asked as a group to participate in any public debate on the issue. The newspapers and e-mails were no place to hold the debate. Godfrey said no one knew the projects better than the DAPC and the issue was being thrust on them with very little question for the issue. Peachtree City had one of the most successful economic development program stories in the state. The DAPC had been, and continued to be, a key part in the industrial park's success. In the early 1990s, DAPC members, community leaders, and Chamber of Commerce leaders came out of a leadership development program that looked to the future in Fayette County and what was needed to better the County. One of the recommendations was to form the Fayette County Development Authority. An economic development committee was formed that later became the Fayette

County Development Authority. The County had eight development authorities each promoting their area – Tyrone, Brooks, Peachtree City, Downtown Fayetteville, the Airport, etc. Everyone at the state level told those groups that there needed to be a central point of contact because statewide developers wanted to talk to one contact. The Fayette County Development Authority (FCDA) was given the lead role in marketing, developing prospects, and for bond financing for industrial projects. The City's Development Authority gave up the right to bond financing as a concession to the new County Authority. The City's representative to the FCDA was appointed by the DAPC and had been the chairman. There were representatives from the Airport Authority, the City of Fayetteville, the City of Tyrone, and five at-large members appointed by the County Commission. Fayette County funded 100% of the FCDA today, which had a budget of around $300,000 a year. Peachtree City paid no direct costs to the FCDA. Godfrey said it was a wonderful deal for the City and it received a huge benefit. The City was the only area in the County with a fully developed industrial and office park. The DAPC participated and supported the FCDA. Godfrey said when he came to Peachtree City in 1992, the members of the DAPC were well known throughout the state, even though they were a volunteer staff with no funding.

Godfrey continued that the City had two dreams – to do something with an underutilized amphitheater and an empty field with hopes of building a Tennis Center. Council asked the DAPC to take the projects under its wing and run them like a business, incorporate them into the economic development program, and make the City proud. The members spent untold hours, volunteers who spent thousands of hours over the last 10 years, creating and managing the facilities that had earned national recognition and national awards. Virgil Christian had been named the USTA Professional of the Year and the Tennis Center had been named the USTA Facility of the Year. They added to the quality of life and enriched the City's economic development activity. Over the years, the FCDA and Pathway Communities had taken the lead role in attracting industry. Godfrey pointed out there was more to economic development than recruiting new business and industry. Authority Member Belinda Sward worked with communities across the country and had pointed out to the DAPC that communities on the leading edge were looking at alternative ways to bring dollars into their communities and promote facilities. Economic development was tourism, niche marketing, supporting existing companies and the traditional recruitment of new companies.

In the past 10 years, the DAPC had done numerous things for economic development across the community. As an incentive to locate here, the DAPC bought and donated the land for the National Weather Service. When Lawson-Mardon Packaging came, they were ready to invest an enormous amount of money, and they asked for a few things that were difficult to find through the state or the FCDA. The DAPC stepped up and provided six months of free office space for the company's people who came in to get the plant up and running. They built a $30 million facility and were great corporate citizens. At the request of Council, the DAPC spent $100,000 established the largest Foreign Trade Zone in the Southeast in Peachtree City. The existing industries asked for it. The DAPC obtained a $300,000 state grant to build Cooper Road for Cooper Lighting. The state gave out grants based on economic need. Out of 159 counties in Georgia, Fayette County was number one in economic standing. The DAPC did everything it could to get the road, which brought Cooper Lighting to the City. Once the road was in, three more industries located here, then five years later, Cooper moved their national headquarters to the City.

Godfrey continued that the DAPC had spent thousands of dollars hosting industrial prospects and bringing statewide developers to the Amphitheater. Without the Amphitheater, the DAPC wouldn't able to bring those people in to meet the local people and see the quality of life. The Tennis Center sponsored a Developers Days. The DAPC had sponsored ribbon-cuttings and groundbreakings. During the 1996 Olympics, Peachtree City was picked as the host city for Georgia Power's Operation Legacy, an event that brought in CEOs from around the country. The DAPC continued to do this today and tried to leverage dollars where they could. If the FCDA had an idea and needed money to do it, the DAPC chipped in so they could. Every year, the DAPC sponsored a Christmas luncheon for statewide developers in Atlanta, which was wildly successful. Many communities called to emulate it. Since 1993, over 40 new corporate facilities from six countries, representing more than 1,500 new jobs and $400 million in new investment, had been brought to the community, and the DAPC had been involved in every one of the relocations. The DAPC had done a bad job in taking credit for its success.

Godfrey stated that the DAPC members unanimously felt moving the Amphitheater and Tennis Center from the DAPC to a Sports and Entertainment Authority was a patently bad idea. There were thousands of issues related to the facilities. Godfrey called them "little engines" out there creating dollars and big operations. It had been said there would be no impact to either facility to move to another Authority. Godfrey said it was no secret that certain members of the Council coveted the hotel/motel tax supplement the DAPC received. The supplement was provided by a 15-year intergovernmental agreement signed in October 2001. The agreement was set up to provide stability to the Amphitheater, Tennis Center, and development effort of the City. It was the first time the DAPC had ever been guaranteed funding. To take the supplement away, a valid contract would have to broken that was approved by a 5-0 vote by the previous Council. Taking the $180,000 supplement away would definitely impact the facilities and economic development. Ticket prices would have to be raised, services reduced, and staffs might have to be reduced. There were all kinds of implications. It had been said the move would allow the DAPC to do more economic development. The members felt it would have the opposite effect. The facilities were run with economic development as the guiding philosophy. It was even more apparent now that there was an executive director in place over all three programs. Moving them away from the DAPC would cause the philosophy and structure to go away. Moving them away from the DAPC and taking away the supplement would most likely leave the DAPC with no budget. There needed to be more discussion of what would happen to the DAPC. No staff and no budget meant no economic development.

Godfrey continued that the members of the DAPC had been offered the chance to move to the new authority. The members felt that was patronizing and disrespectful. They questioned the Mayor's authority to make the offer since the rules that governed authorities and appointments were spelled out. Godfrey closed his remarks by thanking Council for finally letting the DAPC be part of the discussion on the issue. He stressed the unanimity of the DAPC on the matter. They often did a thankless job because they wanted to keep Peachtree City a great place. They pledged to keep Council informed of all their activities and wanted the chance to work with them in the future. He hoped Council understood their position and supported their efforts in keeping the program going.

Former Mayor Bob Lenox stated that Godfrey had done an excellent job of providing the history behind the DAPC, the Amphitheater, and the Tennis Center. He wanted to add one thing. A lot a time had been spent on how the City wanted to run the facilities. No one could be found who came close to delivering what Council wanted, which was to have world-class recreation facilities that dove-tailed with ongoing economic activities, something the City could be proud of, and something that contributed to the total community value. No one in the private sector could do that and Council had turned to the DAPC. Over the last 10 years, Peachtree City had been the most successful City in the state in economic development, but it was getting close the end of development in the City. The residents recently turned down bond issues and that was the kind of decision a community should make for itself. These two facilities were unparalleled in the country. Lenox continued that the Recreation Commission and staff had worked like dogs to make sure the residents had everything they had. The DAPC was set up to do things that could not be done as a City. It had the ability to borrow money and take risks deemed inappropriate for the City. The DAPC started running the facilities with $250,000 of its own money. Council never asked them to break even. They were major world-class recreation facilities. Council gave the DAPC $180,000 a year as a supplement to run the Tennis Center and its programs and to present the shows at the Amphitheater. The operating budget at Kedron Fieldhouse was $730,000 and provided significant service to basketball players and swimmers, as did the Tennis Center and the Amphitheater. The City was really getting a bargain with their financial performance. Lenox said it was not broken. It worked far better than anything he had ever seen.

