City Council of Peachtree City
Agenda
March 6, 2008
7:00 p.m.

I. Call to Order

II. Pledge of Allegiance

III. Announcements, Awards, Special Recognition
Remind Attendees to Turn Off Cell Phones
Proclamation for DeMolay Week

IV. Public Comment

V. Agenda Changes

VI. Minutes
February 7, 2008, Regular Meeting
February 13, 2008, Special Called Meeting
February 23, 2008, Special Called Meeting

VII. Monthly Reports

VIII. Consent Agenda
1. Consider Bids – SUV Accessories & Patrol Unit Accessories for Police Department

IX. Old Agenda Items
02-08-18 Discussion/Consideration on Repair of Police Department Building

X. New Agenda Items
03-08-01 Public Hearing – Comprehensive Revenue Analysis
03-08-02 Present Results of Waste Services RFI
03-08-03 Consider Non Profit Funding Policy and Requests for FY 2009 Budget
03-08-04 Consider Ordinance – Fire Sprinklers (Commercial/Industrial/Multi-family)

XI. Council/Staff Topics

XII. 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, 2008
7:00 p.m.

The City Council of Peachtree City met Thursday, February 7, 2008, in the City Hall Council Chambers. Mayor Logsdon called the meeting to order at 7:00 p.m. Other Council Members present: Steve Boone, Don Haddix, Cyndi Plunkett, and Doug Sturbaum.

Announcements, Awards, Special Recognitions

Mayor Logsdon recognized Willie Prather of the Recreation Department for 10 years of service. Rick Mendenhall was recognized for his service on the Peachtree City Airport Authority (PCAA), and Joe Frazar was recognized for his service on the Recreation Commission. Logsdon proclaimed February 26 as "Spay Day USA" in the City, and Sheryl Tomberlin of the Georgia Heartland Humane Society gave a short PowerPoint presentation on the importance of spaying and neutering pets.

Public Comment

There were none.

Agenda Changes

There were no changes.

Minutes

Boone moved to approve the January 17, 2008, regular meeting minutes as written. Haddix seconded. The motion carried unanimously.

Monthly Reports

Logsdon asked Finance Director Paul Salvatore how the City was doing financially as far as revenues were concerned. Salvatore said the finances were on track, but sales tax was tracking eight percent below what was expected. He would have a full report at the Council Retreat on February 29-March 1. He did not feel that the sales tax shortfall would be a problem since there was extra in fund balance. Plunkett asked if Council should direct staff to lower expenses in order to compensate for the shortfall. Salvatore said no the projected year-end balance was still on track. There would be a shortfall this year, but there was extra money in the fund balance. An economic downturn was one of the reasons for the cash reserve. Service levels could be maintained without increasing the millage rate. Salvatore added that, fortunately, FY 2007 had been better than projected by about the same amount as the projected sales tax shortfall for FY 2008. Plunkett said the economy was not going to get better any time soon, so she asked to look at cutbacks during Retreat. She preferred that the fund balance not be used if possible. McMullen said he and Salvatore had spoken with the directors and chiefs about the shortfall. Nothing had been suspended, but they had been directed to purchase only essential items.

Consent Agenda

1. **Consider Acceptance of GEMA Grant for CERT Program**
2. **Consider Bid – Update Newsletter Printing & Mailing**
3. **Consider Bid for Medic Unit Remount**

McMullen noted that there was an additional document on the dais – a copy of the Community Emergency Response Team (CERT) grant agreement. Haddix moved to approve the Consent Agenda. Boone seconded. The motion carried unanimously.

Old Agenda Items

10-07-13 Consider Request for Abandonment of Line Creek Circle and a Portion of Line Creek Drive

Rick Lindsey, attorney for Capital City Development and Doug McMurrain, addressed Council. He pointed out that the roads, which were located off SR 54 West, were fairly short, and the majority of the roads were contained on property owned by Capital City Development. There were no buildings or services on the back part of the roads. One of the roads was severed recently due to utility installments, and there had been no complaints. Lindsey asked Council to consider abandoning the roads, since they served no public purpose. The conceptual site plan appeal (Agenda Item 02-08-02) was for a plan based on the right-of-way for the roads as they currently existed. If the developer was allowed to buy the abandoned right-of-way at a fair market price, then McMurrain would come back with a better development. The City would get no benefit from any commercial project that went across Line Creek to the new Coweta County development at SR 34 and Fischer Road.

Logsdon agreed that the City should receive the fair market value for the roads, but told Lindsey he had expected to hear more about the conditions and constraints the developer was willing to agree to. Lindsey said the developer guaranteed the City a minimum of $500,000. The entire tract would be appraised, and the developer would pay a pro rata share for the square footage in the abandoned rights-of-way. There had been several plans, including one with a big box, Kohl's, hidden by smaller stores. They would like to bring back the plan for the Kohl's and have the Planning Commission consider the special use permit application. The developer had talked to several stores, all of whom exceeded the 32,000 square-foot limit set by City ordinance. McMurrain wanted to work with the surrounding properties. More could be done with buffering for Cardiff Park if the developer had the flexibility the road abandonment would provide. If the roads were left as they were, the developer had no choice but to go with small retail. The developer had talked with a gas station, which no one wanted, but was allowed in GC General Commercial zoning. They would rather come to an agreement with the City and guaranteed $500,000 for the roads, whatever the appraisal was. Lindsey continued that the developer had worked with the Cardiff Park homeowners to come up with a list of 24 conditions for Proposal 1 (Kohl's) and 23 conditions for Proposal 2 (five stores ranging in size from 25,000 to 40,000 square feet). The developer had agreed to all conditions for each of the proposals. Logsdon said he had hoped to avoid negotiating from the dais.

Plunkett asked for a copy of the conditions. Lindsey provided a copy of the conditions to Council. Plunkett and Sturbaum read the conditions, which included the following:

Capital City Development (CCD) is committed to its position that the residents of Cardiff Park would not see, hear, or smell the Central Park project along our common property line. In meeting that commitment, attached are the proposed conditions to meet the goal.

1. *City code requires a 50-foot undisturbed buffer along and adjoining residential zoning. CCD will meet the minimum code on the undisturbed buffer. In addition, CCD will extend the buffer to a minimum of 90 feet, 70 feet undisturbed with 20*

feet re-vegetated, up to 140 feet behind Retail A and B, and reforest along with vegetative landscape to enhance the common property line with Cardiff Park.

2. *In the areas of the proposed 70-foot undisturbed buffer that are not currently vegetated or is sparsely vegetated, CCD will provide new landscaping.*
3. *A six-foot high berm will be installed at the 20-foot re-vegetated portion of the buffer. A six-foot visual screen fence will be installed on top of that berm. Evergreen landscaping will be installed on that berm. CCD landscaping will work with the individual adjacent property owners such that landscaping meets the approval of tree locations and type. To meet their satisfaction, individual property owners will be encouraged to be on-site as the actual planting installation takes place.*
4. *The buffer landscaping and fencing will be installed as the first course of construction.*
5. *A security fence shall be installed at the top of the retaining wall along the rear of the driveway of the shopping center and along a portion of the southeastern corner of that project if necessary.*
6. *In an effort to absorb sound, the retaining walls along the rear of the property will be constructed to be green vegetative retaining walls.*
7. *No work by CCD will occur on City property west of the development (the City-owned land that connects to Planterra).*
8. *The east property line of the project will be evaluated once the project is completed to determine if additional screening is necessary.*
9. *CCD will work with the Planterra Homeowners Association, Cardiff Park Homeowners Association, and the City to develop a new landscaping plan for the east and west sides of Planterra Way entrance. CCD will install the agreed upon landscape plan at no cost to the associations (Plunkett added, or the City).*
10. *CCD will restrict any truck movement along the rear drive of the shopping center between the hours of 8 p.m. and 8 a.m.*
11. *A lighting plan will be developed to provide safe levels of security lighting that does not extend over the property lines.*
12. *Sound baffles will be added to any rooftop mechanical systems on the buildings along Cardiff Park.*
13. *There will be no internal road connection to MacDuff Parkway or Planterra Way. CCD will be requesting an approval from the Georgia Department of Transportation for the installation of a traffic signal at the development entrance.*
14. *CCD will provide the minimum number of parking spaces required for the square footage proposed.*
15. *The landscape trees will be the size and type to create a grand entry driveway from Highway 54 to the front of the building.*
16. *Several premium golf cart spaces will be located along the front sidewalk areas of the building.*
17. *Decorative paver areas will be incorporated throughout the parking lot and drive, pedestrian crosswalks, and public areas.*
18. *The architecture will be in accordance with the Highway 54 overlay district and, in most cases, exceed the requirement.*
19. *`The vision for the shopping center is to be first-class development similar to The Avenue just east of the site. The Kohl's and the adjacent shop buildings*

architectural design renderings will be attached to the Planning Board's conditions. Significant attention has been given to landscape and hardscape design for this project. There will be several outdoor restaurant seating areas, as well as public areas with fountains, beautiful landscaping, hardscape, and pedestrian walkway. The landscape and the hardscape plans will be attached to the Planning Board's conditions.

20. *A golf cart path will be extended along the frontage of the development and connect to Planterra Way/Highway 54 intersection and a golf cart will be extended east toward the Tennis Center.*
21. *CCD will provide the same level of security as experienced at The Avenue project.*
22. *Upon approval of the special use permit for the Kohl's by the City Council, these development conditions will be recorded and made part of the approval conditions.*
23. *Outdoor sound system with music to be installed. Outdoor sound system will be similar to The Avenue project.*
24. *CCD will accept suggestions from Peachtree City residents for potential tenants for Retail A, B, and C and CCD will work earnestly to contract and follow up with the suggested retailers.*

Plunkett said it was important to include the conditions on behalf of the Cardiff Park residents who worked hard on the negotiations and to have a project they felt was attractive to the City. Although she felt they missed the mark on a few things, the yeomen's work was excellent.

Residents who spoke regarding the request included Larry Bradley, Gerald Monroe, Walter Gammell, Brian Dingivan, Beth Pullias, Richard Spain, Phyllis Aguayo, Dave Jennings, D'arcy Pitts, Jennifer Summers, and Frances Meaders. Their comments included:

- Cardiff Park residents supported the plan and negotiated hard for the conditions in order to get a better plan.
- Cardiff Park residents appreciated the berms, sound deflection, and restriction on truck traffic.
- The $500,000 could be used to help approximately 21 subdivisions with private streets, which were not built to City standards by the developers.
- The road abandonment should be used to expand Line Creek Nature Area, which would benefit the entire City.
- There was no step-down zoning between the commercial project and the residential zoning.
- The project should be good for the entire City, not just the adjacent homeowners.
- There should be a clear idea of which option would be built before the roads were abandoned so the City would not end up with another Lexington Circle.
- A smaller development was preferred with no building larger than 32,000 square feet.
- A land swap would be better for the City.
- Several empty stores would look worse than a big box that looked nice.
- Everything should be pinned down in the documents, and the correct process must be followed.
- Every exception to the Land Use Plan made it more difficult to uphold it in the future.

City Attorney Ted Meeker was asked to explain his concerns regarding the road abandonment and selling property the City did not have clear title to. Meeker clarified that there was no question that the City owned the roads, but in how the City acquired title to the roads. The City did not acquire the roads through a deed or plat dedication, but by prescriptive title, which meant the City had owned, operated, and maintained the roads for years. The impact was on the back end and whether the roads could be sold or whether the title passed automatically if the City abandoned the roads. Short of a proper condition by the developer, there could be an issue regarding compensation to the City if the roads were abandoned.

Plunkett clarified that the City owned the roads, but if the roads were abandoned the adjoining property owners would have a share in them. McMurrain owned the property on all three sides. There was a level of trust that the developer would pay the agreed upon price. Ultimately once the roads were abandoned, McMurrain owned them. That was the part she was concerned about.

Logsdon said that there would be a signed agreement regarding anything the developer offered for the road abandonment, but the City could not legally sell the roads. Lindsey said they could legally enter into a binding agreement. He said they would be bound to whatever the developer committed to. Meeker said that, if the vote were to abandon the roads, there would be some reliance on Council's part that would be actionable in the event of any future problems. From a legal perspective, this was a good as could be gotten under the circumstances.

Logsdon noted this was an emotional issue. He was neither for nor against a big box, but he was looking for the best plan. He had to hear the developer say he was not coming back with a big box. He would entertain a plan with smaller boxes.

Haddix said the public interest was not defined only by whether there were vehicles on the road. It was also defined by whether the City's residents had a vested interest in the road to accomplish any purpose the residents wanted to accomplish. In this case, the purpose was to control development. The plan was great, but a big box was a big box, and there would be more empty retail space elsewhere in the City. National studies had shown that big boxes ended up with a negative return to cities when all the factors were considered. Haddix pointed out that Suwanee now ranked as the seventh best place to live in the United States, and Suwanee's strategy was the village concept. The City had been number eight, but had fallen to 64th place with all the big boxes. The City's big box ordinance was created in response to requests for the big boxes. The City lost the Lowe's lawsuit due to an exception clause in the ordinance. The City was moving towards making no exceptions. He understood the concerns of the Planterra and Cardiff Park residents, but more would be impacted. State law said the roads could not be abandoned if there was public interest. People all over the City were opposed to abandoning the roads. The residents would prefer nothing be developed. He could not disregard the public interest. He would support a legal plan.

Boone disagreed. Council had a legal opinion from the City Attorney. He believed the road abandonment was in the best interest of the City. He had corresponded with a large majority that favored abandoning the roads. The discussion was about the road abandonment, not the size of the stores. The proposal would go to the Planning Commission and could be debated later. The 24 conditions were prudent and should be included in the proposal. Landscaping was definitely a concern for Cardiff Park. The restrictive title had been clarified. He liked the idea of a trade-off or land swap since there was not much undeveloped land left in the City. There should be a signed agreement with all the conditions. The plan must have enough vegetation to buffer the SR 54 corridor and what was planned for the Gateway Bridge. Nothing said the abandonment was illegal.

Haddix asked for clarification from Meeker since his opinion stated it was arguable. Meeker said he had laid out the standard to be applied. It was up to Council to apply the standard to the facts and evidence. They were following the correct process.

Sturbaum referred to Haddix's statement about stopping abandonment of the roads and asked for clarification. Haddix said the clear objection was that state law stated the City could not abandon roads that served the public interest. The public interest was not defined exclusively as vehicular traffic on the road and included public interest for other purposes. There was no clear definition on what the public purpose had to meet. He noted that 75% of those had who spoken on the issue (residents who had e-mailed, called, or discussed the issue during election season were included) were opposed to the abandonment.

Sturbaum said he was also concerned about The Avenue. The City had a limited retail base of citizens, and Kohl's created competition in the market, as would the Flexxon project when it opened. There would also be another one million square feet of retail in Coweta County just outside the City.

Plunkett said she had a lot of concerns and would rather have the shopping money spent here than in Coweta County. The property had been zoned commercial for a long time. The roads could be used as a negotiating tool. She felt it was in the public interest to use public property to get a perfect commercial property. It was hard to fill a 100,000 square-foot store with other retail once it had closed. Plan 2 had smaller stores and was more attractive. There were more retail choices in the 30,000 to 50,000 square-foot range that would be easier to refill. She also had fewer concerns with that market. She did not want a gas station, which was allowed under the current zoning, and would rather abandon the roads for upscale retail.

Logsdon pointed out that the appeal of the Planning Commission's decision was later on the agenda, and it was something he did not think the City could legally deny. Council must maintain control to protect the best interest of the City. The roads served no one. A road was for transportation. He did not believe that using the road for negotiation could be defined in the public interest. The City Attorney had said it was not illegal to abandon the roads. If the roads were not abandoned, the City would get something it really did not want. Logsdon felt McMurrain had to make a commitment to the City. They had named a dollar figure and agreed to the conditions. The developer needed to say he would not come back to Council with a big box.

McMurrain said he understood. A lot of people had spent a lot of time trying to make this project a Peachtree City project. He believed the Kohl's plan had met a lot of the objections the City had to a big box. The City's special use permit ordinance (often referred to as the big box ordinance) was set at 32,000 square feet, which was an arbitrary number. There was a wide selection of anchors available at 50,000 square feet or less. He hated to give up Kohl's because it would go to the new development in Coweta County, and the City would still get the traffic, but not the tax dollars. He could develop with 50,000 square feet. The issue at this meeting was the road. If the roads were abandoned, he could come back to Council with a request for a special use permit. If the roads were abandoned, he would not put in a gas station. He did not want to develop the gas station plan because he would lose money. Plunkett clarified that Council was not granting the special use permit. She added the conditions for Plan 2 were substantially similar to Plan 1. She was also concerned about a fast food restaurant, and it appeared that the conditions for Plan 2 called for only upscale restaurants. McMurrain said he did not remember about the fast food, but the plan did not lend itself to that. There were no drive-throughs. He did not want to develop a lot of small shops.

Boone pointed out that any plan had to go before the Planning Commission before it came to Council. This meeting was not the forum to discuss those points. The issue was the road abandonment. Logsdon said there had to be assurances. His vote to abandon the roads was to avoid Plan 3. McMurrain gave Council his word that Plan 3 would not come back.

Meeker clarified that 32,000 square feet for the special use permit was not an arbitrary number. The City had employed a planning expert, a Georgia Tech professor, who had researched the big box issue, and the number was based on his findings. Logsdon said he preferred that McMurrain come back for a special use permit because that would give the City some control. Plunkett said the roads and the big boxes were tied together. Boone reiterated that this meeting was not the forum to debate what the Planning Commission would or would not approve. Plunkett said the public interest of the roads was to protect the property. The City could spend the money needed to keep them. She would not do anything that was not favorable to the City, so the big box issue should be debated now.

Haddix said the public did not want the roads abandoned for more retail that would create more empty retail space. Logsdon agreed. He preferred that nothing be built on the property, but noted the property was zoned commercial. The property owner was entitled to build.

Plunkett asked Meeker if the conditions would be enforceable if Council voted to abandon the roads. Meeker said they would be enforceable for McMurrain, but might not be for any subsequent purchasers. Lindsey said the wording could be, "assignee and successors." Meeker said it was not a deed restriction or a zoning ordinance, so any agreement would not be recorded. Lindsey said he would not want to argue any violations. Meeker agreed, but added that he would not want to have a judge tell him that the conditions were not binding on a subsequent purchaser. Lindsey said he would advise any clients not to take it to court. Plunkett preferred that Meeker and Lindsey work together to figure out how to protect the City. She was willing to come for a special called meeting. The Council consensus was to recess for the attorneys to confer. The break began at 8:40 p.m. and ended at 8:58 p.m.

Lindsey gave Council another option. He was prepared to read the conditions for Plan 2 into the record and add a 50,000 square-foot condition. He continued that Meeker asked him to put the agreement in writing, which could be read at a special called meeting. The conditions would be part of the development agreement. The road property would be deeded over to Capital City at the same time the development agreement was signed.

Meeker said there was a question as to which plan would be considered if the roads were abandoned. He continued that McMurrain said that basically Plan 2 would be considered. He noted that Plan 2 had not gone to the Planning Commission for review. Plunkett said there were also some concerns that Plan 2 might not meet the overlay requirements, but the Planning Commission was responsible for that. Meeker said the Planning Commission would also need to review the conditions that the residents and the developer had agreed to. From a preliminary standpoint, a development agreement could address the core issues, particularly the ones raised at this meeting, and could be recorded and binding on McMurrain and any successors.

Plunkett moved to continue the matter until a special called meeting on Wednesday, February 13. Lindsey asked that the appeal of the Planning Commission decision (Agenda Item #02-08-02) also be continued until the same night in the event they could not come to agreement on the road abandonment. Plunkett restated her motion to continue the request to abandon Line Circle and a portion of Line Creek Drive until Wednesday, February 13, 7 p.m., and to continue the appeal of the Planning Commission decision regarding denial of the conceptual site plan for Line Creek retail center. Boone seconded. The motion carried 5-0.

11-08-18 Consider Concept Approval of Intersection Improvements for Walt Banks/Peachtree Parkway and Crosstown/Peachtree Parkway

Logsdon asked City Engineer Dave Borkowski if there had been any changes to the recommendation. Borkowski noted that the concept had not changed.

Boone moved to accept the intersection improvements for Walt Banks/Peachtree Parkway and Crosstown/Peachtree Parkway as discussed and presented by the City Engineer. Haddix seconded. The motion carried unanimously.

Borkowski briefly reviewed the improvements, which included the addition of turn lanes at Walt Banks/Peachtree Parkway North. The improvements at Crosstown/Peachtree Parkway included turn lanes and a traffic signal. An unidentified resident recalled that Council had not wanted a signal at Crosstown/Peachtree Parkway South. Logsdon explained that the City had talked to the Department of Transportation (DOT) regarding the signal, and the signal was already warranted. If the signal was not included in the intersection improvements, the City would receive no transportation dollars. Plunkett added that, without a signal, the road improvements would be less safe than what was there now. Logsdon asked Borkowski the timeline for construction. Borkowski said it would be about 24 months. He added that the current configuration at Crosstown/Peachtree Parkway did not meet the required standards, which was another factor in the decision.

Phyllis Aguayo asked Borkowski if the improvements at the Walt Banks/Peachtree Parkway intersection were not overkill. She said the backup usually moved quickly. Borkowski explained that the model also looked at future capacity. The current delays were significantly longer than the standard. The intersection met the warrants for additional turn lanes and a signal, which could be added in the future.

Al Yougel agreed with Aguayo. He added that some public education on four-way stops would be beneficial when traffic backed up and should be included in the City's newsletter. When traffic was sporadic, there were problems.

New Agenda Items

02-08-01 Public Hearing – Consider Conservation Subdivision Ordinance

City Planner David Rast addressed Council. The ordinance was required by the Metropolitan North Georgia Water Planning District (MNGWPD), and the template had been modified to suit the City. The Planning Commission recommended its adoption. The proposed ordinance encouraged open space in subdivisions and would allow developers to cluster lots and put deed restrictions on the open space. Rast said that, since most of the City was developed, it would have been great to have such an ordinance earlier, but many of the developers in the City had done it with land that could not be developed anyway, such as floodplain and wetlands. The proposed ordinance required usable property to be left as open space.

Phyllis Aguayo said that clustering had been a way to get more houses in the past. She wanted to make sure the ordinance would not allow that. Rast said that, on a 100-acre property, they would determine the number of houses allowed if the subdivision were developed in the traditional way. Approximately 40 acres would be left by the time the streams, wetlands, and rights-of-way were removed. The houses would be clustered in one area of approximately five to 10 acres, with the remainder of the property left as open space. The number of lots would be determined by the base zoning of the property, which would help prevent higher density. Aguayo asked if the open space would be in perpetuity or if it would expire over time. Rast said it would be in perpetuity; a permanent conservation easement would run with the land. Aguayo was in favor of the ordinance.

Richard Spain asked how the greenspace would be used in calculating density. Rast explained that the greenspace had to be developable property, and any portion of the lot that was not developable in a traditional subdivision could not be used for the calculation. Meeker added that the provisions in the ordinance were not standard. Under this ordinance, five things were excluded – slopes over 25% of at last 5,000 square feet contiguous area, 100-year floodplain, bodies of open water over 5,000 square feet contiguous area, wetlands that met the definition of the Army Corps of Engineers pursuant to the Clean Water Act, and anticipated right-of-way needs for roads and utilities. The lot yield would be based on the current zoning on the acreage left after these things were subtracted.

The public hearing closed.

Plunkett noted that this ordinance would provide additional protection. Plunkett moved to approve the conservation subdivision ordinance as defined in the agenda packet. Sturbaum seconded. The motion carried unanimously.

02-8-02 Consider Appeal of Planning Commission Decision Regarding Denial of Conceptual Site Plan for Line Creek Retail Center

This item was continued until February 13 special called meeting per motion for Old Agenda Item #10-07-13.

02-08-03 Consider Actions & Amendment to Health & Sanitation Ordinance Relative to Tattoo/Body Art Studios

Logsdon noted there was an additional document on the dais – a memo to the City Council dated February 4, 2008, with the subject, "Consider Amendment to Health and Sanitation Ordinance

Relative to Tattoo Studios." Acting Administrative Services Director/City Clerk Betsy Tyler addressed Council. She said that one occupational tax application had come in from a business providing tattooing. Staff had looked at the County and state requirements. The state assigned oversight to county boards of health, and Fayette County had not adopted any regulations or a permitting process for them. From what staff understood, if the county had no regulatory oversight, it went back to the state's Department of Human Services. Fayette County also prohibited tattoo studios that were not under the direct supervision of a physician. Staff had incorporated that language since there was no other health-regulating agency or permitting agency at the local level. Some restrictions on advertising were added on how tattoo parlors were advertised. The shops would have to be in LI Limited Industrial zoning, and there were stipulations on the facility layout for health reasons and privacy. The hours of operation would be limited to 8:00 a.m,-8:00 p.m. There was an error on page 2 of the proposed ordinance, Sec, 42-203(c); light industrial should be changed to limited industrial.

Boone asked why the City could not just deny any request to open a tattoo parlor. Meeker pointed out that the uses permitted in the current zoning were very broad, and a tattoo parlor qualified under the current provisions. A more restrictive list of uses for the City's commercial and industrial zoning areas was needed. If a City did not otherwise permit a use, then the use was excluded. This ordinance would help for now. Logsdon asked where the County's regulation regarding supervision would apply. Meeker said it only applied in the unincorporated County. If the Health Department had adopted rules, then they would apply throughout the County.