Residents who spoke regarding the creation of a Sports and Entertainment Authority included Sharon Wiegele, Nancy Faulkner, Russ Heil, Mike Reimer, Mike Neal, Nancy Curtis, Chuck Lehman, Dan Wright, Jan Shannon-Zink, Jeff Troxel, Beth Wortman, Buddy Roberts, Bob Brooks, Wayne Roberts, Bill King, Byron Sturgis, Steen James, Randy Wortman, David Timmis, Cal Betz, Scott Bradshaw, Margie Swart, Patrick Emmet, Dave Lefler, and Brian Palmitessa.

Their points included:

1. Economic benefit to small businesses during tournaments
2. One of purposes of hotel/motel tax was to generate tourism. Amphitheater and Tennis Center brought in tourists. City's Recreation Department was second to none.
3. Added value to residents' lives. Any changes should be done in a way that invited full public participation. DAPC needed to be included in the decision.
4. Traveled with child to tennis tournaments and Peachtree City's name was well known. Out-of-town residents who brought family members to play spent money at restaurants, bought gas, etc.
5. Residents needed to see research that said Tennis Center and Amphitheater were mismanaged. More research and discussion were necessary.
6. Recreation Commission and Recreation Department not brought into discussions.
7. State Representative Kathy Cox had said she wouldn't support request for new authority.
8. Tennis Center provided a service to residents. Facilities spread goodwill about Peachtree City across the country.
9. DAPC ran Amphitheater and Tennis Center at a reduced cost.
10. Key to success of both facilities was businessmen and women ran it.
11. DAPC had been successful in economic development activities during the last 10 years.
12. Facilities increased property values.

13. Reason Tennis Center was so successful was because talent operating it understood recruitment of instructors, the game, and had a vision.
14. Concerns that personal agenda of Council Members were getting in the way of what was best for the City.
15. Due consideration not given and no plan was in place.
16. Tennis Center wasn't going any place, it was just a reorganization and just a different oversight committee.
17. Intergovernmental agreement set aside portion of the hotel/motel tax to run the facilities.
18. More in-depth analysis needed before a decision was made.
19. Timing was bad. Let facilities continue under DAPC for stability.

Brown said he had heard about 150 questions asked. Brown said he had asked Palmitessa to apply for an opening on the DAPC. He felt new voices were needed and had concerns about the DAPC's direction and missing out on development opportunities. He had asked another person to apply for a position who was told if he or she wasn't interested in running an Amphitheater or Tennis Center, then he or she shouldn't apply. Brown said he wanted to provide more opportunities for economic development. There were 269,000 square feet of industrial vacancies and 175,000 square feet of office vacancies in the City. He continued that he would like to have the DAPC work with him on development opportunities. The hotel/motel tax was for the welfare of the City, but there were some specific uses. He had disagreed with some of the decisions made by the DAPC, but people always disagreed. Some people were mad when the facilities were moved to the DAPC for management. Brown said he did covet the hotel/motel tax dollars, especially when he had to turn down the girls' softball organization's request to pave their parking lot again. Brown said he could use the hotel/motel funds for legitimate projects in the City. Brown stated it wasn't a matter of whether the Tennis Center was broken or not, but was more a matter of economic development in the City. The City needed the flexibility of the DAPC to attack economic problems.

Brown continued that he didn't want to do anything to hurt the facilities. There was no motive in his mind to destroy either one and there was no way that any action would be taken on his watch to destroy them. There was unfortunately a lot of miscommunication and he apologized if anyone was offended. Brown said a new authority wouldn't happen suddenly. Joint meetings would be held and the new authority would be phased-in. The process would take months and months. Brown said that waiting another 18 months would offset what he hoped to do as far as economic development. While he had disagreed with decisions at the Tennis Center, everyone had the right to disagree. Brown pointed out he lived in Planterra and wouldn't shoot himself in the foot by doing something to the Center.

McMenamin complimented the Recreation Department. She asked what could be said about a department in charge of so many well-run facilities and it was incredible the limited number of people who accomplished the job. She also complimented the Recreation Commission for the work it had done. She said a good question was asked and that was what happened to the Recreation Commission. The mayor had said there would be no lost jobs, but McMenamin said any time there was a merger there were lost jobs. The key point was the law was very definitive about the hotel/motel tax. It couldn't be spent on just anything that was wanted. There was a binding agreement with the DAPC, and Kathy Cox said she wouldn't touch the proposal in the Legislature. McMenamin said the discussion was moot and needed to be dropped.

Weed quoted Shakespeare and said, "a rose by any other name would still smell as sweet." Weed said his intentions might not be the same as the Mayor's or any other member of Council and he could only speak to his intentions. He looked at over three inches of documents and researched the origin of the DAPC. The enabling legislation that created the DAPC stated, "there is an urgent need to develop and promote the public good and general welfare, trade, commerce and employment opportunities in Peachtree City." Likewise, the local ordinance that helped effectuate the DAPC read, "the purpose of the Development Authority is to function in the City for the purpose of developing and promoting for the public good and general welfare, trade, commerce, industry and employment opportunities in the City."

A Development Authority that ran an Amphitheater and Tennis Center was an aberration of the way Development Authorities and these types of facilities were run in other cities. Murray speculated if the aberration was better than other cities and communities and said it might very well be. He differed with some of the representations that were made. Murray read from the 1993 contract, which said the DAPC was to operate the Tennis Center in a manner that represented the best interest of the City citizens and a manner consistent with the self-sustaining operation of the facility. Weed said there was always a vision that the Tennis Center would pay for itself. Those were the facts he was going on.

Weed recognized it was a passionate issue for many; however, many were under the mistaken impression that members of Council wanted to put a stake through the heart of the Tennis Center, or they wanted to fire staff or Virgil Christian. Weed said he met with Christian earlier in the week and he personally assured him he had no intention of participating in something where Christian would be fired. Murray stated that whoever told people that staff would be terminated, as the result of this action, was not telling the truth. Mr. Brown was the Mayor, but was not his king or his sheriff. He was one voice. Weed hoped his voice carried as much passion and weight as the Mayor's voice or any other member of Council. With regard to personal agenda, Weed said he was part of the same social organization as Scott Bradshaw and Doug Warner, and had spent an hour discussing the issue with Brian Palmitessa. He had no intention of making this decision in a vacuum. He said he was not talking about the death and destruction of the Tennis Center or Amphitheater. He wouldn't take any action that caused those things to occur.

Weed explained that he would like to see a Development Authority with a clear mission based upon law, the charter, and the enabling legislation. He wanted to see them succeed in that mission. They had gotten $400 million in new investments. If they were focused on development entirely, they would have $800 million dollars in new investments. If they were focused entirely upon industry and growth of industries, there would be 80 new industries, not 40. They had the talent and skills to do that. Weed said he didn't foresee the DAPC devoid of its current leadership, people with talent and ability. He wouldn't waste Council's efforts and energy not to give them the chance to succeed. He wanted those people on the DAPC so they could bring in $800 million in new investments. Were those same people needed to maintain the quality at the Amphitheater and the Tennis Center? Weed felt Donna Romeo and Virgil Christian could continue the wonderful things the DAPC started. They had the ability as the directors and staff members and he had faith they could do that job without holding the hand of the current DAPC.

If members of the DAPC wanted to become members of the Sports Authority, he would support it wholeheartedly. The facilities were wonderful and that was one of the reasons he was calling a duck a duck and supporting a Sports and Entertainment Authority. He wanted Kedron Fieldhouse and Kedron Aquatic Center and the Luther Holt All Children's Playground to be run with the same care and quality as the Tennis Center and Amphitheater. At the end of the day, he agreed with his fellow Council Members and said there would always be some doubt if Council chose to take this action. He didn't want the public to feel that this Council would do anything without doing all the research required and without looking at a draft piece of enabling legislation, which he said he could write. Weed didn't want the public to feel there was anything clandestine in this matter. He couldn't speak to anyone else's motivation, but could tell the public what his were. At the end of the discussion, he said he would make a motion to form a study committee, develop workshops, and discuss it between now and the next legislative session. If at that time, the study committee determined to call "a rose by some other name," he was convinced it would still smell sweet and people would feel more comfortable about doing it.

McMenamin commented on Weed's statement that the DAPC taking over the Amphitheater and Tennis Center was an aberration. She continued that Peachtree City had always been an aberration because it had always done things a little differently, been a little more restrictive, and walked a very fine line. It wasn't uncommon for Peachtree City to do things a little differently. She and Weed obviously thought about economic development a little bit differently. At the workshop, McMenamin said she felt the Tennis Center was a development tool in its infancy. She said the DAPC should use any incentive to bring good industry to the City and be allowed to do it as long as it wasn't a burden to the taxpayer or didn't intrude on the health and safety of the citizens. The Tennis Center was a great asset under the DAPC.

Tennant said his job was to listen, not to talk. He said he and the Mayor were good friends and a lot of times they thought alike, but that wasn't always the case. Tennant said Brown would be a great mayor, but everybody was human and should be given the benefit of the doubt. He asked the public not to come down too hard on Brown if he felt as strongly as he did, regardless of what it was about. What started all of this was the infamous e-mail, and he read a portion of the e-mail. Tennant called the e-mail foolish, hogwash, and a lie. After reading it, he understood why everyone came out. If everyone thought it was the truth, they should have come out and he commended them for doing so. However, he said that kind of information was erroneous and advised people to watch what they read and e-mailed.

Tennant continued that the DAPC was comprised of a fine group of people. Tennant said he was among those who believed there needed to be new blood and there was. New people were coming on and were major assets, but that was not to shortchange the excellence of the established representatives on the board. They were great, smart, dedicated, worked for free, and everyone owed them a great debt of service.

Tennant said four years on Council was enough for him and he wasn't voting on what would happen in the next election. He was trying to vote on what was right and what it meant to be a representative of government. Did Council have the authority to vote any way they wanted to because they were elected or was it incumbent upon Council to listen to the public? Tennant said he was a disciple of the second. He didn't feel the group at the meeting was a representative section of City, but the passions were clear. The unanimity of rejecting the idea by the entire DAPC made a difference to him. The venues were tremendously successful. The success of the Tennis Center in particular was, to a large degree, because of Virgil Christian. He told Christian he admired the work he had done and that he appreciated his effective management.

Tennant said the issue was brought forward as an agenda item too early. He agreed with Weed on some of his points. The DAPC was a cog in the wheel. He didn't buy into the argument that the DAPC needed to focus only on economic development. There were a lot of layers to economic development – county, state, and national. The DAPC was an integral part of it, but if it were pulled out of this equation it would hurt. The overwhelming argument was "if it's not broke, don't fix it." It was not broken and he was not in favor of changing it unless he was presented with really compelling evidence that it would be better for everyone in the City. He said that would be an uphill battle for him. Tennant said to leave it alone.

McMenamin moved to drop the issue and take no action. Tennant seconded.

McMenamin added if the Mayor wanted to bring it back up in six months or so or hold a workshop, then to start it over. She felt that trying to get a workshop together now when there was no public opinion in favor to go forward at this time would be difficult, but it might change. She encouraged the Council to get out into the public and hear what people were saying. They like things the way they were. Brown asked McMenamin to re-state her motion.

McMenamin moved that the issue be dropped from the agenda and no further action be taken. Tennant seconded.

Brown told Tennant he hoped he was as ardent in working on development opportunities as he was about the Tennis Center. He said he had nothing against the Tennis Center, but added there were things that had to be addressed as a City in terms of economic development if things stayed the way they were. He hoped the DAPC would come forward and help him work on some of the issues.

Weed explained why he was voting against the motion. He said he believed in the rule of law and the enabling legislation. He said he believed in what the mission of the DAPC should be. He said he would not abandon the issue and intended to work closely with the Authority if the members were willing to re-focus some of the current energies and efforts. If they weren't willing to that, they weren't willing to do that, but he was willing to meet them halfway.

Godfrey pledged to Council that the DAPC welcomed any opportunity to talk about new ideas, development opportunities, and creative approaches. They would hold seminars, charettes, whatever Council wanted. The DAPC wanted to be an ally to Council. Godfrey said he thought the two facilities were economic development tools and pointed out that the state department in charge of economic development was the Department of Industry, Trade, and Tourism. They would welcome the opportunity to explore new ideas.

Brown called the question. The vote was 2 (McMenamin, Tennant)—2 (Brown, Weed).

Due to the time, Council agreed to change the agenda and hear those items that were to be addressed by people outside of City staff first.

02-02-05 Public Hearing – Moratorium Appeal – Lexington Park
02-02-06 Public Hearing – Moratorium Appeal – Lexington Circle

Dan Fields, vice-president of John Wieland Homes, addressed Council regarding the moratorium appeal. He said they were proposing the construction of 28 lots, which would complete the residential portion of Lexington Park. It was part of the concept plan approved for Lexington Park. He said he wasn't quite certain of where Lexington Park left off and Lexington Circle began.

Rapson said there was a site plan for the residential side of Lexington Park that differed from the original, which looked like it would have a cul-de-sac. Fields said it was changed so there wouldn't be a cul-de-sac so they could meet the intent of the concept plan, which had already been approved through a series of charettes. One of the concerns was it would be used as a cut-through from Highway 54 to Walt Banks Road. The revised plan included traffic calming devices such as a roundabout. They had worked with staff to make the changes. Fields asked Bob Adams to come up and address Council as well.

Adams stated he was owner of 40 of the 70 acres in Lexington Park and Lexington Circle. He said he represented himself as well as Palm Beach Properties, owner of the remaining 30 acres, and two commercial developers and several purchasers under contract for parcels. He asked Council to exempt Lexington Park and Lexington Circle from the moratorium. He pointed out that Lexington Circle was zoned LUC-16. The zoning was accomplished a few years ago after much effort from the City, owners, and after months of effort by a citizens' task force. The zoning put to bed years 20 years of debate, citizen angst, and litigation on the property. The City and owners developed architectural guidelines and covenants that were approved by the City and recorded on the property. The guidelines and covenants were part of the zoning and included extensive definitions of landscaping, street trees, and architectural design that exceeded anywhere else in the City. Adams said they believed they were vested as they had spent over half a million dollars on the current development, excluding the streets in the residential section, which was several millions of dollars. The conceptual site plan for the entire site was designed and the City paid for the charette. The detention ponds for the entire site had been engineered, built, and installed for the commercial and residential portions. The sewer lift station had been engineered, installed, dedicated, and accepted by the City for the entire parcel. The engineering for the main boulevard from the Steinmart/Fuddrucker's entrance to Walt Banks had been engineered and paid for, as well as the DOT entrance to Highway 54. He said they were well into development and asked Council to see that the piece was vested and should logically be exempted from the moratorium.

Rapson said it would be a safe argument to say that City staff recommended both appeal requests be approved. Adams said that was his understanding.

Williams stated that staff recommended approval of both requests. Both were well on their way and did not represent a typical project. The residential portion was over 80% complete. This was really just the tail end of the project. He said it was only being considered for appeal because of the way the moratorium was worded. Because of the unique nature of the project and because staff had worked with the developers hand and glove since day one, staff recommended the appeals be approved. No one else had approached staff for an appeal.

Brown said the projects were LUC and the Limited Use Zoning classification was entirely different from what normally came up. Because the zoning was LUC, the project had been planned to the hilt. They had also met extra guidelines that went with that type of zoning classification. They had work closely with the City. He was inclined to grant the appeals.

McMenamin agreed It had been a long development process. She felt it was an asset to the City. Rapson also agreed and said that was one of the reasons the appeal process was part of the moratorium.

Lindsey added that coupled with the LUC classification and knowing what had taken place as far as investments and time, the appeals fit within the parameters of what Council wanted to take into consideration for granting an appeal. Brown added that the development also took into account what the City was trying to accomplish with the Moratorium Committees in the first place.

Brown moved to approve the moratorium appeal for both the Lexington Park and Lexington Circle entities. Tennant seconded. The motion carried unanimously.