Sturbaum asked what would happen if tattoo parlors were banned after the City worked on the zoning ordinance. Meeker said this ordinance would have to be repealed. Plunkett asked how quickly the other ordinances would be in place. Meeker said they should be ready in about 60 days. Haddix said there were other concerns with this type of business, such as age restrictions. Meeker said he understood; this ordinance was a quick response. Tyler added that there were many other health stipulations that the City's staff did not have the expertise to enforce. This was an effort to get something on the books. Plunkett asked to have the other ordinances addressing the bigger problem on the agenda for the second meeting in April.

Plunkett moved to amend the Code of Ordinances to provide requirements for tattoo artists and tattoo parlors, to provide definitions, to establish qualifications, and other purposes with the correction noted on page 2. Haddix seconded. The motion carried unanimously.

02-08-04 Consider Ordinance Amendment – Unrelated People in House/Occupancy Issues

Rast said having unrelated people in a house was becoming a problem in some subdivisions in the City. Senior Code Enforcement Officer Tami Babb had done a lot of research on the topic and had looked at what other cities had done. Babb and Building Official Tom Carty had developed a list of items to add to the City's Property Maintenance Code, and the City Attorney was comfortable with their changes. There were a number of other amendments that needed to be made to the Property Maintenance Code, which would then be forwarded to the Department of Community Affairs. Article X, Sec. 18-276 needed to be repealed, and a new ordinance should be adopted so there would be clarity regarding the local amendments to the Property Maintenance Code.

Plunkett said that, based on her review, the language was difficult. Logsdon said that, as he understood it, the proposed ordinance gave definition to bedrooms and closet space as tools to use to keep multiple unrelated people from living in a house.

Haddix asked how the amendments would control the number of people. Babb said that Chapter 4 of the International Property Maintenance Code gave specifics on the size of bedrooms required per occupant. The changes were additions to the code that would substantiate and clarify what the code said. It was more stringent in some requirements, such as requiring a whole kitchen. It also included language regarding the minimum number of bathrooms, which was not covered by the code now. Some residents were enclosing garages for use as bedrooms, which could mean they would have to add a half-bath or a complete bath. The changes also required closet space to complete the definition of a bedroom

Boone moved to approve the proposed amendment to Chapter 18, Article X Standard Housing Code, Section 18-276 and repeal the old Article X. Sturbaum seconded. The motion carried unanimously.

02-08-05 Consider Acceptance of Land Donation – Peach State Land Development
Rast said the developer had approached the City a few years ago and requested to deannex some property from the City that would be included in a subdivision he was developing in the unincorporated County. Staff, Planning Commission, and Council had supported the request because a common boundary would be created using the center line of Camp Creek. One of the conditions was for the developer to donate a 20.07-acre tract on the City side of Camp Creek to the City. The tract was all floodplain and was not developable; it also separated the Camp Creek subdivision from Camp Creek. The donation had not been a condition of the deannexation, so Council needed to formally accept the land donation.

Boone moved to accept the 20.07-acre land donation from Peach State Land, Inc. Haddix seconded.

Plunkett asked if staff would ensure there was no toxic waste dump or trash pits on the property. Rast said that Stormwater Manager Mark Caspar had walked the property and had found nothing.

The motion carried unanimously.

02-08-07 Bid-Police Vehicles
Salvatore the bid was for 10 police vehicles. Everything was in order. The bid was on the regular agenda instead of the Consent Agenda due to the dollar amount. Everything was budgeted, and the low bid was recommended.

Plunkett moved to approve the purchase of seven Crown Victoria patrol police vehicles for a price not to exceed $145,859 and the purchase of three unmarked Criminal Investigation replacement vehicles for a price not to exceed $55,503. Sturbaum seconded.

Boone asked what would happen with the old vehicles. Salvatore said they would be used elsewhere in the City. Assistant Finance Director Janet Camburn added that, as soon as they were available, the older vehicles were used as trade-ins, were sent to the Fayette County auction, or were put on eBay or govdeals.com. Boone asked if that had been successful. Camburn said staff had used eBay, but not govdeals.com yet.

The motion carried unanimously.

02-08-08 Appoint/Reappoint Ethics Board Members
Tyler noted that Logsdon's appointee, Beth Brooks, was unable to serve. She continued that Logsdon had nominated Bruce Brooks to serve as his other Ethics Board representative pending a successful background check.

Boone moved to appoint Bruce Brooks to the Ethics Board. Plunkett seconded. The motion carried unanimously.

Council/Staff Topics
McMullen reported that right-of-way acquisition had started on the CSX multi-use bridge. Staff met with DOT recently, and the process for the acquisition was very strict. The cost estimates for the land were expected in a week to 10 days, then they would meet the landowners. There were multiple steps, and the City had to get clearance from DOT before going to the next step.

Boone moved to convene in executive session for threatened or pending litigation and a personnel matter at 9:43 p.m. Haddix seconded. The motion carried unanimously.

Sturbaum moved to reconvene in regular session at 10:15 p.m. Boone seconded. The motion carried unanimously.

There being no further business to discuss, Boone moved to adjourn. Sturbaum seconded the motion. The motion carried unanimously. The meeting adjourned at 10:16 p.m.

Betsy Tyler, Acting City Clerk

Harold K. Logsdon, Mayor

Pamela Dufresne, Recording Secretary

City Council of Peachtree City
Minutes of Special Called Meeting
February 13, 2008
7:00 p.m.

The City Council of Peachtree City met Wednesday, February 13, 2008, in the City Hall Council Chambers. Mayor Logsdon called the meeting to order at 7:00 p.m. Other Council Members present: Steve Boone, Don Haddix, Cyndi Plunkett, and Doug Sturbaum.

The purpose of the meeting was to consider Agenda Item 10-07-13 Consider Request for Abandonment of Line Creek Circle and a Portion of Line Creek Drive, Agenda Item 02-08-02 Consider Appeal of Planning Commission Decision Regarding Denial of Conceptual Site Plan for Line Creek Retail Center, and to hold an executive session,

10-07-13 Consider Request for Abandonment of Line Creek Circle and a Portion of Line Creek Drive

Logsdon noted there was an additional document on the dais – an e-mail to City Council from Beth Pullias dated February 13, 2008, with the subject, "Meeting tonight Wed on Road Abandonment." City Manager Bernard McMullen noted that a copy of the development agreement had also been placed on the dais. Logsdon added that Council had received a copy of the development agreement that afternoon.

Attorney Rick Lindsey addressed Council on behalf of his client, Doug McMurrain and Capital City Development. He said that the latest revision to the agreement had been sent earlier that afternoon.

Logsdon noted that Council was requesting a change to Item #7 of the proposed development agreement – in the case that the appraised value of the roads exceeded $500,000 that the City and the developer work toward a land swap for land adjacent to the Line Creek Nature Center, which would increase the buffer and the land in the nature center. Lindsey said they were agreeable to the change. Plunkett said that should happen immediately, instead of waiting for the site plan. The land would be put in a conservation trust, and McMurrain would be able to receive tax credit for that. Lindsey requested that, in the event something happened and the project fell apart and the developer had to quitclaim the right-of-way back to the City, then the additional land would revert back to his client. Plunkett said that was quid pro quo and was fine. If there was no agreement on the site plan, then they should go back to the drawing board.

City Attorney Ted Meeker pointed out another change to Item #7 had come in before the meeting. The agreement stated that the sum should be paid to the City upon approval of the final site plan for the first phase of the development on the property. Meeker suggested that the following language be added: or prior to any sale of any portion of the property.

Lindsey noted that site plan approval was a staff function, and he asked that the developer be given time to go to the bank and get the money. He suggested that the payment be made with 15 to 21 days. Plunkett said 15 days would be fine. Meeker said the wording, "upon approval," would be struck, and "within 15 days of the approval" would be added. Lindsey said he would make the three changes the next day.

Plunkett pointed out that the agreement included the stipulation that there be no gas station or fast food restaurant. She continued that, per Sturbaum's suggestion, item #16 included a waiver of rights on any challenge to the size restrictions in Section 1006 of the City's zoning ordinance.

Lindsey gave an overview of the major points in the proposed agreement, beginning with Item #7 in the proposed agreement.

- *The developer would pay the appraised value of the abandoned rights-of-way, not less than $500,000, plus the details discussed at this meeting.*
- *The conceptual site plan would include at least the following:*
    - *The total square footage for all buildings on the site should not exceed 175,000 square feet.*
    - *No more than three buildings with single tenants could exceed 32,000 square feet of enclosed space, with a maximum of 50,000 square feet.*
    - *There would be no fast food.*
    - *There would be no gas station.*
    - *The minimum number of parking spaces required for the total square footage should be provided in accordance with City ordinances.*
    - *Stormwater detention would not be permitted within the 30-foot landscape buffer adjacent to SR 54.*
    - *Golf cart parking would be provided thoughout the development in close proximity to the entrance of each tenant space.*
    - *A vegetated buffer measuring no less than 50 feet in width would be provided along the entire length of the southern property boundary adjoining Cardiff Park and would be dedicated to the City as greenbelt. Any sparse vegetation would be replanted with a dense cover of trees. No building would be less than 75 feet from the current property boundary.*
- *In addition to the conceptual site plan, the following documents would be prepared and submitted along with the conceptual site plan review package:*
    - *A schematic site lighting plan,*
    - *Landscape plan with no canopy trees less than six inches in caliper,*
    - *A schematic stormwater management plan,*
    - *Elevations of all buildings,*
    - *An amenities plan,*
    - *A pedestrian circulation plan, and*
    - *A golf cart path circulation plan.*
- *The developer also agreed to the following conditions:*
    - *Any retaining walls that should be required would be constructed of earthen fill gambion baskets and planted to create a vegetated wall.*
    - *No disturbance in the City-owned tract to the west (Line Creek Nature Area) would be permitted.*
    - *The City landscape architect would review the eastern property boundary to determine if additional plant material was necessary once the clearing started.*
    - *Sound baffles would be installed on all roof-top mechanical equipment facing Cardiff Park.*
    - *Delivery trucks would be restricted between 8 p.m. and 8 a.m.*
    - *The outdoor sound system would be similar to the one in The Avenue.*

- *The developer would work with the homeowners associations of Cardiff Park and Planterra to replant the entrance way to Planterra Way and to come up with an underground irrigation system. It would be the responsibility of the homeowners associations to maintain the improvements, not the City or the developer.*
- *There would be no internal road connection between the development and Planterra Way.*
- *The developer would have the right, at his option and expense, to request a traffic signal from DOT. The City and the developer would approach DOT to have DOT abandon its portion of Line Creek Drive along the front. The developer would reimburse the City for its cost.*

Lindsey noted the rest of the agreement was legalese. Meeker emphasized that Item #15 clarified that no plan was being approved at this meeting, and the plans were all conceptual in nature. The developer still had to go through the process.

Plunkett said she did not see any language regarding the appraisal and who would pay for it. Lindsey said that, in Item #7, the language read "a qualified appraiser acceptable to both the City and Developer." Meeker noted that the next sentence required the developer to pay all costs of the appraisal.

Larry Bradley asked if the "no see, no smell" language was in the agreement. Logsdon said there was language about truck deliveries. Meeker said that the buffers and other noise reduction things were included in the agreement. Others would be incorporated during the special use permit process. A lot of the conditions regarding smell, hearing, and sound were good, but were usually addressed during the plan review process. The City was not approving a plan at this meeting. McMurrain agreed that those issues were the work of the Planning Commission. Cart path development was also covered in the agreement.

Richard Spain asked if the agreement would supersede the SR 54 Overlay District requirements. Meeker said they would not. Spain also asked if the agreement would transfer with the title. Meeker said it would. Plunkett said this agreement made the SR 54 Overlay requirements tighter because it incorporated points into the development agreement. Meeker clarified that this agreement would be recorded with the deed. Any successors to title, if there were any, would understand the requirements.

Richard Granger asked how three 50,000 square-foot buildings were different from a big box. Boone pointed out that any building over 32,000 square feet had to come to Council for a special use permit process. Plunkett added that the developer would not bring more than that. Granger said anything over 32,000 square feet was considered a big box by the citizens. He asked why Council would authorize big boxes on the development. Logsdon said there had been a lot of give and take to avoid a gas station. Some people wanted Kohl's. This agreement was a compromise. There would be smaller boxes. Granger said it was not explicitly stated that voting for abandonment meant there would be up to three 50,000 square-foot buildings. Meeker said that the developer had agreed that he would ask for no more than three 50,000 square-foot stores or a total of 175,000 square feet. Granger said that, to the average person, it appeared Council was de facto approving the boxes. Logsdon asked Granger if he wanted the Quik Trip plan.

Granger said he did not see why Council was accepting more than what the ordinance allowed. Plunkett explained that the City did not have a big box ordinance. Ordinances that prohibited big boxes had been determined to be unlawful by the courts because they were too restrictive. The City had a big box special use permit, which was similar to a variance. There was not a rule against anything over 32,000 square feet, but a developer had to ask for special permission to get one. The City's ordinance was not an exemption, but an exception. A developer had to jump through additional procedural hoops for any building over 32,000 square feet. If the Planning Commission felt the developer had jumped through all the hoops, the project went to Council, who would determine if the project was special enough to get the special use permit. Granger said that, with everything being asked of the developer at this meeting, Council would be hard-pressed to deny him later. Plunkett said everything would be back to square one. Meeker said the agreement provided legal protection for the City, which included going back to the beginning if something fell through. The agreement had proffered conditions, which meant the developer agreed to the project with the conditions and provided legal protection for the City.

Phyllis Aguayo preferred that land be used for payment for the road abandonment rather than money. The money would be spent quickly, while owning more of the land would be more significant. She also expressed concern regarding the three 50,000 square feet buildings. Her concern was what those three stores could become in the future, and she was not comfortable with everything Council was considering. Deed restrictions expired, and the zoning would still be in effect.

John Munford noted that no one attending the meeting had a copy of the agreement. The documents should be made public so there was less of an appearance of a backroom deal. He asked Council to continue the matter until the next meeting, so the documents would be part of the agenda package. Logsdon asked what had happened with the meeting notice. Acting Administrative Services Director/City Clerk Betsy Tyler explained that special called meeting notices were not usually placed on the website, but the agenda was sent to the newspapers and to those residents who asked to receive copies of the agendas. The requirements to advertise a meeting had been exceeded.

Gerald Monroe said the issue had been discussed. There had been a number of newspaper articles. He did not understand how anyone could be confused. The land was zoned commercial and could be developed. The City was trying to get the best deal.

D'Arcy Pitts said that, if the agenda had been on the website, the agreement would have been an attachment. She had checked the website for the agreement. She was also concerned with the possibility of three 50,000 square-foot stores and a total of 175,000 square feet.

David Niebes said that there was an article on the front page of one of the papers. The residents could only be spoon fed so much. Citizens had to take the responsibility to find out for themselves. The City needed to move on. Logsdon agreed. The requirements for a special called meeting had been met, and the issue was not a secret. Boone added that this meeting had been announced at the last Council meeting.

Logsdon said the only real issue he saw was that the agreement had not been made public. Council received the current agreement that afternoon at 4:30 p.m. It would have been better if everyone could have read the agreement, but the letter and spirit of the law had been met. Lindsey had gone over every important item in the agreement during the meeting.

Plunkett asked if all the meetings were on the website. Tyler said all the regular meetings were on the website, but this was a special called meeting. State law required notice be placed on the bulletin board 24 hours prior to the meeting. Meeker said, as a matter of form, it would be good to put a meeting notice on the website. McMullen said the notice went out on Friday, February 7. Logsdon noted it was on the front page of the newspaper.

Boone moved to approve the request for the abandonment of Line Creek Circle and a portion of Line Creek Drive with the development agreement as discussed and with the changes. Plunkett seconded. Meeker asked Boone to restate his motion to make the development contingent upon the development agreement. Boone restated his motion to approve the request for the abandonment of Line Creek Circle and a portion of Line Creek contingent upon the development agreement and the changes. Plunkett seconded.

Haddix clarified that big box ordinances were legal and were enforced all the time. The three 50,000 square-foot buildings and the total of 175,000 square feet were both exceptions to the City's ordinance. Meeker said any building over 32,000 square feet would require a special use permit and a total of 150,000 square feet would require a special use permit.

The motion carried 3-2 (Haddix, Sturbaum).

02-08-02 Consider Appeal of Planning Commission Decision Regarding Denial of Conceptual Site Plan for Line Creek Retail Center

Lindsey withdrew the appeal.

Sturbaum moved to convene in executive session for a personnel matter and threatened or pending litigation at 7:42 p.m. Haddix seconded. The motion carried unanimously.

Boone moved to reconvene in regular session at 8:00 p.m. Sturbaum seconded. The motion carried unanimously.

There being no further business to discuss, Plunkett moved to adjourn. Logsdon seconded the motion. The motion carried unanimously. The meeting adjourned at 8:00 p.m.

Betsy Tyler, Acting City Clerk

Harold K. Logsdon, Mayor

Pamela Dufresne, Recording Secretary

City of Peachtree City
Minutes of Special Called Meeting
February 23, 2008
12:00 p.m.

The City Council of Peachtree City met in a Special Called Meeting on Saturday, February 23, 2008, at 12 p.m. Council Members attending were: Mayor Harold Logsdon, Steve Boone, Don Haddix, Cyndi Plunkett, and Doug Sturbaum. The purpose of the meeting was to hold an executive session to discuss a personnel issue.

Haddix moved to convene in executive session at 12:01. Plunkett seconded. The motion carried unanimously.

Boone moved to reconvene in regular session at 1:40. Sturbaum seconded. The motion carried unanimously.

No action was taken.

Haddix moved to adjourn. Plunkett seconded. The motion carried unanimously. The meeting adjourned at 1:40 p.m.

Betsy Tyler, Acting City Clerk

Harold K. Logsdon, Mayor

Pamela Dufresne, Recording Secretary

2008 City Event Calendar

	February	March
		3/1 – City Council Retreat, 8 – 12, City Council Chambers 3/3 – City Council Workshop (Tentative), 6:30 pm 3/6 – City Council Meeting, 7 pm 3/20 – City Council Meeting, 7 pm
April	**May**	**June**
4/3 – City Council Meeting, 7 pm 4/7 – City Council Workshop (Tentative), 6:30 pm 4/17 – City Council Meeting, 7 pm 4/15 – PTC 101 Begins (6 weeks) 4/19 – Spring Yard & Garden Show, 10 am – 6 pm **4/26 & 27 – WWII Heritage Days, 9-4 at Falcon Field**	5/1 – City Council Meeting, 7 pm 5/5 – City Council Workshop (Tentative), 6:30 pm 5/10 – Touch A Truck 5/15 – City Council Meeting, 7 pm 5/26 – Memorial Day, City Offices Closed **Memorial Day Celebration, 8:30 – noon**	6/2 – City Council Workshop (Tentative), 6:30 pm 6/5 – City Council Meeting, 7 pm 6/19 – City Council Meeting, 7 pm
July	**August**	**September**
7/3 – City Council Meeting, 7 pm 7/4 – Independence Day, City Offices Closed 7/7 – City Council Workshop (Tentative), 6:30 pm 7/17 – City Council Meeting, 7 pm	8/4 – City Council Workshop (Tentative), 6:30 pm 8/7 – City Council Meeting, 7 pm 8/21 – City Council Meeting, 7 pm	9/1 – Labor Day, City Offices Closed 9/1 – City Council Workshop (Tentative), 6:30 pm 9/4 – City Council Meeting, 7 pm 9/18 – City Council Meeting, 7 pm 9/27 – Dragon Boat Racing & Int'l Festival
October	**November**	**December**
10/2 – City Council Meeting, 7 pm 10/6 – City Council Workshop (Tentative), 6:30 pm 10/11-12 – Great Georgia Air Show 10/16 – City Council Meeting, 7 pm	11/3 – City Council Workshop (Tentative), 6:30 pm 11/6 – City Council Meeting, 7 pm 11/11 – Veteran's Day Ceremony, 9:30 a.m. 11/20 – City Council Meeting, 7 pm	12/1 – City Council Workshop (Tentative), 6:30 pm 12/4 – City Council Meeting, 7 pm 12/6 – Hometown Holiday 12/18 – City Council Meeting, 7 pm 12/24 & 25 – Christmas Holiday, City offices closed

*Note: Items in **BOLD** are new additions* *Updated 2/28/07*

ADMINISTRATIVE SERVICES
MONTHLY REPORT

For Month of: _January 2008_

	December-07	January-08	FY 2008 YTD	FY 2007 YTD
Human Resources				
Workers Compensation Claims Filed	1	**2**	**9**	8
City Vehicle / Equipment Accidents	3	**0**	**5**	7
Lawsuit Legal Fees	$3,619.00	**$1,962.15**	**$17,806.80**	$20,844.45
Municipal Court				
Fines Collected	$94,100.00	**$149,171.00**	**$450,266.48**	$404,437.30
Online Transactions	139	**225**	**635**	530
Citations Closed	373	**754**	**2,122**	2,053
Jail Fund Balance	$2,376.72	**-$218.30**	**$130,353.09**	$11,633.35

** Approximately 33% of the Municipal Court Fines Collected reflect mandated add-ons that pass through to State and other agencies.*

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

	December-07	January-08	FY 2008 YTD	FY 2007 YTD
Public Information				
New Businesses Registered	10	**27**	**67**	112
Public Contacts, Questions & Complaints	37	**59**	**237**	272

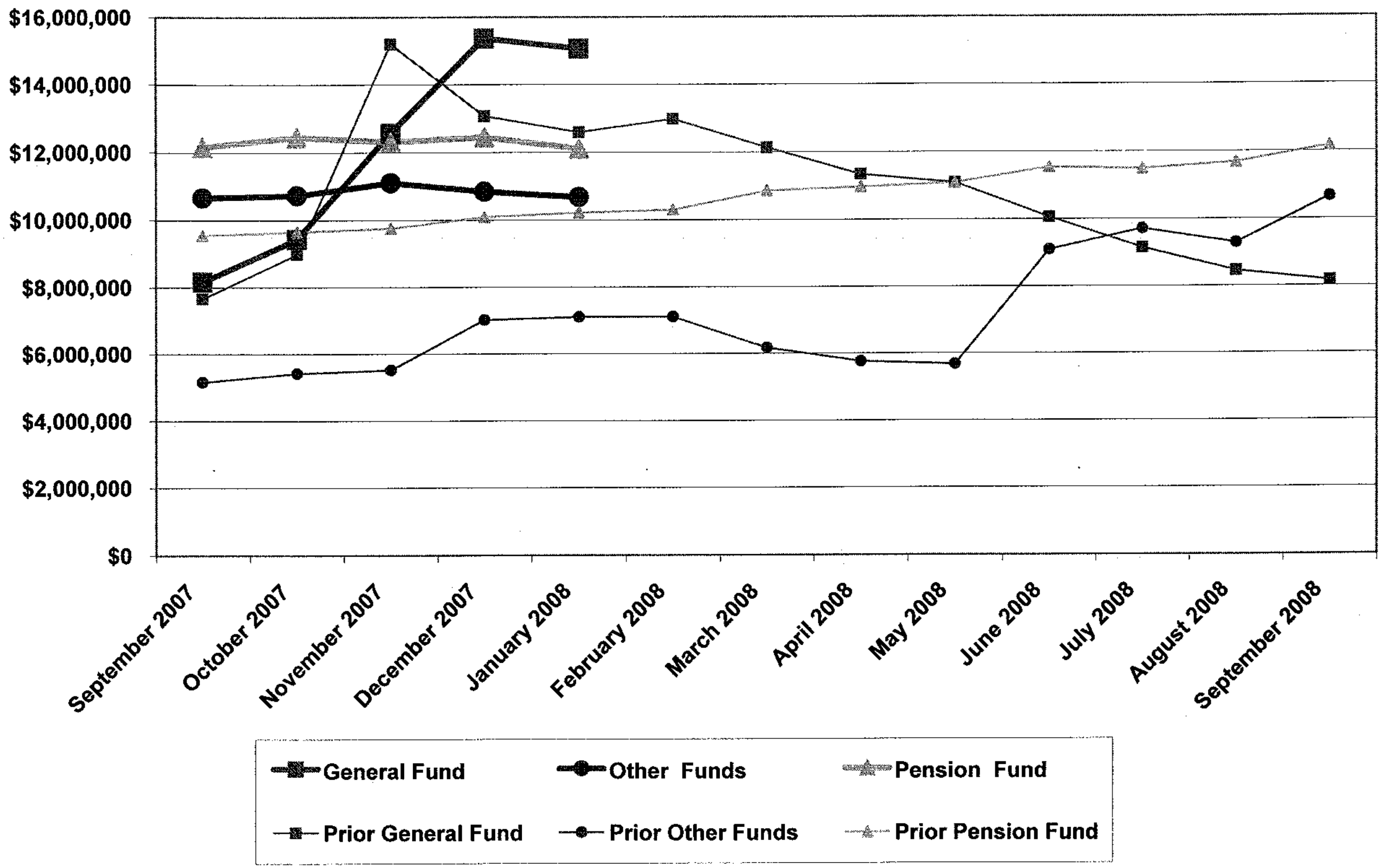
This includes 4 complaints against Comcast Cable Company, 2 sanitation company complaint, and 3 Open Records/Discovery Requests.

PEACHTREE CITY BUILDING DEPARTMENT
FY 2008

	Dec-07	Jan-08	Fiscal Y-T-D 2008	Fiscal Y-T-D 2007
DEVELOPMENT PERMITS:	5	8	17	59
BUILDING PERMITS:				
Single Family Residential	13	5	20	61
Multi-Family Residential	0	0	0	0
Misc.-Pools/fences/additions	23	45	161	133
Commercial/Industrial	14	12	57	44
TOTAL INSPECTIONS:	357	476	1,838	2,183
CERTIFICATE OF OCCUPANCY:				
Residential	7	7	25	36
Commercial	6	8	19	17
Multi-Family Residential	0	0	0	0
CODE ENFORCEMENT:				
Sign Violations	76	88	399	398
New Rehab	1	4	17	15
Rehab Inspections	10	9	48	50
Tree Removal Permits	35	53	246	245
Notice of Violations - Construction	5	0	19	21
Notice of Violations-Non-Construction	105	60	467	470
Stop Work Orders	6	3	24	28
Compliance Inspections	125	105	694	705
Founded Complaints	10	8	34	36
Unfounded Complaints	6	3	37	32
Assessments	1	4	24	13
Water Ban Violations	2	1	73	73
Citations	5	2	15	17
Architect Review Board Permit Approval	33	41	157	161
PERMIT FEES COLLECTED:	25,998	29,440	105,543	256,615
POPULATION:	36,291	36,306	36,306	35,888

Based on 2.09 persons per new completed dwelling unit.

CITY OF PEACHTREE CITY
FISCAL YEAR 2008 (with prior year comparison)
MONTHLY ENDING CASH/INVESTMENT BALANCES
(UNAUDITED)



CITY OF PEACHTREE CITY
MONTHLY REPORT
GENERAL FUND AND HOTEL/MOTEL TAX FUND
BUDGET COMPARISON (UNAUDITED)
FOR YEAR ENDED JANUARY 31, 2008

PERCENTAGE OF BUDGET YEAR COMPLETED 33.3%

GENERAL FUND REVENUES BY MAJOR CATEGORIES

Description	2008 Budget	YTD Actual	Dollar Difference	Percentage To-Date
General Property Taxes	$ 9,470,289	$ 8,939,118	$ (531,171)	94.39%
Franchise Taxes	2,277,001	191,899	(2,085,102)	8.43%
Local Option Sales Tax	7,766,445	2,294,549	(5,471,896)	29.54%
Other Sales & Use Taxes	692,287	237,493	(454,794)	34.31%
Business Taxes	2,200,323	2,029,272	(171,051)	92.23%
Licenses & Permits	847,916	397,666	(450,250)	46.90%
Intergovernmental/Grants	204,000	80,000	(124,000)	39.22%
Charges for Services	1,042,452	309,456	(732,996)	29.69%
Fines & Forfeitures	1,068,259	303,774	(764,485)	28.44%
Investment Income	561,449	194,797	(366,652)	34.70%
Other Revenue	18,934	4,018	(14,916)	21.22%
Other Financing Sources	348,666	305,058	(43,608)	87.49%
Total General Fund Revenues	**$ 26,498,021**	**$ 15,287,100**	**$ (11,210,921)**	**57.69%**
Surplus Carryover	1,128,029	-	(1,128,029)	0.00%
Total General Fund	**$ 27,626,050**	**$ 15,287,100**	**$ (12,338,950)**	**55.34%**

GENERAL FUND EXPENDITURES BY DIVISION AND/OR TYPE

Division and/or Type	2008 Budget	YTD Actual	Dollar Difference	Percentage To-Date
Executive Services	$ 501,266	$ 183,315	317,951	36.57%
Administrative Services	1,087,900	334,597	753,303	30.76%
Financial Services	1,070,207	317,446	752,761	29.66%
Police Services	5,959,073	1,764,852	4,194,221	29.62%
Fire/EMS Services	5,818,780	1,737,301	4,081,479	29.86%
Public Works	3,982,982	1,194,070	2,788,912	29.98%
Leisure Services	5,081,895	1,429,796	3,652,099	28.14%
Developmental Services	1,371,991	400,586	971,405	29.20%
Non-Divisional:				
Council Contingency	87,600	-	87,600	0.00%
Non-Profit Organizations	20,000	-	20,000	0.00%
Transfer to Development Authority	170,042	126,871	43,171	74.61%
Transfers to Other Funds	2,938,081	455,068	2,483,013	15.49%
Liability Insurance	99,310	57,524	41,786	57.92%
Legal Services	153,024	22,329	130,695	14.59%
General Administration/Bad Debt Expense	73,750	2,950	70,800	4.00%
Other	(789,851)	-	(789,851)	0.00%
Total General Fund	**$ 27,626,050**	**$ 8,026,705**	**$ 19,599,345**	**29.05%**

HOTEL/MOTEL FUND REVENUES

Description	2008 Budget	YTD Actual	Dollar Difference	Percentage To-Date
Total Hotel/Motel Taxes	**$ 979,420**	**$ 308,662**	**$ (670,758)**	**31.51%**

HOTEL/MOTEL TRANSFERS OUT

Type	2008 Budget	YTD Actual	Dollar Difference	Percentage To-Date
Transfer to General Fund	$ 326,473	$ 102,887	$ 223,586	31.51%
Transfer to Tourism Association	652,947	205,775	447,172	31.51%
Total Hotel/Motel Transfers Out	**$ 979,420**	**$ 308,662**	**$ 670,758**	**31.51%**

CITY OF PEACHTREE CITY
FINANCIAL SERVICES
MONTHLY REPORT
(UNAUDITED)
AS OF JANUARY 31, 2008

SUMMARY OF MAJOR EXPENDITURES BY CITY MANAGER JANUARY 2008			
Description	Vendor	Award	Date
Water Quality Sampling - Stormwater	Integrated Science & Engineering	$ 29,850	01/03/2008
Huddleston Pond Reconstruction-Change Order	Riner Construction	22,000	01/15/2008
Huddleston Pone Reconstruction-Change Order	Schnabel Engineering	25,000	01/15/2008
Water Quality Sampling - Stormwater-MNGWPD Distric	Integrated Science & Engineering	13,521	01/16/2008
Hydraulic Model Flat Creek - Stormwater	Integrated Science & Engineering	39,900	01/31/2008

PURCHASING REPORT FOR MONTH ENDED JANUARY 31, 2008 AND JANUARY 31, 2007		
Activity	Fiscal Year 2008	Fiscal Year 2007
Purchase Orders / Requisitions Processed	243	229
City Store Requisitions Processed	12	8
Sealed Bids Requested	4	6
Requests for Proposals	1	0
Bids Awarded	3	3
Requests for Proposals Awarded	1	0
Contracts Prepared	4	6
Fixed Assets Purchased	6	4

INFORMATION TECHNOLOGY REPORT JANUARY 2008 AND YEAR-TO-DATE		
Activity	Current Month	Fiscal Year 2008
Work Orders Created	136	570
Work Orders Closed	118	518
Work Orders Open	18	52
Technical Support	136	564
Website Visits	88,024	305,764

PEACHTREE CITY FIRE/EMS DEPARTMENT
2008 MONTHLY REPORT

	Dec. 07	Jan. 08	2008 FY-T-D	2007 FY-T-D
FIRE/ACCIDENT CALLS				
Actual Residential Fires	4	3	13	8
Actual Business/Industrial Fires	0	1	3	4
Rescue/EMS Assist	135	157	580	609
Vehicle/Golfcart Accidents	16	14	75	74
False Alarms	13	26	94	102
[1]Other	15	22	97	107
Total Engine Response	183	223	862	904
Dispatched Fire Calls	34	54	212	240
Response Time Fire	4:41	5:21	5:00	5:00
RESCUE/EMS				
Trauma	45	24	115	146
Medical	124	144	564	561
Total # Patients	169	168	679	707
Patients Transported	79	84	313	367
Dispatched EMS Calls	146	166	642	660
[2]Total Medic Response	167	223	812	893
Response Time EMS	4:47	4:38	4:40	4:42
Dispatched Fire/EMS Total	180	220	854	900
EMS BILLING				
Patients Billed	78	84	308	289
Revenue Generated	32,756	35,043	129,379	115,102
[3]Total Revenue Received	25,221	29,912	103,344	80,481

[1]Other miscellaneous responses; gas and water leaks, hazmat spills, etc.

[2]Includes Fire Assist Responses

[3]Revenue Received on All Outstanding Accounts

LEISURE SERVICES MONTHLY REPORT

Jan-08

Activity Description	Unit	January 2008	FY 2008 YTD	FY 2007 YTD
Library				
Books Circulated	number	35,899	135,877	120,510
Internet Usage	visits	3,699	14,794	12,050
Computer Lab Use	hours	12	88	120
Recreation				
Class/Program Revenue	$	$1,694	$9,829	$9,966
Playing Surface Mowing	hours	0	905	912
Playing Field Preparations	hours	478	1,649	1,650
Building Maintenance	hours	391	1,629	1,625
Litter Removal	hours	215	1,047	1,116
Complaints answered	number	2	6	2

PEACHTREE CITY POLICE DEPARTMENT
2008 MONTHLY REPORT

	JANUARY 2008	DECEMBER 2007	2008 CYTD	2007 CYTD
PART I CRIMES				
Criminal Homicide	0	0	0	0
Rape	0	1	0	0
Robbery	0	2	0	1
Aggravated Assault	1	2	1	1
Arson	0	0	0	0
Motor Vehicle Theft	3	5	3	5
Theft	29	20	29	19
Burglary	6	4	4	1
TOTAL PART I CRIMES	**39**	**33**	**39**	**27**
ALCOHOL/DRUG ARRESTS				
DUI – TOTAL	12	19	12	16
DUI – ADULT	11	16	11	16
DUI – UNDERAGE	1	3	1	0
MINOR IN POSSESSION OF ALCOHOL	10	5	10	7
DRUG ARRESTS:				
MARIJUANA	5	8	5	3
METHAMPHEDIMINE	0	0	0	1
COCAINE	2	0	2	0
OTHER (opium, etc)	0	2	0	0
ARRESTS				
PROPERTY CRIMES	15	13	15	18
PERSON CRIMES	2	10	2	4
CITY ORDINANCES	20	27	20	25
TRAFFIC OFFENSES	61	68	61	54
OTHER	41	38	41	38
AVERAGE RESPONSE TIME	5.41	5.39	5.41	5.52
CALLS ANSWERED	**5,887**	**5,381**	**5,887**	**5,514**

TRAFFIC				
CITATIONS ISSUED	637	619	637	751
WARNINGS	759	637	759	873
ACCIDENTS	110	107	110	113

TOP 5 ACCIDENT LOCATIONS – MONTH

HWY 54 / HWY 74	10
HWY 54 / PEACHTREE PARKWAY	3
HWY 74 / CROSSTOWN DRIVE	3
HWY 74 / KELLY DRIVE	3
HWY 74 / CLOVER REACH	2

TOP 5 ACCIDENT LOCATIONS – Y T D

HWY 54 / HWY 74	10
HWY 54 / PEACHTREE PARKWAY	3
HWY 74 / CROSSTOWN DR	3
HWY 74 / KELLY DRIVE	3
HWY 74 / CLOVER REACH	2

PUBLIC SERVICES MONTHLY REPORT
JANUARY 2008

Activity Description	Unit	January-08	FY 2008 YTD	FY 2007 YTD
Street Patching	Hrs.	45	538	313
Street Crack Sealing	Hrs.	0	0	68
Street General Maintenance	Hrs.	434	1,270	602
Storm Water Maintenance	Hrs.	315	2,288	1,328
Cart Path Paving	Ft.	0	8,859	6,710
Cart Path Prepped for Paving	Ft.	5,355	15,118	5,752
Cart Path Litter Removal	Hrs.	245	702	611
Cart Path Drainage Maintenance	Hrs.	66	157	590
Cart Path General Maintenance	Hrs.	484	1,742	645
R.O.W. Mowing	Hrs.	0	414	672
R.O.W. Litter Removal	Hrs.	622	1,730	2,114
R.O.W. General Maintenance	Hrs.	752	2,734	1,063
Subdivision Entrance Maintenance	Hrs.	0	686	548
Landscape Maintenance	Hrs.	814	2,777	353
Landscape Planting/Mulching	Hrs.	322	327	921
Subdivision Sign Maintenance	Hrs.	34	126	259
Traffic Sign Maintenance	Hrs.	125	377	443
Vandalism Repairs	Hrs.	61	216	149
Vandalism Repairs	Dls.	1,806	5,200	2,381
Citizen Complaints Answered	Num.	75	266	240
Community Service	Hrs.	40	118	40

RECYCLING SITE

Activity Description	Unit	January-08	FY 2008 YTD	FY 2007 YTD
Manhours	Hrs.	193	497	174
Participants:				
Recycling	Num.	266	1,104	698
Composting	Num.	806	3,096	2,596
Mulch Pick Up	Num.	28	139	59
Streets Adopted for Litter Pickup	Miles	7.35		
Cart Paths Adopted for Litter Pickup	Miles	52.75		

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor and Council Members**

VIA: **Bernard McMullen, City Manager** Bernard McMullen
Paul Salvatore, Financial Services Director PS.
Janet Camburn, Assistant Financial Services Director JC
Angela Egan, Purchasing Agent AE

FROM: **Mike DuPree, Major** MDP

DATE: **February 27, 2008**

SUBJECT: **Police Vehicle Aftermarket Accessories**
March 6, 2008, City Council Meeting

Recommendation:

Staff recommends the awarding of the contract for the purchase and installation of equipment for the newly acquired police vehicles to Trans Comm Services of Griffin, Georgia. The bid price of $117,384.00 includes the installation of radios, which will be purchased separately.

Discussion:

Bid packages were mailed to a number of vendors. Only three vendors returned bids.

Patrol vehicles (6 of 7):		
Trans Comm Services	$14,700.00 per vehicle	$88,200.00 extended
Law Enforcement Supply	no bid	no bid
Dana Safety Supply	$15,985.00 per vehicle	$95,910.00 extended
Patrol vehicle (1 of 7) "slick top":		
Trans Comm Services	$16, 581.00	
Law Enforcement Supply	no bid	
Dana Safety Supply	$16,492.00	
CID vehicles:		
Trans Comm Services	$4,201.00 per vehicle	$12,603.00 extended
Law Enforcement Supply	no bid	
Dana Safety Supply	$3,730.00 per vehicle	$11,190.00 extended

Bid totals:

Trans Comm Services	$117,384.00
Law Enforcement Supply	no bid
Dana Safety Supply	$123,592.00

Trans Comm Services provided the lowest bid for the installation of accessories on the patrol vehicles (6 of 7). Although Dana Safety Supply provided the lowest bid on the patrol vehicle (1 of 7) and the CID vehicles, their bids were not inclusive of labor costs for the radios, installation of the patrol vehicle striping, purchase and installation of stop sticks, trunk box, 18" neck light, 18" reflective cones, jumper cables, or the window tinting for the CID vehicles. Trans Comm Services is located in close proximity to Peachtree City to allow for greater ease in resolving service issues. It is for these reasons that Staff recommends the use of Trans Comm Services for the installation of the aftermarket accessories.

Budget Impact:

$231,938.00 is still available in the 2008 PIP budget for the purchase of the aftermarket accessories and radios. The purchase of the aftermarket accessories will leave a balance of $114,554.00 which shall be used toward the radios.

2008 PIP budget	**$433,300.00**
2008 vehicle fleet purchase (Patrol & CID)	- $201,362.00
2008 vehicle fleet accessories	- $117,384.00
2008 vehicle radio (expected) costs	- $ 28,802.46
Balance	**$ 85,571.54**

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor and City Council**

VIA: **City Manager**
Financial Services Director R.S.
Assistant Financial Services Director
Developmental Services Director

FROM: **City Engineer**

DATE: **February 29, 2008**

SUBJECT: **Second Update on Police Station Repairs**
March 6, 2008 City Council Meeting

Recommendation:

Staff recommends that City Council authorize staff to proceed with additional repairs to the Police Station at 350 State Route 74 South.

Discussion:

City staff had presented an update to City Council at a workshop on February 6, 2008. Staff had presented 3 options at that workshop. The options ranged from finishing the repairs to the existing building to demolishing and building a new facility on another site.

The first option was to finish the repairs to the existing facility. The breakdown of this option is as follows.

Estimated Additional Cost of Completing P.D. Headquarters Renovation
As of January 31, 2008

Additional construction estimate (including contingencies)	$538,476
Architectural Design/Construction Administration	$80,000
Site improvements (drainage, etc.)	$50,000
Additional rent (4 months @ $13K) June-August 2008	$52,000
Total estimated cost of completing renovations *	**$720,476**

* Does not include credit(s) for amounts that may be recovered from other sources.

Timeline

Design exterior repairs & modifications (5 weeks)	April 1, 2008
Award construction contract	June 1, 2008
Construction (16 weeks)	October 1, 2008

For this first option it should be noted that the estimated cost of construction is $538,476. The total of $720,476 includes additional rent and professional fees. If approved, the total amount that would be spent on the actual repairs to the building at this point would be approximately $1.1 million.

The second option was to sell the existing building and build a new building on a new site. The breakdown for this option is as follows.

Estimated Additional Cost to Abandon Existing P.D. Headquarters & Construct New
Assumes Sale of Existing Site & Building
As of January 31, 2008

New Building Costs		
Estimated construction cost (15,000 s.f.) (assumes January 2010 completion date)	$4,028,696	
Site development and access/egress from roads	$604,304	
Architectural design/engineering/construction administration	$694,950	
Land acquisition (approx. 6 acres industrial @ $50K/acre)	$300,000	
Furniture & Fixtures (communications, security system, etc.) (assumes some use of existing)	$120,000	
Additional temporary facilities- June 2008 thru Dec 2009 (19 months @ $13K)	$247,000	
Closing costs on new Bricks & Mortar Loan	$75,000	
Other (survey, permits, geotechnical, legal, etc.)	$50,000	
Project contingency @ 5%	$302,248	
Total New Building Costs:		**$6,422,198**
Existing Loan Costs		
Pre-payment of existing loan	$1,366,312	
Breakage fee on loan prepayment (as of 2/1/2008) (can change daily - fluctuates as interest rates move)	$200,000	

Total Existing Loan Costs:		**$1,566,312**
Additional expense to do interior wall repairs		**$45,000**
Total Estimated Costs:		**$8,033,510**

<u>**Credits ****</u>

Sale of land - existing site (5.55 acres @ $50K)	$277,500	
Sale of improved building	$1,300,000	
Total Credits:		**$1,577,500**
Net Estimated Cost of New Building:		**$6,456,010**

* Note 5% contingency not calculated on prepayment & financing costs shown above.

* * <u>Note:</u> May be difficult to recover market value of land/building based on reasons for abandonment.

Timeline

Identify & procure new site (4 months)	June 1, 2008
Award Architectural Engineering contract for new building (4 months)	June 1, 2008
Design new building (4 - 6 months)	November 1, 2008
Award construction contract (2 months)	January 1, 2009
Construction (12 months)	January 1, 2010

The third option was to demolish the existing building and build a new building on a new site. The breakdown for this option is as follows.

Estimated Additional Cost to Abandon Existing P.D. Headquarters & Construct New
Assumes Demolition of Existing Building
As of January 31, 2008

Estimated construction cost (15,000 s.f.) (assumes January 2010 completion date)	$4,028,696
Site development and access/egress from roads	$604,304
Architectural design/engineering/construction administration	$694,950
Land acquisition (approx. 6 acres industrial @ $50K/acre)	$300,000
Furniture & Fixtures (communications, security system, etc.) (assumes some use of existing)	$120,000
Additional temporary facilities- June 2008 thru Dec 2009 (19 months @ $13K)	$247,000
Closing costs on new Bricks & Mortar Loan	$75,000

Demolition of existing structure	$85,000	
Other (survey, permits, geotechnical, legal, etc.)	$50,000	
Project contingency @ 5% *	$306,498	
Total New Building & Demolition Costs:		**$6,511,448**
Existing Loan Costs		
Pre-payment of existing loan	$1,366,312	
Breakage fee on loan prepayment (as of 2/1/2008) (can change daily - fluctuates as interest rates move)	$200,000	
Total Existing Loan Costs:		**$1,566,312**
Total Estimated Costs:		**$8,077,760**
Credits		
Sale of land - existing site (5.55 acres @ $50K)	$277,500	
Cost avoidance from cancelling renovation project	$150,000	
Total Credits:		**$427,500**
Net Estimated Cost of New Building:		**$7,650,260**

* Note: 5% contingency not calculated on prepayment & financing costs shown above.

Timeline	
Identify & procure new site (4 months)	June 1, 2008
Award Architectural Engineering contract for new building (4 months)	June 1, 2008
Design new building (4 - 6 months)	November 1, 2008
Award construction contract (2 months)	January 1, 2009
Construction (12 months)	January 1, 2010

Based on the review of the above three options, Council directed staff to look into a fourth option, existing commercial/industrial buildings in the City that could be renovated to accommodate a new police station and compare costs.

The property located at 350 Dividend Drive (Photocircuits) had been suggested to staff as a potential site suitable for renovations to accommodate the Police Department, as well as expansion space fro the departments. Staff set up a site visit to the building on February 14, 2008. A group tour of the facility was attended by representatives from the Police Department, City staff, City Council, the real estate company and the architectural firm Leo A. Daly.

The Photocircuits building is a vacant manufacturing facility that used to manufacture circuit boards. The site consists of a manufacturing plant, administrative offices and a process wastewater treatment plant. The entire building complex is about 105,000 square feet. The group toured the entire facility except for the process wastewater treatment facility.

While the facility has an abundant amount of office space, storage, and parking, staff found the facility to be in need of significant maintenance. Specifically the parking lot would need to be repaved, large sections of the roof were not safe to walk on and would have to be replaced, office space would need to be reconfigured, HVAC and electrical systems would also need to be evaluated and configured for a smaller space and specific needs.

In addition to the maintenance issues the site has some potentially significant environmental concerns. Since the site was a circuit manufacturing facility, there were various heavy metals and volatile organic compounds being stored and used on site. Because of these constituents, a complete environmental assessment of the building and site would have to be performed to confirm any contamination and perform any necessary remediation. In addition, an inventory and inspection of all the process lines and storage facilities would have to be done to confirm the presence of any raw materials or waste materials. If any materials were found they would have to be disposed of properly as hazardous waste.

Based on the potential repair and renovation costs with the Photocircuits building, and the unknown environmental liabilities, staff is not recommending any further investigation into the use of the Photocircuits building. Staff recommends proceeding with renovating the existing building at 350 State Route 74 South.

On February 29, 2008, staff visited the building at 2011 Commerce Drive North (current temporary location of the Police Department) with Jim Porter of Leo A. Daly Architects and Captain Stan Pye of the City Police Department. An assessment was made of what improvements would be needed to make this building a permanent location of the Police Department. Cost figures should be available prior to the March 6, 2008 Council meeting and will be providde to Council at that time.

Budget Impact:

The cost of finishing the renovations at the existing police facility is an additional $538,476. With additional rent, architecture fees, and site improvements the total additional cost would be $720,476. Staff recommends that these additional charges be financed through a modification agreement on our existing loan for the Police Headquarters facility. The monthly payment on the loan would be approximately $5,700, or $68,000 per year, for a 15-year term

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor and City Council**

VIA: **City Manager**

FROM: **Financial Services Director**

DATE: **February 28, 2008**

SUBJECT: **Comprehensive Revenue Analysis**

March 6, 2008 City Council Meeting

Recommendation:
Consider changes to fees and charges as proposed and presented by staff, based on the results of surveys conducted. Hold public hearing to gain input from public regarding proposed changes. Take action to adopt any changes agreed upon by Council.

Discussion:
Per city regulation CAR 9-4, *a comprehensive analysis of all City fees and charges will be conducted at least once every three years. At least one public hearing shall be held, prior to adoption of any changes to the fee schedules, to disclose the results of the survey and to discuss staff's recommendations.* Over the past few months, staff members in all departments of the city have conducted surveys of other cities of similar size throughout the state (class "B" cities) as well as some of our neighboring jurisdictions in the southern crescent region. Each of the departments then met with the City Manager and Financial Services Director to review the results of these studies and the resulting recommendations made by the division heads and chiefs. Staff will present their recommendations in a Powerpoint presentation to Council and explain the rationale behind each of their recommendations. Following is a summary of this information:

Administrative Services Division

Occupational Taxes

- Maintain $100 minimum for companies with 1 to 4 employees but raise maximum amount (500+ employees) from $5,000 to $8,000 in $1,000 increments over a three-year period (additional $10K annual revenue after the third year).
- Consider increasing per employee charge from $17.50 to $18.50 (additional $22K annual revenue)

- Consider adding the $20 administrative charge to entities that are exempt from the tax but still chose to be listed in our database and on our web site (additional $1 - 2K annual revenue).

Alcohol Licenses
(New Alcohol License Fee structure addressed at the November 1, 2007 City Council meeting)

Court Department
- A list of all changes made to municipal court fines is attached and has been reviewed and approved by the municipal court judge. These changes have been implemented.

Public Safety
Police Department
- Solicitor's Permits - $25 for first day and $10 for each additional day within same week.