02-02-09 Consider Renewal for EPI Solid Waste Preferred Provider Service

Jim Bennett represented EPI. He thanked the City and staff for the last three years. He said they were asking for a small increase and hoped the City would grant it. He continued that they had done a good job.

Brown asked Bennett what EPI would be willing to do if a large subdivision with a homeowner's association were able to get the majority of the homeowners to choose EPI in addition to the preferred provider plan. Bennett said if the subdivision was in the City they gave the subdivision the same price as EPI gave the City. They also had subdivisions outside of the City and gave them a better rate if the whole subdivision chose their service. Brown said some providers, if they had 80% of the subdivision, might provide free service at common areas in the subdivision such as the pool house, clubhouse, or park. Bennett said they would. He added that they worked with the Tennis Center and provided extra dumpsters during tournaments. His company also provided additional pick-ups and port-o-pots for events like the March of Dimes walk free.

Financial Services Director Paul Salvatore said staff recommended approving the one-year extension of the agreement. It was the final one-year extension on the three-year contract. It would go out for bid again at the end of the year. The price increase was nominal and was based on the Consumer Price Index, which was very low at about 1.44%. Salvatore said that worked out to about 14 cents per month for single can pick-up. Salvatore said it was a good deal for the citizens. Even though EPI was the preferred provider, citizens could choose whatever company they wanted.

Tennant moved to renew the final year of the contract at the requested prices. McMenamin seconded. The motion carried unanimously.

Brown asked Bennett to talk to Basinger about the possibility of the common areas in subdivisions. He said the City would be willing to let the homeowners' associations know if EPI was interested.

02-02-07 Consider "Pooper Scooper" Ordinance for Cart Paths/Parades

Leisure Services Director Randy Gaddo addressed Council. He said the request for the ordinance came about after approval of the ordinance, which dealt with the situation in the parks. Council asked that something similar be developed for the cart paths and parades. Gaddo said they reviewed the ordinance book and decided that it would be better to add to an existing ordinance rather than creating a new ordinance. Ordinance 70-36 already addressed the use of the cart path system and staff recommended adding subsection (4)(e) to the ordinance. The recommended wording could be, "As a common courtesy and concern for the health and welfare of others using the City cart path system, people accompanied by pets are responsible to clean up after such pets along the cart path system and along City streets during high volume pedestrian events such as parades. Such individuals should carry the appropriate materials to ensure that they remove the pet's excrement from along the paths and streets and dispose of it in a sanitary method when they get back to their home." Gaddo said he provided some discussion points in the memo.

Gaddo's biggest concern was enforcement. No City employees were out monitoring the cart paths, so most of the reports would come from citizens. It would be up to the citizens making the reports to provide the evidence. In the final analysis, staff felt the responsible and conscientious pet owner already took measures to ensure their pets were cleaned up after and probably wouldn't object to this. Those caught would face fines and penalties. If Council determined it was appropriate to legislate such action, staff recommended adding subsection (4)(e) to 70-36.

Rapson said it made sense to put the ordinance on the books. He continued that enforcement would be an issue, but it wasn't a bad thing to have on the books. McMenamin agreed, but added common sense couldn't be legislated.

Lindsey suggested changing the word "should" to "shall." Weed said he had two other areas of concern. One was that there was no definition of high volume pedestrian event. The language could be used, but there should be a list of those kinds of events. Weed said "appropriate materials" should also be defined so there wouldn't be a motion to dismiss based on the fact that a paper bag was used instead of a plastic bag. McMenamin suggested the wording of "where people gathered for a public event" rather than "high volume." Weed said there were a lot of ways to do it.

Lindsey said the verbiage needed work and recommended tabling it until the February 21 meeting. One woman who identified herself as Nancy asked about removing the excrement. She said she had seen people take shovels and just shoveling it under the dirt.

Brown moved to continue the issue until February 21. Rapson seconded. The motion carried unanimously.

02-02-08 Appointments of Ethics Board Candidates
Brown asked Basinger if all the appropriate paperwork had been turned in. Basinger said yes. McMenamin commented that she appreciated their willingness to serve. Brown said they were already working on setting up the annual continuing education course for the members through the Carl Vinson Institute of Government.

Weed read the list of Ethics Board candidates for the record – Barry Amos, Steven Fraas, Ann Marie Matwick, Frances Meaders, Allison Smith Moore, Robert Rothley, Pamela Sims, Iola Snow, William Webster, and Robert Williams.

Brown asked if any action needed to be taken. Basinger said they needed to be appointed. Tennant moved that each of the names read by Weed be appointed to the Board of Ethics. McMenamin seconded. The motion carried unanimously.

02-02-10 Discuss Creating a Committee to Review Golf Cart Ordinance
Rapson referred to a letter he received, and shared with everyone, about some controversial issues such as allowing 15-year olds to drive golf carts. He said he would like Council consensus to hold a workshop or form a committee to look at several issues. McMenamin cautioned Rapson to make sure the workshop was aggressively advertised. She said this was a heated subject and people were very passionate.

Brown said he would love to see some varied demographics on the committee and asked how to do that. Brown and Tennant both suggested each Council Member appoint two or more people from varied age groups. McMenamin suggested each Council Member select one member under 20 and one person over 30. Brown said one of his members could be the young woman who wrote the letter. She was 15 and took the time to write the letter.

Rapson moved to form a committee to review the issues brought up in the letter as well as issues discussed last year and that each Council Member appoint two people, one under 20 and one over 30. McMenamin asked Council to consider holding the workshop after March 1 so the information could go in the Update. Brown suggested making the appointments at the March 7 meeting. Rapson suggested leaving staff advisors on the committee up to the City Manager's discretion. The Police Chief, or his designee, would be one of the advisors. Rapson agreed to steer the committee. Weed said he would also like to be involved, especially since so many youth would be involved.

Rapson included an amendment to the motion to have staff members serve as advisors to the committee. Tennant seconded. The motion carried unanimously.

02-02-11 Consider Establishment of a Community Improvement District (CID)
Brown said they wanted to create a Community Improvement District (CID) in the 54 West corridor. Brown explained a CID was a self-taxation body where a majority of the commercial entities had agreed to be in a self-taxation zone. It also required an additional percentage of the value in the district to vote for the CID. They wanted to use the CID as a tool to raise some of the matching funds necessary to implement the Livable Centers Initiative (LCI) along the corridor. It was a hollow enabling action until there was a vote and it became official, but the enabling

legislation had to be in place. Once the enabling legislation was in place, there would be a vote of the commercial ownership in the corridor. If the ownership voted it in under the numerical and value majority, the corridor would become an official CID.

McMenamin asked if it was similar to an impact fee. Brown said it was essentially a self-imposed tax. Weed said it was the most democratic thing that could be done. Brown continued that CIDs were in effect in Atlanta and South Fulton County and Cherokee County. Rapson said there were 16 CIDs in Fulton County and that they were very effective. He said the City would go to a business area that wasn't developing as fast as was liked and get a consortium of the businesses together. The businesses were literally carved out and they self-imposed a tax which benefited the area. McMenamin asked who determined what the benefits were. Brown answered that a board composed of the businesses made the determination. Rapson said 90% of the decisions were made by the businesses.

Brown continued that if the CID were voted in, then the next step would be to take the projects they wanted to fund and put them in ordinance form. Once the projects were wiped clean or everything was funded, the CID would go away. Brown said it was a very straightforward process. He said it would have been great if it had started two or three years ago and would work better if it were virgin land out there, but he wanted to give it a shot. McMenamin wondered if the City needed something like a CID. She was worried about damaging businesses right now. Brown said they would do it themselves. If they felt that trees, streetlamps, and amenities such as cart paths would help their business, then they were going to vote for it. Brown said it was worthy of an effort since that corridor would become very ultra-commercial and unlike anything else in the City, and anything the City could do to retain the character would be worth it. McMenamin asked who would monitor it. Brown said it would be done through the tax assessor's office. Rapson added that a separate fund would be set up by the City to track the revenues and expenditures. All of the projects had to be identified on the front end and the majority of the businesses had to approve the tax before it went into effect. Rapson said if it wasn't done, then there would be a year's worth of development in the corridor.