Fire/EMS
(New EMS fee structure addressed at the last Council meeting)

Fire Marshall Fees
- Building Permits Review – consider doing away with $500 maximum at current rate of $0.15 per square foot
- Construction Site Follow-Up #2 – consider increasing from no fee to $100
- Construction Site Follow-Up #3 – consider increasing from no fee to $150

Leisure Services
Recreation
- Facility Rental Fees – a new fee schedule will be presented proposing reasonable fees to all groups previously not charged, such as churches, schools and civic groups. Recommend this become effective June 1, and that any group already scheduled to rent a facility under the existing rules be exempted on a one time basis.
- Gathering Place – consider new ~~set~~ fees (per person/per visit) for all people who use the facility as part of regular groups. This does not include people taking instructional classes offered by the Recreation Department in the Gathering Place. Recommend this change become effective January 1, 2009.
- Kedron & Summer Pools: increase in-county daily pool passes $1 per pass for ages 3 to 64; no fee increase from 0-2 and 65 & over (see chart). Anticipate approximately $15,000 additional annual revenue. Increase family pool package rates by an average of about 9 percent (chart attached). Anticipate approximately $4,000 additional revenue. New rates would remain double in all categories for out of county pool passes. This would become effective with the new summer pool season, starting May 24.
- Out of County Fees – consider reducing the out-of-county fees from 50% to 25% over that of in-county in an effort to increase participation. This would become effective immediately.

Developmental Services

Buildings Department

- ***Consider new fees for Certificates of Occupancy and temporary C.O.'s***
- ***Consider other fee changes to be presented at the public hearing***

Budgetary Impact:

Annual budgetary impact estimates are included in each section of this memo, where amounts can be reasonably estimated. Additional budget impact information will be presented by staff at the Council meeting.

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **City Council and Mayor**

VIA: **Bernard McMullen, City Manager**
Paul Salvatore, Financial Services Director P.S.
Betsy Tyler, Acting Administrative Services Director

FROM: **Janet Camburn, Assistant Finance Director**
Angela Egan, Purchasing Agent AE

DATE: **February 28, 2008**

SUBJECT: **Residential Waste Services and Recycling**
March 6, 2008 City Council Meeting

Recommendation:

Staff recommends that City Council provide direction for staff to pursue either an exclusive franchise or a preferred provider for residential waste services and recycling; or for the City to remain with the current open market system for these services. For the purposes of this memo, the following terms shall be defined as:

- **Open Market System** shall be defined as no restrictions on the number of haulers servicing the City residents, providing that the contractor meets all the requirements of Section 42-83 of the City Ordinances (see Exhibit A).

- **Exclusive Franchise** shall be defined as the establishment of *one* hauler as the designated hauler of *all* residential waste and recycling. The hauler would be selected by the City using the bid or proposal process.

- **Preferred Provider** shall be defined as one hauler providing residential waste and recycling service to City residents as the preferred (designated) provider (hauler) while still allowing other haulers to service City residents that meet all requirements of Section 42-83 of the City Ordinances. The hauler would be selected by the City using the bid or proposal process. The name of the preferred provider shall be given to residents requesting such information and will be distributed in editions of the City's newsletter, *The Update* and be posted on the City's web site.

Discussion:

In August 1999, after a Request for Proposal (RFP) process, the City entered into a Preferred Provider contract for refuse collection and recycling services. The original contract was renewed on several occasions with an eventual expiration/renewal date of April 30, 2006. During this time period, customer rates were increased based on the consumer price index (CPI) per the contract. At the 2005 City Council Retreat, staff was directed to review options of entering into an exclusive agreement with a contractor to provide residential refuse collection/disposal and residential recyclable materials collection. RFPs were issued, two pre-proposal meetings were held, and two proposals were received. One firm was recommended by staff on January 19, 2006, as an exclusive provider (franchise agreement). At that time, City Council indicated their preference for an open market system. Immediately following Council's decision, the City was notified by the then Preferred Provider that they would not be renewing their contract with the City. With those decisions, the City officially entered into the current open market system on May 1, 2006. During fiscal year 2007, City Council requested City staff to revisit the franchise agreement proposal and to obtain public input prior to any Council decision to pursue a franchise agreement for these services. Surveys were conducted with eighty (80) responses and were presented to City Council at the November 1, 2007, meeting. At that time City staff requested input as how to proceed with a RFP for franchised services. At that meeting, City Council candidate, Doug Sturbaum, suggested to City Council that a Request for Information (RFI) be prepared and sent to potential service contractors. The City has now completed that RFI process.

There were ten responses to the RFI with one response dealing with only the disposal of recyclable materials. This response will be forward to Public Works for review for the disposal of collections at the City's recycling sites. A summary of the other nine responses is attached (see Exhibit B). The firms responding ranged from small local firms to large national firms. Most of the firms were able to offer similar services, including individual customer billing that would be included in the cost of the service (vendor preference still is one billing to the City and that the City bill residents). One firm, Waste Management, will only bill the City and not individual customers. Seven of the nine firms expect or recommend 100 percent resident participation. Two firms, Avery Environmental and Waste Industries, will honor their pricing proposals with 75 percent participation of residents.

City staff has attempted to define the advantages and disadvantages of the three options available to the City.

- **Open Market System**
  - **Advantages**
    - Allows vendor competition and in the best world should reduce pricing for City residents.
    - Significantly reduces staff time in dealing with customer complaints as customers are simply directed to their contractor.
    - Customers may choose whatever hauler they please.

- **Disadvantages**
  - Due to the size of Peachtree City, may not create the best pricing due to economies of scale.
  - Creates increased truck traffic on City streets resulting in additional wear and tear on City streets, along with the possibility of refuse containers on the curb up to five days per week creating an aesthetics problem.
  - With additional large trucks, there is an increased safety hazard and there is also the possibility of more litter and spillage.
  - Harder to identify source of litter from refuse trucks.

- **Exclusive Franchise**
  - **Advantages**
    - Results in reduced truck traffic on City streets that may reduce safety concerns, wear and tear on streets, litter problems, and spillage.
    - May result in the best possible rates to City residents.
    - Could easily be re-bid every three to five years to increase competition and ensure the best possible services for the residents.
  - **Disadvantages**
    - There is no competition during the contract period.
    - City staff would be directly involved in customer complaints and billing disputes, but compliance penalties could be included in contract.
    - Customers would not have the option of changing to another hauler.

- **Preferred Provider**
  - **Advantages**
    - May result in some reduced truck traffic on City streets that again may reduce safety concerns, wear and tear on streets, and spillage.
    - May result in better rates for City residents.
    - Could easily be re-bid every three to five years to increase competition.
    - Customers may still choose other haulers.
  - **Disadvantages**
    - City cannot guarantee any specific resident participation, particularly 75 percent participation.
    - City staff would be directly involved in customer complaints and billing disputes, with no real leverage to ensure compliance.
    - Harder to identify source of litter from refuse trucks

As indicated in the recommendation above, City staff is requesting direction as to how City Council wishes us to proceed with this service for City residents.

<u>Budget Impact</u>:

There is no specific budget impact at this time. However, a franchise agreement could bring revenues into the City and/or free service for City facilities. A preferred provider agreement could provide free service for City facilities.

EXHIBIT A

CITY OF PEACHTREE CITY
ORDINANCE REQUIREMENTS FOR RESIDENTIAL SANITATION PROVIDERS

Sec. 42-83. Requirements.

(d) Private businesses which operate in the city and provide solid waste collection and disposal services shall comply with the following minimum requirements:

(1) Obtain a solid waste handling permit from the director of the environmental protection division of the state department of natural resources, pursuant to O.C.G.A. § 12-8-24.
(2) Indemnify, defend and hold harmless the city, its officials, employees and agents, against any and all claims or suits from third parties which may be the result of negligent conduct arising out of the business of collection, transportation and disposal of solid waste.
(3) Use only vehicles and containers which comply with state EPD rules. Waste collection vehicles must be compactor-type trucks, covered or enclosed vehicles, constructed to be substantially leakproof, constructed of durable metal, easily cleanable and designed to prevent litter from escaping during transport. Recycling vehicles shall not be the same ones used for waste collection. Vehicles shall also meet all safety, size and weight requirements of the state department of transportation.
(4) Offer recycling services in accordance with current market conditions. Residential recycling shall include curbside collection, processing and marketing of at least the following recyclable materials:

a. Newspaper.
b. Glass containers.
c. Aluminum beverage and bimetal cans.
d. HDPE and PET plastic containers.

Recyclable materials may be added to or deleted from this list by written agreement between the city and the collection company. The company shall provide suitable containers to its residential customers to facilitate recycling.
(5) Offer curbside collection and disposal service for yard trimmings in residential areas. Bagging or container systems shall be devised by the waste collection companies.
(6) Within 30 days following the end of each calendar quarter, submit to the director of public works the following data regarding waste collection in the city:

a. Tonnage figures showing total waste tonnages collected. Catalog this total into residential and commercial/industrial subtotals.
b. Tonnage figures showing recovered, recycled or diverted materials by type.

(7) Annually or upon request, provide written assurance and description of disposal capability to support the city for ten years into the future.

CITY OF PEACHTREE CITY
REQUEST FOR INFORMATION ANALYSIS
RESIDENTIAL REFUSE COLLECTION AND DISPOSAL
AND RECYCLABLE MATERIALS COLLECTION
FEBRUARY 26, 2008

EXHIBIT B

Requested Information	Avery Environmental Carrollton, GA	Community Waste Services, LLC Alpharetta, GA	Advanced Disposal Ball Ground, GA	Allied Waste Atlanta, GA	CLM Sanitation Stockbridge, GA	All South Robertson McDonough, GA	Waste Pro Athens, GA	Waste Management Lake City, GA	Waste Industries Atlanta, GA
1) Company information, years of services, legal status	Corporation - State of Georgia - 5 years	Limited Liability Co. - Registered - State of Georgia - 6 years	Corporate Office - Jacksonville, FL Service through College Park - Incorporated- 7 years	Fortune 500 company 10 million customers 27 years in Atlanta area - registered State of Georgia	20 years in southern crescent - Subchapter S Georgia Corp. - In Henry, Clayton, Fayette, Coweta, Spalding and So. Fulton Counties - Fairburn, Union City, Grantville, Newnan	Division of Republic Services of Georgia, Limited Partnership - Services of Georgia, serve 26,000 residents in south metro area 23 years service	Corporation headquartered Longwood, FL, 35 years, Several mergers including BFI	Fortune 200; 36 years, 48 states, Canada, Puerto Rico, incorporated State of Georgia Several Georgia cities, Hartsfield-Jackson	Located in NC, SC, VA, TN, MS, GA, FL; 35 collection operations, 28 transfer stations, 9 landfills, 750,000 municipal customers, publicly held for 21 years, 36 years of service
2) Effectively and efficiently provide service	Yes	Same day waste and recyclables, lawn bags for yard trimmings	Use City utility or tax records - educate residents - newspaper notice - door hangers - daily route checks Three routes M-W garbage - two routes M-W recyclables Bulky - mirror above Variety of recyclables Recyclable education White goods Yard waste bags	Communication with City staff and residents - information materials - hanging brochures	New containers - action plan with educational materials - efficient routes	Dedicated to preserving environment - cost effective programs - 20 municipal contract, turn-key service	Adhere to specifications of the City - customers receive brochure - state of art vehicles	Partner with communities, promote education, involved in wetlands projects	Clean, environmentally safe and cost-effective solution
3) Experience, ability, skill, financial resources	Locally owned and operated, no financial information provided	Former owners of Greenworks that formerly served Alpharetta - currently serves Roswell - 24,000	Serves over 320,000 residential customers - corporation - $554 million in assets - 9 facilities in Atlanta area Augusta, GA - 23,856 other GA customers	No direct response	Ample - references available	Includes cities of McDonough, Riverdale, Douglasville, among others. Republic has over $4 billion in assets	Services from 26 locations, serve 40 Florida counties, 25 Georgia counties, 2 South Carolina Counties - 67 exclusive franchises, 43 non-exclusive franchises, 4 government - 500,000 residents.	600 employees in Atlanta Metro area, certified mechanics for preventative maintenance, 4 transfer stations, 30 years landfill	45 contracts in Georgia

EXHIBIT B

CITY OF PEACHTREE CITY
REQUEST FOR INFORMATION ANALYSIS
RESIDENTIAL REFUSE COLLECTION AND DISPOSAL
AND RECYCLABLE MATERIALS COLLECTION
FEBRUARY 26, 2008

Requested Information	Avery Environmental Carrollton, GA	Community Waste Services, LLC Alpharetta, GA	Advanced Disposal Ball Ground, GA	Allied Waste Atlanta, GA	CLM Sanitation Stockbridge, GA	All South Robertson McDonough, GA	Waste Pro Athens, GA	Waste Management Lake City, GA	Waste Industries Atlanta, GA
4) Response to customer service requests	24-hour hot line, 24-hour response	In area 5 days a week - designated customer helpline with email - web site	Full-time dedicated route supervisor will communicate daily with City - separate access for City representative - same day or noon next day resolution	No direct response	Goal - 24 hours	Locally staffed customer service - currently serves 2,000 PTC homes, CustomerFirst program	"Distinguishable Difference" City two-way radios with Waste Pro, direct cell numbers	Dedicated customer service representative	Corrected with 24 hours (7 days for complete resolution)
5) Frequency of collection	Once per week, flexible scheduling	Once per week - including yard trimmings	Once per week -	No direct response	Once a week, perhaps only once per month yard debris	Once a week refuse and recyclables	Once per week refuse and recyclables, up to once per week other	Once per week for waste and recyclables, same day each week	Once per week
6) Yard trimmings, bulky waste	24-hour hot line	Bulky - as needed	Once per week within guidelines White goods on call Yard waste to 10 bags	Bulky - on call	Yard trimmings - once per week bags or bundled to 50#. Bulky - on call or w weekly	Generally weekly with limits for yard waste - 5 bag limit, bulky - on call service	Not always an option in franchised cities, costs to vary - can offer this option	Based on needs of residents and seasonal demands, bulky waste quarterly or drop off site	On call basis with 48 hours with limitations
7) Handicapped services	Service provided - City to identify	Service provided for waste and recycling	Service provided to 4% - City to identify	Service provided	Service provided - 3-5% of residents	Service provided	Service provided with limitations	Service provided	Service provided with limitations
8) Move-in, after Christmas	City to identify new residents, no after Christmas discussion	Broken down moving boxes, Christmas trees	No additional charge if no more than 50#	Work with City	No additional charges	No limitations	No limitations	Same as weekly or drop off site	No limitations
9) Carts and bins	95 gallon cart 15 gallon bin	Sizes to be determined	New 95 gallon cart New 18 gallon bin	95 gallon container 18 gallon container	95 gallon cart (option PTC logo) 18 gallon container	95 gallon cart (option PTC logo) 18 gallon container	95 gallon cart 18 gallon bin	96 gallon cart 18 gallon bin	95 gallon cart 18 gallon bin
10) Hours of collection, holiday scheduling	7:00 a.m. - 5:00 p.m. Monday - Friday Holiday - following	7:00 a.m. - 5:00 p.m. Monday - Friday Holiday - following	6:30 a.m. - 5:00 p.m. Holiday - following	7:00 a.m. to 5:00 p.m. Six days a week Holiday - post schedule	6:00 a.m. - 2:00 p.m. Holiday - next day	7:00 a.m. - 6:00 p.m. Holiday - next day	Local ordinances - usually 7:00 a.m. - 6:00 p.m. Storm debris service may extend hours Holiday - next day	7:00 a.m. - 6:00 p.m.	7:00 a.m. to 7:00 p.m. as late as 10:00 p.m. Holiday - next day

EXHIBIT B

CITY OF PEACHTREE CITY
REQUEST FOR INFORMATION ANALYSIS
RESIDENTIAL REFUSE COLLECTION AND DISPOSAL
AND RECYCLABLE MATERIALS COLLECTION
FEBRUARY 26, 2008

Requested Information	Avery Environmental Carrollton, GA	Community Waste Services, LLC Alpharetta, GA	Advanced Disposal Ball Ground, GA	Allied Waste Atlanta, GA	CLM Sanitation Stockbridge, GA	All South Robertson McDonough, GA	Waste Pro Athens, GA	Waste Management Lake City, GA	Waste Industries Atlanta, GA
11) Missed collections	24-hour hot line	Office staffed 8:00 a.m.-5:00 p.m. M-F - dedicated service rep - voice mail - 1 hour - email options 24 hours	Same day, no later than noon next day	Resolved within 24 hours of call	Routes will operate 5 days in City - no later than following day	Work order generated Tracked	Within 24 hours of reporting	Noon the next day exception Saturday or Sunday	Corrected with 24 hours (7 days for complete resolution)
12) Billing and collecting	One contract to City or customer billing	Quarterly billings - payment check, credit card, auto debit - if City billed - once per month	Quarterly billings Check, credit card, direct debit, internet site, perhaps cash at PTC location	Bill City monthly or bill residents quarterly, with assistance from City Code Enforcement	Best - City handle billing - can do customer billing quarterly - need Code Enforcement assistance	Quarterly - pay by mail or credit card by phone or one bill to City	Incorporate cost of billing to customers in rates at quarterly, monthly, etc. Receive payments by check, direct debit, credit cards, suspension of service to garner collection	All municipal contracts billing to City	Suggest City include this in annual tax, can bill residents quarterly
13) Billing disputes	Handled by billing department, new on line service 6/2008	After 90 days cancel service	After 91 days - collection agency	Addressed - require back up from City	Customer is always right - work with customer	With franchise rates, usually reconciliation	Handled by office managers	Between City and Waste Management	No direct response
14) Complaints	Handled by one employee	See 11 above	Full-time dedicated route supervisor	No direct response	Through customer service	Logged and sent to supervisor or management, can include arbitration by City	Live customer service representatives, complaints reported to City	Same as 13	No direct response
15) Fleet and equipment	Will buy new trucks with PTC contract - currently have 15	High compaction refuse vehicles with GPS systems, properly marked and maintained - one driver, two laborers	In Atlanta area - 39 roll off trucks, 14 rear load, 8 recycle trucks, 14 front end, four container, four road service, four supervisor - preventative maintenance	No direct response	50 new trucks - currently using an automated truck with safety features	16 route trucks less than 5 years old, 7 support vehicles for All South	700 safe, productive, clean vehicles, reinforced hydraulic lines to prevent leakage or spills, each location has preventative maintenance	78 residential and recycling vehicles	Fleet backed with reserve trucks
16) Disposal sites	Own a transfer station	To be selected	College Park transfer station - Eagle Point Landfill - Forsyth Co.	South Cobb transfer station	Pine Ridge, Butts County, GA Recyclables - Pratt Industries - East Point	Pine Ridge (owned) and Newnan transfer station, recyclables- SP Recycling in Forest Park and Riverview Recycling in Mableton	Welcome All Transfer Station, SP Recycling in Forest Park and Lawrenceville 10 year assurance	Fayette County Transfer Station, Pine Bluff Landfill 30 year capacity	Westside Transfer Station, Grady Road Landfill in Rockmart

EXHIBIT B

CITY OF PEACHTREE CITY
REQUEST FOR INFORMATION ANALYSIS
RESIDENTIAL REFUSE COLLECTION AND DISPOSAL
AND RECYCLABLE MATERIALS COLLECTION
FEBRUARY 26, 2008

Requested Information	Avery Environmental Carrollton, GA	Community Waste Services, LLC Alpharetta, GA	Advanced Disposal Ball Ground, GA	Allied Waste Atlanta, GA	CLM Sanitation Stockbridge, GA	All South Robertson McDonough, GA	Waste Pro Athens, GA	Waste Management Lake City, GA	Waste Industries Atlanta, GA
17) Special services	Positive simplified recycling - going green	Provide emergency services for storm debris - negotiate with City	Free service - City facilities - amnesty days - spring cleaning - recycling partnership in education - white goods - disaster plan contacts	No direct response	Free service - City Trucks for career and school days	Will discuss with City	Disinfectant and Deodorizing solution for trucks, K-12 education initiatives	Electronic Recycle Day Amnesty Day for bulky waste	No response
18) Franchise agreements, participation, best return on investment	Expect 75% participation	Expect 100% participation - will discuss other options	Recommend 100% participation - need longer than 1-year contract	Best - 100% participation	They only do 100% participation contracts - will discuss options	Prefer 100% participation, have a few with less than 100% participation, lowest cost with 100%.	Only two small contracts with less than 100%, suggest 100% to maintain control and single responsible source	Only 100% participation	Honor price with 75% participation
19) Other information	Largest customer Dallas, GA - 2,800 Process of opening recycling center	Provide immediate cleanup Provides backup vehicle for every four	One hauler - health and safety, lower costs through volume, less road repairs, standardized hours, service standards	No direct response	Available for any discussions, bulky waste cost included or charged by need, operate all 5 days of week in City	Suggest that City include mandatory recycling in part of service; limit backdoor to only handicapped; require performance bonds, insurance coverages, and random drug/ alcohol testing by third party	Franchise fees, drug free facilities, insurance certifications, safety program, bonus program, privately owned, active in communities, will provide services City needs	Open to suggestions to expand service	Volunteer in communities

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor & Council Members**

VIA: **City Manager**
Financial Services Director
Assistant Finance Director

FROM: **Administrative Services Director / City Clerk**

DATE: **February 27, 2008**

SUBJECT: **Consider Non-Profit Funding Policy and Requests**
March 6, 2008, City Council Meeting

Recommendation:

That Council take the following actions:

1. Provide staff with approval or direction on desired changes in the policy; and
2. Provide staff with direction regarding the inclusion of funding requests in the FY 2009 budget.

Discussion:

Attached is a copy of City Administrative Regulation (CAR) 8-3 governing City Council funding for non-profit organizations in Fayette County. The policy was adopted in 2000 to ensure the City's compliance with the Anti-Gratuities Laws, which prohibit the giving away of tax dollars without some tangible return. A copy of the July 1999 minutes at which Council provided guidance in formulating the policy is attached.

Over the years, the City has generally received two types of funding requests. The annual requests from Promise Place for victims of domestic abuse and from Fayette Senior Services for Meals on Wheels, transportation, and in-home services both fall under the "Basic Needs" category outlined in Section D(1) of the CAR. Peachtree City does not currently provide these services, and has paid the current maximum of $7,500 to each agency for several years to help provide these services to Peachtree City residents.

Additionally, local elementary schools periodically request funds to help improve school playgrounds. Peachtree City has historically provided $5,000 for such requests every five years in exchange for the schools opening the playgrounds to area residents after school hours under section D(3) of the policy.

Policy Changes

Staff is asking Council to consider a modification in the application and award process of the policy. Currently, an agency must submit their request prior to June 1 for inclusion in the next budget year. Council approves the budget later in the summer, and the fiscal year, which includes the funding, begins October 1. At that point, the agency comes back to Council to request the budgeted funds and provides the back-up documentation to ensure compliance with the provisions of the policy, and Council votes to approve the request and authorize the Mayor to sign the service agreement with the agency.

This process is somewhat cumbersome for all parties involved. Staff is recommending that only new or changed requests come to Council prior to the June 1 deadline for Council to authorize inclusion in the budget. Final budget adoption by Council would then authorize the City Manager to sign service agreements if the final documentation demonstrates compliance with the policy. The proposed phrasing is noted in the policy attached.

Staff has also removed the specification of $25,000 in the policy, putting the final annual amount under Council's discretion.

Funding Requests

Fayette Senior Services / Additional Funding Request

In 2007, Fayette Senior Services requested an increase in funding of $16,200 for a total request of $23,800) to help address their rising cost of operation. As previously noted, the policy currently limits Peachtree City's contribution to $7,500 in any one year. Council may wish to evaluate the contribution limits established in 2000 in recognition of some of the increased costs for services, such as for food and fuel in providing the Meals on Wheels and in-home programs. While these specific programs are not provided by the City of Peachtree City, the City does fund The Gathering Place, a venue primarily for area senior citizens. Funding for The Gathering Place in FY 2008 was $180,000.

Debbie Britt, the Executive Director for Fayette Senior Services, is planning to attend the meeting to provide additional information on the programs and funding sources/needs for the organization. Following her input, staff is requesting direction on what funding level to include in the FY 2009 budget, if any, and direction on any corresponding funding limit modifications that may need to be made to the policy.

Fayette Art Center & Gallery

In 2007, Ms. Kathleen Brewer addressed Council to request funding for her program. At that time, Recreation staff expressed concern that the organization competed to some extent with City programming. Council denied the funding request and directed staff to look at the possibility of partnering with the center in the future.

Ms. Brewer has again submitted a funding request for the FY 2009 budget. The Leisure Services Director and staff reviewed the Center's programming and determined that while there may be occasional minor duplication of programs, the vast majority of the Center's programs are not in conflict. Staff has reviewed the request and feels that, should Council wish to support the center, the current policy would restrict contributions to $5,000 funding/labor as long as there are matching funds from a non-government agency. Contributions would be limited to once every five years.

The Financial Services staff has reviewed the funding request and has expressed some concerns that the request is funding salary expenses rather than services, which was one of the initial Council concerns when the policy was created in 2000. Staff would recommend that, if Council approves funding, it be noted as a line item in the Center's budget and used only to promote arts related programming that serves Peachtree City and Fayette County citizens.

Ms. Brewer is planning to attend the meeting to provide additional information on the center and her funding request. Following her input, staff is requesting direction on whether to include funding for her agency in the FY 2009 budget.

<u>Honor Flight Foundation of Fayette County</u>

The Honor Flight Foundation of Fayette County gave a presentation at the January 17 City Council Meeting about their program to fly World War II veterans to the memorial in Washington D.C. Since that time, the organization has submitted a request for funding for their non-profit organization. Due to the infancy of the program, they do not have the required tax forms or historical figures for the number of Peachtree City residents served.