Rapson moved to establish the Community Improvement District as stated. Brown asked Lindsey if that was all right. Lindsey said Council should direct staff to draft a resolution and prepare the paperwork. McMenamin asked if it should be tabled. Lindsey said there needed to be a motion so work could begin. Rapson put it in a motion. Brown seconded. McMenamin said she would vote against it and didn't think it would work in Peachtree City. It was just another law on the books and there were regulations on the books to protect the streets and the neighborhoods. If the businesses wanted to get together and add amenities that were special then they could do that. The motion carried 4—1 (McMenamin).

Council/Staff Topics

Basinger announced there would be a public meeting on the quality of the drinking water on Friday, February 8, at 4 p.m. in Council Chambers. State Representative Kathy Cox would host the meeting.

Brown said there were two items of litigation for executive session. Tennant moved to go into executive session after a short break. Rapson seconded. The motion carried unanimously.

McMenamin moved to adjourn the executive session. Rapson seconded. The motion carried unanimously.

There being no further business to discuss, McMenamin moved to adjourn the meeting. Rapson seconded. The motion carried unanimously. The meeting adjourned at 12:45 a.m.

Pamela Dufresne, Recording Secretary

Steve Brown, Mayor

Jane Miller, City Clerk

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor and Council Members**

VIA: **City Manager**

FROM: **City Clerk**

DATE: **March 1, 2002**

SUBJECT: **Building Report and Public Information Citizen Call Log**

The Building Report and Public Information Citizen Call Log are not included in the Reports section this month. The information will be available next month.

:pd

2002 City Event Calendar

January	February	March
		3/7 – City Council Meeting, 7 p.m. 3/15 & 16 – City Council Retreat, 8 a.m. (7:00 a.m. breakfast) Wyndham Conference Center 3/17-19– GMA Newly Elected Official Training, Athens 3/22 – GMA Joint Spring Training, Dalton 3/21 – City Council Meeting, 7 p.m.
April	**May**	**June**
4/18 – City Council Meeting, 7 p.m. 4/19 – Employee Picnic, Picnic Park, 11:30 a.m. – 1:30 p.m. 4/21-27 – Georgia Cities Week	5/2 – City Council Meeting, 7 p.m. 5/3 – GMA Spring Training, Valdosta 5/16 – City Council Meeting, 7 p.m. 5/27 – Memorial Day, City offices closed	6/6 – City Council Meeting, 7 p.m. 6/20 – City Council Meeting, 7 p.m. 6/22-25 – GMA Annual Convention, Savannah
July	**August**	**September**
7/4 – Independence Day, City offices closed 7/4 – City Council Meeting, 7 pm) 7/18 – City Council Meeting, 7 pm	8/1 – City Council Meeting, 7 pm 8/7-9 – GMA Leadership Institute for Municipal Officials 8/15 – City Council Meeting, 7 pm 8/23-24, GMA 2-day Training, PTC	9/2 – Labor Day, City offices closed 9/5 – City Council Meeting, 7 p.m. 9/19 – City Council Meeting, 7 p.m. 9/30 – GMA Joint Fall Conf., Atlanta
October	**November**	**December**
10/3 – City Council Meeting, 7 pm 10/17 – City Council Meeting, 7 pm	11/7 – City Council Meeting, 7 pm 11/21 – City Council Meeting, 7 pm 11/28 & 29 – Thanksgiving Holiday – City Offices Closed	12/5 – City Council Meeting, 7 p.m. 12/19 – City Council Meeting, 7 p.m 12/24 & 25 – Christmas Holiday – City Offices Closed at noon on 24th

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

Updated 3/1/02

Peachtree City Prisoners at Fayette County Jail

2002

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	YTD 2002	Previous Year
*Average Misdemeanors	10.33												10.33	9.82
*Average Felonies	1.04												1.04	2.71
*Average Totals	11.37	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	11.37	12.53

*These totals do not include weekend incarcerations.

Fayette County Jail Fund

Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	YTD 2002	Previous Year
$5,752.64												$5,752.64	$74,839.29

Financial Services Monthly Report

STATUS OF FUNDS AS OF JANUARY 31, 2002

Fund	Cash Balance	Total Investment	Total Fund Balance	YTD Interest
General Fund	$500,054	$4,006,927	$4,506,981	$30,819
Library Sales Tax Fund	$68,678	$0	$68,678	$0
Public Improvement Fund	$114,511	$5,860,139	$5,974,649	$10,713
Self Insurance Fund	$20,552	$1,758,607	$1,779,158	$10,608
Debt Service Fund	$39,245	$1,589,462	$1,628,707	$0
Municipal Court Fund	$33,629	$0	$33,629	$0
Develop & Impact Fees	$185,123	$215,294	$400,417	$2,947
Neighborhood Parks/Rec.	$45,347	$0	$45,347	$277
Governor's Greenspace Prg	$5,846	$0	$5,846	$141
Federal Seizures Police Fd	$4,070	$0	$4,070	$0
Police Tuition Account	$2,954	$0	$2,954	$0
Escrow Account	$231,706	$0	$231,706	$2,023
Grand Total	**$1,251,716**	**$13,430,427**	**$14,682,143**	**$57,528**

Purchasing Monthly Report

For Calendar Year	2002 TOTAL YTD	2001 TOTAL YTD	MTHLY % INC/(DEC)
Purchase Requistions Processed	191	194	14.24%
City Store Requistions Processed	11	13	-12.23%
Sealed Bids Requested >$10,000	2	3	-8.33%
Requests for Proposals	1	0	100.00%
Requests for Proposals Awarded	1	0	100.00%
Written Quotes Req $5,000-10,000	8	16	-22.09%
Verbal Quotes Requeste	44	28	-1.42%
Total # Purchase Orders Issued	191	182	0.92%
Total # of Bids Awarded	2	10	38.10%
Contracts Required >$10,000	1	0	100.00%
# of Fixed Assets Purchased >$500	9	13	-4.84%
Total $ of Fixed Assets Purchased	$51,799	$183,110	-48.93%

Collateral Analysis as of January 31, 2002

Security Location	Bank	Total Held
Bank of New York	First Union	$5,700,000
Bank of New York	Peachtree National	$5,731,533
Federal Res Bk of Boston	South Trust	$15,390,176
		$11,431,533

General Fund Budget Comparison
Revenues - By Major Category

Description	2002 Budget	Actual YTD	Difference	%
General Property Taxes	$5,617,076	$4,517,518	($1,099,558)	80.42%
Franchise Taxes	$1,919,452	$194,607	($1,724,845)	10.14%
Local Option Sales Tax	$5,900,051	$1,939,981	($3,960,070)	32.88%
Other Sales & Use Taxes	$1,417,927	$350,123	($1,067,804)	24.69%
Business Taxes	$1,126,268	$1,390,841	$264,573	123.49%
Licenses & Permits	$494,254	$317,754	($176,500)	64.29%
Grants	$0	$26,337	$26,337	0.00%
Charges for Services	$860,823	$253,284	($607,539)	29.42%
Fines & Forfeitures	$650,179	$252,383	($397,796)	38.82%
Investment Income	$172,689	$30,819	($141,870)	17.85%
Surplus Carryover	$358,534	$0	($358,534)	0.00%
Other Financing Sources	$0	$0	$0	0.00%
Total	**$18,517,253**	**$9,273,647**	**($9,243,606)**	**50%**

General Fund Budget Comparison
Expenditures by Division YTD

Division	2002 Budget	Actual YTD	Difference	%
Administrative	$1,065,008	$368,033	$696,975	35%
Developmental	$870,340	$281,638	$588,703	32%
Finance	$559,093	$170,182	$388,911	30%
Leisure Services	$3,283,059	$1,034,875	$2,248,184	32%
Public Safety	$6,037,024	$1,908,286	$4,128,738	32%
Public Works	$2,477,446	$771,633	$1,705,813	31%
Trfr to PCDA/PCAA	$596,035	$192,093	$403,942	32%
Council Contingency	$235,021	$42,158	$192,863	18%
Council Reserve	$300,000	$0	$300,000	0%
Transfer to PIP	$1,242,716	$1,476,612	($233,896)	119%
Transfer to Debt Svc	$261,974	$261,974	$0	100%
Transfer to Self Ins	$1,589,537	$1,744,199	($154,662)	110%
Total	**$18,517,253**	**$8,251,684**	**$10,265,569**	**45%**

Summary of Major Expenditures by City Manager

Description	Budget	Award	Svgs/Short	Date
Facility Buildout	$11,880	$11,880	$0	1/7/02
Equipment for Tower 8	$57,470	$57,470	$0	1/15/02

PEACHTREE CITY FIRE/EMS DEPARTMENT
2002 MONTHLY REPORT

	Oct. 01	Nov. 01	Dec. 01	Jan. 02	Feb. 02	Mar. 02	Apr. 02	May. 02	Jun. 02	Jul. 02	Aug. 02	Sept. 02	Fiscal Yr. 2002 Y-T-D	Fiscal Yr. 2001 Y-T-D
Fire/Accident Calls														
Residential	2	2	6	3									13	17
Business/Industrial	0	0	1	0									1	6
Other	180	183	185	174									722	487
Total Engine Response	182	185	192	177									736	510
Dispatched Fire Calls	62	48	61	52									223	184
Response Time Fire	4:46	4:40	4:26	4:01									4:28	4:24
Rescue/EMS														
Trauma	49	62	67	47									225	279
Medical	76	102	113	84									375	324
Total # Patients	125	164	180	131									600	603
Patients Transported	77	65	88	79									309	304
Dispatched EMS Calls	121	137	130	127									515	509
Total Medic Response	141	146	180	148									615	691
Dispatched Fire/EMS Total	183	185	191	179									738	693
Response Time EMS	4:16	3:57	3:46	4:09									4:07	4:09
EMS BILLING														
Patients Billed	83	83	69	98									333	300
Revenue Generated	28,665	29,571	23,300	32,795									114,331	106,160
***Total Revenue Received**	17,911	17,137	18,400	19,823									73,271	49,754

***Revenue Received on All Outstanding Accounts**

HUMAN RESOURCES DEPARTMENT

2002 MONTHLY REPORT

REPORT PERIOD	JAN	FEB	MAR	APRIL	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	2002 YTD TOTAL	2001 YTD TOTAL
1. Authorized Permanent Positions	224												224	223
2. Positions Open	5												—	—
3. Workers Comp. Claims Filed	0												0	2
4. City Veh./Equip. Accidents	1												1	2
5. Health Insurance Claims	$108,515												$108,515	$ 80,652
6. Law Suit Legal Fees	$ 12,853												$12,853	$ 3,490

2. Police Officer/Police (3); Building Inspector/Building (1); Firefighter-Paramedic/Fire (1).
4. Police Officer hit deer that ran in front of patrol car (1) Police.
5. Balance remaining in health insurance account: $454,680.94.
6. Beaman/Shaver Appeal $5,348.26; Lazarus $167.00; O'Keefe $854.59; Tax Equity Issue $6,483.44.

ACTIVITY DESCRIPTION	UNIT	January	February	March	April	May	June	July	August	September	October	November	December	2002 Year to Date	2001 Year to Date
LIBRARY															
1. Books Circulated	Num.	16,866	0	0	0	0	0	0	0	0	0	0	0	[illegible]	14,747
2. Average Daily Traffic															
a. Monday - Saturday	Num.	578	0	0	0	0	0	0	0	0	0	0	0	[illegible]	461
b. Sunday	Num.	330	0	0	0	0	0	0	0	0	0	0	0	[illegible]	287
3. Story Time Participants	Num.	198	0	0	0	0	0	0	0	0	0	0	0	[illegible]	74
4. Revenue from Overdue Books	Dls.	2,370	0	0	0	0	0	0	0	0	0	0	0	[illegible]	1,828
5. Revenue from Copy Machine	Dls.	719	0	0	0	0	0	0	0	0	0	0	0	[illegible]	717
6. Reference Assistance	Num.	392	0	0	0	0	0	0	0	0	0	0	0	[illegible]	1,303
7. Internet Usage	Num.	1,688	0	0	0	0	0	0	0	0	0	0	0	[illegible]	1,406
8. Renewals by Phone	Num.	535	0	0	0	0	0	0	0	0	0	0	0	[illegible]	927
Leisure Programs															
1. Adult Athletics															
a. Ongoing Programs	Num.	0	0	0	0	0	1	0	0	0	0	0	0	[illegible]	1
b. New Programs	Num.	0	0	0	0	0	0	0	0	0	0	0	0	[illegible]	0
c. Participants	Num.	0	0	0	0	0	240	0	0	0	0	0	0	[illegible]	240
d. Revenues	Dls.	0	0	0	0	0	0	0	0	0	0	0	0	[illegible]	0
e. Expenses	Dls.	0	0	0	0	0	0	0	0	0	0	0	0	[illegible]	0
f. Refunds	Dls.	0	0	0	0	0	0	0	0	0	0	0	0	[illegible]	0
g. Balance (+ or -)	Dls.	0	0	0	0	0	0	0	0	0	0	0	0	[illegible]	$0.00
RECREATION															
Leisure Programs															
1. Classes/Programs															
a. Classes/programs	Num.	114	0	0	0	0	18	0	0	0	0	0	0	[illegible]	105
b. Participants	Num.	2,916	0	0	0	0	175	0	0	0	0	0	0	[illegible]	3,229
c. Revenues	Num.	14,590	0	0	0	0	5,183	0	0	0	0	0	0	[illegible]	19,450
d. Expenses	Dls.	11,349	0	0	0	0	4,094	0	0	0	0	0	0	[illegible]	15,550
e. Refunds	Dls.	60	0	0	0	0	0	0	0	0	0	0	0	[illegible]	125
f. balance (+ or -)	Dls.	3,181	0	0	0	0	1,089	0	0	0	0	0	0	[illegible]	$3,775.05
2. Special Events															
a. Events	Num.	1	0	0	0	0	0	0	0	0	0	0	0	[illegible]	4
b. Participants	Num.	12	0	0	0	0	0	0	0	0	0	0	0	[illegible]	210
c. Revenues	Dls.	0	0	0	0	0	0	0	0	0	0	0	0	[illegible]	0
d. Expenses	Dls.	485	0	0	0	0	0	0	0	0	0	0	0	[illegible]	0
e. Refunds	Dls.	0	0	0	0	0	0	0	0	0	0	0	0	[illegible]	0
f. balance (+ or -)	Dls.	-485	0	0	0	0	0	0	0	0	0	0	0	[illegible]	$0.00
Sports and Facilities															
1. Playing Surface Mowing	Hrs.	0	0	0	0	0	0	0	0	0	0	0	0	[illegible]	31
2. Playing Field Preparation	Hrs.	290	0	0	0	0	0	0	0	0	0	0	0	[illegible]	284
3. Building Maintenance	Hrs.	264	0	0	0	0	0	0	0	0	0	0	0	[illegible]	168
4. Parks/Pools/tennis Courts															
a. Safety Inspections	Num.	32	0	0	0	0	0	0	0	0	0	0	0	[illegible]	0
b. General Repairs/Maint.	Hrs.	305	0	0	0	0	0	0	0	0	0	0	0	[illegible]	112
c. Grounds/Landscape Maint.	Hrs.	550	0	0	0	0	0	0	0	0	0	0	0	[illegible]	544
5. Litter Removal	Num.	104	0	0	0	0	0	0	0	0	0	0	0	[illegible]	96
6. Vandalism Repairs	Dls.	0	0	0	0	0	0	0	0	0	0	0	0	[illegible]	0
7. Complaints Answered	Num.	0	0	0	0	0	0	0	0	0	0	0	0	[illegible]	3