Currently, this program would not fall under any of the existing categories outlined in CAR 8-3 because, although it is a very worthy program, it is not considered a basic or general need to be addressed by local government.

Ms. Gail Sparrow, President, and representatives from the Honor Flight Foundation will be at the March 6 meeting to update Council on their fundraising efforts and participation numbers for the coming year.

Staff is requesting guidance from Council on any desired changes to the policy and inclusion in the FY 2009 budget.

<u>Budget Impact</u>:

The items covered will have no budgetary impact on FY 2008, and will only impact future budgets to the extent approved by Council in modifying the policy and adopted in future budgets.

CAR 8-3 City Council Funding for Non-Profit Organizations in Fayette County CAR 8-3

OPR: City Hall
4/00 (Amended 5/04)

Purpose	Section	I
Policy		II

I. Purpose

The Purpose of this regulation is to establish a policy for consistent response to requests for donations on behalf of non-profit organizations, including public schools, in Fayette County.

II. Policy

While the City of Peachtree City has no financial responsibility to assist non-profit organizations, including public schools, with funding or providing labor, there have been requests in the past for this assistance, and it is anticipated that there may be requests in the future. In an effort to ensure consistency and fairness, the following guidelines have been established:

A. Council will budget annually as appropriate for any non-profit funding.

Deleted: no more than $25,000 annually for all

B. The City would assume no liability for any project for which the City provides funding and/or labor.

C. Services provided to Peachtree City residents by a non-profit organization shall be addressed in a contract between the City of Peachtree City and the organization.

D. Non-Profit Organizations

1. Basic Needs

As a general rule, funding for non-profit organizations serving Fayette County should be provided by the Fayette County Commission to ensure that Peachtree City residents are not subject to double payment through their municipal and County taxes. However, Council reserves the right to make contributions to non-profit organizations that provide services that meet the basic needs (food, shelter, protection) of Peachtree City residents based upon the merit of the request. Requests for funding for non-profit organizations that provide basic needs shall not require matching funds but such requests shall be prorated based upon the total annual budget of the organization and the percentage of Peachtree City residents served by the organization in comparison to the total number of people they serve. The amount of funding provided shall be the lesser of the amount requested, the amount of the annual budget used to serve Peachtree City residents based on the percentage of Peachtree City residents served, or $____________. The percentage of Peachtree City residents served will be based on the total number of residents and non-residents served for the 12-month period ending with the month prior to the month in which the request is made. These funds, once identified, will be budgeted for annually, upon written request by the organization that would be subject to prorated allocation as noted above.

Deleted: 7,500.00

2. General Needs

Should Council approve a funding request for an organization that provides for general needs (other than food, shelter and protection), a dollar for dollar match up to a limit of $5,000 in funding/labor may be provided as a match to any non-government funding provided to the organization. If the organization serves people other than Peachtree City residents, request shall be prorated based upon the percentage of Peachtree City residents served in comparison to the total population served. The amount of funding provided shall be the lesser of the actual amount requested, the amount of the annual budget used to serve Peachtree City residents based on the percentage of Peachtree City residents served, or $_________. The percentage of Peachtree City residents served will be based on the total number of residents and non-residents served for the 12-month period ending with the month prior to the month in which the request is made. Requests from a non-profit organization in the General Needs category will be considered no more often than every five years.

Deleted: 5,000.00

3. Public Schools

   a. Each request for funding/labor will be considered by the Peachtree City Recreation Commission, who will forward a recommendation to the City Council for final decision.
   b. Council will evaluate each request and make a decision based on the merit of the request.
   c. No more than one request, per school, will be considered in any five consecutive year period.
   d. Only Fayette County public schools whose attendance boundaries include Peachtree City will be eligible for consideration.
   e. Requests for funding/labor must be for enhancements to playgrounds and playing fields only. Any playground/playing field for which the City makes a contribution must be made available for use by City residents when not being used by the school. A formal agreement with the School Board would be required.
   f. Should Council approve a funding request, a dollar for dollar match up to a limit of $__________ in funding/labor may be provided as a match to any funding provided by the school or any school organization (i.e. booster club). All funding requests must be submitted by June 1.

Deleted: 5,000

E. All requests for funding must be made using the attached form. 501c3 non-profit organizations should include a copy of the previous calendar year form 990. Other non-profits should attach a copy of their current fiscal year budget.

F. The City Council will have final approval on all funding requests. All funding requests must be submitted by June 1, with new or increased funding requests presented to Council by that date, for consideration for funding in the next fiscal year budget. Final adoption of the budget will authorize staff to ensure compliance with the terms of this policy and the City Manager to execute the fiscal year service agreement.

Deleted: ¶

APPROVED:
Mayor and Councilmembers

PEACHTREE CITY

Funding Request
For Non-Profit Organizations

Organization Information:

Organization Name:

____

Address: ____

Phone #: ______________________ Fax #: ______________________

Contact Person: ____

Title: ____

Financial Information:

Total Annual Budget: ____

Total Clients Served Annually: ____

Peachtree City Residents Served Annually: ____

Funding Request Information:

Funding Amount Requested: ____

Funding Use(s): ____

Additional Information on Organization/Services: ____

____

____

____

REQUIRED ATTACHMENTS: 501c3 non-profit organizations must provide a copy of the previous calendar year form 990. Other non-profits must provide a current fiscal year budget.

Date Submitted: ____________ ***Council Approval Date:*** ____________ ***Amount Approved:*** ____________

STATE OF GEORGIA
COUNTY OF FAYETTE

AGREEMENT

THIS AGREEMENT, made an entered into this ______ day of __________________, _______ between the CITY OF PEACHTREE CITY, GEORGIA [hereafter referred to as the "City"] and the FAYETTE COUNTY BOARD OF EDUCATION [hereafter referred to as the "Board"] is as follows:

WHEREAS, the City has been approached by parents, teachers, or others to contribute funds for the purchase of certain playground equipment at ______________________________ (hereinafter "School") located in Peachtree City, Georgia;

WHEREAS, the Board is supportive of the school's efforts to obtain funds for the purchase of certain playground equipment;

WHEREAS, the Board recognizes the legal impediment to the City preventing it from simply donating the money to the School for the purchase of playground equipment;

WHEREAS, the Board and the City are ever mindful looking for ways to consolidate governmental efforts and hold down costs;

WHEREAS, the Board agrees to allow Peachtree City residents to use the playground equipment during non-school hours.

NOW THEREFORE BE IT RESOLVED:

1. In consideration of the donation of $5,000 for the purchase of playground equipment for the School, the Board will allow use of the equipment by the general public during reasonable hours. For the purpose of this agreement, reasonable hours shall mean daylight hours after school and on weekends to the extent that such use by the general public does not interfere with school and school-related activities.

2. At all times relevant to this Agreement, the Board shall control and be responsible for maintaining the playground equipment.

3. This Agreement shall terminate absolutely and without further obligation on the part of the Board on December 31 of this current year and at the close of each succeeding calendar year unless renewed in accordance with paragraph four.

4. This Agreement shall automatically be renewed unless the Board gives written notice to the City of its decision not to renew the agreement at least thirty (30) days prior to the end of each calendar year.

5. The Board agrees to indemnify and hold the City harmless from any and all claims by students, faculty and staff of the School District resulting from their use of the playground equipment purchased with the funds contributed by the City.

IN WITNESS WHEREOF, the Board and the City have caused this agreement to be executed by their duly authorized officers.

FAYETTE COUNTY BOARD OF EDUCATION

By: ________________________________
Chair

Attest: ________________________________
Dr. John DeCotis, Superintendent

CITY OF PEACHTREE CITY

By: ____________________________
Mayor Stephen D. Brown

Attest: ________________________
Jane S. Miller, City Clerk

Basinger asked for guidance in preparing a policy for funding non-profit organizations. He said some Council members had expressed concern about Countywide programs obtaining funding from the County and also obtaining funding from the City. They felt Peachtree City citizens had to pay twice.

Lenox felt it was best to determine who would benefit from the service offered by the organization. He didn't feel it was right for Peachtree City citizens to essentially pay twice for a service and then discover the service would not benefit them in any way. Pace felt Countywide organizations should be funded strictly at County wide level. Basinger suggested that it should be a general policy, but he said some Countywide organizations might offer a greater service to Peachtree City residents. He used the Fayette Council on Battered Women as an example. He said a disproportionate share of their services was offered to Peachtree City residents. Pace said he would like Beautiful Fayette to share its goals with the Council. He said he would be willing to spend money to accomplish goals or projects inside the City limits of Peachtree City. McMenamin felt the requested funding was intended to be used fund a director's salary. She felt it should be a volunteer organization and if was treated any differently, its funding should come from the County. Brooks felt a Countywide organization should be funded entirely by the County without exception.

Brooks said that Lenox had been quoted in the newspaper as saying he had decided not to pursue the use of taxes paid by Peachtree City residents to the County. Lenox said that Brooks may have read that in the newspaper, but in fact, he had reached a point at which he intended to pursue it very soon. He said Peachtree City residents pay more than $2 ½ million a year to the County and get nothing in return. He felt he had been generally fair about the issue, but he could not tolerate it any longer. He said the City could use the $2 ½ million a year to build a new fire station, purchase a new fire truck, or build a community center.

Brooks asked the City Attorney if the City had any rights to determine how the taxes should be spent. Lindsey felt the County could spend its funds as it desired. Lenox said he would base his argument on a portion of House Bill 489, which stated that no one should have to pay for a service if they did not receive any benefit from it.

McMenamin expressed her concern that the County had not responded to the City's request to clean up their facility located on Kelly Drive. She had been told it was one of the County's priorities over five months ago.

Lenox expressed frustration that Peachtree City taxes were used to fund the Fayette County Sheriff's Department, but that they did not receive any service from it. DuPree pointed out that the City did use the County Jail. McMenamin asked if the City received any share of drug money that was confiscated. DuPree said that Peachtree City no longer participated in the Countywide Drug Task Force because there had been very little activity over a period of three years, and they had conflict over the use of personnel. He also pointed out that it was difficult

Funding Request For Non-Profit Organizations

Organization Information:

Organization Name: Fayette Senior Services

Address: 390 Lee Street, Fayetteville, GA 30214

Phone # (770) 461-0813 Fax # (770) 461-2448

Contract Person. Andy Carden

Title: Executive Director

Financial Information:

Total Annual Budget: $841,838

Total Clients Served Annually: 2,024

Peachtree City Residents Served Annually: 633

Funding Request Information.

Funding Amount Requested: $7,500 plus $16,231.87 for a total of $23,731.87

Funding Use(s): To support operational cost of Fayette Senior Services

Additional Information on Organization/Services: An exciting new collaboration is underway with ExceptionalOPS to serve the Developmentally Disabled ages 18 to 59 through the Transportation Voucher Program.

REQUIRED ATTACHMENTS 501 c 3 non-profit organizations must provide a copy of the previous calendar year form 990. Other non-profits must provide a current fiscal year budget.

Date Submitted: 4-5-07

Council Approval Date:

Amount Approved

Fayette Senior Services™

390 Lee Street
Fayetteville, GA 30214-2056
Phone: 770-461-0813
www.fayss.org

April 3, 2007

RECEIVED
APR - 5 2007
PEACHTREE CITY
CITY HALL

City Council
City of Peachtree City
151 Willowbend Road
Peachtree City, GA 30269

Dear Mayor and Council members:

Re: FY 2008 Funding Request

Ladies and Gentlemen, Fayette Senior Service's (FSS) requests **a continuation budget of $7,500;** however, I must go further and share with you other considerations for funding. *The CAR 8-3 Revised Policy approved several years ago does not address several areas: 1) Cost of services to PTC residents go up (i.e.) Meal cost have risen, Fuel and Maintenance cost to the Fleet have risen, In-Home Services Contract cost have risen, Utilities cost have risen, Salaries cost have risen, etc. 2) Level of Services has expanded to PTC residents 3) Scope of Services has expanded.* The following display is offered for your consideration to adjust FSS's funding above the maximum of $7,500.

FY 2008, FSS Annual Operating Budget		**$841,838**
Less: ExceptionalOPS Agreement for Voucher Transport - Developmentally Disabled	$47,082	
Less: Consideration for Taxes being paid		
Fayette County Funding	$105,631	
Local Governments Funding - FAYV	$17,739.27	
Local Governments Funding – PTC	**$7,500**	
Federal and State Funding through ARC	$378,423	
Less: Consideration for Agency Resources	$152,015	
Sub Total of Adjustments	$708,390.27	
Value Unaddressed by Above Items		$133,447.73
Requested Funding for New Building Utilities – Fay Co.	$40,000	
Sub Total Unaddressed Value by Above Items		$93,447.73
City of Peachtree City Share of Unaddressed Value:		
– Fair Share by Clients of 17.37% = $16,231.87		

The requested amount from City of Peachtree City is:

Continuation -	**$7,500.00**
Unaddressed Value -	**$16,231.87**
Total FY 2008 Request	**$23,731.87**

United Way

Programs provided through the FSS's Annual Operating Budget to comply with the Older Americans Act Reauthorized are Information and Assistance, Case Management, Nutritional Meals [Congregate Meals and Home Delivered Meals], Transportation [Fixed Route, Demand Route and Vouchers], Volunteers, Senior Center, In-Home Services [Homemaker and Personal Care], Just Older Youth Club, and Administration. Of these, the Senior Center is the only one that is not covered by the provisions of federal and state resources.

What has changed for FSS is that Peachtree City and Fayette are growing and the 2000 Census data shows Fayette County ages 55 years and up was 18.5% of our population. Fayette led the region with this percentage. **The growth in the 55 years and above during the five years to 2005 increased by 37.40% for Fayette.**

City of Peachtree City population during 2000 was 31,580 in the Census and 2005 was 34,524 in the 2007 County Guide. The results being a growth of 2,944 or 9.32% increase. The 2007 Georgia County Guide reflects that 22.91% of Fayette's population is 55 years old and above. This figure yields for Peachtree City 55 years of age and above, 7,909 [34,524 x 22.91%] in the age group. 55 years of age is the beginning point for emphasizing the active senior's interest and the age group that we must plan for.

Fayette Senior Services is at the cross roads. The future is bright with opportunity in the new Multi-purpose Senior Center. Now, however, all of us must be aware that funding is limited. Essentially, federal and state money is adjusted with the 10 year Census studies resulting in changes to our funding levels around FY 2013. Some state fund growth occurs outside of that formula, but it is targeted.

The 37.40% impact can not continue without increased assistance from local governments.

If I may be of further assistance, please call me at 770-461-0813.

Andy Carden
Executive Director

PEACHTREE CITY

Funding Request
For Non-Profit Organizations

RECEIVED
JAN 22 2008
PEACHTREE CITY
CITY HALL

Organization Information:

Organization Name: Fayette Art Center & Gallery

Address: 2011 West Hwy. 54, Fayetteville, GA 30214

Phone #: 770-631-2780 Fax #: ____

Contact Person: Kathaleen Brewer

Title: Director

Financial Information:

Total Annual Budget: 2006-07 $66,000.00 2007-08 $82,000.00 2008-09 $110,000.00

Total Clients Served Annually: 2,000

Peachtree City Residents Served Annually: 668 (since March of 2007)
Includes students, lecture attendees, workshops, gallery receptions, visitors and membership

Funding Request Information:

Funding Amount Requested: $3,500

Funding Use(s): Studio supplies for classes, utilities (kiln)

Additional Information on Organization/Services: We are the premier center for art education in the county and we offer an extensive art library to the public. The Gallery provides an opportunity for many local and neighboring artists to exhibit. We foster cultural art groups such as the Photography Club, Pottery Guild, Gallery Writer's Group, Free Thinkers and interdisciplinary socials. We collaborate with other organizations such as the Scout Troops, church groups, pre-K and home schoolers. We are also working with the Juvenile Justice Department in our At-Risk Youth program.

REQUIRED ATTACHMENTS: 501c3 non-profit organizations must provide a copy of the previous calendar year form 990. Other non-profits must provide a current fiscal year budget.

Date Submitted: ____ ***Council Approval Date:*** ____ ***Amount Approved:*** ____

January 18, 2008

Peachtree City Council
151 Willowbend Road
Peachtree City, GA 30269

Dear Council,

Last year, I came before you requesting funding for Fayette County's sole art center and gallery. The council was in favor of tabling our request in order to hold our place until Mr. Randy Gaddo and I had time to communicate further. Since that time Mr. Gaddo and I have had frequent discussions and he is very supportive of our program. Unfortunately, we were not able to receive funding since the records show a motion was never made on the issue by the council. Therefore we are coming before you, once again, to humbly request your support.

Activity at the art center has increased threefold since we moved closer to Peachtree City last March. The numbers prove over half the people using our services and programs are from Peachtree City.

Art, like music, crosses religious, ethnic and economic boundaries. This is the main reason an art center is an essential component of a community. Following our mission statement of "bringing people together through art", we instituted Fayette County's first Photography Club, Pottery Guild, Free Thinkers Forum, and a new Gallery Writer's Group. We offer numerous public lectures and demonstrations by prominent artists. We have sponsored studio visits and mentorship. We work with Scout troops, church groups, home schooled children and recently began a collaborative program with the Juvenile Justice Department for at-risk youth. We collaborate with other non-profits in fundraising efforts. There is no other place in the County where so many different types of people come together outside of church.

We are quickly becoming a central location for continuing education in the arts and supplemental art education for school aged children. We provide classes on every level to ensure no citizen is left out. Our goal is to provide the highest quality of instruction possible at minimal cost to the public. The following is a list of artist who have graciously agreed to teach for $15-$17/hr, of which the Art Center receives 25%.

1) Namandi Okonow	BFA Degree (Hawaii) Masters Degree in sculpture (Utah) (Featured in numerous art magazines and represented by galleries throughout the United States)
2) Yun Liu	Two BFAs (Bachelor in Fine Arts) (China) Masters Degree (Georgia State) (All mediums)
3) Judy Huang	BFA Degree US (Taiwan) (watercolor)
4) Julie Li Woolbridge	Three degrees in Flower Arranging (China & Japan)
5) Megan Bigelis	BFA Degree (Missouri) (drawing & acrylic)
6) Georgette Liberatore	BFA Degree (New York) (oil painting)
7) Randy Drake	BFA Degree Photography (Florida)
8) Charles Walls	BFA & Masters Degree (oil painting)
9) Chuck Marsh	BFA Pottery (Georgia)
10) Dianna Snell	BFA Literature & BFA in Art
11) Rachel Cold	Nat'l Certified Portrait Sculptress & potter
12) Kathaleen Brewer	BS Degree USC – (All mediums)
13) Lydia Ellis	18 years teaching art in Fayette County
14) Tatiana McCoy	25 years teaching art
15) Janet Dunn	Professional ceramist
16) Melanie Bowen	Pottery instructor at Pottery Wheel
17) Donna Rosser	Professional photographer
18) Marilyn Weigle	15 years as substitute art teacher in schools

The enrolled student demographics breaks down as follows:

Peachtree City	**78**	McDonough	3
Fayetteville	63	Fairburn	2
Tyrone	26	Atlanta	2
Newnan	8	Jonesboro	2
Sharpsburg	5	Locus Grove	2
Brooks	3	Gay	1
Senoia	3	Morrow	1
Hampton	3		

Not only do we offer art classes, but we provide a **public art gallery** where local artists can exhibit their work. The exhibits change on a regular basis, are open to all artists and free to the public. Recent exhibits included a photography show, portrait show, pottery show, Society of Fine Artists show, League of Fine Artists South show, watercolor show, Summer Art Show, Georgette Liberatore show (she just had a book published about her work), Southwest Art show and an Asian Art Show. We have represented over 420 artists.

The Fayette Art Center also offers public access to an **extensive art library**. This library contains recent editions of books on art techniques as well as collections on the Masters and Museums. There are videos and DVD's on art techniques, biographies on artists, photographers and writers, plus art related movies.

Regarding tourism and economic dollars, **1,007 visitors** have signed our guest book, which is a small percentage of people who actually passed through the doors. These visitors come from all over the world and across the United States, plus surrounding counties. The most often heard remarks are "it is so nice to have a place to take guests without going into Atlanta" and "I just moved here and am so glad to have found you."

Another factor to consider in regard to public interest is **membership**. Since our move to the new site in March, 2007, **70 people from Peachtree City have become members**, 52 from Fayetteville, 7 from Sharpsburg, 4 from Tyrone, 4 from Brooks, 4 from Newnan, 3 from Fairburn, 3 from Senoia, 2 from Locust Grove, 2 from Marietta and one each from Stockbridge, Union City, College Park, Concord, Forest Park and Hampton. Our Board of Directors has swelled to thirteen people and our volunteer roster for gallery reception duties is now at 18 people, including high school youths earning their community service hour credits.

In order to help us continue to provide these services, we humbly request your contribution of **$3,000.00** for the 2009 Fiscal year. We are a 501c3 non-profit corporation registered in the State of Georgia.

Sincerely,

Kathaleen Brewer

Kathaleen Brewer
Director

Fayette Art Center & Gallery
770-631-2780
Fayetteartcenter@bellsouth.net
2011 West Hwy. 54
Fayetteville, GA 30214

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: AUG 20 2006

FAYETTE ART CENTER AND GALLERY INC
C/O KATHALEEN M BREWER
125 FISHER AVE
FAYETTEVILLE, GA 30214

Employer Identification Number:
20-3553487
DLN:
17053305009035
Contact Person:
KIM NGUYEN ID# 31525
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
August 31
Public Charity Status:
509(a)(2)
Form 990 Required:
~~Yes~~
Effective Date of Exemption:
September 9, 2005
Contribution Deductibility:
Yes
Advance Ruling Ending Date:
August 31, 2010

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. During your advance ruling period, you will be treated as a public charity. Your advance ruling period begins with the effective date of your exemption and ends with advance ruling ending date shown in the heading of the letter.

Shortly before the end of your advance ruling period, we will send you Form 8734, Support Schedule for Advance Ruling Period. You will have 90 days after the end of your advance ruling period to return the completed form. We will then notify you, in writing, about your public charity status.

Please see enclosed Information for Exempt Organizations Under Section 501(c)(3) for some helpful information about your responsibilities as an exempt organization.

Betsy Tyler

From: Kathaleen [fayetteartcenter@bellsouth.net]
Sent: Thursday, February 21, 2008 11:41 AM
To: Betsy Tyler
Subject: Emailing: Fayette Art Center and Gallery.htm
Attachments: Kathaleen Brewer.vcf

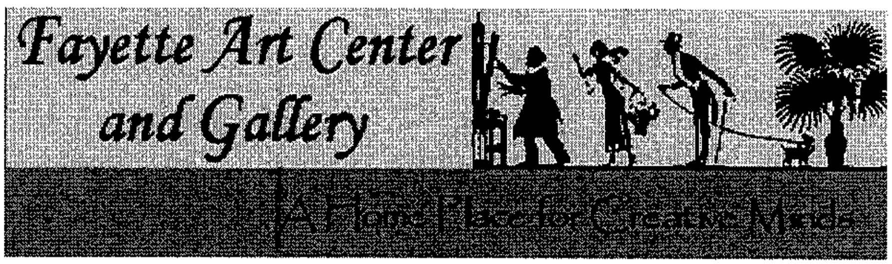
Dear Betsy,

Would you mind terribly printing pg. 1 & 2 and adding to our package? Want to make sure PTC Council is aware of this additional cut-back in the Arts as well as the fact we are holding events at the PTC Library and Mucklow's Jewelry site. We are also linked with PTC Tourism per Tera Baines.

Thanks,

Kathaleen Brewer
Director

FINE ART & POTTERY STUDIO



FAYETTE ART CENTER & GALLERY

A Non-Profit Organization Dedicated to Bringing People Together Thru Art

Home Page
About Us
Classes
Special Workshops
Call For Art Info
Forms And Docs
Contact Us
Links
News
Photo Gallery
Art Gallery
Wish List
Photography Info

Home Page

NEWS ALERT Dear Fayette Art Center Friends,

I recently received this email from the Americans for the Arts Organization in Washington, DC. Hard to believe the President is going to completely cut funding for arts in the schools! What is he thinking? If you quell all creative thinking and don't mentor and foster new minds nothing new is designed, nothing new is created. And in this world of hate and war, art and music are the prominent healers since they know no boundries, whether it be nationality, religion or economic status. If we all pull together to keep art, music, photography, dance, and literature alive and available in the Southside we can continue to provide this necessary element of society. If we fail, our society and especially our children will suffer greatly.

Sincerely,

Kathaleen Brewer, Director

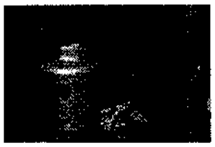
February 4, 2008

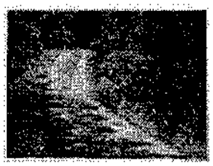
President Bush today sent his FY 2009 budget request to Congress, beginning the yearly appropriations process for, among many things, the nation's cultural agencies and programs, including the National Endowment for the Arts (NEA), National Endowment for the Humanities (NEW), Office of Museum Services (OMS), Corporation for Public Broadcasting (CPB), and the Department of Education's Arts in Education programs. Because drastic cuts are being proposed for some key arts programs, we urge you to write your Members of Congress and tell them to reject the President's budget cuts.