CRIME REPORT – 2002

PART I CRIMES	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	YTD 2002	YTD 2001
MURDER	0												0	0
RAPE	0												0	0
ROBBERY	0												0	0
AGGRAVATED ASSAULT	0												0	0
ARSON	0												0	0
AUTO THEFT	3												3	1
THEFT	19												19	15
BURGLARY	1												1	2
TOTAL PART I CRIMES	23												23	18
ALCOHOL/DRUG ARRESTS **DUI – TOTAL**	18												18	16
DUI – ADULT	16												16	15
DUI – UNDERAGE	2												2	1
OTHER UNDERAGE ALCOHOL ARRESTS	7												7	9
DRUG ARRESTS	22												22	7
ARRESTS														
PROPERTY CRIMES	8												8	8
PERSON CRIMES	9												9	4
CITY ORDINANCES	26												26	43
*OTHER	88												88	81
ADMINISTRATIVE AVERAGE RESPONSE TIME	5.07												5.07	5.21
CALLS ANSWERED	6506												6506	5094
TRAFFIC CITATIONS ISSUED	493												493	659
WARNINGS ISSUED	475												475	725
ACCIDENTS – TOTAL	86												86	63

TOP 5 ACCIDENT LOCATIONS – MONTH	TOTAL #
1. HWY 54 / HWY 74	6
2. HWY 74 / CROSSTOWN RD.	4
3. HWY 54 / HUDDLESTON DR.	3
4. HWY 54 / COMMERCE DR.	3
5. HWY 54 / ROBINSON RD.	3

TOP 5 ACCIDENT LOCATIONS – YEAR	TOTAL #
1. HWY 54 / HWY 74	6
2. HWY 74 / CROSSTOWN RD.	4
3. HWY 54 / HUDDLESTON DR.	3
4. HWY 54 / COMMERCE DR.	3
5. HWY 54 / ROBINSON RD.	3

2002 MONTHLY REPORT
PUBLIC SERVICES DIVISION

Activity Description	Unit	January	February	March	April	May	June	July	August	September	October	November	December	2002 YEAR-TO-DATE	2001 YEAR-TO-DATE
CART PATHS															
1. Const./Reconst./Overlay	Ft.	835												835	0
2. Drainage Maintenance	Hrs.	225												225	270
3. General Maintenance	Hrs.	199												199	201
4. Mowing	Hrs.	0												0	0
5. Litter Removal	Hrs.	68												68	75
FLEET MANAGEMENT															
1. Equipment Maintenance	Hrs.	0												0	16
2. Equipment Repairs	Hrs.	183												183	138
3. Vehicle Maintenance	Hrs.	203												203	168
4. Vehicle Repairs	Hrs.	215												215	262
5. Fleet Down Time	Hrs.	608												608	595
RIGHT OF WAY															
1. Litter Removal	Hrs.	560												560	410
2. Right-of-Way Mowing	Hrs.	0												0	0
3. General Maintenance	Hrs.	700												700	656
LANDSCAPE															
1. Litter Removal	Hrs.	30												30	0
2. Mowing (Sub. Entrances)	Hrs.	0												0	0
3. General Maintenance	Hrs.	927												927	1,045
4. Planting	Hrs.	139												139	90
RECYCLING SITE															0
1. City Employees Hours	Hrs.	192												192	235
2. City Employees Salaries	Dls.	4024												4,024	3,760
3. Revenues	Dls.	489												489	652
4. Participants															
a. Recycling	Num.	409												409	641
b. Composting	Num.	1295												1,295	1,166
c. Mulch (Pick Up)	Num.	61												61	70
SIGN MAINTENANCE															
1. Building Maintenance	Hrs.	20												20	21
2. Subdivision Sign Maintenance	Hrs.	75												75	76
3. Traffic Sign Maintenance	Hrs.	174												174	156
STREETS															
1. Street Sweeping	Hrs.	0												0	137
2. Pavement Patching	Hrs.	53												53	0
3. Drainage Maintenance	Hrs.	98												98	113
4. General Maintenance	Hrs.	513												513	491
MISCELLANEOUS															
1. Vandalism	Dls.	121												121	149
2. Complaints Answered	Num.	20												20	28
3. Wash Police Cars	Hrs.	12												12	0

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor and City Council**

VIA: **Jim Basinger, City Manager** Jim

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

DATE: **February 25, 2002**

SUBJECT: **Lease-Purchase of Mowers**

I concur with Randy Gaddo's recommendation, on the attached memo, to proceed with the Leas-to-Own program to obtain the heavy-duty turf mowers. However, we should secure financing through our Master Lease Agreement for equipment with Bank of America that was just negotiated through GMA. This financing mechanism will allow us to realize a savings of about 2-3% from the rate quoted by the vendor (6.9%).

I have discussed this purchasing option with our Purchasing agent, who also agrees with this recommendation. This change will not require a budget amendment.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor and City Council**

FROM: **Director of Leisure Services**

VIA: **City Manager**
Director of Financial Services
Fleet Manager

DATE: **Feb. 25, 2002**

SUBJECT: **Turf Mowers: Lease-to-Own Program**

We recommend that the city move into a lease-to-own program to obtain turf mowers for the Recreation Department. We calculate that we can obtain 5 new heavy duty commercial mowers in FY 2002 on a 4 year lease with an annual debt service that is less than the amount we have budgeted to buy one ($17,425) this year. Money projected to be spent in subsequent fiscal years for purchase of new or replacement mowers can be used to pay the lease on these mowers.

To this point we have been purchasing mowers to mow the 300-plus acres of ball fields and parks in the city. Currently, we have a total of ten mowers; two are inoperable with serious problems that make them uneconomical to fix; 8 are operable, but 5 of those 8 are either experiencing significant maintenance problems that keep them down much of the time, or are reaching or have exceeded their practical service life. This leaves us with three solid working mowers that we can depend on to mow about 70 acres of ball fields and 230 acres of parks at least once a week. Attached is a breakdown of the turf mowers and their conditions from the Fleet Manager. His accounting does not include a tenth mower because it is not strictly a turf mower; it is a stand-behind John Deere that we use to mow common areas and tight spots on sports fields. It is one of the two that are inoperable, uneconomical to fix.

The more dependable mowers have proven to have a useable lifespan of about three to five years before we begin to experience maintenance problems and expenses. Recreation's mowers are used constantly during the 9-month mowing season. Essentially, all operable mowers are running 5 days a week, 8 hours a day in order to keep up with the demand. This heavy demand requires an aggressive routine maintenance program, which takes the mowers off line for periods of time. It also means frequent breakdowns that cause even greater downtime. Because we have no backup mowers, this means that most of the time crews are attempting to keep up with the demand with inadequate numbers of mowers.

The lease-to-own program we are suggesting would enable us to create a rolling replacement program on a four-year basis. According to a quote we obtained from one turf mower company, we can obtain **5 new Hustler mowers on a 4-year lease for $14,891 annually**. The Hustler mowers are heavy duty and built for commercial use. (The Fleet Manager recommends these mowers, which are the same brand of mowers Public Works uses, in order to develop a fleet of similar mowers to streamline maintenance and parts ordering). This was based on their lease rate of about 6.9%. We will be able to get a better rate from GMA, so if this request is approved we will go out to various Hustler equipment companies with requests for proposals, and go with the best price. The total value of the mowers (3 @ $8,000 and 2 @ $14,000) is $52,000. At the end of the four-year lease, if any of the mowers are considered cost effective to keep, we can buy out for $1. If not, we can roll them back in for new mowers. Over time, considering that we will be better maintaining the mowers, we anticipate that we will need to lease fewer and fewer mowers until eventually we can lease possibly two a year for additional cost savings.

We currently have two crews of 5 men each who use mowers: the sports field crew and the landscaping crew. Our goal is to enable each crew to have 4 mowers each. This enables them to be mowing two or more parks or facilities simultaneously. In addition, we want to have at least two of our older mowers in reserve to be placed on line if we experience breakdowns or if front line mowers need to go in for PM. This will extend the life of the mowers, will streamline the routine maintenance process and will ensure that the crews have properly operating equipment when they need it to do their jobs.

Consider that we now have three dependable mowers. Add the five new mowers to the inventory and we would have 8 dependable mowers, 4 for each crew. Of the five current mowers that are experiencing problems or are nearing the end of service life, we anticipate that we can salvage at least two to be used as our reserve mowers. This would provide us the full compliment required to begin our goal of establishing a four-year rolling program and would optimize our chances of having operable equipment in the meantime. We believe that in the long run we will save the city money by not having to expend significant funds on major breakdowns due to over use of equipment. It will also enhance our service delivery because we will better be able to keep up with the heavy demands and expectations of our citizens.

Again, staff requests that Council approve this request and enable staff to move into a lease-to-own program to obtain five heavy-duty commercial turf mowers for use on recreation parks and sports fields.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Director of Public Services**

FROM: **Fleet Manager**

DATE: **January 31, 2002**

SUBJECT: **Turf Mower Status List**

The list for the Recreation Department turf mowers is as follows.

1. 2001 Hustler Excel Diesel Condition – Excellent
   Regular maintenance done on equipment to date with no excessive downtime.

2. 1999 Ford Mower Diesel Condition – Good
   Regular maintenance done on equipment with additional downtime due to parts and component failure.

3. 1999 Ford Mower Diesel Condition – Good
   Regular maintenance done on equipment with additional downtime due to parts and component failure.

4. 1998 Ransomes Bobcat Gas Engine Condition – Fair
   Extensive maintenance done on equipment due to engine failure. Equipment has problem with parts availability and reliability. Cost of maintenance parts also high.

5. 1998 Exmark Gas Engine Condition – Fair
   Equipment has problem with parts availability and reliability causing additional downtime. Cost of maintenance parts high.

6. 1997 Ford Mower Diesel Condition – Fair
   Regular maintenance done on equipment with additional downtime due to parts and component failure.

7. 1996 John Deere Diesel Condition – Fair
   Extensive downtime on equipment due to repairs on deck and electrical system on equipment. Equipment continuously needs to be monitored.

8. 1996 Toro Reel Mower Diesel Condition – Fair
   Regular maintenance done on equipment with additional downtime needed for the cutting reels to be maintained or replaced. Cost of parts expensive.

9. 1993 Ford Mower Diesel Condition – Out of Service
   This equipment is unserviceable and needs to be surplused. Cost of repairs and continuous downtime due to engine problems and age has made this equipment unserviceable and no longer cost effective to maintain.

Average service expectancy on equipment ranges from three to five years on gasoline engines and five to seven years on diesel engine depending on use and application.

TW/lg

Cc: Director of Leisure Services

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO:	**Mayor and Council**
VIA:	**City Manager**
FROM:	**Public Services Director**
DATE:	**February 25, 2002**
SUBJECT:	**Local Assistance Road Program (LARP) Contract**

Staff has reviewed the Georgia Department of Transportation (GADOT) Local Assistance Road Program (LARP) contract LAU 32-8531-6 (113) which is a standard GADOT contract. This contract is available for review should Council desire.

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

LAU 32-8531-6 (113)

STREET	***LENGTH (MILES)***
Autumn Leaf	0.200
Crosstown Drive – Peachtree Parkway to Robinson Road	1.160
Crosstown Drive - SR 74 to Peachtree Parkway	0.830
Dove Point	0.080
Dove Rise	0.030
Fishers Luck	0.940
Fox Fall	0.080
Pale Ivy	0.030
Peachtree Parkway – Battery Way to McIntosh Trail	0.660
Pheasant Ridge	0.250
Quail Run	0.070
Total Miles	***4.330***
Total Contract Amount	**$144,262.99**

The contract amount of **$144,262.99** is approximate cost of materials only and does not include labor, equipment or delivery costs for the installation of the asphalt paving.

CWH/lg

Attachment

cc: Financial Services Director
City Engineer

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Council Members**

FROM: **Mayor Brown**

DATE: **March 1, 2002**

SUBJECT: **JULY 5TH CITY COUNCIL MEETING**

As you may recall, the Thursday, July 4th, meeting has been cancelled. Council Member Tennant has suggested that Friday, July 5th, be a City holiday.

SDB:gr

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Council Members**

FROM: **Mayor Brown**

DATE: **March 1, 2002**

SUBJECT: **GOLF CART COMMITTEE**

While all members have not been identified, Council Member Rapson has asked that Council take action to appoint those who have been identified to serve. They are:

Mrs. Ellen Cox
Ms. Marie Washburn
Ms. Lauren Davis
Mr. Ron Ryan
Mr. David Rissier
Mr. Jared Schafer
Ms. Anna Fishman
Ms. Coli Self
Mr. Scott Hitch

Additionally, the City Attorney is attempting to obtain a transcript of the Superior Court Judge's ruling on operation of golf carts.

SDB:gr

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor and Council Members**

VIA: **City Manager**

FROM: **City Clerk**

DATE: **March 1, 2002**

SUBJECT: **Land Use Plan Update**

Just a reminder that Council decided at the February 21 meeting that the members would bring the Land Use Plan Update information back for the March 7 meeting.

:pd

POLICE DEPARTMENT
350 South Highway 74 • Peachtree City, Georgia 30269 • 770-487-8866 • Fax: 770-631-2512

JAMES V. MURRAY
Chief of Police

TO: MAYOR AND CITY COUNCIL

FROM: JAMES V. MURRAY, CHIEF OF POLICE

DATE: FEBRUARY 18, 2002

SUBJECT: REQUEST TO ADD CITY ORDINANCE

Please find attached a copy of two (2) recommended amendments to Peachtree City Code of Ordinances, Section 78.

Upon review of city ordinances pertaining to parking it was determined that there is a need for improved traffic control on Prime Point near McIntosh High School to ensure the safety of the children and the safe passage of vehicles through the area. It is respectfully requested that you approve this addition.

Upon review of city ordinances pertaining to parking it was determined that there is a need for improved parking procedures on Commerce Drive North. The parking problem has grown to a point that fire safety is being compromised. It is respectfully requested that you approve this addition.

I appreciate your consideration in this matter.

JVM/tle

Cc: City Manager

AN ORDINANCE TO AMEND SECTION 78 OF THE PEACHTREE CITY CODE OF ORDINANCES – TRAFFIC – TO ADD SECTION 78-23 AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL, and it is hereby ordained by the authority of the same, that Section 78-23 of the Peachtree City Code of Ordinances be added to read as follows:

SECTION 78-23. Parking on Prime Point.

Parking is prohibited on the south side of Prime Point, beginning at Stevens Entry and continuing eastward to S.R. 54, a distance of 1,657 feet.

All ordinances, or parts of ordinances in conflict with this ordinance are hereby deleted in their entirety.

Done, Ratified and Passed this_______ day of ___________, 2002.

Effective Date_______________.

____
Mayor

____

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____________________Attest:
City Clerk.

AN ORDINANCE TO AMEND SECTION 78 OF THE PEACHTREE CITY CODE OF ORDINANCES – TRAFFIC – TO ADD SECTION 78-24 AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL, and it is hereby ordained by the authority of the same, that Section 78-24 of the Peachtree City Code of Ordinances be added to read as follows:

SECTION 78-24. Parking on Commerce Drive North.

Parking is prohibited on both sides of Commerce Drive North beginning at Aberdeen Parkway and continuing northward to its terminus, a distance of 600 feet.

All ordinances, or parts of ordinances in conflict with this ordinance are hereby deleted in their entirety.

Done, Ratified and Passed this______ day of ____________, 2002

Effective Date_________________.

____
Mayor

____

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____

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____________________Attest:
City Clerk