On the heels of signing the largest Congressionally-initiated funding increase for the arts in 28 years, President Bush has proposed a senseless $16.3 million cut for FY 2009 for the NEA—from $144.7 million to $128.4 million. After three years of

GRASSROOTS ARTS program

Special Programs are supported in part by the Grass Roots Program of the Georgia Council for the Arts through appropriations of the Georgia General Assembly and in partnership with Arts Clayton.





minimal, but incremental, funding growth, we are surprised to see an attempt to erase this progress.

For the eighth consecutive year, the President's budget has eliminated funding for the Department of Education's Arts in Education programs, which include funding for model arts programs and collaborations with schools, teacher professional development, and arts programs for at-risk youth. Arts literacy is as central to an educated citizenry as are reading, math, and science. The Administration needs to understand the role of arts education in developing an innovative and creative society.

Also, the FY 2009 budget request calls for a rescission of $200 million in already-approved funding for the Corporation for Public Broadcasting (CPB). As a trusted community resource, CPB uses the power of noncommercial television and radio to enrich the lives of all Americans through quality programs and education services.

Federally Funded Arts Program	FY08 Enacted Appropriations (in millions)	FY09 President's Budget Request (in millions)
National Endowment for the Arts	$144.7	$128.4
National Endowment for the Humanities	$144.7	$143.0
Office of Museum Services within IMLS	$31.3	$39.9
U.S. Dept. of Education's Arts in Ed	$35.3	$0
Corporation for Public Broadcasting	$400.0	$200.0

Next Steps As you know, the President's budget is the first step in the appropriations process. While it serves as an important framework, Congress has the power to set its own priorities and change these funding levels. That's where you come in.

Arts advocates can make their voices heard by writing their Members of Congress and urging them to increase funding for arts and culture and restore funding for arts in education programs. We also encourage you to join us in Washington, DC for Arts Advocacy Day 2008, March 31 - April 1, 2008. You'll have the opportunity to visit your Members of Congress face-to-face and urge them to support the arts.

Act Now!! info@artsusa.org www.AmericansForTheArts.org www.ArtsActionFund.or

SPECIAL EVENTS IN FEBRUARY

Fayette Art Center & Gallery presents An Evening with Vision Bear and Ehecatl Art

Ehecatl – meaning Spirit or that which moves but can not be seen Thursday Evening, Feb. 21st, 6:30-8:30 pm, Peachtree City Library **Vision Bear is Mexicatl and Mayan, belonging to the Amantecatl and Tlacatecolotl clans, is aTepatiani (visionary healer), artist and teacher. At age five, Vision Bear received the ancestral gifts from his great-grandfather, Don Gaitano Flores, which set his life on a journey of love and pain, of wonder and mystery. Everyone he has helped carries with them a renewed sense of self.**

MARCH CALENDAR OF EVENTS

Precious Metal Clay Workshop on Saturday, March 1st. 10-2:00

See Special Workshops

Form **990-EZ**

Department of the Treasury
Internal Revenue Service

Short Form
Return of Organization Exempt From Income Tax

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code
(except black lung benefit trust or private foundation)

▶ Sponsoring organizations, and controlling organizations as defined in section 512(b)(13) must file Form 990. All other organizations with gross receipts less than $100,000 and total assets less than $250,000 at the end of the year may use this form.

▶ *The organization may have to use a copy of this return to satisfy state reporting requirements.*

OMB No. 1545-1150

2006

Open to Public Inspection

A For the 2006 calendar year, or tax year beginning 7/1/2006 **and ending** 6/30/2007

B Check if applicable:
- [X] Address change
- [ ] Name change
- [ ] Initial return
- [ ] Final return
- [ ] Amended return
- [ ] Application pending

Please use IRS label or print or type. See Specific Instructions.

C Name of organization: Fayette Art Center & Gallery, Inc.

Number and street (or P.O. box, if mail is not delivered to street address): 2011 West Hwy. 54 — Room/suite:

City, town, or country: Fayetteville — State: GA — ZIP + 4: 30214

D Employer identification number 20-3553487

E Telephone number 770-631-2780

F Group Exemption Number ▶ N/A

• ***Section 501(c)(3) organizations and 4947(a)(1) nonexempt charitable trusts must attach a completed Schedule A (Form 990 or 990-EZ).***

G Accounting method: [ ] Cash [X] Accrual Other (specify) ▶

H Check ▶ [X] if the organization is **not** required to attach Schedule B (Form 990, 990-EZ, or 990-PF).

I Website: ▶ www.fayetteartcenter.com

J Organization type (check only one)— [X] 501(c) (3) ◀ (insert no.) [ ] 4947(a)(1) or [ ] 527

K Check ▶ [ ] if the organization is not a section 509(a)(3) supporting organization **and** its gross receipts are normally **not** more than $25,000. A return is not required, but if the organization chooses to file a return, be sure to file a complete return.

L Add lines 5b, 6b, and 7b, to line 9 to determine gross receipts; if $100,000 or more, file Form 990 instead of Form 990-EZ ▶ $ 65,828

Part I Revenue, Expenses, and Changes in Net Assets or Fund Balances (See page 47 of the instructions.)

Revenue	1	Contributions, gifts, grants, and similar amounts received			1	19,490
	2	Program service revenue including government fees and contracts			2	34,216
	3	Membership dues and assessments			3	
	4	Investment income			4	
	5 a	Gross amount from sale of assets other than inventory	5a			
	b	Less: cost or other basis and sales expenses	5b			
	c	Gain or (loss) from sale of assets other than inventory (line 5a less line 5b) (attach schedule)			5c	
	6	Special events and activities (attach schedule). If any amount is from gaming, check here ▶ [ ]				
	a	Gross revenue (not including $ ____ of contributions reported on line 1)	6a			
	b	Less: direct expenses other than fundraising expenses	6b			
	c	Net income or (loss) from special events and activities (line 6a less line 6b)			6c	
	7 a	Gross sales of inventory, less returns and allowances	7a	12,122		
	b	Less: cost of goods sold	7b	9,670		
	c	Gross profit or (loss) from sales of inventory (line 7a less line 7b)			7c	2,452
	8	Other revenue (describe ▶)			8	
	9	**Total revenue** (add lines 1, 2, 3, 4, 5c, 6c, 7c, and 8) ▶			9	56,158
Expenses	10	Grants and similar amounts paid (attach schedule)			10	
	11	Benefits paid to or for members			11	
	12	Salaries, other compensation, and employee benefits			12	
	13	Professional fees and other payments to independent contractors			13	22,675
	14	Occupancy, rent, utilities, and maintenance			14	28,270
	15	Printing, publications, postage, and shipping			15	2,294
	16	Other expenses (describe ▶ See attached statement)			16	13,384
	17	**Total expenses** (add lines 10 through 16) ▶			17	66,623
Net Assets	18	Excess or (deficit) for the year (line 9 less line 17)			18	-10,465
	19	Net assets or fund balances at beginning of year (from line 27, column (A)) (must agree with end-of-year figure reported on prior year's return)			19	795
	20	Other changes in net assets or fund balances (attach explanation)			20	
	21	Net assets or fund balances at end of year (combine lines 18 through 20) ▶			21	-9,670

Part II Balance Sheets—If Total assets on line 25, column (B) are $250,000 or more, file Form 990 instead of Form 990-EZ.

	(See page 51 of the instructions.)	(A) Beginning of year		(B) End of year
22	Cash, savings, and investments	396	22	2,216
23	Land and buildings		23	
24	Other assets (describe ▶ See attached statement)	15,720	24	15,318
25	**Total assets**	16,116	25	17,534
26	**Total liabilities** (describe ▶ See attached statement)	15,321	26	27,204
27	**Net assets or fund balances** (line 27 of column (B) must agree with line 21)	795	27	-9,670

Part III Statement of Program Service Accomplishments (See page 51 of the instructions.)

	Expenses (Required for 501(c)(3) and (4) organizations and 4947(a)(1) trusts; optional for others.)	
What is the organization's primary exempt purpose? Advance interest in art and provide art education Describe what was achieved in carrying out the organization's exempt purposes. In a clear and concise manner, describe the services provided, the number of persons benefited, or other relevant information for each program title.		
28 Held various classes, workshops and summer art camps for over 200 individuals (Grants $) If this amount includes foreign grants, check here ▶ ☐	28a	32,882
29 Provided gallery display of art and art shows based on various themes, format, or medium (Grants $) If this amount includes foreign grants, check here ▶ ☐	29a	21,812
30 (Grants $) If this amount includes foreign grants, check here ▶ ☐	30a	
31 Other program services (attach schedule) (Grants $) If this amount includes foreign grants, check here ▶ ☐	31a	
32 **Total program service expenses** (add lines 28a through 31a) ▶	32	54,694

Part IV List of Officers, Directors, Trustees, and Key Employees (List each one even if not compensated. See page 52 of the instructions.)

(A) Name and address	(B) Title and average hours per week devoted to position	(C) Compensation (If not paid, enter -0-.)	(D) Contributions to employee benefit plans & deferred compensation	(E) Expense account and other allowances
Name Kathaleen Brewer Str 305 Grady Ave City Fayetteville ST GA ZIP 30214	Title President Hr/WK 40			
Name Vicki Turner Str 165 Carnegie Place City Fayetteville ST GA ZIP 30214	Title Vice President Hr/WK 1			
Name Terrie Hart Str 130 Pamela Court City Fayetteville ST GA ZIP 30214	Title Treasurer Hr/WK 5			
Name Carol Buckler Str 1124 Weeping Willow City Hampton ST GA ZIP 30228	Title Secretary Hr/WK 1			

Part V Other Information (Note the statement requirement in General Instruction V.)

			Yes	No
33	Did the organization engage in any activity not previously reported to the IRS? If "Yes," attach a detailed description of each activity	33		X
34	Were any changes made to the organizing or governing documents but not reported to the IRS? If "Yes," attach a conformed copy of the changes	34		X
35	*If the organization had income from business activities, such as those reported on lines 2, 6, and 7 (among others), but not reported on Form 990-T, attach a statement explaining your reason for not reporting the income on Form 990-T.*			
a	Did the organization have unrelated business gross income of $1,000 or more or 6033(e) notice, reporting, and proxy tax requirements?	35a		X
b	If "Yes," has it filed a tax return on **Form 990-T** for this year?	35b	N/A	
36	Was there a liquidation, dissolution, termination, or substantial contraction during the year? (If "Yes," attach a statement.)	36		X
37 a	Enter amount of political expenditures, direct or indirect, as described in the instructions ▶ 37a			
b	Did the organization file **Form 1120-POL** for this year?	37b		X
38 a	Did the organization borrow from, or make any loans to, any officer, director, trustee, or key employee or were any such loans made in a prior year and still unpaid at the start of the period covered by this return?	38a	X	
b	If "Yes," attach the schedule specified in the line 38 instructions and enter the amount involved — 38b 23,193			
39	*501(c)(7) organizations.* Enter:			
a	Initiation fees and capital contributions included on line 9 — 39a n/a			
b	Gross receipts, included on line 9, for public use of club facilities — 39b n/a			

Part V **Other Information** (Note the statement requirement in General Instruction V.) *(Continued)*

40 a *501(c)(3) organizations.* Enter amount of tax imposed on the organization during the year under: section 4911 ▶ ______ ; section 4912 ▶ ______ ; section 4955 ▶ ______

b *501(c)(3) and (4) organizations.* Did the organization engage in any section 4958 excess benefit transaction durir the year or did it become aware of an excess benefit transaction from a prior year? If "Yes," attach an explanation. . . . . **40b** Yes: ___ No: X

c Enter amount of tax imposed on organization managers or disqualified persons during the year under sections 4912, 4955, and 4958 . . . . ▶ ______

d Enter amount of tax on line 40c reimbursed by the organization . . . . ▶ ______

e *All organizations.* At any time during the tax year, was the organization a party to a prohibited tax shelter transaction? . . . . **40e** Yes: ___ No: X

41 List the states with which a copy of this return is filed ▶ GA

42 a The books are in care of ▶ Name Kathaleen Brewer Telephone no. ▶ 770-461-4494

Located at ▶ 125 Fisher Ave City Fayetteville ST GA ZIP + 4 ▶ 30214

b At any time during the calendar year, did the organization have an interest in or a signature or other authority over a financial account in a foreign country (such as a bank account, securities account, or other financial account)? . . . . **42b** Yes: ___ No: X

If "Yes," enter the name of the foreign country ▶ ______

See the instructions for exceptions and filing requirements for **Form TD F 90-22.1.**

c At any time during the calendar year, did the organization maintain an office outside of the U.S.? . . . . **42c** Yes: ___ No: X

If "Yes," enter the name of the foreign country ▶ ______

43 *Section 4947(a)(1) nonexempt charitable trusts filing Form 990-EZ in lieu of* **Form 1041**—Check here . . . . ▶ ☐

and enter the amount of tax-exempt interest received or accrued during the tax year . . . . . . ▶ **43** N/A

Please Sign Here

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

▶ Kathaleen Brewer
Signature of officer — Date

▶ KATHALEEN BREWER, DIRECTOR — 10-11-07
Type or print name and title.

Paid Preparer's Use Only

Preparer's signature ▶ Terrie Hart	Date 10/11/2007	Check if self-employed ▶ ☒	Preparer's SSN or PTIN (See Gen. Inst. X) P00584295
Firm's name (or yours if self-employed), address, and ZIP + 4 ▶ Terrie B Hart CPA		EIN ▶ 58-2428479	
130 Pamela Court, Fayetteville, GA 30214		Phone no. ▶ 770-461-5218	

SCHEDULE A
(Form 990 or 990-EZ)

Department of the Treasury
Internal Revenue Service

Organization Exempt Under Section 501(c)(3)

(Except Private Foundation) and Section 501(e), 501(f), 501(k), 501(n), or 4947(a)(1) Nonexempt Charitable Trust

Supplementary Information—(See separate instructions.)

▶ **MUST be completed by the above organizations and attached to their Form 990 or 990-EZ**

OMB No. 1545-0047

2006

Name of the organization: Fayette Art Center & Gallery, Inc.

Employer identification number: 20-3553487

Part I **Compensation of the Five Highest Paid Employees Other Than Officers, Directors, and Trustees**
(See page 2 of the instructions. List each one. If there are none, enter "None.")

(a) Name and address of each employee paid more than $50,000	(b) Title and average hours per week devoted to position	(c) Compensation	(d) Contributions to employee benefit plans & deferred compensation	(e) Expense account and other allowances
None				
Total number of other employees paid over $50,000 ▶				

Part II-A **Compensation of the Five Highest Paid Independent Contractors for Professional Services**
(See page 2 of the instructions. List each one (whether individuals or firms). If there are none, enter "Non

(a) Name and address of each independent contractor paid more than $50,000	(b) Type of service	(c) Compensation
None		
Total number of others receiving over $50,000 for professional services . . . . ▶		

Part II-B **Compensation of the Five Highest Paid Independent Contractors for Other Services**
(List each contractor who performed services other than professional services, whether individuals or firms. If there are none, enter "None." See page 2 of the instructions.)

(a) Name and address of each independent contractor paid more than $50,000	(b) Type of service	(c) Compensation
None		
Total number of other contractors receiving over $50,000 for other services . . . . ▶		

Part III Statements About Activities (See page 2 of the instructions.)

			Yes	No
1	During the year, has the organization attempted to influence national, state, or local legislation, including ar attempt to influence public opinion on a legislative matter or referendum? If "Yes," enter the total expenses pai or incurred in connection with the lobbying activitie: ▶ $ ______________ (Must equal amounts on line 38, Part VI-A, or line i of Part VI-B.)	1		X
	Organizations that made an election under section 501(h) by filing Form 5768 must complete Part VI-A. Other organizations checking "Yes" must complete Part VI-B AND attach a statement giving a detailed description of the lobbying activities.			
2	During the year, has the organization, either directly or indirectly, engaged in any of the following acts with substantial contributors, trustees, directors, officers, creators, key employees, or members of their families, with any taxable organization with which any such person is affiliated as an officer, director, trustee, majorit owner, or principal beneficiary? *(If the answer to any question is "Yes," attach a detailed statement explaining the transactions.)*			
a	Sale, exchange, or leasing of property?	2a		X
b	Lending of money or other extension of credit?	2b	X	
c	Furnishing of goods, services, or facilities?	2c		X
d	Payment of compensation (or payment or reimbursement of expenses if more than $1,000)?	2d		X
e	Transfer of any part of its income or assets?	2e		X
3 a	Did the organization make grants for scholarships, fellowships, student loans, etc.? (If "Yes," attach an explanatio of how the organization determines that recipients qualify to receive payments.)	3a		X
b	Did the organization have a section 403(b) annuity plan for its employees?	3b		X
c	Did the organization receive or hold an easement for conservation purposes, including easements to preserve ope space, the environment, historic land areas or historic structures? If "Yes," attach a detailed statement	3c		X
d	Did the organization provide credit counseling, debt management, credit repair, or debt negotiation services?	3d		X
4 a	Did the organization maintain any donor advised funds? If "Yes," complete lines 4b through 4g. If "No," comple lines 4f and 4g	4a		X
b	Did the organization make any taxable distributions under section 4966?	4b		X
c	Did the organization make a distribution to a donor, donor advisor, or related person?	4c		X
d	Enter the total number of donor advised funds owned at the end of the tax year ▶	none		
e	Enter the aggregate value of assets held in all donor advised funds owned at the end of the tax year ▶	n/a		
f	Enter the total number of separate funds or accounts owned at the end of the tax year (excluding donor advise funds included on line 4d) where donors have the right to provide advice on the distribution or investment o amounts in such funds or accounts ▶	n/a		
g	Enter the aggregate value of assets held in all funds or accounts included on line 4f at the end of the tax year ▶	n/a		

Part IV **Reason for Non-Private Foundation Status** (See pages 4 through 7 of the instructions.)

I certify that the organization is not a private foundation because it is: (Please check onONE applicable box.)

5 [ ] A church, convention of churches, or association of churches. Section 170(b)(1)(A)(i).

6 [ ] A school. Section 170(b)(1)(A)(ii). (Also complete Part V.)

7 [ ] A hospital or a cooperative hospital service organization. Section 170(b)(1)(A)(iii).

8 [ ] A Federal, state, or local government or governmental unit. Section 170(b)(1)(A)(v)

9 [ ] A medical research organization operated in conjunction with a hospital. Section 170(b)(1)(A)(iiEnter the hospital's name, city, and state ▶ ____________ City ____________ ST ____ Country ____________

10 [ ] An organization operated for the benefit of a college or university owned or operated by a governmental unit. Section 170(b)(1)(A)(iv) (Also complete the **Support Schedule** in Part IV-A.)

11 a [ ] An organization that normally receives a substantial part of its support from a governmental unit or from the general public. Secti 170(b)(1)(A)(vi). (Also complete the **Support Schedule** in Part IV-A.)

11 b [ ] A community trust. Section 170(b)(1)(A)(vi). (Also complete the **Support Schedule** in Part IV-A.)

12 [X] An organization that normally receives **(1) more than 33 1/3%** of its support from contributions, membership fees, and gross receipts from activities related to its charitable, etc., functions—subject to certain exceptions, and **(2) no more than 33 1/3%** of its support from gross investment income and unrelated business taxable income (less section 511 tax) from businesses acquired by the organization after June 30, 1975. See section 509(a)(2). (Also complete the **Support Schedule** in Part IV-A.)

13 [ ] An organization that is not controlled by any disqualified persons (other than foundation managers) and otherwise meets requirements of section 509(a)(3). Check the box that describes the type of supporting organization:

[ ] Type I [ ] Type II [ ] Type III-Functionally Integrated [ ] Type III-Other

Provide the following information about the supported organizations. (See page 7 of the instructions.)

(a) Name(s) of supported organization(s)	(b) Employer identification number (EIN)	(c) Type of organization (described in lines 5 through 12 above or IRC section)	(d) Is the supported organization listed in the supporting organization's governing documents? Yes	No	(e) Amount of support
n/a					
Total . . . . . ▶					

14 [ ] An organization organized and operated to test for public safety. Section 509(a)(4). (See page 7 of the instructions)

Part IV-A **Support Schedule** (Complete only if you checked a box on line 10, 11, or 12.) *Use cash method of accounting*

Note: *You may use the worksheet in the instructions for converting from the accrual to the cash method of accounting.*

Calendar year (or fiscal year beginning in) ▶	(a) 2005	(b) 2004	(c) 2003	(d) 2002	(e) Total
15 Gifts, grants, and contributions received. (Do not include unusual grants. See line 28.)	30,279				30,279
16 Membership fees received					
17 Gross receipts from admissions, merchandise sold or services performed, or furnishing of facilities in any activity that is related to the organization's charitable, etc., purpose	12,079				12,079
18 Gross income from interest, dividends, amounts received from payments on securities loans (section 512(a)(5)), rents, royalties, and unrelated business taxable income (less section 511 taxes) from businesses acquired by the organization after June 30, 1975					
19 Net income from unrelated business activities not included in line 18					
20 Tax revenues levied for the organization's benefit and either paid to it or expended on its behalf					
21 The value of services or facilities furnished to the organization by a governmental unit without charge. Do not include the value of services or facilities generally furnished to the public without charge					
22 Other income. Attach a schedule. Do not include gain or (loss) from sale of capital assets					
23 Total of lines 15 through 22	42,358				42,358
24 Line 23 minus line 17	30,279				30,279
25 Enter 1% of line 23	424				

26 **Organizations described on lines 10 or 11:** a Enter 2% of amount in column (e), line 24 ▶ 26a

b Prepare a list for your records to show the name of and amount contributed by each person (other than a governmental unit or publicly supported organization) whose total gifts for 2002 through 2005 exceeded the amount shown in line 26a. **Do not file this list with your return.** Enter the total of all these excess amounts ▶ 26b

c Total support for section 509(a)(1) test: Enter line 24, column (e) ▶ 26c

d Add: Amounts from column (e) for lines: 18 ______ 19 ______ 22 ______ 26b ______ ▶ 26d

e Public support (line 26c minus line 26d total) ▶ 26e

f **Public support percentage (line 26e (numerator) divided by line 26c (denominator))** ▶ 26f

27 **Organizations described on line 12:** a For amounts included in lines 15, 16, and 17 that were received from a "disqualified person," prepare a list for your records to show the name of, and total amounts received in each year from, each "disqualified person." **Do not file this list with your return.** Enter the sum of such amounts for each year:

(2005) 20,000 (2004) ______ (2003) ______ (2002) ______

b For any amount included in line 17 that was received from each person (other than "disqualified persons"), prepare a list for your records to show the name of, and amount received for each year, that was more than the larger of (1) the amount on line 25 for the year or (2) $5,000. (Include in the list organizations described in lines 5 through 11b, as well as individuals.) **Do not file this list with your return.** After computing the difference between the amount received and the larger amount described in (1) or (2), enter the sum of these differences (the excess amounts) for each year:

(2005) ______ (2004) ______ (2003) ______ (2002) ______

c Add: Amounts from column (e) for lines: 15 30,279 16 ______ 17 12,079 20 ______ 21 ______ ▶ 27c 42,358

d Add: Line 27a total. 20,000 and line 27b total ______ ▶ 27d 20,000

e Public support (line 27c total minus line 27d total) ▶ 27e 22,358

f Total support for section 509(a)(2) test: Enter amount from line 23, column (e) ▶ 27f 42,358

g **Public support percentage (line 27e (numerator) divided by line 27f (denominator))** ▶ 27g 52.78%

h **Investment income percentage (line 18, column (e) (numerator) divided by line 27f (denominator))** ▶ 27h

28 **Unusual Grants:** For an organization described in line 10, 11, or 12 that received any unusual grants during 2002 through 2005, prepare a list for your records to show, for each year, the name of the contributor, the date and amount of the grant, and a brief description of the nature of the grant. **Do not file this list with your return.** Do not include these grants in line 15

Part VI-A **Lobbying Expenditures by Electing Public Charities** (See page 10 of the instructions.)
(To be completed **ONLY** by an eligible organization that filed Form 5768)

Check ▶ a ☐ if the organization belongs to an affiliated group. Check ▶ b ☐ if you checked "a" and "limited control" provisions apply.

Limits on Lobbying Expenditures (The term "expenditures" means amounts paid or incurred.)		(a) Affiliated group totals	(b) To be completed for all electing organizations
36 Total lobbying expenditures to influence public opinion (grassroots lobbying)	36		
37 Total lobbying expenditures to influence a legislative body (direct lobbying)	37		
38 Total lobbying expenditures (add lines 36 and 37)	38		
39 Other exempt purpose expenditures	39		
40 Total exempt purpose expenditures (add lines 38 and 39)	40		
41 Lobbying nontaxable amount. Enter the amount from the following table—			
If the amount on line 40 is— / **The lobbying nontaxable amount is—**			
Not over $500,000 / 20% of the amount on line 40			
Over $500,000 but not over $1,000,000 / $100,000 plus 15% of the excess over $500,000			
Over $1,000,000 but not over $1,500,000 / $175,000 plus 10% of the excess over $1,000,000	41		
Over $1,500,000 but not over $17,000,000 / $225,000 plus 5% of the excess over $1,500,000			
Over $17,000,000 / $1,000,000			
42 Grassroots nontaxable amount (enter 25% of line 41)	42		
43 Subtract line 42 from line 36. Enter -0- if line 42 is more than line 36	43		
44 Subtract line 41 from line 38. Enter -0- if line 41 is more than line 38	44		

Caution: *If there is an amount on either line 43 or line 44, you must file Form 4720*

4-Year Averaging Period Under Section 501(h)

(Some organizations that made a section 501(h) election do not have to complete all of the five columns below. See the instructions for lines 45 through 50 on page 13 of the instructions.)

	Lobbying Expenditures During 4-Year Averaging Period				
Calendar year (or fiscal year beginning in) ▶	(a) 2006	(b) 2005	(c) 2004	(d) 2003	(e) Total
45 Lobbying nontaxable amount					
46 Lobbying ceiling amount (150% of line 45(e))					
47 Total lobbying expenditures					
48 Grassroots nontaxable amount					
49 Grassroots ceiling amount (150% of line 48(e))					
50 Grassroots lobbying expenditures					

Part VI-B **Lobbying Activity by Nonelecting Public Charities**
(For reporting only by organizations that did not complete Part VI-A) (See page 13 of the instructions.)

During the year, did the organization attempt to influence national, state or local legislation, including an attempt to influence public opinion on a legislative matter or referendum, through the use of:	Yes	No	Amount
a Volunteers			
b Paid staff or management (Include compensation in expenses reported on linesthrough h.)			
c Media advertisements			
d Mailings to members, legislators, or the public			
e Publications, or published or broadcast statements			
f Grants to other organizations for lobbying purposes			
g Direct contact with legislators, their staffs, government officials, or a legislative body			
h Rallies, demonstrations, seminars, conventions, speeches, lectures, or any other means			
i Total lobbying expenditures (Add linesc through h.)			

If "Yes" to any of the above, also attach a statement giving a detailed description of the lobbying activitie

Part V Private School Questionnaire (See page 9 of the instructions.)
(To be completed ONLY by schools that checked the box on line 6 in Part IV)

			Yes	No
29	Does the organization have a racially nondiscriminatory policy toward students by statement in its charter, bylaw other governing instrument, or in a resolution of its governing body?	29		
30	Does the organization include a statement of its racially nondiscriminatory policy toward students in all its brochures, catalogues, and other written communications with the public dealing with student admissions programs, and scholarships?	30		
31	Has the organization publicized its racially nondiscriminatory policy through newspaper or broadcast media durii the period of solicitation for students, or during the registration period if it has no solicitation program, in a way tl makes the policy known to all parts of the general community it serves?	31		
	If "Yes," please describe; if "No," please explain. (If you need more space, attach a separate statemei			
32	Does the organization maintain the following:			
a	Records indicating the racial composition of the student body, faculty, and administrative staff?	32a		
b	Records documenting that scholarships and other financial assistance are awarded on a racially nondiscriminat basis?	32b		
c	Copies of all catalogues, brochures, announcements, and other written communications to the public dealing wil student admissions, programs, and scholarships?	32c		
d	Copies of all material used by the organization or on its behalf to solicit contributions?	32d		
	If you answered "No" to any of the above, please explain. (If you need more space, attach a separate statement			
33	Does the organization discriminate by race in any way with respect to:			
a	Students' rights or privileges?	33a		
b	Admissions policies?	33b		
c	Employment of faculty or administrative staff?	33c		
d	Scholarships or other financial assistance?	33d		
e	Educational policies?	33e		
f	Use of facilities?	33f		
g	Athletic programs?	33g		
h	Other extracurricular activities?	33h		
	If you answered "Yes" to any of the above, please explain. (If you need more space, attach a separate statemer			
34 a	Does the organization receive any financial aid or assistance from a governmental agency?	34a		
b	Has the organization's right to such aid ever been revoked or suspended? If you answered "Yes" to either 34a or b, please explain using an attached statemer	34b		
35	Does the organization certify that it has complied with the applicable requirements of sections 4.01 throu 4.05 of Rev. Proc. 75-50, 1975-2 C.B. 587, covering racial nondiscrimination? If "No," attach an explanation	35		

Part VII Information Regarding Transfers To and Transactions and Relationships With Noncharitable Exempt Organizations (See page 13 of the instructions.)

51 Did the reporting organization directly or indirectly engage in any of the following with any other organization described in sectio 501(c) of the Code (other than section 501(c)(3) organizations) or in section 527, relating to political organizations?

		Yes	No
a Transfers from the reporting organization to a noncharitable exempt organization of:			
(i) Cash	51a(i)		X
(ii) Other assets	a(ii)		X
b Other transactions:			
(i) Sales or exchanges of assets with a noncharitable exempt organization	b(i)		X
(ii) Purchases of assets from a noncharitable exempt organization	b(ii)		X
(iii) Rental of facilities, equipment, or other assets	b(iii)		X
(iv) Reimbursement arrangements	b(iv)		X
(v) Loans or loan guarantees	b(v)		X
(vi) Performance of services or membership or fundraising solicitations	b(vi)		X
c Sharing of facilities, equipment, mailing lists, other assets, or paid employees	c		X

d If the answer to any of the above is "Yes," complete the following schedule. Column (b) should always show the fair market valu of the goods, other assets, or services given by the reporting organization. If the organization received less than fair market valu in any transaction or sharing arrangement, show in column (d) the value of the goods, other assets, or services receive

(a) Line no.	(b) Amount involved	(c) Name of noncharitable exempt organization	(d) Description of transfers, transactions, and sharing arrangements

52 a Is the organization directly or indirectly affiliated with, or related to, one or more tax-exempt organization described in section 501(c) of the Code (other than section 501(c)(3)) or in section 527? ▶ ☐ Yes ☒ No

b If "Yes," complete the following schedule:

(a) Name of organization	(b) Type of organization	(c) Description of relationship

Supporting Schedule for Part V Line 38a & Schedule A Part III Line 2b

The Art Center has been loaned funds from Kathaleen Brewer to cover operating funds; the money is loaned with an interest rate of 5% to be paid with principal repayment after a period of 5 years. the original amount of $14,000 was usec for initial expenses in 2005. Ms. Brewer has loaned additional monies during the current fiscal year. Current balance of the laon is $23,193.

Line 1 (990-EZ) - Contributions, gifts, grants, and similar amounts received

1	Contributions	1	15,450
2	Non Cash Contributions	2	
3	Membership dues and assessments (contributions from the public)	3	2,640
4	Government contributions (grants)	4	1,400
5	Commercial co-venture	5	
6	Special events contributions (Line 6 - Special Events).	6	
7		7	
8		8	
9		9	
10	Total	10	19,490

Line 16 (990-EZ) - Other expenses

1	Depreciation, depletion, etc.	1	1,688
2	Art Supplies for Classes/Workshops	2	2,160
3	Art Show Costs	3	1,723
4	Bank & Credit Card Fees	4	1,115
5	Memberships & Subscriptions	5	294
6	Insurance	6	424
7	Licenses & Fees	7	720
8	Web Site	8	535
9	Office Supplies	9	2,011
10	Miscellaneous	10	375
11	Prizes	11	75
12	Advertising/Promotion	12	2,264
13	Total other expenses	13	13,384

Line 24 (990-EZ) - Other assets

		15,720	15,318
		Beginning	End
1	Office Equipment	2,533	2,533
2	Furniture & Fixtures	5,597	5,797
3	Leasehold Improvements	6,012	6,669
4	Art Library	1,800	1,996
5	Accumulated Depreciation & Amortization	-1,738	-4,630
6	Deposits	321	321
7	inventory	1,195	1,232
8	Studio Equipment		1,400
9			
10			

Line 26 (990-EZ) - Liabilities

		15,321	27,204
		Beginning	End
1	Accounts payable	1,260	3,939
2	Sales Tax payable	61	72
3	Note Payable - Organizer Kathaleen Brewer loaned the organization operating funds	14,000	23,193
4			
5			
6			
7			
8			
9			
10			

Part III, Line 3a (Sch A (990/990-EZ)) - Fellowships, Scholarships, and Student Loans

Do you make grants for scholarships, fellowships, student loans, etc.? [ ] Yes [X] No

If "Yes," attach an explanation of how you determine that recipients qualify to receive payments.

Part III, Line 2b (Sch A 990EZ) -

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: AUG 20 2006

FAYETTE ART CENTER AND GALLERY INC
C/O KATHALEEN M BREWER
125 FISHER AVE
FAYETTEVILLE, GA 30214

Employer Identification Number:
20-3553487
DLN:
17053305009035
Contact Person:
KIM NGUYEN ID# 31525
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
August 31
Public Charity Status:
509(a)(2)
Form 990 Required:
~~Yes~~
Effective Date of Exemption:
September 9, 2005
Contribution Deductibility:
Yes
Advance Ruling Ending Date:
August 31, 2010

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. During your advance ruling period, you will be treated as a public charity. Your advance ruling period begins with the effective date of your exemption and ends with advance ruling ending date shown in the heading of the letter.

Shortly before the end of your advance ruling period, we will send you Form 8734, Support Schedule for Advance Ruling Period. You will have 90 days after the end of your advance ruling period to return the completed form. We will then notify you, in writing, about your public charity status.

Please see enclosed Information for Exempt Organizations Under Section 501(c)(3) for some helpful information about your responsibilities as an exempt organization.

restrictions applied. If a store was in an area where customers had to go into the shopping center parking lot to see the signs, the ordinance was administered often as it was for window signs that could be seen from the street. Rast said staff felt that was a double standard. Staff researched sign ordinances from different jurisdictions and came up with guidelines that applied to everybody across the board. Code Enforcement had gone door-to-door in Braelinn Village several months ago. The golf store had several signs that were not in compliance with the current ordinance, and several other tenants were in violation. Rast recommended that staff work with business owners to come up with a potential amendment to the sign ordinance that worked for everyone.

Bill Lechner, owner of The Hobby Stop, said he had been visited by Code Enforcement in September and told he was in violation of the ordinance. He was told all his window signs were in violation, including his store name, the hours, the credit card signs, and the open sign. Several flyers for upcoming community events were also out of compliance. He gave Council copies of photos he had taken of other violations in the City, including City Hall and the library. He added that not a single merchant had been asked for input on an ordinance that affected their daily operation. Logsdon said he understood this was an issue, and Council would try to resolve it.

Plunkett asked if there had been a public hearing on the ordinance changes. Rast said there had been. She asked if the merchants had an opportunity to speak about their concerns. Rast said yes.

Keith Johnston, W.K. Café owner, said their business depended on visibility to attract customers. Braelinn Village stores were 100 yards away from the road and could not be seen. They did not want pink neon signs. He wanted to be able to put out a sign with daily specials. The smaller shops fed off the people who visited the anchor stores, and they needed signs to attract those people.

Logsdon asked Rast to get a group together and come back to Council with recommendations. Plunkett said that there also needed to be a citizen representative on the committee since their concerns were not the same as business owners'. Logsdon said they also needed to ensure City Hall was in compliance.

Logsdon asked Rast how long it would take. Rast said 60 days. Logsdon asked for an update by Council's March workshop. Kourajian suggested anyone interested in working on the committee contact Rast.

01-07-13 Consider Request for Funding from Promise Place

Administrative Services Director/City Clerk Jane Miller noted that the City had guidelines regarding funding certain non-profit agencies within the County broken down into agencies that provide basic needs, general needs, and the Board of Education. Promise Place was an organization that worked with victims of domestic violence and fell into the basic needs category of providing protection and shelter. Promise Place had requested $7,500 for this fiscal year. She added this was the fourth or fifth year the request had been made.

Kourajian moved to approve the request from Promise Place for $7,500 in City funding. Rutherford seconded. The motion carried unanimously.

01-07-14 Hear Proposal/Consider Request for Funding from Fayette County Art Center

Logsdon noted there was an additional document on the dais – an e-mail from Leisure Services Director Randy Gaddo to Mayor and Council dated January 18, 2007. Kathaleen Brewer, Fayette County Art Center director, addressed Council. She started the art center and gallery in Fayetteville about 18 months ago. She understood the concept was new territory. She said county and city governments did not realize the economics involved with an art center. Brewer continued that statistics showed that everyone who entered the Art Center would spend $38 in the surrounding area. The guest book had been signed by 650 people, who should have provided $40,564 in economic input. She also had 278 participating students. Arts centers raised economic revenues. According to statistics, people who participated in arts programs usually had higher education levels. The City and Fayette County had a high level of education, usually a bachelor of science or above. The reason those people participated more was because they had already been introduced to the arts and wanted to continue their education, as well as their children's.

Brewer also wanted to offer her services in helping to get a cultural arts venue going in the County. She continued that her current site was a problem, and she was moving next month to the yellow cottage on GA 54. She noted that the location was more visible, and she felt more people would participate. If she could keep the center autonomous from the County or municipal governments, it opened up the opportunity for partnership grants. According to the Georgia Council on Arts, $13 was generated for every $1 spent at an art center. The art center retained 20% of the instructors' fees, but the remainder went back into the community. Art sales went back to the artists.

Brewer said the funding would be used to help with rent and to keep the doors open. She showed Council photos of the arts center in Carrollton, which was built with SPLOST dollars. Kourajian asked Brewer if she had talked to Fayette County yet. Brewer said she was scheduled on February 22. Rutherford asked about the other municipalities. Brewer said she had spoken to Tyrone Mayor Sheryl Lee, who also worked for Fayette County, but she had approached Peachtree City first. She added that arts centers were also funded with programs similar to impact fees where a certain percentage of a project was designated for fountains, statues, murals, and arts centers.

Leisure Services Director Randy Gaddo said he had not been aware of the center before this proposal, but some of his staff members had visited it and felt it was nicely run. He applauded Brewer for what she was doing, but noted that the City offered a majority of the same classes. He continued that he could not support the request since it meant essentially funding an organization that would compete with the programs the City offered. He would like to discuss partnering and the idea of an art center. Brewer said she would also.

Logsdon said he would prefer to have more dialogue before Council moved on the request.

Plunkett moved to deny the request, but to work together to determine future needs and whether or not there were areas to partner in and for which funding might be available for those partnerships. Kourajian seconded.

Kourajian asked if money set aside for non-profit requests was given out on a first-come, first-served basis. Financial Services Director Paul Salvatore said they were. Kourajian said they should probably table the matter to hold the spot. Rutherford noted that $5,000 was the maximum every five years. Council might want to consider other options since that meant she could only ask for the funds every five years. Miller pointed out that, according to the City's regulation, the request must be for the FY 2008 budget and the request had to be made prior to June 1. She added that no one had made a request for FY 2008 as yet. Miller added that there was also a matching requirement.

The motion carried unanimously.

01-07-15 Consider Amendments to Home Occupation Ordinance

Miller said staff and the City Attorney had reviewed the ordinance, and a number of changes had been made. She continued that a number of changes were needed to address different situations that have occurred within the City. The changes included allowing the outside use of the dwelling for activities that normally occurred on residential property. People kept children in their home and, under the current ordinance, the children were not allowed outside the home. Another change limited the number of students taught at a time to two to help maintain the residential character and to help cut down on traffic. The appropriate licensing would be required for in-home day care centers. The amount of space allowed for a home business would be increased from 15% to 25%. A survey had been done, and 25% appeared to be more normal. The changes also clarified who could work in dwellings at a home occupation, as well as prohibiting off-site employees from congregating on the premises.

Kourajian asked Meeker if all the amendments were enforceable. Meeker said they were.

Rutherford asked why the changes were made. Miller said a number of things had come up over time, but nothing in particular had triggered the revisions. It was just time to review the ordinance.

Heidi Larson told Council that she represented a group of music teachers, who had just learned of the changes to the ordinance the previous night. The changes, particularly limiting lessons to two students at a time, affected nearly every music teacher in the City. She asked what the underlying issues were and if there might be a better way to resolve the issues. If approved, countless opportunities would be lost for group lessons and masters classes that were vital to the curriculum. The amendment would bar certain types of musical groups, such as string quartets, from rehearsing in teachers' homes. It would also keep teachers from holding recitals in their homes. Larson said they all taught professionally, held national certification, and held business licenses. She asked why people who gave lessons were targeted as opposed to cosmetics sales representatives who held parties in their homes to sell their products. She asked how the changes would affect families that had more than two children taking lessons. She also asked if home businesses holding training or meetings would be prevented from doing so.

Logsdon asked Miller if all that had been taken into consideration. Miller said no. She continued that, at some point where large groups were involved, businesses might need to look for another location to provide services. Staff felt that a limit of two students was reasonable. The limit to two students was not just for music lessons, but anything, including tennis lessons, that could be taught in the home. The amendment was designed to keep a half dozen cars from converging on one house at 4 p.m. where it would appear that business was being conducted. Miller said it sounded like the ordinance amendment should be tabled to further review the issue.

Plunkett moved to postpone the agenda item so staff could work with representatives, until the second meeting in March. Boone seconded.

PEACHTREE CITY

Funding Request
For Non-Profit Organizations

Organization Information:

Organization Name: Honor Flight Foundation of Fayette County, Inc.

Address: Po. Box 1209, Fayetteville, GA 30214

Phone #: 770-461-6163 Fax #: 770-460-5281

Contact Person: Gail N. Sparrow

Title: President

Financial Information:

Total Annual Budget: Proposed: $100,000

Total Clients Served Annually: All WWII Veterans are eligible for the flight

Peachtree City Residents Served Annually: We expect the largest percentage of WWII Veterans are retirees in PeachTree City

Funding Request Information:

Funding Amount Requested: $10,000

Funding Use(s): To pay for flights, motor coaches and food

Additional Information on Organization/Services:

We recognize the ~~ug~~ urgency to see this program become successful. We are losing 1200+ WWII Veterans per day.

REQUIRED ATTACHMENTS: 501c3 non-profit organizations must provide a copy of the previous calendar year form 990. Other non-profits must provide a current fiscal year budget.

Date Submitted: ____________ ***Council Approval Date:*** ____________ ***Amount Approved:*** ____________

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FACSIMILE TRANSMITTAL SHEET

TO: Rand GADDO	FROM: Gail Sparrow
COMPANY:	PHONE NUMBER: 404-451-1306
FAX NUMBER: 770-631-2541	DATE: 1/24/08
RE: Funding Request	TOTAL NUMBER OF PAGES INCLUDING COVER: 2

☐ Urgent ☐ As Requested ☐ Please Reply ☐ FYI

NOTES/COMMENTS:

Randy,

Please advise if you think changes are needed.

Gail

LAND SURVEYING • CIVIL ENGINEERING • PROJECT MANAGEMENT

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CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor & Council Members

VIA: Mr. Bernard McMullen, City Manager
Ms. Betsy Tyler, City Clerk
Ed Eiswerth, Fire Chief

FROM: John Dailey, Fire Marshal

DATE: February 11, 2008

SUBJECT: Proposed Automatic Fire Sprinkler Ordinance for Commercial and Multifamily Structures
March 6, 2008 City Council Meeting

Recommendation:
That council approve the attached ordinance requiring automatic fire sprinklers in new construction for all commercial buildings that include actual square footage of 5000 or greater and multifamily structures (including: Care Home, Multifamily Dwelling, Apartment, Condominium, Townhouse, Two-Family Dwelling, Hotels, nursing and assisted living homes, and row houses.)

Discussion:
During two recent council workshops we have addressed and demonstrated through data resources, photographs and video the ability of fire sprinklers to save lives and property. The lives protected and saved are expected to include many walks of life including residents, visitors, workers, and firefighters Fire sprinklers are a proven resource to contain and extinguish fires while still in a relatively small stage. Fires that take place in any business or residence can significantly and unexpectedly result in very high dollar losses not only to the physical structure and safety of those individually affected by the fire but also impact the loss of business. The impact on businesses, lives, and livelihood, can result in months of displacement, business losses, and personal anxieties for the victims.

Many buildings already are required by fire and/or building codes to have a sprinkler system installed, however, the requirement is typically mandated from the NFPA 101, (National Fire Protection Association), Life Safety Code which is responsible for subjecting certain buildings to requirements directly affecting emergency egress conditions and the absolute safety of occupants. This does not necessarily mandate the fire suppression requirements for the purpose of fire loss, the fire safety of a building or structure, or the safety of firefighters.

Therefore, the Peachtree City Fire Department respectfully request that council approve the attached ordinance change and cause it to be inclusive of all new developments that are currently in the review process including but not limited to the noted site plan reviews on file and all of the those developments that have not yet applied for building permits.

Plans currently on file at the Fire Department for plan review status:

Development	Proposed Fire Sprinklers
Fairfield Inn and Suites	Yes
Hilton Garden Inn	Yes
Comfort Inn and Suites	Yes
Shoppes at Village Piazza	Yes
Somerby / Wilshire Village	Yes
Omni Consulting	Non Committed
Southside Church	Yes
Line Creek Retail	Yes
Walgreens	Yes
Homeland Self Storage	No
The Shoppes at Braelinn	No
Peachtree 74 Business Center	No
Guthrie Industrial Subdivision	No
K W Contracting	Yes
Northlake Professional Building	No
New gate Townhomes	Proposed Partial
Hannon Sports Institute	No

Budget Impact:
There will be additional permitting fees revenue from developers.

ORDINANCE NO: _______

AN ORDINANCE TO AMEND SECTION 38 OF THE CODE OF ORDINANCESOF THE CITY OF PEACHTREE CITY, GEORGIA, SO AS TO ESTABLISH REQUIREMENTS FOR AUTOMATIC FIRE SPRINKLER SYSTEMS; AND FOR OTHER PURPOSES.

NOW THEREFORE BE IT AND IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF PEACHTREE CITY, GEORGIA, THAT:

Section 1. Chapter 38 of the Code of Ordinances of the City of Peachtree City, Georgia, as amended, is hereby further amended by adding Article IV as follows:

Article IV. Automatic Fire Sprinkler Systems

Sec. 38-100. Definitions.

Automatic fire sprinkler systems shall be required as noted in section A. Automatic fire sprinkler systems are defined in those sections of the National Fire Protection Association, Fire Codes, specifically:

NFPA 13 Standard for the Installation of Sprinkler Systems

NFPA 13D Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes

NFPA 13R Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height

NFPA 14 Standard for the Installation of Standpipe and Hose Systems 2003 Edition

Sec. 38-101. Authority

The Fire Chief or Fire Marshal or the fire department designated representative for the authority having jurisdiction shall have the authority to require water valves, sprinkler control valves, and / or standpipe connections where in his/her opinion it would benefit firefighters in controlling a fire in any structure. A sprinkler control valve and water flow device shall be provided for each floor. This is not to restrict the fire marshal having jurisdiction from requiring the installation of a water-based fire protection system and/or smoke detection system if, in the opinion of the fire marshal, and for the public interest, the health and welfare of the firefighters, and the protection of human life, such a system would serve to benefit all parties that may be affected by the type of construction, hazard of content, limited access to the structure, and for other purposes. Based on the type of construction and the tenants' ability to evacuate, the fire marshal shall have the authority to designate which system is best suited in each situation, but not less than the standard set by the requirements of the National Fire Protection Association.

Sec. 38-102. Requirements

(a) Buildings of any type construction or occupancy of 5000 square feet or more of the total floor space for commercial buildings, including parking garages, and all assembly occupancies where seating is available for 100 or more persons and / or where live entertainment is planned or allowed, all bars and nightclubs, and residential occupancies, (definition of R3 in the International Building Code), which meet the criteria below:

(1) Multifamily buildings to include those multifamily structures identified within the Peachtree City Ordinance, Appendix A Zoning*, Article VI Definitions, which are defined as Care Home, Multifamily Dwelling, Apartment, Condominium, Townhouse, Two-Family Dwelling, Hotels, and also to include nursing and assisted living homes and row houses.

(b) Existing buildings, when required to have automatic sprinkler protection by Section (a) above, shall be retrofitted for automatic sprinklers as required by the fire marshal in accordance with NFPA Standards when the cost of remodel or renovation exceeds 50 percent of the latest approved assessed value of the building. These buildings shall be required to upgrade to meet all current codes, standards, and ordinances as applicable for required fire protection and life safety systems.

*Section: International Building Code 1996 Edition; Section 3403.1

(c) Historical buildings may require an equivalency concept and working through of the process in conjunction with the historical society and NFPA 914 Code for Fire Protection of Historic Structures

(d) The owner or occupant of any building shall be responsible for having the system inspected and tested in accordance with NFPA 25 Standard for the Inspection, Testing, and Maintenance of Water-Based Fire Protection Systems, 2002 Edition.

Sec. 38-103. Maintaining Existing Fire Sprinkler Systems or Shutting Off Fire Sprinkler Systems.

(a) Any existing fire sprinkler system in any structure shall be maintained to the extent recognized by the NFPA (National Fire Protection Association).

(b) No person shall shut off, disable, or disarm any automatic fire sprinkler system except for the following purposes:

(1) In order to perform required or necessary service or maintenance to such system. Any such maintenance may be conducted after notice has been given to the fire department.

(2) In the event of accidental damage to the system that causes undo water flow.

(c) In the event that a fire sprinkler system must stay off for an extended time due to repair or maintenance a fire watch may be required during that period. If required the fire watch is to remain in effect until such time that the system is returned to its full capacity.

<u>Section 2.</u> All ordinances or parts thereof which conflict with the provisions of this ordinance are, to the extent of such conflict and except as hereinafter provided, hereby repealed.

<u>Section 3.</u> Should any provision of this ordinance be declared invalid by a Court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any

provision thereof other than the provisions specifically declared to be invalid. The City Council declares that it would have passed this ordinance and each subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases may be declared invalid.

Section 4. This ordinance shall be in full force and effect upon its official adoption by the City Council.

This _________ day of ______________________ 2008.

____
Harold K. Logsdon, Mayor

____

____

____

____

Attest: ______________________________
City Clerk

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor and City Council**

VIA: **City Manager** Bernard McMullen

FROM: **Financial Services Director** P.S.

DATE: **March 4, 2008**

SUBJECT: **WASA audit services – Amendment to Intergovernmental Agreement**

March 6, 2008 City Council Meeting

Recommendation:
Approve the attached amendment to the intergovernmental agreement with the Peachtree City Water & Sewerage Authority (WASA).

Discussion:
Several months ago, the firm that audits WASA informed their management that they would not be performing their audit this year. As no other firm was readily available to step in and complete the work necessary to prepare for the audit in a timely manner, it was agreed upon that city employee Janet Camburn would perform the work. The attached agreement stipulates the terms of this arrangement.

Budgetary Impact:
The agreement would be revenue-neutral to the city. All costs for Janet's services will be paid by WASA.

STATE OF GEORGIA

COUNTY OF FAYETTE

AMENDMENT TO AGREEMENT

WHEREAS, an Agreement (hereinafter "Agreement") by and between the City of Peachtree City (hereinafter called "City") and the Peachtree City Water and Sewerage Authority (hereinafter the "Authority") was entered into on September 21, 2006; and

WHEREAS, Section 1.01(E) of said Agreement states that the City may provide other services to the Authority as agreed upon by both parties; and

WHEREAS, City and Authority have mutually agreed that the terms of said Agreement should be amended so as to provide for certain services to the Authority by an employee of the City.

NOW THEREFORE, City and Authority agree to amend the Agreement as follows:

Authority agrees to engage the services of a city employee, Janet Camburn (hereinafter "Employee"), to prepare the Authority's annual audit. City shall pay Employee one and one-half times (1.5 times) her hourly wage for services provided in connection with preparation of the Authority's annual audit. Authority agrees to repay any sums expended by City to Employee for work done by Employee in connection with the Authority's annual audit, including, but not limited to, FICA, Medicare, retirement benefits, and other withholding paid by or on behalf of the City to the Employee. This shall include any time spent on such work by Employee prior to, or as of, the date of this Amendment to Agreement.

Either party may terminate only this Amendment to Agreement with thirty (30) days' written notice. The terms of the Agreement set forth in Section 3.01 thereof shall remain in effect, and such the termination of this Amendment to Agreement shall not effect the provisions of the Agreement unless it is cancelled in accordance with said Section 3.01 of the Agreement. The parties agree and acknowledge that all remaining terms and conditions set forth in the Agreement remain in full force and effect, but if any of the terms of said Agreement are in conflict with the terms of this Amendment to Agreement, the terms of the Agreement shall control.

THIS AMENDMENT TO AGREEMENT EXECUTED IN COUNTERPARTS ON THE DATE BELOW EACH PARTY'S SIGNATURE, AND THE PARTIES HEREBY AFFIX THEIR NAMES, SIGNATURES AND SEALS WITH THE FULL INTENT TO BE BOUND THEREBY.

Signed this _______ day of ____________ 2008.

City of Peachtree City, Georgia

By______________________________
Mayor

Attest:

____
City Clerk (SEAL)

Peachtree City Water & Sewerage Authority

By ______________________________
Chairperson of the Peachtree City Water and Sewerage Authority

Attest:

____
~~Clerk~~ (SEAL)
ASST. SECRETARY

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: **Mayor and Council**

FROM: **City Manager**

DATE: **March 5, 2008**

SUBJECT: **CONSIDER APPOINTMENTS OF DEVELOPMENT AUTHORITY MEMBERS**
Consent Agenda, March 6, 2008

The Selection Committee, composed of Mayor Harold Logsdon, Council Member Don Haddix, DAPC Member David Miller, and myself, considered six applicants for the vacancies on the Development Authority.

It is the recommendation of the Committee that Todd Strickland, Mark Hollums, and Markus Schwab be appointed to terms that would expire on 2/28/12.

Copies of their applications are attached for your review.

DEVELOPMENT AUTHORITY
APPLICATION FOR APPOINTMENT

Thank you for your interest in being considered for appointment to the Development Authority.

Applicants must be a legal resident of the State of Georgia and have been a resident of Peachtree City for at least six months prior to the date an application is submitted. Elected officials of any governmental jurisdiction in the County and City employees are not eligible for appointment.

The Development Authority is comprised of seven members appointed to four-year terms. Meetings are held on the third Monday of each month at 6:00 p.m. Members are required to attend a minimum of eighty percent (80%) of all meetings. **Applicants are encouraged to attend as many Authority meetings as possible in an effort to become familiar with the responsibilities of the Authority.** The Authority is responsible for developing and promoting trade, commerce, industry and employment in Peachtree City.

Please take a few minutes to complete the form below and answer the questions on the reverse side of this form and return it with a resume, if available, to Nikki Vrana, Peachtree City Hall, 151 Willowbend Road, Peachtree City, GA 30269 by **5:00 p.m. on Friday, February 1, 2008.** The City will contact you within two weeks of the application closing date.

If you have any questions, please call 487-7657.

Information provided on this form is subject to disclosure as a public record under Georgia Open Records Law.

NAME Todd Strickland

ADDRESS 311 Lilac Path
Peachtree City, GA 30269

TELEPHONE (Day Time) 770-487-8041

(Evening) 770-486-9124

(Fax #) 770-487-5418

(Email:) tstrickland@historicalconcepts.com

Todd Strickland
Signature

1/29/08
Date

3/5
@ 4:30 p.m.

How long have you been a resident of Peachtree City?

I have lived in Peachtree City continuously since 1975 except for my time at college and two years in Newnan.

Why are you interested in serving on the Development Authority?

I have been a business owner in Peachtree City for over 14 years. My wife and I are now raising two daughters here ages 7 and 9. Peachtree City is truly my hometown and I feel obligated to give something back to the City. Thus, I wish to volunteer my time in an area that pertains to my background in hopes of maintaining or even improving Peachtree City's great quality of life. Also, I truly enjoy the process of working with other community leaders and concerned citizens.

What qualifications and experience do you possess that would benefit the Development Authority?

I now have four years of experience working on the Development Authority and feel I have demonstrated a high level of energy and commitment during that time. In addition my professional experience in an architectural firm provides insights which can be applied to the DAPC's development and redevelopment projects. I believe the Lexington Circle project was a qualified success in that it demonstrates the type of projects the DAPC can proactively coordinate. It is my hope that the DAPC can work with the City Council, City Planner and Planning Commission on a regular basis in helping to guide the development/redevelopment of prominent land parcels throughout town. I am confident that my professional experience will allow me to contribute these types of projects in numerous ways such as building consensus with stakeholders and directing the efforts of design professionals.

With regards to general qualifications, I am the managing partner in a 37 person multi-discipline firm called Historical Concepts. It is an award winning company that attracts clients and staff members from across the nation. My responsibilities at Historical Concepts give me a comprehensive understanding of the business matters and challenges that confront small business owners. I am responsible for all financial matters at Historical Concepts as well as several side ventures. Thus, I have a keen understanding of budgets, cash flow and what it takes to run a profitable company. My leadership roles within the firm require that I have the ability to make a point in open forum and build consensus with groups.

In addition, I was heavily involved in the North Cove and North Hill projects here in town. This has given me hands on developer experience which is useful when working with other developers.

Lastly, I am on the Board of Directors for the Southeastern Chapter of the Institute for Classical Architecture. The organization promotes traditional architecture and land planning practices which I feel creates a strong sense of place. I am a member of the Congress for New Urbanism and the Urban Land Institute. Each of these organizations focus on intelligent ways to develop different types of property (infill, greenfield, brownfield, etc...). My membership allows me to attend seminars and discuss development practices with national leaders.

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

I have worked at Historical Concepts since I graduated from the University of Georgia with a degree in economics in 1993.

Do you have any past experience relating to development? If so, describe.

See above.

Have you attended any Development Authority meetings in the past year and, if so, how many?

Yes. Over the past four years I believe I have attended all but two meetings.

Are you willing to take continuing education classes?

Absolutely. I have learned great deal from the two continuing education classes I have already taken as part of the DAPC.

Would there be any possible conflict of interest between your employment and you serving on the Development Authority?

No.

Describe your current community involvement.

I have been a part of several City related planning projects spanning from the West Side Task Force, Livable Centers Initiative, Overlay Committee, etc... It seems like I have been a member of the DAPC or a member of one committee or another for many years. In each case, I have gladly spent my own time on these projects in hopes of having a positive affect on the quality of each.

RECEIVED
JAN 23 2008
PEACHTREE CITY
CITY HALL

DEVELOPMENT AUTHORITY
APPLICATION FOR APPOINTMENT

Thank you for your interest in being considered for appointment to the Development Authority.

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If you have any questions, please call 487-7657.

Information provided on this form is subject to disclosure as a public record under Georgia Open Records Law.

NAME Mark Hollums

ADDRESS 102 Robinson Bend Trail

Peachtree City, GA 30269

TELEPHONE (Day Time) (404) 520-5515 cell

(Evening) (770) 703-6463

(Fax #) (404) 762-7197

(Email:) mark@otterinc.com

Signature 1/23/08 Date

3/5 P
4:00 pm

How long have you been a resident of Peachtree City?
15 years

Why are you interested in serving on the Development Authority?
Community service

What qualifications and experience do you possess that would benefit the Development Authority?
I have been in commercial property management for the past 27 years. From 1984-2004, I also operated a petroleum marketing company affiliated with Shell Oil Company, Amoco, and Citgo.

I hold the following professional licenses by examination with the State of Georgia:

- *Real Estate Broker*
- *State Registered Real Property Appraiser*
- *Conditioned Air Contractor – Unrestricted*
- *Electrical Contractor – Unrestricted*
- *Low Voltage Contractor – Unrestricted*
- *Georgia Soil and Water Conservation Commission (GWSCC) Level IA Certified*

- *Currently awaiting State Board approval on my application for exam exemption on the new General Contractor license (Unrestricted) which goes into effect July 1, 2008*

I am also in the process of earning the following industry professional designations:

- *CCIM – Certified Commercial Investment Member*
- *CSM – Certified Shopping Center Manager from the International Council of Shopping Centers (ICSC)*

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

- *Cawthon- Hollums Properties, Inc. – Vice-president*
- *Otter, Inc. – President*
- *Continental Realty – Associate Broker*

Do you have any past experience relating to development? If so, describe.
Yes.

Cawthon-Hollums Properties is primarily a property management company, but is also a general contractor as well as being licensed in three specific trade areas (see above); however, Cawthon-Hollums does not currently have any new projects under development and only maintains and renovates its existing properties.

Otter, Inc. also designed and built its own retail locations; however it does not have any projects currently under development either.

Have you attended any Development Authority meetings in the past year and, if so, how many?
Yes, I attended just about every City Authority (except the Tourism Assoc) as well as most of the City's various Commissions at least once (usually several times) while I was a candidate for City Council last year; however I do not recall the exact number of times that I specifically attended Development Authority meetings.

Are you willing to take continuing education classes?
Yes

Would there be any possible conflict of interest between your employment and you serving on the Development Authority?
I do not foresee any at conflicts at this time.

Describe your current community involvement.

- *Candidate for Peachtree City Council Post 2 – Fall of 2007*
- *Recently appointed to the Peachtree City Board of Ethics*
- *Member of Peachtree City Christian Church*

RECEIVED
JAN 24 2008
PEACHTREE CITY
CITY HALL

DEVELOPMENT AUTHORITY
APPLICATION FOR APPOINTMENT

Thank you for your interest in being considered for appointment to the Development Authority.

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Please take a few minutes to complete the form below and answer the questions on the reverse side of this form and return it with a resume, if available, to Nikki Vrana, Peachtree City Hall, 151 Willowbend Road, Peachtree City, GA 30269 by **5:00 p.m. on Friday, February 1, 2008**. The City will contact you within two weeks of the application closing date.

If you have any questions, please call 487-7657.

Information provided on this form is subject to disclosure as a public record under Georgia Open Records Law.

NAME MARKUS SCHWAB

ADDRESS 301 SAWMILL TRACE

TELEPHONE (Day Time) 770 294 6175

(Evening) 678 364 8732

(Fax #)

(Email:) MARKSHELL99@MSN.COM

Signature

Jan 18 2008
Date

3/5
@ 2:30pm.

How long have you been a resident of Peachtree City? Since Aug 2007

Why are you interested in serving on the Development Authority?

COMMUNITY INVOLVEMENT

What qualifications and experience do you possess that would benefit the Development Authority? CERTIFIED PUBLIC ACCOUNTING LICENSE
MASTERS IN PROFESSIONAL ACCOUNTING
MAJOR IN ACCTG W/MINOR IN FINANCE & ECONOMICS

List major jobs you have held during your working career to include name of company and position. CITY OF GRIFFIN - CFO.
CLAYTON COUNTY - FINANCIAL REPORTING ANALYST
CLERK OF CIRCUIT AND COUNTY COURTS
BROWARD COUNTY, FL — ASST. CFO

Do you have any past experience relating to development? If so, describe.

PRIOR AND CURRENT MUNICIPAL EXPERIENCE.

Have you attended any Development Authority meetings in the past year and, if so, how many? No

Are you willing to take continuing education classes? YES

Would there be any possible conflict of interest between your employment and you serving on the Development Authority? NO

Describe your current community involvement. NEW TO THE AREA.
Previously with BIG BROTHERS BIG SISTERS,
PTC LL,

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO:	**Mayor and City Council**
VIA:	**City Manager** **Financial Services Director** **Assistant Financial Services Director** **Developmental Services Director**
FROM:	**City Engineer** David A. Borkowski
DATE:	**March 4, 2008**
SUBJECT:	**Second Update on Police Station Repairs – Options 5, 6 and 7** ***March 6, 2008 City Council Meeting***

Discussion:

City staff had presented an update to City Council at a workshop on February 6, 2008. Staff had presented 3 options at this workshop. The options ranged from finishing the repairs to the existing building to demolishing and building a new facility on another site. Staff had also reviewed a fourth option of renovating an existing building at 350 Dividend Drive and presented it along with the first three options at the February, 2008 City Council meeting. The issue was tabled until the March 6, 2008 City Council meeting in order for staff to provide information on additional options.

Staff has reviewed three more options plus we have additional information on land costs for actual sites if construction of a new facility was selected as presented in options two and three. The option presented on February 6th assumed acquiring six acres at $50,000 per acre. Pathways provided information on two sites, one listed at $60,000 per acre for 6.6 acres and a total of $396,000. The other listed at $75,000 per acre for 6.5 acres and a total of $487,500.

The fifth option is to purchase and renovate the current lease space at 2011 Commerce Drive. The sixth option is to purchase and renovate the current lease space at 2011 Commerce Drive along with demolishing the existing police station and converting it to a recycling center. Eliminating current space for the obstacle course and land for the frontage road on the 5.5 acre site leaves approximately 2.4 acres for the recycling center. The seventh option is to repair the existing building along with building phase one of recycling center on the Water and Sewerage Authority (WASA) property.

Specifically, the fifth option is to purchase the current lease space at 2011 Commerce Drive North and renovate it to a permanent facility. The City Engineer David Borkowski, Jim Porter of Leo A. Daly Architects and Captain Stan Pye of the City Police Department toured the facility on February 29, 2008. The 2011 Commerce Drive site is two acres in size and the total building is 19,300 S.F. The Police Department currently is occupying 12,100 S.F., but will need to occupy the entire building for a permanent site. Based on the site visit a list of items was generated that would be needed to make the facility a permanent location. The cost estimate below represents the minimum needed and, according to Leo A. Daly, it would be a very spartan facility. The breakdown of this option is as follows.

Estimated Additional Cost to Purchase & Renovate 2011 Commerce Drive North
Assumes Sale of Existing Police Building
As of March 4, 2008

Estimated renovation cost (19,300 s.f.)	$772,000	
Purchase of building and land (19,300 s.f.- 2.0 Acre lot)	$4,157,295	
Architectural design/engineering	$115,800	
Closing costs on new Bricks & Mortar Loan	$75,000	
Other (survey, permits, geotechnical, legal, etc.)	$50,000	
Project contingency (contained in above)	$0	
Total Building Costs:		**$5,170,095**
<u>Existing Loan Costs</u>		
Pre-payment of existing loan	$1,366,312	
Breakage fee on loan prepayment (as of 2/1/2008) (can change daily - fluctuates as interest rates move)	$200,000	
Total Existing Loan Costs:		**$1,566,312**
Additional expense to do interior wall repairs		**$45,000**
Total Estimated Costs:		**$6,781,407**
<u>Credits</u>		
Sale of land - existing site (5.55 acres @ $50K)	$277,500	
Sale of improved building	$1,300,000	
Total Credits:		**$1,577,500**
<u>Net Estimated Cost of Renovating 2011 Commerce:</u>		**<u>$5,203,907</u>**

Timeline

Acquisition of Commerce Drive property (4 months)	July 31, 2008
Construction (6months - assuming Police occupy during const.)	January 31, 2009

The above breakdown does not include the following:

- Any replacement/repair of the roof or HVAC system. The condition of roof and HVAC units (building built in 1998) are unknown.
- The cost for an emergency generator, emergency panel, automatic transfer switch and any necessary wiring.
- The cost for any existing lease buyouts, relocation costs or other expenses. There are currently four tenants in the building and some of the leases do not terminate until 2016 at the latest.
- The cost for any environmental clean up that may be associated with the existing dry cleaning establishment.
- The cost for the removal of approximately 5 outside doors in order to better control access to the facility.
- The costs to extend drywall and insulation to the roof deck to better insulate the building.
- Any costs for potential drainage improvements along rear of the building.

The above breakdown also assumes:

- That the Police Department can stay in the building during renovations; and,
- That the Police Department will still retain the ability to use the obstacle course at the State Route 74 South site.

Additional issues with this location involve the need for a security fence. The Police Department will require a six to eight foot fence around the rear and sides of the building for security purposes. City zoning requirements for commercial property includes:

- No fence in excess of four feet in height shall be installed within 40 feet of the right-of-way of an arterial street or a major collector street.
- No fence comprised of metal parts shall be installed in a commercial area unless all exposed metal parts are vinyl-coated or painted a standard dark brown, dark green or black color to blend into the natural surroundings.
- No fence which is constructed of wire, including chain link fencing, and no fence in excess of four feet in height shall be installed between the principal structure on a zoning lot and any adjoining street right-of-way line. On a zoning lot with multiple street frontages, this restriction shall apply on all street frontages. On a zoning lot with no principal building erected on the lot, this restriction shall apply to required setback areas that adjoin a street right-of-way.

If this site is fenced, a variance for all of the above items may be needed. A wall could be built instead of a fence; however, the wall would have to be engineered and be outside of the building setbacks. This would also substantially increase the cost of the project.

The sixth option is to purchase and renovate the current lease space at 2011 Commerce Drive along with demolishing the existing station and converting it to a recycling center. The breakdown of this option is as follows and includes the same assumptions and issues mentioned for option five.

Estimated Additional Cost to Purchase & Renovate 2011 Commerce Drive North
Demolition of Existing Building and Construct Recycling Center
As of March 4, 2008

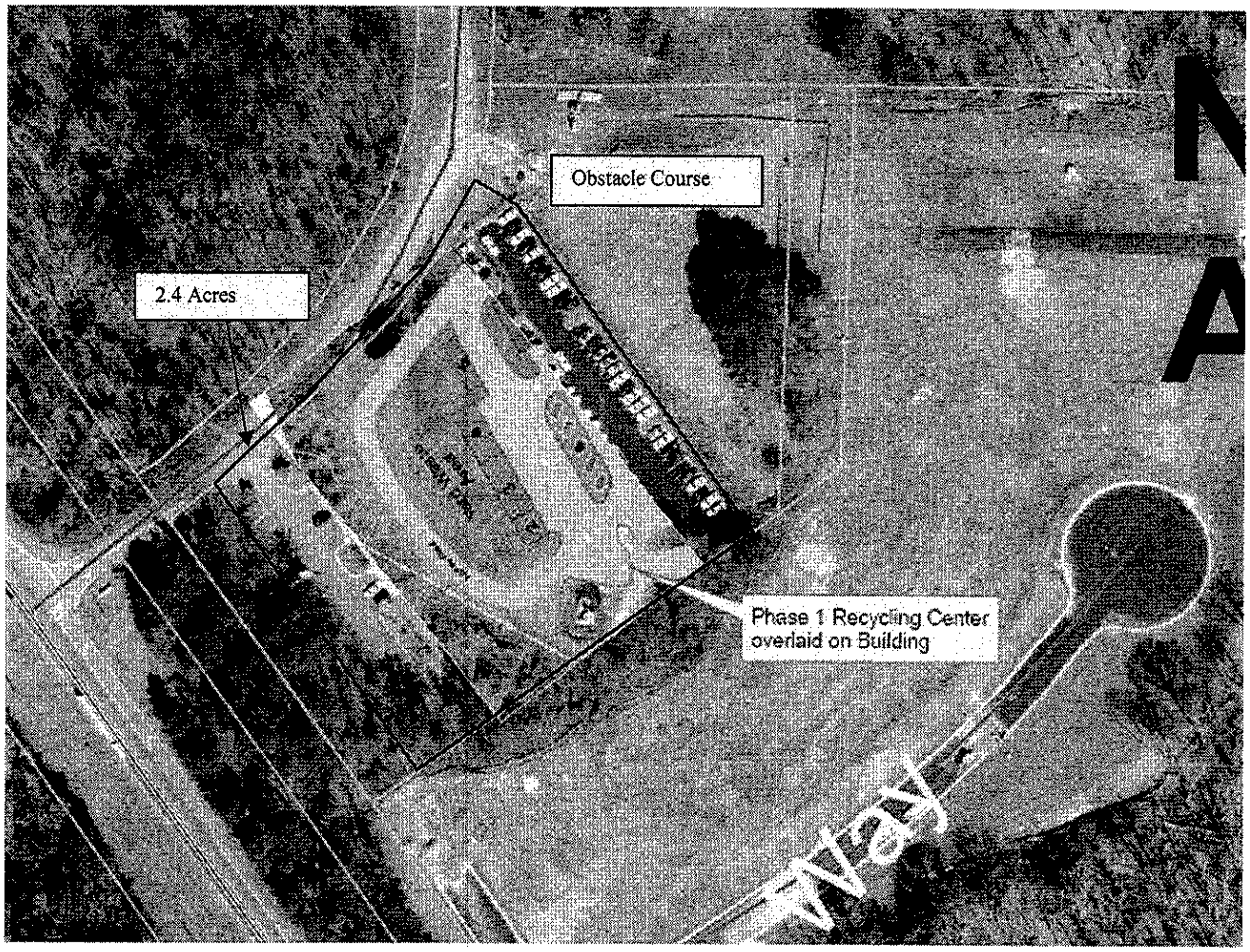
Estimated renovation cost (19,300 s.f.)	$772,000	
Purchase of building and land (19,300 s.f.- 2.0 Acre lot)	$4,157,295	
Architectural design/engineering	$115,800	
Closing costs on new Bricks & Mortar Loan	$75,000	
Other (survey, permits, geotechnical, legal, etc.)	$50,000	
Demolition of existing structure	$85,000	
Construction of Recycling Center (Phase I)	$100,000	
Project contingency (Recycling Center)	$10,000	
Total Building Costs:		**$5,365,095**
<u>**Existing Loan Costs**</u>		
Pre-payment of existing loan	$1,366,312	
Breakage fee on loan prepayment (as of 2/1/2008) (can change daily - fluctuates as interest rates move)	$200,000	
Total Existing Loan Costs:		**$1,566,312**

Net Estimated Cost of Renovating 2011 Commerce, Demo Building and Build Recycling Center:	**$6,931,407**

* <u>Note:</u> contingency not calculated on prepayment & financing costs shown above.

Timeline

Acquisition of Commerce Drive property (4 months)	<u>July 31, 2008</u>
Construction (6months - assuming Police occupy during const.)	January 31, 2009



The above figure shows Phase 1 of the Recycling Center superimposed over existing building area.

The seventh option is to repair the existing building along with building phase one of a recycling center on the WASA site. The breakdown of this option is as follows.

Estimated Additional Cost of Completing P.D. Headquarters Renovation and Building Phase I of Recycling Center
March 4, 2008

Additional construction estimate (including contingencies)	$538,476
Architectural Design/Construction Administration	$80,000
Site improvements (drainage, etc.)	$50,000

Additional rent (4 months @ $13K) June-August 2008	$52,000
Purchase 13 Acres from WASA for Recycling Center	$500,000
Design and Construction of Phase I of Recycling Center w/ separate paved access, internal gravel only	$600,000

Total estimated cost of completing renovations *	**$1,820,476**

* Does not include credit(s) for amounts that may be recovered from other sources.

Timeline

Design exterior repairs & modifications (5 weeks)	April 30, 2008
Award construction contract	June 2008
Construction (16 weeks)	November 2008

Summary of Options

(Option 1) Renovate existing building	$720,476*
(Option 2) Sell Existing and build new on another site	$6,456,010
(Option 3) Demolish existing and build new on another site	$7,650,260
(Option 4) Renovate 350 Dividend Drive	N/A
(Option 5) Purchase and renovate 2011 Commerce	$5,203,907
(Option 6) Purchase and renovate 2011 Commerce, demo existing building and convert to recycling center	$6,931,407
(Option 7) Repair existing building and build phase 1 of recycling center	$1,820,476*

* Does not include credit(s) for amounts that may be recovered from other sources.